

SUBCHAPTER IV - RESOURCE CONSERVATION DISTRICTS

DIVISION A - RESOURCE PROTECTION DISTRICT (RP)

SECTION 9-411 PURPOSE (RP)

To further the maintenance of safe and healthful conditions; prevent and control potential water pollution sources; protect spawning grounds, fish, aquatic life, bird and other wildlife habitat; and conserve shore cover, visual as well as actual points of access to coastal waters and natural beauty; and to protect historic and archaeological sites.

[Derivation: Section 4.9(A), 1989 Zoning Ordinance]

SECTION 9-412 DESCRIPTION (RP)

The Resource Protection District (RP) includes all land areas within 100 feet of Cascade Pond, all land areas within 100 feet of Vaughan Brook extending from Water Street upstream to Cascade Pond, all land areas within 50 feet on the north side of Vaughan Book from the Kennebec River upstream to Water Street; Tax Map 4, all areas east of the Maine Central Railroad Tracks; Tax Map 5, lots 166 and the portion of Lot 168 that is within the mapped floodway of the Kennebec River, lots 180 through 189; Tax Map 9, lots 166 and 167A, that portion of lots 168 through 186 lying east of the right-of-way, lot 187, that portion of lots 189 through 194A lying within 25 feet of the water; Tax Map 10, lots 15, 16, 20, 25, and 29, that portion of lot 21 lying within 75 feet of the water, that portion of lot 22 lying between the top of the bank and the water, that portion of lots 23 and 24 lying within 50 feet of the Vaughan Brook, that portion of lot 26 lying between the top of the bank and the water; Tax Map 15, lots 39 and 40; and Tax Map 16, all land areas between the Maine Central Railroad Tracks and the Kennebec River.

[Derivation: Section 4.9(B), 1989 Zoning Ordinance as amended; amended by Ord. 98-1, 5/21/98; Ord. No.: 08-03, eff. April 17, 2008; Ord. No. 11-02b, eff. 8/18/2011; Ord. No. 12-01, eff. 1/19/2012]

SECTION 9-413 PERMITTED USES (RP)

Permitted uses in the Resource Protection District are:

1. Conservation activities;
2. Non-intensive recreational uses not requiring structures;
3. Motorized vehicular traffic on existing roads;
4. Clearing or removal of vegetation in accordance with the performance standards of Section 9-416;
5. Wildlife management practices;
6. Soil and water conservation practices;
7. Essential services; and
8. Service drops to allowed uses.

[Derivation: Section 4.9(C), 1989 Zoning Ordinance; Ord. No. 11-02b, eff. 8/18/2011]

SECTION 9-414 CONDITIONAL USES (RP)

Conditional uses in the Resource Protection District are:

1. Agriculture/aquaculture;
2. Small non-residential facilities for educational, scientific, nature interpretation, or religious purposes;
3. Temporary piers, docks, and wharves extending over or below the normal high water line of a water body;
4. Public and private recreational facilities involving minimal structural development;
5. Boat launches;
6. Parking in accordance with the performance standards of Section 9-416; and
7. Accessory structures (non-residential).

[Derivation: Section 4.9(D), 1989 Zoning Ordinance; Ord. No. 11-02b, eff. 8/18/2011; Ord. No. 25-07, eff. 11/20/2025]

SECTION 9-415 NON-PERMITTED USES (RP)

Any use not permitted in Sections 9-413 and 9-414 above.

[Derivation: Section 4.9(E), 1989 Zoning Ordinance; Ord. No. 12-10, eff. 10/19/2012]

SECTION 9-416 PERFORMANCE STANDARDS (RP)

Permitted and Conditional Uses allowed in this district shall be subject to the performance standards contained in Subchapter VI of this Chapter, and the performance standards of the Shoreland Overlay District, under Subchapter V of this Chapter.

[Derivation: Section 4.9(G), 1989 Zoning Ordinance; Ord. No. 11-02b, eff. 8/18/2011]

SECTION 9-417 DIMENSIONAL REQUIREMENTS (RP)

The following dimensional requirements apply to the uses permitted in this District, including the expansion of existing uses, the conversion of one use to another use, and new uses.

1. Minimum shore setbacks from normal high water mark: 250 feet except for structures, roads, parking spaces, and other objects specifically allowed in the district that shall conform to the following setback:

Piers, docks, wharves and other functionally water-dependent uses	0 feet
All other allowed uses	75 feet

[Derivation: Ord. No. 11-02b, eff. 8/18/2011]

SECTIONS 418 THROUGH 430 (Reserved)

DIVISION B - OPEN SPACE DISTRICT (OP)

SECTION 9-431 PURPOSE (OP)

To maintain and facilitate the public use of land areas within the City of Hallowell that are largely undeveloped and contain sensitive natural resources, wildlife habitat, recreational resources, or timber resources, or which contribute toward the scenic character of the community.

[Derivation: Section 4.11(A), 1989 Zoning Ordinance; Ord. 25-01, eff. 2/20/2025]

SECTION 9-432 DESCRIPTION (OP)

The Open Space District (OP) generally includes public lands owned by the City, State of Maine, or Federal Government, and which are not otherwise included in Residential, Business, Downtown or Resource Protection Districts. The OP District may also include certain lands under conservation easement or subject to other deed restrictions or covenants ensuring permanent public access to land or water for recreational purposes.

The boundaries of the Open Space District (OP) are shown on the Official Zoning Map.

[Derivation: Section 4.11(B), 1989 Zoning Ordinance; amended by Ord. 98-1, 5/21/98; Ord. No. 12-01, eff. 1/19/2012; Ord. No. 12-10, eff. 10/19/2012; Ord. 25-01, eff. 2/20/2025]

SECTION 9-433 PERMITTED USES (OP)

Permitted uses in the Open Space District are:

1. Low-intensive recreational uses, including but not limited to fishing, hunting, hiking, biking, snowmobiling, wildlife study and photography, wild crop harvesting, trapping, horseback riding, cross-country skiing, and snowshoeing;
2. Clearing or removal of vegetation in accordance with the performance standards of Section 9-416;
3. Community gardens;
4. Fire prevention activities;
5. Motorized vehicular traffic on existing roads;
6. Natural resource conservation and management practices;
7. Other recreational or educational uses, activities, or events utilizing existing structures or infrastructure and that are allowed by specific procedures or authorized by policies adopted by the city;

8. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies; and
9. Activities within the reserved rights of the private parties agreed to within the terms of a conservation easement..

[Derivation: Section 4.11(C), 1989 Zoning Ordinance; Ord. 25-01, eff. 2/20/2025]

SECTION 9-434 CONDITIONAL USES (OP)

Conditional uses in the Open Space District are:

1. Accessory Buildings and Structures (non-residential);
2. Campgrounds in accordance with the performance standards provided in Section 9-606;
3. Essential services;
4. Municipal Recreational Facilities and Related Structures;
5. Parking areas associated with recreational or other facilities or infrastructure; and
6. Timber Harvesting.

[Derivation: Section 4.11(D), 1989 Zoning Ordinance; Ord. 25-01, eff. 2/20/2025; Ord. No. 25-07, eff. 11/20/2025]

SECTION 9-435 NON-PERMITTED USES (OP)

1. No ATVs.
2. Any use not permitted in Sections 9-433 and 9-434 above.

[Derivation: Section 4.11(E), 1989 Zoning Ordinance; Ord. No. 12-10, eff. 10/19/2012; Ord. 25-01, eff. 2/20/2025]

SECTION 9-436 PERFORMANCE STANDARDS (OP)

Permitted and Conditional Uses allowed in this district shall be subject to the performance standards contained in Subchapter VI of this Chapter and the clearing and timber harvesting standards of the Shoreland Zone, Section 9-513(4).

[Derivation: Section 4.11(G), 1989 Zoning Ordinance]