

Town of Bar Harbor, ME  
Tuesday, August 4, 2020

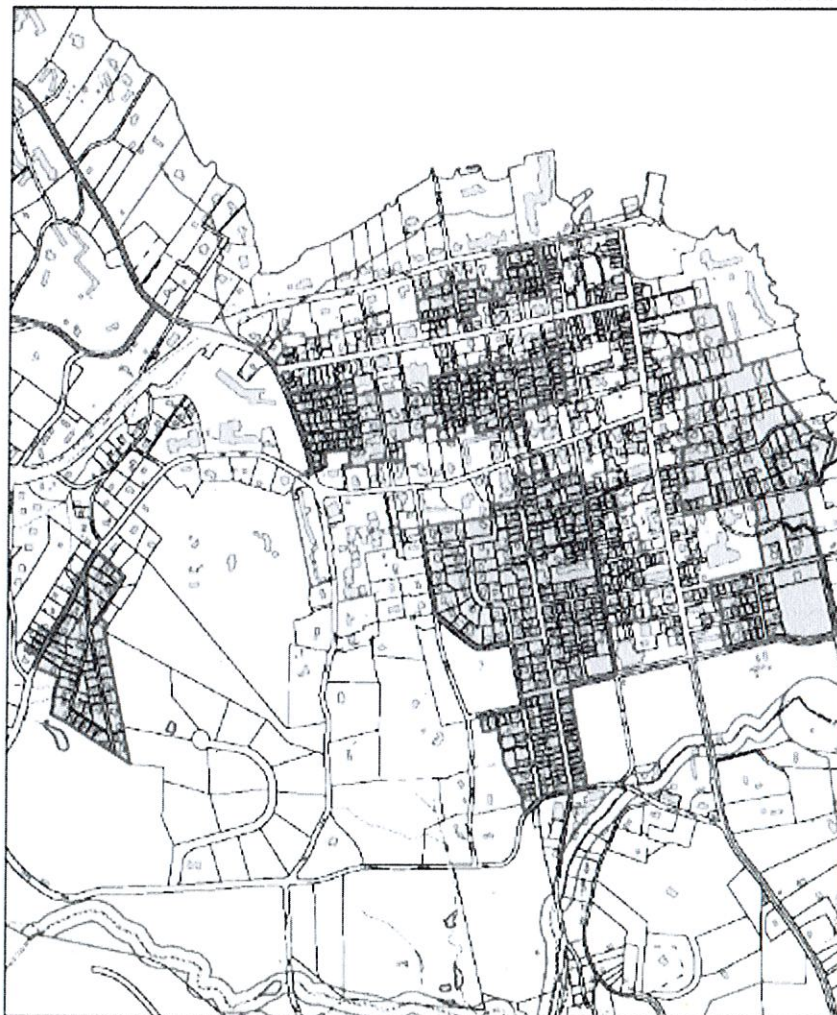
# Chapter 125. Land Use

## Article III. Land Use Activities and Standards

### § 125-22. Downtown Residential.

[Amended 6-13-2006; <sup>[1]</sup> 6-12-2018]

**Downtown Residential**



0 420 840 1 680  
Feet  
Enacted by Ord. 2011-01  
by  
Bar Harbor Planning Board

Map based on Official Neighborhood District Map of Bar Harbor, Maine dated July 11, 2017 and as may be amended. In the event of a discrepancy between the District Map and Official Neighborhood District Map, the latter shall control. Any conflict between the District Map and a description by name and bounds shall be resolved in favor of the description by name and bounds.



- A. Purpose.
- B. Dimensional standards.
- (1) Minimum lot size: 5,000 square feet.
  - (2) Minimum road frontage and lot width: 50 [feet].
  - (3) Minimum front setback: 15 [feet].
  - (4) Minimum side setback: five [feet].
  - (5) Minimum side setback for accessory, nonresidential structures: five [feet].
  - (6) Minimum rear setback for principal structures: 15 [feet].
  - (7) Minimum rear setback for accessory, nonresidential structures: five [feet].
  - (8) Maximum lot coverage: 75%.
  - (9) Maximum height: 40 [feet].
  - (10) Minimum area per family: 2,500 square feet.
  - (11) Maximum floor area ratio: the greater of either the median or the mean value of the FARs for all of the lots within the district within 300 feet of the subject property.
- C. Allowed activity or structure. Activity or structure allowed without a permit, provided that it complies with all provisions of this chapter:
- Activities necessary for managing and protecting the land, such as surveying, fire protection, emergency operations, etc.
- Filling/earthmoving activity of less than 10 cubic yards
- Nonintensive recreational uses not requiring structures, such as hunting, fishing and hiking
- Public utility installation
- D. Activity or structure requires site plan approval. Activity or structure requires approval through site plan review process before it may be commenced or built:
- Child-care center
- Hospital
- Multifamily dwelling I
- Parking garage and parking lot
- Place of worship
- Road construction
- Transient accommodations (TA-1)
- ✓ Transient accommodations (TA-3)
- Transient accommodations (TA-4)
- Wireless communications facility

- (1) Accessory uses or structures. Planning Board/Planning Department approval required for uses or structures accessory to uses or structures requiring Planning Board/Planning Department approval:  
Uses or structures accessory to permitted uses or structures
  - (2) Total developed area greater than 2,000 square feet. Planning Board approval required for uses or structures with total developed area of more than 2,000 square feet:  
Government facility and grounds
  - (3) Accessory essential services. Planning Board/Planning Department approval required for services accessory to uses or structures requiring Planning Board approval:  
Essential services accessory to a permitted use or structure
  - (4) Uses or structures greater than 2,000 square feet. Planning Board/Planning Department approval required for uses or structures with gross leasable area of more than 2,000 square feet:  
Medical clinic  
Museum  
Nursing/convalescent home or congregate housing  
Professional office building
  - (5) Home occupation. Minor site plan for lots with frontage on Route 3 and Route 102 for home occupations with nonfamily members as employees:  
Home occupation
  - (6) Wind turbine. Minor site plan review required:  
Wind turbine
- E. Activity or structure requires permit from Code Enforcement Officer. Activity or structure requires permit issued by Code Enforcement Officer (CEO) before it may be commenced or built:
- Accessory dwelling
  - Commercial garden, greenhouse or nursery
  - Driveway construction
  - Farmers' market
  - Filling/earthmoving activity of 10 cubic yards or more
  - Noncommercial greenhouse
  - Public or private park with minimal structural development
  - Single-family dwelling
  - Two-family dwelling
  - Undertaking establishment
  - Uses or small structures accessory to permitted uses or structures
  - Vacation rentals

- (1) Accessory uses or structures. CEO permit required for uses or structures accessory to uses or structures requiring CEO permit:

Uses or structures accessory to permitted uses or structures

- (2) Total developed area less than 2,000 square feet. CEO permit required for uses or structures with total developed area not exceeding 2,000 square feet:

Government facility and grounds

- (3) Accessory essential services. CEO permit for services accessory to uses or structures requiring CEO permit:

Essential services accessory to a permitted use or structure

- (4) Uses or structures less than 2,000 square feet. CEO permit required for uses or structures with gross leasable area not exceeding 2,000 square feet:

Medical clinic

Museum

Nursing/convalescent home or congregate housing

Professional office building

- (5) Home occupation. Minor site plan for lots with frontage on Route 3 and Route 102 for home occupations with nonfamily members as employees; otherwise, Code Enforcement Officer permit:

Home occupation

- F. Activity or structure requires permit from local Plumbing Inspector. Activity or structure requires permit issued by local Plumbing Inspector before it may be commenced or built:

Private sewage disposal system accessory to permitted uses

- [1] *Editor's Note: This ordinance also provided that it shall apply retroactively to all proceedings, applications and/or petitions pending on or commenced after 9-6-2005, notwithstanding the provisions of 1 M.R.S.A. § 302.*