

To see if the voters will adopt an Ordinance to Amend the Topsham Zoning Ordinance to Amend Chapter 225-50, Apartment Buildings and Multifamily Developments to allow an increased density for multifamily units within the Mixed-Use Commercial (MUC) zoning district.

**Underlined text are additions; Stuck out text is proposed to be removed**

§ 225-50 ~~Apartment buildings and m~~Multifamily Dwelling Dimensional Requirements developments.  
[Amended 5-21-1997 STM, Art. 42; 5-19-1999 STM, Art. 13]

A. Purpose: It is the purpose of this section to provide for multiple-family dwelling structures which are in the moderate to higher density range in centrally located areas near supporting transportation facilities, utility infrastructure and commercial facilities, in areas adjoining institutional or employment centers, and in locations which are suitable and appropriate when taking into consideration existing conditions, sustainable development practices, and including present use of land and future land use needs.

~~A.B.~~ All proposals to construct ~~apartment buildings and~~ multifamily ~~developments~~ shall be in conformance with the general ~~performance~~performance standards of Article VII, Chapter 191, Subdivision of Land, and/ or Chapter 175, Site Plan Review, and the design requirements listed below. ~~Apartment buildings and multifamily Multifamily housing dwellings, including dwelling units within a mixed-use building, that are part of a planned mixed-use development~~ shall be exempt from the requirements of § 225-50, provided that they are served by public water and public sewerage ~~and are consistent with the approved master plan for the development.~~ [Amended 5-24-2007 STM, Art. 15; 5-16-2018 STM, Art. 10]

~~B. Applications for approval shall include a map of the area; dimensions, boundaries and principal elevations of the land for which approval is sought; the names of all property owners within 200 feet of the proposed site, as found on the most recent tax list; building layout and general construction plans; a site plan of all driveways and parking areas proposed to be constructed; and other information which addresses all appropriate performance standards and design requirements and all appropriate factors to be considered in evaluating proposals.~~

C. Design requirements.

(1) Density. The ~~net~~ residential density shall not exceed the density required for single-family dwellings in the zone or district in which the ~~apartment buildings or~~ multifamily ~~development dwellings~~ is proposed except that:  
[Amended 5-17-2000 STM, Art. 6; 11-13-2008 STM, Art. 8; 5-20-2009 STM, Art. 15; 5-16-2018 STM, Art. 10]

(a) Any dwelling in the R-1 Zone existing prior to enactment of this chapter shall require 10,000 square feet for the first unit plus 2,000 square feet for each additional unit.

~~(b) New multifamily developments built on lots vacated by the demolition of a single family dwelling which existed prior to the enactment of this chapter shall not exceed the density required for single family dwellings in the zone, except in the LV, VC and LI Zones in accordance with § 225-50C(1)(i).~~

(c) New multifamily dwellings built in the R-1 Zone and connected to public sewer and water shall require 30,000 square feet of usable land for each two dwelling units.

- (d) New multifamily dwellings built in the R-2 Zone and connected to public sewer and water shall require 40,000 square feet of usable land for each two dwelling units.
- (e) New multifamily dwellings or ~~apartment\_s~~ built in the Mixed Use Limited (MUL) Zone and connected to public sewer and water must have a minimum of 12,500 square feet of lot for each dwelling unit.
- (f) New multifamily dwellings built in the CC, RCU, ~~MUC~~, LV, MV, VC, and LI Zones shall be connected to public sewer and water and shall have a minimum lot area of at least the minimum lot size for the first unit plus 1/2 of the minimum lot size of usable land for each additional unit.
- (g) ~~(Reserved)~~ New multifamily dwellings built in the MUC, Zone shall have a Maximum density of 18 units per acre.
- (h) New multifamily developments located in the R4 Zone shall be connected to public sewer and water and shall be allowed at the density specified in the Topsham Annex Reuse Master Plan, in the areas so identified. In those areas of the R4 not included in the Topsham Annex Reuse Master Plan, new multifamily dwellings may be constructed at a density of four (4) units per acre.
- (i) In the LV, VC and LI Zones, the first two dwelling units do not count towards the maximum density calculations in mixed-use developments. Each additional unit shall have 1/4 the minimum lot size for the zone and shall meet all other applicable dimensional and performance standards.
- (2) All ~~apartment\_ buildings and all~~ dwellings in a multifamily ~~development~~dwelling shall be connected to ~~a the~~ Brunswick-~~&~~ Topsham Water District public water ~~supply and distribution~~ system, at no expense to the town, unless the applicant can demonstrate that a suitable on-site water supply is available. The applicant shall demonstrate by a signed letter from an authorized representative of the water district that an adequate water supply can be provided to the development at an adequate pressure for fire-fighting purposes.
- (3) If the public water supply is to be utilized, fire hydrants shall be located so that they are not more than 300 feet from any building, as hose is laid on the street.
- (4) All residential buildings shall be connected to a public sewer system unless the applicant can demonstrate that soils are suitable for individual subsurface wastewater disposal. If the public sewer system is to be utilized, the applicant shall submit a letter from the Superintendent of the Topsham Sewer District to the reviewing authority indicating that service is available and the sewage from the development can be adequately treated.
- (5) It shall be the responsibility of the owner to provide for rubbish disposal, snow removal and site maintenance. All outdoor storage areas for waste collection shall be enclosed by a wooden or masonry screen at least six feet in height. ~~A fifty-foot landscaped buffer shall be provided along all property boundaries.~~
- (6) Stormwater management and surface drainage systems shall be designed in accordance with § **225-34**, Stormwater management. **[Amended 5-17-2017 STM, Art. 13]**
- (7) Access, circulation and parking.
  - (a) The proposed development shall provide for safe access to and from public or private roads. Safe access shall be assured by providing an adequate number and location of access points, with respect to sight distances, intersections, schools and other traffic generators. All corner lots shall be kept clear from visual obstructions higher than three feet above ground level, for a distance of 25 feet, measured along the intersecting street lines.

- (b) The proposed development shall not have an unreasonable adverse impact on the public road system and shall assure safe interior circulation within its site by separating pedestrian and vehicular traffic and by providing adequate parking and turnaround areas.
- (c) All developments containing 15 or more dwelling units may be required by the Planning Board to have more than one street access (for emergency and safety purposes). No more than two accesses shall be allowed on any single street or roadway.