

K. Windham Center District (WC)

1. Intent

The intent of the Windham Center District is to serve as a primarily residential area with a walkable mixture of various uses that will support and promote business and community within the area. Uses are intended to complement one another and allow for different offerings such as art and cultural spaces, public community space, educational/institutional uses, residential, and other small business enterprise uses that meet local neighborhood needs for limited business services.

2. Permitted Uses

- Agriculture
- Artist Studio
- ~~Assisted Living Facility~~
- Bank
- Bed & Breakfast Inn
- Boarding Home for Sheltered Care
- Building, Accessory
- Business & Professional Office
- Cemetery
- Child Care Facility
- Child Care, Family Home
- Dwelling, Mixed Use
- Dwelling, Single-Family Detached
- Dwelling, Two-Family
- Dwelling, Multifamily
- Fitness Center
- Forestry
- Home Occupation 1
- Home Occupation 2
- Housing for Older Persons
- Medical Marijuana Caregiver
- Medical Marijuana Caregiver (Home Occupation)
- Medical Office
- ~~Nursing Home~~
- Park, Public
- Place of Worship
- Public Building
- Restaurant
- Retail Sales
- Retail Sales, Convenience
- Service Business, Commercial
- Service Business, Personal
- Theater
- Use, Accessory
- Wireless Telecommunications Facility

3. Conditional Uses

- Drive-through Facility
- Public Utility Facility
- Recreation Facility, Indoor
- Recreation Facility, Outdoor
- Riding Stable
- Rooming House
- Small Engine Repair

Revised February 2023

4. Prohibited Uses

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

5. Dimensional Standards

- (a) Minimum Lot Size:
 - (1) Standard 30,000 s.f.
 - (2) Lots connected to public water 20,000 s.f.
- (b) Net Residential Density 15,000 s.f.
- (c) Minimum Frontage 100 ft.
- (d) Minimum Front Setback 20 ft.
 - (1) The minimum front Setback of a lot may be reduced to the average setback distance of the existing buildings located on the lots to either side of said lot.
 - (2) Multifamily Dwellings and Non-Residential Uses:
 - Minimum Landscaped Buffer Strip 15 ft.
- (e) Minimum Side Setback 10 ft.
 - (1) The minimum Side Setback shall be increased to 15 feet when building height is over 35 feet.
- (f) Minimum Rear Setback 10 ft.
 - (1) The minimum Rear Setback shall be increased to 15 feet when building height is over 35 ft.
- (g) Maximum Building Height 45 ft.
 - (1) Public Buildings, Church Steeples No Limit
- (h) Maximum Building Coverage: 50%

6. District Standards

In addition to Section 500, Performance Standards, these standards shall apply to the following uses in the Windham Center District:

- (a) Bank:
 - (1) Building footprint shall be limited to 3,000 s.f.
 - (2) Drive-through facilities must be in the rear of the building

(b) Buffer Requirement. New buildings or structures containing, or accessory to, commercial or multifamily dwelling uses constructed on properties in the Windham Center District that abut a residential zoning district shall provide a fifty (50) foot natural buffer from the zoning district boundary line.

(c) Building Architecture. Except for Single-Family Dwellings, ~~All~~ building rooflines must be pitched. The minimal pitch shall be at least 4/12.

Commented [ALL1]: This roof pitch with a 45' height limit could allow for a 4-story building

(d) Fitness Center. The maximum area of a building dedicated to a fitness center shall be 3,000 s.f.

~~(e)~~ Retail Sales, Minimart~~:-~~. The building footprint shall be limited to 3,000 s.f.

~~(f)~~ Restaurant:

- (1) Maximum seating shall be 40 seats.
- (2) Restaurants shall not be permitted to include a drive-through facility.

~~(g)~~ Retail Sales~~:-~~. The maximum area of a building dedicated to retail sales shall be 53,000 s.f.

~~(h)~~ Sidewalks. New, enlarged or rebuilt uses shall provide sidewalks along any public way that border the property when there is an existing sidewalk to which the proposed sidewalk can connect.

Commented [ALL2]: LRPC instead recommends a Sidewalk Impact Fee when there is no existing sidewalk connection

- (1) Sidewalks shall be constructed in accordance with the standards in Tables 3 and 4 in Appendix B of this Ordinance.
- (2) Sidewalk construction shall meet all applicable American with Disabilities Act (ADA) Standards.

(i) Streets. All new and reconstructed Streets must be built to Public Street standards. No new Private Roads are allowed.

(j) Street trees shall be planted along the street Frontage, at least one tree every fifty (50) feet.

- (1) These trees must be evenly spaced and placed within the right-of-way as close to the property as possible. In the event the lot owner does not have the right to plant within the right-of-way, the street trees will be placed on the lot as close to the right-of-way as possible.
- (2) Street trees shall be of a size and a variety specified on a Town of Windham recommended tree list available from the Public Works Department.

(k) Theater. The maximum seating shall be 90 seats.

L. Village Residential District (VR)

1. Intent

The intent of the Village Residential District is to serve as a residential area with a walkable mixture of limited small business enterprise uses that meet local neighborhood needs for limited business services.

2. Permitted Uses

- Agriculture
- Artist Studio
- Building, Accessory
- Cemetery
- Child Care Facility
- Child Care, Family Home
- Dwelling, Single-Family Detached
- Dwelling, Two-Family
- Dwelling, Multifamily
- Forestry
- Home Occupation 1
- Home Occupation 2
- Kennel, Minor
- Housing for Older Persons
- Medical Marijuana Caregiver
- Medical Marijuana Caregiver (Home Occupation)
- Park, Public
- Place of Worship
- Public Building
- Service Business, Personal
- Use, Accessory
- Wireless Telecommunications Facility

3. Conditional Uses

- ~~Assisted Living Facility~~
- Bed and Breakfast Inn
- Boarding Home for Sheltered Care
- Kennel, Major
- Medical Office
- ~~Nursing Home~~
- Public Utility Facility
- Recreation Facility, Indoor
- Recreation Facility, Outdoor
- Riding Stable
- Retail Sales, Convenience
- Retail Sales, Nursery
- Rooming House

4. Prohibited Uses

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.

5. Dimensional Standards

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| (a) Minimum Lot Size: | |
| (1) Standard | 40,000 s.f. |
| (b) Net Residential Density | 20 30,000 s.f. |
| (c) Minimum Frontage | 100 ft. |
| (d) Minimum Front Setback | 30 ft. |
| (1) The minimum front Setback of a lot may be reduced to the average setback distance of the existing buildings located on the lots to either side of said lot. | |
| (2) Multifamily Dwelling and Non-Residential Uses: | |
| Minimum Landscaped Buffer Strip | 15 ft. |
| (e) Minimum Side Setback | 15 ft. |
| (f) Minimum Rear Setback | 15 ft. |
| (g) Maximum Building Height | 35 ft. |
| (1) Public Buildings, Church Steeples | No Limit |
| (h) Maximum Building Coverage: | 20% |

6. District Standards

In addition to Section 500, Performance Standards, these standards shall apply to the following uses in the Village Residential District:

- (a) Multi-family Dwellings: No more than 4 dwelling units per building.
- (b) Building Architecture. Except for Single-Family Dwellings, All building rooflines must be pitched. The minimal pitch shall be at least 4/12.
- (c) Medical Office: See “Medical Office” in Section 500 Performance Standards for size limitations.
- (d) Buffer Requirements for Specific Non-residential Uses. The following uses shall provide a buffer strip, as defined, from all abutting properties that are solely occupied by a residential dwelling(s):

Commented [ALL3]: This roof pitch with a 35’ height limit could allow for a 3-story building

Commented [ALL4]: In F, FR, RL, RM, VR: A medical office located on a lot in a residential district shall have a combined footprint of 2,000 gross square feet or less.

- (1) Boarding Home for Sheltered Care
 - (2) Medical Office
 - (3) Nursing Home
 - (4) Retail Sales, Convenience
 - (5) Dwelling, Multifamily
- (e) Childcare Facility.
 - (1) Outdoor play areas must be located to the rear of the building.
 - (2) Maximum capacity of 50 children.
- (f) Design Guidelines: Designs for new and rehabilitated structures and building sites are encouraged to use the standards in Section 813 and in the objectives and guidelines contained Section in the Town of Windham's 2005 Design Guidelines.
- (g) Streets. All new and reconstructed Streets must be built to Public Street standards. No new Private Roads are allowed.
- (h) Street trees shall be planted along the street Frontage, at least one tree every fifty (50) feet
 - (1) These trees must be evenly spaced and placed within the right-of-way as close to the property as possible. In the event the lot owner does not have the right to plant within the right-of-way, the street trees will be placed on the lot as close to the right-of-way as possible.
 - (2) Street trees shall be of a size and a variety specified on a Town of Windham recommended tree list available from the Public Works Department.

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 120-522 Curb cuts and driveway openings.
[Amended 1-22-2013 by Order 13-001]

- A. These standards provide for the review of any entrance onto a public way for compliance with sound construction and design practices to ensure that traffic safety, drainage and public improvements are not adversely affected. In many cases, this section works in conjunction with the street design standards in Article 9, Subdivision Review.
- B. Zoning district standards. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
 - (1) F, FR, RL, RM, VR Districts.
 - (a) A parcel shall be limited to two curb cuts on the same street.
 - (b) Each curb cut shall be limited to 30 feet in width.
 - [1] The Planning Board may waive this standard if the request is part of a site plan or subdivision application. The applicable waiver criteria of Article 8, Site Plan Review, or Article 9, Subdivision Review, shall apply.
 - (2) C-1, C-2, C-3, I, VC, WC Districts.
 - (a) A parcel shall be limited to one curb cut on the same street. The Planning Board may waive this standard to allow a maximum of two curb cuts on a nonarterial street if the request is part of a site plan or subdivision application. The applicable waiver criteria of Article 8, Site Plan Review, or Article 9, Subdivision Review, shall apply.
 - (b) Each curb cut shall be limited to 40 feet in width.
 - [1] The Planning Board may waive this standard if the request is part of a site plan or subdivision application. The applicable waiver criteria of Article 8, Site Plan Review, or Article 9, Subdivision Review, shall apply.
 - (c) Parking areas with more than two parking spaces shall be so arranged that vehicles can maneuver within such areas and exit onto the street in a forward motion.
- C. Permit required.
 - (1) No driveway, entrance or approach or other improvement within the limits of a public right-of-way may be constructed, altered or relocated except in accordance with an entrance permit issued by the Town upon application.
 - (2) The Town Council may establish the fee for an entrance permit.
 - (3) Entrance permits shall be reviewed and approved by the Director of Public Works, or his designee.
 - (4) The entrance permit shall be valid for a period of 12 months from the date of original issue.
 - (5) No entrance, approach or other improvement constructed on a public right-of-way shall be relocated or its dimensions altered without an entrance permit from the Town.
 - (6) The property owner is responsible for future maintenance of the entrance within the limits of the public right-of-way and shall maintain the entrance in accordance with the approved permit.
 - (7) All work to a curb cut in accordance with the approved permit must be completed prior to the

issuance of a certificate of occupancy for any structure accessed by said curb cut, except for the following: [**Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)**]

- (a) During periods of the year in which asphalt may not be obtained from a manufacturer, the Director of Public Works or Code Enforcement Officer may grant a conditional certificate of occupancy with a condition that all required work on the curb cut must be completed within two months of the opening of the local asphalt plants. Failure to complete all work to a curb cut in accordance with the approved permit shall constitute a violation of this chapter. (See Article 10, Administration.)

D. Approval criteria.

- (1) General. Entrances shall be designed and constructed to provide safe access to the public right-of-way. Applicants are encouraged to comply with the "Access Management Handbook for Local Officials" as developed by the Maine Department of Transportation, 1994, as amended.
- (2) Applicant. The applicant for a permit shall be the owner of the property being served, or his designee. Any driveway or approach constructed by the owner shall be for the bona fide purpose of securing access to the owner's property and not for the purpose of parking or servicing vehicles in, or on, the public right-of-way.
- (3) Sight distance criteria. All entrances shall be so located such that vehicles approaching or using the entrance will be able to obtain adequate sight distance in both directions along the public way or to maneuver safely and without interference with traffic.
 - (a) Measurements to determine sight distance shall be made in the proposed entrance at a point 10 feet from the edge of the traveled way with the height of eye 3.5 feet above the pavement. The sight distance shall be computed from this point measuring along the roadway to a point where an approaching height of object 4.25 feet is first seen.
 - (b) Driveway placement shall be such that an exiting vehicle has an unobstructed sight distance according to the minimum sight distance standards in § 120-911M(4) and Table 1 of Article 9, Subdivision Review. (See Article 9, Subdivision Review.)

E. Geometry.

- (1) The entrance shall have a maximum slope of 3% for a minimum of one car length from the edge of pavement of the public street.
- (2) For uncurbed public rights-of-way, the entrance shall in general slope away from the public street surface at a rate of not less than 1/4 inch per foot nor more than one inch per foot for a distance of not less than the prevailing width of the existing shoulder, but in no case less than four feet from the edge of pavement.
- (3) The entrance should intersect the traveled public street in accordance with the applicable standards in Table 3 of Article 9, Subdivision Review. For driveways, the minimum angle of street intersection standards for a local street shall apply. (See Table 3 in Appendix B, Street Design and Construction Standards.)
- (4) No part of the entrance shall extend beyond the property lot frontage for the lot being served.
- (5) The entrance shall be set back at least 50 feet from a public intersection.

F. Drainage.

- (1) Existing roadside drainage in gutter or ditch lines shall not be altered or impeded by the applicant. The applicant must provide at his/her expense suitable and approved drainage structures at all entrances.

- (2) The applicant, at his/her expense, may be required to make improvements to existing drainage structures to mitigate any impacts of the proposed curb cut.
- (3) Surface drainage shall be provided so that all surface water on the areas adjacent to the road shall be carried away from the roadway.
- (4) Where a drainage culvert is required to maintain roadside drainage, the Town must approve the pipe diameter/length and type of pipe material prior to installation. In any case, the pipe size shall be at least 12 inches in diameter.

G. Construction.

- (1) The owner shall be responsible for all construction and restoration of disturbed areas for the entrance within the limits of the public right-of-way.
- (2) The entire portion of any entrance within the limits of the public right-of-way shall be constructed with a well-graded gravel base course that meets the aggregate subbase standards for the street on which the entrance is located. (See Table 4 in Appendix B, Street Design and Construction Standards).
- (3) The entrance shall have a paved apron that extends at least four feet back from the edge of pavement of the public street. At a minimum, the paved apron shall consist of a 1.5-inch base course that complies with the HMA 19.0 mm standard.

H. Curb and sidewalk.

- (1) When sidewalk or curb exists at the proposed entrance, the applicant shall remove and replace such materials at the applicant's expense. Any granite curb to be removed by the applicant will remain the property of the Town.
- (2) Where curb exists, curb tip-downs shall be provided at each side of the new entrance.
- (3) Where sidewalk is removed to accommodate a new entrance, a new walk surface of equal-type construction is to be provided. In general, sidewalks shall meet the following standards:
 - (a) The maximum sidewalk longitudinal transition slope is not to exceed one vertical to 12 horizontal.
 - (b) The maximum sidewalk cross-slope is not to exceed 2%.
 - (c) No abrupt changes in grade are permitted and the maximum curb reveal crossing a walkway is 0.5 inch or less.
- (4) The sidewalk area at all entrances shall meet the standards of the Americans with Disabilities Act.

§ 120-524 Drive-through facility.

A. A drive-through facility shall only be allowed as part of a principal use that is allowed as either a permitted use or conditional use in the applicable zoning district. (See Article 4, Zoning Districts.)

A.B. Drive-through facilities shall be designed and have sufficient stacking capacity to avoid the queuing of vehicles on any public street.

§ 120-538 Medical office.

A. Residential Districts: F, FR, RL, RM, VR.

- (1) A medical office located on a lot in a residential district shall have a combined footprint of 2,000 gross square feet or less. (See definition of "building footprint.")
- (2) A medical office located in a residential district shall be limited to the first story of the building. The

additional height of the building's roof shall meet the height standard of the applicable zoning district.

813 Commercial District Design Standards

The following Design Standards are hereby established for development within Windham's Commercial 1, Commercial 2, Commercial 3, ~~and~~ Village Commercial and Windham Center districts. Where there is a conflict between a provision of the Design Standards and any other provision of this Ordinance, the more restrictive provision shall apply. In addition to meeting all Design Standards required in the applicable zoning district, development must comply with a minimum of eight (8) other Design Standards. For purposes of this section, "development" shall mean that portion of the project that:

- a. is subject to site plan review under Section 800; or
 - b. will renovate twenty percent or more of the entire wall area of a structure on the site.
- For this type of renovation, the renovation will be subject to the required Design Standards in Section A below, but will not be subject to other required Design Standards.

Design Standards Framework

		C-1	C-2	C-3	VC	<u>WC</u>
A.	Architecture/Building					
	1 Building Style	R ¹	R	R	R	<u>R</u>
	2 Materials	R	R	R	R	<u>R</u>
	3 Color	R	R	R	R	<u>R</u>
	4 Roofline	R	R	R	R	<u>R</u>
	5 Façade	R	R	R	R	<u>R</u>
	6 Building style coordination (multi-building)	R	R	R	R	<u>R</u>
	7 Entrance	R	R	R	R	<u>R</u>
	8 Architectural Details	R	R	R	R	<u>R</u>
	9 LEED certification					
B.	Site/Parking					
	1 Parking location					
	2 Internal traffic flow					
	3 Interconnected Parking Lots					
	4 Orientation of Building					
	5 Screening - parking		R			<u>R</u>
	6 Screening - utilities & service areas/structures	R	R		R	<u>R</u>
	7 Parking Lot Landscaping					
	8 Low-Impact Design Stormwater					
	9 Shared Stormwater Treatment					
C.	Landscaping/Lighting					
	1 Lighting/Photometric plan	R			R	
	2 Lighting coordinated with architecture	R			R	

	3	Lighting coordinated with landscaping	R			R	
	4	Existing trees preserved			R		<u>R</u>
	5	Snow storage areas designated	R	R	R	R	<u>R</u>
	6	Planting variety					
	7	Planting suitability					
	8	Mass plantings					
	9	Illumination levels					
D.	Bike/Ped						
	1	Internal walkways	R				
	2	Links to community	R	R		R	<u>R</u>
	3	Outdoor activity area					
	4	Sidewalks	R				<u>R</u>
	5	Crosswalks	R				
	6	Bike parking/racks	R	R		R	<u>R</u>

- Any item listed with an R in the Table is a required Design Standard in that zoning district.

The following Standards are taken from the booklet Town of Windham Design Guidelines, adopted by the Town Council on July 26, 2005, a copy of which is on file in the Windham Planning Office.

A. Architecture/Building

- Building Style. Required in C-1, C-2, C-3, ~~and VC~~, and WC zoning districts.
 - National franchise prototypes are permitted provided they meet the Design Standards for architectural principles, scale, color, rooflines, and materials. Buildings that are stylized to the point where the structure is a form of advertising are not acceptable.
- Materials. Required in C-1, C-2, C-3, ~~and VC~~, and WC zoning districts.
 - 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 as traditional materials (e.g., cement plank clapboards or vinyl siding) are acceptable if attention is paid to detailing (e.g., corners, trim at openings, changes in material). Painted MDO plywood is acceptable when used in combination with traditional materials.
 - Awnings and canopies shall be made of canvas or similar material.
- Color. Required in C-1, C-2, C-3, ~~and VC~~, and WC zoning districts.

a. Facade colors shall be low reflectance. The use of high intensity, high reflectance, chrome, metallic, or fluorescent colors are prohibited on the primary building face.

4. Roofline. Required in C-1, C-2, C-3, ~~and VC~~, and WC zoning districts.

a. Where pitched roofs are used, the minimal pitch shall be at least 5/12. Buildings with projecting rooflines shall be designed to create strong patterns of shade and shadow.

b. Non-traditional roof forms shall not be used as the primary roofline. Examples of non-traditional roof forms include, but are not limited to, false mansard, a-frames, and others.

c. Flat roofs are allowed provided that the design creates no horizontal line greater than 50 feet.

d. 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.

e. Composite asphalt shingles and standing-seam non-glare metal are acceptable for visible roofing. High gloss roofing materials shall not be used.

f. Mechanical and other equipment mounted on rooftops must be screened from public view or grouped at the rear of the structure where visibility is limited. Rooftop screening shall be designed as an integral part of the architecture to complement the building's mass and appearance.

5. Façade. Required in C-1, C-2, C-3, ~~and VC~~, and WC zoning districts.

a. Facades that face public streets shall have transparent openings, such as display windows or entry areas, a minimum of 40% of the horizontal length on the ground floor in total. Uses not subject to this standard are:

- Agriculture
- Convention Center
- Industry, Light
- Industry, Heavy
- Warehousing, Private
- Warehousing, Public

b. Retail and food service facades that are visible or potentially visible from adjacent properties shall be designed to match or complement the architectural

treatment of the front facade. Blank or unadorned walls facing public roads or abutting properties are prohibited except when such wall faces a service area.

c. The site plan and architectural elevations shall show the locations reserved for vending machines. Machines will be located within the footprint of the primary structure of the site. (Drive-up ATMS are not considered vending machines.)

d. When in public view, windows, doors, ventilation fixtures, and other openings in frame construction shall be trimmed to create a frame around the opening. Materials used for trim shall match those used on the facade of the building.

e. Horizontal facades greater than 50 feet in length shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade and extending at least 20% of the length of the facade. No uninterrupted facade shall exceed 50 horizontal feet.

6. Building Style Coordination (Multi-building Developments). Required in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

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

b. Non-habitable freestanding structures, such as freestanding ATMs, garages, storage units, recycling sheds, cart corrals, and utility buildings shall be treated as architectural elements and meet the same design guidelines as larger buildings.

7. Entrance. Required in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

a. New or renovated buildings over 20,000 square feet shall have clearly defined and highly visible customer entrances, incorporating at least three of the following elements:

- i. significant variations in roof lines
- ii. distinctive lighting and landscaping,
- iii. canopies or porticos
- iv. overhangs, recesses, or projections
- v. pedestrian arcades
- vi. raised corniced parapets over the door
- vii. peaked roof forms in scale with building

- viii. outdoor patios
- ix. display windows
- x. architectural details such as tile work and moldings which are integrated into the building structure and design.

c. Linear commercial buildings shall have clearly defined and highly visible customer entrances that are designed as integral architectural elements.

8. Architectural Details. Required in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

a. Architectural detailing and trim shall be proportional to the scale and design of the entire building.

9. LEED certification. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts. The project shall obtain any level of Leadership in Energy and Environmental Design (LEED) Certification from the United States Green Building Council (USGBC), for any of the USGBC rating systems.

B. Site/Parking

1. Parking Location. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

a. Wherever possible, parking lots shall be located at the rear or sides of commercial buildings. Where land use conflicts occur, (e.g., unavoidable siting of a parking lot next to a home) the lot shall be screened with evergreen trees, earth berms, solid walls, or shrubs.

2. Internal Traffic Flow. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

a. 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.

b. Circulation patterns for parking lots with more than 40 spaces shall be designed by a traffic engineer to meet the Zoning and Site Plan Review Ordinances. The Planning Board may require a traffic engineer for smaller lots where there are particular public safety issues.

3. Interconnected Parking Lots. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

- a. If feasible, connections between abutting properties shall be provided to facilitate deliveries and minimize turning movements onto the highway. As required by the Planning Board during site plan review, internal connections shall be designed by a traffic engineer to provide safe, direct access between adjacent lots. Cross easements shall be provided as required. Traffic calming measures – such as speed tables, well-marked crosswalks, raised crosswalks, vertical curbing, curvilinear road alignment, neckdowns, curbed islands, and signage – are encouraged to reduce speeding on internal vehicular connections.
4. Orientation of Building. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.
 - a. Buildings along the roadways shall be located as close to the front property lines as established under the Land Use Ordinances to establish a visual edge to the street and give scale and interest to the pedestrian environment. In cases where new structures are being proposed, parking shall be located at the rear or side of the building.
 - b. Service stations, convenience stores, and similar uses shall be sited to face the street. On corner lots, said uses may face both streets.
5. Screening, Parking. Required in C-2 and WC. Optional in C-1, C-3, and VC zoning districts.
 - a. Plant materials and other landscape elements shall be used to create suitable buffers between residential and commercial properties. The design of buffers shall consider the appearance from both commercial and residential viewpoints. Evergreen plantings are particularly effective for year-round buffering.
6. Screening, Utilities and Service Areas/Structures. Required in C-1, C-2, ~~and~~ VC, and WC zoning districts. Optional in C-3.
 - a. Service areas, loading docks, delivery areas, trash receptacles, and mechanical equipment shall be screened to minimize visibility from sensitive viewpoints such as public and private roadways, main entrances, abutting neighborhoods, public open spaces, and pathways. Service areas shall be screened with architectural elements such as walls or fences. Screening may be further enhanced with evergreen trees, shrubs, and earth berms. Gates on utility enclosures shall be designed to prevent sagging.
7. Parking Lot Landscaping. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

- a. A minimum of 10% of the parking lot shall be landscaped for sites with 40 parking stalls or less. Parking areas with greater than 40 parking stalls shall landscape a minimum of 15% of the total area. Planting islands shall be a minimum of 9' in width. All parking lot landscaping shall be able to tolerate parking lot growing conditions.
- b. Trees in parking lots may be planted in informal groups, straight rows, or irregular groupings as space permits, or they may be concentrated in certain areas. Trees should be planted a minimum of five feet from the end of parking lot islands.
- c. Where trees abut pedestrian walkways or places where people will be walking in parking lots, their lower branches shall be pruned to at least eight feet above the paved surface to avoid becoming an obstacle. Shrubs used in parking lot islands shall not exceed three feet in height to avoid blocking visibility.
- d. Landscaped areas used for separation between banks of parking stalls shall contain 50% vegetative cover.
- e. 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.

8. Low-Impact Design Stormwater. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

- a. The project shall incorporate Low Impact Development (LID) systems as identified in the September 21, 2007 report, "LID Guidance Manual for Maine Communities," as amended.

9. Shared Stormwater Treatment. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

- a. Wherever appropriate, treatment basins shall be designed to be shared by abutting properties to minimize the amount of land area dedicated to stormwater management.

C. Landscaping/Lighting

1. Lighting/Photometric Plan. Required in C-1 and VC zoning districts. Optional in C-2 ~~and~~ C-3, and WC zoning districts.

- a. A Lighting Plan shall be presented to the Planning Board during Site Plan review or the CEO during the building permitting process. It shall contain:

- i. The lighting fixtures proposed to illuminate all buildings, roadways, service areas, landscaping, parking areas, and pedestrian areas.
 - ii. Specifications and illustrations of all proposed lighting fixtures including pole heights, height of luminaire, photometric data, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information.
 - b. For site plans with >20 parking spaces or high traffic volumes, the Town may require additional information, including:
 - i. A narrative that describes the site lighting, how lighting will be used to provide safety and security, and aesthetic effects.
 - ii. A photometric diagram that shows illumination levels from all externally and internally visible lighting sources, including existing sources, to show how the minimum amount of illumination will be provided and the maximum amounts will not be exceeded.
2. Lighting Coordinates with Architecture. Required in C-1 and VC zoning districts. Optional in C-2~~and~~, C-3, and WC zoning districts.
- a. If done properly, unique building or landscape features may be highlighted, if the lighting does not create glare or distraction. Neon bulbs used as lighting features are not allowed on the exterior of buildings.
3. Lighting Coordinates with Landscaping. Required in C-1 and VC zoning districts. Optional in C-2~~and~~, C-3, and WC zoning districts.
- a. The lighting plan shall consider the ultimate size of trees that could eventually obscure the lighting or create dark spots in parking lots.
4. Existing Trees Preserved. Required in C-3 and WC. Optional in C-1, C-2, and VC zoning districts.
- a. To maintain the character of the landscape, existing healthy trees and shrubs shall be preserved or be transplanted to another area of the site wherever practical. Where it is not possible to maintain existing trees, the reason for removal shall be given in writing.
5. Snow Storage Areas designated. Required in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.
- a. Provisions shall be made for snow storage in the design of all parking areas. The areas used for snow shall not conflict with proposed

landscaping. The areas shall be sited to avoid problems with visibility, drainage, or icing during winter months.

6. Planting Variety. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

- a. The use of a variety of plant materials that exhibit seasonal color and interesting texture is encouraged to create a distinctive, yet low maintenance environment. Plantings plans should strike a balance between monoculture (the use of a single species) and too much variety.

7. Planting Suitability. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

- a. The use of plant materials and landscape elements that require a low degree of maintenance is strongly encouraged. All plantings shall be resistant to insect infestation, drought, disease, roadside salt, and auto emissions, and hardy to Maine winters.

8. Mass Plantings. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

- a. Shrubs and perennials should generally be planted in large masses or drifts, rather than as individual specimens, to provide a pleasing effect for both motorists and pedestrians.

9. Illumination Levels. Optional in C-1, C-2, C-3, ~~and~~ VC, and WC zoning districts.

- a. Light fixtures used in driveways and parking lots shall be in scale with buildings on site. Maximum pole height along driveways shall not exceed 25 feet.
- b. Fixture heights shall vary with the size and position of the lot. Small Parking Areas (less than 150 cars) shall have a maximum pole height of 20 feet. In Large Parking Areas (greater than 150 cars) 30' poles may be allowable to reduce the number of poles. Poles within 200' of residential property lines shall not exceed 20' in height.
- c. Pole heights for pedestrian lighting shall be appropriate for the project and the setting. Bollard fixtures, 3-4 feet in height, and ornamental fixtures, up to 12 feet in height, are encouraged as pedestrian area lighting. When decorative or special lighting is used, pole height shall be a maximum of 16 feet above the ground.

D. Bicycle/Pedestrian

1. Internal Walkways. Required in C-1, optional in C-2, C-3, ~~and VC~~, and WC zoning districts.
 - a. Continuous internal walkways shall be provided from the public sidewalk to the principal customer entrance of all principal buildings on the site. Walkways shall also connect other buildings on multi-building developments, transit stops, and other focal points of pedestrian activity.
2. Links to Community. Required in C-1, C-2, ~~and VC~~, and WC zoning districts, optional in C-3.
 - a. Site plans shall preserve or create linkages with surrounding buildings, neighborhoods, and other parts of the community. The design of these links shall consider views, noise, traffic, security, lighting, the privacy of abutting commercial or residential neighbors, and other factors relating to the safety and welfare of the user.
 - b. Internal pedestrian connections between abutting properties shall be provided to encourage walking and discourage additional auto trips onto major roadways. Connections shall avoid crossing parking lots, major interior roadways, service areas, drive-throughs, and other potential points of conflicts.
Where such crossings are unavoidable, they shall be well-marked and as direct as possible.
3. Outdoor Activity Area. Optional in C-1, C-2, C-3, ~~and VC~~, and WC zoning districts.
 - a. Commercial buildings with footprints in excess of 15,000 SF shall provide inviting open spaces where people can sit, relax, and socialize. Open spaces shall be designed as outdoor rooms, with consideration to ground surfaces, landscaping, lighting, site furnishings, and other physical elements. The outdoor activity area(s) shall cumulatively total 10% of the building size, but will not be required to exceed 1,000 square feet.
4. Sidewalks. Required in C-1, and WC, optional in C-2, C-3, and VC zoning districts.
 - a. Sidewalks and planted esplanades shall be provided by the developer within or near the right-of-way, or the North Windham Sidewalk Impact Fee paid in accordance with Section 1200 of this Ordinance. In cases where new development calls for the construction of a new street, both

sides of the street shall be developed where practical to encourage safe pedestrian and bicycle movement. Facilities shall be coordinated with abutting land uses to create interconnections throughout the commercial district and linkages to surrounding residential neighborhoods where appropriate.

5. Crosswalks. Required in C-1, optional in C-2, C-3, ~~and VC~~, and WC zoning districts.
 - a. Where sidewalks intersect with commercial driveways or roads, crosswalks shall be installed to emphasize the conflict point and improve its visibility. Materials for crosswalks shall be highly durable and slip resistant. Raised crosswalks may be used as a traffic calming device to make crosswalks more visible. They shall be designed by a traffic engineer as part of the site circulation plan. Signs may be warranted at the discretion of the Town in certain situations as recommended by the Institute for Traffic Engineers (ITE). Materials selected for crosswalks shall allow safe bicycle movement across the surface.
6. Bicycle Parking/Racks
 - a. The applicant shall provide facilities for the parking of 2 bicycles, or 1 space per 10,000 square feet of building area, whichever is greater.

814 Post Approval Activities

- A. Limitation of Approval. Construction of the improvements covered by any site plan approval shall commence within two (2) years of the date upon which the approval was granted. If construction has not commenced, as determined by the Code Enforcement Officer, within the specified period, the approval shall be null and void. The time period does not run during any appeal of the project approval.
 1. The applicant may request an extension of the approval deadline prior to the expiration of the period. Such request shall be in writing and shall be made to the Planning Board or Staff Review Committee.
 2. The Planning Board or Staff Review Committee may grant up to two (2), one-year extensions to the periods if the approved plan conforms to the ordinances in effect at the time the extension is granted and any and all federal and state approvals and permits are current.
- B. Incorporation of Approved Plan. One copy of the approved and signed site plan shall be included with the application for the building permit for the project and all construction