

**PROPOSED KNIGHTVILLE FORE & AFT ZONING AMENDMENTS**

(Additions are underlined; deletions are ~~struck-out~~.)

**Sec. 27-112. Conformity.**

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- (e) Except as provided in Secs. 27-571-A and 27-710-A, ~~when~~ when a lot of record at the time of enactment of this zoning ordinance is transected by a zoning district boundary the regulations set forth in this Chapter applying to the larger part by area of such lot may also be deemed to govern in the smaller area beyond such zoning district boundary but only to an extent not more than thirty (30) linear feet in depth beyond said zoning district boundary.

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**Sec. 27-201. Definitions**

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Habitable story. A building story, as herein defined, intended for use on day-to-day basis by people for residential purposes, or for purposes of conducting a commercial or industrial business, or for similar purposes. A habitable story does not include a story used for vehicular parking.

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**VILLAGE RESIDENTIAL DISTRICT VR**

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**Sec. 27-571-A. Dual-Zone Lots**

Sec. 27-112 notwithstanding, the following provisions shall govern lots divided between the Village Commercial zoning district and the Village Residential zoning district as of January 1, 2019:

- (a) Lots fronting on Ocean Street
  - (1) The portion of the lot within the Village Commercial district shall be governed by all of the Village Commercial zoning standards.
  - (2) The portion of the lot within the Village Residential district shall be governed by the Village Commercial district standards for maximum net residential density. Otherwise, all other Village Residential zoning standards shall apply.
  - (3) The portion of any side lot line within the Village Residential zone shall be treated as a rear lot line for setback purposes.
- (b) Lots not fronting on Ocean Street

(1) The entire lot shall be governed by the Village Commercial district provisions for maximum net residential density.

(2) The entire lot shall otherwise be governed by the Village Residential zoning standards.

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**Sec. 27-574. Space and bulk regulations (VR) .**

*Maximum net residential density:*

<i>Lot Size (Square Feet)</i>	<i>Number of Units</i>
<del>7,500 — 11,105</del>	<del>1</del>
<del>11,106 — 14,711</del>	<del>2</del>
<del>14,712 — 18,317</del>	<del>3</del>
<del>18,318 — 21,923</del>	<del>4</del>
<del>21,924 — 25,529</del>	<del>5</del>
<del>25,530 — 29,135</del>	<del>6</del>
<del>29,136 — 32,741</del>	<del>7</del>
<del>32,742 — 36,347</del>	<del>8</del>
<del>36,348 — 39,953</del>	<del>9</del>
<del>39,954 — 43,560</del>	<del>10</del>
<del>43,561 and Over</del>	<del>Lot size divided by</del>
	<del>4,356 sq. ft.</del>
<u>2,500 - 6,855</u>	<u>2</u>
<u>6,856 - 11,211</u>	<u>3</u>
<u>11,212 - 15,567</u>	<u>4</u>
<u>15,568 - 19,923</u>	<u>5</u>
<u>19,924 - 24,279</u>	<u>6</u>
<u>24,280 - 28,635</u>	<u>7</u>
<u>28,636 - 32,991</u>	<u>8</u>
<u>32,992 - 37,347</u>	<u>9</u>
<u>37,348 - 43,560</u>	<u>10</u>
<u>43,561 and over</u>	<u>Lot size divided by 4,356 sq. ft.</u>

Maximum net residential density for building conversions: An existing building may be modified to include more dwelling units than provided in the maximum net residential density table of this section as follows:

- The applicant shall submit a survey plan prepared by a Maine-licensed surveyor showing how many buildable lots into which the parcel legally could be divided.
- The number of residential units allowed in the modified building shall not exceed the number of residential dwelling units that would be allowed according to the surveyor's plan.
- The building may not be enlarged to increase living space; however, legally created decks and accessory buildings may be added at any time.
- The applicant shall record at the Cumberland County Registry of Deeds a declaration of protective covenants that runs with the land and is enforceable by the City, approved in advance by the Corporation Counsel as to form, to prevent any splitting or subdividing of the parcel in the future

unless or until the converted building is demolished or the number of residential units is reduced to meet the limits established in the maximum net residential density table of this section.

Minimum lot area: ~~Seven thousand five hundred (7,500)~~ Two thousand five hundred (2,500) square feet.

Minimum lot area for congregate housing individual unit ownership facility: four thousand (4,000) square feet.

Minimum street frontage: ~~Seventy-five (75)~~ Twenty-five (25) feet, except fifty (50) feet for any lots created after January 1, 2019.

Minimum front yards, all buildings: ~~Eight (8)~~ Five (5) feet.

Minimum ~~rear and~~ side yards:

Principal buildings: ~~Fifteen (15)~~ Six (6) feet.

~~Except that principal buildings higher than thirty (30) feet shall have side and rear yards not less than fifty (50) per cent of building height.~~

Accessory buildings: ~~Six (6)~~ Three (3) feet ~~rear yard.~~

Minimum rear yards:

Principal buildings: Fifteen (15) feet.

Accessory buildings: Three (3) feet.

Maximum building height: Forty (40) feet.

Maximum building coverage: Thirty-three (33) percent for principal buildings and forty (40) percent for all buildings added together.

Minimum distance between principal buildings on same lot: The height equivalent of the taller building.

Front entrance location: A principal entrance shall be located on the front façade of the building at the ground floor level. The entrance shall be distinct from, but may be located within, the garage door and shall be set back, if at all, no more than 10 feet from the front most wall of the building.

Shoreland and floodplain management regulations: Any lot or portion of a lot located within the shoreland area or in a special flood hazard zone shall be subject to the provisions of Article XIII of this Chapter and/or Article IV of Chapter 5 of the Code.

#### **Sec. 27-575. Off-street parking (VR) .**

In the Village Residential District VR, off-street parking shall be provided in accordance with the requirements of Sec. 27-1556 of this Chapter;

provided, however, notwithstanding any provisions of this Chapter to the contrary, the following regulations shall apply:

(a) Multi-family (non-elderly) residential structures: One (1) off-street parking space is required per dwelling unit ~~plus one (1) additional off-street parking space for guest parking for each dwelling unit~~ for units with one or more bedrooms or units with eight hundred (800) square feet or more of floor area.

~~(b) Guest parking within the meaning of this section may include a gravel base that is loamed and seeded and signed to indicate its use.~~

(b) Multi-family (non-elderly) residential structures: Three quarters or seventy-five percent (75%) of a parking space is required per dwelling unit for units that do not have a separate bedroom or units with less than eight hundred (800) square feet of floor area.

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**Village Commercial District VC**

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**Sec. 27-710-A. Dual-Zone Lots**

Sec. 27-112 notwithstanding, the following provisions shall govern lots divided between the Village Commercial zoning district and the Village Residential zoning district as of January 1, 2019:

(a) Lots fronting on Ocean Street

(1) The portion of the lot within the Village Commercial district shall be governed by all of the Village Commercial zoning standards.

(2) The portion of the lot within the Village Residential district shall be governed by the Village Commercial district standards for maximum net residential density. Otherwise, all other Village Residential zoning standards shall apply.

(3) The portion of any side lot line within the Village Residential zone shall be treated as a rear lot line for setback purposes.

(b) Lots not fronting on Ocean Street

(1) The entire lot shall be governed by the Village Commercial district provisions for maximum net residential density.

(2) The entire lot shall otherwise be governed by the Village Residential zoning standards.

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**Sec. 27-711. Permitted uses (VC).**

(a) Local retail stores, not including gasoline filling stations and outdoor sales, and service; provided, however, such facilities may not be open to the public between the hours of 12:00 a.m. and 6:00 a.m.

(b) Personal services.

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(j) Live/work units including, but not limited to, artists' residences with studio space.

(k) Rooftop decks used for residential purposes subject to the exterior lighting provisions of Sec. 27-1590 et seq., the noise control provisions of Sec. 17-17 and Chapter 30, and any conditions of approval that may be imposed by the South Portland Planning Board. Commercial uses on rooftop decks, other than general maintenance, are prohibited.

**Sec. 27-713. Space and bulk regulations ~~— Non-Residential Uses (VC) .~~**

*Minimum lot area: ~~3,500~~ 2,500 sq. ft.*

Maximum net residential density: Twenty-four (24) dwelling units per net residential acre or eight (8) dwelling units, whichever is greater.

*Minimum street frontage: Twenty-five (25) feet.*

~~Minimum front yards, lots north of Broadway with frontage on Ocean Street, Cottage Road or Waterman Drive: No minimum front yard required.~~

For construction after December 27, 1998 of new buildings on lots with frontage on Ocean Street ~~north of Market Street/Hineckley Street or on Cottage Road north of Thomas Street~~, off-street parking spaces may not be located in the front yard facing Ocean Street or Cottage Road. In addition, the area between the front wall of the building and the front property line must be used for pedestrian space or landscaping and may not be used for access drives, driveways, or other motor vehicle facilities. For the purposes of this section, the meaning of "new buildings" only includes construction of buildings on undeveloped lots or construction that more than doubles the footprint area of existing buildings.

~~Minimum front yards, remainder of VC District: Fifteen (15) feet.~~

Minimum side and rear yards, principal buildings: None required except where the side and/or rear yard abuts a residential the Village Residential zoning district in which case it/they shall be a minimum of ~~fifteen (15)~~ six (6) feet or fifty (50) per cent of the building height whichever is greater and the buffering requirements of this Chapter shall be met for side yards and fifteen (15) feet for rear yards.

Minimum side and rear yards, accessory buildings: Three (3) feet.

Minimum building height ~~— Knightville Design District~~ for buildings constructed after January 27, 2002: Twenty-four (24) feet or two habitable stories.

Maximum building height-Knightville Design District: The lesser of Fifty (50) feet or four (4) habitable stories, except the lesser of forty (40) feet or 3 habitable stories for any portion of a building within fifty (50) feet of the Village Residential zoning district. Maximum height shall include any elevators or stairway enclosures that are used to access the rooftop level, but shall not include any elevator equipment or enclosures necessary to access the topmost interior floor.

~~Maximum building height-Remainder of the VC District: Thirty-five (35) feet, except buildings higher than thirty (30) feet shall have side and rear yards not less than fifty (50) per cent of building height.~~

Maximum building coverage: None

Maximum/Minimum utilization of primary frontage: A building or buildings with frontage on Ocean Street shall occupy at least eighty percent (80%) of that frontage unless to do so would prohibit safe vehicular ingress and egress to the lot, in which case the eighty percent (80%) requirement shall be reduced only so much as necessary to allow safe vehicular ingress and egress to the lot.

Maximum area of building footprint: The total building footprint area of new buildings or additions constructed after January 1, 2019, when added to the total footprint area of any building(s) on the lot as of January 1, 2019, shall not exceed 10,500 sq. ft.

Shoreland and floodplain management regulations: Any lot or portion of a lot located within the shoreland area or in a special flood hazard zone shall be subject to the provisions of Article XIII of this Chapter and/or Article IV of Chapter 5 of the Code.

**Sec. 27-714. ~~Space and bulk regulations Residential Uses (VC).~~**

~~The space and bulk requirements for residential uses shall be the same as those for non-residential uses in the VC District, except as follows:~~

~~(a) VC District not including the Knightville Design District:  
Minimum lot size: 3,500 sq. ft.  
Maximum net residential density:~~

<del>Lot Area (sq. ft.)</del>	<del>Number of Residential Units Permitted</del>
<del>3,500 - 10,499</del>	<del>2</del>
<del>10,500 - 13,999</del>	<del>3</del>
<del>14,000 +</del>	<del>4 plus one unit for each additional 3,500 sq. ft. of lot area.</del>

~~(b) Knightville Design District:~~

~~(1) Minimum lot area: 3,500 sq. ft.~~

- ~~(2) Maximum net residential density: Twenty-four (24) dwelling units per net residential acre.~~
- ~~(3) Minimum building height for buildings constructed after January 27, 2002: Twenty-four (24) feet.~~
- ~~(4) Maximum building height: Fifty (50) feet.~~

**Sec. 27-715714. Off-street parking (VC).**

~~Off-street parking shall be provided in accordance with the requirements of Sec. 27-1556 of this Chapter. In the Village Commercial District VC, off-street parking shall be provided in accordance with the requirements of Sec. 27-1556 of this Chapter; provided, however, that notwithstanding any provisions of this Chapter to the contrary, the following regulations shall apply:~~

- ~~(a) Multi-family (non-elderly) residential structures: One (1) off-street parking space is required per dwelling unit for units with one or more bedrooms or units with eight hundred (800) square feet or more of floor area.~~
- ~~(b) Multi-family (non-elderly) residential structures: One half or fifty (50%) of a parking space is required per dwelling unit for units that do not have a separate bedroom or units with less than eight hundred (800) square feet of floor area.~~

**Sec. 27-7165. Signs (VC).**

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**Sec. 27-7176. Site plan review (VC).**

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**Sec. 27-7187 and 718. Reserved.**

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**Sec. 27-814. Space and bulk regulations (VE).**

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*Minimum utilization of primary frontage:*

A building or buildings shall fill at least eighty percent (80%) of the primary street frontage, except along a property line abutting Broadway. ~~The Planning Board may reduce this requirement if the width of the primary frontage would prohibit vehicular access to the lot without the necessity of a variance from the Board of~~

~~Appeals-~~, unless to do so would prohibit safe vehicular ingress and egress to the lot, in which case the eighty percent (80%) requirement shall be reduced only so much as necessary to allow safe vehicular ingress and egress to the lot.