

TITLE 16
MIXED-USE NEIGHBORHOOD/BUSINESS PARK ZONE

Repeal 16.4.26 Mixed-Use Neighborhood and replace with a Business Park Zone with corrections identified by Town attorney:

1 16.4.26 Business – Park – B-P

2 A. Purpose. To encourage investment that promotes development of a high-quality park-like setting
3 for both the business and residential communities. Cluster mixed-use development must be used on
4 larger tracts of land where offices, retail sales, services, lodging, open space, housing and light
5 manufacturing space are blended with residential and moderate entertainment to foster general
6 business growth and a sense of community. The intent of the cluster mixed-use development is to
7 provide a more efficient use of land than might be obtained through segregated development
8 procedures.

9 B. Permitted Uses.

10 The following land uses are permitted for projects that are cluster mixed-use developments:

- 11 (1) Art studio/gallery.
- 12 (2) Building materials and garden supply.
- 13 (3) Business and professional offices.
- 14 (4) Business services.
- 15 (5) Parking area (public or private)
- 16 (6) Conference center.
- 17 (7) Cluster residential development.
- 18 (8) Light industry.
- 19 (9) Mass transit station.
- 20 (10) Mechanical services, excluding junkyard.
- 21 (11) Motel, hotel, rooming house, inn.
- 22 (12) Personal service.
- 23 (13) Public Assembly area, theater
- 24 (14) Public open space recreational uses, recreational facilities, and selected commercial recreation.
- 25 (15) Public utility facilities including substations, pumping stations, and sewerage treatment
26 facilities.
- 27 (16) Repair services.
- 28 (17) Research and development.
- 29 (18) Restaurant.
- 30 (19) Retail sales, and retail sales convenience store
- 31 (20) School (including day nursery), university, museum, hospital, municipal or state building or
32 use, church, or any other institution of educational, religious, philanthropic, fraternal, political or
33 social nature.
- 34 (21) Shops in pursuit of trade.
- 35 (22) Veterinary hospital.
- 36 (23) Warehousing and storage.
- 37 (24) Wholesale businesses excluding used car lots.
- 38 (25) Specialty food and/or beverage facility.

39 C. The following land uses are permitted for projects that are not cluster mixed-use developments.

- 40 (1) Business and professional offices.
- 41 (2) Accessory uses and buildings.
- 42 (3) Business services.

43 D. Special Exception Uses. None

44 E. Standards.

45 The following standards must be met unless modified per Section 16.8.10(H), Cluster residential
46 development. Multiple-parcel development is subject to Chapter 16.6, Master Site Development
47 Plan.

48 (1) Design and performance standards in Chapters 16.5, 16.7, and 16.8. The Design Handbook
49 provides examples of appropriate design for nonresidential and multi-unit residential projects.

50 (2) Except for cluster mixed-use developments, the following space standards apply.

51 (a) Minimum land area per dwelling unit 10,000 square feet with sewer service.

52 (b) Minimum lot size 120,000 square feet.

53 (c) Minimum street frontage 150 feet.

54 (d) Minimum front yard 50 feet.

55 (e) Minimum rear and side yards 30 feet*.

56 * Except as may be required by the buffer provisions of this Code, and except where the side and/or
57 rear yards of the proposed non-residential-use abut a residential district or use, in which case a
58 minimum of forty (40) feet is required.

59 (3) Patios, sheds, parking lots and golf courses must have a minimum setback of 50 feet from
60 streams, water bodies, and wetlands.

61 (4) Cluster Residential Development. In a cluster residential development, the above standards may
62 be modified in accordance with the special provisions of Section 16.8.10(H) Cluster residential
63 development, including there is no minimum lot size, and with the conditions that:

64 (a) Minimum Principal building separation as required by the Fire Chief, but not less than 10 feet.

65 (5) Other Standards

66 (a) Parking.

67 All new or revised parking must be visually screened through the use of landscaping, earthen berms,
68 stone retaining walls, and/or fencing from adjacent public streets and abutting properties (see Design
69 Handbook for appropriate examples).

70 (b) Building Design Standards.

71 Kittery's characteristic buildings reflect its historic seacoast past. The primary architectural styles
72 are New England colonial (such as Cape Cod and Saltbox), Georgian, Federal, and Classical Revival.
73 New buildings must be compatible with Kittery's characteristic styles in form, scale, material, and
74 color. The front elevation must contain one or more of the following elements:

75 [1] windows, or

76 [2] display cases (see Design Handbook for examples of acceptable materials and designs).

77 Strict imitation is not required. Design techniques must be used to maintain compatibility with
78 characteristic styles and still leave enough flexibility for architectural variety. To achieve this
79 purpose, the following design standards apply to new and modified existing building projects:

80 [1] Exterior Building Materials and Details.

81 Building materials and details strongly define a project's architectural style and overall character (see
82 the Design Handbook for examples of acceptable materials, building scale, and designs). "One-

83 sided” schemes are prohibited; similar materials and details must be used on all sides of a building to
84 achieve continuity and completeness of design. Predominate exterior building materials must be of
85 good quality and characteristic of Kittery, such as horizontal wood board siding, vertical wood
86 boards, wood shakes, brick, stone or simulated stone, glass and vinyl, or metal clapboard.

87 [2] Roofs.

88 A building’s prominent roofs must be pitched a minimum of 4:12 unless demonstrated to the
89 Planning Board’s satisfaction that this is not practicable. The Board reserves the right to evaluate
90 such on each and all specific proposals. Acceptable roof styles are gabled, gambrel, and hipped
91 roofs. Shed roofs, and roof facades (such as “stuck on” mansards) are not acceptable as prominent
92 roof forms except as provided above. Flat roofs may be considered in context where it can be
93 demonstrated to the Planning Board’s satisfaction that the structure is not obtrusive and where visual
94 impact can be shown to be minimal. The roof design must screen or camouflage rooftop protrusions
95 to minimize the visual impact of air conditioning units, air handler units, exhaust vents, transformer
96 boxes, and the like (see the Design Handbook for examples of appropriate treatments).

97 [3] Loading Docks and Overhead Doors.

98 Loading docks and overhead doors must be located on the side or rear of the building and screened
99 from view from adjacent properties in residential use.

100 (c) Landscaping Standards.

101 To achieve attractive and environmentally sound site design, and appropriate screening of parking
102 areas, in addition to the landscaping standards contained in Chapters 16.4, 16.5, and 16.8, the
103 following landscaping requirements apply to new and modified existing developments:

104 [1] Landscape Planter Strip.

105 Landscape planter strips, interior and exterior to the project, are encouraged. A minimum of forty
106 (40) feet in depth of vegetated landscape buffer must be provided adjacent to all public right-of-way
107 lines that are common to parcel exterior boundary lines and include the following landscape
108 elements:

109 a. Ground Cover. The entire landscape planter strip must be vegetated except for approved
110 driveways, walkways, bikeways, and screened utility equipment.

111 b. Street Side Trees. In the event project development is to be approved based on a development
112 master plan, development standards are to be applied to the land as defined by its perimeter, rather
113 than by the individual lots, tracts, and parcels into which the land may be divided.

114 Development not based on a master development plan must, as a minimum, provide one street tree
115 for each twenty-five (25) feet of street frontage.

116 The trees may be spaced along the frontage or grouped or clustered to enhance the visual quality of
117 the site (see the Design Handbook for examples.) The trees must be a minimum 2.5 inch caliper, and
118 be at least twelve (12) feet high at the time of planting. The species should be selected from the list
119 of recommended street trees in the Design Handbook. Existing large healthy trees must be preserved
120 if practical and will count toward this requirement.

121 c. Planter Strip. Shrubs and flowering perennials must be planted at a minimum of fifteen (15) plants
122 per forty (40) linear feet of street frontage unless existing woodlands are being retained or such
123 planting is inconsistent with the retention of rural landscape features. The plant material should be
124 selected from a list of recommended materials in the Design Handbook. The plants must be placed

125 within the planter strip to enhance the visual character of the site and augment natural features and
126 vegetation (see the Design Handbook for examples of appropriate treatments).

127 [2] Outdoor Service and Storage Areas.

128 Facilities for waste storage such as dumpsters must be located within an enclosure and be visually
129 buffered by fencing, landscaping, and/or other treatments (see Design Handbook for examples of
130 appropriate buffering).

131 (d) Traffic and Circulation Standards.

132 Sidewalks and roadways internal to the parcel must provide adequate pedestrian and traffic
133 circulation both internally and externally, and provide safe and sufficient connectivity to the
134 surrounding neighborhoods (see the Design Handbook for appropriate examples).

135 (e) Open Space Standards

136 Open space must be provided as a percentage of the total parcel area, including freshwater wetlands,
137 water bodies, streams, and setbacks. Twenty-five percent (25%) of each parcel, or individual lot if
138 applicable, must be designated as open space. Required open space must be shown on the plan with
139 a note dedicating it as “open space”. The open space must be situated to create an attractive
140 environment on the site, minimize environmental impacts, and protect significant natural features
141 and resources. Where possible:

142 [1] Individual large, healthy trees and areas with mature tree cover will be included in the open
143 space; and

144 [2] the open space will be located to allow the creation of continuous open space networks in
145 conjunction with existing or potential open space on adjacent properties.

146 ~~§ 16.4.26 Mixed Use Neighborhood (MU-N).~~

147 ~~A. Purpose. To encourage higher density, mixed-use development that provides~~
148 ~~increased housing opportunities and a desirable setting for business while balancing such~~
149 ~~increased development with environmentally conscious and ecologically sensitive use of land.~~

150 ~~B. Permitted uses.~~

151 ~~(1) Dwelling, attached single-family.~~

152 ~~(2) Dwelling, multifamily.~~

153 ~~(3) Dwelling, multifamily (units on the upper floors of a mixed-use building that is~~

- 154 served by public sewer).
- 155 ~~(4) Convalescent care facility.~~
- 156 ~~(5) Nursing care facility, long-term.~~
- 157 ~~(6) Residential care facility (attached dwelling units only).~~
- 158 ~~(7) Accessory buildings, structures, and uses.~~
- 159 ~~(8) Home occupation, major.~~
- 160 ~~(9) Home occupation, minor.~~
- 161 ~~(10) Hotel.~~
- 162 ~~(11) Inn.~~
- 163 ~~(12) Day care facility.~~
- 164 ~~(13) Elderly day care facility.~~
- 165 ~~(14) Hospital.~~
- 166 ~~(15) Public utility facility.~~
- 167 ~~(16) Recreation, passive.~~
- 168 ~~(17) Recreation, public open space.~~
- 169 ~~(18) Recreation, commercial indoor (except shooting and archery ranges).~~
- 170 ~~(19) Recreation, commercial outdoor (except shooting and archery ranges).~~
- 171 ~~(20) Veterinary hospital.~~
- 172 ~~(21) Art studio or gallery.~~
- 173 ~~(22) Business and professional offices.~~
- 174 ~~(23) Business services.~~
- 175 ~~(24) Conference center.~~
- 176 ~~(25) Personal services.~~
- 177 ~~(26) Repair service.~~
- 178 ~~(27) Research and development.~~
- 179 ~~(28) Restaurant.~~
- 180 ~~(29) Retail sales (not to exceed 30,000 square feet in gross floor area unless part of a~~
- 181 ~~mixed-use building).~~
- 182 ~~(30) Retail sales, convenience (excluding the sale of gasoline).~~
- 183 ~~(31) Shops in pursuit of trade.~~
- 184 ~~(32) Specialty food and/or beverage facility.~~
- 185 ~~(33) Theater.~~
- 186 ~~(34) Industry, light (less than or equal to 20,000 square feet in gross floor area).~~
- 187 ~~(35) Liner buildings (as part of a mixed-use building).~~
- 188 C. ~~Special exception uses.~~
- 189 ~~(1) Commercial kennel.~~
- 190 ~~(2) Parking area.~~
- 191 ~~(3) Construction services.~~
- 192 ~~(4) Equipment sales and rentals (only on lots with frontage on Route 236).~~
- 193 ~~(5) Gas service station (only on lots with frontage on Route 236).~~
- 194 ~~(6) Industry, light (greater than 20,000 square feet in gross floor area).~~
- 195 ~~(7) Mass transit station.~~
- 196 ~~(8) Mechanical services.~~
- 197 ~~(9) New motor vehicle sales (only on lots with frontage on Route 236).~~
- 198 ~~(10) Used car lot (only on lots with frontage on Route 236).~~
- 199 ~~(11) Repair garage (only on lots with frontage on Route 236).~~
- 200 ~~(12) Retail sales (greater than 30,000 square feet in gross floor area and less than 50,000~~
- 201 ~~square feet in gross floor area).~~
- 202 ~~(13) Undefined use; additional commercial/business uses not defined by Chapter 16.3.~~
- 203 ~~(a) Undefined uses: will be considered by the Planning Board based on the following~~

- 204 **criteria:**
205 ~~{1} — If the use is consistent with the Comprehensive Plan and zoning district purposes;~~
206 ~~and~~
207 ~~{2} — If the use meets special exception criteria found in § 16.2.1C(14).~~
208 ~~(b) — In addition, the undefined use must meet one or both of the following criteria:~~
209 ~~{1} — If the proposed use has substantially similar impacts as a listed use.~~
210 ~~{2} — If the proposed use is compatible with existing uses within the zoning district for~~
211 ~~which it is proposed.~~
212 ~~D. — Standards. All development and the use of land in the MU-N Zone must meet the~~
213 ~~following standards. Kittery's Design Handbook illustrates how these standards can be met. In~~
214 ~~addition, the design and performance standards of Chapters 16.5, 16.7 and 16.8 must be met~~
215 ~~unless noted otherwise below.~~
216 ~~(1) — All submissions must include a lighting plan. Hours of operation and number of~~
217 ~~employees for businesses must also be provided.~~
218 ~~(2) — The following space standards apply:~~
219 ~~(a) — Minimum land area per dwelling unit, mixed-use building: 4,000 square feet for~~
220 ~~first residential unit plus 3,000 square feet for each additional unit, no minimum land area for~~
221 ~~business or commercial uses when combined in a building with residential uses except that the~~
222 ~~total lot size must be at least 20,000 square feet. (Note: ADA-compliant units may be located on~~
223 ~~the first floor through a special exception permit by the Planning Board but only 50% of the~~
224 ~~first floor may be such ADA-compliant residential units.)~~
225 ~~(b) — Minimum land area per dwelling unit, multiunit residential: 4,000 square feet for~~
226 ~~first unit, plus 2,500 square feet for each additional unit up to 16 units per acre of lot size.~~
227 ~~Total lot size must be a minimum of 20,000 square feet.~~
228 ~~(c) — Mixed-use or multiunit residential buildings which encompass at least 50% of~~
229 ~~required parking within the building: two additional residential units may be added to each~~
230 ~~story above the parking with no additional land area required.~~
231 ~~(d) — Mixed-use buildings which encompass at least 50% of required parking within the~~
232 ~~building and include a liner building for nonresidential uses buffering parking from the street:~~
233 ~~one additional residential unit may be added to each story with no additional land area~~
234 ~~required.~~
235 ~~(e) — Minimum land area per bed for long-term nursing care and convalescent care~~
236 ~~facilities that are connected to public sewer: 2,000 square feet.~~
237 ~~(f) — Minimum land area per residential unit for elder care facilities that are connected~~
238 ~~to public sewer: 3,000 square feet.~~
239 ~~(g) — Minimum lot size: 20,000 square feet.~~
240 ~~(h) — Minimum street frontage: 75 feet.~~
241 ~~(i) — Minimum front setback on Route 236: 30 feet.~~
242 ~~(j) — Minimum front setback on Dennett Road: 50 feet.~~
243 ~~(k) — Minimum front setback on Martin Road: 100 feet.~~
244 ~~(l) — Maximum front setback all other roads: 20 feet.~~
245 ~~(m) — Spacing between buildings: 15 feet.*~~
246 ~~(n) — Maximum rear and side setbacks: 20 feet.**~~
247 **NOTES:**
248 ~~* Or as required by the Fire Department or State Fire Marshal's office.~~
249 ~~** Except as may be required by the buffer provisions of this Code. See~~
~~Landscaping, screening and buffers, § 16.4.26.~~
~~(o) — Maximum building height: 50 feet (exclusive of solar apparatus).~~
~~(p) — Maximum impervious and outdoor stored material coverage: 70%. (Note: With~~
~~best management practices (BMPs) and low-impact development practices (LIDs) as defined in~~

250 ~~Chapter 16.3 and based on Maine DEP's Maine Stormwater Best Management Practices~~
251 ~~Manual, Volumes I through III, as amended from time to time, incorporated in site design,~~
252 ~~otherwise 60%. Maximum on-site stormwater infiltration is the desired and measurable~~
253 ~~outcome.~~

254 ~~(g) ——— Minimum setback from streams, water bodies and wetlands in accordance with~~
255 ~~Table 16.5.30.~~

256 ~~{1} ——— With best management practices (BMPs) and low impact development practices~~
257 ~~(LIDs) as defined in Chapter 16.3 and based on Maine DEP's Maine Stormwater Best~~
258 ~~Management Practices Manual, Volumes I through III, as amended from time to time,~~
259 ~~incorporated in site design, then wetland setbacks pursuant only to Maine Department of~~
260 ~~Environmental Protection (MDEP) Rules Chapters 305 and 310.~~

261 ~~{2} ——— Without best management practices (BMPs) and low impact development practices~~
262 ~~(LIDs) as defined in Chapter 16.3 and based on Maine DEP's Maine Stormwater Best~~
263 ~~Management Practices Manual, Volumes I through III, as amended from time to time,~~
264 ~~incorporated in site design, wetland setbacks pursuant to Kittery Town Code Title 16, Table~~
265 ~~16.5.30.~~

266 ~~{3} ——— The Town shall retain expert consultation (qualified wetland scientist and/or~~
267 ~~Maine certified soil scientist) to determine wetland delineations and classifications and to~~
268 ~~perform soil testing as needed, all of which shall be paid for by the applicant at the time of~~
269 ~~sketch plan. The qualified wetlands scientist and/or Maine certified soil scientist shall~~
270 ~~determine through field investigation the presence, location and configuration of wetlands on~~
271 ~~the area proposed for use. Any wetland alterations proposed must also be reviewed by the~~
272 ~~Town's consultant(s) at the applicant's expense. These requirements are in addition to~~
273 ~~engineering, stormwater management/BMPs, traffic or other types of peer review that may~~
274 ~~also be required.~~

275 ~~(f) ——— Minimum open space:~~

276 ~~{1} ——— Lot size less than 100,000 square feet: 15%.~~

277 ~~{2} ——— Lot size greater than 100,000 square feet: 25%. (Note: This requirement may be~~
278 ~~met by a payment in lieu to the Wetland Mitigation Fund. These fees shall be set by Town~~
279 ~~Council. Landscaping, screening and buffer requirements must still be met.)~~

280 ~~(3) ——— Parking:~~

281 ~~(a) ——— Parking is encouraged within buildings. New or revised surface parking areas,~~
282 ~~garages, and entrances to parking within buildings must be located to the rear of buildings. If a~~
283 ~~rear location is not achievable, as determined by the Planning Board, parking, garages and~~
284 ~~entrances to parking must be located to the side of the building. Screening and/or fencing is~~
285 ~~required for surface parking areas along a street. See Subsection D(8), Landscaping, screening~~
286 ~~and buffers. Parking requirements are based on the Institute of Transportation Engineers~~
287 ~~(ITE) parking generation rates.~~

288 ~~(b) ——— Joint use agreements (between businesses and residences) for parking are~~
289 ~~encouraged. A plan describing how joint use parking needs will be met is required as part of~~
290 ~~any development that proposes such parking and must be reviewed and approved by the~~
291 ~~Planning Board.~~

292 ~~(c) ——— Parking requirements for nonresidential uses may be met partially or in full by~~
293 ~~parking on the street except that no parking is allowed on Route 236, Dennett Road, or Martin~~
294 ~~Road. Such on-street parking plans must be reviewed by planning staff prior to submission~~
295 ~~and then reviewed and approved by the Planning Board.~~

296 ~~(d) ——— Electric car charging stations are allowed in parking lots but must not interfere~~
297 ~~with pedestrian movement on sidewalks.~~

298 ~~{1} ——— Parking for development that includes trails and low intensity recreation.~~

299 ~~Development that includes the creation of public trails and low intensity recreational~~

300 ~~opportunities such as wildlife observation stations or boardwalks may apply the pertinent off-~~
301 ~~street parking standards below. All other off-street parking standards as found in § 16.7.11F(3)~~
302 ~~shall apply.~~

303 ~~(c) ——— Multiunit residential buildings and mixed-use buildings that include residential.~~

304 ~~{1} ——— One parking space for studio and one-bedroom dwelling units.~~

305 ~~{2} ——— One and one-half parking spaces for two-bedroom dwelling units plus one guest~~
306 ~~parking space per every four dwelling units.~~

307 ~~{3} ——— Parking spaces for more than two-bedroom dwelling units.~~

308 ~~(4) ——— Loading docks, overhead doors, service areas and outdoor storage areas.~~

309 ~~(a) ——— Loading docks and overhead doors must be located on the rear or side of the~~
310 ~~building. Loading docks must be screened from view by adjacent residential uses. This~~
311 ~~screening must consist of the following:~~

312 ~~{1} ——— A fence, constructed of a material similar to surrounding buildings, of sufficient~~
313 ~~height as determined by the Planning Board to accomplish the screening. No fence may be less~~
314 ~~than six feet tall.~~

315 ~~(b) ——— All service areas for dumpsters, compressors, generators and similar items as well~~
316 ~~as any outdoor storage areas must be screened by a fence at least six feet tall, constructed of a~~
317 ~~material similar to surrounding buildings, and must surround the service or storage area~~
318 ~~except for the necessary ingress/egress.~~

319 ~~(5) ——— Site design. Site design and building placement must be attentive to the surrounding~~
320 ~~environment including sun, wind and shade patterns related to proposed and existing~~
321 ~~buildings. A sun/shade analysis may be required by the Planning Board.~~

322 ~~(6) ——— Energy and sustainability. Energy efficiency is allowed and encouraged through the~~
323 ~~use of solar power, geothermal, and other alternative and sustainable power sources.~~

324 ~~(7) ——— Building design standards.~~

325 ~~(a) ——— New buildings must meet the general design principles set forth in the Design~~
326 ~~Handbook except as noted below. In general, buildings should be oriented to the street from~~
327 ~~which they derive frontage, with the front of the building facing the street. The front facade~~
328 ~~must contain the following:~~

329 ~~{1} ——— A front door for pedestrian access.~~

330 ~~{2} ——— Windows.~~

331 ~~(b) ——— Flat roofs, proposed to locate heating, cooling, or other such mechanical or~~
332 ~~electrical apparatus off the ground, are acceptable provided that such apparatus are screened~~
333 ~~from view and the screening is designed as an integral part of the building to aid both~~
334 ~~aesthetics and noise attenuation. Flat roofs proposed for the purpose of solar array~~
335 ~~installations are also acceptable.~~

336 ~~(8) ——— Landscaping, screening and buffers.~~

337 ~~(a) ——— A landscape plan prepared by a registered landscape architect is a submission~~
338 ~~requirement. However, a landscape plan done by other design professionals may be allowed at~~
339 ~~the Planning Board's discretion.~~

340 ~~(b) ——— Native trees, shrubs and herbaceous plantings are preferred and must be drought~~
341 ~~and salt tolerant when used along streets. A diversity of tree species (three to five species per~~
342 ~~every 12 trees) is required to provide greater resiliency to threats from introduced insect pests~~
343 ~~and diseases.~~

344 ~~(c) ——— Any required plantings approved by the Planning Board that do not survive must~~
345 ~~be replaced within one year.~~

346 ~~(d) ——— Landscaping along the street frontage of each building must consist of one of the~~
347 ~~following:~~

348 ~~{1} ——— Street trees. A minimum of one street tree must be planted for each 20 feet of street~~
349 ~~frontage. Trees may be planted in groups or spaced along the frontage. However, trees must be~~

350 planted to ensure survival, using silva cells, bioretention cells or tree wells. Trees are to be a
351 minimum of 2.5-inch caliper and 12 feet high at the time of planting. Existing large healthy
352 trees must be preserved if practical and will count towards this requirement.
353 {2} ~~———— Pocket park. The park must be at least 200 square feet. A minimum of three trees
354 and a bench for sitting are required. Park must be vegetated with ground cover except for
355 walkways.~~
356 (e) ~~———— Surface parking areas that abut a street must provide screening in one of the
357 following ways:~~
358 {1} ~~———— One tree per 25 feet of street frontage backed by a fence constructed of a material
359 similar to surrounding buildings which must screen the parking area from the street except for
360 necessary vehicular and pedestrian access. Trees must be at least 2.5-inch caliper and 12 feet
361 high at the time of planting.~~
362 {2} ~~———— A combination of trees and shrubs including at least 50% evergreen species, all at
363 least six feet high at time of planting, in a planting bed at least eight feet wide. Plantings must
364 be sufficient, as determined by the Planning Board, to screen the parking area from the street
365 except for necessary vehicular and pedestrian access. Planting beds may be mulched but no
366 orange or red dyed mulching material may be used.~~
367 {3} ~~———— A minimum of 10% of any surface parking area consisting of 10 or more parking
368 spaces must be landscaped with trees and vegetated islands. This requirement is in addition to
369 the screening requirements in § 16.4.26D(8)(c){1} and § 16.4.26D(8)(c){2} if the parking area
370 abuts a street. Bioretention cells and rain gardens may be utilized to meet the landscaping
371 requirements and perform stormwater management.~~
372 (f) ~~———— Buffers required between residential uses and mixed use or nonresidential uses, and
373 between adjacent residential zones and this zone must be 50 feet wide and consist of one of the
374 following as determined by the Planning Board:~~
375 {1} ~~———— Existing natural woodland and vegetation.~~
376 {2} ~~———— Existing natural woodland augmented by the planting of additional trees consisting
377 of a variety of species at least 2.5-inch caliper and 12 feet high.~~
378 {3} ~~———— A fence at least six feet high, constructed of material similar to surrounding
379 buildings, with plantings of trees and shrubs at least six feet tall on either side of the fence.~~
380 (9) ~~———— Open space. Open space must be provided as a percentage of the total parcel area
381 including freshwater wetlands, water bodies, streams and setbacks. Required open space must
382 be shown on the site plan with a note dedicating it as open space. The open space must be
383 situated to protect significant natural features and resources, minimize environmental impacts
384 and promote an aesthetically pleasing site.~~
385 (a) ~~———— Wherever possible, large healthy trees and areas with mature tree cover must be
386 included in the open space.~~
387 (b) ~~———— Location of open space must promote the continuity of open space networks across
388 adjacent parcels.~~
389 (c) ~~———— Where possible, open space and open space networks must include public trails and
390 low intensity recreational opportunities.~~
391 (10) ~~———— Special situations. Expansions or modifications of 1,000 square feet or less to
392 existing uses are exempt from landscaping, screening and buffer requirements.~~
393 (11) ~~———— Conditions for approving special exception uses in the Neighborhood Mixed Use
394 Zone. All applications must include a narrative describing why the use proposed will promote
395 the general welfare (specifies may be found in Chapter 16.3, Definitions, for special exception)
396 of the Town of Kittery, how the use proposed will meet the special exception criteria found in
397 § 16.2.12F(3) and how the proposed development will adapt and relate to the natural
398 environmental conditions found on the site.~~