

portion and the nearest permanently paved street or portion which is the principal access to such lot, shall be improved, including sewers, storm drains, pavement, curbs and, if located on a designated school walking route, sidewalks, in accordance with the City of Portland *Technical Manual*. Where the nearest permanently paved street does not have granite curbing, the Public Works Authority may waive the requirement of curbing under this subsection, if it determines that an acceptable alternative drainage plan will be provided. Prior to the issuance of a building permit for erection of a building on a lot abutting any portion of a street which is unimproved or improved but not permanently paved, the following shall occur:

1. A plan of the street improvements required by this subsection shall be submitted to the Public Works Authority.
2. Upon determination by the Public Works Authority that the plan meets the street improvement requirements established by this subsection, a performance guarantee and inspection fee for said improvements shall be submitted to the City as set forth under Articles 14 and 15. Also as set forth in Articles 14 and 15, a one-year defect bond shall be tendered to the City prior to release of the performance guarantee required hereby. The provisions of this paragraph (2) shall not apply to the erection of any single-family dwelling on any lot where the owner of the lot establishes that he or she was the owner of that same lot on November 19, 1984, and at all times thereafter, and states his or her

intention under oath to make the structure his or her personal residence.

- C. The requirements of this subsection shall not apply to the following city streets upon their construction by the Public Works Authority to such standards as are determined by the authority to be the most feasible:
  1. Dingley Court.
  2. Morgan Court.

#### **6.4.2 Additional residential use permissions**

A. In island zones: Up to two units are permitted on any lawfully conforming lot that does not contain an existing dwelling unit. Such units may be located:

1. In two separate structures, so long as the minimum lot area per dwelling unit standards of Article 7 are met, or
2. Within a single structure, in which case the minimum lot area per dwelling unit standards of Article 7 shall not apply.

Such units shall comply with all dimensional requirements of the underlying zone except lot coverage and lot area per dwelling unit requirements.

B. In mainland zones where residential is a permitted or conditional use: Up to four units are permitted on any lawfully conforming lot that does not contain an existing dwelling unit. Such units may be located:

1. In separate structures, so long as the minimum lot area per dwelling unit standards of Article 7 are met, or
2. Within a single structure, in which case the minimum lot area per dwelling unit standards of Article 7 shall not apply.

Such units shall comply with all dimensional requirements of the underlying zone except lot coverage and lot area per dwelling unit requirements.

C. Sections 6.4.2(A) and (B) shall not apply to lots on which a dwelling unit in existence on July 1, 2023 is torn down and a vacant lot results.

D. Lots with one existing dwelling unit in any zone where residential is a permitted or conditional use:

- ~~1. Up to two additional dwelling units are permitted on any lot containing one existing dwelling unit.~~
- ~~2. One of these units may be permitted within or attached to the existing structure, one may be permitted detached from the existing structure, or one may be permitted of each. In all cases, the minimum lot area per dwelling unit standards of Article 7 shall apply.~~
- ~~3. Units created under this section shall not be considered accessory dwelling units under Section 6.6.2(A).~~

~~E. If more than one dwelling unit has been constructed on a lot as a result of the allowance under this section, the lot is not eligible for any additional units Section 6.6.2(A).~~

#### **6.4.26.4.3 Adult business establishments**

- A. Adult business establishments shall be located at least 1,000 feet from any other adult business establishment, and at least 500 feet from any residential zone, as measured in a straight line, without regard to intervening structures or objects.
- B. No sexually explicit materials, entertainment, or activity shall be visible from the exterior of the premises.

#### **6.4.36.4.4 Bars and restaurants in the B-6 zone**

- A. No bars located east of Waterville Street shall be permitted within 50 feet of Fore Street.
- B. Restaurants located east of Waterville Street within 50 feet of Fore Street shall be limited in hours of operation to between 5 a.m. and 11 p.m. each day and food service and

consumption shall be the primary function of the restaurant.

#### **6.4.46.4.5 Bed and breakfasts**

- A. In the R-6 and R-6a zones, the minimum gross floor area for bed and breakfasts shall be 2,000 square feet for the first three guest rooms and 500 square feet for each additional guest room.
- B. In all mixed-use zones except the B-1/B-1b zones, bed and breakfasts may include a meeting facility limited to use for private parties, business meetings, weddings, receptions, seminars, or business and educational conferences, provided that:
  1. *In the B-2/B-2b/B-2c zones.* The meeting facility must be less than 4,000 square feet.
  2. *In the B-3/B-3b/B-3c zones.* The building in which the bed and breakfast and meeting facility will be located must have existed on March 3, 1997 and have been greater than 4,000 square feet in floor area on that date.

#### **6.4.56.4.6 Campgrounds**

- A. Campgrounds shall not include recreational vehicles.
- B. Campgrounds shall be licensed by the State of Maine Department of Human Services.
- C. No tent shall be located within 75 feet of the perimeter of site.
- D. The land area of the campground shall not be less than the equivalent of 5,000 square feet of land area per tent site exclusive of the roadway network.

#### **6.4.66.4.7 Commercial uses in the B-1/B-1b zones**