

TOWN OF GRAY
GRAY TOWN COUNCIL
AGENDA • SEPTEMBER 25, 2023

**Gray Town
Council Workshop**

Town Council Chambers
24 Main Street, Gray, ME 04039
<https://us06web.zoom.us/j/85462340051>
Phone 646-558-8656 / Meeting ID: 854 6234 0051

5:00 PM

CALL to ORDER

Roll Call

WORKSHOP 5:00 PM

1. Review proposed Zoning Ordinance (Chapter 402) and Village Design Standards amendments related to compliance with State Chaptered Law 672 (formerly LD2003) “An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions.”
2. Discussion of Town Manager search criteria

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MEMO

September 20, 2023

TO: Town Council, Interim Town Manager Josh Tiffany
FROM: Community Development
RE: LD2003 compliance proposed ordinance amendments

Introduction:

The Town of Gray is working toward compliance with LD2003 “An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions,” which became Chaptered Law 672 in April 2022. The law originally was to become effective as of July 1, 2023 and the deadline has since been extended to January 1, 2024.

The Town Council passed Zoning Ordinance amendments related to Accessory Dwelling Units on May 16, 2023 and those became effective June 15, 2023.

Staff are actively working to implement the changes related specifically to the sections of the law that address affordable housing and housing density, *30-A MRSA Sections 4364 and 4364-A*.

The council discussed these changes at a workshop in June 2023 and provided input on the elements of the law that allow for municipal discretion. Notably, nearly all of the amendments are statutorily required as an integral foundation to implement the State law

Council input from the June workshop is included in the changes presented to you herein. We have also submitted these proposed amendments to the town attorney for review, which is pending.

At this time, we propose making changes land use regulations in the Town of Gray Zoning Ordinance Chapter 402 sections as per below:

- Definitions 402.2.2
- Lots 402.6.2
- Back lot access easements 402.7.5
- Village Center District Standards 402.8.3
- Village Design Standards (as referenced in 402.8.3)
- 402.10.14 Standards for Multi-Family Housing
- Table of permitted uses, 402.5.3
- 402.10.11 Table 3- Parking Minimums
- New Section: 402.7.22 Two or More Dwelling Units on One Lot

Please note that additional amendments will be necessary for full compliance, but require additional discussion and will be submitted as a second phase of implementation **at a later date**, to include:

- Bringing the town’s Subdivision Ordinance, Chapter 401, into compliance – specifically the Residential Open Space subdivisions section, which was written explicitly for single-family home development and does not allow accessory dwelling units. Staff will present these revisions to the town council at a later date, to incorporate input from the Open Space Committee on other changes to this part of the ordinance.
- Updating the multi-family development requirements, both inside and outside of the growth district, to include specifics related to structures, setbacks and buffers.
- Potential addition of a growth overlay district to the Zoning Districts as a first step to implementing new zoning districts in line with the future land use in the Comprehensive Plan.

Proposed Amendments at this time:

Definitions 402.2.2

Affordable Housing:

a. For rental housing, a development in which a household with income that does not exceed 80% of median income for the area as established by HUD can afford a majority of the units designated as affordable without spending more than 30% of the household’s monthly income on housing costs.

b. For owned housing, a development in which a household with income that does not exceed 120% of the median income for the area as established by HUD can afford a majority of the units designated as affordable without spending more than 30% of the household’s monthly income on housing costs.

Residential Open Space Subdivision: A form of residential development that provides flexibility in design and promotes creating open space by reducing lot area and bulk requirements for individually owned lots, provided that the allowed number of lots does not exceed the required zoning density standards for the respective district.

Multi-Family Dwelling: a building containing three or more dwelling units, such buildings being designed for residential use and occupancy by three (3) or more families living independently of one another, with the number of families not exceeding the number of dwelling units.

Multifamily Development: A lot which contains one or more multifamily dwellings, two or more two-family dwellings, three or more single family dwellings, or any combination of buildings containing more than four (4) dwelling units on a single lot. An affordable housing development is considered to be a type of multifamily development if the subject parcel contains the requisite number of dwelling units per this definition. .

Short-term rental unit: Living quarters offered for rental through a transient rental platform as defined by State statute title 36, section 1752, subsection 20-C, at which one or more overnight accommodations are available to rent for a tenancy of less than thirty (30) consecutive calendar days, excluding campgrounds, motels, hotels, and bed and breakfasts.

Designated growth area: An area that is delineated as suitable for orderly residential, commercial, or industrial development, or any combination of those types of development, and into which most development projected over ten (10) years is directed. The current Village Center and Village Center Proper zoning districts are the Designated growth areas. **Centrally managed water system.** A water system that provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year as regulated by 10-144 C.M.R. Ch. 231, Rules Relating to Drinking Water. This water system may be privately owned.

Comparable sewer system. “Comparable sewer system” means any subsurface wastewater disposal system that discharges more than 2,000 gallons of wastewater per day as regulated by 10-144 C.M.R. Ch. 241, Subsurface Wastewater Disposal Rules.

402.6.2 Lots

A. Lots with Multiple Street Frontages

Lots which abut on more than one street shall provide the required front setbacks along every street.

B. Developable Areas

No structure or other impervious surface may be constructed on land with sustained slopes of twenty-five (25%) percent or greater, nor in any wetland. Subsurface wastewater disposal systems may not be located where soils are unsuitable for septic systems according to the Maine State Plumbing code, as amended.

C. Building Extensions to Meet Setbacks

All structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies, or platforms above normal grade level, shall not project into any required minimum front, side or rear setback.

D. Only One Principal Building per Lot

1. No more than one (1) principal structure and its accessory buildings, including an Accessory Dwelling Unit, as regulated in this Ordinance may be located on any one lot, unless all applicable space and dimensional standards are met separately for each principal structure or use on the lot, except for the following uses, which shall be exempt from this standard provided that all applicable standards are met and maintained:

- A multi-building Self-Storage Facility
- A Planned Unit Development
- A Multi-Family Development,

2. In no event shall one lot contain any non-residential use and any residential use(s).

3. Accessory residential uses shall be permitted on a lot used primarily for residential use provided that applicable standards are met and maintained.

4. All developments not listed in the exceptions above in this section shall be subject to the following:

4. a.. Where a lot has more than one existing principal structure or use, any new principal structure or use proposed for the lot, or any proposed division of the lot, shall meet all applicable space and dimensional standards for the new lot or principal structure or use; provided, however, before creation of a new principal structure or use on the lot or division of the lot, the property owner shall provide the Code Enforcement Officer with a sketch plan, drawn to scale, in sufficient detail to satisfy the Code Enforcement Officer that it accurately represents the current conditions in the field; and

4.b. The creation of a new lot or new principal use or structure must satisfy current space or dimensional standards established for the zone in which the lot is located. Where an existing principal structure is legally nonconforming as to any applicable space or dimensional standard, the creation of a new lot or principal use or structure shall not increase the degree of such nonconformity.

4.c. For lots located in the Business Development Zoning District, the number of uses per principal structure shall be determined by standards established in Section 402.8.8 of this Ordinance.

4.d. No variances are allowed from the provisions of the preceding paragraphs of this section.

402.7.5 Back Lot Access Easements

Back lots shall be permitted, provided they meet the following standards:

A. Access Requirements

1. A fifty (50 ft.) foot wide access shall be provided for back lots.

2. Said access shall be owned either in fee or by permanent easement and maintained by the back lot users.

3. Record of said access way shall be recorded as part of the deed of each back lot and shall be filed with the County Register of Deeds.

4. The access way entrance to a street shall conform to standards of the Subdivision Ordinance and shall be approved by the Code Enforcement Officer.

5. The issuance of a building permit for one or more dwelling unit(s) on a back lot shall in no way be construed to imply the acceptance of any access way for the purpose of maintenance, improvements or snow removal by the Town of Gray.

6. Creation of a subdivision requires compliance with the provisions of the Gray Subdivision Ordinance.

B. Lot Frontage Requirements

Frontage equal to the street frontage required for the zoning district shall be required along the access way.

C. Lot Size Requirements

1. Any back lot shall be equal to or greater than the minimum lot size required for the zoning district. Computation of minimum lot size area shall not include any portion of the area devoted to an access way for the lot across which the easement crosses and for the lot served by the easement.

2. The side lot line nearest and generally parallel to the road to which the back lot access way leads shall be equal to the street frontage required for the zoning district.

402.7.6 Residential Open Space Subdivisions and Multi-family development

A. Purposes of Residential Open Space Subdivision:

The purpose of Residential Open Space Subdivision standards is to encourage greater flexibility and more creative design for the development of residential projects. It is intended to encourage a pattern of residential development which will result in the following attributes:

1. Preservation of Gray's rural character by retention of open space and its natural resource values as determined by the Planning Board with input from appropriate organizations, other Town staff, and State departments.

2. To the greatest practical extent, preservation of existing landscape features and the utilization of such features in a harmonious fashion.

3. Protection of environmentally sensitive areas.

4. Economical and efficient building arrangement, traffic circulation, and utility construction.

5. Outdoor recreational facilities that may be better utilized and located than would otherwise be provided under more conventional land development.

B. Residential Open Space Subdivisions standards are contained in the Town of Gray Subdivision Ordinance, Chapter 401, in Section 401.13.13.

C. Section 401.13.13.I establishes the purposes of locating individually owned lots in relation to the configuration of the open space. Parties must pay particular attention to this section to ensure that the overall layout of land development is consistent with these standards.

D. Space, bulk, and dimensional standards for Residential Open Space Subdivisions shall be subject to the following:

1. The Planning Board shall have the authority to reduce setbacks to those stated in Table 401.13.13.B.1 of the Town of Gray Subdivision Ordinance.
2. Neither the Planning Board nor the Zoning Board of Appeals shall have the authority to further reduce the setbacks for the entirety of a project.
3. The Planning Board's ability to change setbacks within the project as detailed in Table 401.13.13.B.1 of the Subdivision Ordinance shall not be construed as granting variances to relieve hardship, and the action of the Zoning Board of Appeals shall not be required.
4. All other space standards except those specifically allowed in Table 401.13.13.B.1 of the Subdivision Ordinance for the respective district shall apply to the Residential Open Space Subdivision. Chapter 402 Gray Zoning Ordinance

E. Provisions for Multi-Family Development: Provisions for multi-family development are contained in Section 402.10.14 of Site Plan Review. For the purposes of this Ordinance, multi-family development is not considered to be a Residential Open Space subdivision.

402.8.3 Village Center District Standards

A. Replacement of Existing Buildings and Structures

Existing buildings or other structures in the Village Center and Village Center Proper Districts are allowed to be rebuilt or replaced with new construction subject to the dwelling unit density standards in effect at the time of the permit application submittal, provided that the existing “footprint” is not exceeded unless in conformance with the standards in Section 402.5.4 for the Village Center and Village Center Proper Districts, as well as the applicable portions of the Gray Village Center and Village Center Proper Design Standards.

1. Replacement of Destroyed or Damaged Building: The owner of a building or structure in the Village Center or Village Center Proper Districts that is destroyed or damaged by any means beyond the control of the owner shall have the option of rebuilding or restoring the building or structure Chapter 402 Gray Zoning Ordinance subject to the dwelling unit density standards in effect at the time of the permit application submittal, either on the same “footprint” or in accordance with the space standards of Section 402.5.4 within a period of one (1) year from the date of destruction or damage. The Code Enforcement Officer may issue a permit for one

additional one (1) year period if reasonable progress is being made and nuisance conditions do not exist.

2. Voluntary Replacement: A building or structure in the Village Center or Village Center Proper Districts may be voluntarily replaced provided that the existing “footprint” is not exceeded, subject to the dwelling unit density standards in effect at the time of the permit application submittal. The construction of the replacement building or structure must be completed in accordance with a building permit drawn within one (1) year of the demolition of the prior building or structure and construction must be completed within a period of two (2) years from the date of the building permit. The building permit shall expire if the work or change involved is not commenced within one (1) year of the date on which the permit is issued, and if the work or change is not substantially completed within the two (2) years.

The Code Enforcement Officer may issue a permit for one additional one (1) year period if reasonable progress is being made and if nuisance conditions do not exist. Before a building or structure is voluntarily replaced to the existing “footprint” under this paragraph, the owner must provide the Code Enforcement Officer with a Class D survey, conducted before demolition of the building or structure showing its exact location on the lot unless the replacement building or structure is proposed to be in accordance with the space standards of Section 402.5.4.

B. Special Performance Standards: The following standards apply in the Village Center and Village Center Proper Districts:

1. All developments requiring site plan review, subdivision review, conditional use review, or which otherwise involve multi-family development by the Planning Board shall conform to Parts 1-4 of the Town’s Village Center and Village Center Proper District Design Standards, Parts 1-3 adopted December 18, 2007 and amended September 21, 2021; and Part 4 adopted September 21, 2021. The Planning Board shall be the reviewing authority for Gray Village Center and Village Center Proper Design Standards for all such development proposals that require Planning Board approval.

2. All of the following buildings, structures or uses, whether newly constructed or pre-existing, substantially altered as defined below, in the Village Center or Village Center Proper Districts shall conform to Part 4 of the Gray Village Center and Village Center Proper Design Standards:

- a. single-family homes and single-family dwellings,
- b. two-family and multi-family dwellings, and/or multi-family developments
- b. accessory dwelling units
- c. all accessory structures regardless of size

3. For the purposes of this Section 402.8.3, substantially altered shall specifically include any building or structure that is repaired, altered or moved to the extent that a building permit is required in accordance with Article 9 of this Zoning Ordinance and/or a building code administered by the Town of Gray

402.10.14 Standards for Multi-Family Development

In addition to the prior provisions of Section 10 for Site Plan Review, multi-family developments in all Districts shall meet the following standards:

A. Perimeter Buffer Strip

A buffer strip of at least fifty (50) feet in width shall be required around the perimeter of the land area for which the multi-family project is proposed. The required buffer strip shall consist of undisturbed vegetation provided that the existing vegetation consists of mature trees and acts as an effective screen. If existing vegetation provides a poor visual screen, a mix of new landscaping including trees, shrubs and grasses shall be planted.

B. Driveways and Parking

The scale and surface area of parking areas, driveways and paved areas shall:

- be compatible with adjacent structures, and/or;
- be located in the rear of the property, and;
- be properly screened from the roadway, and;
- provide for parking in accordance with the requirements of the Site Development Standards for Site Plan Review (Section 402.10.11)..

C. Internal Road Access to all Units

Access to all housing units within the multi-family development shall be located on the new interior road system constructed as part of the development.

D. Orientation and Scale of Buildings

Buildings shall be oriented with respect to scenic vistas, natural landscape features, topography and natural drainage areas, in accordance with an overall plan for site development. Buildings shall be compatible in terms of physical size, visual impact, intensity of use, proximity to other structures and density of development with other permitted uses within the District, as practically achievable based on the Planning Board's determination. In addition:

1. Individual lots, buildings, streets and parking areas shall be designed and situated:

- a. To minimize alterations of the natural site;
- b. To avoid the adverse effects of shadows, noise and traffic on the residents of the site;
- c. To relate to surrounding properties, to improve the view from and of a building;
- d. So that all dwelling units may take advantage of points of solar access.

2. Diversity and originality in lot layout and individual building, street, parking and lot layout shall be encouraged.

E. Number of Units per Building and Minimum Separation

1. In the Village Center zoning district, the maximum number of attached dwelling units per structure shall be thirty (30) for multi-family developments sited on lots of 14 acres or larger provided that the footprint of the multi-family development structure is less than 15,000 square feet.
2. For multi-family developments in all other zoning districts and in the Village Center zoning district on lots less than 14 acres, the maximum number of attached dwelling units per structure shall be ten (10).
3. For all multi-family developments, the distance between the foundations of any two principal structures shall be no less than the height of the taller of the two buildings, but in no event shall a building separation of less than thirty (30) feet be permitted.
4. Multi-family dwellings may also be subject to the provisions of 402.7.22, entitled “Two or More Dwelling Units on One Lot.”

F. Utilities

All dwelling units in the development shall be connected to a common water supply and distribution system (either public or private) in accordance with any policies of the Gray Water District, unless the developer shall clearly demonstrate to the Planning Board that such a system is not feasible and, in addition:

1. That the costs of providing a common water supply and distribution system are prohibitive;
 2. That adequate ground water is available at all locations proposed for individual water systems;
 3. That the ground water source(s) proposed for individual water systems is safe from both on-site contamination; and
 4. That the source proposed is adequate for installation of life-safety sprinkler systems for the entire development.
5. Water and wastewater. The owner of a multi-family housing development shall provide written verification to the municipality that each unit of the housing development is connected to adequate supply of potable water and wastewater services before the municipality may certify the development for occupancy. Written verification under this subsection must include:

a. Wastewater Disposal

- i. If a housing unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system;
- ii. If a housing unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by the local plumbing inspector under section 4221. Plans for subsurface

wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rule adopted under Title 22, section 42;

iii. In all cases, the SSWD system serving the Multi-Family Development must meet First Time System criteria as established in the Maine SSWD Rule. Utilizing Replacement System or Expanded System criteria per 10-144 CMR 241 is prohibited.

b. Water Supply

i. If a housing unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and

ii. If a housing unit is connected to a well, the owner of the property must provide written verification that the unit is connected to adequate potable water services prior to receiving a Certificate of Occupancy. Written verification must include the following: proof of access to potable water, including the standards outlined in 01-672 C.M.R. Ch. 10, section 10.25(J), Land Use Districts and Standards. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

G. Shoreland zoning. A multi-family housing development must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and the municipal shoreland zoning ordinance, Chapter 403.

H. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with State statute Chapter 30-A regarding subdivisions.

I. Restrictive covenants. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

J. Affordable Housing Developments

1. Affordable housing shall be identified per the definition in this ordinance:

a. For rental housing, a development in which a household with income that does not exceed 80% of median income for the area as established by HUD can afford a majority of the units designated as affordable without spending more than 30% of the household's monthly income on housing costs.

b. For owned housing, a development in which a household with income that does not exceed 120% of the median income for the area as established by HUD can afford a majority of the units designated as affordable without spending more than 30% of the household's monthly income on housing costs.

2. Affordable Housing Developments are subject to the standards in this section, and permitted in all zoning districts where multi-family housing is conditionally permitted, subject to the provisions of Section 10 for Site Plan Review, Standards for Multi-family Development, and the following standards:

a. More than half of the proposed and existing units on the same lot must meet the definition of affordable housing. In determining affordability under this ordinance, "housing costs" are to include, but are not limited to:

- i. for a rental unit, the cost of rent and any utilities (electric, heat, water, sewer and/or trash) that the household pays separately from the rent;
- ii. for an owned unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner's insurance, condominium fees, and homeowners' association fees.

3. A multi-family development that meets the definition of an affordable housing development is permitted a density of 2 ½ times greater than the maximum number of units allowed on a lot based on dimensional requirements in the Town of Gray Zoning Ordinance and the Net Residential Area/Net Residential Density requirements (as applicable) in the Town of Gray Subdivision Ordinance, and if located within a designated growth area, or if served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system. The development must comply with minimum lot size requirements in accordance with Title 12, chapter 423-A as applicable.

4. A multi-family development that meets the definition of an affordable housing development is not required to provide more than two (2) off-street parking spaces for every three (3) units.

5. Long-term affordability. Before approving an affordable housing development, a municipality shall require that the owner of the affordable housing development have executed a restrictive covenant, recorded in the Cumberland County registry of deeds, for the benefit of and enforceable by a third party acceptable to the municipality, to ensure that for at least 30 years after completion of construction, meeting the following minimum standards:

A. For rental housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and

B. For owned housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

402.7.22 Two or More Dwelling Units on One Lot

1. Subdivision approval is required as applicable.
2. For any property located partially or wholly within the Shoreland Zoning District, compliance with the standards established in Gray's Shoreland Zoning Ordinance, Chapter 403, is required.
3. Compliance with State of Maine Subsurface Wastewater Disposal Rule (10-144 CMR 241) is required and in all cases, the SSWD system serving the dwelling units must meet First Time System criteria as established in the Maine SSWD Rule. Utilizing Replacement System or Expanded System criteria per 10-144 CMR 241 is prohibited.
4. Any one parcel containing two or more multifamily dwellings, two or more two-family dwellings, or any combination of buildings containing more than four dwelling units is a multifamily development and must be reviewed and approved in accordance with the Multifamily Development Standards, established in 402.10.14.
5. Accessory dwelling units, as established in Section 402.7.9, are permitted provided that applicable standards are met and maintained.
6. One Accessory Dwelling Unit per lot, as permitted per 402.7.9, shall be exempt from zoning density requirements as established in Table 402.5.4.A but shall be considered a dwelling unit for the purposes of the maximum number of dwelling units on a lot, per below.
7. If more than one accessory dwelling unit has been constructed on a lot, the lot is not eligible for any additional increases in density.
8. For parcels that do not contain an existing dwelling unit, a maximum of four dwelling units may be allowed in a designated growth area, or a maximum of two dwelling units may be allowed outside of a designated growth area, provided that all applicable dimensional standards are maintained, specifically including the minimum lot area per dwelling unit, impervious cover and setbacks, as established in Tables 402.5.4 A and B herein.
9. In any district where housing is permitted, a maximum of two (2) additional dwelling units may be allowed on a lot with one existing dwelling. The two (2) additional dwelling units may be comprised of one (1) additional dwelling unit within or attached to an existing structure or one (1) additional detached dwelling unit, or one of each. If the maximum of two dwelling units have been constructed on a lot as a result of the density allowance provisions of this section, the lot is not eligible for any additional increases in density unless all applicable dimensional standards are maintained, specifically including the minimum lot area per dwelling unit, impervious cover and setbacks, as established in Tables 402.5.4 A and B herein, provisions of this section and of 402.7.9 Accessory Dwelling Units.
10. In the event that the one additional dwelling unit has been duly permitted and constructed on a lot utilizing this exemption from zoning density requirements for minimum area per dwelling

unit, as established in table 402.5.4 A, any additional dwelling unit must comply with all dimensional standards established in Table 402.5.4. A and B.

TABLE 402.5.3 TABLE OF PERMITTED USES AND CONDITIONAL PERMITTED USES

		RRA	LD *	MD	BD-1	BD-2	C	VC *	VCP *	BT-1 *	BT-2 *	WH-1 *	WH-2 *	LMOD	CSES OD
1.	Accessory Dwelling Unit [‡] #	P	P	P	P	P	P	P	P	P	P	P	P		
2.	Accessory Uses and Structures	P	P	P	P	P	P	P	P	P	P	P	P		
3.	Adult Business*						C								
4.	Agritourism Center*	C													
5.	Agritourism Facility*	C													
6.	Animal Husbandry	P	P		C	C	C				C		C		
7.	Auto Body Shop				C	C	C								
8.	Auto Repair Garage						C								
9.	Auto Service Station				C	C									
10.	Bed and Breakfast ‡	C	C	C	P	P	P	P	P	P	C		C		
11.	Building Trades Occupations – 1	P	P	P	P	P	P	P	P	P	P	C	P		
12.	Campground ‡	C	C												
13.	Cemetery	P					C								
14.	Church	P	P	P	P	P		C	C		C		C		
15.	Commercial Recreation - Indoor or Outdoor	C	C		C	C	C	C	C	C	C		C		
16.	Community Living Arrangement	P	P	P	P	P	P	P	P	P	P	P	P		
17.	Construction Services				P	P					C		C		
18.	Day Care Facility for Five (5) or fewer clients.	P	P	P	P	P	P	P	P	P	P		P		
19.	Day Care Facility for Six (6) or more	C	C	C	C	C	C			C	C		C		
20.	Drive Through and Drive in Facility					¹ C	C			C	C		C		
21.	Expansion of Nonconforming Uses	C	C	C	C	C	C	C	C	C	C	C	C		

		RRA	LD *	MD	BD-1	BD-2	C	VC *	VCP *	BT-1 *	BT-2 *	WH-1 *	WH-2 *	LMOD	CSES OD
22.	Farm Stand ‡	P	P	P	P	P	P	P	P	P	P		P		
23.	Farmers' Market ++	P	P	P	P	P	P	P	P	P	P		P		
24.	Flea Market, Open Air Market ‡	C	C	C	C		C	P	P						
25.	Garage Sale	P	P	P	P	P	P	P	P	P	P	P	P		
26.	General Agriculture	P		P	P	P	P				C		C		
27.	Headquarters for a Contracting Business	C	C	C	P	P					C		C		
28.	Heliport	C	C		C	C									
29.	Home Occupation ‡	P	P	P	P	P	P	P	P	P	P	C	P		
30.	Hotel and Motel				C	C	C			C					
31.	In-Home Offices‡	P	P	P	P	P	P	P	P	P	P	P	P		
32.	Kennels	C	C				C						C		
33.	Light Manufacturing				P	P								P/C	
34.	Manufacturing and Processing				C	C									
35.	Mechanical Repair Garages	C			P	P	C								
36.	Medium and Large-scale Solar Energy Systems														C
37.	Medical Facility	C	C	C		C	C	C	C	C					
38.	Mineral Excavation	P	P	P	P	P	P								
39.	Mineral Exploration	C			P	P		P	P		P	P	P		
40.	Mobile Vendor	P	P	P	P	P	P	P	P	P					
41.	Motel (< 11 rooms)	C	C			C									
42.	Multi-family Development	C	C	C	C	C	C	C	C	C	C	C	C		
43.	Multi-family Dwelling	C	C	C	C	C	C	C	C	C	C	C	C		
44.	Municipal Uses	C	C		C	C	C	C	C	C	C		C		
45.	Nursing and Convalescent Home	C	C	C	C	C	C			C					
46.	Office			C	P	P	P	P	P	C	C		C		

		RRA	LD *	MD	BD-1	BD-2	C	VC *	VCP *	BT-1 *	BT-2 *	WH-1 *	WH-2 *	LMOD
47.	Personal Services				C	C	C	C	C	C				
48.	Planned Unit Development ‡				C	C	C	C	C	C				
49.	Places for Public Assembly, Indoor and Outdoor	C	C		C	C		P	P					
50.	Private Assembly				C	C	C	C	C					
51.	Private Landing Strips for Personal Aircraft ‡	C			C	C								
52.	Public Utilities	C	C	C	C	C	C	C	C	C	C	C	C	
53.	Redemption Center						C			C			P	
54.	Registered Caregiver*				C	C	C	C						
55.	Registered Caregiver Cultivation Area*				C	C	C	C						
56.	Repair Service				P	P	C	P	P		C		C	
57.	Research Facility				C	C		C	C					
58.	Residential Open Space Subdivisions	P	P	P										
59.	Restaurant				P	P	C	P	P	C	C			
60.	Retail Trade				P	P	C	P	P	C	C		C	
61.	School	P	P	P		C	C	C	C	C	C		C	
62.	Self-Storage Facility				C	C	C			C				
63.	Single-Family Dwelling#	P	P	P	P	P	P	P	P	P	P	P	P	
64.	Similar Uses	C	C	C	C	C	C	C	C	C	C	C	C	
65.	Tavern					C	C	C	C					
66.	Trucking Terminal				C	C								
67.	Two-Family Dwelling#	P	P	P	P	P	P	P	P	P	P	P	P	
68.	Warehousing				P	P								P/C
69.	Wholesale Trade				C	C		P	P					

++ Subject to performance standards in Article 7 # Subject to performance standards in 402.10.14, 402.7.22, 402.7.9 as applicable

Subject to performance standards of 402.7.22, 402.7.9 and 402.10.14 as applicable

TABLE 3 – MINIMUM NUMBER OF OFF-STREET PARKING SPACES

Residential	
Dwelling: Single Family, Duplex	2 per dwelling unit
Multifamily:	
Studio	1.25 per dwelling unit
One Bedroom	1.5 per dwelling unit
Two or More Bedrooms	2 per dwelling unit
Affordable Housing Development	2 per every 3 dwelling units (maximum)
Hotel/Motel	1.25 per guest room, plus 10 per 1000 sq. ft. restaurant/lounge, plus 30 per 1000 sq. ft. meeting/banquet room.
Senior Citizen Housing, Independent Living	0.6 per dwelling unit
Senior Citizen Housing, Assisted Living	0.4 per dwelling unit
Boarding Homes for Sheltered Care and Nursing Homes	1 per room
Rooming House:	
Single-Occupancy Unit	1 per dwelling unit
Double-Occupancy Unit	2 per dwelling unit
Employees	1 per employee
Visitors	As needed
Day Care, Facility (any type)	.35 per client of licensed capacity plus staff
Hospital/Medical Center	0.4 per employee, plus 1 per 3 beds, plus 1 per 5 average daily outpatient visits, plus 1 per 4 medical staff, plus 1 per student/faculty/staff
Retail/Service	
Retail Sales (not in shopping center)	3.5 per 1000 sq. ft. of gross floor area (GFA)
Supermarket (Freestanding)	4.5 per 1000 sq. ft. of GFA
Discount Superstore/Clubs	3.5 per 1000 sq. ft. of GFA
Home Improvement Superstore	2.5 per 1000 sq. ft. of GFA
Other Heavy/Hard Goods (Furniture, Appliances, Buildings Materials, etc.)	3.0 per 1000 sq. ft. of GFA
Shopping Centers	4.0 per 1000 sq. ft. of GFA,
Service Business, Personal	
Beauty Shops/Barber Shops	2 per treatment station, but not less than 4.3 per 1000 sq. ft. customer service area.
Coin-Operated Laundry/Dry Cleaning Services	3.5 per 1000 sq. ft. of GFA
Other	3.5 per 1000 sq. ft. of GFA

Fitness Center/Health Club	1 per 3 persons of permitted capacity
Retail Sales, Automobile Sales	2.7 per 1000 sq. ft. of interior sales area GFA, plus 1.5 per 1000 sq. ft. of interior area
Automobile Repair Services, Major or Minor	4 per service bay
Convenience Store	.25 per pump plus 1 per employee plus 4 per 1000 sq. ft.
Food and Beverage	
Restaurant	1 per 3 seats
Office and Business Services	
Business and Professional Office	4.5 per 1000 sq. ft. of GFA
Service Business, Commercial	4 per 1000 sq. ft. of GFA
Medical Office Building	5.5 per 1000 sq. ft. of GFA
Bank	5.5 per 1000 sq. ft. of GFA
Industry, Heavy	2 per 1000 sq. ft. of GFA
Industry, Light	1.5 per 1000 sq. ft.
Warehouse	0.7 per 1000 sq. ft. of GFA
Other Retail, Commercial or Business	4 per 1000 sq. ft. of GFA
Education	
Preschool/Nursery Schools	.35 per student plus 1 per employee
Elementary and Middle Schools	Per parking study specific to institution
High Schools	Per parking study specific to institution
College and University	Per parking study specific to institution
Cultural/Recreational/Entertainment	
Convention Center	0.25 per person of permitted capacity
Library	4.5 per 1000 sq. ft. of GFA
Place of Worship	1 for every 3 seats
Theater	1 for every 3 seats

Village Center/VCP Design Standards EXCERPT:

PART 4 – RESIDENTIAL DESIGN STANDARDS AND ADMINISTRATIVE PROCEDURES

I. PURPOSE

The purpose of these Design Standards for the construction of, single-family dwellings, two-family dwellings, multi-family dwellings, accessory dwelling units, [multi-family dwellings](#), [multi-family developments](#) and all detached accessory structures in the Village Center (VC) and Village Center Proper (VCP) Districts is to promote the construction of such buildings in a manner that is calculated to allow for adaptive re-use of the site for either commercial or residential purposes in the future. The objective is to grant the Town of Gray increased flexibility in meeting its current goals under the Comprehensive Plan, including promoting growth in the VC and VCP districts.

II. APPLICABILITY

A. These Design Standards apply to all single-family dwellings, two-family dwellings, multi-family dwellings, [multi-family dwellings](#), [multi-family developments](#) accessory dwelling units, and all detached accessory structures newly constructed or reconstructed in the VC or VCP Districts, as well as those that have been substantially altered, repaired, or moved. For the purposes of applicability of these standards, “substantially altered, repaired, or moved” shall mean any one or more of the following:

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

III. AESTHETIC STANDARDS

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