

PLANNING MEMO

TO: Planning Board
FROM: Carol Eyerman, Town Planner
RE: Draft Roadside Commercial District Zoning Ordinance Amendments
DATE: May 13, 2020

The following are proposed changes to the zoning ordinance Sections 1-5 Definitions and 1-11 Roadside Commercial District based on conversations with the Ordinance Committee, the Comprehensive Plan Implementation Committee and the following statement within the Comprehensive Plan:

Corridor Commercial Area (currently called Roadside Commercial)

Location – The Commercial Corridor designation includes parts of the Lower Main Street corridor from the Town line to the Mosher’s Corner area and the parts of the Route 25 corridor in West Gorham from Shaws Mill Road to the Standish Line.

Allowed Uses – The allowed uses in the Corridor Commercial Area should be similar to the current Roadside Commercial zone including retail, service, office, auto related, small light industrial (<10,000 square feet), and community uses as well as hotels, inns and B&Bs. Residential uses should be limited to existing single-family homes. New residential development should not be allowed in this designation.

Development Standards – The existing residential uses should be subject to the standards of the Suburban Residential designation. The development standards should be somewhat similar to the current standards in the Roadside Commercial zone but should require improved site design. Buildings should be required to be setback between 25 and 90 feet from the road with not more than one double-loaded row of parking between the building and the street. A landscaped buffer strip at least 20 feet wide should be required along the street. Vehicular access to lots should be carefully managed. Access from side streets rather than Route 25 should be required if feasible and driveways limited to one per 400 feet of road frontage. The use of shared driveways and interconnected parking should be required to minimize the number of curb cuts. In addition, there should be additional requirements in areas over a sand and gravel aquifer. These provisions should require a high level of stormwater management and careful handling and storage of potential groundwater contaminants.

NOTES:

- While staff utilized the towns of Topsham, Scarborough and Kittery as examples, the Committee/Board may want to have a professional architect and landscape architect review the following specifications.
- The towns of Topsham, Scarborough and Kittery design standards include building, landscaping/buffers and other criteria that provide consistent town performance standards for all commercial development.

- We might think about reviewing the design guidelines for Scarborough (in PDF) and [Kittery](#) as we have our discussion. Both were created with Planning Decisions and Terry DeWan, landscape architect, as consultants.
- The town of Topsham Zoning Ordinance architectural standards were also written by Terry DeWan.

The following definitions shall be added to the definition section of the Zoning Ordinance in the correct alphabetical order.

SECTION 1-5 - DEFINITIONS

Self-Service Storage Facility – A structure containing separate, individual, and private storage spaces of varying sizes leased or rented to individuals for varying periods of time. Outdoor storage shall not be considered an accessory use to this permitted use.

Warehousing facilities – A building used primarily for the storage of goods and materials by the owner of the goods or operated for a specific commercial establishment or a group of establishments in a particular industrial or economic field. Warehousing may be for long-term or short term storage.

The following amendments shall be made to the Roadside Commercial District standards. Additions are underlined and deletions are ~~struck out~~.

SECTION 1-11 - ROADSIDE COMMERCIAL DISTRICT

A. PURPOSE

To provide general sales, services and business space in the Town of Gorham.

B. PERMITTED USES

- 1) Any building or use listed under Section 1-10, Subsection B and C, Urban Commercial District.
- 2) Auto-oriented businesses.
- 3) Accessory uses and buildings including a caretaker unit.
- 4) Used car lot.
- 5) Gasoline station and/or repair garage.

- sewage
- 6) Public utility facilities including substations, pumping stations, and treatments plants.
 - 7) Light Industrial Uses of ten thousand (10,000) square feet or less of gross building floor area.
 - 8) Commercial outdoor recreation facilities.
 - 9) Bed and Breakfast Establishment
 - 10) Bed and Breakfast Establishment with public dining as an accessory use
 - 11) Inn
 - 12) Mobile Vending Units
 - 13) Self-storage facility**

C. SPECIAL EXCEPTIONS

- 1) (Reserved)

D. SPACE STANDARDS

Minimum lot size:	None
Minimum area per dwelling unit:	*
Minimum street frontage:	None*
Minimum front yard:	50 feet *- <u>25 feet minimum; 90 feet maximum</u>
Minimum side and rear yards:	30 feet except as otherwise required by the buffer provisions of this Code and except when the side and/or rear yards abut a residential district in which case a minimum of 30 feet for commercial uses and 50 for light industrial uses or 50% of the building or outdoor stored material height, whichever is greater, shall be required.
Maximum building height:	None
Maximum building or outdoor stored material coverage:	None*

*Except that space standards for residential uses shall be the same as those of the Suburban Residential District.

Notwithstanding the provisions of this subsection D, an auxiliary public utility structure is exempt from the minimum lot size and street frontage requirements of this district. Structures must meet setback requirements. Additional screening and buffering can be requested by the Planning Board.

E. PERFORMANCE STANDARDS

Notes:

- **If a performance standard is included in another section of the land use ordinances, I have not repeated the requirement here. (Example: water supply)**
- **Yellow highlighted sections are new/different, changed from Narragansett to Main, or based on recommendations in the Comprehensive Plan. Non-highlighted sections are taken directly from the Narragansett Mixed Use District Performance Standards section of the current ordinance.**

- 1) The performance standards contained in Chapter 2 of this Code shall ~~be fully observed~~ **apply.**
- 2) **The following additional performance standards shall apply.**
 - a) **Lot Layout - Lots abutting multiple streets shall be oriented so the front of the building faces the street of lower classification. Lots with frontage on Main Street shall meet the design standards within this section. For lots with frontage on both Main Street and another street, the buildings, parking lots and access drives shall be located a minimum of twenty five (25) feet from Main Street.**
 - b) **Utilities -**
 - i) **All large scale developments and subdivisions shall connect to public water and sewer meeting the requirements for the Portland Water District and the Town of Gorham.**
 - ii) **All developments are required to have underground utilities.**
 - c) **Buffer yards and landscaping**
 - i) **General landscape design.**
 - (1) **Landscaping (trees, shrubs, perennials, annuals, evergreens, grasses and site structures) shall be part of the site plan and shall be detailed in a landscape plan submitted as part of site plan review. Landscaping and buffering shall conform to following standards if deemed practicable by the Planning Board. The landscape plan shall be prepared by a registered landscape architect or qualified landscaping firm.**
 - (2) **The landscape plan shall include:**
 - **The general location and area of existing trees, understory shrubs and ground cover.**

- o The location and type of all proposed plantings.
- o A matrix detailing the type, size and spacing of proposed plant materials.
 - (1) Trees, shrubs and other plant materials shall reinforce pedestrian and vehicle circulation systems, provide seasonal interest, break down large spaces into smaller spaces, accent buildings and screen parking and loading areas.
 - (2) Plant material native to Maine and tolerant of local climatic conditions are required.
 - (3) The mature form and size of trees and shrubs and other plant material shall not interfere with pedestrian and vehicular circulation, signage, lighting and above ground and buried utilities.
 - (4) Canopy trees shall be deciduous, shade or evergreen trees planted at 3 to 3-1/2 inches in caliper with a mature height of at least 35 feet. Under story trees shall be deciduous shade, fruit or evergreen trees planted at 2 to 2-1/2 inches in caliper with a mature height of at least 12 feet.
 - (5) All plantings shall be selected with an understanding of their maintenance requirements. Leaf and seed litter, strength of branches, fertilizer and irrigation requirements shall be taken into consideration when preparing a landscape plan.
 - (6) All approved landscaping and screening shall be maintained or replanted as necessary so as to continue its effectiveness. The owner of any development shall have a continuing obligation to maintain required plantings in accordance with the terms of the site plan approval and in a good and healthy condition.

d) Street tree landscape design.

- 1) Canopy trees shall not be planted directly under overhead utilities in order for the tree to develop its mature form.
- 2) Screening of non-residential uses: Non-residential uses shall be screened from adjacent residential zoning districts and developments by a buffer yard of twenty five (25) feet in width containing at least three (3) canopy trees, six (6) under-story trees and nine (9) shrubs per one hundred (100) feet of length along the perimeter of the lot line adjacent to the residential use.
- 3) Screening along public roadways: Development adjacent to public roadways shall be screened as follows:
 - a) Abutting Main Street – For every 100 lineal feet of frontage, a landscaped buffer yard of at least thirty (30) feet in width, the following plantings are required:
 - o Four (4) canopy trees
 - o Three (3) understory trees.

Comment [1]: These requirements are in the Narragansett District standards. I already reduced them in most instances, but have made more reductions here.

Comment [2]: I changed the street name to Main St and 40 ft to 30 ft to match the Comp Plan recommendation.

Comment [3]: I removed the required size of tree.

- Ten (10) deciduous shrubs.
 - Three (3) evergreen trees.
- (3) Abutting a local street: For every 100 lineal feet of frontage, a landscaped buffer yard of ten (10) feet in width containing at least one (1) canopy tree per one hundred (100) feet of frontage.
 - (4) Alternative buffers: In lieu of compliance with the above buffer yard and landscape requirements, a developer may submit a detailed plan and specification for landscaping and screening which will afford a degree of buffering and screening equivalent to or exceeding that provided by the above requirements.

Comment [4]: I reduced the shrubs from 12 to 10.

Comment [5]: I added evergreen trees.

e) Parking lot landscaping: At least ten percent (10%) of the interior surface of any parking area containing twenty (20) or more parking spaces shall consist of landscaped islands which shall be composed of shrubs and trees and other landscaping materials. The interior surface of a parking area shall be derived by computing the area within the general perimeter of contiguous areas containing parking spaces, maneuvering areas behind the spaces and landscaping areas within such perimeter, except that required setback areas and buffers shall not be included in the interior area computation.

f) Screening of refuse collection facilities: Uses within the development shall provide secure, safe, and sanitary facilities for the storage and pickup of refuse. Such facilities shall be convenient to collection and shall be appropriate to the type and size of the use being served. All refuse storage facilities shall be screened by a solid wall, fence, tight evergreen hedge, or combination of the above. Such screening shall be of sufficient height and design to effectively screen the facility from the view from adjacent residential uses, streets and from adjacent properties.

g) Parking Lot Standards

- 1) Parking lots between the front wall of any building and the street shall be limited to one row of parking spaces, the access driveway, and walkway into the buildings.
- 2) All other parking shall be located to the side and rear of the building.

h). Lot Access

- 1) Entrances to uses in this district shall be combined to the maximum extent possible.
- 2) For lots with frontage on both **Main** Street and another street the access drives shall be located off the street of lower classification.
- 3) Access shall be limited to one per four hundred (400) feet of road frontage.
- 4) A parcel that does not have frontage on **Main** Street shall not be granted vehicular access from **Main** Street except in cases where:
 - a) Access will be provided through a combined entrance with another parcel which has frontage on **Main** Street.

Comment [6]: h) 3) is recommendation in Comp. Plan

- b) The driveway will meet State and local requirements.
- c) The Planning Board determines that the increased use will not have a negative impact on Main Street traffic flow

i) Architectural Design Standards

1) General standards

- d) Applicability. These design standards apply to all new non-residential buildings, structures and additions.
- e) Registered architects. All buildings and additions shall be designed by a registered architect in the State of Maine.
- f) Architecture as advertising. Proposed buildings, improvements and additions shall not be stylized to the point that the building or improvements are more an advertisement than an architectural form.
- g) Overall development. Clusters of buildings or overall developments are encouraged rather than lot-by-lot development.
- h) Facade length. Long or continuous facades do not provide visual interest. Facades shall be articulated every 50 feet using varied setbacks, rooflines, materials and heights.

2) Specific standards.

- a) All non-residential principal buildings and structures with frontage along Main Street shall be designed in a traditional New England Village style.
- b) Height
 - i) The height of the proposed building(s) or addition(s) to existing buildings shall be appropriate with neighboring buildings.
 - ii) In reviewing a proposed new building or structure, or additions to existing buildings, relate the overall height of new construction to that of neighboring structures. As a general rule, construct new buildings to a height comparable to the average height of existing buildings from the historic period on the same side of and across the street.
 - iii) Avoid new construction that greatly varies in height (too high or too low) from older buildings in the vicinity.
- c) Proportion of buildings front facade and massing
 - iv) All buildings shall be designed so that the front wall of the building and any wall facing Main Street that is not a front facade has the visual appearance of a front facade. The facade shall incorporate pedestrian scale design features such as doors and windows.
 - v) The relationship of the width of the building to the height of the front elevation shall be visually compatible with buildings, structures and open spaces where it is visually related. In reviewing a proposed new building or structure, or additions to existing buildings, break up uninteresting box-like forms into smaller, varied masses comparable to other buildings in the area.
 - vi) Avoid single, monolithic forms that are not relieved by variations in massing and facade articulation.
- d) Proportion of openings with the facade.

- (1) Windows or architectural treatments designed to simulate windows shall comprise no less than twenty percent (20%) of the exterior wall surface.
- (2) The façade shall be designed to avoid large blank wall space.
- (3) The relationship of width of the windows to height of the windows and doors in a building shall be visually compatible with those of windows and doors in the area.
Relationship of solids to voids in front facades.
- (4) The relationship of solids to voids in the front facade of a building shall be visually compatible with that of buildings in the area.
- (5) In reviewing a proposed new building or structure or addition to an existing building, respect the recurrent alteration of wall areas with door and window elements in the facade. Also consider the width-to-height ratio of bays in the facade. The placement of openings with respect to the facade's overall composition, symmetry or balanced asymmetry should be studied.
- (6) Shutters should be the correct scale to the window and not just decorative elements. A shutter should be half as wide as the window.

vii) Entrance and/or porch projection (setback).

- (1) Customer Entrances: The customer entrance(s) shall be clearly defined and highly visible by using features such as canopies, porticos, overhangs, recesses/projection, and raised corniced parapets over the door, arcades, arches, wing walls. Integral planters are highly encouraged.
- (2) The relationship of entrance and porch projections to sidewalks and streets should be visually compatible with those of buildings in the area.
- (3) Avoid placing buildings at odd angles to the street, unless in an area where diverse siting already exists, even if proper setback is maintained.
- (4) When adding a porch or an addition to the front of a building avoid solid, opaque forms that block the view of the original structure.

vii) Materials, textures and color.

- (1) The relationship of materials, textures and color of the facade of a building shall be visually compatible with that of the predominant materials used in the buildings to which it is visually related or traditionally used in the area.
- (2) Buildings shall be compatible with New England character. The exterior surface of all facades shall use traditional New England materials. Materials common to New England, such as brick, clapboard and shingles, are preferred. Materials which replicate traditional materials such as vinyl clapboard siding, masonry units that replicate shake or clapboard siding, or metal or plastic roofing that simulates shake or shingle roofing are acceptable.

- (3) Highly reflective materials such as plastic panels, aluminum and metals, flat concrete block, corrugated or flat metal, fiberglass, plastic panels, stucco, or products such as T-111 or plywood shall not be used.
- (4) Roofs shall be a unified material and a darker color than the building. Metal roofs may be allowed if compatible with the overall architectural design of the building.
- (5) The treatment of accessory buildings and structures shall be compatible with the principal building and shall use similar materials, details, and level of trim.
- (6) At least two different building materials shall be used for the primary façade of a building facing the primary street the building accesses. The Planning Board may waive the building material, if it finds the building design has enough architectural detail to sufficiently break-up the massing of the building. Glass for use in windows and doors shall not be considered one of the required building materials. All façades that have frontage on a street shall be considered a primary façade.
- (7) Building and Other Structure Colors: Exterior colors shall be of low reflectance, subtle, neutral or muted earth tone colors. The use of high intensity colors such as black, neon, metallic or fluorescent colors for the facade and/or roof of the building are prohibited except as approved for building trim.

Comment [7]: I changed this to 2 different materials rather than 3 as is currently in the Narragansett district.

viii) Roof shapes and design

- 1) Avoid introducing roof shapes, pitches or materials not traditionally used in the area.
- 2) Roofs shall be designed to maintain the New England character. All new buildings and additions shall have pitched or gabled roofs to the extent possible. If a pitched roof is not practical, false building fronts shall be used to imitate pitched roofs. Accessory buildings, canopies, and other structures shall have roof lines that are visually compatible with the roof line of the principal building.
- 3) Roofs shall be designed to reduce the apparent exterior mass of a building, add visual interest and be appropriate to the architectural style of the building. The following design elements are highly encouraged: variations within one architectural style; visible roof lines and roofs that project over the exterior wall of a building enough to cast a shadow on the ground; and overhanging eaves, sloped roofs and multiple roof elements. Architectural methods shall be used to conceal flat roof tops. All roof-top mechanical equipment shall be screened so that it is not visible from grade.
- 4) When installing green roof systems, strict adherence to these standards may be waived by the Planning Board. All green roofs shall have a cornice or other architectural detail above the roofline, to conceal any flat roof areas.

xi) Scale of buildings.

- 1) The size of the building, the building mass in relationship to open spaces, the windows, door openings, porches and balconies should be visually compatible with those characteristics of buildings and spaces to which it is visually related.
- 2) In reviewing a proposed new building or structure, or addition to an existing building, relate the size and proportions of new structures to the scale of neighborhood buildings. Although much larger than its neighbors in terms of square footage, the building shown maintains the same scale and rhythm as the existing buildings.
- 3) Buildings that in height, width or massing violate the existing scale of the area shall not be permitted.

x) Directional expression of front elevation

- 1) Building(s) shall be located on the property with the principal building entrance oriented toward the primary focal point of the property/development.
- 2) A building shall be visually compatible with the building(s), square(s) and place(s) to which it is visually related in its directional character, whether this is vertical character, horizontal character or nondirectional character.
- 3) In reviewing a proposed new building or structure, or addition to an existing building, relate the vertical, horizontal or nondirectional facade of the character of the new buildings to the predominant directional expression of nearby buildings. Horizontal buildings can be made to relate to the more vertical neighboring structures by breaking the facade into smaller masses that conform to the primary expression of the streetscape.
- 4) Buildings and additions shall be parallel to the primary street frontage.

xi) Linear commercial structures

- 1) Buildings with multiple storefronts (e.g., strip shopping centers, one-story office buildings) shall be visually unified through the use of complementary architectural forms, similar materials and colors, consistent details and a uniform sign-mounting system.
- 2) Variations in setback on linear structures that add visual interest, create common plaza areas and landscape areas are required.
- 3) Variations in rooflines, gables and building height that add visual interest and break down the scale of the buildings are required.
- 4) Covered walkways and awnings along the front facade that provide shelter, help scale the building to the pedestrian and visually unite the structure are required.

xii) Large-scale structures

- 1) The scale of big-box-type structures shall be broken down using changes in roof lines, gable ends, towers, colonnades, architectural details and landscaping.
- 2) Blank walls shall be made more visually interesting by including elements that create shadow lines, changes in setback, material and rooflines and other architectural details consistent with the historic patterns in the area.

xiii) Mechanical Equipment and Service Areas.

- 1) The location of loading docks and service areas shall be to the sides and/or rear of a building, except when a site abuts Main Street, in which case the said areas shall be located to the sides of the building that do not face Main Street.
- 2) The architectural design of the buildings shall incorporate features which screen, contain and conceal all heating, ventilation, air conditioning units, trash enclosures, dumpsters, loading docks and service yards. Landscaping, fencing, berms and similar features may be used to accomplish this goal.
- 3) Fencing, screening, landscaped berms, natural features or combination thereof, shall be utilized to shield from the view of abutting residential properties and public ways all loading and unloading operations, storage and repair work areas, commercial vehicle parking, and waste disposal and collection areas. Screens at least as high as the equipment they hide shall be of a color and material matching or compatible with the dominant colors and materials found on the facades of the principal building. Chain link or cyclone fencing (with or without slats) shall not be used to satisfy this requirement.
- 4) Equipment that would remain visible despite the screening due to differences in topography (i.e., a site that is at a lower grade than surrounding roadways) shall be completely enclosed except for vents needed for air flow, in which event such vents shall occupy no more than 25% of the enclosure façade.

j) Pedestrian, bicycle paths, greenway systems – the applicant shall provide for convenient and safe pedestrian and bicycle access to and within the development.

CHAPTER 2: GENERAL STANDARDS OF PERFORMANCE

SECTION 2-2 - PARKING, LOADING AND TRAFFIC

C. ACCESS AND PARKING LAYOUT

- 1) To limit the proliferation of access points from parking areas to public highways and the resultant strip development, traffic hazards, congestion and other manifestations of commercial sprawl, each developer in a Roadside Commercial Zone shall dedicate a 50 foot strip adjacent to and running the length of the public highway to the use of controlled public access and landscaping.

~~2) The developer shall install within this 50 feet at least a 20 foot strip which shall be curbed and landscaped. The remainder shall be improved and dedicated as marginal vehicular access to parking aisles serving the proposed development. An access roadway at least 26 feet in width shall be constructed in accordance with Section 2-5 of this chapter. It shall connect in a proper fashion with the roadways of adjoining development.~~

~~3) The developer shall file with the Town of Gorham a performance guarantee in an amount sufficient to defray the cost of improving the 50 foot strip for marginal vehicular access and landscaping. The conditions and amount of such performance bond shall be determine by the Manager of the Town with the advice of the various municipal departments and agencies concerned. The amount shall be at least equal to the total cost of curbing, landscaping and providing vehicular access of at least 26 feet traveled width conforming with the provisions of Section 2-5 of this chapter and shall be conditioned on the completion of such improvements within one year of the date of the performance bond.~~

~~4) Upon satisfactory completion, the developer shall petition the Town of Gorham for acceptance of the 50 foot strip for controlled marginal access and landscaping.~~

~~5) In addition to meeting the parking requirements of this Ordinance, the developer shall provide 40 square feet for each patron parking space planned. This 40 feet shall be used to provide curbed and paved divider strips at least 8'0" wide between parking aisles. The divider strips shall be to provide safe pedestrian access between rows of parked vehicles, traffic channeling, lighting and landscaping. Where feasible, such divider strips shall be oriented at right angles to the main entrance of the principle building or use in order to provide for maximum pedestrian convenience and safety.~~

~~6) The Town of Gorham reserves the right to select areas within the 50 foot marginal access for the grouping or placement of signs and traffic directions.~~

~~7) All traffic flow in parking areas shall be clearly marked with signs and/or surface directions at all times.~~

~~8) All parking spaces shall be clearly marked.~~

~~9) The Town of Gorham reserves the right to designate all ingress and egress points to the public highway from the 50 foot marginal access as may be needed to meet current and future traffic control needs.~~

D C. CORNER CLEARANCES

E D. FUTURE ROADS