ARTICLE __: Shall Articles 4.F.4.c. (District Regulations – Commercial District); 9.C. (Off-Street Parking); 10.F. (Performance Standards); and 12 (Definitions) of the Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 4, 2013, be further amended by adding the underscored language and deleting the language in strikeover type as shown below?

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

Town of Raymond Land Use Ordinance

ARTICLE 4 – DISTRICT REGULATIONS

F. Commercial District (C)

4. Space and Bulk Regulations *[Amended 06/02/09]* – The following space and bulk regulations are established as minimum standards for mixed use and commercial buildings:

c. There shall be no minimum front yard setback ~~however off-street parking shall not be permitted in the first twenty (20) feet from the road right of way~~. If the lot is a corner lot, the street most heavily traveled shall be considered the street upon which the lot fronts. There shall be no side street setback. *[Amended 06/02/09]*

ARTICLE 9 – MINIMUM STANDARDS

C. Off-Street Parking

1. In any district where permitted, no use of premises shall be authorized or extended, and no building or structure shall be constructed or enlarged, unless there is provided for such extension, construction or enlargement, off-street automobile parking space, in accordance with the following parking requirements. *[Amended 06/02/09]*

    a. Two (2) spaces per dwelling unit.

    b. One (1) space for each sleeping room in a tourist home, boarding or lodging house, motel or hotel.

    c. One (1) space for each tent or recreational vehicle site in a campground.

    d. One (1) space for each two (2) beds in a hospital or sanitarium.

    e. One (1) space for each four (4) beds in other institutions devoted to the board, care, or

treatment of persons.

f. One (1) space for each two hundred (200) square feet or fraction thereof, of gross floor area of any retail, wholesale, or service establishment or office or professional building. Except that the ratio may be changed to one (1) space for each two hundred fifty (250) square feet or fraction thereof if an amount of land area equivalent to the difference between the two hundred (200) square foot requirement and the two hundred fifty (250) square foot requirement is developed in landscaped green area and reserved for future parking. *[Amended 06//02/09]*

g. One (1) space for each three (3) seats, permanent or otherwise, for patron use for restaurants, and other places serving food or beverage and for theaters, auditoriums, and other places of amusements or assembly.

h. One (1) space for each 1.2 employees based on the highest expected average occupancy for all types of commercial, industrial, or other permitted uses. *[Amended 06/02/09]*

i. For any structure or use, not specifically enumerated above, the reviewing authority shall determine the number of off-street parking spaces required to accommodate customers, patrons, and employees based on a parking analysis submitted by the applicant. *[Amended 06/02/09]*

2. Where several uses occupy a single structure or lot, the total required parking shall be the sum of the requirements of the individual uses. *[Adopted 06/02/09]*

3. The parking requirement may be met on site or off site so long as it is within (300) feet of the principal building, structure, or use of the premises and is not separated by Route 302 (Roosevelt Trail). Off-site parking shall be permissible provided evidence of the legal right to use the parking spaces for the duration of the use is submitted and that the sharing of the spaces will not create a shortage of parking spaces for any uses. Such shared parking arrangements shall consider the typical hours of operation of the uses, seasonal fluctuations, the amount of parking needed for customers versus employees, and any other relevant factors for calculating the amount of parking needed. *[Adopted 06/02/09]*

4. In all Districts, the reviewing authority may allow a reduction in the number of spaces actually constructed provided the required number of spaces could be constructed on the property while meeting all other space requirements of that District and all applicable standards, including but not limited to Stormwater Quality and Phosphorous Control. The applicant must demonstrate that the additional spaces are not necessary, and the reviewing authority shall attach a condition of approval stating that the reviewing authority may require that the spaces be constructed if additional parking is needed to correct a parking problem on the site. *[Adopted 06/02/09]*
5. The minimum width of a parking space shall be nine (9) feet. The minimum length of a parking space shall be eighteen (18) feet. Aisle widths shall comply with those outlined in Article 10 Minimum Standards, Section F. Performance Standards. *[Adopted 06/02/09]*

6. No off-street parking facility or site shall have more than two (2) entrances and exits on the same street, and no entrance or exit or shall exceed thirty (30) feet in width. Non-residential Parking Areas with more than two (2) parking spaces shall be so arranged that vehicles can maneuver within such areas and exit onto the street in a forward motion. ~~The minimum width of a parking space shall be nine (9) feet. The minimum length of a parking space shall be eighteen (18) feet. *[Adopted 06/02/09]*~~

7. All Independent Parking Facilities shall meet the requirements of Article 10 Minimum Standards, Section F. Performance Standards. The Planning Board shall not consider any waivers when reviewing an Independent Parking Facility.

8. The reviewing authority may require a peer review of the parking analysis. *[Adopted 06/02/09]*

ARTICLE 10 – SITE PLAN REVIEW

F. Performance Standards

1. Parking Area Design Standards.

   a. Access - There shall be adequate provisions for ingress and egress to all parking spaces. The width of access drives or driveways shall be determined as part of Site Plan Review, depending on use, topography and similar consideration. They shall meet the requirements of this Article.

   b. Size of Aisles - The width of all aisles providing direct access to individual parking stalls shall be in accordance with the requirements set forth below. Only one-way traffic shall be permitted in aisles serving single-row parking spaces placed at an angle other than ninety (90) degrees.

Parking Angle (degrees)	Aisle Width (feet)
0 parallel parking	12
30	12
45	~~13~~14
60	18
90 (perpendicular parking)	~~25~~24

   c. Off-Street Parking - Off-street parking requirements shall conform to Article 9, Section C.

   d. Parking Lot/Pavement setbacks. Each parking lot shall be designed to provide adequate pavement setbacks from Public and Private Streets as well as abutting property owners. Parking lots with total parking spaces under 25 spaces may have pavement setbacks reduced by 50% with a waiver request from the Planning Board. Below are the minimum pavement

setbacks for the various zoning districts.

For Rural and Rural Residential Districts-Minimum Pavement setbacks are:

20 Feet for Front and Side Yard
25 Feet for Rear Yard

For Village Residential, Commercial, and Industrial Districts-Minimum pavement Setbacks are:

10 Feet for Front Yard
25 Feet for Rear Yard
15 Feet for Side Yard*

* Side Yard may be reduced to 5 Feet if the Parking Areas are planned on both sides of the common side property line.

Parking lots within the Village Residential and Commercial Districts may have the pavement setback reduced completely for the front yard with a waiver request and compensation of landscaping.

e. Each parking lot shall incorporate vegetated buffer(s) (landscaped or natural) into theparking lot design. No setbacks are required around a parking edge, if the parking is adjacent to the principle or accessory building or active/recreative area associated with the land use. Minimum naturally vegetated (no cut) buffers are necessary from external property lines and shall be as follows:

For Rural and Rural Residential Districts:

20 feet for rear yards
15 feet for front and side yards

For Village Residential, Commercial, and Industrial Districts:

20 feet for rear yards
10 feet for front yards, side yards

*If Side yard abuts against a common property line with an adjoining parking lot, then no formal buffer is required as long as the area/strip between the two parking lots clearly prohibits vehicle access other than at designated cross driveways, aisles, or other controlled access locations.

Planted landscape areas/buffers may be placed in lieu of a natural vegetated buffers but must contain species a minimum of ~~6~~ 3.5 feet tall for 50% of the buffer area within the front yard and 6.0 feet tall for 50% or the rear yard setback. Landscape buffers shall be the responsibility of, and maintained by the owner or applicant, and must be delineated on the

approved site plan.

Parking lots with total parking spaces under 25 spaces may have buffer and landscape requirements reduced by 50%.

Parking lots in the Village Residential and Commercial District requesting reduction in the front yard setback must provide at least 50% of the difference between standard front yard buffer area and the front yard buffer area proposed by providing internal landscaping. Internal landscaping shall be implemented through the use of green space areas or plantings, such as but not limited to islands, grass areas/ strips, planting beds or decorative planters. Landscaped areas maintained by the applicant, within the street rights of way along the lot's street frontage may be considered as landscape compensation with permission from the Town, or State of Maine Department of Transportation.

f. Parking Areas associated with building development greater than 5,000 SF total new structure or greater than 50% expansion an existing building footprint, from the time of this ordinances adoption shall be designed to incorporate internal landscape areas, islands or strips , within the internal parking lot. The total area of parking islands or "internal green spaces" shall be no less than 5% of the impervious coverage for the portion of Parking Area necessary for the new building or addition. No less than 100 SF shall be contained in any one internal landscape area. For building additions meeting the requirements above, where existing parking areas must be expanded to meet parking need, the internal landscaped areas required for the portion of new Parking Area may meet this requirement by adding, or converting existing impervious areas to, new islands or green spaces with the existing parking areas Access drives from the primary street entrance(s) to the parking lot will not be considered in this equation. The use of porous concrete, bituminous pavement, or other materials which promote direct infiltration over all or a majority of footprint of the parking lot for this specific purpose, shall not be considered an impervious surface for this calculation. It shall be the at the Planning Board's discretion as to whether the design of a "porous pavement" parking lot meets this criteria such that it may alleviate the requirement for internal islands.

g. General Loading Dock Locations. No ~~off-street parking or~~ loading areas shall be located in a minimum required front yard, rear or side yards. All loading shall be located in bays generally perpendicular to driveways or access ways. All loading bays should be located behind the structure and orientated such as it is perpendicular with the street and/or rear yard. *[Amended ~~3/20/99~~ 06/03/14]*

h. Sidewalk and Curbing - Sidewalks between Parking Areas and principal structures along aisles and driveways and wherever pedestrian traffic shall occur, shall be provided with a minimum width of five(5) ~~four (4)~~ feet of passable area and shall be raised six (6) inches or more above the Parking Area except when crossing streets or driveways. Guardrails and wheel stops permanently anchored to the ground shall be provided in appropriate locations. Parked vehicles shall not overhang or extend over sidewalk areas unless an additional sidewalk width or two and one- half (2 1/2) feet is provided to accommodate such overhang.

2. Lighting of Parking Areas.

   The Planning Board shall determine the necessity for lighting depending upon the nature of the intended use. All Parking Areas to be lighted shall provide a minimum of three (3) foot-candles at intersections and a total average illumination of one and one-half (1 1/2) foot-candles throughout the Parking Areas as required. Such lighting shall be shielded in such a manner as not to create a hazard or nuisance to the adjoining properties or the traveling public.

3. Marking and Delineation of Parking Areas.

   Parking stalls, driveways and aisles shall be clearly marked and delineated. The Planning Board may require that certain areas be maintained for fire-fighting or other emergency purposes, and such areas shall be appropriately designated.

4. General Circulation and Parking Design Principles.

   a. Parking space allocations should be oriented to specific buildings.

   b. Parking Areas should be designed to focus on major walkways, which should be fenced or marked.

   c. Where pedestrians must cross service roads or access roads to reach Parking Areas, crosswalks should be clearly designated by pavement markings or signs and lighted. Crosswalk surfaces should be raised slightly to designate them to drivers, unless drainage problems would result. A one-way car movement (to the left or counterclockwise) should be encouraged. A major loop road should be developed around the Parking Areas, and parking bays should run perpendicular off the road.

   d. Driveways should approach from the right to permit passengers to alight to or from the sidewalk.

   e. Whenever possible, one-way traffic should be established at building entrances.

   f. Where buses are a factor, bus shelters and bus indentation slots off the roadway should be provided.

5. <u>Parking Surfaces</u>

   <u>All Parking Areas shall be designed with durable surfaces able to support the weight class of vehicles anticipated to normally travel over the surfaces. Surfaces shall be of compacted material, unsusceptible to settlement, change in general form, shape, or physical characteristics due to vehicular movements, drainage conditions, seasonal impacts, or other normal activities associated with the site during or post construction.</u>

a. All parking lot surface materials shall encourage protection of surface water quantity, quality, and discourage erosion and sedimentation, and thermal pollution impacts.

b. All parking lot surfaces shall be specified by a professional engineer to assure the design will remain durable with suitable base materials to support the final surfacing and anticipated vehicular loadings, and address impacts due to existing conditions such as but not limited to unsuitable soils, groundwater, or soil contamination.

6. Waiver for Off Street Parking, Loading, and Front Buffer or Internal Landscaped Area Requirements.

If any applicant can clearly demonstrate to the Planning Board that, because of the nature of the applicant's operation or use, that the off street parking loading areas, front yard buffer, or internal landscaped areas, strips or islands, requirements of this section are unnecessary or excessive, the Planning Board shall have the power to approve a site plan that does not meet said requirements, ~~showing less paved parking or loading area than is required by this section; provided, however, that a landscaped area of sufficient size to meet the deficiency shall be set aside and reserved for the purpose of meeting future off-street parking or unloading requirements in the event that a change of use of the premises shall make such additional off-street facilities necessary.~~- provided the applicant requests a waiver in writing of the specific performance standards they cannot meet, and clearly address the waiver criteria as follows:

a. The need to alter the parking standard is due to existing physical property limitations due to geometric lot configurations, topography, and presence of a dominant land or structural features, all in existence prior (insert date of adoption of amendments).

b. The approval of the waiver request will not create a harmful condition, impose on the general welfare, or lesson public safety by implementation of the proposed use and/or site improvements, to existing pedestrian and vehicular traffic movements.

c. The approval of the waiver request will not in any way impair or harm the environment by means of drainage flow quantity or runoff water quality, nor will have a direct impact on wetlands, streams, flood plains, vernal pools, sensitive waterbody, threatened or endangered wildlife resource, or essential habitat.

d. The approval of the waiver requested will not result in an adverse impact to immediate abutters, or the public, by creating obtrusive noise, lights, dust, odors, vibrations, or by creating negative impacts to scenic views.

e. The approval of the requested waiver is based on evidence of need provided by the applicant, and by evidence showing that no feasible alternative is available to accomplish the applicant's parking requirement or immediate parking needs, and that the design features as proposed, considered goals set forth in the Town of Raymond Design Guidelines for Parking Areas and to the greatest extent practical applied to those recommendations. The applicant

shall provide a written response describing how and where the proposed project incorporates the Design Guideline goals and recommendations.

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ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS ORDINANCE

Parking Definitions:

Parking Area – An outdoor storage area for motor vehicles that is not located on a street right of way.

Independent Parking Facility- An outdoor storage area for motor vehicles, or enclosed garage or structure for storage of motor vehicles, which is the sole use of the lot or parcel. This definition includes areas such as tow yards or compounds not associated with a garage or vehicle repair use.