

**TOWN COUNCIL**  
**Town of Falmouth, Maine**  
**September 24, 2012**

**An Ordinance Amending the Zoning and Site Plan Review Ordinance Regarding Drive-thru  
and carry-out restaurants in the Mixed Use Cluster District (MUC)**

Be it ordained by the Town Council of the Town of Falmouth, Maine in Town Council assembled, that the Falmouth Zoning and Site Plan Review Ordinance be amended as follows:

Amend Section 3.8 to read:

**3.8     "MUC" - Mixed Use Cluster District**

To establish within the Town of Falmouth areas for well-planned mixed use developments with access to the region's major highway system.

**Permitted Structures and Uses**

1. Accessory buildings and structures
2. Business and professional offices
3. Wholly enclosed places of assembly, amusement, recreation, and government
4. Wholesale, warehousing and distributions facilities
5. Light manufacturing operations with no exterior storage of material, equipment or products
6. Retail businesses as part of a mixed use development
7. Multiplexes as part of a mixed use development
8. Research facilities
9. Restaurants (~~not~~ including carry-out or drive through restaurants)
10. Residential planned developments as part of mixed use development
11. Municipal buildings and uses
12. Tradesman's offices
13. Single Family Detached Dwellings (only in established residential areas and except on lots fronting on Gray Road) [Adopted 5/28/96]
14. Tier I Personal Wireless Service Facilities [Adopted, 4/25/05]
15. Tier II Personal Wireless Service Facilities [Adopted, 4/25/05]
16. Commercial Schools as part of mixed use development [Adopted 5/27/08]

**Conditional Uses**

1. Outdoor recreation facilities
2. Day Care Centers
3. Churches
4. Excavating Business
5. Land reclamation
6. Processing of Mineral materials for resale [Amended, 4/25/88]
7. Veterinary Clinic [Amended,7/22/91]
8. Public Utilities [Adopted, 7/22/91]
9. Outdoor Eating Areas [Adopted, 5/28/96]
10. Day Care Homes [Adopted, 7/23/01]
11. Accessory Dwelling Units [Amended 11/27/06]