CHARACTER—BASED DEVELOPMENT CODE

ROUTE 1 CORRIDOR & VILLAGE CENTER



YARMOUTH, MAINE

ROUTE 1 CORRIDOR ADOPTED 5.16.13
CHAPTER 703 REPEALED & REPLACED 04.12.18
VILLAGE CENTER & ROUTE 1 CORRIDOR

ORGANIZATION OF THE CODE

The Code is divided into 7 sections as follows:

PREFACE

ARTICLE 1
GENERAL



Provides background, intent, and how to use Chapter 703.

ARTICLE 2
REGULATING PLAN



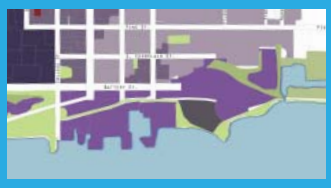
Serves as a replacement for zoning map, locating each District and its boundaries.

ARTICLE 3
CHARACTER DISTRICTS



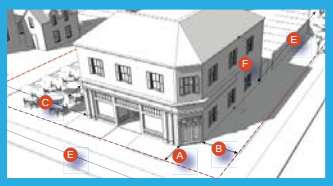
Provides for assignment of and standards for Character Districts and Civic Zones.

ARTICLE 4
SPECIAL DISTRICTS



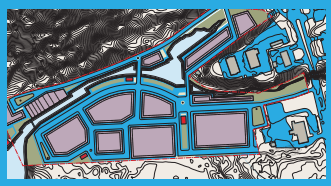
Identifies and describes the Special Districts included in Chapter 703.

ARTICLE 5
BUILDING & LOT PLANS & STANDARDS



Provides standards for Building & Lot Plans.

ARTICLE 6
DEVELOPMENT PLANS & STANDARDS



Provides standards for Development Plans.

ARTICLE 7
DEFINITIONS

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PREFACE

SECTION A. INTRODUCTION

Chapter 703 is a Character-Based Development Code. A Character-Based Development Code is a type of zoning code that is intended to facilitate the predictable contextually-based planning and development of walkable mixed-use human-scaled places of character. This is accomplished by providing a range of standards not only for use, but also for the other elements of development and building that define a place, such as Public Frontage, Private Frontage, Building Form, Building Placement, Thoroughfare, Yard Type, Building Type, Density, Civic Space, and Parking Standards. **Illustration P.A.1 (Thoroughfare and Frontages)** shows the general relationships among the Private Frontage, the Public Frontage and the other parts of the Thoroughfare.

The intent of this Character-Based Development Code is:

1. to set a new course for the Route 1 Corridor and to transform the Route 1 Corridor over time to become en extension of the traditional village center; and

2. to preserve, protect and enhance the character of the Village.

A Route 1 Corridor Planapalooza, a citizen-focused planning effort that grew out of the 2010 Comprehensive Plan, was held in September 2012 and was attended by over 100 citizens. The vision generated during the Route 1 Corridor Planapalooza (see **Illustration P.A.2, Illustrative Master Plan)**, seeks to transform what is now a high speed highway lined with auto-oriented development into a slow flow street that is safe for pedestrians, cyclists, and people of all ages

and abilities. As a Complete Street, Route 1 would continue to efficiently serve vehicles, while allowing Buildings to be pulled closer to the street with parking moved to the back.

While the code allows more intensive development in the Route 1 Corridor, it does not require land owners to meet the character-based standards unless they choose to redevelop, develop or substantially alter their property. Over time, the Route 1 Corridor should become more pedestrian oriented.

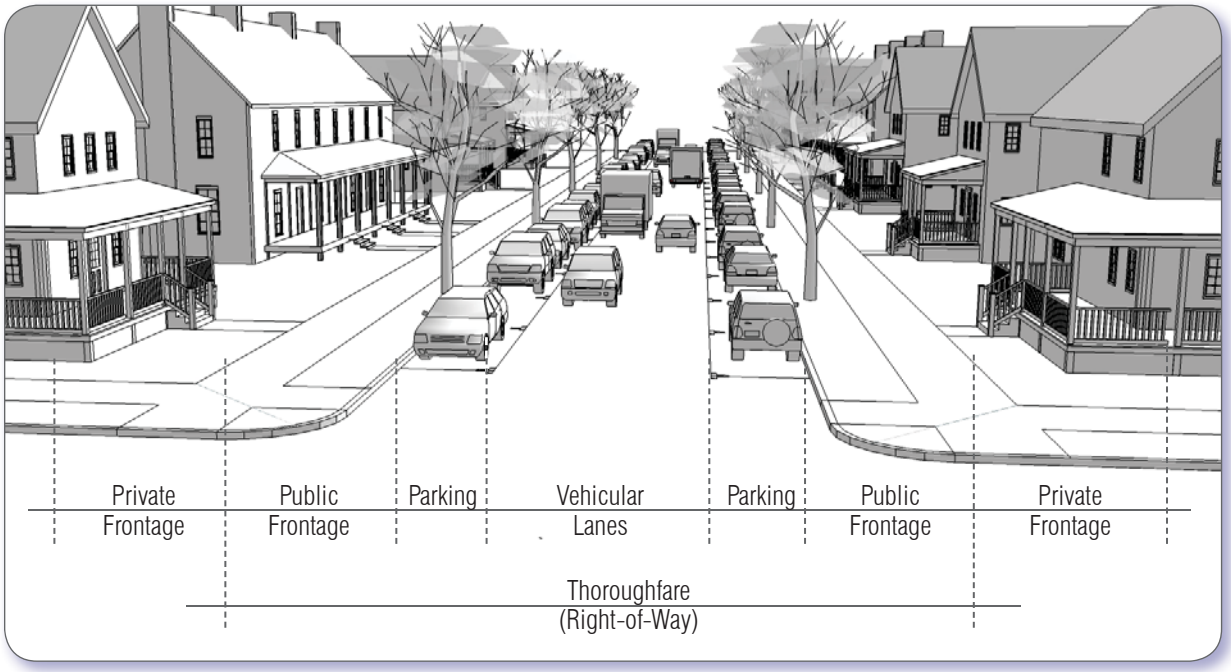
A Village Planapalooza II was held in September 2014. The vision generated during the Village Planapalooza II is for the protection and enhancement of the historic character of the Village, improved connectivity to surrounding neighborhoods, improved safety and transportation options for cyclists, motorists and pedestrians, and restoration and repair of the streetscape, particularly in areas where Buildings have been replaced with parking.

Chapter 703 provides for creation of certain Character Districts and one Special District, as follows:

1. CD4 Village Center. This District consists of a medium density area, centered along and abutting historic Main Street, that has a mix of Building types and residential, retail, office and other commercial uses; there are shallow or no front Setbacks and narrow to medium side Setbacks; it has variable private landscaping; and it has streets with curbs, sidewalks, and street trees that define small to medium blocks.

2. CD4-C Route One Corridor. The areas covered by this Character District consist of conventionally developed predominantly retail areas along Route One from Exit 15

ILLUSTRATION P.A.1 THOROUGHFARE AND FRONTAGES



to Exit 17. In many areas, there is a very wide public right away that makes it seem like the area has deep front setbacks; however, the Setbacks from the right of way are modest. The intent of this District is for redevelopment in a form that will transition these areas into a more pedestrian accommodating environment with a human scaled development pattern. CD4-C provides for development in a more mixed use, walkable pattern which can transform the existing development over time. This District provides for a medium-to-high density development node with a mix of Building types and commercial, retail, and residential uses; it accommodates for both pedestrian and vehicular activity. There are shallow or no front Setbacks and medium to no side Setbacks. The District calls for variable private landscaping and streets with curbs, sidewalks and street trees that define medium to large blocks.

3. **SD1 NYA Campus Special District.**
   This District consists of secondary education campuses with a mix of Building types and educational or related uses; it addresses public Thoroughfares in the same manner as the Adjacent Character District and is otherwise buffered from Adjacent Character Districts.

SECTION B. OVERVIEW

Chapter 703 provides standards and requirements for (a) Buildings and Lots and (b) Developments. Those for Buildings and Lots apply whenever a lot is subdivided and/or a Building is built. Those for Developments apply only under certain circumstances.

Chapter 703 is organized into Articles as follows:

Article 1, "General" includes provisions concerning purpose, applicability, administration, existing conditions, interpretation, amendment, definitions, adoption of the regulating plan and standards, establishment of a Consolidated Review Committee, plan submission, review and approval, appeals, waivers and variances and enforcement.

Article 2, "Regulating Plan" includes requirements for the Regulating Plan and amendment of the Regulating Plan.

Article 3, "Character Districts" includes provisions regarding the Character Districts, and their elements and standards, as well as provisions relating to the assignment of Character Districts on the Regulating Plan and Development Plans.

Article 4, "Special Districts" includes provisions for districts that can accommodate development that cannot comply with the requirements applicable to the Character Districts.

Article 5, "Building & Lot Plans and Standards" includes provisions for Building & Lot Plan preparation, submission and approval, and Lot and Building standards, such as Building Placement and Yard Types, Building Form, Lot dimensions and coverage, uses, parking, Building Types, architectural, landscape and signage.

Article 6, "Development Plans & Standards" specifies the circumstances under which a Development Plan is required, preparation, submission and approval of Development Plans, standards and requirements for Thoroughfares, Block Perimeter, Density, Special Districts and Special Requirements.

Article 7, "Definitions", which includes definitions of terms used in the Code. Defined terms are notated by initial capital letters when used throughout this Code. (e.g. Garage, Green)

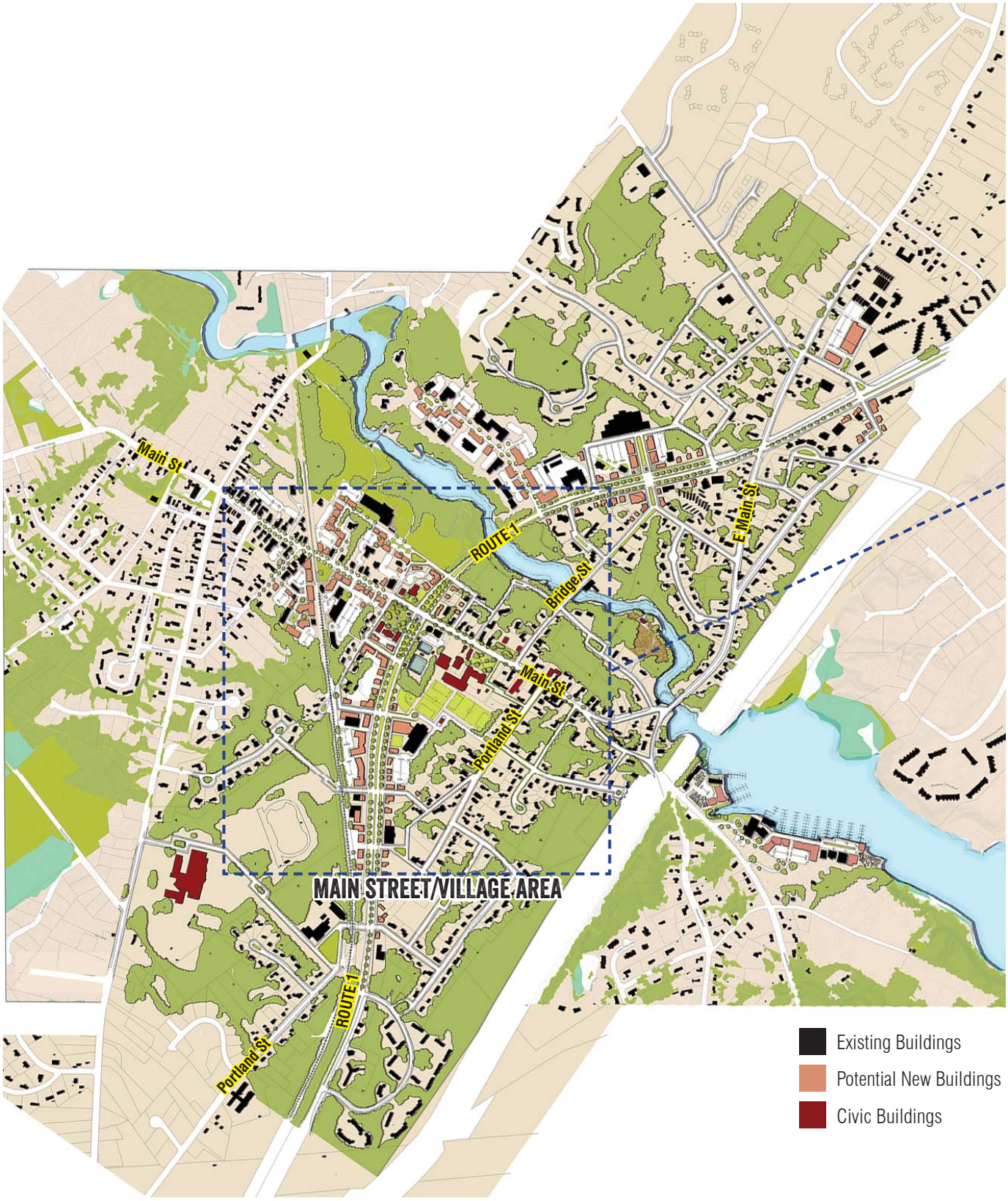
SECTION C. INFORMATIONAL ONLY

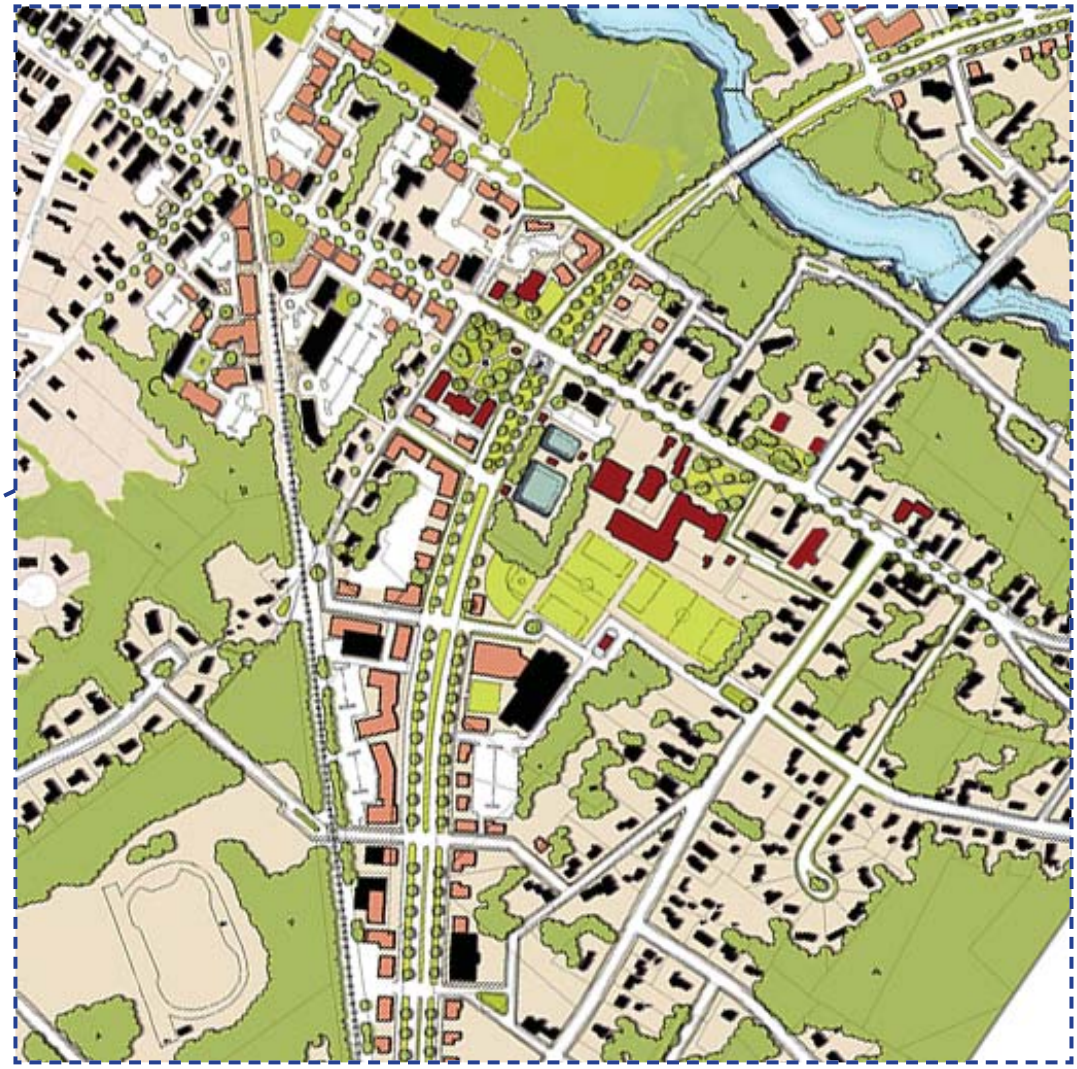
This Preface is informational, not regulatory. It is intended to assist users of Chapter 703. The governing regulations of Chapter 703 are contained in the Articles that follow.

SECTION D. ILLUSTRATIVE PLAN

This Illustrative Plan is informational, not regulatory. It is intended to assist users of Chapter 703. The governing regulations of Chapter 703 are contained in the Articles that follow.

ILLUSTRATION P.A.2 ILLUSTRATIVE MASTER PLAN (NOT TO SCALE)





MAIN STREET/VILLAGE AREA

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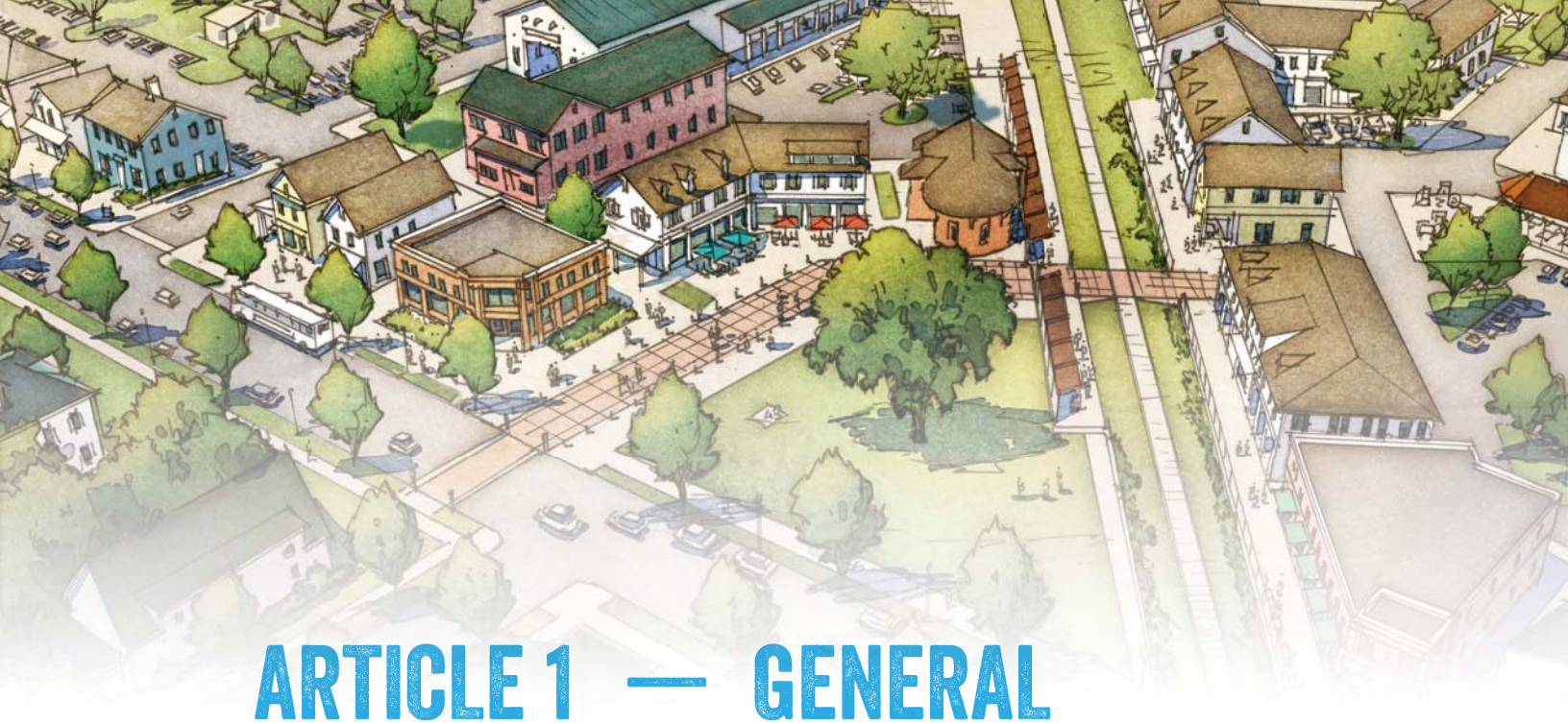

ARTICLE 1 — GENERAL

SECTION A.
AUTHORITY; COMMON REFERENCE

1. AUTHORITY.

a. The action of the Town of Yarmouth, Maine, in the adoption of this Chapter 703 is authorized under the Town's Charter and Maine Revised Statutes Section 30-A M.R.S.A. Section 3001.

b. This Chapter was adopted to promote the health, safety and general welfare of the Town and its citizens, including protection of the environment, conservation of land, energy and natural resources, reduction in vehicular traffic congestion, more efficient use of public funds, health benefits of a pedestrian environment, and improvement of the built environment.

c. The Town Council has determined that this Chapter is consistent with the Town's Comprehensive Plan. This Chapter has been adopted pursuant to and in accordance with the Town Comprehensive Plan.

2. COMMON REFERENCE.

This Chapter may be referred to as the "Town of Yarmouth Character-Based Development Code".

SECTION B.
PURPOSE AND INTENT

This Chapter has been adopted to provide for walkable character-based mixed use development in the Route 1 Corridor and the Village, each as defined in Article 1.C.1 below, and to enable, encourage and qualify the implementation of the following policies:

1. That development and re-development should be compact, pedestrian-oriented and Mixed Use in appropriate areas and that larger development include a mix of residential and commercial uses.

2. That ordinary activities of daily living should occur within walking or biking distance of most dwellings.

3. That interconnected networks of Thoroughfares should be designed to disperse traffic and reduce the length of automobile trips.

4. That a range of housing types and price levels should be provided to accommodate diverse ages and incomes.

5. That Open Spaces should be available within developed areas and significant natural features should be preserved, including, to the extent possible, mature existing trees.

6. That Buildings and landscaping should contribute to the physical definition of Thoroughfares as Civic places.

7. That development should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.

8. That the design of streets and Buildings should reinforce safe environments, but not at the expense of accessibility.

9. That architecture and landscape design should grow from local climate, topography, history, and Building practice.

10. That Buildings should utilize energy efficient methods.

11. That Civic Buildings and public gathering places should be provided at locations that reinforce community identity and support self-government.

12. That Civic Buildings should be distinctive and appropriate to a role more important than the other Buildings that constitute the fabric of the Character-Based Zoning District in which they are located.

13. That the preservation and renewal of historic Buildings should be facilitated.

14. That meaningful choices in living arrangements should be provided.

15. That the Character District descriptions on **Table 3.A (Character District Descriptions)** shall constitute the Intent of this Chapter with regard to the general character of each of these environments.

These policies are in pursuit of a character that expemplifies the historic qualities of Yarmouth, and values the healthy balance of uses that comprise the Village Center. This is a changing dynamic condition, and while there is no prescribed proportion or mix of uses, this code enables the Village to grow and change with time and trends. Through monitoring and awareness of incremental changes as they occur, the Town can promote a continued well balanced presence of housing and commercial uses that serve all constituents of Yarmouth and sustain a vital and vibrant community.

SECTION C. APPLICABILITY

1. GENERAL.

This Chapter 703, (this "Chapter") and the standards hereof shall be applicable to the areas of the Town described on **Map 1.G (Regulating Plan),** and all Development, Improvements, land, Structures, construction, Buildings and Lots in the Character-Based Zoning Districts and Special Districts.

2. EXCLUSIVE ZONING REGULATION.

Except as may be otherwise specifically provided in **Article 1.C.3**, this Chapter shall be the exclusive and mandatory zoning regulation for the Character-Based Zoning District and the provisions of this Chapter shall be applied to such area.

3. RELATIONSHIP TO OTHER PROVISIONS.

a. The provisions of this Chapter shall take precedence over those of other codes, ordinances, regulations, and standards that may be in conflict with this Chapter, except the Town and State Health and Safety Codes and except as may otherwise be provided in Section 1.C.3.c.ii.

b. The Town Municipal Code (collectively, the "Existing Local Codes"), including without limitation Chapters 601 (Subdivision), 701 (Zoning) and 702 (Site Plan Review) thereof, shall continue to be applicable to matters not covered by this Chapter, except where the Existing Local Codes would be in conflict with this Chapter and except as may otherwise be provided in Section 1.C.3.c.

c. Notwithstanding anything to the contrary contained or implied in Sections 1.C.3.a or 1.C.3.b, the following **shall not be applicable** within the Character-Based Zoning Districts:

    i. the trip generation provisions of Chapter 601;

    ii. the accessory dwelling unit permitting process of Chapter 702;

    iii. the Backlot provisions of Chapter 701;

    iv. the Sign Standards Village II Districts of Chapter 701, Article II, Section D;

    v. Signs in the "C" Commercial, "C-III" Commercial III District of Chapter 701, Article II, Section F;

    vi. Signs in SOD District of Chapter 701, Article II, Section E, to the extent related to SOD District;

    vii. the Route 1 Corridor Design Guidelines approved August 19, 1999;

    viii. Off-Street Parking & Loading, Chapter 701, Article II, Section H;

    ix. Buffer Areas of Chapter 701, Article II, Section L;

    x. Open Space Residential Development of Chapter 701, Article II, Section M;

    xi. Access provisions of Chapter 701, Article II, Section O shall be subject to Chapter 703, Article 5, Section F.4 hereof;

    xii. Lighting: Village II Districts, Chapter 701, Article II, Section X;

    xiii. Village II Districts, Chapter 701, Article II, Section Y;

    xiv. Chapter 701, Article IV, Section V relating to Conditional or Contract Zoning;

d. The following provisions of the Town Municipal Codes **shall remain in full force and effect** and continue to be applicable within the Character-Based Zoning Districts, including but not limited to:

    i. Chapter 701, Article IV, Section I, relating to the Resource Protection District and Stream Protection District;

ii. Chapter 701, Article IV, Section R, relating to the Shoreland Overlay District.

iii. Chapter 701, Article II, Section A.A., relating to wetlands.

iv. Chapter 702 (Site Plan) Article I.H (Review Criteria) except 3 (Parking), 7 (Buffering) and 20 (Rt. 1 Design Guidelines);

v. Chapter 701.II.J, Home Occupations;

vi. Chapter 702.I.G Application Requirements; and,

vii. Chapter 701.II.CC, Sidewalk Cafe.

viii. Chapter 701.II.M, Open Space Residential Development, Dimensional Standards, Modified dimensional standards for OSRD subdivisions previously approved by the Planning Board.

ix. Chapter 702, Article I.O, and Chapter 601, Article VI, (Performance Guarantee).

x. Chapter 701, Article VI, Administration and Enforcement.

xi. Chapter 701, Article III, Nonconformance, and Article IV, R.5, Nonconformance in the SOD.

xii. Chapter 701, Article IX, Demolition Delay.

xiii. Chapter 701, Article I.D Definitions, Building Heights.

xiv. Chapter 701, Article II.DD, Affordable Housing Programs.

xv. Chapter 701, Article II.EE, Dwelling Unit Allowances.

4. COMPLIANCE.

Except for non-conformances allowed pursuant to Article 1.Q, within the Character-Based Zoning Districts, all Development, land, Improvements, construction, Structures, Buildings and Lots, and all plans, applications and submissions required under this Chapter must comply with this Chapter and the standards hereof.

SECTION D. AMENDMENT OF CHAPTER

This Chapter may be amended in the same manner as the Zoning Ordinance of the Town of Yarmouth, following the procedures of Chapter 701,Article IV.U.

SECTION E. CONSTRUCTION

a. Provisions of this Chapter are activated by “shall” when required; “should” when recommended; and “may” when optional.

b. The standards and Tables herein are an integral part of this Chapter.

c. The diagrams, photographs and illustrations in this Chapter are provided only to indicate the general character or placement of and/or reference to the various Character Districts and elements thereof shown thereon.

d. The illustrations in Table 6.E.4 (Public Planting) and Table 6.E.5 (Public Lighting) are provided only as an approximation of the Public Planting and Public Lighting.

e. All graphical and tabular depictions entitled “Illustration” or denoted as “Illustrative” are provided for illustrative, explanatory purposes only and are not regulatory.

f. Where in conflict, numerical metrics shall take precedence over graphic metrics.

SECTION F. DEFINITIONS

Capitalized terms used throughout this Chapter may be defined in Article 7 "Definitions" or elsewhere in this Chapter. Those terms not defined in Article 7 or elsewhere in this Chapter shall be accorded their commonly accepted meanings. In the event of conflicts between the definitions in this Chapter and the definitions of the existing local codes, those of this Chapter shall take precedence, except in the case of Shoreland Zoning.

SECTION G. PREPARATION AND ADOPTION OF INITIAL REGULATING PLANS

An initial Regulating Plan for each area of the Town to be covered by this Character-Based Development Code, reflecting the Character Districts, and Special District, shall be prepared on behalf of the Town, submitted to the Planning Board for consideration and recommendation to the Town Council and considered, approved and adopted by the Town Council. This Chapter shall be effective with respect to such area of the Town when the Regulating Plan has been adopted for such area.

SECTION H. AMENDMENT OF REGULATING PLAN

Each Regulating Plan in effect from time to time, may be amended upon initiative of the Town or upon application of the owner of the parcel the zoning of which is proposed to be changed by such amendment pursuant to Article 2.C.

SECTION I. DETERMINATION OF STANDARDS

The Town Council has established the standards in this Chapter and has made such standards applicable as provided hereby to the Character Districts, and Special Districts thereof.

SECTION J. REVIEW AUTHORITY

1. PLANNING BOARD

The Planning Board is hereby authorized to process Building and Lot Plans and applications for approval thereof and to review Development Plans and applications for approval thereof for all development that is considered Major Development under **Chapter 702 (Site Plan), Article I.B,** except that new structures less than 1,000 sf gross floor area shall be reviewed by the Planning Department.

2. PLANNING DEPARTMENT

The Planning Department is hereby authorized to process Building and Lot Plans and applications for approval thereof for all development that is considered Minor Development under **Chapter 702 (Site Plan), Article I.B.** except that new structures less than 1,000 sf gross floor area shall be reviewed by the Planning Department.

3. CONDUCT OF PROCEEDINGS AND DECISIONS, PUBLIC NOTICE & OPPORTUNITY TO BE HEARD

The Planning Board and Planning Department conduct of its meetings and processing of Plans shall include provisions for public notice and opportunity to review and comment on plans as detailed under **Chapter 702 (Site Plan), Article I.E.**

SECTION K. ADMINISTRATION

1. GENERAL.

Except as otherwise provided herein, this Chapter shall be administered by the Town Department of Planning and Development (hereinafter the "Planning Department"). All applications required under this Chapter shall be submitted to Town Planning Department to review the same for completeness and compliance with this Chapter. Upon determination by the Town Planning Department that an application is complete and in compliance with this Chapter, the Planning Department shall provide written acknowledgement thereof to the applicant and shall forward the same to appropriate review and approval authorities for further action.

2. BUILDING & LOT PLANS.

Proposed Building and Lot Plans and applications for approval that are determined by the Town Planning Department to be complete and in compliance with this Chapter, shall be forwarded to the Planning Board for further processing, review, consideration and/or action, as applicable, in accordance with **Article 1.M.1**, below.

3. DEVELOPMENT PLANS.

Proposed Development Plans and applications for approval of the same that are determined by the Town Planning Department to be complete and in compliance with this Chapter, shall be forwarded to the Planning Board for further processing, review, consideration and/or action in accordance with **Article 1.M.2, or 1.M.3** as applicable, below.

4. REGULATING PLAN AMENDMENTS.

Proposed Regulating Plan Amendments and applications for approval that are determined by the Town Planning Department to be complete and in compliance with this Chapter, shall be forwarded to the CRC and Planning Board for further processing, review, consideration and/or action, as applicable, in accordance with **Article 1.M.3**, below.

SECTION L. PLAN AND AMENDMENT SUBMISSIONS

1. BUILDING & LOT PLANS.

No Development, improvement, subdivision, or construction of or on any Building, Lot or parcel of land shall occur without prior submission of a complete application for approval of a Building and Lot Plan that complies with **Article 5.B** and approval thereof pursuant to this Chapter.

Limitations & Exceptions: A Building and Lot Plan is not required for single or two family homes or for maintenance of an existing Structure or Building. Buildings or Building additions with a footprint of 250 square feet or less may be exempted from all or part of

the full review process at the discretion of the Planning Director, who will advise the applicant as to the extent of submissions needed for administrative approval of such small development.

2. DEVELOPMENT PLANS

No Development, improvement, subdivision, re-subdivision, division, or construction of or on any Building, Lot or parcel of land shall occur without prior submission of a complete application for approval of a Development Plan that complies with **Article 6.B** and approval thereof pursuant to this Chapter if:

a. the subject land is a Development Parcel (as defined in **Section 6.A.1,** e.g. over 2 acres), Subdivision, Thoroughfare change, or Regulating Plan Amendment); or

b. a Development Plan is otherwise required under this Chapter.

3. REGULATING PLAN AMENDMENT.

a. Except as provided in paragraph 3.b below relating to a Regulating Plan Amendment, no Development, improvement, subdivision, re-subdivision or construction shall occur and no Building and Lot Plan or Development Plan may be submitted or approved except pursuant to the Regulating Plan. If any Development, improvement, subdivision, re-subdivision, construction Building and Lot Plan or Development Plan does not comply with the applicable adopted Regulating Plan or standards applicable pursuant to such Regulating Plan, a regulating Plan Amendment must be obtained in accordance with **Article 2.C** hereof for any approval of such Building and Lot Plan or Development Plan to become effective.

b. For a Building and Lot Plan needing a Regulating Plan Amendment, a Building and Lot Plan shall be submitted simultaneously with and as a part of an application for a Regulating Plan Amendment by any private party.

   i. For Regulating Plan Amendments for which a new Character or Special District is proposed, a complete Building and Lot Plan is required.

   ii. For Regulating Plan Amendments proposing to change the current designated or assigned Character or Special District to another existing Character or Special District, a Conceptual Building and Lot Plan is required.

c. For a Development Plan needing a Regulating Plan Amendment, and for any Regulating Plan Amendment involving new Thoroughfares or a new Character or Special District or land area of two acres or larger, a Development Plan shall be submitted simultaneously with and as a part of an application for Regulating Plan Amendment.

d. Nothing herein shall preclude the Town of Yarmouth, (whether acting through its Planning Board, Planning Department, or Town Council), from initiating a Regulating Plan Amendment, for which a Development Plan and/or Building and Lot Plan may be submitted but is not required.

SECTION M.
PLAN AND AMENDMENT REVIEW AND ACTION

1. BUILDING & LOT PLANS.

a. The Planning Board shall review each Building and Lot Plan to determine whether it complies with the Regulating Plan, this Chapter and other applicable Town laws, ordinances and regulations without the necessity of any Waiver or Variance, and if so, shall approve such Building and Lot Plan, or if not, shall not approve the same and shall state the reason(s) therefor in writing.

b. If a Building and Lot Plan requires or requests a Waiver or Waivers, the Planning Board shall review the Waiver request for determination of whether such Waiver shall be granted.

If such plan complies with the Regulating Plan, this Chapter and other applicable Town laws, ordinances and regulations, and the Planning Board determines the Waiver request shall be granted, the Planning Board shall approve such Plan, or if not, shall not approve the same and shall state the reason(s) therefor in writing.

c. If a Building and Lot Plan requires or requests a Variance or Variances, such plan shall be submitted to the Planning Board. The Planning Board shall review the same to determine whether the parts thereof that do not require a Variance comply with the Regulating Plan, this Chapter and other applicable Town laws, ordinances and regulations. If so, the Planning Board shall approve such plan subject to such Variance being granted, or if not, shall not approve the same and shall state the reason(s) in writing.

If so approved by the Planning Board, subject to such Variance being granted, the plan shall then be referred to the General Board of Appeals, with a Planning Board recommendation, for determination of whether such Variance shall be granted.

In review of such Variance, the General Board of Appeals shall not conduct a de novo review of the overall compliance of the plan with this code as determined by the Planning Board, but shall limit its jurisdiction of review to the Variance under consideration. If the Variance request is granted, then such plan is approved. In the event that the General Board of Appeals does not approve such Variance, the Board shall state the reason(s) therefore in writing.

d. The In reviewing a Building and Lot Plan, the Planning Board or Planning Authority shall follow the procedures spelled out in **Chapter 702 (Site Plan), Article I.F. 1 and 2,** for major and minor development.

2. DEVELOPMENT PLANS NOT REQUIRING REGULATING PLAN AMENDMENT.

a. Each Development Plan that does not require a Regulating Plan Amendment shall be reviewed by the Planning Authority to determine whether it complies with the Regulating Plan, this Chapter and other applicable Town laws, ordinances and regulations. The Planning Authority shall within 30 days of its receipt of the completed application from the Planning Department submit its findings and recommendations in writing to the Planning Board for their review and approval.

b. If such Development Plan requires a Waiver or Variance, the Plannning Authority shall submit its findings and recommendations for Development Plan review and Waiver(s) to the Planning Board, and/or to the General Board of Appeals for Variance(s) for further review and determination pursuant to **Article 1.M.2.c**, below.

c. The Planning Board shall review a Development Plan recommended to it by the Planning Authority pursuant to **Article 1.M.2.a** and shall within 28 days of its receipt of the recommendation make a determination whether such Plan complies with the Regulating Plan, this Chapter, and other applicable Town laws, ordinances, and regulations. If such Development Plan requires a Waiver, the Planning Board shall consider the Waiver request concurrently with its review of the rest of the application. If such Development Plan requires a Variance, the Planning Board shall make its determination with respect to all parts of the application which do not require a Variance.

d. If the Development Plan so complies, and any required Waiver is granted by the Planning Board and/or Variance is granted by the General Board of Appeals, and if the Development Plan otherwise so complies, the Planning Board shall approve the Development Plan. Otherwise, the Planning Board shall reject such Development Plan. The Planning Department shall notify the applicant in writing of the Planning Board's action.

e. If the Planning Board rejects the Waiver, or if the General Board of Appeals rejects the Variance, the Planning Board shall reject such Development Plan. The Planning Department shall notify the applicant in writing of the Planning Board's action and findings in support of such action.

f. Nothing herein shall preclude the Planning Board and applicant from modifying such Development Plan or conditioning approval on modifications to such Plan to reach compliance with the Regulating Plan, this Chapter and other applicable Town codes, ordinances, and regulations.

3. DEVELOPMENT PLANS AND/OR BUILDING AND LOT PLANS SUBMITTED AS PART OF APPLICATION FOR REGULATING PLAN AMENDMENT.

a. A Development Plan and/or Building and Lot Plan (conceptual or Complete as per **Article 1.L.3.b** above) that is submitted as part of an application for Regulating Plan Amendment shall be reviewed by the Planning Authority to assess for its report and recommendation to the Planning Board whether such Regulating Plan Amendment is consistent with the goals and policies of the Yarmouth Comprehensive Plan, and if the Development Plan and/or Building and Lot Plan will, if such Regulating Plan Amendment is approved, comply with the Regulating Plan, as so amended, this Chapter and other applicable Town laws,

b. The Planning Board shall review a proposed Regulating Plan Amendment along with its associated Development Plan and/or Building and Lot Plan pursuant to **Article 1.M.3.a**, above, and shall, at the next available public hearing but not less than three weeks after its receipt of the Planning Authority report and recommendation, make a determination as to the consistency of the proposed

Regulating Plan Amendment with the Yarmouth Comprehensive Plan and whether such Development Plan and/or Building and Lot Plan will, if such Regulating Plan Amendment is approved, comply with the Regulating Plan, as so amended, this Chapter, and other applicable Town codes, ordinances, and regulations.

c. If such Development Plan and/or Building and Lot Plan requires a Waiver, the Planning Board shall consider the Waiver request concurrently with its review of the rest of the application. If such Development Plan and/or Building and Lot Plan will so comply and is deemed to be consistent with the Yarmouth Comprehensive Plan, and any required Waiver Is granted by the Planning Board, the Planning Board shall, approve, or in the case of preliminary plans, grant preliminary approval of such Development Plan and/or Building and Lot Plan conditioned on the Town Council approval of the Regulating Plan Amendment. In cases where such conditional approval is granted and the Planning Board has made a finding of consistency with the Yarmouth Comprehensive Plan, the Planning Board shall recommend to the Town Council that the Regulating Plan Amendment be approved.

d. If such Development Plan will not so comply, and/or that the Waiver request, if any, is rejected, the Planning Board shall not approve the Development Plan and/or Building and Lot Plan. In such cases, or if the Planning Board otherwise determines that the proposed Regulating Plan Amendment is not consistent with this Chapter and the Yarmouth Comprehensive Plan, the Planning Board shall recommend to the Town Council that the Regulating Plan Amendment not be approved. Nothing herein shall preclude the applicant and the Planning Board from extending the review time frames or adding a workshop or preliminary review, by mutual agreement between the parties.

e. Upon receipt of the Planning Board's recommendation regarding a Development Plan and/or Building and Lot Plan and proposed Regulating Plan Amendment pursuant to **Article 1.M.3.a or 1.M.3.b**, the Town Council shall review, consider and take action on the related Regulating Plan Amendment pursuant to **Article 2.C** hereof.

f. If the Town Council approves the Regulating Plan Amendment, then the Planning Board approval of such Development Plan and/or Building and Lot Plan and associated Waiver(s), if any, becomes effective upon the effective date of such Regulating Plan Amendment. If the applicant has submitted a Conceptual Building and Lot Plan in support of the Regulating Plan Amendment (as per **Article 1.L.3.b** above), or has otherwise received only a preliminary plan approval, a Complete Building and Lot Plan shall be submitted for review and approval as provided for in **Section M.1**, above.

SECTION N. WAIVERS & VARIANCES

1. WAIVERS.

The Town Council has adopted this Chapter as a character-based development code intended to facilitate contextually-based planning and development of walkable, mixed-use, human-scaled places of character. It is the intent of

this Chapter to allow, through Waivers, greater flexibility in planning and implementing development than might be allowed under a traditional, "Euclidean" zoning code. It is also the intent of this Chapter to review individual development proposals in light of the overall Regulating Plan for the entire Character-Based Zoning District, incorporating concepts similar to cluster zoning. Accordingly, this Chapter hereby authorizes the Planning Board to allow waivers from the provisions of this Chapter for a Building and Lot Plan or a Development Plan, if the Planning Board determines that:

a. Allowance of the Waiver is consistent with the purposes and intent of this Chapter as set forth in **Article 1, Section B**; and

b. The Waiver does not exceed 35% of any limit established by a metric standard, provided that:

   i. The applicant can demonstrate to the satisfaction of the Planning Board that the need for a Waiver arises from a legal or practical necessity for unique conditions applicable to the lot, use, or proposed Building and Lot Plan such as security, privacy, operational, health or safety exigencies, legal requirements, or historic preservation concerns; and

   ii. This Waiver limitation of 35% shall not apply to any parking standard or metric; and

   iii. The applicant shall provide data and documentation of compelling and convincing evidence of substantial need for the Waiver, which shall not be granted merely for the convenience or preference of the applicant; and

   iv. The resulting Waiver, if granted, shall be of the least adjustment reasonably necessary to satisfy the practical, programmatic or functional needs of the proposed Development; and

   v. The applicant has instituted plan features to mitigate the visual impacts of the Waiver;and

   vi. The Waiver does not significantly compromise, subvert, or undermine the intent of this Chapter; and

   vii. The applicant addresses the specific Waiver criteria, if and as applicable, for the categories of Waivers for which such criteria are provided in **Article I.N.1.c**, below.

c. Specific Topic Waiver Criteria:

   i. **Parking:** The Planning Board may grant a Waiver of maximum or minimum parking requirements if the following Waiver standards are met. Notwithstanding paragraph N.1.b above, such parking Waiver may exceed 35% of the applicable parking requirement up to a maximum of 75%, if:

      a) A parking analysis is provided that demonstrates the projected parking demand for the proposed Development using accepted professional methods that document the need for the lesser or greater amount of parking.

      b) A parking management plan is provided that considers such factors as site constraints, provisions for shared parking, available on street parking, alternative modes

of commuting (bicycle, walking, rideshare), and/or access to transit in support of the requested Waiver.

ii. **Frontage Buildout (Table 5.F.2) and Phased Development Option:** Where a phased development project is proposed, or where the lot dimensions relative to the Development program make compliance impracticable, the Frontage Buildout requirements of Tables 5.2.F may be modified by the Planning Board provided that:

a) The Building(s) are designed and located such that the long side of the Building(s) are sited along the street frontage to the maximum length practicable for the Building program/ use; and

b) Building(s) drives and other site features are sited to enable and accommodate future Building additions or additional Buildings to be constructed along the street frontage so as to ultimately meet the required Frontage Buildout; and

c) The Development employs architectural features such as Streetscreens, breezeways, pergolas, or other devices to create a strong vertical front built Element to achieve the visual effect of a Building form that achieves the required Frontage Buildout.

iii. **Façade Glazing:** Where Shopfront private frontage type (Table 5.H.2) façade glazing requirements apply to commercial first floor uses, the percent glazing may be reduced as per **Section N.1.b** above for the following uses:

a) Uses that are not retail business or service establishments; or

b) Financial service establishments.

d.. Allowance of a Waiver under this subsection is considered an integral part of the application of this Character Based Development Code and is not considered the granting of a Variance, as that term is defined under Maine law. An applicant for any Waiver or Waivers shall submit a comprehensive request with supporting documentation for any and all Waivers requested for a given property or Development in a single application process. No Waiver shall be granted that would constitute a violation of Shoreland, Stream Protection, or Resource Protection (Nonconformance) and, as applicable, **Article IV, Section R(5)** (non-conformance in the Shoreland Overlay District) of the Zoning Ordinance of the Town of Yarmouth.

Waivers granted under this section are particular to the circumstance of each Lot, Building or Structure applicable to review, do not establish nor rely upon precedence, and are available only when the Planning Board determines it advances the purposes of this Chapter.

2. VARIANCES.

Any variation required or requested for a Building & Lot Plan or a Development Plan and not available by Waiver as described under Subsection 1 above is allowable only if approved by the General Board of Appeals as a Variance under Chapter 701, Article VII, Section B(2)(c) of the Zoning Ordinance of the Town of

Yarmouth, except that no Variance is allowed for a variation for which a Waiver request under Section 1.N.1 has been denied by the Planning Board.

SECTION O. APPEALS

A final decision of the Planning Authority on an application for a minor Building and Lot Plan may be appealed to the Planning Board in like manner as provided for minor site plans under **Chapter 702, Site Plan, Article I.F.3.**

A final decision of the Planning Board on an application for a Development Plan may be appealed to the Superior Court pursuant to Maine Rule of Civil Procedure 80B.

SECTION P. VIOLATIONS

This Chapter incorporates, in full, the provisions of Chapter 701 Article VI (Administration and Enforcement) of the Zoning Ordinance of the Town. As used therein, the term "this Ordinance" includes this Chapter.

SECTION Q. NON-CONFORMING USES, LOTS, BUILDINGS, STRUCTURES & IMPROVEMENTS

1. GENERAL.

This Chapter incorporates, in full, the provisions of **Chapter 701 Article III** (Nonconformance) and, as applicable, Article IV, Section R(5) (non-conformance in the Shoreland Overlay District) of the Zoning Ordinance of the Town of Yarmouth.

2. CERTAIN SUBDIVISIONS, DEVELOPMENT, ETC.

a. Without limitation to **Article 1.1.Q.1**. above and in addition thereto, if the conditions of clauses 2.b below are met, an existing Lot on which there is situated or conducted an existing permitted non-conforming Structure, Improvement, or use (in each case, the "Existing Parcel"), may be subdivided in such a manner that creates:

   i. one Lot consisting of the portion of the Existing Parcel on which the permitted non-conforming Structure, Improvement or use and associated Parking Area are situated or conducted becomes a separate Lot (the "Non-Conformity-Bearing Lot"), and

   ii. one or more Lots consisting together of the remaining portion of the Existing Parcel (the "Remainder Lots"); and

   iii. the Remainder Lots may be developed or redeveloped.

b. The following are the conditions which must be satisfied to be eligible under Section 2.a:

   i. the Remainder Lots, and all development, redevelopment, Structures, Improvements, Buildings and uses thereof must conform to all standards and requirements of this Chapter and Chapter 601 [Subdivision]; and

   ii. the Non-Conformity-Bearing Lot and

all Structures and Improvements thereon must meet all Building and Lot standards and requirements of **Chapter 703 Article 5** other than the Building Placement, Private Frontage Type, Lot Occupation and Yard Type.

c. The effect of the subdivision, development or redevelopment pursuant to and as described in **Article 1.Q.2.a & 1.Q.2.b**, above, shall be as follows:

i. the Non-Conformity-Bearing Lot shall thereafter constitute a permitted non-conforming Lot and the permitted non-conforming status of the Structure, Improvement or use of or on the Non-Conformity-Bearing Lot shall continue notwithstanding such subdivision, development or redevelopment; and

ii. the permitted non-conforming status of any Structure, Improvement or Use on the Remainder Lots, and of the Remainder Lots themselves, shall cease.

3. NONCONFORMING BUILDING OR STRUCTURE ON SMALL LOT

a. If an existing Lot on which there is situated or conducted an existing permitted non-conforming Building or Structure, Improvement, or Use (in each case, the "Existing Parcel") which Lot is too small to avail the subdivision process described in **Section Q.2** above due to the non-feasibility of the creation of a second developable Lot, as determined by the Planning Authority or the Planning Board, then all Buildings, Structures and Improvements thereon must meet all Building and Lot standards and requirements of **Chapter 703 Article 5** other than Building Placement, Lot Occupation, Private Frontage Type, and Yard Type. Such development shall, however, meet those provisions to the extent practicable, such as by placing additions to existing Buildings or Structures that exceed maximum setbacks as close to the maximum setback as possible given the functional requirements of the property.

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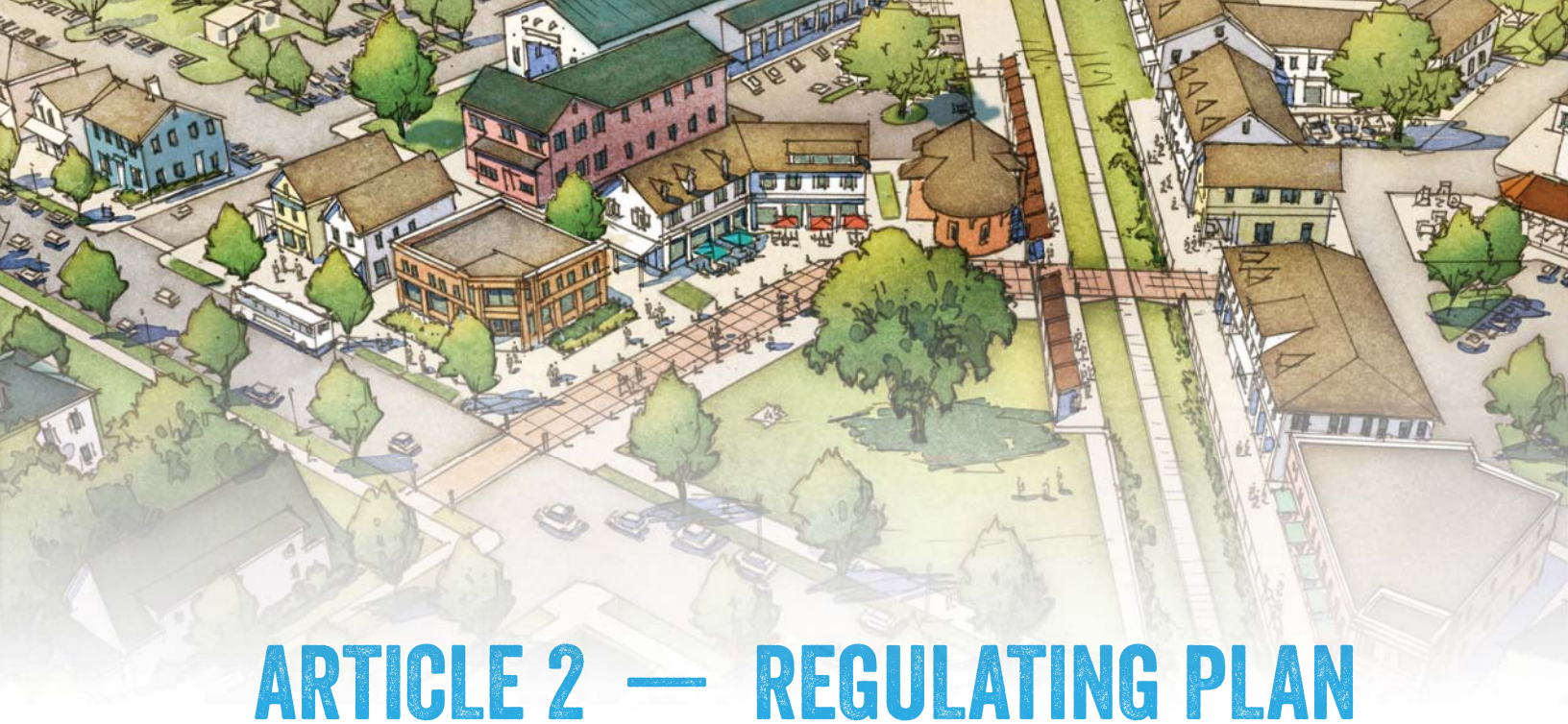


ARTICLE 2 — REGULATING PLAN

SECTION A. GENERAL

1. ROUTE 1 CORRIDOR & VILLAGE REGULATING PLAN.

The initial Route 1 Corridor Regulating Plan was adopted on May 16, 2013. An expanded Regulating Plan, including amendments to the initial Route 1 Corridor Character District was adopted on [Date of Enactment].

2. CONTENTS OF REGULATING PLAN.

The Regulating Plan and each amendment thereto shall reflect the Character Districts, Thoroughfares, Special Requirements, and Special Districts of the area covered thereby. The Route 1 Corridor and Village Regulating Plan is shown on **Map 2.A (Regulating Plan)**.

SECTION B. COMPLIANCE

Except for non-conformances allowed pursuant to Article 1, all Development, land, construction, Structures, Buildings and Lots within the Route 1 Corridor and the Village, and all submissions required or permitted under this Chapter must comply with this Chapter.

SECTION C. REGULATING PLAN AMENDMENT

1. WHEN REGULATING PLAN AMENDMENT NECESSARY.

If a Building or Lot Plan, Development Plan or Development, Improvement, subdivision, re-subdivision or construction does not comply with the applicable Regulating Plan or applicable standards hereof, but which the applicant believes to be consistent with

Yarmouth's Comprehensive Plan, it may be the subject of an application for a Regulating Plan Amendment. Such Regulating Plan Amendment must be obtained as a condition to submission or approval of any Building or Lot Plan, Development Plan, or commencement of a Development, improvement,subdivision, re-subdivision, or construction of or on any Building, Lot, or other parcel of land.

2. APPLICATION FOR REGULATING PLAN AMENDMENT

The Regulating Plan may not be amended except pursuant to an application for Regulating Plan Amendment.

3. PREPARATION AND REQUIREMENTS

An application for Regulating Plan Amendment shall be prepared in accordance with **Article 2.D** below and shall conform to the requirements of **Article 2.E** and other provisions hereof.

4. PLAN SUBMISSION

An application for a Regulating Plan Amendment shall be submitted and processed in accordance with **Article 1.K and 1.L**.

5. ACTION ON PLAN

Any application for Regulating Plan Amendment shall be processed and be subject to submission, consideration and recommendation to the Town Council and approval by the Town Council as a zoning map amendment under Town Municipal Code **Chapter 701, Article IV.U,** subject, however, to the provisions of this **Article 2.C**.

SECTION D. PREPARATION

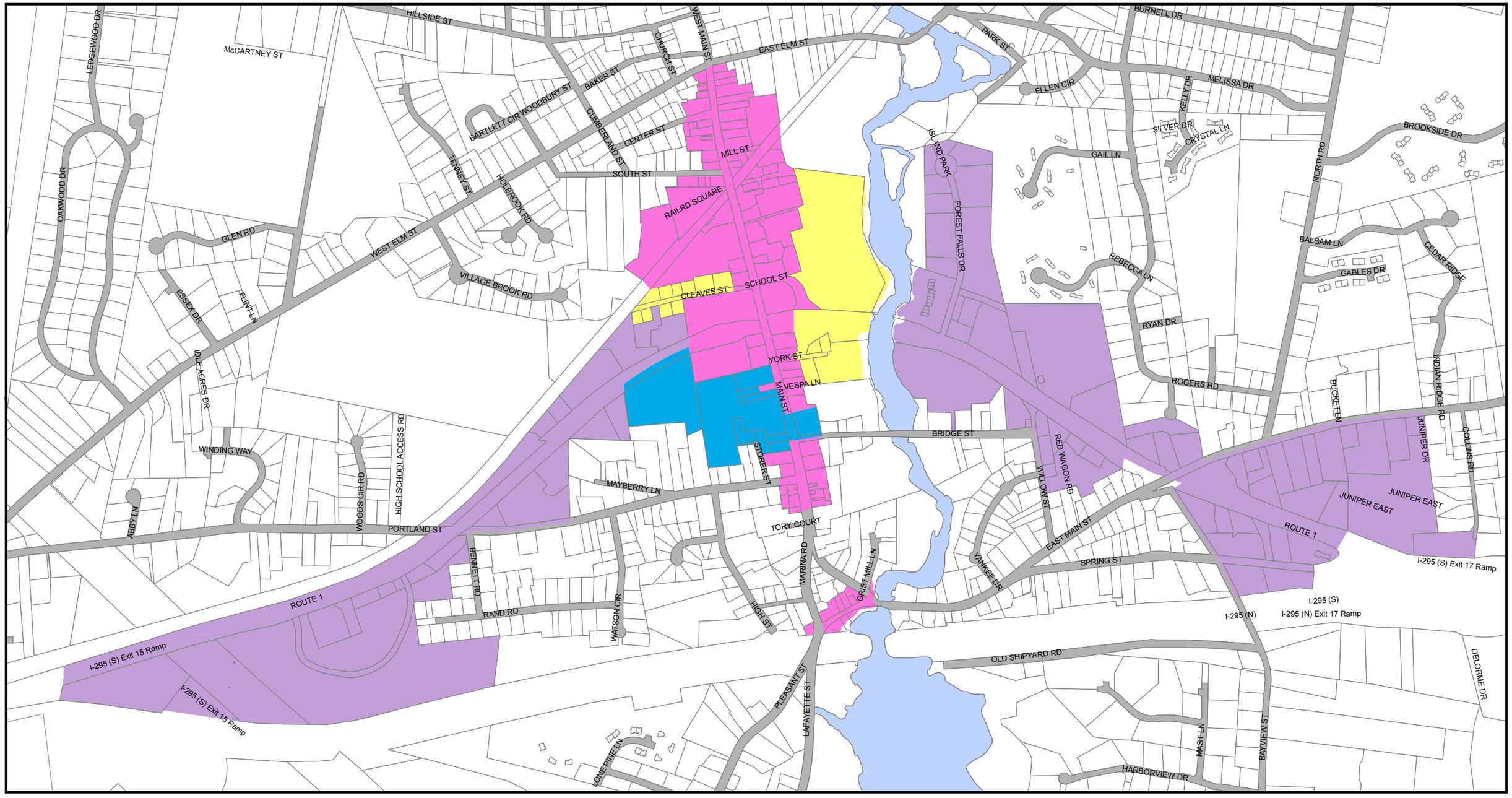
Unless prepared by the Town Planning Department in connection with a proposed Regulating Plan Amendment initiated by the Town, each application for a Regulating Plan Amendment required to be submitted under this Chapter shall be prepared and submitted by or on behalf of the Owner of the applicable property.

SECTION E. APPLICATION REQUIREMENTS

Each application for a Regulating Plan Amendment submitted under this Chapter shall include as a part thereof in addition to all other application requirements for zoning map amendments under Town **Chapter 701, Article IV.U**, with respect to the affected property and all adjacent property, all existing and proposed Character Districts, Thoroughfares, Special Requirements and Special Districts, and a Development Plan that complies with **Article 6**.

SECTION F. SPECIAL REQUIREMENTS

A Regulating Plan amendment may be subject to any of the Special Requirements listed in **Article 6 Section I**.



Revision Date:
April 2018
Map created by
Spatial Alternatives

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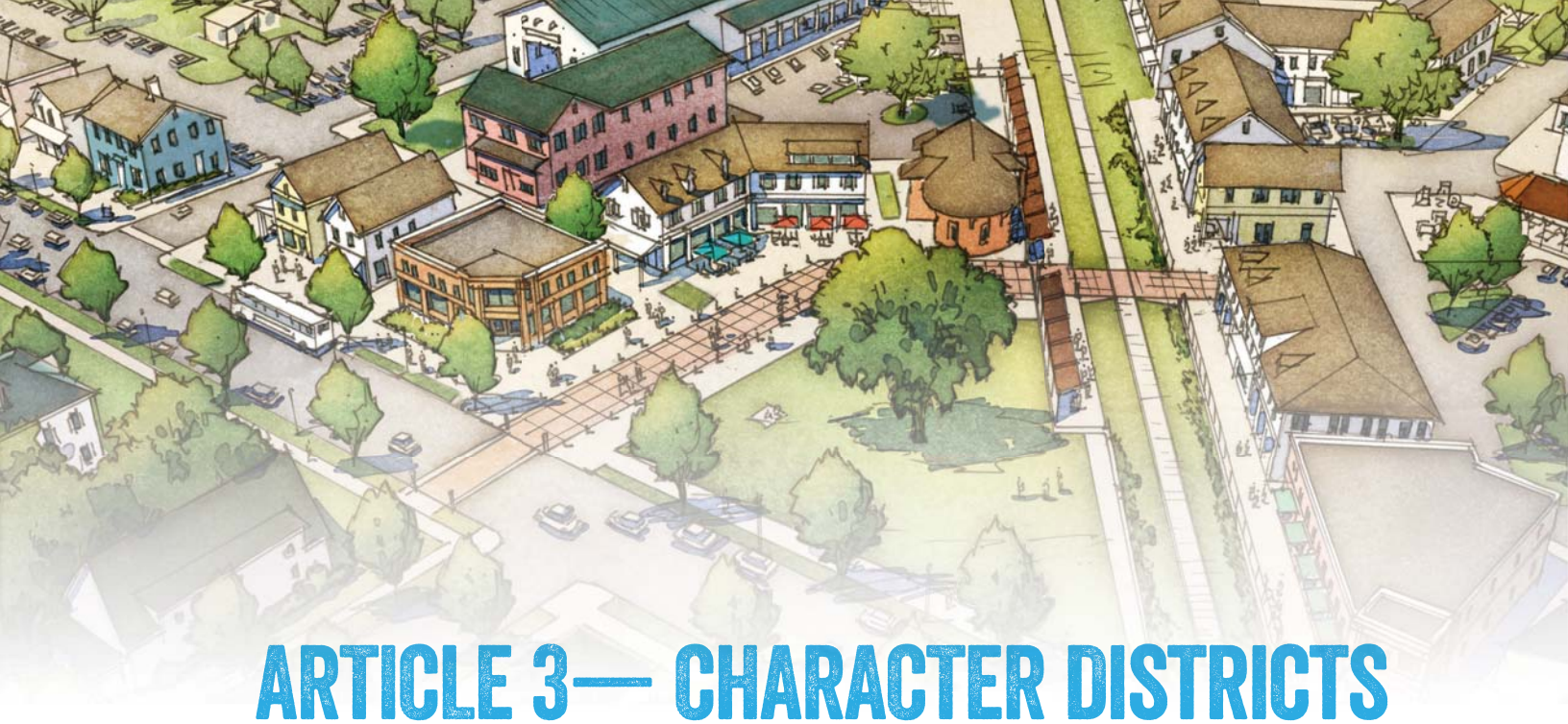
Feet

N

Regulating Plan
Yarmouth, ME

Council Draft Character Based Code

- Village Center (CD4)
- Route 1 Corridor (CD4-C)
- North Yarmouth Academy (SD1)
- Medium Density Residential (MDR)



ARTICLE 3— CHARACTER DISTRICTS

SECTION A. GENERAL

1. GENERAL.

a. This Article applies to Character Districts with the respective requirements applicable to each. Development, land, improvements, construction, subdivision, resubdivision, Structures, Buildings and Lots within each Character District, as applicable, shall include the respective elements and shall comply with the respective requirements applicable to each.

b. A Character District is one of several areas on the Regulating Plan, to which certain development, lot and Building standards are applied, including, without limitation, Thoroughfare Standards, Building Form, Building and Lot Use, Parking Standards, Yard Types, Density Standards, Building Type Standards, Frontage Standards, Architectural Standards, Landscape Standards and Signage Standards to result in all property within a particular Character District having an intended and consistent character.

2. CHARACTER DISTRICT DESCRIPTIONS.

Within the area subject to the Regulating Plan, there are two (2) Character Districts, as follows:

a. Character District CD4 (Village Center) is described generally on **Table 3.A (Character District Descriptions);**

b. Character District CD4-C (Route One Corridor) is described generally on **Table 3.A (Character District Descriptions)**;

SECTION B. DESIGNATION OF CHARACTER DISTRICTS

Character Districts shall be designated and

mapped on the Regulating Plan and on each proposed Regulating Plan Amendment and Development Plan.

SECTION C.
ELEMENTS AND STANDARDS

Development, land, Structures, Buildings and Lots within each Character District shall include the elements indicated for such Character District throughout this Chapter and shall comply with the applicable Character District general description and intent thereof as described in and reflected by **Table 3.A (Character District Descriptions)** and the standards applicable to such Character District set forth in **Tables 5.F.2A-5.F.2C (Character District Standards)** and elsewhere in this Chapter.

TABLE 3.A CHARACTER DISTRICT DESCRIPTIONS

CD4 Village Center



CD4 Village Center. This District consists of a medium Density area that has a historic mix of Building Types and Residential, Retail, office and other commercial uses; there are shallow or no front Setbacks and narrow to medium side Setbacks; it has variable private landscaping; and it has Streets with Curbs, Sidewalks, and street trees that define small to medium Blocks.

TABLE 3.A CHARACTER DISTRICT DESCRIPTIONS (CONTINUED)

CD4-C Route 1 Corridor



CD4-C Route One Corridor. This District consists of a medium- to-high density development with a mix of Building Types and Commercial, Retail and residential uses; it accommodates pedestrian, bicycle, and vehicular activity; there are shallow or no front Setbacks and shallow or no side Setbacks; it has variable private landscaping; and it has Streets with Curbs, Bikeways, Sidewalks and street trees that define medium to large Blocks.

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ARTICLE 4 — SPECIAL DISTRICTS

SECTION A. GENERAL

1. DEFINITION.

A Special District is an area which, due to its intrinsic size, Building and Lot Use, Building Placement, Yard Type, Building Elements, Building Form, Building Type or other elements cannot not conform to one or more of the applicable Character Districts or standards therefor specified in this Chapter.

2. APPLICABILITY.

This Article 4 applies to Special Districts to the extent provided herein. Development, land, improvements, construction, subdivision, re-subdivision, Structures, Buildings and Lots within each Special District shall include the elements and shall comply with the standards approved for such Special District.

Any property in SD1 that is divested by North Yarmouth Academy or designated for permanent use for other than NYA related purposes may be considered for Regulating Plan Amendment to the adjacent or other appropriate district as set forth in **Article 2.C**.

SECTION B. DESIGNATION OF SPECIAL DISTRICTS

Any Special Districts shall be designated and mapped on the Regulating Plan and shall be depicted on each proposed Regulating Plan Amendment and Development Plan.

SECTION C. ELEMENTS AND STANDARDS

Each Special District shall be provided standards for Thoroughfares, Building Placement, Building and Lot Use, Parking Standards, Density Standards, Frontages, Architecture, Landscaping and Signage, and any other elements as shall be developed in consultation with the Planning Department and

approved by the Town Council pursuant to the approval of such Special District.

Unless already so included, the standards for each Special District shall upon approval by the Town Council be set forth in this Chapter and **Table 4.C (Special District Standards)**.

SECTION D.
SPECIAL DISTRICTS

1. GENERAL.

There is one (1) Special District in the Regulating Plan, as follows:

NYA Campus Special District SD1: This Special District is for educational institutions in a traditional historic campus setting, with Frontages along public Thoroughfares being consistent with the Adjacent Character District and other boundaries Adjacent to Character Districts being buffered.

2. SPECIAL DISTRICT STANDARDS.

The following standards shall be applicable to all Special Districts:

a. Development within a Special District shall comply with this **Article 4.D, Articles 5.N, 5.O, 6.D.5, 6.G.3, and 6.G.5**, and the standards and requirements of **Table 4.C (Special District Standards)**.

b. Except as expressly provided in this Article 4.D, no other setbacks, buffer or screening requirements are provided for in this Chapter.

c. The following shall be applicable to all Buildings and Lots in the NYA Campus Special District (SD1):

i. Lots and Buildings on Lots Adjacent to any Character District shall follow, to the extent practical, the Building Placement, Building Form, Architectural, Landscaping, Yard Type, Building Type, Private Frontage, Public Frontage, Setback, and Lot Occupation standards of such adjacent District. If Adjacent to more than one Character District, the less restrictive standards shall apply.

ii. Except for such Adjacent Character District Standards, Development within the NYA Campus Special District shall otherwise comply with all standards and requirements applicable to such Special District, the applicable Building and Lot Principal Use standards of **Table 5.J.1 (Building & Lot Principal Use)**.

All points of Adjacency of such Special District with any public Thoroughfare shall include a minimum 6 foot wide sidewalk.

iii. Any part of a Lot Adjacent to a Thoroughfare shall be considered a Frontage. With respect to Lots Adjacent to more than one Thoroughfare, the Principal Frontage shall be indicated by the Applicant in the Special District Plan and all other Frontages of such Lot shall be considered Secondary Frontages.

iv. A Lot may contain any number of Principal Buildings and any number of Outbuildings. Outbuildings shall be located in the Third Lot Layer or 20 feet from any external property boundary.

v. All non-Building components shall

be located in the Second Lot Layer or Third Lot Layer, or 20 feet from any external property boundary, including but not limited to outdoor bleachers and ball fields, and shall be screened from the Frontage of any public Thoroughfare by Building, Streetscreen, decorative fence, or landscape screen.

vi. All loading and storage for Buildings shall be located along a side Elevation or at the rear Elevation. When located along a side Elevation, loading and storage areas shall be located in the Third Lot Layer and screened from the Frontage of any public Thoroughfare by a Building, Streetscreen, decorative fence, or landscape screen.

vii. Parking for Buildings and Lots shall be provided in accordance with **Tables 5.K.1 and 5.K.2 (Parking Requirements and Shared Parking Factor)** as if the NYA Campus Special District were in Character District CD4-C.

viii. Parking Lots and Parking Areas shall be landscaped and designed in accordance with **Article 5.N.1.gg**.

ix. Access Driveways shall be 24 feet maximum width at the Frontage and through the depth of the First Lot Layer.

x. Parking shall be located in the Second and/or Third Lot Layers.

xi. The Uses allowed within the NYA Campus Special District shall be the Principal Uses set forth in **Table 5.J.1 (Building & Lot Principal Use)**.

TABLE 4.C SPECIAL DISTRICT STANDARDS

	SD1
ALLOCATION OF DISTRICTS	n/a
BASE RESIDENTIAL DENSITY	n/a
BLOCK SIZE	n/a
BLOCK PERIMETER	n/a
THOROUGHFARES	
Lane	allowed
Road	allowed
Village Street	allowed
Main Street	not allowed
Mixed Use Street	allowed
Avenue	not allowed
Alley	allowed
CIVIC SPACES	
Park	allowed
Green	allowed
Square	allowed
Plaza	allowed
Playground	allowed
LOT OCCUPATION	
Lot Width	n/a
Lot Coverage	n/a
Lot Size	n/a
SETBACKS	
Front Setback	n/a
Side Setback	n/a
Rear Setback	n/a
BUILDING DISPOSITION	
Edgeyard	n/a
Sideyard	n/a
Rearyard	n/a
YARD TYPES	n/a
BUILDING FORM	n/a
BUILDING USE	See **Table 5.J.1, Building & Lot Principal Use**
Building Height*	35 ft*
* Height measured per Chapter 701 "Building Height". Height for Civic Buildings may be up to 55' if authorized by the Town Council.	
NOTE: ADDITIONAL SPECIAL DISTRICT STANDARDS AND REQUIREMENTS ARE SET FORTH ELSEWHERE WITHIN THIS CHAPTER	



ARTICLE 5 — BUILDING AND LOT PLANS & STANDARDS

SECTION A. GENERAL

This Article applies to all Buildings and Lots located or proposed within the Character-Based Zoning District, except as otherwise provided in **Article 1.Q**.

SECTION B. BUILDING & LOT PLANS

1. PLAN REQUIRED.

Except for non-conformances allowed pursuant to **Article 1.Q**, no Building shall be constructed, or Substantially Modified, and no Lot shall be developed, subdivided, or re-subdivided, except in compliance with this Article and the Regulating Plan and pursuant to a Building and Lot Plan that has been prepared, submitted and approved in accordance with this Article and all standards and requirements applicable thereto.

2. PREPARATION AND REQUIREMENTS.

Each Building and Lot Plan shall be prepared in accordance with **Article 5.C** below and shall conform to the requirements of **Article 5.D** and other provisions hereof.

3. PLAN SUBMISSION.

Each Building and Lot Plan shall be submitted to the Consolidated Review Committee for review and action in accordance with **Article 1.L**.

4. PLAN APPROVAL.

Action shall be taken on each application for approval of Building and Lot Plan in accordance with **Article 1.M.1** hereof.

SECTION C. PREPARATION

Each Building and Lot Plan required under this Article shall be prepared and submitted by or on behalf of the Owner of the applicable property.

SECTION D. PLAN REQUIREMENTS

Each Building and Lot Plan submitted under this Article shall:

1. COMPLIANCE.

Comply with any applicable Development Plan, the applicable Regulating Plan, and all standards and requirements of this Chapter as applicable to the Character District or Special District in which the land covered by such Building and Lot Plan is situated; and

2. CONTENTS.

Show the following, in compliance with the standards and requirements of the Regulating Plan and this Chapter as applicable to the Character District or Special District in which the land covered by such Building and Lot Plan is situated:

a. Building Placement, including without limitation Setbacks and Lot Layers
b. Yard Type
c. Building Form
d. Building and Lot Use
e. Building Type
f. Loading, Service, and Waste Receptacle Locations
g. Parking, meeting the requirements of **Article 5.K**
h. Architectural drawings meeting the requirements of standards of **Article 5.M**
i. Landscaping meeting the standards of **Article 5.N and 6.E.2.c and d**
j. Signage meeting the standards of **Article 5.O**
k. Any applicable Open Space preservation and/or Special Requirements and features from **Article 6.H and 6.I.**
l. Lighting and photometric plan meeting the standards of **Article 5.P,** showing the lighting fixtures proposed to illuminate all Buildings, roadways, service areas, landscaping, parking areas, and pedestrian areas.
m. Evidence of Ownership
n. Estimated project cost

3. PLANS.

The information required shall be depicted on plans of suitable scale acceptable to the Planning Department, (e.g. 20 to 50 feet to the inch) no larger than 24 x 36 inches, and shall be based on and accompanied by a standard boundary survey as described in **Chapter 702 Article I.G.**

SECTION E.
CIVIC BUILDINGS AND LOTS

1. DEFINITIONS.

a. Civic Spaces are open areas dedicated for Civic use as defined in Article 7 (Definitions). The Civic Space Types are shown on **Table 6.G (Civic Spaces)**.

b. Civic Buildings are Buildings operated for Civic purposes as listed in **Table 5.J.1 (Building and Lot Principal Use)** and as defined in **Article 7 (Definitions)**.

2. REQUIREMENTS.

a. Civic Space shall be designed generally as described in **Table 6.G (Civic Spaces)**, as related to the Character District or Special District within which it falls.

b. Civic Buildings shall be subject to the requirements of this Article unless and to the extent otherwise determined by the Town Council.

SECTION F.
LOTS

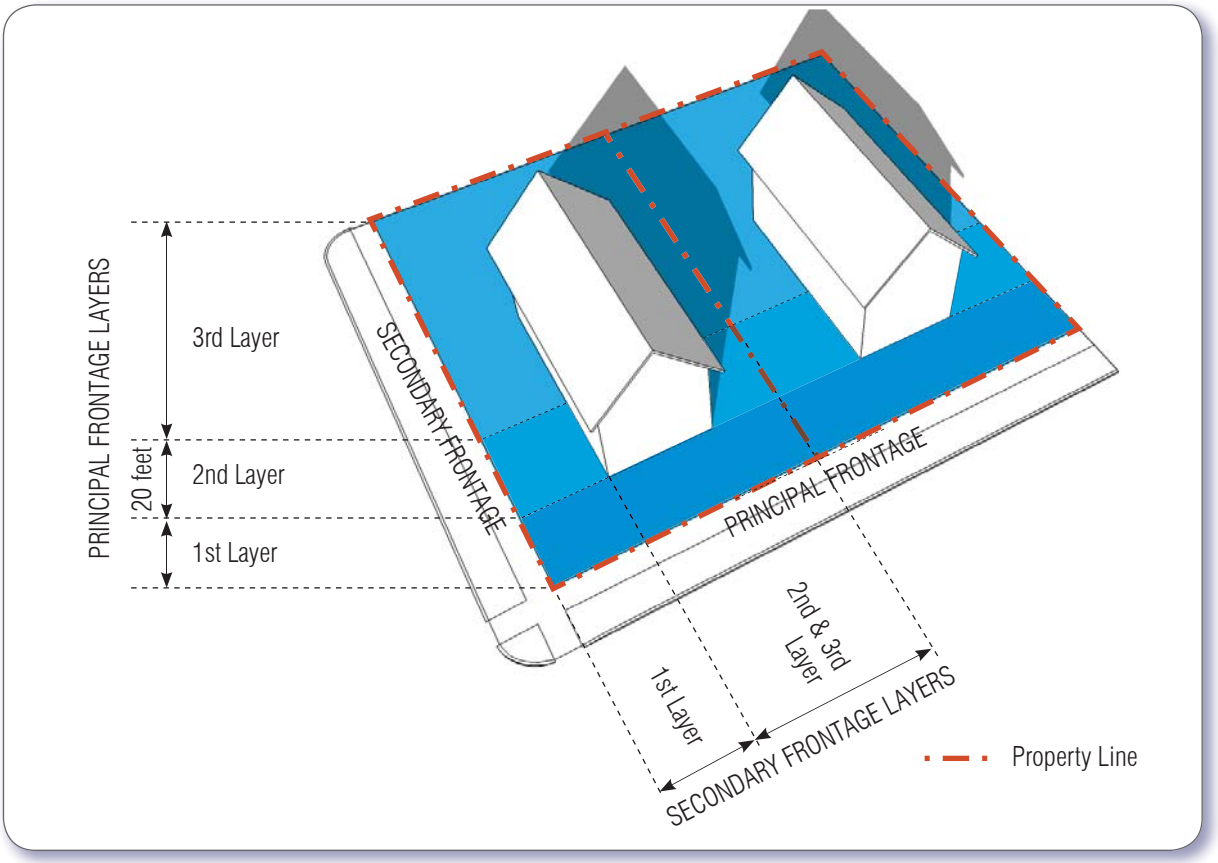
1. LOT LAYERS.

Lots are composed of three Lot Layers, the First Lot Layer, the Second Lot Layer and the Third Lot Layer, as shown in **Illustration 5.F.1 (Lot Layers)** and as defined in Article 7 (Definitions).

2. LOT DIMENSIONS.

Newly platted Lots and Buildings:

ILLUSTRATION 5.F.1 LOT LAYERS



a. within each Character District shall be dimensioned and placed according to **Tables 5.F.2A-5.F.2C (Character District Standards)**; and

b. within each Special District shall be dimensioned and placed as set forth or referenced in any applicable standards of **Table 4.C (Special District Standards)**.

3. LOT COVERAGE.

a. Lot Coverage within each Character District shall not exceed the applicable standards in **Tables 5.F.2A-5.F.2C (Character District Standards)**;

b. Lot Coverage within each Special District shall not exceed any applicable standard set forth or referenced in **Table 4.C (Special District Standards)**.

4. LOT ENFRONTMENT.

Each Lot shall Enfront a vehicular Thoroughfare; provided that up to 20% of the Lots within a Development Plan site may Enfront a Path or Passage if such Lots have legal and physical vehicular access to a vehicular Thoroughfare via Driveway or other means.

ILLUSTRATION 5.F.2A CHARACTER DISTRICT STANDARDS
VILLAGE CENTER CD4

CD4 Village Center. This District consists of a medium density area centering on Main Street that has a historic mix of Building types and Residential, Retail, Office and other Commercial uses; there are shallow or no front Setbacks and narrow to medium side Setbacks; it has variable private landscaping; and it has streets with Curbs, Sidewalks, and street trees that define small to medium Blocks.





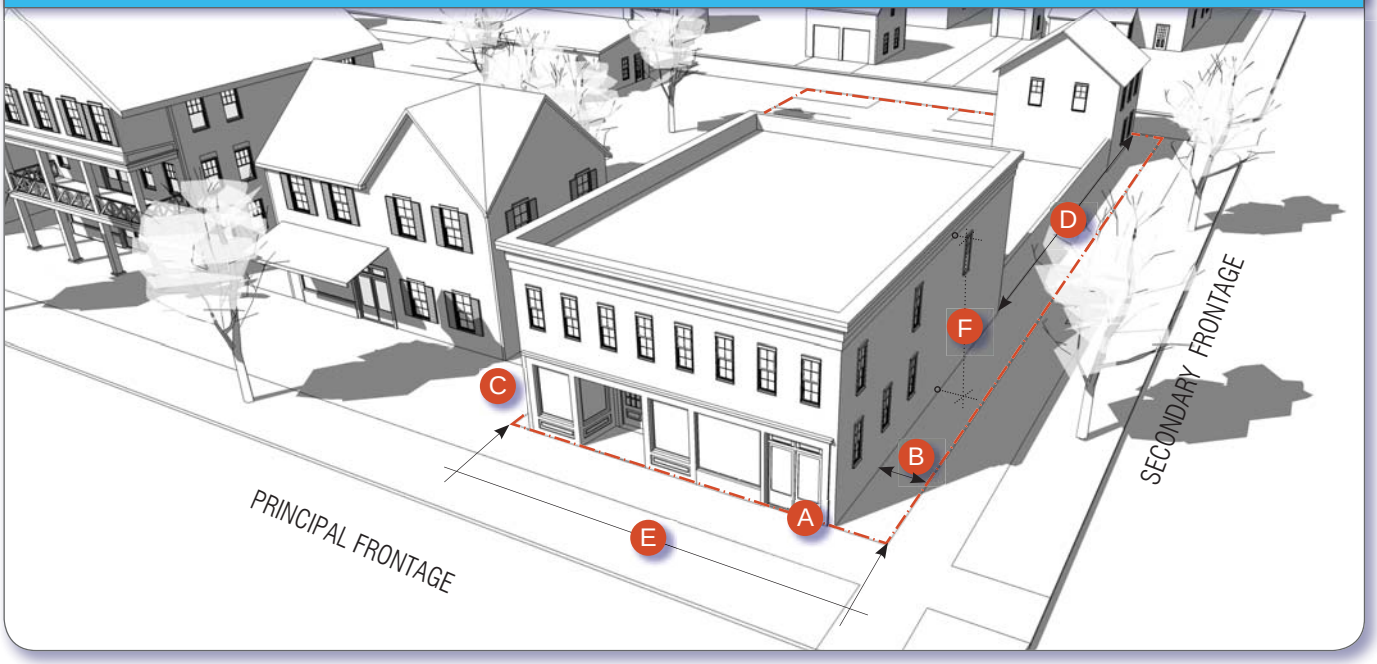






TABLE 5.F.2A CHARACTER DISTRICT STANDARDS
VILLAGE CENTER CD4

CD4 Village Center



KEY Property Line (ROW)

BUILDING PLACEMENT — PRINCIPAL BUILDING

Front Setback, Principal Frontage	0 ft min, 16 ft max	A
Front Setback, Secondary Frontage	2 ft min, 12 ft max	B
Side	0 ft min	C
Rear Setback	greater of 3 ft min or 15 ft from center line of alley, if any or from any abutting residential zone	D

YARD TYPES

(see **Table 5.G.1**)

Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted

BUILDING & LOT PRINCIPAL USE

See **Table 5.J.1**

LOT OCCUPATION

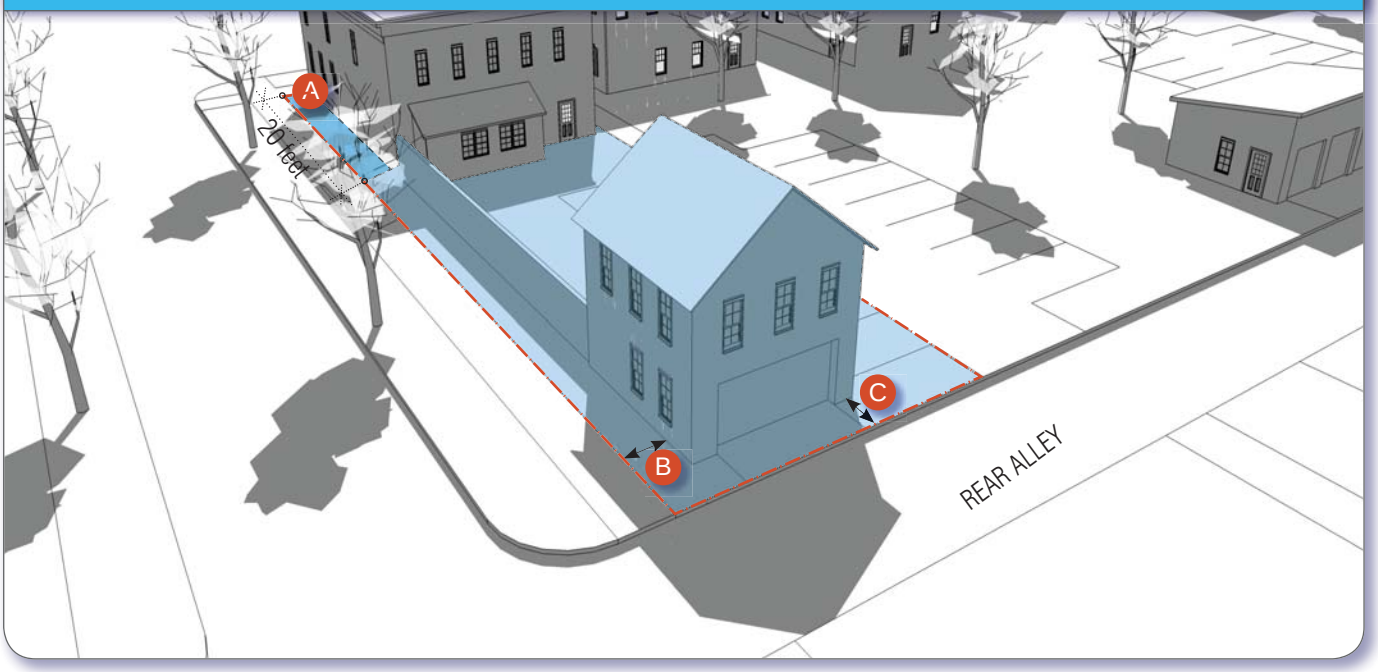
Lot Width	18 ft min, 120 ft max	E
Lot Coverage	85% max	
Frontage Buildout	40% min, 100% max at front setback	

BUILDING FORM — PRINCIPAL BUILDING

Building Height	3 stories and 35' max	F
First Story Height	10 ft min, 25 ft max	
Upper Story Height	10 ft min, 15 ft max	
Facade Glazing	20% min - 70% max non- shopfront, 70% min shopfront	
Roof Type	flat, hip, gambrel, gable, mansard	
Roof Pitch, if any	8:12 - 14:12	

TABLE 5.F.2A CHARACTER DISTRICT STANDARDS
VILLAGE CENTER CD4

CD4 Village Center



KEY — Property Line (ROW) — First Lot Layer — Second Lot Layer — Third Lot Layer

BUILDING PLACEMENT — OUTBUILDING

Front Setback	Principal Bldg setback + 20 ft min	A
Side Setback	0 ft min	B
Rear Setback	3 ft min	C

PARKING

LOCATION	
Third Lot Layer	Principal Bldg setback + 20 ft
REQUIRED SPACES / QUANTITY OF USE [Z]	
Residential Uses	See **Table 5.K.1**
Retail Uses	See **Table 5.K.1**
Office Uses	See **Table 5.K.1**
Lodging Uses	See **Table 5.K.1**
Civic and Other Uses	See **Table 5.K.1**

Subject to adjustment for Shared Parking (see **Table 5.K.2**).

PRIVATE FRONTAGES & ENCROACHMENTS

PRIVATE FRONTAGE TYPES	(see **Table 5.H.2**)
Common Yard	permitted
Porch	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
ENCROACHMENT OF BUILDING ELEMENTS	
Enclosed landings, stairs, stoops, bays, ramps and similar projections may encroach upon the indicated setbacks by the following distances.	
Front Setback, Principal Frontage	8 ft max
Front Setback, Secondary Frontage	8 ft max
Rear Setback	5 ft max

TABLE 5.F.2A CHARACTER DISTRICT STANDARDS
VILLAGE CENTER CD4

BUILDING TYPES

Cottage	permitted
House	permitted
Duplex	permitted
Apartment	permitted
Rowhouse	permitted
Live/Work	permitted
Small Commercial	permitted
Flex Building	not permitted

ILLUSTRATION 5.F.2B CHARACTER DISTRICT STANDARDS
ROUTE ONE CORRIDOR CD4-C

CD4-C Route One Corridor. This District consists of a medium- to -high density development node with a mix of Building types and residential, retail, and other commercial uses; it accommodates for pedestrian, bicycle, and vehicular activity; there are shallow or no front Setbacks and shallow or no side Setbacks; it has variable private landscaping; and it has Streets with curbs, bikeways, sidewalks and street trees that define medium to large blocks.





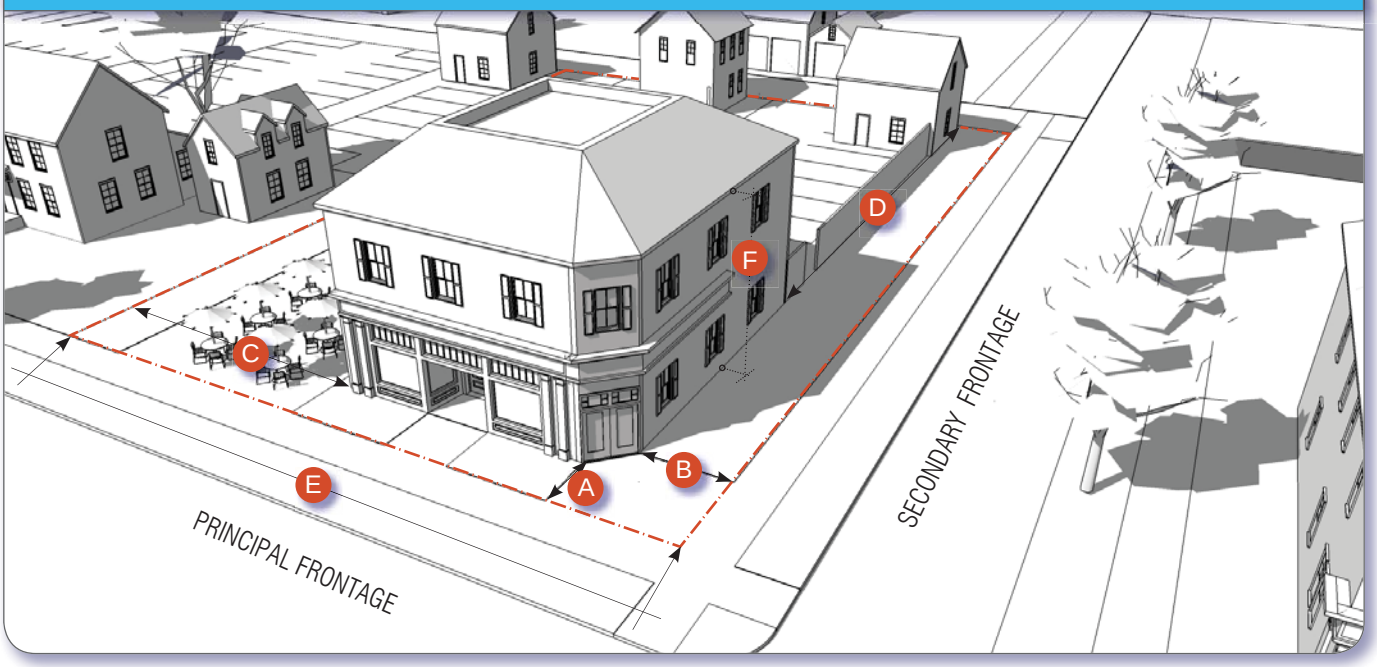






TABLE 5.F.2B CHARACTER DISTRICT STANDARDS ROUTE ONE CORRIDOR CD4-C

CD4 Route One Corridor



KEY Property Line (ROW)

BUILDING PLACEMENT — PRINCIPAL BUILDING

Front Setback, Principal Frontage	0 ft min, 15 ft max	A
Front Setback, Secondary Frontage	2 ft min, 12 ft max	B
Side Setback	0 ft min	C
Rear Setback	greater of 3 ft min or 15 ft from center line of alley or from abutting residential zone	D

YARD TYPES

(see **Table 5.G.1**)

Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted

LOT OCCUPATION

Lot Width	18 ft min, 200 ft max	E
Lot Coverage	85% max	
Frontage Buildout	50% min	

BUILDING FORM — PRINCIPAL BUILDING

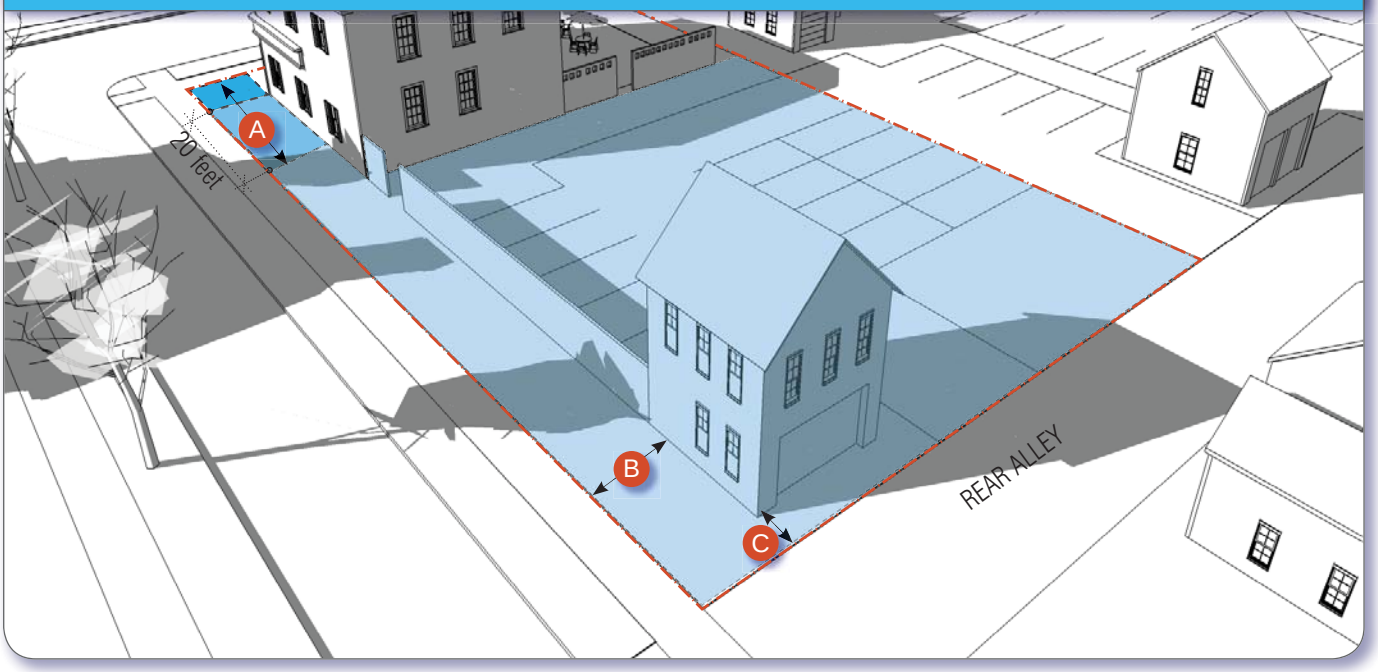
Building Height	3 stories and 35' max	F
First Story Height	10 ft min, 25 ft max	
Upper Story Height	10 ft min, 15 ft max	
Facade Glazing	20% min - 70% max non- shopfront, 70% min shopfront	
Roof Type	flat, hip, gable, gambrel, mansard	
Roof Pitch, if any	8:12 - 14:12	

BUILDING & LOT PRINCIPAL USE

See **Table 5.J.1**

TABLE 5.F.2B CHARACTER DISTRICT STANDARDS ROUTE ONE CORRIDOR CD4-C

CD4 Route One Corridor



KEY — Property Line (ROW) | First Lot Layer | Second Lot Layer | Third Lot Layer

BUILDING PLACEMENT — OUTBUILDING

Front Setback	Principal Bldg setback + 20 ft min	A
Side Setback	5 ft min	B
Rear Setback	3 ft min	C

PARKING

LOCATION	
Third Lot Layer	Principal Bldg setback + 20 ft
REQUIRED SPACES / QUANTITY OF USE [Z]	
Residential Uses	n/a
Retail Uses	See **Table 5.K.1**
Office Uses	See **Table 5.K.1**
Lodging Uses	See **Table 5.K.1**
Civic and Other Uses	See **Table 5.K.1**

[Z] Subject to adjustment for Shared Parking (see **Table 5.K.2**).

PRIVATE FRONTAGES & ENCROACHMENTS

PRIVATE FRONTAGE TYPES	(see **Table 5.H.2**)
Common Yard	permitted
Porch	permitted
Forecourt	permitted
Stoop	permitted
Shopfront	permitted
ENCROACHMENT OF BUILDING ELEMENTS	
Enclosed landings, stairs, stoops, bays, ramps and similar projections may encroach upon the indicated setbacks by the following distances.	
Front Setback, Principal Frontage	10 ft max
Front Setback, Secondary Frontage	10 ft max
Rear Setback	5 ft max

TABLE 5.F.2B CHARACTER DISTRICT STANDARDS ROUTE ONE CORRIDOR CD4-C

BUILDING TYPES

Cottage	permitted
House	permitted
Duplex	permitted
Apartment	permitted
Rowhouse	permitted
Live/Work	permitted
Small Commercial	permitted
Flex Building	permitted

SECTION G.
BUILDING PLACEMENT & YARD TYPES

1. BUILDING PLACEMENT.

Buildings shall be located in relation to the boundaries of their Lots:

a. within each Character District according to **Tables 5.F.2A-5.F.2C (Character District Standards)**; and

b. within each Special District, according to any applicable standards set forth on **Table 4.C (Special District Standards)**.

2. YARD TYPES.

Buildings and Lots shall conform to the Yard Type standards:

a. within each Character District, as set forth on **Table 5.G.1 (Yard Types)**; and

b. within each Special District, as set specified in any applicable Yard Type standards set forth or referenced in **Table 4.C (Special District Standards)**.

3. PRINCIPAL BUILDING.

Within each Character District:

a. the Principal Building shall be oriented toward and situated generally at the Frontage, as illustrated generally in **Illustration 5.G.2 (Principal Building/ Backbuilding/Outbuilding)**, or oriented toward and situated generally at a Path, Passage or waterbody to the extent allowed in **Article 5.F.4.**

4. BACKBUILDING / OUTBUILDING.

Within each Character District, one Backbuilding and one Outbuilding may be built on each Lot to the rear of the Principal Building, as illustrated generally in **Illustration 5.G.2 (Principal Building/Backbuilding/ Outbuilding)**.

5. BUILDING FACADES.

a. Within each Character District, Building Facades shall be built:

   i. if Adjacent to a Thoroughfare, parallel to a rectilinear Frontage Line or to the tangent of a curved Principal Frontage Line, or

   ii. to the extent that Buildings and Lots are allowed to Enfront a Path, Passage or waterbody by **Article 5.F.4**, parallel to a rectilinear front Lot Line or to the tangent of a curved front Lot Line Adjacent to such Path, Passage or waterbody.

b. In each Character District, the Façade of the Principal Building shall be built along the minimum percentage of the front Lot Line width at the Setback, as specified as Frontage Buildout on **Tables 5.F.2A – 5.F.2C (Character District Standards)**. A Streetscreen may be substituted for a Façade for up to 20% of the applicable Frontage Buildout requirement.

6. BUILDING SETBACKS.

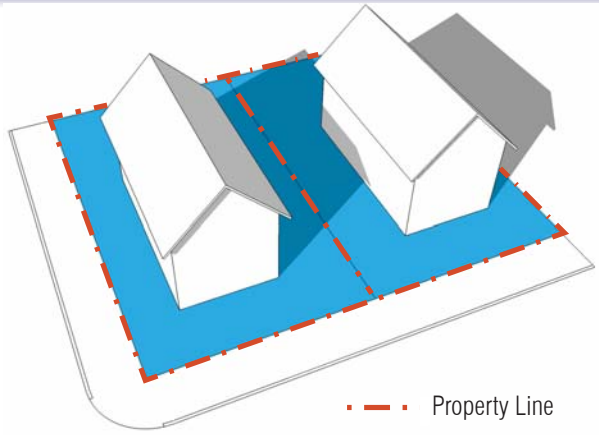
a. Within Character District CD4-C, Setbacks for Buildings shall be as shown in **Tables 5.F.2A – 5.F.2C (Character District Standards)**. See **Illustration 5.G.3 (Setback Designations).**

b. Within each Special District, Setbacks for Buildings shall comply with any applicable

TABLE 5.G.1 YARD TYPES

Edgeyard

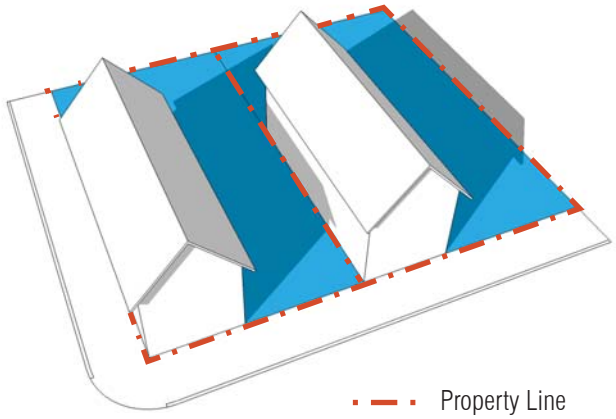
CD4 CD4-C



Specific Types - cottage, house, apartment, small commercial Building, flex Building. A Building that is set back from the frontage and at the rear, and is separated from other Buildings on both sides. Such Building may be built at or set back from the Frontage line. The front yard is intended to be visually continuous with the yards of adjacent Buildings. The rear yard can be secured for privacy by fences and a well- placed Backbuilding and/or Outbuilding.

Sideyard

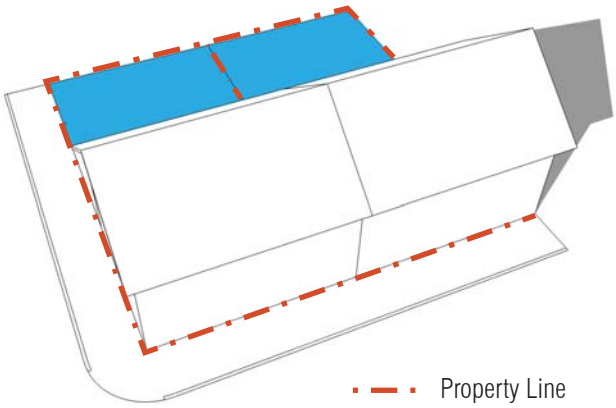
CD4 CD4-C



Specific Types - single house, duplex, zero lot line house, and commercial. A Building that occupies one side of the Lot with a Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the Adjacent Building is similar with a blank side wall, the yard can be quite private. A Sideyard House may be a neighboring Sideyard House.

Rearyard

CD4 CD4-C



Specific Types - Rowhouse, Live-Work unit, shopfront, apartment, Flex Building. A Building that occupies the full Frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking.

standards set forth or referenced in **Table 4.C (Special District Standards)**.

c. To accommodate slopes over ten percent, relief from front Setback requirements may be granted by Waiver.

ILLUSTRATION 5.G.2 PRINCIPAL BUILDING/BACKBUILDING/OUTBUILDING

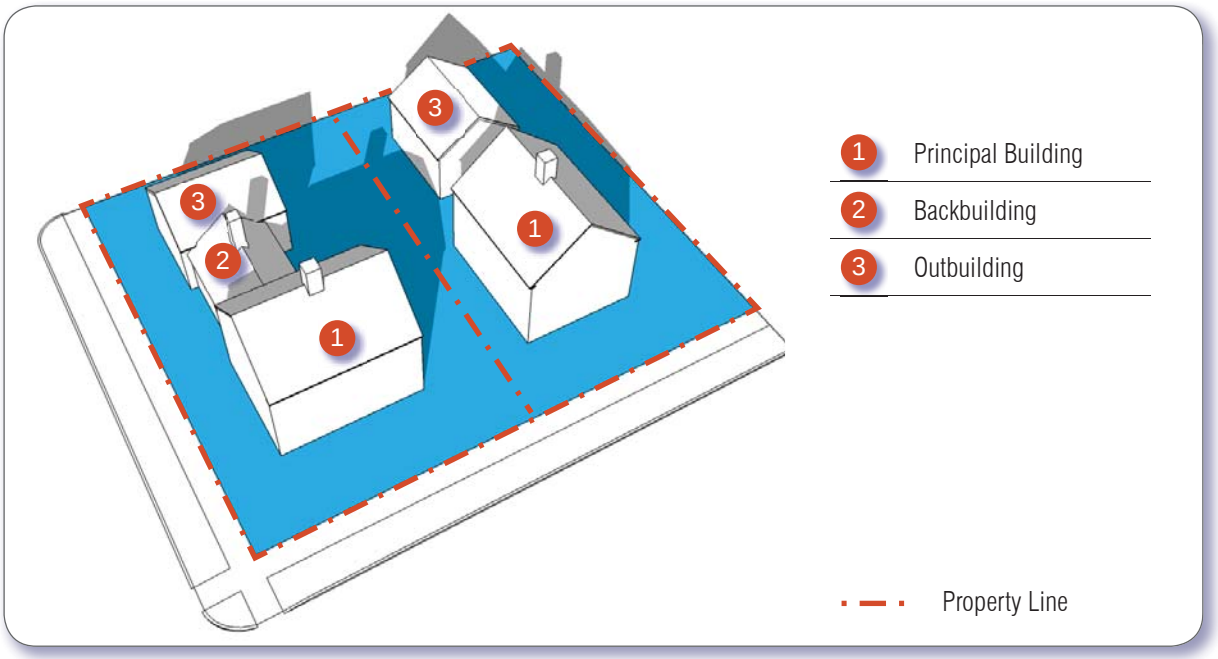
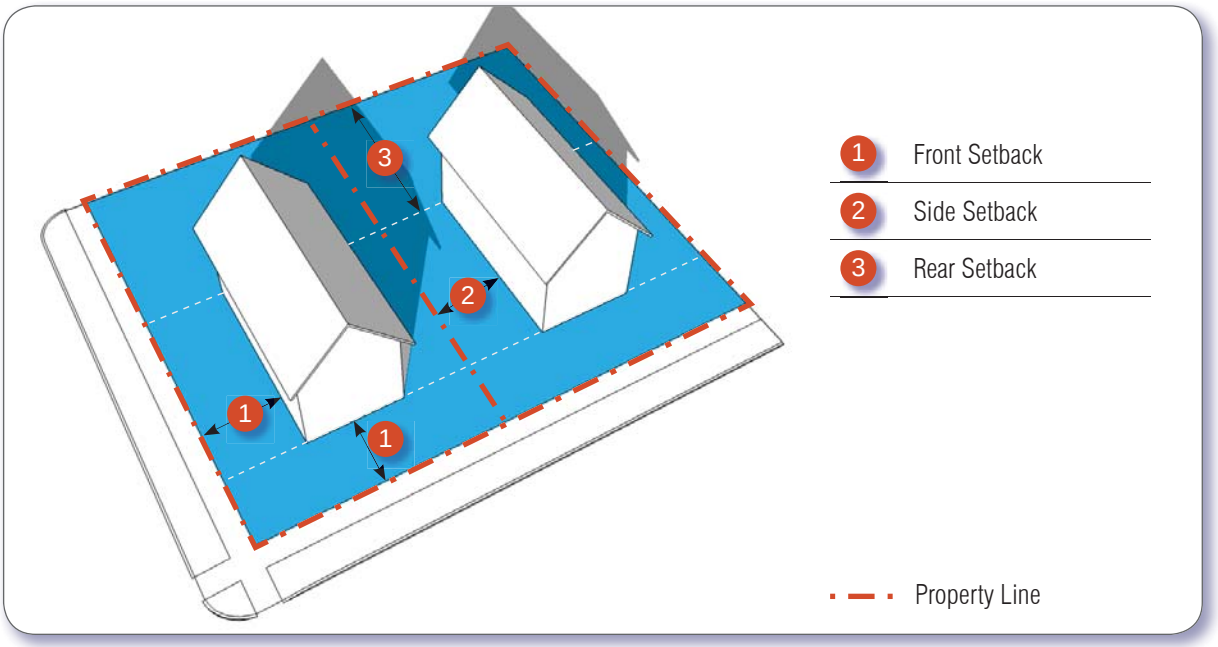


ILLUSTRATION 5.G.3 SETBACK DESIGNATIONS



SECTION H.
BUILDING FORM & BUILDING TYPE

1. PRIVATE FRONTAGE - GENERAL.

The Private Frontage of Buildings:

a. within each Character District shall conform to and be allocated in accordance with **Table 5.H.2 (Private Frontage Types)** and **Tables 5.F.2A-5.F.2C (Character District Standards)**; and

b. within each Special District shall conform to and be allocated in accordance with any applicable standards set forth on or referenced in **Table 4.C (Special District Standards)**.

2. PRIVATE FRONTAGE ON CORNER LOTS.

Buildings on Corner Lots shall have two Private Frontages, a Principal Frontage and a Secondary Frontage, as illustrated generally in **Illustration 5.H.1 (Frontage & Lot Lines)**. Prescriptions for the Second Lot Layer and Third Lot Layer of Corner Lots pertain only to the Principal Frontage. Prescriptions for the First Lot Layer of Corner Lots pertain to both Frontages. See **Illustration 5.F.1 (Lot Layers)**.

3. BUILDING & STORY HEIGHT.

a. Building and story heights within each Character District shall conform to **Tables 5.F.2A-5.F.2C (Character District Standards)**.

b. Building Heights within each Special District shall conform to any applicable standards set forth or referenced in **Table 4.C (Special District Standards)**.

c. In calculating height, Mezzanines extending beyond 33% of the floor area below shall be counted as an additional Story.

d. In calculating height of a Parking Structure or Garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.

e. In calculating the height of a Building, none of the following shall be considered: masts, belfries, cupolas, clock towers, chimney flues, water tanks, or elevator bulkheads.

4. ROOF TYPE & PITCH.

Building roof type and pitch within each Character District shall conform to **Tables 5.F.2A-5.F.2C (Character District Standards)**.

5. FAÇADE GLAZING.

Window glazing of Building Facades within each Character District shall conform to **Tables 5.F.2A-5.F.2C (Character District Standards)**.

6. HABITABLE AREA OF ACCESSORY DWELLING UNIT.

The habitable area of an Accessory Dwelling Unit within a Principal Building, Backbuilding or Outbuilding shall be at least the minimum size adopted by the Technical Building Code and Standards Board pursuant to 10 M.R.S §9722 and shall not exceed 900 square feet.

7. STREETSCREENS.

Any Streetscreen shall be built co-planar with the Façade and shall be between 3.5 and 6 feet in height. Streetscreens shall have continuity of form for their entire length.

8. BUILDING TYPE.

Buildings in each Character District shall be of one or more of the Building Types specified for such Character District in **Table 5.H.3 (Building Types)**.

ILLUSTRATION 5.H.1 FRONTAGE AND LOT LINES

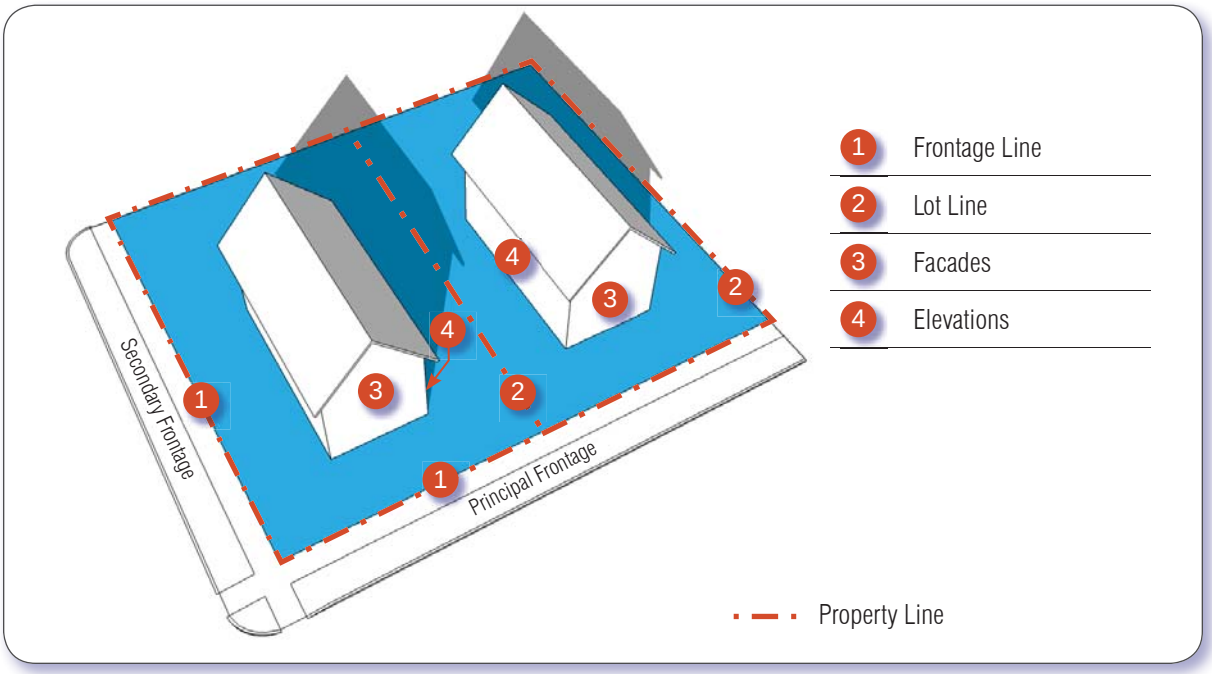
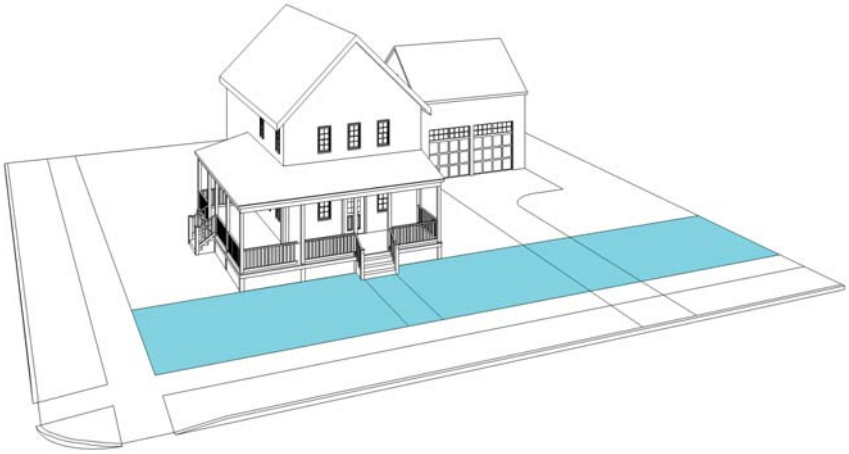


TABLE 5.H.2 PRIVATE FRONTAGE TYPES

Common Yard

CD4 CD4-C



A planted Frontage wherein the Facade is set back substantially from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The deep Setback provides a buffer from the higher speed Thoroughfares.

Porch

CD4 CD4-C



A planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch or stoop permitted to Encroach. This may be used with or without a fence to maintain street spatial definition. Porches shall be no less than 8 feet deep.

TABLE 5.H.2 PRIVATE FRONTAGE TYPES (CONTINUED)

Stoop

CD4 CD4-C



A Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.

Forecourt

CD4 CD4-C



A Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.

TABLE 5.H.2 PRIVATE FRONTAGE TYPES (CONTINUED)

Shopfront

CD4 CD4-C

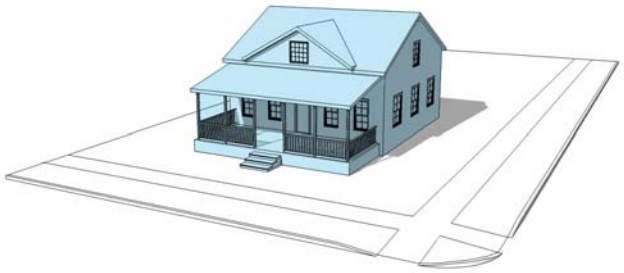


A Frontage wherein the Facade is aligned close to the Frontage Line with the Building entrance at Sidewalk grade. This type is conventional for Retail use. It has a substantial glazing on the Sidewalk level and may have an awning that may overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage.

TABLE 5.H.3 BUILDING TYPES

Cottage

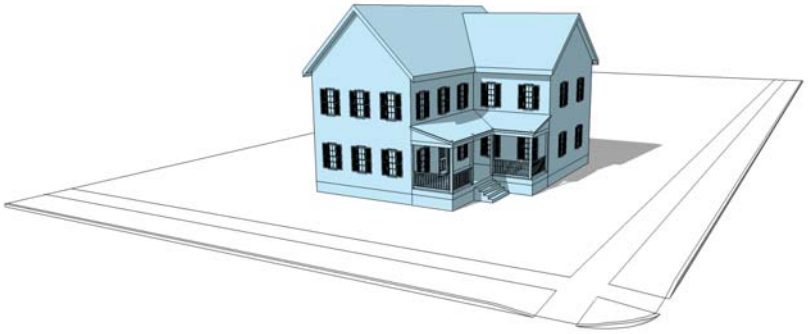
CD4 CD4-C



Cottage: a Building having an Edgeyard yard type, initially intended as a single-family dwelling, usually on a small Lot that may be shared with an Accessory Building in the back yard.

House

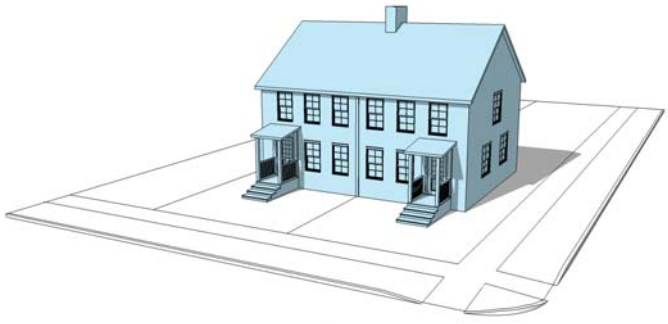
CD4 CD4-C



House: Building having an Edgeyard yard type, initially intended as a single-family dwelling on a medium to large Lot, often shared with an Accessory Building in the back yard.

Duplex

CD4 CD4-C



Duplex: a Building that occupies one side of the Lot with the Setback to the other side, initially intended as a single-family dwelling, usually on a small Lot that may be shared with an Accessory Building in the back yard.

TABLE 5.H.3 BUILDING TYPES (CONTINUED)

Apartment

CD4 CD4-C



Apartment: a Building with an Edgeyard yard or Rear yard type, initially intended for a Residential Principal Use, may be for rent, or for sale as a condominium.

Rowhouse

CD4 CD4-C



Rowhouse: a Building Type having a Rearyard Yard Type, initially intended for single-family dwelling, that shares a party wall with another of the same type and occupies the full Frontage Line. See Rearyard Building. (Syn: Townhouse).

Live / Work

CD4 CD4-C



Live-Work: a Mixed Use unit designed to accommodate commercial use and a Residential use. The commercial function may be anywhere in the unit. (Syn.: flexhouse.)

TABLE 5.H.3 BUILDING TYPES (CONTINUED)

Small Commercial Building

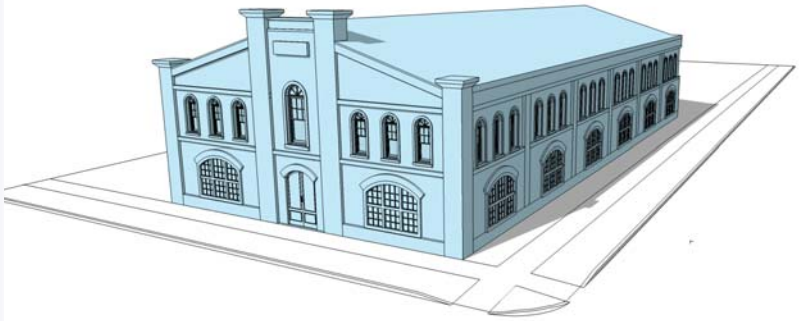
CD4 CD4-C



Small Commercial Building: a Building having a Shopfront at the ground floor that may be used for Retail, Office, Medical, Commercial, Artisanal Light Industrial, Workshop, Service, Personal Service, Civic, Education, or other permitted functions. The floors above may be used for a Residential Principal function or for any other permitted function.

Flex

CD4-C



Flex Building: a medium to large sized Building having a ground floor that may be used for Retail, Service, or other functions permitted in the applicable Character District. The floors above may be used for Service, Office, Residential uses; or it may be a single-use Building, typically Retail, , or Service, where ground floor retail is not appropriate.

SECTION I.
ENCROACHMENTS

Encroachments of Building Elements shall be allowed within each Character District as set forth in **Tables 5.F.2A-5.F.2C (Character District Standards)**.

SECTION J.
USES

1. PRINCIPAL USES.

a. Buildings and Lots in each Character District shall conform to the Principal Uses on **Table 5.J.1 (Building and Lot Principal Use)**, for such Character District. Multiple Principal Uses may exist within a Building or Lot.

b. Buildings and Lots in each Special District shall conform to any applicable Principal Uses specified or referenced in **Table 5.J.I (Building & Lot Principal Use)**.

2. ACCESSORY USES.

Buildings and Lots may contain or accommodate one or more Accessory Uses, as defined in **Article 7 (Definitions)**. Home Occupations shall be allowed in any District as per **Chapter 701, Article II.J**.

TABLE 5.J.1 BUILDING & LOT PRINCIPAL USE

Permitted Districts:	CD4	CD4 -C	SD1
RESIDENTIAL			
Single Detached Dwelling	Y	Y	Y
Accessory Dwelling Unit	Y	Y	Y
Attached Dwelling – Duplex	Y	Y	Y
Attached Dwelling - Multi Plex (3-8)	Y	Y	
Attached Dwelling – Multifamily (>8)	Y	Y	
Attached Dwelling – Mixed Use	Y	Y	
Artist Live/Work Space	Y	Y	
Affordable Housing Development	Y	Y	
LODGING — SPECIAL			
Adult Day Care	Y	Y	
Assisted Living Facilities (See Definition)	Y	Y	
Boarding House	Y	Y	
Convalescent Nursing Home	Y	Y	
Dormitory		Y	Y
Group Home (See Definition)	Y	Y	
LODGING — GENERAL			
Hotel		Y	
Motel		Y	
Inn (6-12 rooms)	Y	Y	
Bed & Breakfast (1-5 rooms)	Y	Y	
Hostel	Y	Y	
OFFICE			
Lab - Large (5,000 sf or larger)		Y	
Lab - Small (Less than 5,000 sf)	Y	Y	
Office – General		Y	
Office - Micro (Less than 3,000 sf)	Y	Y	Y
RETAIL / PERSONAL SERVICES / ARTISAN			
Animal (Small) Boarding / Kennel / Shelter (less than 3,000 sf)		Y	
Animal Hospital / Veterinarian Office	Y	Y	
Auction House		Y	
Bank / Credit Union	Y	Y	
Cinema, maximum 2 screens	Y	Y	
Cinema, greater than 2 screens		Y	
Drive Through - Bank / Credit Union / Pharmacy/Grocery		Y	
Eating/Drinking Establishments - Small (Less than 80 seats) (Excluding Drive Through)	Y	Y	
Eating/Drinking Establishments - Large (> 80 seats) (Excluding Drive Through)		Y	
Gen. Mdse / Retail –Small (Under 4,000 sf)	Y	Y	
Gen. Mdse / Retail – Large (4,000 sf up to 40,000 sf) (May include small equipment rental)		Y	

Y: Permitted by Right * If a use is not permitted by right, it is not permitted

TABLE 5.J.1 BUILDING & LOT PRINCIPAL USE

Permitted Districts:	CD4	CD4 -C	SD1
RETAIL / PERSONAL SERVICES / ARTISAN (CONT'D)			
Adult Use Cannabis Establishment			
Medical Cannabis Establishment			
Personal Services - Small (<4,000 sf)	Y	Y	
Personal Services - Large (>4,000 sf)		Y	
Pet Grooming, no Overnight Boarding	Y	Y	
Printing Shop	Y	Y	
Studio (See Definitions)	Y	Y	
CIVIC **			
Aquarium		Y	
Civic Spaces (See Table 6.G)	Y	Y	Y
Community Center	Y	Y	Y
Conference Center, Under 4,000 sf		Y	Y
Conference Center, Under 2,500 sf	Y		
Funeral Home		Y	
Library	Y	Y	Y
Municipal Uses and Buildings	Y	Y	Y
Museum / Gallery	Y	Y	Y
Nature / Conservation Center	Y	Y	
Parking Structure (Parking Garage) as per **Article 5.L.5**	Y	Y	Y
Parking Lot - Subject to standards of **Article 5.L**	Y	Y	Y
Post Office	Y	Y	
Public Transit Facility		Y	
Performing Arts Center/Auditorium	Y	Y	Y
Recreational Facility, Public	Y	Y	Y
Seasonal Outdoor Market/Farmers Market (Max 2 days per week)	Y	Y	
Sports Stadium			Y
Transit Shelter	Y	Y	Y
Worship, Place of	Y	Y	Y
AGRICULTURE			
Commercial Greenhouse/Garden		Y	
Community Garden		Y	Y
Food Pantry, Under 5,000 sf	Y	Y	Y
Food Pantry, 5,000 sf or greater		Y	
VEHICLE / VESSEL			
Automobile Body Shop		Y	
Automobile / Vehicle Service/Parts Suppiers		Y	
Automobile Sales, Rental or Storage – New / Used		Y	
Boat Service / Marine Parts		Y	
Boat Sales / Rentals/ Storage (All Boat Parking Subject to Liner Building as per Parking structures)		Y	
Electric Vehicle Charging Facility		Y	
Fuel Service Station		Y	

Y: Permitted by Right

* If a use is not permitted by right, it is not permitted

TABLE 5.J.1 BUILDING & LOT PRINCIPAL USE (CONTINUED)

Permitted Districts:	CD4	CD4 -C	SD1
VEHICLE / VESSEL (CONT'D)			
Marina/Boatyard			
Marine Services			
Truck Sales/Services/Rental/RV Rental			
RECREATIONAL			
Recreational Facility – Indoor – Comm'l		Y	
INSTITUTIONAL			
Hospital		Y	
Medical Clinic	Y	Y	
MFG / WHSE			
Bakery – Wholesale		Y	
Brewery, Nano (See Definition)	Y	Y	
Brewery, Small (See Definition)		Y	
Building Material Sales	Y***	Y	
Contractor Yard			
Distribution Center			
Food Processing - Artisanal	Y	Y	
Light Industrial			
Machine Shop		Y	
Manufacturing, Light, Under 10,000 sf		Y	
Warehouse			
Warehouse – Self Storage			
Wholesale Sales			
Winery, Small (See definition)		Y	
Woodworking Shop	Y	Y	
EDUCATION			
Day Care – Small (<7 children)	Y	Y	Y
Day Care – Large (>6 children)	Y	Y	Y
Primary	Y	Y	Y
Secondary	Y	Y	Y
College, University or Trade School		Y	Y
College, University or Trade School, Under 6,000 sf	Y		
OTHER: UTILITIES			
Wireless Communication Facilities (Subject to 701.II.Z)	Y	Y	Y
Public Utilities - CRC may refer to Planning Board	Y	Y	Y
Accessory Solar Energy Systems (Subject to 701.II.F)	Y	Y	Y

Y: Permitted by Right

* If a use is not permitted by right, it is not permitted
*** In existence as of April 12, 2018

SECTION K.
PARKING CALCULATIONS

1. PARKING REQUIREMENTS.

a. Actual Parking on a Lot shall be determined based on the quantity of Principal Use(s) of the Lot and the number of spaces of Actual Parking required to be attributable to the Lot, as determined pursuant to **Article 5.K.2** by **Table 5.K.1 (Parking Requirements)**.

b. The number of spaces of Actual Parking attributable to a Lot shall not be greater or less than the number of spaces of parking determined by **Table 5.K.1 (Parking Requirements), unless modified pursuant to Article 5.K.5, (Parking Adjustment) below,** based on the quantity of Principal Use(s) of the Lot.

TABLE 5.K.1 PARKING REQUIREMENTS

PRINCIPAL USE	Parking maximum and minimum range:
Residential	1 per dwelling unit Min; 2 Max.[1]
Affordable Housing Development	2 per 3 dwelling units Max
Lodging	1 per 2 bedrooms Min; 1 per bedroom Max
Office	2 per 1,000 sf, Min; 4 per 1,000 sf Max
Retail	2 per 1,000 sf Min; 4 per 1,000 sf Max
Restaurants	1 per 4 seats Min; 1 per 2.5 seats Max
Other	3 per 1,000 sf or as per use Parking Analysis

1. An Accessory Dwelling Unit does not require any additional parking beyond what is required for the single-family dwelling.

c. Parking spaces closest to the primary entrance shall be reserved for the requisite number of handicap spaces.

d. Up to 10% of spaces in close proximity to the primary entrance may be signed to give to reduced mobility individuals.

e. Electric Vehicle Charging Stations shall be provided in accordance with the requirements of Chapter 701, Article II.H.

f. One bicycle rack (capacity for 2 bicycles) shall be provided for every 20 parking spaces or major fraction thereof, or for retail or for commercial use with on-street parking or less than 20 spaces, one bicycle rack per 2,000 sf of floor area for public visitation.

2. ACTUAL PARKING.

For purposes of this **Article 5.K "Actual Parking attributable to a Lot"** shall mean and be calculated as the sum of the following:

a. all parking spaces within the Lot,

b. all parking spaces which are Adjacent to a Frontage Line created by an adjoining Thoroughfare, and on the same side of the Thoroughfare as the Lot, and

c. if elected by the applicant, all parking spaces within a Parking Lot or Parking Structure available by parking agreement or easement which are within the same Block as the Lot or Adjacent to the Block in which the Lot is situated.

d. Any fractional spaces of Actual Parking shall be rounded down to the nearest whole number.

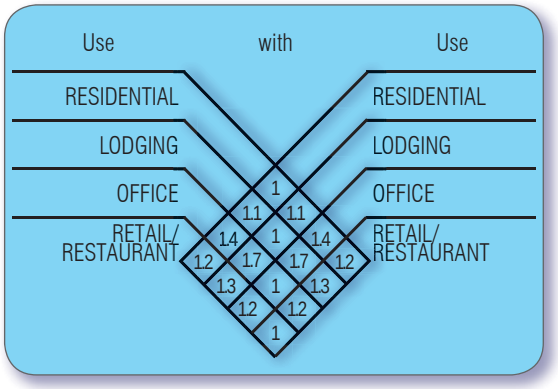
3. SHARED PARKING FACTOR.

For purposes of this **Article 5.K**, the number of parking spaces of Actual Parking required to be attributable to a Lot pursuant to **Article 5.K.2.b** may be reduced, at the election of the applicant, by dividing the number of spaces of Actual Parking required to be attributable to the

Lot by the applicable Shared Parking Factor.

The applicable Shared Parking Factor is determined under **Table 5.K.2 (Shared Parking Factor)** for any two Principal Uses within the Lot or within the Lot and any other Lot within the same Development Plan or multiple lots under a common development scheme.

TABLE 5.K.2 SHARED PARKING FACTOR



4. LINER BUILDINGS.

In determining compliance with **Article 5.K.2,** Liner Buildings less than 30 feet deep and no more than two Stories shall not be counted.

5. PARKING AND TRANSPORTATION MANAGEMENT OPTION.

The permitting authority may adjust parking requirements considering such criteria as site constraints, available off site parking (on- or off-street), alternative modes of commuting (bicycle, walking, rideshare, transit), etc. In such cases, the applicant shall develop a Parking Management Plan or, for larger projects, a Transportation Demand Management (TDM) Plan. Such management plans provide a framework for shared or episodic parking solutions, and for TDM plans a comprehensive strategy to reduce parking demand through a combination alternative commute arrangements such as ride-sharing, car-sharing, transit, bicycling, walking, etc. A TDM plan shall include a program narrative, designation of a TDM coordinator, a user survey, parking reduction targets, alternative commute strategies and related infrastructure, incentives and inducements, education, and monitoring and reporting. Failure to achieve target parking reductions shall require remedies to revise the program or provide more parking.

SECTION L. PARKING, LOADING, DRIVEWAY, SERVICE, STORAGE, DRIVE-THROUGH & WASTE RECEPTACLE LOCATIONS AND STANDARDS

1. LOCATION; ACCESS

a. All Parking Areas and detached Garages located within Lots shall be located in the Second Lot Layer or Third Lot Layer, as applicable to the Character District.

b. All loading, storage, service, drive-through, and waste receptacle locations within Lots shall be located in the Third Lot Layer.

c. Parking, loading, service, storage, drive-through, and waste receptacle locations shall be accessed by Alleys or Lanes when such are available.

d. **Access Management:** Parking and

ILLUSTRATION 5.L DRIVE-THROUGH ILLUSTRATIONS

EXAMPLE DRUGSTORE





EXAMPLE BANK





circulation patterns shall be integrated with neighboring properties to the maximum practical extent to reduce curb openings and allow for vehicle and pedestrian circulation between adjacent properties without re-entering the adjacent roadway, and to enable shared parking arrangements.

2. SCREENING.

Drive-throughs, Parking Areas and Parking Lots, loading areas, service areas, storage areas, and waste receptacles shall be screened from the Frontage by a Building or Streetscreen , except at any Driveway. See **Illustration 5.L (Drive-Through Illustration).** Parking Structures shall be screened from the Frontage by a Liner Building as required by **Article 5.M.7.d.**

3. DRIVEWAY WIDTH.

Driveways at Frontages shall be no wider than 24 feet in the First Lot Layer.

4. PEDESTRIAN EXITS.

Pedestrian exits from all Parking Lots, Garages, and Parking Structures shall be directly to a Frontage Line and not directly into a Building, except for underground parking accommodations.

5. LINER BUILDINGS REQUIRED.

Parking Structures shall have Liner Buildings lining at least the first and second Stories of the Parking Structure from the street view.

SECTION M.
ARCHITECTURAL STANDARDS

The Architectural Standards in this **Article 5.M** shall be applicable to Buildings, Lots, Improvements, and Structures. Except as otherwise expressly provided for, such Architectural Standards shall not be applicable to Backbuildings and Outbuildings. The major goal of these architectural standards is to ensure that new development and redevelopment in any Character or Special District is attractive and visually compatible and complementary with the established and traditional historic form, scale, character and architecture of Yarmouth Village with regard to those categories of major architectural elements delineated below: **Composition, Walls, Attachments and Elements, Roofs, Openings Windows and Doors,** and **Miscellaneous**. These standards are to be administered with discretion to ensure that the overall intent of traditional patterns and historic character is achieved as a whole relative to the neighborhood context, and to allow adjustments to meet ADA requirements, or other such circumstances.

1. COMPOSITION.

With respect to **composition**, the following Architectural Standards shall be applicable to the composition of Buildings, Improvements and Structures:

a. **Buildings of three stories** shall be designed to have a defined base, a middle, and top that includes an articulated cornice and roof, appropriate to the Building style, which shall be accomplished by such measures as:

i. The **top** shall also include the upper Story.

ii. **Base transition line** locations shall depend on the overall height of the Building, with such transition line usually occurring above the first floor.

iii. The **design of the base** of a Building, as well as the quality and durability of its materials, shall be emphasized.

iv. The **upper transition line** shall occur below the upper floor windows. In many cases, the windows within the top may be square or shorter than those of the floors below.

v. **Transition lines** may consist of a continuous, shallow balcony, a short setback, or a slightly articulated trim course.

vi. The **transition** may be supported by a change of window rhythm or size and a change in material or color.

vii. An **articulated cornice** shall be

provided where the of the Building wall meets the roof.

b. Greater relative care shall be given to the design and the allocation of expense and **workmanship to Building Facades** than that given to other Elevations that are not readily visible from any street.

c. **Frontages** of new Buildings shall be harmonious with the Block face on both sides of the Thoroughfare which the Building enfronts.

d. **Building Facades** shall be highly fenestrated, utilize classic composition and proportions, and composed to avoid a monolithic or monotonous effect, through use of such measures as:

   i. **Blank walls** are prohibited at Frontages.

   ii. The **Facades** of Buildings with continuous façades of 60 feet or greater in width shall be provided with an entrance for every 50 feet of Façade where practicable, and shall be designed with projecting or recessed offsets not less than 2 feet deep, and at intervals of not greater than 50 feet.

   iii. The first floor and all other floors shall have a **coordinated composition**, which will usually be indicated by the alignment of upper floor windows and other features with openings and features of the first floor.

e. **Principal Buildings** shall have a **Principal Entrance(s)** which shall generally face any Adjacent Thoroughfare. Entryways shall clearly be the main focus of the Façade, and for multifamily, commercial, or mixed use Buildings, shall be directly accessible to the lobby, common area, and elevator lobby, if provided. Principal Buildings shall generally be placed parallel to the Adjacent Thoroughfare with a constant setback.

f. **Residential finished floor** level of the first floor shall be 2 feet to 6 feet above Sidewalk or adjacent grade level in the front, but may be on grade in the rear. Residential windows at the sill shall generally be 5 feet min. from the grade of the adjoining Sidewalk. First floors of Buildings with Shopfront Frontages shall be located at Sidewalk grade.

2. WALLS.

With respect to walls of Buildings, Structures and Improvements, the following shall be applicable:

a. **Material choices** shall be appropriate to the chosen architectural style and shall be authentic, durable, and representative of or visually compatible with the predominant materials in use within the visual vicinity of Yarmouth Village. This may be accomplished by such measures as:

   i. **Exterior materials** shall be durable and of high quality, with a life expectancy exceeding 25 years.

   ii. **Building walls and gables** of Principal Buildings shall be natural stone, painted or unpainted brick or painted or opaque stained smooth-cut wood shingle, wood tongue and groove, wood clapboard siding, wood board-and-batten siding or smooth cementitious siding with all exposed surfaces painted. Façade materials or cladding comprising Exterior Insulated

Finish System (EIFS), (including stucco, Driv-It, or similar products), and vinyl or aluminum siding are generally not allowed on Facades.

iii. If the **Building walls** of a Principal Building are stone or brick then the Backbuilding or Outbuilding may also be masonry, otherwise all Backbuildings and Outbuildings shall be made of wood or cementitious siding or wood shingles.

iv. **Reflective wall materials** are prohibited.

v. **Smooth-face concrete block** is prohibited as an exterior material. Split-face block may be used on Elevations not exposed to Thoroughfares.

vi. **Brick** shall be of standard dimensions or Roman sized and shall have minimal color variation.

vii. **Columns** shall be brick, natural stone, painted synthetic or composite wood, painted or opaque stained wood.

viii. **Foundation walls**, retaining walls, piers and pilings shall be block or poured concrete. Exposed block or concrete shall not exceed 12 inches in height or must be finished in native stone, or painted or unpainted brick or other appropriate durable cladding or surface treatment.

b. **Façade design and composition** shall be representative of or compatible with the character of Buildings in the visual vicinity of Yarmouth Village, through such design measures as the following:

i. **Building wall materials** may be combined on each Facade with the heavier below the lighter.

ii. **Building walls and gables** of Backbuildings and Outbuildings shall be designed to harmonize with the form, color, and details of their associated primary structure.

iii. **Building walls** shall be one color per material used. Paint for masonry applications shall have a flat finish.

iv. **Mortar color** value (lightness/darkness) for natural brick or stone shall be in the tan or warm range, not white.

v. **Facades** (and both front Facades of a corner Building) of any one Building shall be made of the same materials and similarly detailed.

vi. **Columns** shall be proportioned according to the standards set forth in Traditional Construction Patterns by Steve Mouzon.

vii. **Intercolumniation** (distance between columns) on the ground floor shall be vertically proportioned.

viii. Except for hedge Streetscreens, **Streetscreens** shall be constructed of a material matching any Adjacent Facade.

ix. **Columns** shall have capitals and bases, except Doric columns with no base.

c. **Construction methods** shall encourage the traditional building methods of

Yarmouth Village, incorporating such practices as the following:

i. **Board-and-batten siding** shall have "boards" no more than 12 inches in width and "battens" no more than 2 inches in width. Board-and- batten siding shall be installed so there are no visible joints in the underlying board material.

ii. **Foundation openings** shall be appropriately scaled and sized, shall occur in sufficient quantities, and shall respond to the grade of the lot to allow for drainage and ventilation.

iii. **No more than three (3) materials** may be used on the Facade of a Building in addition to the basement or undercroft.

iv. **Stone** shall be native material and laid in local historic patterns. Use of native New England stone is encouraged.

v. **Brick** shall be laid in a horizontal running bond, common bond, English bond or Flemish bond pattern with raked mortar joints of not greater than 3/8 inch in height. Variations such as soldier course and other articulated brick coursing are allowed.

vi. **Shingles and siding** shall be 8 inches maximum to the weather. Shingles shall be machine cut with the bottom edges aligned.

vii. **Arches and piers** shall be natural stone or brick. Piers shall be no less than 12 x 12 inches in plan. Arches shall be no less than 8 inches thick.

viii. **Posts** shall be painted or opaque stained wood or painted synthetic or authentic wood no less than 6 x 6 inches.

ix. **Foundation walls** shall be exposed a minimum of 6 inches and a maximum of 36 inches above grade.

x. **Surface-applied waterproofing** shall not be visible.

xi. **Exterior trim** shall be indistinguishable from wood when painted. Trim shall be pine graded better than number 2, fiber-reinforced cementitious trim, or PVCBD-based products.

xii. All **exposed wood**, except cedar shake shingles, shall be painted or opaque stained.

3. ATTACHMENTS & ELEMENTS.

With respect to attachments and Elements of Buildings, Structures and Improvements:

a. **Porches** shall be proportional to the scale of the rest of the Building, and should be architecturally harmonious with the Building to which it is attached.

b. **Porches** shall be designed to address functionality, appearance, and durability standards by such measures as:

i. **Porches and posts** shall be made of painted or opaque-stained wood or synthetic composite material (except for cedar or ironwood which may be untreated).

ii. **Porch decking** shall be made of painted or opaque-stained wood, (except for cedar or ironwood which

may be untreated), natural or painted brick, ceramic tile, natural stone or stained concrete faced on three sides with brick or natural stone.

iii. **Porch railings** should be made of wood or metal. Metal railings shall be painted or rust proof.

iv. **Stoops** shall be finished in painted or opaque-stained wood or composite wood (except cedar or ironwood which may be untreated), synthetic composite material, natural stone, or painted or unpainted brick.

v. **Porch posts** may be wood or masonry.

vi. **Porches** may be enclosed with glass or screens.

vii. **Stoops** shall be at least 4 to 6 feet deep.

c. **Balconies** shall meet character and functionality standards through Building design features that complement the Building by such measures as:

i. **Balconies** shall be used as a single, continuous element at the location of the upper or lower transition lines or separately as a periodic element of the Facade composition.

ii. **Balconies** shall be made of painted or opaque-stained wood or synthetic composite material.

iii. **Balconies** shall be visibly supported by brackets or beams and shall be at least 4 feet deep.

iv. **Roof Decks,** if visible from any Thoroughfare, shall be recessed from the eave by 3' or 1' from the front plane of the Building.

d. **Chimneys**, chimney enclosures, and fireplaces shall meet the following character and functionality standards through Building design features that complement the Building by such measures as:

i. **Chimneys, chimney enclosures and fireplaces**, shall be of masonry, finished with painted or natural brick, or native stone.

ii. **Chimneys** shall be a minimum of 16 inches to 20 inches rectangular in plan and consistent with the architectural style and scale of the Building and capped to conceal spark arresters. Vented gas fireplaces or similar appliances shall not be located on Facades, and the firebox shall not extend beyond the plane of the exterior wall, unless incorporated fully within a chimney structure.

iii. **Flues** shall be tile or metal left to age naturally or painted black and shall be no taller than required by the Building Code. Flues shall be no taller than required by the Building Code.

iv. **Each chimney** shall have a projecting cap.

v. **Chimneys** shall extend below the ground as true masonry Structures.

vi. **Chimney pots** and expressive chimney cap details are encouraged.

e. A **satellite dish** or antenna shall be as small as feasible and placed in the least visible location on the property allowing

adequate signal reception

f. **Decks** shall meet character and functionality standards through built design features that complement the Building by such measures as:

   i. **Decks** shall be permitted only in rear yards and on roof tops and shall be made of synthetic or composite painted or opaque stained wood, or in the case of roof top decks, stained concrete, concrete pavers, bricks or brick pavers or ceramic tile. They shall not be visible from streets or paths.

   ii. **Decks and stairs to decks** shall be painted or opaque-stained, with the exception of the "floor" and the treads which may be painted, stained or left unfinished.

g. **Bay (which may include bow) windows** shall meet character and functionality standards through built design features that complement the Building by such measures as :

   i. **Bay windows** shall have a full foundation that extends all the way to the ground or be visually supported with brackets or corbels of appropriate size.

   ii. **Bay windows** shall be a 4 feet deep maximum and shall be three-sided.

   iii. **Bay windows** shall be built of wood or other material indistinguishable from wood when painted.

h. **Posts, columns, and balustrades** shall be built of painted or opaque-stained wood or painted synthetic wood.

i. **Solar shingles, panels and arrays** that complement the Building design and character standards are encouraged.

j. **Open exterior stairs and fire escapes** above the first floor are discouraged, and are prohibited where visible from any Thoroughfare, except where no reasonable alternative safety egress is available and subject to Planning Board review

k. **Cupolas** are allowed and may extend above the applicable height limit as defined and provided for in **Article 7,** and must be designed and scaled as integral and appropriate to the buiding to which it is attached.

4. ROOFS:

a. With respect to **roofs of Buildings**: Roof composition, functionality, and façade surface material shall meet Building design standards that complement the character of the Building by such measures as:

   i. **Roof materials** shall be in keeping with the architectural character and style of the Principal Building, Backbuilding, Outbuilding, or Structure they cover.

   ii. Principal Buildings, Backbuildings, Outbuildings, and other Buildings and Structures may have **Green Roofs.** Green Roofs shall be considered pervious for purposes of impervious surface calculation except in the Shoreland Overlay District.

   iii. **Flashing** shall be galvanized metal or copper.

b. **Roof type and roof pitch**, if any, of

Principal Buildings, Backbuildings, and Outbuildings shall comply with the standards in **Tables 5.F.2A- 5.F.2C (Character District Standards)**. Roof type, rooftop, and pitch shall meet character and functionality standards through Building design features that complement the Building.

c. **Flat roofs** shall meet Building design standards that complement the character of the Building by such measures as:

   i. **Flat roofs** are permitted only as provided in **Tables 5.F.2A-5.F.2C (Character District Standards**). If they are occupiable and accessible from an interior room they shall be edged by a railing or parapet.

   ii. **Flat roofs** must use white membrane/ high albedo (light or reflective) roofing materials, except where Green Roofs are utilized.

d. **Roof penetrations**, other than chimneys, shall be placed so as not to be visible from streets or paths to the extent practicable, and shall be black or match the color of the roof except those made of metal which may be left natural. Natural roof ventilation using linear soffit vents, ridge vents and dormer vents is required. Roof vents such as turbines or power roof ventilators are not permitted unless not readily visible from the Principal Frontage.

e. The location and masking of **rooftop machinery and equipment** (other than solar equipment) shall be as consciously designed as any other aspect of the Building. Screening shall be incorporated in a manner consistent with the overall architectural design of the Building.

f. Buildings that have **gutters**, d**ownspouts or rain chains, splash blocks or downspouts** connected to rain barrels or underground drainage systems or cisterns shall meet character and functionality standards through built design features that complement the Building by such measures as:

   i. **Gutters, downspouts and projecting drain pipes** shall be made of galvanized steel, wood, or painted aluminum to match the fascia or wall material, or raw copper.

   ii. **Gutters** are required where eaves extend over adjacent private or public property line(s).

   iii. **Gutters** shall be square, half-round or ogee in profile.

   iv. **Downspouts** shall be arranged as an integral part of the Facade composition, and shall generally be placed at the corners of the Building least visible from Frontages.

   v. **Splash blocks** must be made of concrete, brick or gravel.

   vi. **Drip edge** is acceptable except at entry points, with suitable ground splash surface treatment.

g. **Roof and eave overhangs** shall be appropriate to the style of the Building, usually less than 18 inches.

   i. **Eaves** shall be continuous, unless overhanging a balcony or porch.

   ii. **Eaves** should have an overhang that is 12 to 24 inches.

   iii. **Eaves on Backbuildings,**

Outbuildings and other Structures shall match the eaves of the Principal Building on the Lot if the latter are shallow, or shall be approximately half the depth of the eaves of the Principal Building on the Lot if the latter are deep.

iv. **Eaves** that encroach into adjacent private properties, subject to easement, shall be a maximum of 2 feet and shall be provided with gutters that must empty within the property of the house for which they are installed.

v. **Rafter tails**, if exposed, shall not exceed 8 inches height at their ends.

vi. **Gable ends** shall have historically accurate and appropriately detailed rake and fascia trim.

vii. The **underside of soffits** and roof overhangs shall be elaborated and well finished.

viii. **Overlapping or "nested" gables** are prohibited unless the smaller gable is part of a balcony or porch.

h. **Dormers** shall be roofed with a symmetrical gable, hip, vaulted, eyebrow, or shed roof, shall be placed flush with, or a minimum of 18 inches from, Building side walls. Dormers shall have at least one window. The number of windows in each dormer shall be consistent with the style of the Building to which they are attached.

5. OPENINGS, WINDOWS & DOORS.

The following Architectural Standards shall be applicable to openings, windows and doors of Buildings:

a. **Material choices** shall be appropriate to the chosen architectural style and shall be authentic, durable, and representative of or visually compatible with the predominant materials in use within the visual vicinity or in the Yarmouth Village area:

i. **Residential windows** shall be made of PVC, wood, or aluminum-clad or vinyl clad wood. Storefront windows may include aluminum frames.

ii. **Glass** shall complement and enhance the Building façade with design considerations including performance, safety, wind/snow loads, and thermal stress and shall meet the Maine Energy Code.

iii. **glass shall be transparent** with a Visual Transmittance (VT) of at least .60.

iv. **Shutters,** if provided, shall be made of painted wood or synthetic wood and shall be sized, shaped and proportioned to match the associated openings.

v. **Vents in foundation walls** shall be painted cast iron or aluminum grates, pierced natural stone or natural or painted brick.

vi. **Principal Entrance Doors** shall generally be stained or painted wood. Insulated metal or fiberglass doors, if allowed, shall have traditional details such as frame and panel below and multiple lights (windows) above.

vii. **Utility vents** shall not be located on primary Façades.

b. **Façade design and composition**, shall

be representative of or compatible with the character of Buildings in the visual vicinity of Yarmouth Village, through such design measures as the following:

i. All **openings**, including porches, and windows, with the exception of those in Shopfront Frontage, shall be square or vertical in proportion as appropriate to the style of the Building.

ii. **Operable windows** are required for a majority of the windows on all Facades except for those of Shopfront Frontages.

iii. All **window design** shall be compatible with the style, materials, color and details of the Building.

iv. **Windows at Frontages** and through those parts of a Building within the First and Second Lot Layers shall be double-hung, casement or awning windows.

v. **Windows in Facades** shall be no closer than one foot to the corners of the Building, except Shopfronts.

vi. **Window panes** throughout a Building shall be uniform in size or proportion, provided that openings may become proportionally smaller on the upper stories.

vii. **Walls of Buildings along Frontages** shall have windows or doors, or a combination of both, spaced no further apart than 20 feet.

viii. **First floor walls** shall have at least one window per bay and exposed basement walls shall have at least one small window per elevation as appropriate for an occupied foundation. .

ix. **Lintels and sills** on Adjacent windows shall be aligned to create a harmonious Facade.

x. **Shutters** shall be louvered, planked or paneled and shall be applied to all or none of the typical windows on any given Elevation.

xi. **Windows** shall be fully articulated with a lintel, face frame and drip mold.

xii. **Storm windows and screens** shall be integral with the window. If window screens are provided they shall cover the entire operable portion of the window.

xiii. **Garage doors** are discouraged on primary Facades. If located on the primary Façade, garage doors shall be recessed at least 3 feet from the plane of the Façade.

xiv. **Building entrances** shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the architectural style and details of the Building as a whole.

xv. **Transoms and sidelights** are encouraged.

xvi. The **Principal Entrance** of a Building shall generally be located within the primary Façade. Side entry Buildings are allowed provided that the Principal Entrance is expressed at the street Frontage Line.

xvii. **Openings above the first Story** shall not exceed 50% of the total Building wall area, with each Facade being calculated independently.

xviii. **Doors that operate as sliders** are prohibited along Frontages.

c. **Construction methods** shall reflect the traditional building methods of Yarmouth Village, incorporating such practices as the following:

i. **Windows i**n wood or cementitious sided houses shall have a flat casing, 5/4 inch in depth. Brickmold casing shall be used in masonry walls.

ii. **Multiple windows** in the same rough opening shall be separated by a 4 inch min. Mullion.

iii. **Muntins** at Frontages, if any, shall be true divided lites or simulated divided lites fixed on the exterior surface with spacer bars to cast a shadow.

iv. **Single glass panes** shall be no larger than 20 square feet.

v. **Sidelights** shall not exceed 18 inches in width.

vi. **Lintels** of stone or pre-cast concrete shall extend horizontally beyond the window opening dimension equal to the height of the lintel. Brick soldier lintels shall extend one brick beyond the opening.

vii. **Windows** may be subdivided into lites by muntins, and the lites shall be square or vertical in proportion.

viii. **Doors** at a minimum shall have a lintel, face frame and drip mold.

ix. **Doors and Garage doors** shall have windows and raised panels where facing any Thoroughfare, except carriage house style garage doors or where transom windows are provided in lieu of garage door windows.

x. **Garage doors** shall not cumulativley exceed 40 percent of the Building face or 9 feet wide, whichever is greater. Each garage bay shall have its own door.

xi. **Doors**, except Garage doors, shall be constructed of planks or raised panels (not flush with applied trim) which express the construction technique.

xii. **Driveway gate**s shall have a maximum opening width of 12 feet.

d. **Prohibited**:

i. **Doors and windows** that operate as sliders are prohibited along Frontages

ii. **Aluminum storm windows or doors** are generally not allowed.

iii. **Flush-mounted and projecting windows** (not including bay windows) are prohibited where visible from Frontages.

6. SHOPFRONT FRONTAGES.

The following Architectural Standards shall be applicable to Shopfront Frontages; provided that if any standard of this **Article 5.M.6** is in conflict with any other standard or requirement of this Chapter, the provision of this **Article 5.M.6** shall govern:

a. For Principal Buildings located on a corner, the **Principal Entrance** shall either be oriented at the corner, or to face the larger Thoroughfare.

b. Except for the glazed part thereof, **Shopfront** Frontages shall be made of wood, which shall be painted or transparent or opaque stained, stone, metal, or unpainted or painted brick, including terra cotta, or painted or unpainted composites.

c. All **glass** shall meet the standards specified in **Article 5.M 5**.

d. Neither **reflective (mirror), colored, nor spandrel glass** shall be permitted on the Facade.

e. **Ceiling height** of non-residential first floor Stories shall be 10 feet minimum.

f. One **continuous load-bearing beam** shall carry the entire load of the Facade to the partition walls or bay delineations so that the Shopfront Frontage may be changed with no structural impediment.

g. **Shopfront Frontages** shall have internal structural support blocking to allow installation of signs and awnings whether or not signs or awnings are installed at the time of initial construction.

h. **A paved walkway** shall connect the front entry to the nearest sidewalk.

i. **Doors, windows, awnings, signage and lighting** shall meet character and functionality standards to achieve a simple classic storefront with such features as large glass panels below, divided light transoms above and sheltering awnings at the entry. Storefronts shall feature design elements to complement the Building by such measures as :

   i. **Windows** shall sit on a 12 to 14 inch high kneewall.

   ii. **Mullions** (dividers between window units) are encouraged in first story Façades.

   iii. **Muntins** (dividers between glass panes) in first story Façades should be true divided light or permanent 3-dimensional muntins.

j. **Awnings** are permitted provided they complement architectural features (such as cornices, columns, pilasters, or decorative details).

   i. **Awnings, lights and signs** may encroach into setbacks and across right of way lines but not onto private properties. A minimum of eight foot height clearance from the pavement must be maintained.

   ii. **Awnings** shall be a minimum depth of 4 feet.

   iii. **Awnings** shall have no side panels or soffit.

   iv. **Awnings** shall be rectangular in elevation and triangular in cross-section with straight edges and shall have a metal structure covered with non-translucent canvas, synthetic canvas or painted metal.

   v. **Awnings** of the quarter-round or domed variety are prohibited.

   vi. **Awnings** shall not be internally illuminated other than soffit sidewalk lighting.

vii. **Awnings** may be retractable.

viii. All **awnings** on a single business shall be identical in color and form.

k. Businesses are encouraged to place **tables, chairs and temporary displays** on the public sidewalk provided a minimum 5 foot wide clear corridor is maintained for pedestrians.

l. Any **security shutters** shall be designed to be visually integrated with the Façade composition.

7. MISCELLANEOUS.

The following additional miscellaneous Architectural Standards shall be applicable to all Buildings, Structures and Improvements:

a. The use of r**ecycled and/or locally-sourced materials** is strongly encouraged.

b. **Low-VOC** (Volatile Organic Compound) paints, sealants, and stains are strongly encouraged on all surfaces requiring such treatment.

c. **Facade colors** shall be harmonious with respect to the Building and Adjacent Buildings.

d. The following **items are prohibited** at Frontages: clothes drying apparatus, HVAC equipment utility or gas meters, antennas, satellite dishes, garbage containers, permanent grills, swimming pools, clothes lines, hot tubs and spas, unless no other location is feasible.

e. **Flagpoles** are permitted.

f. **Light fixtures** shall be compatible with the style of the Building to which they are attached or otherwise associated.

g. Any **security system signs** shall be affixed to a Building.

h. A **real estate sign** advertising a property for sale or lease is permitted.

i. **Utility boxes and gas meters** shall be located at the rear of Buildings where practicable and if located Adjacent to Rear Lanes, Alleys or Rear Access Easements, shall require durable protective bollards set in concrete. The bollards must be painted a light color for visibility.

j. **Utility boxes and meters** shall not be obstructed by landscaping or hardscape such that meter readers and maintenance personnel are unable to open or access utilities devices.

k. **Trash collection sites** shall be fully enclosed on three sides and enclosed on the fourth side with a self-closing gate. Materials and details shall be compatible with the Principal Building on the Lot. Both vehicle and pedestrian access to trash collection sites shall be provided.

l. Ground level **mechanical/ telecommunication equipment** shall be designed so it does not encroach on walkways or parking areas, and shall not be visible from any Public Frontage.

m. Buildings that are stylized in an attempt to use the **Building itself as advertising** shall be prohibited, particularly where the proposed architecture is the result of corporate or franchise architecture.

n. The following shall not be permitted:

i. panelized extension wall materials;

ii. Exterior fluorescent lights, other than compact fluorescent lights in the incandescent spectrum;

iii. Colored light bulbs except seasonal displays;

iv. Above-ground swimming pools, plastic or vinyl pool tiles, or "Cool Deck" pool surfaces in the 1st or 2nd Lot Layers;

v. Signs on private property except as otherwise provided herein;

vi. External alarm systems; and

vii. Stucco over wood

o. The **same Building Facade**, massing, floor plan, footprint, materials, or architectural style may not be constructed within a Block, or within ten surrounding Buildings, whichever is further; provided that mirror Elevations or styles may be built across the street from one another.

p. In developments of **Lots accommodating 16 or more Buildings** having a potential single family Residential Principal Use, a minimum of four substantially different Facades and styles shall be provided per floor plan.

q. Any **fence, wall, or Streetscreen** shall:

i. Be no more than 6 feet in height, measured from the average undisturbed grade of the Adjacent land at the property line;

ii. Have a finished side facing any Adjacent property, Thoroughfare, or water body;

iii. Be maintained in a good, sturdy, upright condition, free of missing parts or broken slats or boards.

r. There shall be no **parking or driveway** in the Frontage area between the Principal Building and the Frontage Line except to provide direct access to a garage entrance.

s. **String lights** are allowed in rear yards and are allowed in cafe seating patios or sidewalk café applications in predominantly horizontal plane configuration comprising repeated standard base hanging luminaires with design of such lighting subject to approval by the Planning Board as provided for in **Chapter 702 (Site Plan) Article J.4.f**.





String Light Examples

t. **Buildings and Structures of Value** may be altered or demolished only in accordance with municipal preservation standards and protocols.

SECTION N.
PRIVATE LOT LANDSCAPE STANDARDS

1. PURPOSE

Trees and other landscaping contribute to the scenic beauty of the village and increase property values while enhancing the quality of life within the village. They also tend to soften the visual effects of development by creating a natural setting.

Trees and wooded areas are an important community asset that provides desired environmental effects. Trees act as a barrier to noise; help to prevent soil erosion and encourage water absorption; create nesting areas for birds and other wildlife; mitigate the effects of sun, cold and wind; and filter the air of pollutants.

2. GENERAL.

These standards apply to all Development undergoing Building and Lot Plan and Development Plan review. They shall be advisory with respect to ongoing landscape treatments on private property not subject to such review, except for placement dimensions and the prohibited plant list of **Article 5.N.1.kk**, below.

a. **Impermeable surface**, when taken with the Lot area covered by Buildings and Structures, shall be confined to the ratio of Lot Coverage specified in **Tables 5.F.2A-5.F.2C (Character District Standards).**

b. **Placement of Plant Materials**. The spacing and placement of plants shall be adequate and appropriate for the typical size, shape and habit of the plant species at maturity.

c. **Placement of Trees**. Without limitation to **Article 5.N.1.b** above, proposed Trees shall be centered horizontally and minimally:

   i. Three (3) feet from walkways, curbs and other impervious surfaces or pavement when planted in a continuous bed;

   ii. Five (5) feet from street lights, underground utilities, utility meters and service lines, fences, walls and other ground level obstructions;

   iii. Six (6) feet from porch eaves, and awnings and similar overhead obstructions associated with the ground level of Buildings; and

   iv. Eight (8) feet from balconies, verandas, Building eaves and cornices, and similar overhead obstructions associated with the upper stories of Buildings.

d. **Tree Size.** At installation, required trees shall be a minimum height of eight (8) feet and two (2) inches in caliper at chest height (deciduous species).

e. **Shrubs.** At installation, shrubs shall be a five (5) gallon container minimum. Shrubs shall be 18 to 24 inches minimum clear from any sidewalk or pavement edge at the Lot line.

f. **Hazardous Landscape.** Ground vegetation or Shrub plantings with spines, thorns or needles that may present hazards to pedestrians, bicyclists or vehicles are prohibited in the first two (2) feet of the First Lot Layer.

g. **Bare / Exposed Ground.** All bare or exposed ground on the site and/or in landscaped areas shall be covered with live plant materials and/or mulch, with the following exceptions:

   i. Naturally occurring dunes, creek beds, rock outcroppings or similar landscape features typically lacking in vegetation.

   ii. Agricultural fields seasonally tilled for cultivation.

   iii. Hiking trails and/or traces.

   iv. Clay or sand surfaces associated with recreation fields and facilities.

   v. Pea stone or crushed rock in Building drip edge and utility enclosures.

   vi. Boulders and native stones used as accents in planting beds.

h. **Artificial Plants / Turf**. Artificial plants or artificial turf are prohibited, excluding active recreation sports fields that are typically subject to intense use and soil compaction which inhibits the establishment of turfgrass, and where paving or grass paving systems will not suffice given the purpose and level of use of the area.

i. **Water Features.** Constructed water features such as fountains, streams and ponds that operate with water recirculation systems shall be designed to prevent seepage and leaks.

j. **Buffers / Screens**. Parking Areas, Parking Lots,Loading Areas, drive-through facilities, storage, dumpsters, tanks and other similar or unsightly site features shall be screened from view from any Frontage or from neighboring properities by Buildings, by a Streetscreen or by landscaping; provided that this shall not be required for any portion of a Parking Area, Parking Lot or Loading Area that is in alignment with the Driveway providing access thereto.

k. **Plant Materials.** Except as otherwise required by **Article 5.N.1** above, all plant materials shall meet with the minimum container size, class and other requirements outlined in **American Standards for Nursery Stock (ANSI Z60.1-2004)** published by the American Nursery and Landscape Association (ANLA) or other local Nursery Association Standards. Use of only native plants is strongly encouraged. See list of approved public plant material, **Table 6.E.4.**

l. **Mitigation of Wind Erosion**. Wind erosion shall be mitigated and controlled through dust abatement and similar practices during the period of site work and construction.

m. **Compacted Soils.** Landscape soils that have been compacted during construction activities shall be loosened and aerated to a depth of at least six (6) inches before planting.

n. **Condition of Plants.** Plants shall have normal, well-developed branches and vigorous root systems.

o. **Temporary Spray Irrigation**. Temporary spray irrigation systems may be used to establish seeded areas for grass and groundcover.

p. **Maintenance**. Except in areas of naturally occurring vegetation and undergrowth, landscaped areas shall be maintained by the Owner as follows:

   i. All grass and vegetation shall be lightly

fertilized to avoid fertilizer pollution to groundwater, streams and ponds;

ii. No disturbed ground shall be left exposed. Turfgrass and other approved and appropriate groundcovers or mulch shall cover all non-paved and non-built developed areas;

iii. All screening and fencing shall be kept in good condition at all times;

iv. Turfgrass lawns shall be kept properly mowed and edged, plants shall be kept properly pruned and disease-free, and planting beds shall be kept mulched, groomed and weeded; and

v. Any planting(s) required under this **Article 5.N**, which are significantly damaged, removed, infested, disease ridden, or dead shall be replaced within one year or by the next planting season, whichever occurs first.

q. **Planted Trees**. Any planted trees shall be species appropriate for the area and shall be selected from the Publid Planting List on **Table 6.E.4,** below.

r. **Paving.** The First Lot Layer may not be paved, with the exception of Driveways as specified in **Article 5.L** and Shopfront Frontages as provided in **Section 5.M.6.h**.

s. **Trees Required.** A minimum of one tree shall be planted within the First Lot Layer for each 30 feet of Frontage Line or portion thereof.

t**. Lawns** are allowed.

u. **Minimum Landscaped Area**. The minimum required landscape area shall be thirty (30) percent of the First Lot Layer of the Principal Frontage and the Secondary Frontage, and not less than twenty (20) percent landscaped area for the entire site except where the lot coverage maximum exceeds 80%.

v. **Preservation of Existing Trees & Vegetation**. Preservation of on-site existing trees and vegetation is encouraged and may be used to fulfill the landscape requirements. On plans submitted for approval, groups of trees and individual trees to be preserved shall be identified with lines and shading that clearly distinguishes these areas from other information appearing on the documents. The plans shall indicate in bold text that the group of trees or the individual tree and the area surrounding the drip line is not to be disturbed.

w. **Preservation of Root Zones**. The root zones of existing Trees and vegetation to be preserved shall be preserved and protected from clearing, compaction or construction activities and shall be enclosed by a temporary protective fence.

x. **Natural / Naturalized Areas**. Natural or naturalized areas shall not require irrigation.

y. **Noxious or invasive species.** No noxious or invasive plant species identified on the Prohibited Plant List in **Article 5.N.1.kk** below shall be installed and all plants of such species shall be removed.

aa. **Existing Vegetation**. The size and limits of existing vegetation shall be indicated on the Landscape Plan portion of the Building and Lot or Development Plan.

bb. **Significant or Legacy Trees.** Priority shall be given to preserving and protecting

significant trees or Legacy Trees that provide screening, buffering, wildlife habitat and/or linkages to wildlife habitat, or that are important due to their size, species, or prominence, all as recommended by the Town Tree Warden.

cc. **Open & Civic Space.** Open spaces and Civic Space shall remain fenced and protected during all Adjacent site work and construction activities unless alterations to them are otherwise specified by the plans.

dd **Remediation of Compaction**. All landscape areas compacted during construction activities shall be tilled and reconditioned to provide an arable topsoil layer that can support the long term health and vitality of the landscaping.

ee. **Parking Areas / Parking Lots.** Parking Areas and Parking Lots that contain more than nine spaces shall conform to the following:

i. Parking Areas and Parking Lots shall contain one landscape island for every twenty (20) parking spaces. Parking Lots with more than one landscape island shall have such islands distributed throughout the Parking Lot

ii. For every 2,000 square feet of Parking Area or Parking Lot, at least one tree shall be installed or preserved within the Parking Area or Parking Lot except to the extent that trees outside of the Lot containing the Parking Area or Parking Lot are allowed to satisfy this requirement as set forth below.

iii. No parking space shall be more than seventy-two (72') feet from a tree within the Lot, as measured from the center of the tree to the nearest line demarcating the space.

iv. Except for trees allowed to be counted outside the Parking Area or Parking Lot, new trees shall be installed and/or existing trees preserved in tree islands and/or at the perimeter of the Parking Area or Parking Lot, provided that the perimeter of the Parking Area or Parking Lot where trees are installed or preserved to meet this requirement lies within the Lot on which the Parking Area or Parking Lot is located.

v. Trees outside of the Parking Area or Parking Lot located within 20 feet of the closest portion of such Parking Area or Parking Lot, including but not limited to trees within Thoroughfare Rights-of- Ways and Civic Spaces, may be counted toward satisfying the requirements.

gg. **Protection from Vehicular Damage:** All Landscaping required pursuant to this **Article 5.N** Adjacent to the paved portion of any Parking Area, Parking Lot, Loading Area, Driveway or Thoroughfare shall be located in a manner to protect the vegetation from vehicular damage. Without limiting the foregoing, all trees within tree islands or along the perimeter of the Parking Area or Parking Lot shall be separated from Parking Area or Parking Lot paved surfaces by at least three (3') feet.

hh. **Sight Distance:** No plant material required under these provisions shall result in view obstruction such that necessary sight distance is restricted to such extent as to interfere with the safe movement of vehicles and pedestrians within the Lot or entering or

exiting the lot.

ii. **Pedestrian Walkway:** In addition to any walkway or sidewalk around such Parking Area or Parking Lot, each Parking Area or Parking Lot that exceeds sixty (60) spaces shall have at least one pedestrian walkway through the lot of a minimum width of five (5) feet that is paved differently from the parking spaces with respect to texture, material, style, and/or color.

jj. **Pourous or Permeable Paving:** Porous or permeable paving materials are encouraged in order to increase storm water infiltration on site.

kk. **Prohibited Plant List**

Scientific Name - Common Name

Acer platanoides - Norway Maple

Alliaria petiolata - Garlic mustard

Berberis thunbergii - Japanese barberry

Celastrus orbiculata - Asiatic bittersweet

Cynanchum louiseae - Black swallowwort

Eleagnus umbellate - Autumn olive

Euonymus alatus - Burning Bush

Fallopia japonica - Japanese knotweed

Frangula alnus - Glossy buckthorn

Hydrilla verticillata - Impatiens

glandulifera - Himalayan balsam

Lonicera morrowii - Morrow honeysuckle

Lonicera tartarica - Tartarian honeysuckle

Lythrum salicaria - Purple loosestrife

Myriophyllum heterophyllum - Variable-leaf milfoil

Myriophyllum spicatum - Eurasian milfoil

Phragmites australis - Common reed

Poa nemoralis - Wood blue grass

Potamogeton crispus - Curly pondweed

Rhamnus cathartica - Common buckthorn

Rosa multiflora - Multiflora or Rambler rose

SECTION 0. SIGNAGE STANDARDS

1. GENERAL.

Signage shall conform to the standards of this **Article 5.0** and **Table 5.0 (Signage Standards)**, and shall conform to the General Provisions of **Chapter 701, Article II,C**, except where and to the extent in conflict with the Signage Standards of this **Article 5.0:**

a. There shall be no Signage permitted additional to that specified in this **Article 5.0.**

b. An address number shall be required for each Building in compliance with **Table 5.0 (Signage Standards).**

c. Sign area shall be measured using the smallest rectangle that fully encompasses the entire extent of letters, logo, and background.

d. Changeable message signs with message change more frequent than once every four hours, moving, animated, or blinking signs are prohibited.

e. Signs or awnings that extend over the public right of way shall require a Town license.

f. Internally illuminated (translucent) signs, LCD signs and other electronic sign types are prohibited.

g. Temporary, Bow, Banner and Similar Sign Standards: In addition to all other applicable standards, each temporary sign or banner allowed under this Article shall comply with the following limitations:

   i. Special event signs shall be removed no later than 4 days after the event which is the subject matter thereof.

   ii. General advertising banners shall be removed 30 days after the temporary sign or banner is placed, and shall not recur more than once per calendar year per lot, except as provided for in Multi-Business Sign.

   iii. All such signs shall be made of weatherproof materials.



Bow Sign

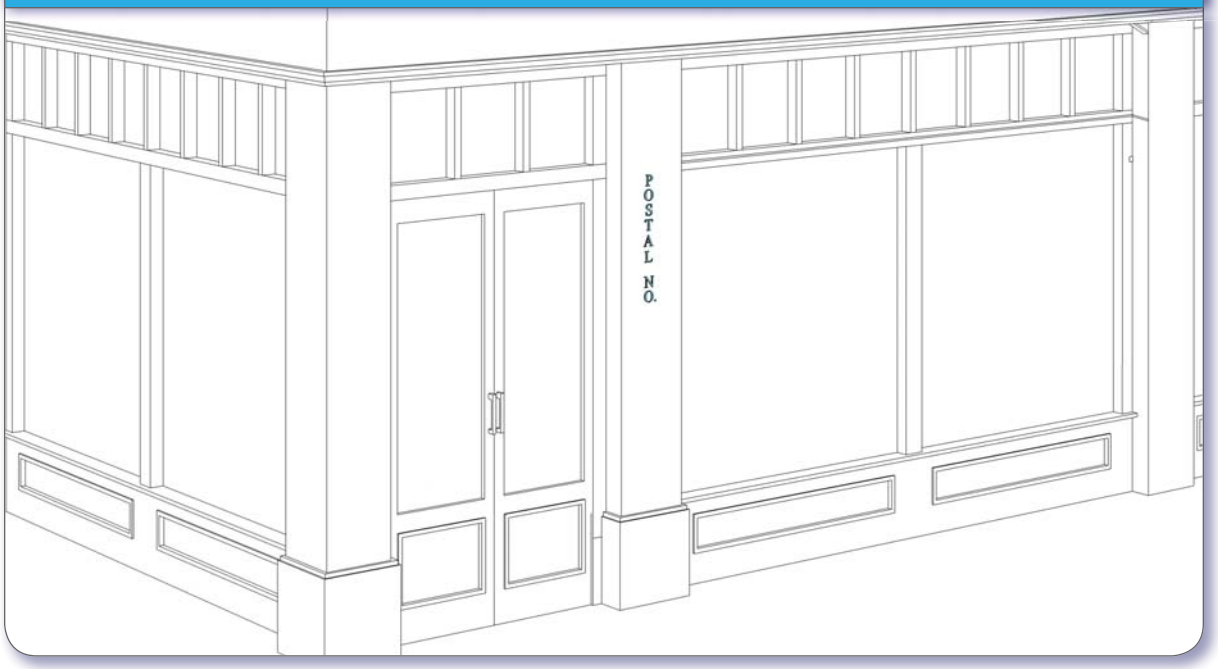
h. There shall be no internally illuminated building elements such as canopies, bands or similar features.

i. Use of bright or colored lighting elements on building exteriors or within building windows to call attention to a commercial enterprise is not allowed.

TABLE 5.0 SIGNAGE STANDARDS

Address Sign

CD4 CD4-C SD1



DESCRIPTION
A sign that consists of a numeric reference to a Structure or street, mounted on the Building.

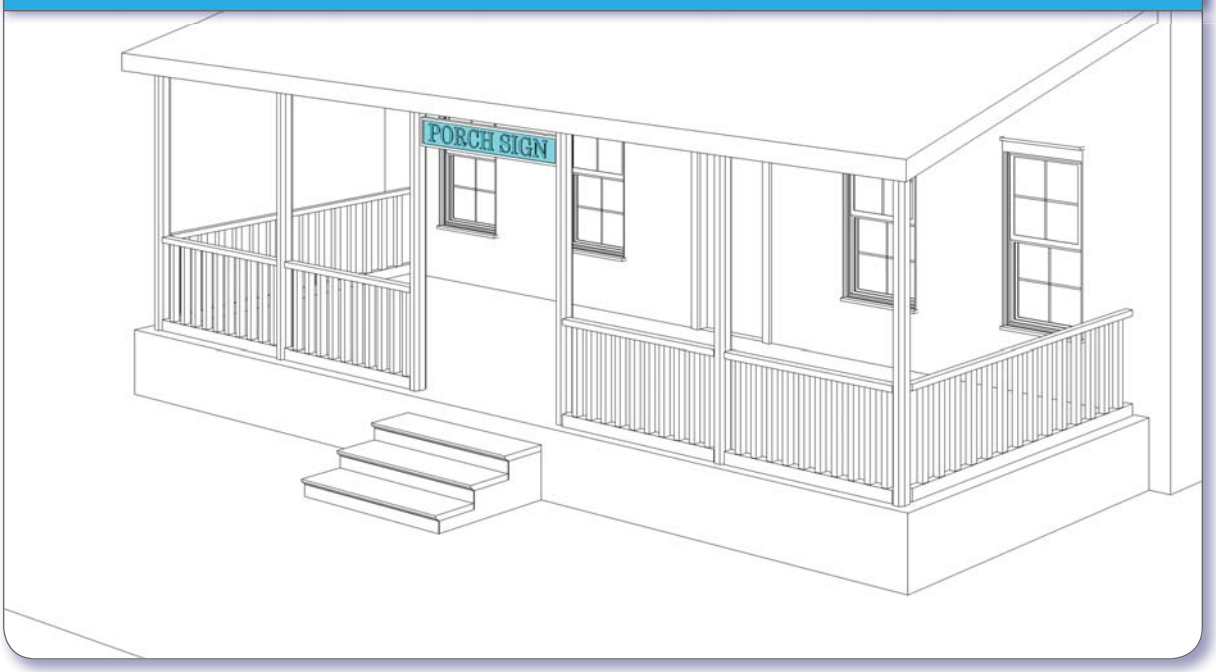
DIMENSIONS	
Quantity (max)	1 per address
Area	max 2 sf
Width / Height	max 24 in / max 12 in
Depth / Projection	max 3 in
Clearance	min 4.5 ft
Letter Height	min 4 in, max 6 in, measured vertically

STANDARDS
In addition to all other applicable standards, each Address Sign allowed under this Article 5.0: a. Shall have the address number attached to the Building in proximity to the Principal Entrance or at a mailbox. b. Address signs shall be easily visible. c. Address signs shall be constructed of durable materials

TABLE 5.0 SIGNAGE STANDARDS

Porch Sign

CD4 CD4-C SD1



DESCRIPTION
Signs that are mounted on a porch. Signs must be placed parallel to the Building Facade.

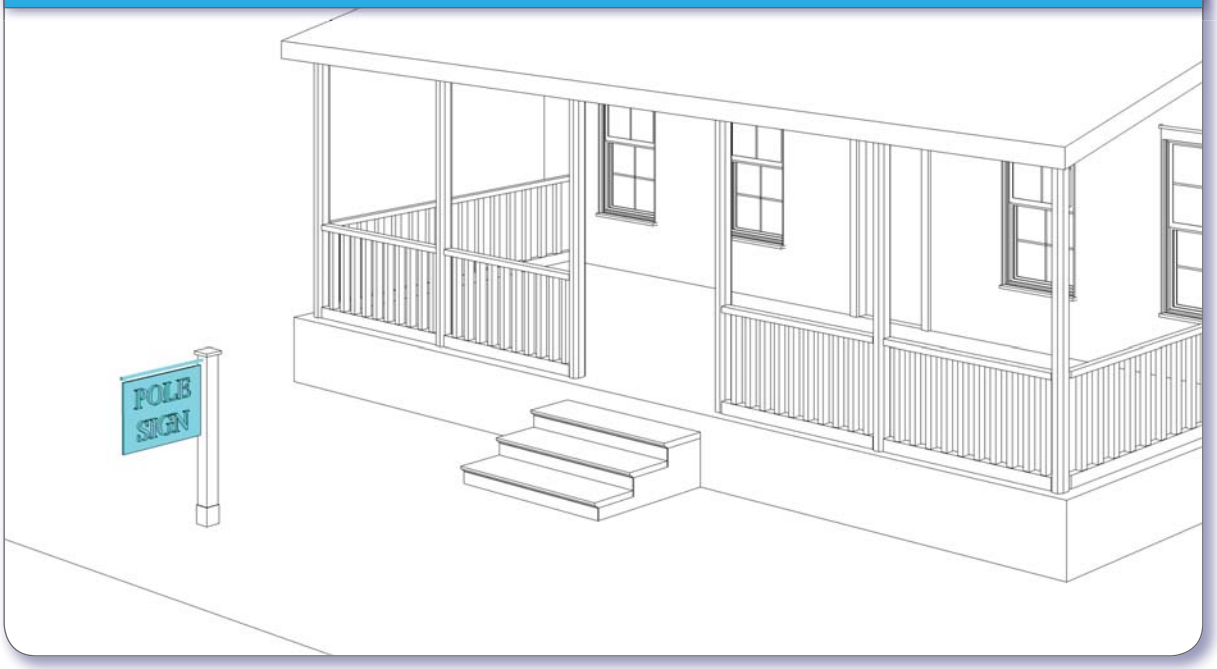
DIMENSIONS	
Quantity (max)	1 per address (2 / corner bldgs)
Area	max 6 sq ft
Width / Height	max 90% width of Entrance / max 2 ft
Depth / Projection	n/a
Clearance	min 7 ft
Letter Height	max 8 in

STANDARDS
In addition to all other applicable standards, each Porch Sign allowed under this Article 5.0 shall: a. be hung above the entrance to the porch or elsewhere on the architrave (beam at top of columns); b. be permanently installed parallel to the Facade of the Building; c. Porch Signs may be externally lit by lights shielded from direct view to reduce glare.

TABLE 5.0 SIGNAGE STANDARDS

Yard Sign

CD4 CD4-C SD1



DESCRIPTION

Signs that are mounted in a yard between the public Right-of-Way (ROW) and the Building Facade. Signs mounted in a yard may be placed parallel or perpendicular to the ROW.

DIMENSIONS	
Quantity (max)	1 per Building
Area - Single Tenant Area - Multi Tenant	12 sf 18 sf
Width / Height of Sign panel	max 48 in / max 40 in
Clearance	n/a
Height	6 ft
Letter Height	max 10 in
Distance from frontage line	min 2 ft

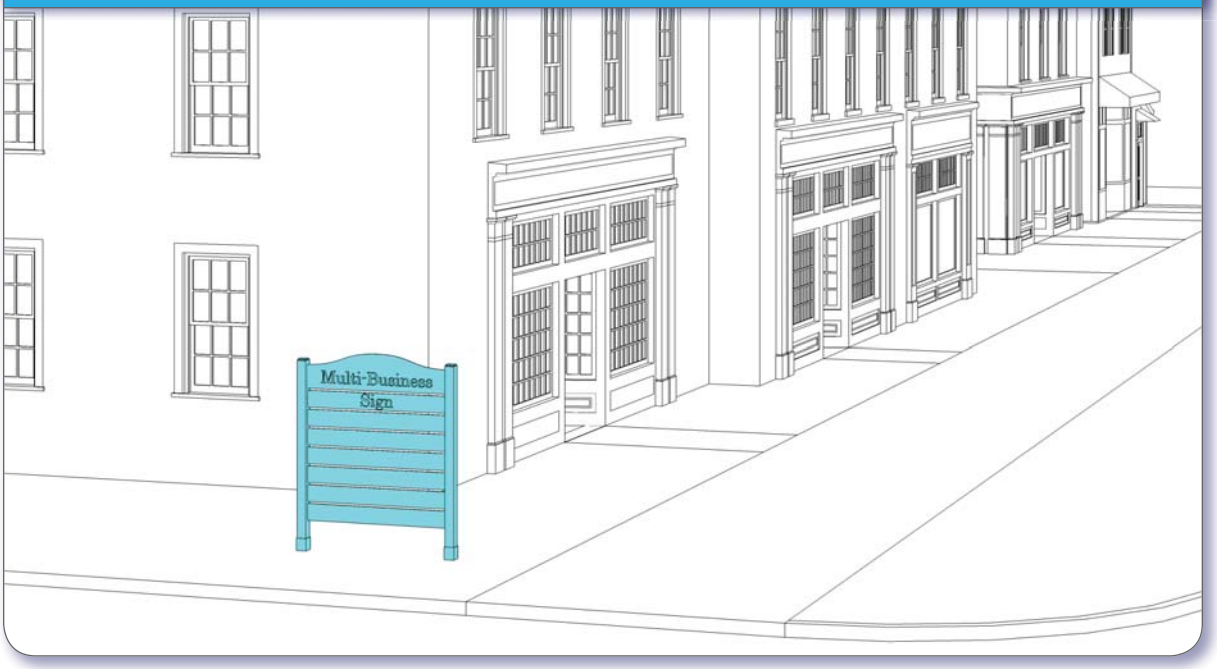
STANDARDS

In addition to all other applicable standards, each Yard Sign allowed under this Article 5.0:
a. may be externally illuminated by lights shielded from direct view to reduce glare;
b. can be single- or double- post;
c. shall be set perpendicular to the Building; and
d. 18 sf allowed for Multi Tenant only if to provide additional sign for additional tenant.

TABLE 5.0 SIGNAGE STANDARDS

Multi-Business Sign

CD4 CD4-C SD1



DESCRIPTION

Signs that are mounted on a lot between the public Right-of-Way (ROW) and the Building Facade.

DIMENSIONS	
Quantity (max)	1 per lot
Area	max 80 sf
Width / Height	max 8 ft / max 10 ft
Clearance	n/a
Letter Height	max 10 in
Distance from frontage line	min 2 ft

STANDARDS

In addition to all other applicable standards, each Multi-Business Sign allowed under this Article 5.0 may:

a. have individual signage for each business not exceeding 8 sq ft;

b. contain only the names of the businesses and logos; and

c. be externally illuminated by lights shielded from direct view to reduce glare; or

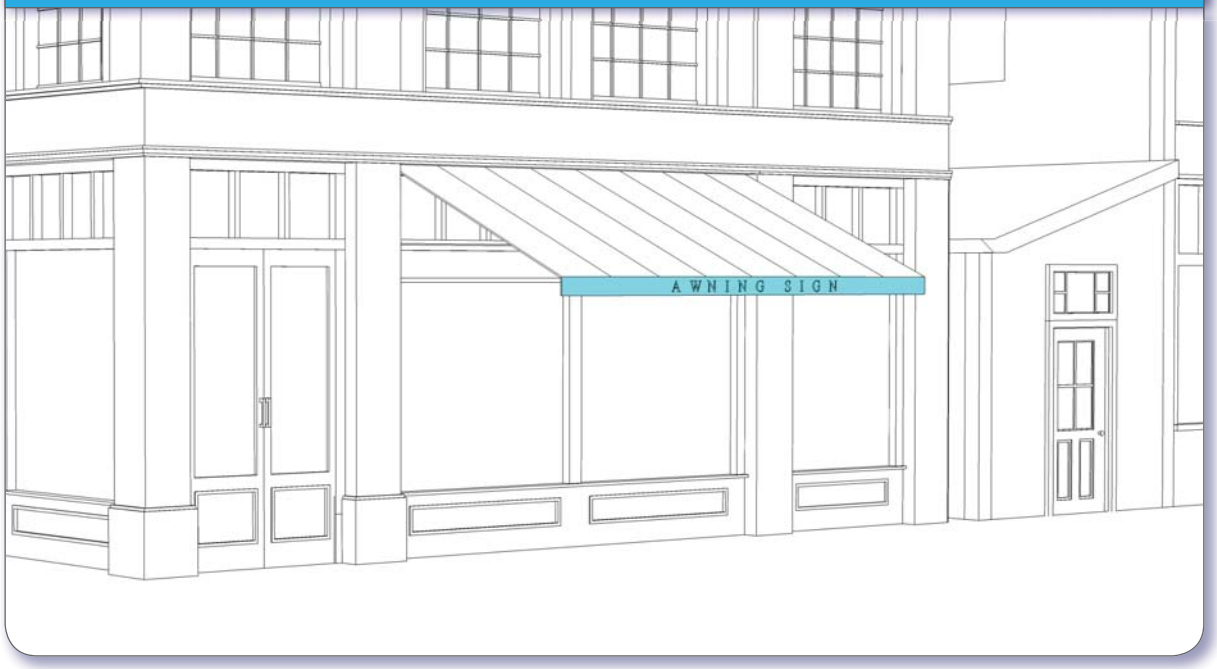
d. provide a larger business center or primary tenant name sign with a rotating banner sign for each tenant business not to exceed 30 days per business banner, for a total sign area not to exceed 80 sf.; or

e. provide a larger business center or primary tenant name sign with individual signs meeting size limits above for each subordinate business, for a total sign area not to exceed 80 sf.

TABLE 5.0 SIGNAGE STANDARDS

Awning Sign

CD4 CD4-C SD1



DESCRIPTION
An Awning that contains a retail tenant Sign which may be painted, screen printed, or appliqued on the Awning.

DIMENSIONS	
Quantity (max)	1 per window
Width / Height	max width = width of Facade max height= n/a letters, numbers, and graphics covering no more than 70% of the valance area
Depth / Projection	max 8 ft fully extended, or edge of sidewalk, whichever is less
Ground Clearance	min 8 ft
Letter Height	min 5 in, max 10 in
Valance Height	max 12 in
Distance from frontage line	min 2 ft

STANDARDS
In addition to all other applicable standards, each Awning Sign allowed under this Article 5.0 shall: a. be only on an Awning that complies with the Architectural Standards of this Chapter; b. be limited to the Valance of the Awning; c. contain only the business name, logo, and/or street address; d. not be internally illuminated or backlit.; and e. shall be made of opaque material.

TABLE 5.0 SIGNAGE STANDARDS

Band Sign

CD4 CD4-C SD1



DESCRIPTION
A Sign that is flat against the Facade consisting of individual cut letters applied directly to the Building, or painted directly on the surface of the Building. Band signs are placed directly above the main entrance and often run horizontally along the entablature of traditional Buildings. Band Signs are typically intended to be seen from a distance and are often accompanied by additional pedestrian-scaled Signage.

DIMENSIONS	
Quantity (max)	1 per Building face Plus 1 per first floor frontage business
Area	1.5 sf per linear ft Facade
Width / Height	max 90% width of Facade / max 3 ft
Depth / Projection	max 7 in
Ground Clearance	n/a
Letter Height	max 18 in

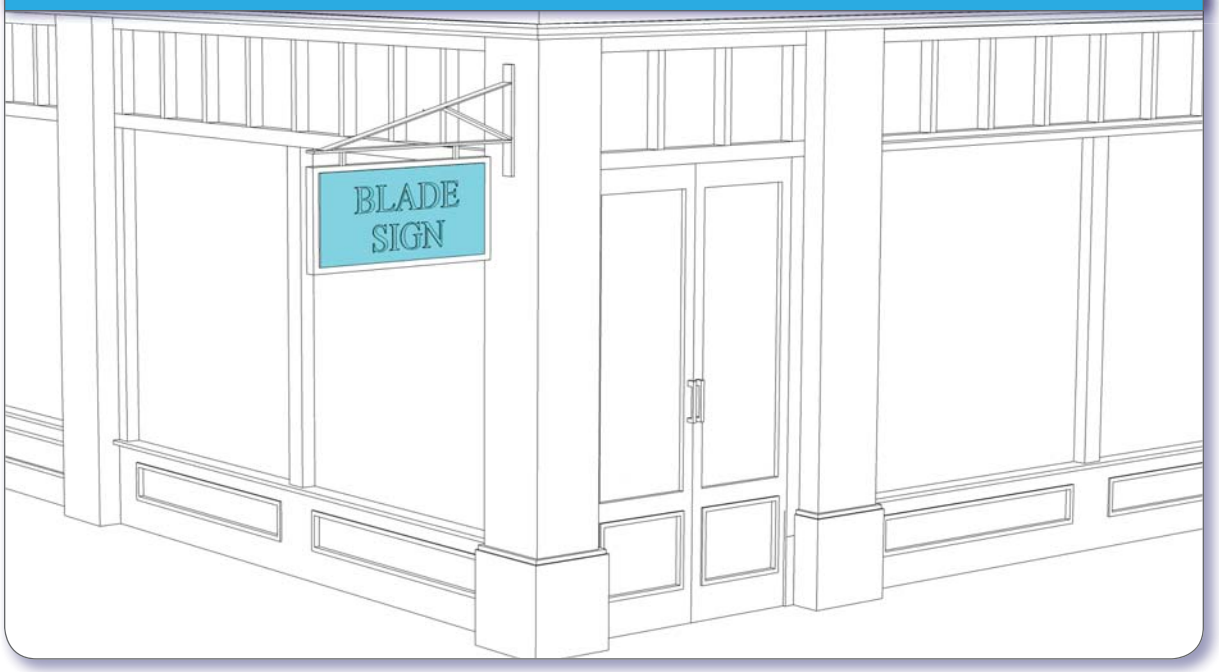
STANDARDS

In addition to all other applicable standards, each Band Sign allowed under this Article 5.0 shall:
a. be applied to the first story Facade and not project vertically above the roof line;
b. include only letters, background, lighting, and an optional logo, with such information shall consist only of the name and/or logo of the businesses located in such Building;
c. not list products, sales, or other promotional messages, or contact information;
d. have letters individually attached to the wall, on a separate background panel affixed to the wall, or printed or etched on the same surface as the background;
e. be externally illuminated by lights shielded from direct view to reduce glare;
f. not have exposed electrical raceways, conduits or wiring;
g. be placed in consideration of the Building architecture and in vertical alignment with the center of an architectural element such as a storefront window or entrance, or centered over the bay or overall space occupied by the business, all without interruption or obscuring an architectural element or causing visual disharmony; and
h. be coordinated in terms of scale, placement, colors and materials with any other Band Sign on the Façade of the Building.

TABLE 5.0 SIGNAGE STANDARDS

Blade Sign

CD4 CD4-C SD1



DESCRIPTION
A Sign mounted perpendicular to a Building Facade Wall, typically hung from decorative cast or wrought iron brackets in a manner that permits them to swing slightly. These signs are small, pedestrian-scaled, and easily read from both sides. Blade signs should be hung well out of reach of pedestrians and all exposed edges of the sign should be finished. May also be referred to as a projecting sign.

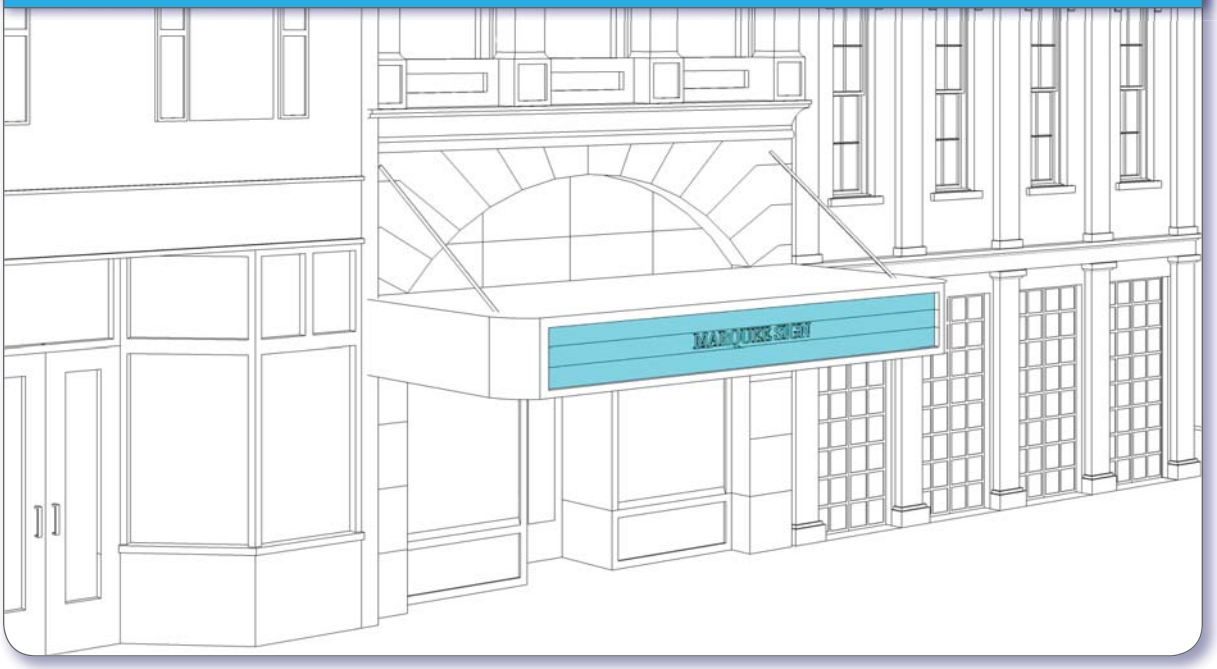
DIMENSIONS	
Quantity (max)	1 per business, no closer than 18 ft from another Blade Sign
Area	max 6 sf
Width / Height	max 4 ft / max 2 ft
Depth / Projection	max 4 ft
Clearance	min 8 ft clear above the sidewalk
Letter Height	max 8 in

STANDARDS
In addition to all other applicable standards, each Blade Sign allowed under this Article 5.0 shall: a. be permanently installed perpendicular to the Façade except on corner installations. b. one Blade Sign for each business operating on the Lot.

TABLE 5.0 SIGNAGE STANDARDS

Marquee Sign

CD4 CD4-C SD1



DESCRIPTION

A Sign that is located along the face where it projects perpendicular to the Facade. These Signs often extend beyond the parapet of the Building, but may also terminate below the cornice or eave. Marquee Signs often have neon lettering used in conjunction with painted lettering.

DIMENSIONS

Quantity (max)	1 per Principal Frontage
Width / Height	centered on and no more than 4 ft wider than Principal Entrance Bay
Depth / Projection	min 4 ft, max 10 ft
Clearance	min 10 ft from sidewalk
Letter Height	removable letter height max 6 in, business name and logo height max 36 in
Distance from Curb	min 3 ft

STANDARDS

In addition to all other applicable standards, each Marquee Sign allowed under this Article 5.0 shall:
a. not be internally lighted or backlit except behind the panels from which removable letters are hung and shall be lighted with neon tubing or other external means;
b. be located only above the Principal Entrance of a Building and attached parallel to the Facade;
c. not have any supports more than eight (8) feet deep and all anchors, bolts, and supporting rods must be concealed within its interior;
d. if overhanging the public right of way, require a license from the Town Council; and
e. together with all anchors, bolts, supporting rods and braces, be constructed of high quality non-combustible or non-corrodable components and materials and shall be designed by a structural engineer and be subject to approval by the Building Inspector.

TABLE 5.0 SIGNAGE STANDARDS

Pole (Pylon) Sign

CD4 CD4-C



DESCRIPTION
Signs that are mounted on a lot between the public Right-of-Way (ROW) and the Building Facade.

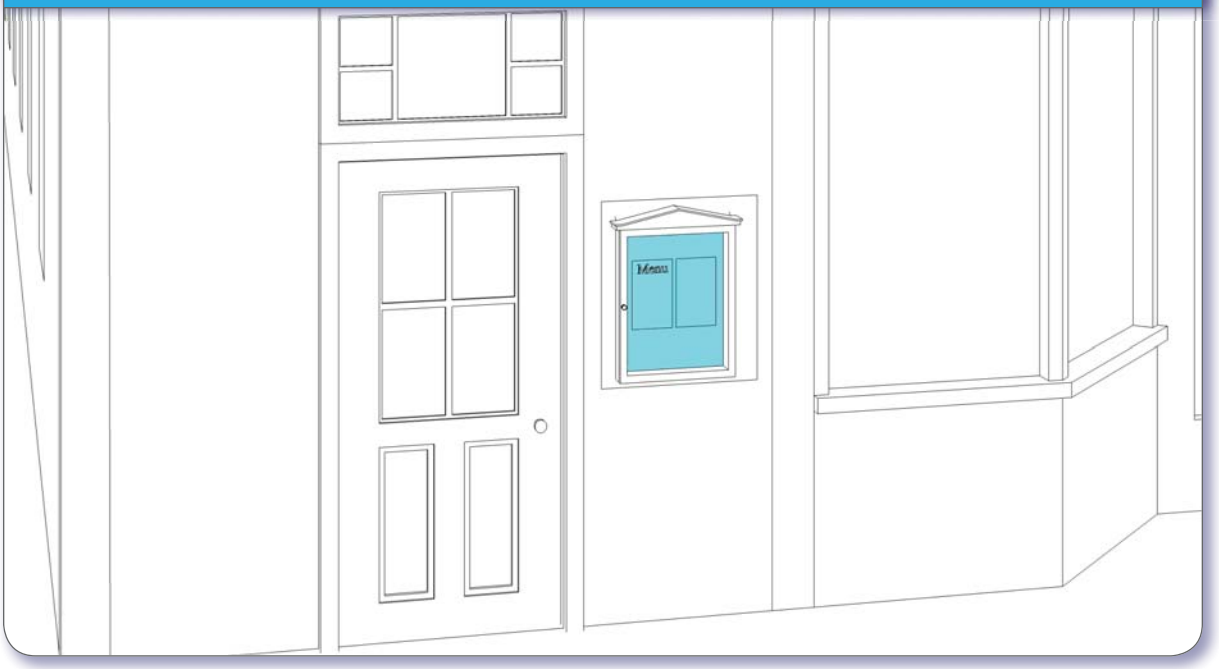
DIMENSIONS	
Quantity (max)	1 per Principal Frontage
Area	max 18 sf
Width / Height	max 6 ft / max 3 ft
Clearance	min 13 ft over public sidewalk min 10 ft over private sidewalk
Height max	Pole: 18 ft; Sign: 15 ft
Letter Height	n/a

STANDARDS

TABLE 5.0 SIGNAGE STANDARDS

Outdoor Display Case

CD4 CD4-C SD1&2



DESCRIPTION

Display Case signs are typically found on institutional or commercial Buildings, such as churches, restaurants, museums, schools, performing arts and community centers. They may contain information about current events or offerings.

DIMENSIONS

Quantity (max)	1 per Principal Frontage
Area	max 12 sf
Width / Height	max 3.5 / max 3.5
Depth / Projection	max 5 in
Clearance	min 4 ft
Letter Height	n/a

STANDARDS

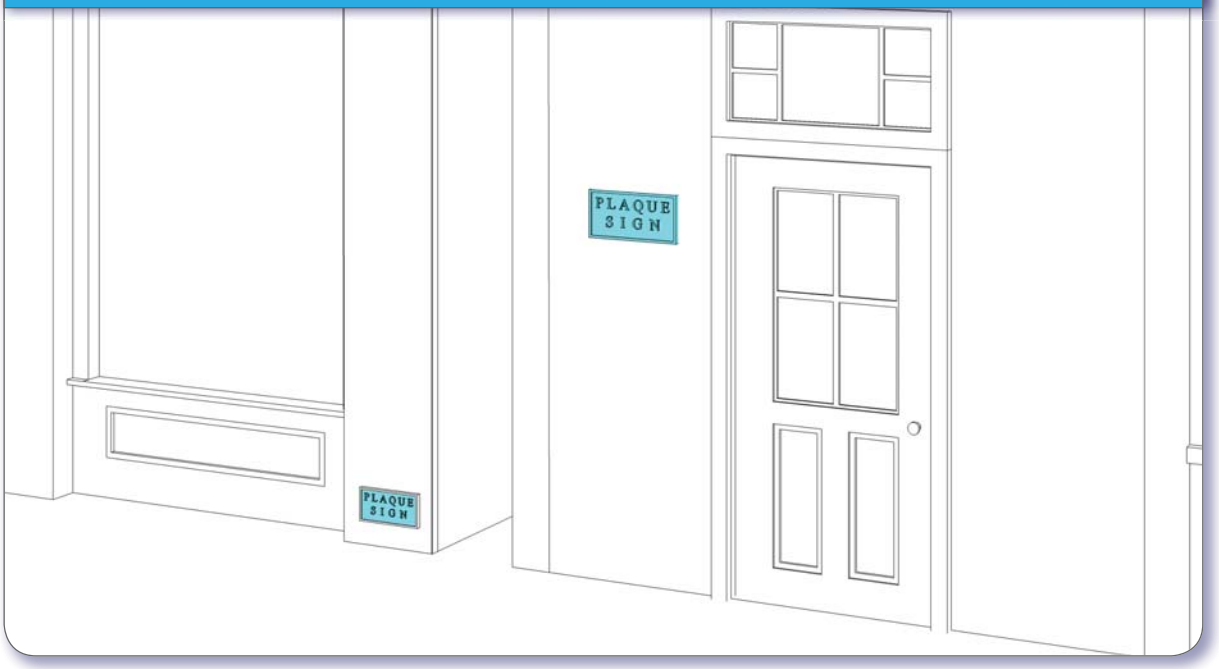
In addition to all other applicable standards, each Outdoor Display Case allowed under this Article 5.0 shall:

a. be attached to and parallel with the first floor Façade;
b. not exceed twelve (12) square feet, except in the case of Theatres, in which case they shall not exceed 20 square feet;
c. may be externally illuminated or by a recessed light source within the cabinet;
d. not be attached to or be placed within Shopfront windows; and
e. design and materials shall be consistent with Building on which display case is located.

TABLE 5.0 SIGNAGE STANDARDS

Plaque

CD4 CD4-C SD1



DESCRIPTION
Plaques are found on historic Buildings, and might identify the name of the Building or builder, or on professional office Buildings, might name the firm or partners in a firm.

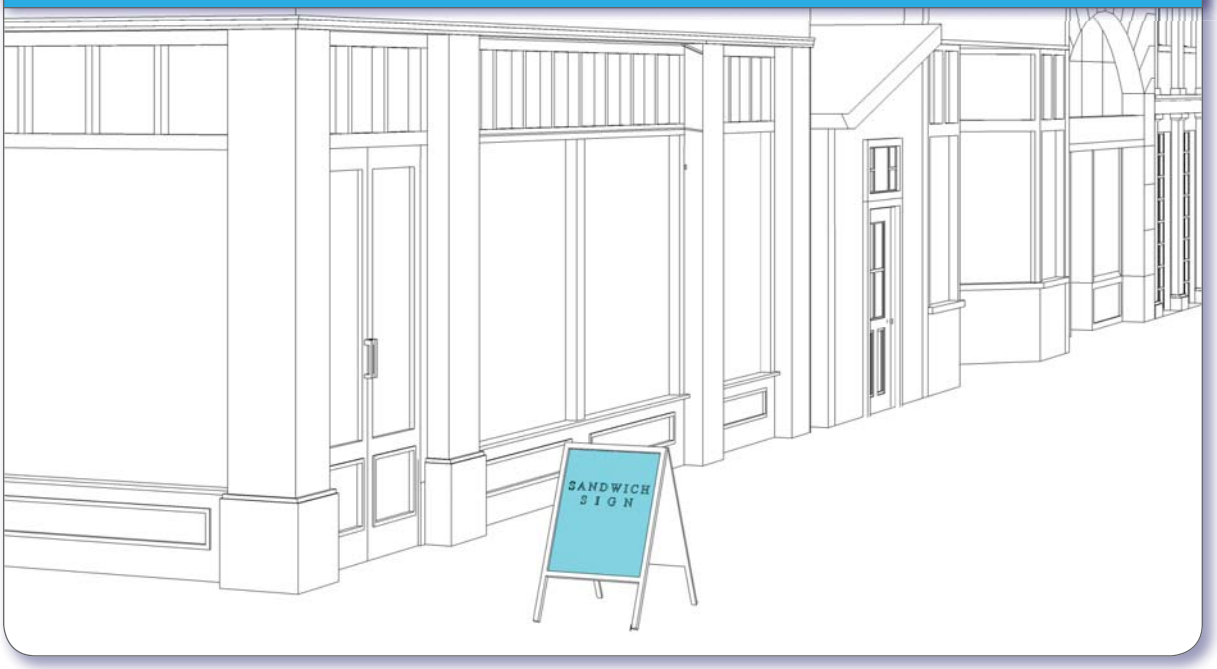
DIMENSIONS	
Quantity (max)	1 per Principal Frontage
Area	max 3 sf
Width / Height	max 18 in / max 2 ft
Depth / Projection	max 3 in
Height	max 7 ft
Letter Height	n/a

STANDARDS
In addition to all other applicable standards, each Plaque allowed under this Article 5.0 shall: a. consist of a panel applied to a Building wall within ten (10) feet of an entrance to the Building; b. be constructed of high quality durable materials.

TABLE 5.0 SIGNAGE STANDARDS

Sidewalk Sign

CD4 CD4-C SD1



DESCRIPTION
A Sign that provides secondary Signage and may be used to announce daily specials, sales, or point to shops located off the sidewalk. They may be painted wood panels or cut wood shapes. Traditional slate boards are highly recommended. Chaser lights or aluminum signs may not be used. May also be referred to as a Sandwich Board.

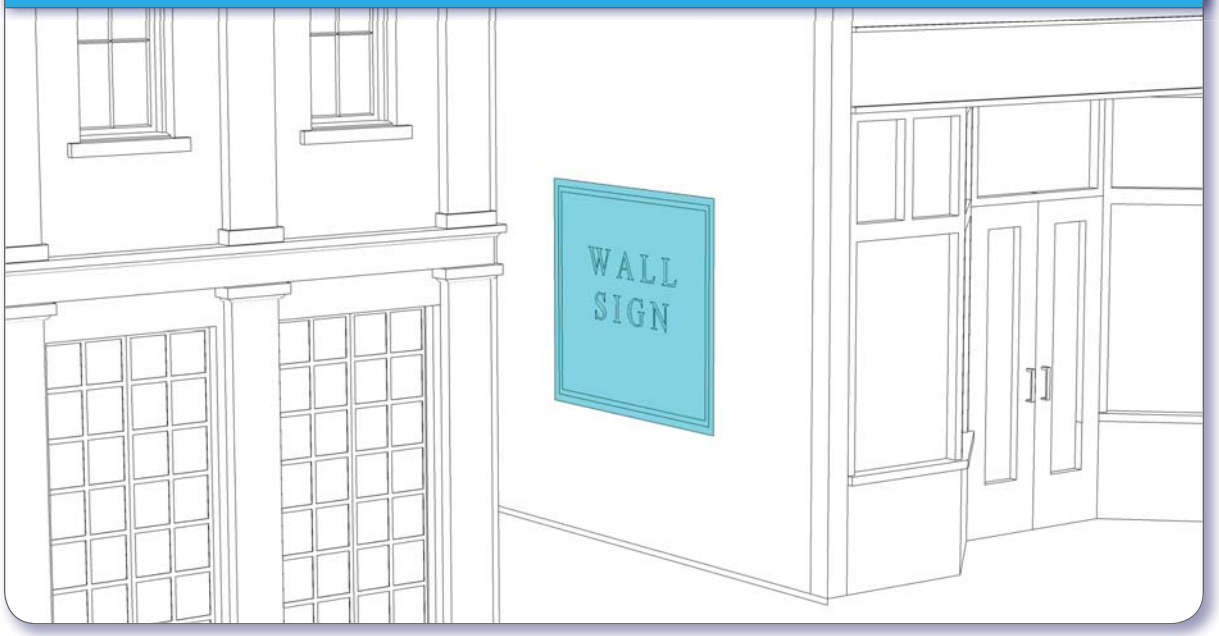
DIMENSIONS	
Quantity (max)	1 per first floor frontage business, no closer than 18 ft from another sidewalk sign
Area	max 8 sf
Width / Height	max 24 in / max 48 in
Depth / Projection	n/a
Clearance	n/a
Letter Height	n/a

STANDARDS
In addition to all other applicable standards, each Sidewalk Sign allowed under this Article 5.0: a. shall consist of freestanding, double-sided signs placed at the entrance to a business in a primarily pedestrian environment; b. shall be moved inside during high winds or other weather conditions that might pose a hazard to public safety; c. shall maintain a minimum 5 foot clear pedestrian travel way on the sidewalk; d. shall not interfere with parked car doors; and e. shall be removed when not open for business.

TABLE 5.0 SIGNAGE STANDARDS

Wall and Building Sign

CD4 CD4-C SD1



DESCRIPTION

Signs that are flat against the Facade. They are intended to be visible from a greater distance. Wall and Building signs that do not provide Signage for a specific business (e.g. artistic Wall Mural) are subject to approval by the Planning Director.

DIMENSIONS	
Quantity (max)	1 per building face plus one per first floor Frontage business
Area	1.5 sf per linerar foot of facade (in plane of sign)
Width / Height	Ground floor: max 96 in / max 26 in; Upper floors: max 120 in / max 48 in
Depth / Projection	3 inches max
Clearance	4 feet min
Letter Height	Ground floor: 24” Upper floor: n/a

STANDARDS

In addition to all other applicable standards, each Wall and Building Sign allowed under this Article 5.0 shall:
a. not project vertically above the roof line;
b. include only letters, background, lighting, and an optional logo, and such information shall consist only of the name and/or logo of the businesses located in such Building;
c. not list products, sales, or other promotional messages, or contact information;
d. have letters individually attached to the wall, on a separate background panel affixed to the wall, or printed or etched on the same surface as the background;
e. be externally illuminated by lights shielded from direct view to reduce glare or halo lighting behind opaque lettering;
f. not have exposed electrical raceways, conduits or wiring;
g. be placed in consideration of the Building architecture and in vertical alignment with the center of an architectural element such as a storefront window or entrance, or centered over the bay or overall space occupied by the businesses, all without interruption or obscuring an architectural element or causing visual disharmony; and
h. be coordinated in terms of scale, placement, colors and materials with any other such Sign on the Facade of the Building.
i. Scale shall be subordinate to the facade on which it is placed, with lettering generally not exceeding 3’ in height on upper floors except for logo, insignia, or first letter of names, which shall be scaled appropriately.

TABLE 5.0 SIGNAGE STANDARDS

Window Sign

CD4 CD4-C SD1



DESCRIPTION

Signs that are professionally painted consisting of individual letters and designs, applied directly on the inside of a window, or hanging adjacent to the inside face of glass.

DIMENSIONS

Quantity (max)	1 per window
Area	max 25% of glass onto which it is applied
Width / Height	varies
Depth / Projection	n/a
Clearance	n/a
Letter Height	max 8 in

STANDARDS

In addition to all other applicable standards, each Window Sign allowed under this Article 5.0:
a. shall be of one of the following types:
i. Letters painted or applied directly on the window
ii. Hanging signs that hang from the ceiling behind the window
iii. Door signs applied to or hanging inside the glass portion of an entrance doorway;
b. shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product displays; and
c. may list services and/or products sold on the premises, or provide phone numbers, operating hours or other messages, provided that the total aggregate area of these messages shall not exceed the limit provided above.
d. Prohibited Window Signs:
i. Neon, LED, LCD signs,;
ii flashing or moving signs;

SECTION P.
LIGHTING STANDARDS

1. Streetlights shall be of the general type illustrated for the applicable Character District indicated in **Table 6.E.5 (Public Lighting)**.

2. No lighting level measured at the property line shall exceed the following intensity levels in the indicated Character Districts and Special District.

TABLE 5.P.1 LIGHTING INTENSITY LEVELS

CD-3T	1.0 foot-candles
CD4	1.0 foot-candles
CD4-C	1.0 foot-candles
SD1	1.0 foot-candles

3. All **exterior lighting fixtures** shall have full cut off / fully shielded luminaires, except for architectural, landscape, and special feature lighting if and as approved by the Consolidated Review Committee as justified by unique design character. A lighting and photometric plan shall be submitted showing the lighting fixtures proposed to illuminate all Buildings, roadways, service areas, landscaping, parking areas, and pedestrian areas.

4. **Specifications and illustrations** of all proposed lighting fixtures including mounting heights, photometric data, Color **Rendering Index (CRI) and Correlated Color Temperature** (CCT) on the Kelvin Scale of all lamps (bulbs), and other descriptive information shall be provided. Color Temperature shall be in the range of 3,000 – 4000 Kelvin, with the lower range in residential settings, with a CRI exceeding 80.

5. **Buffers, screen walls, fencing**, and other landscape elements should be coordinated with the lighting plan to eliminate dark spots and potential hiding places, employing Crime Prevention through Environmental Design (CPTED) principles.

6. Lighting design should include the installation of timers, photo sensors, and other **energy saving devices** to reduce the overall energy required for the Development and eliminate unnecessary lighting. Where residential areas abut, lighting in parking lots shall be reduced to an average of 0.2 footcandles (fc) within one hour after closing.

7. Unless otherwise specified in **Table 5.P.2** below, exterior lighting shall conform to the recommendations put forth in Lighting for **Exterior Environments RP-33-99**, or its successor, published by the **Illuminating Engineering Society of North America (IESNA)**. Proposed uses that demonstrate a need to exceed the specific site lighting limits shown below for safe and reasonable exercise of the proposed use must provide a professionally produced lighting plan which adheres to the current Illuminating Engineering Society of North America (IESNA) recommendations for the proposed use.

8. **Uniformity:** As measured in foot candles at grade, maximum to minimum illumination levels shall not exceed a ratio of twenty (20) to one (1).

TABLE 5.P.2 LIGHTING REQUIREMENTS

Application	Average FC		Maximum FC		Maximum Average to Minimum Ratio	Luminaire Height
	Horizontal	Vertical	Horizontal	Vertical		
General	1.25		5		4:1	
Pedestrian Areas	1.0	2.2	4		4:1	12 ft to 16 ft
Parking Lots	.6		1.8		3:1	20 ft to 30 ft
Driveways	1.5		4.5		3:1	20 ft
Gas Station Canopies	10		20		2:1	Recessed in Canopy



ARTICLE 6 — DEVELOPMENT PLANS & STANDARDS

SECTION A. GENERAL

1. DEFINITION.

A "Development Parcel" is a parcel of land:

a. Which either alone or together with one or more other parcels under a common development scheme, program or plan is five (5) gross acres or more; or

b. With respect to the development of which any new Thoroughfare or extension or change of the design of any existing Thoroughfare will be made or proposed; or

c. With respect to which any Character District designation, Special District designation or general Thoroughfare alignment is proposed to be changed by a Regulating Plan amendment.

d. Which constitutes a subdivision under **Chapter 601 (Subdivision)**.

SECTION B. DEVELOPMENT PLANS

1. DEVELOPMENT PLAN REQUIRED.

None of the following shall occur except pursuant to and in compliance with a Development Plan that has been prepared, submitted and approved in accordance with this Article and all standards and requirements applicable thereto:

a. approval of any subdividing, re-subdividing, Developing or improving a

Development Parcel; or

b. approval of any Building and Lot Plan on any part of a Development Parcel; or

c. approving any Regulating Plan Amendment involving creation of a new Character District or Special District; or

d. any new Thoroughfare or extension or change of the design of any existing Thoroughfare.

2. PREPARATION AND REQUIREMENTS.

Each Development Plan shall be prepared in accordance with **Article 6.C** below and shall conform to the requirements of **Article 6.D** and other provisions hereof. See **Illustration 6.B (Example Development Plan)**.

3. PLAN SUBMISSION.

Development Plans shall be submitted as follows:

a. If a Development Plan does not relate to a proposal to amend the Regulating Plan, such Development Plan shall be submitted with an application for approval of the same in accordance with **Article 1.K.3**.

b. If a Development Plan is required as a part of an application for a Regulating Plan Amendment, the Development Plan shall be submitted in accordance with **Article 1.K.3**.

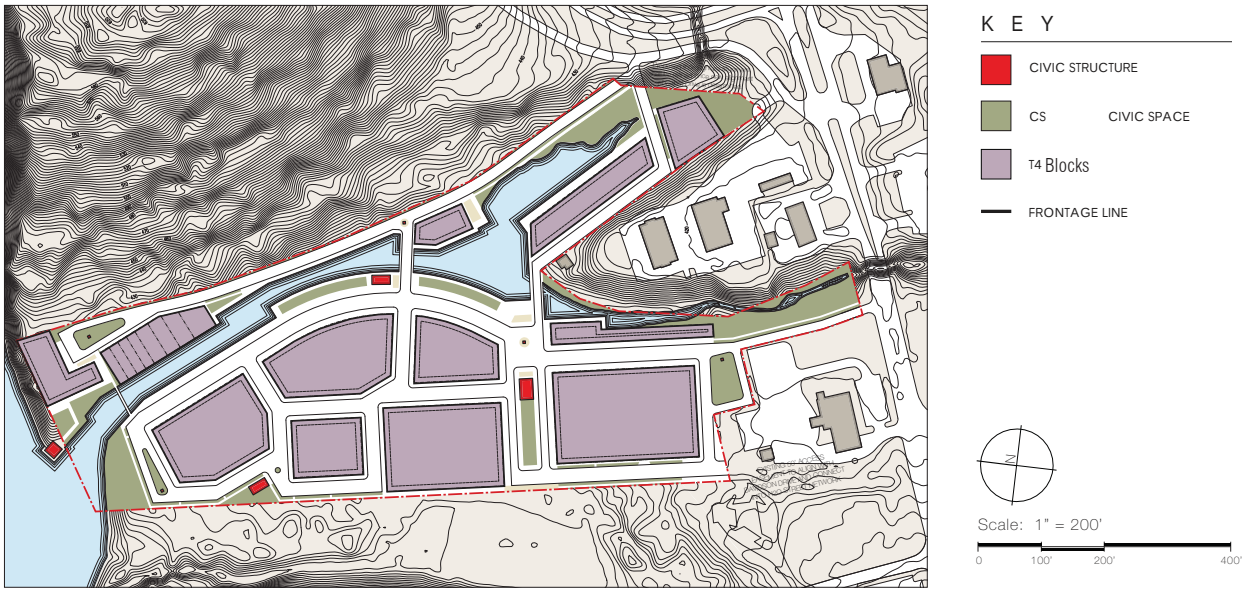
4. ACTION ON PLAN.

An application for approval of a Development Plan submitted pursuant to:

a. **Article 6.B.3.a** (not requiring Regulatory Plan Amendment) shall be processed and acted upon in accordance with **Article 1.M.2.** hereof;

b. **Article 6.B.3.b (requiring Regulatory Plan Amendment)** shall be processed and acted upon in accordance with **Article**

ILLUSTRATION 6.B EXAMPLE DEVELOPMENT PLAN



1.M.3 hereof.

SECTION C. PREPARATION

Unless prepared by the Planning Department in connection with a proposed amendment of the Regulating Plan initiated by the Town, each Development Plan required to be submitted under this Chapter shall be prepared and submitted by or on behalf of the Owner of the applicable property.

SECTION D. PLAN REQUIREMENTS

1. GENERAL.

Each Development Plan submitted under this Chapter shall include standards and requirements for the Development Plan area and one or more maps reflecting each of the items listed in **Article 6.D.2** below, all in compliance with the standards and requirements of this Chapter and the Character District or Special District in which the land covered by such Development Plan is situated as determined by:

a. the Regulating Plan then in effect if such Development Plan is not being submitted as part of an application for Regulating Plan Amendment; or

b. the proposed Regulating Plan Amendment if such Development Plan is being submitted as part of an application for a Regulating Plan Amendment.

2. ITEMS REQUIRED ON DEVELOPMENT PLAN.

The following items shall be shown on each Development Plan, each in compliance with this Chapter and, as applicable under **Article 6.D.1** above, the existing or proposed Regulating Plan:

a. existing and any proposed Thoroughfares, including any extension or change of design;

b. Thoroughfare Types and Standards;

c. Thoroughfare sections and specifications consistent with **Chapter 601, (Subdivision, Technical Appendix, Roadway Design and Construction Chart)**, if applicable, or subject to the approval of the Town Engineer if not otherwise specified;

d. Pedestrian Sheds and their respective Common Destinations;

e. existing and any required or proposed Civic Spaces and Civic Buildings;

f. existing and any proposed Character Districts;

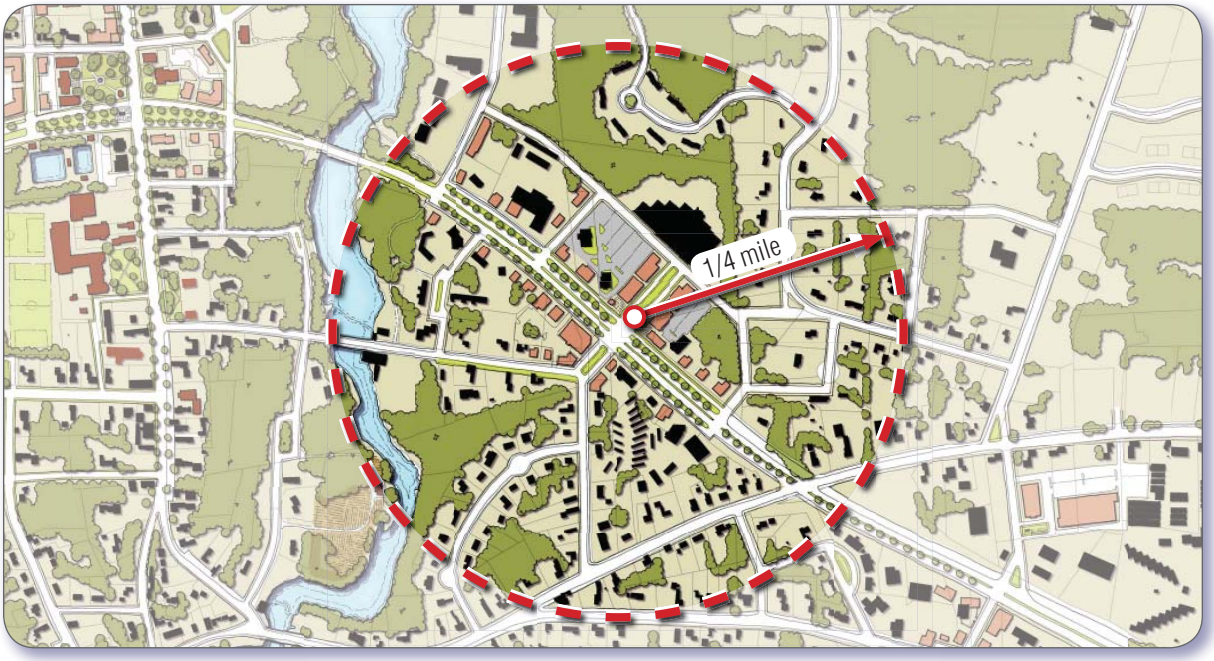
g. existing and proposed Special Districts, if any;

h. existing and proposed Special Requirements, if any;

i. The proposed mix of uses and residential density per Character District. A Development Plan with three or more Building and Lot Plan sites in any mixed use Character District (all variations of CD4) is encouraged to include a mix of residential and commercial functions;

j the proposed Block Structure for the site in

ILLUSTRATION 6.D STANDARD PEDESTRIAN SHED



compliance with applicable Block Perimeter Standards, if the Development Plan site is 5 gross acres or more;

k. Public Landscaping;

l. A conceptual or illustrative Building and Lot Plan for a first phase of Development;

m. If associated with a Regulating Plan Amendment, a massing diagram of the proposed or allowable Development;

n. All existing and proposed Preserved or created Open Space; and

o. All Buildings of Value present on the site.

3. PEDESTRIAN SHEDS.

Any proposed Development Plan shall include demonstration of connections and creation of non-motorized pathways and circulation systems within the Development Plan Pedestrian Shed(s) and demonstrate connection to any existing or planned trails, Open Spaces, or related public facilities in the vicinity. See **Illustration 6.D (Standard Pedestrian Shed).**

4. CHARACTER DISTRICTS.

Character Districts shall be designated according to and as required by **Article 3.B.**

5. SPECIAL DISTRICTS.

Special Districts, if any, shall be designated according to **Article 4**.

6. THOROUGHFARE NETWORK.

The Thoroughfare network shall be laid out according to **Article 6.E (Thoroughfares)**.

SECTION E.
THOROUGHFARES

1. GENERAL.

Thoroughfares comprise vehicular parking lanes, vehicular travel lanes, Bicycle Accommodations and the Public Frontage. Public Frontage comprises the Sidewalks, tree planting area, Planters, and street trees.

2. THOROUGHFARE STANDARDS.

Any Thoroughfares on a Development Plan shall comply with the standards set forth in this **Article 6.E.2** as follows:

a. General.

i. Thoroughfares shall be intended for use by vehicular and non-vehicular traffic and to provide access to Lots and Open Spaces.

ii. Thoroughfares shall consist generally of vehicular lanes, Sidewalks, Bikeways and Public Frontages.

iii. Thoroughfares shall be designed in context with the urban form and desired design speed of the Character Districts through which they pass.

iv. The Public Frontages of Thoroughfares that pass from one Character District to another shall be adjusted where appropriate or, alternatively, the Character District may follow the alignment of the Thoroughfare to the depth of one Lot, retaining a single Public Frontage throughout its trajectory.

v. Pedestrian access, circulation, convenience, and comfort shall be primary considerations of the Thoroughfare, with any design conflict between vehicular and pedestrian movement generally decided in favor of the pedestrian.

vi. Thoroughfares shall be designed to define Blocks not exceeding any applicable perimeter size prescribed in **Table 6.F (Block Perimeter Standards)**, measured as the sum of Lot Frontage Lines and subject to adjustment by Waiver at the edge of a Development Parcel.

vii. Thoroughfares shall terminate at other Thoroughfares, forming a network, with internal Thoroughfares connecting wherever possible to those on adjacent sites.

viii. Cul-de-sacs and dead end Thoroughfares are not allowed unless approved by Waiver to accommodate specific site conditions, and except that one single Lot may Enfront a dead end Throughfare to create a back Lot.

ix. Each Lot shall Enfront a vehicular Thoroughfare, except that 20% of the Lots within a Character District may Enfront a Passage.

x. Thoroughfares shall conform to the Thoroughfare Standards of **Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards)**. See **Illustration 6.E.1 (Turning Radius).**

xi. Standards for any new types of Thoroughfares, if any, within proposed new Special or Character Districts associated with a Regulating Plan

Amendment shall be established as part of the Regulating Plan Amendment approval and all Thoroughfares within such a Special or Character District shall conform to existing or any such new Thoroughfare Standards.

xii. Thoroughfares may be public (dedicated for Town ownership) or private;

xiii. All Thoroughfares in any mixed use district (all variations of the CD4 districts), whether publicly or privately owned and maintained, shall be open to the public.

xiv. All Thoroughfares shall comply with the Complete Streets Policy adopted by the Town.

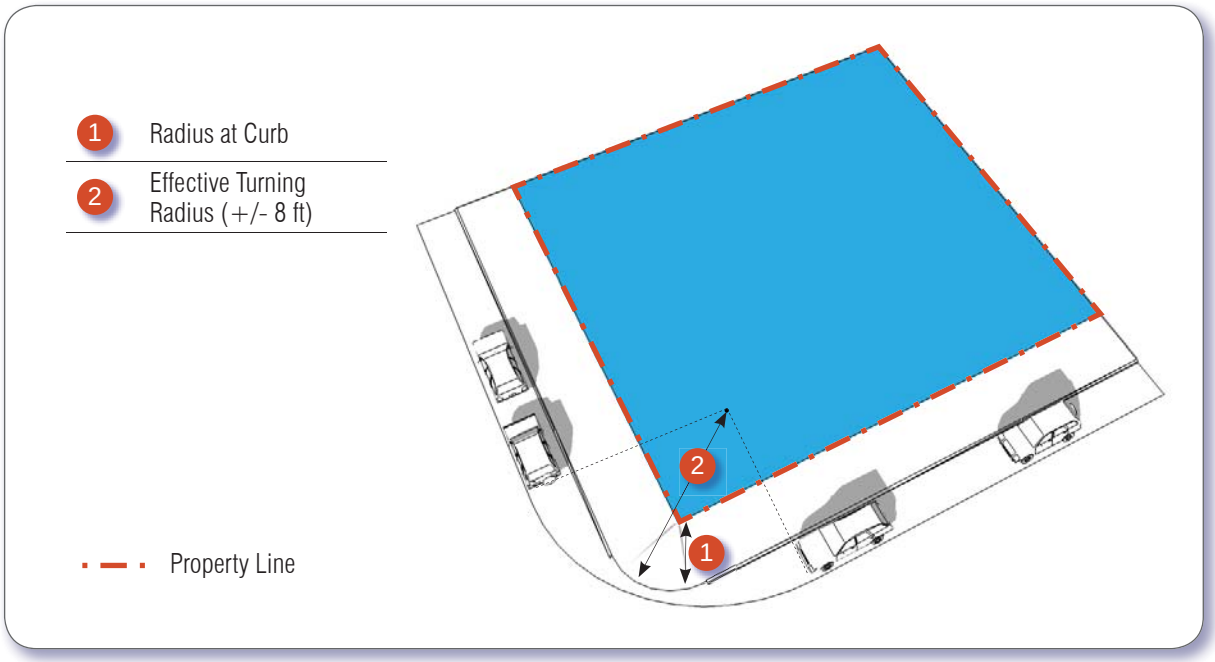
xv. Thoroughfare design and construction standards shall adhere to **Chapter 701 (Subdivision) Technical Appendices (Infrastructure Specifications**), as determined to be the closest fit by the Consolidated Review Committee, provided that the specifications of **Table 6.E.2A - 6.E.2I** shall pertain where in conflict with such Chapter 701 provisions.

b. Vehicular Lanes & Bicycle Accommodations.

i. Thoroughfares may include vehicular lanes in a variety of widths for parked and for moving vehicles, including bicycles, subject to the standards for vehicular lanes shown in **Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards)**.

ii. A bicycle network consisting of Multi-Use Paths, Buffered Bicycle Lanes, Protected Bicycle Lanes, and Shared Use Lanes should be provided throughout the area, with Bicycle Routes and other Bikeways being marked and such network being connected to existing or proposed

ILLUSTRATION 6.E.1 TURNING RADIUS



regional networks wherever possible. **See Table 6.E.3 (Bikeway Types).**

iii. Advisory bike lanes are bicycle priority areas delineated by dashed white lines. The automobile zone should be configured narrowly enough so that two cars cannot pass each other in both directions without crossing the advisory lane line. Motorists may enter the bicycle zone when no bicycles are present. Motorists must overtake with caution due to potential oncoming traffic. See **Table 6.E.3F.** Such lanes are also beneficial to pedestrians in areas without dedicated sidewalks.

c. Pedestrian Accommodations.

i. Pedestrian accommodations for all users shall be provided in all Development in keeping with the Complete Streets Policy. Walkways or Sidewalks along all Thoroughfares, trails and/or maintained paths or other pedestrian infrastructure shall be provided.

ii. Pedestrian paths of travel to and within all sites shall be delineated in all Development Plans and Building and Lot Plans, with direct, convenient, and protected access to all Building entrances and site amenities.

iii. Where Thoroughfares require Sidewalks, equivalent or better alternative means of pedestrian access may be considered by the reviewing authority.

3. PUBLIC FRONTAGES

a. The Public Frontage shall contribute to the character of the Character District or Special District, and include the types of Sidewalk, Curb, planter, bicycle facility, and street trees, allocated within Character Districts and designed in accordance with **Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards)**, **Table 6.E.3 (Bikeway Types), Table 6.E.4 (Public Planting),** and **Table 6.E.5 (Public Lighting)**.

b. Within the Public Frontages, the prescribed types of Public Planting and Public Lighting shall be as shown in **Table 6.E.2A-6.E.2I (Thoroughfare Assemblies and Standards)**, **Table 6.E.4 (Public Planting),** and **Table 6.E.5 (Public Lighting)**; provided that the spacing may be adjusted by Waiver to accommodate specific site conditions.

c. The introduced landscape shall consist primarily of durable native species and hybrids that are tolerant of soil compaction and require minimal irrigation, fertilization and maintenance.

d. The Public Frontage shall include trees planted in a regularly-spaced Allee pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one Story.

4. PUBLIC LANDSCAPING

Thoroughfare Trees and any other landscaping with the Public Frontage shall comply with the standards of **Article 5.N, (Private Lot Landscape Standards)** and with the following additional standards :

a. Thoroughfare Trees shall be placed

minimally two (2) feet from walkways, curbs, and other impervious surfaces if planted in a tree well or continuous planter; or with such placement as described in **Article 5.N.1.b**.

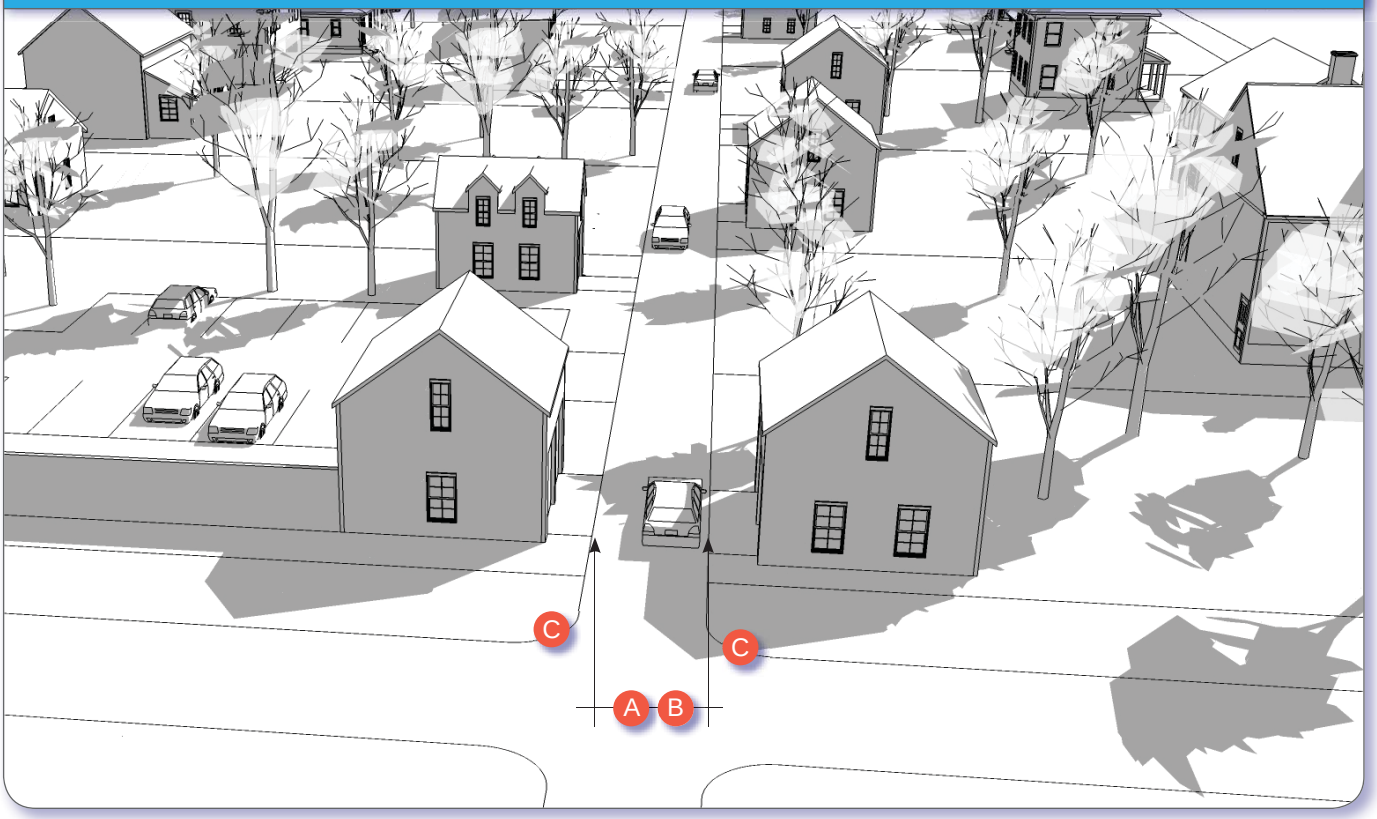
b. The soil structure of planting strips shall be protected from compaction with a temporary construction fence. Standards of access, excavation, movement, storage and backfilling of soils in relation to the construction and maintenance of deep utilities and manholes shall be specified.

c. For additional guidance, Reference is made also to the following horticultural publication : http://americanhort.org/documents/ansi_nursery_stock_standards_americanhort_2014.pdf as the same may be revised or supplemented from time to time.

TABLE 6.E.2A THOROUGHFARE ASSEMBLIES AND STANDARDS - ALLEY

Alley

CD4 | CD4-C | SD1



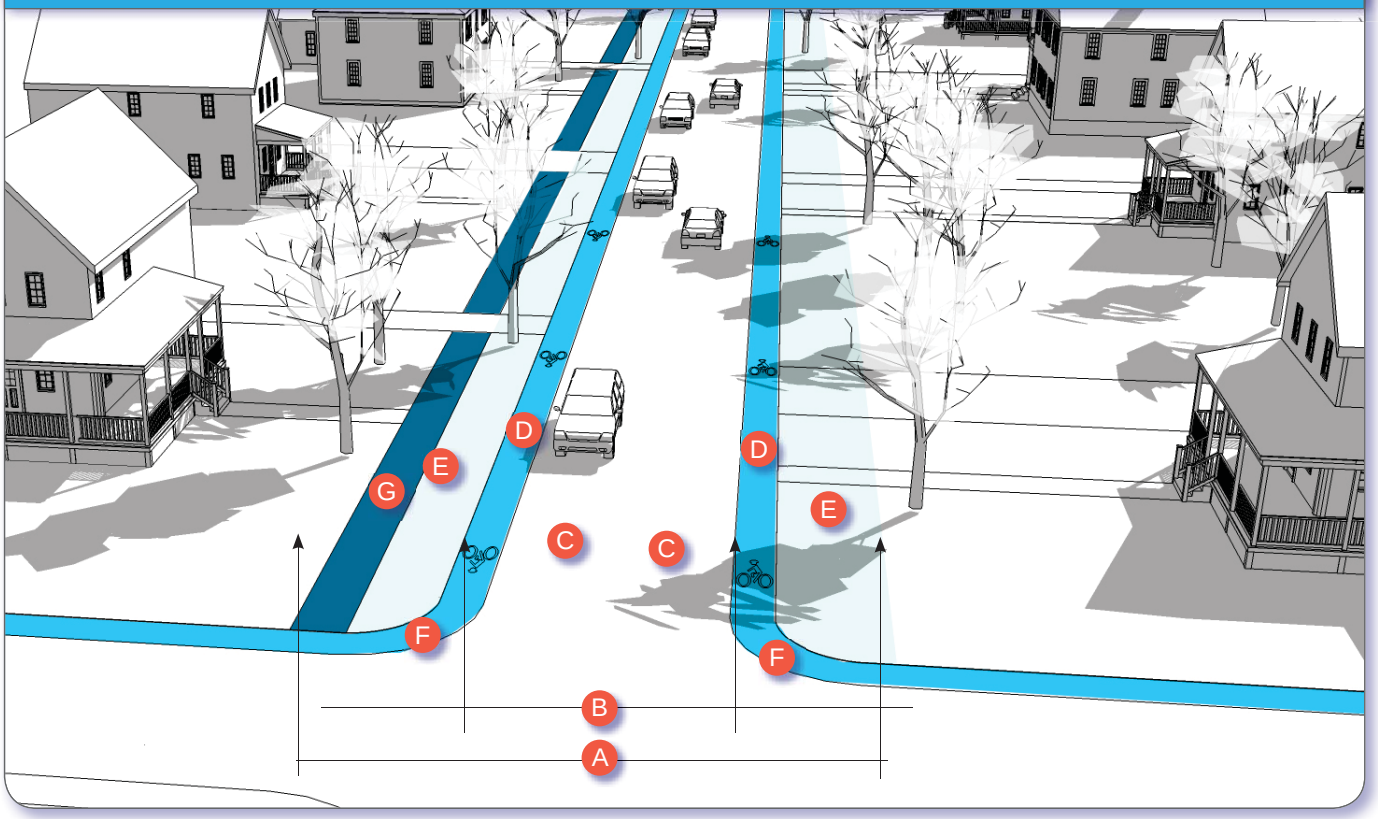
THOROUGHFARE TYPE	ALLEY	
Right of Way	24 ft max	A
Pavement	12-16 ft	B
Movement	Yield Movement	
ASSEMBLIES		
Traffic Lanes	n/a	
Traffic Lane Width	n/a	
Bikeway Type	Shared use	
Parking Lanes	none	
Parking Lane Width	n/a	

PLANTER		
Planter Type	none	
Planter Width	n/a	
Landscape Type	none	
Species	n/a	
WALKWAY		
Walkway Type	Shared Use	
Walkway Width	n/a	
CURB		
Curb Radius	Taper	C
Curb Type	Inverted Crown	
LIGHTING	none required	

TABLE 6.E.2B THOROUGHFARE ASSEMBLIES AND STANDARDS - ROAD

Road

SD1



THOROUGHFARE TYPE	ROAD	
Right of Way	36 - 56 ft	A
Pavement	22 ft max to fog line	B
Movement	Free Movement	
ASSEMBLIES		
Median Width	none	
Traffic Lanes	2 lanes	
Traffic Lane Width	11 ft max	C
Parking Lanes	none	
Parking Lane Width	none	
Bikeway Type	All types per **Table 6.E.3**. *	D

PLANTER		
Planter Type	Continuous Swale	E
Planter Width	8 - 16 ft	
Landscape Type	Irregular, Trees Clustered	
Species	See **Table 6.E.4**	
WALKWAY		
Walkway Type	Shared-Use Path, Sidewalk	
Walkway Width Min	10 ft / 6 ft	G
CURB		
Curb Radius	10 - 30 ft	F
Curb Type	Open Swale or curb	
LIGHTING	See **Table 6.E.5**	

TABLE 6.E.2C THOROUGHFARE ASSEMBLIES AND STANDARDS - LANE

Lane

CD4 CD4-C SD1



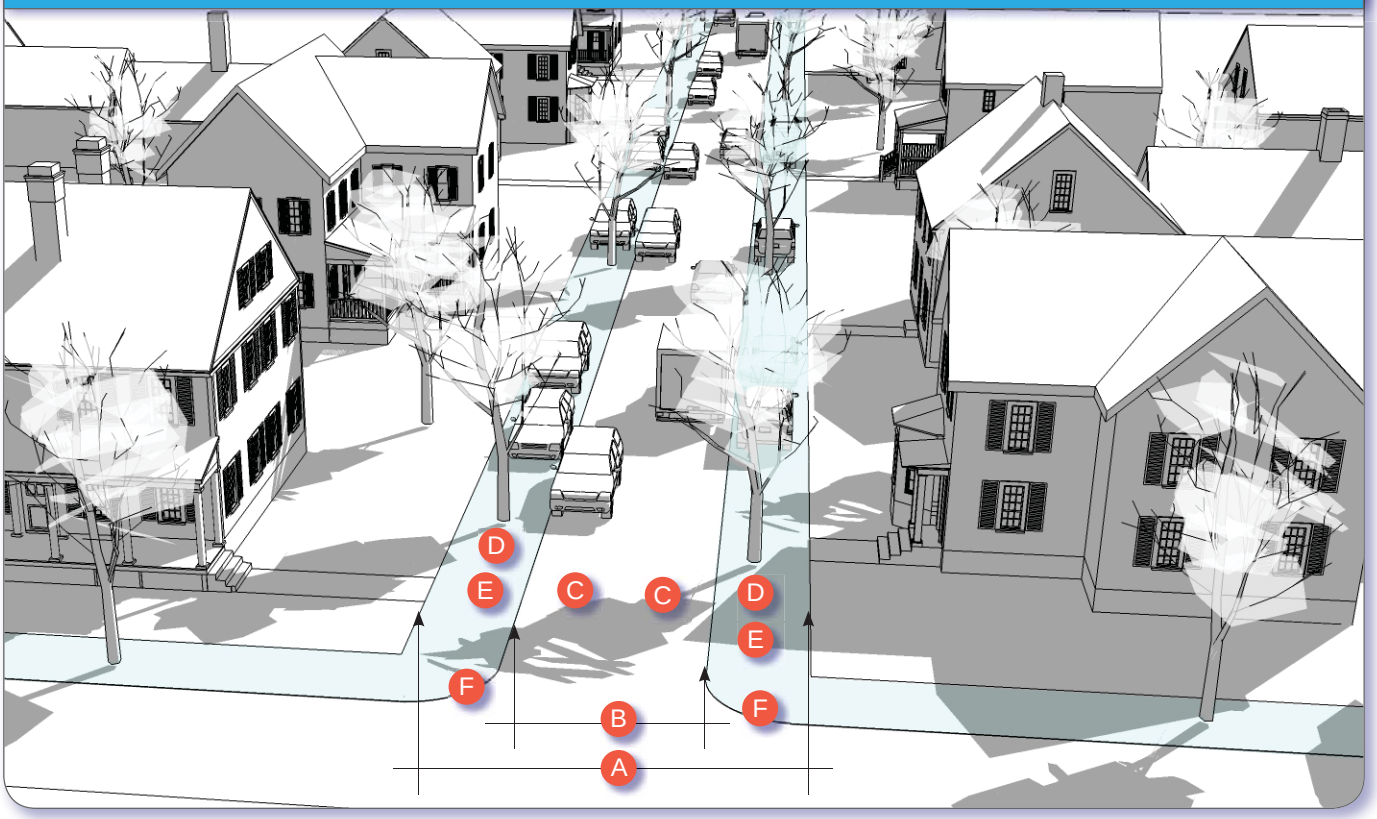
THOROUGHFARE TYPE	LANE	
Right of Way	24 - 50 ft	A
Pavement	14 - 20 ft	B
Movement	Yield / Slow Movement	
ASSEMBLIES		
Traffic Lanes	2 lanes	
Traffic Lane Width	7 - 10 ft	C
Parking Lanes	none	
Parking Lane Width	n/a	
Bikeway Type	Shared Use Lane	

PLANTER		
Planter	Continuous	D
Planter Width	6 - 16 ft	
Landscape Type	Irregular, Trees Clustered	
Species	See **Table 6.E.4**	
WALKWAY		
Walkway Type	Sidewalk, 1 side	
Walkway Width	6 ft min	F
CURB		
Curb Radius	5 ft	E
Curb Type	Open Swale	
LIGHTING	See **Table 6.E.5**	

TABLE 6.E.2D THOROUGHFARE ASSEMBLIES AND STANDARDS - MIXED USE STREET

Mixed Use Street

CD4-C SD1



THOROUGHFARE TYPE	MIXED USE STREET	
Right of Way	32 - 50 ft	A
Pavement	16 - 30 ft	B
Movement	Yield/Slow Movement	
ASSEMBLIES		
Traffic Lanes	2 lanes	
Traffic Lane Width	8 - 10 ft	C
Parking Lanes	Parallel, 1 or both sides, intermittent	D
Parking Lane Width	7 - 8 ft on stabilized shoulder	
Bikeway Type	Shared Use Lane	

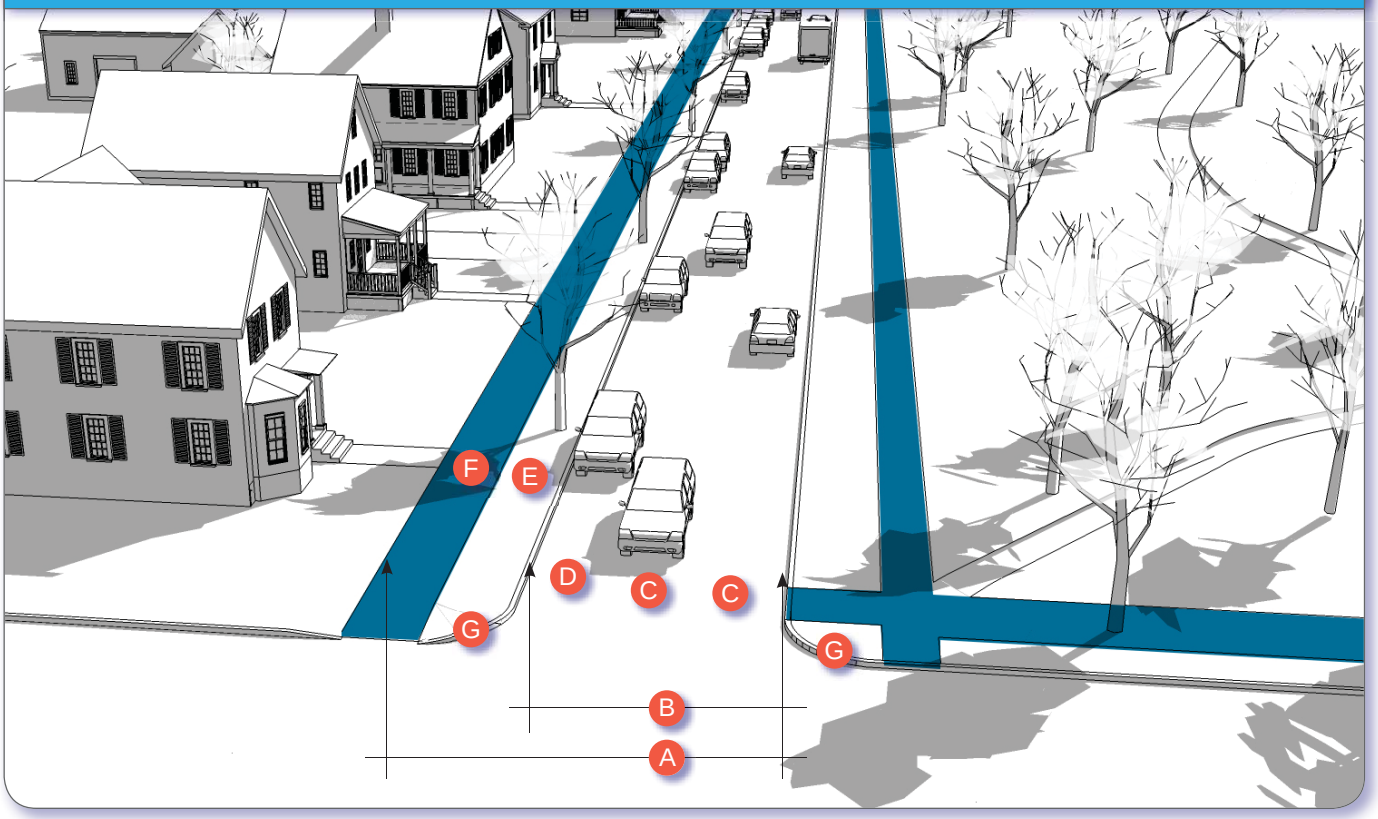
Note: This Thoroughfare type is intended for use with internal mixed use parcels with enough depth to have a short internal (local) street.

PLANTER		
Planter Type	Intermittent Esplanade	E
Planter Width	8 - 16 ft	
Landscape Type	Trees Clustered	
Species	See **Table 6.E.4**	
WALKWAY		
Walkway Type	Sidewalk 1 or both sides	
Walkway Width	6 ft - 8 ft	
CURB		
Curb Radius	5 ft	F
Curb Type	Raised Curb	
LIGHTING	See **Table 6.E.5**	

TABLE 6.E.2E THOROUGHFARE ASSEMBLIES AND STANDARDS - RESIDENTIAL DRIVE

Residential Drive

CD4 | CD4-C | SD1



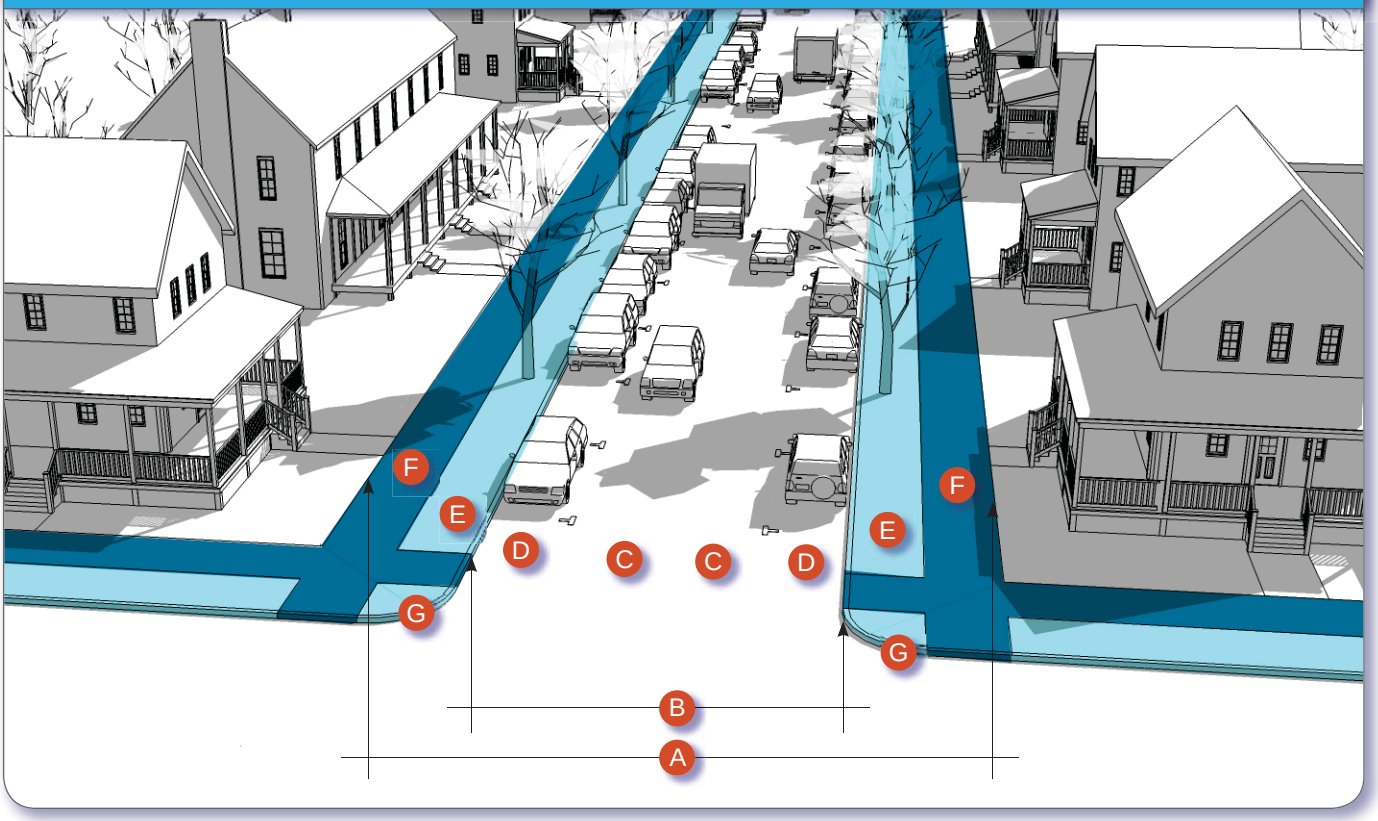
THOROUGHFARE TYPE	RESIDENTIAL DRIVE	
Right of Way	33 - 50 ft	A
Pavement	17 - 28 ft	B
Movement	Slow	
ASSEMBLIES		
Traffic Lanes	1 - 2 lanes	
Traffic Lane Width	9 - 10 ft	C
Parking Lanes	Parallel, 1, Optional	D
Parking Lane Width Unmarked	8 ft	
Bikeway Type	Shared Use Lane, Protected or Buffered Bike Lane, Multi-Use Path. See **Table 6.E.3**	

PLANTER		
Planter	Continuous	E
Planter Width	8 - 12 ft	
Landscape Type	Trees at 30 ft o.c. average	
Species	See **Table 6.E.4**	
WALKWAY		
Walkway Type	Sidewalk, 1 or both sides	F
Walkway Width	6 - 10 ft	
CURB		
Curb Radius	10 -20 ft	G
Curb Type	Raised Curb	
LIGHTING	See **Table 6.E.5**	

TABLE 6.E.2F THOROUGHFARE ASSEMBLIES AND STANDARDS - VILLAGE STREET

Village Street

CD4-C | CD4 | SD1



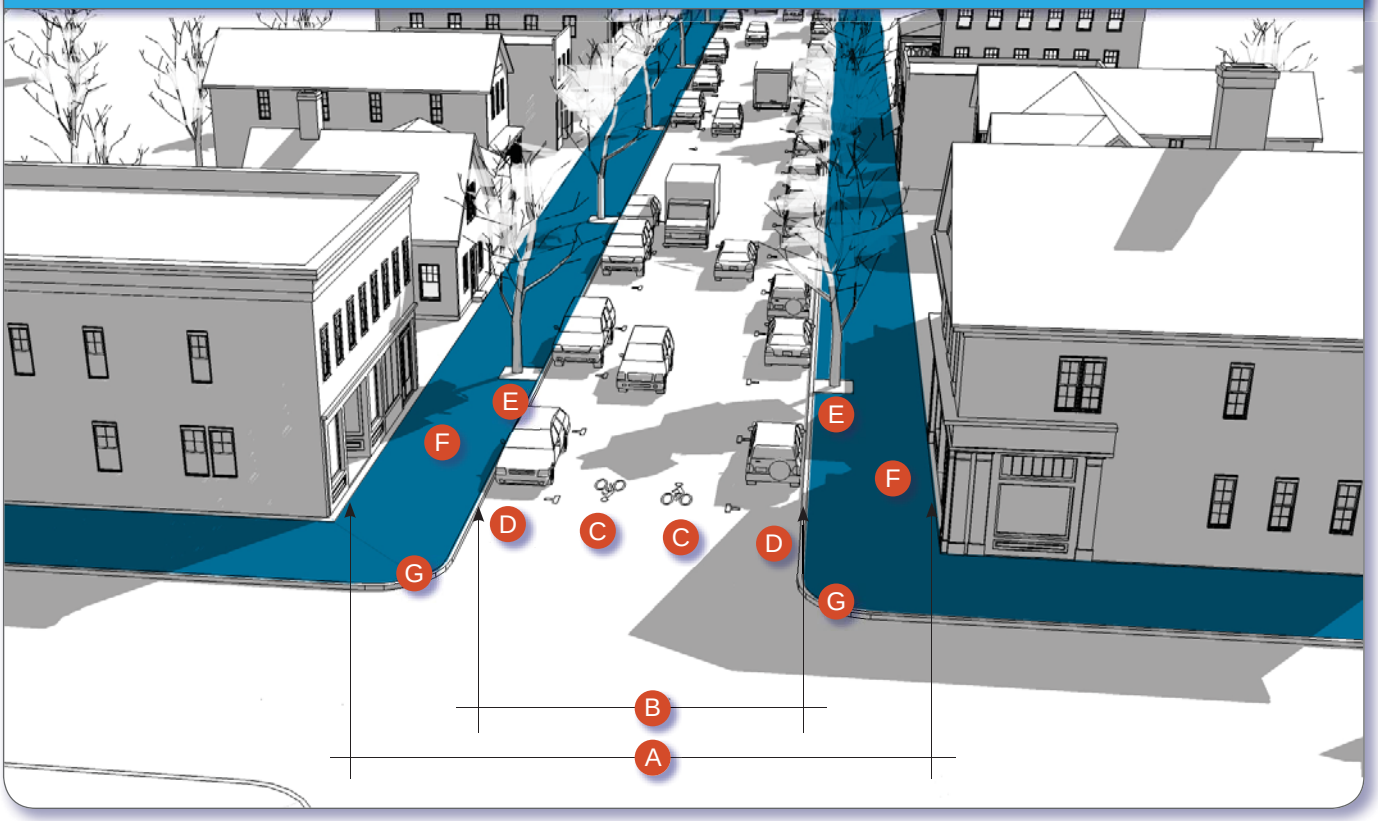
THOROUGHFARE TYPE	VILLAGE STREET	
Right of Way	47 - 76 ft	A
Pavement	26 - 36 ft	B
Movement	Slow	
ASSEMBLIES		
Traffic Lanes	2 lanes, unmarked	
Traffic Lane Width	9 - 11 ft	C
Parking Lanes	Parallel, 1 or both sides	D
Parking Lane Width	8 ft	
Bikeway Type	Shared Use Lane, Buffered or Protected Bike Lane. See **Table 6.E.3**.	

PLANTER		
Planter Type	Continuous	E
Planter Width	8 - 12 ft	
Landscape Type	Trees at 30 ft o.c. average	
Species	See **Table 6.E.4**	
WALKWAY		
Walkway Type	Sidewalk, one or both sides	F
Walkway Width	6 - 8 ft	
CURB		
Curb Radius	5 -10 ft	G
Curb Type	Raised Curb	
LIGHTING	See **Table 6.E.5**	

TABLE 6.E.2G THOROUGHFARE ASSEMBLIES AND STANDARDS - MAIN STREET

Main Street

CD4 CD4-C



THOROUGHFARE TYPE	MAIN STREET	
Right of Way Width	58 - 76 ft	A
Pavement Width	34 - 38 ft	B
Movement	Slow	
ASSEMBLIES		
Traffic Lanes	2 lanes	
Traffic Lane Width	9 - 11 ft	C
Parking Lanes	Parallel, 2	D
Parking Lane Width	8 ft, marked	
Bikeway Type	Shared Use Lane, Buffered Bike Lane, Protected Bike Lane. See **Table 6.E.3**.	

PLANTER		
Planter Type	Tree Well	E
Planter Width	4 - 6 ft	
Landscape Type	Trees at 30 ft o.c. average	
Species	See **Table 6.E.4**	
WALKWAY		
Walkway Type	Sidewalk, both sides	F
Walkway Width	12 - 20 ft	
CURB		
Curb Radius	5 - 10 ft	G
Curb Type	Raised Curb	
LIGHTING	See **Table 6.E.5**	

TABLE 6.E.2H THOROUGHFARE ASSEMBLIES AND STANDARDS - SHARED SPACE STREET

Shared Space Street

CD4 CD4-C SD1



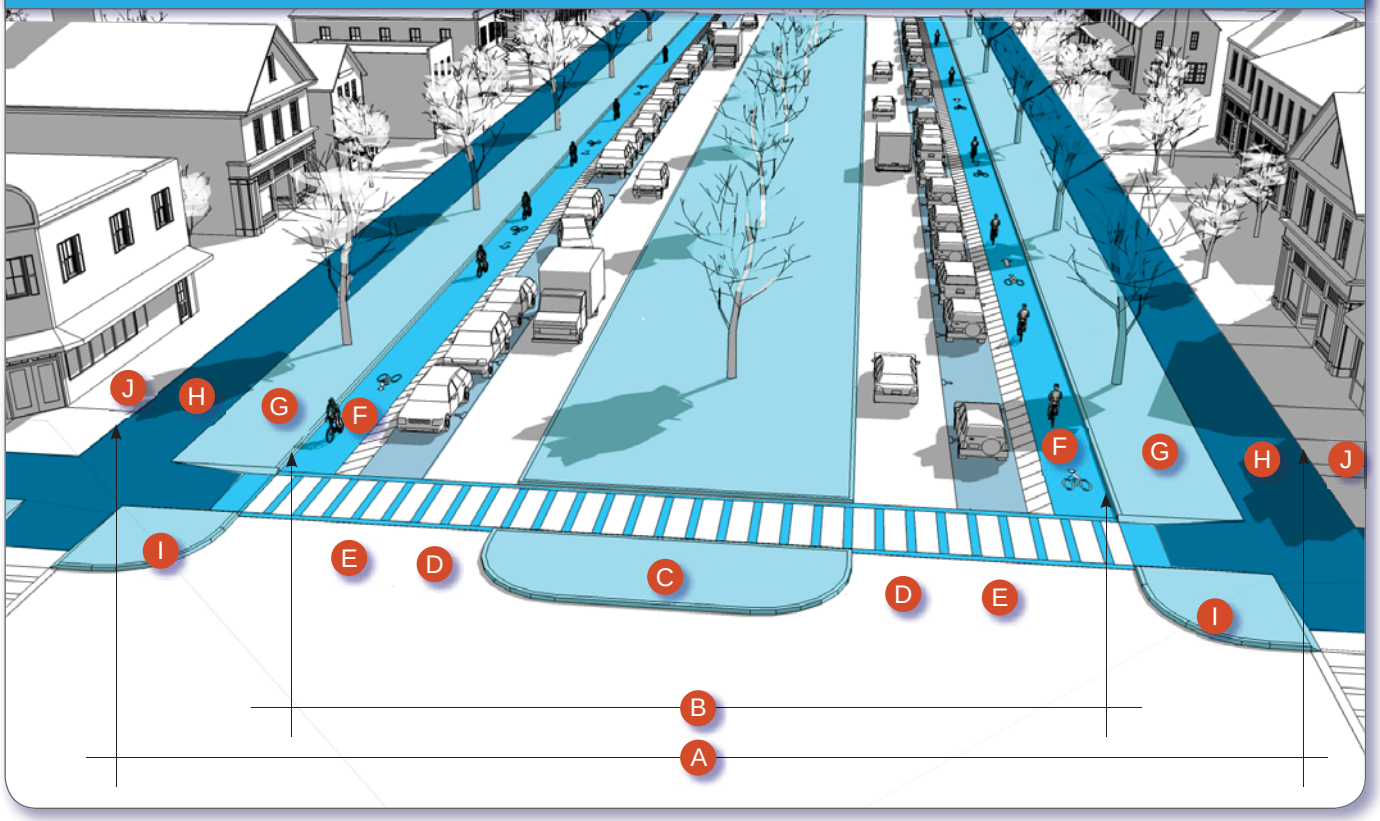
THOROUGHFARE TYPE	SHARED SPACE STREET (aka WOONERF)	
Right of Way	30 - 76 ft	A
Pavement	30 - 76 ft	B
Movement	Yield Condition	
ASSEMBLIES		
Traffic Lanes	2 lanes, unmarked	
Traffic Lane Width	7 - 10 ft, unmarked	C
Parking Lanes	Parallel, 1 or both sides, indicated with paving treatment or bollards	D
Parking Lane Width	8 ft, unmarked	
Bikeway Type	Unmarked	

PLANTER		
Planter Type	Tree Well	E
Planter Width	4 - 6 ft	
Landscape Type	Trees at 30 ft o.c. average	
Species	See **Table 6.E.4**	
WALKWAY		
Walkway Type	All Shared Space, with 12 - 20 ft between parked cars and Building Facades	F
Walkway Width	n/a	
CURB		
Curb Radius	n/a	
Curb Type	none	
LIGHTING	See **Table 6.E.5**	

TABLE 6.E.2I THOROUGHFARE ASSEMBLIES AND STANDARDS - AVENUE

Avenue

CD4-C



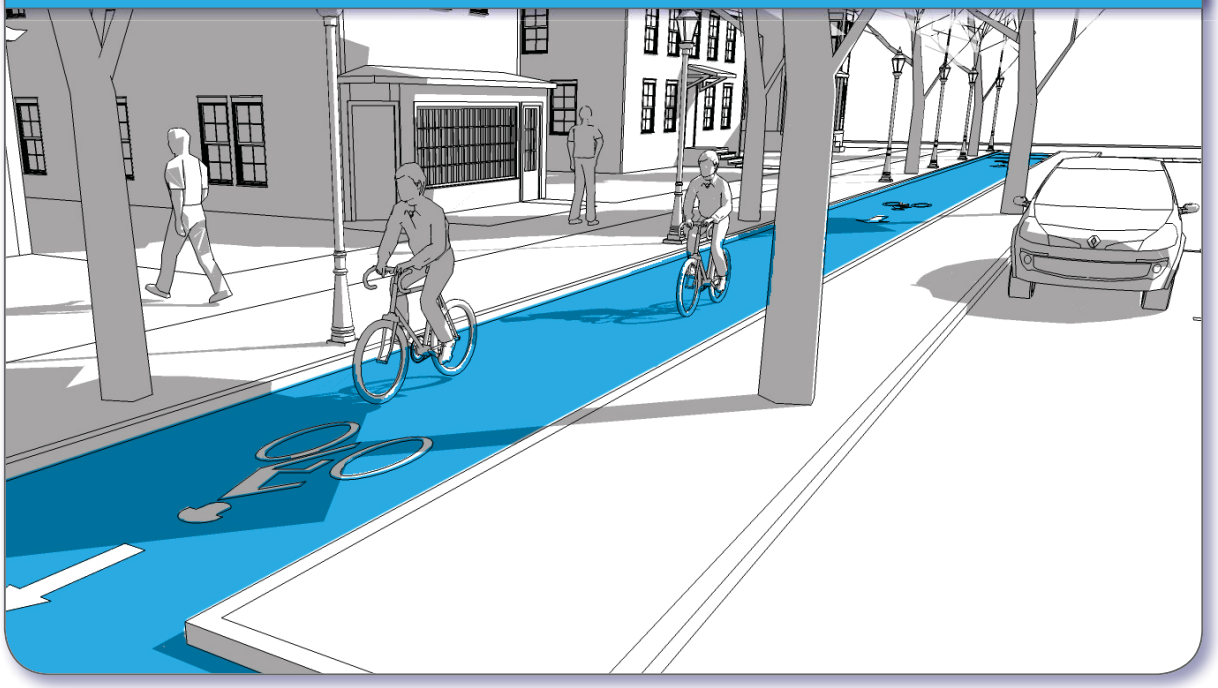
THOROUGHFARE TYPE	AVENUE	
Right of Way	70 - 210 ft	A
Pavement	36 - 50 ft	B
Movement	Slow	
ASSEMBLIES		
Median Width	6 - 24 ft	C
Traffic Lanes	2 lanes	
Traffic Lane Width	10 - 11 ft	D
Parking Lanes	Parallel, 2 sides	E
Parking Lane Width	8 ft, marked	
Bikeway Type	Protected Bike Lane, Buffered or Protected Bike Lane, Shared Use Lane, Multi-Use Path. See **Table 6.E.3**.	F

PLANTER		
Planter Type	Continuous	G
Planter Width	6 - 20 ft	
Landscape Type	Trees at 30 ft o.c. average	
Species	See **Table 6.E.4**	
WALKWAY		
Walkway Type	Sidewalk, both sides	H
Walkway Width	6 - 20 ft	
CURB		
Curb Radius	10 - 20 ft	I
Curb Type	Raised Curb	
FRONTAGE		
Frontage Verge Depth	6 - 15 ft	J
LIGHTING	See **Table 6.E.5**	

TABLE 6.E.3A BIKEWAY TYPES - PROTECTED BIKE LANE

Protected Bike Lane

CD4 CD4-C SD1

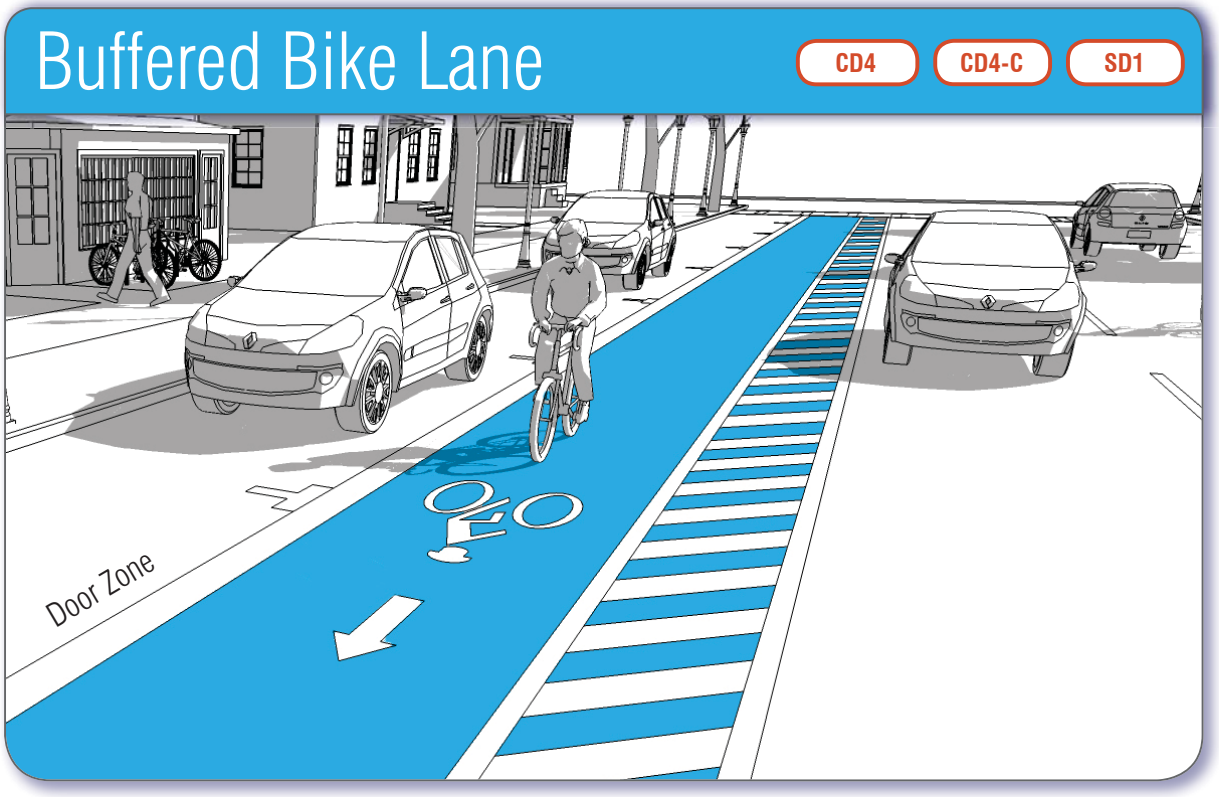


Riding Surface Width	5 ft min; 10 ft min dual direction
Lane Marking	Bike stencil in protected lane (Optional)
Buffer	3 ft min with curb and planter strip
Movement	With traffic or dual direction
Intersection Detailing	Signalized, bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station





TABLE 6.E.3B BIKEWAY TYPES - BUFFERED BIKE LANE

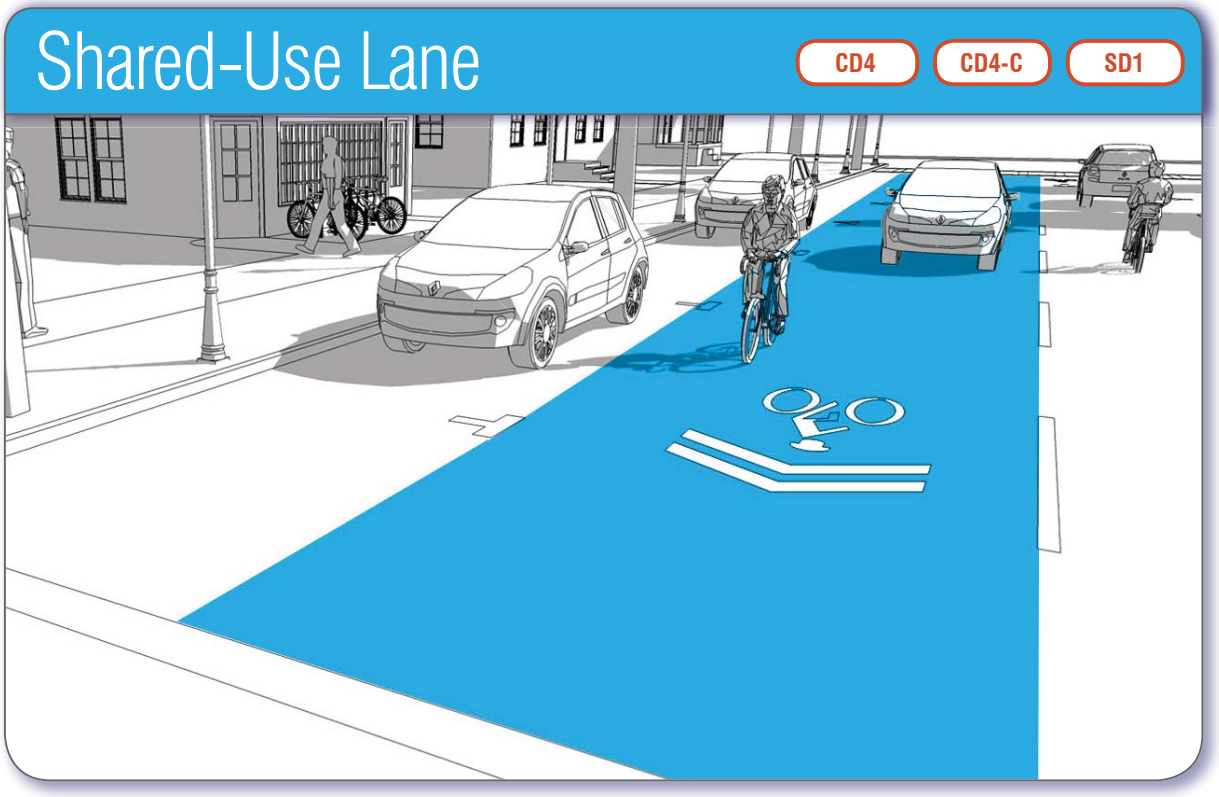


Riding Surface Width	5 ft min each way
Lane Marking	Bike stencil, door zone stripe
Buffer	3 ft min, painted buffer
Movement	With traffic or Contra-flow
Intersection Detailing	Signalized, bicycle Box
Bicycle Parking	Rack, bicycle shelter, bicycle station





TABLE 6.E.3C BIKEWAY TYPES - SHARED-USE LANE



Riding Surface Width	Same as vehicular lane
Lane Marking	Shared Lane Marking, Centered in Vehicle Lane
Buffer	none
Movement	With Traffic
Intersection Detailing	Signed
Bicycle Parking	Rack, bicycle shelter

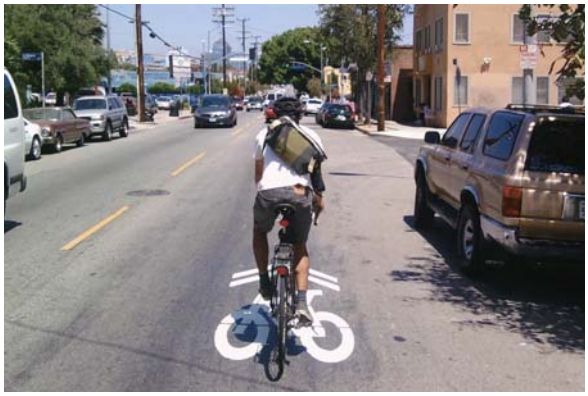
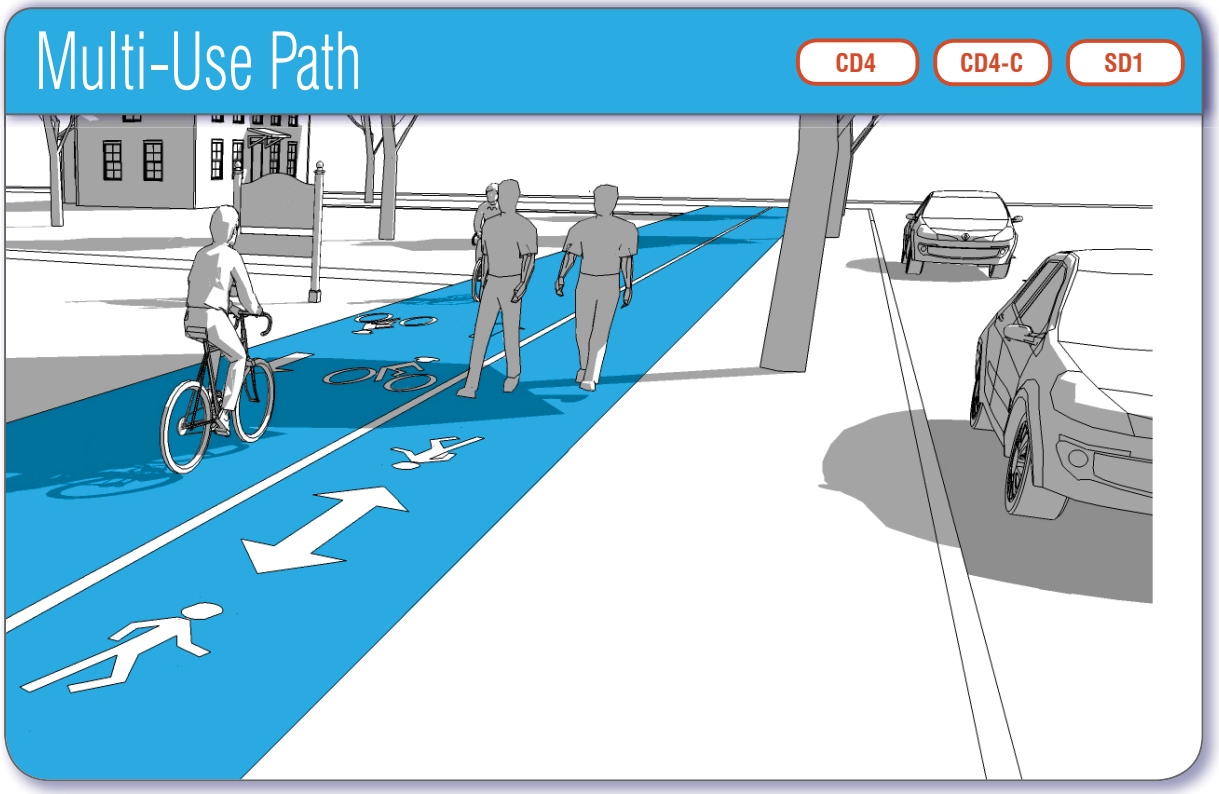




TABLE 6.E.3D BIKEWAY TYPES - MULTI-USE PATH

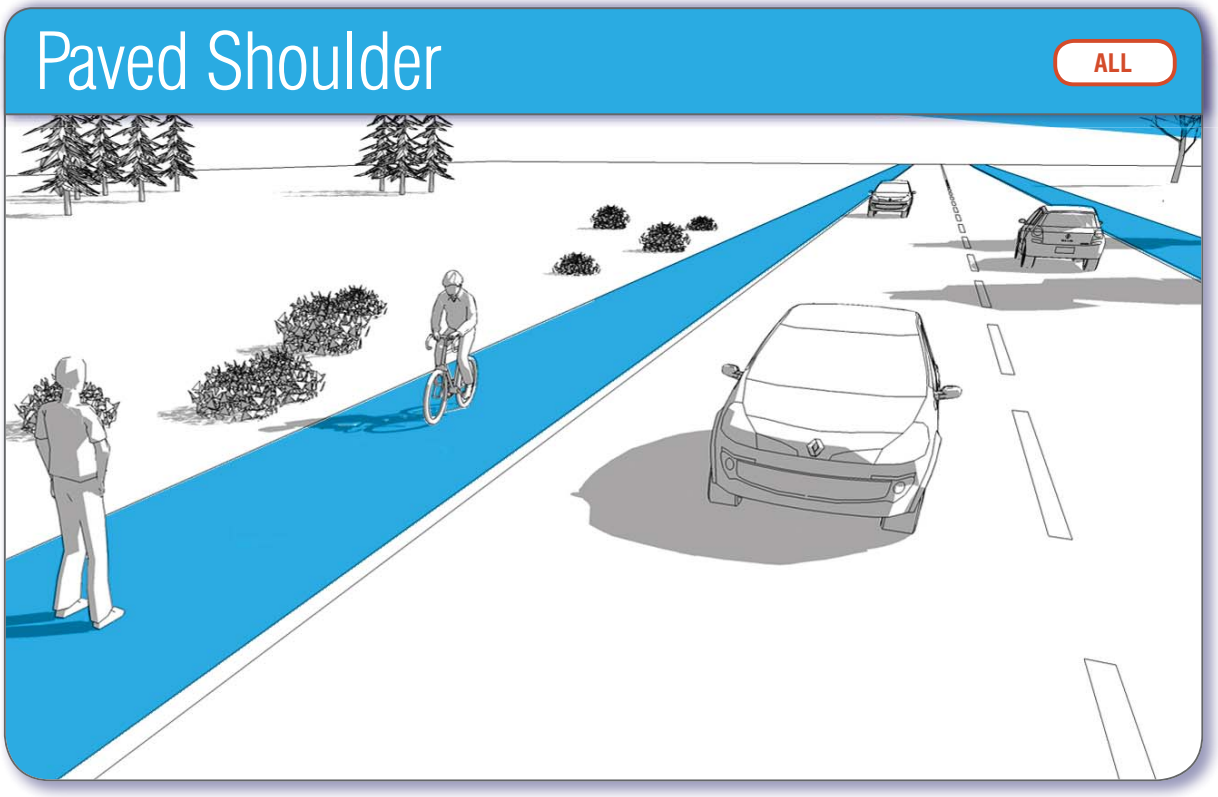


Surface Width	10 ft min
Lane Marking	Bike and pedestrian stencils(Optional)
Buffer	3 ft min, with curb and planter strip
Movement	With traffic or dual direction
Intersection Detailing	Signed, signalized
Bicycle Parking	Rack, bicycle shelter, bicycle station





TABLE 6.E.3E BIKEWAY TYPES - PAVED SHOULDER



Riding/ Walking Paved Surface Width	5 - 8 ft
Lane Marking	6'' wide Fog Stripe
Buffer	none
Movement	Bicycles travel with traffic; Pedestrian walk against traffic
Intersection Detailing	Signed
Bicycle Parking	Rack

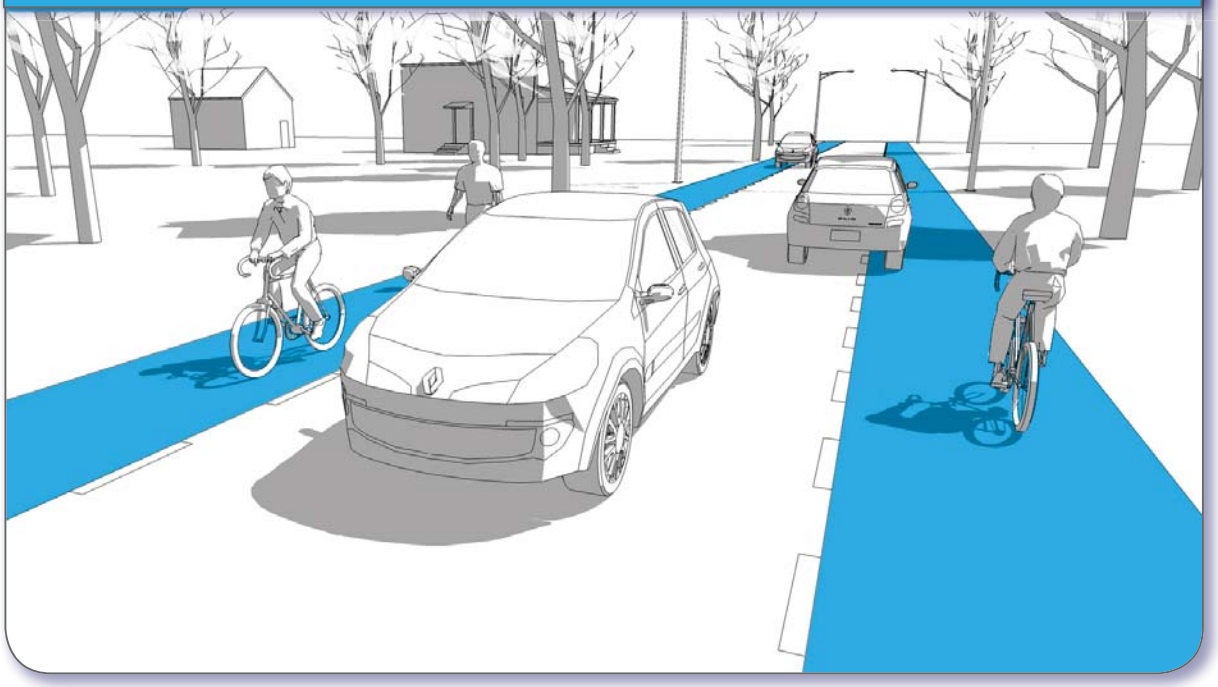




TABLE 6.E.3F BIKEWAY TYPES - ADVISORY BIKE LANE

Advisory Bike Lane

ALL



Riding/Walking Surface Width	Two 5-6 ft. minimum width multi-use lanes, flanking a single 13 ft minimum width motor vehicle travel lane in the center
Lane Marking	Dashed side lines defining the two multi-use lanes, with no center line in the vehicle travel lane
Buffer	none
Movement	Motor vehicles travel down the center vehicle lane, with slow yield movement; when encountering an on-coming vehicle, vehicle may move to the right across the dotted line if there is no cyclist or pedestrian there. Motor vehicles must yield to cyclists and pedestrians.
Intersection Detailing	Signage at the entry to that roadway section, advising motorists of change in traffic pattern, and instructing them to yield to cyclists and pedestrians.
Bicycle Parking	N/A, no motor vehicle parking





TABLE 6.E.4 PUBLIC PLANTING

Landscape Material shall generally be selected from this approved listing.

FLOWERING AND ORNAMENTAL SHRUBS.

Aesculus parviflora - Bottlebrush Buckeye
Aronia arbutifolia - Red Chokeberry
Berberis thunbergii – Barberry 'Crimson Pygmy'
Cotinus coggygria - Common Smoketree
Cotoneaster adpressa - Creeping cotoneaster
Cotoneaster divaricatus - Spreading cotoneaster
Cotoneaster horizontalis - Rockspray Cotoneaster
Deutzia gracilis - Slender Deutzia
Enkianthus campanulatus - Redveined Enkianthus
Forsythia 'Sunrise' - Sunrise Forsythia
Hydrangea paniculata - Panicle Hydrangea
Ilex verticillata - Winterberry
Myrica pensylvanica - Bayberry
Potentilla fruticosa - Bush Cinquefoil
Prunus maritima - Beach Plum
Rhododendron species
Rosa rugosa - Beach Rose
Viburnum prunifolium - Blackhaw Viburnum
Viburnum sargentii - Sargent Viburnum
Viburnum trilobum - American Cranberrybush
Xanthorhiza simplicissima - Yellowroot

PERENNIALS.

Achillea millefolium - Yarrow
Aster x frikartii - New England Aster
Astilbe varieteis - Astilbe
Coreopsis verticillata - Moonbeam Coreopsis
Echinacea purpurea - Purple coneflower
Hemerocallis species - Daylilies
Liatris spicata - Gayfeather
Malva alcea 'Fastigiata' - Hollyhock Mallow
Perovskia atriplicifola - Russian Sage
Rudbeckia 'Goldsturm' - Black-Eyed Susan
Sedum telephium - Autumn Joy Sedum

STREET TREES.

Aesculus hippocastanum Baumanii - Horsechestnut
Acer campestre - Hedge Maple
Acer ginnala - Amur Maple
Acer x. freemanii - Armstrong Maple
Acer x. freemanii - Autumn Blaze Maple
Acer rubrum - Red Maple
Acer saccharum - Sugar Maple
Acer tataricum - Tartarian Maple
Acer triforum - Three-flower Maple
Amelanchier - Autumn Sunset shadblow
Betula nigra - River Birch
Carpinus betula - Upright Hornbeam
Carpinus caroliniana - American Hornbeam
Celtis laevigata - Sugarberry
Celtis occidentallis - Hackberry
Cercidiphyllum japonicum - Katsura Tree
Cladrastis kentukea - Yellowood
Corylus colurna - Turkish Filbert
Crataegus crusgalli - Cockspur Hawthorn
Ginko biloba - Maidenhair Tree
Gleditsia triacanthos Thornless - Honey Locust
Gymnocladus dioicus - Kentucky Coffee Tree
Liriodendron tulipifera - Tulip Poplar tree
Magnolia acuminata - Cucumber tree
Nyssa sylvatica – Tupelo
Ostrya virginiana - Ironwood
Phellodendron arboreum - Amur Corktree
Prunus subhirtell 'Autumnalis'- Higan Cherry
Prunus accolade - Accolade Cherry
Prunus maackii - Amur Chokecherry
Pyrus calleryana - Cleveland Pear
Quercus alba - White Oak
Quercus bicolor - Swamp White Oak
Quercus coccinea - Scarlet Oak
Quercus palustris - Pin Oak
Quercus phellos - Willow Oak
Quercus robra - Upright English Oak
Quercus rubra - Red Oak
Quercus shumardi Shumard - Red Oak
Sophora japonica Regent - Scholartree
Sorbus alnifolia - Korean Mountain Ash
Syringa reticulata - Japanese Tree Lilac
Tilia cordata - Littleleaf Linden
Ulmus parvifolia - Lacebark Elm
Ulmus americana - Princeton American Elm
Ulumus americana - Frontier Elm

TABLE 6.E.4 PUBLIC PLANTING CON'T

Zelkova serrata - Greenvase Zelkova

ORNAMENTAL TREES.

Acer campestre - Hedge Maple
Acer ginnala - Amur Maple
Aesculus pavia - Red Buckeye
Amelanchier canadensis - Serviceberry
Calicanthus floridus - Carolina Alspice
Carpinus betulus - European Hornbeam
Carpinus carolineanum - American Hornbeam
Clethra alnifolia - Sweet Pepperbush
Cornus kousa - Kousa Dogwood
Cornus mas – Corneliancherry Dogwood
Cotinus obovatus - American Smoketree
Crataegus crus-galli - Cockspur Hawthorne
inermis 'cruzam
Crataegus viridis 'Winter King' - Winter King
Hawthorne
Halesia carolina - Carolina Silverbell
Maacki amurensis - Maackia
Magnolia stellata - Star Magnolia
Malus species - Crabapple
Nyssa sylvatica - Tupelo
Pyrus calleryana'Bradford' - Bradford Pear
Sorbus alnifolia - Korean Mountain Ash
Syringa reticulata 'Ivory Silk' - Tree Lilac

EVERGREEN TREES.

Abies concolor - White Fir
Picea pungens - Colorado Spruce
Pinus strobus – Eastern White Pine

TABLE 6.E.5 PUBLIC LIGHTING

LIGHTING TYPE	CD4	CD4-C	SD1
Cobra Head 	Y	Y	Y
Pipe 	Y	Y	Y
Post 	Y	Y	Y
Column 	Y	Y	Y
Double Column 	Y	Y	Y
Bollard 	Y	Y	Y

Y Permitted by Right

SECTION F.
BLOCK PERIMETER

Each Block shall conform to the applicable Block Perimeter Standards set forth in **Table 6.F (Block Perimeter Standards)**.

SECTION G.
CIVIC SPACES

1. CIVIC SPACES REQUIRED.

Any Development Plan having an area of aggregate 2 gross acres or more or any development plan shall provide as follows:

a. Each Pedestrian Shed of which the area covered by the plan is a part shall contain at least one Main Civic Space conforming to one of the types specified in **Table 6.G (Civic Spaces**), unless topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location. Civic Spaces should connect to existing Civic Spaces, trails, Paths, or other bike/ped connectors.

b. Within 1/4 mile (1,320 feet) of every Lot in Residential use, a Civic Space designed and equipped as a Playground conforming to **Table 6.G (Civic Spaces – Playground)** shall be provided; and

c. Each Civic Space shall have a minimum of 50% of its perimeter enfronting a Thoroughfare, except for Playgrounds.

2. CIVIC SPACES - DESIGN.

Civic Spaces shall be designed as generally described in **Table 6.G (Civic Spaces)**.

3. CIVIC SPACES IN SPECIAL DISTRICTS.

Civic Spaces may be permitted within Special Districts.

4. CIVIC BUILDING STANDARDS.

Any Civic Building provided or required pursuant to this Chapter:

a. should be located within or adjacent to a Civic Space, or at the axial termination of a significant Thoroughfare; and

b. shall be subject to the standards of Article 5 (Building and Lot Plans & Standards) unless and to the extent otherwise determined by the Town Council.

5. CIVIC BUILDINGS IN SPECIAL DISTRICTS.

Civic Buildings may be permitted within Special Districts.

TABLE 6.F BLOCK PERIMETER STANDARDS

	CD4	CD4-C	SD1
By Right	2,000 ft max	2,500 ft max	2,500 ft max

TABLE 6.G CIVIC SPACES

Sports Complex

CD4-C SD1



A Civic Space that consolidates programmed and/or athletic fields and associated facilities. A Sports Complex may be spatially defined by landscaping rather than Building Frontages. Its landscape shall consist of paths and trails,trees, and lawns or fields, formally or informally disposed.

Park/Open Space

CD4 CD4-C SD1



A natural preserve available for unstructured recreation or conservation. A park may be independent of surrounding Building Frontages. Its landscape may consist of Paths and trails, meadows, waterbodies,woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors.

Greenway

CD4 CD4-C SD1



A linear Civic Space that may follow natural corridors providing unstructured and limited amounts of structured recreation. A Greenway may be spatially defined by landscaping rather than Building Frontages. Its landscape shall consist of paths and trails, waterbodies, and trees, naturalistically disposed.

Square

CD4 CD4-C SD1



A Civic Space available for unstructured recreation and Civic purposes. A Square is spatially defined by Building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares.

TABLE 6.G CIVIC SPACES (CONT'D)

Plaza

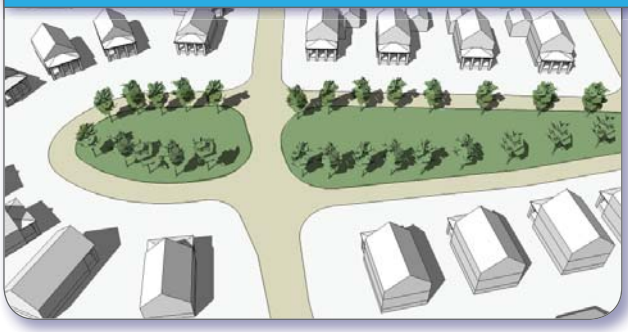
CD4 CD4-C SD1



A Civic Space available for Civic purposes and Commercial activities. A Plaza shall be spatially defined by Building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets.

Green

CD4 CD4-C SD1



A Civic Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than Building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed.

Pocket Park

CD4 CD4-C SD1



A Civic Space available for informal activities in close proximity to neighborhood residences. A Pocket Park is spatially defined by Building Frontages or street patterns. Its landscape shall consist of paths, lawns and trees, formally disposed. Pocket Parks shall be in public places or in more intimate mid-block locations.

Playground

CD4 CD4-C SD1



A Civic Space designed and equipped for the recreation of children. A playground may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within parks and greens.

SECTION H.
OPEN SPACE

[RESERVED]

SECTION I.
SPECIAL REQUIREMENTS

A Development Plan may be required to designate any of the following Special Requirements, developed in consultation with the Planning Department, CRC, and/or Planning Board, as appropriate:

1. RETAIL FRONTAGE.

Block frontages may be designated for mandatory and/or recommended Retail Frontage requiring or advising that each Building satisfy the Frontage Buildout requirement with a Shopfront Frontage at Sidewalk level along the entire length of the Private Frontage, except at any allowed Driveways or Streetscreen areas. The Shopfront Frontage shall be no less than 70% glazed in clear glass and shaded by an awning overlapping the Sidewalk as generally illustrated in **Table 5.H.2 (Private Frontage Types)** and specified in **Article 5**. The first floor shall be confined to Retail Principal Use through the depth of the Second Lot Layer. **See Illustration 5.F.1 (Lot Layers).**

2. TERMINATED VISTAS.

Designations for mandatory and/ or recommended Terminated Vista locations, may require or advise that the Building or Structure that terminates the vista be provided with architectural articulation of a type and character that responds visually to the location, as approved by the Consolidated Review Committee and/or Planning Board as appropriate.

a. Architectural features required at a Terminated Vista shall intersect the centerline axis of the view to which they respond, and may encroach into the front setback if necessary.

b. Terminated Vista features may comprise a Cupola, chimney, steeple, entry feature, tower or other significant architectural features.

3. CROSS BLOCK PASSAGE.

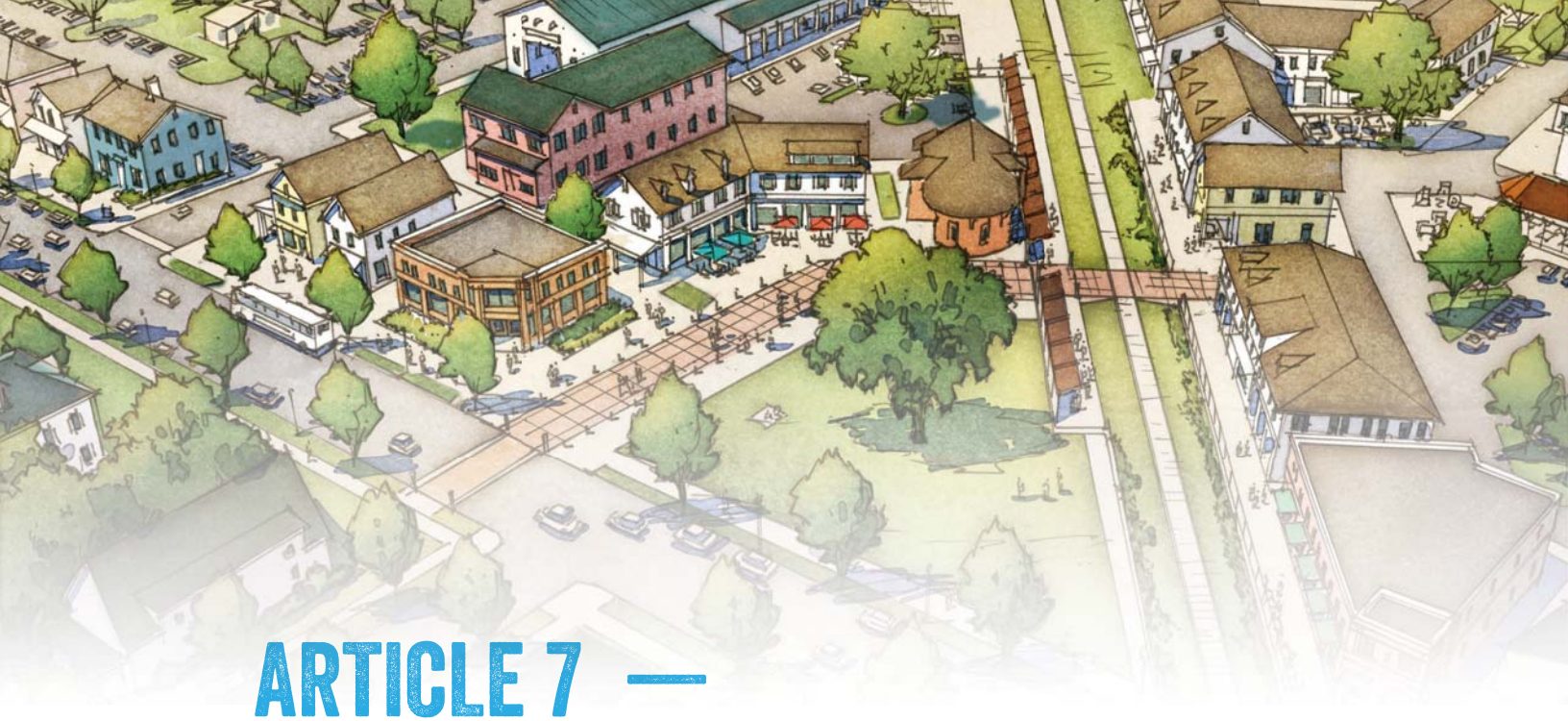
A designation for Cross Block Passages, requiring that a minimum 10-foot-wide pedestrian access be reserved between Buildings.

4. BUILDINGS OF VALUE.

Buildings and Structures of Value may be altered or demolished only in accordance with the provisions of **Chapter 701 (Zoning), Article IX, (Demolition Delay)**.

5. RESIDENTIAL DEVELOPMENT.

A Development Plan with three or more Building and Lot Plan sites in any mixed use Character District (all variations of CD4) is encouraged to include a mix of residential and commercial functions.



ARTICLE 7 — DEFINITIONS

This Chapter provides definitions for terms used herein that are technical in nature or that otherwise may not reflect a common usage of the term. Items in bold refer to Articles, Sections, or Tables in this Chapter, or Existing Local Codes.

Accessory Building: an Outbuilding with an Accessory Use.

Accessory Dwelling Unit (ADU): a self-contained dwelling unit within or attached to a single-family dwelling or detached from the single-family dwelling located on the same parcel of land. An Accessory Dwelling Unit approved under the Site Plan Review Ordinance does not require review under this Ordinance or under 30-A M.R. S. A., Chapter 187, subchapter 4, the municipal reviewing authority having determined that review under the Site Plan Review Ordinance is at least as stringent as that required under subchapter 4.

Accessory Use: a subordinate use of a Building, Structure, or Lot customarily incidental to a Principal Use located within the same Building, Structure or Lot. Not synonymous with Accessory Dwelling Unit.

Actual Parking: the number of parking spaces required to be attributable to a Lot as determined under **Article 5.K**., including **Tables 5.K.1 and 5.K.2**.

Adjacent: having any distance of real property boundary in common with another property, or being separated from the other property boundary by a right-of-way, Alley or easement.

Adult Use Cannabis Establishment: A Cannabis Establishment as that term is defined in 28-B M.R.S.A. § 102, as may be amended.

Administrative Adjustments: As defined in **Article 1.N.1.d.**

Advisory Bike Lane: a type of Bikeway as described in **Article VI.E.2.b.iii**, and depicted in **Table 6.E.3F (Bikeway Types).**

Affordable Housing Development: a development where more than half of the total proposed and existing dwelling units on the same lot or within a common scheme of development are designated affordable to a household whose income does not exceed certain thresholds based on the tenure of the household. See Chapter 701, Article I.D (Definitions) and Article II.DD (Affordable Housing Programs).

Allee: a regularly spaced and aligned row of trees usually planted along a Thoroughfare or Path.

Alley: a vehicular way located to the rear of Lots providing access to service areas, parking, and Outbuildings and containing utility easements. See **Table 6.E.2 (Thoroughfare Assemblies and Standards)**.

Apartment: a Residential unit sharing a Building and a Lot with other units and/or uses; may be for rent, or for sale as a condominium.

Artisanal Food Production: Facilities, producing handcrafted and limited production food items, not exceeding 2,000 sf of gross floor area and not exceeding three truck deliveries per week and a maximum of five full time equivalent employees, including retail outlet on premises.

Artist Live-Work Space: a residence occupied by a practicing artist that also serves as the artist studio or production area.

Assisted Living Facility: a managed residential facility in which residents live in independent dwelling units with available services such as meals, personal care, medication administration, homemaker services and emergency response system, which are provided by the service provider.

Attic: the interior part of a Building contained within a pitched roof structure.

Avenue: a Thoroughfare of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median. See **Table 6.E.2 (Thoroughfare Assemblies and Standards)**.

Backbuilding: a single-Story structure connecting a Principal Building to an Outbuilding. See **Illustration 5.G.2 (Principal Building/Backbuilding/Outbuilding)**.

Bed and Breakfast: an owner-occupied Lodging type offering 1 to 5 bedrooms, permitted to serve breakfast in the mornings to guests.

Bicycle Lane: a dedicated lane for cycling within a moderate-speed vehicular Thoroughfare, demarcated by striping. See **Table 6.E.2 (Thoroughfare Assemblies and Standards),** and **Table 6.E.3 (Bikeway Types)**.

Bicycle Route: a Thoroughfare suitable for the shared use of bicycles and automobiles moving at low speeds.

Bicycle Trail: a bicycle way running independently of a vehicular Thoroughfare.

Bikeway: a path, lane or other accommodation for bicycle traffic (whether dedicated or for shared use), including those types enumerated in **Table 6.E.3 (Bikeway Types)**. (Syn: **Bicycle Accommodation**)

Block: the aggregate of private Lots, Civic Spaces, Civic Buildings, Passages, Alleys and Lanes, circumscribed by Thoroughfares.

Block Face: the aggregate of all the Building Facades on one side of a Block.

Block Structure: all of the various elements

comprising a Block.

Block Perimeter: the total circumference of a Block expressed in lineal feet. See **Table 6.F (Block Perimeter Standards).**

Boarding House: an owner-occupied residence that rents rooms on a monthly or longer term basis.

Brewery, Nano: Breweries, with no more than 5 barrels of capacity on site and no more than 500 barrels of production per year with public tours or tasting room.

Brewery, Small: Breweries, with no more than 15 barrels of capacity on site and no more than 1,500 barrels of production per year, with public tours or tasting room.

Buffered Bike Lane: a travel lane on a Thoroughfare intended for use by bicycles, separated from an adjacent motor vehicular travel lane by a painted buffer, and from an adjacent lane of parked vehicles by another painted buffer, in accordance with the standards set forth in **Table 6.E.3B.**

Building: man-made construction completely enclosed by a roof, window, doors and solid exterior walls, and designed, built, or occupied as a shelter or enclosure for persons, animals, or property, and for the legal occupancy of which a Certificate of Occupancy is required, or has been issued prior to the effective date of hereof. Not synonymous with Structure.

Building Element (or Element): any component or part of a Building.

Building Form: referring to the form and appearance of a Building as defined by the metrics provided for in **Article 5H** and as prescribed in **Table 5.F.2 (Character District Standards)**.

Building Height: shall be defined and calculated as provided for in **Chapter 701, Article I.D (Definitions)**; in cases outside of the Shoreland Zone see the term "Building Height"; and in cases within the Shoreland Zone, see the term "Structure Height'" both of which definitions are hereby incorporated by reference.

Building Type: one of various types of Buildings depicted and described in **Table 5.H.3**, **Building Types**, including Cottage, House, Duplex, Apartment, Rowhouse, Live/Work, small Commercial Building, and Flex Building.

Buildings of Value: Buildings (and Structures) that are worthy of preservation, due to any of a variety of relevant considerations, including, without limitation, architectural significance, contribution to an overall setting or streetscape, historical significance, or otherwise of a character defining a particular Character District such that preservation or incorporation into a Development Plan and/or Building and Lot Plan could be deemed important to the maintenance of the character of such district. See **Article 5.M.7.s.**

By Right: characterizing a proposal or component of a proposal under Building and Lot Plans & Standards (**Article 5**) that complies with this Chapter and is permitted and processed administratively, without public hearing.

Character-Based Development Code Districts: the aggregate of the various Character Districts and Special Districts as

designated on the Regulating Plan.

Character District: Defined in **Article 3.A.1.b**. See also **Table 3.A (Character District Descriptions)**.

Civic: the term describing activities, uses, purposes and organizations which are dedicated to arts, culture, education, religion, recreation, government/municipal services, transit, municipal parking, gardening, horticulture, public gathering, assembly or meeting.

Civic Building: a Building operated by a not-for-profit organization or governmental entity dedicated to Civic activities, uses, and purposes.

Civic Space: an outdoor Open Space of one of the Civic Space Types permanently dedicated for Civic activities, uses, and/or purposes. Civic Space Types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping and their Enfronting Buildings. See **Table 6.G (Civic Spaces)**.

Commercial: the term collectively defining Office, Retail, and Lodging Uses.

Common Destination: an area of focused community activity, usually defining the approximate center of a Pedestrian Shed. It may include without limitation one or more of the following: a Civic Space, a Civic Building, a Commercial center, or a transit station, and may act as the social center of a neighborhood.

Common Yard: describing a type of Private Frontage as depicted in **Table 5.H.2. (Private Frontage Types)**.

Complete Street: a Complete Street is a Thoroughfare that safely accommodates the needs of all users – pedestrians, users of wheelchairs and other mobility devices, bicyclists, transit users, and motor vehicle users.

Configuration: the form of a Building, including its massing, Private Frontage, and height.

Consolidated Review Committee (CRC): a committee comprising a representative from each of the various regulatory departments and agencies that have jurisdiction over the permitting of a project. See **Article 1.J**.

Corridor: a lineal geographic system incorporating transportation trajectories.

Cottage: See **Table 5.H.3 (Building Types)**

Cross Block Passage: a passage way crossing through the interior of a Block, connecting two Thoroughfares**.**

Cupola: a cupola, dome, widow's walk or other similar feature that is nonhabitable mounted on a building roof for observation purposes. Such a feature is exempt from height limits provided that it does not extend beyond the exteriors walls of the building, has a floor area not exceeding 64 square feet, and does not extend above the height of the building by more than eight feet.

Curb: the edge of the vehicular pavement that may be raised or flush to a Swale. It usually incorporates the drainage system. See **Table 6.E.2 (Thoroughfare Assemblies and Standards)**.

Design Speed: is the velocity at which a

Thoroughfare tends to be driven without the constraints of signage or enforcement. There are four ranges of speed: Very Low: (below 20 MPH); Low: (20-25 MPH); Moderate: (25-35 MPH); High: (above 35 MPH). Lane width is determined by desired Design Speed. See **Table 6.E.2 (Thoroughfare Assemblies and Standards)**.

Development: a change in land use involving alteration of the land, water or vegetation, or the addition or alteration of Buildings or Structures or other construction not naturally occurring.

Development Parcel: defined in **Article 6.A.1**.

Development Plan: a plan for development of a Development Parcel prepared in accordance with the requirements of **Article 6**.

Distillery, Small: Distilleries, with no more than 15 barrels of capacity on site and no more than 1,500 barrels of production per year with public tours or tasting room.

Driveway: a vehicular lane within a Lot, often leading to a Garage. See **Article 5.L (Parking, Loading and Driveway Locations and Standards)**.

Edgeyard: a Yard Type that occupies the center of its Lot with Setbacks on all sides. See **Table 5.G.1 (Yard Types)**.

Effective Parking: the amount of parking required for Mixed Use after adjustment by the Shared Parking Factor. See **Table 5.K.1 (Parking Requirements)**.

Effective Turning Radius: the measurement of the inside Turning Radius taking parked cars into account. See **Illustration 6.E.1 (Turning Radius)**.

Element: see Building Element.

Elevation: an exterior wall of a Building not along a Frontage Line. See **Illustration 5.H.1 (Frontage and Lot Lines)**. See: Facade.

Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, into the Public Frontage, or above a height limit.

Encroachment: any structural Element that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public Frontage, or above a height limit, or the breaking of such limit by a structural Element.

Enfront: to place an Element along a Frontage, as in "porches Enfront the street."

Existing Local Codes: other Chapters of the Town of Yarmouth Ordinances applicable to Lots and Development (s), including, without limitation, those enumerated in **Section 1.C.3** of this **Chapter 703**.

Facade: the exterior wall of a Building that is set along a Frontage Line. See **Illustration 5.H.1 (Frontage and Lot Lines)**. See Elevation.

Flex Building: describing a type of Building as depicted in **Table 5.H.3 (Building Types)**.

Forecourt: describing a type of Private Frontage as depicted in **Table 5.H.2 (Private Frontage Types)**.

Frontage: the area between a Building Facade and a Path, Passage, waterbody, Civic Space,

or the vehicular lanes of a Thoroughfare having Vehicular Lanes, inclusive of the built and planted components of such area. Frontage is divided into Private Frontage and Public Frontage. See **Illustration P.A.1 (Thoroughfares & Frontages)**, **Table 6.E.2A to 6.E.2I (Thoroughfare Assemblies and Standards)** and **Table 5.H.2 (Private Frontage Types)**.

Frontage Buildout: the percentage of the Lot Width that is occupuied by a Building along the Front Setback, as required in **Table 5.F.2.** such Street Frontage that is completely and permanently undevelopable, such as flood plains or pre-existing irreversible legal restrictions to development may be subtracted from Frontage Buildout percentage and Lot Width maximum requirements.

Frontage Line: a Lot Line bordering a Public Frontage. Facades facing Frontage Lines define the public realm and are therefore more regulated than the Elevations facing other Lot Lines. See **Illustration 5.H.1 (Frontages and Lot Lines)**.

Garage: an enclosed area integral to a Principal Building or an Outbuilding that provides as an Accessory Use space for parking or storage of vehicles incidental to the Principal function of the Lot or Principal Building on the Lot. Not synonymous with Parking Structure.

Green: a Civic Space type described in **Table 6.G (Civic Spaces)**.

Green Roof: a roof of a Building on which plants are grown.

Greenway: a Civic Space type described in **Table 6.G (Civic Spaces)**.

Group Home: Agency-owned or operated facilities that provide an alternative living environment for persons with developmental disabilities, sensory impairments, physical disabilities, emotional disabilities, multiple disabilities or chronic illnesses who are in need of personal services, supervision and/or assistance essential for self-protection or sustaining the activities of daily living and consequently are unable to live with their own families or in a more independent setting, which are overseen by the Maine Department of Health and Human Services.

Home Occupation: An Accessory Use conducted within a dwelling unit or Accessory Structure by the residents thereof, which is clearly incidental and secondary to the dwelling used for living purposes and does not change the character of the residential use of the property and surrounding residential uses.

House: See **Table 5.H.3 (Building Types)**.

Improvements: any man-made alteration of land, a Lot, a Building or a Structure.

Inn: a Lodging type, offering 6 to 12 bedrooms, permitted to serve breakfast in the mornings to guests. See **Table 5.J.1 (Building & Lot Principal Use)**.

Inverted Crown: Surface shaping of the roadway with the low point in the middle, causing surface runoff to flow down the center of the roadway.

Land Not Suitable for Development: shall have the meaning accorded that term in **Ch. 701, Article I.D. (Definitions).**

Liner Building: a Building that is a least 24 feet deep measured from the Façade and is specifically designed to mask a parking lot or a Parking Structure.

Live-Work: See **Table 5.H.3 (Building Types).**

Lodging: premises available for daily and weekly renting of bedrooms. See **Table 5.J.1 (Building & Lot Principal Use)**.

Lot: a lot or parcel of land of record, as recorded in the Cumberland County Registry of Deeds.

Lot Coverage: that percentage of the lot area covered by all Structures, Buildings, Driveways, parking lots and other non-vegetated surfaces. Credit for permanent pervious porous or permeable pavers shall be calculated at 50% percent of the applicable non-impervious area as determined by the Town Engineer, and subject to a maintenance agreement if and as required by the Town Engineer. (Such Lot Coverage credit not applicable in Shoreland Zone.)

Lot Layer: a range of depth of a Lot within which certain elements are permitted. See **Illustration 5.F.1 (Lot Layers)**.

Lot Line: the boundary that legally and geometrically demarcates a Lot.

Lot Occupation: the degree to which a Lot is or may be built upon or improved, expressed as a percentage of total Lot area, as set forth in the Standards for each of the Character-Based Districts.

Lot Width: the length of the Principal Frontage Line of a Lot.

Main Civic Space: the primary outdoor gathering place for a community. The Main Civic Space may be associated with an important Civic Building.

Manufacturing: premises available for the creation, assemblage and/or repair of artifacts, using table-mounted electrical machinery or artisanal equipment, and including their Retail sale. See **Table 5.J.1 (Building & Lot Principal Use)**.

Medical Cannabis Establishment: A Medical Cannabis Establishment includes Caregiver Retail Stores, Registered Dispensaries, Cannabis Testing Facilities, and Manufacturing Facilities. These terms are as defined in 22 M.R.S.A. § 2422, as may be amended.

Mezzanine: a low story between two others in a building, typically between the ground and first floors.

Mixed Use: multiple uses within the same Building or in multiple Buildings by adjacency or proximity.

Mullion/muntin: A mullion is a heavy vertical or horizontal member between adjoining window units. Muntins are the narrow strips of wood that divide the individual panes of glass in a traditional sash.

Multi-Use Path: a type of Bikeway as described and depicted in **Table 6.E.3 (Bikeway Types)**, accommodating pedestrians, bicyclists and mobility devices.

Neighborhood Greenway: a type of Civic Space described in **Table 6.G (Civic Spaces)**.

Net Site Area: all developable land within a site including Thoroughfares but excluding land allocated as Land not Suitable for Development.

Non-Conformity Bearing Lot: shall have the meaning given it in **Article 1.Q**.

Office: premises available for the transaction of general business but excluding Retail, artisanal and Manufacturing Uses. See **Table 5.J.1 (Building & Lot Principal Use)**.

Open Space: land (including Preserved Open Space) intended to remain undeveloped; it may be for Civic Space.

Open Space - Preserved: Open Space that has been preserved under Article 6.H.

Outbuilding: an Accessory Building or Structure, usually located toward the rear of the same Lot as a Principal Building, and sometimes connected to the Principal Building by a Backbuilding. See **Illustration 5.G.2 (Principal Building/Backbuilding/ Outbuilding**.

Owner: the holder of right, title and interest in a Development Parcel or property subject to Building and Lot Plan and/or Development Plan.

Park: a Civic Space described in **Table 6.G (Civic Spaces)**.

Parking Area: an off-street, ground-level open area within a Lot for parking vehicles as an Accessory Use incidental to a Principal Use of the Lot or Principal Building on the Lot. Not synonymous with Parking Lot.

Parking Lot: an off-street, ground-level open area within a Lot for parking vehicles as a Principal Use function. Not synonymous with Parking Area.

Parking Structure: a Building containing one or more Stories of parking above grade.

Passage: a pedestrian connector, open or roofed, that passes between Buildings to provide shortcuts through long Blocks and connect rear parking areas to Frontages.

Path: a pedestrian way traversing a Park or rural area, with landscape matching the contiguous Open Space, ideally connecting directly with the Sidewalk network.

Paved Shoulder: a type of Bikeway as described and depicted in **Table 6.E.3 (Bikeway Types).**

Pedestrian Shed: An area that is centered on a Common Destination. Its size is related to average walking distances for the applicable type. See Pedestrian Shed - Standard, Long or Linear. (Syn: walkshed, walkable catchment.)

Pedestrian Shed - Linear: a Pedestrian Shed that is elongated along an important Corridor. A Linear Pedestrian Shed extends approximately 1/4 mile from each side of the Corridor. The resulting area may be shaped like a lozenge.

Pedestrian Shed - Long: a Pedestrian Shed that is an average 1/2 mile radius or 2640 feet.

Pedestrian Shed - Standard: a Pedestrian Shed that is an average 1/4 mile radius or 1320 feet.

Personal Services: a retail establishment catering to personal needs, including but not limited to health, fitness, beauty, hair and skin care, tailoring, shoe repair, laundry and dry cleaning, travel, pet grooming (excluding overnight boarding), etc.

Placement: the placement of a Building on its Lot. See **Illustrations 5.G.3 (Setback Designations)**, **5.F.1 (Lot Layers)** and **Illustration 5.G.2 Principal Building/ Backbuilding/Outbuilding**.

Planning Department: the Director of Planning & Development or his/her authorized agent.

Planter: the element of the Public Frontage which accommodates street trees, whether continuous or individual, or by intermittent esplanade.

Playground: a type of Civic Space described in **Table 6.G (Civic Spaces)**.

Plaza: a type of Civic Space described in **Table 6.G (Civic Spaces)**.

Pocket Park: a type of Civic Space described in **Table 6.G (Civic Spaces)**.

Porch: describing a type of Private Frontage as depicted in **Table 5.H.2 (Private Frontage Types)**.

Principal Building: the main Building on a Lot, usually located toward the Frontage. **Illustration 5.G.2 (Principal Building/ Backbuilding/Outbuilding).**

Principal Entrance: the main point of access for pedestrians into a Building.

Principal Frontage: On corner Lots, the Private Frontage designated to bear the address and Principal Entrance to the Building, and the measure of minimum Lot width. Prescriptions for the location of parking in certain Lot Layers pertain only to the Principal Frontage. Prescriptions for the First Lot Layer pertain to both Frontages of a corner Lot. See Frontage.

Principal Use: a predominant and primary use of a Building or a Lot, described in **Table 5.J.1 (Building and Lot Principal Use)**.

Private Frontage: the privately held area between the Frontage Line and the Principal Building Facade. See **Table 5.H.2 (Private Frontage Types)** and **Illustrations P.A.1 (Thoroughfares and Frontages)** and **Illustration 5.H.1 (Frontage and Lot Lines)**.

Private Frontage Types: the aspect of a Building as seen from the Thoroughfare, on which a Building fronts, as prescribed and depicted in **Table 5.H.2 (Private Frontage Types)**, which includes Common Yard, Porch, Stoop, Forecourt and Shopfront Types.

Protected Bike Lane: a type of bikeway as described and depicted in **Table 6.E.3 (Bikeway Types)**, having a prescribed degree of physical separation and/or barrier protection from adjacent or parallel motor vehicle travel lanes.

Public Frontage: the area between the Frontage Line and (a) in the case of a Lot that Enfronts a Thoroughfare, the Curb of the vehicular lanes, or (b) in the case of a Lot that Enfronts a Path, Passage, waterbody, or Driveway, such Path, Passage, waterbody, or Driveway. See **Table 6.E.2 (Thoroughfare Assemblies and Standards)** and **Illustration P.A.1 (Thoroughfares and Frontages)**.

Rear Alley: see Alley

Rearyard: a Yard Type that occupies the full Frontage Line, leaving the rear of the Lot as the sole yard. See **Table 5.G.1 (Yard Types)**.

Regulating Plan: the zoning map or set of maps that shows the Character Districts and Special Districts, Thoroughfares and Special Requirements if any, of areas subject to regulation by this Chapter.

Residential: Use characterizing premises available for long-term human dwelling.

Retail: Use characterizing premises available for the sale of merchandise and/or food service. **Table 5.J.1 (Building and Lot Principal Uses)**.

Rowhouse: See **Table 5.H.3 (Building Types)**.

Secondary Frontage: on corner Lots, the Private Frontage that is not the Principal Frontage. As it affects the public realm, its First Lot Layer is regulated. See **Illustration 5.H.1 (Frontage & Lot Lines)**.

Setback: the area of a Lot measured from the Lot line to a Building Facade or Elevation that is maintained clear of permanent Buildings or Structures, with the exception of permitted Encroachments as indicated in **Illustration 5.G.3 (Setback Designations)**.

Shared Parking Factor: an accounting for parking spaces that are available to more than one Use. See **Table 5.K.2 (Shared Parking Factor)**.

Shared Space Street: a public space or Thoroughfare designed for shared use by bicycles, motorists and/or pedestrians. (Syn: woonerf)

Shared Use Lane: a type of bikeway as described and depicted in **Table 6.E.3 (Bikeway Types)**.

Shared Use Path: See Multi-Use Path.

Shopfront: describing a type of Private Frontage as depicted in **Table 5.H.2 (Private Frontage Types)**.

Shoreland Zone: see definition in **Chapter 701, Article I.D. (Definitions)** which is incorporated herein by reference.

Shoreline: see definition in **Chapter 701, Article I.D. (Definitions)** which is incorporated herein by reference.

Sidewalk: the paved section of the Public Frontage dedicated exclusively to pedestrian activity.

Sideyard: a Yard Type having a Setback on one side and a Building occupying the other side with minimal orno Setback.

Sideyard Building: See **Table 5.H.3 (Building Types)**.

Slip Road: a type of service lane.

Special District: Defined in Section 4.A.1.

Special Flood Hazard Area: a designation by the Federal Emergency Management Agency (FEMA) that may include the V (Velocity) Zones and Coastal A Zones where Building construction is forbidden, restricted, or contingent upon raising to the Base Flood Elevation.

Special Requirements: provisions of **Articles 2.F (Special Requirements)** and **6.H (Special Requirements)** of this Chapter and/or the associated designations on a Regulating Plan or other map for those provisions.

Sports Complex: a type of Civic Space described in **Table 6.G (Civic Spaces)**.

Square: a type of Civic Space described in **Table 6.G (Civic Spaces)**.

Stoop: a type of Private Frontage as depicted in **Table 5.H.2 (Private Frontage Types)**.

Story: a habitable level within a Building, excluding an Attic or raised (daylight) basement. See **Tables 5.F.2A-5.F.2E (Character District Standards)**. Mezzanines extending beyond 33% of the floor area below shall be counted as an additional Story.

Streetscreen: a freestanding wall built along the Frontage Line, or coplanar with the Facade. It may mask a parking lot from the Thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm. (Syn: streetwall.) See **Article 5.H.7.**

Structure: any vertical Improvement that is not intended for habitation, including without limitation a park shed, bicycle storage facility, transit stop, ticket booth, utility facilities, and boathouses. Not synonymous with Building.

Studio: a workplace for arts and arts related production, including but not limited to photography, painting, sculpture, dance, artisanal printing, media arts, film, music, recording, etc.

Substantial Modification: alteration to a Building that is valued at more than 50% of the replacement cost of the entire Building.

Swale: a low or slightly depressed natural area providing drainage.

Terminated Vista: a location at the axial conclusion of a Thoroughfare or other visual axis. A Building located at a Terminated Vista designated on a Regulating Plan is required or recommended to be designed in response to the axis.

Thoroughfare: a way for use by vehicular and pedestrian traffic and to provide access to Lots and Open Spaces, consisting of Vehicular Lanes and the Public Frontage. See **Table 6.E.2 (Thoroughfare Assemblies and Standards)** and **Illustration P.A.1 (Thoroughfares & Frontages)**.

Townhouse: See Rowhouse, Table 5H.3, (Building Types).

Turning Radius: the curved edge of a Thoroughfare at an intersection, measured at the inside edge of the vehicular tracking. The smaller the Turning Radius, the shorter the pedestrian crossing distance and the more slowly the vehicle is forced to make the turn. See **Table 6.E.2 (Thoroughfare Assemblies and Standards)** and **Illustration 6.E.1 (Turning Radius)**.

Use: the functions, activities or uses accommodated by a Building or Lot. **See Table 5.J.1 (Building & Lot Principal Use)** and **Table 5.J.2 (Permitted Accessory Uses)**.

Variance: has the meaning given to that term under **Article 1.N.2**.

Verge: a narrow strip of grass bordering on a Pathway, Sidewalk, or Thoroughfare.

Waiver: has the meaning given to that term under **Article 1.N.1**.

Wetland: (including Coastal, Forested, and Freshwater Wetlands) shall be as defined in **Chapter 701, Article I.D (Definitions)**.

Winery, Small: Wineries, with no more than 15 barrels of capacity on site and no more than 1,500 barrels of production per year, with public tours or tasting room.

Yield: a Thoroughfare that has two-way traffic but only one effective travel lane necessitating slow movement and driver negotiation.