Town of Camden
Select Board Meeting
August 18, 2015 – 6:30 PM
Washington Street Conference Room

Select Board meetings are broadcast live on Time Warner Channel 22
and web streamed at *www.townhallstreams.com/locations/camden-me*

Agenda

A. Call to Order

B. Communications, Presentations, and Recognition

1. Presentation - Camden Garden Club

C. Public Hearings

1. Harbor Ordinance Amendment – Recommended by the Harbor Committee

The Harbor Committee has proposed several amendments regarding piers including prohibiting new piers in the outer harbor, eliminating provisions for consolidated piers, and clarifying requirements for other piers including municipal piers, and clarified certain definitions.

2. Harbor Ordinance Amendment – recommended by the Planning Board

The Planning Board has proposed amendments to the Zoning Ordinance relating to piers to conform to the changes proposed by the Harbor Committee. These would only be effective if the Harbor Ordinance is amended

3. Zoning Ordinance Amendments – Recommended by the Planning Board

The Planning Board has proposed amendments to the Zoning Ordinance to clarify and update several provisions *including:* adds a definition of "Commercial,"changes "Elderly Congregate Housing" to "Congregate Housing" to eliminate the age restriction, clarifies the term "street level" and what uses are allowed or required at street level, and changes parking requirements to have space-per-unit requirements that apply based on type of dwelling, not age of occupants.

The proposal also amends the Site Plan Review process to require businesses which have a floor area greater than 1000 square feet to be reviewed by the Planning Board if they want to change the use from a permitted use to a different permitted use. Currently Site Plan Review is required for new construction or expansion of existing buildings which are 1000 square feet.

D. Citizen Comments

This time is set aside for members of the public to comment on any town-related issue that is not on the agenda.

E. Approval of Select Board Minutes of August 4, 2015

F. Select Board Member Reports

G. Town Manager Report

H. New Business

1. **Request to use Village Green by the Penobscot Bay Regional Chamber of Commerce: Welcome and Information table for cruise ship visitors on September 20, 27, 30, and October 4 and 12**

   Several large cruise lines visit several ports in Maine including Rockland. The passengers boards buses to tour the surrounding area, including Camden. To help us welcome these visitors and help them make the most of their time here, the Penobscot Bay Chamber of Commerce sets up an information booth near the Tour Bus drop-off spot at the Village Green.

2. **Request to use Village Green by the Chestnut Street Baptist Church on Sunday September 6 from 10:30 a.m. to 12:30 p.m. for a church service**

   The Chestnut Street Baptist Church, which is adjacent to the Village Green, wishes to hold its September 6 church service at the Village Green, which is open to the public

3. **Request to use Village Green by the Camden International Film Festival on Sept. 16 –Sept. 20, 2015 from 10:00 a.m. to 6:00 p.m.**

   The Camden International Film Festival (CIFF) celebrates its 11th year. They are requesting to use the Village Green as a gathering area for Film Festival participants and the public to socialize, learn, and share information. There will be no commercial activity or sales.

4. **Request by the Windjammer Festival to use the Public Landing from Thursday, Sept. 3 at 5:00 p.m. through Sunday, Sept. 6 at 4:00 p.m.**

   The Windjammer Festival uses Public Landing for the events, vendors, and educational exhibits celebrating Camden's maritime and windjammer heritage.

5. **Request to approve Victualer license renewals:**
   a) **Maria Weymouth & Erin Donovan, d/b/a Spoon Maine, LLC at 44 Bay View Street**
   b) **Ravin Nakjaroen d/b/a Long Grain at 31 Elm Street**

6. **Request to approve application of Jonathan Elwell for a renewal taxicab operator's license driving for Schooner Bay Taxi.**

Adjourn

ARTICLE II DEFINITIONS

All words not defined herein shall carry their customary and usual meanings. Words used in the present tense shall include the future. Words used in the singular shall include the plural and vice versa. As used herein, the following words and phrases shall mean:

Anchorage Area: An area of the harbor set aside for the temporary anchoring of vessels.

Aquaculture: Cultivation of aquatic animals and plants.

Breakwater: A structure placed into the waters for the principal purpose of breaking and reducing the force of waves.

Bulkhead: A permanent solid or semi-solid (porous) structure or wall along the shore to retain, stabilize, and protect the shoreline from wave other waterborne erosion.

Camden Harbor: All land areas covered by water at any state of the tide along the coastal shoreline, from the Camden-Lincolnville town line southerly to the Camden-Rockport town line and extending seaward to the Town of Camden limits, including such land areas which are covered by water during part of a day and those land areas which are always covered by those waters. Camden Harbor includes the Inner Harbor, Outer Harbor and Coastal Harbor as described in Article 1, Section 3 and depicted in Appendix F

Channel: Designated waterway for the safe passage of vessels.

Coastal Harbor: As defined in Article I, Section 2.3

Commercial Marine Enterprise: A commercial enterprise engaged in marine activities primarily consisting of, but not limited to fishing, aquaculture, marine construction, sales, charter, building, service, harvesting of marine plants or animals, storage or maintenance of vessels.

Commercial Mooring: A mooring that generates business income or accommodates a commercial vessel.

Commercial Vessel: A vessel that generates significant business income.

Commercial Passenger Vessel: Vessels that carry passengers for hire.

Commercial Full-Time Fisherman: A fisherman whose primary source of income is from the occupation of fishing.

~~**Consolidated Pier:** A shared pier that meets the standards of Article X, Part 1, Section 1, (8A) of the Town of Camden Zoning Ordinance.~~

Daysailer: A power or sail vessel whose principal commercial operation is to engage in the trade of carrying passengers on a daily basis'.

Dead Ship: A vessel so changed that it has no further navigation function.

Dolphin: A connected combination of pilings permanently affixed to the harbor bottom.

Federal Navigation Project: An area dredged and maintained by the Corps of Engineers as shown on the Corps of Engineers Conditions Survey for Camden Harbor.

Float: Any floating structure normally used as a point of transfer for passengers, goods, or for mooring. The term includes floats attached to wharves and piers.

Finger Float: Town-owned small vessel floats located at the northwesterly head of the Inner Harbor adjacent to the Harbor Park as depicted on Appendix G

Harbor Line: The shoreland boundary line for both the Outer Harbor and Coastal Harbor areas shall be determined at the mean high water mark. The Harbor line for the Inner Harbor shall be the harbor line as shown on the Official Zoning Map B of the Town of Camden depicting the Inner Harbor. The harbor line defines the limit of the area on which filling can occur (see Appendix F).

Harbormaster: That person appointed by the Select Board of the Town of Camden, pursuant to 38 M.R.S.A., Section 1, as amended from time to time, and the Harbor and Waterways Ordinance of the Town of Camden. In all places where the Harbormaster is empowered to act in this Ordinance, so is any Deputy Harbormaster appointed by the Harbormaster, pursuant to 38 M.R.S.A. , Section 2, to the full extent permitted by law and this Ordinance. Deputy Harbormasters shall serve at the direction of the Harbormaster.

Height: The height of a wharf, pier or other structure shall be measured from walkway to mean high water.

Inner Harbor: As defined in Article I, Section 2.1.

Launching Ramp: ~~A~~An inclined ramp used to ingress and e~~n~~gress vessels to and from the water.

Length Overall (LOA): The extreme length of the vessel measured from the stem to stern (as measured along the uppermost deck excluding sheer) excluding bowsprits, boomkins, rudderposts, booms, davits, swim platforms, or any other extensions from the hull.

Marine Railway: Inclined tracks extending into the water so that a vessel can be hauled up on a cradle or platform for cleaning or repairs.

Mean High Water: Average height of high water over a 19-year period as defined by National Ocean Service of NOAA..

Mean Low Water: Average height of low water over a 19-year period as defined by National Ocean Service of NOAA.

Mobile Vessel Hoist: A commercial straddle type mobile hoist and associated structures, and devices used for moving vessels and other objects in and out of the water.

Mooring: Any apparatus placed on the harbor bottom under the direction of the Harbormaster for purposes of securing a vessel. Such apparatus includes mooring gear and mooring hardware and is not carried aboard a vessel as regular equipment

Mooring Area: An area of the harbor set aside for moorings.

Mooring Float: A float attached to a mooring. A mooring float shall be treated as an extension of the mooring gear and mooring hardware. The term excludes floats attached to wharves and piers.

Mooring Gear: See Mooring.

Mooring Site: A specific point on the ocean bottom in a mooring area assigned by the Harbormaster.

Mooring Spar: A cylindrical device used to identify mooring locations in the winter.

Non-Resident Taxpayer: A person who owns real estate property in the Town of Camden and is not a resident. ~~Personal property tax does not apply.~~

Outer Harbor: As defined in Article I, Section 2.2

Pier: A permanent platform-type structure connected to the shoreline and usually built perpendicular there from over the water, supported by pilings or cribbing. Used for the berthing, loading, and unloading of vessels in coastal areas.

Piling: A rigid shaft of metal, wood, cement, or plastic permanently affixed to the bottom.

Private Mooring: Any mooring other than a transient, commercial, or service mooring.

Ramp Platform: A projection from a wharf, pier, or bulkhead to which a ramp is attached.

Ramp: A ~~surface~~ structure used to access or connect to a float, pier, wharf, bulkhead~~, or the water~~.

Riparian Owner: In this ordinance it shall mean an owner of a parcel of land of at least 100 feet of shore frontage. Notwithstanding Title 38, M.R.S.A., Section 11, persons who, prior to January 1, 1987, owned shore rights of at least 100 feet of frontage regardless of the size of the lot shall have mooring privileges assigned according to Title 38, M.R.S.A., Section 3. The limitation of one mooring assigned under this privilege shall not prevent the owner of a shorefront parcel from receiving additional mooring assignments under the allocation system for all other residents.

Resident: A person who is registered to vote in the Town of Camden or any person who occupies a dwelling in Camden for more than 180 days in a calendar year. Proof of 180-day dwelling occupation will be established according to standards used for Camden voter registration.

Service Mooring: A mooring owned and utilized by a commercial marine enterprise or marine-dependent enterprise for the purpose of temporary securing of customers' vessels and other uses relating to the operation of a commercial marine enterprise or marine-dependent enterprise.

Shall and May: The word "shall" is used to indicate the mandatory and the word "may" is used to indicate the permissive.

Shoreland Zoning Ordinance: The Shoreland Zoning Ordinance or Shoreland Zoning Provisions of the Zoning Ordinance of the Town of Camden, Maine as amended.

Shoreline: As used in this Harbor and Waterways Ordinance, that line where the upland meets the Harbor line as set forth in Article I, Section 3.

Total Vessel Length (TVL): The extreme length of vessel as berthed measured to include any and all extensions or overhangs from the hull's stem or stern, such as bowsprits, boomkins, rudderposts, booms, davits, outboard motors, swim platforms, or any other extensions from the hull. ~~Outboard motors or other adjustable extensions that cause the vessel to exceed the permitted TVL as berthed are not in compliance.~~

Transient Mooring: Moorings used for securing visiting vessels.

Vessel: Any type of watercraft boat, barge, scow, dredges, shellfish cars, or float, used or capable of being used as a means of transportation in or on water.

Walkway~~, Wharf or Pier~~: The part of ~~the structure~~a wharf or pier providing access between or over a supporting structure.

Windjammer: A traditionally rigged sailing vessel whose principal commercial operation is to engage in the trade of carrying passengers on cruises of at least one night or longer during which time room and board are provided.

Wharf: A platform-type structure connected to the shoreline and built parallel there from over the water, supported by piling or cribbing, used for the berthing, loading, and unloading of vessels.

Wharf Line: The boundary as depicted on the Official Zoning Map B of the Town of Camden delineating the Inner Harbor area. The wharf line defines the limit beyond which permanent structures cannot be erected.

ARTICLE VI

REGULATIONS CONCERNING CONSTRUCTION OF PIERS, WHARVES, BREAKWATERS, BULKHEADS, AND LANDFILL

Section 1. Inner Harbor

No piers, wharves, bulkheads, marine railways, mobile vessel hoists, private breakwaters, or any structure requiring a permit shall be permitted in the Inner Harbor, ~~No structure requiring a permit shall be constructed in the Inner Harbor~~ except as permitted below.

A. Piers or wharves, or a combination of both, and mobile vessel hoists may be constructed subject to the following limitations:

1. No pier, wharf, pilings, or combination thereof, except pilings at the Public Landing that are municipally owned, shall extend beyond the wharf line as defined in these rules and regulations.

2. No wharf walkway shall exceed 12 feet in width and shall not extend beyond the wharf line.

3. No pier walkway shall exceed 12 feet in width and shall not extend beyond the wharf line.

4. If a wharf is used to connect two contiguous parcels of land in the same ownership that are separated by a brook; then the landowner of those two parcels shall be permitted to construct a wharf 12 feet wide for each parcel of land, but both 12 foot wide wharves shall be contiguous. Each of said wharves or the combination of both wharves, if the landowner elects to construct two wharves, shall not extend beyond the wharf line as depicted on Map B of the Official Zoning Map of the Town of Camden, and each wharf, or the combination of both wharves so permitted, shall not be closer than 6 feet from any Town street line. The landowner shall, nonetheless, comply with the application procedures and approval process of Article VI, Section ~~7~~ 5 of these harbor Rules and Regulations.

5. In order to assure adequate berthing or docking alongside, piers shall not be constructed within 40 feet (horizontal distance) of an existing pier; and if more than one pier is to be constructed on property in the same ownership, the piers shall be separated by a minimum of 40 feet (horizontal distance).

6. The height of any pier walkway or wharf walkway above mean high water shall not exceed 6 feet.

7. Fender pilings, bollards, railings, or other accessory structures which extend above the walkway of a pier or wharf shall be limited to a height of 6 feet above the walkway. Railings shall be substantially open in construction to minimize visual interference from both shore and water.

8. No structures shall be permitted on piers, wharves or breakwaters except as temporary structures and permanent non-building type structures allowed under the regulations of the Zoning District.

9. Where a lot in a business district abuts a residential district, a wharf or pier shall be set back 10 feet from the line between the two districts.

10. Ramp platforms shall not exceed 20 square feet in area and shall not extend more than 4 feet beyond the wharf line as measured from the outside face of the piling. Ramp platforms shall be limited to one ramp platform in each 100 foot segment along the face of a wharf or pier and no closer than within 50 feet of any existing ramp platform as measured on either side. Construction of a ramp platform within the meaning of the subsection requires a permit under the terms of Article VI, Section ~~7~~5 of this Harbor Ordinance.

11. A mobile vessel hoist may be constructed subject to the following requirements:

A. The mobile vessel hoist (including any attached floats and ramps) may extend seaward beyond the wharf line, but not greater than 130 feet from mean low water and provided that the mobile vessel hoist shall not extend into any navigational channel nor if applicable extend into the Outer Harbor at a greater distance than a line drawn 30 feet perpendicular to the Outer Harbor line dividing the Inner Harbor from the Outer Harbor;

B. The width of the mobile vessel hoist (including any attached floats and ramps) shall not exceed 60 feet in the Inner Harbor and shall not exceed 52 feet in the Outer Harbor;

C. The height of the pier for the mobile vessel hoist shall not be greater than 6 feet above mean high water;

D. No vessels or other vessels shall be attached to the end of the pier for the mobile vessel hoist in such a fashion as to cause the vessel or vessel to extend further seaward than the end of the pier for the mobile vessel hoist, except while in the process of being launched or hauled.

12. There shall be no landfill beyond the harbor line .

13. There shall be no breakwater constructed within the Inner Harbor.

14. New bulkheads shall not be constructed beyond the harbor line; however, existing bulkheads that extend beyond the harbor line may be repaired or replaced subject to the necessary Town, State, and Federal licenses, permits, rules and regulations.

Section 2. Outer Harbor

A. ~~No structure requiring a permit shall be constructed in the Outer Harbor~~ No piers, wharves, bulkheads, marine railways, mobile vessel hoists, private breakwaters, or any structure requiring a permit shall be permitted in the Outer Harbor, including Sherman Cove, except as permitted below:

B. Wharves may be constructed provided:

1. The wharf shall not project more than 12 feet beyond the harbor line, or extend beyond mean low water, whichever is less.

2. The wharf walkway height above mean high water shall not exceed ~~6~~ 5 feet and the width shall not exceed 12 feet.

3. Fender pilings, bollards, railings or other accessory structures which extend above the walkway of a wharf shall be limited to a height of 6 feet above the walkway. Railings shall be substantially open in construction to minimize visual interference from both shore and water.

C. Pilings may be driven only for the purpose of supporting an approved wharf.

~~C. Piers may be constructed subject to the following limitations:~~

~~1. The length of the pier shall not exceed 100 feet (as measured from the harbor line) or shall not extend beyond mean low water, whichever is less.~~

~~2. The height of the pier walkway shall not exceed 6 feet above mean high water.~~

~~3. The width of the pier shall not exceed 4 feet, the overall width of the pier at the pier walkway shall not exceed 6 feet and the width of the base of the pier shall be in conformance to standard engineering practice.~~

~~4. Fender pilings, bollards, railings or other accessory structures which extend above the walkway of a pier or wharf shall be limited to a height of 6 feet above the pier walkway. Railings shall be substantially open in construction to minimize visual interference from both shore and water.~~

~~5. No pier shall be constructed within 30 feet horizontal distance of the point where the property line intersects the harbor line.~~

~~6. No pier shall be built within 300 feet as measured along the shoreline from an existing or from an approved pier, wharf or breakwater.~~

~~7. No structures shall be permitted on piers, wharves or breakwaters except as temporary structures and permanent non-building type structures allowed under the regulations of the Zoning District.~~

~~8. Municipal piers and municipal launching ramps shall be exempt from (5) and (6).~~

~~9. No piers, wharves, pilings, bulkheads, marine railways, mobile vessel hoists, or any structure requiring a permit shall be constructed within that area of Sherman Cove which lies northerly of a line commencing at a point on the shore where the northerly line of~~

~~Marine Avenue intersects the harbor waters to a point on the easterly shore of the cove where the northerly line of Sherman Point Road intersects the harbor line.~~

~~**10.** No bulkheads or breakwaters shall be constructed in the Outer Harbor beyond the harbor line.~~

~~**11.** Pilings may be driven only for the purpose of supporting an approved wharf or pier.~~

~~**12.** Subject to paragraph (D) above, no mobile vessel hoist shall be constructed or installed in the Outer Harbor except as stated in Article VI, Section 1, B, (11).~~

D. Municipal Piers, Wharves, and Launching Ramps may be constructed provided:

1. Any municipal pier at Steam Boat Landing shall not exceed 320 feet in length (as measured from the harbor line) and the width of the pier walkway shall not exceed 50 feet.

2. Municipal piers built elsewhere in the Outer Harbor shall not exceed 150 feet in length (as measured from the harbor line) and the width of the pier walkway shall not exceed 16 feet.

~~2~~3. Floats shall be of size and construction needed for municipal piers, wharves and launching ramps.

~~3~~4. The height of the pier walkway ~~does~~shall not exceed ten feet

~~4~~5. Pilings or structures necessary for securing floats adjacent to municipal piers, wharves and launching ramps shall be permitted.

Section 3. Coastal Harbor

A. No piers, wharves, bulkheads, marine railways, mobile vessel hoists, private breakwaters, or any structure requiring a permit shall be permitted ~~No structure requiring a permit shall be constructed~~ in the Coastal Harbor except as permitted below.

~~**A.**~~**B.** Fender pilings, bollards, railings or other accessory structures which extend above the walkway of a pier or wharf shall be limited to a height of 6 feet above the walkway. Railings shall be substantially open in construction to minimize visual interference from both shore and water.

~~**B.**~~**C.** Wharves may be constructed in the Coastal Harbor area provided:

1. The wharf does not extend more than 12 feet into the waters beyond the harbor line, or to mean low water, whichever is less.
2. The length of the wharf along the shore does not exceed 40 feet or one-half the width of the upland lot, whichever is less
3. The height of the wharf walkway above mean high water does not exceed 10 feet.

D. ~~**B.**~~ Piers may be constructed provided:

1. The length of the pier shall not exceed the shorter distance of the following:

   A. 150 feet (as measured from the harbor line), or

   B. To a point where the depth of the water at the end of the pier at mean low water does not exceed 6 feet.

2. ~~C.~~ The height of the pier walkway does not exceed 10 feet above mean high water.

3. The overall width of the pier does not exceed ~~4~~ 6 feet including all rails and supports at the pier walkway.~~,~~ ~~the overall width of the pier at the pier walkway shall not exceed six feet and the width of the base of the pier~~ The overall width of the granite or stone supports shall be in conformance to standard engineering practice.

~~**Section 4. Consolidated Pier**~~

~~Consolidated piers, as defined herein and in the Zoning Ordinances, may be constructed on the Outer Harbor and Coastal Harbor areas provided:~~

~~**B.** The consolidated pier does not exceed 150 feet in length (as measured from the harbor line) or to a point where the depths of water at the end of the consolidated pier at mean low water is not more than 6 feet, whichever of the two measurements is less.~~

~~**B.** Participating property owners shall have combined continuous, contiguous frontage of at least 600 feet.~~

~~**C.** No consolidated pier shall be constructed within 300 feet as measured along the harbor line from an existing or from an approved consolidated pier, wharf, breakwater or other similar construction.~~

~~**D.** The consolidated pier shall not be constructed within 30 feet (horizontal distance along the shoreline) of the exterior property lines of the combined properties, as the consolidated pier intersects the harbor line.~~

~~**E.** The height of the consolidated pier walkway above mean high water does not exceed 6 feet above mean high water in the Outer Harbor and 10 feet above, mean high water in the Coastal Harbor.~~

~~**F.** Fender pilings, bollards, railings or other accessory structures that extend above the walkway of a consolidated pier or wharf shall be limited to a height of 6 feet above the walkway. Railings shall be substantially open in construction to minimize visual interference from both shore and water.~~

~~**G.** The width of the consolidated pier does not exceed 6 feet and the width of the base of the pier shall be in conformance with standard engineering practice.~~

~~**H.** Construction of a consolidated pier shall not be such as to substantially impede the public's right of passage over the shores and flats.~~

~~I. Where two or more property owners combine to participate in a consolidated pier under this provision, common use easements shall be provided for the use of the pier.~~

~~J. Pier rights on properties contributing to a consolidated pier shall be relinquished by the property owners in a written statement.~~

~~K. Recordable instruments or agreement on cross easements shall be submitted with the application and certified by the applicant(s) in writing to the Planning Board.~~

~~**Section 5. Municipal Piers**~~

~~Municipal piers may be constructed in the Outer Harbor provided:~~

~~A. The municipal pier does not exceed 320 feet in length (as measured from the harbor line) or to a point where the depth of water at the end of the pier at mean low water is not more than 20 feet whichever is less.~~

~~B. The width of the pier walkway does not exceed 50 feet.~~

~~C. The height of the pier walkway does not exceed that allowed for piers in the Inner, Outer or Coastal Harbor.~~

~~D. Floats shall be of size and construction needed for municipal piers and launching ramps.~~

~~E. Pilings or structures necessary for securing floats adjacent to municipal piers and launching ramps shall be permitted.~~

Section ~~6~~4. Permit Approval Requirement

No mobile vessel hoists, piers, wharves, bulkheads, breakwaters, marine railways or other structures shall be constructed, enlarged or improved except upon approval and issuance of a permit in accordance with Section ~~7~~ 5 of these Harbor Rules and Regulations.

Notwithstanding any prohibition within this Ordinance as to new structures, those vessel hoists, piers, wharves, bulkheads, breakwaters, marine railways or other structures existing as of November 3, 2015 may remain and, subject to the approval required by Article VI, Section 5, may undergo normal maintenance or emergency repairs.

Section ~~7~~5. Procedure for Permit

A. Any construction, renovation, or improvement of a mobile vessel hoist, pier, wharf, bulkhead, breakwater, marine railway or other structure shall require an application to the Code Enforcement Officer of the Town of Camden. Written application shall include the following information:

1. Evidence of submission of application for applicable State and Federal licenses, permits and approvals.

2. Evidence of submission of application for applicable Army Corps of Engineers licenses, permits and approvals.

3. A site plan, stamped and sealed by an engineer, registered in the State of Maine, at a scale of not greater than 1 inch to 20 feet. The plan shall show:

   A. The length and width of the proposed project.
   B. The harbor line and wharf line, mean high water and mean low water.
   C. Side property lines as extended from the upland across the shores and flats.

4. An elevation showing the height of the structure in relation to mean high water and mean low water.

5. A pier or wharf section.

6. A plan showing the location and type of lighting.

~~C.~~**B.** A permit under this section shall not be issued by the ~~Select Board~~Code ~~e~~Enforcement Officer until all applicable State and Federal licenses, permits and approvals and local approvals under this section have been received.

~~D.~~**C.** The Code Enforcement Officer shall review the application for compliance with paragraph (A) above and the applicable requirements of the Town of Camden Zoning Ordinance. In the event the Code Enforcement Officer determines the application is complete, then the application, together with related documents shall be dated and forwarded within 10 business days to the Harbor Committee. The Harbor Committee shall within 10 business days of the date of receipt, convene a meeting for review of the application. The review and comments of the Harbor Committee shall be in writing, shall specifically address the standards in Article VI, Section ~~7~~5, shall state the reasons for the comments and shall be forwarded to the Select Board for their review and action.

~~E.~~**D.** Upon receipt of the review and comments of the Harbor Committee, the Select Board (after a public hearing) shall either approve, approve with conditions or disapprove the proposed project, in accordance with the standards of Article VI, Section ~~7~~5, of these Harbor Rules and Regulations.

1. If disapproved, the disapproval shall be in writing and shall include the reasons for disapproval.

2. If approved, the approval shall be in writing and shall not be effective until approval by the Planning Board under site plan review.

~~F.~~**E.** The application, together with the action taken by the Select Board, shall be returned to the Code Enforcement Office within 60 days of the date that the application was determined to be complete unless otherwise mutually agreed to by the applicant and the Select Board.

~~G.~~F. The Select Board shall review the project for compliance with the applicable provisions of the ordinance set forth therein above and, in addition thereto, the following standards. The Select Board, as part of its review, shall hold at least one public hearing

1. **The Inner Harbor**

   That the proposed project will not:

   1. Encroach into, interfere with, or pose a hazard to navigational channels.

   2. ~~Interfere~~ Substantially interfere with access to and from existing mooring and berthing areas for both commercial and recreational uses.

   3. Substantially ~~Displace~~ displace or eliminate the existing mooring and berthing areas, both public and private, commercial and recreational.

   4. Substantially ~~Interfere~~ interfere with public access to and use of the Harbor waters.

2. **The Outer Harbor and Coastal Harbor**

   That the proposed project will not:

   A. Interfere with, or pose a hazard to, the navigational channels between the Inner Harbor and the bay and from the public vessel ramp to the main channel.

   B. Substantially ~~Eliminate~~ eliminate or interfere with existing and designated mooring and anchorage areas and access thereto.

   C. Substantially ~~Reduce~~ reduce or interfere with existing shell fishing and clamming areas, and access thereto.

   D. Interfere with public vessel launching and pier facilities.

   E. Substantially ~~Block~~ block or interfere with public rites of passage and uses of the shores and flats.

   F. Adversely affect small recreational boating activities to a substantial degree.

   G. Construction of approved projects shall commence within one year from the date of approval by the Select Board and shall be completed within two years from the date of issuance of the building permit.

   H. The decision of the Select Board concerning issuance or denial of the permit may be appealed to the Superior Court by the aggrieved party within 30 days of the date of decision and in accordance with Rule 80B of the Maine Rules of Civil Procedure.

I. Notwithstanding the above provisions of Article VI, Section ~~7~~5, regular maintenance and emergency repair of piers, wharves, mobile vessel hoists, breakwaters, or bulkheads, as defined below, shall not require a permit under the Harbor and Waterways Ordinance, except as stated expressly in the following paragraphs of this provision.

In the event that regular maintenance or emergency repairs to piers, wharves, or mobile vessel hoists require the removal of existing pilings and the replacement of those pilings along the outermost side of the pier or wharf facing the waters of the harbor, then the person causing such normal maintenance or emergency repairs shall submit to the Code Enforcement Officer a site plan, stamped and sealed by an engineer, registered in the State of Maine, at a scale of not greater than one inch to twenty feet, which shows specifically the location of existing pilings and decking for the pier, wharf, or mobile vessel hoists and the proposed locations of new or replacement pilings and decking in connection with such normal maintenance or emergency repairs.

Any person causing such normal maintenance or emergency repairs shall submit to the Code Enforcement Officer, together with the building permit application for such work, required by the Camden Zoning Ordinance, a description of the work for such normal maintenance or emergency repairs which provides the Code Enforcement Officer with sufficient information to determine whether the proposed project conforms with the meaning of "regular maintenance" or "emergency repairs" as set forth in this provision.

In the event that the Code Enforcement Officer determines that insufficient information has been provided by the applicant for the building permit, the Code Enforcement Officer can request additional information,

If the Code Enforcement Officer determines that the applicant for the building permit proposes to perform work that does not constitute regular maintenance or emergency repairs, then the Code Enforcement Officer shall direct that applicant to obtain a permit in accordance with the provisions of Article VI, Section ~~7~~5 of this Ordinance. If, after following the normal permit review procedure as described in Article VI, Section 5, the Select Board concludes that the permit requested is for work that does not constitute regular maintenance or emergency repairs, the Select Board shall treat the request as if it were for a new structure or facility, and shall deny the permit if the type of structure or facility proposed is prohibited in the subject area of the harbor.

The person causing regular maintenance or emergency repairs shall take photographs of that maintenance or repair, both before and after the completion of work. Such photographs shall be submitted to the Code Enforcement Officer and retained as a permanent record with a copy of the building permit delivered to the Harbormaster.

For purposes of this provision, regular maintenance shall mean restorative work, including replacing decking, and refurbishing of portions of the decking or pilings of wharves, piers, or mobile vessel hoists for the purpose of preserving those structures and maintaining the structural integrity of those structures and in order to counteract the effects of usual wear and tear caused by the use of those structures in marine related activities.

For purposes of this provision, emergency repairs shall mean replacement and relocation of pilings, decking, or underpinning replacement which requires rapid action in order to avoid a dangerous condition which threatens life or injury to any person or which threatens property damage; emergency repairs shall include,

by way of illustration, repairs arising out of storm damage, fire, and the threat of imminent collapse of a pier, wharf, or mobile vessel hoist.

Section ~~8~~6. Landfill

There shall be no landfill beyond the harbor line in any of the harbor areas, except as may be required for the proposed construction of a municipal pier or municipal vessel launching ramp in the outer harbor.

Section ~~9~~7. Floats and Ramps

Floats and ramps attached to piers, wharves, bulkheads, or breakwater shall be approved in writing by the Harbormaster in the event that the standards are met by the applicant as follows:

~~1.~~A. The Inner Harbor

1. Combination of vessels, floats and ramps shall be permitted up to 40 feet from the wharf line provided such combination is consistent with standards as determined by the Harbormaster set forth in Article VI, Section ~~7~~5, for the Inner Harbor.

2. Combinations of vessels, floats and ramps extending more than 40 feet beyond the wharf line shall be consistent with the standards as determined by the Harbormaster as set forth in Article VI, Section ~~7~~5, (F) for the Inner Harbor and shall require the written permission of the Harbormaster.

3~~C~~. No buildings or structures shall be permitted on any floats.

4~~D~~. Municipal piers and municipal launching ramps shall be exempt from Sections (1) and (2) of Article VI.

~~5.~~B. The Outer and Coastal Harbor

~~6.~~1. A float with connecting ramp may be extended to no more than 50 feet beyond the end or outer edge of the pier, wharf, breakwater or bulkhead as measured to the outside edge of the float, provided said float and ramp arrangement is consistent with the standards set forth in Article VI, Section ~~7~~5, (F).

~~7.~~2. In the Outer Harbor, the float shall not exceed 240 square feet in area and no dimension shall exceed 30 feet. In the Coastal Harbor, the float shall not exceed 360 square feet in area and no dimension shall exceed 30 feet.

~~8.~~3. No buildings or structures shall be permitted on the floats.

~~9.~~4. Municipal piers and municipal launching ramps shall be exempt from (1) and (2).

Section ~~10~~8. Marine Railways

A. Alteration and/or renovation of existing marine railways is permitted in both the Inner Harbor and Outer Harbor upon application for a permit and approval of that permit in accordance with procedures of Article VI, Section ~~7~~5 of these Harbor Rules and Regulations provided, however, that the Select Board approves that project in accordance with the following standards:

1. That alterations and/or renovations, and the subsequent use thereof, will not adversely affect the standards of the Inner and Outer Harbor as set forth in Article VI, Section ~~7~~5 above, and;

2. That the alteration and/or renovation have been approved by the appropriate State and Federal Agencies.

3. A repair that does not require the State Department of Environmental Protection and/or U.S. Army Corps of Engineers permits or licenses shall not require a permit under these Rules and Regulations.

Summary of Changes
2015 Amendments to Town of Camden Zoning Ordinance

Change	Pg Ref	Reason
Adds a definition of "Commercial"	III-4	Current ordinance uses the term, but does not include a definition. Could lead to confusion.
Changes "Commercial Parking Facility" and "Commercial Parking Garage" to "Parking Facility" and "Parking Garage"	III-15 and throughout	With term "commercial" defined, is important not to limit parking facilities and garages only to those that are directly intended for profit.
Changes "Elderly Congregate Housing" to "Congregate Housing" and broadens definition to include similar facilities that do not cater to the elderly. Also clarifies that facilities designed primarily for the benefit of residents are included within this type of use.	III-4 and throughout	"Congregate housing" or co-op housing is becoming more popular, and such facilities do not necessarily cater to the elderly. The definition is further clarified to include other common elements designed for the support or benefit of residents, in order to make it clear that such facilities are not treated as separate "commercial uses."
Allows a building to have two "street levels" if it opens to a pedestrian or vehicular way on "any other side." (Formerly said "on the opposite side.")	III-19/20	There are buildings in town that are located on sloped lots, allowing for two street levels. These two street levels are not always on opposite sides, which is the only situation the ordinance previously covered.
Clarifies "street level" diagram	App. 1, p. III-23	Previous street level diagram was a bit confusing by attempting to show a specific percentage of floor area above grade.
Applies district-specific buffering / screening requirements to "congregate housing" as well as "multifamily housing"	IV-2 VIII-39 VIII-46 VIII-52 X-28	"Elderly congregate housing" was formerly defined as a type of multifamily housing, so the intent was apparently to require screening for such housing where otherwise required for multifamily uses. The amendments more specifically provide that both types of uses are subject to the noted screening requirements.

Eliminates "road construction" as a permitted "utility use."	Throughout	Road construction is not a traditional utility use. Further, it is understood -without needing to specifically say so -that road construction is permitted as necessary to access permitted uses.
Recategorizes "parking facilities" and "parking garages" from utility to commercial uses.	Throughout	Parking is not a "utility use" in the traditional sense. Although the word "commercial" has been removed from these terms, they are more akin to commercial uses than any other named category and therefore better fit under that heading.
Clarifies the type of uses that may be made at street level in various districts. Limits area of street level floor that may be used for access to upper-level residential uses.	VIII-31 VIII-55 VIII-59 VIII-62 VIII-66 VIII-75 VIII-77	The current ordinance demonstrates the intent to promote commercial uses on the street level floor in certain districts. The existing provisions are not as clear as they could be, allowing a property owner to argue that a street-level use is "commercial" even though it is actually for the primary benefit of upstairs residents. The proposed amendments clarify that residential uses, as well as uses accessory to the residential uses, are not allowed at street level.
Changes parking requirements to have space-per-unit requirements that apply based on type of dwelling, not age of occupants.	X-29	The ordinance formerly allowed only housing catering to the "elderly" to have less than two spaces per unit. The term "elderly" was not previously defined, and could lead to problems for "active retirement" type developments. The amendments focus on the type of use rather than the type of occupant in setting space-per-unit requirements. Congregate housing, as now defined, is required to have at least one space per unit, since such facilities typically cater to a more pedestrian-focused lifestyle. It will be up to developers to determine, based on market demands, whether more spaces are desirable for the particular development.

ZONING ORDINANCE

OF THE

TOWN OF CAMDEN, MAINE

CERTIFIED:

I hereby certify that this Zoning Ordinance is effective on November 4, 1992. This Zoning Ordinance was enacted at the November 3, 1992 Special Town Meeting and amended at the June 8, 1993 Town Meeting, the November 2, 1993 Special Town Meeting, June 14, 1994 Town Meeting, June 13, 1995 Town Meeting, November 7, 1995 Special Town Meeting, June 11, 1996 Town Meeting, June 10, 1997 Town Meeting, November 4, 1997 Special Town Meeting, June 9, 1998 Town Meeting, June 8, 1999 Town Meeting, June 13, 2000 Town Meeting, November 7, 2000 Special Town Meeting, November 6, 2001 Special Town Meeting, June 11, 2002 Town Meeting, June 10, 2003 Town Meeting, November 4, 2003 Special Town Meeting, June 8, 2004 Town Meeting, November 2, 2004 Special Town Meeting, November 8, 2005 Special Town Meeting, June 13, 2006 Town Meeting, November 7, 2006 Special Town Meeting, June 13, 2007 Town Meeting, November 6, 2007 Special Town Meeting, June 10, 2008 Town Meeting and November 4, 2008 Special Town Meeting, June 10, 2009 Town Meeting, November 3, 2009 Special Town Meeting, June 8, 2010 Town Meeting, November 2, 2010 Special Town Meeting, June 12, 2012 Town Meeting, November 6, 2012 Special Town Meeting, November 5, 2013 Special Town Meeting, ~~and~~ June 9, 2015 Town Meeting, and November ?, 2015 Special Town Meeting.

The amendments are effective as of June 15, 1993, November 9, 1993, June 21, 1994, June 20, 1995, November 14, 1995, June 18, 1996, June 17, 1997, and November 11, 1997, June 16, 1998, June 20, 2000, November 14, 2000, November 13, 2001, June 18, 2002, June 17, 2003, November 11, 2003, June 15, 2004, November 9, 2004, November 15, 2005, June 20, 2006, November 14, 2006, June 20, 2007, November 13, 2007, June 17, 2008, November 11, 2008 June 17, 2009, November 10, 2009, June 15, 2010, November 3, 2010, June 12, 2012, November 6, 2012, November 5, 2013, ~~and~~ June 10, 2015, and November ?, 2015 are incorporated into the Zoning Ordinance.

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John R. French, Jr., Chair Date
Camden Select Board

Signature of John R French, Jr. attested:

_____

Katrina Oakes, Camden Town Clerk Date

COMMERCIAL OUTDOOR RECREATION: Outdoor recreation activities that are operated by an entity other than a unit of government and which are available for use for a fee, including but not limited to standard golf courses, ice skating rinks, tennis courts, cross-country ski trails, and alpine ski trails and the rental of non-motorized sports equipment, but excluding games and activities common to amusement parks. Private outdoor recreation facilities serving exclusively a residential use shall be considered accessory to the residential use.

COMMERCIAL PARKING FACILITY: An outside lot, or any portion of an outside lot, used for the parking of motor vehicles where that use is a primary use. The term "facility" shall not include a commercial parking garage. *(Amended – 11/13/07)*

COMMERCIAL PARKING GARAGE: A building used wholly or in part for commercial parking of vehicles. No parking is permitted above the second story level as measured from street level.

COMMERCIAL SCHOOL: See **SCHOOL, COMMERICAL** *(New – 11/15/05)*

COMMUNITY BUILDING: A private building used by a fraternal, philanthropic or other civic organization and which may be made available from time to time for community functions.

COMMUNITY LIVING USE: A state-approved, authorized, certified or licensed group home, or intermediate care facility for eight or fewer mentally handicapped or developmentally disabled persons.

~~**CONSOLIDATED PIER:** A shared pier that meets the standards of Article X, part 1, section 1, (8A).~~

CORNER LOT: Lot located at the intersection of two streets.

COTTAGE: A dwelling unit designed to be used as a residence during less than six (6) months out of the year which does not qualify as a dwelling as defined herein.

DAY CARE CENTER (or NURSERY SCHOOL): A facility licensed by the State of Maine for the care or instruction of more than three (3) preschool aged children, exclusive of children who may be living in the home which is serving as the day care or nursery school facility.

DAYS: For purposes of computation of the time period for any action or appeal within this Ordinance, days shall mean consecutive calendar days; provided, however, that in the event that the last day of any such time period falls on a Saturday, Sunday, or a holiday in which the Town Office for Camden is closed, then the time period shall be deemed to expire on the next succeeding calendar day that the Town Offices are open for business.

DRIVE-THROUGH WINDOW: A facility associated with some eating places, banks, and other service enterprises and designed to enable customers or patrons to remain in their motor vehicles while passing by an external opening in the structure where they place or receive orders

Mineral extraction may be permitted under the following conditions:

(a) The activity is carried out in accordance with a site plan approved by the Planning Board in accordance with Article XII.

(b) No part of any extraction operation, including drainage and runoff control features, shall be permitted within 100 feet, horizontal distance, of the normal high water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and within 75 feet, horizontal distance, of the normal high water line of any other water body, tributary stream, or upland edge of a wetland. Extraction operations shall not be permitted within 75 feet, horizontal distance, of any property line, without written permission of the owner of such adjacent property. *(Amended 11/10/09)*

(c) Within twelve (12) months following the completion of extraction operations at any extraction site, which operations shall be deemed complete when less than one hundred (100) cubic yards of materials are removed in any consecutive twelve (12) month period, ground levels and grades shall be established in accordance with the following:

1. All debris, stumps, and similar material shall be removed for disposal in an approved location, or shall be buried on-site. Only materials generated on-site may be buried or covered.

2. The final grade slope shall be two and one-half to one (2-1/2:1) slope or flatter. *(Amended 11/10/09)*

3. Topsoil or loam shall be retained to cover all disturbed land areas, which shall be reseeded and stabilized with vegetation native to the area. Additional topsoil or loam shall be obtained from off-site sources if necessary to complete the stabilization project.

(8) In addition to Federal or State permits which may be required for such structures and uses, piers, docks, wharves, breakwaters, causeways, marinas, bridges over 20 feet in length, and uses projecting in water bodies shall conform to the following standards: (All references to Inner Harbor, Outer Harbor, and Coastal Harbor shall mean those areas as defined in the Harbor Rules and Regulations of the Town of Camden.)

(d) Height of walkway of piers and wharves in the shoreland area adjacent to the Inner Harbor ~~and Outer Harbor~~ area~~s~~ as defined in the Harbor Rules and Regulations of the Town of Camden shall not exceed six feet above mean high water. In the shoreland area adjacent to the Coastal Harbor, the height shall not exceed ten feet above mean high water.

(e) The maximum width of the walkway of the pier in the shoreland area adjacent to the Coastal ~~and Outer Harbor~~ area~~s~~ shall not exceed ~~4'~~ 6' (~~four~~ six feet). The

overall width of the pier at the walkway shall not exceed 6' (six feet). Piers and wharves in the shoreland area adjacent to the Inner Harbor area shall not exceed 12' (twelve feet) in width. The width of the base of the pier shall be in conformance to standard engineering practices.

(f) Fender pilings, bollards, railings, or other accessory structures which extend above the walkway or a pier or wharf shall be limited to a height of 6' (six feet) above the walkway. Railings shall be substantially open in construction to minimize visual interference from both shore and water.

(g) No pier shall be constructed within 30' (thirty feet) (horizontal distance) of the point where the property line intersects the Harbor line in the shoreland area adjacent to the Coastal ~~and Outer~~ Harbor area~~s~~. In the Inner Harbor area there shall be no required setback except where a business district abuts a residential district in which case the setback shall be 10' (ten feet) from the line between the two districts.

(h) No pier shall be built within 300' (three hundred feet) as measured along the shoreline from an existing or from an approved pier, wharf, or breakwater, except in the shoreland area adjacent to the Inner Harbor area of the Shoreland Zone where separation between piers shall not be less than 40' (forty feet) and, except where the Harbor Business District abuts a residential district, the separation between piers shall be no less than 20' (twenty feet).

(i) The location of the structure or the use of the facility shall not conflict with the applicable sections of the Harbor Rules and Regulations of the Town of Camden.

(j) No structures shall be permitted on piers, wharves, or breakwaters, except temporary structures and permanent non-building type structures allowed under the regulations of that District.

(k) No filling is permitted beyond the officially established Harbor Line except in connection with construction of a municipal pier or boat ramp.

~~(8A) Consolidated Piers~~

~~(a) Where permitted by the District Regulations section of this Ordinance, consolidated piers shall comply with the following standards:~~

~~1. Participating property owners shall have combined continuous, contiguous frontage of at least 600' (six hundred feet).~~

~~2. The pier shall not be constructed within 30' (thirty feet) (horizontal distance along the shoreline) of the exterior property lines of the combined properties, as the pier intersects the harbor line.~~

3. ~~The maximum width of the walkway of the pier shall not exceed 6' (six feet). Height of the walkway shall not exceed 6' (six feet) above mean high water. In the shoreland area adjacent to the Coastal Harbor, the height shall not exceed ten feet above mean high water.~~

4. ~~The width of the base of the pier shall be in conformance with standard engineering practice.~~

5. ~~No pier shall be constructed within 300' (three hundred feet) as measured along harbor line from an existing or from an approved pier, wharf, breakwater, or other similar construction.~~

6. ~~Construction of a pier shall not be such as to substantially impede the public's right of passage over the shores and flats.~~

7. ~~Where two or more property owners combine to participate in a consolidated pier under this provision, common use easements shall be provided for the use of the pier.~~

8. ~~Pier rights on contributing properties shall be relinquished by the property owners in a written instrument.~~

9. ~~Recordable instruments or agreement on cross-easements shall be submitted with the application and certified by the applicant(s) in writing to the Planning Board.~~

(b) Procedure

~~In addition to those called for under the Site Plan Review section of this Ordinance, the following procedures will be followed for consolidated piers:~~

1. ~~Application shall be made to the Code Enforcement Officer~~

   ~~(i) Property shall be identified as for site plan review~~
   ~~(ii) Proof of ownership shall be provided~~
   ~~(iii) A copy of the written agreement between the participants shall be submitted with the application.~~

2. ~~The application will be referred to the Planning Board for approval under the site plan review section of this Ordinance. The Planning Board shall obtain input from the Harbor Committee, and may solicit information from the Conservation Commission, as well as other appropriate Town officials and committees. All federal and state permits shall have been obtained prior to making the application to the Town.~~

Adequate provision shall be made for surface drainage so that removal of storm waters will not have an unreasonably adverse effect on neighboring properties, downstream water quality, soil erosion or the public storm drain system. Whenever possible, on-site absorption of runoff waters shall be used to minimize discharges from the site. Drainage facilities shall be designed for a twenty-five year storm frequency.

(6) Public Utilities

The development shall not impose an unreasonable burden on sewers and storm drains, water lines or other public utilities. New utilities shall be sized and existing utilities upgraded to adequately handle the demands of the development. *(Heading added – 6/20/06)*

(7) Special Features of Development

Exposed storage areas, exposed machinery installation, service areas, truck loading areas, utility buildings and similar structures shall have setbacks and screening to provide a buffer to sight and sound sufficient to minimize their adverse impact on other land uses within the development area and on surrounding properties.

(8) Exterior Lighting

All exterior lighting shall be designed and shielded to avoid undue adverse impact on neighboring properties and rights-of-way.

(9) Emergency Vehicle Access

Provisions shall be made for convenient and safe emergency vehicle access to all buildings and structures at all times of the year, including 20 foot wide fire lanes at locations as may be recommended by the fire department.

(10) Special criteria for Piers, Wharves, Breakwaters, Municipal Boat Ramps, Municipal Piers, ~~Consolidated Piers,~~ Causeways, Marinas, Bridges over 20 feet in length and other uses projecting into water bodies requiring site plan approval under the terms of this Ordinance. In addition to the above approval criteria, the site must be demonstrated to be suitable for the proposed use according to the following special criteria. *(First sentence amended - 6/20/06)*

(a) The project must not cause undue erosion on or near the site.

(b) The proposed use must not cause degradation of marine life in or near the area. The Board may ask for an examination and statement by a qualified marine biologist regarding the impact of the project, and that statement shall show no significant adverse impact on marine life.

(11) Design standards for new construction, additions or exterior renovations in the B-1, B-TH or B-TR Zoning Districts. The applicant is strongly encouraged to adhere to these standards, however, the decision of the Planning Board on these design standards shall be non-binding on the applicant.

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John R. French, Jr., Chair Date
Camden Select Board

Signature of John R French, Jr. attested:

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Katrina Oakes, Camden Town Clerk Date

Article III Definitions

Section 1. Meaning of Words

All words not defined herein shall carry their customary and usual meanings. Words used in the present tense shall include the future. Words used in the singular shall include the plural and vice versa. The word "lot" shall include "parcel" and "plot." The word "shall" is used to indicate the mandatory and the word "may" is used to indicate the permissive. The words "occupied" or "used" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied."

Section 2. Definitions

ABUTTING PROPERTY: Any lot which is physically contiguous with the lot in question even if only at a point and any lot which is located directly across a public street or way from the lot in question.

ACCESSORY APARTMENT: A second dwelling unit contained within a single family detached dwelling or an accessory building on the same lot as a single family detached dwelling for use as a complete, independent living quarters, with provision for living, sleeping, bathing, and cooking.

The single family dwelling, including any accessory building, shall:

(1) contain no more than one accessory apartment;
(2) be owner-occupied for the entire time during which the accessory apartment is occupied;

The accessory apartment shall:

(1) contain a total of less than 600 square feet, gross, of living area; and
(2) be occupied by a person or household for whom the apartment is the primary residence.

ACCESSORY STRUCTURE: A subordinate structure that is detached from the principal structure, the use of which is incidental to that of the principal structure.

ACCESSORY USE: A use that is clearly incidental to the principal use, that is subordinate in area, extent, or purpose to the principal use being served, and that contributes to the comfort, convenience, or necessity of the principal use and that is located on the same lot with such principal building or use. In a residential district, the accessory use shall not be nonresidential in character. Piers, wharves and bulkheads are included in this definition. *(New last sentence - 11/15/05)*

COMMERCIAL: The use of lands, buildings, or structures, the intent and result of which activity is the production of income from the buying and selling of goods and/or services or the support of such activity, exclusive of residential buildings and/or dwelling units that are offered for rent. *(new 11-?-2015)*

COMMERCIAL OUTDOOR RECREATION: Outdoor recreation activities that are operated by an entity other than a unit of government and which are available for use for a fee, including but not limited to standard golf courses, ice skating rinks, tennis courts, cross-country ski trails, and alpine ski trails and the rental of non-motorized sports equipment, but excluding games and activities common to amusement parks. Private outdoor recreation facilities serving exclusively a residential use shall be considered accessory to the residential use.

~~**COMMERCIAL PARKING FACILITY:** An outside lot, or any portion of an outside lot, used for the parking of motor vehicles where that use is a primary use. The term "facility" shall not include a commercial parking garage. *(Amended – 11/13/07)*~~ (

~~**COMMERCIAL PARKING GARAGE:** A building used wholly or in part for commercial parking of vehicles. No parking is permitted above the second story level as measured from street level.~~

COMMERCIAL SCHOOL: See **SCHOOL, COMMERICAL** *(New – 11/15/05)*

COMMUNITY BUILDING: A private building used by a fraternal, philanthropic or other civic organization and which may be made available from time to time for community functions.

COMMUNITY LIVING USE: A state-approved, authorized, certified or licensed group home, or intermediate care facility for eight or fewer mentally handicapped or developmentally disabled persons.

CONGREGATE HOUSING: A type of dwelling in which each individual or family has a private bedroom or living quarters but shares with other residents a common dining room and other common elements. Congregate housing may include services such as a recreation area, housekeeping, personal care and assistance, transportation assistance or specialized services such as medical support that are offered for the use of residents. Incidental use of facilities by the general public shall be permitted, but shall not cause such facilities to be treated as separate uses. Each individual bedroom or living quarters shall be considered an individual dwelling unit. *(new 11-?-2015)*

CONSOLIDATED PIER: A shared pier that meets the standards of Article X, part 1, section 1, (8A).

CORNER LOT: Lot located at the intersection of two streets.

COTTAGE: A dwelling unit designed to be used as a residence during less than six (6) months out of the year which does not qualify as a dwelling as defined herein.

rented. Recreational vehicles are not residential dwelling units. A dwelling unit may not be rented for periods of less than seven (7) consecutive days. *(Amended 11/10/09)*

~~**ELDERLY CONGREGATE HOUSING:** A type of multifamily dwelling, including multiple individual rooms or dwelling units, to be occupied by elderly persons as a residential shared living environment. Such construction will normally include small individual apartments, combined with shared community space, shared dining facilities, housekeeping services, personal care and assistance, transportation assistance, and specialized shared services such as medical support services and physical therapy.~~

ESSENTIAL SERVICES: The construction, alteration, or maintenance of the following facilities, provided they serve primarily the Town of Camden or a neighborhood or structure within the Town: steam, fuel, gas, communication, transportation, electric power, or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include buildings which are necessary for the furnishing of such services. See also Public Utility. Essential services shall not be subject to the space and bulk standards of this Ordinance.

The Essential Services shall not include a wireless telecommunications facility for which a permit is necessary in accordance with the Wireless Telecommunications Facility Siting Ordinance, except that a wireless telecommunications facility shall be deemed to be an Essential Service in the following limited circumstances:

(a) when such facility or a structure which is part of such facility involves co-location as part of an existing wireless telecommunications facility up issuance of a permit by the Code Enforcement Officer as set for in Section 4.1 of the Wireless Telecommunications Facility Siting Ordinance;

(b) location of an antenna in an existing structure, such as (for purposes of illustration) a church steeple, silo or multi-story building, with no exterior storage of equipment outside that existing structure.

ESTABLISHED UNIFORM SETBACK RELATIONSHIP: For purposes of the determination of the front setback in the Traditional Village District (V), the Village Extension District (VE), the Transitional Business District (B-3), and the Neighborhood Service District (B-4), the established uniform setback relationship is the established relationship which is deemed to exist when the distance between the part of the principal building nearest to the street and the edge of the right-of-way of that adjoining street for the two adjacent lots fronting on the same street on each side of the subject parcel (the parcel for which the setback is being determined) is, for each such building, within 5 feet of the average setback distances of the principal buildings on those 4 lots.

OFFICE/WAREHOUSE/DISTRIBUTION CENTER: A use primarily devoted to storage, warehousing, and distribution of goods, merchandise, supplies, and equipment. Accessory uses may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas. (*New 6/9/2015)*

OLDER MOBILE HOME: A single family manufactured unit which does not meet the definition of manufactured housing as set forth in Title 30-A, § 4358, Subsection 1.A of the M.R.S.A., as the same may from time to time be amended.

OPEN SPACE RESIDENTIAL DEVELOPMENT: A form of housing development which allows the developer flexibility in subdivision and housing design, including use of single family detached or attached, two-family, congregate housing, and/or multifamily dwellings, in return for setting aside a portion of the tract of land as permanent open space, in accordance with the provision of Article IX, Open Space Zoning, of this Ordinance. All open space residential developments shall be subject to subdivision regulations and approvals. (*amended 11-?-2015)*

OWNERSHIP: Single or joint title to a lot or parcel of land described in a recorded deed or instrument. For purposes of determining whether a lot or parcel of land contiguous with another lot has the same ownership, a majority stockholder in a corporation shall be deemed the same owner as the corporation, each general partner shall be deemed the same owner as a partnership, and trustees and beneficiaries of a trust shall be deemed the same owners as the trust.

PARKING FACILITY: An outside lot, or any portion of a lot, used for the parking of motor vehicles where that use is a primary use. The term "facility" shall not include a parking garage *(new 11-?-2015)*

PARKING GARAGE: A building used wholly or in part for commercial parking of vehicle. No parking is permitted above the second story level as measured from street level. *(new 11-?-2015)*

PENNANT: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

PERSONAL SERVICE: A service listed under U.S. Standard Industrial Classification Code 72, and including laundry and cleaning services, photography studios, shoe repair shops, funeral homes, and similar services to the general public.

PIER: A permanent platform-type structure connected to the shoreline and usually built perpendicular therefrom over or beyond the normal high-water line or within a wetland, supported by pilings or cribbing. It is used for the berthing, loading, and unloading of vessels in coastal areas. *(Amended - 6/20/06) (Amended 11/10/09)*

PRIME FARM LAND: Land that has not been urbanized, has slopes that are predominantly 8 percent or less, and that has soils identified by the National Cooperative Soils Survey as within one or more of the following soils classification: Agawam, Buxton, Charlton, Elmwood, Paxton, Sudbury, Sutton, and Woodbridge.

PRIVATE SCHOOL: See **SCHOOL, PRIVATE** (*New – 11/15/05)*

PROFESSIONAL OFFICE: A structure which houses a business or corporate office or the office of a person or persons who supply a professional service other than a financial service, health service, or personal service, as defined in this Ordinance. Such professional services include accounting and bookkeeping, advertising and public relations, and radio, television and movie business offices, engineering, surveying, computer and data processing, photocopying and blueprinting, law, management and other professional consulting, membership organizations' offices, personnel supply, real estate, insurance, secretarial, social services, business services, business offices, and other services clearly similar in nature and purpose to those listed here.

PUBLIC SCHOOL: See **SCHOOL, PUBLIC** *(New – 11/15/05)*

PUBLIC UTILITY: Those essential public services, such as, but not limited to, water, sewer, electricity, telephone, cable, data, gas, and transportation, whether publicly or privately owned, which are regulated by the Maine Public Utilities Commission, the Maine Department of Transportation, or Federal Communications Commission. This term also includes buildings, which are necessary for the furnishing of essential public services. See also Essential Services. *(Amended - 6/20/06)*

PUBLISHING: The organization, issuance and distribution of information and entertainment material, either by print or electronic media.

QUASI-PUBLIC FACILITY: A facility for a recognized public purpose, such as an auditorium, library, park, or museum, which is operated by a non-profit organization or by a public agency other than the municipality.

RENTAL OF GOODS AND EQUIPMENT: The rental of goods or equipment, including automobiles, to the general public for personal or household use or to businesses who will be the users of the goods or equipment.

RESEARCH AND DEVELOPMENT ESTABLISHMENT: An establishment in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the establishment.

RESIDENTIAL USE: The use of a lot with one or more dwelling units, community living uses, ~~elderly~~ congregate housing, nursing and convalescent homes and rooming houses. Residential use includes home occupations and homestays. In the case of lots with mixed uses and for the purpose of determining the need to meet the minimum setback requirement for non-residential uses abutting residential uses, the following applies to the abutting parcels only:

1. Any lot located in the V, VE, CR, RU-1, RU-2 or RP Districts, that contains both residential and non-residential uses, shall be considered a lot in residential use.

2. Any lot located in the B-3 or B-4 Districts shall be considered a lot in residential use if more than 50 percent of the floor area of all structures is residential.

building also has a street level on ~~the opposite~~ any other side, as defined above, then the building has two street levels. *(Appendix 1, example F)*

4) When a building is not located in a floodplain, or does not open to a pedestrian or vehicular way, then street level is the lowest floor, excluding the basement that opens directly to the existing or finished grade. *(Appendix 1, examples G, H)*

(Entire definition revised 6/17/08),(amended 11/?/2015)

STRUCTURE: Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground, excluding fences, and poles, wiring and other aerial equipment normally associated with service drops as well as guying and guy anchors. The term includes structures temporarily or permanently located, such as decks, patios and satellite dishes. In areas other than shoreland zones, driveways, walkways, patios, or other paved surfaces and essential services are not structures. *(Amended 11/10/09)*

SUSTAINED SLOPE: A sustained slope is the average grade over a horizontal distance of more than 75 feet. *(new – 11/14/06)*

TECHNICAL SERVICES: Sales, rental, design, engineering and installation of mechanical, electrical or electronic equipment and systems, including audio, video, computing or similar systems.

TEMPORARY STRUCTURE: A structure in place for less than nine months in any 12-month period. Temporary structures shall be limited by space and bulk standards set forth in the Zoning Districts.

TEMPORARY STRUCTURE FOR A FUNCTIONALLY WATER-DEPENDENT USE: A structure in place for less than nine months in any 12-month period for the purpose of marine boat repair or construction, or for any other use functionally dependent upon harbor, bay, or shoreline activities. A temporary structure for functionally water-dependent uses shall be subject to the particular height and ground coverage requirements in Article VIII, Section 12(E)(2).

THEATER: A facility devoted to showing motion pictures, or for dramatic, musical, or other live performances. *(Amended 06/17/09)*

TIMBER HARVESTING: The cutting and removal of timber for the primary purpose of selling or processing forest products. The cutting or removal of trees in the shoreland zone on a lot that has less than two (2) acres within the shoreland zone shall not be considered timber harvesting. Such cutting or removal of trees shall be regulated in Article X, Part I, Section 1(14) *Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting*. As used in this Ordinance, timber harvesting is distinct from clear cutting, which is separately defined. *(Amended 11/10/09)*

TOWN DIRECTIONAL SIGNAGE: A coordinated system of municipal signage to direct vehicular and pedestrian traffic to public facilities and to shopping and recreational districts within the Town of Camden. *(Added 06/17/09)*

TRADESMAN SHOP: The shop of an artist, craftsperson or person in a skilled trade, which may include retailing of items produced on the premises. *(Amended 06/17/09)*

TRIBUTARY STREAM: A channel between defined banks created by the action of surface water, whether intermittent or perennial, and which is characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil, parent material or bedrock; and which is connected hydraulically with other water bodies. This definition does not include rills or gullies forming because of accelerated erosion in disturbed soils where the natural vegetation cover has been removed by human activity. This definition does not include the term "stream" as defined elsewhere in this Ordinance, and only applies to that portion of the tributary stream located within the shoreland zone of the receiving water body or wetland. *(New 11/9/04) (Amended 11/10/09)*

TWO FAMILY DWELLING: See **DWELLING, TWO FAMILY** *(New – 11/15/05)*

UNIFORM SETBACK RELATIONSHIP: See **ESTABLISHED UNIFORM SETBACK RELATIONSHIP** *(New – 11/15/05)*

UPLAND EDGE OF A WETLAND: The boundary between upland and wetland. For purposes of a coastal wetland, this boundary is the line formed by the landward limits of the salt tolerant vegetation and/or the maximum spring tide level, including all areas affected by tidal action. For purposes of a freshwater wetland, the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation; or where the soils support the growth of wetland vegetation, but such vegetation dominated by woody stems that are six (6) meters (approximately twenty (20) foot) tall or taller. *(Amended 11/10/09)*

VARIANCE: A grant of permission by the Zoning Board of Appeals to exceed the space and bulk standards or performance standards of this Ordinance. Any such grant shall strictly comply with the standards and procedures of Article VII of this Ordinance. A variance is not authorized for establishment or expansion of a use otherwise prohibited.

VEGETATION: All live trees, shrubs, and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4-½ feet above ground level. *(Added 11/10/09)*

VOLUME: The amount of space enclosed by roof and fixed, solid, exterior walls as measured from the exterior faces of the walls and roof. A basement shall be considered volume if it has a concrete floor and at least seven (7) feet of head room.

WATER BODY: Any great pond, river or stream. *(Added 11/10/09)*

WETLAND, FORESTED: A freshwater wetland dominated by woody vegetation that is six (6) meters tall (approximately twenty (20) feet) or taller. *(Added 11/10/09)*

WETLAND, INLAND OR FRESHWATER: *(Amended 11/10/09)* Freshwater swamps, marshes, bogs and similar areas, other than forested wetlands, that are:

Article IV Establishment of Districts

Section 1. Zoning Map

A map entitled "Town of Camden Zoning Map" is hereby adopted as part of the Ordinance and shall be referred to as the Official Zoning Map. The Official Zoning Map (including all overlay maps referred to in this Ordinance) shall be identified by the signature of the Chairman of the Board of Selectmen and attested by the signature of the Town Clerk. The Official Zoning Map shall be located in the office of the Town Code Enforcement Officer, and it shall be the final authority as to the current zoning status of the land and water areas, building, and other structures in the Town.

Section 2. Zoning Districts

The Town is divided into the following districts, as shown by the district boundary lines on the Official Zoning Map:

Natural Resource Protection (RP) District

Rural 1 (RU-1) District

Rural 2 (RU-2) District

Rural Recreation (RR) District

Village Extension (VE) District

Traditional Village (V) District

Coastal Residential (CR) District

Downtown Business (B-1) District

Highway Business (B-2) District

Business Transition (B-3) District

Neighborhood Service (B-4) District

Harbor Business (B-H) District

Transitional Harbor Business (B-TH) District *(added 11/11/08)*
River Business (B-R) District

Transitional River Business (B-TR) District

Industrial (I) District

In addition, there are established three overlay areas, which, in addition to the standards of the zoning districts they overlay, are governed by performance standards set forth in Article X, Part 1, Section 1 - 3. The overlay areas address shoreland areas, high elevation areas, and historic areas. An additional overlay zone, The Business Opportunity Zone, subject to the standards found in Article XII, Section 6, (12) which may be used in lieu of the current zoning for Zoning Districts B-2, B-3, B-4, B-R, and B-TR. *(Amended 6/9/2015)*

Section 3. District Boundaries

(1) Uncertainty of boundaries

Where uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning Map, the following rules shall apply:

(a) Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;

(b) Boundaries indicated as approximately following well established lot lines shall be construed as following such lot lines;

(c) Boundaries indicated as approximately following municipal limits shall be construed as following municipal limits;

(d) Boundaries indicated as following shorelines shall be construed to follow the normal high water line, and in the event of natural change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center line of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center line;

(e) Boundaries indicated as being parallel to or extensions of features indicated in paragraphs (a) through (d) above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map. Any conflict between the zoning map and description of metes and bounds in a deed shall be resolved in favor of the description by metes and bounds.

(f) Where physical or cultural features existing in the ground are at variance with those shown on the Official Zoning Map or in circumstances where the items covered by paragraphs (a) through (e) above are not clear, the Zoning Board of Appeals shall interpret the district boundaries.

(2) Division of lots by district boundaries

Where a zoning district boundary line divides a lot or parcel of land of the same ownership of record at the time such line is established by adoption or amendment of this Ordinance, the regulations applicable to the less restricted portion of the lot may be extended into the more restricted portion of the lot, but not more than 50 feet; provided, however, that minimum side

yard and back yard requirements and buffering requirements for nonresidential, ~~or~~ multifamily, or congregate housing use abutting a residential use shall be observed. *(amended 11/?/2015)*

Article VIII District Regulations

Section 1. Natural Resource Protection District (RP)

A. Purpose

The purpose of this district is to protect fragile shorelines and other lands of unique geologic and natural features, especially those that include steep slopes, high elevations, unstable soils, wetlands, and floodplains, on which development would adversely affect water quality, disrupt productive habitat and biological ecosystems, or destroy scenic and natural values. *(Amended 11/10/09)*

B. Permitted Uses

The following uses are permitted in the Natural Resource Protection District:

<u>The following resource protection uses:</u>

(1) Fire prevention activities
(2) Harvesting of wild crops
(3) Hunting and fishing, in accordance with state and local regulations
(4) Non-intensive recreation not requiring structures
(5) Resource management activities, excluding timber harvesting and land management roads *(Amended 11/10/09)*

<u>The following utility uses:</u>

(6) Essential services, but only to serve a permitted use in the Natural Resource Protection District, except where it is demonstrated that no reasonable alternative exists

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

<u>The following resource production uses:</u>

(1) Agriculture
(2) Timber harvesting and land management roads *(Amended 11/10/09)*

<u>The following utility uses:</u>

(3) Public utilities
~~(4) Road construction~~

Section 2. Rural 1 District (RU-1)

A. Purpose

The Rural 1 District includes lands with multiple natural resource constraints; and/or that are especially important for their recreational, scenic, or other resource-based opportunities, including farming and woodlands; and/or that are especially important for long-term protection of water quality. The purpose of this district is to allow a level of development and activity consistent with the protection of the natural features of these lands.

B. Permitted Uses

The following uses are permitted in the Rural 1 District:

<u>The following resource protection uses:</u>

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

<u>The following resource production uses:</u>

(2) Agriculture
(3) Timber harvesting

<u>The following residential uses:</u>

(4) Single family dwellings
(5) Open space residential developments that meet the standards of Article IX
(6) Cottages

<u>The following municipal and institutional uses:</u>

(7) Family cemeteries, as defined by state law (13 M.R.S.A. §1142), covering no more than one-quarter of an acre of land, a description of which is recorded with the Town Clerk or with the Knox County Registry of Deeds

<u>The following commercial uses:</u>

(8) Outdoor storage of boats, provided the screening standards of Article X, Part II, Section 3(5) are met.
(9) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance.

The following water-dependent uses:

(10) Municipal boat ramps and municipal piers

The following utility uses:

(11) Essential services
~~(12) Road construction~~
(~~13~~12) A wireless telecommunications facility, located in this district east of Camden Hills State Park, approved by the Code Enforcement Officer or the Planning Board in accordance with the Wireless Telecommunications Facility Siting Ordinance of the Town of Camden.

The following accessory activities:

(~~14~~13) Accessory uses
(~~15~~14) Home occupations
(~~16~~15) Homestay

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

The following resource production uses:

(1) Extraction of mineral resources
(2) Clear cutting

The following municipal and institutional uses:

(3) Municipal uses
(4) Quasi-public facilities, provided no structures are involved

The following industrial uses:

(5) Agricultural products processing plants, except in shoreland areas

The following utility uses:

(6) Public utilities

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

Section 3. Rural 2 District (RU-2)

A. Purpose

The Rural 2 District includes lands that are distant from the village area, and/or to which public water and sewer lines are not expected to be extended within the next ten years, and/or that have large tracts of land intact, suitable for woodland production, farming, and unbroken wildlife habitat. The purpose of this district is to allow residential development that is compatible with the character and traditional use of rural lands, including extensive areas of field and woodland, and that does not impose an undue burden on the provision of municipal services.

B. Permitted Uses

The following uses are permitted in the Rural 2 District:

<u>The following resource protection uses:</u>

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

<u>The following resource production uses:</u>

(2) Agriculture
(3) Timber harvesting

<u>The following residential uses:</u>

(4) Single family dwellings
(5) Two-family dwellings
(6) Open space residential developments that meet the standards of Article IX
(7) Cottages

<u>The following municipal and institutional uses:</u>

(8) Family cemeteries, as defined by state law (13 M.R.S.A. §1142), covering no more than one-quarter of an acre of land, a description of which is recorded with the Town Clerk or with the Knox County Registry of Deeds

<u>The following commercial uses:</u>

(9) Outdoor storage of boats, provided the screening standards of Article X, Part II, Section 3(5) are met
(10) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance

The following utility uses:

(11) Essential services
~~(12) Road construction~~
(~~13~~12) A wireless telecommunications facility, located in this district east of Camden Hills State Park, approved by the Code Enforcement Officer or the Planning Board in accordance with the Wireless Telecommunications Facility Siting Ordinance of the Town of Camden.

The following accessory activities:

(~~14~~13) Accessory uses
(~~15~~14) Home occupations
(~~16~~15) Homestay

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

The following resource production uses:

(1) Extraction of mineral resources
(2) Clear cutting

The following municipal and institutional uses:

(3) Cemeteries
(4) Expansion of churches legally in existence as of July 31, 1991 subject to conformity with applicable space and bulk standards and provided the building coverage does not exceed 15,000 square feet. *(New 6/20/06)*
(5) Municipal uses
(6) Quasi-public facilities, provided no structures are involved

The following commercial uses:

(7) Clinics for animals

The following recreational uses:

(8) Golf courses and other outdoor recreational facilities, including commercial outdoor recreation and the rental of nonmotorized sports equipment, but excluding games and activities common to amusement parks

Section 4. Rural Recreation District (RR)

A. Purpose

The Rural Recreation District includes lands that are both fragile and provide unique opportunity for public, outdoor recreation. The purpose of the district is to provide for a controlled mix of activity typical of, and necessary to the successful operation of, a multiple-season recreational area open to the public.

B. Permitted Uses

The following uses are permitted in the Rural Recreation District:

The following resource protection uses:

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

The following resource production uses:

(2) Timber harvesting

The following municipal and institutional uses:

(3) Municipal uses

The following commercial uses:

(4) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance

The following utility uses:

(5) Essential services

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

The following municipal and institutional uses:

(1) Community buildings
(2) Quasi-public facilities
(3) Nursery schools and day care centers

The following commercial uses:

(4) Campgrounds
(5) Commercial schools
(6) Fast food restaurants, excluding drive-through windows
(7) Sit-down restaurants
(8) Retail sales
(9) Theaters
(10) Parking Facilities

The following recreational uses:

(~~10~~11) Golf courses, ski area and lifts, toboggan chutes and other outdoor recreational facilities, including commercial outdoor recreation and the rental of nonmotorized sports equipment, but excluding games and activities common to amusement parks

The following utility uses:

~~(11) Commercial parking facilities~~
(12) Public utilities
~~(13) Road construction~~

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) The standards of performance of Article X, Parts I and II, shall be observed.
(2) The following space and bulk standards shall apply:

Section 5. Coastal Residential District (CR)

A. Purpose

The Coastal Residential District includes lands along scenic coastal corridors north and south of the village area. The purpose of the district is to allow for a moderate level of residential and other development while assuring that these corridors retain their scenic landscapes and vistas and continue to serve as attractive gateways to Camden. The intention is that development be designed to fit into the existing character that includes rolling terrain and interspersed woods, fields, structures, and views of the water.

B. Permitted Uses

The following uses are permitted in the Coastal Residential District:

<u>The following resource protection uses:</u>

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

<u>The following resource production uses:</u>

(2) Agriculture
(3) Timber harvesting

<u>The following residential uses:</u>

(4) Single family dwellings
(5) Two-family dwellings
(6) Open space residential developments that meet the standards of Article IX
(7) Cottages

<u>The following municipal and institutional uses:</u>

(8) Family cemeteries, as defined by state law (13 M.R.S.A. §1142), covering no more than one-quarter of an acre of land, a description of which is recorded with the Town Clerk or with the Knox County Registry of Deeds

<u>The following commercial uses:</u>

(12) Outdoor storage of boats, provided the screening standards of Article X, Part II, Section 3(5) are met and indoor storage of boats in buildings on lots of 5 or more acres in size provided that the storage facility was in existence on January 1, 2003 and is located at least 125 feet from any residential lot boundary or a public way. *(Amended – 11/11/03)*
(10) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance

The following marine uses:

(11) Municipal boat ramps and municipal piers

The following utility uses:

(12) Essential services
~~(13) Road construction~~

The following accessory activities:

(~~14~~13) Accessory uses
(~~15~~14) Home occupations
(~~16~~15) Homestay

C. Uses Permitted as Special Exceptions
The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

The following municipal and institutional uses:

(1) Cemeteries
(2) Municipal uses
(3) Quasi-public facilities, provided no structures are involved
(4) Nursery schools and day care centers

The following recreational uses:

(5) Golf courses

The following utility uses:

(6) Public utilities

The following commercial uses:

(7) Expansion of hotels or motels with ten or more rooms offered for rent legally in existence as of March 11, 1985, within a lot of record existing as of March 11, 1985, subject to conformity with applicable space and bulk standards.

The following industrial uses:

(8) Expansion of facilities used for the storage and maintenance of construction equipment and which were legally in existence as of March 11, 1985, within lots of

Section 6. Village Extension District (VE)

A. Purpose

The Village Extension District lies outside of the traditional village but includes lands that have, or can reasonably be expected to receive within the next ten years, public water and sewer; can be readily provided with other municipal services; and can support a significant share of the new development anticipated in the Town during the next ten to fifteen years. The purpose of the district is to provide a range of housing opportunities and of compatible, small-scale economic opportunities. The intent is to do so within a setting that emulates the character of villages: with streets designed for safe and convenient use by both pedestrians and motor vehicles and at a scale appropriate for walkable neighborhoods; a mix of activities that serve some of the routine needs of neighborhood residents; and a sense of security and protected investments.

B. Permitted Uses

The following uses are permitted in the Village Extension District:

<u>The following resource protection uses:</u>

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, Paragraph B

<u>The following resource production uses:</u>

(2) Agriculture
(3) Timber harvesting

<u>The following residential uses:</u>

(4) Single family dwellings
(5) Two-family dwellings
(6) Open space residential developments that meet the standards of Article IX
(7) Cottages
(8) Mobile home parks
(9) Accessory apartments

<u>The following municipal and institutional uses:</u>

(10) Cemeteries
(11) Churches

The following commercial uses:

(12) Outdoor storage of boats, provided the screening standards of Article X, Part II, Section 3(5) are met
(13) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance

The following water-dependent uses:

(14) Municipal boat ramps and municipal piers

The following utility uses:

(15) Essential services
~~(16) Road construction~~

The following accessory activities:

(~~17~~16) Accessory uses
(~~18~~17) Home occupations
(~~19~~18) Homestay

A [1] following a listed use means the use must be located wholly within structures existing as of the date of adoption of this Ordinance.

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

The following municipal and institutional uses:

(1) Community buildings
(2) Quasi-public facilities
(3) Municipal uses
(4) Nursery schools and day care centers
(5) Private schools
(6) Public schools

The following utility uses:

(7) Public utilities
~~(8) Commercial parking facilities, provided there is no demolition of buildings existing as of the date of adoption of this Ordinance~~

The following commercial uses:

(~~9~~8) Inns located on lots of 2 or more acres [1]
(~~10~~9) Low impact uses, as defined in this Ordinance and not otherwise allowed in this district, on lots that are located wholly or in part within 500 feet of a business or industrial district (B-1, B-2, B-3, B-H, B-R, B-TR, or I), and that meet the terms of Article VII, Section 4(9).
(10) Parking facilities, provided there is no demolition of buildings existing as of the date of adoption of this ordinance.

The following residential uses:

(11) Community living uses
(12) ~~Elderly congregate~~ Congregate housing served by public sewer
(13) Nursing and convalescent homes

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) The standards of performance of Article X, Parts I and II, shall be observed.
(2) The following space and bulk standards shall apply:

	Sewer	**No Sewer**
MINIMUM LOT AREA		
Residential	10,000 sq.ft.	40,000 sq.ft.
Nonresidential	10,000 sq.ft.	40,000 sq.ft.
MINIMUM LOT AREA PER DWELLING UNIT		
Single Family	10,000 sq.ft.	40,000 sq.ft.
Accessory Apartments	No increase in lot area required	No increase in lot area required
Two-Family Dwellings	7,500 sq.ft.	40,000 sq.ft.
Multi-Family Dwellings (as part of open space subdivisions)	7,500 sq.ft.	Not permitted

Table continued on next page

Section 7. Traditional Village District (V)

A. Purpose

The Traditional Village District encompasses the older residential neighborhoods near the center of the community, where historically a majority of the Town's population lived within walking distance of the central business district and governmental and cultural facilities. The purpose of this district is to maintain these highly livable neighborhoods, which include single family homes, small-scale multifamily structures, compatible residential-scale businesses, and a distinct village design.

B. Permitted Uses

The following uses are permitted in the Traditional Village District:

<u>The following resource protection uses:</u>

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

<u>The following resource production uses:</u>

(2) Timber harvesting

<u>The following residential uses:</u>

(3) Single family dwellings
(4) Two-family dwellings
(5) Multifamily dwellings
(6) Open space residential developments that meet the standards of Article IX
(7) Accessory apartments

<u>The following municipal and institutional uses:</u>

(8) Cemeteries
(9) Churches

<u>The following commercial uses:</u>

(10) Outdoor storage of boats, provided the screening standards of Article X, Part II, Section 3(5) are met
(11) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance
(12) Hotels or motels with more than ten (10) but fewer than fifteen (15) sleeping rooms on lots of 3.5 or more acres, provided that the sleeping rooms are in existence and used as such and are located wholly within one structure existing as

of June 8, 1993, and further provided that any restaurant facilities located therein shall prepare food and serve meals only to overnight guests of that hotel or motel.

The following water-dependent uses:

(13) Municipal boat ramps and municipal piers

The following utility uses:

(14) Essential services
~~(15) Road construction~~

The following accessory activities:

(~~16~~15) Accessory uses
(~~17~~16) Home occupations
(~~18~~17) Homestay

A [1] following a listed use means the use must be located wholly within structures existing as of the date of adoption of this Ordinance.

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

The following residential uses:

(1) Community living uses
(2) ~~Elderly congregate~~ Congregate housing
(3) Nursing and convalescent homes
(4) Rooming houses

The following municipal and institutional uses:

(5) Community buildings
(6) Municipal uses
(7) Nursery schools and day care centers
(8) Public schools
(9) Quasi-public facilities

The following commercial uses:

(10) Low impact uses, as defined in this Ordinance and not otherwise allowed in this district, on lots that are located wholly or in part within 500 feet of a business or

industrial district (B-1, B-2, B-3, B-H, B-TH, B-R, B-TR or I), and that meet the terms of Article VII, Section 4(9) *(amended – 11/14/06)*

(11) Expansion of hotels or motels with ten or more rooms offered for rent, legally in existence as of March 11, 1985, within a lot of record existing as of March 11, 1985, subject to conformity with applicable space and bulk standards

(12) Inns on lots of 2 or more acres [1]

(13) Funeral homes

The following utility uses:

(14) Public utilities

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) The standards of performance of Article X, Parts I and II, shall be observed.

(2) The following space and bulk standards shall apply:

MINIMUM LOT AREA	
Residential	10,000 sq.ft.
Nonresidential	10,000 sq.ft.
MINIMUM LOT AREA PER DWELLING UNIT	
Single Family	10,000 sq.ft.
Accessory Apartments	No increase in lot area required
Two-Family Dwellings	7,500 sq.ft.
Multifamily Dwellings	7,500 sq.ft.
~~Elderly~~ Congregate Housing	3,000 sq.ft.
MINIMUM STREET FRONTAGE	
Residential	75 feet
Nonresidential	75 feet

Table continued on next page

Section 8. Downtown Business District (B-1)

A. Purpose

The purpose of the Downtown Business District is to provide for a compact, pedestrian oriented, year-round business center with a focus on small scale specialty and comparison shopping and services compatible with the existing scale and character of Downtown Camden.

B. Permitted Uses

The following uses are permitted in the Downtown Business District:

The following resource protection uses:

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

The following residential uses:

(2) Single family dwellings, except no residential use and no use accessory to a residential use (including but not limited to parking and storage), except a home occupation shall occur on a floor at street level†*
(3) Two-family dwellings, except no residential use and no use accessory to a residential use (including but not limited to parking and storage), except a home occupation shall occur on a floor at street level†*
(4) Multifamily dwellings, except no residential use and no use accessory to a residential use (including but not limited to parking, storage or other facilities perated principally for the benefit of residents of the dwellings) shall occur on a floor at street level*
(5) ~~Elderly congregate~~ Congregate housing, except no ~~residential use~~elements of a "congregate housing" facility as defined shall occur on a floor at street level.*

†The restriction on residential use on a floor at street level shall not apply to structures in the Chestnut Street Historic District.
*Access to the use may be permitted from street level so long as the width of overall area of such access does not exceed the minimum state or federal access requirements.

The following municipal and institutional uses:

(6) Churches
(7) Community buildings
(8) Municipal uses
(9) Nursery schools and day care centers
(10) Private schools
(11) Public schools

(12) Quasi-public facilities

The following commercial uses:

(13) Boat and marine sales and service, provided there is no exterior storage or display
(14) Commercial schools
(15) Fast food restaurants containing no more than 20 seats, provided there shall be no drive-through windows
(16) Financial services, provided there shall be no drive-through windows
(17) Funeral homes
(18) Hair salons
(19) Hotels and motels
(20) Inns
(21) Personal services
(22) Publishing of newspapers, magazines, and books, excluding printing plants
(23) Retail sales and rental of goods and equipment, excluding gas stations, exterior display and storage of motor vehicles and similar outdoor sales establishments that tend to detract from or interfere with a high intensity of pedestrian activity
(24) Sit-down restaurants
(25) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance
(26) Theaters and entertainment, excluding games and activities common to amusement parks
(27) Low impact uses, as defined in this Ordinance and not otherwise allowed in this district and that meet the terms of Article VII, Section 4(9)
(28) ~~(27A)~~ Technical services
(29) Function Hall *(Added 06/17/09)*
~~(28)~~(30) Parking Facilities

The following professional services:

~~(29)~~(31) Professional offices
~~(30)~~(32) Health service facilities, excluding hospitals and other overnight facilities

The following water-dependent uses:

~~(31)~~(33) Municipal boat ramps and municipal piers

The following industrial uses:

~~(32)~~(34) Tradesmen's shops that include the retailing of items produced on the premises

The following utility uses:

~~(33) Commercial parking facilities~~

~~(34)~~(35) Essential services
~~(35)~~(36) Public utilities
~~(36) Road construction~~

The following accessory activities:

(37) Accessory uses, except where otherwise prohibited at street level
(38) Home occupations
(39) Homestay

C. Uses Permitted as Special Exceptions

(1) Commercial Parking Garages

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

None

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) The standards of performance of Article X, Parts I and II, shall be observed.
(2) The following space and bulk standards shall apply:

MINIMUM LOT AREA	
Residential	None
Nonresidential	None
MINIMUM LOT AREA PER DWELLING UNIT	
Single Family	None
Two-Family Dwellings	None
Multifamily Dwellings	None
Congregate Housing	None
MINIMUM STREET FRONTAGE	None
MINIMUM SETBACKS	
Front, side, and back	None
Normal high water mark	None
Side and back yard for nonresidential use abutting a residential use	15 feet
Parking lot, parking space, or parking area in shoreland areas	25 feet from the normal high water mark of a water body or from the upland edge of a wetland

Section 9. Highway Business District (B-2)

A. Purpose

The purpose of the Highway Business District is to provide an area suitable for highway-oriented businesses at a moderate density.

B. Permitted Uses

The following uses are permitted in the Highway Business District:

The following resource protection uses:

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

The following residential uses: *(Amended 06/17/2008)*

(2) Single family dwellings
(3) Two-family dwellings
(4) Multifamily dwellings served by public sewer
(5) Community living uses
(6) ~~Elderly congregate~~ Congregate housing served by public sewer
(7) Nursing and convalescent homes
(8) Accessory apartments

The following municipal and institutional uses: *(Amended 06/17/2008)*

(9) Churches
(10) Community buildings
(11) Hospitals
(12) Municipal uses
(13) Nursery schools and day care centers
(14) Private schools
(15) Public schools
(16) Quasi-public facilities

The following commercial uses: *(Amended 06/17/08)*

(17) Auction barns
(18) Auto repair garages
(19) Boat and marine sales and service *(Amended 06/17/08)*
(20) Clinics for animals
(21) Commercial schools
(22) Fast food restaurants, provided there shall be no drive-through windows
(23) Financial services

(24) Gas stations on lots abutting Route 1 *(Amended 06/17/08)*
(25) Hair salons
(26) Hotels and motels
(27) Inns
(28) Leasing, rental, and storage facilities
(29) Motor home sales, provided there is no exterior storage or display *(Amended 06/17/08)*
(30) Motor vehicle sales, provided there is no exterior storage or display *(Amended 06/17/08)*
(31) Outdoor boat storage
(32) Personal services
(33) Publishing of newspapers, magazines, and books
(34) Retail sales
(35) Sit-down restaurants
(36) Theaters and entertainment, excluding games and activities common to amusement parks
(37) Low impact uses, as defined in this Ordinance and not otherwise allowed in this district and that meet the terms of Article VII, Section 4(9)
(38) Technical services
(39) Function Hall *(Added 06/17/09)*
~~(39)~~(40) Parking Facilities

The following professional services:

~~(40)~~(41) Professional offices
~~(41)~~(42) Health service facilities

The following recreational uses:

~~(42)~~(43) Golf courses and other commercial outdoor recreational facilities, excluding games and activities common to amusement parks

The following industrial uses:

~~(43)~~(44) Manufacturing
~~(44)~~(45) Printing plants
~~(45)~~(46) Research and development
~~(46)~~(47) Tradesmen's shops

The following utility uses:

~~(47) Commercial parking facilities~~
(48) Essential services
(49) Public utilities
~~(50) Road construction~~

The following accessory activities:

~~(51)~~(50) Accessory uses
~~(52)~~(51) Home occupations
~~(53)~~(52) Homestay

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

None

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) The standards of performance of Article X, Parts I and II, shall be observed.
(2) The following space and bulk standards shall apply:

	Sewer	**No sewer**
MINIMUM LOT AREA		
Residential	10,000 sq.ft.	40,000 sq.ft.
Nonresidential	20,000 sq.ft.	20,000 sq.ft.
MINIMUM LOT AREA PER DWELLING UNIT		
Single Family	10,000 sq.ft.	40,000 sq.ft.
Accessory Apartments	No increase in lot area required	No increase in lot area required
Two-Family Dwellings	7,500 sq.ft.	40,000 sq.ft.
Multifamily Dwellings	7,500 sq.ft.	Not permitted
~~Elderly~~ Congregate Housing	3,000 sq.ft.	Not permitted
MINIMUM STREET FRONTAGE		
Residential	75 feet	100 feet
Nonresidential	100 feet	100 feet

Table continued on next page

	Sewer	No sewer
MINIMUM SETBACKS		
Residential		
Front	25 feet	25 feet
Side	15 feet	15 feet
Back	15 feet	15 feet
Normal high water mark	See Article X, Part I, Section 1(9)(j)	See Article X, Part I, Section 1(9)(j)
Nonresidential		
Front	20 feet	20 feet
Side	20 feet	20 feet
Back	20 feet	20 feet
Normal high water mark	See Article X, Part I, Section 1(9)(j)	See Article X, Part I, Section 1(9)(j)
Side and back yard for nonresidential use abutting a residential district	50 feet	50 feet
MAXIMUM BUILDING COVERAGE		
Residential	25%	20%
Nonresidential	30%	30%
MAXIMUM GROUND COVERAGE, SHORELAND AREA		
General	None	None
Shoreland Area	20%	20%
MAXIMUM BUILDING OR STRUCTURE HEIGHT		
Residential	30 feet	30 feet
Nonresidential	30 feet	30 feet

(3) Screening

Multifamily, congregate housing, and nonresidential uses abutting a residential district shall provide screening in accordance with the standards in Article X, Part II, Section 3, of this Ordinance.

(4) Shoreland Area

Properties within shoreland areas shall comply with the additional standards set forth in Article X, Part I, Section 1, of this Ordinance.

(5) Historic Areas

Properties within historic areas shall comply with the additional standards set forth in Article X, Part I, Section 3 of this Ordinance.

Section 10. Transitional Business District (B-3)

A. Purpose

The Transitional Business District is meant to accommodate limited business uses in areas that are located along main traffic arteries but are residential in character. The explicit purpose of this district includes the prevention of strip highway development and the preservation of the character and appearance of established residential neighborhoods.

B. Permitted Uses

The following uses are permitted in the Transitional Business District, however, if the listed use is followed by a raised 1 and circumstances stated in Article VIII, Section 10, (C) apply, a special exception is required:

The following resource protection uses:

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

The following residential uses:

(2) Single family dwellings
(3) Two-family dwellings
(4) Multifamily dwellings served by public sewer
(5) Open space residential developments that meet the standards of Article IX
(6) Community living uses
(7) ~~Elderly congregate~~ Congregate housing served by public sewer
(8) Nursing and convalescent homes
(9) Rooming houses
(10) Accessory apartments

The following municipal and institutional uses:

(11) Churches
(12) Community buildings [1]
(13) Hospitals
(14) Municipal uses [1]
(15) Nursery schools and day care centers [1]
(16) Private schools [1]
(17) Public schools [1]
(18) Quasi-public facilities [1]

The following commercial uses:

(19) Auto repair garages [1]
(20) Commercial schools [1]
(21) Financial services, excluding drive-through windows [1]
(22) Funeral homes [1]
(23) Hair salons [1]
(24) Hotels and motels [1]
(25) Inns [1]
(26) Publishing of newspapers, magazines, and books, excluding printing plants [1]
(27) Sit-down restaurants [1]
(28) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance
(29) Low impact uses, as defined in this Ordinance and not otherwise allowed in this district and that meet the terms of Article VII, Section 4(9) [1]
(30) Any expansion of a retail business in existence as of June 9, 1992, within the boundaries of the lot in which such business is located as of June 9, 1992.
(31) Function Hall *(Added 06/17/09)*
~~(31)~~(32) Parking facilities, provided there is no demolition of buildings existing as of December 1, 1992.

The following professional services:

~~(32)~~(33) Professional offices[1]
~~(33)~~(34) Technical Services, provided that retail sales are devoted to less than 10% of the floor area of the business[1] *(added 11/11/08)*
~~(34)~~(35) Health service facilities [1]

The following industrial uses:

~~(35)~~(36) Research and development [1]
~~(36)~~(37) Tradesmen's shops [1]

The following utility uses:

~~(37) Commercial parking facilities, provided there is no demolition of buildings existing as of December 1, 1992.~~
(38) Essential services
(39) Public utilities
~~(40) Road construction~~

The following accessory activities:

~~(41)~~(40) Accessory uses
~~(42)~~(41) Home occupations
~~(43)~~(42) Homestay

The following additional Commercial Uses are permitted only on Lots which were in existence and had no structures as of June 8, 1993 and were also in the B-3 District prior to June 8, 1993:

~~(44)~~(43) Retail Sales, if either of the following criteria, a or b, is met:

a. The cumulative floor space devoted to retail sales on the lot is limited to 50% of the total floor space of the structures on the lot, or
b. The maximum building coverage on the lot is 20% or less.

~~(45)~~(44) Rental of goods and equipment, provided there is no outdoor storage or display of such goods or equipment. Floor space devoted to rentals shall not be considered as being devoted to retail sales on the lot as set forth in Article VIII, Section 10.B(41), above, in determining the cumulative floor space devoted to retail sales on the lot.

~~(46)~~(45) Personal services

A [1] following a listed use in the B-3 District means the use must be located wholly within structures existing as of November 4, 1992 or wholly within structures constructed or to be constructed upon lots which were in existence and had no structures as of June 8, 1993 or permitted as a special exception under the circumstances set forth in C.

C. Uses Permitted as Special Exceptions

The permitted uses listed for the Transitional Business District (B-3) which are designated by a raised 1 following the listed use shall be allowed upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance in the circumstances set forth below:

(1) The expansion, substantial alteration, or replacement for such a permitted use of an existing principal structure, provided that the Zoning Board of Appeals finds, as part of its review, that such expansion, alteration, or replacement of the structure will retain the appearance of and reflect the existing residential character of the district.
(2) The construction, on a lot that had a structure as of June 8, 1993, including subsequent divisions of said lot, for a permitted use in this District. *(Amended – 11/15/05*

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) The general standards of performance of Article X, Parts I and II, shall be observed.
(2) The following space and bulk standards shall apply:

	Sewer	No Sewer
MINIMUM LOT AREA		
Residential	10,000 sq.ft.	40,000 sq.ft.
Nonresidential	20,000 sq.ft.	20,000 sq.ft.
MINIMUM LOT AREA PER DWELLING UNIT		
Single Family	10,000 sq.ft.	40,000 sq.ft.
Accessory Apartments	No increase in lot area required	No increase in lot area required
Two-Family Dwellings	7,500 sq.ft.	40,000 sq.ft.
Multi-Family Dwellings	7,500 sq.ft.	Not permitted
~~Elderly~~ Congregate Housing	3,000 sq.ft.	Not permitted
MINIMUM STREET FRONTAGE		
Residential	75 ft.	100 ft.
Nonresidential	100 ft.	100 ft.
MINIMUM SETBACKS		
Residential		
Front	15 ft., except where the following lots with existing buildings have established a uniform setback relationship (See Definitions) to the street, any new building shall be set back from the edge of the right-of-way of the street no more than a maximum distance which is 5 feet greater than the average setback for those two adjacent lots on each side of the subject lot, and no less than a minimum distance which is 5 feet less than the average setback for those two adjacent lots on each side of the subject lot; provided however that such a building on the subject lot shall be no closer to the right-of-way of the street than the building closest to the edge of that right-of-way on those four adjacent lots. Where a uniform setback relationship exists,	25 feet

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	Sewer	**No Sewer**
Shoreland Area	20%	20%
MAXIMUM BUILDING OR STRUCTURE HEIGHT		
Residential	30 feet	30 feet
Nonresidential	30 feet	30 feet
MINIMUM DISTANCE BETWEEN PRINCIPAL BUILDINGS ON SAME LOT	30 feet	30 feet

(3) Screening
Multifamily, congregate housing, and nonresidential uses abutting a residential use or district shall provide screening in accordance with the standards in Article X, Part II, Section 3, of this Ordinance.

(4) Shoreland Area
Properties within shoreland areas shall comply with the additional standards set forth in Article X, Part I, Section 1, of this Ordinance.

(5) Historic Areas
Properties within historic areas shall comply with the additional standards set forth in Article X, Part I, Section 3 of this Ordinance.

Section 11. Neighborhood Service District (B-4)

A. Purpose

The Neighborhood Service District is meant to accommodate limited business uses in areas that are residential in character. The explicit purpose of this district is to preserve the character and appearance of established residential neighborhoods and to help foster the development of new neighborhoods while permitting limited, small scale commercial activities oriented to the neighborhoods.

B. Permitted Uses

The following uses are permitted in the Neighborhood Service District:

<u>The following resource protection uses:</u>

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

<u>The following residential uses:</u>

(2) Single family dwellings
(3) Two-family dwellings
(4) Multifamily dwellings served by public sewer
(5) Open space residential developments that meet the standards of Article IX
(6) Accessory apartments

<u>The following municipal and institutional uses:</u>

(7) Churches
(8) Community buildings
(9) Municipal uses
(10) Nursery schools and day care centers
(11) Private schools
(12) Public schools
(13) Quasi-public facilities

<u>The following commercial uses:</u>

(14) Financial services, excluding drive-through windows
(15) Funeral homes
(16) Hair salons
(17) Inns[1]
(18) Neighborhood stores
(19) Personal services

(20) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance
(21) Low impact uses, as defined in this Ordinance and not otherwise allowed in this district, that meet the terms of Article VII, Section 4(9)
(22) Function Hall *(Added 06/17/09)*
~~(22)~~(23) Parking Facilities

The following water-dependent uses:

~~(23)~~(24) Municipal boat ramps and municipal piers

The following industrial uses:

~~(24)~~(25) Tradesmen's shops

The following utility uses:

~~(25) Commercial parking facilities~~
(26) Essential services
~~(27) Road construction~~

The following accessory activities:

~~(28)~~(27) Accessory uses
~~(29)~~(28) Home occupations
~~(30)~~(29) Homestay

A [1] following a listed use means the use must be located wholly within structures existing as of the date of adoption of this Ordinance.

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

The following residential uses:

(1) Community living uses
(2) ~~Elderly c~~Congregate housing served by public sewer
(3) Nursing and convalescent homes
(4) Rooming houses

The following commercial uses:

(5) Auto repair garages

The following professional services:

(6) Professional offices
(7) Health service facilities

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) The general standards of performance of Article X, Parts I and II, shall be observed.
(2) The following space and bulk standards shall apply:

	Sewer	**No Sewer**
MINIMUM LOT AREA		
Residential	10,000 sq.ft.	30,000 sq.ft.
Nonresidential	10,000 sq.ft.	20,000 sq.ft.
MINIMUM LOT AREA PER DWELLING UNIT		
Single Family	10,000 sq.ft.	30,000 sq.ft.
Accessory Apartments	No increase in lot area required	No increase in lot area required
Two-Family Dwellings	7,500 sq.ft.	10,000 sq.ft.
Multi-Family Dwellings	7,500 sq.ft.	Not permitted
~~Elderly~~ Congregate Housing	3,000 sq.ft.	Not permitted
MINIMUM STREET FRONTAGE		
Residential	75 ft.	100 ft.
Nonresidential	100 ft.	100 ft.
MINIMUM SETBACKS		

Table continued on next page

	Sewer	No Sewer
Nonresidential		
Front	Same as residential	Same as residential
Side	15 feet	15 feet
Back	15 feet	15 feet
Normal high water mark	See Article X, Part I, Section 1(9)(j)	See Article X, Part I, Section 1(9)(j)
Side and back yard for nonresidential use abutting a residential use	25 feet	25 feet
MAXIMUM BUILDING COVERAGE		
Residential	25%	20%
Nonresidential	30%	30%
MAXIMUM GROUND COVERAGE		
General	None, provided that the area between the front property line and the wall of the building or structure closest to the street and running the full width of the wall, except the driveway, shall not be used for parking.	None, provided that the area between the front property line and the wall of the building or structure closest to the street and running the full width of the wall, except the driveway, shall not be used for parking.
Shoreland Area	20%	20%
MAXIMUM BUILDING OR STRUCTURE HEIGHT		
Residential	30 feet	30 feet
Nonresidential	30 feet	30 feet
MINIMUM DISTANCE BETWEEN PRINCIPAL BUILDINGS ON SAME LOT	30 feet	30 feet

(3) Screening
Multifamily, congregate housing, and nonresidential uses abutting a residential use or district shall provide screening in accordance with the standards in Article X, Part II, Section 3, of this Ordinance.

(4) Shoreland Area
Properties within shoreland areas shall comply with the additional standards set forth in Article X, Part I, Section 1, of this Ordinance.

(5) Historic Areas
Properties within historic areas shall comply with the additional standards set forth in Article X, Part I, Section 3 of this Ordinance.

Section 12. Harbor Business District (B-H)

A. Purpose

The purpose of the Harbor Business District is to preserve and maintain for the citizens of Camden the character of Camden Harbor, including its scenic value and views from the land, its accessibility to the public, and its economic value for functionally water-dependent uses.

B. Permitted Uses

The following uses are permitted in the Harbor Business District:

The following resource protection uses:

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

The following residential uses: *(Amended 06/17/08)*

(2) Single family dwellings, provided the standards of E, (6) are met.
(3) Two-family dwellings, provided the standards of E, (6) are met.
(4) Multifamily dwellings, provided the standards of E, (6) are met.

The following marine-related uses: *(Added 06/17/08)*

(5) Boat and marine sales, service, maintenance, repair and construction, including marine fabrication, sail making, canvas manufacturing, marine metal casting
(6) Indoor and outdoor boat storage
(7) Marine and oceanographic research laboratories
(8) Marine transportation offices including shipping offices
(9) Professional and business offices where maritime issues and products are the primary use, i.e. naval architects, surveyors, maritime publishers, maritime lawyers, etc;
(10) Maritime or historical museums
(11) Yachting or sailing clubs, and schools which give marine or nautical instruction

The following commercial uses: *(Amended 06/17/2008)*

(12) Financial services, except on a floor at street level*
(13) Inns, located at least 276 feet from the harbor line *(Amended 06/17/2008)*
(14) Leasing, rental, and storage facilities, excluding those that serve or benefit any dwelling unit or owner thereof, within the same structure or on a common lot or tract of land. *(Amended* – 11/13/07)
(15) Publishing of newspapers, magazines, and books (excluding printing plants), except on a floor at street level*

(16) Technical services, except on a floor at street level * *(added 11/11/08)*
(17) Sit-down restaurants
(18) Retail sales, excluding motor vehicle sales and repairs, motor home sales, motorcycle and motor bike rental and sales, and gas stations (except for marine-related purposes) and similar outdoor sales establishments that tend to detract from or interfere with a high intensity of pedestrian activity
(19) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance
(20) Function Hall *(Added 06/17/09)*
~~(20)~~(21) Parking Facilities

The following professional services:

~~(21)~~(22) Professional offices, except on a floor at street level*

The following water-dependent uses:

~~(22)~~(23) Marinas and recreational fishing and boating facilities
~~(23)~~(24) Municipal boat ramps and municipal piers
~~(24)~~(25) Other functionally water dependent uses as defined in this Ordinance

The following industrial uses:

~~(25)~~(26) Tradesmen's shops that include the retailing of items produced on the premises

The following utility uses:

~~(26) Commercial parking facilities~~
(27) Seasonal parking within boat storage buildings *(Added 06/17/08)*
(28) Essential services
(29) Public utilities
~~(30) Road construction~~

The following accessory activities:

~~(31)~~(30) Accessory uses, except no residential accessory use shall occur on a floor at street level unless the residential use is permitted at street level.* *(Amended – 06/17/08)*
~~(32)~~(31) Home occupations, except no other residential accessory use shall occur on a floor at street level unless the residential use is permitted at street level.* *(Amended – 06/17/08)*
~~(33)~~(32) Homestay, except no ~~residential accessory~~such use shall occur on a floor at street level unless the residential use is permitted at street level.* *(Amended – 06/17/08)*
*Access to the use may be permitted from street level so long as the width or overall area of such access way does not exceed minimum state or federal requirements.

Maximum building coverage	Area resulting from width of the vessel multiplied by the length of the vessel; with the calculation of width and length including 4 ft. beyond scaffolding or devices necessary for working on such vessel, such devices constructed to conform to OSHA standards

(3) Additional Space and Bulk Standards

(a) A minimum of 20% of the lot area shall be kept free of buildings and structures as a single, straight view corridor of constant width from street to harbor line. In calculating lot area, the property landward of the officially established harbor line shall be included, minus any area within existing, recorded easements upon which building is prohibited. Any fence in the view corridor shall be of open construction. Temporary structures shall not interfere with this view corridor.

(b) No part of a building may project over the right of way at any point.

(4) Shoreland Area

Unless otherwise noted, properties within shoreland areas shall comply with the additional standards set forth in Article X, Part I, Section 1, of this Ordinance.

(5) Historic Areas

Properties within historic areas shall comply with the additional standards set forth in Article X, Part I, Section 3 of this Ordinance.

(6) Residential Use

The following standards are intended to enhance the economic vitality of the district by creating an incentive to improve marine facilities and an opportunity to fund such improvements through limited residential development. Residential use is prohibited except as follows:

a. Residential use is permitted, within 180 feet of the front property line on Atlantic Avenue, except on a floor at street level, provided all Zoning Ordinance requirements are met. The street level space shall be fully enclosed and conditioned with a minimum ceiling height of 7 feet, 6 inches. Access to the use may be permitted from street level so long as the width or overall area of such access way does not exceed minimum state and federal requirements.

b. Residential use is permitted at street level at a distance of more than 276 feet from the harbor line provided two square feet of marine building coverage is constructed for each square foot of residential building coverage. Access to the use may be permitted from street level so long as the width or overall area of such access way does not exceed minimum state and federal standards.

(i) Marine building coverage shall include new permanent buildings and buildings in which 50% of the market value of the structure has been removed and replaced.

Section 13. River Business District (B-R)

A. Purpose

The purpose of the River Business District is to provide for the maintenance, development and redevelopment of lands and buildings in river-oriented locations that have historically been used for economic activity, or for which there is opportunity for such activity. It is intended that development and redevelopment proceed in a way that respects and maintains the environmental and scenic qualities of the river.

B. Permitted Uses

The following uses are permitted in the River Business District:

The following resource protection uses:

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

The following resource production uses:

(2) Timber harvesting

The following residential uses:

(3) Single family, Two-family, & Multifamily dwellings, except that no residential use and no use accessory to a residential use (including but not limited to parking and storage except a home occupation, shall occur on a floor at street level without an equivalent area of allowed commercial, professional services, industrial, or utility uses as defined ~~below~~, in a building at street level on the same lot of record. Access to the use may be permitted from street level so long as such access way does not exceed minimum state or federal access requirements *(Amended* – 11/5/13)

(4) Mobile home parks existing as of November 4, 2008 *(added 11/11/08)*

The following municipal and institutional uses:

(5) Municipal uses *(added 6/20/06)*
(6) Quasi-public facilities

The following commercial uses:

(7) Auction barns
(8) Auto repair garages
(9) Boat and marine sales and service
(10) Clinics for animals
(11) Commercial schools

(12) Fast food restaurants, excluding drive-through windows
(13) Financial services
(14) Hair salons
(15) Hotels and motels
(16) Inns
(17) Leasing, rental, and storage facilities
(18) Outdoor boat storage
(19) Personal services
(20) Publishing of newspapers, magazines, and books
(21) Retail sales and rental of goods and equipment, provided there is no exterior storage or display of motor vehicles
(22) Sit-down restaurants
(23) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance
(24) Theaters and entertainment, excluding games and activities common to amusement parks
(25) Low impact uses, as defined in this Ordinance and not otherwise allowed in this district, that meet the terms of Article VII, Section 4(9)
(26) Technical services
(27) Function Hall *(Added 06/17/09)*
~~(27)~~(28) Parking Facilities

The following professional services:

~~(28)~~(29) Professional offices
~~(29)~~(30) Health service facilities

The following industrial uses:

~~(30)~~(31) Agricultural products processing plants
~~(31)~~(32) Manufacturing
~~(32)~~(33) Printing plants
~~(33)~~(34) Research and development
~~(34)~~(35) Storage and maintenance of construction equipment
~~(35)~~(36) Tradesmen's shops
~~(36)~~(37) Warehousing, excluding truck terminals
~~(37)~~(38) Wholesale trade

The following utility uses:

~~(38) Commercial parking facilities~~
(39) Essential services
(40) Public utilities
~~(41) Road construction~~

The following accessory activities:

~~(42)~~(41) Accessory uses except where otherwise prohibited at street level
~~(43)~~(42) Home occupations
~~(44)~~(43) Homestay, except where residential use is otherwise prohibited at street level

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

None

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards
(1) The standards of performance of Article X, Parts I and II, shall be observed.
(2) The following space and bulk standards shall apply:

MINIMUM LOT AREA	
Residential	None
Nonresidential	None
MINIMUM LOT AREA PER DWELLING UNIT	
Single Family	5000 sq. ft.
Two-Family dwellings	5,000 sq. ft.
Multifamily dwellings	1,500 sq. ft.
~~Elderly c~~Congregate housing	Not permitted
MINIMUM STREET FRONTAGE	None
MINIMUM SETBACKS	
Front, side, and back	None
Normal high water mark	
Parking lots and paved surfaces	75 feet
Structures	30 feet
Side and back yard for nonresidential use abutting a residential district or a lot wholly or partially in residential use	25 feet
MAXIMUM BUILDING COVERAGE	70 percent
MAXIMUM GROUND COVERAGE	70 percent
MAXIMUM BUILDING OR STRUCTURE HEIGHT	
Residential	40 feet
Nonresidential	40 feet
MINIMUM DISTANCE BETWEEN PRINCIPAL	15 feet

Section 14. Transitional River Business District (B-TR)

A. Purpose

The purpose of the Transitional River Business District is to provide for a compact, pedestrian oriented, year round business center in keeping with the scale and character of downtown Camden, with a focus on small scale specialty and comparison shopping, while also encouraging development and redevelopment of lands and buildings in river-oriented locations that have historically been used for economic activity, or for which there is opportunity for such activity.

B. Permitted Uses

The following uses are permitted in the Transitional River Business District:

The following resource protection uses:

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, Paragraph B

The following residential uses:

(2) Single family dwellings, except no residential uses and no use accessory to a residential use (including but not limited to parking and storage) shall occur on a floor at street level.*
(3) Two-family dwellings, except no residential uses and no use accessory to a residential use (including but not limited to parking and storage) shall occur on a floor at street level.*
(4) Multifamily dwellings, except no residential uses and no use accessory to a residential use (including but not limited to parking and storage) shall occur on a floor at street level.*
(5) ~~Elderly c~~Congregate housing, except no ~~residential uses~~elements of a "congregate housing" facility as defined shall occur on a floor at street level

*Access to the use may be permitted at street level so long as the width or overall area of such access way does not exceed minimum state or federal access requirements.

The following municipal and institutional uses:

(6) Churches
(7) Community buildings
(8) Municipal uses
(9) Nursery schools and day care centers
(10) Private schools
(11) Public schools

(12) Quasi-public facilities

The following commercial uses:

(13) Boat and marine sales and services
(14) Commercial schools
(15) Food service, excluding drive-through windows
(16) Financial services, excluding drive-through windows
(17) Funeral homes
(18) Hair salons
(19) Hotels and motels
(20) Inns
(21) Auction sales
(22) Outdoor boat storage incidental to other uses, or in conjunction with boat maintenance or repair
(23) Personal services
(24) Publishing of newspapers, magazines, and books
(25) Retail sales and rental of goods and equipment, excluding gas stations, or exterior display or storage of motor vehicles
(26) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance
(27) Theaters and entertainment, excluding outdoor games and activities common to amusement parks
(28) Low impact uses, as defined in this Ordinance and not otherwise allowed in this district and that meet the terms of Article VII, Section 4(9)
~~(28)~~
(29) ~~(28A)~~ Technical services
(30) Function Hall *(Added 06/17/09)*
(31) Parking Facilities
~~(29)~~(32) Parking Garages

The following professional services:

~~(30)~~(33) Professional offices
~~(31)~~(34) Health service facilities

The following water-dependent uses:

~~(32)~~(35) Municipal boat ramps and municipal piers

The following industrial uses:

~~(33)~~(36) Manufacturing, excluding fish or animal processing and petroleum processing
~~(34)~~(37) Printing plants
~~(35)~~(38) Research and development

~~(36)~~(39) Interior storage and maintenance of construction equipment
~~(37)~~(40) Tradesmen's shops
~~(38)~~(41) Warehousing within structures existing as of the date of adoption of this Ordinance, excluding truck terminals
~~(39)~~(42) Wholesale trade

The following utility uses:

~~(40) Commercial parking facilities~~
~~(41)~~(43) Essential services
~~(42)~~(44) Public utilities
~~(43) Road construction~~
~~(44) Commercial Parking Garages~~

The following accessory activities:

(45) Accessory uses, except where otherwise prohibited at street level
(46) Home occupations
(47) Homestay, except at street level

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance.

None

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) The standards of performance of Article X, Parts I and II, shall be observed.
(2) The following space and bulk standards shall apply:

MINIMUM LOT AREA	
Residential	None
Nonresidential	None
MINIMUM LOT AREA PER DWELLING UNIT	
Single Family	1,500 sq.ft.
Two-Family Dwellings	1,500 sq.ft.
Multifamily Dwellings	1,500 sq.ft.
MINIMUM STREET FRONTAGE	None
MINIMUM SETBACKS	

Section 15. Industrial District (I)

A. Purpose

The purpose of the Industrial District is to encourage nonpolluting industrial developments at reasonable density.

B. Permitted Uses

The following uses are permitted in the Industrial District:

The following resource protection uses:

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

The following resource production uses:

(2) Timber harvesting

The following municipal uses:

(3) Municipal uses *(New 6/20/06)*

The following commercial uses:

(4) Auction barns
(5) Auto repair garages
(6) Boat and marine sales and service
(7) Clinics for animals
(8) Commercial schools
(9) Leasing, rental, and storage facilities
(10) Motor vehicle sales
(11) Outdoor boat storage
(12) Retail sales incidental to a permitted use, and retail and service establishments intended primarily to serve other permitted uses in the Industrial District
(13) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance
(14) Technical services, provided that retail sales are devoted to less than 10% of the floor area of the business *(amended 11/11/08)*
(15) Parking Facilities

The following professional services:

~~(15)~~(16) Professional offices
~~(16)~~(17) Health service facilities

The following industrial uses:

(17) Agricultural products processing plants
(18) Manufacturing
(19) Printing plants
(20) Research and development
(21) Storage and maintenance of construction equipment
(22) Tradesmen's shops
(23) Truck terminals
(24) Warehousing
(25) Wholesale trade

The following utility uses:

~~(26) Commercial parking facilities~~
~~(27)~~(26) Essential services
~~(28)~~(27) Public utilities
~~(29) Road construction~~

The following accessory activities:

~~(30)~~(28) Accessory uses

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

(24) Gas Stations

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) The standards of performance of Article X, Parts I and II, shall be observed.
(2) The following space and bulk standards shall apply:

Section 16. Transitional Harbor Business District (B-TH)

A. Purpose

The purpose of the Transitional Harbor Business District is to provide a transition between the inner harbor retail district and the residential neighborhood of the outer harbor while preserving and maintaining the character, scenic value, accessibility and economic value for functionally water-dependent uses in Camden Harbor. *(New 6/20/06)*

B. Permitted Uses

The following uses are permitted in the Transitional Harbor Business District:

The following resource protection uses:

(1) Uses listed in Section 1 of this Article, Natural Resource Protection District, paragraph B

The following residential uses: *(Amended 06/17/08)*

(2) Single family dwellings within 55 feet of the front property line on Bay View Street, except no residential use and no use accessory to a residential use (including but not limited to parking and storage) shall occur on a floor at street level.*

(3) Two-family dwellings within 55 feet of the front property line on Bay View Street, except no residential use and no use accessory to a residential use (including but not limited to parking and storage) shall occur on a floor at street level.*

(4) Multifamily dwellings within 55 feet of the front property line on Bay View Street, except no residential use and no use accessory to a residential use (including but not limited to parking and storage) shall occur on a floor at street level

*Access to the use may be permitted from street level so long as the width or overall area of such access way does not exceed minimum state or federal access requirements.

The following marine-related uses: *(New 06/17/08)*

(5) Boat and marine sales, service, maintenance, repair and construction including marine fabrication, sail making, canvas manufacturing, & marine metal casting

(6) Indoor and outdoor boat storage

(7) Marine and oceanographic research laboratories

(8) Marine transportation offices including shipping offices

(9) Professional and business offices where maritime issues and products are the primary use, i.e. naval architects, surveyors, maritime publishers, maritime lawyers, etc;

(10) Maritime or historical museums
(11) Yachting or sailing clubs, and schools which give maritime or nautical instruction

The following commercial uses:

(12) Financial services *(Amended 06/17/09)*
(13) Inns *(Amended 06/17/09)*
(14) Leasing, rental, and storage facilities
(15) Publishing *(Amended 06/17/09)*
(16) Technical services, except on a floor at street level.* *(added 11/11/08)*
(17) Sit-down restaurants
(18) Retail sales, excluding motor vehicle sales and repairs, motor home sales, motorcycle and motor bike rental and sales, and gas stations (except for marine-related purposes) and similar outdoor sales establishments that tend to detract from or interfere with a high intensity of pedestrian activity
(19) Storage within barns or similar accessory structures existing as of the date of adoption of this Ordinance
(20) Theaters and entertainment (excluding games and activities common to amusement parks), except on a floor at street level.*
(21) Function Hall *(Added 06/17/09)*
(22) Commercial schools within 55 feet of the front property line on Bay View Street *(Added 06/17/09)*
(23) Funeral homes within 55 feet of the front property line on Bay View Street *(Added 06/17/09)*
(24) Hair salons within 55 feet of the front property line on Bay View Street *(Added 06/17/09)*
(25) Personal services within 55 feet of the front property line on Bay View Street *(Added 06/17/09)*
~~(25)~~(26) Parking facilities

*Access to the use may be permitted from street level so long as the width or overall area of such access way does not exceed minimum state or federal access requirements.

The following professional services:

~~(26)~~(27) Professional offices *(Amended 06/17/09)*

The following water-dependent uses:

~~(27)~~(28) Marinas and recreational fishing and boating facilities
~~(28)~~(29) Municipal boat ramps and municipal piers
~~(29)~~(30) Other functionally water dependent uses as defined in this Ordinance

The following industrial uses:

~~(30)~~(31) Tradesmen's shops that include the retailing of items produced on the premises

The following utility uses:

~~(31) Commercial parking facilities~~
(32) Essential services
(33) Public utilities
~~(34) Road construction~~

The following accessory activities:

~~(35)~~(34) Accessory uses, except where otherwise prohibited at street level
~~(36)~~(35) Home occupations
~~(37)~~(36) Homestay, except at street level

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:

The following municipal and institutional uses:

(1) Municipal uses
(2) Quasi-public facilities
(3) Community buildings within 55 feet of the front property line on Bay View Street *(Added 06/17/09)*

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) The standards of performance of Article X, Parts I and II, shall be observed.
(2) The following space and bulk standards shall apply:

Section 17. Business Opportunity Zone (BOZ)

A. Purpose

To create a new zoning category intended to encourage balanced development, energy-efficient, aesthetically pleasing and cost-effective commercial projects, while acknowledging green space protection, including on small and/or irregularly shaped land parcels where site limitations would otherwise make adhering to current District Regulations impractical.

The Business Opportunity Zone Overlay Design Standards found in Article XII Section 6 (12) may be used in lieu of the current zoning in Zoning Districts B2, B3, B4, BR, and BTR. In order to qualify as a Business Opportunity Zone in any of these districts, the site must be a minimum of one acre in size and can be comprised of either an individual parcel or an assemblage of two or more adjacent parcels totaling at least one acre.

When the Business Opportunity Zone is used in the design and development of a parcel, the Permitted Uses, District Regulations and Standards of the Business Opportunity Zone (BOZ) shall supersede and/or replace the Permitted Uses, District Regulations and Standards of the overlaid parcel's existing Zoning District.

When the Business Opportunity Zone is overlaid on areas within the B-3 District as of the date of adoption of these provisions, any new or modified buildings must hold to the original Purpose of the this District to preserve the character and appearance of the established neighborhood as described in Article VIII Section10, A of the Zoning Ordinance.

B. Permitted Uses

The following uses are permitted in the Business Opportunity Zone:

The following residential uses:

(1) Multi -family dwellings as long as there is~~are~~ no ~~residences~~ residential use and no use accessory to a residential use (including but not limited to parking and storage) on street level or below and the total square footage of all residential uses does not exceed 33% of the total square footage in any individual building.

(2) Sleeping and bathroom facilities and a shared kitchen for staff use during active shifts as an accessory to the approved use.

The following commercial uses:

(3) Boat & marine sales and service provided there is no outdoor storage or display of products
(4) Sit down restaurants
(5) Financial services

(6) Hair salons
(7) Personal services
(8) Retail sales
(9) Technical services
(10) Local passenger transportation services
(11) Neighborhood Stores

The following professional uses:
(12) Professional offices
(13) Health service facilities

The following industrial uses:
(14) Manufacturing
(15) Wholesale trade
(16) Research and development establishments

The following utility uses:
(17) Essential services
(18) Public utilities
(19) Road construction

The following accessory activities:
(20) Accessory uses, except where otherwise prohibited at street level
(21) Nursery schools and day-care centers

The following municipal and institutional uses:
(22) Commercial schools

C. Uses Permitted as Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with the appropriate provisions of this Ordinance:
(1) Office/Warehouse/Distribution
(2) Gas station as an accessory use to a neighborhood store as long as there are no other gas stations within ½ mile as measured along a road.

D. Prohibited Uses

(1) drive through windows
(2) Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

Article X Performance Standards

Part I. Standards in Overlay Areas

This Part contains three sections: Shoreland Areas, High Elevation Areas, and Historic Areas. Each Section identifies an area or areas in which special standards shall apply to the uses and activities within the area or areas. Unless otherwise indicated, the uses allowed within these areas shall not differ from those listed as Permitted Uses or Uses Permitted by Special Exception in the applicable underlying zoning district.

Part I, Section 1. Shoreland Areas

(1) Applicability

This section applies to all land areas within two hundred fifty (250) feet, horizontal distance, of the normal high water line of any great pond or river; within two hundred fifty (250) feet, horizontal distance, of the upland edge of a coastal wetland, including all areas affected by tidal action; within two hundred fifty (250) feet, horizontal distance, of the upland edge of a freshwater wetland; within two hundred fifty (250) feet of the Official Harbor Line as described in the Official Zoning Map B of the Town of Camden (where the Harbor Line is different from the normal high water line); and within seventy-five (75) feet, horizontal distance, of the normal high water line of a stream. The shoreland area is further depicted on the shoreland map of the Official Zoning Map on file in the Code Enforcement Office. This section also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending below the normal high water line of a water body or within a wetland, or beyond the Harbor Line. *(Amended 11/10/09)*

(2) Agriculture

(a) All spreading of manure shall be accomplished in conformance with the *Maine Utilization Guidelines* published by the Maine Department of Agriculture on November 1, 2001, and the Nutrient Management Law (7 M.R.S.A. § 4201-4209. *(Amended 11/10/09)*

(b) Manure shall not be stored or stockpiled within 100 feet, horizontal distance, of a great pond classified GPA or a river flowing to a great pond, classified GPA, or within 75 feet horizontal distance of other water bodies, tributary streams, or wetlands. All manure storage areas within the shoreland area must be constructed or modified such that the facility produces no discharge of effluent or contaminated storm water. *(Amended 11/10/09)*

(c) Agricultural activities involving tillage of soil greater than 40,000 square feet in surface area within the shoreland area shall require a Conservation Plan to be filed with the Planning Board. Nonconformance with the provisions of said plan shall be considered to be a violation of this Ordinance. *(Amended 11/10/09)*

Part II, Section 3. Screening and Landscaping

(1) General Standards

(a) For the purpose of this Ordinance, a canopy tree is a tree that reaches at least 35 feet in height at maturity. Canopy trees are used to help create identity and establish the character of an area, to help define large spaces, and to provide shade in the hotter months of the year. An evergreen tree is at least 35 feet at maturity. Evergreen trees are used to create year-round interest with their dominant forms and color, to screen or direct views, act as windbreaks, and to provide a backdrop for other elements of a site. An understory tree reaches 10 feet to 35 feet at maturity. Understory trees are used to provide eye-level landscaping features, to define minor spaces, and to provide a variety of form, color and accents to a site. Shrubs have mature heights of two to ten feet. They are used to form physical and visual barriers, add seasonal interest and color, and help define the scale and location of buildings.

(b) The plant materials defined in paragraph (a) shall meet the following minimum size standards at time of installation, with calipers measured at dbh (diameter at breast height):

i.	Canopy trees	1 1/2" caliper
ii.	Evergreen trees	4' height
iii.	Understory trees	1 1/2" caliper
iv.	Shrubs	18" height

(c) Plants required by this Section that die shall be replaced within one growing season.

(2) Parking Areas

(a) Interior Landscaping

1. In addition to required perimeter landscaping, at least five percent of the gross area of all parking lots with twelve or more parking spaces shall be landscaped. Parking lots and ~~commercial~~ parking garages in B-1, B-TR and B-H shall be exempt from this requirement.

2. The required interior landscaping shall include a minimum of one canopy tree, one understory tree, and five shrubs for every twelve parking spaces or fraction thereof. For every mature canopy tree that exists on the proposed site of a parking lot prior to the parking lot's development and that is retained and integrated into the parking lot's design, the number of required new canopy and/or understory trees may be reduced by two. If any such retained tree dies within five years of the date of the building

permit issued for the development, it shall be replaced with two canopy trees meeting the standard of this Ordinance.

3. The landscaping shall be:

   i. in planting areas at least 10 feet wide and located to demarcate the ends of parking rows and to channel pedestrian circulation;

   ii. located to break up parking areas into smaller areas of no more than 50 parking spaces each; and

   iii. designed to accommodate snow plowing and storage without damage to the plants and trees.

(b) Perimeter Landscaping

1. Abutting a public right-of-way

   Where a parking area that includes five or more parking spaces abuts a public right-of-way, a continuous landscaped strip shall be established between the right-of-way boundary line and the parking area and shall be maintained in good condition. It shall be at least 6 feet wide and may be interrupted only by a driveway meeting the standards of this Ordinance. It shall be planted with at least one canopy tree per 35 linear feet of street frontage or fraction thereof exclusive of the width of the driveway. The plantings shall be designed and located so as not to interfere with sight distance along the right-of-way and traffic safety.

2. A ~~commercial~~ parking facility or a parking area serving a nonresidential use abutting a residential district or lot in residential use

   Where a ~~commercial~~ parking facility or a parking area serving a nonresidential use abuts a residential district or a lot wholly or partially in residential use, a continuous landscaped buffer at least 10 feet wide shall be provided and maintained in good condition. The buffer may be interrupted only by a single pedestrian pathway at each abutting property line no more than five feet wide. The landscaped strip shall include, for each 100 feet of length, a minimum of two canopy or evergreen trees, four understory trees, and six shrubs. For every mature canopy or evergreen tree existing in the area prior to construction of the parking lot and preserved within the buffer area, the required number of new trees may be reduced by two. If any such retained tree dies within five years of the date of the building permit issued for the development, it shall be replaced with two canopy trees meeting the standard of this Ordinance.

3. A commercial parking garage above street level shall be exempt from any perimeter landscaping.

(3) Multifamily , Congregate, and Nonresidential Uses Abutting Residential Uses or District

(a) The required side and back yards of nonresidential uses that abut properties in residential district, or of multifamily or congregate uses that abut properties in single family residential use, shall be retained in their natural vegetated state to the maximum extent possible to provide a visual screen between uses.

(b) Where natural buffering does not exist, or is not possible to be retained, or is not sufficient to achieve an effective visual screen, the required side and back yards shall be landscaped to provide a visual screen between uses. The buffer shall be a minimum of 6 feet wide and may be interrupted only by a single pedestrian pathway at each abutting property line no more than five feet wide. The buffer shall include, for each 100 feet of length, a minimum of two canopy or evergreen trees, four understory trees, and six shrubs. For every mature canopy or evergreen tree existing area prior to the development and retained within the buffer area, the required number of new trees may be reduced by two. If any such retained tree dies within five years of the date of the building permit issued for the development, it shall be replaced with two canopy trees meeting the standard of this Ordinance.

(4) Front Yards of Multifamily, Congregate, and Nonresidential Uses

The required front yards of multifamily, congregate, and nonresidential uses shall be maintained in a landscaped condition.

(5) Exposed Areas and Areas for Commercial Outdoor Storage of Boats

Exposed storage areas, areas for commercial outdoor storage of boats, exposed machinery installation, sand and gravel extraction operations, and areas for the storage or collection of discarded or uninspected vehicles, auto parts, metal or any other articles of salvage or refuse, shall have sufficient setbacks and screening to provide a visual buffer sufficient to minimize their adverse impact on surrounding properties. At a minimum, the screening shall include a dense evergreen hedge six feet or more in height. All such plantings shall be maintained as an effective visual screen. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter small children from entering the premises shall be provided and be maintained in good condition.

(6) Low Impact Uses

The perimeters of parking lots on the sites of low impact uses, as required by Article X, Part II, Section 3 shall be landscaped to the same standards established for other parking lots, as set forth in this Section.

Part II, Section 4. Off Street-Parking and Loading Standards

(1) Off-Street Parking Requirements

(a) Off-street parking and loading shall be provided in accordance with the requirements of paragraphs (b) and (c) and subsection (4) for each project requiring a permit under Article V, Section 2(1) or Section 2(2) of this Ordinance (except as excluded from that requirement by Article V, Section 3).

(b) Off-street parking shall be provided and maintained in accordance with the following schedule:

1. Dwelling units

i. Dwelling units, including mobile homes, but excluding accessory apartments~~, elderly congregate housing and housing designed for and restricted to occupancy by elderly persons who receive assistance from governmental programs in the payment of rent~~:

2 spaces per unit

ii. Accessory Apartments:

1 space per unit

iii. ~~Elderly c~~Congregate housing~~ and housing designed for and restricted to occupancy by elderly persons~~:

1 space per unit

2. General business uses

i. The following shall require 1 space per 150 square feet of floor area:

Medical offices

ii. The following shall require 1 space per 250 square feet of floor area:

Retail establishments
Business and professional offices
Personal service establishments and banks
Sports and fitness centers

3. For buildings with two or more uses, the parking requirement shall apply to each use and the parking requirement for the building shall be the sum of the requirements for the individual uses.

4. In the case of an expansion of an existing building or structure, the required number of new spaces shall be the number of spaces required for the addition itself. The new spaces for the addition shall not be required to make up any deficit that may attend the original building or structure, if such building or structure was in lawful existence at the time of adoption of this Ordinance.

5. In the case of a change of use, the required number of spaces shall be the number of spaces required for the new use, except in the B-1 District. In the B-1 District, the required number of spaces shall be the number of spaces required for the new use itself minus the number of spaces which were required for the original use, whether or not such original use, if in lawful existence at the time of adoption of this Ordinance, actually provided its required number of spaces. Vacant or abandoned buildings or spaces, for which the original use cannot be determined, shall be deemed to have required 1 space per 350 square feet of gross floor area.

(d) In no case shall the number, dimensions, location, or layout of off-street parking spaces or areas as authorized by a building permit or pursuant to a plan approved by the Planning Board or the Zoning Board of Appeals be altered without prior approval of the permit granting authority.

(e) Off-street parking spaces used in the fulfillment of the requirements of this Section shall be available for use at all times and shall not be obstructed by trash receptacles, snow, leaves, or other debris, accessory structures or activities, or other obstacles that will prevent their use for off-street parking.

(f) No off-street parking area presently in conformance with this Section shall be made nonconforming as to number, dimensions, location, or layout of spaces; and no off-street parking area that is presently lawfully nonconforming with respect to number, dimensions, location, or layout of spaces shall be altered such that the nonconformity is worsened.

(2) Methods of Meeting Parking Requirements

(a) Off-street parking shall be provided by means of covered or uncovered spaces.

(b) The location of off-street parking shall be in a ~~commercial~~ parking facility located within 1000 feet of the principal use measured along lines of public roads.

(c) The location of the required off-street parking shall conform to one or a combination of the following methods:

(d) Terms of agreements and leases

Wherever a lease of parking spaces is used to meet the requirements of this section, the lessee of the spaces shall obtain a lease having a term of no less than 1 year, and in no case shall the lapse, termination, or expiration of the lease create a lawful nonconforming situation. The lease shall stipulate that the parking spaces will be in the continuous possession of the lessee and for the lessee's exclusive use, unless shared use of the parking spaces is otherwise authorized pursuant to paragraph (2)(c)4(iii) and (iv) of this Section.

(e) Evidence of compliance with parking requirements

The lease, agreement, or affidavit of ownership relating to use of a lot for parking other than the lot on which the principal building or use is located shall be submitted to the Code Enforcement Officer annually on the anniversary of the building permit authorizing the use for which the parking spaces are required, or upon the anniversary of any change of use, as evidence that the lease and/or agreement is in force and that the terms of this Section are continuing to be met. Failure to submit such evidence shall be a violation of this Ordinance (see Article V, Section 6, Penalties).

In addition to the requirements of Article X, Part II, Section 4 (2) (d), the lease relating to use of a lot for parking shall contain a provision requiring that the Owner of the ~~commercial~~ parking facility (Lessor) shall submit to the Lessee an annual list showing the number of leased spaces, the names of all Lessees, the expiration date of the leases, and the number of spaces available for lease, as evidence that the lease and/or agreement is in force and that the terms of this Section are continuing to be met. Failure of the Lessee to obtain such a list from the Owner (Lessor) and to submit that evidence to the Code Enforcement Officer by July 1 of each year shall cause the Lessee to be in violation of this Ordinance (See Article V, Section 6 - Penalties).

(3) Parking Facility Layout and Design

(a) No parking space shall be located in a buffer zone or landscaped area required by this Ordinance. Roadways and drives shall be permitted to cross buffer zones and required landscaped areas only to provide access to parking areas. Such crossings shall follow the shortest practical route between the property line and the parking area. Internal circulation within a parking area shall not be located within a buffer zone or required landscaping area.

(b) The following design standards shall apply to all parking areas for five or more vehicles:

1. Access drives and aisles shall be laid out to provide clear and orderly traffic flow. The minimum width of each aisle between parking stalls

shall be thirteen (13) feet for angle parking of forty-five (45) degrees or less, eighteen (18) feet when spaces are angled from forty-five (45) to sixty (60) degrees, and twenty-four (24) feet when spaces are angled sixty (60) to ninety (90) degrees from the aisle direction.

2. Appropriate driveways from streets or alleys shall be provided. Multifamily residential and congregate housing uses shall be served by driveways no less than ten (10) feet wide nor more than twenty-five (25) feet wide, and no such driveway shall be located within one hundred (100) feet of the center of an intersection of two roads used by the public. Commercial and industrial uses shall be served by driveways no less than fifteen (15) feet wide nor more than forty (40) feet wide, and no such driveway shall be located within one hundred (100) feet of the center of an intersection of two roads used by the public. Where appropriate, a separation island may be placed in a driveway and the maximum width increased by the width of the island. Lots with less than 150 feet of frontage shall be limited to one driveway for access, while lots with 150 feet or more of frontage shall have not more than two.

3. Parking spaces for residential uses shall be seventeen (17) feet long and eight (8) feet six (6) inches wide.

4. Parking spaces for non-residential uses shall be seventeen (17) feet long and eight (8) feet six (6) inches wide; provided, however, that in lots with more than 20 spaces, not more than 20% of the spaces may be reserved for small cars and these parking spaces reduced to sixteen (16) feet long and eight (8) feet wide.

5. Parking spaces for industrial, warehouse and similar uses shall be at least seventeen (17) feet long and eight (8) feet six (6) inches wide. Motorcycle parking spaces at least ten (10) feet long and five (5) feet wide may be substituted for not more than 10% of the required parking.

6. The parking area shall include screening and landscaping in conformance with Article X, Part II, Section 3.

7. The surface of driveways, maneuvering areas and parking areas shall be uniformly graded with a subbase consisting of at least ten (10) inches of well compacted gravel topped with a wearing surface at least equivalent in qualities of compaction and durability to fine gravel.

(c) In the case of an existing unmarked parking lot, instead of following standards of subsection (b) above, the capacity of the existing parking lot may be determined by deducting the required buffer zone space from the total area available and dividing the resulting square footage by 300 square feet; calculations to be

Part II, Section 9. Mobile Home Parks

All mobile home parks shall conform to the standards set forth in this section of Article X. Mobile home parks are also subject to the requirements of the Subdivision Ordinance of the Town of Camden and other applicable state laws, local ordinances and regulations. Notwithstanding the definition of "lot" to the contrary, the use of the term "mobile home park lot" refers to the leased area on which a mobile home is located.

(1) Placement of Units on Lots

Within a licensed mobile home park, which has been approved by the Planning Board in accordance with the Subdivision Ordinance of the Town of Camden, units of manufactured housing or older mobile homes shall be placed upon mobile home park lots. Each lot shall be occupied by only one unit of manufactured housing or by one older mobile home. Each such unit of housing shall be placed on a pad.

(2) Lot Requirements

Notwithstanding the minimum lot area requirements of Article VIII of this Ordinance, mobile home park lots in a mobile home park shall meet the following lot area and lot width requirements:

(a) Lots served by individual subsurface waste water disposal systems:

Minimum lot area - 20,000 square feet
Minimum lot width - 100 feet

(b) Lots served by one or more centralized subsurface waste water disposal systems serving two or more dwelling units and approved by the Maine Department of Human Services:

Minimum lot area - 12,000 square feet
Minimum lot width - 75 feet

(c) Lots served by a public sewer system:

Minimum lot area - 6,500 square feet
Minimum lot width - 50 feet

Mobile home park lots located within any designated shoreland area shall meet the lot area, lot width and shore frontage requirements of the zoning district in which that lot is located, or the requirements for the shoreland area pursuant to Article X, Part I, Section 1(9), whichever are stricter.

(3) Overall Density

Notwithstanding the lot requirements set forth above, the overall density of any mobile home park served by a central, on-site, subsurface waste water disposal system approved by the Maine Department of Human Services shall not exceed one dwelling unit for each 20,000 square feet.

(4) Setbacks

On lots which abut a public way, either within the park or adjacent to the park, the individual manufactured housing unit or older mobile home unit shall be placed upon those lots in such a manner that the individual unit is set back from the public way according to the setback requirements applicable to other residential developments in the zoning district in which the mobile home lot is located.

On lots which are located in a shoreland area, the individual units shall be placed upon the lots in such a manner that the setback requirements, measured from the normal high water mark required in that zoning district, are met.

Individual units shall be so located on individual mobile home park lots that all parts of the structure of the individual unit are a minimum of fifteen feet from all boundary lines of the individual lot, and a minimum of thirty feet from any other unit; subject to the provision that such setbacks do not have the effect of requiring lots larger than the minimum lot areas set forth in paragraph 2 of this Section. Where a mobile home was lawfully placed on a lot prior to the date of adoption of this Ordinance such that it does not meet these setbacks, it may be replaced by another mobile home in the same location on the lot, as long as the nonconforming aspect of the original placement is not worsened.

(5) Buffer Requirements

If a mobile home park is proposed within a residential district at a density which is at least twice the density of existing adjacent development, or at least twice the density permitted in the zoning district in which the mobile home park is proposed to be located in the event that the adjacent land is undeveloped, the mobile home park shall be designed with a fifty-foot wide buffer strip along the perimeter boundary lines of that property. The buffer strip shall be maintained as a landscaped area containing no structures. Roads may cross the buffer strip to provide access to the park, and to provide access to utilities.

Within the first twenty-five feet of the buffer strip, as measured from the exterior boundaries of the park, the buffer strip shall be improved and maintained in accordance with Article X, Part II, Section 3(3), Multifamily, Congregate Housing, and Nonresidential Uses Abutting Residential Uses or Districts, of this Zoning Ordinance.

Article XII Site Plan Review

Section 1. Purpose and Applicability

The purpose of site plan review is to assess the impact of new development on surrounding properties, municipal facilities and services, and the natural environment. Only uses that have been established as permitted uses, either as a matter of right or as a result of successful review as a special exception, are intended to be able to proceed to site plan review. Therefore, the purpose of site plan review is not to establish the right of a use to be located in the area proposed, but rather it is to assure that the way the use is designed and placed on a lot is appropriate to its surroundings. This section shall apply to:

(1) Proposals for new construction of nonresidential buildings or structures and of multifamily dwellings, including accessory buildings or structures, having a total area for all floors of more than 1,000 sq. ft. and placement of non-temporary accessory storage containers. *(Amended* – 11/5/13)

(2) Proposals for enlargement of nonresidential buildings or structures, congregate housing developments and of multifamily dwellings, including accessory buildings and structures, if the enlargement/expansion increases the gross floor area by more than 1000 square feet ~~has a total area for all floors~~ within a five-year period ~~of more than 1,000 sq. ft~~.

(3) A Proposals to pave, strip, remove earth materials from, or grade areas of more than 10,000 sq. ft. within a five-year period for non-residential uses and mineral extraction in accordance with Article X, Part II, Section 1(2)(b), except that Site Plan Review is not required for roads and infrastructure for approved subdivisions or for construction, maintenance or repair of municipal or state roads and infrastructure. *(Amended – 11/13/07)*

(4) Proposals to pave, strip, remove earth materials from, or grade areas of more than 40,000 sq. ft. within a five-year period for residential uses; however, in reviewing such proposals, the Planning Board shall only consider Section 6, Approval Criteria, (1), (2) and (5). *(Amended – 11/13/07)*

~~Proposals to change residential uses to nonresidential uses having a total non-residential floor area of more than 1,000 square feet. *(Amended – 6/20/06)*~~

(5) Proposals to change from an existing or previous permitted use to another allowed use having a gross floor area of greater than 1000 square feet except where the resulting use will be a single or two family dwelling.

(6) Proposals to construct, enlarge, or extend piers, wharves, bulkheads, breakwaters, consolidated piers, causeways, marinas, bridges over 20 feet in length, and uses projecting into water bodies. *(Amended – 6/20/06)*

(7) Proposals to construct new wireless telecommunications facilities, and any expansion of an existing wireless telecommunications facility that increases the height of the facility

by more than 20 feet. Such proposals shall also be reviewed according to the Wireless Telecommunications Facility Siting Ordinance.

(8) Proposals ~~under (1) and (2) above or proposals~~ that include two or more of the following types of exterior renovations to a non-residential or multi-family building within a two-year period, in the B-1, B-TH or B-TR zoning districts:

(a) façade

(b) roof

(c) siding

(d) awnings

(e) exterior lighting

(f) historic or architectural details *(Item 8 added – 11/2/10)*

(9) Proposals to apply a Business Opportunity Zone Overlay to a parcel (or parcels) within the B-2, B-3, B-4, B-R or B-TR zoning districts. In addition to the Approval Criteria found in Section 6. Approval Criteria, (1) – (10) below, applications for a BOZ Overlay shall undergo a review of design standards unique to the BOZ Overlay found at Section 6. Approval Criteria, (12). Applicants should tailor all submissions required for Site Plan Review to address these standards. *(Item 9 added – 6/9/2015)*

This Section does not apply to agricultural land management practices and forest management practices.

Section 2. Procedures

(1) No building permit or plumbing permit shall be issued by the Code Enforcement Officer or Local Plumbing Inspector for any use or development within the scope of this Article until a site plan of development has been approved by the Planning Board.

(2) Applicants are encouraged to meet in a pre-application conference with the Planning Board prior to formal submission of an application.

(3) Every applicant applying for site plan approval shall submit to the Code Enforcement Officer nine (9) copies of a complete site plan of the proposed development, which shall be prepared in accordance with Section 3 of this Article, accompanied by a fee as determined by the Selectmen. All approved site plans produced with a computer assisted design program shall be submitted with a digital copy of the plan in a form acceptable to the Town. A fee schedule for site plan review shall be established by the Selectmen annually. The schedule shall include a fee for applications for site plan review and for site plan amendments that are filed after the commencement of the activity for which approval is required, such fee to be greater than the fee for an application that was filed in a timely manner. The Code Enforcement Officer shall retain two (2) copies of the plan

approval is required, such fee to be greater than the fee for an application that was filed in a timely manner. The Code Enforcement Officer shall retain two (2) copies of the plan and forward one copy each to the fire chief, town manager, police chief, superintendent of the wastewater treatment plant, and director of the solid waste disposal system. *(New second sentence – 11/15/05)*

(4) A complete application for site plan approval shall be submitted at least fifteen (15) days prior to the Planning Board meeting at which the applicant wishes to be heard. However, any application which is not complete shall not be placed on the agenda but shall be returned to the applicant by the Code Enforcement Officer with instructions as to the additional information required. The Code Enforcement Officer shall review the proposed project for Zoning Ordinance compliance and to determine that all special exceptions and/or variances which may be necessary first have been obtained from the Zoning Board of Appeals. The Code Enforcement Officer shall continue to review the project for Zoning Ordinance compliance as changes are made during the site plan review process. Within ten (10) days after receipt of their copies of the complete site plan, the town officials who have been forwarded copies of the plan shall submit their written comments to the Code Enforcement Officer. Any supplemental information or plan revisions shall be submitted no less than seven days prior to the Planning Board meeting.

(5) Within sixty (60) days after the date on which the site plan application first appears on the Planning Board agenda, the Board shall act to approve, approve with conditions, or disapprove the site plan application submitted or amended. The time limit for review may be extended by mutual agreement between the Planning Board and the applicant. During this sixty (60) day period, the Board may schedule an on-site visit.

(a) In connection with the review, the Planning Board shall hold a Public Hearing within thirty (30) days after the site plan application first appears on the Planning Board agenda, however, the Planning Board may waive the public hearing for applications under Section 1, (8); the time limit for scheduling such public hearing may also be extended by mutual agreement of the Planning Board and the applicant. Any mutual agreement for extension of the time for a public hearing or of the time for review set forth in Article XII, Section 2(5), shall be in writing, signed by the Planning Board and the applicant or the applicant's agent. *(Amended – 11/2/10)*

(6) Within thirty (30) days of reaching its decision, the Planning Board shall notify the applicant in writing of its action and the reason for taking such action. (*Amended - 6/15/04)*

(7) For applications under Article XII, Section 1, (~~6~~7), the Planning Board shall obtain comments from the Harbor Committee. The Conservation Commission as well as other appropriate Town Officials and committees may also be asked to comment. In addition, the Planning Board may schedule a public hearing to obtain additional information from the public. No construction authorized under this procedure shall be considered usable or completed until a certificate of completion has been issued by the Code Enforcement Officer certifying completion in conformance to all terms and conditions under which the application was approved. *(First sentence amended – 6/20/06)*

Town of Camden
Select Board Meeting
August 4, 2015
Meeting Minutes

Present: Select Board Chair John French and Select Board Members, Don White, Leonard Lookner, Martin Cates, James Heard, and Town Manager, Pat Finnigan. Also present were citizens and members of the press.

A. Call to Order

The meeting was called to order at 6:30 pm.

B. New Business

The Board agreed to take the following items of new business out of order.

1. Request to approve the following Victualer & Lodging License renewals:

a) James & Cynthia Ostrowski, d/b/a The Elms B & B at 84 Elm Street for a lodging & victualer license

b) Daniel Gabriele, d/b/a Marriner's Restaurant at 35 Main Street for a victualer license

Leonard Lookner made a motion to approve the Victualer & Lodging License Renewals for both a and b. This was seconded by Don White, and passed 5-0-0.

2. Bid Award: Parks & Recreation 2WD Pickup. The Town Manager reported that the bid was advertised and sent to four dealers. The Town received 1 bid from O'Connor GMC in Augusta for $23,171

Don White made a motion to award the bid as presented and Martin Cates seconded this. The motion carried 5-0-0.

3. Bid Award: Roof replacement (Wastewater Press Building). The Town Manager reported that the bid was advertised and sent to 6 companies. The Town received one bid from Roof Systems of Maine from Bangor for $23,280.

Martin Cates made a motion to award the bid as presented and James Heard seconded this. The motion carried 5-0-0.

C. Communications, Presentations, and Recognition

1. Report of the Harbor Committee regarding proposed Harbor and Waterways Ordinance Amendments:

Gene McKeever, Chair of the Harbor Committee, presented recommendations by the Harbor Committee to amend the Harbor Ordinances which would amend Article II Definitions and Article VI Piers and Wharves by prohibiting the construction of new piers in the Outer

Harbor, removing the provision to allow consolidated piers, amending provisions regarding Municipal Piers, and clarifying certain definitions, and permit requirements.

The Harbor Committee asked the Select Board to hold a public hearing on the proposed amendments. After discussion and questions from the Select Board, James *Heard made a motion to hold a Public*

Hearing on the proposed amendments on August 18. The motion was seconded by Leonard Lookner. The motion passed 4-1-0 (Cates opposed).

2. Report of the Planning Board regarding proposed Zoning Ordinance Amendments:

Lowrie Sargent, Chair of the Planning Board, reported that the Planning Board has proposed amendments to the Zoning Ordinance relating to piers to conform to the changes proposed by the Harbor Committee. These would only be effective if the Harbor Ordinance is amended.

The Planning Board also proposed amendments to the Zoning Ordinance to clarify and update several provisions including: adding a definition of "Commercial," changing "elderly congregate housing" to "congregate housing" and eliminating age restriction, clarifying the term "street level" and what uses are allowed or required at street level, and changing parking requirements to have space-per-unit requirements that apply based on type of dwelling, not age of occupants.

The Planning Board also proposed amendments to the Site Plan Review process to require businesses which have a floor area greater than 500 square feet to be reviewed by the Planning Board if they change the business use from a permitted use to a different permitted use.

Mr. Sargent also spoke about how to do a better job of informing the public and more clearly explaining the Zoning Ordinance Amendments to voters.

The Board discussed the proposed amendments and asked questions. They also discussed ways to do a better job of informing the public about ballot questions. The Select Board discussed holding a joint public hearing with the Planning Board on the proposed zoning amendments, as recommended by Town Attorney Kristin Collins.

The Board also discussed being able to include information regarding the Select Board's and the Planning Board's votes on proposed ordinance amendments. The Chair asked the Town Manager to ask the Town Attorney if that is allowed.

Leonard Lookner made a motion to hold a joint public hearing with the Planning Board on August 18 regarding their recommended amendments to the Zoning Ordinance. The motion was seconded by Don White.

Martin Cates made a motion to amend the proposed ordinance to have the Code Enforcement Officer continue to do site plans reviews rather than have them go to the Planning Board for approval. The amendment was not seconded.

The vote on the main motion passed 4-1-0 (Cates opposed).

Leonard Lookner made a motion to hold a joint public hearing with the Planning Board on August 18 regarding the proposed amendments pertaining to piers in order to have the Zoning Ordinance conform to the Harbor Ordinance if the Harbor Ordinance amendments passed. James Heard seconded the motion. The motion passed 4-1-0 (Cates opposed).

D. Citizen Comments. *This time is set aside for members of the public to comment on any town-related issue that is not on the agenda.*

Leonard Lookner spoke on behalf of a citizen who was concerned about pesticide runoff from a blueberry field that is next to her property. She is concerned about her farm pond and the chemicals it contains. He cited the Comprehensive Plan which describes keeping ponds and rivers clean.

E. Approval of Select Board Minutes of July 28, 2015

James Heard made a motion to accept the minutes and Martin Cates seconded this motion, which passed 5-0-0.

F. Select Board Member Reports

Leonard Lookner reported on the Harbor Committee Meeting. James Heard reported on the Parks and Recreation Committee.

G. Town Manager Report

There was no Manager's Report this week.

H. Executive Session

Don White made a motion to adjourn to executive session pursuant to Title 1 M.R.S.A. Section 405 subsection 6.C (property acquisition)*. James Heard seconded the motion. The motion passed 5-0-0. The Board went into executive session.*

Don White made a motion to come out of executive session, which was seconded by James Heard. The motion passed 5-0-0. Don White made a motion to adjourn the meeting which was seconded by James Heard. The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Nora E. McGrath,
Recording Secretary

Town of Camden
Village Green Application for Permission to Use

The purpose of this application form is to aid in the application and review process. However, it is not designed to cover every possible circumstance. The Select Board may require additional information in order to approve an application.

Application Date 8/3/15 (must be filed at least 15 calendar days prior to the event)
Name of Entity requesting permission Penobscot Bay Regional Chamber
Type of Entity (non-profit, political, etc.) Non Profit
Contact Person Tom Peaco Connection with the event
Address PO Box 919, Camden ME 04843
Phone 236-4404 Email alicia@penbaychamber.com
Event Date 9/20 Event Time and Duration 8-5
Event Purpose Cruise Ship welcome.

1. Will there be entertainment or a speaker? ○ YES ☒ NO. If so, describe:
2. Will food and/or beverages be served? ○ YES ☒ NO. If so, describe:
3. Please describe any other activities taking place during the event: Cruise Ship welcome
4. Will there be supplemental illumination or other electrical equipment? ○ YES ☒ NO. If so, describe the items and power source:
5. Will there be signage? ○ YES ☒ NO. If so, describe form and content:
6. What provisions will be made to handle litter or refuse from the event?
7. What, if any, liability insurance will the requesting entity be carrying for the event?
8. Are there any structures, tents, booths, tables, or other large objects planned as part of the event? YES ☒ NO ○. If so, describe the size, material, location, use, and method (if any) by which they are fixed in place and how long they will be in place before and after the event. 8 x 8 blue ez up tent & table

Draw your plan on the map on the Letter of Agreement page.

The Select Board grants permission for the above named Entity to hold the above named Event on the Town of Camden Village Green on the above named Date.

Select Board Chair Signature _____ Date _____
Printed Name : _____
Entity Representative Signature _____ Date _____
Printed Name _____

Town of Camden Village Green
Letter of Agreement

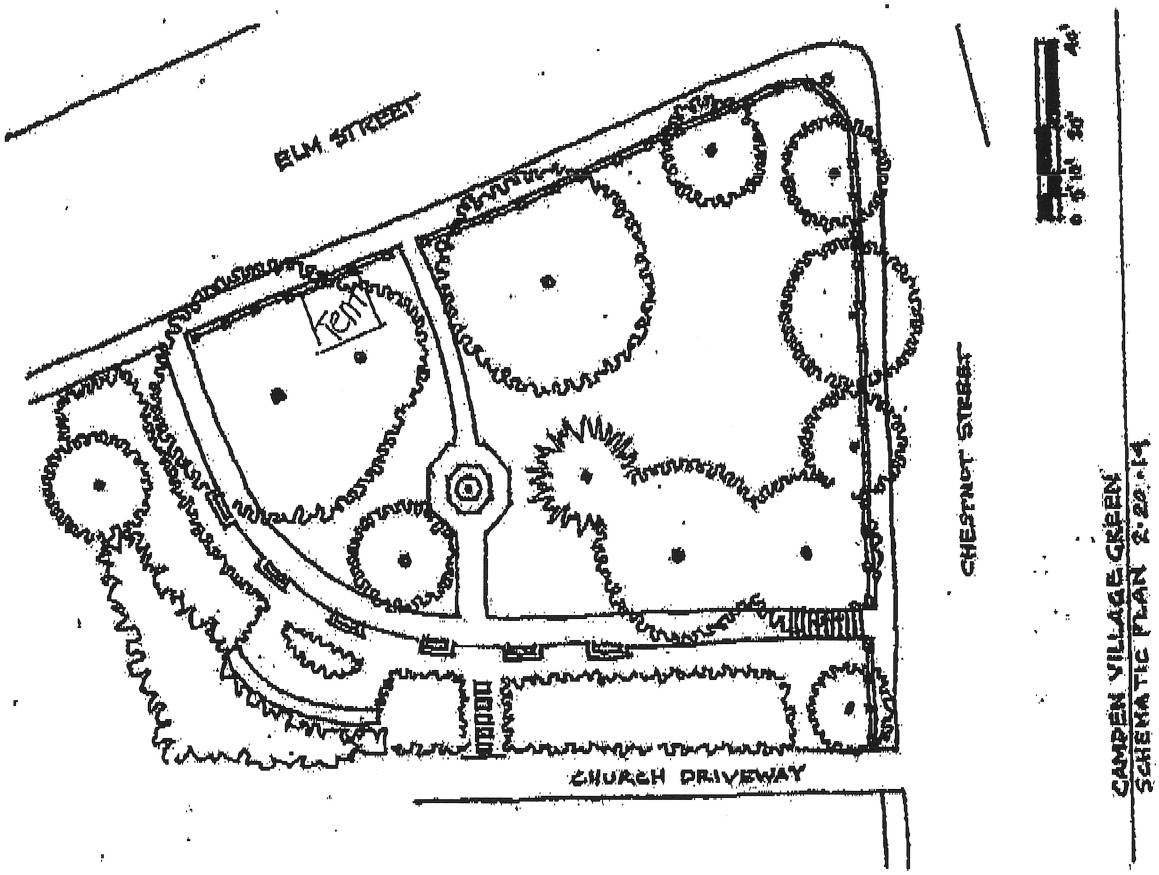
This letter must be signed by the requesting Entity's representative for a complete application.

The undersigned, as organizer of an event to be held on 9/20 (insert date) on the Town of Camden Village Green, agrees to be responsible for assuring:

1. That the Village Green remains open to the public at all times during the event;
2. That no commercial activity takes place during the event;
3. That the Town is reimbursed for the cost of repairing damage to the grounds and plantings and/or the cost of cleanup due to the event;
4. That all other requirements stipulated in the "Town of Camden Village Green Policy and Use Guidelines" are honored.

Signed Alicia Baynall Date 8/3/15

Printed Name Alicia Baynall



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Type of Entity (non-profit, political, etc.) Non Profit
Contact Person Tom Peaco Connection with the event B-S
Address PO Box 919, Camden ME 04843
Phone 236-4404 Email Alicia@penbaychamber.com
Event Date 9/27 Event Time and Duration
Event Purpose Cruise Ship welcome

1. Will there be entertainment or a speaker? ○ YES ☒ NO. If so, describe:
2. Will food and/or beverages be served? ○ YES ☒ NO. If so, describe:
3. Please describe any other activities taking place during the event: Cruise Ship welcome
4. Will there be supplemental illumination or other electrical equipment? ○ YES ☒ NO. If so, describe the items and power source:
5. Will there be signage? ○ YES ☒ NO. If so, describe form and content:
6. What provisions will be made to handle litter or refuse from the event?
7. What, if any, liability insurance will the requesting entity be carrying for the event?
8. Are there any structures, tents, booths, tables, or other large objects planned as part of the event? YES ☒ NO ○. If so, describe the size, material, location, use, and method (if any) by which they are fixed in place and how long they will be in place before and after the event. 8 x 8 blue ez up tent & table

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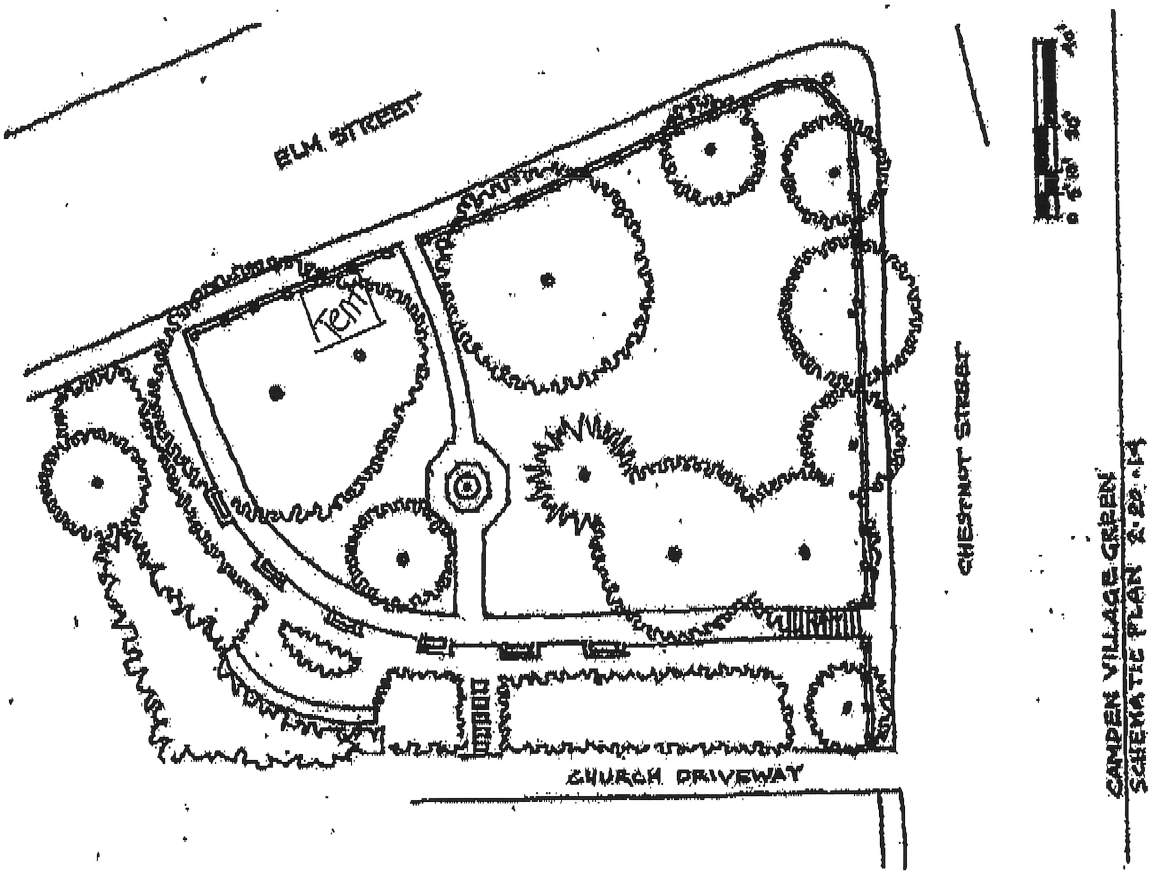
1. That the Village Green remains open to the public at all times during the event;
2. That no commercial activity takes place during the event;
3. That the Town is reimbursed for the cost of repairing damage to the grounds and plantings and/or the cost of cleanup due to the event;
4. That all other requirements stipulated in the "Town of Camden Village Green Policy and Use Guidelines" are honored.

Signed Alicia Baynall Date 8/3/15

Printed Name Alicia Baynall



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Name of Entity requesting permission Penobscot Bay Regional Chamber
Type of Entity (non-profit, political, etc.) Non Profit
Contact Person Tom Peaco Connection with the event
Address PO Box 919, Camden ME 04843
Phone 236-4404 Email Alicia@penbaychamber.com
Event Date 9/30 Event Time and Duration 8-4
Event Purpose Cruise Ship welcome

1. Will there be entertainment or a speaker? ○ YES ⊗ NO. If so, describe:

2. Will food and/or beverages be served? ○ YES ⊗ NO. If so, describe:

3. Please describe any other activities taking place during the event: Cruise Ship welcome

4. Will there be supplemental illumination or other electrical equipment? ○ YES ⊗ NO. If so, describe the items and power source:

5. Will there be signage? ○ YES ⊗ NO. If so, describe form and content:

6. What provisions will be made to handle litter or refuse from the event?

7. What, if any, liability insurance will the requesting entity be carrying for the event?

8. Are there any structures, tents, booths, tables, or other large objects planned as part of the event? YES ⊗ NO ○. If so, describe the size, material, location, use, and method (if any) by which they are fixed in place and how long they will be in place before and after the event.
8 x 8 blue ez up tent & table

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Letter of Agreement

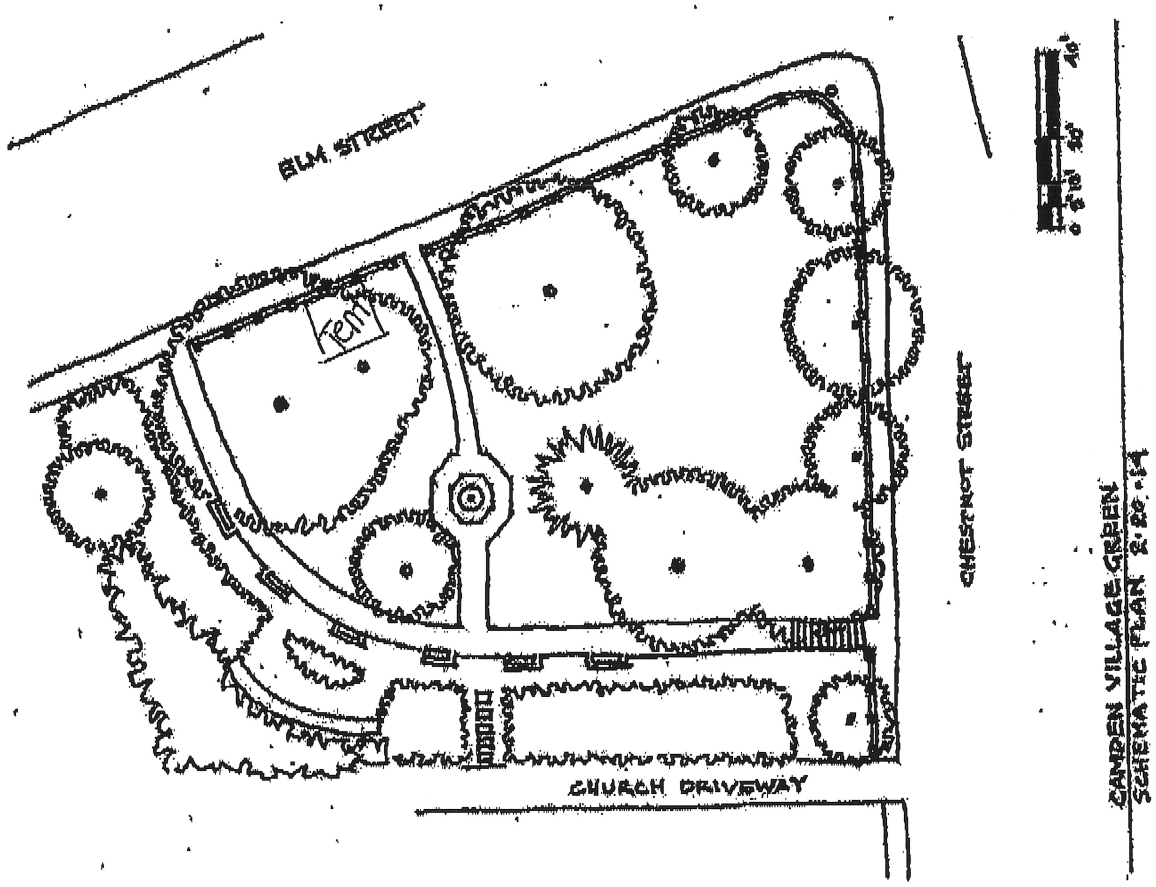
This letter must be signed by the requesting Entity's representative for a complete application.

The undersigned, as organizer of an event to be held on 9/30 (insert date) on the Town of Camden Village Green, agrees to be responsible for assuring:

1. That the Village Green remains open to the public at all times during the event;
2. That no commercial activity takes place during the event;
3. That the Town is reimbursed for the cost of repairing damage to the grounds and plantings and/or the cost of cleanup due to the event;
4. That all other requirements stipulated in the "Town of Camden Village Green Policy and Use Guidelines" are honored.

Signed Alicia Baynall Date 8/3/15

Printed Name Alicia Baynall



Town of Camden
Village Green Application for Permission to Use

The purpose of this application form is to aid in the application and review process. However, it is not designed to cover every possible circumstance. The Select Board may require additional information in order to approve an application.

Application Date 8/3/15 (must be filed at least 15 calendar days prior to the event)
Name of Entity requesting permission Penobscot Bay Regional Chamber
Type of Entity (non-profit, political, etc.) Non Profit
Contact Person Tom Peaco Connection with the event
Address PO Box 919, Camden ME 04843
Phone 236-4404 Email Alicia@penbaychamber.com
Event Date 10/4 Event Time and Duration 8-5
Event Purpose Cruise Ship welcome

1. Will there be entertainment or a speaker? ○ YES ☒ NO. If so, describe:
2. Will food and/or beverages be served? ○ YES ☒ NO. If so, describe:
3. Please describe any other activities taking place during the event: Cruise Ship welcome
4. Will there be supplemental illumination or other electrical equipment? ○ YES ☒ NO. If so, describe the items and power source:
5. Will there be signage? ○ YES ☒ NO. If so, describe form and content:
6. What provisions will be made to handle litter or refuse from the event?
7. What, if any, liability insurance will the requesting entity be carrying for the event?
8. Are there any structures, tents, booths, tables, or other large objects planned as part of the event? YES ☒ NO ○. If so, describe the size, material, location, use, and method (if any) by which they are fixed in place and how long they will be in place before and after the event. 8 x 8 blue ez up tent & table

Draw your plan on the map on the Letter of Agreement page.

The Select Board grants permission for the above named Entity to hold the above named Event on the Town of Camden Village Green on the above named Date.

Select Board Chair Signature _____ Date _____
Printed Name : _____
Entity Representative Signature _____ Date _____
Printed Name _____

Town of Camden Village Green
Letter of Agreement

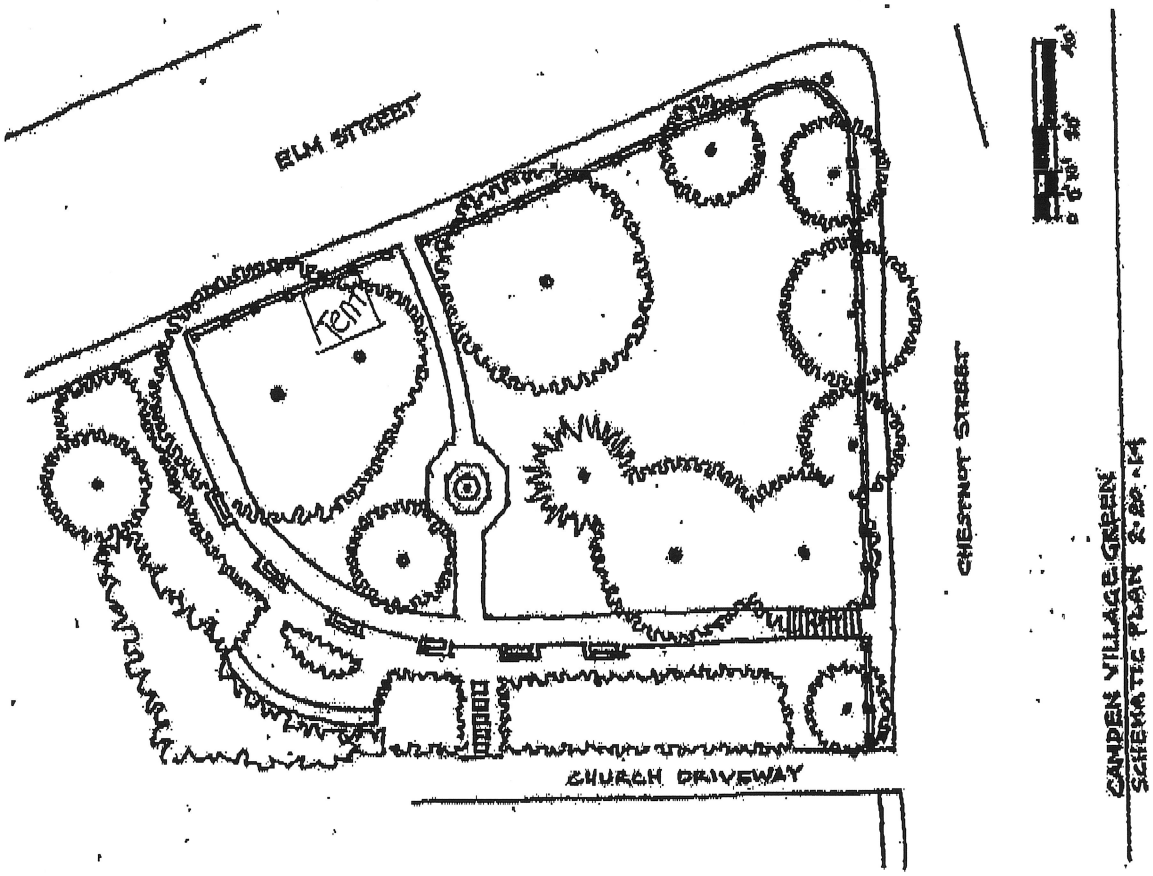
This letter must be signed by the requesting Entity's representative for a complete application.

The undersigned, as organizer of an event to be held on 10/4 (insert date) on the Town of Camden Village Green, agrees to be responsible for assuring:

1. That the Village Green remains open to the public at all times during the event;
2. That no commercial activity takes place during the event;
3. That the Town is reimbursed for the cost of repairing damage to the grounds and plantings and/or the cost of cleanup due to the event;
4. That all other requirements stipulated in the "Town of Camden Village Green Policy and Use Guidelines" are honored.

Signed Alicia Baynall Date 8/3/15

Printed Name Alicia Baynall



Town of Camden
Village Green Application for Permission to Use

The purpose of this application form is to aid in the application and review process. However, it is not designed to cover every possible circumstance. The Select Board may require additional information in order to approve an application.

Application Date 8/3/15 (must be filed at least 15 calendar days prior to the event)
Name of Entity requesting permission Penobscot Bay Regional Chamber
Type of Entity (non-profit, political, etc.) Non Profit
Contact Person Tom Peaco Connection with the event
Address PO Box 919, Camden ME 04843
Phone 236-4404 Email alicia@penbaychamber.com
Event Date 10/12 Event Time and Duration 8-5
Event Purpose Cruise Ship welcome

1. Will there be entertainment or a speaker? ○ YES ⊗ NO. If so, describe:
2. Will food and/or beverages be served? ○ YES ⊗ NO. If so, describe:
3. Please describe any other activities taking place during the event: Cruise Ship welcome
4. Will there be supplemental illumination or other electrical equipment? ○ YES ⊗ NO. If so, describe the items and power source:
5. Will there be signage? ○ YES ⊗ NO. If so, describe form and content:
6. What provisions will be made to handle litter or refuse from the event?
7. What, if any, liability insurance will the requesting entity be carrying for the event?
8. Are there any structures, tents, booths, tables, or other large objects planned as part of the event? YES ⊗ NO ○. If so, describe the size, material, location, use, and method (if any) by which they are fixed in place and how long they will be in place before and after the event. 8 x 8 blue ez up tent & table

Draw your plan on the map on the Letter of Agreement page.

The Select Board grants permission for the above named Entity to hold the above named Event on the Town of Camden Village Green on the above named Date.

Select Board Chair Signature _____ Date _____
Printed Name : _____
Entity Representative Signature _____ Date _____
Printed Name _____

Town of Camden Village Green
Letter of Agreement

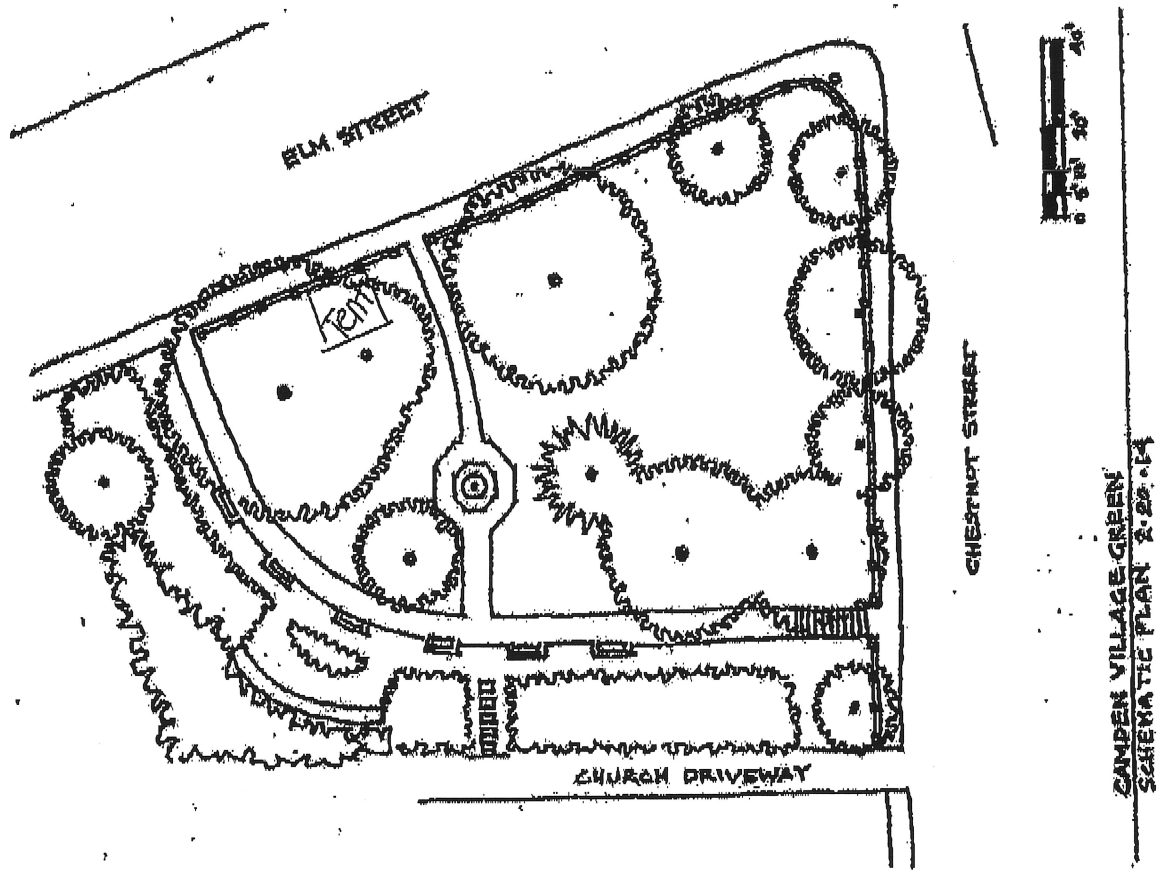
This letter must be signed by the requesting Entity's representative for a complete application.

The undersigned, as organizer of an event to be held on 10/12 (insert date) on the Town of Camden Village Green, agrees to be responsible for assuring:

1. That the Village Green remains open to the public at all times during the event;
2. That no commercial activity takes place during the event;
3. That the Town is reimbursed for the cost of repairing damage to the grounds and plantings and/or the cost of cleanup due to the event;
4. That all other requirements stipulated in the "Town of Camden Village Green Policy and Use Guidelines" are honored.

Signed Alicia Baynall Date 8/3/15

Printed Name Alicia Baynall



TOWN OF CAMDEN VILLAGE GREEN
APPLICATION FOR PERMISSION TO USE

The purpose of this application form is to aid in the application and review process. However, it is not designed to cover every possible circumstance. The Select Board may require additional information in order to approve an application.

Application Date 7/31/15 (application must be filed at least 15 days prior to the event)

Name of Entity requesting permission Chestnut Street Baptist Church
Contact Person Lana Arau Connection with the event Organizer
Address 270 Park St Rockport ME 04856
Phone 207 691 1278 Email LanaArau@gmail.com

Event Date 9/6/15 Event Time and Duration 10:30 - 12:30
Event Purpose Sunday Church Service in Park
The purpose of the requesting entity ☐ for-profit ☐ non-profit ☐ political ☐ other

Expected number of participants 100 Will the event be open to the general public? ☑ Yes ☐ No
If not, who are the expected participants? Church Congregation + visitors
NOTE: non-participating members of the public may not be excluded from the Green

Will there be entertainment or a speaker? ☑ Yes ☐ No. If so, describe Pastor Adam - Sermon
NOTE: amplification of music or sound is prohibited Worship Team - Music

Will food or beverages be served? ☐ Yes ☑ No. If so describe
NOTE: food and/or beverages may not be sold or used as a form of advertising

Please describe any other activities taking place during the event

Will there be supplemental illumination or other electrical equipment? ☑ Yes ☐ No
If so, describe items and power source Keyboard
NOTE: permission must be obtained from the Town Manager to use public power sources Power from church next door

Will there be signage used? ☐ Yes ☑ No. If so, describe form and content

What provisions will be made to handle litter or refuse resulting from the event?
trash can

What provisions will be made to handle proper sanitation for the event?

What, if any, liability insurance will the requesting entity be carrying for the event?
Church insurance policy

Are there any structures, tents, booths, tables or other large objects planned as part of the event? ☐ Yes ☐ No.
If so, describe the size, material, location, use, the method (if any) by which they are fixed in place, and how long they will be in place before and after the event. Draw your plan on the attached map.
NOTE: public walkways and seating may not be obstructed

Complete Letter of Agreement on Reverse of Application

The Select Board grants permission for the above named Entity to hold the above named Event on the Town of Camden Village Green on the above named Date.

Select Board Chair _____ Date _____
Printed Name _____
Entity Representative _____ Date _____
Printed Name _____

TOWN of CAMDEN VILLAGE GREEN
LETTER of AGREEMENT

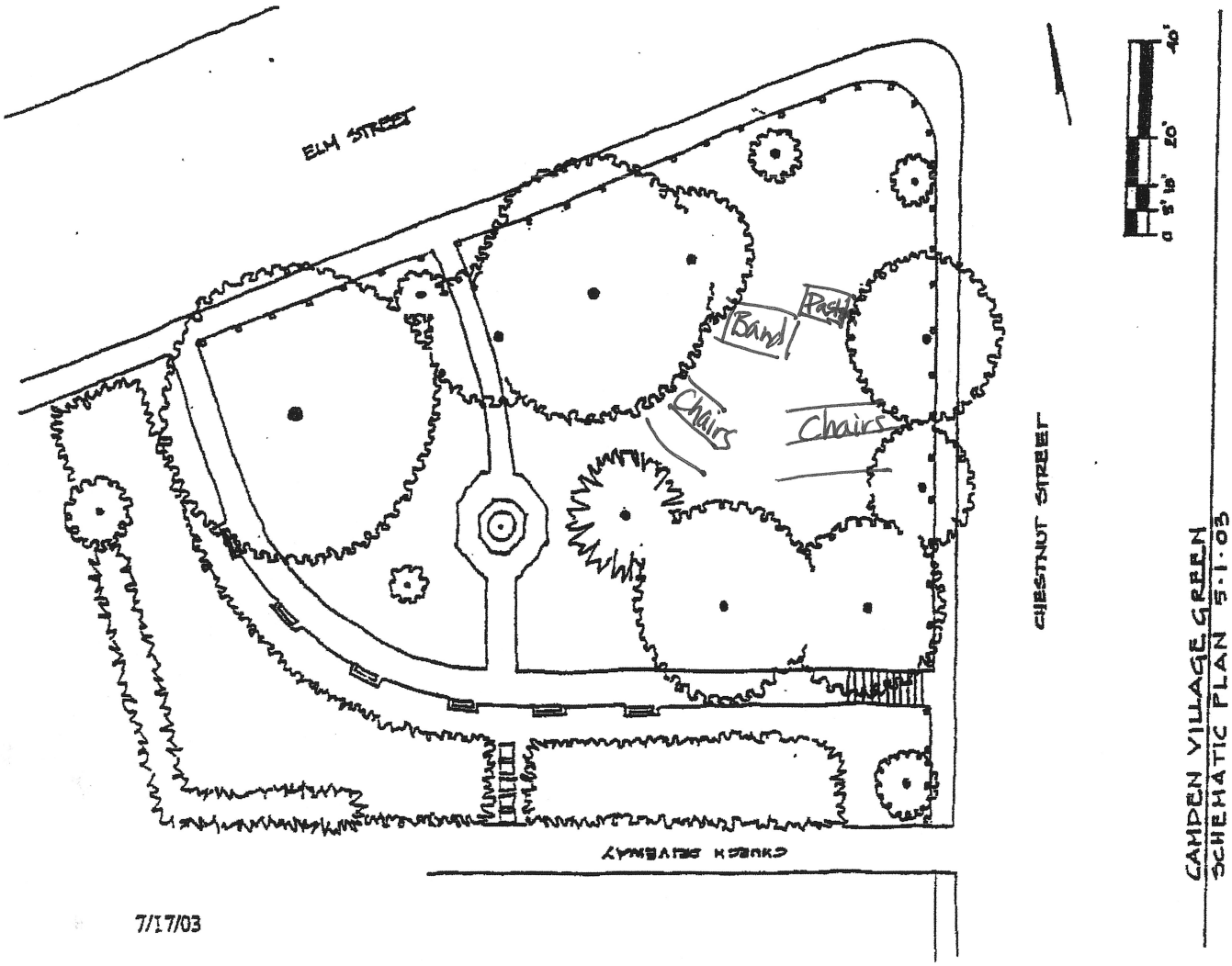
(This letter must be signed by the requesting entity for a complete application)

The undersigned, as organizer of an event to be held on 9/6/15 (insert date) on the Town of Camden Village Green, agrees to be responsible for assuring:

I. That the Village Green remains open to the public at all times during the event.
II. That no commercial activity (money changing hands or promotion of business) takes place during the event.
III. That the Town is reimbursed for the cost of repairing damage to the grounds or plantings, or the cost of cleanup (as required by #6 of the Village Green Policy) due to the event.
IV. That all other requirements of the attached Village Green Policy are honored.

These requirements are in compliance with the restrictions in the deed that conveyed this property as a gift to the Town in 1927.

Signed Lana Arau Date 7/31/15
Printed Name Lana Arau



7/17/03

Town of Camden
Village Green Application for Permission to Use

The purpose of this application form is to aid in the application and review process. However, it is not designed to cover every possible circumstance. The Select Board may require additional information in order to approve an application.

Application Date 7/29/2015 (must be filed at least 15 calendar days prior to the event)
Name of Entity requesting permission Camden International Film Festival
Type of Entity (non-profit, political, etc.) non-profit
Contact Person Joan Phaup Connection with the event Administrator
Address PO Box 836, Camden 04843 / 23 Main St, Rockport
Phone 207-557-1181 Email joan@camdenfilmfest.org
Event Date 9/16 - 9/20 Event Time and Duration 10am-6pm Thurs, Fri, Sat, Sun
Event Purpose Hospitality for festival participants

1. Will there be entertainment or a speaker? ● YES ○ NO. If so, describe: acoustic music - no amplification
2. Will food and/or beverages be served? ● YES ○ NO. If so, describe: very simple: Popcorn + water
3. Please describe any other activities taking place during the event: information sharing, socializing
4. Will there be supplemental illumination or other electrical equipment? ● YES ○ NO. If so, describe the items and power source: for some interactive art + for popcorn making (we would like to discuss with you how to handle this)
5. Will there be signage? ● YES ○ NO. If so, describe form and content: posters on tripods
6. What provisions will be made to handle litter or refuse from the event? Festival volunteers will clean on a daily basis and as needed
7. What, if any, liability insurance will the requesting entity be carrying for the event? We have blanket liability insurance for all our locations. We can provide a certificate and can add the Town to our "insured" list
8. Are there any structures, tents, booths, tables, or other large objects planned as part of the event? YES ● NO ○. If so, describe the size, material, location, use, and method (if any) by which they are fixed in place and how long they will be in place before and after the event. Chamber of Commerce tent

Draw your plan on the map on the Letter of Agreement page.

The Select Board grants permission for the above named Entity to hold the above named Event on the Town of Camden Village Green on the above named Date.

Select Board Chair Signature _____ Date _____
Printed Name : _____
Entity Representative Signature _____ Date _____
Printed Name _____

Town of Camden Village Green
Letter of Agreement

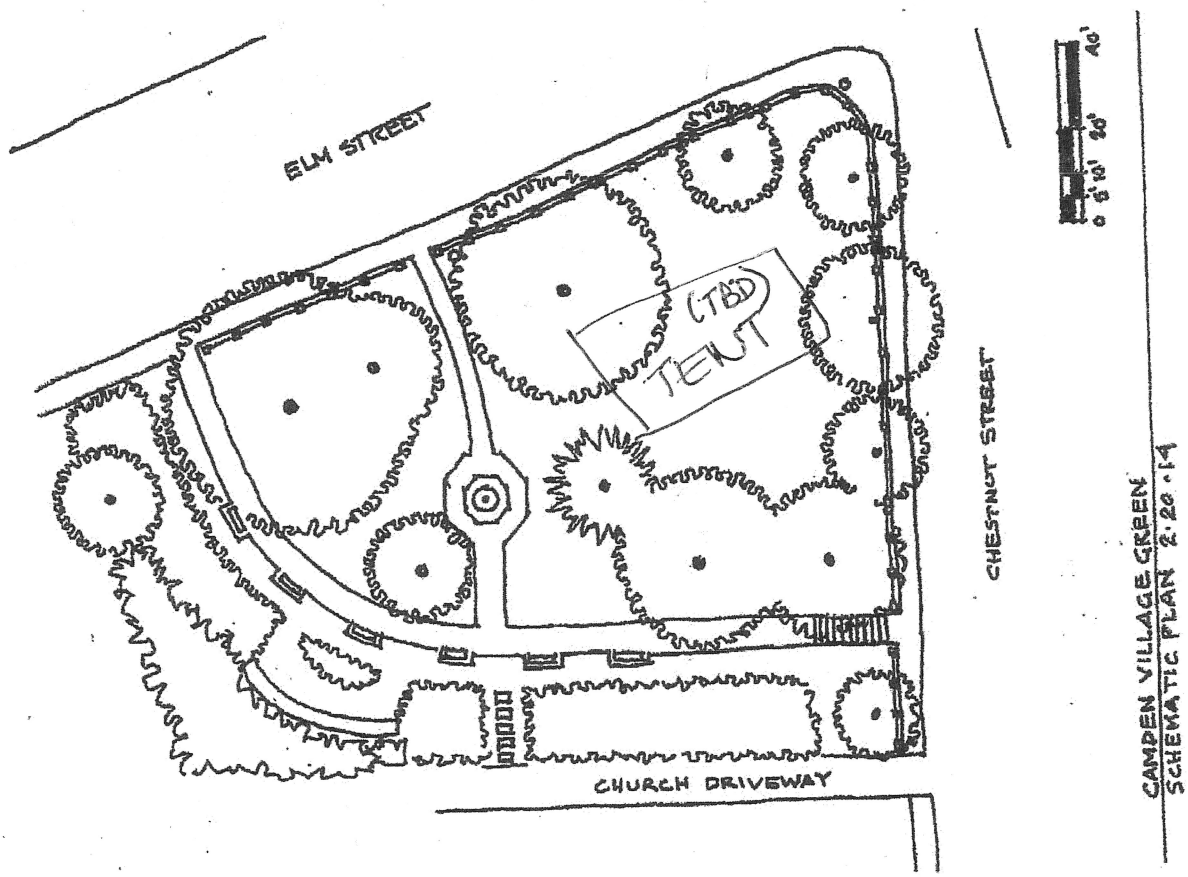
This letter must be signed by the requesting Entity's representative for a complete application.

The undersigned, as organizer of an event to be held on 9/16-9/20/2015 (insert date) on the Town of Camden Village Green, agrees to be responsible for assuring:

1. That the Village Green remains open to the public at all times during the event;
2. That no commercial activity takes place during the event;
3. That the Town is reimbursed for the cost of repairing damage to the grounds and plantings and/or the cost of cleanup due to the event;
4. That all other requirements stipulated in the "Town of Camden Village Green Policy and Use Guidelines" are honored.

Signed Joan Phaup Date July 29, 2015

Printed Name Joan Phaup



Camden Windjammer Festival

Camden Select Board
PO Box 1207
Camden, ME 04843

To the Select Board regarding the Camden Windjammer Festival

We would like to request formal permission to close the Public Landing from 5pm Thursday September 3 through 4pm Sunday September 6 for the festival. We will be setting up exhibits on the landing. We will restrict parking on the landing to handicapped festival attendees, fishermen with parking permits and businesses needing access to their locations.

We look forward to a successful festival again. Please let me know if you have any questions regarding this request.

Regards,

Emily Lusher
Chair, Camden Windjammer Festival
236-3436

FOR TOWN OFFICE USE

$20 Fee Paid on: _____ **New Application:** _____ **Renewal Application:** _____ **Present License Exp. Date:** 8/31/15

NEW LICENSE EXPIRATION DATE AFTER SELECT BOARD APPROVAL: _____

TOWN OF CAMDEN
VICTUALER LICENSE APPLICATION FORM

Applicant's Name: (Please list all applicants, if more than one) Maria Weymouth / owner
Erin Donovan / owner

Date(s) of Birth of all applicants: Maria / 2-19-72
Erin / 11-30-79

Business Name: Spoon Maine, LLC Camden

Business Location: 44 Bayview St. 04843

Business Mailing Address: PO Box 642
Lincolnville, ME 04849.

Telephone Number: 207-230-8066

Describe briefly the food and drink services offered: Frozen yogurt & water & snacks

1) On premise-meals served? Yes____ No X Seating capacity? 15

2) Take-out service? Yes ✓ No____ Fast food? Yes____ No____
Sit Down? Yes ✓ No____

3) Number of parking spaces provided:
a) On-site 4 c) Leased off-site _____
b) Owned off-site _____ d) NA; Lawful nonconforming use _____ ("grandparented")

4) Has the number of seats in your eating establishment changed since the Town's last Victualer's License approval?
Yes____ No ✓ If yes, please explain:_____

5) Have there been any changes in the operation of your eating establishment since the Town's last Victualer's License approval? (i.e. fast food to sit down; sit down to fast food, etc) Yes____ No ✓

6) Date of expiration of current State of Maine Human Services Eating License: 9-23-15
(Please attach a copy to this application, this certificate is issued from the State not the town)

7) Is your premises connected to an approved septic disposal system or the town's public sewer system?
Yes X No _____

8) Has adequate provision been made for the storage and disposal of waste and garbage?
Yes X No _____

9) If food is cooked on the premises, is there an approved vent from the cooking area to the outside? Yes _____ No ____ N/A

10) Have you, as applicant, been convicted of a crime in the state of Maine or in any other jurisdiction which is punishable by one year or more imprisonment or for any other crime committed with the use of a dangerous weapon or of an offense involving the use of a firearm against another person within five (5) years of the date of application? Yes_____ No X

11) Is there any formal charging instrument now pending against you in the state of Maine or any other jurisdiction for a crime which is punishable by one year or more of imprisonment or for any other crime allegedly committed by the applicant with the use of a dangerous weapon or of an offense involving use of a firearm against another person? Yes_____ No X

12) Have you, as applicant, been adjudicated to be an incapacitated person pursuant to state law or, if such adjudication has occurred, that designation has been removed by order under Title 18-A, M.R.S.A., Section 5-307(b)? Yes_____ No X

13) Have you, as applicant, been dishonorably discharged from the military forces within the past five (5) years? Yes_____ No X

14) Are you an illegal alien? Yes_____ No X

15) Have you had three or more convictions for crimes punishable by less than one year imprisonment within five (5) years of the date of this application? Yes_____ No X

16) Have you been adjudicated as having committed a juvenile offense pursuant to the laws of the state of Maine or any jurisdiction within five (5) years of the date of application? Yes_____ No X

The applicant shall contact the Camden Fire Department (236-7950) to schedule a Life Safety Code inspection as referenced in the Camden Fire Prevention and Protection Ordinance. This application will not be accepted until signed off by the Camden Fire Department verifying that this facility complies with the Camden Fire Prevention and Protection Ordinance.

_____ 7-15-15
Signature of Camden Fire Department Inspector **Date**

_____ 7-15-15
Signature of Applicant **Date**

Please return the completed application to the Town Manager's Office on or before: _____ along with the appropriate license application fee (fee scheduled explained at the top of Page 1.

(Questions #9 - #15 pertain to Victualer Ordinance requirements. A copy of the full text of the Ordinance is available at the Town Clerk's Office.)
****

Approved by the Camden Select Board on _____, 201_____.

_____ _____

_____ _____

_____

FOR CODE ENFORCEMENT OFFICE USE ONLY

1) Zone B-TH 2) Tax Map 119 Lot 3 3) Lot Size .49 Ac

2) Planning Board or Zoning Board approved restrictions or conditions:_____

4) Fire Chief's Annual Inspection (new and renewal applications)_____

Date of Fire Chief's Inspection:_____

5) Code Officer's Annual Inspection (new and renewal applications)_____

Code Officer's inspection of establishment (new applications)_____

Date of Code Officer's Inspection (if applicable):_____

State of Maine

DEPARTMENT OF HEALTH AND HUMAN SERVICES

EST ID: 24412

EATING PLACE 0-29 SEATS 15 Seats (in)

SPOON MAINE LLC
44 BAYVIEW ST
CAMDEN ME 04843

EXPIRES: 09/23/2015

FEE: $160.00

ATTN ERIN DONOVAN & MARIA ANDERSON
SPOON MAINE LLC
SPOON MAINE LLC
PO BOX 642
LINCOLNVILLE ME 04849

Mary C. Mayhew
COMMISSIONER

01105

NON-TRANSFERABLE

▽ DETACH HERE ▽

FOR TOWN OFFICE USE

$20 Fee Paid on: _____ **New Application:** _____ **Renewal Application:** _____ **Present License Exp. Date:** _____

NEW LICENSE EXPIRATION DATE AFTER SELECT BOARD APPROVAL: _____

TOWN OF CAMDEN
VICTUALER LICENSE APPLICATION FORM

Applicant's Name: (Please list all applicants, if more than one) Ravin Nakjaroen /

Date(s) of Birth of all applicants: September 30, 1977 /

Business Name: Ravita Inc. DBA Long Grain

Business Location: 31 Elm St. Camden, ME 04843

Business Mailing Address: 31 Elm St. Camden, ME 04843

Telephone Number: 207-236-9001

Describe briefly the food and drink services offered: Asian Home Cook and Street food for eat-in and take out. Serving also beer and wine + It is a full service restaurant.

1) On premise-meals served? Yes ✓ No____ Seating capacity? 35 (40 Allowed Sw 40 LLC -3 Sw)

2) Take-out service? Yes ✓ No____ Fast food? Yes____ No ✓
Sit Down? Yes ✓ No____

3) Number of parking spaces provided:
a) On-site _____ c) Leased off-site _____
b) Owned off-site _____ d) NA; Lawful nonconforming use N/A ("grandparented")

4) Has the number of seats in your eating establishment changed since the Town's last Victualer's License approval?
Yes____ No ✓ If yes, please explain: _____

5) Have there been any changes in the operation of your eating establishment since the Town's last Victualer's License approval? (i.e. fast food to sit down; sit down to fast food, etc) Yes____ No ✓

6) Date of expiration of current State of Maine Human Services Eating License: 01/31/2016
(Please attach a copy to this application, this certificate is issued from the State not the town)

7) Is your premises connected to an approved septic disposal system or the town's public sewer system?
Yes ✓ No _____

8) Has adequate provision been made for the storage and disposal of waste and garbage?
Yes ✓ No _____

9) If food is cooked on the premises, is there an approved vent from the cooking area to the outside? Yes ✓ No _____

10) Have you, as applicant, been convicted of a crime in the state of Maine or in any other jurisdiction which is punishable by one year or more imprisonment or for any other crime committed with the use of a dangerous weapon or of an offense involving the use of a firearm against another person within five (5) years of the date of application? Yes_____ No ✓

11) Is there any formal charging instrument now pending against you in the state of Maine or any other jurisdiction for a crime which is punishable by one year or more of imprisonment or for any other crime allegedly committed by the applicant with the use of a dangerous weapon or of an offense involving use of a firearm against another person? Yes_____ No ✓

12) Have you, as applicant, been adjudicated to be an incapacitated person pursuant to state law or, if such adjudication has occurred, that designation has been removed by order under Title 18-A, M.R.S.A., Section 5-307(b)? Yes_____ No ✓

13) Have you, as applicant, been dishonorably discharged from the military forces within the past five (5) years? Yes_____ No ✓

14) Are you an illegal alien? Yes_____ No ✓

15) Have you had three or more convictions for crimes punishable by less than one year imprisonment within five (5) years of the date of this application? Yes_____ No ✓

16) Have you been adjudicated as having committed a juvenile offense pursuant to the laws of the state of Maine or any jurisdiction within five (5) years of the date of application? Yes_____ No ✓

The applicant shall contact the Camden Fire Department (236-7950) to schedule a Life Safety Code inspection as referenced in the Camden Fire Prevention and Protection Ordinance. This application will not be accepted until signed off by the Camden Fire Department verifying that this facility complies with the Camden Fire Prevention and Protection Ordinance.

_____ 14 August 2015
Signature of Camden Fire Department Inspector **Date**

_____ 8-14-15
Signature of Applicant **Date**

Please return the completed application to the Town Manager's Office on or before: _____ along with the appropriate license application fee (fee scheduled explained at the top of Page 1.

(Questions #9 - #15 pertain to Victualer Ordinance requirements. A copy of the full text of the Ordinance is available at the Town Clerk's Office.)
****

Approved by the Camden Select Board on _____, 201_____.

_____ _____

_____ _____

_____

FOR CODE ENFORCEMENT OFFICE USE ONLY

1) Zone B-1 2) Tax Map 120 Lot 5 3) Lot Size .23 AC

2) Planning Board or Zoning Board approved restrictions or conditions:_____

4) Fire Chief's Annual Inspection (new and renewal applications)_____

Date of Fire Chief's Inspection:_____

5) Code Officer's Annual Inspection (new and renewal applications)_____

Code Officer's inspection of establishment (new applications)_____

Date of Code Officer's Inspection (if applicable):_____

State of Maine

DEPARTMENT OF HEALTH AND HUMAN SERVICES

EST ID: 2253

EATING PLACE 30-75 SEATS 40 Seats (in)

LONG GRAIN
31 ELM ST
CAMDEN ME 04843

EXPIRES: 01/31/2016

FEE: $195.00

ATTN LONG GRAIN
RAVITA INC
LONG GRAIN
31 ELM ST
CAMDEN ME 04843

Mary C. Mayhew
COMMISSIONER

NON-TRANSFERABLE

▽ DETACH HERE ▽

FOR TOWN OFFICE USE

Fee Schedule: (One driver includes criminal background check) = $56

Amount of Fee Paid: 56.00 **New Application:** _____ **Renewal Application:** ✓

Current License Exp. Date: _____ **New License Exp. date after Select Board approval** _____

RECEIVED 11.08 JUL 24 2016 Cash

TOWN OF CAMDEN
Application for Taxicab Operator's (Driver's) License

Full Name: JONATHAN BLAINE ELWELL

Driving For: SCHOONER BAY

Applicant's Phone # 230-1191

Current Physical Address: 29 MEADOW ST, ROCKPORT, ME

Current Mailing Address: SAME

List addresses for previous five years:
32 FRANKLIN ST, ROCKLAND ME
85 PARK ST, ROCKLAND ME
703 SPRUCE HEAD RD, SPRUCE HEAD ME

Date of Birth: 1.8.54 Place of Birth: ROCKLAND Age: 61

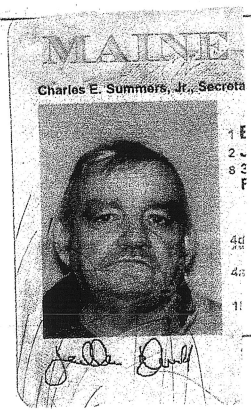
Height: 6'0" Weight: 260 Eye Color: HAZEL

Hair Color: GRAY *Please attach a recent photo below.*

Expiration of valid ME Driver's License: 1.8.18 ME Driver's License #: 5596082

Signature of Application: Jonathan Blaine Elwell Date: 7.22.15

Approved by: Chief [signature] Date: 8/5/15
Police Chief



1) Are you currently under indictment or information for a crime for which the maximum penalty is imprisonment for a period of one year or more than one year? No_✓_ Yes_____ If yes, please explain:_____

2) If you have ever been convicted of a crime for which the maximum penalty was at the time, or is now, imprisonment for one year or more, identify the nature of the crime, date of the Judgment and the sentence imposed by the Court? No_✓_ Yes_____

3) Are you a fugitive from justice? No_✓_ Yes____ If yes, please explain:_____

4) Are you an unlawful user or addicted to marijuana or any other drugs? No_✓_ Yes_____
If yes, please explain:_____

5) Have you been voluntarily or involuntarily committed to a mental institution or received psychiatric in-patient services in a hospital for a period greater than two weeks within the prior five years?
No _✓_ Yes_____ If yes, please explain:_____

6) Have you been adjudicated to be an incapacitated person pursuant to Title 18-A, Article 5, Part 3 and 4 and not had that designation removed by an order under Title 18-A, Section 4-307, Subsection B?
No _✓_ Yes_____ If yes, please explain:_____

7) Have you been dishonorably discharged from the military forces within the prior five years?
No_✓_ Yes_____ If yes, please explain:_____

8) Are you an illegal alien? No_✓_ Yes____ If yes, please explain:_____

9) Has your driver's license to operate a motor vehicle been suspended within the prior five years?
No_✓_Yes_____If yes, please explain:_____

10) Have you been convicted of operating a motor vehicle under the influence of intoxicating liquors or operating a motor vehicle under the influence of drugs within the prior five years? No_✓_ Yes_____
If yes, please explain_____

11) Have you been convicted of negligent or reckless driving to endanger within the prior five years?
No_✓_ Yes_____If yes, please explain_____

12) Have you been convicted of a crime of theft, deception or negotiating a worthless instrument within the last ten years? No _✓_ Yes_____ If yes, please explain _____

13) Have you been convicted of a crime of gross sexual assault/misconduct/contact, murder, manslaughter, kidnapping, unlawful restraint, assault, aggravated assault, criminal threatening, terrorizing, stalking, reckless conduct, visual sexual aggression, criminal violation of a protection from abuse order, criminal violation of a protection form harassment order, unlawful sexual aggression, or unlawful sexual contact/touching, within twenty years of the date of this application?
No ✓ Yes_____ If yes, please explain _____

****

I grant the Chief of Police the authority to check the criminal records of any law enforcement agency for information concerning me. I agree to submit to having my fingerprints taken by the licensing authority if it becomes necessary to resolve any questions as to my identity.

Signature: [signature]

Date: 7-22-15

APPROVED BY THE CAMDEN SELECT BOARD

Date:_____

_____ _____

_____ _____

_____