

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #___

IN CITY COUNCIL

_____, 2012

ORDINANCE AMENDMENT Amending Rural Residential Zone Regulations

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, ARTICLE III, Zoning Ordinance, SECTION 19-302, Words And Phrases Defined, and SECTION 19-304, Zone Regulations, Subsection 5, Rural Residential 1 Zone, BE AMENDED AS FOLLOWS:

Sec. 19-302 Words And Phrases Defined

Agriculture. The cultivation of land, raising of crops, and/or feeding, breeding, and raising of livestock, and other uses traditionally associated with farming.

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Home Occupation Level 1 shall have very low impacts. Occupations might include the offices of a single physician, realtor, insurance broker, accountant, artist, beautician, lawyer, or other professional, a single-pupil instructor. There may be one (1) on-site employee or full time equivalent from outside of the immediate family-in-residence. . . .

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Riding Stable. A facility and contiguous land under common ownership used for the art or practice of horsemanship.

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Veterinarian. A person trained and authorized to practice veterinary medicine and surgery; a doctor of veterinary medicine.

Veterinary Clinic. A place for the provision of medical care to animals.

5. RURAL RESIDENTIAL 1 ZONE "RR1"

Purpose: The purpose of the Rural Residential 1-Zone is to permit agriculture, animal husbandry, and other appropriate uses in the City's rural areas; to protect sensitive natural resources; and to preserve the rural character of this area. ~~Since this area is largely non-sewered, nor is sewer extension likely in the near future, the area should allow residential uses and limited commercial~~

activities, including only limited merchandizing. The area is presently mixed residential with some commercial. ~~Outdoor storage and motor vehicle repair should be allowed with screening. Only uses consistent with these purposes are permitted, and~~ large lots should be retained to maintain the rural character of the area.

A. Permitted Uses

In ~~thea~~ Rural Residential ~~1~~ Zone, ~~"RR1"~~ no building or land shall be used, and no building shall hereafter be erected or structurally altered, except as provided herein, unless otherwise ~~authorized~~provided for in this Article.

<u>RURAL RESIDENTIAL ZONE ("RR1") PERMITTED USES</u>	
(1)	<u>Agriculture</u>
(2)	Single- And Two-Family Dwellings, and Single Mobile Homes Residential uses, single, 2-family and multifamily
(3)	Accessory Apartments
(4)	<u>Level 1 and Level 2 Home Occupations, all levels</u>
(5)	<u>Small Home Daycares</u>
(4)	<u>Agriculture</u>
(5)	<u>Bed and breakfast Establishments</u>
(6)	<u>Churches</u>
(7)	<u>Flag Lots</u>
(8)	<u>Funeral homes</u>
(9)	<u>Monument and stone works</u>
(10)	Nurseries, greenhouses and landscaping businesses
(11)	<u>Office buildings Eff: 3/24/99</u>
(12)	<u>Personal Services</u>
(13)	<u>Public utilities Eff: 9/11/96</u>
(14)	<u>Schools and Day care centers</u>
(15)	<u>Service clubs and fraternal or veterans' organizations</u>
(16)	Small engine repair
(17)	<u>Social Service building, existing on 5/14/97, may be expanded up to 2,000 square feet in area</u>
(18)	<u>Studios Tradesmen's offices, Shops, and showrooms</u>
(19)	<u>Veterinarians and Veterinary Clinics</u>
(10)	<u>Campgrounds that limit their accommodations to tents, and don't accept recreational vehicles, trailers, etc.</u>
(120)	Accessory uses

B. Conditional Uses

The following uses are permissible with the approval of the Planning Board under the provisions of the Site Plan Review Ordinance (Chapter 16, Article II), regardless of whether or not a structure is ~~used~~~~involved~~. In granting, denying, and/or imposing conditions, the Planning Board shall undertake a review, applying the process and standards outlined in Chapter 16, Sections 16-201 through 16-206 for site plan review and shall take into consideration the following factors: location, character and natural features of the site and adjoining property; fencing and screening; landscaping, topography and natural drainage; traffic hazards, vehicular access, circulation and parking; pedestrian circulation; signage, and lighting; compatibility with existing uses; availability of necessary public services; compliance with applicable requirements of all City Ordinances, including the Performance Standards of Section 19-316.

<u>RURAL RESIDENTIAL ZONE (“RR1”) CONDITIONAL USES</u>	
Automobile Body Shops, Automobile Repair and Farm Equipment businesses must not keep outdoors, or on a regular basis, any more than 12 vehicles or pieces of machinery awaiting repair, undergoing repair, or awaiting pick up after repair. These vehicles must be screened as required by Section 19-316.H & I. This number may be increased to 20 vehicles if the site plan which is presented shows that the additional vehicles, machinery or equipment will not be visible from other properties.	
(14)	Commercial outdoor recreational uses
(2)	<u>Cemetaries</u>
(3)	<u>Veterinarians and Veterinary Clinics</u>
(4)	<u>Riding Stables</u>

Within 200 feet of Old County Road, on Lots With Frontage on Old County Road, and Between the Thomaston Town Line on the South and the Achorn Cemetery Property on the North:

(5)	Farm Equipment sales, new or expanded
(6)	Automobile Body Shop, new or expanded
(7)	Automobile Sales, Small-Scale Used, new or expanded. The Planning Board may allow the number of vehicles displayed on any lot in a RR1 zone to be increased up to a maximum of 30 vehicles according to the following: <ul style="list-style-type: none"> (i) 1 additional vehicle can be displayed for each 10,000 square feet of undeveloped lot size which exceeds the minimum required lot size in this zone; and (ii) 1 additional vehicle can be displayed for each 10 feet of street frontage (on a public street) exceeding the minimum required frontage in this zone.
(8)	Automobile Repair businesses, new or expanded
(6)	<u>Schools</u>
(9)	<u>Personal Services</u>
(10)	<u>Professional Services</u>
(11)	<u>Public Utilities</u>

<u>(12)</u>	<u>Offices</u>
<u>(13)</u>	<u>Home Day Cares</u>

C. Prohibited Uses

<u>RURAL RESIDENTIAL ZONE (“RR1”) PROHIBITED USES</u>	
(1)	Any use which is obnoxious, annoying, unsightly, detrimental, injurious or dangerous to the health, comfort, or property of individuals, or of the public, by reason of odor, fumes, vapor, dust, smoke, gas, noise, or vibration
(2)	Ammonia, bleaching powder, or chlorine manufacturing or refining, hydrochloric, nitric, picric, sulfuric, or sulfurous acid manufacture
(3)	Asphalt manufacture, heating, mixing, or refining, creosote manufacture
(4)	Blast furnace; melting or ore reduction or smelting; hot rolling mill
(5)	Cement, gypsum, or plaster of Paris manufacture or rock crushing
(6)	Dextrin, glucose, or starch manufacture
(7)	Drive up windows and drive throughs
(8)	Dye, or match manufacture
(9)	Explosives or fireworks manufacture, or storage in excess of five hundred (500) pounds
(10)	Fat, grease, lard, or tallow manufacture, refining, or rendering
(11)	Fish rendering
(12)	Incineration, reduction, or dumping of dead animals, garbage, offal, or refuse
(13)	Linoleum or oilcloth manufacture, production or refining of petroleum or other inflammable liquids
(14)	Rubber manufacture, or treatment involving offensive odor
(15)	Slaughtering, or operation of stock yards
(16)	Tanning or curing of raw hides or skins
(17)	Tar distillation or manufacture, turpentine or varnish manufacture
(18)	Any process similar in character to any of the uses specified above or those uses which have been declared a nuisance in any court record
<u>(1)</u>	<u>Commercial-scale wind turbines.</u>
<u>(2)</u>	<u>Other uses not listed as permitted or conditional uses.</u>

D. Standards

(1) The standards of Section 19-316 shall be observed.

<u>RURAL RESIDENTIAL ZONE (“RR1”) STANDARDS</u>		
	SEWERED USE	NON-SEWERED USE
Minimum Lot Size	20,000 square feet (if sewered)	<u>Five Acres (non-sewered)</u> 43,560 square feet
Required Lot Area for each Additional Dwelling Unit	20,000 square feet (if sewered)	<u>N/A</u> 43,560 square feet
Minimum First Floor Area Per <u>Primary Structure</u> Building	<u>400</u> 600 square feet	
Minimum Continuous Street Frontage along one street	200 feet (Excludes Cul-de-sacs)*	
Minimum Setbacks**	<u>Parcels Fronting On Old County Road:</u>	<u>Elsewhere:</u>
Front	<u>25</u> 35 feet	50 feet
Side (Principal Structure)	<u>25</u> 25 feet	25 feet
Rear	20 feet (excludes corner lots, see definition)	30 feet (excludes corner lots, see definition)
Minimum Rear Setback – Exception (For no more than 2 accessory structures with a combined area of up to 700 square feet and a maximum height of 18 feet)	10 feet	
Side and rear setbacks for commercial or mixed uses abutting a residential zone or use	40 feet	
Minimum Side Setback (Accessory Structures)	10 feet	
Maximum Building Coverage	20% (includes principal and accessory buildings)	
Maximum Lot Coverage	30% (includes impervious surfaces)	
Maximum Building Height	35 feet and 2½ stories, <u>except barns, silos, sheds, other structures used for agricultural purposes, or non-commercial wind power generation towers accessory to on-site residential use</u>	
Minimum Distance Between Curb Cuts	200 feet along a public way or 100 feet along an internal private road, but at least one allowed per lot. These provisions may be waived if compliance is physically impossible or would create a safety hazard; the intent is to maximize distance between cuts.	
	<u>No subdivisions are permitted unless they meet the</u>	

<u>RURAL RESIDENTIAL_ZONE (“RR1”) STANDARDS</u>	
<u>Subdivisions</u>	<u>standards and requirements for Clustered Housing or Conservation Subdivisions</u>
<u>Ridgeline or Hillside Slope Developments</u>	<u>The City’s Ridgeline And Hillside Slope Development Standards shall apply</u>
<u>Commercial Outdoor Vehicle Storage</u>	Automobile Body Shops, Automobile Repair and Farm Equipment businesses must not keep outdoors, or on a regular basis, any more than 12 vehicles or pieces of machinery awaiting repair, undergoing repair, or awaiting pick up after repair. These vehicles must be screened as required by Section 19-316.H & I. <u>Such businesses shall limit after-hours exterior lighting to the minimum lighting needed for security purposes.</u>
<u>Drive-up Windows and Drive-Throughs</u>	<u>Drive-up Windows and Drive-Throughs are prohibited in the Rural Residential Zone.</u>

Notes:

~~*See Subdivision Review in Chapter 16 for Cul-de-sac frontage standards.~~

** For purposes of setback calculations, Principal and Accessory Structures include attached porches, decks and any other attached structures excluding steps only if the steps do not exceed 25 square feet in size. Ramps for handicapped access are exempted from setback calculations.