



TOWN OF KITTEERY
Planning and Development
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TO: KITTEERY LAND ISSUES COMMITTEE
FROM: ADAM CAUSEY, DIRECTOR OF PLANNING & DEVELOPMENT
SUBJECT: ZONING DISCUSSION – KITTEERY FORESIDE & RESIDENTIAL URBAN DISTRICTS
DATE: JUNE 16, 2021

Over the last few years, Town staff and committees have been reviewing various zoning amendments that seek to align zoning standards with the existing built environment, add to allowable housing types to induce new housing supply, and include affordable housing regulations and incentives. KLIC has already reviewed changes to the C-1 (Route 1 Mall Road) and C-3 (Route 1 Bypass) zones that were supported by the Planning Board and adopted by Town Council. The BL & BL-1 zoning districts were also reviewed by KLIC and are slotted for Planning Board review soon.

With a similar objective, staff would like to begin looking at two new zones: Mixed-Use Kittery Foreside (MU-KF) and Residential – Urban (R-U). These two zones are relatively built out, located on or near major roadways and existing infrastructure, and are both areas where desired infill development is possible with tweaks to the current ordinance. I realize some areas in these zones are somewhat sensitive, and they include existing homes, subdivisions, and businesses. The Foreside in particular occupies an elevated place in the community and any zone changes should be carefully considered. I will point out, however, that the Foreside of today would not be able to be built by current zoning standards. The goal of this exercise is to ensure the Foreside continues to be a popular destination to live, work, and play for a diverse set of residents and visitors. That goal appears in jeopardy without some changes.

The attached document includes links to the existing zoning district standards and a list of problems that staff believes contributes to inadequate and inefficient development in these zones, along with potential fixes that are meant as a starting point for discussion. See you Monday, June 21 at 4pm.

Thank you,

Adam Causey, AICP
Director, Planning & Development Department

Discussion: Mixed-Use Kittery Foreside (MU-KF) & Residential – Urban (RU)

Purpose: To better align zoning code standards with the existing built environment so that property improvements may be permitted by right instead of requiring Board of Appeals action, to allow for additional density consistent with existing patterns of development and desired growth, and to add the existing Affordable Housing regulations to the zones.

Mixed-Use Kittery Foreside <https://ecode360.com/15061248>

Challenges:

- Minimum land area per dwelling: 5,000 square feet. Kittery's Foreside includes many lots that do not meet this minimum, or lots that are non-conforming due to their residential density (and/or building coverage) being higher than that currently allowed by code.
- Setbacks are 10 feet all around (with a couple exceptions for zero lot lines). These may not need amending but should be reviewed.
- Maximum building coverage is 60% and required open space is 40%. This could be too constraining for a mixed-use urban area where there is not as much space for development due to the existing roadway grid, where parking minimums are (relatively) low, and where development up against the right-of-way is desired.
- 1,500 sf maximum footprint for any new building regardless of lot size. This is a huge barrier to finance and construct even a modest home or commercial building.
- New buildings must meet provisions of [16.3.2.15.D.\(4\)](#).
- Parking standards require 1 space per existing dwelling unit and 1.5 for new dwellings.

Potential solutions:

- Remove or raise 1500sf maximum building footprint requirement.
- Amend allowable density to align with the existing development pattern. Add incentives for the inclusion of Affordable Housing Units.
- Building coverage increased above 60%.

Residential – Urban <https://ecode360.com/15060470>

Challenges:

- Minimum land area per dwelling: 20,000 square feet. Minimum street frontage: 100 feet. There are many lots under the minimum but are of a size that could accommodate more than one dwelling unit, due to their location along robust infrastructure. Most RU properties are located on the public sewer system.
- Front yard setback: 30 feet. Rear & side: 15 feet.
- Maximum building coverage is 20%. This seems too constraining if we reduce the minimum lot size and per dwelling minimums.

- Parking standards require 2 spaces per dwelling unit

Potential solutions:

- Lower minimum lot size requirement.
- Amend allowable density to align with the existing development pattern, or discuss allowing up to 4 units on conforming lots. Add incentives for the inclusion of Affordable Housing Units.
- Reduction in front setback or establish a maximum setback.
- Increase allowable lot coverage percentage.
- Parking standards reduced to 1 or 1.5 per dwelling unit.