

Section 13. Suburban Commercial District (SC)

A. Purpose

The purpose of the Suburban Commercial District is to provide an area well suited for automobile-oriented commercial and industrial activity. The intent is to allow the district to evolve with a mixture of uses, including retail, services, offices, and light industrial, close to commercial services and of a scale and density that is compatible with a commercial district.

B. Permitted Uses

The following uses are permitted in the Suburban Commercial District:

1. The following resource protection uses:
 - 1-1 Forest management
 - 1-2 Harvesting of wild crops
2. The following resource production uses:
 - 2-1 Horticulture
3. The following institutional uses:
 - 3-1 Municipal Uses
4. The following commercial uses:
 - 4-1 Auto repair garages
 - 4-2 Banks
 - 4-3 Business and professional offices
 - 4-4 Business services
 - 4-5 Commercial schools
 - 4-6 Day care centers
 - 4-7 Eating places, may include drive-through provided it meets the standards of Article 10, Section 23.
 - 4-8 Funeral homes
 - 4-9 Gas stations
 - 4-10 Health service facilities
 - 4-11 Theaters
 - 4-12 Hotels and motels
 - 4-13 Inns
 - 4-14 Motor vehicles sales and service
 - 4-15 Personal services
 - 4-16 Rental of equipment
 - 4-17 Retail sales
 - 4-18 Studios of artisans
 - 4-19 Veterinary clinics
 - 4-20 Warehouses
 - 4-21 Wholesale sales
5. The following recreation and marine uses:
 - 5-1 Marine sales and services
 - 5-2 Fully enclosed places of recreation

6. The following industrial uses:
 - 6-1 Boat building
 - 6-2 Manufacturing
 - 6-3 Research and development
 - 6-4 Testing facilities
 - 6-5 Tradesmen's shops, provided there is no outdoor storage visible from the public road frontage

7. The following utility uses:
 - 7-1 Essential services

8. The following accessory uses:
 - 8-1 Accessory buildings and uses
 - 8-2 Home occupations – if located in a legally nonconforming residence in existence prior to 6/13/2007 (the effective date of this amendment)

C. Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with Article 7 of this Ordinance:

1. The following utility uses:
 - 1-1 Public utilities

D. Prohibited Uses

- (1) Manufacturing and warehouse uses which are obnoxious, offensive, or detrimental to the abutters, the neighborhood, or the Town, by reason of special danger of fire or explosion, pollution of waterways, emission of corrosive, toxic, or disagreeable odors, offensive noises, or other objectionable characteristics such as, but not limited to, glare of light at night, heavy vibration, or noise.
- (2) Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

- (1) Space and Bulk Standards

The following space and bulk standards shall apply in the Suburban Commercial District:

Minimum net lot area	
Hotels and motels	80,000 sq. ft.
Other uses	40,000 sq. ft.
Minimum lot width	200 feet
Minimum setbacks	

Front yard	100 feet, except that if off-street parking is provided entirely to the side or rear of the building*, with no such parking between the building* and Route 1, the minimum shall be 40 feet ["side or rear of building" shall mean the area located behind a line which is parallel with Route 1 property line and which touches that part of the building face closest to Route 1.] [*for sites with more than one building on the lot, all parking must be kept entirely to the side or rear of the building closest to Route 1 and that building closest to Route 1 must be a principal building with a foot print of at least 1000 sq. ft.]
Side yards	25 feet
Rear yard	40 feet
Shoreland area	Per paragraph F(1) below and Article 8, Section 16
Maximum height	35 feet
Maximum lot coverage	25 percent (lot coverage in the Suburban Commercial District shall be calculated based upon net lot area)
Minimum width of green perimeter strip	50 feet, except that if off-street parking is provided entirely to the side or rear of the building*, with no such parking between the building* and Route 1, the minimum width shall be 20 feet. ["side or rear of building" shall mean the area located behind a line which is parallel with the Route 1 property line and which touches that part of the building face closest to Route 1] [* for sites with more than one building on the lot, if all parking is kept to the side or rear of the building closest to Route 1, then the 20 foot minimum green perimeter strip standard shall apply to the entire site.] In any case, the perimeter strip along any property line abutting Route 1 shall include one shade tree per 30 linear foot or fraction thereof for the length of the property line, exclusive of the width of any driveway

(2) Conceptual Plan Required

- (a) Any application for new development on or subdivision of a lot of two or more acres in existence as of the effective date of this Ordinance shall, if the proposal does not involve the entire site, be accompanied by a conceptual plan for the use of the remainder of the site. The conceptual plan shall show, at a minimum, natural constraints, such as wetlands, that exist on the rest of the site, the potential locations of other lots or development on the site, the way in which roads, driveways, and pedestrian ways will serve the future lots or

development, and the way in which all proposed development will relate to and potentially connect with adjacent lands.

- (b) To the greatest extent possible, the conceptual plan shall demonstrate that future lots created from the site and development on the site will share access to and minimize curb cuts along Route One, that provision has been made for convenient, direct connections between all lots or developments, and that provision has been made to avoid wetlands and other significant natural resources.

(3) **Performance Standards**

Uses within the Suburban Commercial District shall conform to all applicable performance standards of this Ordinance, including but not limited to the following:

- (a) Soils Article 10, Section 2
- (b) Private outdoor lighting Article 10, Section 6
- (c) Signs Article 10, Section 7
- (d) Off-street parking Article 10, Section 9
- (e) Home occupations Article 10, Section 14
- (f) Motels, Hotels, and inns Article 10, Section 17

F. Overlay Districts

- (1) Any lot or use within the Shoreland Overlay District shall additionally comply with the provisions of Article 8, Section 16, and of Article 10, Section 3, of this Ordinance, except that the setback from the Kennebunk River shall be 100', notwithstanding Section 16(D) of Article 8.
- (2) Any lot or use within the Historic Preservation Overlay District shall additionally comply with the provisions of Article 8, Section 17, and of Article 12 of this Ordinance.

G. Flood Plains

Any construction or development within a flood plain, as defined by the Kennebunk Flood Plain Management Ordinance, shall additionally comply with the terms of that ordinance.

H. Site Plan Review

Any proposals as described in Article 11 (Site Plan Review), Section 3 of this Ordinance shall be subject to site plan review and approval prior to receipt of a building permit or plumbing permit.

I. Portland Road Traffic Management Study Review

Any proposal requiring a building permit (but exempt from Site Review or Subdivision Review) and which is located within the Portland Road Corridor, shall submit to the Town Planner a plan of the site and driveway layout showing conformance to the recommendations of Figures 13 and 14 of the 2008 update portion of the Portland Road Traffic Management Study. The Code Enforcement Officer shall review the site layout with the Town Planner to determine conformance with the Traffic Management Study recommendations shown on Figures 13 and 14.

If conformance to the corridor recommendations cannot be achieved a waiver must be received from the Planning Board (or Site Plan Review Board if project is part of Site Plan Review) prior to receipt of a building permit. The Planning Board shall follow the standards of Article 11, Section 9 of this ordinance in determining whether to grant such a waiver.