

BE IT HEREBY ORDAINED, by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, that the following changes to Chapter 405 the Zoning Ordinance, of the Town of Scarborough, Maine, be and hereby is amended, as follows (additions are in underlined in red; deletions are struck through):

SECTION VI. DEFINITIONS [Amended 07/19/2023; 10/18/2023; 11/15/2023; 09/04/2024; xx/xx/2024]

Except where specifically defined herein, all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular; the word “lot” includes the word “plot”; the word “building” includes the word “structure”; the word “shall” is always mandatory; “occupied” or “used” shall be considered as though followed by the words “or intended, arranged, or designed to be used or occupied”; the terms “building inspector” and “code enforcement officer” are synonymous. [12/01/04] [10/04/17]

Mobile Food Vendor:

A vehicle, trailer, cart or stand designed and constructed to transport, prepare, sell or serve food and/or beverages and capable of being moved from its serving site at any time. Mobile food vendors are subject to Chapter 1015.A Mobile Food Vendor License Ordinance.

Mobile Food Vendor Court:

A collection of two or more mobile food vendors in a common outdoor plaza or site providing a common area for self-serve dining. For the purpose of this definition the mobile food vendor court may be an accessory use to the primary use of the site or the primary use of the site. Mobile food vendors courts are subject to Chapter 405 Zoning Ordinance use standards and applicable performance standards and Chapter 405B Site Plan review requirements.

SECTION IX PERFORMANCE STANDARDS

BB. Mobile Food Vendor Court. The establishment of a mobile food vendor court shall be through the site plan process. In addition, all mobile food vendors in the mobile food vendor court shall adhere to licensing requirements found in Chapter 1015.A Mobile Food Vendor License Ordinance.

The following standards shall apply to all mobile food vendor courts:

1. Minimum setbacks for the zoning district in which the mobile food vendor court is located shall apply to all mobile food vendor pad sites.
2. Each mobile food vendor located at a mobile food vendor court shall be located on a pad site that meets the standards in this ordinance.
3. Each mobile food vendor pad site shall be equipped with electrical connections.
4. Mobile food vendor pad sites shall be designed to maintain a five (5) foot clear space around each mobile food vendor.
5. Mobile food vendor pad sites shall be designed so that mobile food vendors shall be parked on asphalt, concrete or other approved surfaces. Appropriate spill control and counter-measures plan with sufficient materials to address typical shall be provided for every pad site.
6. Mobile food vendor pad sites shall be designed so that no mobile food vendor is set-up within any ADA accessible parking space.
7. Mobile food vendor pad sites shall be designed so that no mobile food vendor is set up within any designated sight triangle/vehicle clear-zone or within twenty (20) feet of fire lanes, fire hydrants or fire connections.
8. Mobile food vendor pad sites shall be designed so that no mobile food vendor is located in the public right-of-way, impedes traffic, interferes with the general ingress and egress to and from any property, public or otherwise, or presents an unsafe condition for patrons, pedestrians, or other vehicles.
9. Mobile food vendor courts shall provide temporary or permanent public restroom facilities.

**SECTION XVIII.A. TOWN AND VILLAGE CENTERS DISTRICT TVC [09/05/2007]
[Amended 01/20/16] [Amended 05/20/2020] [Amended xx/xx/xx]**

**C. PERMITTED USES, CONVENTIONAL AND PLANNED DEVELOPMENTS
RESIDENTIAL USES**

NON-RESIDENTIAL USES:

The following non-residential uses are permitted in both conventional and planned developments, but in conventional developments are limited to 20,000 square feet of floor area per unit of occupancy within the Oak Hill TVC District and 8,000 square feet of floor area per unit of occupancy within the Dunstan TVC District:

7. Retail sales and services, excluding car washes, gasoline filling stations and outdoor sales and services
8. Personal services
9. Restaurants with no drive-through service [Amended 11/07/07]
10. Mobile Food Vendor Court (drive-through or drive-in service is prohibited), subject to the performance standards of Section IX.BB [Adopted xx/xx/2024]
110. Professional offices
121. Business services and business offices
132. Financial, insurance and real estate offices
143. Health clubs
154. Non-municipal government offices
165. Non-residential institutional uses, including educational, religious, philanthropic, fraternal, or social institutions
176. Funeral homes
187. Place of worship
198. Group day care homes, day care facilities, and nursery schools
2019. Accessory uses (excluding outdoor storage) including accessory agricultural activities subject to the performance standards of Section IX.P [Amended 05/05/10]
2120. Family day care homes, subject to the standards and conditions of Section IV(I)(6), except that Board of Appeals review is not required
221. Small Batch Processing Facilities, subject to the performance standards of Section IX.(M.3.) of this Ordinance. [adopted 10/07/15]
232. Hotels and Motels

SECTION XVIII.B. HAIGIS PARKWAY DISTRICT, HP [Amended 05/20/2020; 02/17/2021; 09/04/2024][Amended xx/xx/2024]

**C. PERMITTED USES, CONVENTIONAL AND PLANNED DEVELOPMENTS
NON-RESIDENTIAL USES [Amended 06/20/18; Amended 02/17/2021]**

The following non-residential uses are permitted in both conventional and planned developments:

1. Professional offices
2. Financial, insurance, and real estate offices
3. Business services and business offices
4. High technology facilities, subject to the performance standards of Section IX(M) of this ordinance
5. Research, development and light industrial with no outdoor storage, subject to the performance standards of Section IX(M.1) of this ordinance
6. Hotels and motels, provided all guest rooms are accessed by interior corridors
7. Restaurants, with no drive-through service [Amended 02/17/2021]
8. Mobile Food Vendor Court (drive-through or drive-in service is prohibited), subject to the performance standards of Section IX.BB [Adopted xx/xx/2024]
98. Group day care homes, nursery schools and day care centers
109. Retail sales and services with less than 20,000 square feet of retail floor area per unit of occupancy, excluding car washes, automobile repair and service facilities, and outdoor sales and services
110. Municipal buildings and uses
121. Public utility facilities
132. Accessory uses (excluding outdoor storage) including accessory agricultural activities subject to the performance standards of Section IX.P.
143. Health clubs
154. Personal services
165. Non-municipal government offices
176. Medical/diagnostic facilities
187. Places of assembly, amusement, recreation, culture or government, exclusive of arcades, video arcades, amusement parlors, video gambling, casino gambling and off-track betting, fully enclosed within a building or buildings
198. Golf courses and campgrounds
2019. Educational institutions
210. Places of worship and adjunct uses, places of worship
221. Small-scale energy facilities, subject to the performance standards of Section IX(W)
232. Commercial outdoor recreation, subject to the performance standards of Section IX(U)
243. Telecommunication Facilities
254. Food processing facilities, subject to the performance standards of Section IX.(M.2.)
265. Small Batch Processing Facilities, subject to the performance standards of Section IX.(M.3.) of this Ordinance.[adopted 10/07/15]
276. Climate Controlled/Internal Access Storage Facility, subject to Section IX(H) Performance Standards and only within an approved subdivision. [10/04/17]
287. Cannabis Manufacturing Facility. [Adopted 01/08/2020; Amended 09/04/2024]

298. Cannabis Testing Facility. [Adopted 01/08/2020; Amended 09/04/2024]

**SECTION XVIII.C. TOWN AND VILLAGE CENTERS TRANSITION DISTRICT,
TVC2 [09/05/2007][Amended 08/19/09][Amended 05/20/2020; 07/19/2023][xx/xxx2024]**

B. PERMITTED USES [Amended 08/19/09; 07/19/2023]

NON-RESIDENTIAL USES: [Amended 08/19/09]

The following non-residential uses are limited to 5,000 square feet of floor area per unit of occupancy.

- 9.** Retail sales and services, excluding car washes, and outdoor sales and services
- 10.** Business services and business offices
- 11.** Professional offices
- 12.** Financial, insurance and real estate offices
- 13.** Personal services
- 14.** Non-municipal government offices
- 15.** Restaurants with no drive-through service [Amended 08/19/09]
- 16.** Mobile Food Vendor Court (drive-through or drive-in service is prohibited), subject to the performance standards of Section IX.BB [Adopted xx/xx/2024]
- 176.** Non-residential institutional uses, including educational, religious, philanthropic, fraternal, or social institutions, which are not otherwise permitted uses in this section
- 187.** Funeral homes
- 198.** Group day care homes, Day care center facilities and Nursery schools
- 2019.** Family Day Care Homes, subject to the standards and conditions of Section IV(I)(6), except that Board of Appeals review is not required
- 210.** Health clubs
- 221.** Hotels and motels (must be served by public sewer) [Amended 08/19/09]
- 232.** Bed and breakfast establishments [Amended 08/19/09]

The following non-residential uses are not limited in square footage of floor area per unit of occupancy.

- 243.** Municipal buildings and uses
- 254.** Elementary and secondary schools
- 265.** Place of worship
- 276.** Accessory uses (excluding outdoor storage) including accessory agricultural activities subject to the performance standards of Section IX.P [Amended 05/05/10]
- 287.** Libraries and museums

The following non-residential uses are limited to 5,000 square feet of floor area per unit of occupancy and are permitted only in planned developments. [Adopted 08/19/09]

- 298.** Restaurants with drive-through service

SECTION XVIII.D. TOWN AND VILLAGE FRINGE DISTRICT, TVC3 [adopted 11/07/2007][Amended 03/04/09][Amended 04/06/2011][Amended 05/20/2020; 07/19/2023][Amended xx/xx/2024]

NON-RESIDENTIAL USES:

The following non-residential uses are limited to 1,000 square feet of floor area per unit of occupancy.

9. Retail sales and services, excluding car washes, and outdoor sales and services

The following non-residential uses are limited to 5,000 square feet of floor area per unit of occupancy.

10. Business services and business offices

11. Professional offices

12. Financial, insurance and real estate offices

13. Personal services

14. Non-municipal government offices

15. Restaurants with no drive-through service

16. Mobile Food Vendor Court (drive-through or drive-in service is prohibited), subject to the performance standards of Section IX.BB [Adopted xx/xx/2024]

176. Non-residential institutional uses, including educational, religious, philanthropic, fraternal, or social institutions, which are not otherwise permitted uses in this section

187. Funeral homes

198. Group day care homes, Day care center facilities and Nursery schools

2019. Family Day Care Homes, subject to the standards and conditions of Section IV(I)(6), except that Board of Appeals review is not required

210. Health clubs, except that health clubs are not permitted in the Black Point Neighborhood Center TVC3 District located adjacent to Black Point Road and Highland Avenue. [amended 04/06/2011]

The following non-residential uses are limited to 36,000 square feet of floor area per establishment.

221. Hotels, motels and bed and breakfast establishments except that hotels and motels are not permitted in the Black Point Neighborhood Center TVC3 District located adjacent to Black Point Road and Highland Avenue. [amended 04/06/2011]

The following non-residential uses are not limited in square footage of floor area per unit of occupancy.

232. Municipal buildings and uses

243. Elementary and secondary schools

254. Place of worship

265. Accessory uses (excluding outdoor storage) including accessory agricultural activities subject to the performance standards of Section IX.P [Amended 05/05/10]

276. Libraries and museums

SECTION XVIII.E. TOWN AND VILLAGE CENTERS 4 DISTRICT – TVC-4
[Amended 07/19/2023] [Amended xx/xx/2024]

A. PERMITTED USES, CONVENTIONAL AND PLANNED DEVELOPMENTS

The following non-residential uses are permitted in both conventional and planned developments, but in conventional developments are limited to 20,000 square feet of floor area per unit of occupancy:

1. Retail sales and services, excluding car washes, gasoline filling stations and outdoor sales and services except as otherwise provided.
2. Gasoline filling stations existing as of July 1, 2012.
3. Sales, services and storage of marine-related equipment and watercraft including outdoor sales, display and storage.
4. Food processing facilities.
5. Personal services.
6. Restaurants with no drive-through service.
7. Mobile Food Vendor Court (drive-through or drive-in service is prohibited), subject to the performance standards of Section IX.BB [Adopted xx/xx/2024]
8. Professional offices.
9. Business services and business offices.
10. Financial, insurance and real estate offices.
11. Health clubs.
12. Non-municipal government offices.
13. Non-residential institutional uses, including educational, religious, philanthropic, fraternal or social institutions.
14. Place of worship.
15. Fully enclosed places of assembly, amusement, culture, and government, exclusive of video arcades, amusement parlors, video gambling, casino gambling and off-track betting.
16. High technology facilities.
17. Research, development and light industrial uses.
18. Group day care homes, day care facilities, and nursery schools.
19. Accessory uses (excluding outdoor storage) including accessory agricultural activities.
20. Fuel distribution facilities existing as of September 1, 2012.
21. Small Batch Processing Facilities, subject to the performance standards of Section IX.(M.3.) of this Ordinance.[Adopted 10/07/15]

The following non-residential uses are permitted in both conventional and planned developments without regard to floor area per unit of occupancy:

- | 221. Municipal buildings and uses

The following non-residential uses are permitted only in planned developments:

- | 232. Restaurants with drive-through service

The following residential uses are permitted in both conventional and planned developments:

243. Single family dwellings only on lots with their primary frontage on Holly Street, Bickford Street, or other streets that are accessed via Holly or Bickford Streets. Subject to the performance standards in Section IX.Z.

254. Two family dwellings only on lots with their primary frontage on Holly Street, Bickford Street, or other streets that are accessed via Holly or Bickford Streets

265. Townhouses limited to not more than eight (8) units per building

276. Accessory dwelling units subject to the performance standard in Section IX.J

The following residential uses are permitted only in planned developments:

278. Dwelling units and/or live/work units in a mixed use building only on a lot having its primary frontage on East Grand Avenue, Pine Point Road, or Snow's Canning Road

SECTION XIX. REGIONAL BUSINESS DISTRICT B-2. [04/16/08][Amended 08/19/09][Amended xx/xx/24]

C. PERMITTED USES

- 1.** Retail business and service establishments including warehousing and wholesale distribution of products other than fuel stored in bulk, but exclusive of Mini-Warehouse/Storage Facilities junkyards, salvaging operations, outdoor sales and services, and gasoline stations. Personal services. [07/17/91] [08/17/94] [11/16/94] [12/03/97] [03/20/02][Amended 08/19/09]
- 2.** Personal services [Amended 08/19/09]
- 3.** Professional offices [Amended 08/19/09]
- 4.** Financial insurance and real estate offices [Amended 08/19/09]
- 5.** Business services and business offices [Amended 08/19/09]
- 6.** Non-municipal government offices. [7/17/91] [Amended 08/19/09]
- 7.** Fully enclosed places of assembly, amusement, culture and government, exclusive of video arcades, amusement parlors, video gambling, casino gambling and off-track betting. [4/03/02]
- 8.** Clubs and lodging houses.
- 9.** Passenger transportation facilities.
- 10.** Accessory uses (excluding outdoor storage) including accessory agricultural activities subject to the performance standards of Section IX.P. [7/17/91] [Amended 05/05/10]
- 11.** Family Day Care Homes, subject to the standards and conditions of Section IV(I)(6), except that Board of Appeals review is not required. [6/01/94]
- 12.** High Technology Facilities, subject to the performance standards of Section IX(M) of this Ordinance. [08/17/94] [04/16/08]
- 13.** Hotels and Motels. [11/02/94]
- 14.** Restaurants. [11/16/94]
- 15.** Mobile Food Vendor Court (drive-through or drive-in service is prohibited), subject to the performance standards of Section IX.BB [xx/xx/2024]
- 165.** Golf Course. [12/21/94]
- 176.** Municipal Buildings and Uses. [07/05/95]
- 187.** Place of Worship. [05/05/99]
- 198.** Funeral Homes. [02/21/07]
- 2019.** Health Clubs [Adopted 08/19/09]
- 210.** Non-residential institutional uses, including educational, religious, philanthropic, fraternal, or social institutions [Adopted 08/19/09]
- 221.** Libraries and museums [Adopted 08/19/09]
- 232.** Elementary and secondary schools [Adopted 08/19/09]
- 243.** Group Day Care Homes, Day Care Center Facilities and Nursery Schools [Adopted 08/19/09]
- 254.** Telecommunication Facilities [Effective 11/15/14]
- 265.** Small Batch Processing Facilities, subject to the performance standards of Section IX.(M.3.) of this Ordinance. [Adopted 10/07/15]

SECTION XIXA. GENERAL BUSINESS DISTRICT B3 [04/16/2008] [xx/xx/2024]

C. PERMITTED USES – CONVENTIONAL AND PLANNED DEVELOPMENT

NON-RESIDENTIAL USES:

The following non-residential uses are permitted in both conventional and planned developments, subject to the limitation on the maximum floor area per unit of occupancy set forth in Sections F and G:

1. Retail sales and services, excluding outdoor sales and services
2. Personal services
3. Restaurants
4. Mobile Food Vendor Court (drive-through or drive-in service is prohibited), subject to the performance standards of Section IX.BB [xx/xx/2024]
54. Professional offices
65. Business services and business offices
76. Financial, insurance and real estate offices
87. Health clubs
98. Fully enclosed places of assembly, amusement, culture and government, exclusive of video arcades, amusement parlors, video gambling, casino gambling and off-track betting
109. High technology facilities, subject to the performance standards of Section IX(M) of this Ordinance
110. Hotels and motels
121. Non-municipal government offices
132. Non-residential institutional uses, including educational, religious, philanthropic, fraternal, or social institutions
143. Clubs and lodging houses
154. Passenger transportation facilities
165. Funeral homes
176. Places of worship
187. Group day care homes, day care facilities, and nursery schools, subject to the standards of Section IV(I)(6) of this Ordinance, but special exception approval by the Zoning Board of Appeals is not required
198. Accessory uses (excluding outdoor storage) including accessory agricultural activities subject to the performance standards of Section IX.P. [Amended 05/05/10]
2019. Telecommunication Facilities [effective 11/15/14]

The following non-residential uses are permitted in both conventional and planned developments without regard to the limitation on floor area per unit of occupancy.

210. Municipal buildings and uses
221. Elementary and secondary schools
232. Libraries and museums
243. Small Batch Processing Facilities, subject to the performance standards of Section IX.(M.3.) of this Ordinance. [Adopted 10/07/15]

SECTION XX. BUSINESS OFFICE-RESEARCH DISTRICT BOR.

**[Adopted 11/07/07][Amended 12/01/10; Amended 05/20/2020; Amended 04/21/2021;
Amended xx/xx/2024]**

B. PERMITTED USES

1. Medical/diagnostic facilities
2. Places of worship
3. Municipal buildings and uses
4. Non-municipal government buildings and use
5. Instructional and educational services
6. Nonresidential institutional uses
7. Business and professional offices
8. Business services
9. Financial, insurance and real estate offices
10. Personal service establishments
11. Retail business and service establishments with less than 5,000 square feet of gross floor area, excluding car washes
12. Restaurants with no drive-through service
- 13. Mobile Food Vendor Court (drive-through or drive-in service is prohibited), subject to the performance standards of Section IX.BB [xx/xx/2024]**
- 143.** Funeral homes
- 154.** Health clubs
- 165.** Motor vehicle (automobile) sales, repair and service facilities existing as of September 1, 2007
- 176.** High technology facilities, subject to the performance standards of Section IX(M) of this ordinance [04/16/08]
- 187.** Accessory uses (excluding outdoor storage) including accessory agricultural activities subject to the performance standards of Section IX.P. [Amended 05/05/10]
- 198.** Hotels and motels existing as of September 1, 2007
- 2019.** Sale, rental and/or service of heavy equipment or specialized motor vehicles (other than passenger cars) existing as of September 1, 2007
- 210.** Mini-Warehouse/Storage Facilities existing as of September 1, 2007
- 221.** Contractor's offices, shops and storage yards existing as of September 1, 2007
- 232.** Telecommunication Facilities
- 243.** Small Batch Processing Facilities, subject to the performance standards of Section IX.(M.3.) of this Ordinance. [Adopted 10/07/15]
- 254.** ~~Cannabis~~**Marijuana** Manufacturing Facility [Adopted 01/08/2020]
- 265.** ~~Cannabis~~**Marijuana** Testing Facility. [Adopted 01/08/2020]

SECTION XX.C. CROSSROADS PLANNED DEVELOPMENT (CPD)

[Adopted 08/21/13; Amended 10/07/15; 05/16/18; 05/20/2020; 04/21/2021; 05/17/2023; 11/15/2023; 09/04/2024; [xx/xx/2024](#)]

B. PERMITTED USES (CPD)

i. The following uses are permitted only in planned developments:

7. Single-family dwellings but only as part of a planned development that includes a variety of housing types.
8. Two-family dwellings but only as part of a planned development that includes a variety of housing types.
9. Multifamily dwellings.
10. Multiplex dwellings.
11. Townhouses, limited to no more than eight (8) dwelling units per building.
12. Senior housing.
13. Residential and long-term care facilities for the ill, aged, or disabled. If the facility includes dwelling units, then the regulations governing the particular type of dwelling shall apply.
14. Dwelling units in a mixed use building.
15. Live/work units.
16. Accessory units.
17. Retail business and service establishments.
18. Personal service establishments.
19. Restaurants with no drive-through service, excluding coffee houses.
- [20. Mobile Food Vendor Court \(drive-through or drive-in service is prohibited\), subject to the performance standards of Section IX.BB \[xx/xx/2024\]](#)
- ~~210~~. Coffee Houses, drive-through service permitted. Coffee houses with drive-through service must be compatible with the character of the specific district subject to Planning Board review.
- ~~221~~. Hotels and motels.
- ~~232~~. Business and professional offices.
- ~~243~~. Financial, insurance and real estate offices.
- ~~254~~. Business services.
- ~~265~~. Medical/diagnostic facilities.
- ~~276~~. Health clubs.
- ~~287~~. Non-municipal government buildings and uses.
- ~~298~~. Elementary and secondary schools.
- ~~3029~~. Instructional and educational services.
- ~~310~~. Libraries.
- ~~321~~. Museums.
- ~~332~~. Non-residential institutional uses, including educational, religious, philanthropic, fraternal, or social institutions.
- ~~343~~. Funeral homes.
- ~~354~~. Places of worship.
- ~~365~~. Adjunct uses, Place of worship.
- ~~376~~. Golf courses.

387. Casinos or slot machine facilities, as defined in Chapter 31 of Title 8 of the Maine Revised Statutes, that are located within the same planned development as a harness racing facility and are licenses by the State of Maine in accordance with the requirements of Chapter 31 of Title 8 of the Maine Revised Statues, including the requirements that the casino or slot machine facility must be approved by the voters of the Town in a municipal referendum and that the Town Council has entered into a revenue-sharing agreement with the owner and/or operator of the casino or slot machine facility.

398. Pet care facilities. [Adopted 05/16/18]

iii. The following uses are permitted only in planned developments and are subject to specific performance standards set forth in Section IX.

4039. Home occupations.

410. High technology facilities.

421. Family day care homes.

432. Group day care homes and day care facilities.

443. Nursery schools.

454. Passenger transportation facilities.

465. Small-scale energy facilities.

476. Telecommunication facilities.

487. Small Batch Processing Facilities, subject to the performance standards of Section IX.(M.3.) of this Ordinance with the exception of size limitation. Small batch processing facilities shall be limited to no more than 10,000 square feet of floor area included any accessory uses, such as retail area, a tap room, sampling area, storage or warehousing. [Adopted 10/07/15; amended 05/17/2023]

498. Research, development and light industrial. [Adopted 05/16/18]

5049. Gasoline filling stations whether as a principal or accessory use and located so that all fueling facilities are located within one thousand (1,000) feet of the point of intersection of the centerlines of Payne Road and Holmes Road. Gasoline filling stations shall also be subject to the performance standards of Section IX.(X.) of this Ordinance. [Adopted 05/16/18]

v. The following uses are permitted only in planned developments and are subject to the additional development standards of subsection D, of this district, including the standards on location and buffers under subsection D.14.: [Adopted 05/16/18]

510. Manufacturing and assembly.

521. Food processing facilities.

532. Mini-warehouse/storage facilities.

543. Contractors offices, shops and storage yards.

554. Motor vehicle repair and service facilities including auto body shops, facilities for the repair or recreational vehicles, small engine repair facilities and vehicle sales accessory to these uses.

565. Sale, rental and/or service f heavy equipment or specialized motor vehicles (other than passenger cars).

576. Cannabis Manufacturing Facility. [Adopted 01/08/2020 Amended 09/04/2024]

587. Cannabis Testing Facility. . [Adopted 01/08/2020 Amended 09/04/2024]

SECTION XXI. INDUSTRIAL DISTRICT - I.

B. PERMITTED USES

1. Manufacturing and assembly. [Amended 07/18/12]
2. Research, development and light industrial.
3. High technology facilities, subject to the performance standards of Section IX(M).
4. Food processing facilities.
5. Warehousing Facility. [Amended 06/20/18]
6. Distribution, wholesale trade and transportation, including trucking terminals. [3/19/75] [05/01/96]
7. Mini-Warehouse/Storage Facilities, subject to the performance standards of Section IX(H) of this Ordinance. [12/03/97]
8. Instructional and educational services.
9. Motor vehicle repair and service facilities including auto body shops, facilities for the repair of recreational vehicles, small engine repair facilities and vehicle sales accessory to these uses.
10. Sale, rental and/or service of heavy equipment or specialized motor vehicles (other than passenger cars). [05/01/96]
11. Restaurants, with less than 2,000 square feet of floor area and with no drive-up, drive-through or drive-in service. [05/06/98]
- 12. Mobile Food Vendor Court (drive-through or drive-in service is prohibited), subject to the performance standards of Section IX.BB [xx/xx/2024]**
- 132.** Lumber yards, fuel storage and distribution yards (excluding tank farms) and building material yards (building material yards may include storage of rock, sand and gravel provided no excavation occurs on site). [05/01/96][07/18/12]
- 143.** Retail sales or services if such sales or services are accessory to principal permitted uses. [05/01/96]
- 154.** Professional offices, including addiction treatment facilities subject to the Performance Standards of Section IX.L. with a maximum of 2,500 square feet of floor area per use. [11/16/2005][07/18/12]
- 165.** Business services and business offices.
- 176.** Contractor's offices, shops and storage yards. (05/01/96)
- 187.** Municipal buildings and uses, not including places of assembly.
- 198.** Non-municipal government buildings and uses.
- 2019.** Health Clubs. [05/04/02]
- 210.** Personal Services. [05/20/98][07/18/12]
- 221.** Pet Care Facility. [09/04/02]
- 232.** Transmission towers subject to the performance standards of Section IX(F) of this Ordinance. [5/17/95][07/18/12]
- 243.** Recycling Facility, exclusive of junkyards, automobile graveyards or automobile recycling businesses subject to annual licensing by the Scarborough Town Council under section IX(A)(18). Notwithstanding this provision, all municipal solid waste incinerator ash processing facilities and all municipal solid waste incinerator ash recycling facilities shall be sited only within the confines of a secure, lined landfill approved by the Maine Department of Environmental Protection.[03/06/96][07/18/12]
- 254.** Water dependent sports practice facilities. [07/18/12]
- 265.** Accessory agricultural activities subject to the performance standards of Section IX.P. [Amended 05/05/10; 07/18/12]

276. Telecommunication facilities. [05/01/96]

287. Cannabis Manufacturing Facility [Adopted 01/08/2020]

298. Cannabis Testing Facility. [Adopted 01/08/2020]

3029. Cannabis Cultivation Facility conducted within a fully enclosed structure. [Adopted 01/08/2020; 09/04/2024]

301. Utility-Scale Solar Energy Systems, subject to the performance standards of Section IX.(O.1.) of this Ordinance. [dAdopted 11/03/21]

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SECTION XI. OFF-STREET PARKING REGULATIONS. [amended 01/06/2010; 07/19/2023; xx/xx/2024]

B. The following minimum off-street parking requirements shall be provided and maintained. Where a use is not specifically mentioned in this provision, the Planning Board shall determine the minimum parking requirements. The number of parking spaces required shall be determined by the Planning Board based on the nature of the use, the intensity of the proposed use and the parking demand expected to be generated by the specific proposal.

1. Standards for off-street parking.

Restaurants & drinking establishments without drive-thru or take-out services	1 per 4 table or booth seats, plus 1 per 2 counter or bar seats, plus 1 for each 60 square feet of customer standing or waiting area, plus 1 for every 2 employees, based on highest employee occupancy
Restaurants & drinking establishments with drive-thru and/or take out services	Standards described above apply, provided that the minimum number of parking spaces is 10, plus 6 stack spaces for each drive-up window, at least 3 of which must be designated for the ordering station, located so as not to impede pedestrian or vehicular circulation on the site of any adjacent street
<u>Mobile Food Vendor Court</u>	<u>1 per mobile food vendor pad site; not including the required parking spaces for any other use on site. ADA parking shall be provided. Parking requirements shall be subject to Planning board site plan approval.</u>

L. Electrical Vehicle Charging Infrastructure. The purpose of this provision is to facilitate and encourage the use of electric vehicles, to expedite the establishment of a convenient, cost-effective electric vehicle infrastructure, and to establish minimum requirements for such infrastructure to serve both long-term and short-term parking needs.

Table 1. EV Charging Infrastructure Requirements
(Table based on table in section B.1)

USE	Number of Parking Spaces Required *FA = Floor Area *GLA = Gross Leasable Area	Electric Vehicle Charging Station (EVCS) Requirements				
		EVCS-installed parking spaces	EVCS-ready parking spaces	EVCS-capable parking spaces	TOTAL SPACES	Minimum type of EVCS
Commercial						
Retail sales & services	4 per 1,000 sq. ft. of FA	5%	10%	10%	25%	50% Level 2

(> 25,000 sq. ft.)						50% Level 3
Retail sales & services (< 25,000 sq. ft.)	4 per 1,000 sq. ft. of FA		5%	20%	25%	Level 2
<u>Mobile food Vendor Court</u>	<u>1 per mobile food vendor pad site</u>	-	-	-	-	<u>NA</u>
Health Club	3.5 per 1,000 sq. ft. Of FA, except that areas occupied by, and only to be used for specific activities (i.e. tennis or racquetball courts, exclusive of gymnasiums) require 3 per court.	5%	10%	10%	25%	Level 2
Hotels, motels and other transient lodging establishments	1 for each guest room.	10%	10%	80%	100%	Level 2
All other commercial uses	Refer to Table 1 in Ch. 405 Section XI. Off-Street Parking Regulations for required number of parking spaces		5%	20%	25%	Level 2