

**SECTION XVIII. BEACH MIXED-USE DISTRICT B-1. [as of 3/31/74][09/05/12][Amended 07/19/2023]**

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**A. PURPOSE**

To provide areas for the location of small retail, restaurant, lodging and marine-related uses and residential uses within one or more of Scarborough's beach communities. These uses are intended to, and are likely to serve the daily needs of the residents of the immediate neighborhood as well as tourist and summer visitors. The Beach Mixed-Use District shall be considered a business district whenever this Ordinance distinguishes between types of districts.

**B. PERMITTED USES**

**1.** Single family dwellings exclusive of individual mobile homes. Subject to performance standards in Section IX.Z.

**2.** Two family dwellings.

**3.** Accessory dwelling units subject to the performance standards of Section IX.J.

**4.** Dwelling units within a mixed use building limited to no more than two (2) dwelling units per building. Permitted residential uses mixed with special exception uses requires special exception approval by the zoning Board of Appeals under Section IV(I).

**5.** Live/Work Units.

**6.** Retail sales and services with less than 2,500 square feet of floor area, total per lot, excluding car washes, gasoline filling stations and outdoor sales and services.

**7.** Personal services with less than 2,500 square feet of floor area, total per lot.

**8.** Municipal Buildings and Uses. [7/5/95]

**9.** Financial, insurance and real estate offices with less than 2,500 square feet of floor area, total per lot.

**10.** Accessory uses including accessory agricultural activities subject to the performance standards of Section IX.P. [Amended 05/05/10]

**11.** Restaurants with no drive-through service, with less than 2,500 square feet area, total per lot.

**12.** Business services and business offices with less than 2,500 square feet of floor area, total per lot.

**13.** Professional offices with less than 2,500 square feet of floor area, total per lot.

**14.** Bed and Breakfast (B&Bs) subject to the performance standards of Section IX.T.

**15.** Place of worship.

**16.** Food processing facility existing as of September 1, 2011.

**C. SPECIAL EXCEPTIONS**

**1.** Public utility building including substations, pumping stations and sewage treatment facilities.

**2.** Home occupation. Special exception approval is required only for those professions or occupations not otherwise allowed as permitted uses under Subsection (B).

**3.** Adjunct Uses, Place of Worship. [05/05/99]

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4. Telecommunication Facility. [03/17/04]

5. Food processing facility with less than 2,500 square feet of floor area, total per lot, only on lots that are located easterly of Avenue 5.

**D. SPACE AND BULK REGULATIONS**

Minimum lot area per single family dwelling unit	10,000 sq. ft.
Minimum lot area per two-family unit	10,000 sq. ft.
Minimum lot area all others (refer to page 41, Section VI – Definitions, <i>Lot Area</i> for calculation)	10,000 sq. ft.
Minimum street frontage	50 feet
Minimum front yards	A minimum of 10 feet is required for buildings or portions of buildings that are less than 20 feet in height; a minimum of 20 feet is required for buildings or portions of buildings that are 20 feet or greater in height.
Minimum side and rear yards	15 feet
Maximum building height	35 feet
Maximum building coverage	35%

**E. RESIDENTIAL DENSITY REGULATIONS**

Within this zoning district, the Residential Density Factors in Section VIIC(a) of the Zoning Ordinance shall apply to live/work or dwelling units in a mixed-use building or on a mixed use lot.

Single-family and two-family dwellings on lots which contain only residential uses.	4 dwelling units per net residential acre
Live/work units and dwelling units located in a mix use building or on a mixed use lot.	4 dwelling units per acre of net lot area. The net lot area is the gross area of a lot exclusive of those areas described in paragraphs 1, 2, 3, 5 and 6 of the definition of Net Residential Acreage in Section VI of this Ordinance.

**F. ADDITIONAL DEVELOPMENT STANDARDS**

**1. Commercial Design Standards:** All commercial or mixed use development involving commercial uses within the B1 District must be consistent with the Design Standards for Scarborough’s Commercial Districts.

**2. Pedestrian and Bicycle Facilities:** All developments shall provide for pedestrian movement to and within the parcel in accordance with Section IV(E) of the Site Plan Review Ordinance and the Design Standards for Scarborough’s Commercial Districts. Provisions must be incorporated into new developments for bicycle movement including appropriate facilities such as bike racks and bike lanes if the location, type and/or scale of the project make these reasonable.

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**G. OFF-STREET PARKING**

Off-street parking shall be provided in accordance with the requirements of Section XI of this Ordinance.

In addition, for new development requiring site plan review, the establishment of off-street parking should be located to the side or rear of the principle building on the site to the extent practical. The Planning Board shall use the Site Plan Review Ordinance and the Commercial Design Standards in determining the exact location and design of the off-street parking.

**H. SIGNS**

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