

ARTICLE 4
Zoning Districts

§ 120-401. Districts enumerated.

To implement the provisions of this chapter, the Town of Windham is hereby divided into the following districts:

B. Zoning districts.

- (1) Farm District (F).
- (2) Farm-Residential District (FR).
- (3) Light-Density Residential District (RL).
- (4) Medium-Density Residential District (RM).
- (5) Commercial District I (C-1).
- (6) Commercial District II (C-2).
- (7) Commercial District III (C-3).
- ~~(8)~~ Commercial District IV (C-4).
- ~~(8)(9)~~ Commercial District V (C-5)
- ~~(9)(10)~~ Industrial District (I).
- ~~(10)(11)~~ Enterprise Development District (ED).
- ~~(11)(12)~~ Village Commercial District (VC). [Added 9-14-2010 by Order 10-162]
- ~~(12)(13)~~ Windham Center District (WC).
- ~~(13)(14)~~ Village Residential (VR).

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§ 120-411.2 Commercial District V (C-25). [Amended 9-14-2010 by Order 10-164; 6-12-2018 by Order 18-099; 7-9-2019 by Order 19-121; 5-26-2020 by Order 20-048; 4-25-2023 by Order No. 23-060; 8-15-2023 by Order No. 23-149; 8-15-2023 by Order No. 23-150; 8-15-2023 by Order No. 23-151; 2-25-2025 by Order No. 25-033]

- A. Intent. The intent of this district is to provide The Commercial District V (C-5) zone is established to support coordinated commercial development along the east and west connector roads of the North Windham Moves infrastructure project. The district is intended to promote safe and efficient access, reduce traffic congestion, and encourage interparcel connectivity while allowing a broad range of commercial uses. Block standards from the 21st Century Downtown Plan shall apply to ensure walkability, connectivity, and cohesive design.
- B. Permitted uses. The following uses, as they are defined in Article 3, shall be permitted in the Commercial **V** District as a matter of right. Refer to Article 5, Performance Standards, or Subsection F, District standards, for additional use information.

Agriculture
Art galleries and studios
Bank
Bed-and-breakfast inn
Building, accessory
Business and professional office
Child-care facility
Child care, family home
Club
Convention center
Dwelling, single-family detached
Dwelling, two-family
Dwelling, multifamily
Dwelling, mixed-use
Fitness center
Forestry
Funeral home
Home occupation 1
Home occupation 2
Hotel
Housing for older persons
Medical office
Motel
Public building
Recreation facility, indoor
Recreation facility, outdoor
Research laboratory
Restaurant
Retail sales
Retail sales, convenience
Retail sales, nursery
Service business, personal
Solar energy system – roof-mounted, small, medium, and large scale
Solar energy system – ground-mounted, small scale
Theater
Use, accessory

- C. Conditional uses. The following uses, as defined in Article 3, shall be allowed as a conditional use in accordance with § 120-516. Refer to Article 5, Performance Standards or Subsection F, District standards, for additional use information.
- (1) Car washes
 - (2) Drive-through facility
 - (3) Medical marijuana registered caregiver
 - (4) Medical marijuana registered caregiver (home occupation).
 - (5) Public utility facility
 - (6) Retail sales, outdoor
 - (7) Solar energy system – ground-mounted, medium scale
 - (8) Solar energy system – ground-mounted, large scale
 - (9) Wireless telecommunications tower and facility
- D. Prohibited uses. Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.
- E. Dimensional standards. The following dimensional standards shall apply in the Commercial District II:
- (1) Minimum lot size: none.
 - (2) Dwelling, single-family; two-family; multifamily: 5,000 square feet.
 - (3) Net residential density: 1,250 square feet (1-4 Dwelling Units) and 5,000 square feet 4+ Dwelling Units).
 - (4) Minimum frontage: 100 feet.
 - (5) Front setback:
 - (a) Building, principal: 10 to 20 feet from Connector Roads and 5 feet from Access Drives
 - (b) Building, accessory: principal building setback, plus 20 feet minimum.
 - (6) Minimum side setback: 10 feet.
 - (7) Minimum rear setback: 10 feet.
 - (8) Maximum building height: 45 feet.
 - (9) Maximum lot coverage: 70%
- F. District standards. In addition to Article 5, Performance Standards, these standards shall apply to the following uses in the Commercial District V:
- (1) Parking. No parking shall be located within a structure's front setback area. When parking is located at the side of a building, the parking area shall not extend closer to the

street than the front facade of the building. The space between the parking lot and the street shall be landscaped according to an overall plan for the property.

- (2) Building orientation. The facade of all buildings must be oriented parallel to a front lot line. In cases where a property has more than one front lot line, a single building development will orient to the front lot line on the street with the higher traffic volume. Multibuilding development may orient individual buildings to different front lot lines and access drives.
- (3) Pedestrian access. At least one primary entrance must be located on the building's front facade. Primary entrances must provide ingress and egress and be operable at all times the building is occupied.
- (4) Controlled access street. See § 120-521, For standards pertaining to controlled access streets in the C-5 District see Article 3, Definitions, and Article 5, Performance Standards.
 - (a) Access curb cuts shall be spaced a minimum of 300 feet apart along connector roads.
 - (b) All new development shall provide vehicular and pedestrian access connections to adjacent properties to promote internal circulation and reduce reliance on connector road curb cuts.
 - (c) Where feasible, shared driveways shall be required between adjacent parcels to minimize the number of access points.
 - (d) Site plan and subdivision applications must include an access management plan demonstrating compliance with curb cut spacing and interparcel connectivity standards.
- (5) Curb cuts. See § 120-522, Curb cuts and driveway openings, in Article 5, Performance Standards, for standards applicable to the C-5 District.
- (6) Minimum lot size. The State of Maine minimum lot size, and minimum lot size waiver, standards apply in the C-5 District when the Town's minimum lot size requirements are less restrictive than those of the State of Maine.
- (7) Minimum side setback reduction. The required minimum side setback shall be permitted to be reduced to zero where a common wall is proposed between buildings.
- (8) Retail sales, outdoor. The display or sale of products outside of a building shall meet the standards of Article 5. (See Article 5, Performance Standards.)
- (9) All new and reconstructed streets must be built to public street, commercial street, curbed lane or residential street standards.
- (10) Block standards. This subsection applies to development sites that create new or reconfigured blocks or that create any new public streets.
 - (a) Land must be divided with streets to create blocks conforming with block perimeter, below.
 - (b) Blocks should be generally rectangular in shape, but are expected to respond to natural features and the block pattern of the surrounding street network.

- (c) Blocks should be a minimum width so as to provide two rows of developable lots.
- (d) Portions of development sites abutting areas of undeveloped land, areas unsuitable for development, or preexisting incomplete blocks may be granted a waiver from the block size requirements in accordance with the provisions of Article 8 if part of a site plan or Article 9 if part of a subdivision plan.
- (e) Block perimeter. No block shall have a perimeter of more than 1,600 feet.
- (11) Zoning district boundary buffer. See § 120-511, Buffer yard, in Article 5, Performance Standards, for requirements.
- (12) Affordable housing. Affordable Housing developments are eligible for increases in residential density and building height and reductions in lot size, frontage and parking requirements identified in Article 5, Performance Standards, if the development meets the applicable criteria in § 120-501.1.