

SECTION XV.B – VILLAGE RESIDENTIAL 2 – DISTRICT VR2 [Amended 01/20/16; Amended 07/13/16]

A. PURPOSE

To provide residential neighborhoods of a moderate density to a manner which will promote a wholesome living environment and accept a significant share of the Town’s residential growth. To this end, residential development shall not exceed 2 dwelling units per net residential acre if served by public sewer and 1 dwelling unit per 2 acres if served by on-site sewage disposal. T. The village residential development standards are intended to promote the establishment of neighborhoods with a mix of dwelling types accommodating a mix of household types, age groups and income levels, incorporate communal recreation areas, greens, commons and open spaces, and create a village-style development pattern with an interconnected network of landscaped streets, blocks, and pedestrian ways in a manner that compliments adjacent residential neighborhoods and commercial districts to instill a mix of housing types and land uses in and around our town and village centers. All new subdivisions in the VR2 District shall be serviced by public sewer and public water supply.

B. VILLAGE DEVELOPMENT STANDARDS

New Residential subdivisions in the VR2 District shall conform to the following standards:

1. Residential subdivisions shall be designed in a pattern of substantially rectangular blocks forming a grid layout with interconnected streets and communal space as defined by buildings, landscaping and streetscapes, natural features, and pedestrian ways that establishes a traditional village design.
2. Residential developments shall include low-volume streets designed for lower vehicle speeds in order to increase pedestrian safety, discourage non-local through traffic and maintain a village character. In order to achieve these design standards, the Planning Board shall have the authority to reduce the pavement width of local residential streets to 20 feet. Streets approved by the Planning Board under this Section shall be deemed to comply with the Street Acceptance and Subdivision Ordinances.
3. Sidewalks and shade trees shall be provided on both sides of the streets within a subdivision and shall connect to the pedestrian amenities of abutting neighborhoods to the extent feasible. The Planning Board may allow alternative pedestrian amenities, such as a sidewalk on one side of a street, footpaths and trails, if the Board finds the above standard is not necessary due to special circumstances of a site or the nature or scale of a particular residential development.
4. The Planning Board may allow the establishment of “private alleyways” to provide access to parking facilities for various residential units. These alleyways may be 14 feet in pavement width with an additional 6 feet of non-paved drivable surface (totaling 20 ft.), in accordance with Scarborough Fire Department requirements. These alleyways shall be owned and maintained by a homeowners association and shall be subject to an easement allowing Town use and access. These alleyways shall not be considered streets under this Ordinance, the Street Acceptance Ordinance or the Scarborough Subdivision Ordinance.

5. Between 10 - 20% of the net residential area of a subdivision shall be allocated as designated open space accessible to all residential units. The open space shall consist of both village green space and surrounding open space for conservation. The village green space may consist of neighborhood parks, community greens, commons, linear greenways, courtyards, landscaped boulevards and the like. The surrounding open space shall be connected and contiguous where feasible, and shall be restricted for conservation and recreation in perpetuity. This open space may contain recreation areas, ball fields, recreation trails, and the like. It shall function as protection for natural resources, buffers to adjacent incompatible uses, forested, natural distinctions between this zoning district and adjacent less dense zoning districts, and linkages to neighboring green spaces or recreational amenities. In addition, this common green space or open space can be used for solar or wind energy systems as allowed for under Section IX. The final open space percentage within the 10 - 20% range shall be determined by the Planning Board.

C. PERMITTED USES

1. Single family detached dwellings exclusive of mobile homes.
2. Two-family dwellings.
3. Multiplexes (permitted with a minimum parcel size of five (5) acres).
4. Townhouses limited to no more than eight (8) dwelling units per building (permitted with a minimum parcel size of five (5) acres).
5. Multifamily dwellings limited to a maximum building footprint of 7,500 square feet (permitted with a minimum parcel size of five (5) acres).
6. Place of Worship.
7. School, library, museum.
8. Community buildings not operated for private gain.
9. Residential recreation facility.
10. Family Day Care Homes, subject to the standards and conditions of Section IV (I)(6), except that Board of Appeals review is not required.
11. Municipal Buildings and Uses.
12. Post office facilities.
13. Accessory uses including accessory agricultural activities subject to the performance standards of Section IX.P. [Amended 05/05/10]
14. Accessory units subject to the performance standards of Section IX.J. (02/15/12)

D. SPECIAL EXCEPTIONS

1. Nursing homes, orphanages, hospices. [Amended 08/17/05]

2. Charitable institutions.
3. Public utility facilities including substations, pumping stations and sewage treatment facilities, except that Board of Appeals review is not required if the facility is proposed, reviewed and permitted by the Planning Board as part of an original residential development.
4. Home occupations.
5. Group Day Care Homes and Nursery Schools.
6. Adjunct Uses, Place of Worship.
7. Telecommunication Facility.
8. Commercial agriculture subject to the performance standards of Section IX.Q.
9. Farm stands subject to the performance standards of Section IX.R.
10. Agricultural processing facilities with a total of not more than one thousand (1,000) square feet of gross floor area in conjunction with commercial agriculture subject to the performance standards of Section IX.Q.

E. SPACE AND BULK REGULATIONS

1. The following Space and Bulk Regulations are applicable to subdivisions reviewed by the Planning Board under the Scarborough Subdivision Ordinance after June 1, 2005:
 - a. Minimum lot dimensions and yard requirements:

Housing & Use Type	Lot Area (square ft.)	Lot Frontage (ft.)	Lot Width (ft.)	Front Yard (ft)	Rear & Side Yard (ft.)
single-family	5,000	40	40	5	15 ¹
two-family	7,500	50	50	5	15 ¹
multifamily, multiplex	15,000	75	75	5	15 ²
townhouses	15,000	75	75	5	15 ²
non-residential ³	15,000	75	75	5	15

¹ May be reduced to 5 feet for single-family dwellings within the same residential development if the dwelling and the abutting dwellings meet the Fire Rating requirements for the lesser setback as per the NFPA 101 Life Safety Code.

² May be reduced to 10 feet for two-family dwellings if the structures meet the Fire Rating requirements as per the NFPA 101 Life Safety Code. The Planning Board may also allow lesser separation between two-family and multi-family dwellings than the setback requirements dictated above if these dwellings are located on the same lot and the structures meet the Fire Rating requirements for the lesser separation as per the NFPA 101 Life Safety Code.

³ As used in this subsection E., the term “non-residential” does not include home occupations and other uses accessory to a residential use.

⁴ The lot area requirements shall be considered minimums. The Planning Board may require additional lot areas in order to meet the Town Plumbing Ordinance & the Maine Subsurface Waste Water Disposal Rules depending on the density of housing and use types.

- b. Maximum Building Coverage 60%

2. For a resident lot that does not require subdivision review and approval by the Planning Board or a lot in a subdivision that was approved prior to June 1, 2005, the Space and Bulk Regulations of the R2 District shall apply if the lot is served by the public sewer system. If the lot is served by an on-site subsurface sewage disposal system, the space and bulk regulations of the RF District shall apply.
3. Maximum Building Height Thirty-five (35) feet, and not to exceed three (3) stories
4. Maximum Building Coverage 60%

F. RESIDENTIAL DENSITY REGULATIONS

1. For a residential lot that is not subject to Planning Board review and approval or a lot in a subdivision that was approved prior to June 1, 2005, the residential density shall be governed by the R2 Space and Bulk Regulations if the lot is served by an on-site subsurface sewage disposal system, the space and bulk regulations of the RF District shall apply.
2. For a subdivision that is subject to Planning Board review and approval after June 1, 2005, the following residential density regulations shall apply:
 - a. **Residential Density Factors** – Within this zoning district the Residential Density Factors in Section VII.C.A. of the Zoning Ordinance shall apply to multiplex and townhouse dwelling units.
 - b. **Maximum Base Residential Density** – The maximum base residential density shall be two (2) dwelling units per net residential acre. This is the maximum residential density permitted without utilizing additional density through the development transfer or affordable housing provisions.
 - c. **Additional Residential Density Thru Development Transfer** – A subdivision may increase the number of dwelling units by up to ten percent (10%) of the total number allowed under the maximum base residential density (subsection F.2.b.) by utilizing the development transfer provisions in accordance with Section VII.D. of this Ordinance.
 - d. **Additional Residential Density Thru Affordable Housing** - A subdivision may increase the number of dwelling units by up to ten percent (10%) of the total number allowed under the maximum base residential density (subsection F.2.b.) provided at least forty percent (40%) of those additional units (with fractional numbers of units rounded up to the nearest whole number) are designated as affordable housing.
 - e. **Additional Residential Density Thru an Affordable Housing In-Lieu Fee** – In lieu of developing affordable housing to utilize additional residential density under subsection F.2.d., a development may increase the number of dwelling units by up to ten percent (10%) of the total number allowed under the maximum base residential density by utilizing the affordable housing in lieu fee provisions in accordance with Section VII.C. of this Ordinance. [Adopted 08/20/2014]

The Planning Board may allow a subdivision to utilize additional residential density through both the affordable housing and development transfer provisions but the combined additional residential density shall not exceed twenty percent (20%) beyond the maximum base residential density allowed.

G. OFF-STREET PARKING

Off-street parking shall be provided in accordance with the requirements of Section XI of this Ordinance, except that the Planning Board shall have the authority to allow residential off-street parking to be located within 300 feet of principal residential uses, measured along lines of public access, where it cannot be reasonably be provided on the same lot. Such parking areas shall be held under the same ownership or lease as the residential uses served and evidence of such control or lease shall be required. This allowance shall not require approval by the Board of Appeals under Section XI(C) in this zoning district.

Given the village-style development pattern of the residential development, residential parking spaces in a new subdivisions need not measure more than 9 feet by 18 feet and valid parking spaces shall include spaces located in private driveways leading into garages, notwithstanding the otherwise applicable provisions of Sections VI and XI of this Ordinance.

H. SIGNS

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