

NOTE: Throughout this Article, permitted uses and special exceptions are organized by categories of use, such as "resource production" uses and "institutional" uses. The language introducing each category of use shall of itself carry no legal meaning, but rather serves an organizational purpose only.

**Section 25. Portland Road Mixed Use District (PRMU)**

**A. Purpose**

The purpose of the Portland Road Mixed Use District is to provide areas which contain a mixture of small scale businesses, such as studios of artisans, professional offices and personal services, as well as residential uses. Respect for the exterior historic and architectural features of this entry to the downtown and historic district areas is considered a priority.

**B. Permitted Uses**

The following uses are permitted in the Portland Road Mixed Use District:

- 1. The following resource protection uses:
  - 1-1 Forest management
  - 1-2 Harvesting of wild crops
- 2. The following resource production uses:
  - 2-1 Horticulture
- 3. The following residential uses:
  - 3-1 Convalescent and rest homes
  - 3-2 Single family detached dwellings
  - 3-3 Multifamily dwellings on public water and public sewer
  - 3-4 Elderly congregate housing
  - 3-5 Two-family dwellings
  - 3-6 Accessory apartments
  - 3-7 Multifamily lots on public water and public sewer
- 4. The following institutional uses:
  - 4-1 Cemeteries
  - 4-2 Churches
  - 4-3 Libraries
  - 4-4 Municipal uses
  - 4-5 Museums
  - 4-6 Public and private schools
- 5. The following commercial uses:
  - 5-1 Business and professional offices
  - 5-2 Business services
  - 5-3 Commercial schools
  - 5-4 Day care centers
  - 5-5 Inns
  - 5-6 Personal services
  - 5-7 Studios of artisans
- 6. The following recreation and marine uses:
  - 6-1 Outdoor recreation

7. The following utility uses:
  - 8-1 Essential services
  
8. The following accessory uses:
  - 9-1 Accessory buildings and uses
  - 9-2 Home occupations
  - 9-3 Renting of rooms, not to exceed four rented rooms

**C. Special Exceptions**

The following uses may be permitted only upon approval as special exceptions in accordance with Article 7 of this Ordinance:

1. The following utility uses:
  - 1-1 Public utilities

**D. Prohibited Uses**

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

**E. Standards**

**(1) Space and Bulk Standards**

The following space and bulk standards shall apply in the Portland Road Mixed Use District:

Minimum net lot area	
Residential	10,000 sq. ft..
Nonresidential	10,000 sq. ft.
Inns	20,000 sq. ft.
Minimum net lot area per dwelling unit	
Single family detached dwellings and two-family dwellings	10,000 sq. ft., provided that accessory apartments shall not require an increase in the minimum net lot area.
Multifamily dwellings	10,000 sq. ft.
Multifamily Lots	10,000 sq. ft.
Elderly congregate	2,000 sq. ft.
Minimum net lot area per dwelling unit on a mixed use lot	
Mixed use with (a) one single family dwelling unit, (b) two-family dwellings or (c) multifamily dwellings	10,000 square feet per dwelling unit plus 20,000 square feet for commercial use

Minimum lot width	
Single family detached dwellings and two-family dwellings	50 feet
Other uses	75 feet
Shoreland area	Per Article 8, Section 16
Minimum setbacks	
Front yard	
Residential	20 feet
Multifamily Dwellings/ Inns	20 feet
Nonresidential Uses	25 feet
Side yards	
Residential	20 feet
Multifamily / Inns	20 feet
Nonresidential Uses	25 feet
Rear yard	
Residential	20 feet
Multifamily / Inns	20 feet
Nonresidential Uses	25 feet
Shoreland area	Per Article 8, Section 16
Maximum height	35 feet
Maximum lot coverage	25 percent
Maximum building footprint	5,000 sq. ft.
Minimum width of green perimeter strip	10 feet to abutting residential uses or lots, and that the area between the front property line and the wall of the building or structure closest to the street and running the full width of the wall shall not be used for parking
Minimum distance between principal buildings on same lot	30 feet

(2) Performance Standards

Uses within the Portland Road Mixed Use District shall conform to all applicable performance standards of this Ordinance, including but not limited to the following:

- (a) To the greatest extent possible, the conceptual plan shall demonstrate that future lots created from the site and development on the site will share access to and minimize curb cuts along Route One, that provision has been made for convenient, direct connections between all lots or developments, and that provision has been made to avoid wetlands and other significant natural resources.
- (b) **Sight distance**  
Commercial uses, including home occupations, may not block sidewalks or obstruct sight distances of entering or exiting traffic.
- (c) **Operating hours**  
Business hours shall begin no earlier than 7 a.m. and end no later than 8 p.m. Lodging offices in Inns and the renting of rooms are excluded from this limitation.
- (d) **Mixed residential-and-commercial uses**  
Mixed residential-and-commercial uses shall comply with the space and bulk standards of the Portland Road Mixed Use District. However, mixed uses are allowable on a lot that is legally nonconforming as to one or more space and bulk standards if (1) they are located wholly within a residential structure or a structure accessory thereto in existence as of the effective date of this ordinance, (2) the residential appearance of the structure is preserved without substantial alteration, and (3) the nonconforming aspect of the lot is not worsened.
- (e) **Off-street parking shall conform to the performance standards in Article 10, Section 9. In addition, parking shall be arranged so it is not necessary for vehicles to back into the street. New parking lots shall not be created between Portland Road and the principal structure on the lot bordering Portland Road**
- (f) **Soils** Article 10, Section 2
- (g) **Private outdoor lighting** Article 10, Section 6
- (h) **Signs** Article 10, Section 7
- (i) **Multifamily dwellings** Article 10, Section 10
- (j) **Elderly congregate housing** Article 10, Section 11
- (k) **Home occupations** Article 10, Section 14
- (l) **Accessory apartments** Article 10, Section 15
- (m) **Inns** Article 10, Section 17

**F. Overlay Districts**

- (1) Any lot or use within the Shoreland Overlay District shall additionally comply with the provisions of Article 8, Section 16, and of Article 10, Section 3 of this Ordinance.
- (2) Any lot or use within the Historic Preservation Overlay District shall additionally comply with the provisions of Article 8, Section 17, and of Article 12 of this Ordinance.

**G. Flood Plains**

Any construction or development within a flood plain, as defined by the Kennebunk Flood Plain Management Ordinance, shall additionally comply with the terms of that ordinance.

**H. Site Plan Review**

Any proposals as described in Article 11 (Site Plan Review), Section 3 of this Ordinance shall be subject to site plan review and approval prior to receipt of a building permit or plumbing.