

GRAY VILLAGE CENTER AND VILLAGE CENTER PROPER DESIGN STANDARDS TOWN OF GRAY MAINE

Amendment to Zoning Ordinance, 402.8.3, adopted by Town Council 9/21/21, Effective Oct. 23, 2021

INTRODUCTION

The Town of Gray has established Village Center (VC) and Village Center Proper zoning districts to promote economic development and revitalization of the Gray Village as set forth in the Gray Village Master Plan.

The purpose of the Village Center and Village Center Proper Design Standards is to establish well-planned non-residential development that promotes economic diversification, employment opportunities, and pedestrian activity; create functional and visual diversity as well as a pleasant working and shopping environment; and maintain significant features of the natural environment while allowing maximum flexibility in the design of new non-residential development.

Non-residential development projects will consider the following criteria:

- A. Preservation and/or treatment of natural features;
- B. Compatibility with surrounding uses;
- C. Relationship to transit corridors;
- D. Proportional size, mix and arrangement of buildings;
- E. Placement and orientation of parking;
- F. Provision for amenities such as landscaping, plazas, and pedestrian friendly environment; and
- G. Overall site circulation of vehicles and pedestrians.

The Town has enacted these Design Standards as a tool to supplement the performance standards contained in the Gray land use ordinances. Although there is greater flexibility allowed in meeting the Design Standards than in other regulations, they are to be interpreted as being mandatory requirements for all projects within the districts.

There are many ways to meet each standard. The Design Standard bullets in bold print set the standards that must be met for each project. The text following the bullets provides more specific direction for interpreting the standards and analyzing development applications. The Standards help the Planning Board determine that the project design meets the design goals and ordinance requirements.

Implementation of the Design Standards relies heavily on the services of architects and landscape architects working as consultants for developers and peer reviewers for the Town. The Design Standards provide a context for coordinated discussions of design issues in advance of formal site plan review procedures. This collaborative process ensures that site plans in the Village Center and Village Center Proper Districts produce high quality development that contributes to the area's downtown role.

PART 1 – SITE PLANNING

SITE CHARACTER

- A. **Preserve Historic Structures** – Structures of historic significance or which are listed on a municipal, county, state or national historical register shall comply with said municipal, county, state or national guidelines for historic structures.

- B. Carefully Orient & Screen Rear & Loading Areas – Rear or loading areas of buildings shall not face existing or planned amenities such as parks, open space, water features or public rights-of-way unless visually screened or architecturally articulated.
- C. Maintain Existing Topography – Development of sloped properties shall be designed in such a way as to maintain the natural contours of the land. Methods such as terraced parking lots, stepped building pads, and greater setbacks shall be employed to minimize grade differentials.

LAND USE BUFFERING

Carefully Locate Objectionable Activities – Noise, traffic, odorous, or hazardous activities shall be located adjacent to areas of similar activities on adjacent properties whenever practical. Such activities shall not be located in close proximity to residential or other incompatible areas such as schools or offices.

Carefully Locate and Screen Service Areas & Equipment – Loading areas, access and circulation driveways, trash and storage areas, and rooftop equipment shall be visually screened and located as far as practical from adjacent residential areas.

Carefully Orient & Screen for Abutting Residential Uses – Non-residential uses that are incompatible with adjacent residential property shall be separated by masonry walls, landscaping, building orientation, and activity limitations. Buildings shall be designed to prevent a direct line of sight from within the building into adjacent residential property by employing design features such as screen walls, landscaping, window placement, building positioning or any combination thereof. A visual barrier of evergreen trees at least six (6) feet in height shall screen non-residential building walls and parking lots from adjacent residential property.

Connect Compatible Uses – Non-residential uses compatible with adjacent residential areas may be connected by features that include, but are not limited to, driveways, parking areas, walkways and common landscaped areas, or enhanced by building orientation and unfenced property lines.

BUILDING PLACEMENT

- A. Build to the Street – Commercial and office building frontage shall be located as near as practical to the front setback line, or if a corner building, as near as practical to the setback lines of both streets. In the case of corner buildings, this may be accomplished using angled or sculpted building corners or an open plaza at the corner.
- B. Face Buildings to the Street – Active building elevations with public access or windows shall face public streets wherever practical.
- C. Coordinate Building Designs – Multiple buildings in a single project must demonstrate a positive functional relationship with one another. This creates opportunities for plazas and pedestrian areas while preventing long “barrack-like” rows of buildings. When clustering is impractical, a visual link shall be established between buildings. This link shall be accomplished through the use of an arcade system, trellis, colonnade or other open structures.

- D. Provide Useable Open Spaces – Wherever practical, open space areas shall be grouped into useable, prominent landscaped areas so as to provide useable open space within a complex of buildings or project; however, this provision does not require that every building or project or all areas surrounding buildings to provide useable open space.
- E. Provide Outdoor Seating Areas – Buildings shall be placed in a manner that allows space for outdoor seating areas. Spaces between buildings that offer clear, useable shapes may be used for this purpose; however, this does not require that all spaces between buildings be designed for use as outdoor seating areas.

COLOR STANDARDS

Use Compatible Colors – Colors used on buildings shall be compatible with colors of the surrounding area.

TRASH LOADING/STORAGE AREAS

- A. Enclose Dumpsters in Attractive & Durable Enclosures – Trash and garbage containers shall be stored in an enclosure that is architecturally compatible with the project or building and which includes concrete pads or appropriately designed asphalt surfaces. Trash enclosure gates shall be constructed of durable materials that obscure view by a minimum of eighty (80) percent.
- B. Locate Such Service Areas Away from Abutting Residences – Non-residential buildings adjacent to residential properties shall be designed or positioned so that loading and delivery activities occur on the side of a building opposite the side facing residential property, and shall not be located within the required setback.
- C. Provide Loading Areas for Restaurants – Every free-standing restaurant site shall include a loading area or arrangement for other accommodations.
- D. Loading Docks not to be Visible from the Street – Loading docks shall not be directly visible from a public street. Complete screening matching the building design or a landscape buffer achieving eighty (80) percent screening within three (3) years shall be installed where necessary to meet this requirement.
- E. No Standing & Idling Trucks – Trucks are prohibited from parking and idling in maneuvering or circulation areas that are adjacent to residential properties, except for approved loading or dock areas.
- F. Carefully Locate & Screen Outdoor Storage Areas – Outdoor storage shall be located within approved storage areas that are permanently screened from view. Outdoor storage shall not be allowed in required parking or loading areas.

PART 2 – LANDSCAPING STANDARDS

STANDARD DESIGN CONCEPTS

- A. Use Trees to Accent Site Features – Specimen trees, deciduous trees a minimum of two (2) inches DBH or evergreen trees a minimum of two (2) feet in height, shall be used in informal groupings and rows at major focal points such as project entrances.
- B. Use Shrubs & Ornamental Plantings to Accent Site Features – Non-residential projects shall include at least one of the following:
 - 1. Herbaceous perennials and ornamental grasses in informal groupings at major focal points such as project entrances.
 - 2. Groundcovers in lieu of turf in areas that receive minimal pedestrian traffic, such as along walkways and in medians.

LANDSCAPING REQUIREMENTS FOR PARKING LOTS GREATER THAN 50 SPACES

Provide Landscaping in Parking Lot Islands – Planting islands at the ends of parking rows shall meet the following standards:

- A minimum of three hundred (300) square feet with double loaded parking;
- A minimum of one hundred fifty (150) square feet with single loaded parking;
- A minimum interior width of nine (9) feet;
- Curbing six (6) inches high on all sides; and
- Shade trees, low shrubs, groundcover, or any combination thereof.

Use Landscaping to Accent & Organize Parking Areas & Pedestrian Paths – Landscaping that accents driveway entrances, frames major circulation aisles, and highlights pedestrian pathways.

PART 3 – LIGHTING STANDARDS

PARKING LOT LIGHTING

Appropriately Direct & Shield Parking Lot Lights – Parking lots shall require lighting, positioned or hooded in such a way that prevents the direct beam of the lights from projecting directly onto adjoining property or streets.

Limit Light Pole Heights – Parking lot lights shall not exceed a height of twenty seven (27) feet from the parking lot surface or the height of the tallest building on the site, whichever is less.

Use Attractively Designed Light Poles – Parking lot light poles shall be decorative, complementary and consistent with the architecture of the project.

PART 4 – RESIDENTIAL DESIGN STANDARDS AND ADMINISTRATIVE PROCEDURES

I. PURPOSE

The purpose of these Design Standards for the construction of single-family residential buildings, two-family residential buildings, three-family residential buildings, accessory apartments, and all detached accessory structures in the Village Center (VC) and Village Center Proper (VCP) Districts is to promote the construction of such buildings in a manner that is calculated to allow for adaptive re-use of the site

for either commercial or residential purposes in the future. The objective is to grant the Town of Gray increased flexibility in meeting its current goals under the Comprehensive Plan, including promoting growth in the VC and VCP districts.

II. APPLICABILITY

A. These Design Standards apply to all single-family residential buildings, two-family residential buildings, three-family residential buildings, accessory apartments, and all detached accessory structures newly constructed or reconstructed in the VC or VCP Districts, as well as those that have been substantially altered, repaired, or moved.

B. For the purposes of applicability of these standards, “substantially altered, repaired, or moved” shall mean any one or more of the following:

1. requires a building permit for construction that affects greater than fifty percent (50%) of the floor area of the existing structure
2. requires a building permit for exterior renovations which involve structural alterations to the building.

III. AESTHETIC STANDARDS

Newly constructed or reconstructed single-family residential buildings, two-family residential buildings, three-family residential buildings, accessory apartments, and all detached accessory structures in the VC or VCP Districts, as well as existing buildings (used for that purpose) and their appurtenances, which have been substantially altered, repaired or moved, shall be visually compatible with the buildings and terrain to which they are visually related and specifically with nearby and/or adjacent buildings in terms of the following factors:

A. Overall Style: The building’s architectural style shall be consistent throughout, with all sides matching or complementing the style of those with the greatest visibility from the public street(s).

1. To prevent long, visually monotonous building façades, design features shall be added to the building, such as but not limited to, wall plane projections, recesses, windows, roof elevation variations, and variations in siding materials and orientations.
2. Accessory or auxiliary structures, including garages and sheds, shall be architecturally consistent with the primary structures in the use of color, material, and detailing.



B. Relationship of Façade Materials: The façades of a building, particularly the front façade, should be visually compatible with surrounding buildings.

1. Use of traditional wood clapboard or cedar shake siding is the basic standard. Synthetic, composite, or other siding materials are acceptable if they are substantially identical in appearance to natural materials and of equal or greater durability.



2. Brick or stone masonry is also acceptable.

a. Brick material shall be of New England character, normally red to reddish brown in color, and shall be laid with three courses in eight inches. Normal brick size shall be 2 3/8 x 3 5/8 x 7 5/8.



b. Use of economy shape, square, or elongated brick is not permitted.

c. Multi-color brick products or patterns composed of different colors of bricks are prohibited, and any pattern in the brick masonry shall be muted with all patterns composed of brick of the same color. Alternatively, bricks may be painted, provided they are painted a single, solid color.

3. Concrete block, split face block, multicolored brick, asphalt shingles, T-111, plywood, diagonal siding, industrial metal siding, standing seam metal siding, synthetic brick, and synthetic stone are prohibited; however, use of stucco is permissible.

4. Concrete block chimneys and exposed metal chimney flues on the side of the house facing the street are prohibited. Exposed metal chimney flues on the sides of houses shall be enclosed and sided with the same or similar siding as the house.

5. Full height walls surrounding porches are not permitted. Screens in the warmer months and storm windows in the cold months are permitted, this does not include installation of combination storm and screen windows.



C. Roof Shapes and Materials: The shape and proportion of the roof should be visually compatible with the architectural style of the building and with those of neighboring buildings. Flat roofs are discouraged.



1. Roof forms such as gable, hipped, or slight variations are acceptable.

2. Buildings shall have a roof pitch in the ranges of 6:12 to 12:12. Porch roofs are permitted to have a pitch of 4:12 provided that the porch does not exceed 20% of the building's cumulative footprint.

3. Preferred materials are asphalt shingle, fire-treated wood shingles, natural slate, rubber, composite material made to resemble slate, and/or metal.

4. Buildings that are more than forty feet (40') in length, face a public street, and have a symmetrical gabled pitched roof are encouraged to break up the roof with multiple dormers proportioned and coordinated with the overall façade design.



5. Roof colors shall be those commonly found on residential buildings within the VC and VCP Districts, including but not limited to brown, black, grey, and green, and shall be of a dark hue.

6. Roof dormers with pitched or shed roof forms are permitted, and skylights within the roof plane are acceptable. Shed roofs that are integrated with the building form are also acceptable.

7. Exposed roof vents such as turbines or power roof ventilators are discouraged.

D. Proportionality and Placement: The building's overall size; mass in relationship to the open space around it; and door, window, porch, and balcony sizes shall be visually compatible with its site and with its neighborhood.

1. The height of the building shall be visually compatible with the heights of buildings in the neighborhood, with particular attention paid to the height of principal structures on adjacent lots, so as not to dramatically change the street's appearance or to unduly shade neighbors and/or the street.



2. The rhythm of open spaces around buildings to the buildings themselves should be considered when determining visual compatibility, whether it is between buildings or between buildings and the street (setbacks).

Compliant:



Noncompliant:



3. The size and spacing of the building's windows and doors shall be proportional and visually compatible with those of its neighbors.

Compliant:



Noncompliant:



E. Access Features: The features of a building that allow for access to the interior shall meet certain minimal design standards that ensure both their functionality and visual compatibility with others in the neighborhood.

1. The incorporation of one, and not more than one, recognizable front door facing the street is required.
2. Buildings shall not have more than one exterior stairway leading to a second or higher story, and the design of such exterior stairway shall be visually compatible with the design of the building as a whole and with any exterior stairways on neighboring buildings.

F. Site Features: The size, placement, and materials of walls, fences, driveways, and landscaping features should be visually compatible with the building, the property's terrain, neighboring buildings, and the terrain of abutting properties, as well as provide adequate privacy between lots.



1. Fences, if installed, shall be post-and-rail type with wood, wood composite, stone, or masonry posts with wood top and bottom rails. Infill between rails shall be vertical pickets or other patterns consistent with older residences within the district. Fences shall not exceed forty-two (42) inches in height.



2. Preservation of existing mature trees and planting or preservation of masses of shrubs in the setback is encouraged. Landscaping should include planting of new trees and shrubs if none presently exist.

a. An effort shall be made to use indigenous species that are insect and disease resistant. Invasive species of plants are prohibited.

b. Any trees that are planted shall be a minimum of five (5') feet from the edge of the right-of-way (ROW). The mature form and height of plant materials shall be considered so they will not create unsafe conditions, such as protrusion into power lines, or blockage of pedestrians, bicyclists, or motorists' sight lines on the road.

3. The front, side, and rear yards abutting residential properties shall maintain the district boundary in its natural state to provide a buffer of at least the minimum setback distance or at least 10 feet. When natural features (i.e., slopes, gullies, trees, shrubs, rocks) do not exist or are insufficient to provide a buffer, the developer is encouraged to landscape, or where not feasible, provide fencing or screening. The buffer shall not be expected to completely hide the building from abutting properties.



4. Site walls (retaining walls), if installed, should be a natural stone, pre-cast concrete made to resemble stone, or brick masonry. The use of other modular concrete material is not permitted for the wall face. Site walls shall not exceed forty-two (42") inches in height unless functionally necessary due to the grades existing on the property, shall be located no closer than two (2') feet from the sidewalk, and shall be constructed to allow for proper drainage.



5. All new construction and development shall be designed to minimize storm water runoff from the site in excess of the natural predevelopment conditions. Where possible, existing natural runoff control features, such as berms, swales, terraces, and wooded areas shall be retained or added in order to reduce runoff and encourage infiltration of storm waters. All storm water must be treated underground.



IV. SITE LAYOUT STANDARDS

A. The location of structures and site improvements on the parcel shall be designed and built to accommodate either residential or commercial uses. The applicant/developer shall provide a conceptual scaled plan of the parcel depicting all site components necessary to practically allow the parcel to be utilized for commercial purposes including:

1. Vehicular access (ingress and egress);
2. On-site vehicular circulation;
3. Pedestrian access and internal circulation;
4. Parking layout and design;
5. ADA parking and access;
6. Stormwater direction, collection, and management;
7. Location of subsurface wastewater disposal system; and
8. Buffering and screening to the road and abutting properties

V. STRUCTURAL AND FUNCTIONAL BUILDING STANDARDS

- A. To facilitate adaptive reuse of the structure, developers are encouraged to use floor and/or roof trusses and to avoid use of load bearing walls in the interior of any structure to which these design standards are applicable.
- B. Building ingress/egress; access to the structure shall be appropriately located and sized with particular attention paid to both the main front and rear entrances of the structure. Even if a smaller (or no) door is proposed, installation of a header designed to accommodate a sufficient commercial width door should be designed/installed.
- C. Grading and first floor elevation; the final site grading and finished floor elevation proposed structure's first floor shall be designed to accommodate the needs of a future commercial use, including ADA access.

VI. ADMINISTRATIVE PROCEDURE

A. Application and Approval Process

1. No application for a building permit for a property that is subject to this part 4 of the Gray VC & VCP Design Standards shall be finally approved by the reviewing authority until the applicant has received a Design Standard Certificate under these Design Standards.
2. In the event that an individual submits a subdivision application involving the intent to build any of the structures to which these standards apply, the Planning Board shall administer these standards, including the Design Standard Certificate, as an integral part of its subdivision review.
3. In all other situations not specified in VI.A.2. above, review under these VC/VCP Residential Design Standards shall be undertaken simultaneously with the processing of the application for a building permit.
 - a. If an applicant's application for a Design Standard Certificate proposes construction of a single building to which these standards apply on a parcel not part of a Planning Board approved subdivision, then it shall be the duty of the Town of Gray's Code Enforcement Officer to administer and enforce Part 4 of these VC/VCP Residential Design Standards, as well as issue the Design Standard Certificate when deemed appropriate.
4. The application for a Design Standard Certificate shall be made in the Town Office on forms provided therefore. Each application shall be accompanied by such sketches, drawings, photographs, descriptions, or other information showing the proposed alterations, additions, reconstruction, changes, or new construction as may be required for the reviewing authority to make a decision, including but not limited to:
 - a. Site Plan – a plan of the site, at a scale of no greater than 1" = 50', that illustrates the location of lot boundaries, any easements, ROW or other legal limitations set on the property,

existing structures and roads, any existing trees over 6" in caliper, the location of the proposed building or renovation, any proposed landscaping, walkways, drives, walls, fences, lighting, signage, service areas, transformers, propane tanks and other utility requirements – as well as significant existing site elements including shrubs and planting beds. The Plan shall also indicate the current zoning district(s), applicable setbacks, and size of lot.

b. Elevations – elevations, at a minimum scale of 1" = 16' - 0", of all exposed sides of the proposed building or renovations. The elevations shall indicate proposed materials, colors, roof pitches, finished grade and building height.

c. Photographs – For projects that involve the addition to, or reconstruction of a structure, photographs of the existing façades shall be submitted, in order to evaluate the existing conditions against the proposed elevations.

5. The applicant shall transmit the application for a Design Standard Certificate, together with the supporting information and material, to the reviewing authority for review and approval.
 - a. The Code Enforcement Officer has thirty (30) days after submittal of an application to determine whether the application is complete. The Code Enforcement Officer shall act within 60 days from the date the applicant files a completed application, and the applicant shall pay all required application fees and outside professional assistance deemed necessary in accordance with provisions established in Section 402.10.9 of the Zoning Ordinance. If the Code Enforcement Officer does not make a determination within 60 days, the application is deemed to be approved and a Design Standard Certificate shall be issued.
 - b. The Planning Board has 60 days after submittal of an application to determine both its completeness and whether the Planning Board believes the proposed development meets the applicable VC/VCP Residential Design Standards. The applicant shall pay all required application fees and outside professional assistance deemed necessary in accordance with provisions established in Section 402.10.9 of the Zoning Ordinance. If the Planning Board does not make a determination within 60 days, the application is deemed to be approved and a Design Standard Certificate shall be issued.
6. Nothing herein shall prohibit an extension of time, by a formal action for a specific period of time, for review and approval of the application if the parties have mutually agreed that more information and/or discussion is required. Unless the Code Enforcement Officer or Planning Board disapproves an application, a Design Standard Certificate shall be issued with or without conditions, as deemed appropriate by the Code Enforcement Officer or the Planning Board. When the Code Enforcement Officer or Planning Board disapproves an application, the reviewing authority shall issue a document containing its findings and reasoning for the denial, in written form, to the applicant.

B. Appeals Process

1. Appeals from a decision of the Code Enforcement Officer under these Design Standards may be taken to the Planning Board.
 - a. Any applicant for a Design Standard Certificate reviewed by the Code Enforcement Officer who can demonstrate particularized injury may appeal the final decision of the Code Enforcement Officer on an application for a Design Certificate to the Planning Board within thirty (30) days after the Code Enforcement Officer has issued their written decision. The appeal must be in writing and must be accompanied by a filing fee, which shall be established by the Town Council.
 - b. The Planning Board shall consider the appeal at a meeting held within sixty (60) days of receipt of the written request for an appeal. The Planning Board shall follow the same procedures established in Article 10 of Chapter 402 (Zoning Ordinance) for Site Plan Review.
 - c. The Planning Board shall conduct a de novo hearing, and shall also review the record of the proceeding before the Code Enforcement Officer. If the Planning Board finds the Code Enforcement Officer's record to be insufficient, the Planning Board may remand the matter to the Code Enforcement Officer for either re-application or further proceedings, findings, and conclusions.
 - d. The Planning Board may allow persons to present their positions orally or in writing, based on the record of the proceedings. The Planning Board shall review new evidence and documentation, including testimony or exhibits, that are not part of the submittals reviewed by the Code Enforcement Officer.
 - e. The Planning Board may reverse the decision of the Code Enforcement Officer, in whole or in part, upon finding that the decision is contrary to the provisions of these Design Standards or unsupported by substantial evidence in the record. The Planning Board shall have the right to attach conditions to their decisions for the purposes of meeting applicable standards.
 - f. The decision of the Planning Board shall be in writing and shall contain findings and conclusions that clearly state, on all relevant factual and legal issues, the action taken by the Board and the reasons for such action. The Planning Board shall adopt its written decision within forty-five (45) days of the meeting at which the appeal is heard, unless the Board makes a finding that it is unable to do so, or unless an extension has been agreed upon amongst the parties.
2. Appeals of decisions of the Planning Board under these Design Standards, whether as the primary reviewing authority or in its appellate capacity, shall be to a Superior Court according to the provisions of the Maine Rules of Civil Procedure 80B.