

**SECTION XVI.A. TRADITIONAL NEIGHBORHOOD DEVELOPMENT OPTION OVERLAY DISTRICT, TND [Adopted 11/03/2004][Amended 11/06/2013; Amended 07/13/16]**

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**A. PURPOSE**

To provide residential areas within the Town of Scarborough of a higher density in a manner which will promote a wholesome living environment. To this end, residential development pursuant to this Section XVI.A shall not exceed 5 dwelling units per net residential acre through the use of the residential density bonus provisions. Traditional neighborhood development standards are intended to promote innovative design solutions that incorporate a mix of residential unit types accommodating a mix of income levels, provide for shared open space and civic areas, and promote a development pattern with an interconnected network of landscaped streets, blocks, and pedestrian ways.

**B. DEVELOPMENT STANDARDS (TND)**

*(See Conceptual – Traditional Neighborhood Street Cross-Section at end of XVI.A)*

1. Eligible parcels must be served by public utilities (sewer and water), contain at least 25 acres and be located within an R-4 Residential District.
2. Between 10 – 20% of the net residential area shall be allocated as designated open space accessible to all residential units. The open space may consist of neighborhood parks, commons, recreation fields, woodland walking trails, greenbelts or a combination thereof. The amount and location of open space shall be based on the development's overall design and needs when considering the street and block layout, housing density, dwelling styles, lot areas and natural features. The final open space percentage within the 10 – 20% range shall be determined by the Planning Board.
3. The development 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, open space, natural features, sidewalks and paths.
4. The development design shall include low-volume residential streets with a pavement width of 20 feet and an overall right-of-way width of 44 feet, which are alternative to the standards required under the Town's Street Acceptance Ordinance and Subdivision Ordinance. Streets approved by the Planning Board under this Section shall be deemed to comply with the Street Acceptance and Subdivision Ordinances. These low-volume street standards are adequate to provide primary access to individual dwellings and adjacent streets within a traditional neighborhood development, while maintaining a compact neighborhood character. The low-volume streets shall be designed for lower vehicle speeds in order to increase pedestrian safety and discourage non-local through traffic as well as to compliment the higher density residential setting. The Planning Board may require additional pavement and layout widths on the streets that provide the primary access to the traditional neighborhood development.
5. Sidewalks and shade trees shall be provided on both sides of the streets within the development. Sidewalks and paths shall link to the pedestrian amenities of any abutting neighborhoods to the degree that is practical.
6. A minimum of 30% of the dwelling units provided shall be in the form of townhouses or attached dwellings.
7. There may be a retail or community use component of the neighborhood development that shall conform to the floor area and dwelling unit thresholds highlighted in C. Permitted Uses, below. The Subdivision proposal shall identify the specific types of retail and/or community uses proposed for the development, and the Planning Board may limit its approval to those specific types. Any retail sales shall be modest in size and merchandise suitable only to serve the immediate development, and

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shall not market or generate significant traffic external to the neighborhood. Any retail or community use component shall be integrated into the neighborhood layout, design, and architectural scheme. This non-residential component shall be reviewed as part of the overall subdivision and site plan review process and will require further site plan approval with any change of use.

**C. PERMITTED USES**

1. Any use permitted in the R-4 Residential District.
2. There may be 1,000 sq. ft. of floor area for retail sales, community use or a combination of the two per every 50 dwelling units within the development. The retail sales establishments shall not exceed 1,000 sq. ft. per unit of occupancy and there shall be no more than 2,000 sq. ft. of retail sales in any one building.
3. The retail sales, community use or other non-residential uses allowed in the R-4 Residential District may be located in a standalone building(s) or as part of a mixed use building(s) that include other non-residential or residential uses.
4. Multifamily dwellings limited to a maximum building footprint of 7,500 square feet.
5. Townhouses limited to no more than eight (8) dwelling units per building.

**D. SPECIAL EXCEPTIONS**

1. Public utility facilities including substations, pumping stations and sewage treatment facilities.
2. Adjunct uses, place of worship.
3. Community use greater than 1,000 sq. ft. in floor area.

**E. SPACE AND BULK REGULATIONS**

The space and bulk requirements, other than the residential density regulations under subsection F. below shall be the same as in the R-4 Residential District except as modified by the Planning Board under Section VII.

**F. RESIDENTIAL DENSITY REGULATIONS**

- 1. Residential Density Factors** – Within this zoning district the Residential Density Factors in Section VII.C.A. of the Zoning Ordinance shall apply to multiplex, townhouse, two-family and single-family dwelling units.
- 2. 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.
- 3. Additional Residential Density Thru Creating Affordable Housing** – A development may incorporate up to one (1) additional dwelling unit per net residential acre beyond the maximum base residential density provided at least forty percent (40%) of the additional dwelling units (with fractional number of units rounded up to the nearest whole number) are designated as affordable housing.
- 4. Additional Residential Density Thru an Affordable Housing In-Lieu Fee** – In lieu of developing affordable housing to utilize additional residential density under subsection F.3., a development may incorporate up to one (1) additional dwelling unit per net residential acre beyond the maximum base residential density by utilizing the affordable housing in lieu fee provisions in accordance with Section VII.C. of this Ordinance.
- 5. Additional Residential Density Thru Development Transfer** – A development may incorporate up to one (1) additional dwelling unit per net residential acre beyond the maximum base residential density by utilizing the development transfer provisions in accordance with Section VII.D. of this Ordinance.

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The Planning Board may allow a development to utilize additional residential density through a combination of the provisions specified in subsection F.3, F.4 and F.5 but the combined additional residential density shall not exceed one (1) additional dwelling unit per net residential acre 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.

**H. SIGNS**

Signs for any retail or community use shall be in conformance with the standards for R-4 under Section XII.

**I. PROCEDURE FOR ELECTING TRADITIONAL NEIGHBORHOOD DEVELOPMENT OPTION**

An applicant proposing to develop a subdivision pursuant to this Section XVI.A shall, prior to applying for subdivision approval, request that the Town Council designate the applicant's property as eligible to be developed pursuant to the Traditional Neighborhood Development Option Overlay District. Such designation by the Town Council shall not constitute or require an amendment to the Zoning Map or to this Ordinance. The Council shall act on such request by order; however, prior to acting on the request, the Council shall hold a public hearing, posting and publishing notice of the hearing at least 7 days in advance and mailing notice of the hearing at least 10 days in advance to owners of property abutting or located across a street or way from the subject property. If the Town Council designates the property as eligible for development pursuant to this Section XVI.A, the property shall continue to be within the R-4 Residential District, but shall be subject to the standards of this Section XVI.A where these standards modify the requirements otherwise applicable in the R-4 District.

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**Conceptual - Traditional Neighborhood Street Cross-Section**

**Street Requirements**

- Total right-of-way width of 44 ft.
- Street pavement width of 20 ft., equaling 10 ft. per travel lane
- Granite curbing where sidewalks are present
- 6 ft. planting strip width with street trees on both sides of street
- 5 ft. sidewalk width on both sides of street except that a minimum 4 ft. sidewalk may be used in areas of occasional pedestrian activity.
- Public utilities (water & sewer) shall be installed under the travel way
- Underground utilities (electric, cable, telephone etc.) shall be installed under the sidewalks
- 1 ft. reserve strip between sidewalks and property lines

**SECTION XVI.A. TRADITIONAL NEIGHBORHOOD DEVELOPMENT OPTION OVERLAY DISTRICT, TND [Adopted 11/03/2004][Amended 11/06/2013; Amended 07/13/16]**

- The street surface and sub-base standards and dimensions shall be equal to that of a residential access street as outlined in Table 6-1 of the Town’s Street Acceptance Ordinance



