

Table 206-3. Commercial and Industrial Zones

| COMMERCIAL AND INDUSTRIAL ZONE LAND USES | | | | | | | | | |
|---|-----------------|----------------|------------------|----------------|----|----------------|----------------|----------------|------------------|
| P = Permitted C = Conditional | | | | | | | | | |
| Land Use | RT ¹ | C1 | C2 | C3 | PC | DT | BP | I ² | Standard |
| Dwelling, single-family | P | | | | | P ³ | | | |
| Dwelling, two-family | | P | P ⁴ | P | | P ³ | | | |
| Dwelling, multi-family | | P ⁵ | P ^{4,5} | P ⁵ | | P ³ | | | |
| Accessory dwelling unit | P | | | | | P | | | Sec.19.206.G.1 |
| Accessory uses to permitted uses | P | P | P | P | P | P | P | P | |
| Home occupation level 1 | P | P | P | P | | P | | | Sec.19-206.G.4 |
| Home occupation level 2 | P | P | P | P | | P | | | Sec.19-206.G.5 |
| Home occupation level 3 | P | P | P | P | | P | | | Sec.19-206.G.6 |
| Bed and breakfast establishments | | | | | | P | | | Sec.19-206.G.2 |
| Adult amusement store | | C | | | C | | | | |
| Art gallery | | | | | | P | | | |
| Athletic fields | | | | | | | P | | |
| Automobile—body shops | | | | | | | | P | |
| Automobile—dealership existing | | P | P | P | | | | | |
| Automobile—repair | | C | C | P | | | | | |
| Banks | | | | | | | | P | |
| Bar | | P | P | P | | P | | | |
| Boat storage | | C ⁶ | | P | | | P | P | |
| Cannabis, adult use—cultivation facility | | C | C | C | | | | C | Sec. 19-206.G.12 |
| Cannabis, adult use—products manufacturing | | C | C | C | | | | C | Sec. 19-206.G.12 |
| Cannabis, adult use—store | | C | C | C | | C | | C ⁷ | Sec. 19-206.G.12 |
| Cannabis, adult use—testing facility | | C | C | C | | | | C | Sec. 19-206.G.12 |
| Cannabis, medical—caregiver retail store | | C | C | C | | C | | C | Sec. 19-206.G.12 |
| Cannabis, medical—cultivation facility | | C | C | C | | | | C | Sec. 19-206.G.12 |
| Cannabis, medical—manufacturing facility | | C | C | C | | | | C | Sec. 19-206.G.12 |
| Cannabis, medical—registered dispensary | | C | C | C | | | | | Sec. 19-206.G.12 |
| Cannabis, medical—testing facility | | C | C | C | | | | C | Sec. 19-206.G.12 |
| Car wash | | C | C | | P | | | | |
| Cemetery | C | C | C | C | C | C | P ⁸ | C | |
| Community and civic structure | C | P | P | P | C | P | P | P | |
| Daycare center | | P | P | P | | P | | | |
| Distribution facility | | | | | | | P | P | |
| Energy facility—community-based renewable | | | | | | | | C | |
| Energy facility- distributed power generation | | | | | | | | C | Sec.19-206.G.8 |

¹ No drive-up or drive-through windows are allowed.

² More than one (1) principal use or structure is allowed on any lot.

³ On the street level, dwelling units may not exceed 25% of that level on the following streets: Limerock, School, Museum, Orient, Oak, Park, Pleasant, Winter, Tillson, Lindsey, Kimball, Park and Main; and Union except between Oak and Elm streets and between Tax Map 4D-14 and Lindsay Street.

⁴ Residential uses as of 7-2-18 may be rebuilt and expanded if in compliance with the minimum lot area per dwelling unit of the zone.

⁵ On the street level, no more than 25% of the street level shall be dwelling units.

⁶ Only allowed on parcels fronting on New County Road.

⁷ Must be co-located with another adult-use cannabis facility as permitted by state law.

⁸ Must be in existence as of 12-10-18.

Table 206-3. Commercial and Industrial Zones, *continued*

| Land Use | RT ¹ | C1 | C2 | C3 | PC | DT | BP | I ¹ | Standard |
|---|--------------------|-----------------|-----------------|-----------------|----|----------------|-----------------|-----------------|----------------|
| Energy facility—distributed power storage | C | C | C | C | C | C | C | C | |
| Energy facility—grid scale power generation | | | | | | | | C ⁹ | Sec.19-206.G.8 |
| Energy facility—micro community renewable | C | C | C | C | C | C | C | C | |
| Essential services (in non-shoreland areas) | C | P | P | P | C | P | P | P | |
| Essential services (in shoreland areas) | C | P | P | P | C | P | P | P | |
| Flag lot | | | | C | | | | | Sec.19-206.G.3 |
| Funeral home | | P | P | P | | | | | |
| Golf course | P | | | | | | | | |
| Hotel | P | | | | | P | | | |
| Light assembly | | | | | | P | | | |
| Light industrial | | P ₁₀ | P | P | | | P | P | |
| Lodging, perm and temp—independent | | P | P | P | P | P ³ | | | |
| Lodging, perm and temp—with services | | P | P | P | P | P ³ | | | |
| Museum | | | | | | P | | | |
| Office | | P | P | P | P | P | P | P | |
| Outdoor recreation | | C | C | | | | | | |
| Outdoor sales or display | | P ₁₁ | P ¹¹ | P ¹¹ | | | | | |
| Outdoor storage | | P ¹¹ | P ¹¹ | P ¹¹ | | | | | |
| Parking facility | | P | P | P | | P | | | |
| Pre-engineered tensile membrane structure | | C | C | C | | | | C | |
| Processing | | P | P | P | | | | P | |
| Public access or open space | P | | | | | P | | | |
| Recreation/entertainment facility—indoor | | P | P | P | P | P | P | | |
| Religious institution | | P | P | P | | P | | | |
| Research and development | | | | | | P | P | P | |
| Restaurant | P ^{12,13} | | | | P | | P ¹² | P ¹³ | |
| Retail accessory to permitted use | | | | | | | P | P | |
| Retail business | | P | P | P | P | P | | | |
| Riding stable | C | C | C | C | C | C | C | C | |
| School | | P | P | P | | P | | | |
| Services—construction | | | | P ¹⁴ | | | P ⁸ | P | |
| Services—health and medical | | P | P | P | P | P | | | |
| Services—personal | | P | P | P | P | P | P | C ¹⁵ | |
| Services—social | | P | P | P | P | P | | | |
| Services—trades | | P | P | P | | P | | | |

⁹ Energy producing fuels may not include uranium, enriched uranium, plutonium, or solid waste as defined by the Resource Recovery Act, 42 U.S.C. §6903), construction and demolition debris, or treated or engineered wood products, and having a setback of at least 200 feet from any property line shared with a lot on which a residential or mixed-use structure is located.

¹⁰ Only allowed on portions of the zone along Route 1, Payne Avenue, and Park Street, and on lots adjacent to an existing railroad right-of-way.

¹¹ Only allowed as an accessory use to a permitted use.

¹² Only as an accessory use to a permitted use, no drive-up or drive-through window allowed.

¹³ Take-out allowed provided no drive-up or drive-through windows.

¹⁴ No processing of raw materials or outdoor stockpiling of products except those for retail sales.

¹⁵ Use may occupy up to 40% of the total area of the structure.

| | | | | | | | | | |
|--|--|--|--|---|--|--|---|---|--|
| Storage facility—compartmentalized ¹⁶ | | | | P | | | P | P | |
|--|--|--|--|---|--|--|---|---|--|

Table 206-3. Commercial and Industrial Zones, *continued*

| Land Use | RT ¹ | C1 | C2 | C3 | PC | DT | BP | I2 | Standard |
|--|-----------------|----|----|----|----|----|----|----|-----------------|
| Storage facility—warehouse and storage | | C | | | | | P | P | |
| Studio | | | | | | P | | | |
| Telecommunication towers | C | C | C | C | C | C | C | C | Sec.19-206.G.9 |
| Temporary structure | C | C | C | C | C | C | C | C | Sec.19-206.G.11 |
| Transportation facility | | | | | | | P | P | |
| Vehicle fueling stations | | | | P | P | | | | |
| Wholesale business including retail, manufacturing | | P | P | P | P | P | P | P | |
| Wind turbine less than 110 kw | C | C | C | C | C | C | C | C | |

¹⁶ No cubicles shall be greater than 4,000 square feet.

Table 207-3. Commercial Zones

| COMMERCIAL ZONES DIMENSIONAL STANDARDS | | | | | | | | |
|---|-----------------|----------------------|--------|--------|----------------------|----------------------------------|----------------------|----------------------|
| Standard | RT | C-1 | C-2 | C-3 | PC | DT | BP | I |
| Lot Size and Land Area | | | | | | | | |
| Minimum Lot Size (sf) | | 30,000 | 21,780 | 43,560 | 87,120 | | 43,560 | 43,560 |
| Single-family (sf) | 20,000 | | | | | | | |
| All other uses (sf) | 43,560 | | | | | | | |
| Minimum Lot Area/Dwelling Unit (sf) | | | | | | | | |
| Single-family (sf) | 20,000 | | | | | | | |
| All other uses (sf) | 40,000 | | | | | | | |
| Minimum Setback Requirements | | | | | | | | |
| Front (ft) | | 50 (30) ¹ | 10 | 50 | 50 (30) ¹ | 0 | 30 (20) ¹ | 30 (20) ¹ |
| Single-family | 50 | | | | | | | |
| All uses other than single-family (sf) | 75 ² | | | | | | | |
| Front--infill lot option | P | | | | | | | |
| Ground mounted solar systems (ft) | | | | | | | | 30 |
| Front—maximum (ft) ³ | | | | | | 5 ⁴ (15) ⁵ | | |
| Side (ft) | | 20 | 10 | 25 | 50 (6) ⁶ | 12 | 20 ¹ | 20 ¹ |
| Single-family (ft) | 30 | | | | | | | |
| All uses other than single-family (sf) | 100 | | | | | 0 | | |
| Ground mounted solar systems (ft) | | | | | | | | 30 |
| Parcels adjacent to the water (ft) | | | | | | | | |
| Side setback | | | | | | 12 | | |
| Separation between buildings | | | | | | 15 | | |
| Rear (ft) | | 30 | 10 | 30 | 50 | | 25 (20) ¹ | 25 (20) ¹ |
| Single-family | 25 | | | | | | | |
| All uses other than single-family (sf) | 75 ² | | | | | | | |
| Accessory structures | 25 | | | | | | | |
| Rear exception | 15 | | | | | | | |
| Side and rear setbacks for non-residential or mixed uses abutting a residential zone or use | | 30 | 30 | 40 | 75 (6) ⁶ | | 50 | 75 |
| Ground mounted solar systems | | | | | | | | 30 |

¹ The setback in parentheses is allowed when the extent of the setback is landscaped and unpaved except for sidewalks and access drives. No off-street parking or outdoor storage are allowed in this setback. The Planning Board must approve the reduced setback. All other projects must use the larger setback requirement.

² All uses other than single-family must add the amount of the structure height to the stated minimum setback requirement.

³ Maximum front setbacks shall be measured from the inside edge of any park, plaza, or other exterior portion of the lot that abuts the primary street and to which the lot owner has granted the City of Rockland a public access easement in a form acceptable to the City Attorney. The inside edge shall be that point of the longest line or, in the event of a round or oval space, the curve formed by the publicly accessible park, plaza, or similar area, which is located closest to the principal façade of the proposed structure. To be eligible for the enhanced maximum front setbacks, the public access area must contain landscaping, and exclude parking.

⁴ Five-foot setback from the property line for no less than 40% of the building façade as measured linearly.

⁵ The remainder of the building shall have a front setback requirement of 15 feet measured linearly.

⁶ The setback in parentheses is applicable to non-residential uses which are also in the PC Zone.

Table 207-3. Commercial Zones, continued

| Standard | RT | C-1 | C-2 | C-3 | PC | DT | BP | I |
|---|------------------|------------------|-----|-----|-----|----|-----|-----|
| Structure and Lot Coverage | | | | | | | | |
| Maximum structure coverage | 30% | 40% | 50% | 20% | | | 50% | 50% |
| Maximum lot coverage | 50% | 80% | 80% | 60% | 85% | | 60% | 80% |
| Structure Requirements | | | | | | | | |
| Maximum stories | | | | 2.5 | 2.5 | 5 | | |
| Maximum height | 55 | 45 | 35 | 35 | 35 | 65 | 45 | 65 |
| Street Requirements | | | | | | | | |
| Minimum Street Frontage | 150 | 200 | 100 | 200 | 300 | | 200 | 200 |
| Frontage on an internal private road | | | | | | | 100 | 100 |
| Minimum Distance between Curb Cuts | 150 ⁷ | 175 ⁸ | 100 | | | | | |
| Public street | | | | 200 | 300 | | 200 | 200 |
| Private road | | | | 100 | | | 100 | |
| Landscaping Requirements | | | | | | | | |
| Required unpaved landscaped area | | | | | | | 20 | 20 |
| Separation of Sensitive Uses | | | | | | | | |
| Minimum distance between adult amusement stores and sensitive uses ⁹ | | 300 | | 300 | 300 | | | |

⁷ No commercial driveway shall be allowed to Samoset Road except for emergency ingress or egress.

⁸ When possible, access shall be from side streets.

⁹ No adult amusement store may be within 300 feet from any residence, inn, bed and breakfast establishment, lodging house, assisted living facility, school, daycare, religious institution, athletic field, public access or open space with a playground or recreation facility, business holding a liquor license, special amusement, or entertainment licensed. The separation distance is measured from the entrance of the adult amusement store and the closest point on the property line of the incompatible use.

Table 207-4. Waterfront Zones – (Subject to Additional Table Notes 207-4.1, below)

| WATERFRONT ZONES DIMENSIONAL STANDARDS | | | |
|--|------------------------|--------------|-----------------------------|
| Standard | WF1, 2, 3, 4, 5 | WF3A | Additional standards |
| a. Maximum height¹ | 40 ft | 65 ft | |
| b. Floor area ratio (FAR) | 40% | 40% | 4a below |
| c. Density⁶ – Residential and marine mixed-use developments | 7,500sf/unit | 7,500sf/unit | |
| d. Minimum separation between structures on lots in separate and distinct ownership | 24 ft | 24 ft | |
| e. Waterfront lot² minimum setback from high water mark: | | | 4a below |
| i. Functionally-water-dependent uses | 0 | 0 | |
| ii. Marine mixed use and permanent and temporary lodging—independent | 75 ft | 75 ft | |
| iii. All non-residential uses except the uses described in e, i. and ii. above of this Subsection³ | 25 ft | 25 ft | |
| f. Non-waterfront lots—Minimum setback | | | |
| i. Front | 15 ft | 15 ft | |
| ii. Side | 12 ft | 12 ft | |
| iii. Rear | 15 ft | 15 ft | |
| g. Width of required landscaping: | | | |
| i. Along the front and rear lot lines if that lot line is adjacent to a street | 15 ft | 15 ft | |
| ii. Between a building and a side property line for non-waterfront lots | 12 ft | 12 ft | |

Additional Table Notes 207-4.1 Waterfront Zones—Incentives and Standards

A. Floor area ratio incentives: The Planning Board shall grant an increase in the maximum FAR from 0.40 up to 1.0 in 0.20 intervals, or decreases in waterfront setbacks at 10% intervals in return for one (1) or more of the following:

1. Construction and maintenance of a 12-foot-wide public walkway along the water;

¹ Exception for structures existing as of 12-14-2005 which are converted to a mixed-use development: Such buildings may exceed these limitations and be increased in height to no higher than the highest portion of any other legally existing building on the same lot, provided that the floor-area ratio standard can be met.

² In determining "waterfront" for setback requirements, for a peninsula or a property with two (2) or three (3) "sides" to the water or fronting on the water, the "waterfront" of the site shall be deemed to be that portion of the site which has the greatest length of navigable water, at mean low water, using the state's definition for a prime waterfront site as outlined in the State of Maine guidelines for municipal shoreland zoning ordinances; all other areas which abut the water shall be considered "sides" or "back" as set forth in paragraph K(3) above. If there is no navigable water on the site, then the side which has the greatest exposure to the harbor will be considered the front.

³ The 25-ft setback applies to 80% of their water frontage, the remaining 20% of the waterfrontage may have a one-story building (no higher than 14 ft) which may be built within the 25-ft setback, even up to the high water mark.