

**REGULAR MEETING**

**AGENDA**

**January 14, 2018**

1. Roll Call
2. Pledge of Allegiance to the Flag
3. Public Forum of not more than 30 minutes (5 min. limit each speaker)
4. Council/ Manager Response to Public Comment
5. Meeting Notice
6. Reading of the Record
7. Reports:
  - a. City Manager’s Report
  - b. City Attorney’s Report
  - c. Other Official’s Report
  - d. Mayor’s Report
8. Consent Agenda:
  - Resolve #1 Accepting Donations – Library City Council
  - Resolve #4 Accepting Donations – Fuel Assistance Program City Council
  - Resolve #5 Accepting Donation – Fire Dept. Vests & Flashlights City Manager
  - Ordinance in First Reading #1 Quit Claim Deed – 24 Frederick St. City Council
  - Order #1 Use of City Property – Bicycle Coalition of Maine Councilor Dorr
  - Order #2 Accepting Forfeited Assets – Diaz & Prescott City Manager
  - Order #4 Authorizing Reserve Fund Expenditure – Force Main City Manager
  - Order #5 Accepting Grant Funds – Fire Dept. Smoke/CO Detectors City Manager
9. Licenses & Permits:
  - a. Liquor License – Pizza Hut
  - b. Liquor & Entertainment Licenses – Suzuki’s Sushi Bar
  - c. Liquor License – Chen’s China Coast Restaurant
  - d. Liquor & Entertainment Licenses – Park Street Grille
  - e. Liquor & Entertainment Licenses – Eclipse & The Speakeasy
10. Resolves:
  - #2 Appointments to Boards, Commissions & Committees Mayor Westkaemper
  - #3 Supporting the Nomination of the Singi Double House Councilor Glaser
11. Ordinances in Final Reading & Public Hearing:
  - #42 Zoning Map Amendment – BP Zone Pleasant St. (Post. 12/10/18) Mayor Westkaemper
  - #48 Chapter 19, Section 19-304 Lot Sizes and Setbacks Mayor Westkaemper
  - #49 Chapter 17, Section 17-423 Parking Committee Membership Councilor Magjik
  - #50 Zoning Map Amendment – Res B Zone 84 Crescent Street Councilor Geiger
12. Ordinances in First Reading:
  - #2 Authorizing Discontinuance of a Portion of Brick Street Councilor Geiger
  - #3 Chapter 19, Section 19-304 Waterfront Zone Regulations Councilor Glaser
13. Orders:
  - #3 Authorizing Use of Downtown TIF Funds – Winter Street Project City Manager
14. Adjournment.

**CITY OF ROCKLAND, MAINE**

**RESOLVE #1**

**IN CITY COUNCIL**

January 14, 2019

**RESOLVE** Accepting Donations – Library

**WHEREAS**, the Friends of the Rockland Public Library donated \$3,396.59 for new computer equipment, and \$1,412.26 for youth titles, to be receipted into the Library Restricted Donations account (#10062-03150) and the same expended from the Library Restricted Donations Expenditure account (#10062-06315); and

**WHEREAS**, the Rockland Public Library Endowment Association donated \$1,200 for book trucks, to be receipted into the Library Restricted Donations account (#10062-03150) and the same expended from the Library Restricted Donations Expenditure account (#10062-06315); and

**WHEREAS**, Calvin & Mary Thomas of Rockland, Maine, donated \$50 to the Library, to be receipted into the Library Restricted Donations account (#10062-03150) and the same expended from the Library Restricted Donations Expenditure account (#10062-06315); and

**WHEREAS**, Mary McCallister of Camden, Maine, donated \$50 to the Library in memory of William Lambie, to be receipted into the Library Restricted Donations account (#10062-03150) and the same expended from the Library Restricted Donations Expenditure account (#10062-06315); and

**WHEREAS**, Deborah Sealey of Rockland, Maine donated 7 books on knitting to be added to the Library's collection; and

**WHEREAS**, Lisa Steele-Maley of Edgecomb, Maine donated a copy of her book *Without a Map*, to be added to the Library's collection; and

**WHEREAS**, Donna Ward Smith of Rockland, Maine donated 3 Hobby Horses for the Children's Room at the Library;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the City gratefully accepts these donations and directs that a letter of thanks be sent to each donor in recognition of their generous donations.

Sponsor: City Council  
Originator: City Council

**CITY OF ROCKLAND, MAINE**

**RESOLVE #4**

**IN CITY COUNCIL**

January 14, 2019

**RESOLVE** Accepting Donations – Fuel Assistance Program

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the City of Rockland gratefully accepts the following donations to the City's Fuel Assistance Program to assist local residents with heating/energy-related costs:

\$50 from City Library Director Amy Levine, and  
\$50 from the City's Deputy Librarian Patricia King

**AND**, be it further Resolve that a letter of thanks be sent to each donor in recognition of their generous donations.

Sponsor: City Council  
Originator: City Council

**CITY OF ROCKLAND, MAINE**

**RESOLVE #5**

**IN CITY COUNCIL**

January 14, 2019

**RESOLVE** Accepting Donation – Fire Dept. Vests & Flashlights

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the City of Rockland gratefully accepts the donation from METAVR of \$3,908.04 to the Rockland Fire Department for the purchase of safety vests and flashlights.

**AND**, be it further Resolve that a letter of thanks be sent to the donor in recognition of their generous donation.

Sponsor: City Council  
Originator: City Council

**CITY OF ROCKLAND, MAINE  
ORDINANCE AMENDMENT #1  
IN CITY COUNCIL**

January 14, 2019

**ORDINANCE AMENDMENT** Authorizing a Municipal Quitclaim Deed – 24 Frederick Street

**THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:**

**THAT** the City Manager is hereby authorized, on behalf of the City, to issue a municipal quitclaim deed to Nathan R. Edgcomb for property located at 24 Frederick Street, as shown on Rockland Tax Map #37-B-2, in substantial conformance with the terms, conditions and provisions of the Reconveyance Agreement incorporated herein by reference. If Mr. Edgcomb fails to sign the Reconveyance Agreement and comply with its requirements by March 14, 2019, the City Manager is authorized to solicit bids for the sale of said property.

Sponsor: City Council  
Originator: City Manager

## Tom Luttrell

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**From:** John Root  
**Sent:** Thursday, January 10, 2019 10:43 AM  
**To:** Tom Luttrell  
**Subject:** 24 Franklin

Tom, FREDERICK  
Today, January 10, 2019, I met with Nate Edgcomb at 24 ~~Franklin~~ Street. The house, accessory structure and premises are all in good, clean condition. I went over smoke and CO detector requirements with him and he will be adding more. This email will serve as my report on the lien acquired property.  
Thanks.

John A. Root, Jr.  
Code Enforcement Officer  
City of Rockland, Maine  
270 Pleasant Street  
Rockland, Maine 04841  
(207) 594-0308  
[jroot@rocklandmaine.gov](mailto:jroot@rocklandmaine.gov)

**CITY OF ROCKLAND, MAINE**

**ORDER #1**

**IN CITY COUNCIL**

January 14, 2018

**ORDER** Authorizing Use of City Property – Bicycle Coalition of Maine

**IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the Bicycle Coalition of Maine is hereby authorized to use Snow Marine Park, or MacDougal Community Park if necessary, from September 10, 2019 through September 12, 2019 for the Bike Maine Village for overnight camping for Bike Maine participants.

**AND**, it is furthered Ordered that the Bicycle Coalition of Maine is authorized to serve food, and to serve alcohol in a secured area under the terms and conditions required by the City's policy on service of alcohol on City property and all applicable State laws. Food and alcohol service shall only be provided to Bike Maine participants, and not to the general public. Any fees associated with this activity shall be the responsibility of the Bicycle Coalition of Maine.

Sponsor: Councilor Dorr

Originator: Bicycle Coalition of Maine

**CITY OF ROCKLAND, MAINE**

**ORDER #2**

**IN CITY COUNCIL**

January 14, 2019

**ORDER** Accepting Forfeited Assets – Diaz & Prescott

**IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT**, pursuant to 15 M.R.S. §§ 5824(3) and 5826(6), the City of Rockland hereby grants approval of the transfer of the Defendants *in Rem* listed below, on the ground that the Rockland Police Department did make a substantial contribution to the investigation of the cases:

\$6,815.00 U.S. Currency State of Maine v. Gregorio Diaz, Unified Criminal Court Docket # CR-18-450;

\$1,172.00 U.S. Currency State of Maine v. Dustin Prescott, Unified Criminal Court Docket # CR-18-966.

Sponsor: City Manager

Originator: Police Department



STATE OF MAINE  
Knox, ss

UNIFIED CRIMINAL COURT  
Docket No. CR-18-450

State of Maine	}	
	}	Municipality of Rockland
v.	}	Approval of Transfer
	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Gregoiro Diaz,	}	
Defendant;	}	
	}	
And	}	
	}	
\$6,815.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the municipality of Rockland, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem (\$1,703.75 U.S. Currency), or any portion thereof, on the grounds that the Rockland Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Rockland, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Rockland municipal legislative body on or about

\_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Municipal Officer  
Rockland, Maine  
(Impress municipal legislative body seal here)

STATE OF MAINE  
Knox, ss

UNIFIED CRIMINAL COURT  
Docket No. CR-18-966

State of Maine	}	
	}	
v.	}	Municipality of Rockland
	}	Approval of Transfer
Dustin Prescott,	}	15 M.R.S.A. §5824(3) & §5822(4)(A)
Defendant;	}	
	}	
And	}	
	}	
\$1,172.00 U.S. Currency	}	
Defendant(s) In Rem	}	

NOW COMES the municipality of Rockland, Maine, by and through its municipal officers, and does hereby grant approval pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) to the transfer of the above captioned Defendant(s) in Rem (\$586.00 U.S. Currency), or any portion thereof, on the grounds that the Rockland Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the municipality of Rockland, Maine does hereby approve of the transfer of the Defendant(s) In Rem, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) & §5826(6) by vote of the Rockland municipal legislative body on or about

\_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Municipal Officer  
Rockland, Maine  
(Impress municipal legislative body seal here)

**CITY OF ROCKLAND, MAINE**

**ORDER #4**

**IN CITY COUNCIL**

January 14, 2019

**ORDER** Authorizing Reserve Fund Expenditure – DuPont Force Main Replacement

**IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** that the City Manager is hereby authorized to expend up to \$110,000 from the Sewer Renewal & Replacement Account (#20000-01899) to cover the costs of the replacement of the DuPont Force Main.

Sponsor: City Manager  
Originator: City Manager

**CITY OF ROCKLAND, MAINE**

**ORDER #5**

**IN CITY COUNCIL**

January 14, 2019

**ORDER** Accepting Grant Funds – Fire Department

**IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the City of Rockland hereby accepts grant funds in the amount of \$1,000 from Walmart Store #1797 to reimburse the Rockland Fire Department for the purchase of Smoke and Carbon Monoxide Detectors. Said funds to be deposited into the Walmart Community Grant Account (#60434-03704).

Sponsor: City Manager  
Originator: Fire Chief

APPLICATION FOR CITY LICENSE  
CITY OF ROCKLAND, MAINE  
270 Pleasant Street  
Rockland, Maine 04841

Name of Applicant GC Pizza Hut, LLC Phone (207) 735-0886

Address of Applicant c/o Amanda Williams  
P.O. Box 919, Bangor, ME 04402-0919

Name of Business Pizza Hut Phone \_\_\_\_\_

Address of Business 190 Camden Street, Rockland, ME 04841

Name of Property Owner (if different) William Bird, 194 Park Street, Rockland, ME 04841

Type of License(s):  Liquor  Victualer  Entertainment

Lodging House  Commercial Hauler  Landscape Contractor

Billiard Room  Second Hand Merchant  Other (Specify) \_\_\_\_\_

Type of Business Pizza/Italian Restaurant

Expiration of Current License February 12, 2019

Fee(s) Paid \$100.00 Date 12/13/18

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature Amanda Williams Date 12/13/18  
Amanda Williams, Appt Rep for Maine licenses only

Approved By: \_\_\_\_\_ License # \_\_\_\_\_

Wm Butler Code Officer 1/11/19 Date  
 Approved  Inspected; See Report

Wm Butler for Fire Fire Inspector 1/11/19 Date  
 Approved  Inspected; See Report

\_\_\_\_\_  
Police Chief 1/11/19 Date

[Signature] City Clerk 1/11/19 Date

APPLICATION FOR CITY LICENSE  
CITY OF ROCKLAND, MAINE  
270 Pleasant Street  
Rockland, Maine 04841

Name of Applicant Suzuki's Sushi, Inc. Phone 596-0731

Address of Applicant 419 Main St.  
Rockland

Name of Business Suzuki's Sushi Bar Phone 596-7447

Address of Business 419 Main St.  
Rockland

Name of Property Owner (if different) Main St. Ventures LLC

Type of License(s):  Liquor  Victualer  Entertainment  
 Lodging House  Commercial Hauler  Landscape Contractor  
 Billiard Room  Second Hand Merchant  Other (Specify) \_\_\_\_\_

Type of Business Restaurant

Expiration of Current License 2-6-19

Fee(s) Paid 300 Date Dec. 14, 2018

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature [Signature] Date 12/14/18

Approved By: [Signature] License # \_\_\_\_\_

Approved  Inspected; See Report Code Officer 1/9/19 Date

Approved  Inspected; See Report Fire Inspector 1/9/19 Date

Police Chief 1/9/19 Date

[Signature] City Clerk 1/9/19 Date

APPLICATION FOR CITY LICENSE  
CITY OF ROCKLAND, MAINE  
270 Pleasant Street  
Rockland, Maine 04841

Name of Applicant Chen kong xie Phone 207-975-6899

Address of Applicant 315 Main St, Thomaston, ME 04841

Name of Business China Coast Rockland Phone 207594-1038

Address of Business 235 Camden St, Suite 22, Rockland, ME 04841

Name of Property Owner (if different) Harbor Plaza LLC

Type of License(s):  Liquor  Victualer  Entertainment  
 Lodging House  Commercial Hauler  Landscape Contractor  
 Billiard Room  Second Hand Merchant  Other (Specify) \_\_\_\_\_

Type of Business Restaurant

Expiration of Current License 02/10/2019

Fee(s) Paid \$150.00 Date DEC 17 2018

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature Lay xie Chen Date 12/16/18

Approved By: \_\_\_\_\_ License # \_\_\_\_\_

X Wm Butler  Inspected; See Report Code Officer 1/9/19 Date \_\_\_\_\_

X Wm Butle for fire  Inspected; See Report Fire Inspector 1/9/19 Date \_\_\_\_\_

PK \_\_\_\_\_ Police Chief 1/9/19 Date \_\_\_\_\_

Shant & Shant \_\_\_\_\_ City Clerk 1/9/19 Date \_\_\_\_\_

APPLICATION FOR CITY LICENSE  
CITY OF ROCKLAND, MAINE

270 Pleasant Street  
Rockland, Maine 04841

Name of Applicant John Bowden / Jill Goodridge Phone 207-975-3944

Address of Applicant P.O. Box 107  
Rockland, ME 04841

Name of Business Bowden Enterprises, LLC <sup>dba</sup> Park Street Grille Phone 207-544-4944

Address of Business 279 Main St, STE #7  
Rockland, ME 04841

Name of Property Owner (if different) Crystal Darling

Type of License(s):  Liquor  Victualer  Entertainment

Lodging House  Commercial Hauler  Landscape Contractor

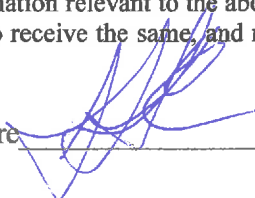
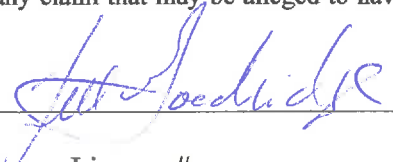
Billiard Room  Second Hand Merchant  Other (Specify) \_\_\_\_\_

Type of Business Full Service Restaurant

Expiration of Current License 2/25/2019

Fee(s) Paid 300<sup>00</sup> Date 12/17/2018

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature   Date 12/14/2018

Approved By: \_\_\_\_\_ License # \_\_\_\_\_

\_\_\_\_\_  
Approved \_\_\_\_\_ Inspected; See Report \_\_\_\_\_ Code Officer \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Approved \_\_\_\_\_ Inspected; See Report \_\_\_\_\_ Fire Inspector \_\_\_\_\_ Date \_\_\_\_\_

 \_\_\_\_\_ Police Chief 1/2/19 Date \_\_\_\_\_

\_\_\_\_\_  
City Clerk \_\_\_\_\_ Date \_\_\_\_\_



APPLICATION FOR CITY LICENSE  
CITY OF ROCKLAND, MAINE  
270 Pleasant Street  
Rockland, Maine 04841

Name of Applicant Larry Reed Phone 542-9335

Address of Applicant 52 Mechanic St.  
Rockland, ME 04841

Name of Business Eclipse Phone 593-8629

Address of Business 2 Park Dr.  
Rockland, ME

Name of Property Owner (if different) Bob Liberty

Type of License(s):  Liquor  Victualer  Entertainment  
 Lodging House  Commercial Hauler  Landscape Contractor  
 Billiard Room  Second Hand Merchant  Other (Specify) \_\_\_\_\_

Type of Business Restaurant/Lounge

Expiration of Current License 2-22-19

Fee(s) Paid \$300 Date 1/4/19

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature [Signature] Date 1-4-19

Approved By: \_\_\_\_\_ License # \_\_\_\_\_

\_\_\_\_\_  
Approved Inspected; See Report Code Officer \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Approved Inspected; See Report Fire Inspector \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Police Chief 1/9/19 Date \_\_\_\_\_

\_\_\_\_\_  
City Clerk \_\_\_\_\_ Date \_\_\_\_\_

**CITY OF ROCKLAND, MAINE**

**RESOLVE #2**

**IN CITY COUNCIL**

January 14, 2019

**RESOLVE** Appointments to Boards, Commissions and/or Committees

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the appointments by the Mayor of the following persons to the following Boards, Commissions and/or Committees for the terms listed are hereby confirmed:

**Planning Board:**

Joanne Hedou, 9 Grace Street, Alternate Member (2019)

**Board of Assessment Review:**

William Clayton, 95 Acadia Drive (2021)

**Zoning Board of Appeals:**

Kirk Folk, 500 Old County Road (2021)

**Comprehensive Planning Commission:**

Jean Fetherstone, 189 Bog Road (2021)

**Coast Guard City Committee:**

Brandy Perkins, 10 Marks Lane (2021)

William Clayton, 95 Acadia Drive (2020)

**Energy Advisory Committee:**

Becca Shaw Glaser, 33 State Street (2021)

**Library Advisory Committee:**

Jean Fetherstone, 189 Bog Road (2021)

**Ad Hoc Short Term Rental Task Force & Study Group:**

Linda Athearn, 422 Broadway (No Term)

Sponsor: Mayor Westkaemper

Originator: Mayor Westkaemper

**CITY OF ROCKLAND, MAINE**

**RESOLVE #3**

**IN CITY COUNCIL**

**January 14, 2019**

**RESOLVE** to support the nomination of the Singhi Double House to the National Register of Historic Places.

**WHEREAS**, the city of Rockland is proud of the historic nature of much of our residential and commercial architecture; and

**WHEREAS**, much of the city's residential architecture met the needs of the citizens, and one popular architectural form in Rockland was the "Double House," as a type of affordable housing for brothers, family members, or business partners who each owned their own side; and,

**WHEREAS**, the Singhi Double House at 198-200 Broadway, is an excellent example of a double house, because each side is a mirror image of the other; and

**WHEREAS**, the Singhi Double House also has special significance to residents of Rockland as the birthplace of Pulitzer prize winning poet Edna St. Vincent Millay, and an example to all of our citizens that humble beginnings should be no deterrent to great talent,

**NOW, THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the City is in full support of the nomination to place the Singhi Double House on the National Register of Historic Places.

Sponsor: Councilor Glaser  
Originator: Councilor Glaser

**CITY OF ROCKLAND, MAINE**  
**ORDINANCE AMENDMENT #42**  
**IN CITY COUNCIL**

October 10, 2018

**ORDINANCE AMENDMENT** Amending Zoning Map – Pleasant Street

**THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:**

**THAT**, the Official Zoning Map of the City of Rockland, Maine, be and hereby is amended as follows:

The zone classification of the parcels identified as Rockland Tax Map #'s 49-A-2, 49-A-3, 49-A-4, 49-A-5, 47-F-1 and 47-E-6, located on the southerly side upper Pleasant Street (from 150 Pleasant Street to 250 Pleasant Street), is hereby changed from Residential Zone "B" and Transitional Business 2 "TB-2" Zone to Business Park "BP" Zone. The zone boundaries are intended to follow the lot lines of said parcels.

Sponsor: Councilor Westkaemper

Originator: City Manager/CD Director

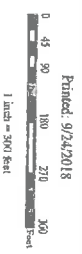
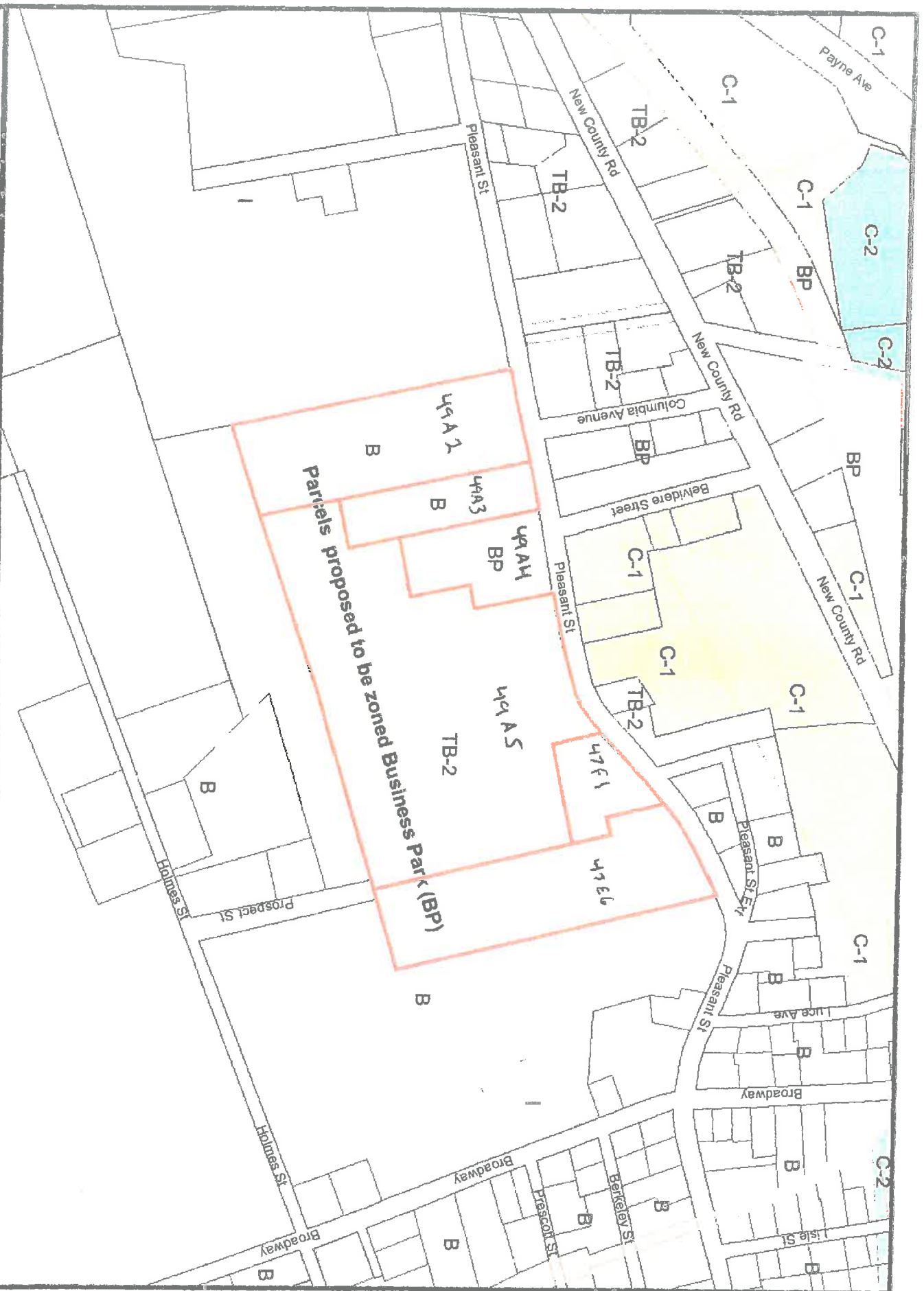
*Postponed (After Public Hearing)  
11/14/18 to 12/10/18*

*Postponed 12/10/18 to 1/14/19*

First Reading 10/10/18  
First Publication 10/20/18  
Public Hearing 11/14/18  
Final Passage \_\_\_\_\_  
Second Publication \_\_\_\_\_  
Effective Date \_\_\_\_\_



CITY OF  
**ROCKLAND**  
 KNOX COUNTY  
 MAINE



**CAUTION**  
 Tax maps are compiled from aerial photography, existing surveys, deeds, and landowner's descriptions. They are to be used for assessment purposes only, and not for conveyance. This map may not be accurate.

## MEMORANDUM

To: Mayor Geiger & City Councilors

CC: City Manager and Code Officers

From: Comprehensive Planning Commission

Date: November 2, 2018

Re: Ordinance Amendment #42, Authorizing Zone Change – Res B/TB2 to Business Park (Pleasant Street)  
Ordinance Amendment #46, Chapter 19, Section 19-304 – BP Zone Regs; Allowed Uses and Setbacks  
Ordinance Amendment #47, Chapter 19, Section 19-304 – Ind Zone Regs; Setbacks

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Mayor Geiger and Members of the City Council:

The Comprehensive Planning Commission, with a vote of 5 in favor, concludes the referenced ordinance amendments are in line with the vision of the Comprehensive Plan. Chapter 13, Future Land Use, specifically addresses this zone and the presumption that these residential sections “are most likely to evolve into industrial areas in the future and should be prepared for a gradual transition into more intensive non-residential uses. With appropriate environmental regulation, the City will continue to support this transition.”

Thank you for your consideration.

**PROPOSED AMENDMENT BY SUBSTITUTION  
ORDINANCE AMENDMENT #42**

**ORDINANCE AMENDMENT** Amending Zoning Map – Pleasant Street

**THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:**

THAT, the Official Zoning Map of the City of Rockland, Maine, be and hereby is amended as follows:

The zone classification of the parcels identified as Rockland Tax Map #'s 49-A-2, 49-A-3, ~~49-A-4~~, 49-A-5, 47-F-1 and 47-E-6, located on the southerly side upper Pleasant Street (~~from 150 Pleasant Street to 250 Pleasant Street~~ 150, 160, 170, 230 and 240 Pleasant Street), is hereby changed from Residential Zone "B" and Transitional Business 2 "TB-2" Zone to Business Park "BP" Zone. The zone boundaries are intended to follow the lot lines of said parcels.

Sponsor: Mayor Westkaemper

Originator: City Manager/CD Director

**CITY OF ROCKLAND, MAINE  
ORDINANCE AMENDMENT #48  
IN CITY COUNCIL**

December 10, 2018

**ORDINANCE AMENDMENT Lot Sizes and Setbacks**

**THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, SECTION 19-304 Zoning Regulations, BE AMENDED AS FOLLOWS:**

**Sec. 19-304 Zoning Regulations**

1. RESIDENTIAL ZONE "A"

\* \* \* \*

**B. Conditional Uses**

The following conditional uses are permissible with the approval of the Planning Board under the provisions of the Site Plan Review Ordinance (Chapter 16, Article II):

<b>RESIDENTIAL ZONE "A" CONDITIONAL USES</b>	
(1)	<p>Bed and Breakfast Establishments.</p> <p>(a) Parking and Buffering. Off-street parking shall be provided for all vehicles of both owners and guests in either the side or rear yards of the lot. Where the lot of a bed and breakfast borders on a lot used solely for residential purposes, a buffer strip shall be maintained. The desired effect of the buffer planting is visual screening of the activity on the bed and breakfast lot. Landscaping of the lot and any buffer strips shall be reviewed and approved by the Planning Board.</p> <p>(b) Owner Occupancy. Notwithstanding anything to the contrary in Sec. 19-302, the owner of an existing Bed and Breakfast Establishment may be authorized to reside in a residence on a parcel that is immediately contiguous to the Bed and Breakfast Establishment parcel where the property line separating the parcels is uninterrupted. The owner of a new Bed and Breakfast Establishment may be authorized by the Planning Board to reside in a residence on a parcel that is immediately contiguous to the Bed and Breakfast Establishment parcel where the property line separating the parcels is uninterrupted. Eff: 03/11/15</p>
(2)	<p>Churches, Expansion of Existing, and Uses Accessory to Existing Churches.</p> <p>(a) For the purposes of this section, uses accessory to existing churches shall be limited to the following:</p> <p style="margin-left: 40px;">(i) Meetings of church organizations.</p> <p style="margin-left: 40px;">(ii) Religious education classes and child development programs.</p> <p style="margin-left: 40px;">(iii) Food pantries.</p> <p>(b) In its review, the Planning Board shall take into consideration the following factors and impose conditions accordingly: location; character and natural features of the site and adjoining property; fencing and screening; landscaping; topography and natural drainage; traffic hazards, vehicular access, circulation and parking; lighting; hours of operation.</p>
(3)	Flag Lots
(4)	<p>Funeral Homes, Expansion of Existing, and Uses Accessory to Existing Funeral Homes.</p> <p>(a) The Planning Board shall take into consideration the following factors and impose conditions accordingly in its review of any proposed expansion of an existing funeral home and/or uses accessory to an existing funeral home: location; character and natural features of the site and adjoining property; fencing and screening; landscaping; topography and natural drainage; traffic hazards, vehicular access, circulation and parking; lighting; and hours of operation. Eff: 11/14/97</p>
(5)	Golf Courses, Expansion of existing onto contiguous property with the following conditions:



RESIDENTIAL ZONE "A" CONDITIONAL USES	
	(a) No building(s) may be erected; (b) No parking space(s) may be created that are associated with the golf course use; (c) No artificial lighting may be installed or otherwise created for the use of the golf course. Eff: 2/25/98
(6)	Home Occupation, Level 3, and home occupations similar in scale and impact to Level 3 Home Occupations
(7)	Private Non-Medical Institutes and Residential Care Facilities, Small. Eff: 04/11/12
(8)	Public school buildings, discontinued, used for cultural and educational purposes; public access or local governmental affairs television studios and local non-profit community radio stations and studios broadcasting at no more than 100 watts horizontal radiated power, provided that broadcasting equipment, if any, shall be either remote or via one roof-mounted whip antenna not exceeding 35 feet in height, provided that the total height of the discontinued school building and roof-mounted antenna does not exceed the total height limit set forth in Section 19-313(4); and/or elderly assisted living housing of no more than 30 units. The above-referenced use is permissible with the approval of the Planning Board under the provisions of the Site Plan Review Ordinance (Chapter 16, Article II), regardless of whether or not a structure is involved. In granting, denying, and/or imposing conditions, the Planning Board shall undertake a review applying the process and standards outlined in Chapter 16, Sections 16-201 through 16-206 for site plan review and shall take into consideration the following factors: location, character and natural features of the site and adjoining property; fencing and screening; landscaping, topography and natural drainage; traffic hazards, vehicular access, circulation and parking; pedestrian circulation; sign, and lighting; compatibility with existing uses; availability of necessary public services; compliance with applicable requirements of all City Ordinances. Eff: 07/09/08
(9)	Accessory Apartments - Detached

\* \* \* \*

D. Standards

(1). The following space and bulk standards shall apply to all lots and/or parcels of land:

RESIDENTIAL ZONE "A" STANDARDS	
Minimum Lot Size	<del>10,000</del> <u>5,000</u> square feet sewered lots; 20,000 square feet for non-sewered lots
Maximum Building Coverage	40% (includes Principal and Accessory structures)
Minimum First Floor Area (Principal Structure)	<del>750 square feet</del> <u>per currently adopted Maine Residential Building Code for 1 &amp; 2 family</u>
Minimum Continuous Street Frontage along one street	<del>100</del> <u>50</u> feet (Excludes Cul-de-sacs)*
Minimum Front Setback ( <del>Principal and Accessory Structures</del> )**	<del>25</del> <u>10</u> feet**
Minimum Rear Setback	<del>25</del> <u>8</u> feet (Excludes Corner Lots, see definition)
<del>Minimum Rear Setback—Exception (For no more than 2 accessory structures with a combined area of up to 700 square feet and a maximum height of 18 feet)</del>	<del>5</del> <u>feet</u>
Minimum Side Setback ( <del>Principal Structure</del> )	8 feet
<del>Minimum Side Setback (Accessory Structures)</del>	<del>5</del> <u>feet</u>
Maximum Building Height	35 feet and 2 ½ stories

Notes:

\*See Subdivision Review in Chapter 16 for Cul-de-sac frontage standards.

~~\*\* In the case of an infill lot, the minimum front setback may be less than 25 feet if the front setback matches one or the other of the existing adjacent front setbacks of abutting lots.~~

~~\* \* \* \*~~

## 2. RESIDENTIAL ZONE “AA”

### A. Permitted Uses

RESIDENTIAL ZONE “AA” PERMITTED USES	
(1)	One <del>and Two</del> -family dwellings
(2)	Accessory Apartments
(3)	Home Occupation, Level 1, and home occupations similar in scale and impact to a Level 1 Home Occupation.
(4)	Accessory uses customarily incident to other permitted uses including private garages.

### B. Conditional Uses

RESIDENTIAL ZONE “AA” CONDITIONAL USES	
(1)	Flag Lots
(2)	<del>Accessory Apartments – Detached</del>
(3)	<del>Bed &amp; Breakfast Establishments</del>
(4)	<del>Home Occupation, Level 2 and Level 3, and home occupations similar in scale and impact to Level 2 and Level 3 Home Occupations</del>
(5)	<del>Small non-medical institutes and residential care facilities</del>

### C. Prohibited Uses

RESIDENTIAL ZONE “AA” PROHIBITED USES	
(1)	Any use which is obnoxious, annoying, unsightly, detrimental to the character of the neighborhood, or offensive to a neighborhood by reason of odor, fumes, vapor, dust, smoke, gas, noise, or vibration is prohibited.
(2)	<del>Home Occupation, Level 2 and Level 3</del>
(3)	<del>Home Occupation similar in scale and impact to Level 2 and Level 3 Home Occupations</del>
(4)	No person shall keep any farm animals including but not limited to fowl, sheep, goat, cattle, swine, horses,
(2)	mule, donkey or other non-domesticated animal except domestic house pets, and no person shall keep any dogs or rabbits for breeding or commercial purposes, on any premises in this zone.

### D. Standards

(1). The following space and bulk standards shall apply to all lots and/or parcels of land:

RESIDENTIAL ZONE “AA” STANDARDS	
Minimum Lot Size	<del>20,000</del> <u>7,500</u> square feet sewered lots; 20,000 square feet for non-sewered lots
Maximum Building Coverage	40% (includes Principal and Accessory Structures)
Minimum First Floor Area (Principal Structure)	<del>750 square feet per currently adopted Maine Residential Building Code for 1 &amp; 2 family</del>
Minimum Continuous Street Frontage along one street	<del>125</del> <u>50</u> feet (Excludes Cul-de-sacs)*
Minimum Front Setback ( <del>Principal and Accessory Structures</del> )	<del>35</del> <u>10</u> feet**
Minimum Rear Setback	<del>25</del> <u>8</u> feet (Excludes Corner Lots, see definition)
<del>Minimum Rear Setback—Exception (For no more than 2 accessory structures with a combined area of</del>	<del>5</del> <u>feet</u>

RESIDENTIAL ZONE "AA" STANDARDS	
<del>up to 700 square feet and a maximum height of 18 feet)</del>	
Minimum Side Setback ( <del>Principal Structure</del> )	<del>10</del> 8 feet
<del>Minimum Side Setback (Accessory Structures)</del>	<del>5</del> feet
Maximum Building Height	35 feet and 2 ½ stories **

Notes:

\*See Subdivision Review in Chapter 16 for Cul-de-sac frontage standards.

~~\*\* In the case of an infill lot, the minimum front setback may be less than 35 feet if the front setback matches one or the other of the existing adjacent front setbacks of abutting lots.~~

For purposes of setback calculations, Principal and Accessory Structures include attached porches, decks and any other attached structures excluding steps only if the steps do not exceed 25 square feet in size. Ramps for handicapped access are exempted from setback calculations. Eff: 05/19/06

\* \* \* \*

### 3. RESIDENTIAL ZONE "B"

\* \* \* \*

#### B. Conditional Uses

The following are permissible with the approval of the Planning Board. In granting, denying, and/or imposing conditions, the Planning Board shall undertake a review, applying the process and standards outlined in Chapter 16-201 through 16-206 for site plan review and shall take into consideration the following factors: location, character and natural features of the site and adjoining property; fencing and screening; landscaping, topography, and natural drainage; traffic hazards, vehicular access, circulation and parking; pedestrian circulation; signage, and lighting; compatibility with existing uses; availability of necessary public services; and compliance with applicable requirements of all City ordinances. All property owners within 300 feet of the lot lines of any proposed conditional use shall be notified in writing, at the applicant's expense, at least 7 days prior to consideration of the conditional use by the Planning Board. Eff: 09/09/09

RESIDENTIAL ZONE "B" CONDITIONAL USES	
(1)	Bed and Breakfast Establishments
(2)	Home Occupation, Level 3
(3)	Home Occupation similar in scale and impact to Home Occupation Level 3
(4)	Lodging or Rooming houses;
(5)	Nurseries or commercial greenhouses shall be allowed north or west of Old County Road only, and provided that no greenhouse heating plant shall be located within 60 feet of any front lot line or within 25 feet of any other lot line
(6)	Farming
(7)	Private Non-Medical Institutes and Residential Care Facilities, Small. Eff: 04/11/12
(8)	Schools and Day Care Facilities Eff: 07/11/07
(9)	Quasi-Public Uses
(10)	Any public utility building, if constructed to conform and harmonize with the buildings in this zone, provided further that the proposed use does not include a storage or service yard or repair shop, or outside storage of supplies.
(11)	On lots served by public sewerage, Assisted Living Facilities, and multi-family dwellings that include an Assisted Living Facility. Eff: 09/09/09
(13)	Agricultural Markets on parcels fronting on Old County Road operated by a parcel owner and/or by a person whose primary residence is located on the parcel. Eff: 11/14/14
(14)	<del>Accessory Apartments - Detached</del>

\* \* \* \*

D. Standards

(1). The following space and bulk standards shall apply to all lots and/or parcels of land:

<b>RESIDENTIAL ZONE “B” STANDARDS</b>	
Minimum Lot Size	<del>6,400</del> <u>4,000</u> square feet for sewered lots 20,000 square feet for non-sewered lots
Required Lot Area for Dwellings with two or more units	Sewered lots, except Assisted Living Facilities: <del>5,000</del> <u>1,000</u> square feet for each unit; Non-sewered lots: 20,000 square feet for the first unit, plus 10,000 for each additional unit. Eff: 8/9/06
Maximum Building Height	35 feet and 2½ stories
Maximum Building Coverage	60% (includes Principal and Accessory Structures)
Minimum Floor Area (Principal Structure Total Floor Area)	<del>750-square-feet per currently adopted Maine Residential Building Code for 1 &amp; 2 family</del>
Minimum Continuous Street Frontage along one street	<del>80</del> <u>50</u> feet (Excludes cul-de-sacs)*
Minimum Front Setback ( <del>Principal and Accessory Structures</del> )**	<del>15</del> <u>10</u> feet**
Minimum Rear Setback	<del>20</del> <u>8</u> feet (Excludes Corner Lots, see definition)
<del>Minimum Rear Setback—Exception (For no more than 2 accessory structures with a combined area of up to 700 square feet and a maximum height of 18 feet)</del>	<del>5</del> <u>5</u> feet
Minimum Side Setback ( <del>Principal Structure</del> )	<del>5</del> <u>8</u> feet
Minimum Side Setback ( <del>Accessory Structures</del> )	<del>5</del> <u>5</u> feet

Notes:

\* See Subdivision Review in Chapter 16 for Cul-de-sac frontage standards.

\*\* ~~In the case of an infill lot, the minimum front setback may be less than 15 feet if the front setback matches one or the other of the existing adjacent front setbacks of abutting lots.~~

For purposes of setback calculations, Principal and Accessory Structures include attached porches, decks and any other attached structures excluding steps only if the steps do not exceed 25 square feet in size. Ramps for handicapped access are exempted from setback calculations. Eff: 05/19/06

\* \* \* \*

5A. RURAL RESIDENTIAL 1 ZONE “RR1”

A. Permitted Uses

In a Rural Residential 1 Zone "RR1" no building or land shall be used, and no building shall hereafter be erected or structurally altered, unless otherwise provided for in this Article.

<b>RESIDENTIAL ZONE “RR1” PERMITTED USES</b>	
(1)	Residential uses, single, 2-family and multifamily

(2)	Accessory Apartments
(3)	Home occupations, <del>all levels</del> <u>Levels 1 and 2</u>
(4)	Agriculture, including but not limited to: cattle, sheep, goats, swine, fowl, or horses kept for commercial or personal purposes
<del>(5)</del>	<del>Bed and breakfast Establishments</del>
<del>(6)</del> <u>(5)</u>	Churches
<del>(7)</del> <u>(6)</u>	Flag Lots
<del>(8)</del> <u>(7)</u>	Funeral homes
<del>(9)</del> <u>(8)</u>	Monument and stone works
<del>(10)</del> <u>(9)</u>	Nurseries, greenhouses and landscaping businesses
<del>(11)</del> <u>(10)</u>	Office buildings Eff: 3/24/99
<del>(12)</del> <u>(11)</u>	Personal Services
<del>(13)</del> <u>(12)</u>	Public utilities Eff: 9/11/96
<del>(14)</del> <u>(13)</u>	Schools and Day care centers
<del>(15)</del> <u>(14)</u>	Service clubs and fraternal or veterans' organizations
<del>(16)</del> <u>(15)</u>	Small engine repair
<del>(17)</del> <u>(16)</u>	Social Service building, existing on 5/14/97, may be expanded up to 2,000 square feet in area
<del>(18)</del> <u>(17)</u>	Tradesmen's offices, shops, and showrooms
<u>(18)</u>	<u>Trailer Parks</u>
(19)	Veterinarians
(20)	Accessory uses

#### B. Conditional Uses

The following uses are permissible with the approval of the Planning Board under the provisions of the Site Plan Review Ordinance (Chapter 16, Article II), regardless of whether or not a structure is involved. In granting, denying, and/or imposing conditions, the Planning Board shall undertake a review, applying the process and standards outlined in Chapter 16, Sections 16-201 through 16-206 for site plan review and shall take into consideration the following factors: location, character and natural features of the site and adjoining property; fencing and screening; landscaping, topography and natural drainage; traffic hazards, vehicular access, circulation and parking; pedestrian circulation; sign, and lighting; compatibility with existing uses; availability of necessary public services; compliance with applicable requirements of all City Ordinances, including the Performance Standards of Section 19-316.

<b>RESIDENTIAL ZONE "RR1" CONDITIONAL USES</b>	
Automobile Body Shops, Automobile Repair and Farm Equipment businesses must not keep outdoors, or on a regular basis, any more than 12 vehicles or pieces of machinery awaiting repair, undergoing repair, or awaiting pick up after repair. These vehicles must be screened as required by Section 19-316.H & I. This number may be increased to 20 vehicles if the site plan which is presented shows that the additional vehicles, machinery or equipment will not be visible from other properties.	
<u>(1)</u>	<u>Accessory Apartments - Detached</u>
<u>(2)</u>	<u>Assisted living and multi-family with assisted living facilities</u>
<del>(1)</del> <u>(3)</u>	Automobile Body Shop, new or expanded

RESIDENTIAL ZONE "RR1" CONDITIONAL USES	
<del>(2)</del> (4)	Automobile Sales, Small-Scale Used, new or expanded. The Planning Board may allow the number of vehicles displayed on any lot in a RR1 zone to be increased up to a maximum of 30 vehicles according to the following:  (i) 1 additional vehicle can be displayed for each 10,000 square feet of undeveloped lot size which exceeds the minimum required lot size in this zone; and (ii) 1 additional vehicle can be displayed for each 10 feet of street frontage (on a public street) exceeding the minimum required frontage in this zone.
<del>(3)</del> (5)	Automobile Repair businesses, new or expanded
(6)	<u>Bed &amp; Breakfast, Lodging &amp; Rooming Houses</u>
<del>(4)</del> (7)	Commercial outdoor recreational uses Eff: 9/9/98
<del>(5)</del> (8)	Farm Equipment sales, new or expanded Eff: 3/11/98
(9)	<u>Home Occupation Level 3</u>
<del>(6)</del> (10)	Schools
(11)	<u>Small non-medical institutes and residential care facilities</u>

\* \* \* \*

D. Standards

(1) The standards of Section 19-316 shall be observed.

RESIDENTIAL ZONE "RR1" STANDARDS		
	SEWERED USE	NON-SEWERED USE
<i>Minimum Lot Size</i>	20,000 square feet	<del>43,560</del> <u>30,000</u> square feet
Required Lot Area for each Additional Dwelling Unit	20,000 square feet	<del>43,560</del> <u>30,000</u> square feet
Minimum First Floor Area Per Building	<del>600 square feet per currently adopted Maine Residential Building Code for 1 &amp; 2 family</del>	
Minimum Continuous Street Frontage along one street	<del>200</del> <u>100</u> feet (Excludes Cul-de-sacs)*	
Minimum Setbacks**		
Front	<del>35</del> <u>20</u> feet	<del>50</del> <u>20</u> feet
Side (Principal Structure)	<del>25</del> <u>16</u> feet	<del>25</del> <u>16</u> feet
Rear	<del>20</del> <u>16</u> feet (Excludes corner lots, see definition)	<del>30</del> <u>16</u> feet (Excludes corner lots, see definition)
<del>Minimum Rear Setback—Exception (For no more than 2 accessory structures with a combined area of up to 700 square feet and a maximum height of 18 feet)</del>	<del>10 feet</del>	
Side and rear setbacks for commercial or mixed use abutting a residential zone or use	40 feet	
<del>Minimum Side Setback (Accessory Structures)</del>	<del>10 feet</del>	
Maximum Building Coverage	<del>East of Old County Road 40%</del> <del>West of Old County Road 20%</del>	

RESIDENTIAL ZONE "RR1" STANDARDS	
Maximum Lot Coverage	East of Old County Road 60% West of Old County Road 30%
Maximum Building Height	35 feet and 2½ stories
Minimum Distance Between Curb Cuts	200 feet along a public way or 100 feet along an internal private road <u>100 feet</u> , but at least one allowed per lot. These provisions may be waived if compliance is physically impossible or would create a safety hazard; the intent is to maximize distance between cuts.

Notes:

Eff: 12/13/17

\*See Subdivision Review in Chapter 16 for Cul-de-sac frontage standards.

\*\* For purposes of setback calculations, Principal and Accessory Structures include attached porches, decks and any other attached structures excluding steps only if the steps do not exceed 25 square feet in size. Ramps for handicapped access are exempted from setback calculations. Eff: 05/19/06

\* \* \* \*

5B. RURAL RESIDENTIAL 2 ZONE "RR2"

\* \* \* \*

**B. Permitted Uses**

In the Rural Residential 2 Zone, no building or land shall be used, and no building shall hereafter be erected or structurally altered, except as provided herein, unless otherwise authorized in this Article.

RURAL RESIDENTIAL 2 ZONE "RR2" PERMITTED USES	
(1)	Agriculture
(2)	Single- And Two-Family Dwellings
(3)	Accessory Apartments
(4)	Home Occupations, <del>Levels 1 and 2</del> <u>all levels</u>
<del>(5)</del>	<del>Bed and Breakfast Establishments</del>
<del>(6)</del> <del>(5)</del>	Nurseries, greenhouses and landscaping businesses
<del>(7)</del> <del>(6)</del>	Veterinarians and Veterinary Clinics
<del>(8)</del> <del>(7)</del>	Riding Stables
<del>(9)</del> <del>(8)</del>	Farm Stands
<del>(9)</del>	<u>Flag Lots</u>
(10)	Accessory uses

**C. Conditional Uses**

The following uses are permissible with the approval of the Planning Board under the provisions of the Site Plan Review Ordinance (Chapter 16, Article II), regardless of whether or not a structure is used. In granting, denying, and/or imposing conditions, the Planning Board shall undertake a review, applying the process and standards outlined in Chapter 16, Sections 16-201 through 16-206 for site plan review and shall take into consideration the following factors: location, character and natural features of the site and adjoining property; fencing and screening; landscaping, topography and natural drainage; traffic hazards, vehicular access, circulation and parking; pedestrian

circulation; signage, and lighting; compatibility with existing uses; availability of necessary public services; compliance with applicable requirements of all City Ordinances, including the Performance Standards of Section 19-316.

RURAL RESIDENTIAL 2 ZONE "RR2" CONDITIONAL USES	
(1)	Agricultural Markets
(2)	<u>Accessory Apartments – Detached</u>
(3)	<u>Assisted living and multi-family with assisted living facilities</u>
(4)	<u>Home Occupations, Level 3</u>
(4)	<u>Bed and Breakfast Establishments</u>
(2)(5)	Campgrounds
(3)(6)	Cemeteries
(5)(7)	Direct or magnetic drive wind turbines with a rated generation capacity of less than 110 kw where the electricity produced is to be utilized at the owner's permitted home, farm, or business, or to offset the electricity consumed at the owner's permitted home, business, or farm.
(8)	<u>Lodging &amp; Rooming Houses</u>
(9)	<u>Small non-medical institutes and residential care facilities</u>
(10)	<u>Trailer Parks</u>

\* \* \* \*

**E. Standards**

(1) The standards of Section 19-316 shall be observed.

(2) RURAL RESIDENTIAL 2 ZONE "RR2" STANDARDS	
Minimum Lot Size	<del>Two acres, or legally existing lots less than two acres on record as of the effective date of this ordinance amendment</del> <u>30,000</u>
Minimum First Floor Area Per Primary Structure	<del>400 square feet per currently adopted Maine Residential Building Code for 1 &amp; 2 family</del>
Minimum Continuous Street Frontage along one street	<del>200</del> <u>100</u> feet
Minimum Setbacks Front Side (Principal Structure) Rear	<del>25</del> <u>20</u> Feet <del>25</del> <u>16</u> Feet <del>20</del> <u>16</u> Feet (excludes corner lots, see definition)
<del>Minimum Rear Setback—Exception (For no more than 2 accessory structures with a combined area of up to 700 square feet and a maximum height of 18 feet)</del>	<del>10 feet</del>
Side and rear setbacks for commercial or mixed uses abutting a residential zone or use	40 feet
<del>Minimum Side Setback (Accessory Structures)</del>	<del>10 feet</del>
Maximum Building Coverage by Primary Structures	<del>20%</del> <u>40%</u> (includes principal and accessory buildings)



<b>(2) RURAL RESIDENTIAL 2 ZONE "RR2" STANDARDS</b>	
Maximum Lot Coverage	<del>40%</del> <u>60%</u> (includes impervious surfaces)
Maximum Building Height	35 feet and 2½ stories, except barns, silos <del>and</del> sheds. <del>other</del> <u>No maximum height restriction on</u> structures used for agricultural purposes, and wind power generation towers accessory to on-site use
Minimum Distance Between Curb Cuts	<del>200 feet along a public way or 100 feet along an internal private road,</del> <u>100 feet</u> but at least one allowed per lot. These provisions may be waived if compliance is physically impossible or would create a safety hazard; the intent is to maximize distance between cuts.

Sponsor: Mayor Westkaemper  
Originator: Housing Task Force

First Reading 12/10/18  
 First Publication 12/20/18  
 Public Hearing 1/14/19  
 Final Passage \_\_\_\_\_  
 Second Publication \_\_\_\_\_  
 Effective Date \_\_\_\_\_

## MEMORANDUM

To: Mayor Westkaemper & City Councilors  
CC: City Manager, Code Enforcement Officers  
From: Comprehensive Planning Commission  
Date: December 27, 2018  
Re: Ordinance Amendment #48 – Zoning and Planning, Section 19-304 Zoning Regulations

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Mayor Westkaemper and Members of City Council,

The Comprehensive Planning Commission recommends postponing the vote on Ordinance Amendment #48. With a vote of 1 in favor, 2 opposed, and 2 undecided, Commission members were unable to reach a consensus.

While the City of Rockland Comprehensive Plan, As Amended 12/14/2011 and 03/14/12, does address the strategy of encouraging new infill development, it is very specific as to which zones and repeatedly mentions “infill which reflects the existing character of the neighborhood”.

Allowing accessory dwellings and reducing the lot sizes in every residential zone is not consistent with the Plan. Chapter 14, Summary of Implementation Strategies, suggests the following: **“Rezone the area west of Old County Road and east of Bog Road to lower the net residential density from that found in the Residential B Zone, and allow those commercial and industrial uses that depend on rural resources (either as permitted or conditional uses), home occupations, artisan shops, and similar traditional, rural, non-residential uses in addition to residential uses.** Commission members expressed concern that by including zones RR1 and RR2 in Ordinance Amendment #48, the amendment is not in line with the vision of the Plan. Chapter 13, Future Land Use, discusses infill appropriate for the various neighborhoods in the City. It should be clearly stated that there can be only one accessory apartment or one accessory dwelling on the property.

Chapter 13, *“Future Land Use”*, discusses promoting infill, re-evaluating zoning, preventing sprawl by creating more compact neighborhoods, amending residential zone regulations that limit infill, and encouraging well planned infill development. Commission members expressed reservations regarding the unintended consequence of the potential for short term rentals, as well as density that may not reflect the existing character of the neighborhood. Chapter 14, *“Summary of Implementation Strategies”*, Zoning Strategies, suggests the following: **“Review the mapping of residential and potential mixed use areas and remap areas where smaller lot single family structures, multi-family structures and mixed use developments would be appropriate to help reduce Rockland’s jobs/housing imbalance.”** Also, **“Amend residential**

**zone regulations that limit in-fill development or re-development, such as by reducing setbacks, reducing or limiting maximum F.A.R.s, increasing maximum heights or floors, etc. Reduce on-site parking requirements for all zones included within designated core growth areas.”**

Chapter 13, *Future Land Use*” also details encouraging infill that reflects existing character of a neighborhood, amending zoning to encourage new infill development to reflect the existing character of the neighborhood regarding setbacks and lot size, allowance for compact development in keeping with existing densities, ensuring any revisions are in keeping with the character of affected neighborhoods, encouraging well planned infill development, protecting and enhancing the city’s architectural heritage, and enforcing the city’s design standards to ensure that new development is compatible with existing neighborhoods.

Thank you for your consideration.

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #49

IN CITY COUNCIL

December 10, 2018

ORDINANCE AMENDMENT Expanding Parking Committee Membership to Seven

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 17, Traffic & Vehicles, SECTION 17-423 Parking Advisory Committee, BE AMENDED AS FOLLOWS:

**Sec. 17-423 Parking Advisory Committee**

There shall be a Parking Advisory Committee comprised of ~~five (5)~~ seven (7) members appointed by the Mayor and confirmed by the City Council for three (3) year terms, except that of the ~~five (5)~~ seven (7) members first appointed, ~~two (2)~~ three (3) members shall be appointed for three (3) years, two members shall be appointed for two (2) years and ~~one (1)~~ two (2) member shall be appointed for one (1) year. Such terms shall expire December 31 of each year as designed. The Committee shall elect annually, in January of each year, a chair and a secretary from among its membership, and determine its own rules of procedure. Should the position of Chair become vacant during such year, the Committee shall elect another of its member to serve as chair for the remainder of that year. As of the effective date of this section, no member shall be elected chair of the Committee more than six (6) consecutive times; and no member shall serve more than five (5) consecutive terms on the Committee. The secretary shall be responsible for taking minutes at each meeting of the Committee, and shall forward copies of the minutes to the City Manager for distribution once such minutes are accepted by the Committee. The duties of the Committee shall include, but not be limited to, inventory of all public parking; perform parking needs assessments; create plans to meet parking needs; advise the City Council on parking matters; and such other duties as may be required by the City Council. In addition to the ~~five (5)~~ seven (7) members above, Mayor (or designee), City Manager (or designee), the City Engineer and Police Chief (or designee), shall be ex-officio non-voting members of the Committee. No member of the City Council may serve as an appointed, voting members of the Committee.

Sponsor: Councilor Magjik

Originator: Parking Advisory Committee

First Reading 12/10/18  
First Publication 12/20/18  
Public Hearing 1/14/19  
Final Passage \_\_\_\_\_  
Second Publication \_\_\_\_\_  
Effective Date \_\_\_\_\_

**CITY OF ROCKLAND, MAINE**  
**ORDINANCE AMENDMENT #50**  
**IN CITY COUNCIL**

December 10, 2018

**ORDINANCE AMENDMENT** Amending Zoning Map – 84 Crescent Street

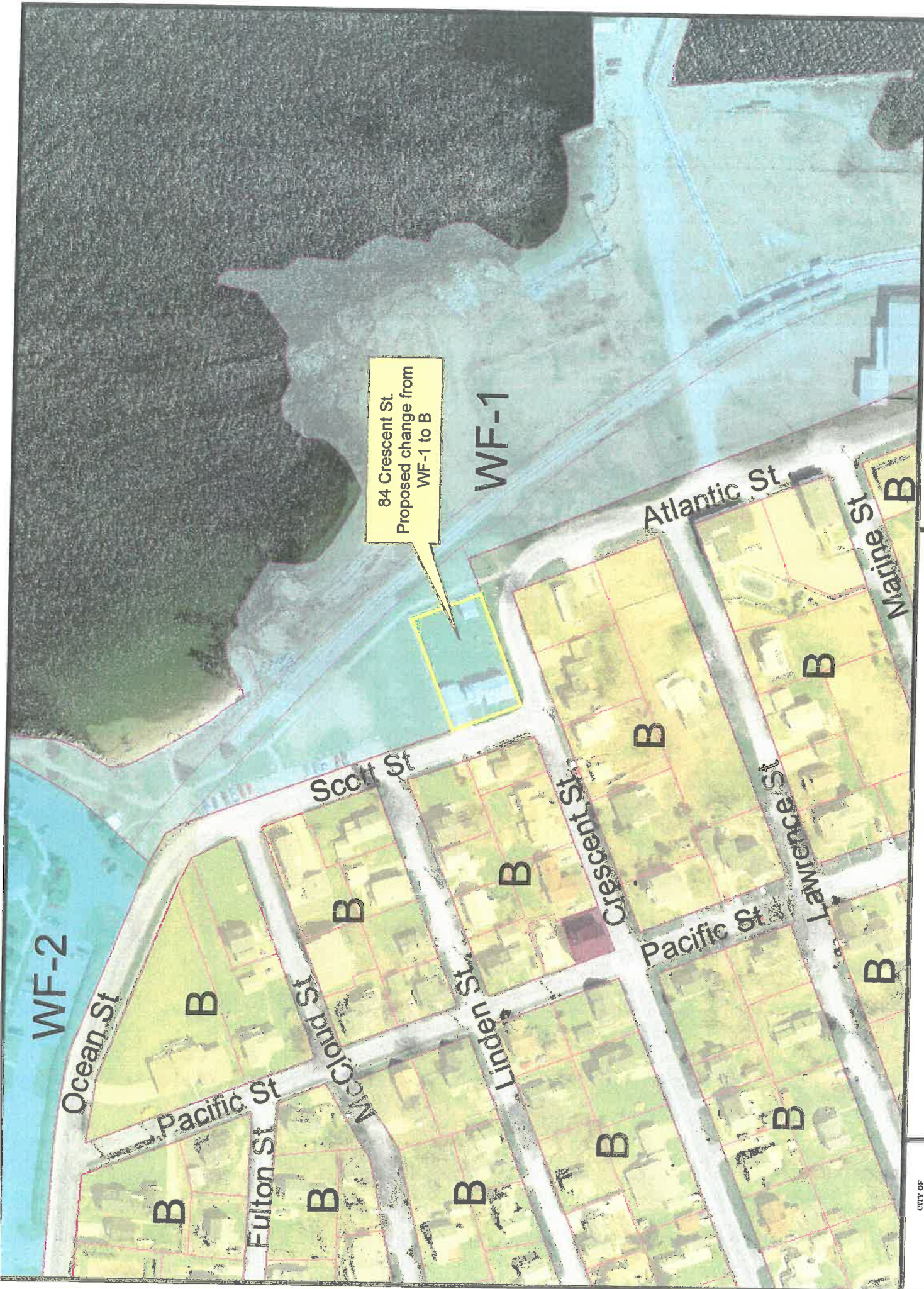
**THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:**

**THAT**, the Official Zoning Map of the City of Rockland, Maine, be and hereby is amended as follows:

The zone classification of the parcel identified as Rockland Tax Map # 7-C-2, located at 84 Crescent Street, is hereby changed from Waterfront Sub-Zone “WF-1” to Residential Zone “B”. The zone boundaries are intended to follow the lot line of said parcel.

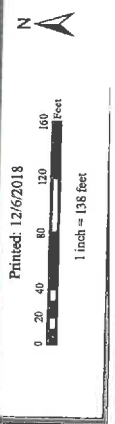
Sponsor: Councilor Geiger  
Originator: Councilor Geiger

First Reading 12/10/18  
First Publication 12/20/18  
Public Hearing 1/14/19  
Final Passage \_\_\_\_\_  
Second Publication \_\_\_\_\_  
Effective Date \_\_\_\_\_



84 Crescent St.  
Proposed change from  
WF-1 to B

**CAUTION**  
Tax maps are compiled from aerial photography, existing surveys, deeds, and landowner's descriptions. They are to be used for assessment purposes only, and not for conveyance. This map may not be accurate.



Printed: 12/6/2018

CITY OF  
ROCKLAND  
KNOX COUNTY  
MAINE

## MEMORANDUM

To: Mayor Westkaemper & City Councilors  
CC: City Manager, Code Enforcement Officers  
From: Comprehensive Planning Commission  
Date: December 28, 2018  
Re: Ordinance Amendment #50 – Amending Zoning Map – 84 Crescent Street

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Mayor Westkaemper and Members of City Council,

The Comprehensive Planning Commission, with a unanimous vote of 5 in favor and 0 opposed, finds Ordinance Amendment #50 – Amending Zoning Map – 84 Crescent Street, is not in line with the vision of the City of Rockland Comprehensive Plan, As Amended 12/14/2011 and 03/14/12.

Chapter 6, Land Use Patterns, defines Waterfront Zone Regulations as follows:

**“Purpose - Further the maintenance of safe and healthful conditions; prevent and control water pollution; control building sites, placement of structures and land use; visual as well as actual points of access to coastal waters.”**

The Waterfront Zone contains 6 subzones, with varying purposes, permitted uses, and prohibited uses. As described in Chapter 6, Land Use, Waterfront Subzone, WF-1 is **“primarily a marine dependent zone. Any use of this zone must have a direct or indirect need for proximity or access to the water.”** Permitted uses in WF-1 are **“commercial fishing; excursion boats and the services incident to them, such as ticket booths, etc.; marinas; public and private wharves; parks and recreation; educational institutions and facilities; boatyards; restaurants; marine dependent commercial uses; marine dependent industrial uses; accessory uses to those permitted.”**

Commission members recommend City Councilors explore alternative options to facilitate the request without amending the zoning map.

Thank you for your consideration.

**CITY OF ROCKLAND, MAINE**  
**ORDINANCE AMENDMENT #2**  
**IN CITY COUNCIL**

January 14, 2018

**ORDINANCE AMENDMENT** Discontinuance of a portion of Brick Street

**THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:**

**THAT** the following portion of Brick Street is be hereby discontinued:

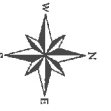
Pursuant to 23 M.R.S. §3026-A, Brick Street shall continue as a City maintained street only to the point 215 feet northerly from its intersection with Pleasant Street; and further that the remainder of Brick Street which has not been maintained by the City as a street and has not been accessible for motor vehicles as such, is hereby discontinued as a public way, and the public easement thereof shall be discontinued.

Meaning and intending to describe all that part of the Brick Street running from the end of the developed portion as described above in a northerly direction to its terminus at Park Street.

The City of Rockland also finds that no damages are due to any of the abutters because of said discontinuance. The City Manager is hereby authorized to execute any necessary documents and/or instruments to effectuate said discontinuance.

Sponsor: Councilor Geiger  
Originator: City Manager





January 8, 2019

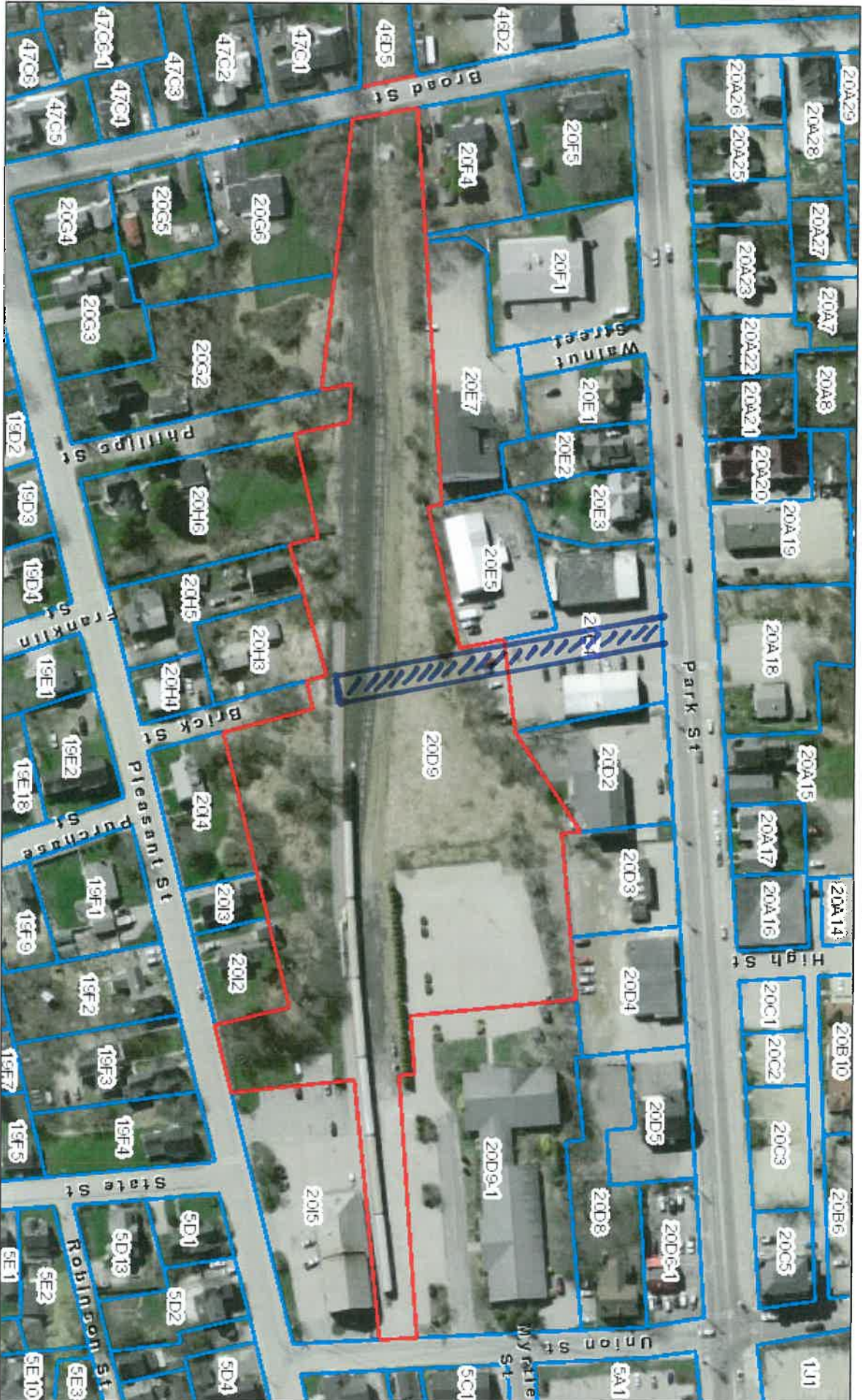
Rockland, ME

1 inch = 150 Feet



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Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

**CITY OF ROCKLAND, MAINE**  
**ORDINANCE AMENDMENT #3**  
**IN CITY COUNCIL**

January 14, 2018

**ORDINANCE AMENDMENT Waterfront Zone Regulations**

**THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, SECTION 19-304 (22) Waterfront Zone Regulations, BE AMENDED AS FOLLOWS:**

**Sec. 19-304 Zone Regulations**

\* \* \* \*

**22. Waterfront Zone Regulations**

\* \* \* \*

**B. Applicability.**

(1) The provisions of Section 19-304-15 shall apply to all the land areas from the normal high water mark of Rockland Harbor described in zones WF-1 through WF-6 of this ordinance.

(2) Existing Non-Conforming Building Use Permitted. The lawful use of a building existing at the time of the effective date of this Article may be continued, although such use does not conform with the provisions of this Article, and such building may be reconstructed or structurally altered and the non-conforming use changed subject to the following regulations:

a. No Extension of Use. A non-conforming use, other than existing dwellings, may not be extended, but the extension of a use to any portion of the building, which portion is at the time of the effective date of this Article primarily arranged or designed for such non-conforming use, shall not be deemed to be an extension of a non-conforming use.

b. No Enlargement of Building; Alteration Limited. The structural alteration made in a non-conforming building shall not exceed fifty percent (50%) of its market value, as determined by the City Assessor, nor shall the building be enlarged, unless the use therein is changed to be a conforming use. This section shall not apply to existing dwellings, provided that the enlargement and/or alteration is in compliance with Section K. Land Use Standards.

\* \* \* \*

**C. Definitions.**

\* \* \* \*

(7) Floor Area Ratio (FAR). A figure that specifies the amount of floor space permitted on a particular lot in relation to the area of that lot, e.g. an FAR of .5 (50%) permits a building to have a gross floor area of all floors, including occupied basements, in square feet that is 50% of the square footage of the lot ~~including basements~~.

Sponsor: Councilor Glaser  
Originator: Councilor Glaser

**City of Rockland  
Special Events Application**

Date of Event: 9/10-9/12/19 Type of Event:  Parade  Walk  Bike Race  Other Bicycle Tour w/overnight camping  
Start Time: 7:30 AM on 9/10/19 Foot Race  
Completion Time: 90:00 AM on 9/12/19 Demonstration  
Rain Date: None - rain or shine event # Participants: 550

**SECTION I. APPLICANT**

Title of Event: Bike Maine Name of Applicant Organization: Bicycle Coalition of Maine  
Address: 38 Diamond Street, Portland, ME 04101  
Telephone: 207-623-4511 Type of Organization: for profit / non-profit / other: Nonprofit  
Representative of the Organization (at least one name required - must be the applicant):  
Name: MaryBeth Luce Position: Rider / Director Telephone: 207-623-4511 Business: same

**SECTION II. CITY PROPERTY**

Proposed Use of City Owned Property (specify whether admission to be charged, and how much)  
Building / Park / Street Closure / Use of Public Way / Other City Owned property  
Use of Snow Marine Park as Bike Maine Village  
(City Council or Harbor Management Commission approval required for street/sidewalk closure or exclusive use of park)

**SECTION III. LOGISTICS** (Attach additional pages if needed.)

Parking: @ Snow Marine Park Location(s): \_\_\_\_\_

Liquor Service? Yes (license required) Type of License (attach copy): Incorporated Civic Org. Lic.  
Food Service? Yes (attach copy of state license) Describe arrangements for food storage, preparation, and type and storage of cooking fuels: \_\_\_\_\_

Sanitary facilities: Type: portable # Available: 20-24  
Contractor / Contact Info: TBD

Signage? Location(s): TBD Number: TBD  
(City Council approval is required for off-premises signs in ROW / on City property)

Electrical Installations? Type: TBD Location(s): TBD Contractor: TBD

Tents? Number: TBD Location(s): Field Contractor: TBD Dates: 9/10-9/12/19

Insurance: Agent: Noyes Allen Hall Contact: Dave McKenna Limits: \$1,000,000/\$2,000,000  
(Attach copy of insurance rider / declaration page)

**SECTION IV. EVENT INFORMATION**

- A. Assembly Area Prior to Event: \_\_\_\_\_
- B. Will the Event Disrupt Traffic Patterns? Yes \_\_\_\_\_ No ✓
- C. Traffic Detours Needed? Yes \_\_\_\_\_ No ✓
- D. Are Street Closures Necessary? Yes \_\_\_\_\_ No ✓
- E. Traffic Control Equipment (signs, barricades, etc.) Needed? Yes \_\_\_\_\_ No ✓
- F. Who Will Provide Traffic Control? No traffic control needed
- G. Will the Event Disrupt Retail Businesses? Yes \_\_\_\_\_ No ✓  
(If yes, you must notify those affected businesses)
- H. Type of Crowd Expected to Attend? Cyclists & volunteers attending Bike Maine

**SECTION V. CITY SERVICES REQUESTED and / or REQUIRED**

The following services are available from, or may be required by, the City of Rockland. The applicant must determine the requested and/or required services prior to submission of the application. Whether City services are required shall be determined by the applicable department. All fees and costs associated with these services will be the responsibility of the applicant unless a waiver of such fees and costs is sought and obtained from the City Council, or Harbor Management Commission, where applicable.

**POLICE DEPARTMENT SUPPORT**  
(Contact (207) 594-0317)

Yes  No

**FIRE DEPARTMENT / EMS SUPPORT**  
(Contact (207) 594-0318)

Yes  No

**DEPARTMENT OF PUBLIC WORKS SUPPORT**  
(Contact (207) 594-0320)

Yes  No

I hereby acknowledge and agree that the event sponsor and the participants will comply with all applicable laws of the State of Maine and the City of Rockland, and adhere to the conditions granted by this permit.

Signature of authorized representative: Mary Beth Luce  
Date: 12/11/18 Print: Mary Beth Luce

**SECTION VI. CITY OF ROCKLAND USE ONLY**

**POLICE:** Approved as submitted: [Signature] 1/3/19  
Chief of Police / Designee  
Approved with conditions: \_\_\_\_\_  
Chief of Police / Designee  
Conditions: \_\_\_\_\_

**FIRE:** Approved as submitted: [Signature]  
Fire Chief / Designee  
Approved with conditions: \_\_\_\_\_  
Fire Chief / Designee  
Conditions: No overtime associated with this event for FO

**PUBLIC WORKS:** Approved as submitted: \_\_\_\_\_  
Public Works Director / Designee  
Approved with conditions: \_\_\_\_\_  
Public Works / Designee  
Conditions: \_\_\_\_\_

**HARBOR & WATERFRONT**  
(for Buoy, Harbor, or Snow Marine Park)  
Approved as submitted: \_\_\_\_\_  
Harbor Master  
Approved with conditions: [Signature]  
Harbor Master  
Conditions: Provide trash receptacles, signs "no dogs", leave parking available for boats/trailers + unrestricted access to boat ramp for public.

**CITY OF ROCKLAND, MAINE**

**ORDER #3**

**IN CITY COUNCIL**

January 14, 2019

**ORDER** Authorizing Transfer of – Winter Street Project Phase II

**IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** that the City Manager is hereby authorized to transfer up to \$ \_\_\_\_\_  
from the Downtown TIF Account (#10008-085672) to the Winter Street Project Account  
(#40154-03265) to cover the costs Phase II of the Winter Street Project.

Sponsor: City Manager  
Originator: City Manager