

TOWN COUNCIL
Town of Falmouth, Maine
March 27, 2013

Introduction Part 2 of 5

An Ordinance Amending the Zoning and Site Plan Review Ordinance to replace the SB1 District with Village Center Districts

Be it ordained by the Town Council of the Town of Falmouth, Maine in Town Council assembled, that Chapter 601, Falmouth Zoning and Site Plan Review Ordinance, be amended as follows:

Amendments to Section 2, Definitions

~~Auto Repair Service Garage:~~ A business establishment engaged in general repair, engine rebuilding, parts replacement, rebuilding or reconditioning of motor vehicles, body, frame or fender straightening and repair, painting and undercoating, ~~and mechanized washing of automobiles but where no engine fuels are sold at retail.~~ [Adopted 4/27/87] Repair of motor vehicles shall performed inside an enclosed building.

~~Auto Service Station:~~ ~~A business establishment engaged in the sale of engine fuel (stored only in underground tanks), kerosene, motor oil and lubricants, directly to the public, and minor repair of automobile body, frame, or fender straightening and repair. Convenience stores with fuel pumps as an accessory use are not classified as auto service stations.~~ [Adopted, 4/27/87]

~~Automobile Related Sales and Service:~~ ~~A business establishment engaged in the sale of parts, equipment, accessories or services for motor vehicles.~~ [Adopted, 4/27/87]

~~Automobile Sales:~~ ~~A business establishment engaged in the sale of motor vehicles.~~ [Adopted, 4/27/87] **Automobile Dealership:** A facility that sells or leases new or used automobiles, light trucks or other similar motorized transportation vehicles. The facility may maintain an inventory of the vehicles for sale or lease on site and may provide on-site facilities for the repair and service of the vehicles as an accessory use.

Bank of Parking: One row of parking, including access, in front of a building's primary façade, regardless of angle.

~~Church:~~ ~~A building or structure, or groups of buildings or structures, designed, primarily intended or used for the conduct of religious services and accessory uses associated therewith.~~ **~~Diverse Housing:~~** ~~housing that is not age restricted and is integrated with retail, service, office and/or restaurant uses in a mixed use development.~~ [Adopted 5/24/04]

Gas Station: A business establishment engaged in the sale of engine fuel (stored only in underground tanks), kerosene, motor oil and lubricants, directly to the public. All dispensing of fuels, lubricants, and fluids shall be done entirely on the property.

Horticultural Nursery: The growing, cultivation, storage, and sale of garden plants, seeds, flowers, trees, shrubs, and fertilizers, as well as the sale of garden tools and similar accessory and ancillary products, to the general public.

Hotel: A building with guest rooms used primarily for transient occupancy of individuals who are lodged, with or without meals, with the majority of the rooms having access through the main lobby of the building.

Internal Drive - A private street created in a VC District with or without a dedicated right of way which may provide frontage for purposes of establishing front setbacks for buildings.

Marquee: A permanent structure fastened entirely to a building and projecting from the wall above an entrance and extending over the street right-of-way to provide shelter for automobile passenger loading and unloading to the entrance.

Outdoor Retail Display– A dedicated area of a lot, used for display of merchandise or goods available for purchase from the business and directly accessible by the public, which use is accessory to a building used for retail on the same lot.

Outdoor display of automobiles – An area of a lot, used for the display of automobiles for purchase, which use is accessory to a building used as an automobile dealership and located on the same lot.

Place of Worship: A building or structure, or groups of buildings or structures, designed, primarily intended or used for the conduct of religious services and accessory uses associated therewith.

Primary façade – The first floor face of a building in a VC District, which serves as the main pedestrian entrance and faces a public street or internal drive.

Primary frontage – In a VC District, the frontage on which the main entrance of a building faces.

Retail and Service Establishment: A business establishment engaged in the sale, rental, or lease of goods or services to the ultimate consumer for direct use or consumption and not for resale, and may include the display and sale of products and services outside of the building occupying up to and including 100 square feet of area. [Adopted 4/27/87]

Side Street: Bucknam Road, Depot Road, Clearwater Drive and Fundy Road. This definition is applicable to the VC Districts.

Sign, Canopy: A sign affixed to the vertical plan of a roof covering fuel pumps.

Sign, Marquee: A sign affixed to a marquee.

Sign, Projecting or Blade Sign – A sign that is wholly or partly dependent upon a building for support, projects more than 12 inches from the wall and whose sign faces are perpendicular to the wall on which it is mounted.

Sign, Tenant Directory – A sign fixed to a wall adjacent to an entrance of a building whose content is a list of tenants and their location within the building.

Wall Sign: A sign attached to, supported by, or projecting from a building wall, awning, canopy or part thereof. Wall signs shall not project more than twelve inches beyond the roof edge or the face of the wall, awning or canopy to which they are mounted.[Amended 1/24/11]

Transition Zone: The area between the edge of the Route One right of way and the sidewalk.