

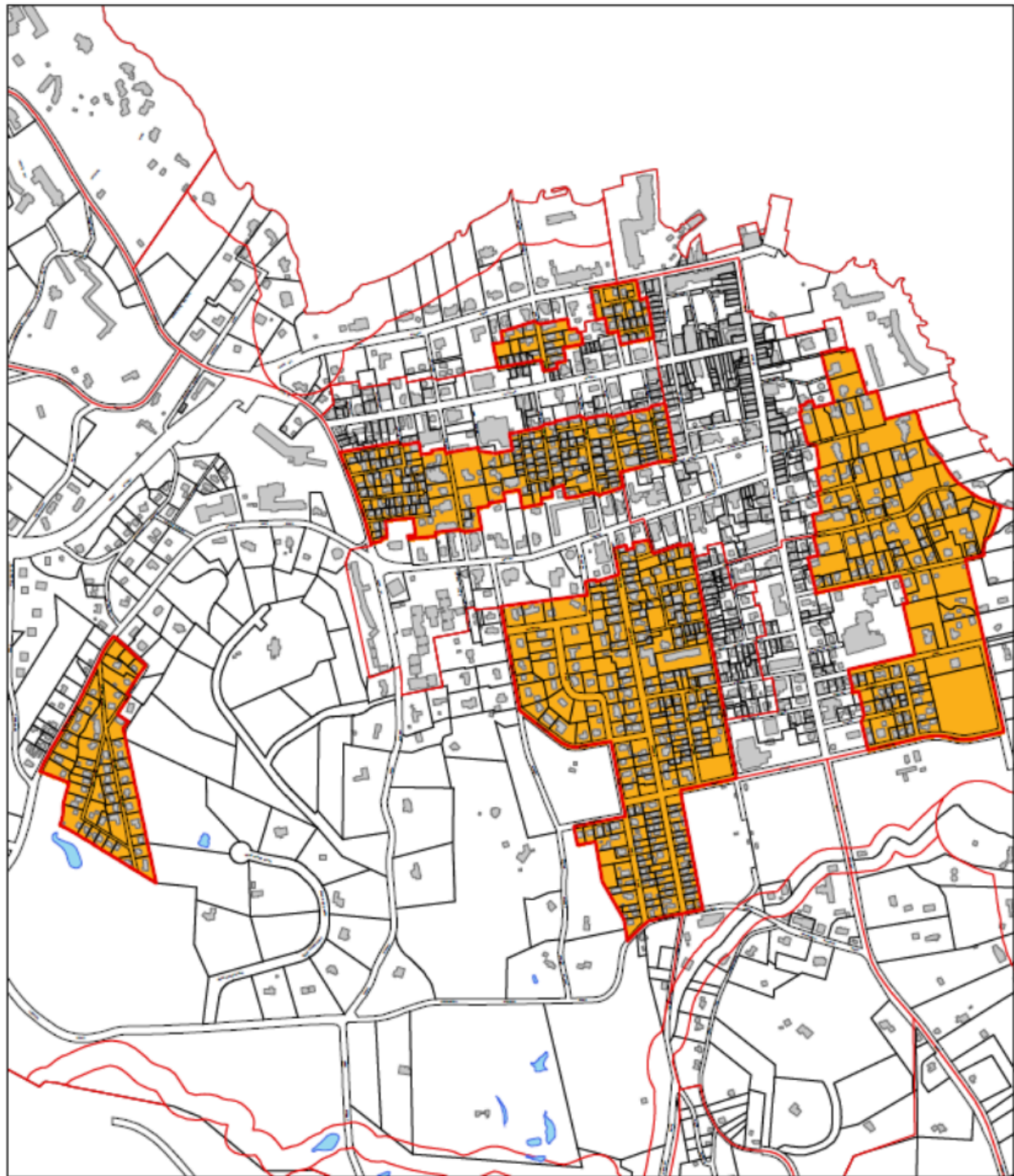
Chapter 125. Land Use

Article III. Land Use Activities and Standards

§ 125-22. Downtown Residential.

[Amended 6-13-2006; ^[1] 6-12-2018; 7-14-2020; 11-2-2021; 6-14-2022]

Downtown Residential



0 425 850 1,700
Feet

Printed July 14, 2022
by
Bar Harbor Assessing/ GIS Office

Map based on Official Neighborhood District Map of Bar Harbor, Maine dated July 14, 2022 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 metes and bounds shall be resolved in favor of the description by metes 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.^[2]
[2] Editor's Note: Former Subsection B(11), regarding maximum floor area ratio, which immediately followed, was repealed 6-13-2023.

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

Vacation rental-1 and vacation rental-2 provided that it be registered per Chapter **174**. Short-Term Rental Registration.

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

Lodging I

Lodging VII – Only for those portions of the district between Eden Street and the district boundary behind Kennebec Street; and from The Field south to Hancock Street. In addition, no building shall be expanded in floor area or volume by more than 10% over the lifetime of the building.

Parking garage and parking lot

Place of worship

Road construction

Wireless communications facility

[Amended 11-5-2024 ATM by Art. 3]

(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:

Commercial garden, greenhouse or nursery

Driveway construction

Farmers' market

Filling/earthmoving activity of 10 cubic yards or more

Noncommercial greenhouse

Multifamily dwelling I

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

- (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.*