CHAPTER 405B

SITE PLAN REVIEW ORDINANCE

TOWN OF SCARBOROUGH

Revised as of August 17, 2005
Amended November 7, 2007 - Amended January 6, 2010
Amended May 5, 2010 - Amended March 19, 2014
Amended March 18, 2015 - Amended November 1, 2017
Amended June 5, 2019 - Amended April 21, 2021
Amended January 4, 2023 – Amended July 19, 2023
Amended October 18, 2023 – Amended June 26, 2024
Amended September 4, 2024 – Amended January 22, 2025
Amended November 4, 2026

TABLE OF CONTENTS

I. Purpose 2
II. Applicability 2
A. Activities Requiring Site Plan Review [amended 04/21/2021; 11/4/2026] 2
B. Activities Exempt from Site Plan Review [amended 05/05/2010; 01/04/2023; 11/04/2026] 2
C. Site Plan Review Types [Amended 11/04/2006] 3
III. Application & Review Procedures [amended 04/21/2021; 07/19/2023l; 11/04/2026] 5
A. CEO Review and Submittal Requirements [Adopted 11/04/2026] 5
B. Administrative Review and Submittal Requirements [Adopted 11/04/2026] 5
C. Minor Site Plan Review and Submittal Requirements [Amended 04/21/2021; 11/04/20/26]6
IV. Performance & Design Standards [amended 04/21/2021; 07/19/2023; 06/26/2024; 09/04/2024; 11/04/2026] 11
A. Site Utilization and Layout Amended [amended 09/04/2024] 12
B. Landscape and Screening Standards [amended 04/21/2021; 06/26/2024; 11/04/2026] 20
C. Stormwater Management [amended 04/21/2021] 42
D. Outdoor Lighting Standards [amended 04/21/2021; 10/18/2023] 43
E. Architectural Design Standards [amended 09/04/2024] 48
V. Site Conditions & Environmental Considerations 60
A. Wetland Setbacks and Vegetated Buffers [Adopted 01/22/2025] 60
B. Conservation, Erosion, & Sediment Control [amended 04/21/2021] 60
C. Site Conditions 61
VI. Fees 61
A. Application Fee 61
B. Development Review and Construction Inspection Fee 62
VII. Enforcement, Occupancy and Performance Guaranty [amended 04/21/2021] 62
A. Occupancy Permit and Performance Guaranty 62
VIII. Severability and Conflicts 63
A. Severability 63
B. Conflict 63
IX. Meanings of Words 63

CHAPTER 405B
TOWN OF SCARBOROUGH
SITE PLAN REVIEW

I. Purpose

The Town of Scarborough finds that uses and structures for which site plan submissions are required are potentially significant additions to the community's built and natural environment as well as to the residential, commercial or industrial neighborhood in which they are proposed. The purpose of site plan review is to ensure that the design, layout and construction of these additions to the community constitute suitable development and will not result in a detriment to the neighborhood, community or environment. The standards and requirements of this ordinance are intended to assure that adequate provisions are made for: traffic safety, access and circulation; emergency access and response; stormwater management; protection of natural features and the environment; water supply and sewage disposal; and minimizing impacts to abutting properties or uses.

II. Applicability

A. Activities Requiring Site Plan Review **[amended 04/21/2021; 11/4/2026]**

Site Plan approval is required before any of the following activities take place, with the exception of the activities found in Section II.B:

1. Tree removal.
2. Timber Harvest subject to Chapter 405 Section IX.A.17.
3. Planting or replacement of landscaping.
4. Any activity creating Disturbed Area.
5. Change of Use.
6. Construction or expansion of any building or structure.
7. Construction, changes, or expansion of any parking, loading, or vehicular or pedestrian use.
8. Construction of a Private Way.
9. Any activity causing a net increase in impervious area.

B. Activities Exempt from Site Plan Review **[amended 05/05/2010; 01/04/2023; 11/04/2026]**

The following activities shall not require site plan approval; however, such activities may require building permits, plumbing permits or other local or State approvals:

1. Municipal buildings or uses, but shall be reviewed by the Planning Board for an advisory opinion to the Town Council or the applicable Town Department. Advisory opinion requests shall follow the Major Site Plan process and submittal requirements.

C. Site Plan Review Types [Amended 11/04/2006]

Activities subject to site plan review shall be divided into four classes: CEO Review, Administrative Review, Minor Site Plan Review and Major Site Plan Review.

1. **CEO Review.** Requires Code Enforcement Officer approval or determination of review authority.
    a. Timber Harvesting, subject to FON notification to the Town of Scarborough; acknowledgment of tree clearing and disturbed area limitations and buffer requirements.
    b. Any tree removal in the Shoreland Zone, including within the Resource Protection Zone and the Stream Protection Overlays.
    c. The construction of, or addition to, residential structures with four or fewer dwelling units and their accessory buildings, structures, and areas for vehicular or pedestrian use.
    d. The construction of accessory dwelling units.
    e. Temporary use of accessory storage containers.
    f. Buildings, structures and areas of impervious surface, the principal use of which is the conduct of accessory agriculture, commercial agriculture, or commercial animal husbandry, as are defined in Section VI. Definitions of the Town of Scarborough Zoning Ordinance and permitted in conformance with applicable performance standards in Section IX. Performance Standards.
    g. Farm stands with no more than 400 square feet of retail sales area.
2. **Administrative Review.** Requires Director of Planning and Codes or designee approval, unless otherwise stated. May be elevated to Minor or Major Site Plan Review.
    a. Planting or replacement of landscaping, in conformance with Chapter 405B Section IV.B. for multi-family, mixed-use, and non-residential structures.
    b. Construction of, or addition to, a building or alterations to a site, excluding residential structures with four or fewer dwelling units, which in total do not increase the floor area of the building or impervious area by more than 100 square feet.
    c. Change of use for an existing and approved site plan or the change of use for a site with no existing site plan.
    d. Private Ways, in accordance with Chapter 405 Section IX.I, subject to Town Engineer review and approval.
3. **Minor Site Plan Review.** Requires Director of Planning and Codes, or designee, and Planning Board Chair approval. Submittals may be elevated to Major Site Plan Review by staff or applicants may request a project be reviewed by the Planning Board through Major Site Plan Review instead of Minor Site Plan Review for any reason.

a. Tree removal up to one acre, other than permitted Timber Harvesting, on all sites excluding lots in residential zoning districts.

b. Any activity, excluding residential structures with four or few dwelling units, creating less than one acre of Disturbed Area.

c. Construction of, or addition to, a building or alterations to a site, excluding residential structures with four or few dwelling units, which in total do not increase the floor area of the building or impervious area by more than 1,000 square feet.

d. Permitted uses within the following Zoning districts: Industrial District, the Light Industrial District, and those uses in the Crossroads Planned Development District "inclusionary area" as outlined in Section XX.C.I.B.iv, which

i. Disturb less than one acre; and

ii. Forecasted to less than 35 trip ends during any peak hour; and

iii. Require no state or federal permits.

4. **Major Site Plan Development Review.** Requires Planning Board approval.

a. Tree removal of one acre or greater, other than permitted Timber Harvesting, on all sites excluding lots in residential zoning districts.

b. Any activity, regardless of use, creating one acre or greater of Disturbed Area.

c. Construction of, or addition to, a building or alterations to a site, excluding residential structures with four or few dwelling units, which increase the floor area of the building or impervious area by more than 1,000 square feet.

d. Permitted Uses within the following Zoning districts: Industrial District, Light Industrial District, and Crossroads Planned Development District, which:

i. Disturb one acre or greater; or

ii. Forecasted to generate 35 or more trip ends during any peak hour; or

iii. Require state or federal permits.

5. **Site Plan Review Process Summary Table.**

Activity	CEO Review	Administrative Review	Minor Site Plan Review	Major Site Plan Review
All Timber Harvest	✓			
Tree Removal (other than Timber Harvest)	Any tree removal in the Shoreland Zone, including within the Resource Protection Zone and the Stream Protection Overlays		< 1 acre on all parcels in non-residential zoning districts and subdivisions	≥ 1 acre on all parcels in non-residential zoning districts and subdivisions

Activity	CEO Review	Administrative Review	Minor Site Plan Review	Major Site Plan Review
New planting or replacement of existing landscaping		All parcels in non-residential zoning districts and subdivisions		
Activities Creating Disturbed Area	Construction of residential structures with four or fewer dwelling units creating < 1 acre of Disturbed Area		Any activity, excluding residential structures with four or fewer dwelling units, creating < 1 acre of Disturbed Area	Any activity, regardless of use, creating ≥ 1 acre of Disturbed Area
Change of Use (no site modifications required)		✓		
Construction of, or addition to, a building or alterations to a site for any reason	Residential structures with four or fewer dwelling units and their accessory buildings, structures, and areas for vehicular or pedestrian use	All, excluding residential structures with four or fewer dwelling units, ≤ 100 sq ft of new floor area or impervious area	All, excluding residential structures with four or fewer dwelling units, ≤ 1,000 sq ft of new floor area or impervious area (see below)	All, excluding residential structures with four or fewer dwelling units, > 1,000 sq ft of new floor area or impervious area (see below)
Industrial District, Light Industrial District, and Crossroads Planned Development Zoning Districts			Disturb < 1 acre; and forecasted to generate < 35 trip ends during any peak hour; and require no state or federal permits	Disturb ≥ one acre; or forecasted to generate ≥ 35 trip ends during any peak hour; or Require state or federal permits

III. Application & Review Procedures **[amended 04/21/2021; 07/19/2023l; 11/04/2026]**

The following procedures and application requirements shall govern development proposals for all types of site plan review.

A. CEO Review and Submittal Requirements **[Adopted 11/04/2026]**

All projects requiring CEO review and approval, must adhere to the requirements in the applicable building permit applications and checklists.

B. Administrative Review and Submittal Requirements **[Adopted 11/04/2026]**

All projects requiring administrative review and approval, must adhere to the requirements in the applicable administrative review permit applications and checklists.

C. Minor Site Plan Review and Submittal Requirements [Amended 04/21/2021; 11/04/20/26]

1. An application for minor site plan review shall be submitted to the Planning Department with the requisite fees and submission requirements, as outlined in Section VI.A. of this Ordinance. The Director of Planning and Codes, or designee reserves the right to request additional plans or information, as stated in Section III.E. depending on the nature of the proposal and its anticipated impacts. The Director of Planning and Codes, or designee may also engage the services of one or more professional consultants to review the materials submitted by the applicant, the cost of which shall be paid by the applicant as provided in Section VI.B. of this ordinance.

2. After the Director of Planning and Codes, or designee determines that an application is complete, the applications are distributed to the Development Review Committee, including the Town Engineer, Fire Chief (or designee), Police Chief (or designee), and the Director of Public Works (or designee) for review and comment.

3. The Planning Department shall also, at the applicant's expense, give written notification to all abutting property owners within five hundred (500) feet of the parcel on which the proposed development is located, and must include a brief description of the proposed project, the name of the applicant, the location where the application is available for inspection, how written comments on the application may be submitted. Failure of any property owner to receive the notification shall not invalidate any action of the Director of Planning and Codes. For purposes of this section, the owners of the abutting properties shall be considered to be the parties listed by the tax assessor for the Town of Scarborough.

4. Within 30 days of determining the application complete, and after a ten (10) day public comment period following mailing of the notice to abutting property owners, the Director of Planning and Codes, or designee, shall review all submitted comments and act on the application to either: a. send the application to Major Site Plan Review; or b. approve, approve conditionally, or deny the application. The decision of the Director of Planning and Codes, or designee shall be provided in writing to the applicant.

5. If a site plan application is denied, a substantially similar application shall not be brought before the Director of Planning and Codes, or designee, within one (1) year from the date of the denial of the original application. This limitation may be waived if the Director of Planning and Codes finds that substantial new evidence exists or an error or mistake of law or misinformation concerning the original application is identified.

6. Any appeal of the Director of Planning and Codes decision on an application for Minor Site Plan Review shall be taken directly to the Planning Board; provided the appeal is made within 30 days of the issuance of the decision. Upon such an appeal, the Planning Board shall review the application as a Major Development Review; including all procedures and submission requirements of section III.D.

7. Upon written request, the Director of Planning and Codes may approve transfer of Minor Development Site Plan approval granted to the project owner to an alternative developer or property owner, or the Planner may refer any request for transfer to the Planning Board for decision. A transfer shall be approved only if the new developer or owner has the

financial and technical capacity to comply with the requirements of the site plan approval.

8. Final approval shall expire one (1) year from the date of such approval unless the applicant has started substantial construction. The Director of Planning and Codes may extend final approval for one (1) additional year for good cause, provided a written request for extension is submitted before the expiration of the approval. The Director of Planning and Codes may refer any request for extension to the Planning Board for decision.

9. The property shown on the approved site plan may be developed and used only as shown on the plan. All elements and features of the plan and all representations made by the applicant which appear in the application are conditions of approval. No change from the conditions of approval is permitted unless an amended site plan is approved by the Director of Planning and Codes, or designee. Minor deviations that do not alter the essential nature of the approval or affect approval criteria may be approved by the Director of Planning and Codes.

10. The text of paragraph 9, above, shall be included as a note on the approved site plan.

11. A request to amend an approved site plan shall be processed in the same manner as an application for site plan review, except that the Director of Planning and Codes may grant preliminary waivers of submission requirements.

A. Major Site Plan Review and Submittal Requirements [Amended 04/21/2021; 11/04/2026]

1. Optional Sketch Plan Review

Prior to submitting a formal major site plan review application, the applicant may submit an optional sketch plan for review by the Planning Board. The sketch plan shall be conceptual and sketch plan review shall be considered an informal, informational review and discussion. The purpose of the sketch plan review process is to enable the applicant to present a concept plan for a development to the Planning Board in order for the Board to understand the type and scale of the proposed development as well as the associated on and off-site issues. Further, this process is intended to provide the applicant with preliminary feedback from the Board in order to identify any issues or revisions that should be addressed in the site plan review application.

The following information should be submitted or presented for discussion during sketch plan review:

a. The proposed site, including its boundaries, size, location, and landscape.

b. The environmental characteristics or constraints of the site, such as waterbodies, wetlands, floodways, steep slopes, etc.

c. The proposed use and scale of development, including a conceptual site plan, landscape plan, and building elevations.

d. Total disturbed area.

e. An overview of any traffic issues or implications.

f. An overview of the local regulations and State permits that may apply to the proposed project and any requested waivers of such regulations.

The sketch plan review shall be conceptual and informational, and there shall be no formal action by the Planning Board. Further, the submittal and review of a sketch plan shall not be considered the creation of a pending proceeding under 1 M.R.S.A. § 302. Following sketch plan review, an applicant must submit a formal site plan review application in order to seek site plan approval.

2. Major Site Plan Application Procedures & Action [Amended 06/05/19; 11/04/2026]

a. An application for site plan review shall be submitted to the Planning Department with the requisite fees and submission requirements, as outlined in Section VI.A. of this ordinance. Upon receipt of any application that meets the submission requirements the Director of Planning and Codes, or designee, shall schedule the site plan for review on the next available Planning Board meeting agenda. An initial determination as to the completeness of the application shall be made by the Director of Planning and Codes and Town Engineer, subject to final determination by the Planning Board. The Planning Board reserves the right to request additional plans or information, as stated in Section III.E., depending on the nature of the proposal and its anticipated impacts. The Planning Board may also engage the services of one or more professional consultants to review the materials submitted by the applicant, the cost of which shall be paid by the applicant as provided in Section VI.B. of this ordinance.

b. When an application for site plan review is determined to be complete, the Planning Department shall, at the applicant's expense, give written notification to all abutting property owners within five-hundred (500) feet of the parcel on which the proposed development is located of the date, time, and place of the meeting at which the application will be considered. Notification shall be sent at least ten (10) days prior to the first meeting at which the complete application is to be reviewed. Failure of any property owner to receive the notification shall not necessitate another hearing or invalidate any action of the Board. For purposes of this section, the owners of the abutting properties shall be considered to be the parties listed by the tax assessor for the Town of Scarborough. The Planning Board shall provide an opportunity for public comment prior to taking action on any site plan application.

c. Sites that have received formal notice of violation of the Zoning Ordinance or Shoreland Zoning Ordinance, from the Town of Scarborough, must wait twelve months from the date of compliance until submitting for new applications for site plan review, not including any required site plan review for mitigating such violations. [Adopted 11/04/2026]

d. No application for site plan review shall be considered complete nor acted upon by the Planning Board until all special exceptions or variances which may be required for a development have been approved. The Planning Board may conduct its shoreland zoning or subdivision review concurrently with a project’s site plan review.

e. The Planning Board may make a decision at the initial Planning Board meeting at which a site plan is heard or may request additional meetings to receive revised plans

or additional information pertaining to the proposal, and then issue a decision. The Planning Board may deny the application, approve the site plan as submitted, or approve the site plan with such conditions as the Board finds necessary to ensure compliance with the standards of this ordinance and other applicable ordinances of the Town of Scarborough.

f. If a site plan application is denied, a substantially similar application shall not be brought before the Planning Board within one (1) year from the date of the denial of the original application. This limitation may be waived if the majority of the Board finds that substantial new evidence exists or an error or mistake of law or misinformation concerning the original application is identified.

g. Any appeal of a Planning Board decision on an application for site plan review shall be taken directly to Cumberland County Superior Court. Decisions of the Planning Board are not appealable to the Scarborough Board of Appeals.

h. Upon written request, the Director of Planning and Codes may approve transfer of Site Plan approval granted to the project owner to an alternative developer or property owner, or the Director may refer any request for transfer to the Planning Board for decision. A transfer shall be approved only if the new developer or owner has the financial and technical capacity to comply with the requirements of the site plan approval.

i. Final approval shall expire one (1) year from the date of such approval unless the applicant has started substantial construction. The Director of Planning and Codes may extend final approval for one (1) additional year for good cause, provided a written request for extension is submitted before the expiration of the approval. The Director of Planning and Codes may refer any request for extension to the Planning Board for decision. [amended 11/01/17]

j. The property shown on the approved site plan may be developed and used only as shown on the plan. All elements and features of the plan and all representations made by the applicant which appear in the record of the Planning Board proceedings are conditions of approval. No change from the conditions of approval is permitted unless an amended site plan is approved by the Planning Board. Minor deviations that do not alter the essential nature of the approval or affect approval criteria may be approved by the Director of Planning and Codes through the Administrative review process and with endorsement of the Planning Board Chair.

k. The text of paragraph (j), above, shall be included as a note on the approved site plan.

l. A request to amend an approved site plan shall be processed in the same manner as an application for site plan review, except that the Director of Planning and Codes may grant preliminary waivers of submission requirements, subject to review of such waivers by the Planning Board when the Board takes up the request for amendment.

B. Minor and Major Site Plan Submission Requirements

The applicant shall submit to the Planning Board the following plans and information in a form required by the Planning Department:

a. A boundary survey prepared by a professional land surveyor licensed by the State of Maine indicating the boundary lines, dimensions, encumbrances, water bodies, water features, zoning designation(s) and topography of the site. This boundary survey shall be prepared at a scale no greater than one (1) inch = forty (40) feet. Plans showing engineering details submitted as part of the site plan application may be prepared by either a professional land surveyor or by a professional engineer.

b. A site plan(s), at a scale no greater than one (1) inch = forty (40) feet, showing all existing and proposed buildings, contour elevations, structures, parking spaces and layout, driveways, driveway openings, service areas, proposed outside display or vending areas, proposed grades and drainage facilities, proposed water and sewage facilities or connections, tree survey including existing tree stands, Heritage Trees and all Significant Trees, landscaping plan including protected trees, proposed trees and planting areas, proposed locations of fences, walls, signs and advertising features, proposed walkways and pedestrian amenities, total disturbed areas, and a lighting plan. The site plan shall also include a locus map showing the relationship of the project to the surrounding area at a scale no greater than one inch equals 2,000 feet. The site plan shall also show all contiguous land owned by the applicant or the owner of the land proposed for development. [Amended 11/04/2026]

c. Building plans showing the floor plans, an outside access plan, and all elevations. The elevations shall indicate the proposed material and color of all of the proposed principal buildings and structures. The Planning Board may also require elevations of the accessory buildings and structures depending on their size and location.

d. Stormwater management systems, details and calculations in compliance with Section IV.G of this Ordinance.

e. An erosion and sedimentation control plan and narrative in accordance to Chapter 420 - Town of Scarborough Erosion and Sedimentation Control at Construction Sites Ordinance.

f. A written statement prepared by a Maine Licensed Professional Engineer that describes the potential traffic flow patterns into and upon the site for both vehicles and pedestrians, the expected peak hour trip generation associated with the proposal, and the measured sight distance of each proposed driveway access. A traffic impact study shall be submitted for any project forecasted to generate 35 or more trip ends during any peak hour or if a project is forecasted to cause an existing access with less than 35 peak hour trip ends to exceed this threshold. The Planning Board or Town staff may also require a traffic study if specific safety or capacity issues have been identified for the general vicinity of the development. The scope of the study shall be determined based on discussions with the Town's Traffic Engineer and be completed by a Registered Professional Engineer with significant experience in traffic engineering. The study should be appropriate for the level of impact. At a minimum the study shall contain the following information: collision history at the intersection of the proposed street/driveway, capacity evaluation at the proposed driveway, sight distance analysis, Road Impact Fee calculations and the need for improvements such as turning lanes, signalization, etc. In compiling a traffic study, trip generation shall

be based upon the most recent edition of the ITE's "Trip Generation" Manual and shall include an evaluation of each peak hour condition.

g. Any proposed off-site improvements to roads, sidewalks, natural areas or other infrastructure as may be necessary to accommodate the proposed development.

h. A lighting plan in compliance with Section IV(H) of this ordinance.

i. Reports from the Police Chief, Fire Chief, and to the extent applicable, from the Water District and Sanitary District, containing their requirements or recommendations.

j. Such other information or plans as may be necessary to enable the Director of Planning and Codes, Town Engineer, Code Enforcement Officer, and Planning Board to determine that the proposed structure and use of the land will conform to the provisions of this ordinance, the Scarborough Zoning Ordinance and, where applicable, the Scarborough Shoreland Zoning Ordinance and all other applicable Town Ordinances.

k. A list of any requested waivers of required submissions and waivers from the standards of this ordinance.

l. The location of all wetlands and vernal pools on the site and a description of method to be used to permanently delineate wetlands, wetland buffers, and vernal pool buffers to prevent encroachment. [08/17/2005; 11/04/2026]

m. The location and description of all historic and archeological resources on the parcel as identified by the Maine State Historic Preservation Office, the Town's adopted Comprehensive Plan, or Section VII.H. Historic Preservation Provisions of the Town of Scarborough Zoning Ordinance together with a narrative describing how these resources can be preserved and incorporated into the development plan. If an identified resource will be removed, altered, or not included as part of the development plan, a statement shall be provided as to why the resource cannot be preserved and the options considered but rejected for including it as part of the development plan. [03/19/2014][Amended 03/18/2015]

The Planning Board may waive any of the above submission requirements if the Board finds that the required information is not necessary due to special circumstances of a particular site plan, or the nature or scale of the proposed development. Requirements set forth in Chapter 419 Town of Scarborough Post-Construction Stormwater Infrastructure Management Ordinance and in Chapter 420 Town of Scarborough Erosion and Sedimentation Control at Construction Sites Ordinance are required by the Maine Department of Environmental Protection and the Environmental Protection Agency and are not waivable.

IV. Performance & Design Standards [Amended 04/21/2021; 07/19/2023; 06/26/2024; 09/04/2024; 11/04/2026]

The following minimum performance and design standards shall apply to all site plans and shall serve as the minimum requirements for approval of any application. However, where the Planning Board or Town Planner (together the "Applicable Reviewing Authority") as applicable finds that due to the nature or special circumstances of a particular plan the requirements of certain standards are not requisite to the interest of public health, safety and general welfare, the

Applicable Review Authority may waive such requirements, subject to appropriate conditions to achieve the intent of this ordinance. Requirements set forth in Chapter 419 Town of Scarborough Post-Construction Stormwater Infrastructure Management Ordinance and in Chapter 420 Town of Scarborough Erosion and Sedimentation Control at Construction Sites Ordinance are required by the Maine Department of Environmental Protection and the Environmental Protection Agency and are not waivable.

A. Site Utilization and Layout Amended [amended 09/04/2024]

1. Purpose

The primary goal of the site plan review process is to produce attractive, functional and pedestrian friendly commercial, multi-family and mixed-use development that compliments and conforms to both the natural and built environment in which they are proposed. To this end, the built portions of a site shall be laid out in the most environmentally suitable location, accommodate pedestrian movement, and provide for interconnected facilities.

2. Applicability

All commercial, multi-family and mixed-use structures constructed after the date of effect of this Ordinance shall comply with these requirements. This includes new construction, and expansion of any building footprint exceeding 50%, proposed through the Site Plan or Subdivision process.

a. The provisions of this section shall not apply to individual single and two-family dwellings and their accessory buildings, structures and areas for parking.

b. The provisions of this section shall not apply to RF, R2, R3, R4 or R4A zoned developments.

c. The provisions of this section shall not apply to Village Residential Districts.

d. The provisions of this section shall not apply to Light Industrial (LI) or Industrial (I) zoned developments.

e. The provisions of this section shall not apply to existing individual single and two-family dwellings and their accessory buildings, structures and areas for parking, regardless of zoning.

3. General Standards

Structures and impervious areas shall be designed around, and away from, resource areas such as wetlands, steep slopes, water bodies and other unique natural features. Once the build-able portion of a site is identified, the principal building(s) is the most critical amenity to orient and position, as it is the focal point of the site in regards to use, visitation, and aesthetics.

The building(s) shall also be positioned to provide an aesthetic and functional relationship with surrounding streets and sidewalks to ensure attractive and efficient vehicle and pedestrian access. Buildings shall be located as close to the front property line as possible with ~~t~~the majority of parking located at the rear or side of the building. Moving parking lots to the rear concentrates people and places along the street, creating an environment that is more accessible, interesting, and safe for walkers and bicyclists.

Parking areas, driveways, access points and sidewalks shall be designed around, and to serve, the principal building(s) and shall also compliment the neighboring development patterns and transportation networks as well as the Comprehensive Plan guidelines.

All new and renovated facilities shall be located, designed, and detailed in full compliance with the Americans with Disabilities Act (ADA), as revised.

4. Definitions

Access Management: Access Management is the planning, design and implementation of land use and transportation strategies in an effort to maintain a safe flow of traffic while accommodating the access needs of adjacent development.

Cross Easement: The reciprocal legal right to pass from one property to another.

Curb Cut: The opening along the curb line at which point vehicles may enter or leave the roadway.

Sight Triangle: A triangular shaped portion of land established at street intersections in which nothing is erected, placed, or planted that would limit or obstruct the motorists vision as they enter or depart the intersection.

Stacking Lanes: A designated area of a parking lot that accommodates the queuing of cars (for instance, at a drive-through restaurant).

5. Site Access Location and Design

Vehicle access to and from the site shall be safe and convenient, shall minimize conflict with the existing flow of traffic, and shall be from roads that have adequate capacity to accommodate the additional traffic generated by the development. Access management techniques such as limiting the number of driveways and combining driveways preserves mobility and improves safety, and shall be incorporated to the extent feasible.

All development activities shall be characterized by safe, user-friendly, and efficient traffic flow. Access management principles shall be followed to reduce the number of curb cuts, provide a safer vehicular and pedestrian environment, encourage intra-parcel travel, and minimize the number of trips on roadways.

As used in this Section IV(B), the term “street or driveway” includes both public and private local, collector and arterial streets, as well as entrance roads.

Any street or driveway access shall be separated from any other street or driveway, existing or proposed, on-site or off-site, in accordance with the following table.

Driveway separation shall be measured from the edge of the proposed street/driveway entrance to the edge of the alternative entrance, excluding the radii. The location of the site’s access shall also consider the existing location of driveways and entrances across a road or highway and shall attempt to meet the same separation standards established below.

POSTED SPEED IN M.P.H.	SEPARATION IN FEET
25 or less	90’

30	105’
35	130’
40	175’
45	265’
50	350’
55 or more	525’

*Entrances having the same centerline and situated directly across a road or highway from a proposed street or driveway shall not apply to this spacing requirement.

Any street or driveway access shall be so designed in profile and grading and so located as to provide the minimum sight distance measured in each direction as specified in the Maine Department of Transportation’s “Entrance Rules - Chapter 299, Part B” (as may be amended from time to time).

Driveway grades at street intersections shall not be more than five percent (5%) up or down for the first fifty (50) feet from the street, unless otherwise approved by the Applicable Reviewing Authority.

Streets and driveways shall be located not less than 125 feet from the tangent point of the curb radius of any intersection. However, a greater distance or movement restrictions shall be provided if necessary based on the results of a vehicle queuing analysis at the intersection.

When serving an individual site, no part of any street or driveway shall be located within a minimum of ten (10) feet of a side property line.

The sharing of street or driveway accesses between sites is required whenever feasible to limit curb cuts.

Where a site has frontage on two or more streets, the Applicable Reviewing Authority will require that the access to the site be provide off the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.

There shall be no more than one full-service street or driveway connection from any lot to any street, except when an additional entrance/exit must be provided to prevent traffic hazards or congestion. If two curb cuts are found to be necessary for congestion or safety reasons they shall be separated in accordance with the separation requirements in Section IV(B)(1)(a), above.

Streets and driveways shall intersect the road at an angle as near to ninety (90) degrees as site conditions will permit and in no case less than seventy-five (75) degrees.

Streets and driveways intersecting collector and arterial roadways shall be adequately lit.

The level of service at a proposed signalized intersection shall be “D” or better. At an existing signalized intersection, the level of service shall not be reduced below “D” by the development. If an existing signalized intersection is operating below a LOS “D” pre-

development, then the development shall not increase the delay at the intersection, unless this standard is waived by the Applicable Reviewing Authority. At an un-signalized intersection, if the level of service is forecasted to be less than a "D" post-development, than the installation of a traffic signal and/or additional turning lanes shall be investigated. If these improvements are found not to be warranted, then a level of service less than "D" may be acceptable.

6. Internal Vehicular Circulation

The layout and circulation pattern within the site shall provide for the safe and convenient movement of passenger, service, and emergency vehicles through the site. The circulation layout shall also provide a safe, accessible pedestrian environment as well as encourage intra-parcel travel, minimizing curb cuts and unnecessary roadway travel in keeping with the access management goals of section B.

The dimensions of streets and driveways shall be designed to adequately accommodate the volume and character of vehicles anticipated to visit the site on a daily basis. The required minimum and maximum dimensions for driveways are indicated below. Streets and driveways serving large volumes of daily traffic or truck traffic shall be required to establish high to maximum dimensions.

LAND USE	ONE-WAY WIDTH (FEET)	TWO-WAY WIDTH (FEET)
Residential	12 to 14	20 to 24
Commercial & Industrial generating between 10 - 50 truck trips per hour	15 to 25	26 to 30
Commercial & Industrial generating 51 or more truck trips per hour	Maine DOT Criteria to Apply	Maine DOT Criteria to Apply

A site development access driveway profile shall be designed to conform to the natural topographic features of the site, to the extent feasible. Driveways serving residential development shall be between 0.75% and 15% up or down. Driveways serving commercial or industrial developments shall be between 0.75% and 8% up or down.

The construction and materials used for a driveway, street, parking lot and drainage infrastructure shall comply with the latest standard specifications issued by The State of Maine Department of Transportation and as approved by the Applicable Reviewing Authority. Specific construction details for this infrastructure shall also be approved by the Applicable Reviewing Authority.

The layout and design of driveways and parking areas shall provide for safe and convenient circulation of vehicles throughout the site and shall provide the necessary curbing, directional

markings, and signage to achieve this requirement. The layout, design and circulation pattern must also provide for pedestrians and cyclists as well as emergency, delivery, and service vehicles.

Internal Traffic Flow. To ensure the safety of motorists, delivery trucks, and pedestrians, the site plan shall clearly delineate internal traffic patterns. Parking space, directional arrows, crosswalks, and other markings on the ground shall be delineated with pavement paint or other suitable material to ensure safe circulation.

Traffic calming measures shall be included where appropriate to discourage speeding within the site and between abutting sites. Measures may include speed tables, on-street parking, raised crosswalks, vertical curbing, curvilinear road alignments, roadside plantings, neck-downs, curbed islands, signage or other traffic calming techniques.

Where feasible, connections between parking lots and driveways on adjacent parcels shall be provided to facilitate deliveries and minimize turning movements onto primary roads. Internal connections shall be designed to provide safe, direct access between adjacent lots in a manner that prevents their use as vehicle shortcuts. The site plan shall show stub outs, or other driveway or parking lot linkages, anticipating future vehicular connections to abutting undeveloped property.

Identifiable routes of access for emergency and service vehicles shall be provided to and around the buildings on the site.

7. Minimum Parking Required

Off-street parking shall conform to Section XI., Off-Street Parking & Loading Requirements, of the Zoning Ordinance.

There shall be adequate provisions made for handicap parking in accordance with the ADA Standards for Accessible Design and marked by the international symbol of accessibility. Handicap accessible spaces shall be designated in the closest located spaces on a site to the accessible entrances. Such spaces shall be provided in accordance with the following table and shall be designed in accordance with the ADA Design Standards, as revised found: Accessible Parking Spaces | ADA.gov

8. Parking Lot Design

Parking lots shall be designed as part of the overall plan for the site, and shall be coordinated with building entrances, lighting, and landscaping. Every effort shall be made to reduce the scale of parking lots for aesthetic and stormwater reasons. Parking areas shall balance the needs of both vehicles and pedestrians. Parking lots shall be accessible and organized to serve the motorist, while being safe and pedestrian-friendly.

The majority of parking areas shall be located at the rear or sides of the building(s) being served.

Parking on the side of buildings shall not extend closer to the street than the front facade. The space between the end of the parking lot and the roadway shall be landscaped according to an overall plan for the property.

Shared parking is strongly encouraged where appropriate, particularly where abutting land uses have differing hours of peak parking demand. Cross easements may be required to allow shared parking.

Drive-through lanes shall minimize conflicts with pedestrian circulation routes. Motorists shall be made aware of pedestrians through signage, lighting, raised crosswalks, changes in paving or other devices. The site plan shall be designed to minimize queuing in parking lots or other areas which would cause congestion or unsafe conditions.

Queuing for drive-through lanes shall not interfere with the vehicle accessibility to the parking area for the site, neighboring sites or public right of way.

Service drives shall be separated from internal walkways, parking areas, or pedestrian use areas by landscaped islands, grade changes or other devices to minimize pedestrian contact.

There shall be adequate provisions for ingress and egress to all parking spaces. The following aisle widths shall be required to ensure adequate and safe access to parking spaces. Only one-way traffic shall be permitted in aisles serving single-row parking spaces placed at an angle other than ninety (90) degrees.

PARKING ANGLE DEGREE	MINIMUM AISLE WIDTH (FEET)
0º parallel parking	12’
30º	12’
45º	13’
60º	18’
90º perpendicular parking	24’

Parking areas with a single point of access are strongly discouraged. Dead-end parking lots shall not contain more than ten (10) spaces. Where dead-end lots must be used, adequate space shall be provided to safely turn a vehicle around to avoid backing out.

Directional signage and markers shall be utilized in diagonal parking lot arrangements.

9. Pedestrian Access: General

Developments shall provide attractive, safe, and functional walkways within the site and for connection of the site to the Town’s sidewalk system when a public sidewalk exists or is planned in the vicinity of the site. Walkways shall be designed to direct pedestrians to the main entrances of the buildings from the public right-of-ways, abutting properties and businesses, and the parking areas on the site. Entrances to buildings shall also be designed to provide some outdoor space for pedestrian use, such as seating, dining, or lawn area.

All walkways and sidewalks shall be designed for efficient snow removal to enable year-round use.

Accessibility. Walkways shall be located, designed, and detailed in full compliance with the Americans with Disabilities Act (ADA), as revised.

10. Pedestrian Access: Internal Walkways

Commercial properties shall provide attractive, safe, and functional walkways between the public right-of-way and the principal customer entrances on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as transit stops, street crossings, and building entrances. Internal walkways shall be a minimum of 5 feet in width

Internal Pedestrian Connections. Safe pedestrian connections between abutting land uses shall be provided where possible to encourage foot traffic and minimize vehicular movement.

Pedestrian and Bicycle Movement. The circulation plan shall provide safe pedestrian and bicycle movement within the site. The plan shall demonstrate how linkages can be made to adjacent properties, both developed and undeveloped. Pedestrian and bicycle connections between abutting properties shall be coordinated with vehicular routes to encourage foot traffic and minimize vehicular movement.

Within larger parking lots where the main building entrance will be 50+ feet from at least half of the parking spaces, a network of walkways shall be provided. These walkways shall be separated from parking bays and travel aisles by raised curbing or landscape buffering and shall be aligned with the main entry or a focal point on the building for way finding. The width of these internal parking lot walkways shall be five feet or more to enable the use of shopping carts or heavy pedestrian traffic.

Orientation. Walkways in parking lots shall be aligned with the main entry or a focal point on the building to assist in wayfinding.

Walkways shall be located where motorists can anticipate pedestrians. Likewise, walkways shall be designed to give pedestrians a view of oncoming vehicles and shall avoid bisecting drive-through lanes, access and service drives, and other high-traffic routes.

Internal crosswalks shall be provided and marked by a change in pavement texture, pattern, or color to maximize pedestrian safety. The materials selected shall be highly durable and low maintenance. Raised crosswalks shall be considered at key locations as a traffic calming device as well as to make crosswalks more visible.

Signs may be warranted in certain situations as determined by the Institute for Traffic Engineers (ITE). Materials selected for crosswalks shall allow safe bicycle movement across the surface.

11. Pedestrian Access: Public Sidewalks and Crosswalks

Sidewalks provide many benefits to a community including pedestrian safety, mobility options, health benefits and even economic impacts. The propensity to walk is influenced not only by distance, but by the quality of the walking experience. Good sightlines and visibility toward destinations and intermediate points are important for way-finding and personal security. There are many areas in Scarborough's commercial areas which are currently not pedestrian or bicycle friendly. The long-term objective is to create an interconnected network of sidewalks to achieve these benefits.

Public sidewalks are to be provided throughout Scarborough's commercial areas. Existing and proposed road corridors should include sidewalks on both sides of the street, planted esplanades, crosswalks, and pedestrian amenities to encourage a safe flow of non-motorized traffic.

If a sidewalk does not exist in the street(s) adjacent to the site the applicant shall be responsible for the construction of a sidewalk along the full width of the frontage or in a location otherwise determined by the Applicable Reviewing Authority. The applicant shall not be responsible for the construction of a sidewalk in a location for which the Town Council has already adopted and funded a Sidewalk Capital Improvement Plan.

If a sidewalk is required to be constructed, the sidewalk shall be located within the right-of-way of the public street unless the width of the right-of-way will not allow for this. In this case, the sidewalk shall be located on the parcel in the area immediately adjacent to the street right-of-way unless the topography or natural characteristics of the site or existing development make this impractical. When determining the location and alignment of new sidewalks, existing street trees shall be avoided and preserved to the extent possible.

If the sidewalk will be located outside of the street right-of-way, the applicant shall convey an easement to the Town for the sidewalk area.

When a sidewalk is constructed wholly within the street right-of-way it must conform to the design and construction requirements set forth in the Town's Street Acceptance Ordinance (Chapter 701) for the class of street. When a sidewalk is constructed wholly or partly outside of the street right-of-way the location and design of the sidewalk must be approved by the Applicable Reviewing Authority as part of the site plan approval.

All new sidewalks shall be designed to avoid conflicts with landscaping, utilities, grading, drainage structures, signs, and other elements. Sidewalks shall be designed to facilitate snow removal and allow year-round use.

Where sidewalks intersect with commercial drives or roads, crosswalks shall be installed to alert the motorist and improve visibility. Crosswalks shall offer a noticeable change in texture and color. Materials for crosswalks shall be highly durable and slip resistant.

12. Alternative Transportation

Provisions shall be made for alternative transportation if the site is located on a bus or designated bicycle route. Such provisions may consist of bus shelters, bicycle racks, or individual travel lanes for either mode of transportation.

13. Site Plan Waivers – Site Layout Requirements

a. If an applicant can demonstrate to the Applicable Reviewing Authority that the nature or operation of the proposed use will not necessitate the minimum parking space requirements found in Section XI., the Applicable Reviewing Authority shall have the authority to approve a site plan showing fewer parking spaces than are required. This allowance may only be provided, however, if the site plan incorporates a landscaped area that is feasible and adequate to accommodate the requisite parking under Section XI., should there be a future change in the nature or operation of the use necessitating the required parking.

b. The Board of Appeals may also permit a reduction in the required parking spaces as per Section XI(F) of the Zoning Ordinance.

c. When a street or driveway serves two (2) or more adjacent sites, the Planning Board may allow the street or driveway to be located on or within ten (10) feet of a side property line between the sites.

d. For developments with significant traffic volumes of 50 or more peak trips, the Planning Board may consider requests for access to more than one street, providing a traffic study clearly demonstrates a traffic safety and congestion benefit will result.

e. The Planning Board may relax driveway separation standards only upon finding, based on a traffic study, that the location of the street or driveway closer than these minimums is necessary for effective utilization of the site or to enable the sharing of an access with an adjacent lot to reduce the total number of necessary curb cuts, and will not cause unreasonable congestion or unreasonable safety hazards.

f. The Planning Board may allow the payment of a fee-in-lieu for public sidewalk construction if recommended be the Town Engineer and Traffic Engineer due to site constraints or pending design plans.

B. Landscape and Screening Standards [amended 04/21/2021; 06/26/2024; 11/04/2026]

1. Purpose

Landscaping shall be used to complement the architecture, enhance the human scale, reinforce circulation paths, highlight entrances, provide shade, and add color and seasonal interest. Greenspace shall be designated to preserve the natural features or resources of a site, to provide areas for active or passive recreation, or for visual and aesthetic benefits.

2. Applicability

All landscaping approved after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new landscaping, replacement planting, or any other landscaping proposed through the Site Plan or Subdivision process.

The requirements of this section shall not apply to residential structures with four or fewer dwelling units, except for preferred and acceptable plant species lists, when tree planting or replacement is required. [Amended 11/04/2026]

Replacement planting for projects approved prior to this ordinance shall adhere to the plant species list in Section B.17. for vegetation selection.

3. General Standards

a. Trees and plantings shall be coordinated with the on-site architecture by complementing the building elevations without blocking storefronts, signs, or lighting and reinforce wayfinding by emphasizing entrances and circulation patterns.

b. A varying, but simple, collection of plant materials and species is encouraged to create a distinctive, yet low maintenance environment. Plantings plans shall strike a balance between monoculture (the use of a single species) and too much variety.

c. Shrubs, perennials, annuals, ornamental grasses, etc. used along the roadways should be planted in masses or 'drifts' that emphasize colors and textures, rather than used as single specimens.
d. The selection of a New England native species is preferred due to their benefits of conserving water, protecting soil from erosion, and creating habitat and providing food for many different animals including birds, pollinators, and small mammals. Invasive species are prohibited.

4. Definitions

Bare-Root Plants: Bare-root plants are grown in the field, then harvested. The soil is washed or shaken from their roots after digging. Nearly all are dormant.

Balled-and-Burlapped Plants: Balled-and-burlapped (or B&B) trees and shrubs are grown in nursery rows.

Big Tree [Adopted 11/04/2026]: In Maine, a "big tree" is a tree that has been officially recognized on the Maine Register of Big Trees, a state registry that documents the largest trees of both native and naturalized species in the state. This registry is part of Maine's Project Canopy program, which also connects to the National Register of Champion Trees.

Buffer: Landscaped areas, berms, fencing, walls or other physical features that are planted or installed to physically and visually separate land uses.

Container Grown Plants: Container-grown refers to a plant that has been grown in a container or one that has been transplanted into a container from the field.

Diameter at Breast Height (DBH): DBH is the diameter of a tree measured 4.5 feet above the ground.

Greenspace: Greenspaces are pervious areas of grass, trees or other vegetation, for recreation or aesthetic purposes.

Invasive Plants: [Amended 11/04/2026] An invasive plant is defined as a plant that is not native to a particular ecosystem, whose introduction does or is likely to cause economic or environmental harm or harm to human health. Refer to the Maine Department of Agriculture, Conservation and Forestry's "Do Not Sell List," "Plant Watch List" and "Plants of Special Concern" for further guidance.

Landscape Plan: A component of a development plan which shows the quantity, species, and size of all pro- posed vegetation.

Native Plants: A native or indigenous plant species is one that occurs in a particular place without the aid of humans. They are well adapted to the climate, light, and soil conditions that characterize their ecosystem. Species native to North America are generally recognized as those occurring on the continent prior to European settlement.

Protected Tree [Adopted 11/04/2026]: The following are Protected Trees in the Town of Scarborough:

Heritage Tree: Heritage trees are trees of special importance to the Town of Scarborough due to their notable size, notable age, unique or rare species, cultural or

historically important location, ecological contributions and or any combination of such traits. Heritage Trees are any tree that meets at least one of the following criteria:

(a) The tree is listed on the Register of Big Trees published by the Maine Department of Agriculture, Conservation & Forestry (the "Big Tree List"); Removal is not permitted; or

(c) The tree has a DBH of 60 inches or greater; or

(d) A tree designated and documented through a process defined by the Scarborough Tree Board.

Significant Tree: A non-invasive tree species with a minimum DBH of 24 inches or 36 inches cumulative DBH for a multi-stemmed tree.

Site Furniture: Constructed, above-ground objects, such as outdoor seating, kiosks, bus shelters, sculpture, tree grids, trash receptacles, and fountains that have the potential for enlivening and giving variety to streets, sidewalks, plazas, and other outdoor spaces used by the public.

Tree Protection Zone [Adopted 11/04/2026]: An area around one or more Significant or Heritage Trees to be fenced and unaltered during construction activity and located a minimum distance from the tree trunk of six feet or one half the radius of the dripline, whichever is greater.

5. Minimum Landscaping Required

a. A minimum percentage of the total area being developed shall be landscaped in accordance with the following percentages:
   i. Multifamily dwellings: 15%
   ii. Mixed-use buildings, commercial, retail and lodging use: 15%
   iii. Office and professional uses: 15%
   iv. Institutional and civic uses: 15%
   v. Industrial and manufacturing uses: 10%

b. Tree and shrub requirements for multi-family, commercial, institutional and civic uses:
   i. For every 500 square feet of landscaping required, or portion thereof, at least one (1) large tree and two (2) shrubs are required.
   ii. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.

c. Tree and shrub requirements for industrial and manufacturing uses:
   i. For every 1,000 square feet of landscaping required, or portion thereof, at least one (1) large tree and two (2) shrubs are required.
   ii. Two (2) small ornamental trees may be substituted for one (1) required large tree, not to exceed 50% of the required large trees.

d. Each development shall provide at least two (2) different species. No more than 50% of all trees, per development, shall be of the same species. This standard applies only to trees being planted to meet requirements, not to existing trees.

e. Ground cover is required. Landscaped area that is not planted with trees and shrubs must be planted in ground cover plants, which may include grasses and lawn areas. Mulch (as a ground cover) must be confined to areas underneath plants and is not a substitute for ground cover plants.

f. Stormwater treatment areas including retention and detention areas shall not be counted toward the required minimum landscaped area.

6. Buffer Yard - Streetscape [Amended 11/04/2026]

a. A buffer yard shall be established, maintained, and shown on the site plan along the front property line of a lot where it abuts a public street. The minimum buffer yard shall be 20' deep for all streets, unless otherwise defined by the specific Zoning District in which the property is located. Buffer yards function to define the edge of the travel way, retain natural character, provide shade for pedestrians, clean the air, and add scale to transportation corridors and commercial developments.

b. Buffer yards shall preserve all existing trees. The buffer strip shall be maintained as a naturally vegetated area with native, non-invasive vegetation where it is adjacent to water bodies, wetlands, or other areas with significant natural resource values unless an alternative treatment is approved by the Planning Board as part of the site plan review. Where an existing vegetated buffer yard does not exist or does not meet minimum requirements, additional planting shall be required to meet the requirements of Section B.6.c. [Amended 11/04/2026]

c. Within a required buffer yard, large trees shall be required at a rate of one (1) per twenty (20) linear feet of frontage. Trees may be staggered or in irregular groupings to accommodate utility conflicts and/or allow for design flexibility. All landscaping to be preserved or planted in the buffer yard shall be shown on the submitted Landscape Plan. [Amended 11/04/2026]

d. A buffer yard may be crossed by access roads or driveways and may include pedestrian and public utility facilities provided that the function of the buffer yard is maintained. Parking, internal roadways, structures, stormwater treatment areas, and storage or service facilities may not be located within the buffer yard.

e. Trees and other landscaping planted at intersections shall preserve an adequate sight triangle as determined by the Town Engineer or their designee.

f. Buffer yard requirements may be used to meet the overall landscape requirements established in Section B.5.

7. Buffer Yard – Residential Adjacency

a. Buffering shall be used to minimize any adverse impacts or nuisances on the site or from adjacent areas. Buffers shall be provided to shield structures and uses from the view of abutting properties, where the abutting properties would otherwise be adversely impacted.

b. A residential adjacency buffer yard is required when a side or rear yard abuts a residential district as defined in the specific Zoning District for which the property is located.

c. Buffer yards shall be installed by the more intense use. All required buffer yards abutting residential uses or districts shall maintain the district boundary in its natural state. Where no natural buffering can be maintained all side and rear yards abutting residential uses or districts shall be landscaped to provide a visual screen between districts.

d. Buffers may include fences, plantings, berms, grade changes and walls used to minimize any adverse impacts and nuisances on a given site or abutter.

e. Where residential adjacency buffers are required, the Planning Board may require evergreen or deciduous trees within these buffer areas as follows:

   i. Evergreen buffers require three (3) rows of staggered plantings. The rows shall be eight (8) feet apart and the evergreens planted six (6) feet on center.

   ii. Deciduous buffers require trees with a minimum of 3-inch caliper and rows and spacing to be determined by the Board based on the characteristics of the site and uses.

8. Parking Lot Landscaping and Screening Required

Landscaping is necessary in parking lots to enhance their appearance, lessen the scale of paved areas, define edges, and provide shade and cover.

a. **Screening Required.** Plantings, trees, and other landscape elements shall separate parking lots from neighboring streets to minimize views of vehicles and paved areas, while still enabling views of the building. Where parking is provided between the building and the street, it shall be screened in accordance with the following:

   i. Landscape screening shall contain a continuous screen not less than three (3) feet in height in a minimum planting bed depth of five (5) feet. The five (5) foot planting bed is in addition to the depth required for the streetscape buffer yard.

   ii. The continuous screen may be comprised of:

      a) Shrubs provided every four (4) to six (6) linear feet within the required planting strip

      b) Three (3) feet tall fence or boulders in combination with shrubs; or

      c) Combination of the above

   iii. Planted screening must be capable of providing a screen of at least thirty-six (36) inches in height in two years.

b. **Landscaping Required.** Parking lot landscaping shall be in accordance with the following:

   i. Planting islands shall be included at a rate of one (1) island per fifteen (15) spaces.

ii. Landscape islands shall be required on both ends of all parking aisles, both single and double loaded, if such spaces are not adjacent to another landscaped area or entryway.

iii. Landscape islands shall be a minimum of 160 square feet, typically nine (9) feet wide and eighteen (18) feet deep, and shall contain at least one (1) large tree and four (4) shrubs.

iv. Parking lot entryways shall contain at least one (1) large tree and four (4) shrubs on each side.

v. Vehicular use areas including drive aisles and/or parking space shall be screened from all abutting property by a continuous landscaped area not less than five (5) ten (10) feet deep. Stormwater treatment may be located in these areas upon approval by the Town Engineer.

vi. Trees in parking lots shall be planted in informal groups, straight rows, or concentrated in certain areas. Large trees shall be planted at least five feet from the end of parking lot islands for both motorist visibility and tree health.

vii. Areas adjacent to walkways shall be landscaped with trees, shrubs, ground cover, benches or other materials. Walkways in parking areas shall include landscaped islands for visual relief, shade, and scale.

c. Parking Lot Landscaping requirements may be used to meet the overall landscape requirements established in Section B.5.

9. Foundation Landscaping Required

a. Trees and plantings shall be coordinated with the on-site architecture by complementing the building elevations without blocking storefronts, signs, or lighting and reinforce wayfinding by emphasizing entrances and circulation patterns.

b. Planting beds are required along exposed building edges, foundations and uninterrupted walls. Plantings shall provide either a formal pattern or a naturalistic blend of heights, colors, and textures for visual relief.

c. In addition, all paved surfaces, excluding those adjacent to service areas and/or the rear of buildings, of parking areas shall be separated from buildings by a minimum five (5) feet landscape strip and a five (5) foot walkway.

i. A minimum of one (1) shrub shall be provided every four (4) to six (6) linear feet within the required planting strip. Shrubs may be clustered to avoid utility conflicts.

ii. Small ornamental trees may be provided in the planting strip and substitute for four (4) shrubs.

d. Plantings shall be massed to soften edges, corners, and pavement areas, and to integrate the building into the landscape.

e. Large rocks may be used as landscape elements sparingly and as accents in mass plantings. Where used, they shall be buried for at least one third of their depth.

f. Where mulch is used, it shall consist of dark, decomposed shredded bark, with pieces less than one (l) inch in any one dimension.

g. Foundation landscaping requirements may be used to meet the overall landscape requirements established in Section B.5.

10. Screening – Service and Mechanical Areas

a. Refuse containers or disposal areas shall be screened from view by placement of a solid wood or vinyl fence or masonry wall as tall as the refuse containers, but no less than five (5) feet in height. All refuse materials shall be contained within the refuse area. Refuse containers and disposal areas shall be located to the side or rear of buildings, and in no instance shall be located in the front setback of a site.

i. Structural screens and fencing shall complement the design of the main structure by repetition of materials, detailing, scale, and color.

ii. Where chain link fencing is required for safety, it shall be painted black or a similar dark color, or coated with dark vinyl. Plastic slats in chain link fencing are not permitted.

iii. Gates shall be designed to prevent sagging.

iv. Screening may be further enhanced with evergreen trees, shrubs, and earth berms.

b. All mechanical equipment, transformers, propane tanks and similar shall be screened from any public right-of way or adjacent residential use or zoning districts. Fencing, landscape or a combination shall be required

c. Screening requirements may be used to meet the overall landscape requirements established in Section B.5.

11. Screening – Outdoor Storage

a. Outdoor storage shall be permitted only as allowed by the Scarborough Zoning Ordinance.

b. The outside storage of goods, materials, merchandise, automobiles, automobile parts, containers, and the like shall be located to the side or rear of sites and screened from view, subject to the review and approval by the Planning Board. The Planning Board may require additional screening elements.

c. Areas for outdoor storage or containers shall be designed as an integral part of the site, landscaping, and architectural plan and shall be setback and screened from public and private ways, main entrances, public spaces, and abutting residential neighborhoods.

d. Screening requirements may be used to meet the overall landscape requirements established in Section B.5.

12. Landscape Preservation and Protection Required. **[Adopted 11/04/2026]**

a. **Protected Trees.** Significant Trees and Heritage Trees shall be preserved. When tree preservation is required, a tree inventory and survey must be submitted and

approved with the site plan application. The inventory and survey plan shall illustrate which vegetation will be preserved, what protection measures will be implemented, as well as any proposed on-site replacement, including the following:

i. Location, DBH, species, and condition of existing protected trees on a lot.

ii. Location of all Heritage Trees to remain and/or to be mitigated for. Heritage Trees designated as Big Trees shall not be removed.

iii. Location of all Significant Trees to remain and/or to be mitigated for.

iv. Location of on-site replacement and mitigation required in accordance with Section IV.B.13.

v. Site features must be designed to minimize disturbance to protected trees through the following:

a) Establishment of Tree Protection Zone during construction activities.

b) Tree wells or cut areas may be used to preserve the original grade around the tree. Raising the grade around protected tree trunks is prohibited.

c) In the drip line of protected trees, no cut or fill may exceed four (4) inches deep unless a qualified arborist or forester evaluates and approves the disturbance.

d) Finished grades must slope away from trunks to avoid water concentrated at tree bases.

vi. Statement on the plan stating:

a) Storage or movement of equipment, material, debris, or fill in the tree protection zone is prohibited.

b) The fastening of damaging attachments, wires, signs, or permits to protected trees is prohibited.

vii. The developer is responsible for coordination with utility companies when trenching near protected trees is required. Trenches or footings should be out of the Tree Protection Zone plus an additional two (2) feet. Tunneling under large diameter roots may be required to prevent root damage.

b. Preserved landscaping may be used to meet the overall landscape requirements established in Section B.5.

13. Tree Removal Mitigation. **[Adopted 11/04/2026]**

a. Heritage trees designated as Big Trees, shall not be removed.

b. If protected tree removal cannot be avoided for Significant Trees, tree removal mitigation is required as follows:

i. On-site replacement at a rate of 2.5 large trees for each Significant Tree removed.

c. If protected tree removal cannot be avoided for Heritage Trees, not designated as Big

Trees, tree removal mitigation is required as follows:

ii. On-site replacement, at a rate of 5 large trees for each Heritage Tree removed

d. Replacement requirements:

i. All replacement requirements shall be rounded up to the nearest whole number.

ii. All replacement trees must be selected from preferred tree species found in Ch. 405B.IV.B.16.

iii. If more than five (5) replacement trees are required, no species shall make up more than thirty-three (33%) of the number of trees planted.

iv. All replacement trees shall be subject to landscaping Performance Guarantees for each replacement tree.

e. The removal of dead, diseased or dying trees, resulting from natural causes, is permissible without the need for mitigation. For the purposes of this provision dead trees are those trees that contain no foliage during the growing season. Diseased condition must be attested to by a licensed forester or arborist.

f. Replacement trees may be used to meet the overall landscape requirements established in Section B.5.

14. Site Amenities

Public entrances to new or renovated buildings shall be complemented with outdoor seating or use areas. Canopies, recessed entrances, seating areas, decorative plantings, lawn areas and other elements shall be incorporated around the building entry to serve as pedestrian space or gathering areas.

15. Alternative Transportation and Bicycle Facilities

a. Provisions shall be made for alternative transportation if the site is located on a bus or bicycle route. Such provisions may consist of bus shelters, bicycle racks, or individual travel lanes for either mode of transportation.

b. Bicycle parking facilities are required for non-residential and multi-family uses. One (1) bicycle parking facility must be provided for every ten (10) vehicle parking spaces required. Bicycle parking design must follow recognized professional standards. The location of bicycle facilities is subject to the approval by the Planning Board during the site plan process.

16. Snow Storage

a. Provisions shall be made for snow storage in the design of all parking areas. The areas shall be shown on the site plan to avoid conflicts with landscaping, visibility, drainage, or icing during the winter season.

b. Landscape materials surrounding parking lots and in islands shall be able to tolerate large quantities of snow stored during winter months. Delicate plant material shall not be used in areas where they are likely to be buried under snow.

c. All walkways and sidewalks shall be designed for efficient snow removal to enable year-round use.

d. Designated snow storage locations shall be required as follows:

i. Located near the sides or rear of parking areas and driveways, away from primary street frontage.

ii. Located to maximize solar exposure to the greatest extent possible.

iii. Located so that snow moving equipment is not required to enter the public streets to move snow to the storage areas.

iv. Located in a manner to preserve sight lines of vehicles entering and exiting the site.

v. Shall not block any required access, sidewalk, bicycle facility, trail or public path.

vi. Shall not block drainage areas.

vii. Shall not be located in or near any stormwater treatment areas including retention and detention areas.

viii. May be located within parking areas, but such areas may not be counted towards required off-street parking.

ix. May be located within required landscaping areas, but the areas shall be planted with landscaping tolerant of snow storage.

x. Snow storage areas shall be located to avoid piling of snow against existing trees.

17. Approved Plant Species List [Amended 11/04/2026]

a. Plant material shall be selected with consideration to public health and safety. Plants to be avoided include those with poisonous fruits, large thorns, or shrubs that could provide hiding places along pathways or block the view of moving vehicles. The applicant shall use plant material and species that require a low degree of maintenance and that are resistant to insect infestation, drought, disease, road salt, and auto emissions, and are tolerant of local winter conditions.

b. Invasive species shall not be used. The Do Not Sell Invasive plant list can be found here: Maine Natural Areas Program Invasive Plant Fact Sheets

c. All parking lot landscaping shall be appropriate for parking lot conditions. Trees that may damage automobiles (dripping sap, messy fruit, or hard seeds such as acorns) are discouraged in or around parking lots.

d. The plants on the plant species list below have been derived from a number of sources to increase the use of native plants in Scarborough. This list is subject to periodic review based on factors that may change the viability or appropriateness of plantings.

e. All required trees shall be selected from the preferred or acceptable alternative list below, based on the size required for the landscape element. A minimum of sixty

(60) percent of the total number of required trees shall be selected from the preferred species list.

f. When the ordinance requires a shrub, only plants classified as shrubs, perennials, ferns and grasses may be used. A minimum of forty (40) percent of the total number of shrubs shall be selected from the preferred species lists. Up to twenty-five (25%) percent of shrubs may be selected from an unlisted species subject to Site Plan approval. The Maine Audubon Society and the University of Maine Cooperative Extension provide extensive plant lists appropriate for Maine.

LARGE DECIDUOUS TREES		
Preferred Species		
Scientific Name	Common Name	Mature Height
Acer x freemanii	Armstrong Maple	40-55’
Acer rubrum	Red Maple	50-60’
Acer saccharinum	Silver Maple	60-80’
Acer saccharum	Sugar Maple	60-70’
Betula alleghaniensis	Yellow Birch	70-85’
Betula borealis	Northern Birch	30-60’
Betula nigra	River Birch	40-70’
Betula papyrifera	Paper Birch	60-70’
Betula populifolia	Gray Birch	20-40’
Carya ovata	Shagbark Hickory	70-90’
Cladrastis kentukea	Yellowwood	30-50’
Fagus grandifolia	American Beech	50-100’
Larix laricina	Larch, Hackmatack, Tamarack	50-60’
Nyssa sylvatica	Tupelo Black Gum	40-70’
Platanus occidentalis	Sycamore American Buttonwood	60-80’
Prunus serotina	Black Cherry	50-80’
Quercus alba	White Oak	60-70’
Quercus bicolor	Swamp Oak	50-60’
Quercus coccinea	Scarlet Oak	30-50’
Quercus macrocarpa	Bur Oak	60-100’
Quercus rubra	Northern Red Oak	60-80’
Tilia americana	American Basswood, American Linden	60-80’
Ulmus americana	Princeton American Elm	60-70’

LARGE DECIDUOUS TREES		
Acceptable Alternative Species		
Scientific Name	Common Name	Mature Height
Aesculus x carnea	Red Horse Chestnut	30-40’
Aesculus hippocastanum	Horse Chestnut	50-75’
Betula jacquemonti	Himalayan Birch	30-40’
Catalpa speciosa	Catalpa	40-60’
Carpinus betulus	European Hornbeam	40-60’
Cercidiphyllum japonicum	Katsura Tree	40-60’
Fagus sylvatica	European Beech	50-60’
Ginkgo biloba	Maidenhair Tree	60-100’
Gleditsia triacanthos	Thornless Honey Locust	65-100’
Gymnocladus dioicus	Kentucky Coffee Tree	60-80’
Juglans nigra	Black Walnut	50-90’
Liriodendron tulipifera	Tulip Poplar Tree	60-90’
Liquidambar styraciflua	American Sweetgum	50-60’
Magnolia acuminata	Cucumber Tree	40-70’
Metasequoia glyptostroboides	Dawn Redwood	75-100’
Platanuis x acerfolia	London Planetree	70-100’
Quercus palustris	Pin Oak	50-70’
Quercus robur	English Oak	40-70’
Salix alba ‘Tristis’	Weeping Willow	50-75
Taxodium distichum	Bald Cypress	35-100’
Tilia cordata	Littleleaf Linden	50-70’
Tilia tomentosa	Silver Linden	50-70’
Zelkova serrata	Zelkova	80-100’

LARGE EVERGREEN TREES		
Preferred Species		
Scientific Name	Common Name	Mature Height
Abies balsamea	Balsam Fir	60-70’
Abies concolor	White Fir	30-50’
Abies fraseri	Fraser Fir	30-50’
Chamaecyparis thyoides	Atlantic White Cedar	30-50’
Juniperus virginiana	Eastern Red Cedar	20-60’
Picea glauca	White Spruce	60-90’
Picea rubens	Red Spruce	60-80’
Picea mariana	Black Spruce	50-70’
Pinus banksiana	Jack Pine	50-60’
Pinus rigida	Pitch Pine	30-40’
Pinus resinosa	Red/Norway Pine	60-80’
Pinus strobus	Eastern White Pine	70-80’
Thuja occidentalis	Cedar Northern White	20-40’
LARGE EVERGREEN TREES		
Acceptable Alternative Species		
Scientific Name	Common Name	Mature Height
Chamaecyparis spp.	Cypress	10-60’
Picea abies	Norway Spruce	70-120’
Picea engelmannii	Engelmann Spruce	80-130’
Picea omorika	Serbian Spruce	50-60’
Picea pungens	Colorado Spruce	30-60’
Pinus flexilis	Limber Pine	60-80’
Pinus nigra	Austrian Pine	60-180’
Pinus sylvestris	Scots Pine	30-80’
Thuja plicata	Western Red Cedar/Arborvitae	50-70’

SMALL ORNAMENTAL TREES		
Preferred Species		
Scientific Name	Common Name	Mature Height
Acer pensylvanicum	Striped Maple	15-25’
Amelanchier canadensis	Eastern Serviceberry	30-40’
Amelanchier arborea	Downy Serviceberry	20-40’
Amelanchier x grandiflora	Apple Serviceberry	15-25’
Amelanchier laevis	Alleghany Serviceberry	15-40’
Carpinus caroliniana	American Hornbeam	10-25’
Cercis canadensis	Eastern Redbud	20-30’
Cornus alternifolia	Alternate Leaf Dogwood	15-25’
Cornus florida	Flowering Dogwood	12-20’
Corylus Americana	American Hazelnut	8-12’ (also shrub)
Crataegus crus-galli	Cockspur Hawthorn	15-30’
Hamamelis virginiana	Common Witch-Hazel	15-20’
Ostrya virginiana	Eastern Hop Hornbeam	20-30’
Oxydendrum arboretum	Sourwood	20-25’
Prunus virginiana	Common Chokeberry	20-30’
Sorbus americana	American Mountain Ash	10-30’
Cornus alternifolia	Pagoda Dogwood	10-20’
Viburnam lentago	Nannyberry	10-30’ (also shrub)

SMALL ORNAMENTAL TREES		
Acceptable Alternative Species		
Scientific Name	Common Name	Mature Height
Acer campestre	Hedge Maple	20-25’
Acer griseum	Paperbark Maple	20-30’
Acer palmatum	Japanese Maple	10-25’
Acer triflorum	Three Flower Maple	25-30’
Amelanchier alnifolia	Western Serviceberry	10-15’
Chionanthus Virginicus	American Fringetree	12-20’
Cornus kousa	Kousa Dogwood	20-30’
Cornus mas	Cornealian Cherry Dogwood	15-25’
Cotinus obovatus	American Smoketree	20-30’
Crataegus viridis	Winter King Hawthorne	20-35’
Halesia Carolina	Carolina Silverbell	30-40’
Hamamelis vernalis	Witchhazel	6-10’ (also shrub)
Hamamelis x intermedia	Witchhazel	12-15’
Maackia amurensis	Amur Maackia	20-30’
Magnolia x liliiflora	Lily Magnolia	8-12’ (also shrub)
Magnolia loebneri	Loebner Magnolia	20-30’
Magnolia soulangiana	Saucer Magnolia	20-25’
Magnolia stellata	Star Magnolia	15-20’
Malus species	Flowering Crabapple	15-25’
Pinus mugo	Mugo Pine	20-25’
Prunus x accolade	Accolade Flowering Cherry	20-25’
Prunus sargentii	Sargent Cherry	20-40’
Stewartia pseudocamellia	Stewartia	20-40’
Syringa reticulata	Japanese Tree Lilac	20-30’

SHRUBS			
Preferred Species			
Scientific Name	Common Name	Scientific Name	Common Name
Aesculus parviflora	Bottlebrush Buckeye	Leucothoe fontanesianana	Drooping Laurel
Amelanchier arborea	Downy Serviceberry	Lindera benzoin	Spicebush
Amelanchier canadensis	Canadian Serviceberry	Myrica gale	Sweet Gale
Amelanchier stolonifera	Running Serviceberry	Myrica pennsylvanica	Bayberry
Aronia arbutifolia	Red Chokeberry	Physocarpus opulifolius	Ninebark
Aronia melanocarpa	Black Chokeberry	Prunus maritima	Beach Plum
Ceanothus americanus	New Jersey Tea, Redroot	Rhus aromatica	Fragrant Sumac
Cephalanthus occidentalis	Buttonbush	Rhus hirta	Smooth Sumac
Clethra alnifolia	Sweet Pepperbush	Rhus typhina	Staghorn Sumac
Comptonia peregrina	Sweetfern	Rosa carolina	Pasture Rose, Carolina Rose
Corylus Americana	American Hazelnut	Rosa palustris	Swamp rose
Cornus racemosa	Gray Dogwood	Rosa virginiana	Virginia Rose
Cornus sericea	Redosier Dogwood	Rubus odoratus	Flowering Raspberry
Diervilla lonicera	Bush Honeysuckle	Sambucus	Elderberry
Illex glabra	Inkberry	Vaccinium corymbosum	Highbush Blueberry
Ilex verticillata	Winterberry	Viburnum spp.	Viburnum
Juniperus communis	Common Juniper	Xanthorhiza simplicissima	Yellowroot
Kalmia angustifolia	Sheep Laurel		
SHRUBS			
Acceptable Alternative Species			
Scientific Name	Common Name	Scientific Name	Common Name
Azalea spp.	Azalea	Hydrangea spp.	Hydrangea
Buxus spp.	Boxwood	Pieris spp.	Andromeda
Cotoneaster spp.	Cotoneaster	Rhododendron spp.	Rhododendron
Deutzia gracilis	Slender Deutzia	Rose spp. (excluding rugosa)	Rose
Enkianthus campanulat.	Redveined Enkianthus	Salix spp.	Willow
Fothergilla gardenia	Dwarf Fothergilla	Spiraea spp. (excluding japonica)	Spiraea
Fothergilla major	Bottlebrush Bush	Syringa spp. (excluding reticulata)	Lilac
Forsythia spp.	Forsythia	Weigela spp.	Weigela

PERENNIALS			
Preferred Species			
Scientific Name	Common Name	Scientific Name	Common Name
Achillea millefolium	Yarrow	Iris versicolor	Blue Flag Iris
Actaea rubra, Actaea pachypoda	Red Baneberry, White baneberry	Liatris spicata	Gayfeather
Anemone canadensis	Canadian Anemone	Lobelia cardinalis	Cardinal Flower
Aquilegia canadensis	Eastern Red Columbine	Lupinus perennis	Wild Lupine
Asclepias tuberosa	Butterfly weed	Monarda didyma	Scarlet Bee Balm, Oswego Tea
Columbine aquilegia	Columbine	Monarda fistulosa	Wild Bergamot
Coreopsis lanceolata	Lanceleaf Coreopsis	Polygonatum pubescens	Solomon's Seal
Coreopsis verticillata	Moonbeam Coreopsis	Rudbeckia hirta	Black-Eyed Susan
Echinacea purpurea	Purple coneflower	Symphyotrichum novae-angliae	New England Aster
Eutrochium purpureum	Joe Pye Weed	Symphyotrichum novi-belgii	New York Aster
PERENNIALS			
Acceptable Alternative Species			
Scientific Name	Common Name	Scientific Name	Common Name
Astilbe varieteis	Astilbe	Hosta spp.	Hosta
Agastache	Anise Hyssop	Leucanthemum	Ox-eye Daisy
Aruncus dioicus	Goatsbeard	Malva alcea ‘fastigiata’	Hollyhock Mallow
Baptisia	Wild Indigo	Nepeta x faassenii	Walker’s Low Catmint
Epimedium	Barrenwort	Perovskia atriplicifola	Russian Sage
Geranium spp.	Geraniums	Phlox spp.	Garden Phlox
Hemerocallis species	Daylilies	Sedum telephium	Autumn Joy Sedum
Heuchera spp.	Coral Bells		
FERNS			
Preferred and Acceptable Species			
Scientific Name	Common Name	Scientific Name	Common Name
Adiantum pedatum	Maidenhair Fern	Osmundastrum cinnamomeum	Cinnamon Fern
Athyrium angustum	Lady Fern	Osmunda claytoniana	Interrupted Fern
Dennstaedtia punctilobula	Hayscented Fern	Osmunda regalis var. spectabilis	Royal Fern
Matteuccia struthiopteris var. pensylvanica	Ostrich Fern	Polystichum acrostichoides	Christmas Fern
Onoclea sensibilis	Sensitive Fern		

GRASSES			
Preferred Species			
Scientific Name	Common Name	Scientific Name	Common Name
Ammophila breviligulata	Beachgrass	Deschampsia cespitosa	Tufted Hairgrass
Andropogon gerardii	Big Bluestem	Deschampsia flexuosa	Crinkled Hairgrass
Carex appalachica	Appalachian Sedge	Panicum virgatum	Switchgrass
Carex pensylvanica	Pennsylvania Sedge	Juncus spp.	Rush
Chasmanthium latifolium	Northern Sea Oats	Schizachyrium scoparium	Little Bluestem
Eragrostis spectabilis	Purple Lovegrass	Sporobolus heterolepis	Prairie Dropseed
GRASSES			
Acceptable Alternative Species			
Scientific Name	Common Name	Scientific Name	Common Name
Calamagrostis x acutiflora	Feather-Reed Grass	Miscanthus sinensis	Maiden Grass
Calamagrostis brachytricha	Feather-Reed Grass	Molinia caerulea subsp. Arundin	Moor Grass
Festuca glauca	Blue Fescue	Pennisetum alopecuroides	Fountain Grass
Hakonechloa macra	Hakone Grass		

GROUNDCOVERS			
Preferred and Acceptable Species			
Scientific Name	Common Name	Scientific Name	Common Name
Arctostaphylos uva-ursi	Bearberry	Juniperus horizontalis	Creeping Juniper
Cornus canadensis	Bunchberry	Mitchella repens	Partridgeberry
Gaultheria procumbens	Checkerberry, Wintergreen	Vaccinium angustifolium	Lowbush blueberry

g. Plant materials shall meet the following minimum sizes, unless alternative sizes are required given a particular site or location:

Landscape Element	Minimum Size
Large Deciduous Trees	2 ½ ” caliper
Large Evergreen Trees	6-7’ in height
Small Ornamental Trees	2” caliper
Shrubs	3gallons
Perennials	1 gallon
Ferns	1 gallon
Grasses	1 gallon
Groundcovers (plugs acceptable)	1 gallon

h. The Planning Board may require larger plants for special locations, such as within the Route One right-of-way and along Haigis Parkway.

18. Installation, Guarantee and Maintenance

Installation. The ultimate form and height of plantings shall be considered so they will not create unsafe conditions or block sight lines for pedestrians, bicyclists, or motorists as they mature.

a. Trees shall be planted in locations where their root development and branching patterns will not interfere with window displays, signage, underground or overhead utilities, streets, and sidewalks.

b. The installation of underground irrigation is encouraged in front setbacks, public spaces, and other highly visible areas. It shall be coordinated so it does not cause overflow or flooding in pedestrian use areas, such as walkways, sidewalks, or parking lots.

c. The Town recognizes the seasonal nature of landscape installation; however, all landscaping shall be installed according to the approved site plan prior to Certificate of Occupancy or within six (6) months after the Certificate of Occupancy has been issued and a performance guarantee has been provided and accepted by the Town.

Maintenance. Landscape plans shall anticipate a three (3) to eight (8) year growing cycle to achieve maturity for shrubs and fifteen (15) to twenty (20) plus years for trees. The plan shall be designed and plantings selected with due consideration for maintenance requirements.

a. A written maintenance plan shall be provided for the landscape elements to be installed on the site. The plan shall include initial installation, guarantee period, replacement policy, annual maintenance, and irrigation provisions. Maintenance plans shall include alternatives to regular mowing and pesticide use if possible. This may be established on the landscape plan with standard notes.

b. Trees and shrubs in and near parking areas and walkways shall be trimmed and maintained so that they do not block views needed for safe movement of motorists and pedestrians. Vertical clearances of at least eight (8) feet shall be maintained. Shrubs in parking lot islands shall not exceed three (3) feet in height to avoid blocking visibility.

c. All plant material shall be allowed to achieve their natural forms without excessive pruning. Shaping evergreen shrubs into tight geometrical forms shall be avoided.

Guarantee. All lawns and plant materials shall be guaranteed for a period of not less than two (2) years. The developer shall submit a copy of a guarantee and a contract with the landscape contractor, indicating the terms of the guarantee period, or may obtain a letter of credit. The guarantee period does not begin until all landscaping has been installed.

a. Where plant materials specified on the planting plan do not survive or are damaged, they shall be replaced and/or reinforced in accordance with the two-year performance guarantee to maintain conformance with the approved planting plan and to provide the necessary landscape effect.

b. Plants that die must be replaced in kind, unless another species is more appropriate given the site's growing conditions. A fine may be levied if the landscaping has not been maintained, and new plants required to be planted.

19. Landscape Plan Required

a. If site improvements will create ten (10) or more new parking spaces or create 2,000 sq. ft. or more of new building footprint, a landscape plan shall be prepared by a landscape architect registered in Maine.

b. The Planning Board, at their discretion, may require a peer review of landscape plans.

c. Landscaping for multiple building developments shall be coordinated with all other elements of the site. As part of the application for Site Plan approval, applicants shall submit a master landscape plan that shows how landscaping will be used to complement proposed buildings, reinforce circulation paths, help define pedestrian use areas, highlight entrances, provide shade, and add seasonal interest to the landscape.

d. Plantings used in stormwater treatment facilities should be designed by a qualified professional.

e. The planting plan shall illustrate how plantings shall be coordinated with the location of underground and overhead utilities and lighting.

f. Each landscape plan shall include the following table filled out for the specific site:

Minimum Landscape Required	Required	Provided
Minimum Landscape Area (square feet)		
Minimum Trees Required		
Trees (Preferred Species)	Min 60% = ##	% and #
Trees (Alternative Species)	Max 40% = ##	% and #
Minimum Shrubs Required		
Shrubs (Preferred Species)	Min 40% = ##	% and #
Shrubs (Alternative Species)	Max 60% = ##	% and #
Shrubs (Unlisted)	Max 25% = ##	% and #

Landscape Preservation and Protection (If required)	Existing	Provided
Heritage Tree Mitigation (5 trees per each tree removed)	# on Site	# to remain; # to remove; # mitigated;
Significant Tree Mitigation (2.5 trees per each tree removed)	# on Site	# to remain; # to remove; # mitigated
Buffer Yard - Streetscape	**Required**	**Provided**
Street Name		
Street Frontage Depth		
Street Frontage Length (excluding entryways) (linear feet)		
Street Frontage Area (square feet)		
Street Trees		
Buffer Yard - Residential Adjacency (if required)	**Required**	**Provided**
RA Type Required		
RA Buffer Depth (feet)		
RA Buffer Length (linear feet)		
RA Buffer Area (square feet)		
RA Buffer Trees		
Parking Lot Screening (if required)	**Required**	**Provided**
Parking Lot Screen Depth (feet)		
Parking Lot Screen Length (excluding entryways) (linear feet)		
Parking Lot Screen Area (square feet)		
Parking Lot Screening Shrubs		
Parking Lot Landscape	**Required**	**Provided**
Parking Calculation Type		
Parking Spaces		
Parking Islands (number)		
Parking Islands Total Area (square feet)		
Parking Island Trees		
Parking Island Shrubs		
Entryway Trees		
Entryway Shrubs		
Continuous 5’ Landscape Area - All Applicable Sides (square feet)		
Foundation Landscape	**Required**	**Provided**

Landscape Bed Depth (feet)		
Landscape Bed Length - All Applicable Sides (linear feet)		
Landscape Bed Area - All Applicable Sides (square feet)		
Landscape Bed Shrubs		
Landscape Bed Ornamental Trees (if provided)		
Additional Screening (if required)	**Required**	**Provided**
Dumpster Area Fence		
Dumpster Areas Shrubs		
Mechanical Screening Fence		
Mechanical Screening Shrubs		

20. Waivers Landscape and Screening Standards

The Planning Board may review and approve requests for waivers to landscaping standards for the following:

a. The Planning Board may reduce the amount of landscaping required for parking lots if additional landscaping of equal or greater value is provided on other areas on site.

b. The Planning Board may approve an alternative interior parking island design to address stormwater runoff if recommended for approval by the Town Engineer.

c. The Planning Board may approve stormwater treatment areas located in the streetscape buffer yard if recommended for approval by the Town Engineer.

d. The Planning Board may approve an alternative planting plan if the site is not able to accommodate the required plantings, only as follows:

    i. One large tree may be substituted by two (2) ornamental trees

e. In-Lieu Payment to Tree Mitigation Fund. An applicant may request that the Planning Board make a determination that on-site replacement is not feasible under the specific circumstances of the project. If on-site replacement is not provided as mitigation, a narrative, accompanied by such site plan drawings as may be necessary and appropriate, shall be provided explaining in detail why on-site replacement is not feasible or practicable. If the Planning Board makes such a determination, the applicant shall pay an in-lieu compensation fee to the Tree Mitigation Fund, per replacement tree in an amount specified in Chapter 311 Schedule of License, Permit, and Application Fees established by Town Council order.

f. The Planning Board may waive or decrease the required streetscape buffer yard up to ten (10) feet for new development in an urban setting or for redeveloped properties. [Adopted 11/04/2026]

g. The Planning Board may waive or decrease the five (5) foot landscape strip requirement between all parking areas and buildings if the development is in an urban setting.

h. The Planning Board may waive residential adjacency buffer requirements if the site is in conjunction with a master planned development or within a mixed-use district.

i. The Planning Board may waive the required snow storage areas if a snow storage management plan is submitted and approved by the Town that includes the following:

   i. Designated temporary or interim snow storage areas that do not interfere with more than one-third (1/3) of the project required minimum parking.

   ii. Interim snow storage shall be removed within five (5) calendar days following a storm cycle.

   iii. Interim snow storage shall not be in a location that will damage trees, landscape or other facilities.

   iv. Interim snow storage shall not block any required access, sidewalk, trail or public way.

   v. Snow shall be hauled to approved and permitted locations. The location shall be provided.

   vi. Snow hauling shall generally be completed during non-business hours.

   vii. The snow management plan shall designate the removal methods.

j. The Planning Board may consider waivers for the number of bicycle parking facilities for parking lots with 50 or more parking spaces provided.

C. Stormwater Management [amended 04/21/2021]

Adequate provisions shall be made for the control, collection and disposal of all stormwater runoff from the site. Drainage plans, details, and calculations shall address the two, ten and twenty-five year, twenty-four hour storm events. These plans shall be designed to complement the hydrology and natural features of the site and shall not cause adverse impacts to abutters, downstream properties, or receiving waters. Post-development stormwater flow rates must be equal to or less than pre-development stormwater flow rates.

1. Stormwater management areas shall be treated as integral, attractive and natural parts of the landscape. Natural areas shall be used to retain and drain stormwater to the extent possible.

2. When areas of the site are to be paved they may be designed and constructed with pervious and semi-pervious alternatives to bituminous pavement. Alternative parking surfaces, such as porous pavement, are intended to minimize storm water run-off and facilitate infiltration and natural hydrological functions to the extent feasible.

3. Stormwater treatment basins shall be patterned after natural features and shall avoid hard geometric shapes. These basins shall be planted with wetland species to improve their aesthetic and habitat values.

4. Abrupt changes to natural drainage ways and grades shall be avoided. Natural drainage ways shall not be filled unless specifically permitted by the Applicable Reviewing Authority and transitional grading shall be used to blend all earthworks into the natural contours of the site.

5. Drainage systems shall be designed so as to not impact streets, adjacent properties, downstream properties, and local soils and vegetation. The system shall also consider and incorporate the upstream runoff that may pass over the site. Systems should include green infrastructure and low impact development practices.

6. The water quality of receiving waters shall not be degraded by the stormwater runoff from the site. Oil and grease traps, on-site vegetated waterways, drainage swales, and vegetated buffer strips shall be utilized as needed to aid in the prevention of degraded receiving waters.

7. Where ground protection and rip rap is necessary in visible locations it shall be constructed of hand-placed rock or geo-grid, rather than course rip-rap.

8. Wherever feasible, drainage basins shall be designed to be shared between abutting properties to lessen the amount of land area devoted to stormwater management.

9. If applicable, the site must comply with and submit all documentation required in accordance to Chapter 419 – Town of Scarborough Post-Construction Stormwater Infrastructure Management Ordinance.

10. Erosion and sedimentation control plan and narrative is required in accordance to Chapter 420 – Town of Scarborough Erosion and Sedimentation Control at Construction Sites Ordinance.

D. Outdoor Lighting Standards [amended 04/21/2021; 10/18/2023]

1. Purpose

Outdoor lighting shall be designed to balance visibility and safety on the site, while respecting abutting properties and minimizing light pollution and sky glow. Function, safety, energy consumption and demand, and aesthetic goals shall be achieved with fixtures, color rendering and locations that are planned as part of the overall site design.

2. Applicability

All outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location.

The provisions of this section shall not apply to individual single and two-family dwellings and their accessory buildings, structures, and areas for parking.

The provisions of this section shall not apply to streetlights installed in public rights-of-way. See the Town of Scarborough Streetlight policy.

Temporary outdoor decorative lighting (including lighting for temporary uses, special events, and seasonal holiday lighting) is exempt where the lighting does

not exceed sixty (60) consecutive days or more than 120 days during any one-year period and does not cause undue burden on adjacent properties.

3. General Standards

The location, design, and color of fixtures (poles and luminaries) shall complement the architecture, landscaping, parking areas, and street furnishings of the site to be developed or redeveloped in terms of form, style, and placement.

Lighting shall not cause spillover onto neighboring residential properties or create dangerous conditions due to glare on adjacent roadways.

4. Definitions

Astronomic Time Switch: An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.

Decorative Lighting: Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or landscaping, and installed for aesthetic effect.

Footcandle: The unit of measure expressing the quantity of light received on a surface.

Full cut-off fixture: Full-cutoff fixtures permit zero light intensity at or above horizontal (90° above nadir) and limited to a value not exceeding 10% of lamp lumens at or above 80°.

Glare: Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

IES: Illuminating Engineering Society.

Lamp: A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”.

Light Pollution: Any adverse effect of artificial light including, but not limited to, glare, light trespass, skyglow, energy waste, compromised safety and security, and impacts on the nocturnal environment.

Light Trespass: Light that falls beyond the property it is intended to illuminate.

Luminaire: The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

Mounting Height: The height of the photometric center of a luminaire above grade level.

Sky Glow: The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one’s ability to view the night sky.

Uplight: For an exterior luminaire, light directed in the hemisphere at or above the horizontal plane.

Vertical Illuminance: Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

5. Lighting Plan Required

A lighting plan shall be furnished with all site plan applications or amended site plan applications. It shall include the following:

a. Narrative that describes the hierarchy of site lighting, how lighting will be used to provide safety and security, and aesthetic effects. The lighting plan narrative shall describe how the facades of individual buildings and/or landscaping will be lit (if at all) and the design intent behind such lighting.

b. Photometric diagram showing the illumination levels that will result from the proposed lighting; including the location of all lighting fixtures proposed to illuminate the buildings, entryways, travelways, loading areas, service areas, walkways and landscaping on the site.

c. Calculation Summary indicating foot-candle levels on the lighting plan, noting the maximum, average, and minimum, as well as the uniformity ratio of maximum to minimum and average to minimum levels to avoid "hot" spots of light.

d. Summary of the IES lighting standards applied to the site and table showing compliance not exceeding minimum requirements.

e. Lighting manufacturer-supplied specifications that include photographs of the fixtures, lamp source type, lumen output, color rendering and wattage. This specification must contain the exact make and model number of the light fixture.

f. Mounting height with distance noted to the nearest property line for each luminaire. All façade mounted lights are also required to be shown on the architectural elevations.

g. Permanently installed decorative outdoor lighting, such as string lights or patio lights, must be included on the lighting plan submitted with site plan submittals.

h. Types of timing devices used to control the hours set for illumination, as well as the proposed hours when each fixture will be operated.

i. An environmental impact statement may be required as to the impact of the exterior lighting proposed on adjacent open space or waterways to include flora, fauna, and the night sky. Location of species sensitive to light at night needs to be indicated.

j. A note stating no substitutions, additions, or changes may be made without prior approval by the governing authority; and that all lighting not on the plan shall be removed and no additional lighting shall be installed without prior approvals.

k. Maintenance and Replacement Plan discussing lighting maintenance.

6. Lighting Levels

For safety and energy conservation purposes, illumination levels shall not exceed the current recommended minimums by the Illuminating Engineering Society (IES) except as outlined below:

a. Light levels at the property line should not exceed 0.1 foot-candles (fc) adjacent to business properties, and 0.05 fc at residential property boundaries.

7. Permitted Lighting

a. All lamps source to be used on site are required to be classified as dark sky compliant and full cutoff, except as otherwise permitted in this ordinance.

b. Exterior light sources shall be LED or the current highest efficiency available.

c. Warm lighting color temperature is to be specified for all exterior light applications. Provide a maximum color temperature of 3000K, with a color rendering index (CRI) of 80.

8. Time Limits for Outdoor Lighting

a. All outdoor lighting located more than 30 feet from any building or outdoor product display or storage area shall be turned off no later than 30 minutes after the business closes and remain off for the remainder of the night or until the business reopens. All exterior lights that remain on during after-hours must be dimmed to fifty (50) percent of their total lumen output until 30 minutes before business reopens. An astronomic time switch or other permanent lighting control device must be provided to facilitate controlled dimming.

b. All landscape lighting must be turned off when the business is closed.

c. All temporary or permanent decorative outdoor lights must be turned off when the business is closed. Temporary decorative lights not related to the functionality of the business that are seasonal and/or related to a Federal Holiday may remain on at the business' discretion.

9. Fixture Height and Placement

The location and alignment of fixtures shall be coordinated with the orientation of buildings, the layout of parking and landscaped islands, and ~~the~~ driveway patterns. Light fixtures shall be sited within raised landscaped areas to avoid damage from vehicles and plows. Light poles must not obstruct sidewalks or bicycle paths.

The following requirements apply:

a. Façade mounted lights adjacent to driveways or access ways shall not exceed 25 feet in height from ground level.

b. Façade mounted lights adjacent to sidewalks shall be a minimum of twelve (12) feet high from ground level and not exceed sixteen (16) feet from ground level.

c. Indirect landscape lighting (uplighting and washes) may be used.

d. High branch-mounted flood-lights aimed toward the ground are prohibited.

e. Bollard fixtures (full cutoff) are permitted up to 3-4 feet in height from ground level.

f. Ornamental fixtures are permitted up to 12 feet in height from ground level upon approval by the Planning Board.

g. Parking Areas light fixtures shall have a maximum overall pole height of 20 feet from grade level to the top of the fixture.

10. Outdoor Recreation Facilities

a. Any light source permitted by this Ordinance may be used for lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, or show areas, provided all of the following conditions are met:

b. All fixtures used for event lighting shall be fully shielded, or be designed or provided with full cut-off capability, so as to minimize up-light, spill-light, and glare.

c. All events shall be scheduled so as to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstances shall any illumination of the playing field, court, or track be permitted after 11:00 p.m. except to conclude a scheduled event that was in progress before 11:00 p.m. and circumstances prevented concluding before 11:00 p.m.

d. The maximum height permitted is to be determined during the site plan process as approved by the Planning Board.

11. Prohibited Fixtures and Lighting

a. Bare lamps are not allowed, unless permitted as temporary outdoor lighting or approved as permanent decorative lighting by the Planning Board through the waiver process.

b. Neon tubes as lighting features are not allowed on building exteriors. The use of internally illuminated bands of color and/or light is prohibited.

c. Non-cutoff fixtures, other than those specifically permitted by this ordinance.

d. Mercury vapor lamps.

e. Outdoor floodlighting by flood light projection above the horizontal plane.

f. Search lights, flood lights, laser source lights, or any similar high intensity light, except in emergencies by police, fire, or medical personnel or at their direction; or for meteorological data gathering purposes.

g. Any lighting device located on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel with intermittent fading, flashing, blinking, rotating or strobe light illumination.

12. Waivers

The Planning Board may review waivers to lighting standards for the following:

a. Maximum pole and fixture height greater than 20’ for large parking lots over 150 spaces if the increase in height can significantly reduce the number of fixtures necessary. Under no circumstances shall the combined height of the pole and light exceed 30’ in height. Poles within 200' of residential property lines shall not exceed 20' in height.

b. Non-cut-off fixtures, such as decorative or historic lamps, may be allowed by the Planning Board where they are designed to be lower luminance, limited in number, or distant from abutting residential uses.

c. Nonconforming (exposed lamps) permanent decorative lighting may be permitted by the Planning Board where they are limited in number, or distant from abutting residential uses.

13. Signs

Standards for external and internal sign illumination are provided in Section XII of the Zoning Ordinance. Lighting used for the external illumination of signs is included toward the Total Outdoor Light Output standards.

E. Architectural Design Standards [amended 09/04/2024]

1. Purpose

The purpose of architectural design standards is to encourage design which draws its inspiration from historical and contemporary New England examples while complementing the neighborhood or village in which the site is located.

Architectural design must consider scale, form, orientation, height, setback, massing, materials, and architectural features.

2. Applicability

All commercial, multi-family and mixed-use structures constructed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new construction, renovations, reconstruction or any other façade changes proposed through the Site Plan or Subdivision process.

The provisions of this section shall not apply to individual single and two-family dwellings and their accessory buildings, structures and areas for parking. The provisions of this section shall not apply to Light Industrial (LI) or Industrial (I) zoned developments.

3. General Standards

New and renovated buildings shall be designed to fit the individual characteristics of their particular site. The architecture shall be influenced by New England building forms, the specific needs of the intended users, the nature of the intended use, and other site-specific factors. Contemporary architectural styles are appropriate,

provided they meet these standards.

4. Definitions

Arcade: An arcade is a **s**uccession of contiguous arches, with each arch supported by a colonnade of columns or piers. Exterior arcades are designed to provide a sheltered walkway for pedestrians.

Architectural Feature: A prominent or significant part or element of a building, structure or site.

Articulation: Articulation refers to how building surfaces come together to define form. Articulation may include changes in both the horizontal and vertical plane of the structure.

Building Mass: The height, width, and depth of a structure.

Façade: Façade refers to the face of a building.

Fenestration: Window treatment in a building or on a building façade.

Human Scale: The relationships of a development and/ or its elements in terms of size, height, bulk, intensity, and aesthetics, to human beings.

Massing: The grouping of three-dimensional forms to achieve variation (as in a building or landscape planting).

Mixed-Use Building: A mixed-use building is a building that can be used for more than one purpose, and in any combination. For the purpose of this section, mixed-use buildings include both a residential and non-residential component.

Parapet: The extension of the main walls of a building above the roof line.

Pilasters: Pilasters are rectangular columns, especially those projecting from a wall.

Public Entrance: Public Entrances are entries specifically provided for general public access into a building. This term as it applies in this section does not include employee only entrances.

Redevelopment: The reconstruction, reuse or change in use of any developed property including an increase in intensity of use or structural enlargement.

Rehabilitation/Renovation/Restoration: To construct an addition, make alterations, or to upgrade to the design and layout of a building.

Scale: The relationships of a development and/ or its elements in terms of size, height, bulk, intensity, and aesthetics, to one another and the surroundings

Strip Commercial Centers: Continuous or intermittent linear roadside development, generally one store deep and characterized by multiple roadway access points, highly visible off-street parking and an assortment of commercial uses with direct access to abutting roads.

Transparency: Transparency refers to windows, doors and other transparent openings enabling view into and out of a structure.

Vernacular Architecture: Architectural forms which are indigenous to an area, having developed in response to available materials, environmental conditions, and local cultural traditions.

5. Architectural Plans Required

All elevations of proposed buildings shall be evaluated as part of the design review. The Planning Board may request perspectives of the building to illustrate the three-dimensional relationship between the front and side elevations. Elevations and perspective drawings shall include all landscape elements (trees, shrubs, lighting, street furnishings, etc.) that will be seen in conjunction with the façade.

Any structure subject to site plan review shall be designed by an architect licensed in the State of Maine.

6. Front Façade and Building Entrance

Public entrances shall be designed to be visible from the street and provide unobstructed areas for pedestrians. Buildings shall present an inviting, human-scaled façade to the street, internal drives, parking areas, and abutting properties.

All façades containing public entrances shall be treated as a front façade. All front facades shall contain a clearly defined, highly visible customer entrance and three or more of the following elements to add scale to the building:

- canopies
- overhanging rooflines to provide shelter for pedestrians
- recesses or projections in keeping with the scale of the building
- arcades
- raised corniced parapets over entrances
- gables and dormers
- pilasters
- peaked roof forms
- outdoor seating or dining areas
- display windows that are visible from the sidewalk
- architectural details such as moldings which are integrated into the building design
- other features which are designed to add scale and visual interest to the façade.

7. Transparency, Windows and Doors

The front façade or any other façade that faces a public or private street shall have display windows, entry areas, or other transparent features along 40% or more of its horizontal length.

Windows, door openings, ventilation openings, and other forms of exterior

fenestration in frame construction shall be trimmed.

Windows should be vertical in orientation, or square.

If shutters are used, they must be sized to fit the openings and provided for all windows on a given wall.

8. Articulation – General

No uninterrupted length of any façade shall exceed 100 horizontal feet. Facades greater than 100 feet in length shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the façade and extending at least 20 percent of the length of the façade. Where the plane of a wall is broken, the offset shall be proportional to the building's height and length.

Strong shadow lines, changes in rooflines, pilasters and other architectural details, patterns in the surface material, and wall openings can all be effectively used to add visual interest and scale to the façade. Projections used to break up the mass of the building shall extend to the ground.

Blank walls facing public roads, residential neighborhoods, or abutting properties are prohibited. Where rear or side facades are visible from adjacent properties or roadways they shall be designed to match or complement the architectural treatment of the primary façade to give it scale and visual interest.

9. Articulation – Corner Structures

Buildings on street corners that are treated as special places. The architectural treatment of the street corner of the building shall emphasize its prominent position. This can be accomplished by greater massing and height, unique detailing, lighting, and other façade treatment to emphasize the front comer of the building. This comer treatment shall be designed to be visible from both streets. Where practical, an entrance to the building shall be located on the corner.

Buildings on corners shall be a minimum of two stories or twenty feet (20') in height to add mass and visual prominence to the street.

Both facades of corner buildings shall be designed as front facades. The façade of the upper floor(s) shall be visually related to the ground floor through repetition of design elements, e.g., color, materials, window treatment, and detailing that will unify the structure and help frame the ground floor.

10. Materials

Buildings are to be designed as permanent, positive additions to the commercial district, constructed of high quality, long lasting materials. Building materials shall be treated as important design elements that define the appearance of the structure and strengthen the sense of identity throughout Scarborough. The use of materials that give the appearance of New England architectural forms are strongly encouraged.

Traditional, high-quality building materials common to northern New England (e.g., brick, clapboard, shingles or other similar products) shall be used as the primary siding material. Contemporary materials that have the same visual characteristics

(e.g., cement plank clapboards or vinyl siding) are acceptable if attention is paid to detailing (e.g., comers, trim at openings, changes in material). Long-term maintenance needs shall be a consideration in the selection of all building materials

Highly reflective or processed materials (e.g., metal or plastic panels, brushed aluminum, bronzed glass, concrete block, T-111, untreated plywood, dryvit, etc.) and multicolored brick (incorporating occasional white bricks in a random pattern) shall not be used on the primary or front-facing façade.

11. Colors

Traditional colors commonly found in New England villages are appropriate for all components of the building. Façade colors shall be low reflectance. The use of high intensity, high reflectance, chrome, metallic, or fluorescent colors or black is prohibited as the primary color.

Where trim is used, it shall be a color that complements to the building's primary color. Neon tubing shall not be allowed as an exterior trim or accent material.

Arbitrary changes in materials or embellishments that are not in keeping with the rest of the building are discouraged.

12. Awnings and Canopies

Awnings and canopies can enhance the appearance and function of a building by providing shade, shelter, shadow patterns, and visual interest. Where awnings are used, they shall complement the design, materials, color, and appearance of the building.

Awnings shall be located directly over windows or doors to provide protection from the elements.

Awnings and canopies shall not be made of reflective materials, such as metal or plastic. Their color shall match or complement the façade of the building

Graphics used on awnings for identification or advertising shall be designed as an integral part of the signage program for the property, and shall be coordinated with other sign elements in terms of typeface, color, and spacing. Awnings shall not be used as advertising features or light sources. Backlit awnings are prohibited. Graphics on canopies are counted toward the total signage area.

13. Functional Elements and Screening

Design that utilizes energy conservation measures wherever possible shall be used.

All vents, downspouts, flashing, electrical conduits, meters, HVAC equipment, service areas, loading docks, service connections, and other functional elements shall be treated as integral parts of the architecture, starting at the conceptual building design phase. When these elements need to be part of the façade (e.g., downspouts, vents) they shall be incorporated into the architecture through detailing or matching

colors.

Meters, utility banks, HVAC equipment, and other exterior service elements shall be contained in service closets, behind walls, or located out of view from the public.

Building elevations presented for Planning Board review shall show the location and treatment of all functional elements.

14. Rooflines

Rooflines shall be designed to provide diversity in the form of the building and add visual interest to the streetscape. Specifically, rooflines shall be designed to reduce the mass of large buildings, emphasize building entrances, provide shelter or shade for pedestrians, and incorporate elements unique to Maine and New England.

Buildings with pitched roofs are strongly encouraged. Where pitched roofs are used, the minimal pitch shall be at least 5/12. Projecting rooflines shall be designed to create strong shade/ shadow patterns.

False mansard, A-frames, and other non-traditional roof forms shall not be used as the primary roofline.

Flat roofs, especially on single-story isolated buildings, are discouraged in most applications. Where flat rooflines are used, the design shall create no horizontal line greater than 100 feet without a break, using features found on traditional New England buildings.

In the CPD, HP, RH and BOR Districts, flat roofs are anticipated and acceptable on office, research and hi-tech buildings which are three or more stories in height. In these instances, changes in the roofline, pilasters, trim and other architectural detailing shall be used to vary and break up a flat roofline.

Where parapets are used to break up a flat roofline, the height of the parapet shall be at least five percent of the total length of the wall.

Variations in rooflines, detailing, and building heights shall be included to break up the scale of connected linear buildings.

15. Roof Materials

Composite asphalt shingles and standing-seam non-glare metal are required for visible roofing.

Roofing materials shall complement the color and texture of the building's façade. Roof colors shall be muted earth tones or a color that is darker than the façade.

Stripes and patterns on the roof are prohibited.

High gloss roofing materials are prohibited.

16. Rooftop Screening

Mechanical and other equipment mounted on rooftops must be screened from public view or grouped in a location where visibility is limited. Where used, screening for

roof mounted equipment shall be designed as an integral part of the architecture to complement the building's mass and appearance.

Roof mounted signs are prohibited by the Sign Regulations in the Zoning Ordinance.

17. Additional Requirements – Franchise Design

National franchises (e.g., restaurants, service stations, retail stores) are a welcome and permitted use within Scarborough's commercial districts. However, the design of these buildings can contribute to the loss of identity for Scarborough by the repetition of generic architectural forms that are found throughout the country. Buildings for these types of uses shall reflect an awareness of New England architectural traditions in their form, detailing, and materials.

Architectural forms primarily derived from building styles from other regions of the country are prohibited. New England regional prototypes from national franchises are permitted, provided they meet the Design Standards. Buildings that are stylized to the point where the structure is a form of advertising are not acceptable.

Applicants shall provide the Planning Board with illustrations that demonstrate how site features and accessory structures will be coordinated with the principle building. These may include dumpster screens, storage buildings, refrigeration lockers, playgrounds, signage, and lighting.

Connections to the public sidewalk shall be included in the site plan to permit pedestrian use. Access routes leading to or from service stations and convenience stores shall minimize conflicts with pedestrian circulation.

18. Additional Requirements – Large Scale Retail.

Due to their visibility and mass, large scale buildings 20,000 square feet or greater, such as 'big box' retail or grocery stores, can greatly enhance or detract from the visual character of the commercial district. These buildings shall be designed as attractive pieces of commercial architecture that are consistent with the scale and form found in Scarborough traditional buildings.

Architectural details shall be used to reduce the scale and uniformity of large buildings. Elements such as colonnades, pilasters, gable ends, canopies, display windows, and light fixtures can be effective measures to add human scale.

All sides of a large-scale building that face an abutting public or private street shall feature at least one customer entrance to facilitate pedestrian access, minimize walking distances from cars, and reduce the scale of facades. Where a building abuts more than two streets, this requirement shall apply to only two sides of the building, including the side facing the primary public street and another side facing a second street.

Large-scale buildings shall ~~p~~provide at least two of the following:

- Patio/seating area
- Pedestrian area with benches

- Window shopping walkway
- Outdoor playground area
- Water fountain or other water feature
- Clock tower or public art feature
- Other focal features or amenities that enhance the pedestrian environment.

Where principal buildings contain additional, separate stores which in total occupy less than 20,000 square feet of gross floor area, with separate, exterior customer entrances, the following additional standards shall apply:

- The street level facade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 40% of the horizontal length of the building facade of such additional stores.

19. Additional Requirements – Linear Commercial Structures

Buildings with multiple storefronts (e.g., strip shopping centers, one story office buildings) shall be visually unified through the use of complimentary architectural forms, similar materials and colors, consistent details, and coordinated signage.

Variations in the front setbacks are strongly encouraged to add visual interest, create spaces for common entries, outdoor eating / social spaces, and landscaped spaces.

Linear commercial buildings shall include a focal point such as raised entrance way, clock tower, or other architectural elements - to add visual interest and help reduce the scale of the building.

Linear structures shall include architectural elements designed to provide shelter, encourage pedestrian movement, and visually unite the building. These can include covered walkways, open colonnades, arcades, and similar features.

20. Additional Requirements – Multi-Building Developments (MBD)

Multiple building developments shall exhibit a high degree of coordination in site planning, architectural design, site design, and site detailing.

For MBD's, a conceptual master plan shall be prepared to show the Town the general location of future buildings, parking lots, roads and driveways, walkways, common open spaces, utilities, service areas, stormwater management, and other components of site development. The master plan shall also show how traffic, stormwater, and utilities will be coordinated with adjacent properties. The plan shall also illustrate the measures that will be taken to preserve significant natural or cultural features, such as wetlands, specimen trees, or stone walls.

As part of the Site Plan application, the applicant shall provide a phasing plan that illustrates the sequence of development and what steps will be taken to ensure compatibility between current and future activities.

All buildings in MBD's shall be oriented to create usable, safe and attractive

pedestrian spaces, preserve significant site features and minimize the appearance of parking areas.

In MBD's, multiple buildings or other elements shall be designed as focal points. These structures shall be visually more prominent, enhanced by height, massing, distinctive architectural treatment, lighting, landscaping, or other distinguishing features.

MBD's shall include outdoor use areas such as greens, plazas, and courtyards. Buildings may be oriented toward open spaces rather than roadways. Outdoor spaces shall be coordinated with the pedestrian circulation plan to allow pedestrian use, with provisions for seating and outdoor activities. Outdoor spaces shall be designed to separate pedestrian and vehicular traffic with landscaping, grade changes, and other site features.

Where drive-through facilities are a component of a MBD, the building and site plan shall emphasize pedestrian access.

Applicants for MBD's shall submit a master signage plan that shows how graphics will complement and unify the proposed development.

21. Additional Requirements – Auto Oriented Uses

Service stations, convenience stores, and similar uses shall be sited to face the street.

Pump islands and canopies shall be located in the rear or side so the primary building is the major feature seen from the road.

The architecture shall be designed so all four sides follow these design standards. Windows or other forms of fenestration shall be included on all street facing facades and treated as a front facade.

Service station canopies shall be visually compatible with the main structure through consistency in roof pitch, architectural detailing, materials, and color. Pitched roofs and fascia trim are preferred for canopies. Bands of bold color on the canopy and backlighting inside the canopy are prohibited.

Openings for car washes or service bays must be integrated with the design of the building and sited on the side or rear so they are not directly visible from public roadways or adjacent residential areas.

22. RESERVED - Additional Requirements – Village: Eight Corners

23. RESERVED - Additional Requirements – Village: Oak Hill

24. RESERVED - Additional Requirements – Village: Dunstan

25. RESERVED - Additional Requirements – Village: North Scarborough

26. RESERVED - Additional Requirements – Village: Pine Point

27. Additional Requirements – Drive Through Uses

Drive-throughs shall be subordinate to the design of the main building to maintain the pedestrian orientation of the structure. Architectural design and circulation

planning for buildings with drive-throughs require careful consideration to integrate them into the Scarborough environment.

Drive-through operations and other automobile-oriented facilities shall be designed with facade and roofline elements that reduce their scale and add architectural interest.

Where drive-through windows are allowed, they shall be incorporated into the design of the building through their scale, color, detailing, massing, and other architectural treatments.

Drive-throughs shall avoid facing public or private roadways and shall generally be located at the side or rear of the building. Where drive-throughs are located at the rear, the site should be designed to ensure the safety of the employees and patrons.

Drive-through canopies shall be visually compatible with the main structure. This can be accomplished through consistency in roof pitch, architectural detailing, materials, and color. Pitched roofs and fascia trim are preferred for canopies. Bands of bold color on the canopy and backlighting inside the canopy are prohibited.

28. Additional Requirements – Accessory Uses

Non-habitable structures, such as freestanding ATMs, garages, service stations, canopies, storage units, recycling sheds, trash enclosures, cart corrals, and utility buildings shall meet the same design standards as the principal building(s) on the site. The design of freestanding structures shall be coordinated with the principal building through repetition of architectural forms, materials, colors and detailing.

Where vending machines are provided, they shall be sited in locations that are not visible from the street. The site plan and architectural elevations shall show the location of all vending machines.

Shopping carts must be stored inside the building, or in 'cart corrals', out of the way of pedestrian circulation.

29. Additional Requirements – Existing Structures

Applications to the Planning Board that involve renovations and additions shall show all improvements as well as the existing structure. A narrative shall accompany the application which explains the designer's intent to relate the old with the new.

Where the existing building currently meets the design standards, proposed renovations must be designed to respect the proportions, fenestration patterns, and details of the original building. Additions or renovations shall complement or match the materials, form, color, and detailing of the original structure.

Where the existing building does not meet the design standards, the owner is strongly encouraged to upgrade the entire structure and demonstrate how the materials used in the renovation will complement the existing structure.

Renovations shall retain any distinctive architectural features or examples of skilled craftsmanship.

30. Waivers to Architectural Standards

The Planning Board may review and approve requests for waivers to architecture standards for the following:

a. Transparency standards may be waived if other architectural elements are used to provide scale and visual interest to the front facade in keeping with these Design Standards.

b. The Planning Board may allow non-reflective metal panels and brushed aluminum to be incorporated into the facade design of large scale office, research and hi-tech buildings in the CPD Innovation District, HP, RH and BOR Districts. These materials shall be supplemented with the tradition, high quality building materials common to northern New England to maintain a regional vernacular and sense of identity throughout Scarborough.

F. Sign Standards [amended 09/04/2024]

1. Purpose

Signs play a central role in providing information, wayfinding, and setting the tone for Scarborough's commercial districts. They inform motorists and pedestrians, while having a direct effect on the overall appearance of the roadway.

The aesthetics of the signage on a site shall follow historical and contemporary New England building forms and shall be designed to complement the neighborhood or village in which the site is located.

2. Applicability and General Standards

The signage for a site shall comply with Section XII, Sign Regulations of the Zoning Ordinance.

G. Public & Private Utilities [amended 04/21/2021]

1. The Applicable Reviewing Authority may require electric, cable television, and telephone lines to be underground. If these services are underground in the street or on adjoining properties, the new service shall be placed underground. Any utility installations permitted above ground shall be designed and located so as to have a harmonious relation to both neighboring properties and the site.

2. The site shall be served by an adequate supply of drinking water as well as sufficient flows for fire suppression. If a development intends to be served by a public water supply, the applicant shall furnish a written statement from the water supplier confirming that the project can be served.

2. The project shall provide for an adequate means of sewage disposal, whether it is on-site or tied into the public sewage collection and treatment system. An on-site system shall be in conformance with Scarborough’s Local Plumbing Ordinance, Chapter 404A. If a development intends to be served by a public sewage system, the applicant shall furnish a written statement from the sanitary district confirming the project can be served.

H. Preservation of Historic and Archeological Resources

Any historic or archeological resource that has been identified by the Maine Historic Preservation Commission, the Town's adopted Comprehensive Plan, or Section VII.H. Historic Preservation Provisions of the Town of Scarborough Zoning Ordinance should be preserved and incorporated into the development plan in a manner that retains its historic or archeological value if feasible. If an identified resource will be removed or will be altered in a manner that diminishes its historic or archeological value, the burden is on the applicant to demonstrate that options for preserving the resource have been explored. The Planning Board, Planning Department, and the applicant may consult the State Historic Preservation Office, the Scarborough Historical Society, or similar organizations with the mission of historic and archeological preservation on options for preserving the resource. If the resource will be removed, the applicant must demonstrate that reasonable efforts have been made to preserve the resource value or relocate it to another location. [03/19/2014][Amended 03/18/2015]

I. Municipal Capacity and State Agency Review

Within the Town's designated growth areas as depicted in the current version of the Comprehensive Plan, the Town of Scarborough's Planning Board has municipal capacity to review development activities that otherwise would require review by the Maine Department of Environmental Protection under the Site Location of Development Law. This authority has been provided for under 38 M.R.S.A. Section 488(19). Municipal capacity shall only apply to development projects that are located wholly within the Town of Scarborough and wholly within a designated growth area. All other development projects that meet or exceed the thresholds for Site Location of Development Law shall be reviewed by the Maine Department of Environmental Protection accordingly. Municipal capacity within the Town's growth areas shall apply to both new development projects and modifications to past development projects that may have existing Site Location of Development approvals.

In addition to meeting, the standards and requirements of this Ordinance, the Scarborough Zoning Ordinance, and any other applicable local ordinances, site plans that include a minimum of three (3) acres or more of building and impervious coverage shall also be submitted and reviewed by the State of Maine regarding significant wildlife and fisheries habitat and natural resources and significant historic and archeological resources as follows:

1. The Maine Department of Inland Fisheries and Wildlife shall be proved with a complete site plan application and shall have the ability to review and provide advisory comments on the site plan's impact on any significant wildlife habitat, aquatic habitat, fisheries habitat, or wildlife travel corridor. The Planning Board shall not issue a final decision on a site plan application until it receives comments from the Maine Department of Inland Fisheries and Wildlife or thirty (30) days from the submission of the application to the department, whichever comes first. [03/19/2014]
2. The Maine Historic Preservation Commission shall be provided with a complete site plan application and shall have the ability to review and provide advisory comments on the presence of any significant historic or archeological resources that may exist on the site. The Planning Board shall not issue a final decision on a site plan

application until it receives comments from the Maine Historic Preservation Commission or thirty (30) days from the submission of the application to the department, whichever comes first. [03/19/2014]

V. Site Conditions & Environmental Considerations

Before and during construction, the applicant or developer shall abide by the following conservation, erosion, and sediment control measures as well as the site construction, safety, and hazardous waste standards.

A. Wetland Setbacks and Vegetated Buffers [Adopted 01/22/2025]

All required wetland setbacks and vegetated buffers shall be shown on the proposed site plan or subdivision as required by Chapter 405 Zoning Ordinance Section X.A Wetland Setbacks and Vegetated Buffers.

B. Conservation, Erosion, & Sediment Control [amended 04/21/2021]

1. All sites must comply with Chapter 420 – Town of Scarborough Erosion and Sedimentation Control at Construction Sites Ordinance.
2. Stripping of vegetation, re-grading and other development shall be performed in such a way as to minimize erosion.
3. Development shall preserve prominent natural features, keep cut-fill operations to a minimum and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water run-off.
4. Wherever feasible, natural vegetation shall be retained, protected, and supplemented.
5. The extent of disturbed area and the duration of exposure shall be proposed by the applicant for consideration by the Applicable Reviewing Authority. The proposal shall conform to time schedules acceptable to the Applicable Reviewing Authority or to the Town Planner and Town Engineer if the Applicable Reviewing Authority so directs.
6. Disturbed soils shall be stabilized as efficiently as possible.
7. Temporary vegetation or mulching shall be used to protect exposed critical areas during development.
8. The permanent vegetation and mechanical erosion control measures shall be installed in conformance with a specified schedule as approved by the Applicable Reviewing Authority or by the Town Planner and Town Engineer if the Applicable Reviewing Authority so directs.
9. Until the disturbed area is stabilized, sediment in the runoff shall be trapped and contained by the use of debris basins, sediment basins, silt traps, silt fencing or other acceptable measures.
10. Whenever sedimentation is caused by stripping vegetation, re-grading or other development, it shall be the responsibility of the developer causing the sedimentation

to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any resulting damages in an efficient manner.

11. Any developer conducting an activity on or across a stream, watercourse or swale or upon a floodway or right-of-way thereof shall maintain, as nearly as possible, the state of the stream, watercourse, swale, floodway or right-of-way during the activity. Following the activity, the water feature shall be returned to its original, or equal, condition.

12. Maintenance of drainage facilities or watercourses originating and completely on private property is the responsibility of the owner to the point of open discharge at the property line or at a communal watercourse within the property.

C. Site Conditions

1. During construction, the site shall be maintained and left each day in a safe and sanitary manner. Any condition which could lead to personal injury or property damage shall be immediately corrected by the developer upon order by the Code Enforcement Officer or other authorized personnel. The developer shall make provisions for the disposal of oil, grease, and any other materials or equipment which may pose a threat to public health and safety. The site shall be regularly sprayed to control dust from construction activity.

2. Developed areas shall be cleared of all stumps, litter, rubbish, brush, weeds, dead and dying trees, roots and debris, and excess or scrap building materials. Such material shall be removed or destroyed upon the request, and to the satisfaction, of the Code Enforcement Officer and must be accomplished prior to the issuance of an occupancy permit.

3. No substantial change shall be made in the elevation or contour of any lot or site by the removal or addition of earth, except as shown on an approved site plan. Minimal changes in elevations may be made only after approval by the Code Enforcement Officer. All permitted changes necessitated by field conditions shall be shown on the as built plans.

4. Prior to or during construction, the Code Enforcement Officer may require the installation or construction of improvements in order to prevent or correct a temporary condition on the site that could cause personal injury, damage to property, erosion, flooding, heavy construction traffic, creation of steep grades, or pollution. Required improvements may include berms, mulching, sediment traps, detention and retention basins, grading, plantings, retaining walls, culverts, pipes, guardrails, temporary roads, and other improvements specific to a condition. All temporary improvements shall remain in place and operation until otherwise directed by the Code Enforcement Officer.

VI. Fees

A. Application Fee

At the time of submission of a site plan review application, the applicant shall pay to the Town Treasurer an application fee. Said fee shall be non-refundable and shall be computed

as specified in the *Schedule of Licenses, Permit and Application Fees* established by the Town Council.

B. Development Review and Construction Inspection Fee

Prior to the issuance of a building permit for the construction authorized by the site plan approval, the applicant shall pay to the Town Treasurer a Development Review and Construction Inspection Fee. Said fee shall be non-refundable and shall be computed and paid as follows:

1. The amount of the fee shall be determined by the Town Engineer, and shall include the actual costs incurred by the Town to engage consultants to undertake review of the applicant's site plan submissions plus the estimated cost to the Town of retaining the services of a qualified construction or site inspector under the employ of a licensed professional engineer to observe and inspect any improvements associated with the site plan approval.
2. If, upon completion of the required improvements, the actual cost of monitoring and inspection exceeds the amount paid at the time of issuance of the building permit, the applicant shall pay the additional amount to the Town Treasurer before the certificate of occupancy for the building or site shall be issued. If, upon completion of the required improvements, the actual cost of monitoring and inspection is less than the amount paid the Town shall return the unused portion to the applicant.

VII. Enforcement, Occupancy and Performance Guaranty [amended 04/21/2021]

This ordinance shall be enforced by the Town of Scarborough Code Enforcement Officer. It shall be a violation of this ordinance (1) to undertake an activity requiring site plan review without first obtaining site plan approval from the Applicable Reviewing Authority, (2) to develop or use any property for which a site plan has been approved except in the manner shown on the approved site plan and as per Section III(B)(8) of this ordinance, or (3) to violate any condition of approval of an approved site plan. Any person who violates this ordinance shall be penalized pursuant to 30-A M.R.S.A. section 4452. Each day a violation exists constitutes a separate violation.

A. Occupancy Permit and Performance Guaranty

An occupancy permit for the use or occupancy of any land, building, structure or part thereof requiring site plan approval shall be issued in accordance with Section IV(G), Certificate of Occupancy, of the Town of Scarborough Zoning Ordinance.

No occupancy for full or partial occupancy shall be issued by the Code Enforcement Officer until the Town Engineer, Town Planner or their designee are satisfied that the property has been constructed in accordance with the approved site plan and conditions of approval, or that the Town has received a performance guarantee for the completion of specific outstanding site elements within a specified timeframe, as well as final documentation required in all applicable Town ordinances including but not limited to as-builts.

A performance guarantee may be in the form of cash, certified check payable to the Town of Scarborough, or an irrevocable letter of credit in a form and from an issuer acceptable to the Town Treasurer. The amount of a performance guarantee shall be determined by the Town

Engineer or her/his designee, following the submission of a cost estimate by the applicant, and shall be in an amount at least equal to the total cost of the remaining work to be completed. [amended 11/01/17]

As-built plans shall be prepared by an engineer, architect, landscape architect, or land surveyor registered in Maine. Prior to the release of the letter of credit and inspection fee account, the developer shall submit to the Planning Office a digital copy of the final site plan approved by the Planning Board, including all approved amendments to the plan during construction. The digital data shall be a single composite AutoCAD (up to Release 2019) drawing file as well as a .pdf file may be submitted via e-mail, or other format acceptable to the Town Engineer. The following standards shall be followed:

1. Plan units: decimal feet, NAD83, Maine State Plane West, vertical datum NAVD1988. (2) Georeferencing: drawing features should be tied into state plane coordinates.
2. Rotation of grid north maintained. Plan data should not be "rotated" in any way which might compromise data coordinate integrity. (Alternately, a "dview twist" or similar CAD display operation will allow for convenient plotting/layout fitting while still properly maintaining spatial reference.)
3. Coordinates shall be shown on at least four corners of the site plan. Coordinates shall be referenced to the Maine State Coordinate System.
4. AutoCAD (up to Release 2019) drawing or equivalent.
5. Any dependent external referenced (xref's) should be bound to the drawing file(s).
6. Drawing layers should be named in a logical fashion to allow identification of features; preferably, all drawings should be accompanied by a file that describes the layer structure.
7. Significant proposed polygon features, i.e., building footprints, parking areas, and driveways, should be closed 2-D polylines (looped for closure).

VIII. Severability and Conflicts

A. Severability

In the event that any section, subsection or any portion of this ordinance shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection, or other portion of this ordinance.

B. Conflict

In the event that any provision of this ordinance is in conflict with or inconsistent with any provision of any other ordinance of the Town of Scarborough, the provision which establishes the most stringent requirement shall prevail.

IX. Meanings of Words

Where words or terms used in this ordinance are defined in the Town of Scarborough Zoning Ordinance, the Town of Scarborough Subdivision Ordinance or the Town of Scarborough

Shoreland Zoning Ordinance, such definitions shall apply to this ordinance as well. Words or terms not so defined shall have their ordinary, customary meanings.