

SWAN LAKE AVENUE MIXED USE HOUSING & SMALL SCALE COMMERCIAL

NOTE TO READER: The proposed amendment that is the subject of the October 27, 2009 public hearing is identified in red font.

Goal

To allow development that recognizes that this area often shares more similarities with an urban area than a rural area, and that the area supports a mix of single family homes, mobile home parks and small scale nonresidential uses.

Overview of Past, Current & Future Use

The City views the type of development which has occurred along the nearly 2 mile stretch of Route 141/Swan Lake Avenue from Robbins Road to near the CMP power lines as having many similarities. Most development is located very close to the road, many of the lots are often quite small (about 1/2 acre with 100 feet of road frontage), and there is a greater mix of residential and nonresidential uses along this road than often occurs along other State roads in Belfast, such as Routes 7, 52, and 137. MDOT clearly has recognized the different character of development in this area because all of the area proposed for this zone is located within the MDOT urban compact zone. MDOT reserves such classifications for areas along State roads which have experienced higher densities of development.

Single family homes, many of which are quite small, clearly are the predominant use on Swan Lake Avenue. There also is a significant number of nonresidential uses scattered along the road, such as Goose River Grocery, Johnson' auto service and sales, Pooler's Towing, and Lane Construction, a major gravel pit and pavement operation. There also are several mobile home parks in the area; Hyland Estates and Belfast Trailer Park (Clarke's) are the largest. While you clearly have left 'in-town' Belfast when you drive along this section of Swan Lake Avenue, the experience and feel of driving this area is much different than driving along a road such as the Pitcher Road or Kaler Road.

The City, in 2006, extended public sewer to the area located along Swan Lake Avenue between the Robbins Road and the Back Searsport Road. This extension was in response to a State DEP order that the Belfast Trailer Park must either cease use of their on-site sewer lagoons or close down. The City was very concerned about the potential loss of this 40+ unit mobile home park which is a source of affordable housing and used a combination of taxpayer and grant funds to extend public sewer to the area. The availability of public sewer is an additional feature which makes this area much different than most 'rural' roads in Belfast. The availability of public sewer means the area can usually support more dense development.

Future use in this area likely will be similar to current use. The availability of public sewer to at least a portion of the area, and public water to most properties means that this area clearly should be considered a 'Growth Area'. While much of the future development likely will be houses,

there also likely will be interest in constructing small scale nonresidential uses. Although development is encouraged, development should recognize the area's proximity to the Goose River and Upper and Lower Mason Pond. Shoreland zoning standards should be used to help protect these resources.

Recommendations

Permitted Uses (Examples of Main Uses)

- 1) Single family and two family residential, including manufactured housing
- 2) Multi-family, but only if on public sewer
- 3) Home occupations, larger scale
- 4) Mobile Home Parks, if on public sewer. Parks, however, cannot occur along Mill Lane.
- 5) Retail uses less than 4,000 square feet in size
- 6) Professional offices less than 4,000 square feet in size
- 7) Service Businesses
- 8) Auto repair and accompanying auto sales as an accessory use
- 9) Auto Sales
- 10) Convenience store – limit on number of gas pumps
- 11) Greenhouses, no limit on size
- 12) Light manufacturing/industrial uses
- 13) Warehouses
- 14) Agriculture & Forestry
- 15) Hydropower generation, including the use of such power to support an on-site use.
- 16) Salvage yards/junkyards

Minimum Lot Size

- 1) 1/2 acre for single family or two-family on sewer with 150 - 200 feet of road frontage if located on either Mill Lane or Swan Lake Avenue, and 1/3rd acre if on sewer and no road frontage on the above roads.
- 2) 1/2 acre for single family on septic regardless of the amount of road frontage.
- 3) 1 acre for a two family residence on septic, regardless of the amount of road frontage.
- 4) 1 acre minimum for multi-family, provided lot has public sewer and lot has a minimum of 200 feet of road frontage, unless the lot has no road frontage.
- 5) 1 acre for nonresidential, septic or sewer with a minimum of 200 feet of road frontage, regardless of which road it is located on.

Density (Number of Housing Units per Acre)

- 1) 2 single family units per acre if on sewer or septic and property has frontage on either Swan Lake Avenue or Mill Lane
- 2) 3 single family units per acre if on sewer and have no road frontage on Swan Lake Avenue or Mill Lane

- 3) 4 two-family (duplex) units per acre if on sewer, regardless of where the property is located.
- 4) 2 two-family (duplex) units per acre if on septic, regardless of where the property is located.
- 5) 12 – 16 multi-family units per acre if on sewer. No multi-family permitted if property does not have public sewer.
- 6) Mobile Home Park density consistent with State Law. This usually means about 7 mobile homes per acre if on sewer, and 2 mobile homes per acre if not on sewer.
- 7) No specific restriction on amount of lot coverage for either a residential or a nonresidential use, unless such use is located in a shoreland overlay zone. Properties near the Goose River and Upper or Lower Mason Pond are subject to shoreland zoning provisions.

Setbacks (Distance Structure must be Located from a Lot Line)

- 1) Single family and two-family – 30 feet front setback and 15 feet for either side or rear setback.
- 2) Multi-family – 30 feet front and 30 feet side and rear; provided parking also is located to side or rear.
- 3) Nonresidential – 40 feet front and 40 feet side and rear, provided parking also is located to side or rear, unless property is setback a greater distance from the road.

Major Changes Compared to Current Requirements

This area is now located within 3 different zoning districts. One of the key purposes of the proposed changes is to standardize the range of uses allowed on both sides of Swan Lake Avenue. The reader should refer to the map included with this description for a comparison of current zoning to the proposed land use designation.

- 1) Some of the area located easterly of the Back Searsport Road is now in the Route 141 and Mill Lane Zoning Districts. This proposal would result in reducing the range of nonresidential uses now allowed in this zone. For examples, hotels and restaurants would be prohibited, and the size of some nonresidential uses that are permitted would be decreased, for example the size of a retail establishment could be no larger than 4,000 square feet rather than the current 20,000 square feet requirement. It is also noted that none of the uses that are proposed to become prohibited activities are now located in this area, and that none of the current uses exceed the proposed size limits.
- 2) The area on the southerly side of Swan Lake Avenue is now in the General Purpose-A zone. This area allows a wide range of uses, but the intent is to have nonresidential uses to be small in scale. The proposal would result in some uses that are now permitted becoming prohibited uses, particularly restaurants and hotels, but the size limitations on other nonresidential uses would be within current standards. Again, the uses that are proposed to be eliminated are not now located in this zone.
- 3) The area on the northerly side of Swan Lake Avenue is now in the Protection Rural zone. This proposal would result in greatly expanding the range of uses that would be allowed. Currently, most nonresidential uses, such as retail stores, auto sales and service and

professional offices, are prohibited in the Protection Rural zone. The proposal also greatly reduces the minimum lot size requirement; from 2 acres to ½ acre for a single family residence.

- 4) Overall, the minimum lot size requirement would be affected, as would the minimum amount of road frontage requirement. Current standards range from 1 acre to 2 acres for a single family or two-family house if on septic and 1/3rd acre if on sewer. Also, current road frontage standards range from 100 feet to 200+ feet. The goal would be to create a single lot size and frontage standard for this area, with more lot frontage usually required if the lot fronts on Swan Lake Avenue or Mill Lane.
- 5) The nonresidential performance standards that now apply to any proposed nonresidential development that is located within the section of this area that is within the Route 141 and Mill Lane District would be replaced with a new set of nonresidential standards that are specific to nonresidential development activities in this area.
- 6) The number of multi-family housing units allowed per acre would greatly increase. At present, the area that is on public sewer is limited to either 3 or 6 multi-family housing units per acre. It is suggested that this density can be increased to 12 – 16 units per acre.

Other Issues & Ideas To Consider

- 1) The current volume of traffic and public safety issues associated with the Route 1 and Route 141 intersection could impact the amount of development that can occur in this area, or the cost to construct this development.
- 2) Traffic speeds on Route 141 are often cited as a neighborhood concern. Route 141 is a significant commuter road. City should take measures to ensure the speed of vehicles stay within posted speed limits.
- 3) At present, there is little need to encourage or construct additional public sewer on Swan Lake Avenue. The area, particularly the Belfast Trailer Park (formerly Clarke's Trailer Park) most in need of sewer was served by the extension of public sewer as far westerly/northerly as the Back Searsport Road in 2006. The City should monitor if the recent sewer extension on Swan Lake Avenue results in encouraging increased housing density prior to making any decision to extend sewer to any additional properties on Swan Lake Avenue.
- 4) City should carefully monitor the location of new driveways and any increased type of use on existing driveways in the interest of public safety. The City also should encourage the use of common curb-cuts to serve adjacent properties to try and manage the number of turn locations associated with driveways along both Swan Lake Avenue and Mill Lane.
- 5) City should strongly encourage back lot development in this area, which is one of the reasons for requiring more road frontage for a lot on Swan Lake Avenue or Mill Lane.
- 6) City should be sensitive to important water resources, both the Goose River and Upper and Lower Mason Pond, and should implement regulations to protect these resources.