

zone:

- (a) Single-family detached dwellings ~~+~~ *MULTI FAMILY CONDO/TOWNHOUSE*
 - (b) Retail or service establishments, excluding those listed below:
 - 1. Automobile service stations;
 - 2. Inns;
 - (c) Marinas and yacht clubs;
 - (d) Lodging houses, with more than two (2) but not more than nine (9) lodging rooms;
 - (e) Wharves, piers, docks, or landing ramps;
 - (f) Off-street parking;
 - (g) Accessory uses customarily incidental and subordinate to the location, function, and operation of principal uses, subject to the provisions of section 14-404 (accessory use) of this article including but not limited to home occupations;
 - (h) Handicapped family unit, as defined in section 14-47, for handicapped persons plus staff.
 - (i) Peaks Island only: Bed and breakfast, subject to the standards of article V (site plan), sections 14-522 and 14-523 notwithstanding.
 - (j) Studios for artists and craftspeople, provided that the area of such studios does not exceed one thousand (1,000) square feet for each studio space.
 - (k) Wind energy systems, as defined and allowed in Article X, Alternative Energy.
- (Ord. No. 30-85, § 1, 7-15-85; Ord. No. 33-91, § 13, 1-23-91; Ord. No. 125-97, § 8, 3-3-97; Ord. No. 164-97, § 3, 12-1-97; Ord. No. 10-10/11, 8-2-10; Ord. No. 33-11/12, 1-18-12)

Sec. 14-224. Conditional uses.

The following uses are permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions,

standards or requirements specified below:

TWO TO 14 FAMILY

(a) Two-, ~~three or four~~ family dwelling, provided that:

1. No open outside stairways or fire escapes above ground floor shall be constructed or have been constructed in the immediately preceding five (5) years;
2. A below-grade dwelling unit shall be permitted only if access is provided directly to the outside of the building;

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Density shall be determined by the most restrictive abutting residential zone, except for those lots which are served by public water and sewer, where density shall be determined by the least restrictive abutting residential zone. If no residential zone is abutting, density shall be determined by the nearest residential zone. Residential uses shall meet the requirements of such abutting or nearest residential zone;

4. Any additions or exterior alterations shall be compatible with the original architecture of the building. The exterior design of new construction, including the architectural style, facade materials, roof pitch, building form, and height shall be compatible with neighboring properties;
5. No existing dwelling unit shall be decreased to less than one thousand (1,000) square feet of floor area;
6. No additional dwelling unit shall have less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic;
7. All sanitary waste shall be disposed of by a public sewer, subsurface sewerage system or other method in compliance with all applicable federal, state and local regulations;
8. The proposed conversion has sufficient water for the needs of the dwellings and will not cause an unreasonable burden on an existing water supply nor

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- Residential: Lot size shall be determined by the most restrictive abutting residential zone, except for those lots which are served by public water and sewer, where lot size shall be determined by the least restrictive abutting residential zone. If no residential zone is abutting, density shall be determined by the nearest residential zone. Residential uses shall meet the requirements of such abutting or nearest residential zone.
2. Retail or service establishments: Twenty thousand (20,000) square feet, except that no minimum lot size shall be required if served by public water and sewer.
 3. Restaurants and drinking establishments: Twenty thousand (20,000) square feet, except that ten thousand (10,000) square feet shall be required if served by public water and sewer.
 4. Schools and other educational facilities: Twenty thousand (20,000) square feet.
 5. Churches and other places of worship: Twenty thousand (20,000) square feet.
 6. Private clubs, fraternal organizations: Twenty thousand (20,000) square feet.
 7. Lodging houses: Thirty thousand (30,000) square feet for three (3) lodging rooms, plus ten thousand (10,000) square feet for each additional lodging room in excess of three (3), unless served by public water and public sewer. Five thousand (5,000) square feet for three (3) lodging rooms, plus five thousand (5,000) square feet for each additional lodging room in excess of three (3) if served by public water and public sewer.
 8. Inns or bed and breakfasts: Ten thousand (10,000) square feet for each guest room, unless served by public water and public sewer. Five thousand (5,000) square feet for three (3) guest rooms, plus five thousand (5,000) square feet for each additional guest room in excess of three (3) if served by public water and public sewer.

line.

(b) *Minimum street frontage:* Forty (40) feet.

(c) *Minimum yard dimensions:*

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. *Front yard:*

Principal or accessory structures: ~~Twenty (20)~~ ^{TEN (10)} feet, except that a front yard need not exceed the average depth of front yards on either side of the lot.

2. *Rear yard:*

Principal or accessory structures: ~~Ten (10)~~ ^{FIVE (5)} feet.

3. *Side yard:*

Principal structures: ~~Ten (10)~~ ^{FIVE (5)} feet.
Accessory structures: Ten (10) feet except that the minimum distance from a principal structure may be five (5) feet.

4. *Side yard on side streets:*

Principal or accessory structures: ~~Ten (10)~~ ^{FIVE (5)} feet.

(d) *Maximum lot coverage:* Fifty (50) percent of lot area.

(e) *Minimum lot width:* Forty (40) feet.

(f) *Maximum structure height:*

Principal or accessory attached structure: ~~Thirty-five (35)~~ ^{FORTY-SEVEN} feet.
~~35~~ ^{47 FEET}

Accessory detached structure: Eighteen (18) feet.

(Ord. No. 30-85, § 1, 7-15-85; Ord. No. 163-89, § 2, 12-11-89; Ord. No. 125-97, § 9, 3-3-97; Ord. No. 165-15/16, 3-7-2016)

Sec. 14-227. Other requirements.

requirements of this division, that number of parking spaces may not be reduced lower than the required amount prior to the change of use except:

- a. To the extent necessary to meet the requirements of the Americans with Disability Act; or
 - b. To the extent it is a requirement or a condition of site plan review; or
 - c. To the extent the change of use requires less parking than the previous use and the total number of parking spaces serving the site exceeds the parking requirements of this division for all uses on the site including the change of use.
2. A newly constructed building, a building addition or a change of the use of a building exceeding 10,000 sq. ft. of floor area, shall provide the parking required by this division.
- (e) *B-3 Zone*: No off-street parking is required for changes of use.
 - (f) *I-R1, Island Business Zone*: Off-street parking shall be required at twenty-five (25%) percent of the required number of parking spaces for specified uses as provided in division 20 (off-street parking) of this article, ~~except that residential uses shall meet the full parking requirement.~~
 - (g) *B-5 Zone*: No off-street parking shall be required.
 - (h) *B-6 Eastern Waterfront Mixed Use Zone*: Off-street parking for all projects regardless of size shall be governed by 14-332.2(c) of this article.
 - (i) *B-7, Mixed Development District Zone*: Off-street parking for all projects regardless of size, shall be governed by 14-332.2(c) of this article.
 - (j) *Waterfront Zone parking requirements; Eastern Waterfront Port Zone; Waterfront Central Zone; Waterfront Port Development Zone; Waterfront Special Use Zone*: Off-street parking is required at fifty (50%)