

E. Retirement Community and Care Facility Overlay District (RCCFO)

1. Intent

The intent of the Retirement Community and Care Facility Overlay District (RCCFO) is to provide areas in the Town of Windham where housing for older persons can be provided at higher residential densities. The RCCFO includes land adjacent to arterial roadways. The proximity to arterial roads is intended to provide housing for older persons suitable access to commercial establishments and public safety services.

2. Permitted Uses

The following uses, as defined in Section 300, shall be permitted in the RCCFO District as a matter of right. Refer to Section 500 Performance Standards or Subsection 5 District Standards for additional use information.

- Assisted Living Facility
- Boarding Home for Sheltered Care
- Retirement Community
- Nursing Home

3. Prohibited Uses

Uses that are not expressly enumerated herein, or in the underlying zoning district, as either permitted uses or conditional uses are prohibited.

4. Dimensional Standards

Notwithstanding the dimensional standards set forth in the underling zoning district, the following dimensional standards shall apply to uses permitted by the RCCFO District.

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| (a) Minimum Lot Size: | 5 acres |
| (b) Net Residential Density: | |
| (1) Assisted Living Facility | None |
| (2) Nursing Home | None |
| (3) Board Home for Sheltered Care | None |
| (4) Retirement Community | 5,000 s.f. |
| (d) Minimum Setback Requirements: | |
| (1) Duplex Dwelling; Multifamily Dwelling | See Subsec. 5 District Standards |

5. District Standards

(a) Standards applicable in the RCCFO district:

- (1) **Public Water.** All nursing home facilities or assisted living facilities shall be served by a utility connection to the Portland Water District system. All retirement community uses shall be connected to a public drinking water supply, as defined by the Maine Department of Health and Human Services. No retirement community dwelling units or facilities utilizing the standards of this overlay district shall be served by a private well. This standard does not apply to retirement community dwelling units or facilities developed in accordance with the standards of the underlying zoning district.
- (2) **Public Street Lot Width.** Lots that contain uses permitted by the overlay district shall meet the minimum lot width requirement of the underlying zoning district.
- (3) **Street Connection Requirement.** Uses permitted by the overlay district shall meet the street connection requirements of Section 911(M)(5)(b)(7).
- (4) **Parking Requirements.** All uses in the overlay district shall meet the applicable off-street parking requirement contained in Section 812(C).
- (5) **Site Design/Building Orientation:** When the development proposal provides for the construction or expansion of a building within one-hundred (100) feet of an existing road on the perimeter of the site, the project shall incorporate the following design features:
 - Buildings shall be designed so that they front on the existing road, or as an alternative, do not turn their backs to the road. A site that has frontage on two (2) or more existing streets shall use the street with the greater traffic volume for the purpose of this standard.
 - No service or storage areas shall be located between the building and the road.
 - Vehicular access shall be from internal streets or combined entrances where practical.
 - Parking lots shall not be located, where practical, between the building and the existing road.
 - If a sidewalk or pedestrian way exists along the existing road, provisions shall be made to link it with the planned buildings.
- (6) **Buffer Requirement:** The following site features shall be screened with either solid fencing or vegetation from any existing residential dwelling located on an abutting property:
 - Storage Areas
 - Dumpsters or trash collection areas
 - Service areas or access ways for emergency vehicles
 - Parking lots, and their associated access drives, that contain spaces for five (5) or more vehicles

- (7) Lighting: All exterior lighting shall use a ninety (90) degree cut-off fixture.
- (8) Solid Waste Collection: Collection of solid waste from exterior dumpsters shall only occur during daytime hours, as defined in Section 300 of this Ordinance.
- (b) Standards Applicable where the underlying zoning district is the Farm, Farm Residential, Light Residential, or Medium Residential Districts:
- (1) Setback Requirements: Setbacks for multifamily facilities or multifamily dwelling units:
- (i) No building or part of a building shall be located within one hundred (100) feet of the external perimeter of the overall site.
 - (ii) The minimum setback from the external perimeter of the overall site shall vary depending on the height of the building as follows:

Building Height	Minimum Setback
0 feet to 30 feet	100 feet
31 feet to 35 feet	150 feet

- (2) Services and Retail Sales: Any service and retail sales shall be designed as an integral part of the building. Such facilities shall be designed for use by the residents and not to serve those living outside the facility.
 - (3) Number of Bedrooms: Retirement Community dwellings shall be limited to 3 or fewer bedrooms per dwelling unit.
- (c) Standards Applicable where the underlying zoning district is the Commercial 1, Commercial 2, or Commercial 3 Districts:
- (1) Setback Requirements: Setbacks for multifamily facilities or multifamily dwelling units:
 - (i) Multifamily buildings permitted by the overlay district that are located on a lot that abuts a residential zoning district, or abuts a property occupied by an existing dwelling, shall not be located within one hundred (100) feet of said abutting lot.
 - (2) Basement and First Story Dwelling Units: Notwithstanding the standards set forth Section 406(E)(6)(f) of the Commercial 1 Zoning District, dwelling units permitted in the overlay district shall be permitted in the basement or first story of a building in the RCCFO.