

# LAND USE

## 335 Attachment 2

### City of Westbrook

**Table 2: Land Uses in the Shoreland Zone**

**Key to Table 2:**

- Yes - Allowed (no permit required but the use must comply with all applicable land use standards.)
- No - Prohibited
- PB - Allowed with permit issued by the Planning Board.
- CEO - Allowed with permit issued by the Code Enforcement Officer
- LPI - Allowed with permit issued by the Local Plumbing Inspector

**Abbreviations:**

- RP - Resource Protection
- GD General Development I and General Development II
- LR - Limited Residential
- CFMA - Commercial Fisheries/Maritime Activities
- LC - Limited Commercial
- SP - Stream Protection

Land Uses	District					
	SP	RP	LR	LC	GD	CFMA
1. Nonintensive recreational uses not requiring structures such as hunting, fishing and hiking	Yes	Yes	Yes	Yes	Yes	Yes
2. Motorized vehicular traffic on existing roads and trails	Yes	Yes	Yes	Yes	Yes	Yes
3. (Reserved)	—	—	—	—	—	—
4. (Reserved)	—	—	—	—	—	—
5. Clearing or removal of vegetation for activities other than timber harvesting	CEO	CEO <sup>1</sup>	Yes	Yes	Yes	Yes
6. Fire prevention activities	Yes	Yes	Yes	Yes	Yes	Yes
7. Wildlife management practices	Yes	Yes	Yes	Yes	Yes	Yes
8. Soil and water conservation practices	Yes	Yes	Yes	Yes	Yes	Yes
9. Mineral exploration	No	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes <sup>2</sup>
10. Mineral extraction, including sand and gravel extraction	No	PB <sup>3</sup>	PB	PB	PB	PB
11. Surveying and resource analysis	Yes	Yes	Yes	Yes	Yes	Yes
12. Emergency operations	Yes	Yes	Yes	Yes	Yes	Yes
13. Agriculture	Yes	PB	Yes	Yes	Yes	Yes
14. Aquaculture	PB	PB	PB	Yes	Yes	Yes
15. Principal structures and uses						
A. One- and two-family residential, including driveways	No	No	CEO	CEO	CEO	No
B. Multiunit residential	No	No	PB	PB	PB	No
C. Commercial	No	No <sup>10</sup>	No <sup>10</sup>	PB	PB	PB <sup>5</sup>
D. Industrial	No	No	No	No	PB	PB <sup>5</sup>
E. Governmental and institutional	No	No	PB	PB	PB	PB <sup>5</sup>
F. Small nonresidential facilities for educational, scientific, or nature interpretation purposes	No	No	CEO	CEO	PB	PB <sup>5</sup>
16. Structures accessory to allowed uses	No	No	CEO	CEO	CEO	Yes

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Land Uses	District					
	SP	RP	LR	LC	GD	CFMA
17. Piers, docks, wharfs, bridges and other structures and uses extending over or below the normal high-water line or within a wetland						
A. Temporary	CEO <sup>11</sup>	CEO <sup>11</sup>	CEO <sup>11</sup>	CEO <sup>11</sup>	CEO <sup>11</sup>	CEO <sup>11</sup>
B. Permanent	PB	PB	PB	PB	PB	PB <sup>5</sup>
18. Conversions of seasonal residences to year-round residences	LPI	LPI	LPI	LPI	LPI	No
19. Home occupations	PB	PB	PB	CEO	Yes	Yes
20. Private sewage disposal systems for allowed uses	LPI	LPI	LPI	LPI	LPI	LPI
21. Essential services	PB <sup>6</sup>	PB <sup>6</sup>	PB	PB	PB	PB
A. Roadside distribution lines (34.5 kV and lower)	CEO <sup>6</sup>	CEO <sup>6</sup>	Yes <sup>12</sup>	Yes <sup>12</sup>	Yes <sup>12</sup>	Yes <sup>12</sup>
B. Non-roadside or cross-country distribution lines involving 10 poles or less in the shoreland zone	PB <sup>6</sup>	PB <sup>6</sup>	CEO	CEO	CEO	CEO
C. Non-roadside or cross-country distribution lines involving 11 or more poles in the shoreland zone	PB <sup>6</sup>	PB <sup>6</sup>	PB	PB	PB	PB
D. Other essential services	PB <sup>6</sup>	PB <sup>6</sup>	PB	PB	PB	PB
22. Service drops, as defined, to allowed uses	Yes	Yes	Yes	Yes	Yes	Yes
23. Public and private recreational areas involving minimal structural development	PB	PB	PB	CEO	CEO	CEO <sup>5</sup>
24. Individual, private campsites	CEO	CEO	CEO	CEO	CEO	CEO
25. Campgrounds	No	No <sup>7</sup>	PB	PB	PB	No
26. Road construction	PB	No <sup>8</sup>	PB	PB	PB	PB <sup>5</sup>
27. (Reserved)	—	—	—	—	—	—
28. Parking facilities	No	No <sup>7</sup>	PB	PB	PB	PB <sup>5</sup>
29. Marinas	PB	No	PB	PB	PB	PB
30. Filling and earthmoving of <10 cubic yards	CEO	CEO	Yes	Yes	Yes	Yes
31. Filling and earthmoving of >10 cubic yards	PB	PB	CEO	CEO	CEO	CEO
32. Signs	Yes	Yes	Yes	Yes	Yes	Yes
33. Uses similar to allowed uses	CEO	CEO	CEO	CEO	CEO	CEO
34. Uses similar to uses requiring a CEO permit	CEO	CEO	CEO	CEO	CEO	CEO
35. Uses similar to uses requiring a PB permit	PB	PB	PB	PB	PB	PB
36. Recreational trails						
A. Primitive trail	CEO	CEO	CEO	CEO	CEO	CEO
B. Category 2 Multiple-Use nonmotorized trail	CEO <sup>14</sup>	CEO <sup>14</sup>	CEO <sup>14</sup>	CEO <sup>14</sup>	CEO <sup>14</sup>	CEO <sup>14</sup>
C. Category 1 Multiple-Use nonmotorized trail	PB	PB	PB	PB	PB	PB
D. Category 2 Multiple-Use trail, including motorized	PB	PB	PB	PB	PB	PB
E. Category 1 Multiple-Use trail, including motorized	PB	PB	PB	PB	PB	PB

## LAND USE

### The following notes are applicable to the Land Use Table:

- <sup>1</sup> In RP not allowed within 75 feet, horizontal distance, of the normal high-water line of great ponds, except to remove safety hazards.
- <sup>2</sup> Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.
- <sup>3</sup> In RP not allowed in areas so designated because of wildlife value.
- <sup>4</sup> (Reserved)
- <sup>5</sup> Functionally water-dependent uses and uses accessory to such water dependent uses only.
- <sup>6</sup> See further restrictions in § 335-8.15L(2).
- <sup>7</sup> Except when area is zoned for resource protection due to floodplain criteria, in which case a permit is required from the PB.
- <sup>8</sup> Except as provided in § 335-8.15H(4).
- <sup>9</sup> (Reserved)
- <sup>10</sup> Except for commercial uses otherwise listed in this table, such as marinas and campgrounds, that are allowed in the respective district.
- <sup>11</sup> Excluding bridges and other crossings not involving earthwork, in which case no permit is required.
- <sup>12</sup> Permit not required but must file a written notice of intent to construct with CEO.
- <sup>13</sup> (Reserved)
- <sup>14</sup> Planning Board review required if a setback waiver is necessary.

### NOTE:

A person performing any of the following activities shall require a permit from the Department of Environmental Protection, pursuant to 38 M.R.S.A. § 480-C, if the activity occurs in, on, over or adjacent to any freshwater or coastal wetland, great pond, river, stream or brook and operates in such a manner that material or soil may be washed into them:

- A. Dredging, bulldozing, removing or displacing soil, sand, vegetation or other materials;
- B. Draining or otherwise dewatering;
- C. Filling, including adding sand or other material to a sand dune; or
- D. Any construction or alteration of any permanent structure.