

ARTICLE 11

Attest: [Signature]

MUNICIPAL OFFICERS' CERTIFICATION OF THE OFFICIAL TEXT OF PROPOSED ORDINANCE(S) [30-A M.R.S.A. § 3002(2)]

To the Town Clerk of the Town of Ogunquit, Maine:

We hereby certify to you that the documents to which we have affixed this certificate are a true copy of the official text of an ordinance(s) entitled:

1. Chapter 225 – Zoning Ordinance, including:
 - Article 6 – Planning Board, §225-6.6.E Procedures for site plan review
 - Chapter 225 – Zoning Ordinance Table 702.1 Notes: 15

Which is to be presented to the voters for their consideration on June 6, 2026.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Approved on this 31st day of March, 2026, by a majority of the Select Board

Michael Collins

Michael F. Collins, Chair

Carole J. Aaron

Carole J. Aaron, Vice-Chair

Richard Dolliver

Richard A. Dolliver

Scott A. Vogel

Robert M. Whitelaw

Robert M. Whitelaw

Streamline Change of Use Process (§225-6.6, §225-Table 702.1)

§ 225-6.6. Procedures for site plan review. [Amended 7-1-2006]

- A. No permit for any new use or structure indicated as requiring a site plan review in Table 702.1¹ shall be issued by the Code Enforcement Officer until a site plan review approval is obtained from the Planning Board. The applicant shall have the burden of proving that its site plan review application is in compliance with the requirements of this chapter. If the proposed use or structure requires design review under Article 11 of this chapter, the design review application may be reviewed concurrently with the site plan review application.
- B. Changes to existing uses or structures requiring site plan review.
 - (1) A use or structure which is listed as subject to site plan review in Table 702.1² may not be changed to another use or structure requiring site plan review, nor may the use or structure be expanded or altered, unless a site plan approval is obtained from the Planning Board. "Expansion" shall be defined as:
 - (a) Any increase in floor area or land area devoted to a use requiring site plan review;
 - (b) In the case of a restaurant use, the addition to any indoor or outdoor seating capacity;
 - (c) In the case of a transient accommodation project classified other than TA-1, any additional rooms or units; or
 - (d) Any additional parking spaces devoted to a use requiring site plan review.
 - (e) Commercial Changes of Use that do not meet the criteria of (a) through (d) above and require no significant exterior changes may be approved by the Code Enforcement Officer without Site Plan Review.
 - (2) No changes of any kind shall be made in any previously approved site plan without approval of such changes by the Planning Board.
- C. Application procedure.
 - (1) Fees.
 - (a) A person informed by the Code Enforcement Officer that a proposed use requires site plan review approval shall file an application for the permit with the Planning Board on forms provided for the purpose. The applicant shall be responsible for a filing fee, which covers administrative and legal advertisement costs. Filing fees for site plan review shall be set annually in a fee schedule adopted by the Select Board.
 - (b) In complex cases requiring extensive use of the Town's planning, legal, and/or engineering consultants, the applicant may be required by the Planning Board, after its initial review of the application for completeness, to pay an additional technical review fee to be deposited in a special account designated for that site plan application, to be used by the Board for hiring independent consulting services to review the application. The amount of the technical review fee shall vary according to the complexity and scope of the proposed project.

OGUNQUIT CODE

Land Uses	OFR	R	RRJ	RR2	DB	GBI	GB2	LB	F	Shoreland Zones						RP
										SLR	SLC	SGI	SG2	SG3	SP	
Subdivision, as defined in the Ogunquit Subdivision Regulations	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB	SUB
Commercial Uses																
Amusement center	NP	NP	NP	NP	NP	SPR	SPR	NP	NP	NP	SPR	NP	NP	NP	NP	NP
Boardinghouse	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	SPR ^{1,2}	NP	NP
Business and professional office ¹⁵	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	SPR ^{1,2}	NP	NP
Commercial recreation	NP	NP	NP	NP	SPR	SPR	SPR	NP	NP	NP	NP	NP	NP	NP	NP	NP
Day-care center	NP	NP	NP	NP	NP	SPR	NP	SPR	NP	NP	NP	NP	NP	NP	NP	NP
Funeral home	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Greenhouse	NP	NP	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	NP	NP	NP	NP	NP	NP
Kennel, veterinary hospital*	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP	NP	NP	NP	NP
Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Marina	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Mechanized recreation	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Nursing home	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Outdoor sales, services and storage areas including gasoline stations	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Public utility facility, other than essential services or service drops	NP	NP	SPR	SPR	NP	SPR	SPR	NP	SPR	NP	NP	NP	NP	NP	NP	NP
Retail establishments not elsewhere listed ^{1, 15}	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	SPR ^{1,2}	NP	NP
Retail storage and sale of fuel for use on watercraft	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPR	NP	NP	NP
Service establishments not elsewhere listed, including taxi or livery service dispatching offices ¹	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	SPR	SPR	SPR	SPR ^{1,2}	NP	NP
Slaughterhouse/meat packing facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Theatres	NP	NP	NP	NP	SPR	SPR	SPR	SPR	NP	NP	NP	NP	NP	SPR ^{1,3}	NP	NP

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Land Uses	OFR	R	RR1	RR2	DB	GB1	GB2	LB	F	Shoreland Zones					
										SLR	SLC	SG1	SG2	SG3	SP
Roads, land management	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Tenting	A	A	A	A	NP	A	A	A	A	A	NP	NP	NP	NP	A
Yard sale, as defined in Town Code	C	C	C	C	C	C	C	C	C	C	C	C	C	NP	C

NOTES:

> These uses have specific performance standards in Article 9.

1. No retail sales or services may be offered or solicited except inside of the building in which the retail sales or service establishment is located, except for those exceptions indicated in Notes 5 and 10 below.
2. TA-4 is only allowed in those portions of the SLC District immediately adjacent to the GB2 District.
3. Limited to storage of fishing and lobstering equipment, private tutoring of not more than two persons at any one time, home crafts, pursuit of the arts, and activities or occupations which are conducted without customers or clients coming to the premises.
4. Expansions of legally nonconforming hotels/motels in all zoning districts in which new hotels/motels are prohibited shall meet all the dimensional requirements of zones in which they are located according to Table 703.1, as well as the standards of §§ 225-3.5 and 225-9...
5. As an exception, the Ogunquit Playhouse may serve patrons beverages and snack food outdoors on the premises from one hour before, during and one hour after performances.
6. Type 2 and 3 restaurants shall not be permitted in those portions of the SLC Zone immediately adjacent to the LB Zone.
7. Only permitted with site plan review in RP Beach as indicated on the Official Zoning Map. Not permitted in all other portions of the RP District.
8. Not permitted unless a special exception is granted pursuant to § 225-4.6.
9. See special shoreland standards in Article 9.
10. As an exception, within the Shoreland General Development 2 - Perkins Cove (SG2) District, live lobsters landed in Perkins Cove may be sold from vehicles or boats owned or operated by holders of commercial lobstering licenses. However, any such sales from vehicles shall only be allowed from those vehicles parked within the Bait Wharf II parking area, directly adjacent to the Harbor Master's office. No signs advertising any such outdoor live lobster sales shall be permitted, and lobster sales shall be limited to live lobsters only, and any form of additional solicitation or promotion of other goods, products or services shall be prohibited (regardless of any other provisions of this chapter).
11. Storage of recreational vehicles shall be exempt.
12. Permitted in the SG3 District only as an accessory use to a nonprofit performing arts theater in the SG3 District that constitutes the principal use.
13. Within the SG3 District, the term 'theater' shall include only a nonprofit performing arts theater as defined in Article 2 of this chapter and shall exclude any other type of theater.
14. The existing permanent footbridge over the Josias River, connecting Lots 5-43 and 5-33-B as shown on Tax Map 5 shall remain a permitted use subject to site plan review approval from the Planning Board, but only as an accessory use to a nonprofit performing arts theater as defined in Article 2 of this chapter. No other piers, docks, wharves, bridges and other structures extending over or below the high-water line or within a wetland, temporary or permanent, of any kind shall be permitted in the SG3 District.
15. For changes of use, refer to 225-6.6 B (c).