

Land Use and Development Code Amendment: South Gorham Crossroads District

**Town of Gorham
Planning Board Meeting
October 3, 2022**

ITEM 1 - Land Use and Development Code – Discussion: – South Gorham Crossroads – a proposed amendment to the Land Use and Development Code to adopt the South Gorham Crossroads District.

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AMENDMENT TRACKING

DESCRIPTION	COMMENTS	STATUS
Town Council Meeting	The Town Council forwarded the item to the Planning Board for a public hearing and recommendations. (7 ayes)	April 5, 2022
Planning Board - Discussion	Discussed and referred to the Planning Board Comprehensive Plan Implementation Committee for review and recommendation.	May 2, 2022
Comprehensive Plan Implementation Committee	The Board got an overview of the proposed district and the review proposal moving forward. Staff will provide a memo previously given to the TC ordinance committee showing projects of a similar type and scale envisioned for South Gorham Crossroads.	May 16, 2022
Comprehensive Plan Implementation Committee	The committee discussed process for review of the proposed zoning district and started to review the permitted uses for the district.	June 13, 2022
Comprehensive Plan Implementation Committee	The committee discussed Site Performance Standards 1 through 6 with Northstar Planning.	July 11, 2022
Comprehensive Plan Implementation Committee		August 1, 2022; September 12, 2022
Planning Board - Discussion		October 3, 2022

The Planning Board refers to staff notes during the review process; however, it shall be noted that staff recommendations are noncommittal and all final decisions are those of the Planning Board and not Town Staff.

Memo completed by Thomas Poirier, Director of Community Development.

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1. Overview

At this meeting Town Staff and Northstar Planning would like to focus the Committee review and discussion on recent edits to the Site Performance Standards. As a reminder the committee reviewed the performance standards proposed for the new zoning district at the last meeting. Below information shown in italics are Comprehensive Plan information provided to the committee as part of previous staff memos.

To assist the Planning Board with the review of a new zoning amendment the Town is required to ensure any new amendments are consistent with the Town's Comprehensive plan. This is required under Maine State statute. Below is the language from the Town's Comprehensive Plan regarding the vision for the South Gorham Crossroads Area.

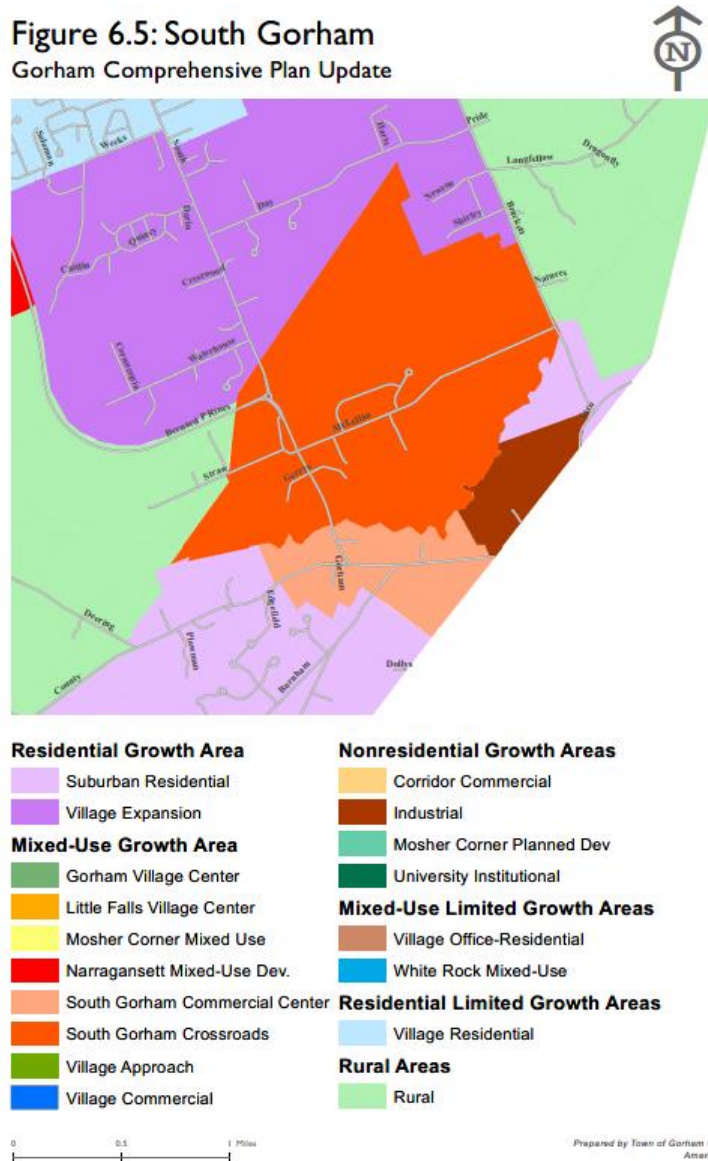
South Gorham Crossroads Area

- *Location – The South Gorham Crossroads Area includes land on both sides of South Street from the roundabout at the Bernard Rines Village Bypass to the Stroudwater River and extending eastward to Brackett Road, excluding the area around the Shirley Lane and Newton Drive neighborhood (see Figure 6.5).*
- *Allowed Uses – Since the Crossroads Area will potentially be served by the continuation of the East-West connector or related improvements and is potentially serviceable by public water and sewerage, new residential uses in this designation should be limited to multi-family residential and residential units in mixed-use buildings. Single-family and two-family dwellings should not be allowed in this area. In addition to residential uses, a range of non-residential uses should be allowed as part of a planned, mixed-use development including business and professional offices, retail and service uses, fully enclosed light industrial uses, and community and public uses. These new non-residential uses should be integrated into an overall project or support new residential development by building at a neighborhood or community scale, as opposed to highway oriented commercial strip development, big box stores, or the large commercial only projects like industrial or office parks.*
- *Development Standards – The development standards in the Crossroads Area are intended to require a high-intensity pattern of development. The maximum density for residential uses should be twelve to fifteen units per net acre with provisions for variable density for small units. In addition, the standards should require a minimum overall density of not less than five units per net acre for any individual residential project. The standards for development should require that new buildings be located with access off internal streets when feasible. All development should maintain an attractive roadside appearance with a landscaped buffer strip along the edge of both existing and new streets. The location of large parking lots between buildings and existing streets should be restricted. New development master planning should account for open space and recreational trails. The Stroudwater River is an important natural resource in South*

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Gorham, and the town should consider additional protections that go beyond those afforded through existing Shoreland Zoning Standards. To assure that the vision for this area is attained, all development proposals on lots that had at least ten acres as of April 1, 2013 must be done in accordance with an approved development plan for the entire parcel. This plan must establish, in conceptual terms, the overall use and development of the parcel including provisions for roads and other infrastructure. The plan should also include development and design standards to guide building-by-building development. This plan must be approved by the Planning Board prior to any development on the parcel and, once approved; all projects must substantially conform to the development plan.

Figure 6.5: South Gorham
Gorham Comprehensive Plan Update



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Proposed Amendment:

Below is the draft amendment for the Board’s review, provided by NorthStar Planning on September 29, 2022. The additions are underlined; deletions are ~~struck out~~

SECTION 1-5 DEFINITIONS

<u>Mixed-use Building</u>	A building or structure which accommodates, allows or includes a variety of complementary and integrated uses each of which is permitted in the underlying zoning district, such as, but not limited to, residential, office, services, manufacturing, retail, public, and recreation.
<u>Mixed-use Development</u>	The development or proposed development of a neighborhood or tract of land with a variety of complementary and integrated uses each of which is permitted in the underlying zoning district, such as, but not limited to, residential, office, services, manufacturing, retail, public, and recreation.
<u>Indoor Recreation Facility</u>	A permanent structure containing facilities for recreational activities such as tennis, platform games, swimming, exercise rooms, handball and similar activities.

SECTION 1-25 SOUTH GORHAM CROSSROADS DISTRICT

A. PURPOSE

To provide a mixed-use area of higher density residential development and a range of non-residential uses, including small locally focused retail and services, as well as compatible regionally focused business and services, including hotels, indoor recreation facilities, and light industrial uses.

B. PERMITTED USES

- 1) Residential Uses
 - Accessory Apartment
 - Apartment Building
 - Multi-family Housing
- 2) Non-Residential Uses
 - Golf Course
 - Country Club

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- 3) Non-Residential Uses each of which is permitted in the district as part of a Mixed-Use Building or Mixed-Use Development

Accessory Building

Auxiliary Public Utility Structure

Business and Professional Offices

Business Services

Commercial School

Conference Center or Banquet Hall

Day Care Center

Essential Services

Funeral Home

Gasoline Station

Hotel

Home Occupation

Indoor Recreation Facility

Light Industrial Use

Municipal building or use.

Office of a Contractor or Tradesman

Personal Services

Place of public assembly, including indoor theater.

Public Utility Facilities, including electrical substations and pumping stations

Repair Services

Retail Store

School, hospital, church or any other institution of education, religious, philanthropic, fraternal organization or social nature which is not used for residential occupancy

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C. DIMENSIONAL STANDARDS

- 1) Minimum lot size
Public Water & Sewer – 15,000 sq. ft.
Unsewered – 20,000 sq. ft.
- 2) Minimum area per dwelling unit:
Public Water & Sewer – 3,000 sq ft
Unsewered – 20,000 sq. ft.
- 3) Minimum street frontage:
80 ft.
- 4) Front yard:
Principal Building – 25 feet maximum
Accessory Building – 25 feet minimum
- 5) Minimum side and rear yards:
10 feet, except buildings higher than 30 feet shall have side and rear yards not less than 50% of the building height.
- 6) Maximum building height:
50 feet or four stories, whichever is greater
- 7) 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.
- 8) Residential gross floor area shall be at least 50% of the total gross floor area of a mixed-use structure or at least 60% of the gross floor area as part of a Mixed-use Development.

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D. SITE PERFORMANCE STANDARDS

- 1) Master Site Development Plan for phased projects.

Master Site Development Plan is intended to show an overall development scheme for a large property so that the Planning Board can ensure that development of large sites, with potential town-wide or regional impacts, proceeds in an orderly sequence with coordinated phasing. Master Site Development Plans are to assure adequate provisions are made to protect public health and safety, taking into account such factors as traffic safety and access; water supply and sewage disposal; management of stormwater, erosion, and sedimentation; protection of the environment; and other criteria as noted below.

- a) A Master Site Development Plan is required when the subject property has a cumulative lot area of more than five (5) acres, and the site is designed as a cohesive development program consisting of multiple buildings and associated site improvements proposed to be built in phases.
- b) A Master Site Development Plan must show:
 - i) Public and private rights-of-way which should be consistent with Gorham's road standards ordinance. Any deviation from these standards must be noted on the plan. If extensions of roads are proposed in later phases, the Master Site Development Plan must also show the location of turnarounds where the right-of-way ends at the phase line delineations shown as per (ii) below.
 - ii) Phase delineations showing the extent of site work and development proposed for each phase.
 - iii) Areas designated for stormwater control, management or retention. All stormwater management site improvements must be made as part of the first phase of the Master Site Development Plan.
 - iv) Areas designated for open space and green space, as well as for sidewalks, paths and greenways as required by section D(7) below.
 - v) Parking sufficient to meet the requirements of Chapter 2, Section 2-2. However, the use of on-street parking is encouraged. Mixed-use Development proposals may include parallel or angled on-street parking. If such new on-street parking proposed as part of a phase of the Master Site Development Plan receives Final Approval from the Planning Board, it can be used to satisfy the requirements of Chapter 2, Section 2-2.
- c) A Master Site Development Plan approval shall not be construed as final authorization for development. Approval shall be a preliminary approval for the overall project site, and confer pending proceeding status upon the

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development with the effect of maintaining the applicability of regulations in effect at the time of approval, as long as the Master Site Development Plan remains valid, including permissible extensions, if granted.

- i) Each phase of the approved Master Site Plan must receive Final Approval from the Planning Board.
 - ii) The approved plan shall not be released for recording until the required performance guarantee has been posted for the first phase. If an approved plan has not been recorded within one (1) year of the original approval, it shall become null and void. All subsequent phases must receive final approval and be recorded within five (5) years of the Master Site Plan approval, or those phases will become null and void.
- 2) All buildings, structures, and uses shall conform to the following additional performance standards:
- a) The general performance standards of Chapter 2.
 - b) The Site Plan approval criteria and standards of Chapter 4, Section 4-9 where applicable, and
 - c) The following additional performance standards
 - d) If there is conflict between the various standards of performance, the more restrictive provision shall apply.
- 3) Vehicular Access and Circulation

In addition to being safe and convenient, vehicular access into the site shall be designed to minimize traffic delays on the streets providing access to the site and shall meet the following requirements:

Entrances to uses in this district shall be combined to the maximum extent possible.

- a) Each parcel shall be limited to a maximum of one entrance. Lots with Frontage on two streets must locate the entrance on the street of lower volume or classification. The Planning Board may approve an additional entrance on a second street as part of Site Plan Review.
- b) A parcel that does not have frontage on a street shall not be granted vehicular access from that street except in cases where access will be provided through a combined entrance with another parcel.
- c) Provisions shall be made for the interconnection of parking lots on adjacent parcels where feasible and appropriate to allow vehicular

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circulation between lots without having to go onto the public street. Such interconnections shall be designed to minimize the potential for the parking areas to be used as a “short cut” by traffic.

- 4) Off-street Parking
 - a) Location. No off-street parking shall be located within any required front, side, or rear yard or setback. No portion of the lot in front of the front building line shall be used for off-street parking. Parking may be located in the side and rear setbacks if the Planning Board determines that the proposed design constitutes a creative parking solution that maximizes parking, encourages shared parking and/or cross access with adjacent properties.
 - b) The amount of off-street parking required by Chapter 2, Section 2-2 may be reduced for uses in this district in accordance with the provisions of that section.
- 5) Relationship of the Building to the Street
 - a) At least one building entrance shall be located on the side of the building that fronts the street.
 - b) The area between the building and street shall be used for pedestrian amenities, walkways, and landscaping.
 - c) For new buildings on corner lots, the setback relationship of both streets shall be maintained where possible to avoid the creation of “empty corners.”
- 6) Onsite Pedestrian Relationships, ~~and~~ Facilities and Bike Paths
 - a) Where sidewalks exist or can be constructed in front of the parcel, the site shall be designed to provide for pedestrian access to the front entrance of the building without the need to cross parking areas or access drives.
 - b) The walkway to the front entrance shall be constructed with materials that contrast with the paving of the vehicular areas, that provide a safe and inviting access to the building, and that are visually compatible with other pedestrian facilities in the neighborhood.
 - c) If a sidewalk along the street is interrupted or crossed by a proposed driveway, access road, or other vehicular facility, the sidewalk material or design must be maintained across the driveway or another visually compatible method used to clearly delineate the sidewalk from the drive.
 - d) Provisions shall be made for pedestrian circulation between buildings and uses within a site or on adjacent parcels if the buildings do not have a

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direct relationship to the sidewalk or if the front wall of the building is located more than one hundred (100) feet from the property line.

7) ~~Bike paths/greenway systems~~Off-site Pedestrian Connections

The applicant shall provide for convenient and safe pedestrian and bicycle access to and within the development. The requirement for off-site sidewalk extension, if necessary, shall be modified by the Planning Board or Site Plan Review Committee provided the following conditions are met:

- a) For projects under site plan review, the costs for off-site sidewalks exceeds a cost of \$1,000 per 2,000 sq.ft. of gross commercial floor area or for projects proceeding under subdivision review the costs for off-site sidewalks exceeds a cost of \$10,000 per lot. Subdivision lots that have been reviewed under this provision are not required to be reviewed again under site plan review.
- b) In place of a full sidewalk extension, the applicant is required to extend the nearest sidewalk the following lengths towards the proposed development:
 - i) For roads with existing closed drainage systems and curbing the applicant shall extend the sidewalk 200' for each 5,000 sq.ft. of gross floor area under site plan review or 400' for each lot;
 - ii) For roads without existing closed drainage systems and curbing the applicant shall extend the sidewalk 100' and close in the drainage system for each 5,000 sq.ft. of gross floor area under site plan review or 250' for each lot;
 - iii) For existing public roads with sidewalks in poor condition as determined by the Public Works Director or his designee, an applicant can request that half of the required extension be utilized to repair the existing sidewalk network on a foot by foot exchange.

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8) Street Facades

All buildings shall be designed so that the front wall of the building and any wall facing any public street that is not a front wall have the visual appearance of a front facade. Windows or architectural treatments designed to simulate windows shall comprise no less than twenty (20) percent of the exterior wall surface. The facade shall be designed to avoid large areas of blank wall space.

9) Signs

All signs must conform with the standards of Chapter 2, Section 2-3.G., standards for signs in a Village Environment.

10) Block Standards.

- a) Land must be divided with Streets to create Blocks conforming with Block perimeter, below.
- b) Blocks shall be generally rectangular in shape, but are expected to respond to natural features and the block pattern of the surrounding street network.
- c) Blocks shall be a minimum width so as to provide two rows of developable lots.
- d) Block perimeter. No block shall have a perimeter of more than 1,600 feet. The Planning Board may grant a waiver to reduce block perimeter length in accordance with the provisions of Chapter 3 if part of a subdivision plan or Chapter 4 if part of a site plan.
- e) Portions of development sites abutting areas of undeveloped land, areas unsuitable for development, or pre-existing incomplete blocks may be granted a waiver from the block size requirements in accordance with the provisions of Chapter 3 if part of a subdivision plan or Chapter 4 if part of a site plan.

11) Public Utilities

- a) All projects requiring site plan review and subdivisions shall connect to public sewer and water meeting the requirements of the Portland Water District and the Town of Gorham.
 - i) The Planning Board may grant a waiver for the requirements of the extension of public sewer if the lot is located more than 1,000 feet from the nearest connection to a public sanitary sewer and the connection to the public sanitary sewer would cause an undue hardship to the developer, as determined by the Planning Board.

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- ii) The Planning Board may grant a waiver for the requirements of the extension of public water if the lot is located more than 1,000 feet and the proposal meets the Determination of Unreasonable Costs under Chapter 2, Section 2 – Provision of Public Water Supply, D., Exemption from Public Water Supply Requirements.
 - b) All developments are required to have underground utilities.
- 12) Building and Other Structure Materials
 - a) The predominant exterior building materials shall be of high-quality materials, including, but not limited to, wood or vinyl clapboard siding, masonry units that replicate shake or clapboard siding, brick, sandstone, wood, native stone and tinted/textured concrete masonry units and/or glass products or metal or plastic roofing that simulates shake or shingle roofing. Simulated material may be substituted for any of the aforementioned building materials.
 - b) At least three 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 to two different materials 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.
 - c) Exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels, or T-111. Prefabricated steel panels are excluded unless they contain architectural details with intricate designs. Metal roofs may be allowed if compatible with the overall architectural design of the building.

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13) Building Entrances

- a) Building(s) shall be located on the property with the principal building entrance oriented toward the primary focal point of the property/development.
- b) Building 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.

14) Roof Design

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 at the closest public street.

15) 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.

16) Mechanical Equipment and Service Areas

The location of loading docks and service areas shall be to the sides and/or rear of a building.

17) Screening

- a) 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.
- b) Fencing, screening, landscaped berms, natural features or combination thereof, shall be utilized to shield from the view of abutting residential properties and the closest public way 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

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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.

18) Lighting

Exterior lighting shall be designed to provide only the minimum lighting necessary to ensure adequate vision, safety, and comfort in parking areas and to not cause glare beyond the limits of the property boundaries. Lighting shall also conform to the following standards:

- a) At a minimum, light fixtures shall have a total cutoff of light at no more than ninety (90) degrees and a beam cutoff of no more than seventy-five (75) degrees.
- b) The illumination of parking lots shall provide a relatively even distribution of light over the entire parking lot area.
- c) The maximum illumination level within parking lots shall be not more than 6.0 footcandles measured at the ground surface.
- d) The maximum light fixture height shall be twenty (20) feet for parking lots with less than twenty thousand (20,000) square feet of area, twenty-five (25) feet for parking lots with twenty thousand (20,000) to eighty thousand (80,000) square feet of area and thirty (30) feet for lots larger than eighty thousand (80,000) square feet.
- e) The maximum illumination level at the property line with abutting properties in a residential district shall be not more than 0.2 foot candles.
- f) The lighting of canopies shall not be used to attract attention to the business. Areas under canopies shall be illuminated so that the uniformity ratio (ratio of average to minimum illuminance) shall be no greater than 3:1 with an average illumination level of not more than 30 foot candles.
- g) Light fixtures located on canopies shall be mounted so that the lens cover is recessed or flush with the ceiling of the canopy.
- h) The illumination of other areas and facilities may be greater than the level established for parking lots provided that the lighting level and design are consistent with the guidelines of the Illuminating Engineering Society of North America (IESNA) Lighting Handbook.
- i) Building mounted or wall pack lighting fixtures that have lamps or reflectors that are exposed to angles greater than forty-five (45) degrees above nadir are prohibited.

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- j) Awnings shall not be illuminated in a manner that results in light being emitted through the awning material or that results in the awning appearing to be illuminated.
- k) Period or historical fixtures that do not meet these requirements may be used as an alternative to conventional lighting provided that if the fixtures are not cutoff fixtures the maximum initial lumens generated by each fixture shall not exceed 2,000 for incandescent lamps and 8,500 for metal halide lamps if the lamp is internally recessed within the fixture or is shielded by internal louvers or refractors and the mounting height shall not exceed fifteen (15) feet above the adjacent ground.
- l) A photometric point by point analysis, on a grid no larger than 20 feet, shall be submitted to the Planning Board for review for all major developments requiring site plan review, applications involving increased security risks such as banks and ATM's, and applications for uses regularly open after 9:00 PM. The grid shall extend to all project property boundaries.