

# Draft Amendments to the Zoning Ordinance Updating the B1 District for Use as the Pine Point Mixed Use District – Updated 7-26-11

Draft Amendments:

Amend SECTION XVIII. of the Zoning Ordinance as follows (additions are underlined; deletions are struck through):

## Section XVIII. ~~LOCAL BUSINESS BEACH MIXED USE DISTRICT B-1.~~

### A. PURPOSE

To provide areas for the location of small retail, restaurant, lodging and marine-related uses and residential uses within the Pine Point beach community. These uses are intended to, and are likely local retail convenience outlets within the Town of Scarborough to serve the daily needs of the residents of the immediate neighborhood as well as tourists and summer visitors. The Beach Mixed Use District shall be considered a business district whenever this Ordinance distinguishes between types of districts.

~~For the purposes of this Ordinance such outlets shall serve definable neighborhoods and shall be consistent with the Town Comprehensive Plan. There shall be compliance with the performance standards of this and all other applicable ordinances of the Town of Scarborough.~~

### B. PERMITTED USES

#### RESIDENTIAL USES:

1. ~~1.~~ Single family detached dwellings exclusive of individual mobile homes
2. Two family dwellings
3. Accessory Uses

#### MIXED USES:

4. Dwelling units within a mixed use building limited to no more than two (2) dwelling units per building. Permitted residential uses mixed with special exception uses requires special exception approval by the Zoning Board of Appeals under Section IV(I) [Amended 08/19/09]
5. Live/Work Units

#### NON-RESIDENTIAL USES:

~~6. Local-Retail stores sales and services with less than 1,500 square feet of floor area, total per lot, not including excluding car washes, gasoline service-filling stations, and outdoor sales; and storageservices.~~

~~27. Personal services with less than 1,500 square feet of floor area, total per lot.~~

~~37. Municipal Buildings and Uses.~~

~~48. Any use permitted in an R-4A residential district. Financial, insurance and real estate offices with less than 1,500 square feet of floor area, total per lot~~

~~59. Accessory Uses~~

~~610. Restaurants with no drive-through service, with less than 1,500 square feet of floor area, total per lot.~~

~~711. Golf Course. Business services and business offices with less than 1,500 square feet of floor area, total per lot~~

~~812. Funeral Homes. Professional offices with less than 1,500 square feet of floor area, total per lot~~

~~13. Bed and Breakfast (B&Bs) subject to the performance standards of Section IX.T.~~

~~14. Place of worship~~

~~15. Food processing facility existing as of September 1, 2011~~

## C. SPECIAL EXCEPTIONS

1. Public utility building including substations, pumping stations and sewage treatment facilities.

~~2. Branch business offices.~~

~~32. Home occupation. Special exception approval is required only for those professions or occupations not otherwise allowed as permitted uses under subsection (B)~~

~~43. Lodging houses, tourist homes.~~

~~54. Group Day Care Homes, Day Care Center Facilities and Nursery Schools~~

~~56. Adjunct Uses, Place of Worship. (5/5/99)~~

~~67. Telecommunication Facility. (03/17/04)~~

#### **D. SPACE AND BULK REGULATIONS**

Minimum lot area (refer to <del>page 49</del> Section VI – Definitions, <i>Lot Area</i> for calculation)	10,000 sq. ft. <del>except that the space and bulk requirements for residential uses shall be those of the least restricted residential district adjoining the district in which the property is located.</del>
Minimum street frontage	<del>None</del> 50 feet
Minimum front yards	<del>30</del> 5 feet
Minimum side and rear yards	15 feet <del>required except where the side and/or rear yard abuts a residential district in which case it/they shall be a minimum of 50 feet and the buffering requirements of this Ordinance shall be met.</del>
Maximum building height	<del>See Section IX, A, 15</del> 35 feet
Maximum building coverage	35% <del>and not to exceed 5,000 square feet.</del>

#### **E. RESIDENTIAL DENSITY REGULATIONS**

~~Within this zoning district, the Residential Density Factors in Section VIIC(A) of the Zoning Ordinance shall apply to live/work or dwelling units in a mixed-use building or on a mixed use lot.~~

<del>Single-family and two-family dwellings on lots which contain only residential uses</del>	<del>4 dwelling units per net residential acre</del>
<del>Live/work units and dwelling units located in a mix use building or on a mixed use lot</del>	<del>4 dwelling units per acre of net lot area. The net lot area is the gross area of a lot exclusive of those areas described in paragraphs 1, 2, 3, 5 and 6 of the definition of Net Residential Acreage in Section VI of this Ordinance</del>

#### **E F. ADDITIONAL DEVELOPMENT STANDARDS**

~~**1. Commercial Design Standards:** All commercial or mixed use development involving commercial uses within the B1 District must be consistent with the Design Standards for Scarborough’s Commercial Districts.~~

~~**2. Pedestrian and Bicycle Facilities:** All developments shall provide for pedestrian movement to and within the parcel in accordance with Section IV(E) of the Site Plan Review Ordinance and the Design Standards for Scarborough’s Commercial Districts. Provisions must be incorporated~~

into new developments for bicycle movement including appropriate facilities such as bike racks and bike lanes if the location, type and/or scale of the project make these reasonable.

**F. OFF-STREET PARKING**

Off-street parking shall be provided in accordance with the requirements of Section XI of this Ordinance.

**FG. SIGNS**

Signs shall be regulated in accordance with the requirements of Section XII of this Ordinance.