



TOWN OF KITTERY
Planning & Development Department
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Jason Garnham, AICP
Director

TO: KENDRA AMARAL, TOWN MANAGER
FROM: JASON GARNHAM, DIRECTOR OF PLANNING AND DEVELOPMENT
SUBJECT: BP- BUSINESS PARK ZONING DISTRICT MAP AMENDMENT
DATE: JUNE 12, 2023

SUMMARY:

Kittery's Planning Board voted 5-0-1 to recommend to the Town Council the adoption of amendments to Kittery's Land Use Zoning Map, specifically replacing the MU-N Mixed-Use Neighborhood zoning district with a BP Business Park zoning district during their May 25, 2023 meeting. This map amendment is required in order for the Town's zoning map to remain consistent with the ordinance in accordance with Maine law.

BACKGROUND:

Kittery's Town Council voted to repeal §16.4.26 Neighborhood Mixed Use zoning in July 13, 2022 in response to a petition from residents and replaced those provisions with the Business Park zoning which preceded them. Council also simultaneously enacted a moratorium on development permits within this zoning district. This moratorium was extended by Council to August 8, 2023 during the December 12, 2022 meeting. The moratoria were intended to provide time for staff, committees, and the Planning Board to devise new Neighborhood Mixed Use zoning provisions for adoption. However, staffing issues at the Town and supporting consultants have delayed the project and the moratorium is set to expire prior to drafting or adoption of updated zoning provisions.

Meanwhile, the zoning map was not amended by Town Council during the July 13, 2022 vote. When the moratorium expires on August 8, the zoning map would contain a zoning district (MU-N) which does not relate to adopted standards in Title 16. The purpose of this amendment is to correct this inconsistency before the moratorium expires.

PROPOSED AMENDMENTS:

Map amendments only. See attached draft zoning map.

REVIEW PROCESS:

Kittery's Planning Board discussed this amendment during the May 11, 2023 meeting and held a public hearing on May 25, 2023. Members of the Land Issues Committee members were advised of this amendment by email on May 15, 2023 and Housing Committee members discussed this amendment during their June 1, 2023 meeting.

EXHIBITS:

Please find attached for your review:

1. Draft Land Use Zoning Map with proposed amendments

OTHER RESOURCES:

May 25, 2023 Planning Board meeting minutes: [planning_board_minutes_5.25.2023.pdf](#)
([kitteryme.gov](#))

May 25, 2023 Planning Board meeting packet: [item_4_zoning_amendment_combined.pdf](#)
([kitteryme.gov](#))

Title 16: [Town of Kittery, ME Title 16: Land Use and Development Code \(ecode360.com\)](#)

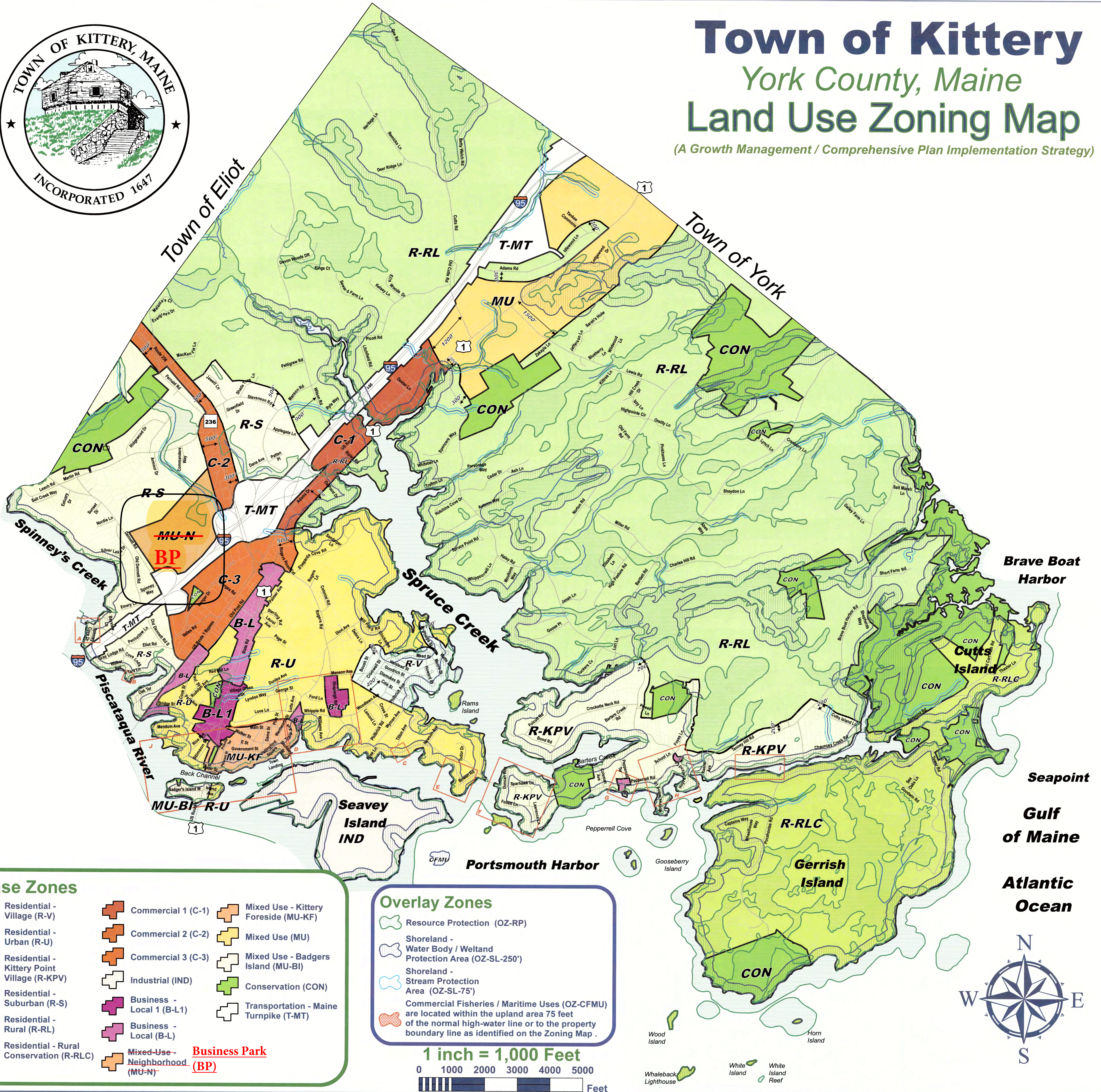


Town of Kittery

York County, Maine

Land Use Zoning Map

(A Growth Management / Comprehensive Plan Implementation Strategy)



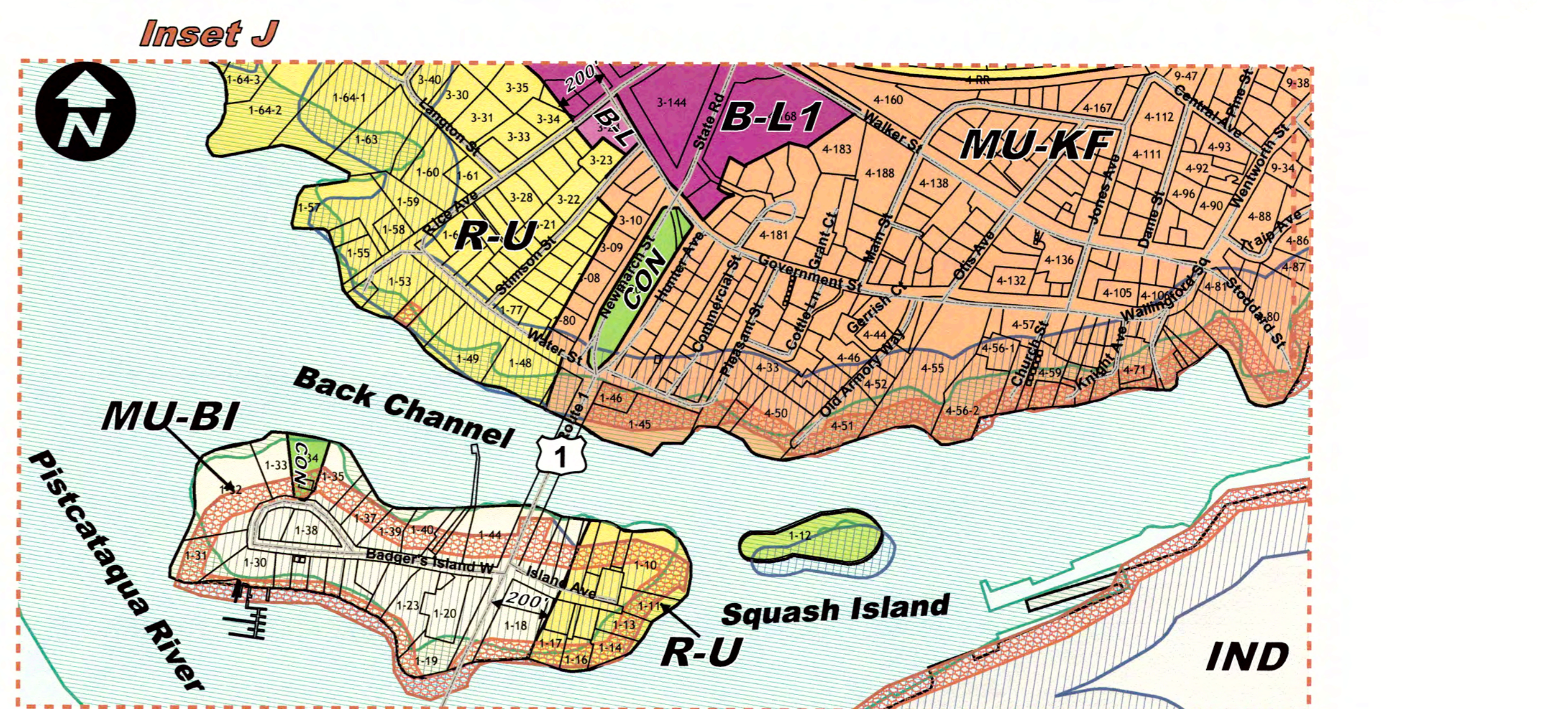
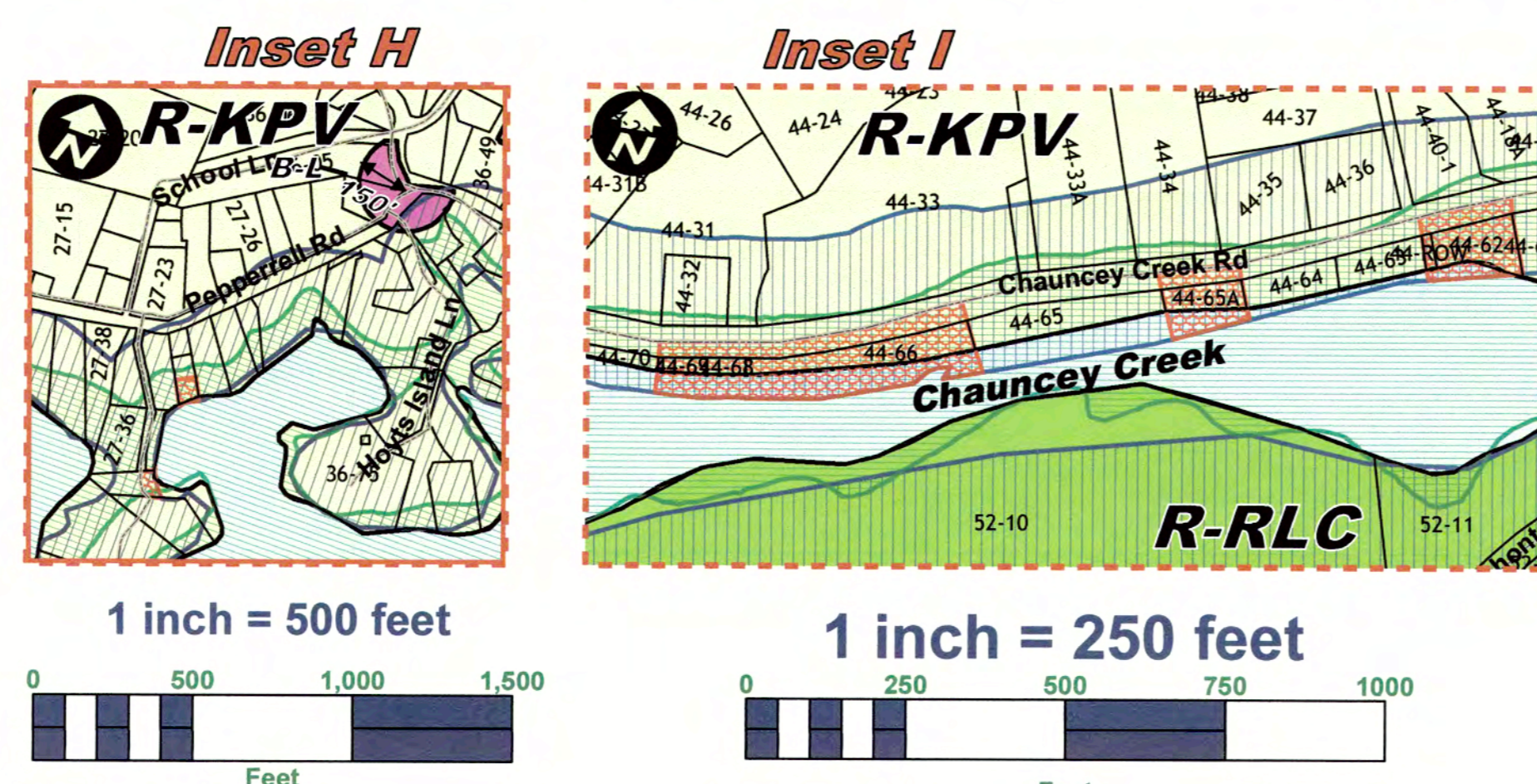
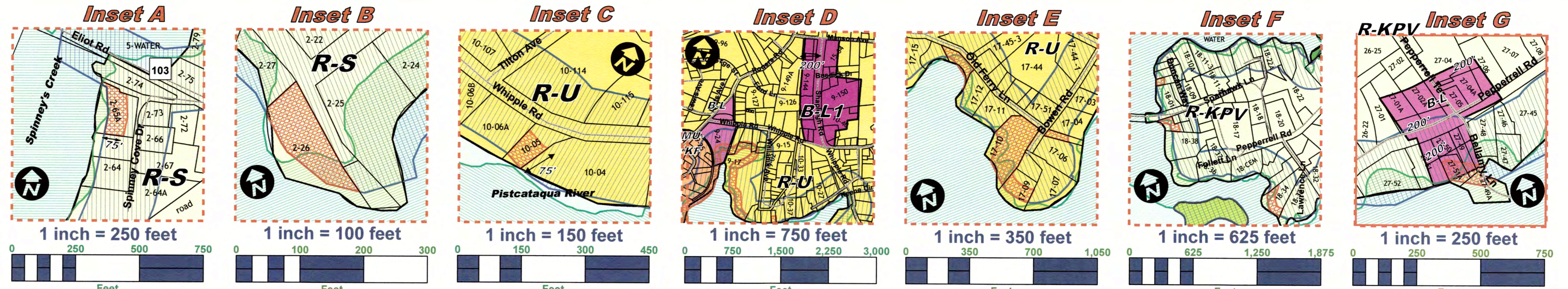
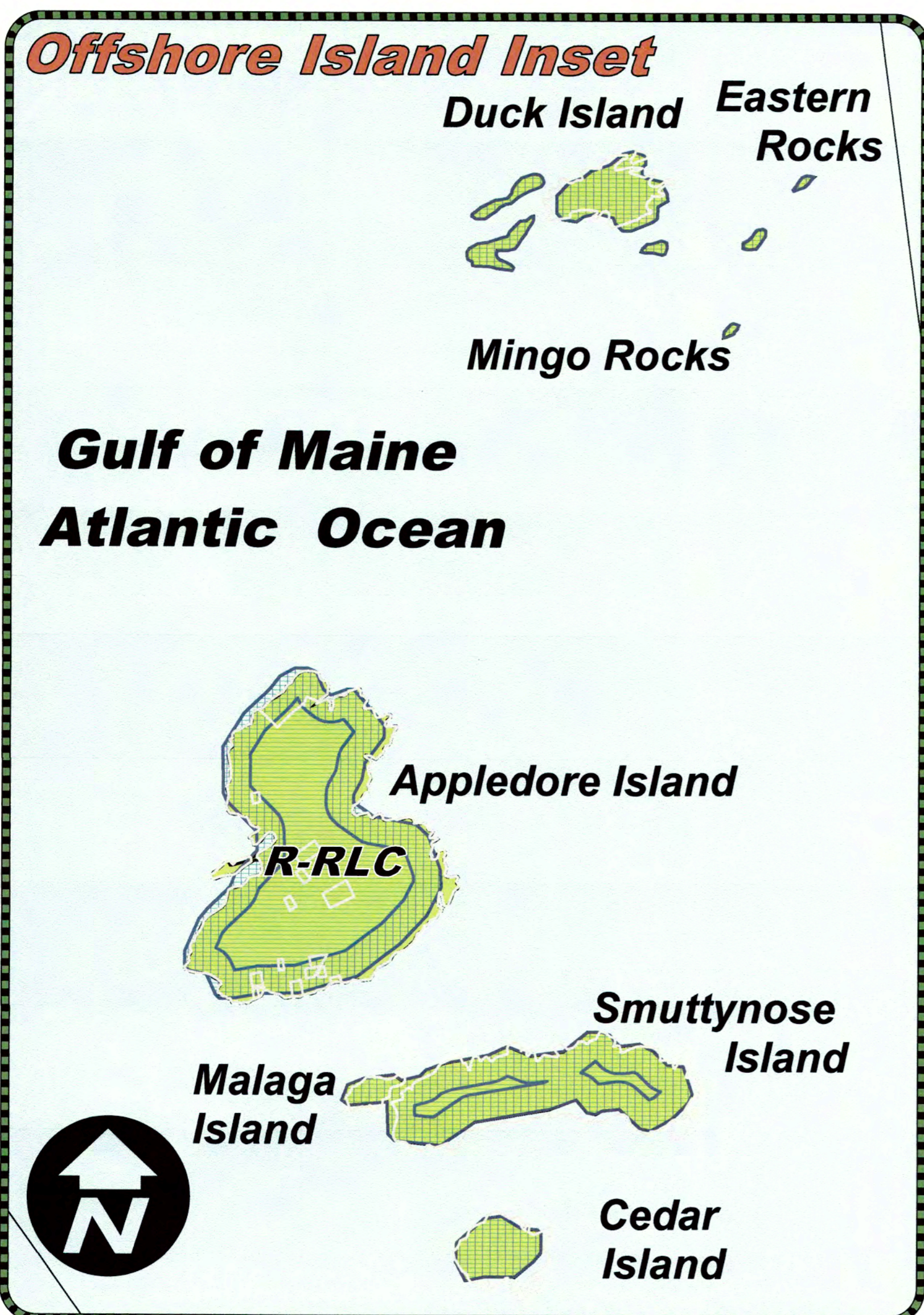
Base Zones

- Residential - Village (R-V)
- Residential - Urban (R-U)
- Residential - Kittery Point Village (R-KPV)
- Residential - Suburban (R-S)
- Residential - Rural (R-RL)
- Residential - Rural Conservation (R-RLC)
- Commercial 1 (C-1)
- Commercial 2 (C-2)
- Commercial 3 (C-3)
- Industrial (IND)
- Business - Local 1 (B-L1)
- Business - Local (B-L)
- Mixed-Use - Neighborhood (MU-N)
- Mixed Use - Kittery Foreside (MU-KF)
- Mixed Use (MU)
- Mixed Use - Badgers Island (MU-BI)
- Conservation (CON)
- Transportation - Maine Turnpike (T-MT)
- Business Park (BP)

Overlay Zones

- Resource Protection (OZ-RP)
 - Shoreland - Water Body / Wetland Protection Area (OZ-SL-250')
 - Shoreland - Stream Protection Area (OZ-SL-75')
 - Commercial Fisheries / Maritime Uses (OZ-CFMU)
- Commercial Fisheries / Maritime Uses (OZ-CFMU) are located within the upland area 75 feet of the normal high-water line or to the property boundary line as identified on the Zoning Map.

1 inch = 1,000 Feet



I hereby certify this Zoning Map, referred to in the Town Land Use and Development Code, is the Official Zoning Map for the Town of Kittery, Maine. It includes all prior revisions and is current as of this date.

The precise location of property, boundary lines, and natural resources as shown on this Official Zoning Map is not warranted. Where there exists any doubt in the accuracy of any such property, boundary lines, or natural resources, the property owner is responsible to demonstrate the exact lot line or natural resource locations with respect to the zone boundaries. Such accuracy may be established through a licensed survey or appropriate state certified professional consistent with the Town Code.

Adopted by the Kittery Town Council and Effective this August 12, 2019.

Kevin Elice
Town Clerk