

**WARRANT ARTICLE ==** - Shall an ordinance dated May == and entitled “Amendments to the Town of Mount Desert Land Use Ordinance to allow residential uses in the village commercial zoning district” be enacted as follows?

***Explanatory Note: This amendment will residential uses in commercial structures in the village commercial zoning district.***

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**3.4 Permitted, Conditional, and Excluded Uses by District:**

All land use activities, as indicated in the following table, shall conform with all of the applicable land use standards in Sections 6.A., 6.B., and 6.C. The district designation for a particular site shall be determined from the Official Land Use Zoning map.

- P Use allowed without a permit** (but the use must comply with all applicable land use standards)
  - C Use allowed with conditional use approval from the Planning Board**
  - X Use is prohibited**
  - CEO Use allowed with a permit from the code enforcement officer**
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- VR1 VILLAGE RESIDENTIAL ONE
  - VR2 VILLAGE RESIDENTIAL TWO
  - R1 RESIDENTIAL ONE
  - R2 RESIDENTIAL TWO
  - SR1 SHORELAND RESIDENTIAL ONE
  - SR2 SHORELAND RESIDENTIAL TWO
  - SR3 SHORELAND RESIDENTIAL THREE
  - SR5 SHORELAND RESIDENTIAL FIVE
  - RW2 RURAL OR WOODLAND TWO
  - RW3 RURAL OR WOODLAND THREE
  - VC VILLAGE COMMERCIAL
  - SC SHORELAND COMMERCIAL
  - RP RESOURCE PROTECTION
  - C CONSERVATION
  - SP STREAM PROTECTION

See table of uses on following pages

Section 3.4 Permitted, Conditional, and Excluded Uses by District

LAND USE:	Districts								
	VR 1 VR 2	R 1 R 2	SR 1 SR 2 SR 3 SR 5	RW 2 RW 3	VC	SC	C	RP	SP
<b>RESIDENTIAL</b>									
Dwelling 1 & 2 family	CEO	CEO	CEO <sub>(d)</sub>	CEO	C <sub>(11)</sub>	C <sub>(d)</sub>	C	C <sup>8</sup>	C <sup>4</sup>
Dwelling, Multiple	C	C	C	C	C <sub>(11)</sub>	X	C	X	X
Accessory Residential Dwelling Unit	CEO	CEO	CEO	CEO	CEO	C	C	C <sup>8</sup>	C <sup>4</sup>

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<sup>4</sup> Provided that a variance from the setback requirement is obtained from the Board of Appeals; otherwise the setback is 75 feet. Any Excavation or Filling must be limited to that necessary for the construction of approved structures.

<sup>6</sup> See further restrictions in Section 6C.5.2

<sup>7</sup> Only as provided in Section 6C.9.3

<sup>8</sup> Single family residential structures may be allowed by special exception only according to the provisions of Section 7.5.3, Special Exceptions. Two-family residential structures are prohibited.

<sup>9</sup> Permit not required but must file a written "notice of intent to construct" with CEO.

<sup>10</sup> Refer to Section 6A.8.4 and 6A.8.5.

<sup>11</sup> Allowed only on upper stories and ground floor when they do not use storefront space for the following parcels: Tax Map 024: Lots 063-002, 073 through 081, 081-001, 082 through 086, 088 through 090, 102, 104, 106 through 108, & 109-003/109-004 Tax Map 026: Lots 004-001, 004-002, 008-002, & 057 through 063.

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Section 3.5 Dimensional Requirements for Districts: minimum area, width of lots, setbacks, etc.

DISTRICTS	RW2	RW3	VC see Note (g)	SC see Note (e),(f) and (g)	C see Note (f) for those properties that are within the shoreland zone
<b>DIMENSIONS (b) (h<sup>1</sup>)</b>					
MINIMUM LOT AREA:					
A. with public sewer	2 acres	3 acres	5,000 sq ft.	1 acre	3 acres
B. without public sewer	2 acres	3 acres	1 acre	1 acre	3 acres
C. Cluster Subdivision w/sewer*	1 acre	1.5 acres	5,000 sq ft see note (g)	N/A	N/A
D. Cluster Subdivision w/o sewer*	State Minimum	State Minimum	5,000 sq ft see note (g)	N/A	N/A
E. Workforce Subdivision*			5,000 sq ft see note (g)		
* See Note (k)					
MINIMUM WIDTH OF LOTS: Shore Frontage	NA	NA	N/A	100 ft.	250 ft.
SETBACKS FROM: normal high water line of a water body (stream), tributary stream or upland edge of a wetland	75 ft. N/A	75 ft. N/A	75 ft. N/A	75 ft. N/A	75 ft. 100 ft. (n)
Great Ponds (n)	60 ft.	60 ft.	10 ft. or -0- ft. from edge of public sidewalk	25 ft.	50 ft.
public or private road* property lines** * see Note (c) ** see Note (d)	25 ft.	25 ft.	5 ft. (o)	5 ft.	25 ft.
MAXIMUM LOT COVERAGE	15%	15%	75%	70%	15%
MINIMUM DISTANCE BETWEEN PRINCIPAL BUILDINGS	30 ft.	30 ft.	N/A	10 ft.	30 ft.

NOTES:

(b) Refer to setback as defined in Section 8.

- (c) Measured from edge of road surface, or edge of legally established right of way if no road exists.
- (d) In all districts restrictions on setback of structures from property lines may be varied or nullified by written agreement with the abutting property owner. Said agreement or a copy of said agreement showing signatures shall be filed at the Municipal Office.
- (e) The minimum SC setback from shoreline is 75 feet except for functionally water-dependent structures.
- (f) Within the shoreland zone: No new lot shall be created except in conformity with all of the requirements of this Ordinance for the district in which it is located. In addition to shore frontage, refer to Section 6B.10.4.3 for the required minimum lot width. For the required measurements, refer to shore frontage and minimum lot width in Section 8.
- (g) Primary residential use in a Shoreland Commercial District must meet the dimensional requirements of the adjacent residential district. This requirement does not apply to projects that include covenants held by a qualified workforce housing entity.



# Overview Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

 2nd floor commercial  
 Mount Desert Parcels

  
1 inch = 79 feet

## Downtown Parcels

