SECTION XIXA. GENERAL BUSINESS DISTRICT B3

SECTION XIXA. GENERAL BUSINESS DISTRICT B3 [04/16/2008][Amended 01/08/2025; 05/20/2026; 11/04/2026]

A. PURPOSE

The purpose of this district is to provide for and encourage general retail, office, service, lodging, and civic uses along portions of the Town's major roadways. This district is intended to accommodate a wide range of non-residential activities that primarily serve the residents of Scarborough and the immediate region. As development and/or redevelopment occur within the district, the visual environment is enhanced, traffic flow and safety are improved, and provisions for pedestrians are made. Master planning for larger parcels, uses, and buildings, as well as mixed-use developments enable flexibility, creativity, conservation and residential uses in this district fostering areas of increased activity, vibrancy and sustainability.

B. DEVELOPMENT DESIGN AND REVIEW PROCEDURES

Depending on the acreage, scale, uses, and design of a proposed project, a development/redevelopment project within this district may undergo a conventional review process involving Site Plan Review and/or Subdivision Review applying the quantitative standards of subsection D. or may be reviewed as a Planned Development applying the quantitative and qualitative standards and design criteria of subsections E and H of this district and Section VIIE of this Ordinance.

1. Conventional Developments. Projects that are proposing to develop or redevelop less than five (5) acres of land may be reviewed as a conventional development or as a Planned Development, at the applicant's option.

2. Planned Developments. Projects that are proposing to:

a. Develop or redevelop five (5) acres or more of land,
b. Incorporate residential uses within the development,
c. Exceed the space and bulk requirements for conventional development,
d. Establish a gasoline filing station, or
e. Any combination of a, b, c., and d.

are required to be reviewed as Planned Developments in accordance with the applicable standards of subsection H. Development Standards for Planned Developments of this district and Section VIIE Planned Development of this Ordinance.

C. PERMITTED USES: SEE SECTION XIII.A ZONING DISTRICT USE TABLES [Amended 05/20/2026]

D. SPACE AND BULK REGULATIONS – CONVENTIONAL DEVELOPMENT

The following space and bulk regulations are applicable to conventional developments:

Minimum lot area	10,000 sq. ft.
Minimum street frontage	200 feet on collector or arterial streets 100 feet on local streets
Minimum front yard	35 feet

Minimum side and rear yards	15 feet required except where the side and/or rear yard abuts a residential district in which case it/they shall be a minimum of 50 feet and the buffering requirements of this ordinance shall be met.
Maximum building coverage	50%
Maximum individual building footprint for uses permitted subject to a floor area limit	30,000 square feet
Maximum building height	45 feet

E. SPACE AND BULK REGULATIONS – PLANNED DEVELOPMENT
The following space and bulk regulations are applicable to Planned Developments:

Minimum lot area	10,000 sq. ft.
Minimum street frontage	200 feet on arterial or collector streets 100 feet on local streets
Minimum front yard	35 feet
Minimum side and rear yards	15 feet required except where the side and/or rear yard abuts a residential district in which case it/they shall be a minimum of 50 feet and the buffering requirements of this ordinance shall be met
Maximum building coverage	Determined by the Planning Board under subsection H.(2) flexible building coverage
Maximum floor area per unit of occupancy for uses permitted subject to a size limit	80,000 square feet as determined by the Planning Board under subsection H(2) flexible floor area per unit of occupancy, except that for a building located within one thousand five hundred (1,500) feet of the point of intersection of the centerlines of the Payne Rd and Haigis Parkway the maximum floor area per unit of occupancy shall be 150,000 square feet as determined by the Planning Board under subsection H(2) flexible floor area per unit of occupancy (Amended 06/20/12)
Maximum individual building footprint for uses permitted subject to a floor area limit	Determined by Planning Board under subsection H(2) flexible maximum individual building footprint
Maximum building height	45 feet

F. RESIDENTIAL DENSITY REGULATIONS FOR PLANNED DEVELOPMENTS
Within this zoning district the Residential Density Factors in Section VII C. A. of this Ordinance shall apply to dwelling units in a mixed-use building or live/work units that may be allowed in a planned development.

1. Maximum Base Residential Density – The maximum base residential density is the maximum residential density permitted without utilizing additional density through the development transfer or affordable housing provisions.

Dwelling units located in a mixed use building or live/work units	3 dwelling units per acre of net lot area. The net lot area is the gross area of a lot exclusive of those areas described in paragraphs 1, 2, 3, 5 and 6 of the definition of Net Residential Acreage in Section VI of this Ordinance

2. Additional Residential Density Thru Development Transfer – A development may incorporate up to three (3) additional dwelling units per acre of net lot area beyond the maximum base residential density by utilizing the development transfer provisions in accordance with Section VIID of this Ordinance.

3. Additional Residential Density Thru Affordable Housing – A development may incorporate up to one (1) additional dwelling unit per acre of net lot area beyond the maximum base residential density provided at least 40% of the additional dwelling units (with fractional numbers of units rounded up to the nearest whole number) are designated as affordable housing.

4. Additional Residential Density Thru an Affordable Housing In-Lieu Fee – In lieu of developing affordable housing to utilize additional residential density under subsection F.3., a development may incorporate up to one (1) additional dwelling unit per net residential acre beyond the maximum base residential density by utilizing the affordable housing In-Lieu Fee provisions in accordance with Section VII.C. of this Ordinance. [Adopted 08/20/2014]

The Planning Board may allow a development to utilize additional residential density through both the affordable housing and development transfer provisions but the combined additional residential density shall not exceed three (3) dwelling units per acre of net lot area beyond the maximum base residential density. [Amended 08/20/2014]

G. ADDITIONAL DEVELOPMENT STANDARDS APPLICABLE TO BOTH CONVENTIONAL AND PLANNED DEVELOPMENTS **[Amended 11/04/2026]**

1. Streetscape Buffer Strip: A landscaped or naturally vegetated buffer strip shall be established and/or maintained along the front property line of a lot where it abuts a public street. The width of the buffer strip shall be a minimum of twenty (20) feet when it is adjacent to Route One or Payne Road and twenty (20) feet when it is adjacent to any other public street. The buffer strip shall be designed to separate the development from the street and to enhance the visual environment of the street. The buffer strip must be landscaped in accordance with the Site Plan Review Ordinance.

2. Pedestrian and Bicycle Facilities: All developments shall provide for pedestrian movement to and within the parcel in accordance with the Site Plan Review Ordinance. Provisions must be incorporated into new developments for bicycle movement including appropriate facilities such as bike racks and bike lanes if the scale of the project makes these reasonable

H. DEVELOPMENT STANDARDS FOR PLANNED DEVELOPMENTS

The General Business District (B3) Planned Development standards provide qualitative standards that are intended to promote flexible and innovative design solutions that further the purpose of this zoning district by providing provisions for larger buildings and uses, opportunities for mixed use development, the establishment of gasoline filling stations, and master planning for large development sites.

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This subsection includes specific standards that a planned development is required to meet and a range of design criteria to be applied by the Planning Board when a development is reviewed under this subsection and in accordance with Section VIIE Additional Requirements for Planned Development.

I. PLANNED DEVELOPMENT STANDARDS

1. Walkable, Pedestrian-Oriented Design Required of all Planned Developments within the B3 District

Appropriately designed and oriented sidewalks and other pedestrian amenities are critical to promote walk-ability, pedestrian activity, and a sense of place within planned developments in the B3 District. Sidewalks shall be designed to provide linkages and continuity between each use and building within a planned development as well as connections to abutting uses and the pedestrian network along the adjacent roadways. Where pedestrian traffic and activity is likely to be intense, such as along storefronts, at the entrances to buildings, around residential dwellings, or at a common gathering place, sidewalks shall be properly proportioned to accommodate this activity and to establish a pedestrian realm.

2. Human Scale Design Required of all Planned Developments within the B3 District

Building height, massing and facades as well as building orientation to streets, driveways and parking areas are critical to establishing a human scale development. Within the B3 District, buildings should be designed to exhibit a strong relationship with the street(s) that they front. Parking should be dispersed on the site with no major expanse of parking between the building(s) and the street(s) or between individual buildings within the planned development. Coupled with this, planned developments incorporating multiple buildings shall be designed in a compact manner with buildings sited in close proximity to each other with pedestrian connections, design features and amenities that establish a pedestrian realm as required in subsection 1 above. This design may include human scale lighting, appropriately sized sidewalks, shade trees, benches and the like. Human scale design elements may also include a common, green space, court, plaza or the like that is an integral part of the planned development and is located at or near the center of the planned development in a high activity location.

3. Required of Planned Developments Utilizing Green Building Design to Exceed Conventional Space and Bulk Regulations

The allowance to exceed the space and bulk requirements for conventional development through the use of green building techniques shall not take effect until the Town Council has enacted the development standards for green building design to be inserted in this subsection or to be added in new performance standard section of this Ordinance.

4. Required of Planned Developments Incorporating Residential Uses

Live/work units and residential dwellings within a mixed-use building are allowed as part of a planned development if the Planning Board determines they are designed in a manner and sited in locations that are appropriate and conducive to housing and meet the following standards:

a. The proposed residential dwellings are sufficiently setback and/or buffered from major roadways as well as major internal circulation routes and large parking areas so as to ensure a safe, sanitary, and healthful environment for residents
b. The non-residential uses within the planned development are compatible with residential uses with respect to noise, odors, intensity of use, health and safety, and aesthetics.
c. Residential uses are designed with outdoor amenities, open spaces or common places usable for the active or passive recreation of residents. Such spaces can be a community green or common; plaza; court; square; pocket park or some variation of each. The Planning Board may determine that these spaces be designed and available to only the residents in the project or available for non-residential and public use depending on the layout, design and nature of the planned development.

5. Required of Planned Developments Incorporating Residential Care Facilities, Assisted Living Facilities and/or Nursing Homes [Amended 06/20/12]

Residential care facilities, assisted living facilities and nursing homes are allowed in this district as planned developments if the Planning Board determines they are designed in a manner and sited in locations that are appropriate and conducive to these types of facilities, and meet the following standards:

a. The uses shall be adequately screened and buffered from adjacent properties and non-residential uses. This buffering shall provide a visual screen as well as minimize the impacts of noise or odors that may be generated by abutting uses. Buffering may include the preservation of natural vegetation, new landscaping, berms or other means to fulfill this standard.
b. The proposed facility shall be sufficiently setback and/or buffered from major roadways so as to ensure a safe, sanitary, and healthful environment for residents.
c. If other non-residential uses are proposed within the same planned development, the other uses must be compatible with a residential care facility, assisted living facility and/or nursing homes with respect to noise, odors, intensity of use, health and safety, and aesthetics.

6. Required of Planned Developments to Establish a Gasoline Filling Station

Gasoline filling stations are allowed only through the planned development review process. The planned development review process is required for gasoline filling stations to ensure that the use is compatible with surrounding uses and is designed in a manner that reinforces the purpose of the B3 district. In addition to planned development review, gasoline filling stations must comply with the performance standards of Section IX.(X.) of this Ordinance. [Amended 06/20/12]