

---

MEMORANDUM

TO: Adam Causey, AICP, Director of Planning and Development

CC: Kittery Land Issues Committee (KLIC)  
Ben Smith, AICP, North Star Planning

From: Sarah DelGizzo, North Star Planning

RE: Title 16 – March draft; Definitions, Land Use Zones, Subdivision and Site Plan

Date: March 6, 2020

---

The updated draft provided with this memo includes changes discussed with committee and staff since the October, 2019 draft that was distributed to the KLIC.

Updated sections for review include:

- Definitions
- Land Use Zones
- Site Plan
- Subdivision

### 16.3 Definitions

This section has been alphabetized to reflect new definitions and terms. Items for continued discussion with staff and KLIC include;

1. School definitions
  - a. **Commercial School (proposed definition)**. A building or buildings which is principally used to conduct commercial education classes including, but not limited to trade schools, schools of art, beauty, business, dancing, driving, music, martial arts, but not including private nursery, elementary or secondary schools. Retail sales of items related to the school are allowed as an accessory use to commercial schools.
  - b. **Public or Private School (proposed definition)**. A building or buildings and its associated grounds which is principally used to conduct educational classes including public and private elementary schools

and nursery schools, including post-secondary schools, but not including commercial schools.

2. Farmers Market definition

**Farmers Market (proposed definition).** An event where farmers, ranchers, and other agricultural producers sell food, plants, flowers, and added-value products, such as jams and jellies, they have grown, raised, or produced from products they have grown or raised. In addition, some vendors sell food that is available for immediate consumption on site, and some may be community groups, services, or other vendors or organizations. Farmers Markets occur on a regular basis in the same location. They are free and open to the public. Some markets are seasonal, while others occur year- round.

3. Recreation, Selected Commercial definition– need to think about if we should divide into indoor and outdoor:

- a. **Recreation, Selected Commercial (current definition).** A recreational facility operated as a business and open to the public for a fee, which is listed as one of the following types of allowed recreational activities:
- (1). Indoor commercial recreation limited to billiards and pool, bowling alley, dance hall, swimming pool, ice skating rink, tennis, racquetball or squash courts, shooting or archery range, weight-lifting equipment center, aerobics/exercise center, roller skating rinks, basketball courts, gymnasium, concert hall, aquarium, botanical and zoological garden, bingo parlor, simulated sports; and
  - (2). Outdoor commercial recreation limited to riding stables, golf course, swimming pool, driving range, miniature golf, archery range, tennis courts, balloon rides, roller skating rink, botanical and zoological garden, and equestrian sports excluding racing.

Types of commercial recreation not listed are not considered to be included within the definition of “Selected Commercial Recreation.”

- b. **Recreation, Commercial (proposed definition 1).** A recreational facility operated as a business and open to the public for a fee.
- c. **Recreation, Commercial Indoor (proposed definition 2a).** The use of a building for play, sports, games, and other similar diversions operated as a business and open to the public for a fee.
- d. **Recreation, Commercial Outdoor (proposed definition 2b).** The use of a land outside of a fully enclosed building, as defined, for play, sports, games, and other similar diversions operated as a business and open to the public for a fee.



### 16.7 Site Plan and 16.8 Subdivision

The Site Plan and Subdivision sections include updated lists of applicable Performance Standards and Approval Criteria, as discussed with KLIC and staff. Table of contents and formatting has been updated.