

(a) the construction of a new structure, (b) an addition to an existing structure, or (c) any interior construction for the purpose of converting an existing building from one use to another use if the conversion will significantly increase off-site impacts. A "use" shall be any use listed in the zoning district in which the site is located. The impacts to be considered include, but are not limited to, increases in: traffic generation; parking area; utilization of City services; stormwater runoff; or noise, odors, or other annoying or dangerous emissions detectable at lot boundaries. In determining the relative degree of impact of a proposed use, the comparison shall be to either (i) the most recent lawful use of the building or (ii) any lawful use of the building within the last 2 years (but, in the latter case, only if such use was evidenced by a certificate of occupancy on file in the Code Enforcement Officer's office), whether such use was as a permitted use, special exception use or a nonconforming use.

**Sec. 27-558. Farm animals and produce (G).**

In the Residential District G, the keeping of farm-type animals, including but not limited to horse, ponies, cattle, pigs and fowl, except pet chickens as regulated in Chapter 3; the keeping of dogs, cats and rabbits for commercial purposes and other uses offensive and detrimental to the neighborhood are prohibited. The sale of produce raised on the premises is permitted provided off-street parking spaces are provided in sufficient numbers to avoid any parking on public streets or highways.

**Sec. 27-559. Conversion of existing structures (G).**

In addition to the other provisions of this Chapter, no single family residential structure may be altered to accommodate additional dwelling units either by changing its footprint by adding more than three hundred twenty (320) square feet of ground floor area or increasing the number of stories; provided, in the event of the voluntary demolition of an existing single-family house, construction of a new multifamily building or structure may not commence for a period of one year thereafter. However, this section shall not apply to the creation of accessory dwelling units. However, this section shall not apply to the creation of accessory dwelling units.

**Secs. 27-560 - 27-570. Reserved.**

**VILLAGE RESIDENTIAL DISTRICT VR**

**Sec. 27-571. Purpose (VR).**

To provide higher density village-like residential areas within the City of South Portland that in combination with village business districts provide within walking distance a wide range of housing, employment, retail, service, institutional, public transportation and recreation opportunities.

**Sec. 27-572. Permitted uses (VR).**

In the Village Residential District VR, the following uses shall be permitted:

- (a) Dwellings, exclusive of mobile homes.
- (b) Reserved.
- (c) Accessory uses including roof-mounted solar energy systems, small-scale ground-mounted solar energy systems, home occupations, and telecommunication antennas, except that such antennas may not be placed on exempt towers.
- (d) Any use permitted in Residential District A zone under Sec. 27-532 Permitted Uses.

(Ord. No. 12-16/17, 2/6/17 [Fiscal Note: Less than \$1,000])

**Sec. 27-573. Special exceptions (VR).**

In the Village Residential District VR, the following uses shall be permitted as special exceptions according to the provisions of Article XIV of this Chapter:

- (a) Business and retail uses intended specifically for the convenience and service of residents of the immediate area and located on sites of at least one acre. Space for such uses may also be provided on the first floor level of high rise residential structures constructed after enactment of this Chapter.
- (b) Municipal buildings and municipal uses other than those included in Sec. 27-572 above.
- (c) Public utility facilities including substations, pumping stations and Sewage treatment facilities.
- (d) Beauty parlors and beauty shops, as follows:
  - (i) If located on Broadway, Evans Street, Sawyer Street, Waterman Drive, Westbrook Street, or Western Avenue, such activities shall not utilize more than two (2) chairs serving more than two (2) customers at any one time.
  - (ii) If located elsewhere in the Village Residential District VR, such activities shall be conducted as home occupations only, subject to the terms and conditions contained in the definition of home occupation set forth in Sec. 27-201 and subject to the further condition that such activities shall not utilize more than two (2) chairs serving more than two (2) customers at any one time.
- (e) Recreational or community activity buildings, grounds for games or sports except those operated for a profit.

- (f) Charitable and philanthropic organizations.
- (g) Accessory dwelling units subject to the provisions of Sec. 27-1576 et seq.
- (h) Congregate housing individual unit ownership facility.
- (i) Farmers' market subject to the provisions of Sec. 27-1580 et seq.
- (l) Medium-scale ground-mounted solar energy systems.
- (k) Controlled environment agriculture subject to performance standards that include, but are not limited to, the design standards in Sec. 27-1572 et seq. and the pesticide restrictions in Chapter 32.

(Ord. No. 12-12/13, 3/4/13 [Fiscal Note: Less than \$1000]; Ord. No. 12-16/17, 2/6/17 [Fiscal Note: Less than \$1,000]; (Ord. No. 8-17/18, 10/2/17 [Fiscal Note: Less than \$1000])

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

*Maximum net residential density:*

<i>Lot Size (Square Feet)</i>	<i>Number of Units</i>
7,500 - 11,105	1
11,106 - 14,711	2
14,712 - 18,317	3
18,318 - 21,923	4
21,924 - 25,529	5
25,530 - 29,135	6
29,136 - 32,741	7
32,742 - 36,347	8
36,348 - 39,953	9
39,954 - 43,560	10
43,561 and Over	Lot size divided by 4,356 sq. ft.

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

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

*Minimum street frontage:* Seventy-five (75) feet.

*Minimum front yards, all buildings:* Eight (8) feet.

*Minimum rear and side yards:*

Principal buildings: Fifteen (15) 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) feet rear yard.

Accessory buildings: Six (6) feet side yard.

*Maximum building height:* Forty (40) feet.

*Maximum building coverage:* Thirty-three (33) per cent.

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

(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.

**Sec. 27-576. Signs (VR).**

In the Village Residential District VR, signs shall be regulated in accordance with the requirements of Sec. 27-1561 et seq. of this Chapter.

**Sec. 27-577. Site plan review (VR).**

Any use allowed in the Village Residential District VR, involving new construction which, when added to new construction within the preceding two (2) years, exceeds one thousand (1,000) square feet of floor area, shall be subject to the site plan review requirements of Article XIV; provided, that this section shall not apply to single-family detached dwellings or their accessory buildings. For purposes of this section, "new construction" means (a) the construction of a new structure, (b) an addition to an existing structure, or (c) any interior construction for the purpose of converting an existing building from one use to another use if the conversion will

significantly increase off-site impacts. A "use" shall be any use listed in the zoning district in which the site is located. The impacts to be considered include, but are not limited to, increases in: traffic generation; parking area; utilization of City services; stormwater runoff; or noise, odors, or other annoying or dangerous emissions detectable at lot boundaries. In determining the relative degree of impact of a proposed use, the comparison shall be to either (i) the most recent lawful use of the building or (ii) any lawful use of the building within the last 2 years (but, in the latter case, only if such use was evidenced by a certificate of occupancy on file in the Code Enforcement Officer's office), whether such use was as a permitted use, special exception use or a nonconforming use.

**Sec. 27-578 Farm animals and produce (VR).**

In the Village Residential District VR, the keeping of farm-type animals, including but not limited to horse, ponies, cattle, pigs and fowl, except pet chickens as regulated in Chapter 3; the keeping of dogs, cats and rabbits for commercial purposes and other uses offensive and detrimental to the neighborhood are prohibited. The sale of produce raised on the premises is permitted provided off-street parking spaces are provided in sufficient numbers to avoid any parking on public streets or highways.

**Sec. 27-579. Conversion of existing structures (VR).**

In addition to the other provisions of this Chapter, no single family residential structure may be altered to accommodate additional dwelling units either by changing its footprint by adding more than three hundred twenty (320) square feet of ground floor area or increasing the number of stories; provided, in the event of the voluntary demolition of an existing single-family house, construction of a new multifamily building or structure may not commence for a period of one year thereafter. However, this section shall not apply to the creation of accessory dwelling units or to congregate housing individual unit ownership facilities.

(Ord. No. 10-16/17 1/4/17 [Fiscal Note: Less than \$1,000])

**Sec. 27-580. Reserved.**

**TRANSITIONAL RESIDENTIAL DISTRICT RT**

**Sec. 27-581. Purpose (RT).**

To allow professional or consumer offices in residential structures along major roadways to provide both low-impact alternatives to residential uses as well as a transition between high-volume streets and neighborhoods zoned for single family dwelling units. In addition, to allow multi-family residential