

credit, escrow account or by evidence, acceptable to the City, or the financial and technical ability and commitment of the applicant or its agents to remove the facility at the end of the use period.

5. Wind energy systems, as defined and allowed in Article X, Alternative Energy.

(Ord. No. 534-84, 5-7-84; Ord. No. 262-84, § 2, 12-17-84; Ord. No. 76-85, § 4, 7-1-85; Ord. No. 36-85, § 2, 7-15-85; Ord. No. 67-87, § 1, 11-2-87; Ord. No. 81-88, § 4, 7-19-88; Ord. No. 235-91, § 5, 2-4-91; Ord. No. 118-93, § 5, 10-18-93; Ord. No. 133-96, § 3, 11-18-96; Ord. No. 154-96, § 5, 12-16-96; Ord. No. 222-99, § 3, 3-01-99; Ord. No. 199-04/05, 4-4-05; Ord. No. 29-09/10, 8-3-09 emergency passage; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 240-09/10, 6-21-10; Ord. No. 9 10/11, 8-2-10; Ord. No. 149-10/11, 3-7-11; Ord. No. 33-11/12, 1-18-12)

Sec. 14-89. Prohibited uses.

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

(Ord. No. 534-84, 5-7-84)

Sec. 14-90. Dimensional requirements.

In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in the R-3 zone shall meet the following minimum requirements:

(a) *Minimum lot size:*

1. Residential: Sixty-five hundred (6,500) square feet except as provided for lots of record in section 14-433 (lots of record and accessory structure setbacks for existing buildings) of this article. A lot in an unsewered residential district shall meet the provisions of the state Minimum Lot Size Law, 12 M.R.S.A. Section 4807 et seq., or the applicable zoning lot size, whichever is larger.
2. Alteration of a detached single-family dwelling to a two-family dwelling: Ten thousand (10,000) square feet.
3. Long-term, extended, or intermediate care facilities: Two (2) acres.
4. School: Two (2) acres.

5. Places of assembly:

Large	Two (2) acres
Medium	One (1) acre
Small	Half (1/2) acre

6. Municipal use: Sixty-five hundred (6,500) square feet.
7. Hospital: Ten (10) acres.
8. Planned residential unit development (PRUD): Three (3) acres gross area, as defined in section 14-47 (definitions) of this article, of continuous land.
9. All other uses: Sixty-five hundred (6,500) square feet.

Provided that for uses specified in section 14-90(a)3 through 8 above, no minimum lot area shall be required in the following cases:

- a. Uses existing as of June 1, 1983;
 - b. Expansion onto land abutting the lot on which the principal use is located;
 - c. Expansion onto land other than the lot on which the principal use is located to the extent that such expansion consists of the reuse of surface parking area or nonresidential structures existing and in nonresidential use as of June 1, 1983, provided that such reuse is contained within the lot of record of such structure or parking area as of June 1, 1983;
 - d. Expansion onto land other than the lot on which the principal use is located of no more than fifteen (15) percent of the total contiguous land area of the existing use, or one (1) acre, whichever is less, within any five-year period.
- (b) *Minimum lot area per dwelling unit:*

PRUD: Sixty-five hundred (6,500) square feet of net land area as defined in section 14-47 (definitions) of this article. As part of a site plan and subdivision application, the applicant shall provide a calculation of those factors deducted to determine net land area. In addition, such net area factors shall be delineated on a site plan.

Other uses: Sixty-five hundred (6,500) square feet.

(c) *Minimum street frontage*: Fifty (50) feet, except that lots located in a subdivision approved after the effective date of Ord. No. 165-97 pursuant to section 14-497.5 shall meet the street frontage requirements approved as part of the subdivision plan under the terms of that section.

(d) *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-five (25) feet.

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20%) percent of the depth of the lot.

2. *Rear yard*:

a. Principal or accessory structures with ground coverage greater than one hundred (100) square feet: Twenty-five (25) feet.

b. Accessory detached structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

3. *Side yard:*

- a. Principal or accessory structures with ground coverage greater than one hundred (100) square feet:

<i>Height of Structure</i>	<i>Required Side Yard</i>
1 story	8 feet
1 1/2 stories	8 feet
2 stories	14 feet
2 1/2 stories	16 feet

The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than eight (8) feet in width. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be less than eight (8) feet.

- b. Accessory detached structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

4. *Side yard on side street:*

- a. Principal or accessory structures: Twenty (20) feet.
- (e) *Maximum lot coverage:* Thirty-five (35) percent of lot area.
- (f) *Minimum lot width:* Sixty-five (65) feet.
- (g) *Maximum structure height:* Principal or accessory attached

structure: Thirty-five (35) feet.

Accessory detached structure: Eighteen (18) feet.

- (h) 1. *Maximum number of units in a building (PRUD of five (5) acres or more):* Six (6) units.
- 2. *Maximum number of units in a building (PRUD of less than five (5) acres):* Two (2) units.
- (i) *Maximum average number of units in a building (PRUD of five (5) acres or more):* Five (5) units.
- (j) *Maximum length of building (PRUD):* One hundred (100) feet for buildings without garages; one hundred forty (140) feet for buildings with integral garages.
- (k) *Minimum building setback from external subdivision property lines (PRUD):*
 - 1. Three (3) or fewer dwelling units in building: Twenty-five (25) feet.
 - 2. Four (4) or more dwelling units in building: Thirty-five (35) feet.
- (l) *Minimum distance between detached PRUD dwelling unit:* Sixteen (16) feet.
- (m) *Reserved.*
- (n) *Minimum recreation open space area (PRUD):* Three hundred (300) square feet per dwelling unit of common area designated on the site for recreation purposes. Such recreation areas shall be level graded, dry, accessible and properly drained. At a minimum, a contiguous area of six thousand (6,000) square feet with a minimum dimension of fifty (50) feet shall be provided and shall include one (1) or more of the uses set forth in section 14-526 (d) 9. and the planned residential unit development standards in the City of Portland Design Manual but shall at least provide usable recreation space. Such recreation areas shall be located at least twenty-five (25) feet from dwelling units.
- (o) No habitable space in a PRUD shall be below grade, except

basements that are a part of and below ground units.

- (p) *Maximum floor area for places of assembly on a collector or arterial road:*

Large	Not limited
Medium	9,000 sq. ft.
Small	5,000 sq. ft.

- (q) *Maximum floor area for places of assembly not on a collector or arterial road:*

Large	9,000 sq. ft.
Medium	4,500 sq. ft.
Small	2,500 sq. ft.

(Ord. No. 534-84, 5-7-84; Ord. No. 81-88, § 5, 7-19-88; Ord. No. 385-89, §§ 1, 2, 4-3-89; Ord. No. 235-91, § 6, 2-4-91; Ord. No. 118-93, § 6, 10-18-93; Ord. No. 154-96, § 6, 12-16-96; Ord. No. 165-97, § 2, 12-1-97; Ord. No. 95-04/05, 11-15-04; Ord. No. 131-08/09, 12-15-08; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 40-12/13, 9-5-12)

***Editor's note**--Ord. No. 81-88, § 5, adopted July 19, 1988, amended § 14-90 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 81-88.

Sec. 14-91. Other requirement.

Other requirements are as follows:

- (a) *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.
- (b) *Shoreland and flood plain management regulations:* Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.
- (c) *Storage of vehicles:* Only one (1) unregistered motor vehicle may be stored outside on the premises for a period not exceeding thirty (30) days.

(Ord. No. 534-84, 5-7-84; Ord. No. 15-92, § 7, 6-15-92)

Secs. 14-92. Reserved.

Secs. 14-93. Reserved.