

## **SECTION XIII.A ZONING DISTRICT USE TABLES**

### **SECTION XIII.A ZONING DISTRICT USE TABLES**

The following use tables and conditions shall apply to all included zoning districts. Permitted use table abbreviations are as follows:

P – Permitted by Right

PD – Permitted by Right, Planned Development Process Required

SE – Special Exception Required

C# – Condition Applies

CZ – Contract Zone Required

Blank – Not a Permitted Use

Multiple Symbols - All shall apply

In all instances where mixed use is permitted, if any use requires special exception, special exception approval by the Zoning Board of Appeals under Section IV is required.

Performance Standards, when noted, shall apply to all districts.

#### **A. USE TABLES**

Land Use (See Section VI for Definitions)	Additional Standards Performance Standards Apply to All Districts	Rural Farming (RF)	Rural, Farming and Manufactured Housing (RFM)	Residential 2 (R2)	Residential 3 (R3)	Residential 4 (R4)	Residential 4A (R4A)	Village Residential 2 (VR-2)	Village Residential 4 (VR-4)	Residence and Professional Office (RPO)	Town and Village Centers (TVC)	Town and Village Centers Transition (TVC-2)	Town and Village Centers Fringe (TVC-3)	Town and Village Centers 4 (TVC-4)	Beach Mixed Use (B-1)	Running Hill Transition (RH-2)	Running Hill Mixed Use (RH)	Crossroads Planned Development (CPD)	Haigis Parkway (HP)	Business office Research (BOR)	Regional Business (B-2)	General Business (B-3)	Light Industrial Overlay (LI)	Industrial (I)
		FORESTRY, CONSERVATION AND AGRICULTURAL USES																						
Conservation		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Forestry (Commercial)		P	CZ																					
Wetlands Creation		CZ	CZ																					
Accessory Agricultural Activities	Section IX.P.	P	CZ	P	P	P	P	P	P	P	C22	P	P	C21	P	P	P		P	P	P	C8	P	P
Accessory Stables	Section IX.P.	C2	CZ; C2	C2																				
Stables (commercial)		P	CZ																					
Commercial Agriculture	Section IX.Q.	P	CZ	SE	SE	SE	SE	SE									C26	C26						
Commercial Animal Husbandry	Section IX.Q.	P	CZ	SE	SE	SE	SE										C26	C26						
Agricultural Processing Facility in Conjunction with Commercial Agriculture and/or Animal Husbandry (less than 2,000 square feet of gross floor area)	Section IX.Q.	P	CZ	SE; C6				SE; C6																
Agricultural Processing Facility in Conjunction with Commercial Agriculture and/or Animal Husbandry (more than 2,000 square feet of gross floor area)	Section IX.Q.	SE	SE																					
Agricultural Employee Housing		SE	SE																					
Farm Stand	Section IX.R	P	CZ	SE				SE																
Agricultural Products Store	Section IX.S	P	CZ	SE																				
RESIDENTIAL HOUSING USES																								
Single Family Dwelling Units	Section IX (Z)	P	P	P	P	P	P	P	P	P		C45	C45	C48	P	P	C27	PD; C42						
Two-family Dwelling Units	Section IX (Z)	P	P	P	P	P	P	P	P	P		C45	C45	C48	P	P		PD; C42						
Manufactured Housing Unit		C5	C5	C5	C5	C5	C5	C5	C5	C5		C5; C45	C5; C45	C5; C48	C5	C5	C5; C27	PD; C5; C42						
Manufactured Housing Community	Section IX (Y)	SE	SE																					
Townhouse					C1; C3	C1; C3	C1; C3	C3	C3	C44	P	C1	C1	P		P	P	PD						

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		Single Multi-family Dwelling with Four or Fewer Dwelling Units on a Lot	Section VIIA. Conservation Design	P	CZ																			
Multi-Family Dwelling (no more than 8 dwelling units per building)					C1; C3	C1; C3	C1; C3																	
Multi-Family Dwelling (no more than 12 dwelling units per building)												C1	C1			P								
Multi-Family Dwelling (no limit per building)								C3; C17	C3; C17	C44	P						P	PD	PD; C19					
Accessory Dwelling Unit	Section IX.J	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P						
Senior Housing											P	C1	C1			P	P	PD						
Residential Accessory Use		P	CZ	P	P	P	P	P	P	P	C22	P	P	C21	P	P	P	P	P					
<b>RESIDENTIAL HOUSING AND COMMERCIAL COMBINED USES</b>																								
Dwelling Units in a Mixed Use Building										C37	P	C37	C37	PD; C49	C36	C38	P	PD	PD; C19			PD		
Live Work Unit										P	P	P	P	PD; C49	P	P	P	PD	PD; C41			PD		
Home Occupation	Section IX (V)	SE	SE	SE	SE	SE	SE	SE	SE	P	P/SE	P/SE	P/SE	P/SE	P	P/SE		PD						
<b>RESIDENTIAL CARE USES</b>																								
Family Child Care Provider	Section IX. EE	P	P	P	P	P	P	P	P	P	C22	C14	C14	P	P	C14	P	PD			P			SE
Adult Day Care Program	Section IX. EE	P	CZ	P	P	P	P	P	P	P	C22	C14	C14			C14	P	PD			P			SE
Small Child Care Facility	Section IX. EE	P	P	P	P	P	P	P	P	P	C22	C14	C14	C21	P	C14	P	PD	P	SE	P	CZ		SE
Nursery School	Section IX. EE	P	P	P	P	P	P	P	P	P	C22	C14	C14	C21	P	C14	P	PD	P	SE	P	CZ		SE
Child Care Center	Section IX. EE	P	P	P	P	P	P	P	P	P	C22	C14	C14	C21	P	C14	P	PD	P	SE	P	CZ		SE
Day Camp		C4	CZ, C4																					
Orphanage					SE	SE		SE	SE															
Residential Care Facility	Section IX (C)	C1	CZ, C1			SE					SE	SE	SE			SE	SE; C20; C43	PD; C43	PD	SE		PD		
Assisted Living Facility	Section IX (C)										SE	SE	SE			SE	SE; C20; C43	PD; C43	PD	SE		PD		
Nursing Home, Licensed		C3	CZ, C3		SE	SE		SE	SE			SE	SE			SE	P		PD			PD		
Hospice Program or Provider	Section IX (K)	SE	SE	SE	SE	SE		SE	SE															

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		LODGING USES																						
Bed and Breakfast	Section IX (T)	P	CZ									C14	C24		P									
Short-Term Rental (owner occupied)	Section IX (FF)	C60 or SE	C60 or SE	C60 or SE	C60 or SE	C60 or SE	C60 or SE	P	P	P	P	P	P	P	P	P	P	P	P		P	P		
Short-Term Rental (non-owner occupied)	Section IX (FF)	C60	C60	C60	C60	C60	C60	SE	SE	SE	P	P	P	P	C60	SE	SE	P	P		P	P		
Lodging House																					P	C23		
Camping and Tenting (five acres or more)	Section IX (A.13)	SE	SE																					
Campgrounds	Section IX (A.13)																		P					
Hotels and Motels											C22	C1; C14	C46; C24						PD	C56	C25	P	C23	
SHOP, SERVICE AND MEDICAL USES																								
Retail Sales and Service											C22	C14	C6	C21	C12	C7;C11	C15	PD	C20	C14	P	C23	C47; C58	C58
Outdoor Sales and Services																					SE; C57			
Personal Service											C22	C14	C14	C21	C12	C40	C40	PD	P	P	P	C23	P	P
Health Club											C22	C14	C14; C46	C21	C12	C14	P	PD	P	P	P	C23	P	P
Business Services and Business Office										C12	C22	C14	C14	C21	C12	C14	P	PD	P	P	P	C23	P	P
Professional Office							C12			C12; C13	C22	C14	C14	C21	C12	C14	P	PD	P	P	P	C23	P	C9
Medical and Diagnostic Facility																		PD	P					
Addiction Treatment Facility	Section IX (L)																							C9
Financial, Insurance and Real Estate Office										C12	C22	C14	C14	C21	C12	C14	P	PD	P	P	P	C23		
Veterinary Clinic		SE	SE							C12; C13	C22	C14	C14	C21	C12	C14	P	PD	P	P	P	C23	P	C9
Pet Care Facility (Indoor)		SE	SE															PD						P
Kennel (Indoor and/or Outdoor)		SE	SE																					

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		Non-Residential Accessory Use (excludes outdoor storage)		P	CZ	P	P	P	P	P	P	P	C22	P	P	P	P	P	P	P	P	P	P	C23
Non-Residential Accessory Use (includes outdoor storage)																							P	P
<b>FOOD AND BEVERAGE USES</b>																								
Mobile Food Vendor Site (drive through or drive in service is prohibited)	Section IX.BB										P	P	P	P				PD	P	P	P	P		P
Mobile Food Vendor Court (drive through or drive in service is prohibited)	Section IX.BB										C22	C14	C14	C21				PD	P	P	P	C23		P
Restaurant (no drive-through service)											C22	C14	C14	C21	C12	C40 or C34	C40	PD	P	P	P	C23		C8
Drinking Establishment																	C40	PD	P	P	P	C23		
Restaurant (drive-through service permitted)											PD	PD; C14		PD					PD; C39		P	C23		
Coffee House; (drive-through service permitted)											PD	PD; C14		PD				PD	PD; C39		P	C23		
<b>RECREATIONAL USES</b>																								
Park		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Trail		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Grounds for Games and Sports (non-profit)							P																	
Golf Course		P	CZ	P	P	P	P		P	P							P	PD	P		P			
Commercial Outdoor Recreation	Section IX.U	SE	SE															P	P					
Water Dependent Sports Practice Facility																								P
Residential Recreation Facility		P	CZ	P	P	P	P	P	P	P														
Community Building (non-profit)					P	P	P	P	P															
Non-commercial Model Aviation Flying Field Located West of the Maine Turnpike	Section IV(I)(8)	SE	SE																					
Fully Enclosed Places of Assembly, Amusement and Culture														C21					P	P		P	CZ	C31; C47
Video Arcade, Amusement Parlor, and/ or Video Gambling																								

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		Casino Gambling, Off Track Betting and/or Slot Machine Facility																		PD; C53					
Harness Racing Facility																		P							
<b>CIVIC, EDUCATIONAL AND LEARNING USES</b>																									
Library				P	P	P		P	P		P	P	P			SE	P	PD			P	P			
Museum			P	P	P		P	P			P	P	P			SE	P	PD			P	P			
Instructional and Educational Service and Institutions, including but not limited to, schools of music, dance, art, driver education and vocational training										SE; C18								PD	P	P			P	P	
School - Public and Private Education Facility (all grades)				P	P	P	P	P	P	P	P	P	P			SE	P	PD	P		P	P			
Funeral Home											C22	C14	C14			SE	P	PD		P	P	CZ			
Place of Worship		P	P	P	P	P	P	P	P	SE	C22	P	P	C21	P	P	P	PD	P	P	P	CZ			
Adjunct Use, Place of Worship		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	PD	P	SE	SE	SE; CZ			
Cemetery		SE	SE	SE																					
Municipal Buildings and Uses		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C47	P	
Post Office Facilities								P																	
Non-Municipal Government Offices										C12; C13	C22	C14	C14	C21		SE	P			P		P	CZ		
Non-Municipal Government Buildings and Uses																		PD		P			P	P	
Non-residential Institutional Uses, Including Educational, Religious, Philanthropic, Fraternal or Social Institutions (not otherwise permitted)					SE	SE		SE	SE	SE; C16	C22	C14	C14	C21		SE	P	PD		P	P	CZ			
<b>UTILITY USES</b>																									
Small Wind Energy System (accessory use)	Section IX (N)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Solar Energy System (accessory use)	Section IX (O)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Small Scale Energy Facility (accessory use)	Section IX (W)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	PD	P	P	P	P	C47	P	
Utility Scale Solar Energy System	Section IX (O.1)	P	CZ																				C47	P	
Public Utility Facility		SE	SE	SE	SE	SE	SE	SE, C35	SE, C35	SE	SE	SE	SE	SE	SE	SE	SE	P	P	SE	SE	SE; C23	SE	SE	

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		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	P	PD	P	P	P	C23	C47	P
Telecommunication Facility	Section IX(F)																							
Transmission Towers-	Section IX(F)																							
<b>AUTOMOTIVE AND EQUIPMENT USES</b>																								
Gasoline Filling Stations	Section IX (X)										PD			C21; C29				PD; C52			PD; C50	PD; C51		
Car Wash																		PD			P	C23		C58
Automobile Repair and Tire Service (fully enclosed)																		PD		C13	P	C23	C47; C58	C58
Sales, services and storage of marine-related equipment and watercraft including outdoor sales, display and storage														C21										
Sale, rental and/or service of heavy equipment or specialized motor vehicles (other than passenger cars)																		PD; C54		C25			C47	P
Motor Vehicle Sales, Repair and Service Facility																				C25			C32	
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.																		PD; C54					C47	P
Passenger Transportation Facility																		PD			P	CZ		
<b>BUSINESS AND INDUSTRIAL USES</b>																								
Mini-Warehouse/Storage Facility (external access)	Section IX (H)																	PD; C54		C25				P
Climate Controlled/Internal Access Storage Facility	Section IX (H)																		P					P
Small Batch Processing Facility	Section IX.(M.3)										C22			C21			P	PD	P	P	P	P		
Food Processing Facility	Section IX (M.2)													C21	C28 or SE; C10			PD; C54	P					P
Cannabis Cultivation Facility	Section IX (AA)																							C59
Cannabis Manufacturing Facility	Section IX (AA)																	PD; C54	P	P				P
Cannabis Testing Facility	Section IX (AA)																	PD; C54	P	P			C47	P
Landscape Contractor	Section IX (CC) Section IX (DD)																SE						P	P
Contractor's Office, Shop and Storage Yard																		PD; C54		C25			P	P

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Outdoor Storage (exclusive of fuel stored in bulk)																					SE	SE; C23	SE	P
Extractive Industry Including Gravel Pit and Quarry		SE	SE																					
Research, Development and Light Industrial	Section IX (M.1)													C21				PD	C55				C47	P
High Technology Facility	Section IX (M)													C21			P	PD	P	P	P	C23	C47	P
Manufacturing and Assembly	Section IX (M)																	PD; C54					C47	P
Warehouse Facility (exclusive of mini-warehouse)																					P		C47	P
Distribution Facility	Section XX.IB (D.5)																				P		C47	P
Wholesale Trade and Transportation	Section XX.IB (D.5)																						C47	P
Truck Terminal	Section XX.IB (D.5)																						C47	P
Recycling Facility	Section IX (A.18)																						C47; C33	P
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)														C30										P

**SECTION XIII.A ZONING DISTRICT USE TABLES**

**B. CONDITIONS**

<b>Number</b>	<b>Condition</b>	<b>Number</b>	<b>Condition</b>
<b>C1</b>	Must be served by public sewer	<b>C31</b>	Existing as of January 1, 2013
<b>C2</b>	Must be on minimum 2-acre lot	<b>C32</b>	Existing as of January 1, 2013 including auto body shops and facilities for the repair of recreational vehicles
<b>C3</b>	Must be on minimum 5-acre lot	<b>C33</b>	Including only junkyards, automobile graveyards or automobile recycling businesses that are existing as of January 1, 2013, and subject to annual licensing by the Scarborough Town Council under Section IX(A)(18).
<b>C4</b>	Must be on minimum 10-acre lot	<b>C34</b>	Permitted in conventional developments on lots existing as of April 1, 2014, that have frontage on Gorham Road
<b>C5</b>	a. The wheels, axles, detachable transporter unit and tongue shall be removed and the unit shall be placed on a permanent foundation. b. The foundation shall comply to the requirements of the Town's building code for residential structures. At a minimum, the foundation shall consist of a 4' frost wall completely surrounding and supporting the perimeter of the unit with a crawl space. c. The exterior plumbing shall comply with the Maine State Plumbing Code. d. The exterior electrical connections shall comply with the National Electrical Code. e. The acute angle between the front property line of the lot (or in the case of a curved front line, the chord connecting the points where the side lines intersect the front line) and a line parallel to the short axis of the manufactured housing unit is not less than 30 degrees. f. Fuel oil storage tanks shall be in the cellar, crawl space, or buried and conform to NFPA 31. On corner lots, said acute angle shall be no less than 30 degrees and no greater than 60 degrees. g. Above-ground propane tanks shall be permitted only at the rear of the	<b>C35</b>	Board of Appeals review is not required if the facility is proposed, reviewed and permitted by the Planning Board as part of an original residential development.

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	structure. h. All disturbed portions of the site shall be loamed and seeded.		
<b>C6</b>	Maximum 1,000 sq ft of floor area per unit of occupancy	<b>C36</b>	Limited to no more than two (2) dwelling units per building
<b>C7</b>	Less than 1,000 square feet of retail floor area per unit of occupancy, excluding car washes, gasoline filling stations and outdoor sales and services, if located in a mixed use building that includes other non-residential uses and/or residential uses	<b>C37</b>	Limited to no more than eight (8) dwelling units per building if served by public sewer and two (2) units per building if served by on-site sewage disposal.
<b>C8</b>	Maximum 2,000 square feet of floor area per unit of occupancy	<b>C38</b>	Limited to no more than eight (8) dwelling units per building
<b>C9</b>	Maximum 2,500 sq ft of floor area per unit of occupancy	<b>C39</b>	Permitted only in a mixed use building as part of a planned development.
<b>C10</b>	Less than 2,500 square feet of floor area, total per lot, only on lots that are located easterly of Avenue 5	<b>C40</b>	Permitted only in a mixed use building that includes other non-residential uses and/or residential uses
<b>C11</b>	Less than 2,500 square feet of retail floor area per unit of occupancy, excluding car washes, gasoline filling stations and outdoor sales and services permitted in conventional developments on lots existing as of April 1, 2014, that have frontage on Gorham Road	<b>C41</b>	Permitted only as part of a mixed-use planned development.
<b>C12</b>	Maximum 2,500 sq ft of floor area per lot	<b>C42</b>	Permitted only as part of a planned development that includes a variety of housing types
<b>C13</b>	More than 2,499 sq ft and no more than 10,000 sq ft floor area per lot requires SE	<b>C43</b>	If the facility includes dwelling units, then the regulations governing the particular type of dwelling shall apply
<b>C14</b>	Maximum 5,000 sq ft of floor area per unit of occupancy	<b>C44</b>	Where an RPO zone abuts a residential zone, other types of dwellings are allowed, provided they are of the same type (as defined in Section V) as dwellings in the adjacent residential zone. If an RPO zone abuts more than one residential zone, the district regulations of the least restrictive residential zone abutting that particular RPO zone shall apply throughout that particular RPO zone.
<b>C15</b>	Less than 5,000 square feet of retail floor area per unit of occupancy, excluding car washes, gasoline filling stations and outdoor sales and services, if located in a mixed use	<b>C45</b>	Not permitted on lots fronting Route 1

**SECTION XIII.A ZONING DISTRICT USE TABLES**

	building that includes other non-residential uses and/or residential uses		
<b>C16</b>	Maximum 5,000 sq ft of floor area per lot	<b>C46</b>	Not permitted in the Black Point Neighborhood Center TVC3 District located adjacent to Black Point Road and Highland Avenue
<b>C17</b>	Maximum 7,500 sq ft building footprint	<b>C47</b>	Permitted only on lots that have vehicular access to the Holmes Road
<b>C18</b>	Maximum 10,000 sq ft of floor area per lot	<b>C48</b>	Must have primary frontage on Holly Street, Bickford Street, or other streets that are accessed via Holly or Bickford Streets
<b>C19</b>	Limited to a maximum building footprint of 12,500 square feet and only as part of a mixed-use planned development as specified under subsection II.C.5.	<b>C49</b>	Planned Development required and allowed only on a lot having its primary frontage on East Grand Avenue, Pine Point Road, or Snow’s Canning Road
<b>C20</b>	Maximum 20,000 sq ft of floor area per unit of occupancy	<b>C50</b>	Lots abutting Payne Road between the South Portland line and Gorham Road (Route 114) whether a principal or accessory use, subject to the standards of subsection L. of this district and subject to the performance standards of Section IX.(X.) of this Ordinance
<b>C21</b>	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	<b>C51</b>	Only permitted on a lot that abuts Route One, or located so that all fueling facilities and vehicle service or storage areas are located within one thousand two hundred fifty (1250) feet of the point of intersection of the centerlines of the Payne Road and Haigis Parkway
<b>C22</b>	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:	<b>C52</b>	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.

**SECTION XIII.A ZONING DISTRICT USE TABLES**

<b>C23</b>	Maximum 30,000 square feet floor area per unit of occupancy	<b>C53</b>	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.
<b>C24</b>	Maximum 36,000 square feet of floor area per unit of occupancy.	<b>C54</b>	Subject to the additional development standards of subsection D, of the CPD district, including the standards on location and buffers under subsection D.14
<b>C25</b>	Existing as of September 1, 2007	<b>C55</b>	No outdoor storage
<b>C26</b>	Existing as of September 1, 2008 including retail sales of farm products located on the same premises and kennels, but exclusive of abattoirs and piggeries	<b>C56</b>	All guest rooms must be accessed by interior corridors
<b>C27</b>	Existing as of September 1, 2008	<b>C57</b>	All merchandise displayed for sale is located at least 1,000 feet from any public way.
<b>C28</b>	Existing as of September 1, 2011	<b>C58</b>	Only as accessory use to principal permitted use
<b>C29</b>	Existing as of July 1, 2012	<b>C59</b>	Must be fully enclosed
<b>C30</b>	Existing as of September 1, 2012	<b>C60</b>	Only Permitted in Coastal Beach Zone