

Article IX Open Space Zoning

Section 1. Purpose

The purpose of this Article is, within rural areas of Camden, to maintain the rural, natural, and scenic qualities of the Town; and, within developing areas, to provide for flexibility in the design of open space residential development. *(Amended 6/20/2007)*

Section 2. Applicability

(1) Rural-1, Rural-2, and Coastal Residential Districts

The provisions of this Article shall be ~~mandatory~~ optional for residential subdivisions with three or more lots, or for condominiums or cooperative ownership projects on one lot with three or more dwelling units that are located in the Rural-1, Rural-2, or Coastal Residential Districts. These provisions are not mandatory for lots within subdivisions that are located in other districts.

(Amended 6/20/2007)

Explanation: Makes open space zoning optional in the RU-1, RU-2 and the CR and makes it clear that condominiums and cooperatives are allowed and required to follow this Open Space section.

(2) Village and Village Extension Districts

In Village and Village Extension districts, the provisions of this Article shall be optional. *(Amended 6/20/2007)*

(3) Lots Located in More than One Zoning District

When a lot is located in two or more zoning districts and a majority of the lot falls within one of the mandatory open space zoning districts, then the lot shall meet the provisions of this Article. *(Amended 6/20/2007)*

Section 3. General Standards

Open space residential developments proposed under the terms of this Article shall meet all requirements of this Article, unless otherwise noted. The uses of the land shall not differ from the uses permitted in the district in which the development is located. “Buildable” land is all land except land within street rights-of-way, wetlands as defined in

this Ordinance, 100-year flood plains, water bodies, or sustained slopes in excess of 20%. Modifications of space and bulk provisions shall not be construed as granting variances to relieve hardship. *(Amended 6/20/2007)*

(1) Within the Rural-1 District:

- (a) the total number of dwelling units shall not exceed one unit ~~per 7 acres~~ one unit per 60,000 SF.

Explanation: Maintains the requirements of the underlying RU-1 regulations. This is necessary to make projects feasible to create open space. There is no need for any difference from the underlying zone.

- (b) each lot within the subdivision shall contain a minimum of 1 acre of buildable land. *(Amended 6/20/2007)*
- (c) lots and/or dwelling units shall be laid out so that, on average, they encompass (or, in the case of dwelling units not on individual lots, occupy) no more than two acres of buildable land per lot or dwelling unit, and so that at least 60% of the parcel remains as open space ~~outside of the lots~~ and not otherwise assigned to individual dwelling units or any other structures. *(Amended 6/20/2007)*

Explanation: Clarifies how to define open space even when all one lot and the open space will be within the one lot and when there may be other structures in the project.

- (d) minimum road frontage shall be 75 feet. However, no individual lot or dwelling unit shall have its required frontage on a public road existing at the time of application for development or gain its access from such a road.
- (e) no building or structure shall be located within 25 feet of any property line.
- (f) neither shore frontage nor setbacks from the normal high-water marks of water bodies shall be reduced below the minimum otherwise required in the district.
- (g) dwelling units may be clustered within a single building or series of attached units. In these cases the provisions of this paragraph (1) shall apply, with the following exceptions and additions:

- (i) ~~the parcel of land proposed for development shall have a minimum of 150 feet of frontage;—~~

Explanation: There is no need for higher limits on frontage if homes are clustered. And Sagamore would not then be in compliance as it only has 100' frontage.

- (ii) ~~the minimum distance between principal buildings on the same lot shall be equivalent to the height of the taller building;~~

Explanation: The wording suggests the tallest building, but uses the word taller. Separation of clustered buildings will be established by code, marketability and acceptable project layout, and will still be subject to P&Z site plan review and approval.

- (iii) (i) no building shall contain more than six dwelling units and no more than an average of four units per building for the development as a whole; and attached dwellings shall include no more than six dwelling units in any single series, and no more than an average of four per series for the development as a whole.

- (iv) ii. In addition to dwelling units, the project may also contain common ownership structures to support the development dwelling units, including but not limited to a common house or building, water and septic buildings, and land use support buildings such as barns and equipment storage.

Explanation: Makes it clear that additional common ownership structures are allowed, which are common to condominium, cooperative or even clustered homeowner association projects, but not currently explicitly stated.

(2) Within the Rural-2 District:

- (a) the total number of dwelling units shall not exceed ~~one unit per 4 acres~~ one unit per 60,000 SF.
- (b) each lot within the subdivision shall contain a minimum of 30,000 square feet of buildable land. *(Amended 6/20/2007)*
- (c) lots and/or dwelling units shall be laid out so that, on average, they encompass (or, in the case of dwelling units not on individual lots, occupy) no more than one-and-a-half acres of buildable land per lot or dwelling unit, and so that at least 50% of the parcel remains as open space ~~outside of the lots~~ and not otherwise assigned to individual dwelling units or any other structures.

(Amended 6/20/2007)

- (d) minimum road frontage shall be 50 feet. However, no individual lot or dwelling unit shall have its required frontage on a public road existing at the time of application for development or gain its access from such a road.
- (e) no building or structure shall be located within 25 feet of any property line.
- (f) neither shore frontage nor setbacks from the normal high water marks of water bodies shall be reduced below the minimum otherwise required in the district.
- (g) dwelling units may be clustered within a single building or series of attached units. In these cases the provisions of this paragraph (2) shall apply, with the following exceptions and additions:
 - (i) ~~the parcel of land proposed for development shall have a minimum of 150 feet of frontage;~~
 - (ii) ~~the minimum distance between principal buildings on the same lot shall be equivalent to the height of the taller building;~~
 - ~~(iii)~~ (i) no building shall contain more than six dwelling units and no more than an average of four units per building for the development as a whole; and attached dwellings shall include no more than six dwelling units in any single series, and no more than an average of four per series for the development as a whole.
 - (ii) In addition to dwelling units, the project may also contain common ownership structures to support the development dwelling units, including but not limited to a common house or building, water and septic buildings, and land use support buildings such as barns and equipment storage.

(3) Within the Coastal Residential District:

- (a) the total number of dwelling units shall not exceed one unit per 30,000 square feet if the property is served by public sewerage, or one unit per 60,000 square feet if the property is served by one on-site waste water disposal system.
- (b) each lot within the subdivision shall contain a minimum of 10,000 square feet of land if served by public sewerage, or a minimum of 30,000 square feet of buildable land if the property is served by on-site waste-water disposal systems. *(Amended 6/20/2007)*
- (c) lots and/or dwelling units shall be laid out so that, on average, they encompass (or, in the case of dwelling units not on individual lots, occupy) no more than one-and-a-half acres of buildable land per lot or dwelling unit, and so that at least 33% of the parcel remains as open space ~~outside of the lots~~ and not otherwise assigned to individual dwelling units or any other structures. *(Amended 6/20/2007)*
- (d) minimum road frontage shall be 50 feet. However, no individual lot or dwelling unit shall have its required frontage on a public road existing at the time of application for development or gain its access from such a road.
- (e) no building or structure shall be located within 25 feet of any property line.
- (f) neither shore frontage nor setbacks from the normal high-water marks of water bodies shall be reduced below the minimum otherwise required in the district.
- (g) dwelling units may be clustered in a single building or a series of single family attached units, in which case the provisions of this paragraph (3) shall apply, with the following exceptions and additions:
 - (i) ~~the parcel of land proposed for development shall have a minimum of 150 feet of frontage;~~
 - (ii) ~~the minimum distance between principal structures on the same lot shall be equivalent to the height of the taller structure;~~

- (i) attached dwellings shall include no more than six dwelling units in any single series, and no more than an average of four per series for the development as a whole.
- (ii) In addition to dwelling units, the project may also contain common ownership structures to support the development dwelling units, including but not limited to a common house or building, water and septic buildings, and land use support buildings such as barns and equipment storage.

NO CHANGES MADE BEYOND THIS POINT