

**Revisions to C-1 and C-3 Zones related to housing – August 28, 2020 – DRAFT**

**Highlighted** sections are either latest changes or discussion points for the PB workshop

1 §16.3.2.11 **Commercial (C-1, C-2, C-3).**

2 A. Purpose.

3 (1) The C-1 (Route 1 Commercial) Zone proposes to add a range of uses and building types, including  
4 residential, to a vehicle-dependent predominately retail-oriented shopping area with proximity to several  
5 small neighborhoods. The presence of significant existing infrastructure and the opportunity to  
6 redevelop under-utilized properties for a diversity of housing types, restaurants, services and shops with  
7 increased pedestrian access will allow the Town to advance Comprehensive Plan housing and economic  
8 development goals and meet the needs of residents into the future.

9 (2) The purpose of the Commercial (C-1, C-2, C-3 Route 236 Commercial) Zone is to provide general retail  
10 sales, services, industry and business space within the Town in a locations capable of conveniently  
11 serving community-wide and/or regional trade areas and oriented primarily to automobile- vehicular  
12 access.

13 (3) The C-3 (Bypass/Old Post Road Commercial) Zone proposes to introduce a mix of housing, businesses  
14 and services to an area that serves as one of the gateways to and through Kittery. Existing infrastructure,  
15 proximity to residential neighborhoods and direct access to I-95 give this zone opportunities for housing  
16 and commercial uses, as well as advancing pedestrian access, serving residents and the region.

17 To reflect the differing character of various parts of the commercial areas, it is divided into three zones  
18 that are shown on the Zoning Map:

C-1	Route 1 Commercial Zone
C-2	Route 236 Commercial Zone
C-3	Bypass/Old Post Road Commercial Zone

19 (24) Where the standards or requirements for the zones vary, the provisions for the zone in which the parcel  
20 is located apply.

21 B. Permitted and special exception uses for each of the Commercial Zones follow: The following uses are  
22 permitted in the Commercial Zones:

23 (1) **C-1 permitted uses.**

- 24 (a) Public open space recreational uses, recreational facilities and selected commercial recreation;
- 25 (b) School (including nursery school), hospital, long-term nursing care facility, convalescent care  
26 facility, municipal or state building or use, church or any other institution of educational, religious,  
27 philanthropic, fraternal, political or social nature;
- 28 (c) Accessory uses and buildings including minor or major home occupations;

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- 29 (d) Business and professional offices;
- 30 (e) Mass transit station;
- 31 (f) Commercial parking lot or parking garage;
- 32 (g) Retail uses and wholesale businesses, excluding used car lots and junkyards;
- 33 (h) Service establishments;
- 34 (i) Public utility facilities, including substations, pumping stations and sewage treatment facilities;
- 35 (j) Restaurant;
- 36 (k) Veterinary hospital;
- 37 (l) Motel, hotel, rooming house, inn;
- 38 (m) Art studio/gallery;
- 39 (n) Grocery, food store, convenience store;
- 40 (o) Day-care facility;
- 41 (p) Business service;
- 42 (q) Personal service;
- 43 (r) **Building materials and garden supply;**
- 44 (s) **Conference center;**
- 45 (t) Repair services;
- 46 (u) Accessory dwelling unit; ~~and~~
- 47 (v) Specialty food and/or beverage facility- ; **[Added 6-10-2013 by Ord. No. 13-02] and**
- 48 (w) Dwelling, two-family.
- 49 **(2) C-1 special exception uses.**
- 50 ~~(a) Used car lot not connected with new car sales;~~



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- 77 (3) **C-2 permitted uses...** [Note to Planning Board and Town Council: no changes in uses proposed so  
78 section removed for brevity].
- 79 (4) **C-2 special exception uses...** [Note to Planning Board and Town Council: no changes in uses  
80 proposed, section removed for brevity]
- 81 (5) **C-3 permitted uses.**
- 82 (a) Public open space recreational uses, recreational facilities and selected commercial recreation;
- 83 (b) School (including nursery school), hospital, elder-care facility, long-term nursing care facility,  
84 convalescent care facility, municipal or state building or use, church or any other institution of  
85 educational, religious, philanthropic, fraternal, political or social nature;
- 86 (c) Accessory uses and buildings including minor or major home occupations;
- 87 (d) Business and professional offices;
- 88 (e) Mass transit station;
- 89 (f) Commercial parking lot or parking garage;
- 90 (g) Retail uses and wholesale businesses, excluding used car lots and junkyards;
- 91 (h) Service establishments;
- 92 (i) Public utility facilities, including substations, pumping stations and sewage treatment facilities;
- 93 (j) Restaurant;
- 94 (k) Veterinary hospital;
- 95 (l) Motel, hotel, rooming house, inn;
- 96 (m) Art studio/gallery;
- 97 (n) Grocery, food store, convenience store;
- 98 (o) Day-care facility;
- 99 (p) Business service;
- 100 (q) Personal service;

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- 101 (r) Building materials and garden supply;
- 102 (s) Conference center;
- 103 (t) Repair services;
- 104 ~~(u) New motor vehicle sales;~~
- 105 ~~(v)~~(u) Boatyard;
- 106 ~~(w)~~(v) Mechanical services, excluding junkyard;
- 107 ~~(x)~~(w) Commercial boating and fishing uses and facilities, provided only incidental cleaning and  
108 cooking of seafood occur at the site;
- 109 ~~(y)~~(x) Aquaculture;
- 110 ~~(z)~~(y) Accessory dwelling unit; ~~and~~
- 111 ~~(aa)~~(z) Specialty food and/or beverage facility; **;[Added 6-10-2013 by Ord. No. 13-02] and**
- 112 (aa) Dwelling, two-family.
- 113 ~~C. Special exception uses. The following uses are permitted as special exception uses in the Commercial~~  
114 ~~Zones:~~
- 115 **(6) C-3 special exception uses.**
- 116 ~~(a) Used car lot not connected with new car sales;~~
- 117 ~~(b)~~(a) Gasoline sales if: i) not located within 1,000 feet of an existing station or private residence; and  
118 ii) not located within 150 feet of an existing structure;
- 119 ~~(c)~~(b) Funeral home;
- 120 ~~(d)~~(c) Place of assembly, including theater;
- 121 ~~(e)~~(d) Transportation terminal excluding truck stops;
- 122 ~~(f)~~(e) Warehousing and storage;
- 123 ~~(g) Mini storage;~~



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150 (a) If the proposed use has substantially similar impacts as a listed use.

151 (b) If the proposed use is compatible with existing uses within the zoning district for which it is  
152 proposed.

153 DC. Standards.

154 (1) C Zone standards. All development and the use of land in the C Zones must meet the following  
155 standards. Kittery's Design Handbook illustrates how these standards can be met. In addition, the design  
156 and performance standards of Chapters 16.8 and 16.9 must be met unless noted otherwise below.

157 (2) The following space standards apply in the C-1, C-2 and C-3 Zones:

158 (a) Minimum lot size or density:

<u>C-1 and C-3 Zones</u>		<u>C-2 Zone</u>	
<u>Cottage Cluster; Dwelling, Attached Single-Family, Dwelling, Multi-Family, Dwelling, Two-Family, Dwelling Units as part of a Mixed-Use Building *</u>	<u>16 units per acre unless 25% of units are affordable housing units as defined by this code, in which case 20 units per acre are allowed.*</u>	<u>All uses</u>	40,000 square feet
<u>All other uses</u>	40,000 square feet		

159 \*NOTE: These uses are exempt from net residential acreage calculations but are subject to minimum  
160 land area per dwelling unit requirements as described in § 16.7.8.4 Exemptions to net residential  
161 acreage calculations.

162 (b) Minimum street frontage:

<u>C-1 and C-3 Zones</u>		<u>C-2 Zone</u>	
<u>All uses</u>	<u>No minimum*</u>	<u>All uses</u>	150 feet

163 \*NOTE: All lots must meet the requirements of Article XVI Lots unless specifically modified by this  
164 section (16.3.2.11). Street frontage must provide sufficient vehicular and pedestrian access for the

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165 uses proposed while meeting public health and safety requirements (e.g. Fire Department,  
 166 Department of Public Works). The applicant must demonstrate to the municipal permitting  
 167 authority, that the street frontage and lot design meet these requirements to the extent practicable.

168 (c) ~~Maximum~~ Minimum front yard setback:

<u>C-1 and C-3 Zone</u>		<u>C-2 Zone</u>	
<u>All uses</u>	<u>50-15 feet*</u>	<u>All uses</u>	50 feet

169 \*NOTE: The Planning Board may, at its discretion, allow a greater setback when public amenities  
 170 such as benches, pocket parks, outdoor dining or seating areas are proposed. Properties in the C-3  
 171 Zone with frontage on Old Post Road, including those lots which also have frontage on Route 1  
 172 Bypass, are required to have at least a 15-foot setback on Old Post Road.

174 (d) Minimum rear and side yards setbacks:

<u>C-1 Zone</u>		<u>C-2 Zone</u>		<u>C-3 Zone</u>	
<u>All uses</u>	<u>30-10 feet*</u>	<u>All uses</u>	30 feet**	<u>All uses</u>	<u>30 10 feet***</u>

175 \*NOTE: Except where side and/or rear setbacks of proposed new uses about a single-family use and/or  
 176 any properties located on the east side of Route 1 from the southernmost extent of the C-1 zone  
 177 north to properties abutting Ox Point Drive in which case a minimum of 30 feet is required. See  
 178 16.3.2.11.C.(4).(e) for buffer requirements.

179 (\*\*NOTE: Except as may be required by the buffer provisions of this title, and where the side and/or  
 180 rear yards of the proposed nonresidential use about a residential zone or use; in which case a  
 181 minimum of 40 feet is required.)

182 \*\*\*NOTE: Except where side and/or rear setbacks of proposed new uses about a single-family use in  
 183 which case a minimum of 15 feet is required.

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(e) Maximum building height:

C-1 Zone		C-3 Zone	C-2 Zone	
<u>Dwelling, Multifamily, Dwelling Units as part of a Mixed-Use Building</u>	<u>50 feet on the west side of Route 1, not including solar apparatus* and 40 feet on the east side of Route 1, not including solar apparatus*.</u>	<u>40 feet*</u>	<u>All uses</u>	40 feet
<u>All other uses</u>	40 feet	<u>40 feet</u>		

186

\*NOTE: Flat roofs, proposed to locate heating, cooling, or other such mechanical or electrical apparatus off the ground, are acceptable provided that such apparatus is screened from view and the screening is designed as an integral part of the building to aid both aesthetics and noise attenuation. Flat roofs proposed for the purpose of solar array installations are also acceptable.

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**\*\*NOTE: For properties in the C-3 Zone with frontage on Old Post Road, including those lots which also have frontage on Route 1 Bypass, the setback on Old Post Road must be 15 feet or greater as provided by section (c) above and building heights must not exceed 25 feet for the first 15 feet beyond the minimum 15-foot setback.**

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(f) ~~Maximum building and outdoor stored material coverage~~ Impervious surface:

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For lots in the C-1 and C-3 zones which are currently developed and for which new multi-family, attached single-family or two-family dwellings, cottage clusters, or dwelling units as part of mixed-use building are proposed, either with or without existing or new commercial uses on the same lot, the maximum impervious surface, including but not limited to driveways, buildings, sidewalks and parking areas:

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[1] Is 70%; or

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[2] The Planning Board may, at its discretion, allow greater than 70% if proof that all stormwater will be managed on-site, utilizing LID (Low Impact Development) and BMP (Best Management Practice) systems based on Maine DEP’s Maine Stormwater Best Management Practices Manual, Volumes 1-III as amended from time to time. The stormwater report and

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205 plan demonstrating that this requirement is met must be included with the application at the  
206 time of submission.

207 For lots in the C-3 zone which are currently vacant (no existing structure) and for which new multi-  
208 family, attached single-family, or two-family dwellings, cottage clusters, or dwelling units as part of  
209 mixed-use building are proposed, the maximum impervious surface, including driveways, buildings,  
210 sidewalks and parking areas:

211 [1] Is 60% or

212 [2] The Planning Board may, at its discretion, allow greater than 60% if proof that all stormwater  
213 will be managed on-site utilizing LID (Low Impact Development) and BMP (Best  
214 Management Practice) systems based on Maine DEP’s Maine Stormwater Best Management  
215 Practices Manual, Volumes 1-III as amended from time to time. The stormwater report and  
216 plan demonstrating that this requirement is met must be included with the application at the  
217 time of submission.

218 For lots in the C-1 or C-3 zones which are currently developed and for which redevelopment is  
219 proposed with new non-residential structures, the maximum impervious surface, including but not  
220 limited to driveways, buildings, sidewalks and parking areas:

221 [1] Is 70%; and all stormwater must be managed on-site, utilizing LID (Low Impact  
222 Development) and BMP (Best Management Practice) systems based on Maine DEP’s Maine  
223 Stormwater Best Management Practices Manual, Volumes 1-III as amended from time to  
224 time. The stormwater report and plan demonstrating that this requirement is met must be  
225 included with the application at the time of submission.

226 For all uses in the C-2 Zone, building and outdoor material coverage must not exceed 40%.

227 (g) Minimum setback from water body and wetland setback for functionally water-dependent uses:  
228 zero feet.

229 (h) Minimum setback from streams, water bodies and wetlands: in accordance with Table 16.9,  
230 §16.3.2.17 and Appendix A, Fee Schedules.

231 (i) Affordable housing requirements:

232 [1] All requirements in 16.X. Affordable Housing must be met.  
233

234 [2] Density incentives outlined above in (2).(a) may be applied to projects that create affordable  
235 housing units, as defined by this code. No proportional payment-in-lieu is required if the  
236 affordable dwelling unit requirements for the density incentives are met.  
237

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- (j). Mixed-use buildings must have non-residential uses comprising at least 50% of the street-facing first floor.

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- (k) Underground utilities are required. The Planning Board may allow an alternative but it is incumbent upon the applicant to demonstrate why such a modification request should be granted.

243

244

- (l) Cottage cluster requirements:

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246

- [1] Cottage cluster dwelling units must either face the required common open space or the street. The required open space must be held in common for use by all the cottage cluster residents and must be immediately accessible to each dwelling unit, via either the front or the back of each unit.

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- [2] Each cottage cluster dwelling unit must be no greater than 1,200 square feet. Spacing between units must comply with the requirements of the Fire Department and/or the State Fire Marshall's office.

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255

- [3] Shared parking areas must be connected to each dwelling unit via a sidewalk.

256

257

- (3) C-1 Zone standards. All development and the use of land except for new multi-family, attached single-family or two-family dwellings, cottage clusters, or dwelling units as part of a mixed-use building within the C-1 Zone must meet the following standards:

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[Note to Kittery Planning Board and Town Council: No changes are proposed, section removed for brevity].

261

262

- (4) C-1 and C-3 Zone standards for attached single-family dwellings, multi-family dwellings, two-family dwellings where more than one two-family dwelling is proposed for a single lot, cottage clusters, and dwelling units as part of a mixed-use building:

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265

- (a) Design standards.

266

267

See Kittery's Design Handbook for further information on how these standards can be met.

268

269

- [1] Sidewalks must be installed within the right-of-way to meet minimum requirements as specified in 16.8 Table 1, subject to review and approval by the Department of Public Works and MaineDOT if required.

270

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272

273

- [2] Connectivity between new housing development and adjacent existing or new commercial areas is required. This connectivity must, at minimum, include sidewalks or walkways. In the C-1 zone, connectivity may also include vehicular access coupled with sidewalks or walkways between residential and commercial areas. Connectivity must be pedestrian-friendly with

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277 appropriately scaled improvements such as eight-foot wide sidewalks and human-scaled  
278 lighting.

279  
280 [3] On-street parking is encouraged on new or existing private roads off Route 1, and may be  
281 considered as a part of a joint use parking plan when such on-street parking is proposed as part  
282 of a development or redevelopment plan.

283  
284 [4] All service areas for dumpsters, compressors, generators and similar items must be screened by  
285 a fence at least six feet tall, constructed of a material similar to surrounding buildings, and must  
286 surround the service area except for the necessary ingress/egress.

287  
288 [5] Parking must be located behind multifamily dwellings and mixed-use buildings with residential  
289 dwelling units when viewed from the street. The Planning Board may allow parking to the side  
290 or front of such residential or mixed-use buildings at its discretion, but it is incumbent upon the  
291 applicant to demonstrate why rear parking is not feasible.

292  
293 [6] Lighting plans, including lighting fixture designs and photometric plans must be included at the  
294 time of application submission. All fixtures must be cut-off to prevent light trespass and meet all  
295 requirements of Chapter 16.8 Article XXIV.

296  
297 [7] A single new two-family dwelling proposed for a lot, the addition of another dwelling unit to an  
298 existing single-family residence to create a two-family dwelling and the addition of an ADU  
299 (Accessory Dwelling Unit) to a single-family residence is exempt from these design standards.

300  
301 (b) Open space standards.

302  
303 [1] Open space must be provided as a percentage of the total area of the lot, and may include  
304 wetlands, water bodies, streams, and setbacks. Fifteen percent (15%) of each lot must be  
305 designated as open space.

306  
307 [2] For multifamily dwellings, mixed-use buildings with residential dwelling units and attached  
308 single-family dwellings, in cases where the property does not meet the 15% requirement due to  
309 existing development, and where redevelopment will remain at the same or comprise a lower  
310 percentage of the lot, the Planning Board may, at its discretion, allow a smaller percentage of  
311 open space. In granting this concession, the Board may require more intensive landscape  
312 plantings.

313  
314 (c) Parking standards.

315  
316 The following minimum off-street parking requirements must be provided and maintained in case  
317 of new construction, alterations, and changes of use:

318  
319 [1] Parking requirements must be met on site unless an existing building covers so much of the lot as  
320 to make the provision of parking impractical in whole or in part. If meeting the parking

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- 321 requirements is not practical, then the parking demand may be satisfied off site or through joint-  
322 use agreements as specified herein. Notwithstanding the off-street parking requirements in  
323 Article IX of Chapter 16.8, minimum parking requirements for the uses below are modified as  
324 specified:
- 325 [a] Dwelling units: 1 parking space per dwelling unit.  
326 [b] For multifamily dwellings, if more than ten parking spaces are required, up to 20% of the  
327 parking may be designated for compact cars. See 16.8.9.4 Off-Street Parking Standards.  
328
- 329 [2] Off-site parking. Required off-street parking may be satisfied at off-site locations, provided such  
330 parking is on other property owned by the applicant or is under the terms of a contractual  
331 agreement that will ensure such parking remains available for the uses served. Applicant must  
332 present evidence of a parking location and a contractual agreement;  
333
- 334 [3] Joint-use parking. Required off-street parking may also be satisfied by the joint use of parking  
335 space by two or more uses if the applicant can show that parking demand is nonconflicting and  
336 will reasonably provide adequate parking for the multiple uses without parking overflowing into  
337 undesignated areas. Nonconflicting periods may consist of daytime as opposed to evening hours  
338 of operation or weekday as opposed to weekends or seasonal variation in parking demand.  
339
- 340 [a] Such joint parking areas must be held under ownership of the applicant or under terms of a  
341 contractual agreement that ensures such parking remains available to all users of the shared  
342 parking spaces;
- 343 [b] Determination of parking adequacy will be based on a most frequent basis, not a "worst  
344 case" scenario;  
345
- 346 [c] Joint use parking areas must be located within 1,500 feet of the uses served, but do not need  
347 to be located on the same lot as the uses served;  
348
- 349 [d] Ease and safety of pedestrian access to shared parking by the users served must be  
350 demonstrated to the municipal permitting authority's satisfaction, including any proposed  
351 improvements, such as crosswalks or shuttle service that may be offered and its requisite  
352 loading/unloading areas;  
353
- 354 [e] Such joint parking areas must not be located in residential zones of the Town.  
355
- 356 [4] In making determinations on off-site or joint-use parking under a development plan review, the  
357 municipal permitting authority with jurisdiction to review and approve will make a final  
358 determination of the joint-use and/or off-site spaces that constitute an acceptable combination of  
359 spaces to meet the required parking demand.  
360
- 361 [5] Electric car charging stations are allowed in parking lots but must not interfere with pedestrian  
362 movement on sidewalks.  
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(d) Landscaping and screening

- [1] For new multi-family, attached single-family, or dwelling units as part of a mixed-use building or any new residential use that will create more than three dwelling units on a site, the following standards apply:
  - [a] A landscape plan prepared by a registered landscape architect is a submission requirement. However, a landscape plan done by other design professionals may be allowed at the Planning Board’s discretion.
  - [b] A minimum of one street tree must be planted for each 25 feet of street frontage. Trees may be planted in groups or spaced along the frontage. However, trees must be planted to ensure survival, using silva cells, bioretention cells or tree wells. Trees are to be a minimum of 2.5-inch caliper and 12 feet high at the time of planting. Existing large healthy trees must be preserved if practical and will count towards this requirement. Trees proposed within the right-of-way must remain under 20 feet tall at maturity.
  - [c] Surface parking lots designed for five or more cars that will service multifamily or mixed-use buildings with dwelling units and which abut a street must provide screening in one of the following ways:
    - i. One tree per 25 feet of street frontage backed by a fence constructed of a material similar to surrounding buildings which must screen the parking area from the street except for necessary vehicular and pedestrian access. To ensure survival, trees must be planted using silva cells, bioretention cells or tree wells. Trees must be at least 2.5-inch caliper and 12 feet high at the time of planting. Existing large healthy trees must be preserved if practical and will count towards this requirement. Trees proposed within the right-of-way must remain under 20 feet tall at maturity.
    - ii. A combination of trees and shrubs including at least 50% evergreen species, all at least six feet high at time of planting, in a planting bed at least eight feet wide. Plantings must be sufficient, as determined by the Planning Board, to screen the parking area from the street except for necessary vehicular and pedestrian access. Planting beds may be mulched but **no dyed** mulching material may be used.
  - [d] A minimum of 10% of any surface parking area consisting of 10 or more spaces must be landscaped with trees and vegetated islands. This requirement is in addition to the aforementioned screening and street tree requirements.

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- 405 [e] Native trees are preferred and must be drought and salt tolerant when used along streets. A  
406 diversity of tree species (three to five species per every 12 trees) is required to provide  
407 greater resiliency to threats from introduced insect pests and diseases.  
408  
409 [f] Any required plantings that do not survive must be replaced within one year. This  
410 requirement does not expire and runs with the land.  
411  
412 [g] If 25% of the proposed development will be affordable dwelling units, the Planning Board  
413 may, at its discretion, modify surface parking lot landscaping and screening requirements  
414 under [c] and [d].  
415

416 (e) Buffers.

- 417  
418 [1] Buffers are required between new residential uses and existing nonresidential uses and must  
419 be at least 10 feet wide. A buffer plan must be prepared in conjunction with the landscape  
420 plan as described in [d].[1].(a) above and consist of:  
421

422 [a] A fence at least six feet high, constructed of material similar to surrounding buildings, with  
423 plantings of trees at least six feet tall at time of planting and shrubs on the new residential  
424 side of the fence.  
425

426 [b] Ground cover plantings such as perennials or ornamental grasses must be used where  
427 appropriate.  
428

429 [c] Plantings must be provided with irrigation to enhance survival unless they are part of a  
430 bioretention cell, rain garden or tree well.  
431

432 [d] Any required plantings that do not survive must be replaced within one year. This  
433 requirement does not expire and runs with the land.  
434

435 [e] If 25% of the proposed development will be affordable housing dwelling units, the  
436 Planning Board may, at its discretion, modify buffer requirements under [a] and [b].  
437

- 438 [2] Buffers are required between new residential uses and existing single-family uses and must be  
439 at least 10 feet wide. A buffer plan must be prepared in conjunction with the landscape plan as  
440 described in [d].[1].(a) above and consist of:  
441

442 [a] A fence at least six feet high, constructed of material similar to surrounding buildings, with  
443 plantings of trees and shrubs at least six feet tall on the new residential side of the fence; or  
444

445 [b] Plantings of trees at least six feet tall and shrubs, including at least 50% evergreen species.  
446 Such plantings must ensure adequate buffering and screening is achieved as determined by  
447 the Planning Board.



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- [c] Ground cover plantings, such as perennials or ornamental grasses must be used where appropriate.
- [d] Plantings must be provided with irrigation to enhance survival unless they are part of a bioretention cell, rain garden or tree well.
- [e] Any required plantings that do not survive must be replaced within one year. This requirement does not expire and runs with the land.
- [f] If 25% of the proposed development will be affordable housing dwelling units, the Planning Board may, at its discretion, modify buffer requirements under [a], [b] and [c].

461  
462

(45) C-2 Zone standards. All development and the use of land within the C-2 Zone must meet the following standards:

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[Note to Planning Board and Town Council: No changes are proposed, section removed for brevity].

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(56) C-3 Zone standards. All development and the use of land except for new multi-family, attached single-family or two-family dwellings, cottage clusters or dwelling units as part of a mixed-use building, within the C-3 Zone must meet the following standards:

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[Note to Planning Board and Town Council: No changes are proposed, section removed for brevity].

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**§ 16.7.8.4 Exemptions to net residential acreage calculations.**

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C. The Mixed-Use – Neighborhood Zone (MU-N) zone and certain residential uses in the C-1 and C-3 zones as noted in §16.3.2.11 are exempt from § 16.7.8.2, Net residential acreage calculation, but is are subject to the minimum land area per dwelling unit as defined in Chapter 2, Definitions, except that 50% of all wetlands may be subtracted, rather than 100%.