

Chapter 104: PERFORMANCE STANDARDS FOR MULTI-UNIT RESIDENTIAL DWELLINGS, INCLUDING CONDOMINIUM AND CLUSTER DEVELOPMENT

SUMMARY: The number of units within a proposed multi-unit use will be limited to the maximum number of individual residential lots the parcel could be subdivided into.

1. Scope.

This regulation shall be effective in all areas of the Saco River Corridor as defined in Title 38 M.R.S.A. Section 953.

2. Definition.

A multi-unit residential dwelling for the purpose of this standard is a building containing 2 or more separate residential units which building is on land in single, joint or common ownership. The term may include, but is not limited to multifamily rental units, condominiums and cluster development. The maximum number of units to be allowed on a given parcel in the Limited Residential District shall be equal to the maximum number of single family residential lots within the corridor into which the parcel may be subdivided using the following criteria.

3. Criteria for Approving a Permit for a Multi-Family Use.

- A. All proposed single family lots shall be plotted in a sketch plan in a reasonable pattern which makes provision for placement of a 24 x 32 foot single family residence on suitable land and in conformance with the frontage and setback requirements of the Limited Residential District and all other applicable performance standards.
- B. The minimum setback of the multi-unit residential dwelling shall be not less than the average of the setback distances of all single family residences in the submitted sketch plan.
- C. No multi-unit residential dwelling allowed under this standard shall be more than two (2) stories or thirty-five (35) feet in height.
- D. Multi-unit residential dwellings allowed under this standard shall be permitted only if it can be demonstrated that the proposed use will result in:
 - (1) Preservation of open space, recreation areas or prime farm land soils;
 - (2) A pattern of development in harmony with the natural features of the land; and
 - (3) More efficient use of the land with smaller networks of utilities and streets within

the corridor would be present if single family residential construction in conformance with this chapter were to be proposed.

- E. Preserved open spaces and common areas, except those used for common sewage disposal system or other necessary services, allowable in a Limited Residential District, shall not be further subdivided and use of such areas shall be limited to those uses allowed in a Resource Protection District of the corridor. Such areas shall be delineated on any subdivision plan and shall be protected by covenant.
 - F. There shall be no variances from the frontage and setback requirements contained herein.
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STATUTORY AUTHORITY: 38 M.R.S.A. Section 954-C.

EFFECTIVE DATE:

January 30, 2006 – 2006-41