

Section 204.13: V-MUZ---Village Mixed Use Zone

10-24-08 DRAFT

The purpose of the Village Mixed Use Zone is to provide an area that allows for a dense, village-like development that promotes a neighborhood feel by allowing for a mix of residential types as well as for small scale office commercial, retail and restaurant uses with interconnected streets, sidewalks and trails.

All development in this district shall be connected to public water and sewer. All non-residential uses shall be subject to Section 206 – Site Plan Review.

204.13.1 The following uses are permitted in the V-MUZ district:

- .1 Dwelling, detached;
- .2 Dwellings, Duplex and Multiplex, to include condominiums, apartments and senior housing.
- .3 Personal Services;
- .4 Business and Professional Offices;
- .5 Market: 5,000 sq. ft. maximum footprint, with no drive-through;
- .6 Restaurant: 3,000 sq. ft. maximum footprint, with no drive-through and in accordance with Section 204.13.5.3
- .7 Retail: 2,000 sq. ft.. maximum footprint per business unit;
- .8 Private Schools;
- .9 Research Facilities;
- .10 Municipal uses and buildings;
- .11 Sewer Pumping Stations, subject to the provisions of Sec. 419.4;
- .12 Uses and buildings accessory to those above.

204.13.2 The following uses are allowed as special exceptions in the V-MUZ district, requiring the approval of the Board of Adjustment and Appeals:

- .1 Residential Care Facilities, subject to Section 432;
- .2 Commercial Health and Recreation Facility;
- .3 Home Occupations;
- .4 Home Based Occupations;
- .5 Home Based Retail;
- .6 Bed and Breakfast Inns;
- .7 Daycare Homes
- .8 Day care centers and nursery schools for no more than 20 children, subject to the provisions of Section 408A and Site Plan Review;
- .9 Accessory structures of public utilities;
- .10 Religious Institutions;
- .11 Uses and buildings accessory to those above.

204.13.3 The following lot standards shall apply within the V-MUZ district:

- .1 5,000 sq. ft lot size
- .2 In the case of duplex or multiplex developments, the minimum lot area per dwelling unit shall be no less than 2,500 sq. ft.
- .3 There shall be no less than 50 feet of lot frontage.

204.13.4 The following minimum setbacks are required for all structures in the V-MUZ district, except that sheds and driveways are permitted to a minimum setback of eight (8) feet from the side and rear lot lines:

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| <u>.1</u> | <u>Front: 15 feet</u> |
| <u>.2</u> | <u>Rear: 15 feet</u> |
| <u>.3</u> | <u>Side: 10 feet</u> |

204.13.5 The following performance standards shall apply within the V-MUZ district, provided however that the Planning Board may determine, based on the specific elements of a proposed development, that the standards be modified.

204.13.5.1: **Building Design:** New structures within the district shall be of a New England architectural style and materials. This includes clapboard, shingle or brick siding (composed of natural or composite materials), pitched rooflines and neutral colors.

204.13.5.2: **Building Construction:** All structures, other than detached garages or sheds, shall be LEED Certified, energy efficient. The use of renewable energy sources such as solar and wind are encouraged.

204.13.5.3: **Lighting:** The use of exterior lighting shall be only as required for safety and to identify, during business hours only, businesses, parking areas and sidewalks. Fixtures shall be fully shielded, giving off no light above the horizontal plane. There shall be no internally illuminated signs.

204.13.5.4: **Restaurant Standards:** Outdoor seating is permitted but must be buffered from adjacent uses by fencing and plantings unless located between the front of the structure and the public right of way. No kitchen ventilation hoods will be mounted on the front or street side of the building and will be located to minimize impact on neighboring properties.

204.13.5.5: **Road and Drainage Design Standards:** There shall be no dead end streets within this district. Road design as follows:

- ROW Width: 60 ft.
- Paved Travel way width: 22 ft.
- Grass Esplanade: 4 ft. each side
- Paved Sidewalk : 6 ft. each side
- On-street parking when approved by Planning Board.
- All other street design standards as per Section 8.2 of the Subdivision Ordinance.
- Closed Drainage System with curbing and catch basins.

204.13.5.6: **Parking Standards:** Parking shall be located to the side or rear of both residential and commercial structures. There shall be no garages facing the street. On street parking may be allowed upon Planning Board approval.

204.13.5.7: **Buffering and Landscaping:** All uses must provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for the screening of mechanical equipment and service and

storage areas. The buffer may be provided by distance, landscaping, fencing, changed in grade and/or a combination of these or other techniques.

204.13.5.8: **Fire Protection:** Due to the increased density permitted in this district, applicants shall be required to demonstrate that adequate fire protection is provided for. This shall be determined by the Fire Chief and, as required, by the State Fire Marshal's Office.

204.13.5.9: **Affordability:** At least 10% of the units in a major subdivision shall be priced at a level that is no more than 30% of the income of a tenant or purchaser whose income is at or below 80% of the median income for the Portland, Maine Metropolitan Statistical Area (MSA) which is adjusted on an annual basis.