

## PART II CODE OF ORDINANCES

### CH. II-19 ZONING AND FLOODPLAIN MANAGEMENT

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#### FOOTNOTE(S):

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**Editor's note**— The zoning, flood prevention and protection and site plan regulations of the town are not printed in this Code, but are on file in the town clerk's office.

**Editor's note**— At the city's instruction, Ord. of Sept. 24, 2007, Arts. I—XV, set out provisions intended for inclusion with Ch. II-19. For purposes of clarity, and at the editor's discretion, these provisions have been included as Art. II-19-2.

**Cross reference**— Boundaries of the town, § 2-2; provisions for notices for nuisances, signs, dangerous, unsafe, dilapidated buildings, and any other action the expense of which may be collected from the property owner, § 2-3; board of appeals, § 2-60 et seq.; parks and community programs advisory committee, § 2-85 et seq.; planning board, § 2-95 et seq.; waterfront and harbor committee, § 2-115 et seq.; division of planning, § 2-246; division of code administration functions, § 2-248; animals, Ch. II-3; buildings and building regulations, Ch. II-4; condominium conversion regulations, § 4-100 et seq.; land subdivision, Ch. II-7; licenses, permits and business regulations, Ch. II-8; marine activities, structures and ways, Ch. II-9; junked and abandoned motor vehicles prohibited on public and private property, § 12-3; solid waste regulations, Ch. II-13; swimming pools, Ch. II-15; traffic and motor vehicles, Ch. II-17; utilities, Ch. II-18; certain discharges into the public sewer system prohibited, § 18-190 et seq.

#### ART. II-19-1. IN GENERAL

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##### Div. II-19-1-3. ESTABLISHMENT OF DISTRICTS

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###### Sec. 19-11 Village Center Districts (VC1, VC2 and VCC)

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**Sec. 19-11.1 Purpose of the Districts:** The Village Center is planned as a mixed use area, providing the community with a vibrant retail and service, professional office and residential core. Specific purposes are:

- A. Provide and encourage greater intensity of land use;
- B. Capitalize on existing utility infrastructure;
- C. Allow mixed uses of commercial, residential and civic;
- D. Provide transportation infrastructure that supports motorists, pedestrian, transit riders and cyclists; and
- E. Create a building edge at the sidewalk.

Effective on: 12/9/2013

###### Sec. 19-11.2 General Requirements

If any portion of this section conflicts with any other section of this ordinance or the Subdivision Ordinance, the standards of this section shall prevail.

Effective on: 12/9/2013

### **Sec. 19-11.3 Use and Maximum New Ground Floor Tenant Area Tables**

#### **19-11.3.1 VC1 and VC2**

Permitted Uses, Conditional Uses and Maximum New Ground Floor Tenant Area (MNGFTA)				
Permitted Uses	VC 1 MNGFTA (sq. ft.)	Category of Use	VC 2 MNGFTA (sq. ft.)	Category of Use
Accessory building or use	50,000	P	50,000	P
Art and Craft Studio <sup>1</sup>	na	P	na	P
Automobile dealership (sales, service, storage & rental)	na	X	50,000	P
Bed and Breakfast Establishment	50,000	P	50,000	P
Business and professional office <sup>2</sup>	50,000	P	50,000	P
Commercial School	20,000	P	20,000	P
Day care center	50,000	P	50,000	P
Dwelling Unit <sup>1</sup>	na	P	na	P
Gas Station	na	CU	na	CU
Home Occupation	na	P	na	P
Horticultural Nursery	na	P	na	P
Hotel	na	P	na	P
Light manufacturing <sup>1</sup>	na	P	na	P
Municipal use	50,000	P	50,000	P
Outdoor recreation facility, permanent structure	50,000	CU	50,000	CU
Outdoor retail display > 100 and ≤2,500 square feet as an accessory use	na	P	na	P
Outdoor display of automobiles as an accessory use to automobile dealership	na	X	No limit	P
Place of Worship	50,000	P	50,000	P
Private club	50,000	P	50,000	P
Private School	20,000	P	20,000	P
Restaurant, including carry-out/outdoor seating	50,000	P	50,000	P
Restaurant, drive-through	na	X	50,000	CU
Retail and service establishment, includes outdoor retail display not to exceed 100 sq. ft.	50,000	P	50,000	P
Retail, grocery <sup>3</sup>	60,000	P	60,000	P
Service garage	50,000	CU	50,000	CU
Tier I & Tier II Personal Wireless Service Facility	na	P	na	P
Tradesmen's Office <sup>1</sup>	na	P	na	P
Wholly enclosed place of assembly, amusement, recreation, culture, and government	50,000	P	50,000	P
<sup>1</sup> Permitted on upper floors only				
<sup>2</sup> Includes Veterinary Clinic				
<sup>3</sup> Retail, Grocery is limited to 60,000 gross square feet total for all floors				
P – Permitted; CU – Conditional Use Permit Required; X – Not permitted				

### **19-11.3.1.a Performance Standards for Horticultural Nursery**

1. Expansions or replacements of indoor or outdoor components of existing horticultural nurseries shall require site plan approval under Div. II-19-1-9 of this ordinance.
2. Greenhouses are exempt from the maximum setback requirements in Section 19-11.5.1 and architectural standards under Section 19-11.5.5 provided that they are located a minimum of 100 feet from any lot line adjacent to a public right of way.
3. Structures, including greenhouses, located within 100 feet of any lot line adjacent to a public right of way shall meet all requirements of Section 19-11.
4. The Planning Board may require screening measures to minimize the bulky appearance of and glare from greenhouses if visible from neighboring properties. Measures required shall be compatible with light and ventilation needs of the greenhouse operations.
5. Storm water runoff treatment shall meet current Low Impact Development standards.(See Maine Stormwater Best Practices Manual.)

Effective on: 12/9/2013

### **19-11.3.2 VCC, Village Center Civic**

Permitted Uses, Conditional Uses and Maximum New Ground Floor Tenant Area (MNGFTA)		
Accessory building or use	50,000	P
Municipal use	50,000	P
Private club	50,000	CU
Tier I & Tier II Personal Wireless Service Facility	Na	P
P – Permitted; CU – Conditional Use Permit Required; X – Not permitted		

Effective on: 12/9/2013

### **Sec. 19-11.4 Exemptions and Allowances for Existing Ground Floor Tenant Areas**

#### **Sec. 19-11.4.a. Definition of terms.**

For the purposes of this section, the following terms shall be defined as:

1. “Existing building footprint” is defined as the building footprint existing as of November 26, 2012.
2. “Existing nonconforming tenant area” is defined as a ground floor tenant area existing as of November 26, 2012, which exceeds the ground floor tenant area limitations in Tables 19-11.3.1 and 19-11.3.2.
3. “Ground floor tenant area” is defined as the first floor indoor space occupied by an individual tenant, either by rent, lease or ownership and as measured from the interior wall faces.

Effective on: 12/9/2013

#### **Sec. 19-11.4.b. Determination of existing ground floor tenant area.**

When determining the ground floor area of existing tenant areas, the Code Enforcement Officer shall rely on current town records unless it is determined by the Officer that more accurate data exists.

Effective on: 12/9/2013

**Sec. 19-11.4.c.** Existing nonconforming tenant areas, whether occupied or vacant as of November 26, 2012 shall be exempt from the Maximum Ground Floor Tenant Area requirements in Section 19-11.3.1 and 19-11.3.2.

Effective on: 12/9/2013

**Sec. 19-11.4.d. Use of existing ground floor tenant area.**

1. Notwithstanding the ground floor tenant area limitations specified in Table 19-11.3.1 and 19-11.3.2, any existing nonconforming tenant area, either vacant or occupied, may be reconfigured within an existing building footprint in the following manner.
  - a. Existing areas equal to or greater than 60,000 square feet shall not exceed the existing nonconforming tenant area.
  - b. Areas greater than 50,000 and less than 60,000 square feet may be expanded up to and including 60,000 square feet.
  - c. Conforming tenant areas may be incorporated into the reconfiguration of nonconforming tenant areas.
2. The number of times reconfiguration of tenant spaces may occur is unlimited provided that each reconfiguration meets the requirements in Section 19-11.4.d (1) above.
3. In no event shall there be an increase in the number of nonconforming ground floor tenant areas in any building except for buildings occupied by or approved for a single tenant area as of November 26, 2012. Tenant area in buildings occupied by a single nonconforming tenant may be reconfigured to create up to and including two nonconforming ground floor tenant areas.

Effective on: 12/9/2013

**Sec. 19-11.4.e. Alteration of existing building footprint.**

Existing building footprints may be altered to accommodate the reconfiguration or expansion of nonconforming tenant areas up to and including 60,000 square feet provided that the alteration occurs within the area created by the horizontal extension of the outermost existing building walls.

Effective on: 12/9/2013

**Sec. 19-11.4.f. Exemption for ground floor tenant area of approved site plans.**

Site plans approved by the Planning Board under Div. II-19-1-9 of this ordinance are exempt from the ground floor tenant area limitations in Section 19-11.3.1 and 19-11.3.2 above provided that the project has commenced in accordance with Section 19-132. Amendments or re-approvals to site plans requiring Planning Board approval are not exempt.

Effective on: 12/9/2013

**Sec. 19-11.5. Village Center Performance Standards**

These standards govern the development and re-development of properties within the Village Center Districts and are intended to be integrated with 2013 Route One South Infrastructure Plan. These standards apply to any new development or redevelopment requiring site plan approval under Div. II-19-1-9 of this ordinance. Standards are required unless expressly noted that the approval authority may grant waivers.

**Sec. 19-11.5.1 General Dimensional Requirements**

1. VC1 and VCC lot requirements:

- a. Front setback from a public ROW or the sidewalk of an internal drive for buildings – minimum of 0 and maximum of 20 feet. Accessory structures and buildings are exempt provided that no access by the public is permitted.
  - b. Side and rear setbacks – none
2. VC2 lot requirements
- a. Front setback from a public ROW or the sidewalk of an internal drive for buildings – minimum of 0 and maximum of 55 feet. Accessory structures and buildings are exempt provided that no access by the public is permitted.
  - b. Side and rear setbacks – none
3. The maximum height of buildings in all districts is 65 feet.

Effective on: 12/9/2013

**Sec. 19-11.5.2 General Site Planning.** The goal is to create a village area of well-sited, attractive and functional buildings with an emphasis on building interaction with the streetscape. New buildings shall be designed as integral elements in the creation of a village scale landscape and shall be oriented toward an existing or new street or drive.

1. Corner Lots - Buildings located on a lot fronting more than one street or internal drive shall be placed at the intersection of the streets or internal drive so that the front setback is met for all frontages unless the site plan designates a future building site at the intersection.
2. New buildings on lots that have at least 70% of the frontage length within eighty (80) feet of the front lot line developed with buildings are exempt from meeting the setbacks provided that the existing buildings remain in place.
3. Businesses that provide shopping carts shall provide designated cart storage both in the parking lot and inside the store.
4. Outdoor retail display shall meet the following standards:
  - a. Shall be in a dedicated area;
  - b. Shall not interfere with approved parking areas, landscaping, stormwater management structures or vehicle and pedestrian circulation;
  - c. Shall only be open to the public during the same hours as the primary use;
  - d. The outdoor display of merchandise shall not exceed a maximum height of six (6' 0") feet; and
  - e. Areas immediately adjacent to a public right(s) of way shall be enclosed with a solid fence or wall to screen views from the right(s)-of-way. The maximum height of the enclosure shall be ten (10' 0") feet. The design of the fencing enclosure shall be compatible with the main building(s) and surrounding development.
5. Internal drives are encouraged to develop street frontage for existing buildings and provide more opportunity for infill development.
6. Neighborhood Compatibility – Sites developed adjacent to residential district boundaries shall be designed, where possible, so that service areas, parking lots, outdoor storage yards and other similar features do not face toward the district boundary. If orienting these areas toward adjacent residential district boundaries is

unavoidable, adequate year round screening and noise reduction shall be provided. (See Section 19-11.5.7, Landscaping and Screening)

7. 2013 Route One South Infrastructure Plan – The 2013 Route One South Infrastructure Plan (Plan) is hereby adopted as an addendum to this Ordinance. The permitting authority shall rely on the Plan as a guide for access management and streetscape improvements. The permitting authority shall have the authority to modify the improvements if it is determined that the goal of the improvement can be achieved by some other method and that the modifications are in the best interest of the Town and is of equal or greater benefit to the Town.

Effective on: 12/9/2013

**Sec. 19-11.5.3 Streetscape**–Site planning and architectural design shall complement and be integrated with the improvements made by the Town and recommended in the Plan. Buildings at or near the street edge are a necessary component of a village streetscape. Development along all street frontages should encourage pedestrian interest and provide safe movement.

- A. When there is a gap between the sidewalk/proposed sidewalk on Route One or side streets and the front property line, the applicant shall confer with the Town regarding improvements within the right of way to provide a transition.
- B. Street trees, curbing, pedestrian lighting and sidewalks are required components on both sides of all side streets. Where improvements are not installed by the Town as part of the Plan, the property owner shall be responsible for the installation of improvements.
- C. Street Furnishings – Street furnishings, including outdoor seating or space for pedestrians and patrons are encouraged and may be placed in the public right-of-way with the permission of the Town if not provided on site adjacent to the street. Street furnishings are also encouraged on private property and should be located between the building and the sidewalk. They may include bicycle racks, benches, planters or other similar furnishings. Materials shall be durable and able to withstand heavy public use and Maine climate conditions. Street furnishings shall be secured in such a manner that they cannot be removed easily.

Effective on: 12/9/2013

**Sec. 19-11.5.4 Internal Drives**– Internal drives may be constructed to bring existing buildings into conformance with front setbacks, to provide street frontage and access for new buildings, to provide alternate routing to existing public streets and to provide pedestrian mobility.

1. Internal drives shall be designed with measures to provide maximum mobility for pedestrians and cyclists as well as motorists.
2. Internal drives may be used for loading zones provided the volume and frequency of deliveries can be accommodated.
3. Internal drives are subject to the construction standards in the Subdivision Ordinance, Appendix 5, (F), (G) and (I). The permitting authority may waive standards to promote traffic calming and pedestrian safety, mobility and comfort.
  - a. Lane widths – Travel lanes shall be no narrower than 9 feet and no wider than then 11 feet.
  - b. Sidewalks - Sidewalks shall be installed on both sides of the internal drive. Sidewalks shall be a minimum of five feet in width and must be separated from the drive by vertical curbing. Where existing development provides a sidewalk along the frontage of existing buildings, no additional sidewalk is required along that portion of drive frontage and no additional curbing shall be required.

- c. Street trees – Trees shall be located at an interval of 30 feet on center and shall be of a species listed in the Shade Tree List published by the Town.
- d. Pedestrian lighting – Pedestrian lighting shall be installed at an interval of 60 feet on center and with a height of no greater than 14 feet.
- e. On street parking – On street parking is encouraged. If provided, parking spaces shall have minimum dimensions of 7 feet x 20 feet.
- f. Curbing and structured drainage facilities shall be provided.

Effective on: 12/9/2013

**Sec. 19-11.5.5 Architecture for new building development and redevelopment of existing buildings**—A high level of architectural quality is expected. The standards below apply to any new building or building expansion. Existing buildings are encouraged to be renovated to meet the standards.

### 1. General Design Standards

- a. All buildings and building additions shall be designed by a Maine Licensed Architect unless otherwise waived by the Planning Board.
- b. No particular architectural style is required but all styles shall incorporate good architectural design with respect to scale, proportion, massing and balance. They shall be human scaled and designed to create a positive contribution to the street upon which they sit. Architectural styles shall not be mixed on a single building.
- c. Corporate, franchise or trademark architecture. Individual corporate image, trademark, or marketing architectural design elements and colors shall be incorporated only as secondary design elements to the development and not as dominant elements. These architectural design elements shall not define the character or style of the building or development.
- d. Building Orientation – The primary facades and main pedestrian entrances of buildings shall be situated on a public street or internal drive with the emphasis on public streets where buildings face multiple public streets or internal drives.
- e. At least one customer entrance shall be provided along a building face that fronts a public street or internal drive. Where frontages are on both a public street and a internal drive, one entrance shall be located on the public street.

### 2. Standards specific to redevelopment of and additions to nonconforming buildings due to setback requirements. Expansions shall not result in the increase of any nonconformity of the building. For purposes of this section increased nonconformity includes reducing the linear feet of a building which is parallel to and closest to a street frontage.

- a. Additions shall be limited to 50% of the first floor gross square footage of nonconforming buildings as of the date of the adoption of this ordinance. Additions greater than 50% shall be considered a new building.
- b. Additions of 50% or less made to existing nonconforming buildings are exempt from the maximum front setback provided that the area between the building and the primary frontage is improved in such a manner to promote and encourage pedestrian access to the building and to provide a visual connection to the primary frontage. This may include but is not limited to sidewalk extensions, patios, outdoor seating, and street furniture. The Planning Board shall have authority to determine the extent of improvements necessary.

- c. Existing nonconforming buildings may be partially demolished. If more than 75% of the existing building, as of the date of the adoption of this section, is demolished and replaced, the resulting building is required to meet the setbacks and is considered a new building.
  - d. Parking areas between an existing building and the street may remain as long as screening as required in Section 19-11.5.10., Parking Areas is provided.
3. Exterior Wall Materials –Durable building materials shall be used such as brick, clapboard, wood shingles or stone. Synthetic or composite siding materials are acceptable if they are substantially identical in appearance as natural materials and of equal or greater durability. Concrete block, split face block, multi-colored brick, asphalt shingles, T-111, plywood, and metal siding are prohibited.
- a. Highly reflective materials (e.g. plastic panels, brushed aluminum, bronzed glass) are permitted only for windows and doorways.
  - b. Stain or paint shall be applied to wood building materials in such a manner that completely covers knotholes or other imperfections in the siding.
4. Façade design – Facades for buildings are to provide visual interest at the street level and shall be proportioned to human scale.
- a. Foursquare Design – All sides of a building should be equally attractive. Architectural details such as texture, pattern, color, and building form used on the front façade should be incorporated on all building facades.
  - b. Primary entrances to buildings shall be emphasized by detailing, massing, changes in materials, or other architectural methods. Entrances shall be proportional to the scale of the building.
  - c. Design elements that add depth and visual interest to building facades such as mixing materials and colors, decorative trim and molding, cornice details, stepped facades, and columns are encouraged. Decorative elements shall be consistent with the architectural character of the building and scaled appropriately.
  - d. Façade articulation – Façade articulations are required to reduce the apparent length, monotony and mass of larger buildings, creating the illusion of several smaller buildings with common walls and a consistent rhythm of facades. All buildings shall have sufficient relief which interrupts the horizontal and vertical plane of each wall. No wall surface shall exceed 50 feet without an interruption in the horizontal plane of the wall of a minimum of three feet.
  - e. Repeating Façade Treatments – Building facades shall include in their detailing some form of a repeating pattern that includes no less than one of these design elements that shall repeat horizontally: color change, texture change and material module change.
  - f. Multi-story Treatment - A building’s style shall be consistent throughout; details from different eras and inconsistent styles shall not be mixed on a single building.
    1. Multistory buildings shall be designed to accommodate a pedestrian scale by providing a sense of “base,” “middle” (where applicable), and “top.”
    2. Standards:
      - a. Ground-level facades along public streets or internal drives shall be given a “stronger” appearance than upper floors. Distinction of ground-level facades from other floors shall occur by incorporating a minimum of two of the following features: color change, texture change and material module change.
      - b. Ground floor ceiling height shall be taller than upper stories to emphasize the ground floor as the “base” of the buildings. Ground floor ceiling heights shall be a minimum of 10 feet.

- c. Middle floors of the building shall be made distinct from the ground floor by a change in material or color, window treatment, incorporation of balconies, stepbacks, and signage.
  - d. Horizontal moldings, belt courses, or other features shall be utilized to create visual separation between each story of the building. Alignment of horizontal moldings shall be considered and relate to the moldings of adjacent building facades that are consistent with these standards, where feasible.
  - e. The top of the building shall emphasize a prominent edge when viewed against the sky, utilizing elements such as projecting parapets, cornices, upper level stepbacks, or pitched rooflines.
  - g. Murals – Murals may be used to treat existing blank facades and may include realistic architectural style detail similar to that on the front façade or artwork. Murals shall be approved by the permitting authority and may not be used as signage.
  - h. Marquees and Awnings – Marquees and awnings are permitted on buildings at a first floor entrance facing a public street or an internal drive. They may project over a public ROW provided that proof of insurance is provided. A minimum clearance of ten feet shall be maintained between the ground surface and the lowest element of the marquee or awning.
  - i. Functional Elements – All vents, down spouts, flashing, electrical conduits, meters, service connections and other functional elements shall be treated as integral parts of the design. Where appropriate, these elements shall be painted to match the color of the adjacent surface, unless used expressly as an accent.
  - j. Auxiliary structures, including freestanding pad structures, shall be architecturally consistent with the primary structures on the site in the use of color, material and detailing.
5. Fenestration – The patterns of windows and doorways shall be designed to reflect the internal function of the building in a fashion that complements its façade and form.
- a. Transparency Standards - Facades facing a public street or internal drive shall have a minimum of 30% of window space between the height of 3 and 8 feet. Retail buildings are encouraged to have a minimum of 70% of window space.
  - b. Windows shall generally be vertical or square in proportion rather than a horizontal ribbon window or other long horizontal window arrangements. Window frames should be recessed into the wall and shall have prominent detailing around the opening such as sills, shutters, relief, trim boards to create a frame around the opening.
  - c. Awnings – Fixed or retractable awnings are permitted at ground floor levels to provide protection for pedestrians. Awnings shall be designed as an integral part of the building façade and should be sized to match window and doorway openings.
6. Roofs
- a. Flat roofs are allowed only on multi-story buildings. Mechanical equipment on flat roofs shall be hidden from view from any street as well as any adjacent building by an enclosed parapet a minimum of 42 inches high or higher if necessary.
  - b. Cool or green roofs are encouraged for flat roofs.
  - c. Where the roof will be visible, the roofing materials shall be selected to complement the color and texture of the building's façade.
  - d. Roof design shall minimize the potential for snow to unload into the front setback or public right of way.

- e. Gas Stations and Service Garage Canopies – Pitched roofs and fascia trim are required for canopies.
7. Service bays shall be oriented so that the openings are not directly accessed from Route One or a side street and are screened from view from the street. The Planning Board may waive this requirement if it determines that there is no other alternative.

Effective on: 12/9/2013

**Sec. 19-11.5.6 Pedestrian and Bicycle Movement** Development shall include a well-defined safe circulation system that encourages walking and cycling within the Village Center with connections to adjacent neighborhoods. This should be provided with pathways between sidewalks, sidewalks on public streets and sidewalks on internal drives.

1. Pedestrian circulation systems shall provide connectivity between internal pathways, sidewalks on adjacent public and internal streets, buildings and parking lots.
2. Sidewalks and pathways shall avoid crossing parking lots at entrances, service areas and other potential points of conflict where possible. Where such crossings are unavoidable, they shall be as direct as possible.
3. Pedestrian islands shall be installed in streets, drives and driveways where the crossing distance is greater than 32 feet. Pedestrian refuge islands shall be a minimum of six feet wide.
4. Where crosswalks occur, a change in materials, textures or colors shall be provided to emphasize the crossing and enhance visibility.
5. Bike racks shall be provided at a minimum of one at each customer entrance of a building and be placed so to minimize bicycle-pedestrian conflicts. Bike racks may be placed in a public right of way with permission of the Town.

Effective on: 12/9/2013

**Sec. 19-11.5.7 Landscaping and Screening**– A landscaping plan shall be designed to complement the proposed or redeveloped buildings, reinforce pedestrian circulation, highlight transitions between parking and the building, provide shade to parking areas, provide stormwater treatment, add seasonal interest to the property and provide appropriate screening to adjacent residential properties and districts.

1. The plan shall be developed in accordance with Section 19-70 of this Ordinance.
2. An emphasis should be made to use indigenous species that are insect and disease resistant.
3. Invasive species of plants are prohibited.
4. Where appropriate, landscaping should be integrated with water quality treatment measures.
5. Plantings shall be integrated with the installation of underground utilities and lighting. Mature size of plantings shall be considered in relationship to lighting and signage.
6. Fence materials, where used, shall be durable and of high quality. Materials may include wrought or cast iron, stone, masonry, heavy-gauge aluminum, wood, galvanized steel or other similar material. Fences shall not exceed a height of six feet unless approved by the permitting authority.
7. Landscape elements shall be designed in conjunction with the lighting plan to eliminate dark spots and possible hiding places.
8. Machinery, HVAC equipment, trash collection, truck loading areas, utility meters and other service functions shall be incorporated into the overall design of the building and site so that the visual and acoustic impacts of these functions are fully contained and out of view of a public right of way, internal drive and abutting

residential districts. Screening shall be of equal quality of the principal materials of the buildings and landscape and may consist of vegetation, berming or fencing or a combination of these elements to provide a year round opaque screen a minimum of six feet high or of sufficient enough height to block the view from an adjacent pedestrian.

9. Screening between sites in the VC Districts and adjacent residential districts shall provide a visual and acoustic buffer for uses within those residential districts, provide a transition between development in the two districts, shade paved and unpaved surfaces, and screen nighttime light from adjacent property. Screening shall consist of, at a minimum, a year round opaque screen a minimum of six feet high and ten feet deep consisting of a mix of landscaping, berming or fencing. The permitting authority may require additional screening if determined that the minimum does not provide adequate screening.

Effective on: 12/9/2013

**Sec. 19-11.5.8 Lighting-** In addition to the standards in Section 19-149, the following standards shall be met. Where the standards differ, the standards in this section shall prevail. The minimum level of lighting shall be provided to provide security, safety and visual appeal for both pedestrians and motorists.

1. The placement of lighting fixtures shall be at a pedestrian scale, downwardly directed, and shielded or reflected so as to avoid direct line of sight from pedestrians to the light source unless the light source is very low wattage and issues of glare do not exist.
2. The use of “shoe box” fixtures is prohibited.
3. Lighting from store windows, entryways, marquis, canopies, awnings, soffits, and other integral building features shall be integrated with and enhance sidewalk lighting.
4. Materials used in the light fixtures, poles, and bases shall be of a uniformly high quality.
5. Luminaires shall be housed in a luminaire that is classified by IESNBA as a cut-off distribution. Maximum wattage is 250 watts or the lumen equivalent, except for pedestrian spaces where the maximum wattage is 100 watts or the lumen equivalent.
6. Non cut-off luminaires may be used but are limited to 100 watts or the lumen equivalent.
7. Maximum mounting height, including the base, is 20 feet for parking areas and 14 feet for pedestrian areas.
8. Parking Lot lighting:
  - a. Light poles shall be incorporated in landscaped areas wherever possible to avoid damage from vehicles.
  - b. Light poles installed in non-protected areas of lots may include a base no greater than one foot in height to prevent damage to the pole.

Effective on: 12/9/2013

**Sec. 19-11.5.9 Signage-**Buildings shall be marked with attractive, legible signs that reflect the needs of the individual businesses and complements the architecture and site detailing. Permitting of signs shall be as required in Section 19-44 of this ordinance except where provisions for permitting are noted in this section.

1. All buildings shall display the street number on the primary façade. The full street address may be displayed. The number or address must: a) be a minimum of 4.5 feet from the ground; b) have lettering a minimum of five inches in height; and c) have lettering a contrasting color with the surface on which it is mounted.
2. Freestanding Sign – Freestanding signs are designed primarily for motorists to gain entry to off street parking.
  - a. Quantity

1. VC1 - One sign only is permitted at each intersection of an internal drive with a public street and at the intersections of a commercial driveway with a public street or an internal street. Signs may be placed in the ROW with the permission of the Town. No more than one sign is permitted for each public street frontage.
2. VC2 - No more than two signs per lot per street or internal drive frontage. A minimum separation of 100 feet shall be maintained between all signs, measured along the abutting right of way or edge of an internal drive.
  - b. Minimum lettering shall be five inches in height.
  - c. Area
    1. VC1 - Maximum size is 64 square feet.
    2. VC2 - Maximum size is 100 square feet.
  - d. Height - Total height measured includes all framing and posts.
    1. VC1 - Maximum height is 12 feet
    2. VC2 - Maximum height is 16 feet
  - e. Signs may include a tenant directory.
  - f. Each sign or sign panel is limited to the business name with a logo. Phone numbers and advertising information such as products, goods and services are prohibited.
  - g. The street name and number may be displayed.
  - h. Simple geometric shapes are required.
3. Projecting/blade Sign - Signs are designed for pedestrians.
  - a. May be projected over the public right of way with proof of insurance.
  - b. May be mounted on the first and second story only.
  - c. Maximum size of 9 square feet.
  - d. Shall clear 8 feet above the sidewalk.
  - e. Limited to one per building frontage for each business tenant on the first floor frontage.
4. Canopy, gas station - Signs are limited to two faces of the canopy and a maximum of 16 square feet on any one canopy side.
5. Wall Sign
  - a. Wall signs shall be incorporated into the façade of the building and shall not obscure architectural details. Signage shall be mounted on vertical surfaces without projecting above the fascia trim.
  - b. Wall signs are limited to two per business, with one located on the primary façade and one other on the side or rear façade.
  - c. Wall signs shall be a minimum of eighteen inches (18") from the edge of a vertical wall.
  - d. Maximum size shall not exceed 64 square feet.

- e. Maximum gross display area of wall signs shall not exceed ten percent (10%) of the wall area to which it is attached.
6. Marquee Sign
  - a. Permitted for performing arts center, auditorium, sports facility or cinema use only.
  - b. Manual reader boards are permitted.
  - c. Sign area shall be included as part of the calculation of wall area in Section 19-11.5.9.5.e.
  - d. Quantity – The sign may occupy all faces of the marquee.
  - e. Maximum size – 64 square feet
  - f. Letter Height – Maximum of six inches
7. Tenant Directory – Tenant directory signs shall be affixed to the wall adjacent to any customer entrance and are designed to be pedestrian oriented.
  - a. The name/address of the property and the individual tenant panels shall be coordinated in color and style.
  - b. The sign shall be located in an area between 3 and 8 feet in height on the building wall
  - c. Maximum size - 12 square feet.
8. Materials for all signs shall be limited to matte or dull finishes, except for lettering and accent gilding.
9. Directional signs are discouraged, except where necessary for maintaining traffic flow on to and within the site. Where located, the display area of a directional sign shall not exceed two square feet and the total sign height shall not exceed 4 feet. Content shall be limited to directional text such as “enter”, “exit”, “drive-thru” or the like. Logos are limited to twenty-five percent (25%) of the sign face.
10. Nonconforming signs may be maintained in their current configuration and location. Content may be altered with approval from the Community Development Director or their designee. The Code Enforcement Officer may approve the relocation of a nonconforming sign provided that the relocation does not increase the nonconformity of the sign.
11. Electronic and manual reader boards are expressly prohibited except as provided for in Section 19-11.5.9.6 above. Existing reader boards may be maintained but may not be altered or replaced.
12. No signs are permitted above the second story, including signs in windows, with the exception that a wall sign, limited to the business or building name and one logo, is permitted on the third or fourth story.
13. Bulletin board signs may be located for a place of worship, private school, or municipal use.
  - a. Types – freestanding (VC2 and VCC only) or wall
  - b. Size – maximum of 24 square feet
  - c. Height – maximum of 6 feet
14. Signs sponsored by products with the product brand or name displayed on the sign are prohibited.
15. No sign shall have visible moving parts or consist of banners, ribbons, streamers, spinners or other similar devices.

16. No off premise sign, including business directional signs as defined in 23 MRSA §1903, shall be erected in a VC District, other than as allowed under Section 19-11.5.9.2 above.
17. Externally Lit Signs
  - a. Illumination level on the vertical surface of the sign shall be bright enough to provide a noticeable contrast with the surrounding building or landscape without causing undue spillover and glare.
  - b. Lighting fixtures illuminating signs shall be top mounted where possible and aimed and shielded so that light is directed only onto the sign facade.
  - c. Outlining signs is prohibited.
18. Internally Lit Signs
  - a. Internally lit signs shall consist of light lettering or symbols on a dark background. Letters and symbols shall constitute no more than 40% of the surface area of the sign.
  - b. Internally lit individual letters and symbols are preferred over whole panels that are internally lit.
  - c. Signs may be illuminated only during such hours as the establishment is open to the public.

Effective on: 12/9/2013

**Sec. 19-11.5.10 Parking Areas (see also Section 19-38-19-39 and Section 19-136-19-139 of this ordinance)**– Parking areas within the Village Center shall be designed to accommodate adequate parking while minimizing impervious surface.

1. Parking shall be located to the maximum extent practicable toward the rear of buildings and located along property lines where joint use or combined parking areas with abutting properties are proposed, exist or are anticipated.
2. Parking shall be visually broken up to create a series of smaller outdoor spaces with no more than 20 cars grouped without separation. Landscaped islands between areas or banks of parking stalls shall be a minimum of 6 feet in width.
3. Vehicle accommodation is not permitted between any public street or internal drive and new buildings in the VC1 District.
4. One bank of parking and/or one access lane may be located between the street or internal drive and new buildings in the VC2 District. A bank of parking may only be allowed on one street frontage for buildings placed at or within 100 feet of the corner of a lot with frontage on two streets/internal drives.
5. Parking lots shall be designed to accommodate snow storage on site or a plan for off-site storage shall be approved.
6. Landscaping within parking lots shall be designed to create spaces, define edges, provide shading, add seasonal interest and provide water quality treatment for runoff.
7. Shade trees shall be planted to meet a minimum ratio of 1 tree for every 5 spaces. Trees shall be evenly distributed and planted to maximize the shading effect.
8. Shade trees shall be a species as listed on the Shade Tree List published by the Town or other suitable species as approved by the permitting authority.
9. The development of on-street parking on public streets in collaboration with the Town is strongly encouraged.

10. Shared parking is strongly encouraged to reduce vehicular traffic, minimize impervious surface and encourage pedestrian movements between buildings.
11. If parking is located adjacent to a public street or internal drive it shall be screened with a year round screen between the parking and the sidewalk. The screen shall have a height between 36" and 42" and consist of a combination of landscaping and fencing. Screening areas shall be between 4 and 7 feet in depth. Pedestrian access to the parking lot shall be provided from the sidewalk as well as from any internal drive or commercial driveway. Automobile headlight illumination from parking areas shall be screened from the street. Screening shall also be provided where parking is adjacent to buildings on adjacent lots unless there is approved shared parking.
12. Landscaped islands and strips may be designed to function as a storm water facility that captures, detains, absorbs and infiltrates storm water runoff and non-point pollutants originating on the parking surface being screened.

Effective on: 12/9/2013

**Sec. 19-11.5.11 Service Areas-** Provisions for servicing buildings, including loading docks, service entrances, trash disposal, utilities and mechanical equipment shall be provided in such a way that minimizes visual blight, offensive odors and excessive noise.

1. Accommodation of deliveries is encouraged to be provided at the front door or other shared entrance rather than a dedicated area.
2. Where deliveries are of such a magnitude that dedicated areas are required, they shall be located in such a manner as to minimize the impact to adjacent streets, buildings, residential uses and districts.
3. Service areas shall be sheltered and/or screened with complementary architectural elements or landscape buffers to minimize visibility from adjacent properties, internal streets and public ways. Building materials shall consist of high quality wood fencing and gates, natural or painted, or masonry or cast-in-place concrete walls with exterior veneer to match architectural features of the primary building.

Effective on: 12/9/2013

**Sec. 19-11.5.12 Stormwater Management Facilities-** Stormwater management facilities shall be treated as an integral and attractive part of the landscape and be generally compliant with the recommendations of the 2013 Route One Stormwater Management Grant Report or other stormwater management plan as may be adopted by the Town. The location of bioretention areas, rain gardens, filter strips, swales, and constructed wetlands is permitted in required setback areas, parking islands and in buffer strips.

Effective on: 12/9/2013

**Sec. 19-11.5.13 Focal Points-**Focal points may be established at corners or intersections to create a sense of place, provide pedestrian continuity along the street, provide wayfinding and provide a more varied visual experience for pedestrians and motorists.

1. Focal points may include freestanding small structures, artwork and landscaping. Examples include pedestrian shelters, gazebos, bandstands, shade structures, bus stops, free-standing sculptures, flower gardens, flagpoles and fountains.
2. Focal points should be sized to reflect the importance of the transition.
3. With approval of the Town, they may be placed in the public right of way.
4. Focal points may include water quality treatment.

Effective on: 12/9/2013

**Sec. 19-11.5.14 Outdoor Spaces**– Human scaled outdoor spaces such as courtyards, outdoor seating, bus stops and pedestrian refuges are encouraged. If provided they should be designed to encourage pedestrian mobility, provide attractive visual features and provide for functional outdoor spaces. If constructed:

1. Spaces shall be highly visible to provide safety and presence.
2. Spaces shall be durable and maintained year round.
3. Spaces shall be well lit, either by street and pedestrian lighting or special lighting to assure safety during use.
4. Furnishings for spaces shall be chosen for their compatibility with the design elements of the 2013 Route One South Infrastructure Plan and be of durable materials able to withstand severe weather conditions and retain their appearance with minimal maintenance.

Effective on: 12/9/2013