

PLANNING BOARD
PACKET OF MATERIALS
MEETING JANUARY 6, 2016

Cover page with date

Agenda

Minutes for approval (December 16, 2015)

Applications

Supporting Documents

Agenda
Bar Harbor Planning Board
Wednesday, January 6, 2016
Council Chambers- Municipal Building
93 Cottage Street
6:00 P.M.

I. CALL TO ORDER

II. ADOPTION OF THE AGENDA

III. EXCUSED ABSENCES

IV. APPROVAL OF MINUTES (December 16, 2015)

V. REGULAR BUSINESS

a. Land Use Ordinance Amendments for Downtown Village I, Downtown Village II and Downtown Village Transitional Districts Use Amendments - Public Hearing--

Article III Land Use Activities and Standards draft amendments in the form of draft warrants:

1. **LAND USE ORDINANCE AMENDMENT - Downtown Village I District, Downtown Village II District and Downtown Village Transitional District** – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add farmers market use to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District be enacted? (*Uses requires permit from the Code Enforcement Officer*).
2. **LAND USE ORDINANCE AMENDMENT - Downtown Village II District** – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add single-family dwelling and two-family dwelling uses to the Downtown Village II District” be enacted? (*Uses require permit from the Code Enforcement Officer*).
3. **LAND USE ORDINANCE AMENDMENT - Downtown Village I District, Downtown Village II District and Downtown Village Transitional District** – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add automobile sales lot and automobile repair garage uses to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted? (*Uses require Planning Board Site Plan Review*).
4. **LAND USE ORDINANCE AMENDMENT - Downtown Village I District, Downtown Village II District and Downtown Village Transitional District** – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add home occupation use to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted? (*Uses require permit from the Code Enforcement Officer*).
5. **LAND USE ORDINANCE AMENDMENT - Downtown Village I District, Downtown Village II District and Downtown Village Transitional District** – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add retirement community use to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted? (*Uses require Planning Board Site Plan review*).

**Agenda
Bar Harbor Planning Board
Wednesday, January 6, 2016
Council Chambers- Municipal Building
93 Cottage Street
6:00 P.M.**

a. Land Use Ordinance Amendments for General Review Standards, Light and glare & Signs and advertising, Definitions and Design Review - Public Hearing –Article V Site Plan Review, Article XII Construction and Definitions and Article XIII Design Review draft amendments in the form of draft warrants.

- 1. LAND USE ORDINANCE AMENDMENT – Definitions, General Review Standards, Light and glare and Signs and Advertising –** Shall an Ordinance dated December 2, 2015 and entitled “Amendments to add terms and definitions for categories of internally illuminated signs, amendments to clarify lighting requirements for signs and amendments to prohibit certain types of internally illuminated signs” be enacted?
- 2. LAND USE ORDINANCE AMENDMENT General Review Standards, Signs and Advertising -** Shall an Ordinance dated December 2, 2015 and entitled “An amendment to clarify Design Review Board sign review authority” be enacted?
- 3. LAND USE ORDINANCE AMENDMENT Design Review Board -** Shall an Ordinance dated December 2, 2015 and entitled “An amendment to clarify the boundaries of the Design Review overlay district” be enacted?
- 4. LAND USE ORDINANCE AMENDMENT Design Review / Signs and advertising –** Shall an Ordinance dated December 2, 2015 and entitled “An amendment to move certain signage requirements from the Design Review section to the Signs and advertising section” be enacted?
- 5. LAND USE ORDINANCE AMENDMENT Signs and advertising –** Shall an Ordinance dated December 2, 2015 and entitled “An amendment to clarify the allowable sign area of regulated signs” be enacted?

VI. OTHER BUSINESS

a. Land Use Ordinance Discussion of Parking, Article III Districts, Article V Site Plan Review-General Review Standards - D. Parking regulations and Article XII Definitions.

b. Land Use Ordinance – Update on tasks and timeline.

VII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

VIII. ADJOURNMENT

Minutes
Bar Harbor Planning Board
Wednesday, December 16, 2015
Council Chambers – Municipal Building
93 Cottage Street
6:00 P.M.

I. CALL TO ORDER

The Chair called the meeting to order at 6:01 PM. Planning Board members present: Tom St. Germain, Vice Chair; Basil Eleftheriou, Jr., Secretary; John Fitzpatrick, Member and Joseph Cough, Member.

Also present: Robert Osborne, Planning Director.

II. ADOPTION OF THE AGENDA

Mr. Cough moved to adopt the agenda as presented. Mr. Fitzpatrick seconded the motion and the Board voted four in favor and none against the motion.

III. EXCUSED ABSENCES

Ivan Rasmussen.

IV. APPROVAL OF THE MINUTES

a. December 2, 2015

Mr. Fitzpatrick made a motion to approve the minutes as presented. Mr. Eleftheriou, Jr. seconded the motion and the Board voted four in favor and none against the motion.

V. REGULAR BUSINESS

a. Land Use Ordinance – Draft Village Districts Use Amendments - Update– Article III Land Use Activities and Standards draft amendments in the form of draft warrants:

Mr. Osborne reported that the item will appear in the Thursday, December 17, 2015 and December 24, 2015 Islander and that affected property owners will receive announcement of the public hearing on the warrant items which will be mailed on the 17th. The public hearing will be held on January 6, 2016.

b. Land Use Ordinance –Draft Light and Glare, Signs and Advertising, Definitions and Design Review Board Amendments - Public Workshop –Article V Site Plan Review, Article XII Construction and Definitions and Article XIII Design Review draft amendments in the form of draft warrants.

Mr. Osborne reported that the item will appear in the Thursday, December 17, 2015 and December 24, 2015 Islander and that affected property owners will receive announcement of the public hearing on the warrant items which will be mailed on the 17th. The public hearing will be held on January 6, 2016.

VI. OTHER BUSINESS

a. **Comprehensive Plan/Downtown Master Plan Cottage Street Beautification Proposal-Update.** – This item is on the December 15, 2015 Council Agenda.

Mr. Osborne discussed that the Council thanked the Planning Board and Mr. Eleftheriou, Jr. for the thoughtful review of this item. They agreed in principal that it is important and meaningful to improve the streetscape of Cottage Street. They sent the item to Cruise Ship Committee for discussion and recommendation concerning funding of a design plan and construction cost estimation.

b. **Discussion of Parking Updates for the Land Use Ordinance.** The purpose of this item is to set the scope of what changes are under consideration for the parking lot and parking garage question.

Mr. Osborne started this item with an overview of references to parking in the Land Use Ordinance. He identified two general categories of parking: accessory use parking that is in association with a principal use and principal use parking which is like a municipal lot where the only use on the parcel is parking. He also noted that automobile sales lot looks a bit like parking but is actually outdoor display and storage area.

Mr. Osborne discussed a number of (parking-related) terms found in the ordinance: Parking area; parking; parking space; parking lot; parking requirements; off-street parking; parking aisle; parked vehicles; loading and screening.

The following are the defined terms: Parking area (Shoreland) is an open area used for parking one or more vehicles. Parking demand is the amount of parking spaces needed as driven by the use of a parcel. Parking lot is an open area used for parking four or more vehicles (public or private, free or paid). Finally, parking space is the building block of the concept with space requirements and setbacks, etc.

Parking requirements is a term that is used in some district standards to specify parking requirements that are different from the general review standards. Parking requirements is also used in the general review standards to specify the full range of requirements for “off-street parking”.

Off-street parking is an undefined term that appears to differentiate it from on-street parking. It would generally appear that the Land Use Ordinance only regulates “off-street parking”.

Parking aisle is a term used that is the access aisle behind a parking space and it’s configuration and size is dependent on parking angle and one-way vs. two-way travel.

Parked automobile or parked vehicle is a term that is generally used to discuss the location of the vehicle and its proximity to a building or walkway.

Loading is a term that is joined with loading space, loading zone, loading berth and loading demand. Generally loading space is connected to temporary parking of a commercial vehicle (truck) near a building of a certain size.

Screening is related to parking because it is a required site improvement.

Minimum parking standards, also known as parking requirements include the space and dimensions of individual stalls, the required number of spaces, the dimensions and angles of spaces and the design of the aisle behind the parking space.

The Downtown Residential district and Town Hill Business district are the only two districts that expressly allow parking lot and parking garage by Planning Board Site Plan review.

The Board went on to discuss waived parking requirements in certain districts that are required in others. They briefly discussed the Backyard Parking Garage study with regard to where parking deficits were identified. They noted that impact fees could be used when waiving parking spaces to help fund creation of municipal spaces. They also identified the possibility of a tax increment district that might accomplish the funding. The Board talked about the need to review shared parking as a possible mechanism for allowing spaces to serve double duty.

The Board discussed that off-site, off-street parking is desirable to be allowed in more districts.

The Board moved on to a discussion of the document that the planner provided that identified Land Use Ordinance references to parking. Generally they discussed if they should look at the locations or the definitions first. They opted to start with definitions that should have further review.

Footprint area: Where is this used and how might it be changed?

Garage, Commercial is not used anywhere in the ordinance and should be dropped.

Garage Residential has what appears to be a typo with the phrase "... a person not resident on the premises."

Gross Leasable Area was raised as an issue to be looked at in the context of parking.

Loading Space was identified as something that might merit more review.

Lot was identified as a term that has parking implications for off-site applications and should be reviewed.

Off-street Parking was a term that was questioned regarding it's usefulness given that the ordinance only regulates off-street parking.

Parking Area was identified as a term to be reviewed further.

Parking lot was identified as a term to be reviewed further.

Parking Garage was identified as a term that should be defined.

Parking Structure or Parking Deck was identified as a term that should be defined.

Setback was a term and practice identified to be reviewed further. Parking might be augmented if setbacks were adjusted in some way. It was suggested that alternative ordinances should be reviewed.

Structure, Accessory is a term identified for further review.

Storage Garage might be a term that could benefit from review.

Transportation Facility is a term identified for further review.

Storage or Warehouse Storage are terms identified for further review.

Parking requirements were found in the district standards and primarily noting exemptions should also direct the reader to the requirements found in 125-67B(4).

Goals and timelines were suggested for the parking questions discussed.

It was noted that there was a 2012 parking report that might be of use to the Planning Board and it was requested the Planning Director provide it to the Board.

VII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

VIII. ADJOURNMENT

Mr. Cough made a motion to adjourn the meeting at 8:13 pm and Mr. Fitzpatrick seconded the motion which was approved by a vote of four in favor and none against.

Signed as approved:

Basil Eleftheriou, Jr., Secretary
Planning Board, Town of Bar Harbor

Date



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

AVERY T. DAY
ACTING COMMISSIONER

RECEIVED

DEC 30 2015

TOWN OF BAR HARBOR
PLANNING/COMMUNITY DEVELOPMENT

December 28, 2015

Robert C. Osborne
Planning Director
Town of Bar Harbor
93 Cottage Street, Suite 1
Bar Harbor, Maine 04609-1400

Re: Two (2) Draft Land Use Ordinance Amendments

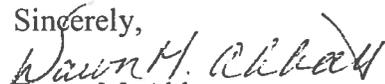
Dear Mr. Osborne:

I have reviewed the two draft Land Use Ordinance amendments for the town of Bar Harbor as they pertain to the Shoreland Zoning Standards.

Concerning the first set of amendments; addressing certain uses previously permitted in the downtown of Bar Harbor that were not carried forward when the zoning was changed from Business districts to Downtown Village districts in 2010, I have no comment concerning the amendments due to there is no Shoreland Zoning Standards affected.

Concerning the second set of amendments; addressing lighting, signs and the Design Review Board and it's review related to internally illuminated signage, clarifications and corrections related to the Boundaries of the Design Review Board Overlay District, As well as clarification and corrections related to the term "sign area". My only comment concerning the amendment, in relation to Shoreland Zoning, is for the Planning Board to be aware of Department of Environmental Protection's standards concerning signs within the Shoreland Zone. The standards concerning signs within the Shoreland Zone can be found in *Guidelines for Municipal Shoreland Zoning Ordinances*; 06-096, Ch. 1000(15)(I)(1-7).

If you have questions relating to my comments above please don't hesitate to contact me at 356-8318 or by e-mail at dawn.abbott@maine.gov

Sincerely,

Dawn M. Abbott
Maine Department of Environmental Protection
Assistant Shoreland Zoning Coordinator
106 Hogan Road, Suite 6
Bangor, Maine 04401
Ph- 207-356-8318
Fax- 207-941-4584

Enter into
Public Record

Draft Order

Of the Bar Harbor Town Council
For the June 14, 2016 Town Meeting

It is hereby ordered that the following article be placed on the special town meeting warrant with voting thereon to be held by Australian ballot.

Draft Warrant Article a

LAND USE ORDINANCE AMENDMENT – Downtown Village I District, Downtown Village II District and Downtown Village Transitional District – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add farmers market use to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted?

Downtown Village I District, Downtown Village II District and Downtown Village Transitional District

**An amendment to add farmers market as a use to the Downtown Village I District,
Downtown Village II District and Downtown Village Transitional District.**

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE III Land Use Activities and Standards

§ 125-21 Downtown Village I.

December 2, 2015

C. Allowed uses:

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail; public information, municipal and government uses; restaurants and bars; theaters; galleries; services, professional offices; vacation rentals; all bed-and-breakfasts; food-processing establishment; theaters; single- and two-family dwelling units; laundry and dry cleaning; artist studio; eleemosynary institution; place of worship; farmers market.

§ 125-21.1 Downtown Village II.

C. Allowed uses.

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail, public information; municipal and government uses; restaurants and bars on lots with frontage on Cottage Street, Main Street, Mount Desert Street or West Street; theaters; galleries; artist studios; banks; services, vacation rentals; theaters; all bed-and-breakfasts; food-processing establishment; professional office buildings; laundry and dry cleaning; artist studio; farmers market.

§ 125-21.2 Downtown Village Transitional.

C. Allowed uses.

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail; public information; municipal uses; galleries; services; professional office buildings; vacation rentals; bed-and-breakfast I, II and III; single- and two-family residential; family child-care; food-processing establishments; laundry and dry cleaning; artist studio; farmers market.

EXPLANATION: The farmers market use was allowed by permit from the Code Enforcement Officer in the Downtown Business Districts and it was deleted when the subsequent Downtown Village I and Downtown Village II Districts and Downtown Transitional District were enacted in 2010 in the same location. The purpose of this amendment is to add the farmers market use to those three districts as a use allowed by permit from the Code Enforcement Officer.

Draft Warrant Article b

LAND USE ORDINANCE AMENDMENT – Downtown Village II District – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add single-family dwelling use and two-family dwelling use to the Downtown Village II District” be enacted?

Downtown Village II District

An amendment to add single-family dwelling and two-family dwelling as uses to the Downtown Village II District.

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE III Land Use Activities and Standards

§ 125-21.1 Downtown Village II.

C. Allowed uses.

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail, public information; municipal and government uses; restaurants and bars on lots with frontage on Cottage Street, Main Street, Mount Desert Street or West Street; theaters; galleries; artist studios; banks; services, vacation rentals; theaters; all bed-and-breakfasts; food-processing establishment; professional office buildings; laundry and dry cleaning; artist studio; single-family dwelling; two-family dwelling.

EXPLANATION: The single-family dwelling and two-family dwelling uses were allowed uses by building permit from the Code Enforcement Officer in the Downtown Business Districts and were deleted when

December 2, 2015

the subsequent Downtown Village II District was enacted in 2010 in the same location. The purpose of this amendment is to add single-family dwelling and two-family dwelling to that district as uses allowed by permit from the Code Enforcement Officer.

Draft Warrant Article c

LAND USE ORDINANCE AMENDMENT – Downtown Village I District, Downtown Village II District and Downtown Village Transitional District – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add automobile sales lot and automobile repair garage to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted?

Downtown Village I District, Downtown Village II District and Downtown Village Transitional District

An amendment to add automobile sales lot and automobile repair garage as uses to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District.

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE III Land Use Activities and Standards

§ 125-21 Downtown Village I.

C. Allowed uses.

December 2, 2015

(2) Uses allowed by site plan review: hotel; motel; conference centers; multifamily dwelling I and II; all types of child-care facilities, all types of schools; medical and dental clinics; banks; automobile service stations; hospitals; road construction; automobile sales lot; automobile repair garage.

§ 125-21.1 Downtown Village II.

C. Allowed uses.

(2) Uses allowed by site plan review: hotel, motel; multifamily dwelling I and II; all types of child-care facilities; all types of schools; hospitals, medical and dental clinics; automobile service stations; redemption centers; automobile sales lot; automobile repair garage.

§ 125-21.2 Downtown Village Transitional.

C. Allowed uses.

(2) Uses allowed by site plan review: multifamily dwelling I and II; all other types of child-care facilities; medical clinics; automobile sales lot; automobile repair garage.

EXPLANATION: Automobile sales lot and automobile repair garage were allowed uses by site plan approval in the Downtown Business Districts and were deleted when the subsequent Downtown Village I District, Downtown Village II District and Downtown Village Transitional District were enacted in 2010 in the same location. The purpose of this amendment is to add the automobile sales lot and automobile repair garage uses to those districts as a use allowed by Planning Board site plan review.

Draft Warrant Article d

LAND USE ORDINANCE AMENDMENT – Downtown Village I District, Downtown Village II District and Downtown Village Transitional District – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add home occupation use to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted?

Downtown Village I District, Downtown Village II District and Downtown Village Transitional District

**An amendment to add home occupation as a use to the Downtown Village I District,
Downtown Village II District and Downtown Village Transitional District.**

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE III Land Use Activities and Standards

§ 125-21 Downtown Village I.

C. Allowed uses:

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail; public information, municipal and government uses; restaurants and bars; theaters; galleries; services, professional offices; vacation rentals; all bed-and-breakfasts; food-processing establishment; theaters; single- and two-family dwelling units; laundry and dry cleaning; artist studio; eleemosynary institution; place of worship; home occupation.

§ 125-21.1 Downtown Village II.

C. Allowed uses.

December 2, 2015

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail, public information; municipal and government uses; restaurants and bars on lots with frontage on Cottage Street, Main Street, Mount Desert Street or West Street; theaters; galleries; artist studios; banks; services, vacation rentals; theaters; all bed-and-breakfasts; food-processing establishment; professional office buildings; laundry and dry cleaning; artist studio; home occupation.

§ 125-21.2 Downtown Village Transitional.

C. Allowed uses.

(1) Uses allowed by a building permit or a change of use permit with the Code Enforcement Officer: all retail; public information; municipal uses; galleries; services; professional office buildings; vacation rentals; bed-and-breakfast I, II and III; single- and two-family residential; family child-care; food-processing establishments; laundry and dry cleaning; artist studio; home occupation.

EXPLANATION: The home occupation use was an allowed use by building permit in the Downtown Business Districts and it was deleted when the subsequent Downtown Village I District, Downtown Village II District and Downtown Village Transitional District were enacted in 2010 in the same location. The purpose of this amendment is to add the home occupation use to those districts as a use allowed by permit from the Code Enforcement Officer.

Draft Warrant Article e

LAND USE ORDINANCE AMENDMENT – Downtown Village I District, Downtown Village II District and Downtown Village Transitional District – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add retirement community use to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted?

Downtown Village I District, Downtown Village II District and Downtown Village Transitional District

**An amendment to add retirement community as a use to the Downtown Village I District,
Downtown Village II District and Downtown Village Transitional District.**

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE III Land Use Activities and Standards

§ 125-21 Downtown Village I.

C. Allowed uses.

(2) Uses allowed by site plan review: hotel; motel; conference centers; multifamily dwelling I and II; all types of child-care facilities, all types of schools; medical and dental clinics; banks; automobile service stations; hospitals; road construction; retirement community.

§ 125-21.1 Downtown Village II.

C. Allowed uses.

December 2, 2015

(2) Uses allowed by site plan review: hotel, motel; multifamily dwelling I and II; all types of child-care facilities; all types of schools; hospitals, medical and dental clinics; automobile service stations; redemption centers; retirement community.

§ 125-21.2 Downtown Village Transitional.

C. Allowed uses.

(2) Uses allowed by site plan review: multifamily dwelling I and II; all other types of child-care facilities; medical clinics; retirement community.

EXPLANATION: The retirement community use was an allowed use by site plan approval in the Downtown Business Districts and it was deleted when the subsequent Downtown Village I District, Downtown Village II District and Downtown Village Transitional District were enacted in 2010 in the same location. The purpose of this amendment is to add the retirement community use to those districts as a use allowed by Planning Board site plan review.

Given under our hands and seal at Bar Harbor this _____ day of _____ 2016.

Municipal Officers of the Town of Bar Harbor

Paul A. Paradis, Chair

Gary Friedmann, Vice-Chair

Peter St. Germain

David Bowden

Anne Greenlee

J. Clark Stivers

Burt Barker

Draft Order

Of the Bar Harbor Town Council
For the June 14, 2016 Town Meeting

It is hereby ordered that the following article be placed on the special town meeting warrant with voting thereon to be held by Australian ballot.

Draft Warrant Article aa

LAND USE ORDINANCE AMENDMENT – Definitions - General Review Standards, Light and glare and Signs and advertising – Shall an Ordinance dated December 2, 2015 and entitled “Amendments to add terms and definitions for categories of internally illuminated signs, amendments to clarify lighting requirements for signs and amendments to prohibit certain types of internally illuminated signs” be enacted?

125-109 Definitions

An amendment to add terms and definitions for categories of internally illuminated signs to the Definitions.

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE XII Construction and Definitions

§ 125-109 Definitions.

December 2, 2015

The following terms shall have the following meanings:...

SIGN, INTERNALLY ILLUMINATED - A sign with a light source incorporated into the body of the sign and where light emanates through, or from, the message of the sign; there are four types as follows:

TYPE 1; CABINET WITH TRANSLUCENT FACE: An internally illuminated sign with a cabinet style fixture with full or nearly full translucent face(s) and/or sides, through which light from an internal source passes.

TYPE 2; CABINET WITH LIGHT LIMITING FACE: An internally illuminated sign with an opaque surround cabinet style fixture with light limiting translucent face(s), flush translucent sign graphics within an opaque background field, through which light from an internal source passes. This type of sign has two acceptable categories.

- A. 20% (or less) translucent face/ 80% (or greater) opaque background field.
- B. 30% (or less) translucent face/ 70% (or greater) opaque background field.

TYPE 3; CHANNEL LETTER: An internally illuminated sign comprised of three dimensional sign graphic letters and logos, each with its own internal light source, in which the dimensional faces are internally illuminated and affixed to the sign or structure upon which the channel letter are mounted.

TYPE 4; HALO: An internally illuminated sign comprised of dimensional sign graphics, which cast a halo-like glow along the sides of the graphics, or cast light backward onto the face of the sign or structure upon which the graphics are mounted.

125-67Z Light and glare

An amendment to clarify lighting requirements for signs.

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE V Site Plan Review

§ 125-67 General Review Standards.

December 2, 2015

Z. Light and glare. All site plans shall demonstrate that the proposed development shall comply with the following requirements with respect to exterior lighting. In addition, activities located within the Design Review Overlay District that require a certificate of appropriateness pursuant to Article XIII, Design Review, are subject to additional requirements set forth in the standards of Article XIII.

(4) Additional requirements for commercial and multifamily applications:

(a) Signs and advertising.

- [1] All externally illuminated signs shall be lighted by top-mounted lights pointed downward. No sign may be illuminated with fixtures not shielded from upward transmission of light.
- [2] Signs may be illuminated internally only by nonflashing lights ~~that contain an opaque background, and this provision applies solely for properties with frontage on Route 3 and Route 102. No internally lit signs are allowed in the Downtown Village District.~~ Any lights that flash, pulse, rotate, move, or simulate motion are not permitted.
- [3] All ~~lights~~ lighting for externally illuminated signs shall be shielded to ensure that light sources are not directed toward or directly visible to drivers or from neighboring properties.
- [4] Lighting of signs is further regulated in 125-67BB Signs and advertising and categories of internally illuminated signs are defined in 125-109 Definitions.

Signs and advertising. Prohibitions

An amendment to prohibit certain types of internally illuminated signs.

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is striken. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE V Site Plan Review

§ 125-67BB Signs and advertising.

BB. Signs and advertising. All site plans shall demonstrate that all signs related to the proposed development will comply with the following standards, to which all signs located within the Town of Bar Harbor are subject, regardless of the need for site plan approval. In addition, activities located within the Design Review Overlay District that require a certificate of appropriateness pursuant to Article XIII, Design Review, are subject to additional requirements set forth in the standards of Article XIII...

(3) Prohibitions...

- (h) Internally illuminated signs of Type 1; Cabinet with Translucent Face and Type 3; Channel Letter are prohibited in all districts. ~~in the downtown village districts and historic districts are prohibited.~~
- (i) Internally illuminated signs of Type 2B; Cabinet with Light Limiting Face: 30% (or less) translucent face/ 70% (or greater) opaque background field are prohibited in all districts except for lots with frontage on Route 102 or Route 3.

EXPLANATION: The Design Review Board crafted language to define certain types of internally illuminated signs. The purpose of this amendment is to add those categories of internally illuminated signs to 125-109 Definitions. Internally illuminated signs have their light source incorporated into the body of the sign, and some types of internally illuminated signs currently fail to meet the Land Use Ordinance’s requirements to direct light away from adjacent properties, streets and the night sky.

The Design Review Board crafted language to make clarifications in the light and glare regulations for signs found in 125-67Z. The added language clarifies the type of signage lighting that is being regulated and directs the reader’s attention to the fact that most of the lighting related sign regulation is found in 125-67BB Signs and advertising and numerous definitions related to signs are found in 125-109 Definitions. The language marked with strikethrough is thought to be redundant because similar language is found in 125-67BB Signs and advertising.

The Design Review Board crafted language to make changes to Signs and advertising - Prohibitions regulations found in 125-67BB. The language utilizes the proposed definitions for types of internally illuminated signs. The language is intended to direct sign makers and installers toward the types of internally illuminated signs that make no glare but are easily read both day and night. The proposed amendment would allow the preferred internally illuminated signs in the Downtown Districts where they are currently prohibited. The proposed amendment would prohibit internally illuminated signs with translucent faces that do not mitigate glare town wide. The proposed amendment would prohibit internally illuminated “channel letter signs that do not mitigate glare townwide. (The amendment would not prohibit certain internally illuminated cabinet lights that have either light limiting faces (Type 2A) or halo light signs (Type 4) which outline opaque letters on the sign with a “halo of light”).

Draft Warrant Article bb

LAND USE ORDINANCE AMENDMENT – General Review Standards, Signs and advertising. – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to clarify Design Review Board sign review authority” be enacted?

125-67BB Signs and advertising

An amendment to clarify Design Review Board sign review authority.

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE V Site Plan Review

§ 125-67BB Signs and advertising.

BB. Signs and advertising. All site plans shall demonstrate that all signs related to the proposed development will comply with the following standards, to which all signs located within the Town of Bar Harbor are subject, regardless of the need for site plan approval. In addition, activities located within the Design Review Overlay District that require a certificate of appropriateness pursuant to Article XIII, Design Review, are subject to additional requirements set forth in the standards of Article XIII...

(6) Signs subject to the review by the Design Review Board for a certificate of appropriateness. All signs listed below are required to receive a Certificate of Appropriateness from the Design Review Board prior to receiving a building permit if they are located within the identified districts or are associated with a conditionally permitted use. Signs located in all other districts shall receive a building permit from the Code Enforcement Officer prior to installing the sign.

(a) Building permits required. All signs except those otherwise exempted are required to obtain a building permit as well as the certificate of appropriateness.

[1] All signs listed below are required to receive a certificate of appropriateness from the Design Review Board prior to receiving a building permit if they are located within the following districts or are associated with a conditionally permitted use.

[a] Village Historic.

[b] Bar Harbor Gateway ~~District~~.

[c] ~~Bar Harbor Historical Corridor~~ Deleted.

[d] Downtown Village I and II Districts.

[e] Educational Institutional.

[f] Lots with road frontage on Routes 102 and 3.

[g] Marine Research.

[h] Scientific Research.

[i] Shoreland ~~Commercial~~ General Development I and II.

[j] Town Hill Business.

[k] Town Hill Residential Corridor.

EXPLANATION: The Design Review Board crafted language to correct and clarify which districts the Design Review Board’s authority for sign review includes. The districts noted in this section requiring review of signs is updated in the draft amendment language. Over time the Land Use Ordinance’s district names have changed and this section should be corrected with an update. The other proposed change is to clarify that the review authority extends to the entire section *(6) Signs subject to review by the Design Review Board for a certificate of appropriateness* and not just to the subsection [1] that lists the districts.

Draft Warrant Article cc

LAND USE ORDINANCE AMENDMENT – Design Review Board – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to clarify the boundaries of the Design Review overlay district” be enacted?

Design Review

An amendment to clarify the boundaries of the Design Review overlay district.

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE XIII Design Review

§ 125-112 Applicability of design review.

December 2, 2015

A. Design Review Overlay Districts.

- (1) The provisions of this article shall apply only within the geographic limits of the following Design Review Overlay District, hereinafter called the "district."
- (2) Boundaries of the Design Review Overlay District. The district shall include the following neighborhood districts as shown on the Official Neighborhood Districts Map of Bar Harbor: the Downtown Village I District; Downtown Village II District; the Shoreland General Development I District; Shoreland General Development II District; the Bar Harbor Village Historic District; and the Bar Harbor Historic Corridor District (~~excluding those corridor districts on Route 3 that are within the area of the Town shown on Tax Map 11D~~) and the Town Hill Business District. The district is depicted on the map titled "Design Review Overlay District of the Town of Bar Harbor, Maine." The district also includes all bed-and-breakfast uses and individual properties with the following uses, regardless of their district location: TA-1, TA-3, TA-4, and TA-6. The district also includes properties listed in Appendix A and/or Appendix B of this chapter.
- (3) The District also includes the districts and area included in the Sign Ordinance, § 125-67BB.



EXPLANATION: The Design Review Board has crafted language to correct and clarify what districts the Design Review Board overlay district is located in. Over time the Land Use Ordinance's district names have changed and this section should be updated. Tax map 11D as cited in the district language is obsolete and the draft language deletes the reference. Appendix A refers to Historic Properties in the Design Review Overlay District. Appendix B refers to Locally Significant Properties in the Design Review Overlay District. This section has other references to Appendix A and B requiring the Design Review Board to review buildings listed in Appendix A and/or B. This language is intended to clarify that Appendix A and B are in fact part of the Overlay District.



Draft Warrant Article dd

LAND USE ORDINANCE AMENDMENT – Design Review / Signs and advertising – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to move certain signage regulations from the Design Review section to the Signs and advertising section” be enacted?

Design Review & Signs and advertising

**An amendment to move certain signage regulations from the Design Review section
to the Signs and advertising section**

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE XIII Design Review and Article V Site Plan Review

§ 125-112 Applicability of design review.

C. Activities not subject to design review. The following activities are not subject to design review:

(6) Renovation or new construction which is limited to the following types of improvements:

- (a) Exterior building facade paint color selected from the Design Review Board approved color chart(s). The color chart(s) can be obtained from the Planning Department and may be updated from time to time pursuant to Design Review Board approval. Colors not listed on the color chart(s) require a certificate of appropriateness from the Design Review Board.
- (b) ~~Replacement of one conforming wall-mounted, hanging, or window sign, provided that the replacement sign is equal to or less than the square footage of the existing conforming sign it will replace. The sign may be altered in any code-compliant manner, except that it may not be relocated or enlarged.~~ Deleted. NOTE: Moved to 125-67-BB
- (c) ~~A tenant occupying a space with a Design Review Board approved tenant signage plan may replace signage at any time, provided that the new signage will comply with the approved tenant signage plan for the building.~~ Deleted. NOTE: Moved to 125-67-BB

(d) ~~Installation of one twenty-four inch by thirty-six inch sandwich board sign, provided it is not located in a public way and is taken inside at the close of business each night. Deleted.~~

NOTE: Moved to 125-67-BB

(e) Installation of roof-mounted solar collection photovoltaic panels and appurtenant equipment.

(f) Retractable awnings made of fabric material. Fabric may be striped or solid in color, and must be listed on the approved color chart for awnings in order to be eligible for an exemption. Lettering or wording shall not be printed on the awning unless otherwise approved through the issuance of a certificate of appropriateness.

(g) Installation of lighting for signage, provided such lighting complies with § 125-67Z.

§ 125-67BB Signs and advertising.

BB. Signs and advertising. All site plans shall demonstrate that all signs related to the proposed development will comply with the following standards, to which all signs located within the Town of Bar Harbor are subject, regardless of the need for site plan approval. In addition, activities located within the Design Review Overlay District that require a certificate of appropriateness pursuant to Article XIII, Design Review, are subject to additional requirements set forth in the standards of Article XIII...

(6) Signs subject to the review by the Design Review Board for a certificate of appropriateness...

(o) Exemptions. The following activities are not subject to Design Review.

[1] Replacement of one conforming wall-mounted, hanging, or window sign, provided that the replacement sign is equal to or less than the square footage of the existing conforming sign it will replace. The sign may be altered in any code-compliant manner, except that it may not be relocated or enlarged.

[2] A tenant occupying a space with a Design Review Board approved tenant signage plan may replace signage at any time, provided that the new signage will comply with the approved tenant signage plan for the building.

[3] Installation of one twenty-four inch-by thirty-six inch (24" x 36") sandwich board sign, provided it is not located in a public way and is taken inside at the close of business each night.

[4] Installation of lighting for signage, provided such lighting complies with § 125-67Z.

EXPLANATION: The Design Review Board has crafted language to move certain signage activities not subject to Design Review from the Design Review section to the Signs and advertising section. The draft amendment also includes a modification to the exemption for solar panels that the exemption includes all roof-mounted panels.

Draft Warrant Article ee

LAND USE ORDINANCE AMENDMENT – Signs and advertising – Shall an Ordinance dated December 2, 2015 and entitled “An amendment clarify the allowable sign area of regulated signs” be enacted?

The Planning Board has crafted language to utilize the defined term “sign area” consistently throughout the Land Use Ordinance. The draft amendment also modifies three charts to use consistent terminology throughout.

Signs and advertising.

An amendment to clarify the allowable sign area of regulated signs.

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

ARTICLE V Site Plan Review

§ 125-67BB Signs and advertising.

BB. Signs and advertising. All site plans shall demonstrate that all signs related to the proposed development will comply with the following standards, to which all signs located within the Town of Bar Harbor are subject, regardless of the need for site plan approval. In addition, activities located within the Design Review Overlay District that require a certificate of appropriateness pursuant to Article XIII, Design Review, are subject to additional requirements set forth in the standards of Article XIII.

(2) Exemptions. The following signs are exempt from this chapter, shall not be counted towards sign area, and may be installed in any district without a permit, provided they comply as follows:

(d) Fuel pump signs as required by state law are allowed and shall not affect the computation of allowable number of signs or aggregate sign area size on a property.

(4) Conditional signs. Signs noted below are allowed without a Certificate of Appropriateness or a building permit and shall not be counted toward allowable square footage for ~~signs~~ sign area, subject to noted conditions, provided they comply as follows:

(f) One on-premises real estate sign, and one off-premises directional sign not exceeding six square feet in total sign area, may be erected advertising the sale, lease or rental of the premises upon which the on-premises real estate sign is located and shall be removed by the owner or agent when the property is sold or leased.

(h) One development or construction sign, not exceeding 20 square feet in sign area, may be erected 30 days prior to construction at the site of a construction project solely to identify the project and contractors and shall be removed within 30 days after completion of the project.

(i) Directional signs solely indicating ingress and egress placed at driveway locations, containing no advertising material or display area, not exceeding two square feet in sign area, and not extending higher than three feet above ground level are permitted.

(j) A sign indicating a business is open or closed, and/or a sign indicating hours of operation, not to exceed one each per entry and not to exceed more than one square foot in sign area each. In the case of a combination sign, it shall not exceed two square feet in total sign area.

(m) Home occupations. One sign identifying the name, address and profession or occupation of a home occupation is allowed provided that such sign is nonilluminated and does not exceed the maximum sign area requirements ~~allowed~~ for the street on which the home occupation has frontage:

<u>Posted Speed Limit</u> (miles per hour at location of sign)	<u>Maximum Sign Area</u> (square feet)
Less than 30	4
30 to 49	8
<u>50 or more</u> Greater than 49	12

(5) General requirements for all signs.

(h) Window and door signs. Permanent window sign area and door signs area shall not exceed 30% of the window or door area.

- (i) Freestanding signs shall not extend more than 20 feet above ground level at their base, as defined by the natural contour of the ground. A freestanding sign shall adhere to the following maximum sign area size requirements:

Posted Speed Limit (miles per hour at location of sign)	Maximum Sign <u>Area</u> Size (square feet)
<u>Less than 30</u> 25 or under	24
<u>30 to 49</u> Over 25 and under 50	32
50 or more	50

EXPLANATION: The Planning Board has crafted language to utilize the defined term “sign area” consistently throughout the Land Use Ordinance. The draft amendment also modifies three charts to use consistent terminology throughout.

Given under our hands and seal at Bar Harbor this _____ day of _____ 2016.

Municipal Officers of the Town of Bar Harbor

Paul A. Paradis, Chair

Gary Friedmann, Vice-Chair

Peter St. Germain

David Bowden

Anne Greenlee

J. Clark Stivers

Burt Barker

MEMORANDUM

DATE: DECEMBER 30, 2015
TO: BAR HARBOR PLANNING BOARD
FROM: ROBERT OSBORNE, PLANNING DIRECTOR
RE: MEETING JANUARY 6, 2016

The purpose of this Memorandum is to summarize the Draft Warrant Amendments. I have included a copy of the defined uses for the first five warrant articles. The explanation of the warrant article is located at the end of each item.

Draft Warrant Article a LAND USE ORDINANCE AMENDMENT – Downtown Village I District, Downtown Village II District and Downtown Village Transitional District – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add farmers market use to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted?

125-109 Definition: “FARMERS' MARKET - A building, structure or place used by two or more farmers for the direct sale of farm and food products to consumers, at which no seller may sell a product unless at least 75% of the product offered by that seller was grown or processed by that seller or under that seller's direction. A product not grown or processed by a seller must have been purchased directly from another farmer.”

EXPLANATION: The farmers market use was allowed by permit from the Code Enforcement Officer in the Downtown Business Districts and it was deleted when the subsequent Downtown Village I and Downtown Village II Districts and Downtown Transitional District were enacted in 2010 in the same location. The purpose of this amendment is to add the farmers market use to those three districts as a use allowed by permit from the Code Enforcement Officer.

Draft Warrant Article b LAND USE ORDINANCE AMENDMENT – Downtown Village II District – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add single-family dwelling use and two-family dwelling use to the Downtown Village II District” be enacted?

125-109 Definition: “DWELLING, SINGLE-FAMILY DETACHED - A building designed or intended to be used exclusively for residential occupancy by one family only and containing only one dwelling unit and having no roof, wall or floor in common with any other dwelling unit. The term shall include modular, prefabricated and manufactured homes.”

125-109 Definition: “DWELLING, TWO-FAMILY - A detached or semidetached building used for residential occupancy by two families living independently of each other and doing their own cooking in the building in each of two separate and independent dwelling units.”

EXPLANATION: The single-family dwelling and two-family dwelling uses were allowed uses by building permit from the Code Enforcement Officer in the Downtown Business Districts and were deleted when the subsequent Downtown Village II District was enacted in 2010 in the same location. The purpose of this amendment is to add single-family dwelling and two-family dwelling to that district as uses allowed by permit from the Code Enforcement Officer.

Draft Warrant Article c LAND USE ORDINANCE AMENDMENT – Downtown Village I District, Downtown Village II District and Downtown Village Transitional District – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add automobile sales lot and automobile repair garage to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted?

125-109 Definitions: “AUTOMOBILE SALES LOT - A lot arranged, designed, or used for the storage and display for sale of any motor vehicle or any type of trailer provided the trailer is unoccupied, and where no repair work is done except minor incidental repair of automobiles or trailers displayed and sold on the premises.”

125-109 Definitions: “AUTOMOBILE REPAIR GARAGE - A place where, with or without the attendant sale of engine fuels, the following services may be carried out: general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame, or fender straightening and repair; and painting and undercoating of automobiles.”

EXPLANATION: Automobile sales lot and automobile repair garage were allowed uses by site plan approval in the Downtown Business Districts and were deleted when the subsequent Downtown Village I District, Downtown Village II District and Downtown Village Transitional District were enacted in 2010 in the same location. The purpose of this amendment is to add the automobile sales lot and automobile repair garage uses to those districts as a use allowed by Planning Board site plan review.

Draft Warrant Article d LAND USE ORDINANCE AMENDMENT – Downtown Village I District, Downtown Village II District and Downtown Village Transitional District – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add home occupation use to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted?

125-109 Definitions: “HOME OCCUPATION - A business, trade, arts, occupation or profession conducted for gain and support which is customarily carried on entirely within a residential dwelling unit or structure accessory to the dwelling unit which is clearly accessory and incidental to and compatible with the surrounding residential uses.”

EXPLANATION: The home occupation use was an allowed use by building permit in the Downtown Business Districts and it was deleted when the subsequent Downtown Village I District, Downtown Village II District and Downtown Village Transitional District were enacted in 2010 in the same location. The purpose of this amendment is to add the home occupation use to those districts as a use allowed by permit from the Code Enforcement Officer.

Draft Warrant Article e LAND USE ORDINANCE AMENDMENT – Downtown Village I District, Downtown Village II District and Downtown Village Transitional District – Shall an Ordinance dated December 2, 2015 and entitled “An amendment to add retirement community use to the Downtown Village I District, Downtown Village II District and Downtown Village Transitional District” be enacted?

125-109 Definitions: “RETIREMENT COMMUNITY - A combined facility providing independent living and one or more of congregate housing, assisted living, or care of the aged, infirm or those suffering physical disorders or other conditions requiring special care or residential arrangements, but not including the care and treatment, principally, of alcoholism, narcotics addiction, or mental illness other than senile dementia, Alzheimer's, and similar mental illness, and which facility may include and provide shared community space, shared dining facilities, personal care and assistance, recreational activities, specialized shared services such as medical services, nursing services and physical and other types of therapy, or similar types of service.”

EXPLANATION: The retirement community use was an allowed use by site plan approval in the Downtown Business Districts and it was deleted when the subsequent Downtown Village I District, Downtown Village II District and Downtown Village Transitional District were enacted in 2010 in the same location. The purpose of this amendment is to add the retirement community use to those districts as a use allowed by Planning Board site plan review.

Draft Warrant Article aa LAND USE ORDINANCE AMENDMENT – Definitions - General Review Standards, Light and glare and Signs and advertising – Shall an Ordinance dated December 2, 2015 and entitled “Amendments to add terms and definitions for categories of internally illuminated signs, amendments to clarify lighting requirements for signs and amendments to prohibit certain types of internally illuminated signs” be enacted?

125-109 Definitions: The following terms shall have the following meanings:...

(NOTE: Underline is added text and Strikethrough is deleted text)

SIGN, INTERNALLY ILLUMINATED - A sign with a light source incorporated into the body of the sign and where light emanates through, or from, the message of the sign; there are four types as follows:

TYPE 1; CABINET WITH TRANSLUCENT FACE: An internally illuminated sign with a cabinet style fixture with full or nearly full translucent face(s) and/or sides, through which light from an internal source passes.

TYPE 2; CABINET WITH LIGHT LIMITING FACE: An internally illuminated sign with an opaque surround cabinet style fixture with light limiting translucent face(s), flush translucent sign graphics within an opaque background field, through which light from an internal source passes. This type of sign has two acceptable categories.

A. 20% (or less) translucent face/ 80% (or greater) opaque background field.

B. 30% (or less) translucent face/ 70% (or greater) opaque background field.

TYPE 3; CHANNEL LETTER: An internally illuminated sign comprised of three dimensional sign graphic letters and logos, each with its own internal light source, in which the dimensional faces

are internally illuminated and affixed to the sign or structure upon which the channel letter are mounted.

TYPE 4; HALO: An internally illuminated sign comprised of dimensional sign graphics, which cast a halo-like glow along the sides of the graphics, or cast light backward onto the face of the sign or structure upon which the graphics are mounted.

§ 125-67 General Review Standards.

- Z. Light and glare. All site plans shall demonstrate that the proposed development shall comply with the following requirements with respect to exterior lighting. In addition, activities located within the Design Review Overlay District that require a certificate of appropriateness pursuant to Article XIII, Design Review, are subject to additional requirements set forth in the standards of Article XIII.

(4) Additional requirements for commercial and multifamily applications:

(a) Signs and advertising.

[1] All externally illuminated signs shall be lighted by top-mounted lights pointed downward. No sign may be illuminated with fixtures not shielded from upward transmission of light.

[2] Signs may be illuminated internally only by nonflashing lights ~~that contain an opaque background, and this provision applies solely for properties with frontage on Route 3 and Route 102. No internally lit signs are allowed in the Downtown Village District.~~ Any lights that flash, pulse, rotate, move, or simulate motion are not permitted.

[3] All ~~lights~~ lighting for externally illuminated signs shall be shielded to ensure that light sources are not directed toward or directly visible to drivers or from neighboring properties.

[4] Lighting of signs is further regulated in 125-67BB Signs and advertising and categories of internally illuminated signs are defined in 125-109 Definitions.

§ 125-67BB Signs and advertising.

- BB. Signs and advertising. All site plans shall demonstrate that all signs related to the proposed development will comply with the following standards, to which all signs located within the Town of Bar Harbor are subject, regardless of the need for site plan approval. In addition, activities located within the Design Review Overlay District that require a certificate of appropriateness pursuant to Article XIII, Design Review, are subject to additional requirements set forth in the standards of Article XIII...

(3) Prohibitions...

- (h) Internally illuminated signs of Type 1; Cabinet with Translucent Face and Type 3; Channel Letter are prohibited in all districts. ~~in the downtown village districts and historic districts are prohibited.~~
- (i) Internally illuminated signs of Type 2B; Cabinet with Light Limiting Face: 30% (or less) translucent face/ 70% (or greater) opaque background field are prohibited in all districts except for lots with frontage on Route 102 or Route 3.

EXPLANATION: The Design Review Board crafted language to define certain types of internally illuminated signs. The purpose of this amendment is to add those categories of internally illuminated signs to 125-109 Definitions. Internally illuminated signs have their light source incorporated into the body of the sign, and some types of internally illuminated signs currently fail to meet the Land Use Ordinance's requirements to direct light away from adjacent properties, streets and the night sky.

The Design Review Board crafted language to make clarifications in the light and glare regulations for signs found in 125-67Z. The added language clarifies the type of signage lighting that is being regulated and directs the reader's attention to the fact that most of the lighting related sign regulation is found in 125-67BB Signs and advertising and numerous definitions related to signs are found in 125-109 Definitions. The language marked with strikethrough is thought to be redundant because similar language is found in 125-67BB Signs and advertising.

The Design Review Board crafted language to make changes to Signs and advertising - Prohibitions regulations found in 125-67BB. The language utilizes the proposed definitions for types of internally illuminated signs. The language is intended to direct sign makers and installers toward the types of internally illuminated signs that make no glare but are easily read both day and night. The proposed amendment would allow the preferred internally illuminated signs in the Downtown Districts where they are currently prohibited. The proposed amendment would prohibit internally illuminated signs with translucent faces that do not mitigate glare town wide. The proposed amendment would prohibit internally illuminated "channel letter signs that do not mitigate glare townwide. (The amendment would not prohibit certain internally illuminated cabinet lights that have either light limiting faces (Type 2A) or halo light signs (Type 4) which outline opaque letters on the sign with a "halo of light").

Draft Warrant Article bb LAND USE ORDINANCE AMENDMENT – General Review Standards, Signs and advertising. – Shall an Ordinance dated December 2, 2015 and entitled "An amendment to clarify Design Review Board sign review authority" be enacted?

§ 125-67BB Signs and advertising.

BB. Signs and advertising. All site plans shall demonstrate that all signs related to the proposed development will comply with the following standards, to which all signs located within the Town of Bar Harbor are subject, regardless of the need for site plan approval. In addition, activities located within the Design Review Overlay District that require a certificate of appropriateness pursuant to Article XIII, Design Review, are subject to additional requirements set forth in the standards of Article XIII...

(6) Signs subject to the review by the Design Review Board for a certificate of appropriateness. All signs listed below are required to receive a Certificate of Appropriateness from the Design Review Board prior to receiving a building permit if they are located within the identified districts or are associated with a conditionally permitted use. Signs located in all other districts shall receive a building permit from the Code Enforcement Officer prior to installing the sign.

(a) Building permits required. All signs except those otherwise exempted are required to obtain a building permit as well as the certificate of appropriateness.

[1] All signs listed below are required to receive a certificate of appropriateness from the Design Review Board prior to receiving a building permit if they are located within the following districts or are associated with a conditionally permitted use.

[a] Village Historic.

[b] Bar Harbor Gateway District.

~~[c] Bar Harbor Historical Corridor~~ Deleted.

[d] Downtown Village I and II Districts.

[e] Educational Institutional.

[f] Lots with road frontage on Routes 102 and 3.

[g] Marine Research.

[h] Scientific Research.

[i] Shoreland ~~Commercial~~ General Development I and II.

[j] Town Hill Business.

[k] Town Hill Residential Corridor.

EXPLANATION: The Design Review Board crafted language to correct and clarify which districts the Design Review Board's authority for sign review includes. The districts noted in this section requiring review of signs is updated in the draft amendment language. Over time the Land Use Ordinance's district names have changed and this section should be corrected with an update. The other proposed change is to clarify that the review authority extends to the entire section *(6) Signs subject to review by the Design Review Board for a certificate of appropriateness* and not just to the subsection [1] that lists the districts.

Draft Warrant Article cc LAND USE ORDINANCE AMENDMENT – Design Review Board – Shall an Ordinance dated December 2, 2015 and entitled "An amendment to clarify the boundaries of the Design Review overlay district" be enacted?

§ 125-112 Applicability of design review.

A. Design Review Overlay Districts.

- (1) The provisions of this article shall apply only within the geographic limits of the following Design Review Overlay District, hereinafter called the "district."
- (2) Boundaries of the Design Review Overlay District. The district shall include the following neighborhood districts as shown on the Official Neighborhood Districts Map of Bar Harbor: the Downtown Village I District; Downtown Village II District; the Shoreland General Development I District; Shoreland General Development II District; the ~~Bar Harbor Village~~ Historic District; and the ~~Bar Harbor Historic Corridor District (excluding those corridor districts on Route 3 that are within the area of the Town shown on Tax Map 11D)~~ and the Town Hill Business District. The district is depicted on the map titled "Design Review Overlay District of the Town of Bar Harbor, Maine." The district also includes all bed-and-breakfast uses and individual properties with the following uses, regardless of their district location: TA-1, TA-3, TA-4, and TA-6. The district also includes properties listed in Appendix A and/or Appendix B of this chapter.
- (3) The District also includes the districts and area included in the Sign Ordinance, § 125-67BB.

EXPLANATION: The Design Review Board has crafted language to correct and clarify what districts the Design Review Board overlay district is located in. Over time the Land Use Ordinance's district names have changed and this section should be updated. Tax map 11D as cited in the district language is obsolete and the draft language deletes the reference. Appendix A refers to Historic Properties in the Design Review Overlay District. Appendix B refers to Locally Significant Properties in the Design Review Overlay District. This section has other references to Appendix A and B requiring the Design Review Board to review buildings listed in Appendix A and/or B. This language is intended to clarify that Appendix A and B are in fact part of the Overlay District.

Draft Warrant Article dd LAND USE ORDINANCE AMENDMENT – Design Review / Signs and advertising – Shall an Ordinance dated December 2, 2015 and entitled "An amendment to move certain signage regulations from the Design Review section to the Signs and advertising section" be enacted?

§ 125-112 Applicability of design review.

C. Activities not subject to design review. The following activities are not subject to design review:

- (6) Renovation or new construction which is limited to the following types of improvements:
 - (a) Exterior building facade paint color selected from the Design Review Board approved color chart(s). The color chart(s) can be obtained from the Planning Department and may be updated from time to time pursuant to Design Review Board approval. Colors not listed on the color chart(s) require a certificate of appropriateness from the Design Review Board.
 - (b) ~~Replacement of one conforming wall-mounted, hanging, or window sign, provided that the replacement sign is equal to or less than the square footage of the existing conforming sign~~

~~it will replace. The sign may be altered in any code-compliant manner, except that it may not be relocated or enlarged.~~ Deleted. NOTE: Moved to 125-67-BB

- (c) ~~A tenant occupying a space with a Design Review Board approved tenant signage plan may replace signage at any time, provided that the new signage will comply with the approved tenant signage plan for the building.~~ Deleted. NOTE: Moved to 125-67-BB
- (d) ~~Installation of one twenty-four inch by thirty-six inch sandwich board sign, provided it is not located in a public way and is taken inside at the close of business each night.~~ Deleted. NOTE: Moved to 125-67-BB
- (e) Installation of roof-mounted solar collection photovoltaic panels and appurtenant equipment.
- (f) Retractable awnings made of fabric material. Fabric may be striped or solid in color, and must be listed on the approved color chart for awnings in order to be eligible for an exemption. Lettering or wording shall not be printed on the awning unless otherwise approved through the issuance of a certificate of appropriateness.
- (g) Installation of lighting for signage, provided such lighting complies with § 125-67Z.

§ 125-67BB Signs and advertising.

BB. Signs and advertising. All site plans shall demonstrate that all signs related to the proposed development will comply with the following standards, to which all signs located within the Town of Bar Harbor are subject, regardless of the need for site plan approval. In addition, activities located within the Design Review Overlay District that require a certificate of appropriateness pursuant to Article XIII, Design Review, are subject to additional requirements set forth in the standards of Article XIII...

(6) Signs subject to the review by the Design Review Board for a certificate of appropriateness...

(o) Exemptions. The following activities are not subject to Design Review.

[1] Replacement of one conforming wall-mounted, hanging, or window sign, provided that the replacement sign is equal to or less than the square footage of the existing conforming sign it will replace. The sign may be altered in any code-compliant manner, except that it may not be relocated or enlarged.

[2] A tenant occupying a space with a Design Review Board approved tenant signage plan may replace signage at any time, provided that the new signage will comply with the approved tenant signage plan for the building.

[3] Installation of one twenty-four inch-by thirty-six inch (24" x 36") sandwich board sign, provided it is not located in a public way and is taken inside at the close of business each night.

[4] Installation of lighting for signage, provided such lighting complies with § 125-67Z.

EXPLANATION: The Design Review Board has crafted language to move certain signage activities not subject to Design Review from the Design Review section to the Signs and advertising section. The draft amendment also includes a modification to the exemption for solar panels that the exemption includes all roof-mounted panels.

Draft Warrant Article ee LAND USE ORDINANCE AMENDMENT – Signs and advertising – Shall an Ordinance dated December 2, 2015 and entitled “An amendment clarify the allowable sign area of regulated signs” be enacted?

§ 125-67BB Signs and advertising.

BB. Signs and advertising. All site plans shall demonstrate that all signs related to the proposed development will comply with the following standards, to which all signs located within the Town of Bar Harbor are subject, regardless of the need for site plan approval. In addition, activities located within the Design Review Overlay District that require a certificate of appropriateness pursuant to Article XIII, Design Review, are subject to additional requirements set forth in the standards of Article XIII.

(2) Exemptions. The following signs are exempt from this chapter, shall not be counted towards sign area, and may be installed in any district without a permit, provided they comply as follows:

(d) Fuel pump signs as required by state law are allowed and shall not affect the computation of allowable number of signs or aggregate sign area size on a property.

(4) Conditional signs. Signs noted below are allowed without a Certificate of Appropriateness or a building permit and shall not be counted toward allowable square footage for signs sign area, subject to noted conditions, provided they comply as follows:

(f) One on-premises real estate sign, and one off-premises directional sign not exceeding six square feet in total sign area, may be erected advertising the sale, lease or rental of the premises upon which the on-premises real estate sign is located and shall be removed by the owner or agent when the property is sold or leased.

(h) One development or construction sign, not exceeding 20 square feet in sign area, may be erected 30 days prior to construction at the site of a construction project solely to identify the project and contractors and shall be removed within 30 days after completion of the project.

(i) Directional signs solely indicating ingress and egress placed at driveway locations, containing no advertising material or display area, not exceeding two square feet in sign area, and not extending higher than three feet above ground level are permitted.

(j) A sign indicating a business is open or closed, and/or a sign indicating hours of operation, not to exceed one each per entry and not to exceed more than one square foot in sign area each. In the case of a combination sign, it shall not exceed two square feet in total sign area.

(m) Home occupations. One sign identifying the name, address and profession or occupation of a home occupation is allowed provided that such sign is nonilluminated and does not

exceed the maximum sign area requirements ~~allowed~~ for the street on which the home occupation has frontage:

<u>Posted Speed Limit</u> (miles per hour <u>at location of sign)</u>	Maximum <u>Sign Area</u> (square feet)
Less than 30	4
30 to 49	8
<u>50 or more</u> Greater than 49	12

(5) General requirements for all signs.

- (h) Window and door signs. Permanent window sign area and door signs area shall not exceed 30% of the window or door area.
- (i) Freestanding signs shall not extend more than 20 feet above ground level at their base, as defined by the natural contour of the ground. A freestanding sign shall adhere to the following maximum sign area size requirements:

<u>Posted Speed Limit</u> (miles per hour <u>at location of sign)</u>	Maximum Sign <u>Area Size</u> (square feet)
<u>Less than 30</u> 25 or under	24
<u>30 to 49</u> Over 25 and under 50	32
50 or more	50

EXPLANATION: The Planning Board has crafted language to utilize the defined term “sign area” consistently throughout the Land Use Ordinance. The draft amendment also modifies three charts to use consistent terminology throughout.

LET ME KNOW IF YOU HAVE QUESTIONS.

BOB

MAR 07 1990

See Downtown Business for historic

CHAPTER 15: LAND USE ORDINANCE

Land Uses

SECTION 15.01 GENERAL

15.01.01 TITLE

This Ordinance shall be known and may be cited as the "Land Use Ordinance of the Town of Bar Harbor, Maine," and will be referred to herein as the "Ordinance."

15.01.02 AUTHORITY

This Ordinance is adopted pursuant to Home Rule Powers as provided for in Article VIII, Part Second of the Maine Constitution and Title 30-A M.R.S.A. Sections 2101 et seq. and 4503.

15.01.03 PURPOSE

The purpose of this Ordinance is the implementation of the Bar Harbor Comprehensive Plan and the promotion of the health, safety, and general welfare of the present and future inhabitants of the Town of Bar Harbor in a manner that serves to balance the interests of the general public of Bar Harbor and those of individual property owners by:

15.01.03.01

Giving effect to policies and proposals of the Bar Harbor Comprehensive Plan;

15.01.03.02

Preserving and protecting the character of Bar Harbor by dividing the Town into neighborhood districts according to the use of land and buildings, the intensity of such use, including bulk and height, and surrounding open space;

15.01.03.03

Guiding growth in the Town of Bar Harbor over the next twenty (20) year period, concentrating development in areas where adequate water and sanitary facilities, roads, schools and other municipal services can be provided and limiting development in areas where facilities are not and should not be provided;

15.01.03.04

Protecting and enhancing the natural, cultural and his-

- * Private club organized after May 2, 1988 and any private club in existence and operating on May 2, 1988 which plans a substantial change in its clubhouse or other facilities
- * Uses or structures accessory to the foregoing

15.03.05.03

- Minimum lot size: 20,000 square feet w/sewers
40,000 square feet w/o sewers
- Minimum road frontage and lot width: 100
- Minimum front setback: 25
- Minimum side setback: 25
- Minimum rear setback: 25
- Maximum lot coverage: 25%
- Maximum height: 40
- Minimum area per family: 5,000 square feet w/sewers
10,000 square feet w/o sewers

15.03.06 DOWNTOWN BUSINESS

15.03.06.01

The following uses or structures are permitted upon the issuance of a permit by the Code Enforcement Officer in accordance with Section 15.07:

- * Single family dwelling
- * Two family dwelling
- * Multifamily dwelling I
- * Commercial and non-commercial greenhouse
- * Home occupation
- * Automobile sales lot
- * Automobile service station
- * Automobile repair garage
- * Cocktail lounge
- * Grocery store
- * Laundry/dry cleaning establishment
- * Liquor store
- * Medical clinic
- * Private school (15 students or less)
- * Restaurant
- * Retail business establishment not otherwise listed
- * Veterinary clinic
- * Undertaking establishment
- * Upholstery shop
- * Four (4) or less parking spaces accessory to the foregoing
- * Uses or structures accessory to the foregoing

15.03.06.02

The following uses or structures may be permitted upon the granting of site plan approval by the Planning Board in accordance with Section 15.05:

- * Multifamily dwelling II
- * Cluster development
- * Transient accommodations (TA-1 through TA-8)
- * Church
- * Eleemosynary, educational or scientific institution
- * Government facility and grounds
- * Hospital
- * Bank
- * Parking garage and parking lot
- * Professional office building
- * Public utility installation
- * Repair services (other than auto)
- * Transportation facility
- * Light manufacturing/assembly plant
- * Wholesale business establishment
- * Parking lot with four (4) or more parking spaces accessory to the foregoing
- * Uses or structures accessory to the foregoing

15.03.06.03

Minimum lot size: 1,000 square feet*

Minimum road frontage and lot width: 20*

Minimum front setback: 0 on Main Street from West Street south to Atlantic Avenue and Newton Way; on Mount Desert from Main Street west to School Street; and on Cottage Street from Main Street west to Rodick Street*

15 elsewhere*

Minimum side setback: 25 on any side yard that abuts a residential district*

0 elsewhere*

Minimum rear setback: 25 on any rear yard that abuts a residential district*

5 elsewhere*

Maximum lot coverage: 90%*

Maximum height: 40*

*Residential uses in the Downtown Business District shall be subject to the lot standards set forth in Section 15.03.07.03.

See Downtown Business
for Historic Land Use
LA

Land Use
Appendix C Excerpt



Ap
Table of

	Bar Harbor Corridor	Bar Harbor Historic	Bar Harbor Historic Corridor	Bar Harbor Residential	Downtown-Business	Downtown Residential	Educational Institution	Emery	Hulls Cove Business	Hulls Cove Historic	Hulls Cove Residential Corridor	Hulls Cove Rural
Accessory dwelling	c	c	c	c	e	c		c	c	c	c	c
Activities necessary for managing/ protecting land . . . # 1	a	a	a	a	a	a	a	a	a	a	a	a
Agriculture, avocational								c	c	c	c	c
Agriculture, commercial							c	c,b			c	b
Agriculture, homestead								a	a	a	a	a
Artist Studio	c		c	c		c		c	c	c	c	c
Automobile repair garage					b							
Automobile sales lot					b							
Automobile service station					b							
Bank					e,b2				b			
Bed and Breakfast I	b	b	b	b	b	b		b	b	b	b	b
Bed and Breakfast II	b		b			b			b	b	b	
Bed and Breakfast III									b		b	
Bed and Breakfast IV									b			
Bed and Breakfast V									b			
Bulk oil and fuel tank storage												
Cabins								b	b		b	
Campground											b	b
Cemetery											b	b
Child Care center	b			b	e	b			b		b	
Child care family	c	c	c	c	e	c		c	c		c	c
Cocktail lounge					e							
Commercial kennel								b				
Commercial art gallery or pottery barn					e				e			
Commercial boat yard								b	b			
Commercial fish pier									b			
Commercial garden, greenhouse or nursery						c		c	c			c
Commercial stable								b	b			c
Commercial structure					e,b10				c,b10			
Driveway construction	c	c	c	c	a	c	c	c	c	c	c	c
Eleemosynary, educational or scientific institution		b	b		e,b10		b					
Essential services accessory to a permitted use or structure	c,b7	c,b7	c,b7	c,b7	e,b7	c,b7	c,b7	c,b7	c,b7	c,b7	c,b7	c,b7
Farmers' market					e	c			c			c
Ferry terminal									b			
Filling/earth moving activity less than 10 cubic yards	a	a	a	a	a	a	a	a	a	a	a	a
Filling/ earth moving activity 10 cubic yards or more	c	c	c	c	e	c	c	c	c	c	c	c

Land Use
Appendix C Excerpt
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	Bar Harbor Corridor	Bar Harbor Historic	Bar Harbor Historic Corridor	Bar Harbor Residential	Downtown Business	Downtown Residential	Educational Institution	Emery	Hulls Cove Business	Hulls Cove Historic	Hulls Cove Residential Corridor	Hulls Cove Rural	Indian Point Residential	Indian Point Rural
Food processing and freezing (excluding slaughterhouse)									b					
Food processing and freezing									b					
Forest management activities except timber harvesting ¹	a	a	a	a	a	a	a	a	a	a	a	a	a	a
Forest management activities including timber harvesting, . . . # 2 ¹								c	c	c		c	c	c
Gallery	c		c						c	c	c			
Gift shop					e,b10				e,b10					
Government facility and grounds	c,b2	c	c	c,b2	e,b2	c,b2			c,b2	c	c	c,b2	c	c
Grocery store					e,b10				e,b10					
Home occupation	c,b13	c,b13	c	c,b13	e	c,b13		c		c	c,b13	c	c	c
Hospital					b	b			b					
Hotel	b								b					
Laundry or dry-cleaning establishment					e,b10				c,b10					c
Light manufacturing/assembly plant					b				b					
Liquor store					e,b10				e,b10					
Lumberyard or sawmill									c,b2			c		c,b2
Marina									b					
Medical clinic				e,b10	e,b10	c,b10			c,b10					
Mineral extraction												b		
Mineral extraction and processing												b		
Mobile home park												b		
Motel	b								b	b				
Multifamily dwelling I	b	b	b	b	b	b			b	b	b			
Multifamily dwelling II	b				b				b		b			
Municipal school	b			b				b	b	b		b		
Municipal facility and grounds	c	c	c	c	e,b2	c	c	c	c	c	c	c	c	c
Museum	c		c		e,b10	c,b10	b		c	c,b10				
Newspaper or printing facility														
Noncommercial greenhouse	e	e	e	e	e	e	e	e	e,b10	e	e	e		e
Noncommercial kennel				e,b2				b			b			
Noncommercial stable								b	e,b10	e	e	e		
Nonintensive recreational uses not requiring structures . . . # 3	a	a	a	a	a	a	a	a	a	a	a	a	a	a

NOTE:

¹ An amendment adopted 11-4-2008 provided that these provisions are repealed on the date established under 38 M.R.S.A. § 438-B



	Bar Harbor Corridor	Bar Harbor Historic	Bar Harbor Historic Corridor	Bar Harbor Residential	Downtown-Business	Downtown Residential	Educational Institution	Emery	Hulls Cove Business	Hulls Cove Historic	Hulls Cove Residential Corridor	Hulls Cove Rural	Indian Point Residential	Indian Point Rural
Nonresidential facility for education and scientific purposes					e,b10									
Nursing/convalescent home or congregate housing	c,b10		c,b10	c,b10		c,b10								
Other processing and manufacturing facility														
Parking garage and parking lot	b			b	b	b								
Parking lot w/10 or fewer spaces accessory to permitted use	c	c	c	c	e	c	c	c	c	c	c	c	c	c
Parking lot w/10 or more spaces accessory to permitted use	c,b2				b		b		c,b2					
Pier, dock, wharf, breakwater or other use projecting into the water	c,b6	c,b6	c,b6	c,b6			b		c,b6	c,b6			c,b6	
Place of worship			c		e	b					b	b		
Private club organized after 5-2-88 or . . . # 4		b	b	b						b				
Private compulsory school				b	e,b10									
Private school					e,b10			c,b10	c,b10			c,b10		
Private sewage disposal system accessory to permitted uses	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Professional office building	c,b10				e,b10	c,b10			c,b10					
Public or private park w/ minimal structural development	c	c	c	c	e	c		c	c	c	c	c	c	c
Public utility installation	c,b2			c,b2	e,b2	c,b2		c,b2	c,b2	c,b2	c,b2	c,b2	c,b2	
Recreational boating facility									b					
Repair services (other than auto)					e,b10									
Research facility									b					
Research production facility									b					
Residential facility for use by employees, students, trainees . . . # 5					b									
Restaurant	b				e,b10				c,b10					
Restaurant, takeout					e,b10				c,b10					
Retail business establishment not otherwise listed					e,b10				c,b10					
Retirement community					e,b10									
Road construction	b	b	b	b	b	b	b	b	b	b	b	b	b	b

Land Use
Appendix C Excerpt
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	Bar Harbor Corridor	Bar Harbor Historic	Bar Harbor Historic Corridor	Bar Harbor Residential	Downtown-Business	Downtown Residential	Educational Institution	Emery	Hulls Cove Business	Hulls Cove Historic	Hulls Cove Residential Corridor	Hulls Cove Rural	Indian Point Residential
Roadside stand								c				c	c
Seafood market					e,b10				e,b10				
Services									b	b	b		
Ships chandlery													
Single-family dwelling	c	c	c	c	e	c	c	c	c	c	c	c	c
Small, nonresidential facility for educational, scientific or . . . # 6					e,b10								
Small, nonresidential facility w/o structures for educational . . . # 7					e								
Student housing							b						
Terminal yard and trucking facility													
Transient accommodations, non profit					b								
Transient accommodations (TA 1)	b	b	b	b	b	b		b	b	b	b	b	
Transient accommodations (TA 2)	b				b				b				
Transient accommodations (TA 3)	b		b		b	b					b		
Transient accommodations (TA 4)	b		b		b	b					b		
Transient accommodations (TA 5)	b				b								
Transient accommodations (TA 6)	b				b								
Transient accommodations (TA 7)	b				b								
Transient accommodations (TA 8)	b				b								
Transportation facility	b				b								
Two-family dwelling	c	c	c	c	e	c		c	c	c	c	c	c
Undertaking establishment				c		c			c,b10				
Upholstery shop									c,b10				
Uses or structures accessory to permitted uses or structures	c,b1	c,b1	c,b1	c,b1	e	c,b1	c,b1	c,b1	c,b1	c,b1	c,b1	c,b1	c,b1
Vacation rentals on homestead exemption property	c11	c11	c11	c11	e11	c11	c11	c11	c11	c11	c11	c11	c11
Vacation rentals on non-homestead property	c12		c12		e12				c12		c12		
Vacation rentals in units in multifamily dwelling I or on lots containing in total 3 or 4 dwelling units	c		c		e				c		c		

Land Use
Appendix C Excerpt



	Bar Harbor Corridor	Bar Harbor Historic	Bar Harbor Historic Corridor	Bar Harbor Residential	Downtown Business	Downtown Residential	Educational Institution	Emery	Hulls Cove Business	Hulls Cove Historic
Vacation rentals in units in multifamily dwelling II or on lots containing in total 5 or more dwelling units	c		c		e					c
Veterinary clinic									c,b10	
Warehousing or storage facility										
Wholesale business establishment					e,b10					
Wind turbine	m	m	m	m	m	m	m	m	m	m
Wireless communications facility	b	b	b	b	b	b	b	b	b	b