

ARTICLE 3 ZONING DISTRICTS

Section 3.01 General - For the purpose of this ordinance the Town of Waterboro is divided into the following zoning districts; a Village district (V); a Village/Residential district (VR); an Agriculture-Residential district (AR); a Forest-Agriculture district (FA); a Conservation district (C), and a General Purpose (GP) district. In addition to these districts, the Town of Waterboro also has two (2) overlay districts; the Shoreland Overlay Districts divided into five (5) sub-districts: Resource protection, Limited Residential, Limited Commercial, Stream Protection and General Development District as described in section 7.01; and the Well-Head Protection Districts divided into three (3) sub-districts: District #1, District #2 and District #3 described in section 7.06. (Amended 6-3-95, 3-11-00, 6-24,00, 4-27-02, 4/26/03)

Section 3.02 Zoning Map - The boundaries of these zones are established by the enactment or later amendment of this Ordinance and are as shown on the Official Zoning Map of the Town of Waterboro, dated February 7, 1977; the Town of Waterboro Wellhead Protection Zone Map; and on the 1970 Town Tax Maps. The Official Zoning Maps are integral parts of this certified copy of the zoning ordinance (maps and text) shall be available to the public at all times in the Town Clerk's Office. The February 7, 1977, and as further amended from time to time, zoning map was drafted so that the zoning district boundaries followed property lines as depicted on the 1970 tax maps. It should be interpreted accordingly. (Amended 3-11-89, 3-11-00, 4-26-03)

Section 3.03 Summary of Dimensional Regulations Contained in Article 3

ZONING DISTRICT	MINIMUM LOT SIZE	MINIMUM ROAD & SHORELAND FRONTAGE	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE & REAR* SETBACK	MINIMUM SHORELAND SETBACK	MAXIMUM BUILDING HEIGHT
Village	20,000	100'	25'	20'	100'	35'
	40,000	100'	50'	20'	100'	35'
Village & Residential	20,000	100'except on 50' a cul-de-sac	40'	20'	100'	35'
Residential	40,000	150'	50'	35'	100'	35'
Agriculture & Residential	80,000	150'	75'	35'	100'	35'
Forest & Agriculture	5 acres	200'	100'	50'	100'	35'
Conservation	10 acres	200'	100'	50'	100'	35'
General Purpose	40,000	150'	50'	35'	100'	35'
	80,000	150'	50'	35'	100'	35'

AMENDED 3/11/00, 4/27/02

***NOTE:** In any case where structures are in existence at the time of the enactment of this ordinance, additions may be made to within ten (10) feet of the side or rear lot line but in no case should the buildings on one lot be closer than twenty (20) feet to a building on an abutting lot.

Lots divided by district boundaries: When a lot is divided by a land use district boundary, other than the boundary to an overlay zone, the following rules shall apply:

A. On lots two acres or less in area, the lot shall be used as if the entire lot were in the district which comprises the larger portion.

B. On lots larger than two acres, the applicable district regulations shall be followed in the portion of the lot located in that district. (Amended 4/26/03)

"**Wheelchair ramps** are exempt from the side, rear, and front yard setbacks, but not from the shoreland setback, providing they meet the performance standards in Article 7 and Article 4 as determined by the Planning Board" (AMENDED 3-9-91)

One (1) standard size entry deck (4' x 4') and steps are exempt from the sideline setback in all districts with the exception of the Village Residential Zone if approved. (AMENDED 3/11/00)

Accessory structures which may be constructed without first obtaining a building permit (see sections 2.03 and 2.04) are not required to meet setback requirements. No more than two sheds which do not meet setback requirements may be constructed on any lot. Above ground swimming pools and tents used for temporary habitation are not required to meet setback requirements.

When the Zoning Ordinance was first enacted in March 1977, the following highways were considered State-Aid:

Route 202 (4), Route 5, Townhouse Road, Old Alfred Road, West Road, Goodwins Mills Rd, Federal Street, Chadbourne Ridge Road(From Route 5 to Intersection of Brick House Road)

Applicability of front yard setback requirements to private rights-of-way:

Easements: If a private right-of-way is an easement, all existing and future structures on the land subject to that easement must be located a sufficient distance from the sideline of the right-of-way to comply with the front yard setback requirements imposed by this Article.

Deeded Rights of way: If a private right-of-way is created by deeded ownership of land, all existing and future structures on the parcel of land of which the right-of-way was originally part must be located a sufficient distance from the sideline of the right-of-way to comply with the front yard setback requirements imposed by this Article.

Exemption: Land adjacent to the private right-of-way is exempt from the front yard setback requirements imposed by this Article, provided all of the following requirements are satisfied:

a) The adjacent land is not owned by the owner or the creator of the right-of-way; and

- b) At least one lot boundary abuts another public or private right-of-way and front yard setback requirements are satisfied on that lot boundary; and
- c) All applicable side and rear setbacks are satisfied for all non-front yard boundaries.

Section 3.04 Village District (V)

The **village district** includes land which at present is the most highly developed in the town. The range of development activities is broad and includes commercial, industrial, and residential land uses as well as supporting municipal services. This heterogeneous mix is not unattractive, however, probably due to the relatively low (for urbanized areas) density of development. This ordinance makes no effort to change the existing character of village life, mixed uses continue-- indeed they are preserved and fostered. No areas in the town have greater proximity to schools and essential services or are better served by utilities and all-weather roads. At the same time the soil, slope, and topographic characteristics of land in this district are excellent enabling sub-surface waste water disposal systems to operate efficiently and simultaneously providing adequate fresh water supplies. In these circumstances care is taken to prevent over-development within the **village district**.

The minimum lot size in the **village district** is 20,000 sq. ft. or 40,000 sq. ft. depending on the land use. No principal or accessory structure may be placed within twenty (20) feet of any side or rear lot line. Such structures must be set back twenty-five (25) feet from the front lot line of a 20,000 sq. ft. lot, fifty (50) feet from the front lot line of a 40,000 sq. ft. lot and one hundred (100) feet from the normal high water mark of any lake, river, or stream, except that docks, and similar facilities may be placed on the shore subject to the provisions in Article 7. No principal or accessory structure may exceed thirty-five (35) feet in height. See Section 2.06 for minimum lot width and frontage requirements.

Subsection 3.04.01 Primary Uses and Structures

A. Permitted Lot Size 20,000 sq. ft.

1. All types of retail shops and service stores (repair shops, barbers, beauticians, cleaners, etc.) with less than one thousand (1000) sq. ft. of store area, except shops or stores requiring a daily water consumption in excess of one thousand (1000) gallons.
2. Restaurants, lounges, cafes with less than one thousand (1000) sq. ft. of customer service area, except those requiring a daily water consumption in excess of one thousand (1000) gallons.
3. Bank, insurance, real estate, stock brokerage, general business offices with less than one thousand (1000) sq. ft. of customer service area.
4. Newspaper, radio, or television offices, studios, facilities.
5. Signs not requiring a permit and signs requiring a permit (see Article 6).

B. Required Lot Size 40,000 sq. ft.

1. Single through multi-family residences at no greater density than one family unit for each 40,000 sq. ft. in the total parcel being developed.
2. Home occupations and professional home offices in accordance with the performance standards of section 7.04. (Amended 4/27/02)
3. Police and fire protection facilities.
4. Outdoor recreation facilities including ball fields, parks, picnic areas, tennis courts, but not golf courses or driving ranges.
5. Churches, public and private schools, and other public buildings or facilities.
6. Professional offices outside of the home (doctor, dentist, lawyer, engineer, accountant, etc.)
7. All types of retail and service stores (repair shops, barbers, beauticians, cleaners, etc.) with more than one thousand (1000) sq. ft. of store area or that require more than one thousand (1000) gallons of water daily, including all drive-in facilities.
8. All types of wholesale, warehouse and bulk storage facilities.
9. Clubs, lodges, meeting halls.
10. Funeral homes.
11. Hospitals, nursing homes, sanitariums, etc.
12. Hotels, motels, inns providing overnight year-round, or seasonal accommodations, bar and food service.
13. Gas stations, machinery and vehicle sales, service, washing, repair facilities.
14. Restaurants, lounges, cafes with more than one thousand (1000) sq. ft. of customer service area or that require more than one thousand (1000) gallons of water daily.
15. Indoor recreation facilities including bowling alleys, skating rinks, swimming pools, etc.
16. Bank, insurance, real estate, stock brokerage, general business offices with more than one thousand (1000) sq. ft. of customer service and office area.
17. Trapping and fishing.
18. Antique Shops (amended 6/24/00)
19. Contractor Business (Amended 4/26/03)

Subsection 3.04.02 Conditional Uses and Structures

A. Required Lot Size 40,000 sq. ft.

1. Clustered single through multi-family residences at no greater density than one family unit for each 40,000 sq. ft. in the total parcel being developed.
2. Day Care Facility and Home Day Care providers. All facilities shall be required to construct a fence that the Planning Board deems suitable (see Article 4 Sections 4.01, 4.02, 4.03) to enclose the outdoor activity area of the facility. The fence shall be a minimum of 4' in height. (Amended 4/27/02)
3. Planned unit developments (hereafter referred to as PUD's) limited to residential, resort, recreational, and commercial activities or combinations of the above including bar and food service. Residential PUD's may not exceed one family unit for each 40,000 sq. ft. in the total parcel being developed.
4. Communications towers and high voltage transmission poles, lines, unmanned substations, etc. (Amended 4/27/02)
5. Cemeteries.

6. Processing facilities related to orchard and agricultural products, including poultry but excluding livestock.
7. Storage and selling of local farm, orchard, or forest products.
8. Horticultural activities including nurseries, greenhouses and commercial sale of such products.
9. Wood products processing facilities (sawmills, lumberyards, etc.)
10. Fabricating, manufacturing, light industrial activities and facilities with less than five thousand (5000) sq. ft. of work area.
11. Bulk fuel oil, cement mixing, general construction tanks, trucks, equipment, and facilities in accordance with all local, state and federal regulations on parcels not less than five (5) acres in size. (Amended 4/27/02)
12. Wheelchair ramps: Such ramps are exempt from the side, rear and front yard setbacks, but not from the shoreland setback. The Planning Board must determine that they meet the performance standards in Articles 4 and 7. (Amended 3/9/91, Ratified 4/27/02)
13. Mobile classrooms in conformance with Section 4.05. (Amended 3/11/00)

Temporary uses and accessory uses and structures are permitted within the limits outlined in Section 2.07. (Amended 3/11/89, Ratified 4/27/02)

Section 3.05 Residential District (R)

The **residential district** includes land which is generally well suited for and capable of sustaining higher densities of development than presently exist because of its proximity to schools and other municipal services. It is also well served by public utilities and all-weather roads. The soils, slope and topographic characteristics of land in this district are almost uniformly good enabling subsurface waste water disposal systems to operate efficiently and simultaneously providing adequate fresh water supplies. The process of transition from relatively unintensified farm and forest uses to more intensive residential and commercial land use activities is clearly in evidence. Much of the recent subdividing activity within the town has taken place on land which is in the **residential district**-this trend will almost certainly continue.

The minimum lot size in the **residential district** is 40,000 sq. ft. No principal or accessory structure may be placed within thirty-five (35) feet of any side or rear lot line. Such structures must be set back fifty (50) feet from the front lot line and one hundred (100) feet from the normal high water mark of any lake, river, or stream, except that docks, and similar facilities may be placed on the shore subject to the provisions in Article 7. No principal or accessory structure may exceed thirty-five (35) feet in height. See Section 2.06 for minimum lot width and frontage requirements.

Subsection 3.05.01 Primary Uses and Structures

1. Single through multi-family residences at no greater density than one family unit for each 40,000 sq. ft. in the total parcel being developed.
2. Mobile home parks as permitted under Article 7 Section 7.02 of this Zoning ordinance. (Amended 9/25/90, Ratified 4/27/02)
3. Single family camps.

4. Outdoor recreation facilities including ball fields, parks, picnic areas, beach areas, tennis courts, golf courses, driving ranges, etc.
5. Home occupations and professional home offices in accordance with the performance standards of section 7.04. (Amended 4/27/02)
6. Professional offices outside of the home (doctor, dentist, lawyer, engineer, accountant, etc.)
7. Police and fire protection facilities.
8. Churches, public and private schools, and other public buildings or facilities.
9. Signs not requiring a permit and signs requiring a permit (see Article 6).
10. Trapping and fishing.
11. Antique Shops (amended 6/24/00)

Temporary uses, and accessory uses and structures are permitted within the limits outlined in Section 2.07. (Amended 3/11/89 Ratified 4/27/02)

Subsection 3.05.02 Conditional Uses and Structures

1. Clustered single through multi-family residences at no greater density than one family unit for each 40,000 sq. ft. in the total parcel being developed.
2. Day Care Facility and Home Day Care providers. All facilities shall be required to construct a fence that the Planning Board deems suitable (see Article 4 Sections 4.01, 4.02, 4.03) to enclose the outdoor activity area of the facility. The fence shall be a minimum of 4' in height. (Amended 4/27/02)
3. PUD's limited to residential. Residential PUD's may not exceed one family unit for each 40,000 sq. ft. in the total parcel being developed. (Amended 4/27/02)
4. Communications towers and high voltage transmission poles, lines, unmanned substations, etc. (Amended 4/27/02)
5. Cemeteries.
6. Storage and selling of local farm, orchard, or forest products on parcels with direct access to a state aid highway.
7. Horticultural activities, including nurseries, greenhouses, and commercial sale of such products on parcels with direct access to a state aid highway.
8. Bed and Breakfast providing overnight, year round or seasonal accommodations.
9. Wheelchair ramps: Such ramps are exempt from the side, rear and front yard setbacks, but not from the shoreland setback. The Planning Board must determine that they meet the performance standard in Articles 4 and 7. (Amended 3/9/91, 4/27/02)
10. Mobile classrooms in conformance with Section 4.05. (Amended 3/11/00)

Temporary uses and accessory uses and structures are permitted within the limits outlined in section 2.07. (Amended 3/11/89, 4/27/02)

Section 3.06 Agriculture and Residential District (AR)

Much of the land in this district is being used and in the foreseeable future will continue to be used as forest and farm land even though it is generally suitable for higher densities of development than presently exist. Land in this district has reasonable proximity to schools and other municipal services and is reasonably well served by utilities and all-weather roads. Though there is some variability, the soils, slope and topographic characteristics of land in this district are above average and are usually capable of sustaining subsurface waste water disposal systems and simultaneously providing adequate fresh water supplies. However, the process of transition from relatively unintensified uses, primarily agricultural, to more intensive residential and commercial land use activities is in its early stages.

The minimum lot size in the **agriculture and residential district** is 80,000 sq. ft. No principal or accessory structure may be placed within thirty-five (35) feet of any side or rear lot line. Such structures must be set back seventy-five (75) feet from the front lot line and one hundred (100) feet from the normal high water mark of any lake, river, or stream, except that docks, and similar facilities may be placed on the shore subject to the provisions in Article 7. Other than agricultural structures, no principal or accessory structure may exceed thirty-five (35) feet in height. See Section 2.06 minimum lot width and frontage requirements.

Subsection 3.06.01 Primary Uses and Structures

1. Single through four family residences at no greater density than one family unit for each 80,000 sq. ft. in the total parcel being developed.
2. Single family camps.
3. Farming, grazing, poultry and livestock raising including farm residences.
4. Forestry.
5. Orchards.
6. Wildlife preserves including maintenance of nesting and breeding areas.
7. Fishing, trapping and hunting including maintenance of hatchery facilities.
8. Outdoor recreation facilities including park or picnic areas, snowmobile trails, beach areas, tennis courts, golf courses, driving ranges, etc.
9. Soil and water conservation facilities.
10. Harvesting of wild crops, grasses, etc.
11. Horticultural activities including nurseries, greenhouses, and commercial sale of such products.
12. Storage and selling of local farm, orchard or forest products.
13. Commercial stables.
14. Commercial breeding, raising and care of dogs, cats, mink, rabbits and other domesticated or fur bearing animals.
15. Police and fire protection facilities.
16. Churches, public and private schools and other public buildings or facilities.
17. Veterinary offices and facilities.

18. Antique shops.
19. Professional office outside of the home (doctor, dentist, lawyer, engineer, accountant, etc.)
20. Clubs, lodges, meeting halls.
21. Funeral homes.
22. Signs not requiring a permit (see Sections 6.01 and 6.02).
23. Home Occupations in accordance with the performance standards of section 7.04. (amended 6/24/00, 4/27/02)
24. Professional Home Offices (amended 6/24/00)
25. Contractor Business (Amended 4/26/03)

Temporary uses and accessory uses and structures are permitted within the limits outlined in section 2.07. (Amended 3/11/89, 4/27/02)

Subsection 3.06.02 Conditional Uses and Structures

1. Clustered and single through four family residences at no greater density than one family unit for each 80,000 sq. ft. in the total parcel being developed.
2. Day Care Facility and Home Day Care providers. All facilities shall be required to construct a fence that the Planning Board deems suitable (see Article 4 Sections 4.01, 4.02, 4.03) to enclose the outdoor activity area of the facility. The fence shall be a minimum of 4' in height. (Amended 4/27/02)
3. Commercial campgrounds including day and overnight facilities.
4. Communications towers, high voltage transmission poles, lines, unmanned substations, etc. (Amended 4/27/02)
5. Extraction of rock, sand and gravel, but not within five hundred (500) feet of any residence, camp or waterbody and provided a suitable restoration plan is prepared.
6. Cemeteries.
7. Marinas including sale of boat, bait and tackle supplies.
8. Processing facilities related to orchard and agricultural products, including poultry and livestock.
9. Wood products processing facilities (sawmills, lumberyards, etc.)
10. Junkyards, dumps, and solid waste disposal areas but not within five hundred (500) feet of any residence, camp, or waterbody, and only if appropriately screened.
11. PUD's limited to industrial and/or commercial activities on parcels not within five hundred (500) feet of a waterbody and with direct access to a state or federal aid highway. PUD's providing resort and recreational facilities including overnight, year-round, or seasonal accommodations, bar and food service. Notwithstanding the provisions in section 3.06 principal or accessory structures in all such developments shall not be built within one hundred and twenty five (125) feet of any side or rear lot line and must be set back one hundred and fifty (150) feet from the front lot line.
12. Expansions of Mobile Home parks in existence or under Planning Board review as of September 25, 1990 as permitted under Section 7.02 of this Ordinance. (Amended 9/25/90, Ratified 4/27/02)
13. Nursing homes, etc. on parcels with direct access to a state aid highway. (Amended 4/27/02)
14. Signs requiring a permit.

15. Bed and Breakfasts providing overnight, year-round, or seasonal accommodations. (Amended 4/27/02)
16. Machinery and vehicle sales, service, repair facilities with a total building area not to exceed five thousand (5,000) sq. ft. with direct access to a state aid highway. (Amended 4/27/02)
17. Restaurants, lounges, cafes on parcels with direct access to a state aid highway.
18. Fabricating, manufacturing, light industrial activities and facilities with less than five thousand (5000) sq. ft. of building area on parcels with direct access to a state aid highway. (Amended 4/27/02)
19. Daycare Facility and Home Day Care providers. All day care facilities will be required to construct a fence that the Planning Board deems suitable (see Articles 4.01, 4.02 and 4.03) to enclose the outdoor activity area of the facility. The fence shall be a minimum of 4' in height. (Amended 4/27/02)
20. Wheelchair ramps: Such ramps are exempt from the side, rear and front yard setbacks, but not from the shoreland setback. The Planning Board must determine that they meet the performance standard in Articles 4 and 7. (Amended 3/9/91 and ratified 4/27/02)
21. Private airplane runway strips. (Amended 6/5/93 and ratified 4/27/02)
22. Mobile classrooms in conformance with Section 4.05. (Amended 3/11/00)
23. Medical Marijuana Grow-Only Facility. (Amended 2/22/11 by Selectmen vote)

Temporary uses and accessory uses and structures are permitted within the limits outlined in section 2.07. (Amended 3/11/89, Ratified 4/27/02)

Section 3.07 Forest and Agriculture District (FA)

The **forest and agriculture district** includes land which is not presently well suited for high density development because of lack of proximity to schools and other municipal services and the inadequacy of utilities and roads within and connecting these lands to other more developed portions of the town. Much of the land in this district has historically and is today being used for agriculture and timber production purposes. Existing holdings are large, many in excess of one hundred (100) acres. There is little evidence of transition to more intensive land use activities. The soils, slope and topographic characteristics of land in this district are mixed. Some areas will not readily support subsurface waste water disposal systems. Other areas, if the aforementioned impediments to development were removed, could sustain higher density development than this ordinance now permits.

The minimum lot size in the **forest and agriculture district** is five (5) acres. No principal or accessory structure may be placed within fifty (50) feet of any side or rear lot line. Such structures must be set back one-hundred (100) feet from the front lot line and one hundred (100) feet from the normal high water mark of any lake, river, or stream, except that docks, or similar facilities may be placed on the shore subject to the provisions in Article 7. Other than agricultural structures, no principal or accessory structure may exceed thirty-five (35) feet in height. See Section 2.06 for minimum lot width and frontage requirements.

Subsection 3.07.01 Primary Uses and Structures

1. Single family residences.
2. Single family camps.
3. Farming, grazing, poultry and livestock raising including farm residences.
4. Forestry.
5. Orchards. Wildlife preserves including maintenance of nesting and breeding areas.
6. Fishing, trapping and hunting including maintenance of hatchery facilities.
7. Outdoor recreation facilities including park or picnic areas, snowmobile trails, beach areas, tennis courts, golf courses, driving ranges, etc.
8. Soil and water conservation facilities.
9. Harvesting of wild crops, grasses, etc.
10. Horticultural activities including nurseries, greenhouses & commercial sale of such products.
11. Storage and selling of local farm, orchard or forest products.
12. Commercial stables.
13. Churches.
14. Commercial breeding, raising and care of dogs, cats, mink, rabbits and other domesticated or fur bearing animals.
15. Signs not requiring a permit (see Sections 6.01 and 6.02)
16. Home occupations and professional home offices in accordance with the performance standards of section 7.05. (Amended 4/27/02)

Temporary uses and accessory structures are permitted within the limits outlined in section 2.07. (Amended 3/11/89 and Ratified 4/27/02)

Subsection 3.07.02 Conditional Uses and Structures

1. Clustered single family residences.
2. Duplex residences and clustered duplex residences at no greater density than one dwelling unit for each 5 acres being developed. (Amended 3/11/89, Ratified 4/27/02)
3. Day Care Facility and Home Day Care providers. All facilities shall be required to construct a fence that the Planning Board deems suitable (see Article 4 Sections 4.01, 4.02, 4.03) to enclose the outdoor activity area of the facility. The fence shall be a minimum of 4' in height. (Amended 4/27/02)

4. Commercial campgrounds including day and overnight facilities.
5. Communications towers, high voltage transmission poles, lines, unmanned substations, etc. (Amended 4/27/02)
6. Extraction of rock, sand, and gravel, but not within five hundred (500) feet of any residence, camp or waterbody and provided a suitable restoration plan is prepared.
7. Cemeteries.
8. Police and fire protection facilities.
9. Marinas including sale of boat, bait and tackle supplies.
10. Processing facilities related to orchard and agricultural products, including poultry and livestock.
11. Wood products processing facilities (sawmills, lumberyards, etc.)
12. Veterinary offices and facilities.
13. Wheelchair ramps: Such ramps are exempt from the side, rear and front yard setbacks, but not from the shoreland setback. The Planning Board must determine that they meet the performance standard in Articles 4 and 7. (Amended 3/9/91 and ratified 4/27/02)

Temporary uses and accessory uses and structures are permitted within the limits outlined in section 2.07. (Amended 3/11/89, Ratified 4/27/02)

Section 3.08 Conservation District (C)

The **conservation district** includes land which is least suited for and least able to sustain high density development because of its topography, elevation and soil types, or marshy character, its lack of proximity to schools and other municipal services, the present inadequacy of utilities and

roads within and connecting these lands to other more developed portions of the town, and its relatively natural unspoiled character, often in proximity to lake and other water bodies or steep rocky slopes.

The minimum lot size in the **conservation district** is ten (10) acres. No principal or accessory structure may be placed within fifty (50) feet of any side or rear lot line. Such structures must be set back one hundred (100) feet from the front lot line and one hundred (100) feet from the normal high water mark of any lake, river, or stream except that docks, or similar facilities may be placed on the shore subject to the provisions in Article 7. Other than agricultural structures, no principal or accessory structure may exceed thirty-five (35) feet in height. See Section 2.06 for minimum lot width and frontage requirements.

Subsection 3.08.01 Primary Uses and Structures

1. Single family residences.
2. Single family camps.
3. Farming, grazing, poultry and livestock raising including farm residences.
4. Forestry.
5. Orchards.
6. Wildlife preserves including maintenance of breeding and nesting areas.
7. Fishing, trapping and hunting including maintenance of hatchery facilities.
8. Outdoor recreation facilities including park or picnic areas, snowmobile trails, beach areas, tennis courts, golf courses driving ranges, etc.
9. Soil and water conservation facilities.
10. Signs not requiring a permit (see sections 6.01 and 6.02).
11. Harvesting of wild crops, grasses, etc.
12. Storage of local farm, orchard, or forest products.

Temporary uses and accessory uses and structures are permitted within the limits outlined in section 2.07. (Amended 3/11/89 Ratified 4/27/02)

Subsection 3.08.02 Conditional Uses and Structures

1. Clustered single family residences.
2. Duplex residences and clustered duplex residences at no greater density than one dwelling unit for each 5 acres in the total parcel being developed. (Amended 3/11/89, Ratified 4/27/02)
3. Day Care Facility and Home Day Care providers. All facilities shall be required to construct a fence that the Planning Board deems suitable (see Article 4 Sections 4.01, 4.02, 4.03) to enclose the outdoor activity area of the facility. The fence shall be a minimum of 4' in height. (Amended 4/27/02)
4. Horticultural activities including nurseries, greenhouses and commercial sale of such products.
5. Home occupations and professional home offices in accordance with the performance standards of section 7.05. (Amended 4/27/02)
6. Commercial campgrounds including day and overnight facilities.

7. Selling of local farm, orchard or forest products.
8. Communications towers, high voltage transmission poles, lines, unmanned substations, etc. (Amended 4/27/02)
9. Cemeteries.
10. Police and fire protection facilities.
11. Commercial stables.
12. Wheelchair ramps: Such ramps are exempt from the side, rear and front yard setbacks, but not from the shoreland setback. The Planning Board must determine that they meet the performance standard in Articles 4 and 7. (Amended 3/9/91 and ratified 4/27/02)

Temporary uses and accessory uses and structures are permitted within the limits outlined in section 2.07. (Amended 3/11/89, Ratified 4/27/02)

Section 3.09 Village/Residential District (VR) (Amended 3/11/00)

The **village residential** district includes those lots existing within the Town of Waterboro on the date of passage of this section which are subject to dues and fees of the Lake Arrowhead Community and connected to the Lake Arrowhead Public Water System, as more particularly described in Chapter 37 of the 1995 Maine Private and Special Laws.

The minimum lot size in the **village residential** district is 20,000 square feet with the minimum lot width and frontage requirements of 100' except on cul-de-sacs where 50' will be required. No principal or accessory structure may be placed within twenty (20) feet of any side or rear lot line. Such structures must be set back forty (40) feet from any front yard and one hundred (100) feet from the normal high water mark of any lake, river or stream, except that docks or similar facilities may be placed on the shore subject to the provisions in Article 7. No principal or accessory structure may exceed thirty five (35) feet in height. See section 2.06 for minimum lot width and frontage requirements.

Section 3.09.01 Primary Uses and Structures (Amended 3/11/00 & 6/24/2000)

1. Single-family residences
2. Single-family camps
3. Signs not requiring a permit (see Sections 6.01 and 6.02)
4. Home Occupations in accordance with the performance standards of section 7.05. (Amended 4/27/02)
5. Manufactured Homes
6. Yard & Garage Sales

Section 3.10 General Purpose Zone (GP)

The **General Purpose** (GP) District includes land which at present is generally suited for the development of broad uses including residential, commercial, and industrial. This area is widely served by a public water system and would support commercial development. This area has access to a state road.

The minimum lot size in the General Purpose District (GP) is 40,000 sq. ft. depending on the lot being serviced by the public water system. If the lot is not serviced by public water the minimum lot size is 80,000 sq. ft. Any lots under 80,000 sq. ft. will be required to be serviced by public water supply. No principal or accessory structure may be placed within thirty-five (35) feet of any side or rear lot line. Such structures must be set back fifty (50) feet from the front lot line. No principal or accessory structure may exceed thirty-five (35) feet in height. See Section 2.06 for minimum lot width and frontage requirements. Abutting properties purchased that do not fall within the **General Purpose** (GP) District will retain their original zoning requirements. (Amended 4/26/03)

Subsection 3.10.01 Primary Uses and Structures -

1. All types of retail shops and service stores (repair shops, barbers, beauticians, cleaners, etc.) one hundred thousand (100,000) square feet or less of store area.
2. Restaurants, lounges, cafes.
3. Bank, insurance, real estate, stock brokerage, general business offices.
4. Newspaper, radio, or television offices, studios, facilities.
5. Signs not requiring a permit and signs requiring a permit (see Article 6).
6. Single through multi-family residences at no greater density than one family unit for each 40,000 sq. ft. in the total parcel being developed.
7. Home occupations and professional home offices in accordance with the performance standards of section 7.04. (Amended 4/27/02)
8. Police and fire protection facilities.
9. Outdoor recreation facilities including ball fields, parks, picnic areas, tennis courts, golf courses and driving ranges.
10. Churches, public and private schools, and other public buildings or facilities.
11. Professional offices outside of the home (doctor, dentist, lawyer, engineer, accountant, etc.).
12. All types of wholesale, warehouse and bulk storage facilities with (one hundred thousand) 100,000 square feet of area or less.
13. Fabricating, manufacturing, light industrial activities and facilities with (one hundred thousand) 100,000 square feet of area or less.
14. Clubs, lodges, meeting halls.
15. Funeral homes.
16. Hospitals, nursing homes, sanitariums, etc.
17. Single-family camps.

18. Farming, grazing, poultry and livestock raising including farm residences.
19. Forestry.
20. Orchards.
21. Wildlife preserves including maintenance of nesting and breeding areas.
22. Fishing, trapping and hunting including maintenance of hatchery facilities.
23. Soil and water conservation facilities.
24. Harvesting of wild crops, grasses, etc.
25. Commercial stables.
26. Commercial breeding, raising, and care of dogs, cats, mink, rabbits and other domesticated or fur bearing animals.
27. Veterinary offices and facilities.
28. Antique shops.
29. Contractor Business (Amended 4/26/03)

Subsection 3.10.02 Conditional Uses and Structures

1. All types of retail shops and service stores (repair shops, barbers, beauticians, cleaners, etc.) with store area of more than one hundred thousand (100,000) square feet.
2. Clustered single through multi-family residences at no greater density than one family unit for each 40,000 sq. ft. in the total parcel being developed where public water supply is available. If public water is not available the maximum density shall be 80,000 square feet per family unit.
3. Day Care Facility and Home Day Care providers. All facilities shall be required to construct a fence that the Planning Board deems suitable (see Article 4 Sections 4.01, 4.02, 4.03) to enclose the outdoor activity area of the facility. The fence shall be a minimum of 4' in height. (Amended 4/27/02)
4. Mobile home parks at no greater density than one family unit for each 40,000 sq. ft. in the total parcel being developed.
5. Planned unit developments (hereafter referred to as PUD's) limited to residential, resort, recreational, or combinations of the above including bar and food service. Residential PUD's may not exceed one family unit for each 40,000 sq. ft. in the total parcel being developed.
6. Communications poles, towers, lines, unmanned substations, etc.
7. Storage and selling of local farm, orchard, or forest products.
8. Horticultural activities including nurseries, greenhouses and commercial sale of such products.
9. Wood products processing facilities (sawmills, lumberyards, etc.).
10. Fabricating, manufacturing, light industrial activities and facilities with more than (one hundred thousand) 100,000 square feet of area.
11. All types of wholesale, warehouse and bulk storage facilities with more than (one hundred thousand) 100,000 square feet of area.
12. Bulk fuel oil, gasoline storage, cement mixing, general construction tanks, trucks, equipment, and facilities on parcels not less than five (5) acres in size.
13. Commercial campgrounds including day and overnight facilities.
14. Marinas including sale of boat, bait, and tackle supplies.

15. PUD's limited to industrial and/or commercial activities on parcels not within five hundred (500) feet of a waterbody and with direct access to a state or federal aid highway. PUD's providing resort and recreational facilities including overnight, year-round, or seasonal accommodations, bar and food service. Notwithstanding the provisions in subsection 3.06.01 principal or accessory structures in all such developments shall not be built within one hundred and twenty-five (125) feet of any side or rear lot line and must be set back one hundred and fifty (150) feet from the front lot line. PUD's in this zone must provide a form of public water.
16. Machinery and vehicle sales, service, repair facilities with a total building area not to exceed five thousand (5,000) sq. ft. with direct access to a state aid highway. (Added 9/4/2007)
17. Mobile classrooms in conformance with Section 4.05. (Amended 3/11/00)
18. Medical Marijuana Grow-Only Facility. (Amended 2/22/11 by Selectmen vote)

Temporary uses; and accessory uses and structures are permitted within the limits outlined in section 2.07.