

To: Boothbay Planning Board  
From: Mark Eyerman  
Subject: Watershed Protection Overlay District Use Limitations  
Date: October 2, 2018

Formatted: Indent: Left: 0", Line spacing: Multiple 1.15 li

At the last workshop we discussed how the various uses that are allowed in the underlying zoning districts would be limited in the WPO District. To incorporate those limitations into the draft ordinance I have done two things. In the introduction to the Table of Land Uses I added language pointing out the limitations created by the WPO District and referring people to the portion of the WPO standards that deal with allowed uses. Then in the portion of Section 7 that covers the standards for the WPO District, I inserted a list setting out how the allowed uses in the underlying districts are modified. I organized the uses into groups with the same limitations. Here is a draft of those provisions:

#### **7.5.18 Watershed Protection Overlay District (WPO)**

##### **7.5.18.1 PURPOSE**

##### **7.5.18.2 ALLOWED USES**

The uses, review requirements and size limitations for the underlying zoning district shall apply unless the use, review requirement or size limitation for a specific use are modified by the following provisions. If service by the public sewer system is required by the underlying district standards, that requirement is not modified by these provisions. The zoning districts within which each limitation applies are shown in parenthesis:

**7.5.18.2.1** The following uses are not allowed in the WPO District even if they are allowed in the underlying district:

- Commercial Fishing Activities (R,BVMU,RMU,CC,MB)
- Mineral Extraction (RMU,CC,MB)
- Mobile Home Park (R,RMU)
- Amusement Park (CC)
- Auto, Rec. Vehicle Sales & Service (RMU)
- Automobile Repair (RMU,MB)
- Automobile Service Station
- Bus Terminal (CC)
- Campground (R,RMU,CC)
- Conference/Convention Center (R, BVF,BVMU,CC)
- Hotel/Motel (BVF,BVMU,CC)
- Indoor Theater (BVC,BVF,BVMU,CC)

- Kennel (RMU,CC)
- Laundromat (BVC,BVF,BVMU,CC)
- Marina (RMU)
- Maritime Activities (R,RMU,CC,MB)
- Parking Facility (BVC,BVF,BVMU,CC,MB)
- Recreational Facility (R, BVC,BVF,BVMU,CC)
- Recreational Facility (R,BVF,BVMU,RMU,CC)
- Retail Fuel Distributor (MB)
- Adult-Use Marijuana Establishments (CC,MB)
- Shopping Center (CC)
- Small Engine Repair & Sales (RMU,CC,MB)
- Manufacturing (BVMU,RMU,MB)
- Recycling Operations (BVMU,MB)
- Sawmill (RMU,MB)
- Terminal for Bulk Oil and Gas (CC,MB)
- Trucking Distribution Terminal (MB)
- Warehousing (BVMU,RMU,MB)
- Waste Disposal/Landfill (BVF)
- Waste Transfer Facility (BVF)
- Wholesale Business (RMU,CC,MB)
- Wood Processing (RMU,MB)
- Cemetery (R,BVC,BVF,BVMU,RMU,CC)

**7.5.18.2.2** The following uses are allowed in the WPO District with review but only if connected to the public sewer system:

- Dwelling, Multifamily (R,BVC,BVF,BVMU,RMU,CC)
- Dwelling, Townhouse (R,BVC,BVF,BVMU,RMU,CC)
- Dwelling Unit in a Mixed-Use Building (R,BVC,BVF,BVMU,RMU,CC)
- Housing for Seasonal Workers (R,BVC,BVF,BVMU,RMU,CC,MB)
- Lodging House (R,BVC,BVF,BVMU,CC)
- Retirement Facility (R,BVC,BVF,BVMU,RMU,CC)
- Bed & Breakfast (R,BVC,BVF,BVMU,CC)
- Day Care Center (R,BVC,BVF,BVMU,RMU,CC,MB)
- Inn (BVC,BVF,BVMU,RMU,CC)
- Nursing Home (BVC,BVF,BVMU,CC)

**7.5.18.2.3** The following uses are allowed in the WPO District with review but only if connected to the public sewer system subject to the limits for small-scale limited uses:

- Agricultural Packaging and Storage (R,BVF,BVMU,RMU,CC,MB)
- Agricultural Product Processing (R,BVF,BVMU,RMU,CC,MB)
- Restaurant (R)

**7.5.18.2.4** The following uses are allowed in the WPO District with review but only if connected to the public sewer system subject to the limits for medium-scale limited uses:

- Aquaculture (Land support for) (R,BVMU,RMU,CC,MB)
- Congregate Housing/Assisted Living (R,BVC,BVF,BVMU,CC)
- Funeral Home (BVF,BVMU,CC)
- Laboratory, Research Facility (BVC,BVF,BVMU,RMU,CC,MB)
- Medical Facilities (BVC,BVF,BVMU,CC)
- Neighborhood Store (BVC,BVF,BVMU,CC)
- Restaurant (BVC,BVF,BVMU,CC,MB)
- Retail Business (BVC,BVF,BVMU,CC,MB)
- Veterinary Hospital (BVF,BVMU,RMU,CC)
- Church, Parish House, Place of Worship (R,BVC,BVF,BVMU,RMU,CC)
- Community Center, Club (R,BVC,BVF,BVMU,CC)
- Educational Facility other than the Coastal Maine Botanical Garden which is subject to a consent decree with the Town (R,BVC,BVF,BVMU,CC)
- Library (R,BVC,BVF,BVMU,CC)
- Museum (R,BVC,BVF,BVMU,CC)
- Public Facility (R,BVC,BVF,BVMU,RMU,CC,MB)

**7.5.18.2.5** The following uses are allowed in the WPO District with review subject to the limits for small-scale limited uses:

- Roadside Stand (BVC,BVF,BVMU,RMU,CC)
- Sex Related Business (MB)

**7.5.18.2.6** The following uses are allowed in the WPO District with review subject to the limits for medium-scale limited uses:

- Neighborhood Store (BVC,BVF,BVMU,CC)
- Offices; Business, Professional (BVC,BVF,BVMU,RMU,CC)
- Service Business (BVC,BVF,BVMU,RMU,CC,MB)
- Storage Facility/Structure (BVMU,RMU,MB)
- Firewood Processing (RMU,CC,MB)

**7.5.18.2.7** The following uses are allowed in the WPO District with review by the CEO:

- Agriculture/Farming (R,BVC,BVF,BVMU,RMU,CC,MB)
- Animal Breeding or Care (R,CC,MB)
- Clearing of Vegetation (R,BVC,BVF,BVMU,RMU,CC,MB)
- Forest Management Activities (R,BVC,BVF,BVMU,RMU,CC,MB)