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Creating Traditional, Walkable Neighborhoods: A Handbook for Maine Communities

Prepared by the Maine State Planning Office
July 2009

Creating Traditional, Walkable Neighborhoods: A Handbook for Maine Communities

July 2009

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One of a series of guides from the Maine State Planning Office designed to assist municipal officials and citizen boards with community and land use planning. These guides are available on-line at: http://www.maine.gov/spo/landuse/docs/publications.htm

Community Visioning Handbook: How to Imagine and Create a Better Future, 2003

Comprehensive Planning: A Manual for Maine Communities, 2005 Edition

The Great American Neighborhood: A Guide to Livable Design, June 2004

Financing Infrastructure Improvements through Impact Fees: A Manual for Maine Municipalities on the Design and Calculation of Development Impact Fees, January 2003

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CHAPTER I
Introduction

In this chapter:

A. Municipal policies to review
B. Traditional neighborhood defined
C. Philosophy behind this handbook
D. How to use this handbook

Maine home buyers are looking for in-town locations for a number of reasons: they like being close to shops and cultural amenities, they like their children to walk to school, or they want to save on gasoline, for example. Yet many of these potential buyers end up out in rural areas, because in-town housing is not being built to suit their needs.

These buyers want neighborhoods with a sense of community, an abundance of civic amenities, convenient access to goods and services, and a connection to nature. They want walkable neighborhoods with desirable public as well as private places areas that are compact, yet livable. They want neighborhoods that are attractive, safe, quiet, and peaceful.

Traditional, walkable neighborhoods can answer their needs. Across the nation, developers are responding to the demand for alternatives to the typical suburban subdivision; building residential neighborhoods with corner grocery stores and tree-lined streets that people love. Yet, requirements commonly found in many local land use ordinances in Maine impede traditional neighborhood design.

How are terms such as "community," "convenience," "walkability," "safety," "privacy," and "diversity" converted into ordinances and standards? The planning and design of such places involve thinking at different scales and levels of detail and interrelationships. They necessitate vision and clear planning objectives. They require that municipalities be proactive in residential development.

This handbook is designed to acquaint municipal officials and citizen volunteers with the elements of traditional, walkable neighborhoods and with ways of crafting land use regulations and municipal policies that foster them.

> This handbook will help municipal officials craft land use regulations that foster traditional neighborhood development.

A. Municipal Policies to Review

The premise is straightforward. If you want private developers to build quality neighborhoods in your community, your land use policies and related regulations must allow and encourage them to happen.

- Your comprehensive plan needs to identify where and how walkable neighborhoods are allowed, as well as policies that support this type of development.
- Your zoning ordinance needs to establish the appropriate use, dimensional, and performance and design standards.
- Your subdivision regulations need to provide appropriate guidance and standards for designing new neighborhoods, including the specifications for neighborhood-scale public improvements.
- Your capital improvements program must identify the necessary sidewalks, sewers, water, and roads.
- Your community needs to assist with financing or applying for the financing that will help make the neighborhood infrastructure more affordable.

Finally, it all needs to come together in a coordinated package so that the developer, the neighbors, the planning board, and town officials are all on the same page.

B. Traditional Neighborhood Defined

What is a traditional neighborhood? How does it differ from the typical residential subdivision built in Maine over the last 50 years? A traditional neighborhood:

✓is compact;

✓ is pedestrian oriented;

✓provides a mix of housing;

✓accommodates non-residential uses;

✓provides opportunities to know your neighbors and socialize; and

✓incorporates green space.

They are sometimes referred to as *walkable neighborhoods*, *mixed-use neighborhoods*, *compact neighborhoods*, *Great American Neighborhoods*, or simply *traditional neighborhoods.*

Traditional neighborhoods get their name because they look to past patterns of development when neighborhoods were recognized as such. They were distinct areas, often identified closely with a local park, community school, or neighborhood store. This type of neighborhood harkens back to the classic New England Village that featured quiet and shady streets lined with homes, small shops along a main street, and a center green punctuated with a school or church.

We have moved away from this type of residential development, but there is a growing desire to return to walkable, human-scaled neighborhoods that are the building blocks of sustainable communities (see The Congress for New Urbanism).

C. Philosophy behind the Handbook

This handbook is part of a series of planning aids provided by the State Planning Office designed to promote in-town living and ease the pressure to develop the countryside (See Appendix A). In other words, this is a key strategy in reducing sprawl. Sprawl consumes rural land and erodes the social capital that binds a community together. Sprawl increases taxes for public services such as schools and public safety and for new roads and their maintenance and repairs. It degrades water and air quality and results in the loss of open space, wildlife habitat, and community character.

Maine has taken a market-based, "smart growth" approach to the problem of sprawl. Three major concepts underpin this approach:

- ***People should be free to choose where they want to live.*** But they should also be willing, as individuals, to pay for their decisions.
- ***Healthy organisms don't die.*** If our villages, town centers, and cities are healthy, they will hold

their own. Similarly, if our rural areas with their resource-based enterprises are healthy, they will better resist the negative, cumulative, effects of sprawl.

- ***Developers don't cause sprawl.*** They implement public policy. While they are not passive bystanders, they have a financial incentive to follow established town standards in building and selling their products. If obstacles to quality neighborhood development in areas designated for growth are minimized, developers can contribute to efficient patterns of development.

Traditional neighborhoods are the antidote to sprawl. Some Mainers want to live in the countryside. Others would rather live in an in-town, residential neighborhood, but can't find a nice, in-town home protected from noise and traffic in an attractive and interesting neighborhood. As a result these people move to the country, even though it isn't their first choice. The first defense against sprawl is creating interesting and vibrant neighborhoods. This handbook shows the way for municipal officials.

Rockland, Maine Streetscape

Terrence J. Dewan photo

D. How to Use this Handbook

This handbook considers each of a municipality's policies that impact land use. It is designed to help you review your existing comprehensive plan, zoning ordinance, subdivision regulations, and capital investment plan and policies and to revise them, if necessary, to allow for the development of quality traditional neighborhoods in designated areas of your community. We suggest the following approach for using the handbook:

1. Understand the concept of traditional neighborhood development. Chapter II provides you with an overview of a traditional neighborhood including their benefits, the principles upon which they are based, and their key characteristics.
2. Decide where you want traditional neighborhood development in your community. Chapter III discusses the types of locations in which it is typically appropriate.
3. Review your adopted comprehensive plan to see if your land use policies and strategies support neighborhood development and whether neighborhood development is provided for in your identified growth locations. The plan should establish the appropriate policies and capital investments needed to support neighborhood development. If not, amend your comprehensive plan to make the community's policy with respect to neighborhood development clear. Chapter IV addresses comprehensive planning considerations.
4. With your comprehensive plan in order, review your zoning ordinance. Chapter V looks at the zoning issues related to neighborhood development. Your first consideration should be how you want to handle neighborhood development in terms of a zoning district. Should you revise an existing zone, create a new zone, or possibly create an overlay district? Then work through the various provisions of the zone - purpose, allowed uses, dimensional standards, and performance and design standards - that will assure that any neighborhood development is a good place to live and a positive addition to your community. Sample ordinance language will help you craft zoning provisions that are appropriate for your community and for the areas that you have designated for neighborhood development. Any zoning changes must be consistent with the adopted comprehensive plan.
5. Review and revise your subdivision regulations so that your land development and public improvement standards are appropriate for neighborhood development. Chapter VI addresses the subdivision and design standards

necessary to allow successful neighborhood development and provides sample provisions. In this process, you will want to consider whether any of the proposals for neighborhood development should apply to other subdivision development as well.

6. Review the considerations related to neighborhood development discussed in Chapter VII, including infrastructure financing, to see if you need to change in other municipal policies.

Companion Guide

You may also want to review the design principles and real-world examples illustrated in a companion publication, The Great American Neighborhood: Contemporary Design Principles for Building Livable Residential Communities," June 2004.

New Great American Neighborhood, Southern Maine

SPO file photo

Gorham, Maine Aerial

Terrence J. DeWan photo

Kingfield, Maine

Terrence J. DeWan photo

CHAPTER II

Principles and Characteristics of Traditional, Walkable Neighborhoods

This chapter describes the:

A. Benefits of traditional neighborhoods
B. Principles of traditional neighborhood design
C. Characteristics of traditional neighborhoods
D. Interrelationship of traditional neighborhood components

Traditional neighborhoods look very different than typical suburban subdivisions and to foster their development, municipal officials must understand these differences.

A. Benefits of Traditional Neighborhoods

Traditional, walkable neighborhoods benefit communities and their residents alike. They can:

- lower municipal costs by taking advantage of existing infrastructure instead of building new;
- encourage new business and job creation in village centers due to allowed increased densities and types of development;
- enhance property tax revenue since homes in traditional neighborhoods tend to increase in value faster than typical suburban developments;
- meet the housing needs of people of all income levels through an emphasis on diverse housing types;
- conserve land and natural resources by preventing sprawl and protecting open space;
- reduce fuel use and driving expenses of residents with their focus on walking and local consumption;
- lower carbon emissions that affect climate change through fostering compact, in-town development rather than spreading out growth;
- result in neighbors knowing and trusting each other, being socially engaged, and participating in civic life; and
- have positive health benefits by providing pedestrian options that encourage walking.

B. Principles of Traditional Neighborhood Design

Traditional neighborhoods embody seven principles.

1. Compact, safe, and walkable

Traditional neighborhoods are walkable. A walkable neighborhood is defined by the distance a person can walk in about 10 minutes. People are less likely to think of areas farther away as part of their neighborhood. To be walkable, a neighborhoods needs to be compact. Sidewalks and street lighting contribute to safety.

2. Elements of surprise and variety

Traditional neighborhoods have a diversity of housing types and a mix of neighborhood uses. Homes are attractive and well sited; they sit on reasonably sized lots with private outdoor spaces. Lot sizes often vary to cater to different home buyers' preferences. Differences in building design, architectural detail, landscaping, and side yard set backs break the mold of a cookie cutter pattern. Unique and varied treatments of side yards surprise and delight the senses as one walks down the street.

3. Interconnected streets

There is a network of interconnected streets with few dead-ends. Streets are narrow and designed to minimize speeding and shortcuts. Local streets do not carry through traffic. They also have strong links —via sidewalks and trails —to adjoining neighborhoods, schools, shopping areas, and parks.

4. Identity

Traditional neighborhoods have a recognizable identity and boundaries that separate one neighborhood from another. They may also have a green or a crossroad with civic buildings, community centers, and/or small shops and services that are readily recognizable and often give the neighborhood its identity.

> Traditional neighborhoods can lower municipal costs by taking advantage of existing infrastructure instead of building new.

5. Human scale

Traditional neighborhoods have a human scale that makes people feel comfortable in them. Civic amenities, landscaped streets, shaded sidewalks, and open space enrich the quality of life in these neighborhoods.

6. Public and private places

Traditional neighborhoods provide for both chance meetings and personal privacy through their street system, pedestrian network, and lot design. The "public face" of most houses (front door, porch, front yard) looks toward the street. There are also places for social

interaction, from common greens to public community centers. Back yards are private.

7. Connection to nature

Traditional neighborhoods offer a connection to nature through a consciously designed open space system. The open space is made up of formal elements (i.e., public parks), recreational elements (i.e., playgrounds), and informal elements (i.e., fields and woods). All three types create a livable neighborhood that balances the public with the private, the convenient access of town with the restorative power of nature, and the best of the city with the tranquility of the country.

C. Characteristics of Traditional Neighborhoods

Traditional neighborhoods have six key characteristics.

1. Enough density to be walkable

The key to successful traditional neighborhood design is to provide appropriate intensity of development (i.e., enough housing units per acre). The desired density can vary, depending upon the setting and the community. It might be as low as two dwelling units per acre (or 20,000-square-foot-lots) in smaller towns without municipal sewerage, or it might be as high as 16 or more units per acre in urban areas. If public water and sewerage is available, the typical lot for a single-family home should be 7,500-10,000 square feet. The following table shows typical lot sizes in different kinds of walkable neighborhoods:

Table II-1: Typical Lot Sizes for Walkable Neighborhoods

Type of Development	Typical Lot Size (square feet)	Density (Units/acre)
Mix of housing with public water and sewer	5,000 - 8,000	5.0 - 8.0
Primarily single family housing with public water and sewer	7,000 - 10,000	3.0 - 3.5
Mix of housing with on-site utilities	20,000 - 30,000	1.6 - 2.0
Primarily single family housing with on-site utilities	30,000 - 40,000	0.8 - 1.0

2. An interconnected street network

The neighborhood needs to connect houses with green space and community facilities both within and outside of the neighborhood itself. The street network is a key element for creating this inter-connectedness. The typical suburban approach of building dead-ends or cul-de-sac works against connectedness. Instead, the streets must link houses to schools to stores to parks. At the same time, the streets need to be friendly for pedestrians. The network must encourage slow travel speeds and to minimize drivers "cutting-through" the neighborhood. Blocks should be short to increase walkability.

3. Dual purpose lot layout

The neighborhood needs to encourage contact among neighbors, while at the same time, providing privacy for residents. The layout of lots is critical to meeting both objectives. Lots need to be narrow to encourage social interaction and minimize walking distances, and deep enough to create usable, private outdoor space in the back yard. Lot layouts need to capitalize on the features of the site - such as changes in grade or the presence of mature trees - to establish separation between homes on adjoining lots and between homes and the street.

4. Pedestrian network

The traditional neighborhood is, above all, walkable. This means more than simply adding a sidewalk to the typical suburban subdivision. It means developing a network of pedestrian facilities that are comfortable for walkers and that go somewhere of interest. Paths must connect the various parts of the neighborhood and link the pedestrian to adjacent green space, nearby community facilities, and abutting neighborhoods. The network may include different types of pedestrian facilities to accomplish this objective - shaded sidewalks on residential streets, a paved path to the neighborhood recreation area, and a simple trail in a natural area. These facilities must be appropriate for their intended use and location, as well as inviting and pleasant for the user.

5. Easy access to open space

Neighborhood residents need the opportunity for social interaction and connections to nature. This takes more effort than simply labeling the wetland area as "common open space" on the subdivision plat. The neighborhood

needs to include a variety of green spaces that together create an open space network. The network should include three distinct types of green spaces: 1) formal spaces (such as tree-lined streets or neighborhood commons and greens); 2) recreation areas (such as multi-purpose play fields, playgrounds, or basketball and tennis courts); and 3) natural areas (such as wetlands, wooded areas, fields, and trails).

6. A mixture of uses

A traditional neighborhood offers diversity and variety in a small space. This diversity includes different kinds of houses and apartments, different lot layouts, different building designs, and multiple uses and activities within or close by the neighborhood. Unlike the typical single-family suburban subdivision, the neighborhood should include a variety of housing options to accommodate different types of households. In addition, the neighborhood should include some nonresidential activities - a community center or a daycare or a home business - so that residents can do things close to home. The neighborhood may also include small-scale commercial, office, and service uses in appropriate locations.

D. Interrelationship of Traditional Neighborhoods

A traditional neighborhood has many components. It is more than a typical suburban subdivision with sidewalks and smaller lots added to it. Sidewalks are necessary, but you also need narrow lots to minimize walking distances, destinations such community facilities or a recreation area to walk to, and streets designed to slow down cars and create an environment that people want to be in. Many local zoning ordinances include some of these provisions. The principles are interrelated; they work together to support a quality, livable environment.

But the key to successful neighborhood development is a design that addresses all seven of these principles, not just a few of them. Addressing only some of the components can give you a result that is worse than doing nothing at all. Half of a "traditional neighborhood" may produce a neighborhood that is walkable but not desirable; compact but not so great to live in.

To achieve this, your regulations must strike a balance. They must be flexible enough to allow developers to be creative in designing livable neighborhoods. They also must be clear and forceful enough to ensure that developers meet all seven tests in their neighborhood proposals.

City Hall Entrance
Waterville, Maine

SPO file photo

CHAPTER III

Neighborhood Locations

This chapter discusses the following:

1. Appropriate locations for neighborhood development
2. Criteria for the location of neighborhood development
3. Evaluation of potential neighborhood locations

Traditional Neighborhoods can be new or extensions of existing neighborhoods, but not all areas are suitable for this type of development.

A. Appropriate Locations for Neighborhood Development

There are three general types of locations that are generally appropriate for neighborhood development.

1. Infill areas

Infill areas are part of the already built-up portion of your community that has the potential for accommodating additional development. Infill areas may be vacant parcels that were passed over as the community developed, or they may be parcels that are ready for redevelopment since their prior use is no longer viable. In some cases, these redevelopment areas may now be vacant or abandoned.

Infill areas present opportunities to reinforce the fabric of the community and to improve the image of an area. These areas often have utilities in place, although they may need to be upgraded. They may also offer the potential for the adaptive reuse of older buildings. For example, the old family homestead with a large parcel may allow the development of new housing together with the renovation of the homestead into apartments or condominiums, thereby providing a variety of housing in one project.

2. Fringe areas

Fringe areas are located on the edge of an existing neighborhood with the potential for enlarging it. These areas may be the vacant parcels at the edge of the village, or the land just beyond where the sewer line ends. In some communities, these may be former agricultural lands that have now gone fallow or simply lands that never came onto the market.

Such fringe areas are often ideally suited for traditional neighborhood development if they are within walking or biking distance of schools, community facilities, shops, parks, or other residential neighborhoods. The extension of utilities to these areas is often financially feasible.

3. Free-standing growth areas

Free-standing growth areas are places that the community identifies as appropriate for growth but are not associated with existing built-up areas. For example, this might be the area adjacent to the historic "four-corner" intersection that provided the services for an outlying part of the community. They often have some existing aspects of being a small-scale center such as a church, fire barn, or neighborhood store.

Free-standing growth areas usually offer the largest opportunities for neighborhood development, but they must be carefully evaluated to assure that they are capable of supporting compact development. In most cases, public or community water and sewer services will be needed, and it may be financially expensive to provide this to the designated area.

B. Criteria for the Location of Neighborhood Development

An area's suitability for traditional neighborhood development depends on a variety of factors. While it is unlikely that you will find the perfect spot, an area that meets all of the desired criteria, you can balance these considerations and find areas that are reasonably suitable for neighborhood development. It is important that there not be any significant obstacles (like a majority of the land being composed of wetlands) for the area's development as a neighborhood.

The following criteria will help you evaluate the suitability of an area for neighborhood development.

1. Water supply

Areas designated for neighborhood development need to be serviced (or be able to be serviced at a reasonable cost) by a public water system, or have the potential for accommodating a community water system to serve the neighborhood. If the use of public water is anticipated, the water system capacity should be enough to service the neighborhood and provide adequate flows and pressure for both domestic use and fire protection. The cost for extending public water or developing a community water supply to serve the area must be commensurate with its development potential, so the cost per unit is reasonable.

2. Sewage disposal

Areas designated for neighborhood development need to be serviced (or be able to be serviced at a reasonable cost) by a public sewerage system, or have the potential for accommodating a community sewage disposal system to serve the neighborhood. If the use of public sewage disposal is anticipated, the sewer system should have adequate capacity to service the neighborhood. The cost for extending public sewerage or developing a community system to serve the area must be commensurate with its development potential, so the cost per unit is reasonable. Emerging technologies for subsurface sewage disposal may reduce the need for the designated area to be connected to a sewer system, but the area still needs to be suitable for on-site disposal under the state plumbing code.

3. Road access

Areas designated for new neighborhoods must have reasonable vehicular access. Ideally, the designated area would be adjacent to a collector street or rural road that has the potential for carrying the additional traffic resulting from the new neighborhood. The area should be suitable for accommodating a neighborhood street network with multiple points of connection to the existing street system. A situation in which the designated area is bisected by a road with significant traffic (or the potential for significant future traffic) should be avoided unless it is reasonable to anticipate that two neighborhoods will develop - one on each side of the road. Areas that would have their primary vehicular access through a residential street or another existing residential neighborhood should be avoided.

4. Development suitability

Areas designated for neighborhood development need to be relatively free from significant development constraints such as major wetlands, deep gullies, floodplains, areas with slopes greater than 25%, or significant wildlife habitat. This does not mean that the designated area has to be a "perfect" development site or be completely free from development constraints. But it does need to have reasonably sized areas that can accommodate compact development and that are reasonably free from significant constraints. The traditional neighborhood pattern of development has somewhat less flexibility than the typical suburban subdivision to work around wetlands or gullies or slopes, therefore the area you choose must have some contiguous developable sites.

5. Community facilities

Areas designated for neighborhood development need to be located within walking distance (¼ mile or less to no more than ½ mile) of existing community facilities (school, town center, playground) or be an appropriate location for new community facilities. A key principle of neighborhood development is that community facilities be part of or accessible to the neighborhood.

6. Existing development patterns

The pattern of existing development in the areas surrounding or adjacent to new neighborhood development need to be compatible with good quality residential neighborhood development. An area surrounded by junkyards or industrial uses is not appropriate. An infill site surrounded primarily by low density residential subdivisions may also be problematic. If there is a significant amount of scattered, large-lot, single family development nearby, it may be difficult to incorporate a compact neighborhood development into the setting. The key is assuring that the surrounding uses will not have a significant negative impact on the neighborhood, and that the neighborhood will be compatible with the development pattern of the larger area.

Sweetzer Farm, Yarmouth

SPO file photo

7. Size of the area

The area designated for neighborhood development can vary in size. Ideally, the area can accommodate at least 50 housing units. Often, however, less area is available —some Maine towns are developing excellent projects on 15 acres or less. In a typical situation, 50-

100 new units would mean an area of at least 25 to 50 usable acres. At the other end of the scale, the maximum size of a walkable neighborhood is probably 250-300 units depending on the density of development—or something like 100 to 150 acres. In infill or fringe situations, you may want to consider smaller areas. A nice 15-20 acre infill site that can accommodate 40 to 50 units may be an attractive option even if it won't result in a complete neighborhood. Similarly, a larger area for a free-standing growth area may be appropriate especially if a large number of units will be needed to support the extension/provision of utilities.

8. Pattern of land ownership

Ideally, the area designated for neighborhood development consists of large parcels of land so that a potential developer does not have to "assemble" a development parcel. In addition, the area should not contain parcels that may block development of a reasonable neighborhood. For example, a railroad right-of-way through the middle of the area that lacks provisions for developing crossings may thwart development of an interconnected neighborhood. Finally, there should be a reasonable expectation that the land will be available for development in the future. Designating an area where the major land owner is working with the local land trust to put conservation restrictions on the property probably is not a good choice as the location for neighborhood development.

C. Evaluation of Potential Neighborhood Locations

Using these criteria, you can review your community and identify potential areas that are suitable for neighborhood development. Once you have done a preliminary screen, you should evaluate the possible areas to see how well they do at meeting the criteria. You may want to use something like the following rating sheet for this evaluation. This uses a scoring system of 1 to 5 where "5" means the area rates very high on that factor and "1" means it rates very low. These are obviously subjective ratings, but they provide a format for comparing one area against another. Any area that receives a one on any factor probably should be excluded from consideration. A potential site should have a score in the range of 30 or more.

Table III-1: Rating Criteria for Evaluating Areas for Neighborhood Development

Rating Criteria	Sample	Area 1	Area 2	Area 3
Potential for providing adequate water supply	4			
Potential for providing adequate sewage disposal	3			
Appropriateness of vehicle access with the potential for multiple access points	5			
Availability of potential development areas free from significant constraints	3			
Relationship to existing or future community facilities	2			
Compatibility with existing development patterns	4			
Adequate land area to develop a neighborhood	5			
Appropriate pattern of land ownership	5			
Total Score	31			

Winter Street, Kennebunk
Sidewalk with
recreational use/gathering place

SPO file photo

CHAPTER IV

Comprehensive Planning Considerations

This chapter describes the:

A. Relationship of the comprehensive plan to zoning
B. Designated growth areas
C. Comprehensive plan provisions

You have decided that traditional neighborhood style development is appropriate for your community. You know the areas that you want to designate for this purpose. Now you want look at your land use policies and regulations to make sure they support traditional neighborhood development. The first step is to review your community's comprehensive plan.

A. Relationship of the Comprehensive Plan to Zoning

The comprehensive plan provides the policy basis for local zoning. Maine law requires that a municipality's zoning ordinance be supported by its adopted comprehensive plan. According to statute, "A zoning ordinance must be pursuant to and consistent with a comprehensive plan adopted by the municipal legislative body (30-A MRSA §4352)." Land use ordinances that are not supported by the local comprehensive plan expose the community to potential lawsuits.

If the town intends to amend its zoning ordinance to support compact, walkable neighborhoods, it will want to be sure that its comprehensive plan also supports compact, walkable neighborhoods. Generally, a town will develop amendments to both its plan and ordinance(s) at the same time, ensuring that neighborhood development is fully supported.

> The comprehensive plan is the fundamental land use policy document that gives the municipality the authority to act.

B. Designated Growth Areas

A fundamental requirement of the state's Growth Management Act is that a municipality designate in its comprehensive plan areas where future growth can be accommodated in an orderly manner (30-A MRSA §4326). The state's Growth Management Act also requires that the local comprehensive plan establish standards for development within each designated growth area. If a growth area is divided into smaller neighborhoods, then the plan should spell out, in general terms, the standards that will apply to development in that neighborhood. If your community wants to encourage traditional neighborhood development, you will want to designate specific areas for them in your comprehensive plan and their standards for development.

C. Comprehensive Plan Provisions

In reviewing your community's comprehensive plan, ask yourself the following questions:

- Does it designate where traditional neighborhood development is appropriate and is encouraged?
- Is it specific about character, density, and types of uses that are being encouraged in neighborhood areas?
- Does it include policies and strategies to encourage compact, walkable neighborhood development?

If your comprehensive plan does not adequately address the issue of compact neighborhood development, you need to begin by updating and amending it.

Comprehensive plans include a vision statement, the future land use plan, and the goals, trend analyses, policies, and strategies for 12 topic areas, as well as implementation and capital investment plans. As you review your comprehensive plan, pay special attention to areas of the comprehensive plan where you can support traditional neighborhood development.

1. Vision

A vision statement summarizes the community's desired future community character and how it wants to grow. Your community's vision statement can include the sentiment that promotes traditional neighborhood development.

> **Sample Neighborhood Vision**
>
> [The neighborhood of] Cape Porpoise will remain an unpretentious, livable community. Its homes will reflect its diverse year-round population - including fishermen - and will be modest in scale and affordable. The harbor will be home for fishing and lobster boats as well as pleasure craft. The village stores will be oriented towards basic goods, such as groceries and hardware. The village itself will be walkable, with maintained and extended sidewalks. For those seeking a longer walk, there will be bike paths and walking paths. Streets will remain narrow, and automobile traffic will be minimized. The area's 19th century feel will be preserved. (Town of Kennbunkport)

Your town may choose to express its vision simply or in detail, but as long it expresses a desire to promote traditional, walkable neighborhood development in appropriate locations, that will be a good starting point. For more information about developing a vision, see the State Planning Office's Community Visioning Handbook: How to Imagine and Create a Better Future, 2003.

2. Future land use plan

The heart of any comprehensive plan is the future land use plan. This is the section that maps and describes the community's desired pattern of future land use and development. The future land use plan designates different areas of the community as rural, critical resource, or growth areas. The growth area is where the town intends to focus most of its infrastructure investments, where it intends to locate new public buildings, and where it wishes to encourage most of its new growth. It is within the growth area, or some part of it, that you want to encourage traditional neighborhood development consistent with your community's vision. Your future land use plan should:

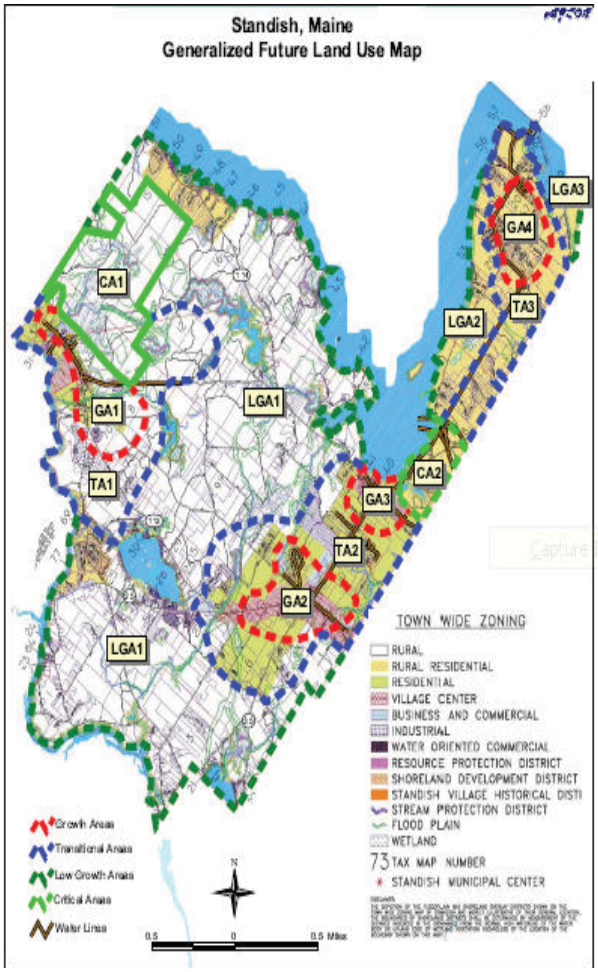
- designate the growth areas where new neighborhoods will be accommodated;
- provide a narrative description of neighborhood areas; and
- identify strategies necessary to support the establishment of traditional neighborhoods (this should include identifying appropriate ordinance amendments).

3. Topic area policies and strategies

A community's desire for traditional neighborhood development will often involve local action in one or more of the topic areas covered within its comprehensive plan. It is likely that policies and strategies will need to be developed for land use, housing, transportation, recreation, and public facilities and services, for example. The policies and strategies within appropriate topic areas should:

- foster neighborhood development in designated areas; and
- identify and provide strategies to remove obstacles to traditional neighborhood development.

For each policy, the comprehensive plan will show one or more strategies or actions designed to implement that policy. It's important that the policies and strategies for each relevant topic support, describe, and call for that action.



For instance, if development of a traditional neighborhood will require the extension of public water service, the public facilities and services section would reflect that fact. Depending on the circumstances in your town, it might include a policy such as, "to promote development in the Neighborhood Development District" or "to seek opportunities to extend public water service within the growth area."

Possible strategies to implement these example policies might include, "seek grant to fund water system extension feasibility study" or "actively negotiate with private land owners and/or developers to share the cost for extending public water lines to the Neighborhood Development District."

One of the topic areas in the comprehensive plan is land use. This section of your plan describes your existing land use strategies and current land use patterns and trends, including the type and location of significant recent development projects. The information in this section can help you decide where you want traditional neighborhood development to occur in the future and how your existing ordinances would help or hinder it.

4. Implementation plan

Implementation of any policy requires an understanding of the relative priority of the strategies being used, the time within which they must be carried out, and the party responsible for getting each job done. Your comprehensive plan has an implementation plan that provides this information. You will want to make sure this implementation plan includes all the newly-added traditional neighborhood development strategies now found in the future land use plan and the other topic area chapters.

Table IV-1 gives a sample implementation plan with a set of strategies/actions that would foster neighborhood development. The strategies that you include in your implementation section need to reflect the situation in your community.

Role of Community Education

The comprehensive plan update process provides you with the opportunity to educate your fellow citizens about traditional neighborhood ideas in a relatively clam atmosphere - there is no wolf a the door, no pending development application to be reviewed. The more citizens understand the relationship of neighborhood development to the community's vision and desired future growth patterns, the better able the planning board will be to act once the revised comprehensive plan is adopted.

5. Capital investment strategies

The capital investment plan is the part of the comprehensive plan that addresses what public facilities and infrastructure improvements are needed to service traditional neighborhood development and how they will be paid for. The capital investment plan should:

1. identify availability of facilities and infrastructure in the areas designated for neighborhoods;
2. identify any needed improvements; and
3. identify the funding needed for improvements and the funding source.

This section should clearly delineate the responsibility of developers to provide or pay for public facilities and the town's role in facilitating the provision of these improvements. Chapter VII of the handbook gives more detailed guidance about financial options for installing infrastructure.

Table IV1: Sample Implementation Plan for a Comprehensive Plan

Strategy	Priority	Time Line	Responsible Party
Amend zoning ordinance to create a neighborhood development district (NDD)	High	0-2 years	Planning Board/ Municipal Officers/ Town Meeting
Prepare amendments to the subdivision regulations to establish alternative standards for subdivision in the NDD	High	2-3 years	Planning Board
Develop plans to extend water and sewer to serve the NDD	Medium	2-3 years	Water & Sewer District
Develop a funding plan for water and sewer extensions	Medium	3-5 years	Town Manager

CHAPTER V

Zoning Considerations

This chapter covers these zoning aspects:

A. Zoning objectives for traditional neighborhoods
B. Incorporating traditional neighborhood standards into zoning ordinances
C. Allowable uses
D. Density provisions
E. Dimensional standards
F. Design standards
G. Check list for zoning ordinances

Here's where we are. Your community wants one or more traditional neighborhoods (Chapters I-II). It has identified the best locations in the community (Chapter III). It has included these locations in the comprehensive plan (Chapter IV). Now the work begins of revising your local land use regulations to make this goal actually possible.

This chapter addresses how to amend your zoning regulations. Subsequent chapters address how to revise subdivision and design standards (Chapter VI) and other municipal policies (Chapter VII).

A. Zoning Objectives for Traditional Neighborhoods

It is important that your community's zoning regulations support traditional neighborhood development while providing for necessary safeguards and protections expected of any new development. Too often, when planning board members develop zoning regulations for residential uses, their objective is to make the regulations so restrictive that developers will be discouraged from proposing new residential developments. If your town wants to accommodate residential development in traditional neighborhoods, you need to be clear about your objectives. The successful development of neighborhoods requires zoning requirements that are balanced, creative, flexible, and clear in that they:

- consider both the needs of the community and the needs of developers;
- use approaches for regulating development that consider "the lay of the land" of the site and adjacent neighborhoods and land uses;
- avoid unnecessary requirements or procedural obstacles for this type of development; and
- provide clear guidance as to the key elements of a successful traditional neighborhood.

Here are two possible zoning objectives to guide your work:

1. allow and encourage the creation of new traditional neighborhoods in town, or extensions of existing neighborhood/ village development patterns; and
2. assure that these neighborhoods are desirable places to live and positive additions to the community.

Remember…

When considering model ordinance language from this or any other handbook, you should not lift sections word-for-word and insert them into your own local ordinance without carefully reviewing them and adjusting them for context and purpose as necessary for your local situation and ordinance.

B. Incorporating Traditional Neighborhood Standards into Zoning Ordinances

There are three ways to provide for neighborhood development in a zoning ordinance. Which way to go depends upon the character of the area where you propose to encourage neighborhood development and the framework of your existing zoning.

1. Amend an existing zoning district

If the proposed area is on the fringe of a village or existing built-up area, and you already have a Village Residential District or something similar in your ordinance, it may make sense to modify the existing zoning provisions. But if you proceed in this manner, you want to be careful to address the problem of non-conformance (see discussion in sidebar).

Avoiding Non-conformance

A key concern when revising zoning requirements in an area that is already developed is creating nonconforming situations. If a substantial number of the properties within the area do not conform to the new zoning requirements, this can create a problem for property owners when they try to do something such as constructing an addition or building on a vacant lot. It can also increase in the number of people seeking variances through the Zoning Board of Appeals. Therefore, it is important to avoid creating large numbers of non-conforming situations and to provide a mechanism for dealing with them. For example, some ordinances "grandfather" buildings that do not comply with new setback requirements, or allow existing vacant lots to be built on under the old requirements.

2. Create a new neighborhood development district

If the area is predominantly undeveloped with only limited existing developed uses, a separate "Neighborhood Development District" can be created that establishes the standards that will apply within this area. This can be done by modifying an existing zone or

by creating an entirely new zone.

3. Create a neighborhood development overlay district

Finally, if the area is already substantially developed or is a mix of vacant and developed parcels or overlaps a number of existing zones, an alternative approach is to create a "Traditional Neighborhood Overlay District." A sample neighborhood development overlay district is provided in Appendix B.

The overlay approach allows you to create one set of provisions for subdivisions that are traditional neighborhoods. Other uses and activities within the area would continue to be governed by the provisions of the underlying zoning already in place. This avoids the problem of creating non-conforming situations as a result of the new standards.

An overlay district could also be used in an area that is substantially vacant if you want the new requirements to apply only to certain activities such as subdivisions over a certain size. For example, you could create an overlay district that would apply only to new subdivisions with more than five lots or that create a new road or street with all other uses and activities (including existing development) continued to be regulated by the existing (or underlying) zoning provisions.

You can make the provisions of the overlay district mandatory - all developments are required to conform to them - or optional, with the developer choosing whether to build a traditional neighborhood or a conventional subdivision using the underlying zoning requirements. However, if you are serious about fostering neighborhood development, you will want to make the requirements mandatory.

Suburban home in Pownal

SPO file photo

Don't Forget….

◊ Revise the form and terminology of the new or revised zoning provisions to be consistent with the rest of your zoning ordinance. If your ordinance sets out the dimensional standards or allowed uses in a table format, you should incorporate the provisions for neighborhood development into that same format.

◊ Review and revise your zoning map if you are creating a new zone or an overlay district or if you are changing the boundaries of an existing district.

◊ Adjust the semantics of the sample ordinance to match your ordinance language (e.g. for such terms as "detached single-family dwelling" vs. "single-family homes" and 'two-family dwelling" vs. "Duplexes").

C. Allowable Uses

Zoning ordinances specify what kinds of uses to allow in a given area, as well as their density and general design. In this section, the kinds of uses to allow for traditional neighborhood development are discussed.

Traditional neighborhoods accommodate a greater diversity and range of uses than is typically found in new, residential subdivisions. This variety provides the diversity of uses within walking distance that are the essence of a traditional neighborhood. To accommodate such neighborhoods, the allowed uses in your zoning ordinance will need to be expanded.

A caution is in order here. Expanding the diversity and mix of uses does not mean that these neighborhoods should be wide open, "anything-goes" environments. To the contrary, the success of neighborhood development depends on maintaining residential livability while expanding the opportunities for other activities. This means that your zoning requirements must be carefully thought out and crafted to allow flexibility while assuring that development occurs in a way that results in a livable, attractive, pedestrian-focused neighborhood.

The following sections discuss the types of uses that are typically appropriate as part of traditional neighborhood development, as well as the issues associated with these uses. Where appropriate, they also discuss the development standards that need to be in the ordinance to assure a desirable living environment in the neighborhood.

Summary of Appropriate Uses in Traditional Neighborhoods

Appropriate:

- detached single-family dwellings
- two-family dwellings
- accessory dwelling units
- home day care for six or fewer children
- home occupations/home businesses
- artist and craftsman studios
- home offices
- public and community parks, playgrounds, and recreational facilities
- pen space, including golf courses
- public utility facilities

Appropriate in controlled or limited circumstances:

- townhouses or attached single-family dwelling units
- apartments (as part of a mixed use building)
- reuse of an existing building as multifamily housing
- home day care for 7-12 children or adults;
- small day care centers or elder day care facilities
- nursery schools
- places of worship
- community and municipal buildings and facilities
- public or private schools
- small business and professional offices
- neighborhood-scale retail and service businesses

1. A Range of residential uses

A traditional neighborhood should have a variety of residential uses to accommodate households with different lifestyles, compositions, incomes, and ages. At a minimum, in addition to single-family homes, zoning provisions should allow two-family dwellings and/or duplexes.

You may also want to allow townhouses or attached single-family units. Since these units can be a more intense use, you may want to restrict them to locations on collector streets, adjacent to community facilities, or on the fringe of the neighborhood.

You should also consider allowing the conversion of large, existing buildings into multi-unit housing, as well as mixed-use buildings (for example, a building with an office on the first floor and two apartments upstairs). Your objective should be to allow for the development of a broad range of housing types, not just traditional single-family homes.

2. Accessory dwelling units

An accessory dwelling unit is a small apartment that is attached to or incorporated within a single-family home or garage, or a free-standing building on the same lot. Typically, the accessory unit is a full dwelling unit with separate cooking, eating, sleeping, and bathroom facilities. These units are often referred to as "mother-in-law" apartments (although this term implies occupancy by a family member, which is not a condition of occupancy). Typically, accessory dwelling units are not treated as a unit for density or lot size purposes, or alternatively they may be treated as a fractional unit.

Accessory dwelling units can make home ownership more affordable, increase the types of housing available, and support a more diverse population in the neighborhood. However, accessory dwelling units must be dealt with carefully so they do not detract from the quality of life for neighbors.

3. Day care facilities

The use standards for your neighborhood development district should allow for the provision of day care, both

for children and for elderly. However, the scale and intensity of the day care facility may dictate different locations and treatment. A small home-based day care is appropriate on a residential street; but a larger, free-standing day care center with high traffic volumes and noise may only be appropriate in specific locations and only with reasonable design and use restrictions to protect neighboring residents.

4. Community and municipal facilities

Community facilities such as elementary schools, community centers, playgrounds, and similar uses are an important component of the traditional neighborhood, and should be allowable uses in the zoning ordinance. It is important for the scale and intensity of these types of uses to be consistent with the neighborhood and adjacent uses and provisions providing for this consistency should be included in the zoning ordinance and deal with them accordingly. A community elementary school would be a desirable part of a neighborhood, for example, while a regional high school may not. Similarly, a community center in the heart of the neighborhood would be a positive addition, whereas a public works facility probably would not. Your zoning provisions must be carefully crafted to include performance standards to assure that these uses are appropriate and are "good neighbors."

5. Home businesses and studios

The opportunity for people to work within the neighborhood is a key element of traditional neighborhoods. The standards for your neighborhood development district should provide reasonably liberal treatment for small scale, low-intensity uses such as home occupations, home businesses, and similar uses. You should consider expanding the type of "business uses" that you allow in the neighborhood beyond the typical "home occupation" that your ordinance probably already provides for. A small office building occupied by an accountant or a local surveyor may be an appropriate part of the neighborhood in the right location. Small contractors and crafts people who want to have a work place at home also deserve consideration.

At the same time, your ordinance must address and control potential external impacts such as traffic, lighting exterior storage, and noise. Businesses that have large numbers of customers or generate significant traffic are usually not appropriate within the neighborhood. Here, as elsewhere, the goal is to balance the goals of a more intense and diverse use of the neighborhood with maintaining a quality residential environment.

6. Places of worship

Churches, temples, mosques, and similar religious facilities have traditionally been located within neighborhoods, and provision should be made for their location within a traditional neighborhood as well. However, as religious buildings have grown in size in recent years, the scale of the facility and attendant parking and traffic are considerations. The sample ordinance language in the appendix suggests that you allow places of worship in neighborhood developments, but only in limited locations, and only with reasonable standards for traffic, parking, lighting and noise.

7. Neighborhood-scale retail and service businesses

Accommodating small-scale retail and service businesses is a key element of the traditional neighborhood, since it enables residents to do more things close to home. However, few businesses can survive just serving "neighborhood" customers; almost all rely on customers from a larger area. The modern neighborhood convenience store, for example, probably needs a population of at least 1,500-2,000 people to be economically viable.

Therefore, you should allow these uses where they can both serve the neighborhood as well as draw on a larger base of customers. Such locations are usually on the fringe of the neighborhood or on streets with higher levels of traffic, such as a collector or arterial. In addition, your ordinance should include reasonable standards for potential external impacts such as traffic, parking, lighting, and noise, as well as standards to assure neighborhood compatibility and pedestrian friendliness.

8. Parks, recreational facilities, and open space

Open space gives character to the neighborhood, establishes buffers, preserves significant features, and provides park and play spaces. Uses include: parks, playgrounds, village greens, ball fields, golf courses,

courts, picnic areas, bike and pedestrian trails, and community gardens.

9. Public utilities

Every development needs to be serviced whether it is water, sewer, electricity, or telecommunications. Allowed uses should include such facilities as community water systems, public sewers systems, recycling collection areas, electricity facilities, etc.

Form-based Codes: An Alternate Approach

Form-based codes are becoming increasingly popular as a way to create communities where people want to live, work, and play. Form-based codes place a primary emphasis on building type, dimensions, parking location, and façade features, and less emphasis on uses. They stress the appearance of the streetscapes over long lists of different use types. These codes have the following characteristics:

◊ Zoning Districts – Form-based codes are defined around districts, neighborhoods and corridors where conventional zoning districts may bear no relationship to the transportation framework or the larger area.

◊ Regulatory Focus – Form-based codes de-emphasize density and use regulation in favor of rules for building form. They recognize that uses may change over time, but the building will endure.

◊ Uses – Form-based codes emphasize mixed use and a mix of housing types to bring destinations into close proximity to housing and provide housing choices to meet many individuals' needs at different times in their lives.

◊ Design – Greater attention is given to streetscape and the design of the public realm, and the role of individual buildings in shaping the public realm. Form-based codes recognize how critical these public spaces are to defining and creating a "place."

◊ Public Participation – A design-focused public participation process is essential to assure thorough discussion of land use issues as the code is created. This helps reduce conflict, misunderstanding, and the need for hearings as individual projects are reviewed.

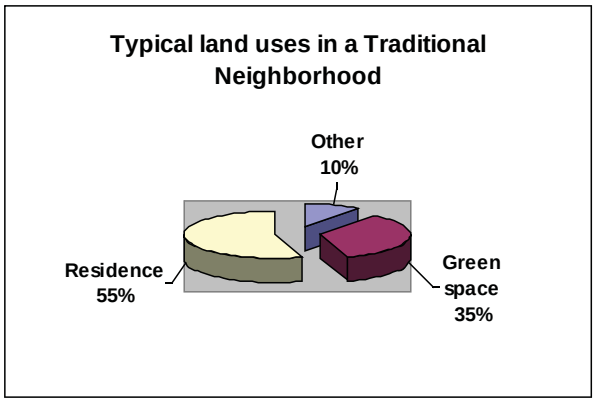
Source: Local Government Commission. Reprinted with permission.

D. Density Provisions

Traditional neighborhoods are walkable from end to end. They have a human scale. They also offer a connection to nature in the form of parks, trails, preserved wildlife habitat, and protected natural features. A key to achieving walkability is having appropriate standards for the intensity or density of development.

Density is usually expressed as the number of units per acre. In this handbook, density is used to mean the "gross density" of development, or the total number of units that are allowed or built on a parcel of land. Ten single-family homes with 20,000 square foot lots built on a parcel with five acres is a gross density of two units per acre (10 dwelling units on 5 acres), while ten condominium townhouses developed on a three acre site with seven acres of open space on the same parcel is also a gross density of two units per acre. The gross density remains the same but the compactness of the developed portion of the site is different. Think about this carefully. This understanding of density is a key part of zoning to achieve both walkability and open space.

Figure V-1 Breakdown of Land Use in Traditional Neighborhoods



The ideal neighborhood includes a variety of residential uses, some community facilities, possibly some shops or offices or other business uses, and a significant amount of green space both in developed parks and in natural areas. Typically, 50-60% of the overall area of the neighborhood would be used for residential purposes, 30-50% would be various types of green space, and 5-10% would be devoted to community or other non-residential uses. These allocations are just a guideline

—if the site contains large amounts of wetland or other unusable land, the share of green space would be larger. If the neighborhood is adjacent to a commercial area, the share of non-residential development might be higher.

Density is strongly influenced by the availability of public sewerage and public water or their equivalents. With public water and sewer, traditional neighborhoods can be developed at a gross density of two units per acre or more. But with on-site sewage disposal and water supply, the maximum gross density drops to one unit per acre or even less (and even this assumes good soil conditions). Thus, most traditional neighborhoods will need to be developed on locations with either public water and sewer, or good development suitability for on-site utilities.

Here are some guidelines for gross densities in your zoning ordinance (Table V-1) based upon the desired "character" of the residential development in the neighborhood and the availability of public water and sewer service:

Table V-1: Target Gross Densities for Neighborhood Development

	Desired Character of the Neighborhood and Availability of Public Utilities	Target Gross Density per acre
A	Mix of single-family and multifamily housing with public water and sewer service	3 to 4 units
B	Primarily single-family homes with public water and sewer service	2 to 2.5 units
C	Mix of single-family and multifamily housing with on-site water and sewer service	1 unit
D	Primarily single-family homes with on-site water and sewer service	0.5 unit

The next table (Table V-2) shows how these four options would play out on a hypothetical thirty-acre parcel with an "average amount" of unusable area based upon the allocation of areas discussed above. Note that "gross density" refers to the total housing units on the overall site; "net density" refers to the total housing units on the strictly residential portion of the site. This table can be used as the basis for developing your zoning provisions for a neighborhood development district based upon the desired character of that neighborhood.

Table V-2: Sample Site Allocation and Residential Requirements

	A	B	C	D
Site Utilization	Mix of Housing w/ Public Water/ Sewer	Primarily SF Housing w/ Public Water/ Sewer	Mix of Housing w/ On-site Utilities	Primarily SF Housing w/ On-site Utilities
Total area	30 acres	30 acres	30 acres	30 acres
Gross Density	3-4 units/ acre	2-2.5 units/ acre	1 unit/ acre	0.5 unit/ acre
Total Number of Units	90-120 units	60-75 units	30 units	15 units
Residential Area (50%-60% of total)	15-18 acres	15-18 acres	15-18 acres	15-18 acres
Net Density of Residential Area	5-8 units/ acre	3-5 units/ acre	1.5-2 units/ acre	0.8-1 unit/ acre
Typical SF Home Lot Size (sq ft)	6,000 – 8,000 SF	7,500-10,000 SF	20,000-30,000 SF	30,000-40,000 SF
Green Space Area (30%-50% of total)	9-12 acres	9-12 acres	9-12 acres	9-12 acres
Community and Non-residential Area (5%-10% of total) and Non-residential Area (5%-10% of total)	1.5-3 acres	1.5-3 acres	1.5-3 acres	1.5-3 acres

E. Dimensional Standards

The dimensional standards, or "space and bulk" standards as they are sometimes called, are at the heart of zoning requirements. Dimensional standards typically address lot and building size and placement.

The dimensional standards in the typical zoning ordinance are designed to assure that whatever is built will avoid problems —therefore, we typically find provisions such as minimum lot frontage, minimum front setback, maximum building height, etc. The assumption is that if development meets these standards, it will not create significant problems for neighbors or the community.

The dimensional standards for traditional neighborhoods must not just avoid problems; they must also maximize the positive opportunities to make the neighborhood livable and attractive. Therefore we also must address maximum lot sizes and frontages —for if lots are too big, the neighborhood will lose its vitality and walkability. This is a subtle but important difference, and results in different types of dimensional standards than are typically found in Maine zoning ordinances.

In the following subsections, a number of different approaches for dimensional standards are discussed including maximum lot size provisions, maximum frontage or lot width provisions, maximum front setback provisions, varying side setback provisions, lot depth-to-width ratios, and required green space.

1. Maximum or average lot size

The typical zoning ordinance is concerned with the minimum size of a lot to assure that basic standards of health and safety are met. In the traditional neighborhood, maximum lot sizes are also an issue. There are two reasons for this. First, there is typically a limited supply of land that is appropriate for neighborhood development. It is therefore important that this limited resource be used wisely and not be used up by oversized lots that could be located elsewhere. Second, the traditional neighborhood needs to be compact so that it can be walkable. Oversize lots defeat the basic purpose of the neighborhood. A few oversized lots can be accommodated in a neighborhood, and may even be desirable in certain situations (such as incorporating an existing building into the development on a larger lot), but these are the exceptions.

The oversize lot size issue can be addressed in several ways. One is to create a maximum average lot size for residential lots within a subdivision. This might be set at 125-133% of the minimum lot size. This would allow a small percentage of lots in the development to be significantly larger than the minimum, or alternatively for a larger percentage of lots to be modestly larger than the minimum. For example, if the minimum lot size is 10,000 square feet, the average size of all of the lots in the development would need to be less than 12,500 or 13,333 square feet. So if you had ten lots, nine could be 10,000 square feet while the tenth lot could be 35,000-40,000 square feet.

A second approach is to create a maximum lot size for any lot in the district. Your zoning provisions could allow a maximum lot size for any lot of twice the minimum lot size. If the minimum lot size is 8,000 square feet, the maximum lot size would be 16,000 square feet. This approach has the disadvantage of applying to all lots so that the intent of having neighborhood development could be subverted if all lots were double the minimum.

A third approach is to create a maximum lot size but allow a percentage of lots to be larger than the maximum to provide flexibility. For example your dimensional standards could say that the maximum lot size is 125% of the minimum lot size but that 10% of lots in a development can be larger than the maximum.

Neighborhood Compatibility

If the area you have designated for neighborhood development is on the fringe of your village, and most of the existing lots in the village are in the 12,000 to 15,000 square foot range; and if your goal is to make the new neighborhood an extension of your village; then it probably doesn't make sense to allow 8,000 square foot lots in the new neighborhood development area. Likewise, if most existing homes in your village have front setbacks of 25-30 feet, you may want to continue the existing pattern for homes in adjacent new neighborhoods. A key to traditional neighborhood development is compatibility.

2. Minimum street frontage

Many zoning ordinances have minimum street frontage requirements. The reason often cited for these provisions is to provide for the separation of driveways. However,

such provisions that are intended to comply with the spirit of the zoning provisions can limit "creative" lot layouts.

If lots in a neighborhood development front on an existing public road or on a collector street, typical minimum street frontage requirements should apply to control access. But if the lots front on a new, residential street, a minimum street frontage requirement is probably not needed. As you develop your dimensional requirements for neighborhood development, you should review whether a minimum street frontage requirement is needed. If you do include such a requirement, 50 feet is probably adequate in most situations.

3. Maximum street frontage or lot width

Long street frontages and wide lots can reduce the walkability of the neighborhood and result in a "spread out" feel for the neighborhood. This concern can be addressed through the use of a maximum street frontage requirement or a maximum lot width requirement. As with maximum lot sizes (discussed above), this can be approached several ways, including a maximum street frontage or lot width; a maximum average street frontage or lot width; or a maximum with an exclusion for a small percentage of lots.

In developing a maximum street frontage provision, care must be taken to assure that the requirement applies only to the street upon which the lot fronts. This assures that problems are not created for corner lots or lots with double frontages, such as an alley or right-of-way.

4. Minimum lot depth-to-lot width ratio

A major concern in the development of traditional neighborhoods is assuring that the lots and homes incorporate the principles of neighborhood development. A traditional neighborhood is not just a denser suburban single-family subdivision.

In many cases where relatively small lots have been allowed (10,000 -12,000 square feet), the lots have been designed to be wide and shallow to accommodate traditional suburban style homes with their long axis parallel to the street. This reduces walkability and results in a lot with little usable private outdoor space.

The ideal lot in a neighborhood development has a relatively narrow width and a larger depth to minimize walking distances and to create usable back yards. While lot size and frontage and width provisions indirectly get at this concern, it can be addressed directly by including a requirement for a minimum depth to lot width ratio. This ratio should be in the range of 1.25 to 1.50. This would mean that a lot with a width of 80 feet would need to be 100 to 120 feet deep. This provision needs to provide for corner lots and needs to be clear as to how width and depth are measured especially for irregularly shaped lots.

5. Minimum and maximum front setbacks

Traditional neighborhoods are designed to have human scale that provide for both chance meetings and personal privacy. The relationship of the building to the street is key to achieving these objectives. The front yard and the front porch are in the semi-public/semi-private realm. The buildings along a street need to be set back far enough to provide privacy while at the same time being close enough so that the buildings enclose the space of the street.

Street noise is a function of the types of vehicles using the street and their travel speed. The street network in a traditional neighborhood should be designed to encourage low travel speeds and to discourage the use of residential streets by larger vehicles (see the Subdivision Standards in Chapter VI). This means that buildings can be located relatively close to the street and still provide reasonable privacy. For residential streets, neighborhood development standards should provide for a minimum front setback for the front wall of the building of approximately 15 feet. This should be increased to 25-30 feet for collector streets.

A key consideration is how the setback is measured. Many ordinances measure the setback to the closest part of the structure to the front property line. This can be a porch, a deck, steps, or the wall of the building. The suggested minimum front setback in the previous paragraph is based upon the distance from the front property line to the closest point on the front wall of the

building. Unenclosed porches, steps, stoops, and similar structural elements should be permitted to encroach into the required front setback by not more than five feet.

The buildings along the street also play an important role in enclosing and defining the street space. The creation of a "street space" is important for residential streets where people walk and congregate. If the buildings on the opposite sides of the street are located too far apart, a defined street space is not really created and people's comfort with being in this area declines. The ratio of the width of the street space to the height of the buildings enclosing that space should be less than 3.5:1 (or 4:1 as an absolute maximum). In village settings, this ratio should be as low as 2:1. This means that if the buildings enclosing the space are 24 feet high, the street space should be not more than 84 feet wide (or an absolute maximum of 96 feet) between the faces of the building. With a fifty foot street right-of-way, this means that the front wall of the building should be set back no more than 15 to 25 feet from the street right-of way for typical two story residential buildings.

To assure comfortable street spaces that foster walking and use of this area, your dimensional standards should establish a maximum setback for buildings. This maximum should be not more than 25 feet for the typical situation on a residential street. To provide some flexibility and variety, you should consider exempting buildings on oversized lots from this provision or allowing 10% of the lots in a neighborhood development to not meet this requirement.

6. Minimum side setbacks

Zoning ordinances typically establish side setbacks to provide separation between adjacent buildings to enhance fire safety and create privacy. Since neighborhood development embodies the concept of narrow lots, the provision of side yard setbacks must be addressed creatively to assure that privacy and safety are addressed without unduly limiting development on the lot, and without limiting the opportunities for imaginative design to create usable side yards.

One approach is to require a combined width for both side setbacks rather than a separate width for each side. For example, rather than require a minimum 15 foot side yard on each side, your standards for neighborhood development might require a combined side setbacks of 25 feet so that one side yard could be five feet while the other is 20 feet. In this case, you may want to provide for a minimum separation distance between adjacent buildings to provide for fire safety.

7. Minimum open space

Providing green space within the neighborhood is an important element of the traditional neighborhood. The open space plan should be an integral part of the design of the neighborhood. The neighborhood should have three distinct types of green space: 1) formal spaces such as neighborhood commons, greens, and parks; 2) recreation areas such as multi-purpose play fields, play grounds, basketball and tennis courts, and picnic areas; and 3) natural areas such as wetlands, buffers, and trails.

You should think about the likely scale of development activities in your community as you develop the requirements for green space. If development is likely to occur on a large-scale (more than 50 units in a project), you should require that the individual developer provide the appropriate green spaces. If, however, most development is expected to be small-scale, you should consider creating an impact fee that developers would pay to contribute to the development of formal spaces and recreational areas in locations chosen by the town to meet the overall needs of the entire neighborhood. In this case, the provision of natural areas should still be a responsibility of the developer.

What is an Impact Fee?

An impact fee is a one-time fee or charge paid by a developer to cover the cost of providing new or expanded facilities that are needed to serve the development. Impact fees are specifically authorized by state law and must conform to the state provisions. In the case of neighborhood development, you could create an impact fee to cover the cost of the municipality developing formal green spaces and recreational areas rather than having these built as part of the development. The State Planning Office has a handbook for municipalities that explains how impact fees can be used and how the amount of the fee can be determined. The handbook includes sample ordinance provisions.

The requirement for providing green space as part of the neighborhood development can be in the zoning ordinance, or in the subdivision regulations, or in both. We suggest that the requirement for providing the green space be included in the zoning provisions, but that the details of the design and location of the various green spaces be addressed in the subdivision regulations.

How much land should the developer be required to be set aside for green space? The basic utilization model for the traditional neighborhood suggests that a total of 30-50% of the total site should be dedicated to green space. This assumes that 15-20% of the typical site has development restrictions such as wetlands, floodplains, or steep slopes that make it unsuitable for development. If the site has a higher percentage of unusable area, the percent of the site dedicated to open space would need to be higher.

You should consider requiring the following set-asides for green space:

- formal spaces – a minimum of 3% of the usable area of the site should be set aside and developed as formal green spaces;
- recreational areas – a minimum of 7% of the usable area of the site should be set aside and developed as active and passive recreational areas; and
- natural areas – a minimum of 10% of the usable area plus the unusable area of the site should be set aside as natural areas.

Let's look at what this means for a hypothetical 30 acre site of which 80% or 24 acres is usable and 20% or six acres is unusable. Under this scenario, the neighborhood development would have the following green spaces:

- formal spaces – about three-quarters of an acre or 31,000 square feet of commons, greens, or formal parks;
- recreational areas – about 1.7 acres or 73,000 square feet of active and passive recreational areas; and
- natural areas – about 8.4 acres of undeveloped green space including 2.4 usable acres and six unusable acres.

F. Design Standards

The recent experience with small lot development in Maine has not been particularly good in terms of creating high quality neighborhoods that meet the objectives for traditional neighborhoods. Typically, these developments have been characterized by suburban-style homes shoehorned onto small lots. Often, the lots are designed to be wide but shallow to accommodate the typical suburban home design with the long axis of the building oriented parallel to the street. In most cases, this pattern of development has not resulted in walkable neighborhoods that offer residents privacy in a high quality environment. In some cases, this pattern has resulted in the "worst of both worlds" with an automobile oriented lifestyle together with the lack of privacy that can come with compact development.

Successful neighborhood development requires that the municipality assure that the layout and design of the buildings that are placed on lots are compatible with the traditional neighborhood concept. This is a role that most communities have not undertaken in the past, so this is a major shift in municipal responsibility. At the same time, the community needs to tread lightly in this area so as not to infringe on the options of the homeowner and developer.

You should consider regulating two key aspects of the design of residential buildings within neighborhood developments:

- The long axis of the building – In the 19th century, building lots in village settings were narrow. Most homes were designed with their narrow end facing the street and their long side perpendicular to the street. Over the years, this pattern changed. Lots became wider, both through choice and in response to municipal zoning requirements. As a result, most new single-family homes are designed and sited with their long side facing the street. It is now typical to find homes that stretch eighty, ninety, or more feet across the lot as a two or three-car garage is added onto the end of the structure.

  This design is simply not compatible with the narrow lots that are a key element of

neighborhood development. Your land use regulations need to address this issue. This can be done in either your zoning ordinance or in your subdivision regulations. The following illustrations show designs that are appropriate for narrow lots and those that are not.

- Design and placement of the garage – The traditional neighborhood is intended to be walkable and pedestrian-friendly. The location and design of garages is a key element in creating a quality pedestrian environment.

- If possible, garages should be designed so that they are entered from the side or rear, so that the garage doors do not face the street. If the garages must be entered from the front, the garages should not be the dominant element of the front of the building. The garage doors should be set back behind the front wall of the building and should not make up more than 50% of the overall width of the front elevation when viewed from the street. Your zoning regulations need to address this issue.

G. Check List for Zoning Ordinances

1. Does your zoning ordinance describe its objectives in terms of attractive and walkable neighborhoods?	☐Yes ☐No
2. Have you decided whether to amend an existing district, create a new district, or create an overlay district, in order to accommodate traditional neighborhoods?	☐Yes ☐No
3. Does your zoning for traditional neighborhoods provide for a variety of types and costs of housing, accessible to a range of households?	☐Yes ☐No
4. Does your zoning for traditional neighborhoods provide for accessory dwelling units?	☐Yes ☐No
5. Does your zoning for traditional neighborhoods provide for small day care facilities for both children and seniors?	☐Yes ☐No
6. Does your zoning for traditional neighborhoods provide for local schools, community centers, playgrounds, and the like?	☐Yes ☐No
7. Does your zoning for traditional neighborhoods provide for home occupations and art and crafts studios?	☐Yes ☐No
8. Does your zoning for traditional neighborhoods provide for neighborhood-scale retail and service businesses?	☐Yes ☐No
9. Does your zoning for traditional neighborhoods allocate land appropriately (i.e., 50%-60% residential, 30%-50% open, 5%-10% community/ nonresidential)?	☐Yes ☐No
10. Does your zoning for traditional neighborhoods provide adequate densities for walkability, affordability, and diversity?	☐Yes ☐No
11. Are lot sizes appropriate? Do they include provisions to control oversize lot development?	☐Yes ☐No
12. Do your minimum street frontage regulations allow for creative lot layouts? Do they include provisions to control overly0wide lot layouts?	☐Yes ☐No
13. Do your regulations have a minimum lot depth to lot width ratio?	☐Yes ☐No
14. Do your minimum side setback regulations allow for creative lot layouts?	☐Yes ☐No
15. Does the open space plan requirement include provision for formal spaces (commons and parks), recreation areas, and natural areas? Are there acerage guidelines for each type of space?	☐Yes ☐No
16. Do house design requirements promote the setting of the long axis of the building perpendicular to the street?	☐Yes ☐No
17. Are garage designs controlled so that they are not the =dominant element in the front of the building?	☐Yes ☐No

CHAPTER VI

Subdivision Provisions

This chapter identifies key subdivision components for traditional neighborhoods:

A. Street layout
B. Streetscape design
C. Pedestrian network
D. Open space design
E. Lot layout and design

Subdivision regulations shape the layout and design of residential neighborhoods. If your community wants to encourage the development of traditional neighborhoods, your regulations must reflect that desire. Unfortunately, many subdivision standards create barriers for traditional neighborhood development.

For each component, this chapter provides objectives, design principles, examples of good and bad practices, and a check list for reviewing local regulations and standards. The handbook also contains sample subdivision ordinance language in Appendix C.

A. Street Layout

A networked street pattern is at the core of the traditional neighborhood concept. The street network provides the form for the neighborhood; creates access points to and from it; and links the neighborhood to surrounding areas. In theory, it is simple. In practice, creating a network of neighborhood streets is challenging due to, among other things, the small scale of land development in Maine and the constraints of the natural landscape.

1. Objectives for street layout

The layout of residential streets in the neighborhoods:

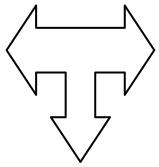
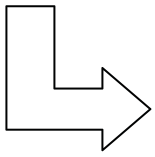
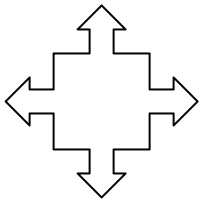
- allows convenient and safe vehicular movement within the residential neighborhood without the need to travel on major streets or outside of the neighborhood;
- provides connections to nearby activity centers and community facilities and to adjacent residential neighborhoods or developments;
- creates a safe and quiet environment for residents and pedestrians of all ages accommodating the pedestrian in equal priority to accommodating the automobile; and
- avoids creating "short cuts" that will attract non-neighborhood traffic to neighborhood streets.

2. Design principles for street layout

To achieve these objectives, streets are laid out in accordance with the following design principles:

- residential streets are linked or interconnected to create a street network;
- streets within the neighborhood connect with adjacent residential streets, linking neighborhoods and expanding the street network;
- future extension of the street network into adjacent land, both undeveloped and developed, is provided for in any new development proposal;
- street network is "fine-grained" with short blocks and frequent interconnections between streets;
- neighborhoods have multiple points of connection to the major street system outside of the neighborhood;
- street pattern avoids creating funnels that direct a large share of neighborhood traffic onto a single access;
- street pattern discourages cut-through traffic - that is a pattern that creates a direct route or link between two major streets;
- use of dead-end streets or cul-de-sacs is limited to only those rare special situations where an interconnected street network is not possible due to the physical characteristics of the site;
- most intersections within the neighborhood are T-intersections that require traffic to stop or L-turns (half T-turns), rather than long sweeping turns, are used to keep auto speeds lower; and
- long, continuous streets are avoided - if a long street is needed, it is designed as a collector not a local residential street.

Table VI-1: Descriptions of Intersection Types

Type of Intersection	Representation of Intersection Type
T-intersection: a junction between three road segments forming a "T" (two arms from one road); a 3-way intersection.	
L-intersection: a half of a T-intersection with just one 90-degree ("L") turn provided for.	
X-intersection: a four-way intersection, the crossing of two streets that are perpendicular to each other.	

3. Examples of street networks

The conventional, cul-de-sac, dead-end street pattern

that has become the norm for most residential development provides privacy for the residents of the subdivision, but it isolates each development so that a true "neighborhood" is not created. This street pattern also can create a traffic burden on the existing streets, since virtually all trips have to use the major road network.

A traditional neighborhood street network provides movement within the neighborhood and access to adjacent land without providing any short cuts. The streets are short and linked. Residents have at least two alternative routes to their home. Connections are made to adjacent land. T-intersections and L-turns are utilized to control speed. Cul-de-sacs and long, straight streets are avoided.

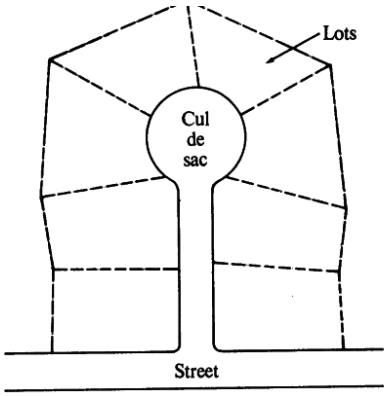


Figure VI-1: Representation of a Cul de sac

Most residential development does not occur at the neighborhood-scale (i.e. 50-200 lots). A typical subdivision may be 10 or 20 lots, with a large development being 50 lots. This means that in most situations, a traditional neighborhood won't be developed as a single project. It will be the result of a number of separate subdivisions on individual parcels of land. This creates a significant challenge for creating an interconnected street network for the traditional neighborhood.

To achieve an interconnected street network within a series of separate subdivisions, your subdivision regulations will need to require each individual project to lay out its street pattern in the context of the larger neighborhood. Provisions will need to be made for the extension of the street network into adjacent parcels as each subdivision is developed, allowing for the rational extension of the streets into future developments. This is a difficult process but it is critical. The municipality will need to "pre-think" how the street network should be laid out so that the individual projects can be made to fit together into a coordinated street network for the larger "neighborhood," not just the individual subdivision.

In addition to providing for the extension of streets into adjacent land, you may want to consider requiring that the road stub actually be built to the property line of the subdivision. In situations where provisions have been left for street extensions, it sometimes becomes difficult to actually make the connection after residents become used to the streets without that connection. Converting the "paper street" into a real street can be difficult. Requiring the construction of the stub to the boundary of the subdivision can help reduce this problem.

Ownership of the road stubs or "paper streets" designed to provide the interconnections can also be an issue. Control of those future interconnections should be transferred to the municipality so that a private owner cannot block future development. This can be accomplished through transfer of the stub or right-of-way or a public easement over the right-of-way to the municipality.

4. Ordinance review check list for street layout

The check list that follows will help you determine your requirements for street layouts help promote a traditional neighborhood street network.

If you answer "no" to any of these items, you will want to revise your subdivision regulations. Your answers to the check list should help you identify where changes are needed. Sample ordinance language is provided in Appendix C.

Cul-de-sac

SPO file photo

Table VI-2: Check list for Subdivision Ordinance Provisions for Traditional Neighborhood Street Layout

1. Do your subdivision regulations address the layout of streets?	☐Yes ☐No
2. Do your regulations require/encourage a linked or inter-connected street network in areas or zones appropriate for traditional neighborhoods?	☐Yes ☐No
3. Do your regulations require/encourage that streets in new subdivisions be connected to existing residential streets where possible?	☐Yes ☐No
4. Do your regulations require/encourage streets in new sub-divisions to connect to adjacent community uses?	☐Yes ☐No
5. Do your regulations require that provisions be made for the extension of the street network into adjacent, undeveloped residential land?	☐Yes ☐No
6. Do your regulations limit block lengths in traditional neighborhoods to a maximum of 600 to 800 feet?	☐Yes ☐No
7. Do your regulations encourage frequent interconnections between streets?	☐Yes ☐No
8. Do your regulations discourage or prohibit long, continuous streets in traditional neighborhoods?	☐Yes ☐No
9. Do your regulations encourage/require multiple points of connection to the major road network or restrict having a large number of lots serviced by a single entrance or connection?	☐Yes ☐No
10. Do your regulations discourage the creation of traffic funnels within the street system?	☐Yes ☐No
11. If traffic funnels are created, do you restrict the development of residential uses along these streets?	☐Yes ☐No
12. Do your regulations discourage or limit the use of cul-de-sac or dead-ends in traditional neighborhoods?	☐Yes ☐No
13. Do your regulations encourage the use of T-intersections and/or discourage X-intersections and allow the use of L-turns?	☐Yes ☐No

B. Streetscape Design

The traditional neighborhood streetscape balances differing interests: the needs of the motorist with the pedestrian or bicyclist, and the livability of the neighborhood with the need for reasonable access.

The configuration of the street and its related components including curbs, sidewalks, esplanades, and street trees ensures that a traditional neighborhood is livable and attractive. This section lays out standards for two types of traditional neighborhood streets:

1. standard (major) residential street (appropriate in most cases); and
2. minor residential street (appropriate for short streets or dead-ends with limited volumes of traffic).

Major roads are of medium volume capacity that connect with other routes or neighborhoods. Minor roads are usually side streets that intersect a major road and are intended to serve only the traffic of residents.

1. Objectives for the design of streets

The design of residential streetscapes in traditional neighborhoods advances the following objectives:

- minimize vehicle travel speed within the neighborhood while providing reasonable levels of access for residents;
- provide a high level of pedestrian safety that encourages residents of the neighborhood to walk; and

- create a visually attractive environment within the street right-of-way.

2. Design principles for streetscapes

To achieve these objectives, major and minor streets are designed in accordance with the following design principles:

- the actual traveled way of residential streets is as narrow as possible while still providing safe and convenient access throughout the neighborhood;
- sidewalks or other provisions for safe and convenient pedestrian movement are provided;
- sidewalks are separated from the traveled way of the street both physically and perceptually;
- intersections are designed to minimize the crossing distance for pedestrians while accommodating reasonable vehicle movement
- street trees are provided;
- pedestrian-scale street lighting is provided where appropriate, and
- utilities are placed underground where appropriate.

3. Components of the street design

This section outlines the appropriate standards for the various components within the street right-of-way.

a) *Width of the Right-of-way (ROW)* – The width of the street ROW is typically fifty (50) feet. This width is appropriate for most situations. For minor residential streets, the ROW may be reduced to forty (40) feet if sidewalks will never be added.

b) *Width of the Street* – The width of the street or actual traveled way needs to be wide enough to provide for reasonable vehicle movement without encouraging fast travel speeds. A typical traditional neighborhood residential street should have a traveled way of 20-24 feet. This width is adequate to allow two-way travel with some on-street parking without promoting excessive speeds.

On minor residential streets, the width of the traveled way can be reduced to 16-18 feet. These widths assume that off-street parking is available for all residential units. If this is not the case and on-street parking will be needed to meet the basic parking needs of residential uses, the width of residential streets needs to be increased.

c) *Curbs* – Curbs provide physical separation between the vehicle realm of the street and the pedestrian realm of the sidewalk. Curbs also have an important perceptual value in defining the pedestrian realm for both motorists and pedestrians. This clear separation of the two different functions is important. Therefore, curbs should be provided on most residential streets. On minor residential streets without sidewalks, curbs can be omitted.

Curbing in the traditional neighborhood should have a vertical face. This can be achieved by either granite or bituminous concrete curbing. If bituminous concrete curbing is used, granite curbing is required at intersections, on the inside of L-turns, and in other locations subject to vehicle or plow damage. The use of "Cape Cod Berm" curbing or other shapes that do not have a vertical face should be discouraged.

d) *Curb Radius* – The radius of the curb at an intersection controls the amount of distance a pedestrian must travel to cross the intersection. The larger the radius, the longer the crossing distance. Larger curb radii are necessary to accommodate turns by large trucks without crossing into the on-coming traffic lane.

Curb Radius

A curb return radius determines the sharpness of a corner. Mathematically, it is the radius of the circle, the arc of which is the curve of the corner. A small curb radius—for example, 10 feet or less—creates an almost 90 degree corner and is friendly to pedestrians, because it slows auto traffic and provides for a shorter distance to cross the street. A large curb radius—for example, 30 or more feet—enables traffic to make the turn at a higher speed. Local and pedestrian-oriented streets need small curb radii, while major collectors and arterials need larger ones (Source: MaineDOT Sensible Transportation Handbook, June 2008)

The curb radius in traditional neighborhoods should typically be in the range of 15-20 feet to maximize pedestrian safety. This radius will accommodate

neighborhood traffic and the occasional larger vehicle. In many subdivision ordinances, the curb radii specifications are excessive for traditional neighborhoods.

e) *Sidewalks* – Sidewalks should be provided on both sides of residential streets. Sidewalks may be omitted on minor residential streets that will have very low volumes of traffic. Sidewalks should be five feet wide, allowing for a variety of users. In areas where a limited volume of pedestrian traffic is anticipated, the width may be reduced to four feet. The choice of sidewalk material is both an economic and an aesthetic decision. Poured concrete, bituminous concrete, and precast pavers or bricks are all acceptable materials. Concrete and pavers are long-lasting and attractive, but are more expensive to install. Bituminous concrete is more affordable and versatile. If bituminous concrete is used, more durable material should be used in areas that have a high potential to be damaged. Sidewalks should be located parallel to the edge of the traveled way within the street ROW. In special circumstances, it may be desirable to vary from this pattern to save large trees, avoid rock outcrops, or work around difficult topography. If the sidewalk will be located outside of the normal street right-of-way, the ROW should be wider or an access and maintenance agreement created.

PortlandNeighborhood with compact sidewalks

SPO file photo

f) *Esplanades* – When a sidewalk is provided along a residential street, it should be separated from the street by an esplanade. An esplanade is a tree lawn or planting strip between the street and the sidewalk and provides an important separation between vehicles in the street and pedestrians on the sidewalk. It provides a place to plant shade trees, to pile snow, and to locate utilities. While some communities have historically placed the sidewalk immediately adjacent to the street without an esplanade, this layout is not suitable in traditional neighborhoods.

The width of the esplanade is an important consideration in fostering pedestrian safety. The minimum width of the esplanade should be five feet. With a 20-24-foot traveled way, curbs, and two five-foot sidewalks, the width of the esplanade can be increased to six to eight feet within a 50-foot ROW.

Sidewalk with Esplanade

SPO file photo

While esplanades are typically grassed, they can also be used as planting strips. Daylilies or other hearty perennials may be effective in high visibility locations, such as along entrance roads.

g) *Street Trees* – Attractive, well maintained trees add personality to the street and value to adjacent properties as well as to the whole neighborhood. Trees have ecological, economical, environmental, and aesthetic value and should be part of the streetscape of every traditional neighborhood.

Street trees establish the character of a neighborhood and can be an important traffic calming element. Trees reduce the apparent width of the street by creating a visual edge within the driver's peripheral vision. The narrower the perceived width of the street, the slower drivers tend to travel.

Street trees should be located within the esplanade of residential streets. Typically, evenly spaced trees work best but this can be varied when lot sizes vary significantly. A spacing of 40-50 feet is appropriate in most situations. Some variety is appropriate but trees with similar heights, texture, and form unify the streetscape within a block or neighborhood.

The tree species should be appropriate for use as street trees. Species should be selected according to the following criteria:

i) cast moderate to dense shade in summer;
ii) typically survive more than 60 years;
iii) have a mature height of at least fifty feet; and
iv) are tolerant of pollution and road salt.

> Strict monoculture - the use of the same species for all trees in a neighborhood - should generally be avoided.

Varieties of maple, oak, and elm are among the species meeting these criteria. A comprehensive list of appropriate shade and ornamental trees is provided in the State Planning Office's design guide, *The Great American Neighborhood: A Guide to Livable Design*, 2004.

h) *Utilities*– Where feasible, underground utilities are preferred. If overhead utilities must be used, placement of the utilities should be coordinated with the locations of street trees.

i) *Street Lighting*– Street lighting helps to create safe, inviting, pedestrian-friendly streets. It also helps to achieve continuity and identity within a traditional neighborhood. Strategic location of lighting and installing energy efficient units will optimize energy conservation.

> Street lighting helps create pedestrian friendly streets

Pedestrian-scale lighting should be installed within the esplanade. Light standards for pedestrian lighting should typically be 10-12 feet in height and spaced appropriately. The light fixtures should be equipped with full spectrum light sources. The use of cutoff fixtures or period lighting should be required.

Lighting should be located and baffled to prevent light intrusion onto residential properties.

Additional lighting should be provided in formal open spaces, community gathering spots, mailbox areas, and similar locations that residents are likely to use after dark.

4. Ordinance review check list for street design

The following check list will help you review your existing subdivision regulations and street standards to see if your requirements for the design of streets are appropriate for traditional neighborhoods. Sample ordinance language is provided in Appendix C.

Table VI-3: Check list for Subdivision Ordinance Provisions for Traditional Neighborhood Street Standards

1. Do your street standards allow narrow streets in traditional neighborhoods?	☐Yes ☐No
2. Do your standards require/encourage the use of curbs on residential streets?	☐Yes ☐No
3. If you require curbing, do you encourage the use of curbs with a vertical face?	☐Yes ☐No
4. Do your regulations require small curb radii (15 to 20 feet) for residential streets?	☐Yes ☐No
5. Do your street standards require an esplanade between the sidewalk and the street	☐Yes ☐No
6. If an esplanade is required, is it required to be at least five feet wide?	☐Yes ☐No
7. Do your standards require sidewalks on both sides of residential streets?	☐Yes ☐No
8. Do your standards establish a minimum width of 4-5 feet for sidewalks?	☐Yes ☐No
9. Do your regulations establish construction standards for sidewalks?	☐Yes ☐No
10. Do your standards require/encourage the planting of street trees along residential streets?	☐Yes ☐No
11. If you require street trees, do your regulations establish standards for the type of tree, spacing, location, etc?	☐Yes ☐No
12. Do your regulations identify appropriate species for use as street trees?	☐Yes ☐No
13. Do your regulations encourage the installation of street lighting along residential streets in traditional neighborhoods?	☐Yes ☐No
14. Do your standards require outdoor lighting in areas that are used by residents after dark?	☐Yes ☐No
15. Do your regulations encourage utilities to be placed underground in traditional neighborhoods?	☐Yes ☐No

C. Pedestrian Network

A traditional neighborhood should be walkable from end to end. Internally, residents should be able to walk to nearby community facilities, to adjacent residential areas, to open space, and to local stores. The sidewalks in the individual subdivisions should feed into the pedestrian network. This section shows how such pedestrian movement can be accomplished.

1. Objectives for the pedestrian network

The design of individual subdivisions and their pedestrian facilities advance the following objectives:

- allow residents of the neighborhood to walk safely and conveniently to community facilities, open space, stores, services, and other adjacent residential areas; and
- assure that the pedestrian system is usable and accessible by all residents of the neighborhood, regardless of their age or mobility limitations.

2. Design principles for the pedestrian network

To achieve these objectives, the pedestrian network associated with traditional neighborhoods conforms to the following design principles:

- sidewalks, minor residential streets, and other pedestrian facilities such as trails or paths are interconnected and provide pedestrian access to all parts of the neighborhood;
- sidewalks or other pedestrian facilities connect the traditional neighborhood to the community's sidewalk/pedestrian system where such a system exists;
- sidewalks or other pedestrian facilities connect the neighborhood to community facilities such as schools, libraries, parks, or recreation facilities and local commercial services that are adjacent to or within walking distance of the neighborhood;
- pedestrian facilities such as trails or paths link the neighborhood with public open spaces that are adjacent to or within walking distance of the neighborhood;
- pedestrian facilities are suitable for use by a wide range of residents including children, adults with strollers or carriages, and elderly and handicapped residents; and
- design of pedestrian facilities in individual subdivisions provide for the extension and connection of these facilities with other subdivisions that are part of the neighborhood.

3. Components of the pedestrian system

This section outlines appropriate standards for the components of a well-designed pedestrian system.

a) Connectivity within the Neighborhood - The various pedestrian facilities should be connected to provide a continuous pedestrian network throughout the neighborhood. Sidewalks on one street should connect with sidewalks on the adjacent street. Where gaps in the sidewalk system exist due to the layout of the street system, alternative pedestrian connections such as a trail, a mid-block pedestrian way, or a minor residential street should be provided to keep the network intact or to extend the network.

b) Pedestrian Centers – The pedestrian network should be designed to create nodes of pedestrian activity. This can include service areas such as common mail box facilities, gathering places within recreation facilities, parks, or similar places with the potential for regular use.

Pedestrian dead-ends should be avoided. If dead-end streets are included in the neighborhood, provisions should be made for the continuation of the pedestrian network at the end of these streets. In some cases, this ROW may be able to be used for utilities or drainage.

c) Connection with the Existing Sidewalk Network – If the traditional neighborhood is located within or adjacent to an area that has a sidewalk network, the neighborhood's sidewalk system should connect with the existing system. In many cases, this may require a sidewalk extension along a perimeter street to make the link. Your subdivision regulations should make provisions for this extension. There are a couple of approaches for doing this. If the cost of

the sidewalk extension is reasonable for the size of the development, the subdivider can be required to pay for the extension. If the cost is significant or if a number of projects will benefit from the improvement, the town may want to create an "impact fee" in which a fee is charged for each new lot in the neighborhood and the revenue is used by the town to build the sidewalk extension.

d) Connections with Adjacent Uses – The pedestrian facilities should extend outside the subdivision to create a pedestrian network encompassing the entire neighborhood. Where provisions are made for the extension of a street into an adjacent parcel, this should include extension of the sidewalk as well. In some cases, a sidewalk on one side of this type of connection will be adequate if there will be no lots or units fronting directly on the street extension.

Connections with adjacent uses can also be made with pedestrian trails or walkways that are located outside the street right-of-way. Their layout and design should anticipate and accommodate winter snow removal. These facilities should be located within a defined easement that is shown on the subdivision plat.

Trails or pathways should be laid out to confirm to the natural terrain while keeping the slope within the limits required for handicapped accessibility. The trail or pathway should be 3-5 feet wide and can be surfaced with stone dust or similar materials meeting Americans with Disabilities Act (ADA) requirements.

e) *Access for People with Disabilities* - The pedestrian facilities should meet the requirements of the Americans with Disabilities Act (ADA). Tip-downs should be provided at all street crossings to facilitate use by people in wheelchairs, people with strollers or baby carriages, and people with mobility limitations.

f) *Crosswalks* – If the street network is laid out in accordance with traditional neighborhood principles, the need for formal cross-walks should be limited. But at those intersections where there is a potential for a high volume of pedestrian crossings or significant pedestrian/vehicle conflicts, formal crosswalks should be considered.

Crosswalks can be marked with reflective paint or constructed with contrasting materials such as interlocking pavers designed for road use.

4. Ordinance review check list for pedestrian facilities

The following check list will help you review your existing subdivision regulations or street standards to see if your provisions for pedestrian facilities encourage the development of an interconnected pedestrian network. Sample ordinance language is provided in Appendix C.

Table VI-4: Check list for Subdivision Ordinance Provisions for Traditional Neighborhood Pedestrian Facilities

1. Do your subdivision regulations require the development of an interconnected pedestrian network within a traditional neighborhood?	☐Yes ☐No
2. Do your regulations require/ encourage the continuation of pedestrian facilities at the end of cul-de-sac?	☐Yes ☐No
3. Are there provisions for the connection of sidewalks in new subdivisions to the existing or planned sidewalk system?	☐Yes ☐No
4. Do your regulations require/ encourage the extension of sidewalks or other pedestrian facilities into adjacent uses?	☐Yes ☐No
5. Do your regulations require that provisions be made for the extension of sidewalks or other pedestrian facilities into adjacent, vacant land?	☐Yes ☐No
6. Do your regulations require that sidewalks and other pedestrian facilities be compliant with the Americans with Disability Act?	☐Yes ☐No
7. Are your provisions clear about if and when formal crosswalks need to be provided?	☐Yes ☐No

D. Open Space Design

Open space is a key element of the traditional neighborhood. Just like the street or pedestrian network, open space within a neighborhood is thought of and designed as a network. Open space is part of the structural framework that gives the neighborhood form, identity, and connection with nature. This last point,

the connection with nature, is an important element in the perceived desirability of traditional neighborhoods. Open space is not the leftover or unusable part of the site. It is part of a consciously designed system that knits together the community.

> Open space is not the leftover or unusable part of the site, it is consciously designed to knit together the community.

As with other networks, a key issue is how to meld the open space in a number of small subdivisions to create functional open space for the neighborhood. There are a number of ways to address this. One is through the use of impact fees (see Chapter VII) in which the municipality takes on the task of developing the neighborhood open space with funding provided by the various subdividers. Another is by requiring a thorough identification of the natural resources on the site as part of the subdivision planning process so that areas with high resource value can the incorporated into the open space in each individual subdivision. A third is to locate small green areas that are intended to be recreational or even formal green spaces, at the edge of the subdivision so that these can be combined with green areas in the adjacent development to create larger, more useable green spaces.

1. Objectives for the open space network

The design of individual subdivisions and their open space facilities advance the following objectives:

- provide residents with appropriate recreational opportunities and the opportunity to have a connection with nature;
- protect high value natural and scenic resources, and
- assure that the open spaces create a linked network for both human use and environmental purposes.

2. Design principles for open space

To achieve these objectives, the open space network associated with traditional neighborhoods conforms to the following design principles:

- open space is integral part of the overall design of the neighborhood and individual subdivisions;
- open space system is designed to meet both human needs and environmental needs;
- open space elements that are intended to primarily meet human needs such as parks, playgrounds, and recreational facilities are located to best serve the residents;
- open space elements that are intended to address environmental and natural or scenic resource needs are located to best protect the identified values;
- some type of open space is provided within five hundred feet of every home; and
- new or existing community recreational facilities are located within walking distance of the neighborhood (a half mile or so).

Bethel Village Green

SPO file photo

3. Components of the open space system

A traditional neighborhood should have three distinct types of open space: 1) formal spaces such as commons, greens, or parks that are often geometric and fronted by buildings, 2) recreation areas such as playfields, sports facilities, playgrounds, or community gardens, and 3) natural areas that protects natural or scenic resources. Taken together, 30-50% of the overall area should be open space.

You should consider requiring the following set-asides for green space:

- formal spaces – a minimum of 3% of the useable area of the site should be set aside and developed as formal green spaces
- recreational areas – a minimum of 7% of the usable area of the site should be set aside and developed as active and passive recreational areas

- natural areas – a minimum of 10% of the useable area plus the unusable area of the site should be set aside as natural areas

Let's look at what this means for a hypothetical 30-acre site of which 80% (24 acres) is usable and 20% (six acres) is unusable. Under this scenario, the neighborhood would have the following green spaces:

- formal spaces – about three-quarters of an acre or 31,000 square feet of commons, greens, or formal parks
- recreational areas – about 1.7 acres or 73,000 square feet of active and passive recreational areas
- natural areas – about 8.4 acres of undeveloped green space including 2.4 usable acres and six unusable acres

Open space to meet human needs is different from open space to meet natural needs. While some open spaces can fulfill both functions, this is not always the case nor is it necessary. Open space that is intended to primarily meet human needs should be located and designed to best serve this purpose. That means that the "human" facilities need to be conveniently located to serve the entire neighborhood. To accomplish this, open space should be spread out throughout the neighborhood or organized in a linear pattern so that most residents have easy access to it.

Open space that is intended to primarily meet natural needs should be located where it best protects natural or scenic values (this means where the wetlands are or where the most valuable habitat is). Therefore, this type of open space often needs to be concentrated in certain areas of the neighborhood and essentially "designed around."

4. Ordinance review check list for open space

The following check list will help you review your existing subdivision regulations to see if your provisions include the open space needed in a traditional neighborhood. Sample ordinance language is provided in Appendix C.

Table VI-5: Check list for Subdivision Ordinance Provisions for Traditional Neighborhood Open Space

1. Do your subdivision review regulations include provisions requiring developers to provide open space or participate in financing for open space elsewhere in the neighborhood?	☐Yes ☐No
2. Do your subdivision regulations, either directly or by reference to the zoning ordinance, set minimum standards for the provision of the three open space types: formal spaces, recreation areas, and natural areas?	☐Yes ☐No
3. Do your subdivision regulations set standards for the location and design of formal spaces and recreation areas that relate to pedestrian and bicycle access, developmental and environmental suitability, and supporting facilities (such as parking when appropriate)?	☐Yes ☐No
4. Do your subdivision regulations set standards for the an open space analysis of the site, and for the location of natural areas that relate to natural resource and scenic value, and natural resource and scenic protection?	☐Yes ☐No

E. Lot Layout and Design

Lot layout in a traditional neighborhood is a key element in the overall design. To be a "walkable" neighborhood, things must be reasonably close together. This means that lot frontages need to be small and the lots need to be narrow. Since lots are small, they need to be well designed to allow for the creation of private, outside space - typically a back yard - on each lot. At the same time, there should be diversity within the neighborhood.

1. Objectives for the layout and design of lots

The design of subdivisions and the lots within each subdivision advances the following objectives:

- create a truly "walkable" neighborhood by minimizing the distances between uses;
- provide useable, private outdoor space on each lot; and
- provide for a diversity of housing and environments within the neighborhood.

2. Design principles for lot layout

To achieve these objectives, the layout and design of lots in traditional neighborhoods conform to the following design principles:

- lots are deeper than they are wide; typically, the depth to width ratio should be at least 1.5 to 1;
- the width of the lot at the street or the "lot frontage" is as small as reasonable to minimize walking distances within the neighborhood;
- changes in grade or other natural features are incorporated into the layout of lots to create privacy from the street and from adjacent lots;
- street frontage of lots vary somewhat to create diversity; and
- larger or unusually shaped lots are incorporated into the layout if needed to accommodate existing building or special features on the site.

3. Components of lot layout

The typical lot in a traditional neighborhood should be relatively narrow and deep. Your subdivision regulations should establish the basic standard for the lot layout in these areas. At the same time, your regulations need to provide flexibility to encourage diversity and address special site conditions. While most of these requirements will probably be addressed in the zoning provisions, the subdivision regulations need to be consistent with those standards.

4. Ordinance review check list for lot layout

The following check list will help you review your existing subdivision regulations to see if your provisions include the flexibility in lot layouts that are needed in a traditional neighborhood. Sample ordinance language is provided in Appendix C.

Wildwood Community ~ Cumberland, Maine

Terrence J. Dewan photo

Highland Green Neighborhood
Topsham, Maine

The Highland photo

Table VI-6: Check list for Subdivision Ordinance Provisions for Traditional Neighborhood Lot Layouts

1.	Do your subdivision regulations establish the basic standard that lots should be deeper than they are wide (i.e., depth to width ratio of 1.5 to 1.0)?	☐Yes ☐No
2.	Do your subdivision regulations both minimize lot frontages along streets, in order to encourage walkability – and at the same time, within this general framework, encourage some diversity of lot frontage widths, in order to reduce monotony?	☐Yes ☐No
3.	Do your subdivision regulations have the flexibility to allow the developer to utilize changes in grade or other natural features to create privacy, and to create large or unusually shaped lots to accommodate special site features?	☐Yes ☐No

Yarmouth, Maine Neighborhood

SPO file photo

CHAPTER VII

Policy and Financing Considerations

This chapter discusses:

A. Municipal role in residential development

B. Financing tools for infrastructure

Now that you have identified the proper location or locations for traditional neighborhoods (see Chapter III) and enacted the appropriate plans and land use regulations (Chapters IV, V, and VI), what can the municipality do to proactively encourage traditional neighborhoods?

A. Municipal Role in Residential Development

Traditional neighborhoods do not come about in the ordinary course of housing development in the same ways that a house along a rural road, a subdivision, or a strip shopping center occur daily in Maine.

The reason is that a successful traditional neighborhood requires a scale and preparation beyond the ordinary Maine developer's experience and resources. A typical traditional neighborhood in a mid-sized town may involve 50 to 200 units of housing and 10,000 square feet of commercial/retail space on 20 to 100 acres. The front-end costs for planning such a project, obtaining approvals, and building the infrastructure are significant —and must all be expended before a single dollar comes back in the form of a house sale.

Most developers in Maine are more comfortable with projects of five to 50 units that require minimal advance planning; can be approved quickly; are built within a year or two; and generate a cash flow in a short period of time. This does not mean that traditional neighborhoods cannot be built in Maine. There are local developers that have the capacity, but this ability is limited.

However, it is often feasible for traditional neighborhoods to be pieced together from several small developments, each containing five to 50 units. But for this to happen, there will need to be a "pre-scripted plan," which in a large project normally would be done by the developer, must instead be developed by the municipality. In other words, the municipality must act for the small developers in identifying the land, laying out the street and sidewalk plan, planning water and sewage disposal, and even financially participating in infrastructure development, in order for traditional neighborhoods to happen in this manner.

> To foster traditional neighborhoods, a municipality will need to become active players in residential development just as they are in economic development.

In years past, municipalities played an active role not only in the layout of future streets, but also in their construction along with installation of sidewalks, esplanades, street trees, and utilities. The traditional neighborhoods that you see in Maine today were mostly created 50 years ago. Now, however, municipalities are largely passive when it comes to neighborhood development. They set the land use rules and wait to see whether developers will build (or not build, as the case may be). For traditional neighborhoods to occur, particularly in communities with small-scale developers, municipalities will want to take an approach more like the one they take in economic development; they must become partners with the private sector in making good development occur.

Municipal officials can take an active role in planning the road network, pedestrian connections, and locations of key facilities and controlling public ways.

1. Plan the connecting road network

The municipality may want to plan an effective road network to facilitate traditional neighborhood development. The road network needs to distribute traffic internally in ways that are safe and minimize travel speeds, and to connect externally to activity centers and the highway system. Typically street grids for traditional neighborhoods create necessary road connections, but at the same time they discourage short cuts and speeding through residential streets.

But in cases where no one developer or landowner has enough land or enough resources to plan such a road network, the municipality itself may wish to make such plans, in cooperation with the landowners.

The municipality can identify only the collector roads for the neighborhood (i.e., the roads that assemble and carry traffic to destinations outside the neighborhood). Or it may also identify the local streets as well, depending upon individual circumstances.

2. Lay out connections for walking and bike paths

A traditional neighborhood has both an internal network of walking and biking paths and connections to the larger community. The municipality may want to play a role in assuring that these pedestrian networks are created and that they connect to each other.

Sidewalks and walking and biking trails are used the most when they go somewhere. Residents enjoy the

opportunity to walk to get a newspaper, sit in a park, go to a game or school function, or pick up tonight's dinner. Subdivisions often have sidewalks or a trail but they don't connect to anything. The more destinations that sidewalks and paths can connect, the more people will walk and the fewer cars on the roads.

Because you want pedestrian and bicycle facilities within the neighborhood to be linked to existing systems outside of the neighborhood – this can be a role for the community rather than the developer. Similarly the pedestrian or bicycle facilities may needed to be linked from one subdivision to another. Again, assuring that a network is created is an appropriate role for the municipality.

Many communities are now in the process of creating town-wide networks of walking and biking paths. It is important that considerations of future growth and possible locations of new neighborhoods be included in those planning processes.

3. Plan the locations of key public facilities and open space

Street design and sidewalk and path design can't be separated from their destinations. The proactive municipal planning process described in this section must also identify the major facilities and open space planned in the area.

As described in Chapter V, besides residential uses, a traditional neighborhood also has day care facilities, elementary schools or community centers, places of worship, and neighborhood-scale retail and service businesses. Another 30-50% of its land is set aside for open space –be it formal, recreational, or natural.

The municipal process need not get to the level of detail of individual small parks or store locations but it should address the major elements, such as such elementary schools, health clinics, retail space, and natural areas.

4. Keep public control of public ways

Traditional neighborhood development requires municipal officials to think and act differently in a number of areas — e.g. planning, capital improvements, street layout. Here is another example of different thinking.

Traditional municipal policies are aimed at minimizing the exposure of other local residents to the property tax expenditures for infrastructure and its maintenance. So, some towns are happy to see that the roads in a subdivision remain private or to see parks and recreation facilities belong to the subdivision residents rather than the community. All of this means that local taxpayers won't have to pay for their upkeep in future years.

This may or may not be sound fiscal policy. Sometime in the future the municipality may have to take over the roads or recreation facilities and, if they are not built to appropriate standards, the municipality may face extra costs for repairs or upgrading.

> Private ownership of public ways is antithetical to the spirit and intent of traditional neighborhoods.

Whatever the fiscal case, it is bad policy for traditional neighborhoods.

Remember what traditional neighborhoods are about. They are about being easily walkable. They are about being integrated into the community. They are about being connected to stores, schools, and other neighborhoods. They are about neighborliness and friendliness.

Now imagine a community resident bicycling through the new neighborhood and coming to a halt at a "no trespassing" sign across their path. Imagine walking to a local park and seeing "Neighborhood Association Members Only." Imagine driving through the neighborhood and coming to a "dead-end" sign erected by homeowners on that street. The privatization of roads, bike and walking trails, streets, parks, and recreation facilities is antithetical to the spirit and intent of traditional neighborhoods.

Municipalities may want policies that encourage privatization of infrastructure, but those policies should not apply to traditional neighborhoods. The goal for traditional neighborhoods is public use of all roads, paths, parks, recreation facilities, and the like, even with the extra public maintenance expense.

Why Residential Development is Good for the Tax Base

An obstacle to promoting traditional neighborhoods is the commonly-held belief that residential development is bad for the property tax base, and that existing taxpayers will have to "subsidize" new development through higher property taxes. This is particularly a concern for housing that brings new school children to town.

Research shows that this assumption is often false. A study entitled *The Economic Impact of Affordable Rental Housing in Four Maine Communities*, produced by Planning Decisions in 2004 for the Southern Maine Affordable Rental Housing Coalition, found that:

- affordable rental housing provides a net property tax gain for any town with stable or declining school enrollment, or with a high proportion of state aid —a category that includes many communities in the state;
- the construction of affordable rental housing generates direct and indirect economic benefits to the region of nearly $160,000 per apartment;
- annual maintenance and consumer spending of apartment managers and residents generates about $40,000 in local spending per year in the area economy; and
- most adults in affordable apartments work in essential and hard-to-fill jobs in the local area in such fields as health, day care, retail sales, schools, and small business.

B. Financing Tools for Infrastructure

Who's going to pay for all of this?

Traditionally, municipalities have had two approaches towards development. When it comes to residential development, towns and cities have been largely reactive. It's up to the developer to find the land, design the project, find any subsidies from government agencies, get the permits, arrange for financing, and go to work. Conversely, towns and cities have had a different attitude towards economic development. Here, often, municipalities locate the land for a business park, buy the land, rezone it, put in roads, sewer, and water, and sometimes even build a speculative building for sale. If a business is interested in locating there, the municipality may offer tax incentives, or help obtain state and federal grants.

One approach is passive. The other is active. The reason for the difference is that municipal officials think that residential development is bad for the tax base and local economy; but they believe that business development is good for the tax base and local economy. In reality, many residential developments are net property tax gainers for a community, while some business developments are economic losers.

For traditional neighborhood developments to be successful, municipalities cannot rely on the customary passive approach to residential development. Instead, they must be proactive. They must adopt the same fostering attitudes and practices towards traditional neighborhoods as they have towards business development. This means that municipalities must become partners in development with private landowners and developers.

Here are four ways that municipalities can work with developers to finance the necessary planning and infrastructure for high-quality neighborhood development:

1. apply for grants and loans;
2. use impact fees;
3. plan for traditional neighborhood development capital improvements; and
4. use tax increment financing.

1. <u>Apply for grants and loans</u>

The simplest way to help developers is to apply for loans or grant funds. State programs often assist with planning or with infrastructure, housing, or transportation improvements. There are a number of state agencies where you can go to get help. A list of these is included in Appendix A.

2. Use impact fees

Impact fees are used to spread up-front costs for parks, roads, or other infrastructure over several smaller developments. In other words, if the municipality designs the street network and green space and trail system (as discussed above), it could regain its investment by imposing impact fees on the multiple developers who will later build the housing and subdivisions to fill out the neighborhood.

There are many ways of structuring impact fees. The most common ways involve a per-unit, per capita, or per vehicle trip fee paid prior to the start of development. Impact fee rates must have a rational relationship to actual infrastructure costs (i.e., it is not supposed to make money for the municipality as a whole), and must have a connection to the comprehensive plan. A good discussion of impact fees and how to use them is available in the Maine State Planning Office's manual, *Financing Infrastructure Improvements through Impact Fees: A Manual for Maine Municipalities on the Design and Calculation of Development Impact Fees,* January 2003.

3. Plan for traditional neighborhood development capital improvements

Every community experiencing change and growth needs a capital improvements plan. A capital improvements plan is a schedule of major expenses for buildings, equipment, and facilities planned over time. Just as a family must plan out its major expenses —car purchases, home repairs, college tuition —so must a municipality develop a schedule of road improvements, sewer extensions, and the like.

Usually a community has a five-year plan that is updated annually with the past year dropped off, and a new year added at the end. Sometimes a municipality can re-focus its planned improvements or juggle its schedule to coincide with a major development such as a traditional neighborhood. It could move the schedule up, or expand what it plans to do in the area, or coordinate with private improvements in ways which can reduce the costs to the developers and make the development more feasible or the housing more affordable.

Those working to promote traditional neighborhoods in their community should become familiar with the municipality's capital improvements plan. If one doesn't exist, one should be created. The creative timing and application of capital improvements funds can help speed along neighborhood projects. Also, the existence of a traditional neighborhood in a municipal capital program may enable the town or city to obtain state and federal grants it would not otherwise receive. So both parties stand to gain from coordination in this area.

The same principles apply to capital improvements programs by relevant water districts, sewer districts, and other special districts that deliver services to the traditional neighborhood vicinity.

4. Use tax increment financing

Tax increment financing (TIF) has been used for 20 years in Maine to help finance economic development projects. In 2003, the legislature expanded state law to enable municipalities to use this tool to support affordable housing development. Under certain circumstances, communities can also use TIFs to finance the development and operational costs of transit systems and recreational corridors (PL 2009, chapter 314 and 85 respectively).

Tax increment financing was developed to address the "chicken or egg" problem in economic development. The paradigmatic problem is described like this:

- a business wants to expand at a new location;
- sewer must be extended to allow it to happen; but
- the municipality doesn't have the money to extend it.

But, if the expansion were to take place, the municipality would have more property tax revenues, and it could use those added revenues (known as the "tax increment") to fund the cost to build the sewer. The TIF mechanism allows the municipality to set aside the property tax revenue from a new project and use it to pay for infrastructure needed to make the project feasible. The revenues set aside are not considered normal property tax revenue, and do not count against the municipality

in state revenue sharing or school funding formulas or in its county tax assessment.

This is the simple explanation. Over the years, the TIF program has become considerably more complicated. For purposes of traditional neighborhoods, it is simply important to know that the TIF tool is now available for use to help finance infrastructure for other improvements.

New in 2009, a municipality can use TIFs for transit systems and recreational corridors.

Sidwalk with lighting

SPO file photo

Fire Station/Town Hall, Wells Village

SPO file photo

Typical Residential Subdivision

SPO file photo

CONCLUSION

It may seem paradoxical. Traditional neighborhoods that seemed to spring up spontaneously in the early part of the last century now require intensive municipal work in order to replicate.

The fact is that we have a different world now than in 1920. Today we have more cars, stricter water pollution laws, more interest in privacy and quiet, and a more mobile society. Creating high quality living spaces requires more planning and up-front work.

Many believe the effort is worth the result. These neighborhoods will create a special kind of living environment. They will improve the quality of life of everyone in town. And they will ultimately add to the value of the entire community.

APPENDIX A
RESOURCES AND INFORMATION

Planning Resources

State Planning Office
Web:http://www.maine.gov/spo/landuse/docs/publications.htm

- *Community Visioning Handbook: How to Imagine and Create a Better Future,* 2003
- *Comprehensive Planning: A Manual for Maine Communities,* 2005 Edition
- *The Great American Neighborhood: A Guide to Livable Design*, June 2004
- *Financing Infrastructure Improvements through Impact Fees: A Manual for Maine Municipalities on the Design and Calculation of Development Impact Fees,* January 2003

Information on Form-based Codes

Local Government Commission: A nonprofit, nonpartisan, membership organization to assist community leaders create healthy, walkable, and resource-efficient communities
Web: http://www.lgc.org/

Factsheet, "Form-based Codes: Implementing Smart Growth," Local Government Commission, 2008.
Web: http://www.lgc.org/freepub/community_design/factsheets/form_based_codes.html

Congress for New Urbanism: Creating Enduring Neighborhoods
Web: www.cnu.org

Form-based Codes Alliance: A newly formed alliance of leading practitioners
Web: www.formbasedcodes.org

National Association of Realtors® Smart Growth: Land Use, Zoning, and Growth Management
Web: www.realtor.org/sg3.nsf

Grants and Loans

Maine Office of Community Development
Department of Economic and Community Development
Distributes over $10 million annually to communities for planning, for innovative housing projects, and for infrastructure such as sewer and water to benefit low and moderate income families
Web: http://www.meocd.org/.

Maine State Housing Authority
Provides a variety of programs to encourage affordable renter and owner housing that can help developers to get necessary financing for development
Web: www.mainehousing.org.

Environmental Office of the Maine Department of Transportation
Works with municipalities and regional agencies to promote innovative transportation solutions
Web: http://www.state.me.us/mdot/environmental-office-homepage/.

Maine Department of Environmental Protection
Loan funds and considerable expertise in addressing water and sewer issues
Web: http://www.maine.gov/dep/blwq/grants.htm.

Maine State Planning Office
General land use assistance
Web: http://www.state.me.us/spo/landuse/.

Other Resources

GrowSmart Maine
Resources on smart growth
Web: http://www.growsmartmaine.org/

Maine Downtown Center
Resources on downtown revitalization
Web: http://www.mdf.org/downtown/index.html

Regional Planning Organizations

Androscoggin Valley Council of Governments
Web: http://www.avcog.org/

Greater Portland Council of Governments
Web: http://www.gpcog.org/

Hancock County Planning Commission
Web: http://www.hcpcme.org/

Kennebec Valley Council of Governments
Web: http://www.kvcog.org/

Lincoln County at 784-2617
Mid-Coast Regional Planning Commission
Web: http://www.midcoastplanning.org/

Midcoast Coucil for Business Development and Planning
Web: http://www.mcbdp.org

Northern Maine Development Commission
Web: http://www.nmdc.org/

Penobscot Valley Council of Governments
Web: http://www.emdc.org/community/index.cfm

Southern Maine Regional Planning Commission
Web: http://www.smrpc.org/

Washington County Council of Governments
Web: http://www.wccog.net/

Tax Increment Financing (TIF)

Department of Economic and Community Development
http://www.mainebiz.org/business_assistance/financing.asp

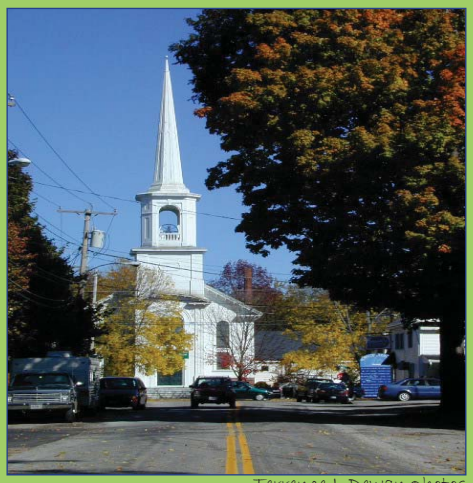
Tax increment financing provides municipalities with a local tool to finance the cost of private development. Maine municipalities may redirect some or all of the new property taxes from an investment project within a designated district to assist in that project's financing. Municipalities have three disbursement options for the tax increment:

- Give directly to the investing business to pay project costs.
- Use to retire bonds issued as part of the project.
- Retain for allowable economic development.

TIF districts may be designated for up to 30 years. Bonds may be issued for up to 20 years. Financing terms are determined by the municipality. Community designation of a TIF district requires proper public notice, a public hearing, and a majority vote of the municipal legislative body.

Maine State Housing Authority
www.mainehousing.org

TIF applications and handbooks can be found at their website. A key for eligibility to use this tool is that one-third of the housing units in the designated TIF district must be "affordable" to those earning less than 120% of the state median income. There are no rent limits or cost ceilings involved; the only income test.



Terrence J. Dewan photos

APPENDIX B

SAMPLE ZONING ORDINANCE LANGUAGE FOR CREATING A NEIGHBORHOOD OVERLAY DISTRICT

This section provides sample zoning ordinance provisions to create a "Neighborhood Development Overlay District," but can be easily edited to create a traditional zoning district. The provisions are based upon a model in which the neighborhood is serviced by public or community water and sewer and in which single-family homes is the primary form of development.

The sample includes a purpose section, a listing of allowed uses, dimensional standards, and design and performance standards. The sample also includes an applicability and coordination provision. This would not be needed if you are doing a traditional zoning district. The samples also include some explanatory notes in the right-hand column. These notes are informational and should not be included in any ordinance proposal that you adopt. Various standards that may need to be revised to adopt the sample language to your community are shown in italics. You should review and adjust these provisions as necessary.

Ordinance Language	Notes
A. PURPOSE	
The Neighborhood Development Overlay District is intended to provide areas within the community where high quality, moderate density traditional neighborhoods can be developed. Within these areas, the objective is to create and maintain walkable neighborhoods that have a human scale, are pedestrian oriented, contain a mix of uses (both residential and nonresidential), accommodate but manage vehicular traffic, provide a variety of green spaces and open areas, have a sense of identity or place, and are connected to adjacent neighborhoods and community facilities. The typical gross density of development should be approximately two to two and a half units per acre but may vary depending on the development suitability of the site.	*The purpose statement should clearly set out your vision for how development will occur within the district. If the district relates to existing neighborhoods or community facilities, you may want to include that in the purpose statement.* *The purpose statement needs to be customized to reflect your situation and the intensity of development that is appropriate in your community.*
B. APPLICABILITY AND COORDINATION	
1. The provisions of the Neighborhood Development Overlay District are applicable only in those areas specifically designated on the Official Zoning Map as being covered by the overlay district. 2. The provisions shall apply only to subdivisions that create five or more lots or dwelling units or that result in the creation of a new street or road. All other uses shall be subject to the requirements of the underlying zone without consideration of the overlay provisions.	*This provision may not be needed if you are doing a traditional zoning district* *Your zoning map will need to show the area subject to the overlay provisions or you could have a separate map of the overlay – in either case the ordinance needs to reference the map.* *You may want to make these provisions apply to larger develops and continue to allow lot-by-lot development under your existing regulations.*

Ordinance Language	Notes
3. Where there is conflict between the provisions of this overlay district and the provisions of the underlying zone, the provisions of the overlay shall apply even if these provisions are less restrictive.	*Ordinances often say the "more restrictive" provision applies. In this case you want the overlay provisions to take precedence.*
C. PERMITTED USES	
Class One Uses – The following uses shall be permitted anywhere in the Neighborhood Development Overlay District subject to the applicable design and performance standards of E. whether or not such a use is permitted in the underlying zone:	*These uses are generally appropriate anywhere in a traditional neighborhood but you need to customize the list to fit your situation.*
1. Detached single-family dwellings including modular homes and other manufactured housing that meets the residential design standards for manufactured housing 2. Two-family dwellings 3. Accessory dwelling units 4. Family day care homes for six or fewer children 5. Home occupations and home businesses 6. Artist and craftsman studios 7. Home Offices 8. Public and community parks, playgrounds, and outdoor recreational facilities 9. Common open space including golf courses 10. Public utility facilities	*You will need to make this consistent with how you treat the placement of manufactured housing on individual residential lots.*
Class Two Uses – The following uses shall be permitted in the Neighborhood Development Overlay District subject to specific location criteria as well as the applicable design standards and performance standards of E. whether or not such a use is permitted in the underlying zone:	*These uses may generate significant traffic or have other impacts. Therefore you may want to limit them to the fringe of the neighborhood or to locations along major roads or to locations adjacent to the neighborhood center in larger neighborhoods.*
1. Attached single-family dwellings with not more than six units per building 2. Multi-family dwelling units as part of a mixed use building in which at least forty percent (30%) of the gross floor area is occupied by comunity or nonresidential uses 3. Multi-family dwelling units as part of the reuse of an an existing building	*Or whatever is appropriate in your situation.*

Ordinance Language	Notes
4. Family day care homes for seven to twelve children 5. Child or elder day care centers for not more than twelve people 6. Nursery schools 7. Places of worship 8. Government and community buildings and facilities 9. Public or private educational facilities 10. Business and professional offices with a gross floor area of less than two thousand (2,000) square feet 11. Local Retail uses with a gross floor area of less than two thousand (2,000) square feet 12. Personal and business services with a gross floor area of less than two thousand (2,000) square feet	
D. DIMENSIONAL REQUIREMENTS	
Minimum usable area per dwelling unit: 6,000 sq. ft.	*These are sample dimensional requirements that need to be customized to your situation. These requirements would allow a neighborhood to be developed at a maximum density of about four to five units per gross acre assuming a typical amount of unusable land and the creation of a reasonable amount of open space within the development.*
Minimum lot size: - one-family dwelling: 6,000 sq. ft. - two-family dwelling: 9,000 sq. ft. - multi-family dwelling or apartment: 12,000 sq. ft. - non-residential use: 20,000 sq. ft.	
Minimum street frontage: - one-family dwelling: 50 feet - two-family dwelling: 75 feet - multi-family dwelling or apartment: 75 feet - non-residential uses: 100 feet	
Minimum front setback for one and two-family dwellings:	

Ordinance Language	Notes

• local street • collector street • arterial street	15 feet 30 feet 70 feet
Minimum front setback for multi-family dwellings, apartments and non-residential uses: - local street - collector street - arterial street	 25 feet 30 feet 70 feet
Maximum front setback for one and two-family dwellings: - local street - collector street - arterial street	 25 feet none none
Minimum side and rear yards: - one-family dwelling - two-family dwelling -multi-family dwelling, apartment, or non-residential uses	 10 feet 15 feet 30 feet or height of building whichever is greater
Maximum building height	None

E. PERFORMANCE STANDARDS

In addition to the general performance standards of the ordinance, all subdivisions and developments in the Neighborhood Development Overlay District shall conform to the following performance standards. If these standards conflict with the performance standards or the requirements of the underlying zone, these standards shall apply.

Ordinance Language	Notes
1. <u>Additional Standards for One and Two-Family Lots</u> If the subdivision contains individual lots that will be developed with one or two-family dwellings, the layout and development of these lots must conform to the following additional requirements: a) Maximum Street Frontage – At least eighty percent (80%) of the lots that will be occupied by one or two-family dwelling shall have a maximum street frontage that is not more than one hundred fifty percent (150%) of the minimum street frontage requirement. b) Depth to Width Ratio – Lots that will be occupied by one or two-family dwellings should be deeper than they are wide to provide a suitable, private yard. At least eighty percent (80%) of the lots shall have an average lot depth that is at least one hundred fifty percent (150%) of the lot width as measured between the side lot lines of the lot at the rear of the required minimum front yard. c) Building Orientation – If the lot has less than 150% of the required minimum street frontage, the principal building shall be located so that the long axis of the structure is approximately perpendicular to the front property line of the lot unless the planning board has approved a lot specific site plan for the lot. d) Garage Orientation – Garages doors shall not be the dominate feature of the front façade of the property. Garage doors shall be located, where possible, so that they do not face the street. If the garage doors do face the street, they shall be located at least two (2) feet in back of the front wall of the building. 2. <u>Access Limitations</u> Access to subdivisions or developments shall be designed to minimize the number of entrances onto arterial or collector roads. Direct vehicular access to individual lots or uses from roads classified as arterials or collectors	

Ordinance Language	Notes
shall not be allowed unless the planning board finds that there is no reasonable alternative access. 3. <u>Open Space</u> A portion of any subdivision shall be set aside and permanently protected as open space. The total combined area of the open space within the subdivision shall be equal to or greater than thirty percent (30%) of the gross area of the parcel. The open space must include an area of usable land that is at least twenty percent (20%) of the total usable acreage of the parcel (For example, if the usable or net acreage of the parcel is fifty acres then at least 20% or ten acres of the open space must be usable land). The required open space can be used for the following types of uses: • formal spaces such as greens, commons, and parks • active and passive recreation areas • natural or conservation areas At least fifty percent (50%) of the required usable land within the open space shall be developed for formal spaces or recreation facilities in accordance with the standards of the subdivision regulations. The planning board may waive or reduce this requirement if it finds that, due to the scale of the development, compliance with this requirement will not result in usable open space. 4. <u>Parking Locations</u> The parking for Class Two uses shall be located to the side or rear of the building where feasible. No parking for these uses shall be permitted in the required front setback area. 5. <u>Location Requirement for Class Two Uses</u> Class Two uses must be located on lots designated for the specific use or purpose on the approved subdivision or development plan. Not more than fifteen percent (15%) of the total area of developable lots within the subdivision	

Ordinance Language	Notes
shall be designated for Class Two uses. This limitation does not include municipal or community uses, agricultural uses, recreation facilities, or activities that are accessory to a residential use such as a community building for a housing project or home occupations. These Class Two uses shall be located within the subdivision in a manner that minimizes their impact on residential uses. Locations on the fringe of the neighborhood or adjacent to community facilities are recommended. In general, vehicular access to Class Two uses that are part of the development must not use residential streets and should provide for easy access to the collector and/or arterial road system.	

APPENDIX C

SAMPLE SUBDIVISION ORDINANCE LANGUAGE FOR TRADITIONAL NEIGHBORHOOD DEVELOPMENT

1. Street Layout

STREET LAYOUT IN TRADITIONAL NEIGHBORHOODS

The layout and design of new residential streets in an area (or zone) designated for traditional neighborhood style development must conform to the following standards:

1. The street(s) must be designed to be part of an interconnected street network that serves or will serve the traditional neighborhood and will be consistent with any approved street plans within the neighborhood.

2. The street(s) within the subdivision must connect with existing streets on abutting parcels where that is feasible and where the resulting network is consistent with the other standards of this provision.

3. The street layout must provide for the extension of the street network into adjacent undeveloped parcels or to community uses that are intended to be part of the neighborhood.

4. Individual streets and the street network shall be laid out to provide frequent interconnections between streets. The maximum length of a block (or the distance between inter-sections along a street) shall be not more than 600 feet. (Note: This distance should be adjusted so that it is not more than eight times the minimum or average lot frontage requirement for the area.)

5. The street network serving the traditional neighborhood should have multiple connections to the adjacent principal road/street network. The design of individual streets must provide access to the larger network if that is appropriate in a neighborhood context.

6. Individual streets and the overall street network must avoid creating direct connections between two major streets outside the neighborhood and should minimize the opportunities for traffic to "cut through" the neighborhood.

7. Dead-end streets or cul-de-sacs may be used only when the physical conditions of the site such as topography or wetlands makes the development of an interconnected network infeasible. Dead-ends shall be limited to a maximum length of four hundred (400) feet.

8. The street layout should avoid funneling significant amounts of traffic onto a single street or portion of a street and should provide for neighborhood traffic to be dispersed across the network. If traffic is funneled onto a street or a portion of a street, that area must not function as a residential street with lots or units fronting directly on it.

9. The use of T-intersections and L-turns is encouraged. At a minimum, at least fifty percent (50) of intersections within the neighborhood must be T-intersections.

10. Long, uninterrupted streets must be avoided where practical. If a long street is required due to the nature of the site, it should not function as a residential street with lots or units fronting directly on it.

PROVISIONS FOR THE FUTURE EXTENSION OF STREETS

When provisions are made for the future extension of a street into an adjacent parcel, the street right-of-way for such extension shall be shown on the approved subdivision plan, extend to the boundary of the subdivision, and be labeled as reserved for street extension. The planning board may require that such extensions be built to the boundary of the subdivision when the other part of the street is constructed. The road stub or right-of-way must be dedicated to the town as a public way at the time that the streets in the subdivision are dedicated and offered for public acceptance or within one year of the approval of the subdivision if the street will not be accepted as a public street.

2. Street Standards

STREET DESIGN STANDARDS FOR TRADITIONAL NEIGHBORHOOD STREETS

Streets in traditional neighborhoods must conform to the following standards:

	Traditional Neighborhood Residential Street	Traditional Neighborhood Minor Residential Street
Minimum ROW Width	50 feet	50 feet – 40 feet without sidewalks
Traveled Way Width	20-24 feet	16-18 feet
Sidewalks Required	Both Sides	Optional
Sidewalk Width	5 feet	4-5 feet if provided
Minimum Center line Radius	120 feet*	90 feet*
Min. Esplanade Width	5 feet	5 feet if provided
Min. Curb Radii at Intersections	15 feet	15 feet
Max. Curb Radii at intersections	20 feet	20 feet

*This provision shall not prohibit the use of L-turns (or half of a T-intersection) where two residential streets meet at a right angle with provisions for a normal intersection curb radius on the inside of the turn.

Note: All other design standards for streets in a traditional neighborhood shall be the same as for other local, residential streets in the community.

CURBS FOR TRADITIONAL NEIGHBORHOOD STREETS

Curbs must be provided on both sides of a residential street unless waived by the planning board in accordance with the following provision:

The planning board may waive the curbing requirement for one or both sides of the street only if it finds that one of the following conditions will be met:

1. Unique physical conditions of the site make the installation of a curb impractical or unnecessary, or
2. Another physical separator such as a raised esplanade will be used in place of the curb and will be effective in constraining motor vehicles to the traveled way.
   Curbs may be granite or bituminous concrete and must have a vertical face with a minimum reveal of four (4) inches. Cape Cod Berm or other "rolled" curb sections that are designed to be mountable by vehicles shall not be used unless it is the standard practice of the municipality to use this type of curbing in older, densely developed residential neighborhoods with a density similar to a traditional neighborhood.

SIDEWALKS WITH TRADITIONAL NEIGHBORHOOD STREETS

Sidewalks must be installed on both sides of a residential street. Sidewalks are optional on minor residential streets. Sidewalks shall typically be five (5) feet wide. The planning board may approve four (4) foot wide sidewalks in areas with the potential for limited pedestrian traffic such as short dead-end streets. Sidewalks may be constructed of poured concrete, bituminous concrete, precast concrete pavers, or brick.

Sidewalks should typically be located behind an esplanade at the outer edge of the street right-of-way. Sidewalks must be parallel to the edge of the traveled way or curb. The planning board may approve the layout of sidewalks that vary from this requirement if such deviation is necessary to avoid or preserve natural features such as rock outcrops or large trees or to work with difficult topographic conditions. If the sidewalk will be located outside of the normal street right-of-way, provisions must be made to either expand the ROW to accommodate the sidewalk or create an access and maintenance easement for the sidewalk. The location of this easement must be shown on the subdivision plat and the easement language must be approved by the planning board.

ESPLANADES FOR TRADITIONAL NEIGHBORHOOD STREETS

An esplanade must be located between the street and any sidewalk. The esplanade must be a minimum of five

(5) feet wide and be wider where feasible. The esplanade must be grassed or planted with perennials that do not obstruct the vision of motorists or pedestrians.

STREET TREES FOR TRADITIONAL NEIGHBORHOOD STREETS

Trees shall be planted along all streets. The species must be selected from the list of street trees provided by the town. The planting plan should avoid creating a monoculture in which only one species is used. The species selected should, however, be of similar height, texture, and form.

The street trees must be planted in the esplanade where one is provided. If an esplanade is not provided, the trees should be planted approximately ten (10) feet from the edge of the traveled way. In most cases, the trees should be spaced at an interval of forty (40) to fifty (50) feet along the street. The planning board may approve different or irregular spacing due to the topography or conditions of the site or the pattern of the lots.

Street trees must be a minimum of 2.5 inches DBH at planting. The developer shall be responsible for maintaining the trees for one year after planting and must replace any damaged, diseased, or dead trees. The planning board may require the subdivider to post a financial guarantee to assure the timely replacement of street trees, if necessary.

EXTERIOR LIGHTING IN TRADITIONAL NEIGHBORHOODS

Developers shall install residential-scale street lighting along residential streets in a traditional neighborhood. When pedestrian lighting is installed, it must conform to the standards of this section.

The lighting standards must be located in the esplanade or within ten (10) feet of the edge of the traveled way where there is no esplanade. Standards must be a maximum of twelve (12) feet high. Standards must be spaced to provide lighting levels and a uniformity of light on the sidewalk that conforms to the standards of the Illuminating Engineering Society of North America (IESNA). The lighting fixtures must be cut off fixtures as defined by IESNA or decorative or period fixtures with an initial rating of 1,800 lumens or less.

Example of exterior lighting

SPO file photo

Exterior lighting shall be provided in formal open spaces, community gathering spots, or other areas that are intended to be used after dark. The lighting levels and uniformity of lighting must conform to IESNA standards. The lighting fixtures must be compatible with lighting fixtures used for street lighting and be designed to create continuity and identity within the neighborhood.

3. Pedestrian Facilities

INTERCONNECTED PEDESTRIAN NETWORK IN TRADITIONAL NEIGHBORHOODS

The sidewalks and other pedestrian facilities must be laid out to create an interconnected, coordinated network that allows safe and convenient pedestrian access to all areas of the neighborhood. The pedestrian network should be designed to create nodes of pedestrian activity at key locations such as formal open spaces, community facilities such as common mail box facilities, recreational areas and similar places with the potential for regular use.

The pedestrian network in the subdivision must be designed to connect to adjacent community uses, recreational facilities, open space areas, and local commercial services where possible.

EXTENSION OF THE SIDEWALK SYSTEM TO TRADITIONAL NEIGHBORHOODS

When the existing sidewalk system is within a reasonable distance of the subdivision as determined by the planning board, the subdivider shall be responsible for the connection of the pedestrian network within the neighborhood to the existing sidewalk system. This requirement can be met either: 1) by the construction of a sidewalk or other pedestrian facility linking the neighborhood and the existing facilities, or 2) the payment of an impact fee to the town for this purpose.

ACCESSIBILITY AND SAFETY

All pedestrian facilities including sidewalks must comply with the provisions of the Americans with Disabilities Act and Maine state law. Formal crosswalks must be provided and maintained at locations where there will be a high volume of pedestrians, where the pedestrian network crosses a collector or arterial street, or where the planning board determines that crosswalks are necessary for safety. Formal crosswalks shall be delineated by a surface treatment that distinguishes them from the traveled way. This can be a contrasting material such as pavers or reflective paint.

4. Open Space

OPEN SPACE NETWORK IN TRADITIONAL NEIGHBORHOODS

Any subdivision that is part of a traditional neighborhood must provide recreational facilities and open space to meet the needs of the neighborhood. This requirement can be met either: 1) by the provision of formal green spaces, recreational areas, and natural areas as set forth in the Zoning Ordinance, or 2) the payment of an impact fee to the town for this purpose, or 3) a combination of 1) and 2) that is approved by the planning board.

The location and design of open space within a subdivision must conform to the following:

1. Open space intended to primarily address human needs such as formal green spaces and recreational facilities must be located in areas where they are generally accessible to all residents of the neighborhood. This open space must be located on parcels that are suitable for the proposed use from a development suitability and environmental perspective. Provisions must be made for appropriate pedestrian and bicycle access to these areas. These areas must be improved with appropriate facilities commensurate with the intended use. If the facility will accommodate high levels of use or use by the larger community, appropriate parking must be provided.

2. Natural areas must be located in those areas of the neighborhood that have the highest natural resource or scenic value based upon a site inventory and analysis that documents the open space potential of the overall site. The location and design of these areas should focus on providing protection to the natural and scenic resource value first and any human use second.

5. Lot Layouts

LOT LAYOUT

Lots in a traditional neighborhood must be designed and laid out to enhance the walkability of the neighborhood while providing each lot with the potential for back yard privacy. Lots should be as narrow as reasonable at the street line. In general, lots should be deeper than they are wide and should allow for the creation of private outside space on each lot. In the laying out of the lots, changes in topography and other natural features should be utilized to buffer the buildings from the street and from development on adjacent lots. If necessary, the planning board may require the applicant to demonstrate where a private outside space can be created on a lot and require that development maintain this opportunity.

Bethel Gazebo

Portland, Old Port

SPO file photo