

TECHNICAL ASSISTANCE BULLETINS

Good Neighbor Policies

A technical assistance series prepared by:

Maine State Planning Office

Maine Department of Environmental Protection

Rothe Associates
Kent Associates

With input from a number of professional and citizen planners

Inside

Background Information
Planning Considerations
Review Process
Review Standards
Definitions

TA Bulletin # 6

This TA Bulletin is one in a series of documents intended to provide guidance to volunteer board and committee members on specific planning topics. Emphasis is placed on the development review process.

Financial assistance for the development of this document provided by the National Oceanic and Atmospheric Administration.

January, 2002

Good Neighbor Policies are standards for nonresidential and large residential projects that are administered through a design review process in a local zoning, site plan review or “good neighbor” ordinance. Their purpose is to ensure that development will be an asset to its neighbors and the community as a whole.

Examples of good neighbor policies include standards for:

- Buffering
- Exterior lighting
- Noise
- Outdoor storage areas
- Landscape design
- Building placement, alignment and setback
- Building entrances
- Building orientation and scale
- Off-street parking and loading
- Business signs
- Hours of operation
- Recycling/waste collection

In the broadest sense, good neighbor policies include all of the potential land use standards that a community could adopt. For the purposes of this bulletin, however, good neighbor policies focus on those standards which regulate the aesthetic aspects of nonresidential or large scale residential development. Such standards mitigate, reduce or eliminate impacts that spill over (visually or otherwise) onto surrounding properties.



Example of a well planned development that is a good neighbor to adjacent uses.

Background Information

Throughout the country and in many parts of Maine, municipalities are no longer content to regulate development through the limited tools of traditional zoning which separates land uses and regulates lot sizes and setbacks. To an increasing extent, they are demanding a greater say about the aesthetic aspects of new projects including their impacts on adjacent properties and the community as a whole. A number of Maine communities now include “good neighbor” standards in their local ordinances, although few standards are labeled as such. For the most part, these standards are included in local site plan review ordinances.

Important Trends

There are a number of national trends which may have an influence on whether and to what extent local officials choose to adopt a local design review process and accompanying good neighbor standards. These trends, listed below, are taken from the publication “Aesthetics, Community Character, and the Law,” published by the American Planning Association (Planning Advisory Service Report No.489/490) in 1999.

Negative Trends

1. Franchises. “The need for speed and convenience...influences franchise design, resulting in site plans that emphasize efficiency over respect for community character.”
2. Big box developments. “While big box stores vary widely in size and market niche, they tend to share common design features, including: large, rectangular, single-story buildings with standardized, often blank facades; reliance on automobile shoppers who are accommodated by acres of parking; and no-frills site development that often eschews community or pedestrian amenities such as trees or sidewalks.”
3. Smaller developments. “Big boxes aren’t the only retail outlets being subjected to an increasingly stringent and sophisticated generation of design review programs. Local governments are realizing that smaller-sized businesses may just as quickly erode community character if not properly integrated with their natural and architectural surroundings.”
4. Gas stations, chain restaurants. “Both gas stations and chain restaurants cater to, and rely heavily on, the automobile, and their most prominent design features are attributable to the car.”



Example of big box development: large, rectangular, single-story building, standardized blank facades, large parking lots, and lack of amenities such as trees and sidewalks.



In contrast to typical big box development, both this Wal-Mart and K-Mart show how variation in color, roof line, materials, and signage can make such development fit better with a community’s aesthetics and the building’s natural setting.

Positive Trends

1. Franchises. “Developers of corporate franchises, such as drug stores, fast-food restaurants, and gas stations, are recognizing that more demure building design and better site plans often translate into better neighborhood relations, and thus increased business.”
2. Fast Food establishments. “The major food-service corporations (e.g. McDonald’s, Burger King) have shown a willingness to adapt to unusual spaces if it makes good economic sense: being a good neighbor can promote a healthy corporate image, which translates into increased sales.”

How Should Good Neighbor Policies Be Administered?

While good neighbor policies can simply be included as standards in a local zoning ordinance, a separate design review process can help assure higher quality nonresidential or large scale residential development. A site plan review ordinance tailored to address good neighbor issues can help assure an effective local design review process.

As stated in the State Planning Office's Site Plan Review Handbook, "In simple terms, site plan review is a locally developed system for reviewing new commercial, industrial and other nonresidential development to assure that it meets public health, safety and environmental concerns. It is not zoning."

"In many ways, site plan review is analogous to subdivision review for new residential developments. When a developer proposes to create a subdivision, that project must be reviewed by the local planning board to assure that it meets basic standards. Site plan review does the same thing for local review of retail, office, service, industrial and other nonresidential developments." It is also used in some communities for the review of large-scale residential projects such as apartment complexes. In short, good neighbor standards should be included in a local site plan review or design review ordinance.

Design/Site Plan Review Guidelines

1. Employ community-based efforts to identify what is special, unique, or worthy of conserving in an area.
2. Ensure administration by a well-qualified board.
3. Supplement written design standards with visual aids, photographs and guidebooks to make clear what the community desires; this reduces uncertainty for prospective developers.
4. Do not concentrate solely or even primarily on detailed building design review.
5. Carefully integrate design review with other planning goals for the area.
6. Keep records.
7. Draft efficient procedural requirements.
8. Be sure sufficient political will exists to enforce and maintain a design review program.

Source: American Planning Association.

Planning Considerations

Designing a Local Ordinance

Note: for a more complete discussion, see the Maine State Planning Office document "Site Plan Review Handbook."

A site plan review or design review ordinance with good neighbor standards may not be needed in a small, rural town with little growth pressure. Good neighbor standards, however, can have a significant impact on the quality of nonresidential projects and community character in developing and/or larger communities. Key issues to consider in preparing a local site plan review/design review ordinance are:

1. Are different standards warranted in different parts of town?
2. Should the ordinance include other requirements in addition to good neighbor standards? For example:
 - Public health/safety standards such as: requirements for emergency vehicle access and

sight distances for driveways; and provisions for water supply and sewage disposal;

- Environmental standards such as those for storm water management, erosion and sedimentation control, and protection of scenic areas and wildlife habitat;
- Project specific standards such as those for campgrounds, extractive industries and mobile home parks; and
- Standards for minimizing public costs such as road construction standards and provisions for recycling and solid waste disposal.

You may want to consult other sources for specific examples of the above standards. These sources include:

- Other bulletins in this series
- The Site Plan Review Handbook (State Planning Office);

- Model Subdivision Ordinance for Maine Communities (State Planning Office);
- How to Write a Land Use Ordinance (State Planning Office);
- Other land use ordinances on file at SPO.

3. Should there be an exemption or lesser level of review for smaller projects? Some projects, such as a home office, may have very little impact on its neighbors or the community.

4. Should the review apply to:

- Changes of use
- Expansion
- Reconstruction

The requirements should be tailored to the needs of your community. Most site plan review ordinances contain exemptions for agricultural buildings.

5. Who should be the design review authority? The possibilities include:

- The Planning Board
- A site plan review committee
- A design review committee
- Professional, trained staff

6. Can the effectiveness of our site plan review ordinance be improved by adding good neighbor policies? This bulletin may contain standards which can supplement existing municipal standards.

Comprehensive Planning Process

The Comprehensive Plan can be used to document the need for good neighbor standards. As such, it is important to provide a thorough inventory and analysis of the need for standards that can help maintain and improve the quality of nonresidential and large-scale residential projects and buildings in the community. Goals, policies and strategies that also address good neighbor issues should also be included in the plan. The policies and strategies form the legal basis for land use standards adopted in local ordinances.

The Land Use Inventory

One of the first steps in the comprehensive planning process is to conduct a land use inventory. The plan should consider the types of uses which currently exist in the community and their location. The town should consider the extent to which existing development has been:

- Carefully planned, resulting in a visually appealing built environment; or

- Poorly planned, resulting in projects that detract from the character of the community.

The community should also consider the location and extent of new development and whether there may be negative impacts on community character that might be lessened or avoided through good neighbor policies.

Upon completion of the inventory and analysis, the town should develop policies and strategies which will protect the character of the community while still allowing for new nonresidential and large scale residential uses.

The Comprehensive Plan may recommend that a zoning ordinance be developed to provide different standards for different zones and/or different types of uses. Alternatively, or in addition to zoning, the Plan may recommend the adoption of a site plan review ordinance that would include design review standards.

Model Comprehensive Plan Policies

The following are examples of policy statements that might be incorporated into a local Comprehensive Plan:

- ⇒ Protect residents, business and other land uses from the negative impacts of nonresidential and large scale residential development.
- ⇒ Take steps to assure that nonresidential development is an asset to the community.
- ⇒ Protect the character of the community.

Model Comprehensive Plan Strategies

The following are examples of strategies that might be incorporated into a local plan:

- ⇒ Develop (or amend) a site plan review ordinance that includes good neighbor standards to address the quality of nonresidential and large scale residential development. Provisions should include, but not be limited to:
 - Buffering;
 - Exterior lighting;
 - Noise;
 - Outdoor storage areas including recycling, waste collection;
 - Landscape design;
 - Building placement, alignment and setback;
 - Building entrances;
 - Building orientation and scale; and
 - Off-street parking and loading.

Review Process

The local development review process typically starts with the submittal of required information by the developer. This section contains suggested submittal requirements; these specify the information to be submitted so that the Planning Board (or other municipal review authority) can determine if the review standards (next section of the bulletin) will be met. The left column provides a listing of documents (submittals) relating to good neighbor policies. The right hand column provides a discussion of the submittal requirements – why they are needed and how they are used in determining compliance with the standards.

Each submittal helps the Planning Board (or other municipal review authority) determine whether the standards contained in the ordinance(s) will be met. The Planning Board should review each submittal and be confident that the information provided adequately addresses the review standard, prior to approving the application. The background information provided in this bulletin and the discussions of the submittals and the standards will help the Planning Board interpret the submittals. Submittal requirement language should be included in local ordinances. The municipality may also develop a submittal checklist so that it can easily determine if an application is complete.

Basic Submittal Requirements (For Use in Site Plan Review, Zoning or Good Neighbor Ordinances)

Submittals

Discussion

The application shall be in writing on a form available from the municipal office and shall contain a description of the proposed structure(s) prior to their construction, enlargement or change of use. Submittals shall include:

- A.** A plan of the site to scale showing lot dimensions, setbacks, building envelope and proposed landscaping;
- B.** A scale drawing of the structure(s) with notations showing:
 - Building height;
 - Roof type and pitch;
 - Dimensions of building and its orientation;
 - Exterior finish;
 - Building size;
 - Architectural details;
 - Location of building(s) on the site;
 - Street level photograph(s) of adjacent buildings;
 - Construction materials and textures.
- C.** Specific plans for landscaping buffers, exterior lighting, hours of operation, noise control and outside storage of materials;
- D.** A scale drawing, location and description of proposed signs;
- E.** A scale drawing showing sidewalks and sidewalk treatments; and
- F.** A scale drawing of off-street parking and loading facilities.

- A.** The site plan will provide an overview of the development proposal for the Code Enforcement Officer, planner and/or Planning Board.
- B.** The scale drawing will enable the Code Enforcement Officer, planner or Planning Board to determine whether the proposed structure(s) meets the good neighbor standards of the ordinance.
- C.** This information is necessary to determine the impact of the development on adjacent properties.
- D.** The scale drawing will help determine compliance with sign standards.
- E.** It is important to determine how the project will provide for sidewalks along the front of the site as well as within it.
- F.** The design of these facilities is essential to the overall quality of the project; a poor design will negatively impact community character.

Review Standards

This section presents review standards which can be included in a site plan, zoning or good neighbor ordinance. Several alternatives having varying degrees of detail are presented. The standards should be applicable to new developments, expansions, and changes of use. Standards are presented in the left column, and a discussion of the standards appears in the right column.

This section of the bulletin provides model “standards” that a project requiring site plan review must meet to obtain approval. Basic standards to minimize negative impacts on adjacent properties are presented first, followed by more detailed standards for minimizing negative impacts on the neighborhood, and finally, standards for use in downtown commercial areas. Keep in mind that the standards provided here are suggestions that address good neighbor standards only; a complete submission will most likely have to meet other pertinent requirements as well. Consult the municipal attorney or the Maine Municipal Association to make sure the ordinance covers all bases.

Basic Review Standards to Minimize Negative Impacts on Adjacent Residential Properties (For Use in Site Plan Review, Zoning, and Good Neighbor Ordinances)

Standard

Discussion

A. Buffering

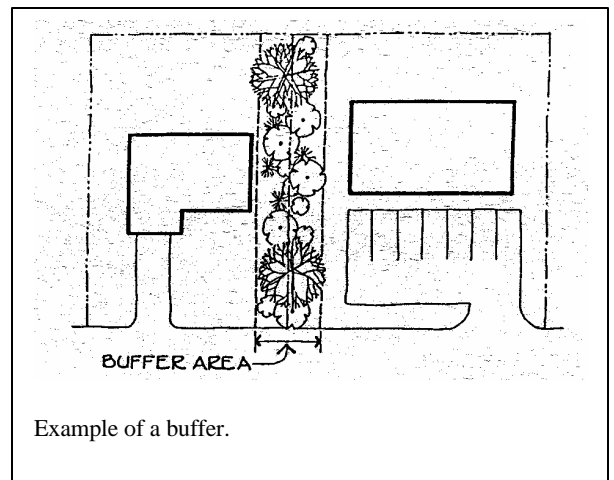
The development shall provide for the buffering of adjacent uses, where there is a transition from one type of use to another, and for screening of mechanical equipment, loading and service areas, and storage facilities.

1. Buffering shall be designed and maintained to provide a year-round visual screen in order to minimize adverse impacts. It may consist of fencing, evergreens, berms, rocks, boulders, mounds, or a combination thereof. The use of native plant species is encouraged.
2. A development shall provide sufficient buffering when topographic or other barriers do not provide reasonable screening and where there is a need to:
 - a) Shield neighboring properties from any adverse external effects of the development; or
 - b) Shield the development from the negative impacts of adjacent uses.

A. Buffering

Buffers can be an effective tool to minimize potential negative impacts of a nonresidential or large scale residential use on a residence. It is important to include standards that apply to the main use, and accessory uses such as parking, service areas and storage facilities.

1. This standard requires that a buffer be permanent and provide protection year-round. A buffer consisting of evergreens would provide year-round protection, but deciduous trees would not because they lose their leaves in the fall.
2. This standard requires a buffer when vegetation, topography, or other features (such as a stone wall) fail to provide adequate protection.



Standard

3. The depth of the buffer may vary depending on the treatment of the area.
 - a) Within densely built-up areas, a buffer with dense planting, fencing or changes in grade may be as little as five (5) feet in width. A buffer with moderate levels of planting should be ten (10) feet to fifteen (15) feet in depth.
 - b) In suburban and rural settings, the depth of the vegetated buffer should be increased to a minimum of twenty-five (25) feet.
 - c) Areas adjacent to mechanical service, parking, loading or storage areas and facilities should be screened by dense plantings, berms, fencing, or a combination thereof with a minimum depth of five (5) feet.

B. Exterior Lighting

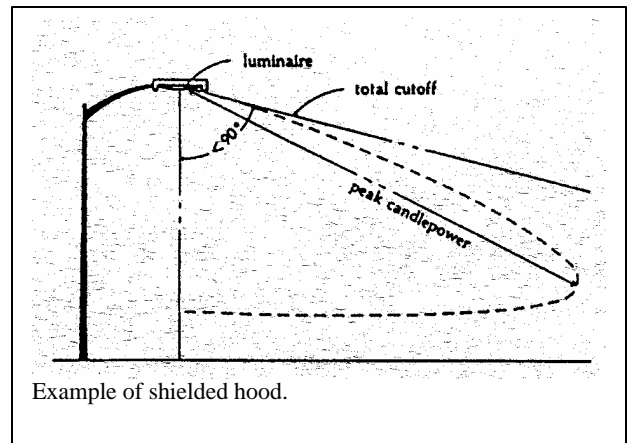
1. The proposed development must have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated.
2. Lighting may be used which serves security, safety and operational needs, but which does not directly or indirectly produce deleterious effects on abutting properties or which would impair the vision of a vehicle operator on adjacent roadways. Lighting fixtures must be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings and so that they do not light the night sky.
3. All exterior lighting, except where security lighting is necessary, must be turned off between 11:00 PM and 6:00 AM unless located on the site of a commercial or industrial use which is conducting business during that period.
4. Building entrances may be illuminated using recessed lighting in overhangs and soffits, or by use of spotlighting focused on the building entrances with the light source concealed (e.g. in landscaped areas). Direct lighting of exterior building areas is permitted only when necessary for security purposes, in limited areas.

Discussion

3. This standard requires a narrow buffer suitable for densely built-up areas, where lots may be small; but provides for a wider buffer in rural areas where lots can be larger.

B. Exterior Lighting

These standards are aimed at minimizing the impacts of lighting on adjacent residential properties.



Standard

C. Noise

The proposed development shall not increase noise to the extent that abutting or nearby properties are adversely affected. In order to comply with this, the development must meet the following requirements.

1. The maximum permissible sound level of any continuous, regular, frequent or intermittent source of sound produced by any activity shall be limited according to the time of day and land use which abuts it as listed below.

Abutting Use	Sound Level Limits dBA	
	7:00 am- 7:00 pm	7:00 pm- 7:00 am
Residential	55	45
Commercial	65	55
Industrial	70	60
Institutional	55	45

2. Where the abutting property is undeveloped, the sound level shall be equal to or less than the most restrictive abutting use. Where there are no uses on abutting properties, the sound level at the property line shall be equal to or less than the least stringent use allowed by zoning.
3. Sound levels shall be measured at least four (4) feet above the ground at the property line of the development. Sound levels shall be measured by a meter set on the A-weighted response scale, fast response. The meter shall meet the latest version of American National Standards Institute (ANSI S1.4.) "American Standard Specification for General Purpose Sound Level Meters" and shall have been calibrated at a recognized laboratory within the past year.
4. The following uses and activities shall be exempt from the sound pressure level regulations:
 - a) Noises created by construction and temporary maintenance activities between 6:30 a.m. and 8:00 p.m.
 - b) The noises of safety signals, warning devices, and emergency pressure relief valves and other emergency activities.

Discussion

C. Noise

Note: See "Noise" Technical Assistance Bulletin #4 for more detailed standards. The term "adversely affected" is vague. The standard is defined by the conditions that follow the introductory wording.

1. The hours can be changed to reflect community values and patterns. Most standards use 6 a.m. or 7 a.m. as the separation of the nighttime to daytime standard; daytime to nighttime varies from 7 p.m. to 10 p.m.
2. This is a provision to protect future uses of vacant land which abuts a noise generator. The first sentence makes the noise level at the abutting property line of vacant property less than or equal to the sound level required for the most restrictive abutting use. If a municipality is trying to transition an area to a more industrialized area, this requirement may not be appropriate. The second sentence allows the noise level for uses where there are no abutters to equal the noise level for the least restrictive possible abutting use. Thus, this type of setting could have the maximum noise level permitted by ordinance. It effectively discourages quieter uses from locating in the area.
3. This specifies the standard to be used for the sound level meter and must be included so that all measurements have a common base and accuracy.
4. Exemptions should be provided for some activities. The standard is based on common examples. In paragraph a), the times for construction activities can vary depending upon community needs. Additionally, the exemption could be limited so that it would not apply to Sundays and/or Federal holidays. In paragraph d), municipalities may want to exempt agriculture and forestry in rural areas since these uses are generally allowed but often create noise above the allowable standard.

Standard

- c) Traffic noise on public roads.
- d) Resource use in rural areas.

D. Storage of Materials

1. Exposed nonresidential storage areas, exposed machinery, and areas used for the storage or collection of discarded automobiles, auto parts, metals or other articles of salvage or refuse must have sufficient setbacks and screening (such as a stockade fence or dense evergreen hedge) to provide a visual buffer sufficient to minimize their impact on abutting residential uses and users of public streets.
2. All dumpsters or similar large collection receptacles for trash or other materials must be located on level surfaces which are paved or graveled. Where the dumpster or receptacle is located in a yard which abuts a residential or institutional use or a public street, it must be screened by fencing or landscaping.
3. Where a potential safety hazard to children is likely to arise, physical screening sufficient to deter small children from entering the premises must be provided and maintained in good condition.

Discussion

D. Storage of Materials

1. This standard requires setbacks and screening to provide a visual barrier between exterior storage areas and adjacent uses.
2. It is important that dumpsters and similar receptacles be placed on an impervious surface and be screened from view.
3. It is important to keep small children out of hazardous areas. In general, fences are more effective at this than landscaping.



A good example of a dumpster placed on an impervious surface and screened from view with a high brick wall and gates.

**Detailed Review Standards
to Minimize Negative Impacts on Neighborhood
(For Use in Site Plan Review, Zoning and Good Neighbor Ordinances)**

The following standards are intended to supplement standards found in the previous section. These standards address the physical appearance of the project and its relationship to the neighborhood. While the standards presented here are reasonable for many communities, they should be customized to reflect local conditions. Some of the standards are suitable for urban or built-up environments, while others are suitable for rural environments.

Standard

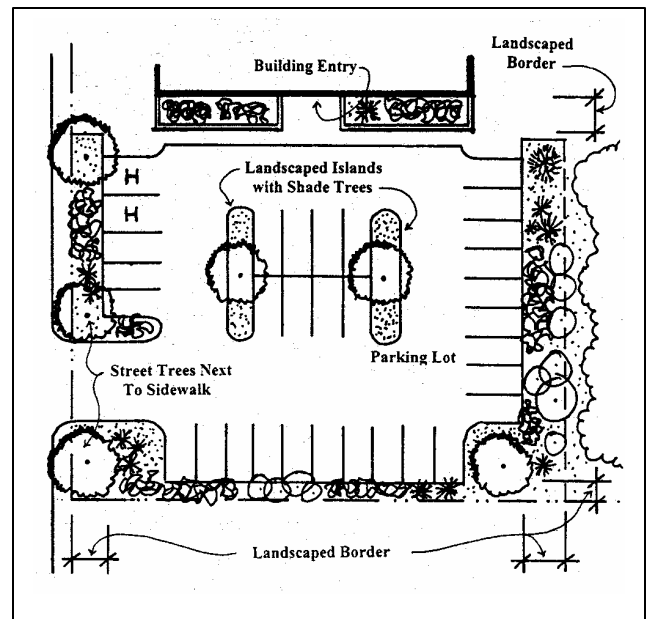
Discussion

A. Landscaping

1. Plan. A landscaping plan shall be provided as part of the site design. The landscape plan for the entire site must use landscape materials to integrate the various elements on site, preserve and enhance the particular identity of the site, and create a pleasing site character. The landscaping should define street edges, break up parking areas, soften the appearance of the development, and protect abutting properties.
2. Landscaping of parking lots. Landscaping around and within parking lots shall be designed to shade hot surfaces and visually “soften” the hard surface look of parking areas.
 - a. Parking areas shall be designed and landscaped to create a pedestrian-friendly environment.
 - b. A landscaped border shall be created around parking lots.
 - c. Any parking lot containing ten (10) or more parking spaces shall include one (1) or more landscaped islands within the interior of the lot. There shall be at least one (1) island for every twenty (20) spaces.
 - d. Landscaping must screen the parking lot from adjacent residential uses and from the street.

A. Landscaping

1. This standard requires that developers submit a landscaping plan for the site, prepared, if appropriate, by a landscape architect.
2. This standard requires parking lot landscaping. The following illustration shows how a typical parking lot could be landscaped.



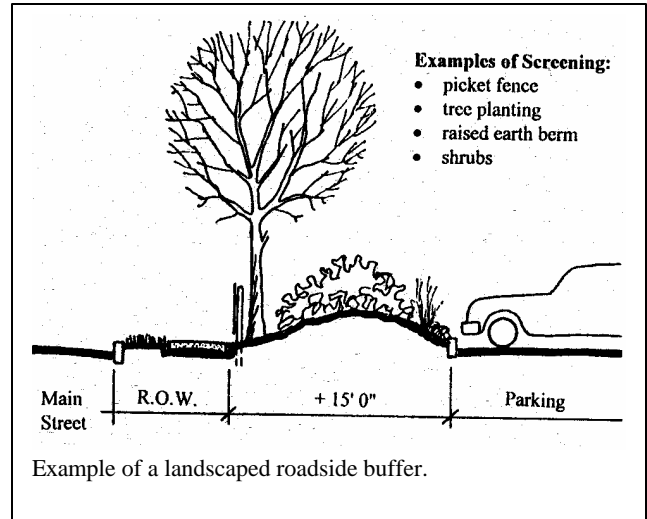
3. Landscaped roadside buffers. Whenever the area between the street and the front of the building is used for parking or vehicle movement, a vegetated buffer strip shall be established along the edge of the road right-of-way. This buffer strip shall soften the appearance of the site from the road and shall create defined points of access to and egress from the site. The width of the buffer strip shall increase with the setback of the building as follows:

3. This standard requires landscaping whenever a parking lot is located between the building and the road.

Standard

Building Setback	Buffer Width
<50 feet	10 feet
50-74 feet	15 feet
75-99 feet	20 feet
100 feet or more	25 feet

Discussion

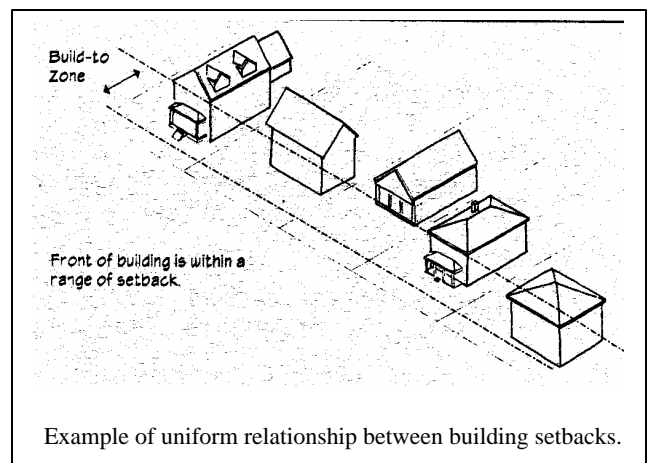


B. Building Placement and Setback

1. Relationship to parking lot. The site design should avoid creating a building surrounded by a parking lot. Parking should be to the side or preferably in the back.
2. Setbacks in built-up areas. In urban, built-up areas and in villages, where there is a reasonably uniform relationship between the front walls of a building and the street, new buildings shall be placed in conformance with existing, adjacent setbacks.

B. Building Placement and Setback

1. This standard discourages siting a building so that it is surrounded by a parking lot.
2. To retain community (historic) character, it is important to respect the existing pattern of building setbacks.



3. Setbacks in rural area. In rural, uncongested areas, buildings should be set well back from the road so as to conform with the rural character of the area. If the parking lot is in front, a landscaped buffer between the road and the parking lot shall be provided.

3. This standard allows parking in front in rural areas, but requires a buffer strip between the parking lot and the road.

Standard

4. Corner lots. For corner lots, the existing setback relationship of both streets shall be maintained.

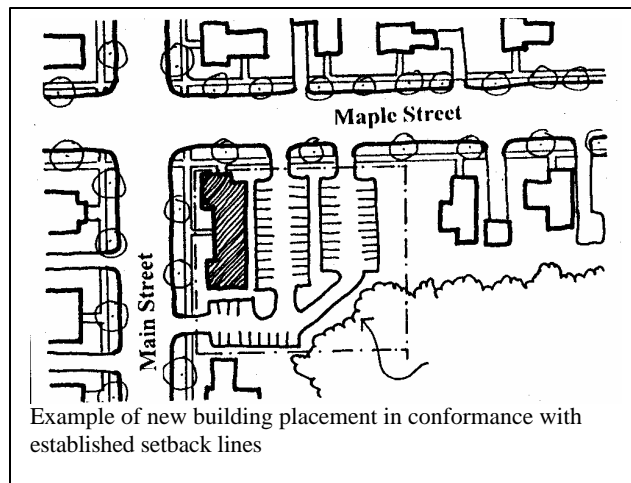
5. Side yard setbacks. Side yard setbacks should appear similar to others in the area, as seen from the street, so as to maintain the uniform spacing of side yards.
6. Multiple Buildings. Where two or more buildings are proposed, the buildings shall be grouped and linked with sidewalks. Tree plantings shall be used to provide shade and break up the scale of the site. Parking areas shall be separated from the building by a minimum of five (5) to ten (10) feet. Plantings shall be provided along the building edge.

C. Building Orientation and Scale

1. Rectangular buildings preferred. Buildings shall have a basic form that is similar to those seen traditionally. Simple, rectangular buildings are preferred.
2. Visual continuity. Building forms that disrupt the sense of visual continuity are discouraged.

Discussion

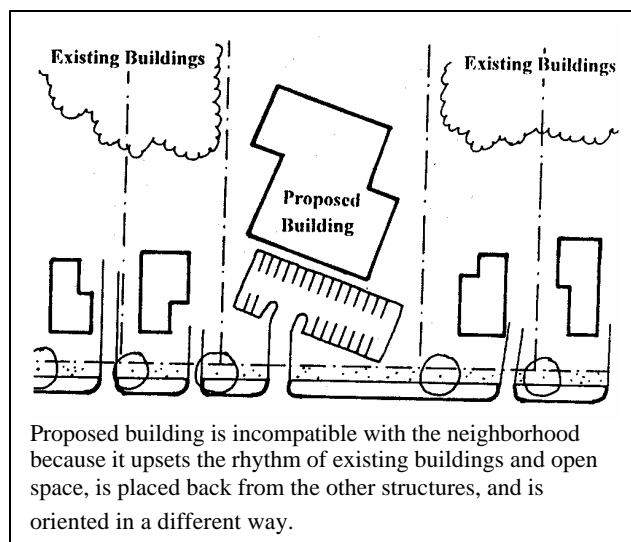
4. Buildings on corner lots should respect the setbacks on both streets.



5. Side yard setbacks should also be uniform. In downtown areas, zero side yard setbacks can be encouraged (see final section of this bulletin).
6. It is important that pedestrians be able to walk between buildings located on a single site.

C. Building Orientation and Scale

1. In most areas, simple, rectangular buildings will be compatible with patterns of pre-existing development.
2. This standard emphasizes the importance of maintaining visual continuity.



Standard

3. Large buildings. When large new buildings or structures are proposed in built-up areas where their scale (size) and other features may be significantly different from that which already exists in the immediate neighborhood, the new building shall be designed to be compatible with its neighbors. This may include making the building appear small, using traditional materials, styles and/or proportions or dividing the building façade into smaller sections.
 - a) Design. Buildings with multiple storefronts shall be visually unified through the use of complementary architectural forms, similar materials and colors, consistent details, and a uniform sign and mounting system.
 - b) Entrances. Pedestrian entrances to each business should be clearly defined and easily accessed.
 - c) Setbacks. Variations in front setbacks should be considered to add visual interest and create space for common entries, outdoor eating/social places, gardens, and similar landscaped areas.
 - d) Focal points. Linear commercial buildings should include a focal point, such as a raised entryway, clock tower, or other architectural elements, to add visual interest and help reduce the scale of the building.

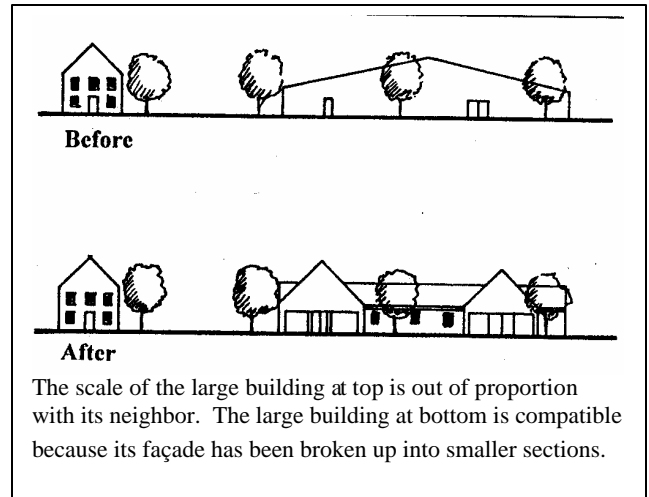
D. Roofs

Where there is an existing pattern of roofs, new roofs should appear similar to those seen elsewhere in the neighborhood.

1. Sloping roofs such as gable and hipped, are appropriate for primary roof forms.
2. Sloping roofs typical of other buildings are encouraged.
3. Dormers are encouraged because they break up the perceived scale of a roof.
4. Fake mansard roofs are not permitted.
5. Roof materials shall convey a scale and texture similar to those traditionally used.

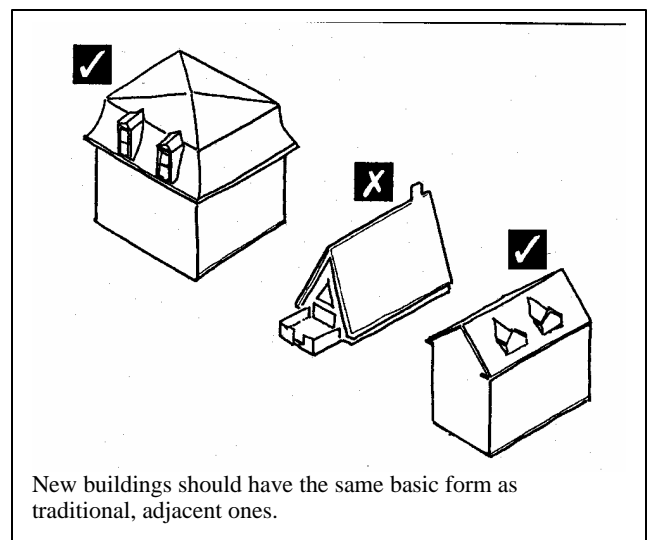
Discussion

3. This standard addresses the scale of buildings and the way in which larger buildings can be designed to minimize their apparent size.



D. Roofs

Roof slope, shape, and texture should be similar to those in the immediate neighborhood.



Standard

E. Building Entrances

1. Street orientation. The main entrance to a building should face the street unless the parking lot layout or the grouping of the buildings justifies another approach.
2. Prominent entry. A prominent entry, clearly identified as such through building and site design, landscaping and/or signage, should be provided.
3. Similarity to others. The entry should appear similar in scale, location and prominence to those seen in the neighborhood.
4. Site furnishings. At building entrance areas and drop-off areas, site furnishings such as benches and sitting walls and, if appropriate, bicycle racks are encouraged. Additional plantings may be desirable at these points to identify the building entrance and to enhance the pedestrian environment.

F. Location of Off-Street Parking

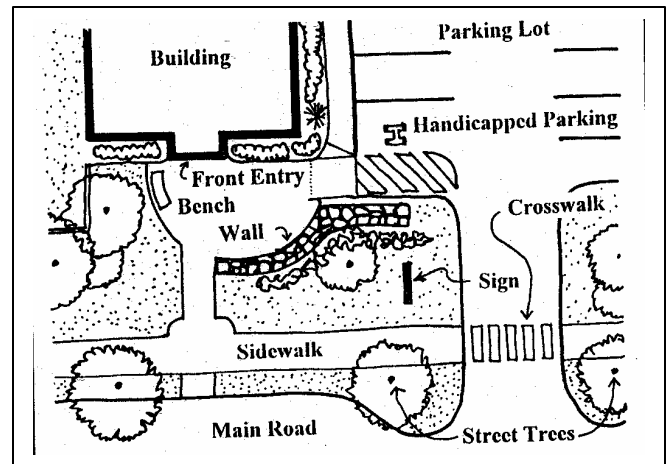
1. Built-up areas. Within built-up areas, parking lots should be located to the side or rear of the building. Parking should not be located between the building and the street. The use of shared parking, shared driveways, and inter-connected parking lots is encouraged.

Note: for more detailed standards, see Access Management and Parking Technical Assistance Bulletin #7 in this series.

Discussion

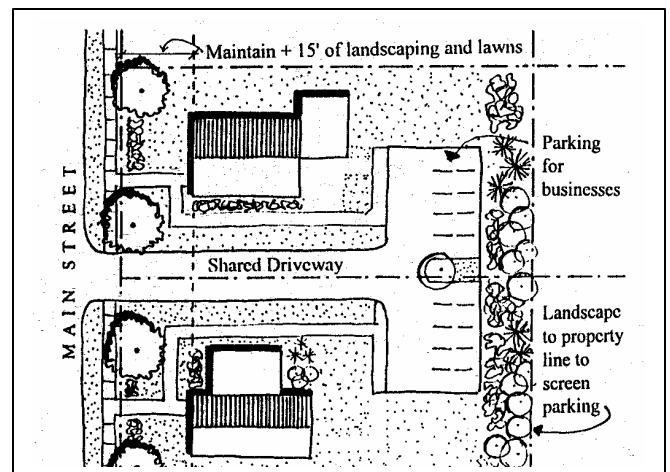
E. Building Entrances

1. In most cases, the entrance should face the street. A side or rear parking lot may require a different location. If the existing pattern has street entrances, a street entrance should be provided, even if another is provided at the side or rear.
2. Entrances should be clearly visible to the customer.
3. A new entrance should be designed to fit the pattern of existing entrances.
4. Landscaping and site furnishings, such as benches and lighting fixtures, can highlight the entrance and make the building's exterior more attractive.



F. Location of Off-Street Parking

1. This standard encourages parking to be placed at the side or rear of buildings in built-up areas.



Standard

2. Suburban or rural areas. In suburban and rural areas, smaller buildings that may need public visibility from the street should be sited as close as possible to the street, provided that not more than one row of parking shall be allowed between the building and the street, with the balance of the parking located at the side and/or rear of the building. Larger scale uses and uses which do not require visibility from the road may be located further from the road with a landscaped buffer between the building and the road.

G. Business Signs

1. Freestanding Signs. Freestanding commercial business signs should be placed at right angles to the street so as to be viewed from both directions. Simple, geometrically shaped signs set low to the ground, but no more than 12 feet high, shall be used. Signs shall be no larger than 4' by 4' or 8' by 8'.
2. Urban areas. In urban, built-up areas, commercial business signs must be placed on the building, unless visibility is impaired and a freestanding sign is the best option.

H. Sidewalks

1. When an existing or planned public sidewalk is interrupted by a proposed project driveway, the sidewalk material shall continue to be maintained across the driveway, or the driveway shall be painted to distinguish it as a sidewalk. Further, if street trees exist on an adjacent property, street trees shall be planted, in a like manner, on the new site.
2. In urban areas, a widening of the sidewalk onto private property to encourage window shopping and an improved streetscape is encouraged. Benches, sculpture, planters and other street furniture are encouraged.

I. Drive-Through Facilities

Any use that provides drive-through service shall be located and designed to minimize the impact on neighboring properties and traffic circulation.

1. No adjacent residential use. No drive-through facility shall be located in the area of the site adjacent to a residential use or residential zone.
2. Communication systems. Communication systems shall not be audible on adjacent residential properties.

Discussion

2. This standard requires the creation of a landscaped buffer along the road when parking is located in front of a building (see standard on page 10).

G. Business Signs

This standard addresses the placement and size of business signs that are appropriate for various situations. A 4' by 4' or 8' by 8' sized sign is usually adequate. The height will depend on local circumstances; often, lower signs are more attractive and easier to see. If sign standards already exist in a local ordinance, the standards presented here should be made consistent with the local standards.

H. Sidewalks

1. This standard addresses the treatment of sidewalks. This provision may need to be customized to match existing community practices.
2. This standard encourages sidewalk widening in built-up areas to enhance window shopping and the placement of street furniture.

I. Drive-Through Facilities

These standards address drive-through facilities adjacent to residential uses, communication systems, vehicle queuing, and impacts on sidewalks or bicycle facilities.

Standard

Discussion

3. Vehicular access. Vehicular access to the drive-through shall be through a separate lane that prevents vehicle queuing within normal parking areas. Adequate queuing space must be provided to prevent any vehicles from having to wait on a public street, within the entry from the street, or within designated parking areas.
4. Pedestrian ways. The drive-through must not interfere with any sidewalk or bicycle path.

Detailed Design Review Standards For Downtown Commercial Areas (For Use in Site Plan Review, Zoning and Good Neighbor Ordinances)

The following standards are intended to supplement standards found in the previous sections. The standards contained in this section of the bulletin are based on standards contained in "A Vision for Bar Harbor Village," prepared by Land Design Group and Planning Decisions in 2001.

The standards address the physical appearance of the project and its relationship to the downtown or village area. While the standards presented here may be reasonable for the downtown commercial center of many communities, they should be customized to reflect local conditions.

Standard

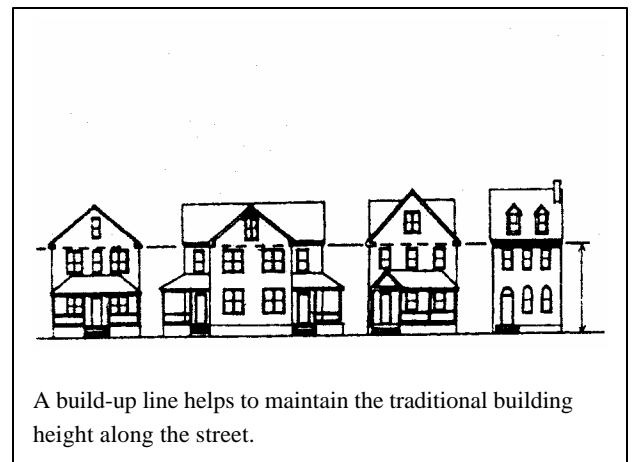
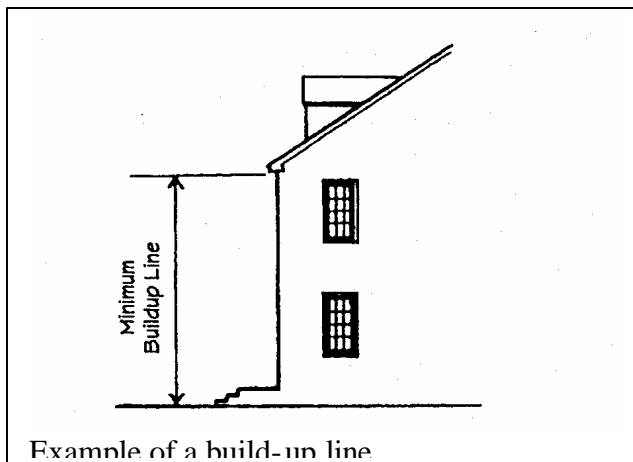
Discussion

A. Building Height

A. Building Height

1. Average of other buildings. Additions or new construction shall stay within the range of the average building height found in the immediate block.
2. Minimum and maximum. Buildings shall be a minimum 1 ½ stories to a build-up line of 2 to 2 ½ stories.

1. The height of nearby buildings should be a guiding factor in determining building height.
2. In most locations, a 1 ½ story building is more attractive than a single story building, and a commercial building need not be higher than 2 ½ stories to blend in with other buildings.



Standard

3. Towers and Steeples. Public buildings and civic institutions with design elements such as cupolas, towers, and/or steeples may exceed the commercial building range, with a maximum height range of 50-75 feet.

B. Building Width

1. Narrow lots. The relatively narrow and deep lots which define building width shall be maintained.
2. Multiple-lot construction. New construction or renovations involving two or more lots shall provide for the architectural division of the building façade to reflect the scale and width of adjacent buildings.
3. Infill. Infill construction shall maintain the front and side yard setbacks of adjacent buildings.

C. Common Building Setbacks

1. If the build-to line on the street is the property line, new buildings should have a zero setback.
2. Additions to existing buildings shall maintain the street wall.
3. Buildings that create a terrace, court or plaza or similar outdoor spaces on the street shall be permitted.

D. Building Storefronts

1. Storefronts shall be designed to fit inside the wall of the building and not extend beyond it.
2. The common elements of adjacent storefronts such as entry, kickplate, display window, and the horizontal area for an awning or sign, shall be maintained. For renovations:
 - a) Recessed entries shall be maintained and encouraged.
 - b) Solid or residential-type doors with small areas of glass are discouraged.
 - c) Openings containing double entry doors should be retained.
 - d) The original size, division and shape of display windows within the overall storefront frame should be preserved.
 - e) The original kickplate should be retained and maintained.

Discussion

3. Some unoccupied design elements can be higher than 2 ½ stories.

B. Building Width

1. Narrow lots and buildings prevail in most downtown areas.
2. Dividing the building façade into segments is an effective technique for making a larger building fit comfortably into its surroundings.
3. Infill construction can contribute to the creation of a “building wall” along the street (see Infill Development Technical Assistance Bulletin #5 in this series for more detail).

C. Common Building Setbacks

1. This standard requires that downtown buildings be built to the front property line (in most cases this will be the sidewalk).
2. This standard requires that the “wall” of existing buildings be maintained.
3. A terrace or other outdoor space can add to the pedestrian friendly atmosphere of the downtown.

D. Building Storefronts

1. This standard limits storefront openings to the original opening size.
2. This standard requires that renovations respect the original lines of the building.

Standard

3. New buildings shall be designed with a traditional “storefront” facing the street.

E. Building Roofs

1. Flat roof planes should be hidden from view from the street; decoration of the roofline and/or front façade is encouraged.
2. Parapets, projecting cornices, and decorative roof details are encouraged.

F. Windows and Doors

New construction shall maintain the proportions and spacing of openings of neighborhood buildings.

1. Owners are encouraged to maintain a greater transparent or glazed open area at the storefront level for pedestrian and commercial activity.
2. Upper story openings and windows should have a vertical orientation, stacked above each other.
3. Recessed building entries should be retained on existing buildings and are encouraged in new storefront construction.
4. Openings containing double entry doors should be retained.

G. Building Materials

1. New building materials shall be compatible in quality, color, texture, finish and dimension to those commonly found on buildings in the commercial area.
2. Common preferred materials are brick, stone and wood. Materials not typical such as concrete, stucco and metal are discouraged.

Discussion

3. New buildings in older downtown should be designed with a traditional storefront.

E. Building Roofs

The roof of the building will help shape the character of the downtown and determine the building’s compatibility other, pre-existing buildings.

F. Windows and Doors

This standard encourages new buildings that have the same window and door proportions as older buildings.



The windows in the central, new building match those of the buildings on either side.

G. Building Materials

1. Building materials should be consistent and compatible with those commonly found in the downtown.
2. Brick, stone and wood are all traditional New England building materials, particularly in many downtown areas.

Standard

H. Franchise Buildings

1. Small, separated and set-back franchise buildings are incompatible with the spacial character of the core commercial area and are prohibited.
2. Franchise uses located in buildings consistent with the architecture of the core commercial area are allowed.
3. Franchise buildings shall allow for traditional storefront elements such as storefront windows. Blank walls are prohibited.

I. Signs

1. Signs that contribute to the pedestrian environment and enhance the attractiveness of the core commercial area are encouraged.
2. Sign material, style and color shall complement the building façade.
3. Signs shall not obscure building elements such as windows, cornices, and decorative details.
4. Franchise and chain stores shall adapt their graphics to conform with the character, style and materials of adjacent downtown buildings.

Discussion

H. Franchise Buildings

Enactment of these standards would be a departure from past practice in many communities.



Example of a franchise in a traditional New England building in Freeport.

I. Signs

These sign standards are fairly general in scope. Local officials should consult other sources for more complete standards.

Definitions

It is not necessary to use all of these definitions in a local ordinance. Select those that are appropriate.

Abutting: Having a common border or property line.

Berm: A man-made mound of earth used to shield or buffer properties from adjoining uses, highways, or noise, or to control the direction of surface water flow.

Big Box Retail: A singular retail or whole user who occupies no less than 75,000 square feet of gross floor area, typically requires high parking to building area ratios, and has a regional sales market.

Block: An area of land entirely bounded by streets.

Buffer: A strip of land, fence or border of trees, etc., between one use and another, which may or may not have trees and shrubs planted for screening purposes, designed to set apart one use from another.

Design Review: The comprehensive evaluation of a proposed development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, architecture, materials, colors, lighting and signs, in accordance with adopted criteria and standards.

Façade: The exterior wall of a building exposed to public view.

Infill: Development or redevelopment of land that has remained vacant, and/or is underused.

Neighborhood: An area of a community with characteristics that distinguish it from other community areas and that may have boundaries defined by physical elements such as highways or railroads or natural features such as rivers.

Open Space: Land retained for active or passive outdoor recreation.

Parking Lot: An area not within a building where motor vehicles are stored for the purpose of temporary, daily, or overnight off-street parking.

Pedestrian Walkway: A surfaced walkway, separate from the traveled portion of the roadway, usually of crushed rock or asphalt, and following the ground surface.

Roof: The cover of any building, including the eaves and similar projections.

Roof Line: A horizontal line intersecting the highest point or points of a structure.

Screening: A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

Setback: The minimum distance by which any building or structure must be separated from a street or right-of-way or lot line.

Sidewalk: Any strip or section of concrete, stone or macadam, the prime purpose of which is a walkway.

Site Plan: A plan, drawn to scale, showing uses and structures proposed for a parcel of land as required by municipal ordinance. It includes lot lines, streets, building sites, reserved open spaces, buildings, and major landscape features, both natural and man-made.

Site Plan Review: The review of the site plan of any proposed project by the Planning Board or municipal reviewing authority.

Story: A space in a building between the surface of any floor and the surface of the next floor above, or, if there is no floor above, then the space between such floor and the ceiling or roof above.

Credits

- Page 1 Photo by Brian Kent.
- Page 2 First photo: Reprinted with permission from Planning Advisory Service Report No. 489/490, Aesthetics, Community Character, and the Law, American Planning Association, 1999.
- Second photo: Reprinted with permission from Planning Advisory Service Report No. 489/490, Aesthetics, Community Character, and the Law, American Planning Association, 1999.
- Page 6 Reprinted with permission from Planning Advisory Service Report No. 491/492, Zoning, Development, and Planning Terms, American Planning Association, 1999.
- Page 7 Reprinted from Lighting for Parking Facilities, courtesy of the Illuminating Engineering Society of North America.
- Page 9 Photo by Brian Kent.
- Page 10 Site Plan Review Handbook, Maine State Planning Office.
- Page 11 First illustration: Site Plan Review Handbook, Maine State Planning Office.
- Second illustration: A Vision for Bar Harbor Village, 2001.
- Page 12 First illustration: Site Plan Review Handbook, Maine State Planning Office.
- Second illustration: Site Plan Review Handbook, Maine State Planning Office.
- Page 13 First illustration: Site Plan Review Handbook, Maine State Planning Office.
- Second illustration: A Vision for Bar Harbor Village, 2001.
- Page 14 First illustration: Site Plan Review Handbook, Maine State Planning Office.
- Second illustration: Site Plan Review Handbook, Maine State Planning Office.
- Page 16 First illustration: Randall Arendt
- Second illustration: Randall Arendt
- Page 18 Photo by Brian Kent.
- Page 19 Photo by Mark Eyerman.

Bibliography

A Glossary of Zoning, Development, and Planning Terms, American Planning Association PAS Report #491/492.

Site Plan Review Handbook, A Guide to Developing a Site Plan Review System, Maine State Planning Office, 1997.

A Vision for Bar Harbor Village, Land Design Group and Planning Decisions, 2001.

Aesthetics, Community Character, and the Law, American Planning Association, PAS Report #489/490, 1999.

Reviewing New Construction Projects in Historic Areas, Procedures for Local Preservation Commissions, Northeast Regional Office, National Trust for Historic Preservation, 1986.

The Parking Handbook for Small Communities, National Trust for Historic Preservation and Institute of Transportation Engineers, 1994.

For Further Information Contact:

Maine State Planning Office
(207) 287-3261

Web Address: <http://www.state.me.us/spo/>

Maine Department of Environmental Protection
(207) 287-2111

Web Address: <http://www.state.me.us/dep/home.htm>

Copies of this report are available from the Maine State Planning Office, 38 State House Station, Augusta, ME, 04333-0038. Request the appropriate subject document from the Land Use Technical Assistance Series, or view and download this document from the SPO website (<http://www.state.me.us/spo/>).

This document was printed by the Maine Coastal Program/State Planning Office with financial assistance provided by the Coastal Zone Management Act of 1972, as amended, administered by the Office of Oceanic and Coastal Resource Management, National Oceanic and Atmospheric Administration, under award #NA77020187.

