



**MUNICIPAL OFFICERS' CERTIFICATION OF THE OFFICIAL TEXT OF PROPOSED ORDINANCE(S)
[30-A M.R.S.A. § 3002(2)]**

To the Town Clerk of the Town of Ogunquit, Maine:

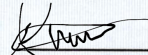
We hereby certify to you that the documents to which we have affixed this certificate are a true copy of the official text of an ordinance(s) entitled:

- 1. Chapter 225 – Zoning Ordinance – Table 702.1 Land Uses Permitted in Zoning Districts**

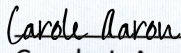
Which is to be presented to the voters for their consideration on June 11, 2024.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

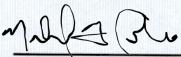
Approved on this 20th day of February 2024, by a majority of the Select Board



Robert M. Whitelaw, Chair



Carole J. Aaron, Vice-Chair



Michael F. Collins

Richard A. Dolliver

Scott A. Vogel

ZONING

225 Attachment 1

Town of Ogunquit

Table 702.1

Land Uses Permitted in Zoning Districts

[Amended 6-14-2011; 6-12-2012; 6-9-2015; 6-14-2016; 6-11-2019 ATM by Art. 5; 6-11-2019 ATM by Art. 6]

KEY:

District

- OFR One-Family Residential District
- R Residential District
- RR1 Rural Residential District 1
- RR2 Rural Residential District 2
- DB Downtown Business District
- GB1 General Business District 1
- GB2 General Business District 2
- LB Limited Business District
- F Farm District

Shoreland Zones:

- SLR Shoreland Limited Residential District
- SLC Shoreland Limited Commercial District
- SG1 Shoreland General Development 1 – Ogunquit Beach
- SG2 Shoreland General Development 2 – Perkins Cove
- SG3 Shoreland General Development 3 – Ogunquit Playhouse
- SP Stream Protection District
- RP Resource Protection District

Reviewing Authority

- MFS Contact Maine Forest Service
- C Permitted use with permit from Code Enforcement Officer
- SPR Permitted use after site plan review approval from Planning Board
- A Allowed without a permit
- NA Not applicable
- NP Not permitted
- SUB Permitted after subdivision review approval by Planning Board under Ogunquit Subdivision Regulations

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See notes at end of table. All uses are subject to the general standards of Article 8.

Land Uses	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	Shoreland Zones						
										SLR	SLC	SG1	SG2	SG3	SP	RP
Open Space and Rural Uses																
Active recreation	NP	C	C	C	C	C	C	C	C	C	C	C	C	NP	C	C
Agriculture*	NP	NP	C	C	NP	NP	NP	NP	C	NP	NP	NP	NP	NP	NP	NP
Animal husbandry for noncommercial purposes*	NP	C	C	C	NP	NP	NP	NP	A	SPR	NP	NP	NP	NP	NP	NP
Animal husbandry for commercial purposes*	NP	NP	NP	NP	NP	NP	NP	NP	C	NP	NP	NP	NP	NP	NP	NP
Aquaculture	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Campground	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Cemetery	NP	SPR	SPR	SPR	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP
Clearing or removal of vegetation for activities other than timber harvesting	A	A	A	A	A	A	A	A	A	C	C	C	C	C	C	C
Emergency operations	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Essential services - roadside distribution lines (34.5 kV and lower)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	C	C
Essential services - non-roadside or cross-country distribution lines involving 10 poles or fewer in the shoreland zone	NA	NA	NA	NA	NA	NA	NA	NA	NA	C	C	C	C	SPR	SPR	SPR
Essential services - non-roadside or cross-country distribution lines involving 11 or more poles in the shoreland zone	NA	NA	NA	NA	NA	NA	NA	NA	NA	SPR	SPR	SPR	SPR	SPR	SPR	SPR
Essential services - other essential services not included above	C	C	C	C	C	C	C	C	C	SPR	SPR	SPR	SPR	SPR	SPR	SPR
Filling and earthmoving of less than 10 cubic yards	A	A	A	A	A	A	A	A	A	C	C	C	C	C	C	C
Filling and earthmoving of more than 10 cubic yards	C	C	C	C	C	C	C	C	C	C	C	C	C	SPR	SPR	SPR

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Land Uses	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	Shoreland Zones						
										SLR	SLC	SG1	SG2	SG3	SP	RP
Fire prevention activities	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Forest management activities	C	C	C	C	C	C	C	C	C	MFS	MFS	MFS	MFS	MFS	MFS	MFS
Golf course	NP	NP	SPR	SPR	NP	NP	NP	NP	SPR	NP	SPR	NP	NP	NP	NP	NP
Individual private campsite*	NP	C	C	C	NP	NP	NP	NP	C	NP	NP	NP	NP	NP	NP	NP
Mineral exploration*	NP	NP	C	C	NP	NP	NP	NP	C	NP	NP	NP	NP	NP	NP	NP
Mineral extraction, including gravel pits (see definition)*	NP	NP	SPR	SPR	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP
Parking lot (see standards in § 225-8.10)	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP	SPR	SPR	NP	NP	NP	SPR ⁷
Passive recreation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Piers, docks, wharves, bridges and other structures extending over or below high-water line or within a wetland, temporary or permanent*	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP ¹⁴	SPR	SPR
Service drops, to allowed uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Soil and water conservation practices	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Surveying and resource analysis	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Wildlife management practices	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Residential Uses																
Dwelling accessory to business, above ground floor	C	C	C	C	C	C	C	C	C	NP	C	C	C	NP	NP	NP
Manufactured housing unit	NP	NP	C	C	NP	NP	NP	NP	C	NP	NP	NP	NP	NP	NP	NP
Mobile home park*	NP	NP	SPR	SPR	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Multifamily dwelling*	NP	SPR	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	SPR	NP	NP	NP	NP	NP
<u>Affordable Housing Development*</u>	<u>NP</u>	<u>SPR</u>	<u>SPR</u>	<u>SPR</u>	<u>NP</u>	<u>SPR</u>	<u>SPR</u>	<u>NP</u>	<u>SPR</u>	<u>NP</u>	<u>SPR</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>
Single-family dwelling, other than manufactured housing unit	C	C	C	C	NP	C	C	C	C	C	C	C	C	NP	NP	NP ⁸
Two-family dwelling	<u>NP</u>	C	C	C	NP	C	C	C	C	C	C	C	C	NP	NP	NP
Clustered or planned unit residential development*	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	NP	SUB	SUB

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Land Uses	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	Shoreland Zones						
										SLR	SLC	SG1	SG2	SG3	SP	RP
Subdivision, as defined in the Ogunquit Subdivision Regulations	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB
Commercial Uses																
Amusement center	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP	SPR	NP	NP	NP	NP	NP
Boardinghouse	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	SPR ¹²	NP	NP
Business and professional office	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	SPR ¹²	NP	NP
Commercial recreation	NP	NP	NP	NP	SPR	SPR	SPR	NP	NP	NP	NP	NP	NP	NP	NP	NP
Day-care center	NP	NP	NP	NP	NP	SPR	NP	SPR	NP	NP	NP	NP	NP	NP	NP	NP
Funeral home	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP	NP	NP	NP	NP	NP	NP
Greenhouse	NP	NP	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	NP	NP	NP	NP	NP	NP
Kennel, veterinary hospital*	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP
Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR ¹²	NP	NP
Marina	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP
Mechanized recreation	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Nursing home	NP	NP	NP	NP	NP	SPR	NP	SPR	NP	NP	NP	NP	NP	NP	NP	NP
Outdoor sales, services and storage areas including gasoline stations	NP	NP	NP	NP	NP	NP	NP ⁵	NP	NP	NP	NP	NP	NP ¹⁶	NP ⁵	NP	NP
Public utility facility, other than essential services or service drops	NP	NP	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	NP	NP	NP	NP	NP	NP
Retail establishments not elsewhere listed ¹	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	SPR ¹²	NP	NP
Retail storage and sale of fuel for use on watercraft	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP
Service establishments not elsewhere listed, including taxi or livery service dispatching offices ¹	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	SPR ¹²	NP	NP
Slaughterhouse/meat packing facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Theatres	NP	NP	NP	NP	SPR	SPR	SPR	NP	NP	NP	NP	NP	NP	SPR ¹³	NP	NP

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Land Uses	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	Shoreland Zones						
										SLR	SLC	SG1	SG2	SG3	SP	RP
Transient accommodation Type 1 (TA-1), weekly private home rental	A	A	A	A	A	A	A	A	A	A	A	A	A	NP	A	A
Transient accommodation Type 2 (TA-2), bed-and-breakfast*	NP	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	NP	NP	NP
Transient accommodation Type 3 (TA-3), inn*	NP	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	NP	NP	NP
Transient accommodation Type 4 (TA-4), motel/hotel**	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	SPR ²	NP	NP	NP	NP	NP
Type 1 restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	NP	NP	NP
Type 2 restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR ⁶	SPR	SPR	SPR ¹²	NP	NP
Type 3 restaurant*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR ⁶	SPR	SPR	NP	NP	NP
Type 4 restaurant*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP
Wholesale business	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP	NP	NP
Wireless communication facility - communication tower*	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP
Wireless communication facility - antenna*	NP	NP	NP	NP	SPR	SPR	SPR	SPR	SPR	NP	SPR	SPR	SPR	SPR ¹²	NP	NP
Governmental, Institutional Uses																
Houses of worship	NP	NP	SPR	SPR	NP	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	NP	NP	NP
Schools, public and private	NP	NP	SPR	SPR	SPR	SPR	SPR	NP	SPR	NP	NP	NP	NP	SPR ¹²	NP	NP
Library	NP	SPR	NP	NP	NP	NP	NP	SPR	NP	NP	NP	SPR	SPR	NP	NP	NP
Public building, structure or use	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	NP	SPR ⁷
Museum	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR ¹²	SPR	NP
ACCESSORY USES AND STRUCTURES, MISC. USES																
Fence meeting the standards of § 225-8.6	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Ham radio tower/antenna*	C	C	C	C	C	C	C	C	C	C	C	C	C	C	NP	NP
Home occupation*	C	C	C	C	C	C	C	C	C	SPR	C	C	C	NP	NP	NP
Recreational vehicles* ¹¹	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Roads	C	C	C	C	C	C	C	C	C	SPR	SPR	SPR	SPR	SPR	SPR	SPR ⁹

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Land Uses	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	Shoreland Zones						
										SLR	SLC	SG1	SG2	SG3	SP	RP
Roads, land management	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	SPR
Tenting	A	A	A	A	NP	A	A	A	A	A	NP	NP	NP	NP	A	NP
Yard sale, as defined in Town Code	C	C	C	C	C	C	C	C	C	C	C	C	C	NP	C	C

NOTES:

*These uses have specific performance standards in Article 9.

1. No retail sales or services may be offered or solicited except inside of the building in which the retail sales or service establishment is located, except for those exceptions indicated in Notes 5 and 10 below.
2. TA-4 is only allowed in those portions of the SLC District immediately adjacent to the GB2 District.
3. Limited to storage of fishing and lobstering equipment, private tutoring of not more than two persons at any one time, home crafts, pursuit of the arts, and activities or occupations which are conducted without customers or clients coming to the premises.
4. Expansions of legally nonconforming hotels/motels in all zoning districts in which new hotels/motels are prohibited shall meet all the dimensional requirements of zones in which they are located according to Table 703.1, as well as the standards of §§ 225-3.5 and 225-9.8.
5. As an exception, the Ogunquit Playhouse may serve patrons beverages and snack food outdoors on the premises from one hour before, during and one hour after performances.
6. Type 2 and 3 restaurants shall not be permitted in those portions of the SLC Zone immediately adjacent to the LB Zone.
7. Only permitted with site plan review in RP Beach as indicated on the Official Zoning Map. Not permitted in all other portions of the RP District.
8. Not permitted unless a special exception is granted pursuant to § 225-4.6.
9. See special shoreland standards in Article 9.
10. As an exception, within the Shoreland General Development 2 - Perkins Cove (SG2) District, live lobsters landed in Perkins Cove may be sold from vehicles or boats owned or operated by holders of commercial lobstering licenses. However, any such sales from vehicles shall only be allowed from those vehicles parked within the Bait Wharf II parking area, directly adjacent to the Harbor Master's office. No signs advertising any such outdoor live lobster sales shall be permitted, and lobster sales shall be limited to live lobsters only, and any form of additional solicitation or promotion of other goods, products or services shall be prohibited (regardless of any other provisions of this chapter).
11. Storage of recreational vehicles shall be exempt.
12. Permitted in the SG3 District only as an accessory use to a nonprofit performing arts theater in the SG3 District that constitutes the principal use.
13. Within the SG3 District, the term "theater" shall include only a nonprofit performing arts theater as defined in Article 2 of this chapter and shall exclude any other type of theater.
14. The existing permanent footbridge over the Josias River, connecting Lots 5-43 and 5-33-B as shown on Tax Map 5 shall remain a permitted use subject to site plan review approval from the Planning Board, but only as an accessory use to a nonprofit performing arts theater as defined in Article 2 of this chapter. No other piers, docks, wharves, bridges and other structures extending over or below the high-water line or within a wetland, temporary or permanent, of any kind shall be permitted in the SG3 District.