

**SECTION XV.C VILLAGE RESIDENTIAL 4 DISTRICT – VR4 [Adopted 03-04-09] [Amended 01/20/16; Amended 07/13/16]**

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**A. PURPOSE**

To provide residential neighborhoods of a higher 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 4 dwelling units per net residential acre, plus additional density through development transfer or affordable housing. The village residential development standards are intended to promote the establishment of neighborhoods with a mix of dwelling types accommodating a mix of households, 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 developments in the VR4 District shall be serviced by public sewer and public water supply.

**B. VILLAGE DEVELOPMENT STANDARDS**

1. Residential developments 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. The Planning Board may waive the standard for a grid layout of interconnected streets if the Board finds that topographical, wetland or other natural constraints inhibit this design or if the scale of a particular residential development is not conducive to an interconnected street layout.
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. The street network in a residential development, or a private access road or driveway located in the VR4 District, shall not provide or create vehicular access from Sawyer Road to serve non-residential development located outside of the VR4 District.
4. Sidewalks and shade trees shall be provided on both sides of the streets within a development 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.
5. 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.

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6. At least 10% of the net residential acreage of a development shall be allocated as village green space for active and passive recreation. This village green space may consist of neighborhood parks, community greens, commons, linear greenways, courtyards, landscaped boulevards and the like. The village green space shall be integral to the development and shall be sited in a central location available and desirable for use by the residents of the development. In addition, green space or common land can be used for solar or wind energy systems as allowed for under Section IX.

7. Development shall be clustered away from wetlands, watercourses and water bodies and impacts to these resources shall be avoided. Contiguous wetland areas of 15,000 square feet or greater shall be protected as common open space. These open space areas shall include a minimum wetland buffer of twenty-five (25) feet from the upland edge of a wetland to any building lot boundary. The open space lands may include a trail system for walking, hiking, biking or similar activities subject to Planning Board approval. Where no practical alternative exists, the Planning Board may allow the crossing of wetlands for roads, driveways or utilities to provide access to, or use of, an upland area within a development.

**C. PERMITTED USES**

1. Single family detached dwellings, exclusive of individual 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 dwelling 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. Golf Course
13. Accessory Uses including accessory agricultural activities subject to the performance standards of Section IX.P. [Amended 05/05/10]

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**D. SPECIAL EXCEPTIONS**

1. Nursing homes, orphanages, hospice
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. Day Care Center Facilities
7. Adjunct Uses, Place of Worship
8. Accessory units subject to the performance standards of Section IX.J.
9. Telecommunication Facility

**E. SPACE AND BULK REGULATIONS**

1. The following Space and Bulk Regulations are applicable to developments reviewed by the Planning Board under the Scarborough Subdivision Ordinance:

a. Minimum Lot Area, Dimensions and Yard Standards

<b>Housing &amp; Use Type</b>	<b>Lot Area (square ft)</b>	<b>Lot Frontage (ft.)</b>	<b>Lot Width (ft.)</b>	<b>Front Yard (ft)</b>	<b>Rear &amp; Side Yard (ft.)</b>
single-family	5,000	50	50	5	15 <sup>1</sup>
two-family	7,500	50	50	5	15 <sup>1</sup>
multifamily, multiplex	15,000	75	75	5	15 <sup>2 &amp; 3</sup>
townhouses	15,000	75	75	5	15 <sup>2 &amp; 3</sup>
non-residential <sup>4</sup>	15,000	75	75	5	15

<sup>1</sup> *May be reduced to 5 feet for single-family and two-family dwellings with the same residential development if the dwelling and the abutting dwelling meet the Fire Rating requirements for the*

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*lesser setback as per the NFPA 101 Life Safety Code and the Scarborough Fire Department approves the reduced yard*

<sup>2</sup> *May be reduced to 10 feet for multiplex and townhouse dwellings if the dwelling and the abutting dwelling meet the Fire Rating requirements for the lesser setback as per the NFPA 101 Life Safety Code and the Scarborough Fire Department approves the reduced yard*

<sup>3</sup> *When the yard abuts a lot or parcel that is not part of the development the minimum yard shall be 25 feet and the buffering requirements of Section VIII of this Ordinance shall apply*

<sup>4</sup> *As used in this subsection E., the term “non-residential” does not include home occupations and other uses accessory to a residential use*

b. Maximum Building Coverage 40%

2. For development that does not require subdivision review and approval by the Planning Board the Space and Bulk Regulations of the R-4 District shall apply.

3. Maximum Building Height Thirty-five (35) feet, and not to exceed three (3) stories

**F. RESIDENTIAL DENSITY REGULATIONS**

1. For development that is not subject to Planning Board review and approval the residential density shall be governed by the R-4 Space and Bulk Regulations.

2. For development that is subject to Planning Board review and approval the following residential density regulations shall apply:

**a. Residential Density Factors** - 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 four (4) 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 development may incorporate up to three (3) additional dwelling units per net residential acre, beyond the maximum base residential density by utilizing the development transfer provisions in accordance with Section VIID. of this Ordinance.

**d. Additional Residential Density Thru Affordable Housing** – A development may incorporate up to one (1) additional dwelling unit per acre of net lot area, or net residential acre if applicable, beyond the maximum base residential density provided at least 40% of the additional dwelling 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 incorporate up to one (1) additional dwelling unit per acre of net lot area beyond 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 development to utilize additional residential density through both the affordable housing and development transfer provisions but the combined additional residential density

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shall not exceed three (3) dwelling units per net residential acre beyond the maximum base residential density.

**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 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.