SECTION 4.1 OVERVIEW OF PUBLIC PROCESS ASSOCIATED WITH PREPARING THIS FUTURE LAND USE PLAN

The Plan presented in this document is the adopted Future Land Use Plan for the City of Belfast. The Plan has been considered part of the City Comprehensive Plan since 2009 and replaces the previously adopted Future Land Use Plan of 1995 and 1997, as such had been amended between 1998 and 2008.

The preparation of a Future Land Use Plan and Comprehensive Plan was a major undertaking. In Belfast, this task mostly was charged to the Comprehensive Planning Committee, a 7 member volunteer Committee appointed by the City Council. Most staff support to the Committee was provided by the Department of Planning & Community Development and consultants.

Following is an abbreviated timeline of major events that were involved in preparing this Plan. The focus is on events that occurred post 2008 which is when the Final Plan was hammered out and presented.

- 2003. Committee initiates process by conducting 13 public neighborhood meetings. Committee offered no specific proposals at this time and solicited comment regarding what residents liked and disliked about Belfast and where they lived in Belfast. Over 300 persons attended these meetings.

- 2004 – 2005. Committee formulated its initial recommendations for this Future Land Use Plan and conducted two public informational meetings in the spring of 2005 to solicit public comment. Committee also worked with Planning Board and Council in pursuing amendments to the Zoning and Shoreland Ordinance for the Working Waterfront Area, and in pursuing amendments to the Shoreland Ordinance to address concerns raised at the neighborhood meetings.

- 2006 – 2007. Committee refined its Future Land Use Plan recommendations. Committee fulfilled Council assignment to identify an area in which larger retail would be appropriate.

- 2008. Committee, which now consisted of many new members, re-examined and completed work on a revised Future Land Use Plan. Committee conducted 2 public informational meetings on the Plan in September – October 2008, and conducted an additional 2 public informational meetings in November 2008.

- 2009. Committee revises its Plan to address public comment received at the Fall 2008 public meetings. Committee delivers its Final Plan to the Council in March 2009.

- March – April, 2009. Committee meets with Council at 2 workshop meetings to discuss its Final Plan. Council accepts Committee work and Council commences its review of Plan.

- June – August, 2009. Council meets at 6 workshop meetings and 2 regular Council meetings to review Committee Plan and identifies recommended changes it wants to propose for public consideration.

- September 8 & 10, 2009. Council conducts 2 public hearings regarding the Future Land use Plan which includes its recommendations.

- September 17 & 22, 2009. Council, at 2 public meetings, reviews comments received at the September 2009 hearings and directs changes it wants to make to the Plan. This document reflects the changes made by the Council following the September hearings.

- October 13 & 27, 2009. The Council adopted most sections of the Plan at its meeting of October 13th and adopted several final amendments to the Plan at its meeting of October 27, 2009.

- 2019-2020. The Comprehensive Plan Committee, in collaboration with the Department of Planning & Community Development and consultants updated inventory chapters to reflect current data and trends and re-examined the Future Land Use Plan to ensure continued support.

Through-out this extensive planning process, all meetings of the Comprehensive Planning Committee were open to the public. Comments and proposals that were presented to the Committee were considered in preparing the recommended Plan. It also is noted that the composition of the Comprehensive Planning Committee changed over the years, and that as changes in Committee membership occurred, it often necessitated orienting new members to the body of work that had been prepared by past Committee members.

HOW TO USE THE POLICY RECOMMENDATIONS IN THE FUTURE LAND USE PLAN OF THE BELFAST COMPREHENSIVE PLAN

The Future Land Use Plan offers recommendations regarding how land use should occur through-out the City, particularly for the next ten years. These recommendations are *'policy'* statements. These *'policy'* statements are intended to serve as the foundation for zoning and other land use regulations, 'laws' identified in the City Code of Ordinances, that the City may adopt to implement the Plan's *'policy'* statements. That said, all should recognize that *'policy'* statements are not the *'law'* or the City Code. As such, while the *'policies'* identified in this Plan are often very descriptive, persons should expect that some of the specifics or details contained in the land use area descriptions **may change** as the City moves forward in implementing the Plan through the process of preparing Ordinance proposals and amendments, conducting public hearings on these amendments, and choosing to adopt or not adopt the proposals.

Continuing, the purpose of a Comprehensive Plan is to provide overall *'policy'* direction to the community and its elected and appointed officials regarding issues such as land use. The preparation and adoption of this Plan involved considerable work and multiple opportunities for obtaining public comment and involvement regarding proposals in the Plan; reference timeline for preparing Plan, pages 1-2. Once the Council adopts the Future Land Use Plan, the City will embark on the second stage of the public process which is to prepare, discuss, and adopt amendments or new provisions to the City Code of Ordinances *('the laws')* to implement *'policy'* identified in the Plan. Examples of the *'laws'* which may be subject to amendment are the City Zoning Ordinance, Site Plan Ordinance and Subdivision Ordinance.

Further, the public process associated with the second stage, preparing Ordinance amendments, is quite extensive. There will be future public hearings associated with this work, and the process will provide multiple future opportunities for the public, the Planning Board, and the City Council to consider the desirability of adopting specific amendments; including amendments which may differ from some of specific *'policy'* details included in this Future Land Use Plan. Also, when the City pursues amendments to its '*laws'*, the City usually will target a limited area of the community at any single time, such as the downtown and waterfront area, rather than seeking public comment on all areas through-out the City at the same time as occurred through the Comprehensive Planning process. And, consistent with current City practice, the City will send notification to all affected property owners regarding the public hearings for any proposed amendments so persons are aware of their opportunity to come forward and to be heard.

In short, the preparation and adoption of a Future Land Use Plan is an important and critical step. This step, however, does not represent the final public opportunity to consider how land use should occur. It is recognized that there is flexibility regarding the specifics of this Plan that may be reconsidered when *'laws'* are prepared, and it is anticipated that changes may occur.

Overall, future users of this document should consider the following when preparing Ordinances *('laws'*) to implement the *'Policy'* direction provided in this Plan.

1) This Future Land Use Plan provides solid 'policy' direction regarding the main purposes of each of the identified 18 Land Use Areas, but it should be recognized that there is flexibility in preparing Ordinance language to implement this *'policy'*.

2) This flexibility would apply but is not necessarily limited to 'policies' such as the boundaries of proposed land use areas, the range of uses allowed, and recommended lot size, density, and setback requirements. It will, however, be critical that the *'laws'* that are adopted are **consistent and harmonious** with the main theme of each land use area. For example, the theme for the Residential 1 Area is --- "To retain and support traditional urban residential living patterns so that long established neighborhoods can prosper." As such, it likely would be inconsistent for the City to allow retail or industrial uses in this Area. However, it likely would be consistent if the proposed minimum lot size was adjusted from the recommendation of 10,000 square feet to 7,500 square feet; both of which are small sized lots in Belfast.

3) The public process associated with preparing these '*policy'* recommendations was quite extensive, however, it is recognized that additional public comment will be forthcoming as Ordinances *('laws')* are prepared. It is critical that the City be open to considering future public comment in helping to shape any final proposal. Also, events may unfold which may cause the City to re-think proposals in this Plan. Thus, it is understood that this ongoing public process and debate may result in changes being made to the specific recommendations in this Plan.

OVERALL GROWTH MANAGEMENT RECOMMENDATIONS
PROPOSED MAJOR LAND USE AREAS

Often, persons who review a Comprehensive Plan want to know specifically how recommendations in a Plan may affect their property, their home or their business. For example, can I or my neighbor construct a duplex on a property, and if so, how large does the lot need to be and what are the setbacks which the structure must satisfy. Perhaps the most frequent question --- will there be any change compared to what I can do today? While all such questions and concerns are appropriate, the desire to examine or search for specifics can obscure one of the real purposes of a Plan --- which is to identify overall areas in which Growth should be encouraged, and areas in which attracting Growth is not the prime goal.

This map lays out 7 central themes for future land use in Belfast. These broad themes represent a compilation of the more specific land use area descriptions described in this report for the individual land use areas. The 7 key themes and areas are as follows:

Waterfront & Downtown Area. The City's downtown and working waterfront area differ from any other area in Belfast. It is important that the City recognize their importance and unique qualities and adopt land use policies and direct capital expenditures to ensure the health of this area. This is a growth area. (shown in purple on the map)

Existing Residential. Much of this area is located within the by-pass and is shaped by long established residential neighborhoods. It also includes lands along the coast near the Northport line and along the River near Robbins Road and Patterson Hill. While additional residential development can occur in these areas, the amount of growth which likely can be accommodated is less than in the area identified as Encouraging New Residential. This is a growth area, but mostly because of existing development patterns. (shown in light yellow on the map)

Encourage New Residential Area. The Committee believes that this area presents real opportunities in which to encourage new or additional denser housing development. These areas often are located close to services, schools, shopping and major employers, and there is adequate land to encourage new housing without facilitating sprawl. This is a growth area. (shown in light orange on the map)

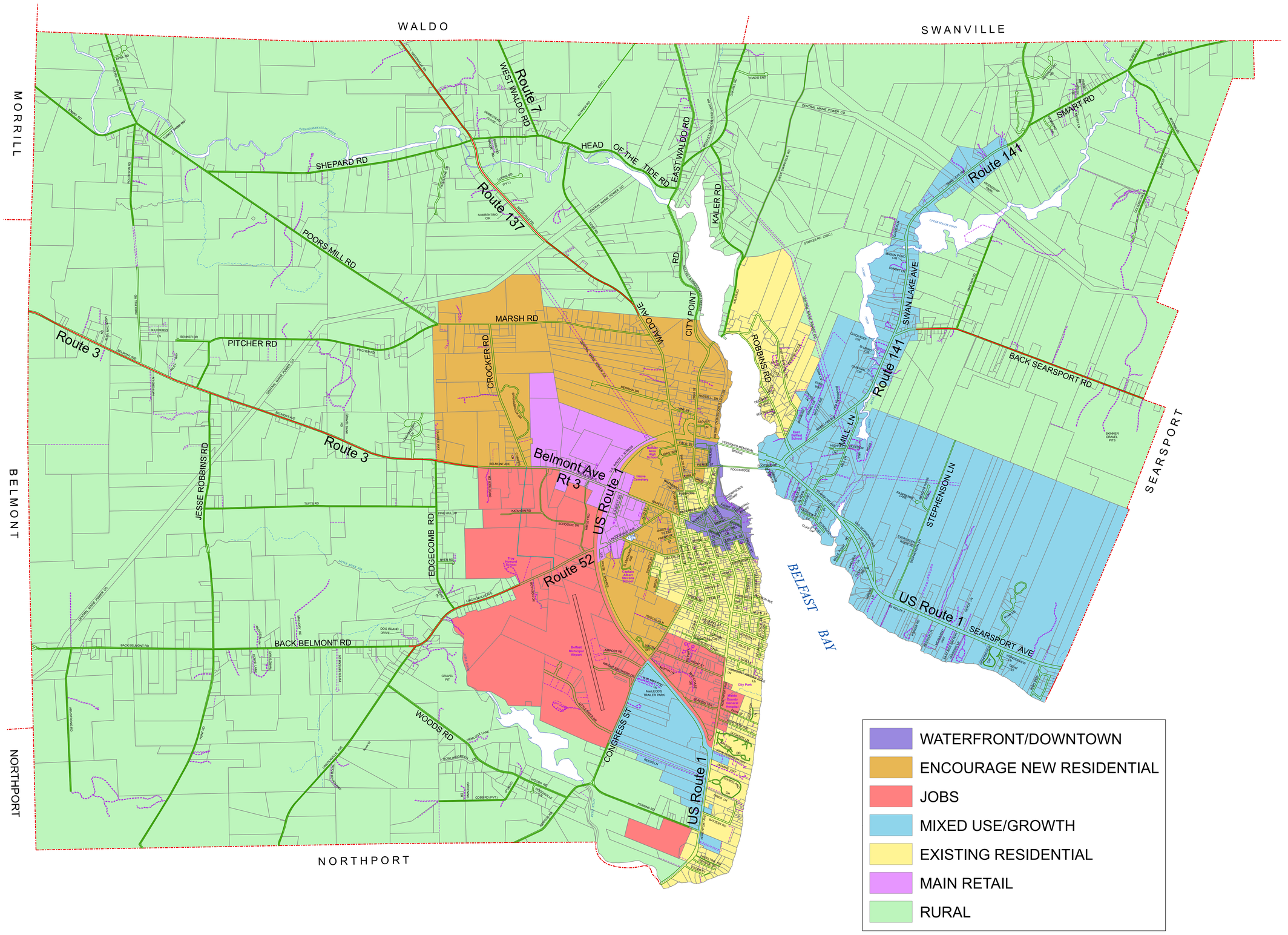
Mixed Use/Growth. Most of these areas now support a mix of development, including businesses that cater both to the tourism and local market, as well as housing. Public sewer and water usually is available, and often there is sufficient vacant or underdeveloped land to support future development. The areas are near major roads, usually Route 1. Allowing a mix of development can present challenges, but this approach reflects how owners have chosen to use their properties. This is a growth area. (shown in light blue on the map)

Jobs Area. This area now supports most of the larger employers in Belfast, including Waldo County General Hospital, Bank of America, Athena Health and the City Business Park and there is additional land to support future job creation development. The area is adjacent to the City's main road arteries, and often there is less likelihood of conflict between new intensive development and existing residential development. This is a growth area. (shown in burnt orange on the map)

Main Retail. This area near Route 3 supports most of the intense and larger scale retail development, including businesses which are nationally recognized, which now occurs in Belfast. It also is the area in which the City has chosen to seek development of a larger retail store that offers general merchandise. This is a growth area. (shown in pink on the map)

Rural Area. This area comprises greater than 50% of the land area in Belfast. While there are a significant number of single family homes in the area, most are located on larger lots and there is a significant amount of undeveloped land that is either forested or former farm fields. Many of the lots are greater than 50 acres in size. The City recognizes that development will occur in this area, but it is an area in which the City should not extend public sewer or allow significant levels or types of nonresidential development. This is a rural area. (shown in light green on the map)

PROPOSED MAJOR LAND USES



OVERVIEW OF SPECIFIC/DETAILED LAND USE AREAS
FUTURE LAND USE PLAN

The Future Land Use Plan identifies 18 proposed Land Use Areas for the City of Belfast. These detailed areas are intended to serve as the general boundaries for future zoning districts. Included in this Introduction section are two maps that help to illustrate the overall Future Land Use Plan.

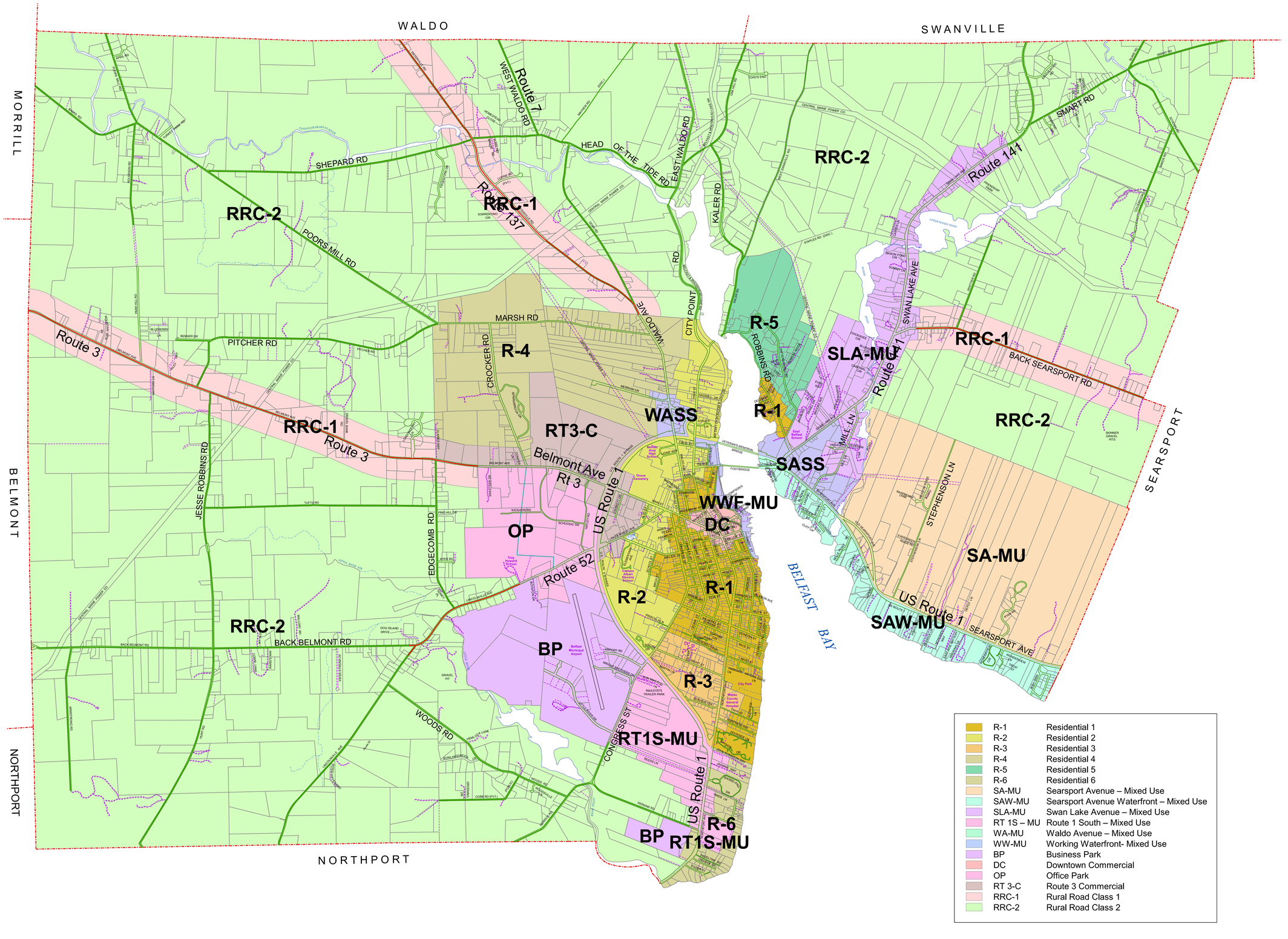
The first map identifies the boundaries of the more detailed land use areas. The second map compares the boundaries of these proposed land use areas to current zoning. The City recognizes that it may be difficult to identify detailed information, such as a specific boundary, on this scale of map. The remainder of this document reflects the City's approach to providing greater detail.

This Plan groups the City into four overall areas: 1) Inside the Route One By-Pass Area, 2) Near the Route One By-Pass Area, 3) the East Belfast Area, and 4) the Outside Rural Area. These overall areas are then broken down into more detailed areas. For example, there are 6 land use areas within the Inside the By-Pass Area, 9 land use areas in the Near By-Pass area, 8 land use areas on the Eastside and 2 types of Rural Road Class areas in the Outside Rural area.

As you read through this Plan, you will find an 11" x 17" map at the beginning of each overall area, such as Inside the By-Pass, and you will then find an 8.5" x 11" map that identifies the boundaries of a more detailed area. This detailed map accompanies the narrative description that is provided for the respective Land Use Area. All of these maps compare the boundaries of the proposed land use areas to the boundaries of current zoning districts.

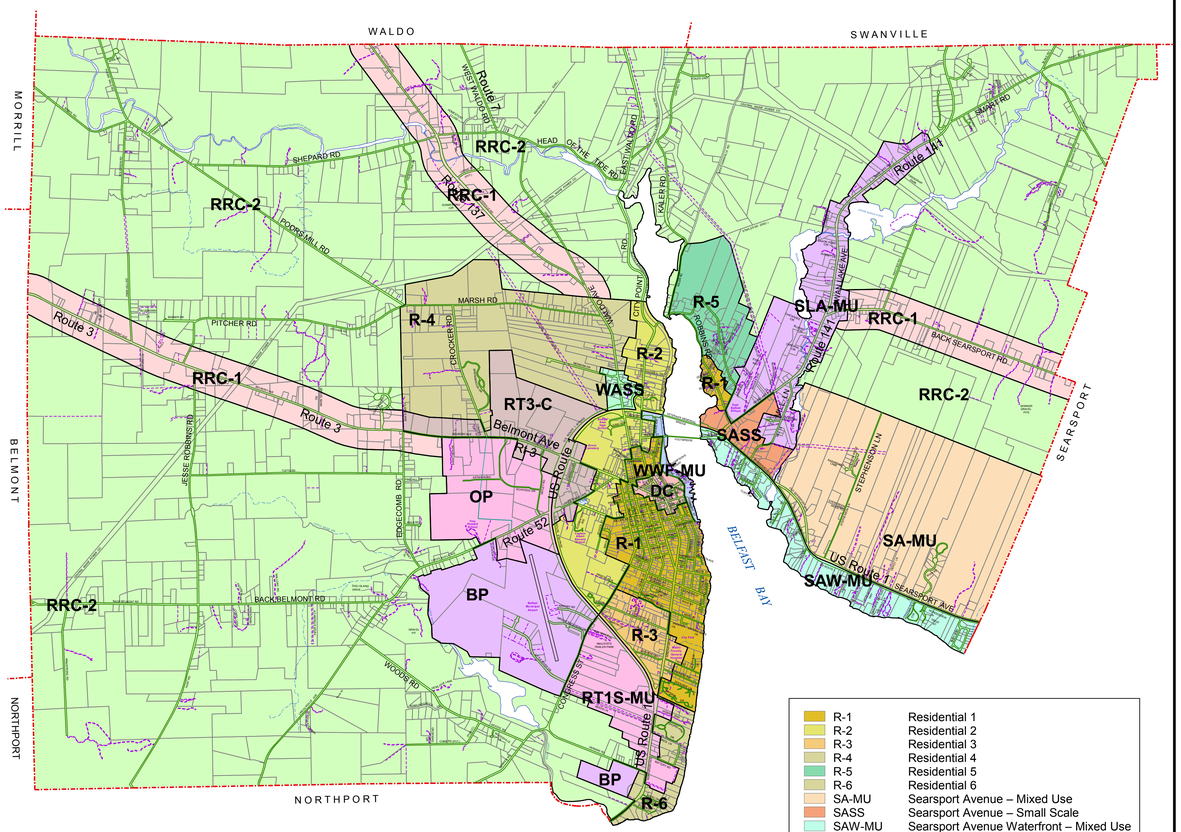
As noted elsewhere in this Plan, these boundaries are intended to be overall guidelines. It is recognized that as specific Ordinances may be prepared to implement these policy recommendations, and as public comment is received during the accompanying future public hearing processes, that the specific boundaries of one or more of the detailed land use areas may change. It is noted that the number of proposed land use areas, the purpose of such, and the boundaries of such, were often the subject of discussion and public comment during the process of preparing this Future Land Use Plan and that some areas were the subject of frequent changes.

PROPOSED LAND USE AREAS

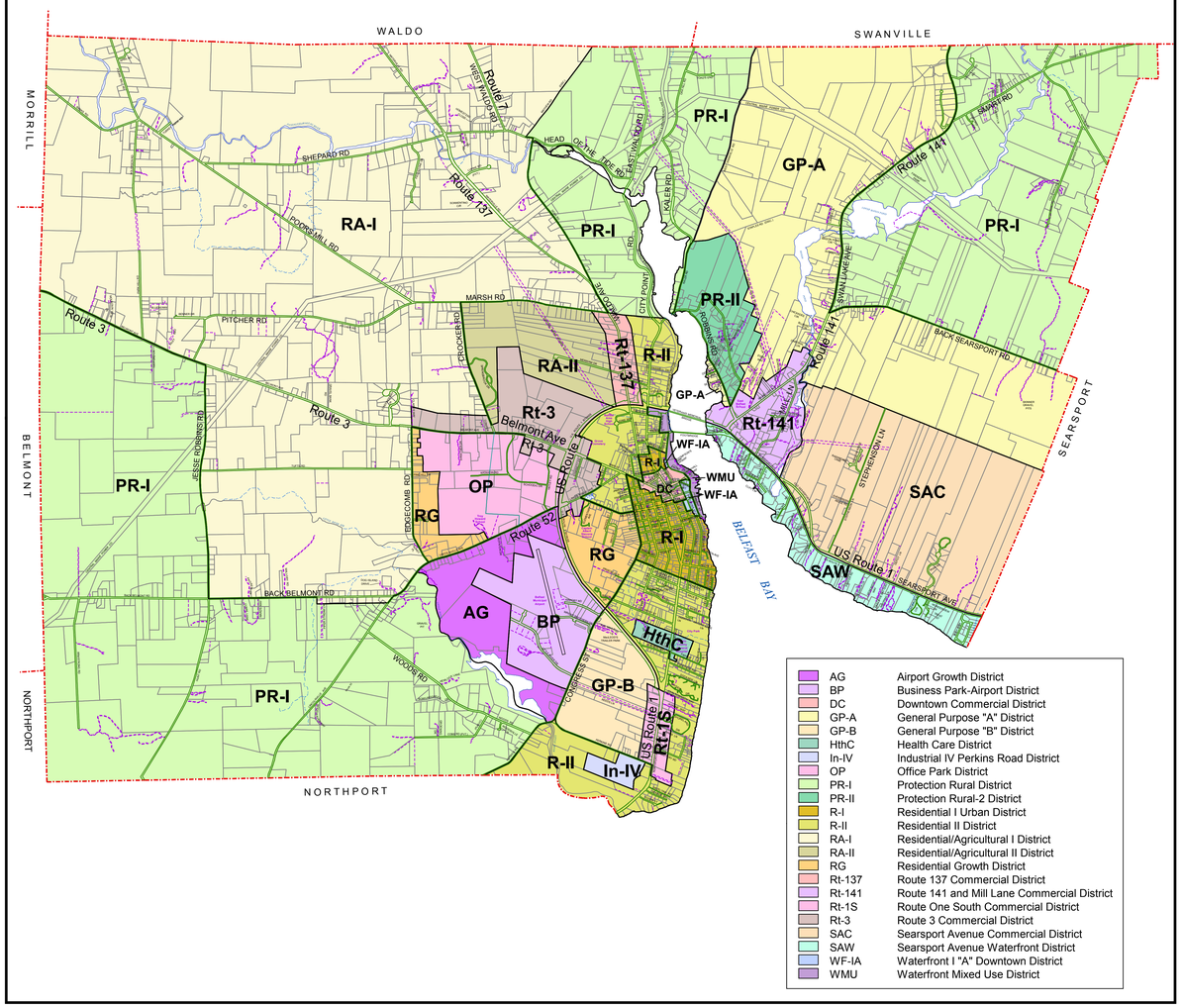


R-1	Residential 1
R-2	Residential 2
R-3	Residential 3
R-4	Residential 4
R-5	Residential 5
R-6	Residential 6
SA-MU	Searsport Avenue – Mixed Use
SAW-MU	Searsport Avenue Waterfront – Mixed Use
SLA-MU	Swan Lake Avenue – Mixed Use
RT 1S – MU	Route 1 South – Mixed Use
WA-MU	Waldo Avenue – Mixed Use
WW-MU	Working Waterfront- Mixed Use
BP	Business Park
DC	Downtown Commercial
OP	Office Park
RT 3-C	Route 3 Commercial
RRC-1	Rural Road Class 1
RRC-2	Rural Road Class 2

PROPOSED LAND USE AREAS

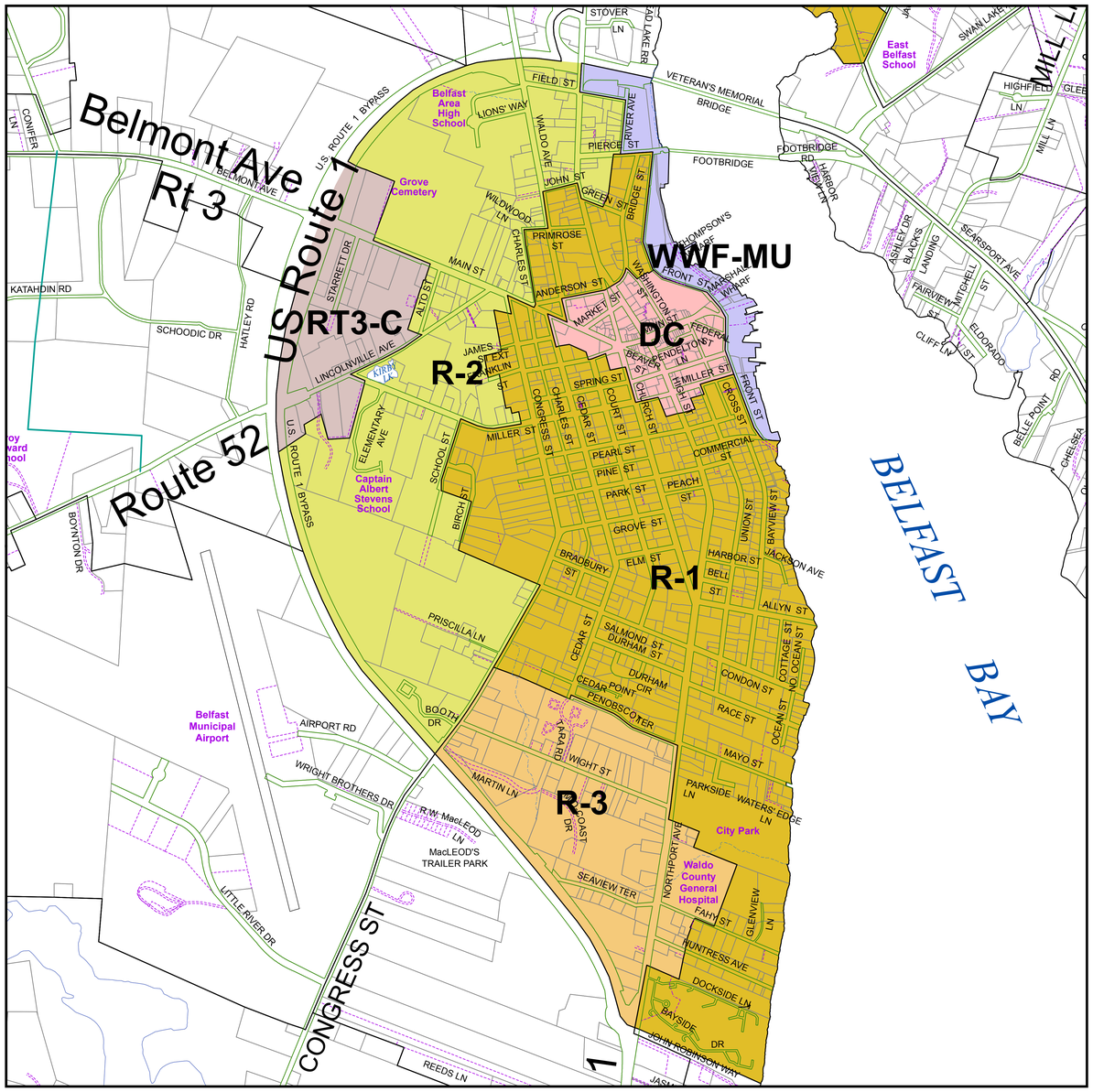


EXISTING ZONING



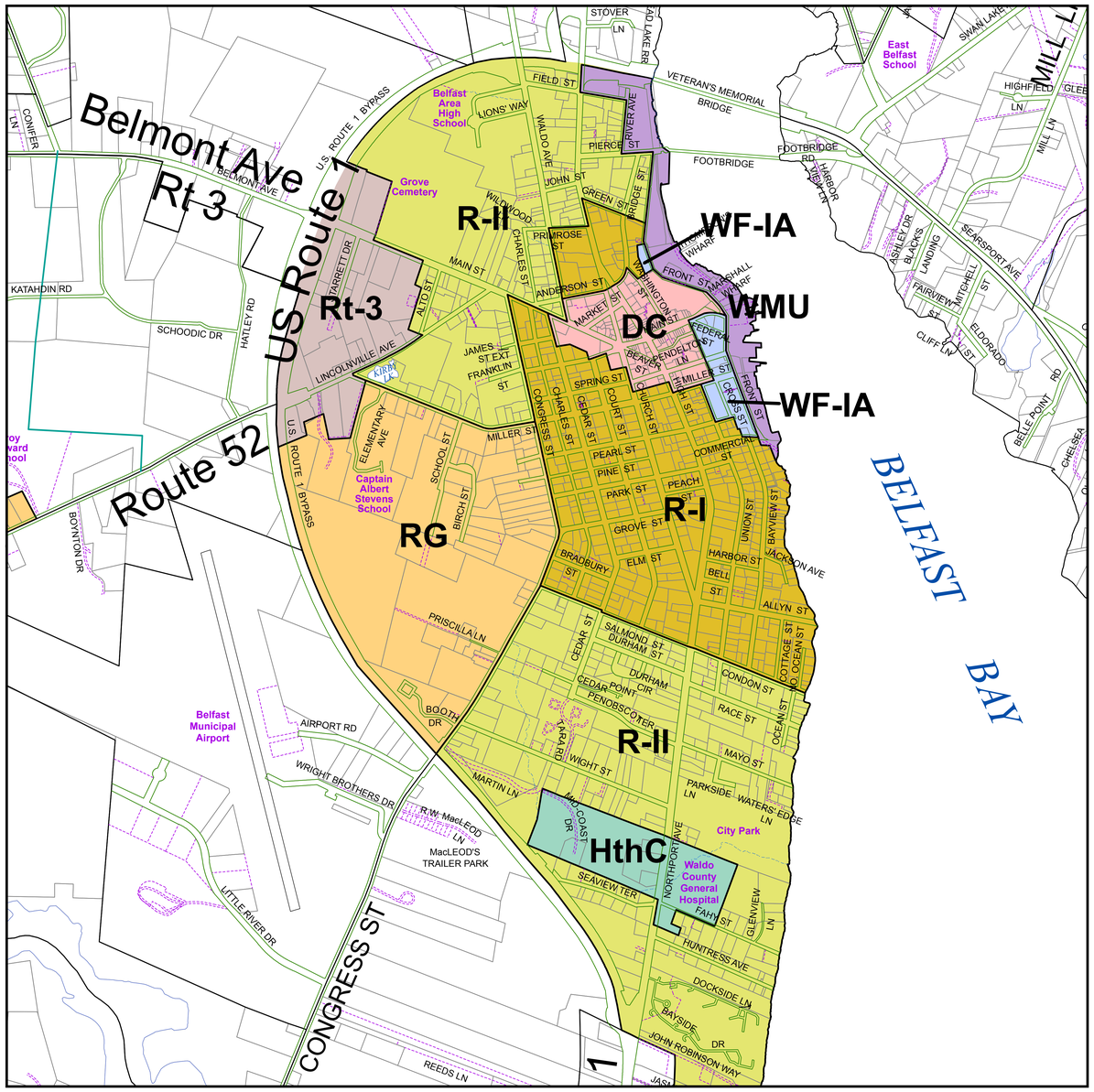
INSIDE BYPASS

PROPOSED LAND USE AREAS



Zone
DC Downtown Commercial
R-1 Residential 1
R-2 Residential 2
R-3 Residential 3
RT3-C Route 3 Commercial
WWF-MU Working Waterfront- Mixed Use

EXISTING ZONING



Zone
DC Downtown Commercial District
HthC Health Care District
RG Residential Growth District
R-I Residential I Urban District
R-II Residential II District
Rt-3 Route 3 Commercial District
WF-IA Waterfront I "A" Downtown District
WMU Waterfront Mixed Use District

SECTION 4.2
RESIDENTIAL 1 AREA

"NEIGHBORHOOD HOUSING AREA"

Goal

To retain and support traditional urban residential living patterns so that long established neighborhoods can prosper.

Past, Current & Future Use

Most of this proposed area is located within the Route One By-Pass and is a long established urban residential area, with single-family and two- family houses the predominant uses. The houses, many of which are 100+ years old, are strongly oriented to the street, and in many cases have little to no setback from the street. The lots are usually quite small, often less than ¼ of an acre, and the lots often have little frontage on the street. The City street system in this area is a grid comprised of short blocks, and many of the streets have City maintained sidewalks. This street layout provides motorists and pedestrians multiple ways to travel/walk through-out the area.

There are limited opportunities for new housing units, although some infill development is possible. In addition, some residents have chosen to use their property as a duplex. This appears to be in response to the lack of new multi-family rental development in Belfast, the relatively high cost of purchasing and maintaining a house in this area, and the large size of the house; the second unit produces income. Many of the houses in this area have undergone significant renovations, rehabilitation and/or expansion, and most future development likely will be similar. While this is a residential 'Growth Area', little of the growth is expected to occur from the construction of new houses because limited undeveloped land remains.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Single-Family & Two-Family
2) Home Occupations, Small Scale (low-impact)
3) Bed & Breakfast
4) Municipal Uses
5) Schools, Churches, Day Care Centers & Similar Uses

Minimum Lot Size

1) ¼ acre – 10,000 square feet (sewer)
2) ½ acre – 20,000 square feet (septic)
3) 60 feet street frontage

Density (Number of Housing Units Per Acre):

1) 4 single family houses (units) per acre (sewer)
2) 2 single family houses (units) per acre (septic)
3) 8 duplex units per acre (sewer)
4) 2 duplex units per acre (septic)
5) 0 multi-family units per acre (multi-family houses are prohibited)
6) No specific restriction on amount of lot coverage for either a residential or a nonresidential use.

Setbacks (Distance Structure Must be Located From a Lot Line)

1) Variable front setback based on existing development patterns. This results in creating both a minimum and maximum setback. For example, if all or most houses are located very close to the street, the maximum and minimum setback could be as small as 0 to 5 feet. Conversely, if most houses along a street are setback much further from street, perhaps 35 – 40 feet, the minimum front setback would be a similar amount.
2) Side setback of 15 feet, but perhaps some flexibility based on predominate side setback patterns in existing neighborhoods.
3) Rear setback of 15 feet for dwelling unit and 5 feet for a detached accessory structure

Major Changes Compared to Current Requirements

1) The amount of area included within the current Residential-1 zone is proposed to be expanded to include areas in which the housing patterns are similar. In particular, the expanded area includes all properties along the waterfront that are located westerly of the City Boathouse at Steamboat Landing and easterly of John Robinson Way (near the Jug Handle), rather than only those properties which are located easterly of Condon Street, which is now the case. The expanded area also applies to the Salmond Street area and much of Congress Street.
2) The proposal to require the use of variable front setbacks for structures based on existing development patterns on individual streets is a significant change. This change is recommended because the current setback requirement of 25 feet rarely reflects how existing development has occurred in a neighborhood. The goal is to encourage new residential development to reflect current and historical development patterns.

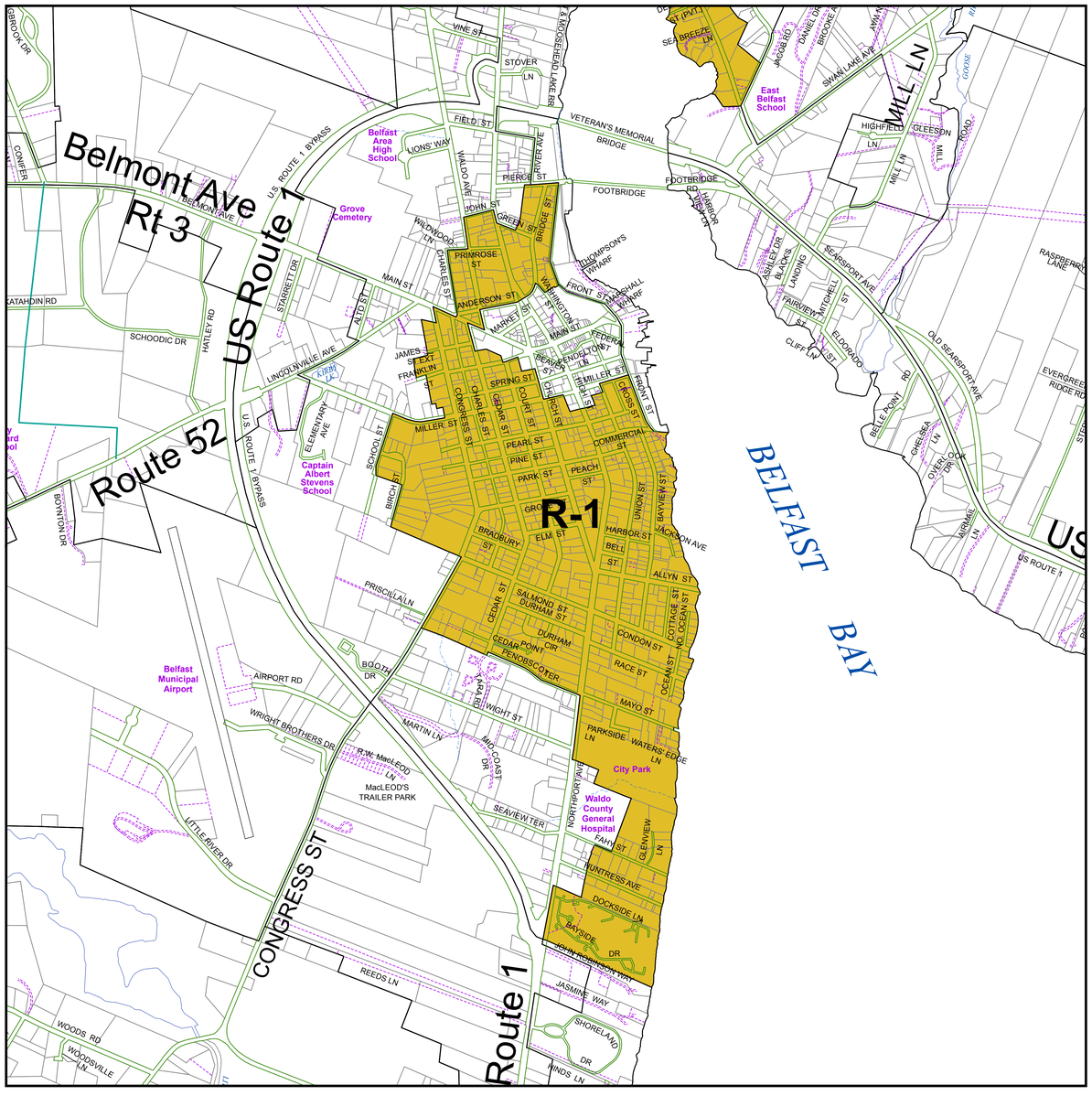
3) Support alternative reuse for the former Bradbury Manor property, such as the contract rezoning provision the City adopted in 2001. Further, the Intown Design Review Committee should participate in the contract rezoning process.

Other Issues & Ideas to Consider

1) The City should provide opportunities for long-standing nonresidential/commercial uses that do not conform to current zoning requirements to expand; for example, Jack's Grocery, Wildflowers/Luigi's Florist (now closed), and Blood's Garage (formerly Doug & Rays). The City should selectively consider which nonresidential uses are important to the fabric of the area when determining how expansions should be permitted.
2) Similar to number 1 above, the City should consider allowing certain properties that have historically been used for a nonresidential use to be used for a wider range of uses than normally allowed in the Residential 1 area. City would consider such a proposal through the contract rezoning process; perhaps in line with the process the City established for the Bradbury Manor property. Examples of buildings which could be included are the National Theater Workshop for Handicap (former Crosby School), and the former Church located to the rear of the NTWH.
3) The City should consider implementing an option that would allow increased density (number of housing units/acre) on larger vacant lots (perhaps 1 acre or greater) provided the property is developed as a planned unit development. This approach would require the City to establish the accompanying planned unit development standards. Further, it may be appropriate to consider allowing an accessory apartment to a single family dwelling unit.
4) Encourage extension of sidewalks to streets which currently lack sidewalks, provided the City owns sufficient right-of-way to support a sidewalk.
5) Consider the use of additional stop signs to help control speed of traffic.
6) Encourage planting of street trees.
7) Examine how stormwater is managed through-out the area. City often lacks adequate stormwater facilities and this is a significant neighbor-to-neighbor issue.
8) While most of the area is served by public sewer, the City should consider the extension of sewer to un-served lots; particularly because the un-served lots are often smaller in size than the minimum lot size required by State law for the use of a septic system.

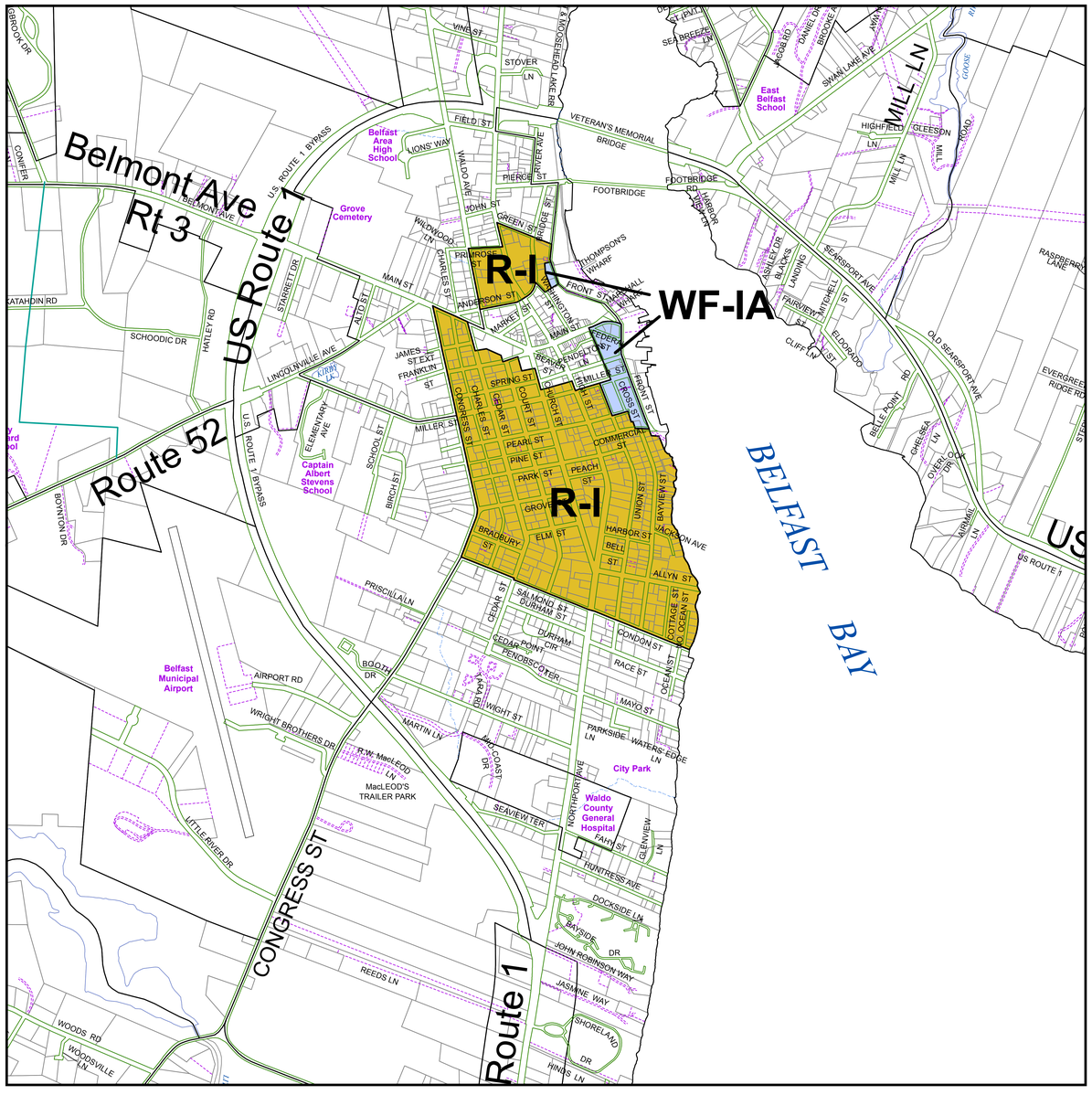
Residential 1

PROPOSED LAND USE AREA



Zone
R-1 Residential 1

EXISTING ZONING



Zone
R-I Residential I Urban District
WF-IA Waterfront I "A" Downtown District

RESIDENTIAL 2 AREA

"HOUSING GROWTH with NEW MULTI-FAMILY"

Goal: Strongly encourage new residential growth, and to encourage such development to be similar in lay-out to the traditional urban residential neighborhoods now located within the by-pass. This area is close to schools, shopping and employment, and there is sufficient land area, albeit limited, to support new housing development.

Past, Current & Future Use

The predominant use in this area is residential; single family, two-family and some multi-family, such as Volunteers of America, Pine Tree Apartments (across street from High School) and the Birches. The area also includes several of the community's larger public facilities including two of the City's four schools and the County Jail. Many of the houses in this area, such as those along the southwesterly side of Congress Street, have been built on lots that are ½ acre or larger. The larger sized lots often reflect that public sewer is either not now available or sewer was installed after the houses were built. While most of this area is located within the by-pass, little of this area has the same type of street grid lay-out as occurs in the more traditional urban areas (the Residential 1 area), and fewer areas have a City maintained sidewalk.

The area includes most of the remaining larger undeveloped parcels of land located within the by-pass. Much of the undeveloped land, about 60 acres, is owned by the Sanderson family, and there are several other parcels that are 3 - 5 acres in size. The significant amount of undeveloped land located within reasonable proximity of public water and sewer creates an opportunity to support additional housing development. That said, the purchase price of said parcels (if they are offered for sale), coupled with the cost to extend public services, the number of lots which need to be developed, and the slow absorption rate of selling new houses in Belfast, create impediments to most properties being fully developed in the near-term. In the short-term, housing renovations and expansions likely will be the most common development.

This area is an important future residential 'Growth Area'.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Single-Family & Two-Family
2) Multi-Family housing (new construction only – not conversion of existing houses)
3) Congregate & Elderly housing
4) Home Occupations, Small Scale (low impact), except in that portion of the area which is located between Miller Street to the northwest, Congress Street to the east, and the Route One by-pass to the south, Home Occupations, Larger Scale, should be permitted
5) Bed & Breakfast
6) Municipal & County Uses
7) Schools, Churches, Day Care Centers & Similar Uses
8) Agricultural uses should be permitted in that portion of the area which is located between Miller Street to the northwest, Congress Street to the east, and the Route One by-pass to the south.

Minimum Lot

1) 1/4 acre – 10,000 square feet for single-family or two-family (sewer)
2) 1/2 acre – 20,000 square feet for single-family or two-family (septic)
3) 1 acre minimum, 43,560 square feet, for multi-family (must be sewer)
4) 60 feet street frontage, perhaps greater if a multi-family structure

Density (Number of Housing Units Per Acre)

1) 4 single-family units per acre (sewer)
2) 2 single-family units per acre (septic)
3) 8 two-family (duplex) units per acre (sewer)
4) 2 two-family (duplex) units per acre (septic)
5) 12–16 multi-family units per acre (sewer, new construction only)
6) No density standard for congregate care or elderly housing
7) No specific restriction on amount of lot coverage for either a residential or a nonresidential use.

Setbacks (Distance Structure Must be Located From a Lot Line)

1) Front setback usually 20 - 25 feet, but it may be wise to institute variable front setbacks in some areas, such as on sections of Congress Street in which the existing houses along the upper side of Congress Street are located on a small hill and often are setback 60 feet or more from the street.

2) Side setback of 15 feet, but perhaps some flexibility based on predominate side setback patterns in existing neighborhoods. Also, side setback for new multi-family construction may need to be greater than 15 feet.
3) Rear setback of 15 feet for dwelling unit and 5 feet for a detached accessory structure.

Major Changes Compared to Current Requirements

1) This proposed area would replace the section of the current Residential Growth zone that is located within the by-pass, and includes only a portion of the current Residential-II zone. Also, the uses and standards that apply to this area, Residential 2, are often different than those which apply to the current Residential II zone, even though the names of the districts are the same.
2) Propose a decrease in the minimum lot size from 1/3rd acre to 1/4th acre if the property is on public sewer. Goal is to foster urban residential development in areas in which public services are available or could become available.
3) Allow construction of new multi-family housing. At present, no area within the by-pass allows the construction of new multi-family housing. Similar to change # 2 above, the goal is to encourage urban residential development; this is a growth area.
4) Recommend eliminating offices and health care facilities as a permitted use. At present, these uses are allowed in both the current Residential II and Residential Growth districts. The proposal to eliminate office uses in this area is coupled with the establishment of the proposed Residential 3 area. The proposed Residential 3 area limits the area within the by-pass in which offices could be constructed to an area which now supports an extensive amount of office development, particularly health care offices associated with operation of Waldo County General Hospital.
5) Require variable front setbacks in areas in which existing development patterns conflict with the recommended front setback requirement of 20 – 25 feet. This includes increasing the front setback requirement to greater than 25 feet in appropriate areas.

Other Issues & Ideas to Consider

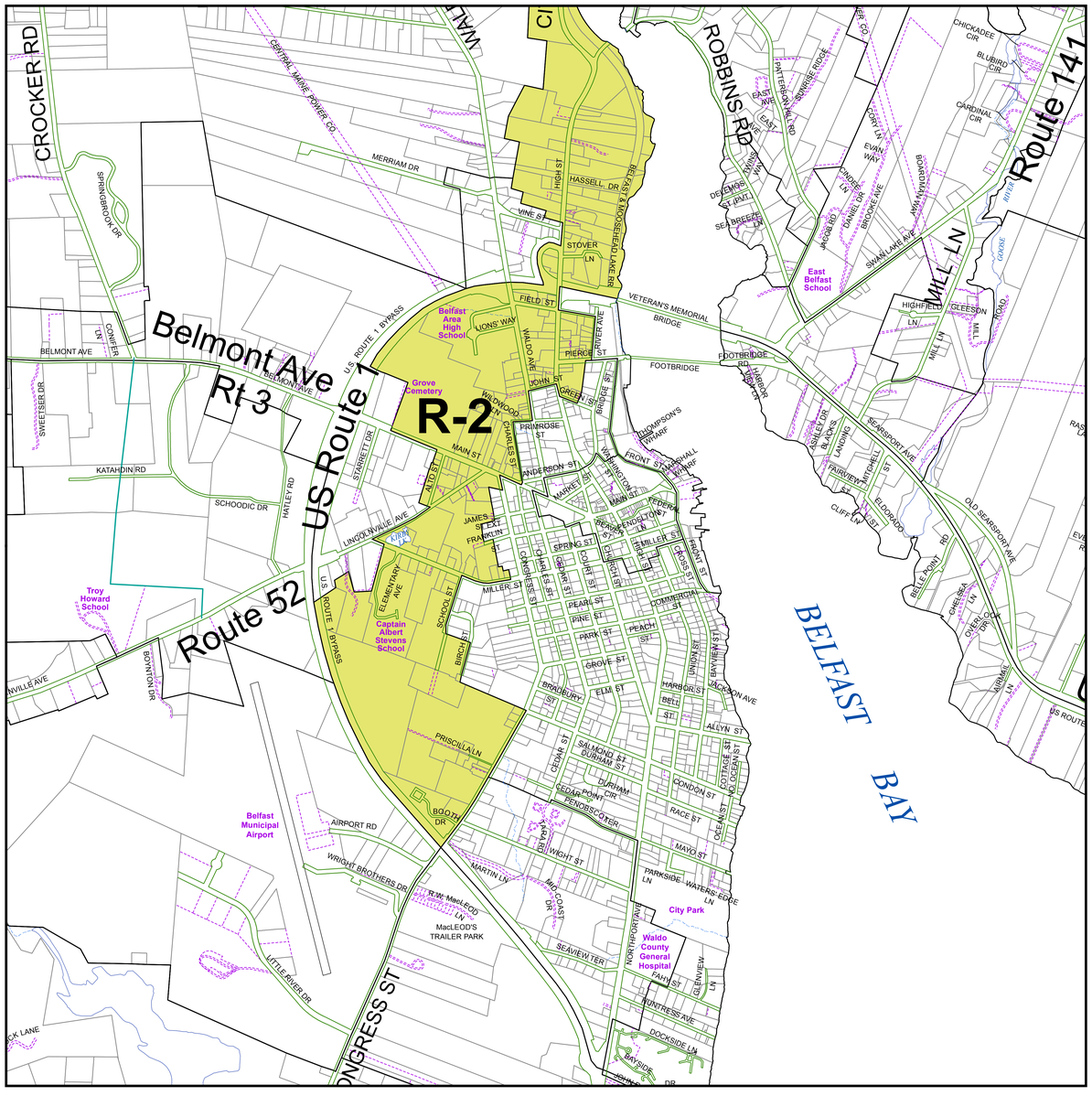
1) The City should consider implementing an option that would allow increased density (number of housing units/acre) on larger vacant lots (perhaps 1 acre or greater) provided the property is developed as a planned unit development. This approach would require the City to establish the accompanying planned unit development standards. Further, it may be appropriate to consider allowing an accessory apartment to a single family dwelling unit.
2) City should involve the In-Town Design Review Committee in the review of the construction of new multi-family housing. This approach may involve creating design standards to consider such developments. Further, this approach would

involve mandatory participation in the design review process, however, applicant compliance with the Committee's recommendations would be voluntary.

3) Encourage extension of public sewer to areas which could support the construction of new housing within the by-pass, including potential City participation in the cost of extending sewer.
4) Encourage street connectivity in new developments, and discourage the construction of cul-de-sacs. Goal is to encourage a grid system of streets in this area so there are multiple ways in which motorists and pedestrians can travel to an area.
5) Encourage extended pavement shoulders for existing main streets and new streets which may be constructed so these paved shoulders can also serve as bike lanes.
6) Encourage planting of street trees
7) Examine how stormwater is managed through-out the area. The City often lacks adequate stormwater facilities and this is a significant neighbor-to-neighbor issue.
8) Long-term, encourage extension of City sidewalks to the area.

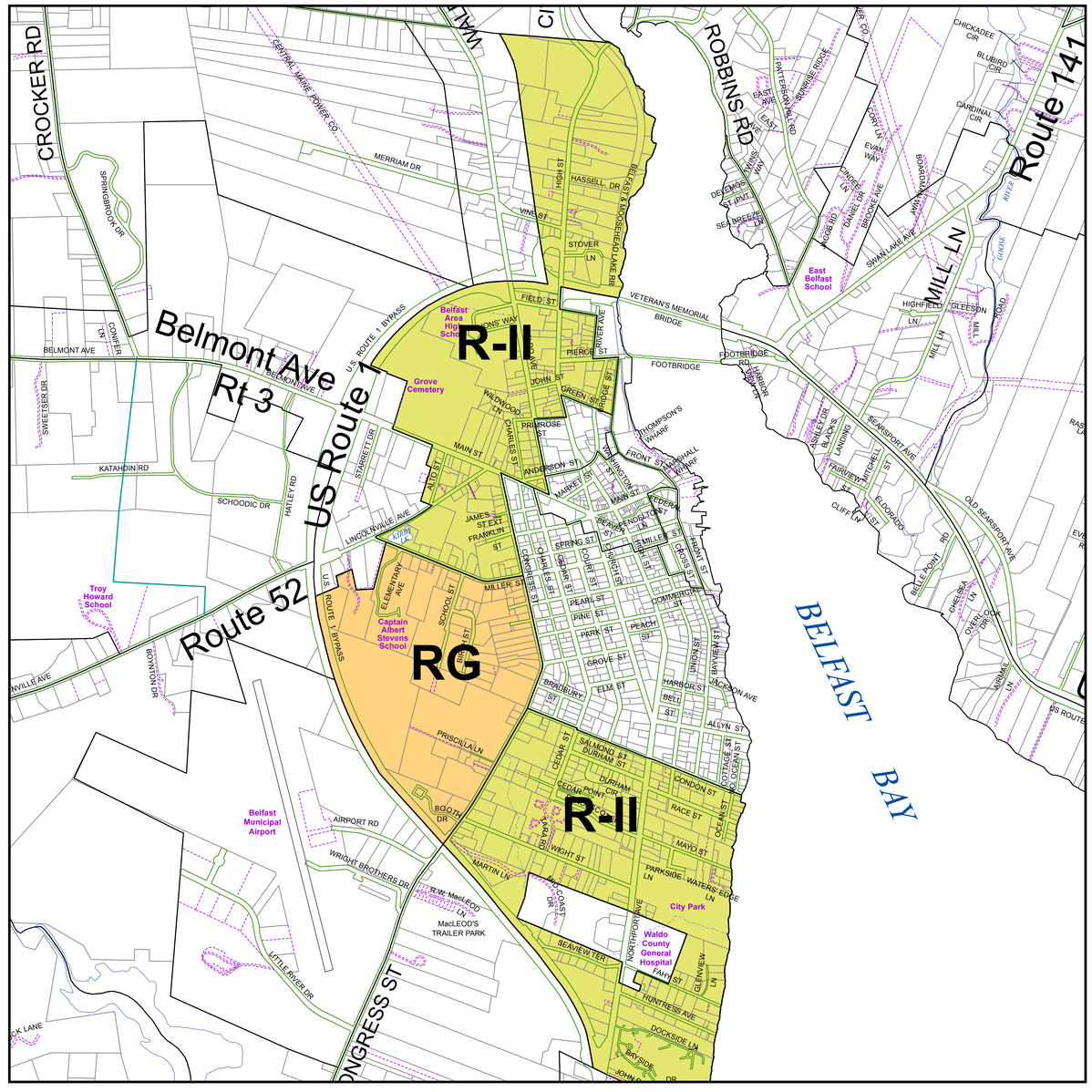
Residential-2

PROPOSED LAND USE AREA



Zone
R-2 Residential 2

EXISTING ZONING



Zone
RG Residential Growth District
R-II Residential II District

RESIDENTIAL 3 AREA

"HEALTH CARE & HOUSING"

Goal: To provide an area in which health care facilities/offices and professional offices are recognized as a primary use, and to establish this area near Waldo County General Hospital.

Past, Current & Future Use

Waldo County General Hospital and the many physician offices that have developed near the Hospital are now the prime uses in this area. The Hospital underwent a significant expansion in the late 1990's and continues to expand. It is one of the key reasons people, particularly retirees, from other areas in Maine and other states choose to live to Belfast. Other health care facilities, such as the Tall Pines Rehabilitation Center and Mid-coast Mental Health Services are also located in this area. The Hospital likely will remain a key part of the City's fabric and it is important to allow reasonable opportunities for the development of new health care related facilities, particularly offices for physicians who want or need to be located near the Hospital. It is noted that these active uses generate considerably more vehicular traffic than residences, and such traffic could adversely affect the desirability of the area for future housing development.

While the Hospital is the primary use, housing remains a significant type of development in the area. Sea View Terrace is a long established urban neighborhood, and single-family residential housing remains the predominant use on Wight Street. Publicly supported housing, such as Penobscot Terrace, Coastal Enterprises, and Huntress Gardens, also is located in this area. While the City believes much of the current housing will remain, in the longer term, more of the current single family houses likely will be converted into professional offices, and some of the limited amount of available land may similarly be used for offices. The City believes it is appropriate to allow new housing in the area, and there is a limited amount of land along Wight Street to accommodate such, but it wants current and future residents in this area to recognize that a health care office or facility likely could become their neighbor.

The main goal for this area is to allow uses that support the delivery of health care services. Thus, it is important that the City ensure that other types of nonresidential uses, such as retail and non-health care service providers, not be permitted in this area. The City now allows such uses in many areas of Belfast, and the limited amount of land in this area is too critical to the primary goal to encourage other types of nonresidential uses.

The City views this area as a critical 'Growth Area' to support health care operations and facilities for Belfast and all of Waldo County. The area also can support limited amounts of residential growth.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Hospital/Health Care Facilities
2) Professional Offices & Health Care Offices
3) Single-Family & Two-Family Residences
4) Congregate Care & Elderly Housing
5) Home Occupations, Small Scale (low impact)
6) Bed & Breakfast
7) Municipal & County Uses
8) Schools, Churches, Day Care Centers & Similar Uses

Minimum Lot Size

1) ¼ acre – 10,000 square ft for single-family or two-family (sewer)
2) ½ acre – 20,000 square feet for single-family and 1 acre for two-family (septic)
3) ½ acre for nonresidential uses (such as offices & municipal buildings)
4) 60 feet street frontage for residential and 100 feet for nonresidential

Density (Number of Housing Units Per Acre)

1) 4 single-family units per acre (sewer)
2) 2 single-family units per acre (septic)
3) 8 two-family (duplex) units per acre (sewer)
4) 2 two-family (duplex) units (1 structure with 2 units) per acre (septic)
5) 0 multi-family units per acre as multi-family is a prohibited use
6) There is no specific density standard for congregate or elderly housing units
6) No specific restriction is proposed regarding the amount of lot coverage for either a residential or a nonresidential use.

Setbacks (Distance Structure Must be Located From a Lot Line)

1) Front setback is usually 25 feet for houses, but potential opportunities for variable front setbacks on Wight Street if houses in the vicinity have a consistent amount of setback from the street that is less than 25 feet.
2) Front setback (structure) for offices, health care facilities, and other permitted nonresidential uses of 25 feet with appropriate landscape buffers.
3) Side setback of 15 feet for residences and 25 feet for offices and other nonresidential uses, with appropriate landscape buffers required for nonresidential uses.

4) Rear setback of 15 feet for dwelling unit and 5 feet for detached accessory structure to a residential unit, and 25 feet for offices and other nonresidential uses, with appropriate landscape buffers required for nonresidential uses.

Major Changes Compared to Current Requirements

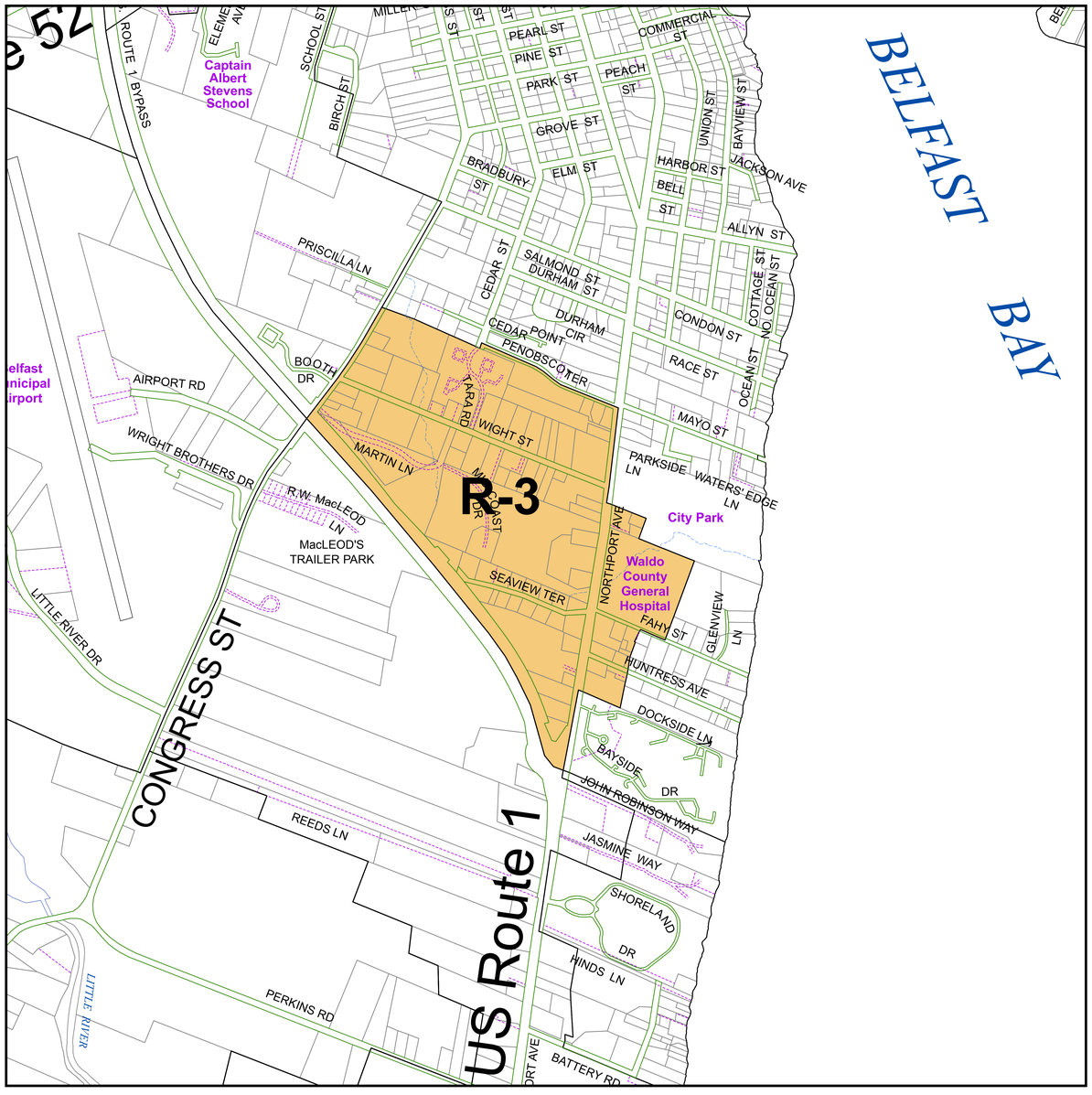
1) This is a new area that replaces the current Health Care District, and includes a portion of the area that is now in the RES-2 zone. The goal is to ensure there is a targeted area within the by-pass in which offices and health care facilities are permitted, and at the same time, greatly reducing the amount of area in which such uses are now allowed. The current Residential II and Residential Growth zoning districts allow professional offices and health care facilities anywhere in the districts. It was deemed that this approach creates a potential for conflict with a number of residential areas, and that this approach results in office uses being scattered through-out the community rather than concentrated near the Hospital.
2) Potential use of variable front setback requirement in limited areas.
3) An increase in the amount of side and rear setback requirements for nonresidential structures; 15 feet is increased to 25 feet.

Other Issues & Ideas To Consider

1) Encourage extension of sidewalks, particularly on Wight St. Wight Street should be a high priority for new sidewalk construction.
2) Encourage extended pavement shoulders for main streets so such can also serve as bike lanes. The City has created this type of pavement shoulder on Northport Avenue, and a similar type of pavement shoulder could be appropriate for Wight Street.
3) Encourage planting of street trees.
4) Examine how stormwater is managed through-out the area. City often lacks adequate stormwater facilities. This is a significant neighbor-to-neighbor issue and could hinder the development of professional offices in the area. Relying mostly upon on-site stormwater management is both expensive and land consumptive for many uses.
5) Consider establishing better quality performance standards, particularly with respect to requirements regarding landscaping, lighting and noise, with the intent of minimizing the amount of conflict between nonresidential uses and residential uses which often are located side-by-side. Past concern has been raised at Planning Board public hearings regarding operations at Waldo County General Hospital.

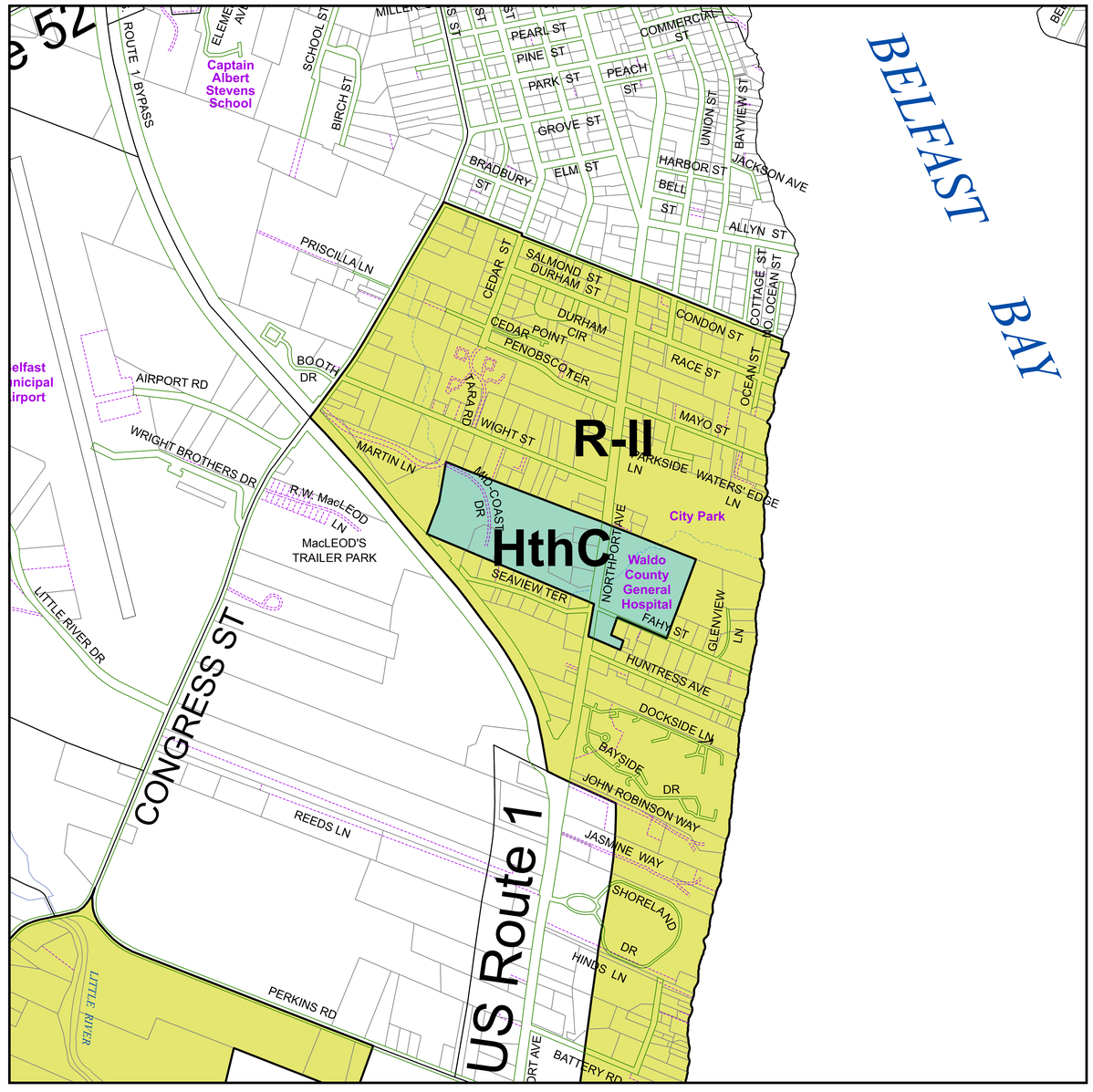
Residential-3

PROPOSED LAND USE AREA



Zone
R-3 Residential 3

EXISTING ZONING



Zone
HthC Health Care District
R-II Residential II District

DOWNTOWN COMMERCIAL AREA

"ALLOW DOWNTOWN TO BE A DOWNTOWN"

Goal

To foster a healthy downtown area by retaining and encouraging development that is compatible and consistent with the character of the existing downtown area, and which can positively contribute to the community and area.

Overview of Past, Current & Future Use

Anyone who lives in or travels to Belfast knows when they have arrived in the downtown area. The architecture is unlike any other area in the City. Many buildings are constructed of brick and share common walls, the buildings hug the sidewalk and frame the street, and on-street (public) parking rather than on-site (private) parking is the norm. The types of uses range from small retail stores (often less than 500 square feet in size), restaurants, service businesses, professional offices, some manufacturing, many City and County facilities, and residents who usually live on the upper floors of the above buildings. This is a traditional walkable downtown area and it is the heart of the City.

The City has tailored current zoning standards for this area to ensure requirements are based on the development patterns that now exist. For example, there is a 0 foot setback from all property lines for all structures; on-site parking is not required in many areas, including for residences; and the minimum lot size and street frontage requirement is based on the smallest lot in the downtown. In short, it appears that most current standards and the types of uses that are permitted (and prohibited) are appropriate, and that significant changes are not warranted.

That said, the City will need to consider non-zoning means to support and enhance the vitality of the downtown area. This includes but is not limited to public financing of capital improvements, providing good quality maintenance services for City facilities, and retaining a strong public presence in the downtown area. Public facilities and services which should remain include but are not limited to: City facilities such as City Hall and Police; County facilities such as the District and Superior Court buildings; and Federal facilities such as the Post Office. Belfast's downtown, which is located adjacent to its waterfront, has most of the elements of a traditional downtown area and it is important that the community work to retain the current mix of uses.

The downtown is an important 'Growth Area' that can support additional private business development, public uses, and residential uses as an accessory use to nonresidential uses.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Retail & Service businesses
2) Restaurants (exclude drive-through service areas)
3) Hotels
4) Offices
5) Theaters & Entertainment
6) Municipal & County Uses
7) Multi-family Residences, particularly on upper floors of commercial buildings (no new single family or first floor dwelling units, except outside of core of downtown area)

Minimum Lot Size

1) 1,000 square feet for each lot, regardless of the type of use
2) 15 feet of street frontage

Density (Number of Housing Units Per Acre & Lot Coverage)

1) No predetermined density standard for a multi-family dwelling
2) No maximum lot coverage standard for any type of nonresidential use. A nonresidential use generally can use all of the land on the lot to construct a building or other improvements, which is the common method of development in much of the downtown.

Setbacks (Distance Structure Must be Located From a Lot Line)

No minimum setback required from any lot line, but perhaps a maximum setback of 5’ from the street along the major streets of the downtown area on Main Street and portions of High Street.

Major Changes Compared to Current Requirements

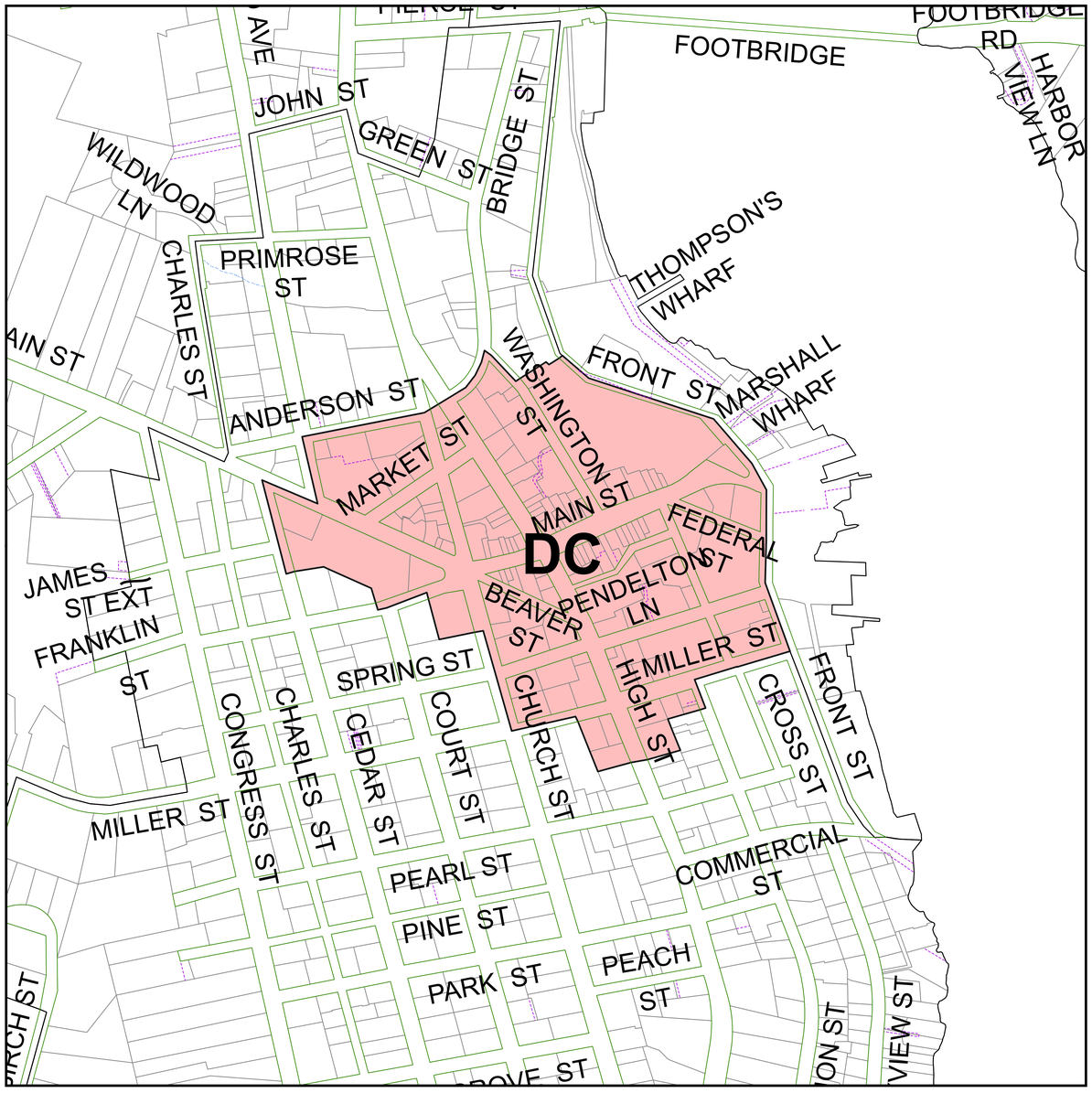
1. No significant changes are proposed to the uses, lot sizes or structure setbacks that now exist. May want to consider eliminating manufacturing uses as a permitted activity.
2. Size of zone is expanded to include most of the former Waterfront-1A zone near Front Street, and additional properties along High Street located southerly of the Library. Most properties along High Street that would be included are now used for a nonresidential or public use.

Other Issues & Ideas To Consider

1. City should creatively use funds through the Tax Increment Financing District that was established for the downtown and waterfront area in 2006 to support enhancing key public facilities, particularly City streets, sidewalks and parking lots.
2. City should consider re-examining current sign standards that apply to the downtown area to ensure signs are compatible with design of buildings, character of the area, and are of appropriate size.
3. City should encourage ongoing integration of the downtown and waterfront area.
4. City should encourage the County and State government, as well as the City government, to retain key buildings and services in the downtown area. Belfast is the County seat, and most key County buildings are located in the downtown and are part of the fabric of the area.
5. City should examine the desirability of establishing a lower maximum building height limit in select areas of the downtown. The current building height of 60 feet is universal through-out the Downtown Commercial district. This height, however, is uncharacteristic of many buildings and areas in the downtown. Areas in which a lower height limit may be appropriate could include but are not necessarily limited to: lower Main Street, easterly of Washington and Cross Streets; section of High Street located southerly of Spring Street; and area westerly of the Post Office.

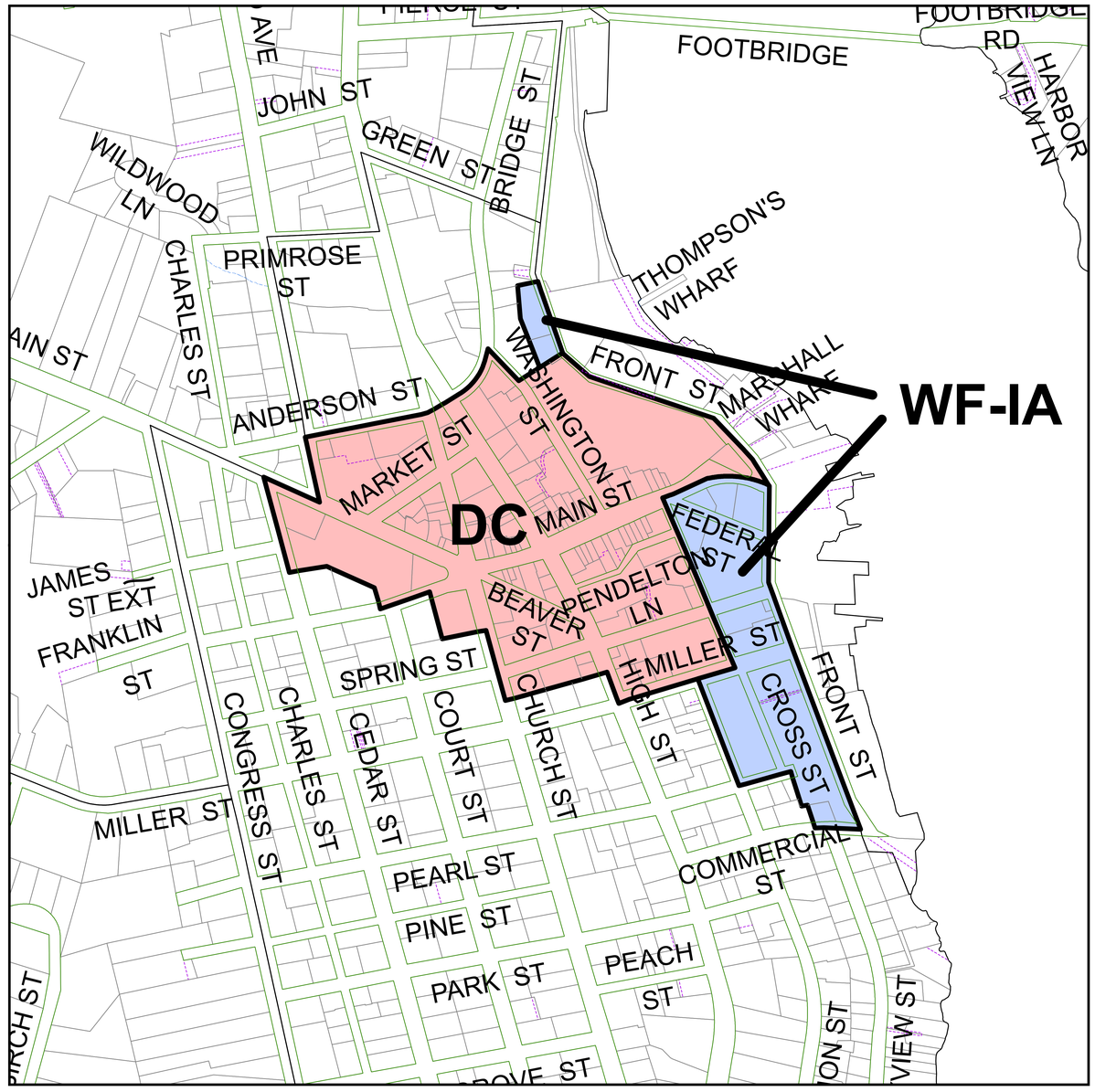
Downtown Commercial

PROPOSED LAND USE AREA



Zone
DC Downtown Commercial

EXISTING ZONING



Zone
DC Downtown Commercial District
WF-IA Waterfront I "A" Downtown District

WORKING WATERFRONT MIXED USE AREA

"WORKING & PUBLIC WATERFRONT"

Goal

To provide a waterfront area that ensures water dependent uses, including commercial fishing, can flourish, that supports resident and public use of Belfast Bay and surrounding waters, and that fosters connectivity to the downtown area.

Overview of Past, Current & Future Use

This is the only working waterfront area in Belfast, and includes most of the public and private facilities that allow public access to Belfast Bay. The City has invested considerable monies in providing improved marine and on-shore facilities to support public use of the marine waters, both commercial fishing and recreational uses, and provides year-round services at the harbor. The City owns about 30% of the 25+ acres of land in the area, as well as nearly 25% of the 4,200 lineal feet of shore frontage. In addition, the area is the waterfront edge of the City's downtown district and the businesses along the waterfront contribute to the vitality of the downtown. The area now serves a variety of users. City regulations and future development patterns should support a mix of development that helps retain a working waterfront, enhances public access to and enjoyment of the waterfront, and makes for a thriving business area.

This area also has experienced tremendous change in the last 25+ years. Historically, the waterfront was the core of the City's industrial area. Until the early 1980's, several large poultry plants and other manufacturers were located in the area. Few recreational boats or moorings were located in the harbor, partly because of the amount of waste product from these plants that was discharged into the adjacent waters of Belfast Bay. In the early 1990's, the City prepared a Waterfront Plan that envisioned the conversion of these manufacturing buildings into other industrial uses, and the City adopted zoning regulations to allow such uses. However, by early 2001, when the former Stinson Seafoods plant closed, Penobscot McCrum, which makes potato products, was the only large manufacturer remaining directly on the waterfront. The ongoing conversion of this area to a public recreation area and business district was spurred in the mid-1990's when MBNA worked with the City to demolish the former poultry plant near the lower end of Spring Street, and when MBNA subsequently granted the City ownership of what is now Belfast Commons and Steamboat Landing.

The closing of the Stinson Seafoods plant and the potential sale of this property spurred the Comprehensive Plan Committee to re-examine the goals of the 1990 City Waterfront Plan and the zoning that was adopted to implement this Plan. In January

2004, the Committee submitted a new policy statement for this area which the Council adopted as an amendment to the Comprehensive Plan. In July 2004, the Council adopted new zoning and shoreland ordinances to implement this policy statement. The adopted amendments support the use of 'contract rezoning' to create greater flexibility in the application of City zoning and shoreland requirements with the goal of encouraging mixed use development and allowing applicants to better address constraints imposed by issues such as floodplain regulations. In 2001 Front Street Shipyard (a boat repair, boat retrofit, boat storage, and boat building business) purchased and redeveloped the former Stinson Seafoods site. The waterfront continues to evolve, with the City completing reconstruction of the Belfast Footbridge, the construction of the Harbor Walk. Also, private businesses such as French & Webb (boatbuilding), the Three Tides Restaurant, and the Lookout Pub (restaurant) have opened and interest in the harbor is continuing to grow.

It is recommended that the zoning and shoreland ordinances and accompanying policy statement that were adopted in 2004 remain in effect. The waterfront is considered a 'Growth Area' that can support a mix of uses, including some residential, provided the need to support water dependent uses is recognized.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Marinas & Docks
2) Boat Building, Repair & Storage
3) Restaurants
4) Retail, Service & Office Uses
5) Hotel
6) Residential (multi-family) as an Accessory Use to Nonresidential Uses

Minimum Lot Size

1) 1 acre for new lots
2) 200 feet of street frontage & 200 feet of shore frontage for new lots. It is important to require a fairly high amount of shore frontage for new lots to ensure that ownership of the waterfront is not fractured. Lots with small amounts of shore frontage can impair use of the waterfront by marine dependent uses.

Density (Number of Housing Units Per Acre)

1) Housing is permitted only when it is an accessory use to a nonresidential use. Number of units permitted should be based on the amount of nonresidential development on a property.

2) This is a densely developed area. As such, there is no maximum amount of lot coverage standards for development, even though it is a waterfront area and it is in the shoreland zone.

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

1) Structure setback requirements generally are 10 feet from all lot lines, however, the amount of setback can be adjusted if the applicant pursues approval through the contract rezoning process.
2) The City should not require any setback from the normal high water mark of the River or Bay, mostly because this is an intensely developed working waterfront area and many of the existing buildings are constructed immediately adjacent to the shore.

Major Changes Compared to Current Requirements

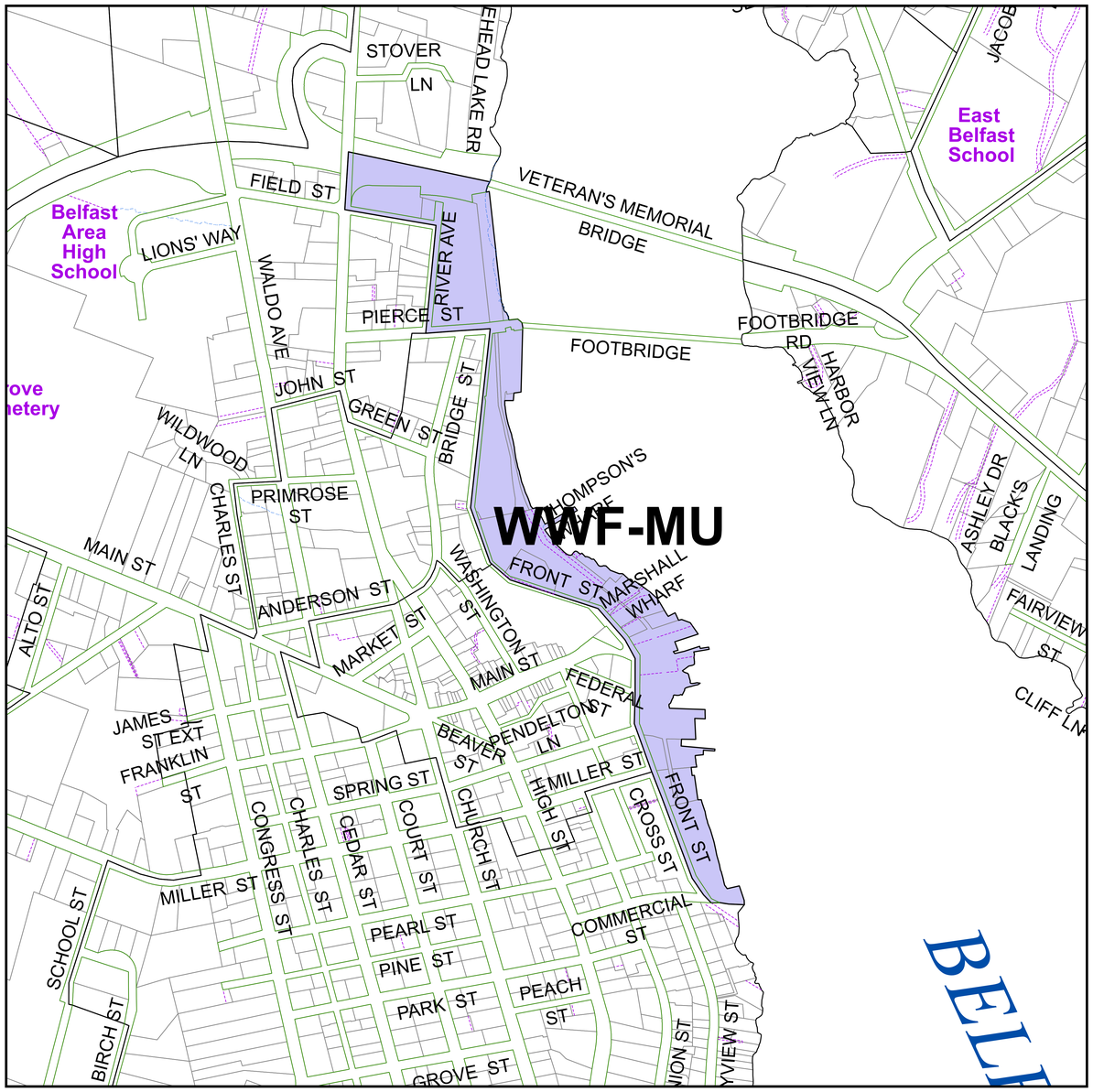
None. The current zoning standards were established by the Council in July 2004 and include all provisions recommended by the Comprehensive Plan Committee at that time. This zoning district replaced the former Waterfront II and Waterfront 1B zoning districts, and the former Commercial Fisheries Maritime and General Development I Shoreland Districts.

Other Issues & Ideas to Consider

1) Redevelopment in this area faces many obstacles, the most difficult of which is the flood zone. Other issues include but are not limited to: the size and configuration of many of the lots; the depth of near shore (marine) waters; the amount of shore frontage for a lot, and in some areas, bad (contaminated) soils. Flood zone requirements often mean that new construction or major renovations of existing structures must elevate the lowest habitable floor 6 – 8 feet above the existing ground grade, which results in eliminating most use of the first floor. Constraints such as these resulted in the adoption of contract rezoning as a regulatory tool. Contract rezoning grants the City flexibility in applying land use regulatory standards.
2) Need for additional public parking, particularly near the dock
3) Getting people from the waterfront to the downtown and elsewhere. Walking up the hill from the harbor to the downtown is difficult for many persons.
4) The most appropriate long-term use of public lands and buildings, such as Masker's Building and former railroad property.
5) Public policy decisions regarding use of tax funds generated by Tax Increment Financing District the City created for the downtown and waterfront area in 2006. While there are few monies in this fund at present, if properties such as the former Stinson Seafoods property are redeveloped, there would be sufficient monies in this fund to pursue construction of significant public improvements in the downtown and waterfront area.

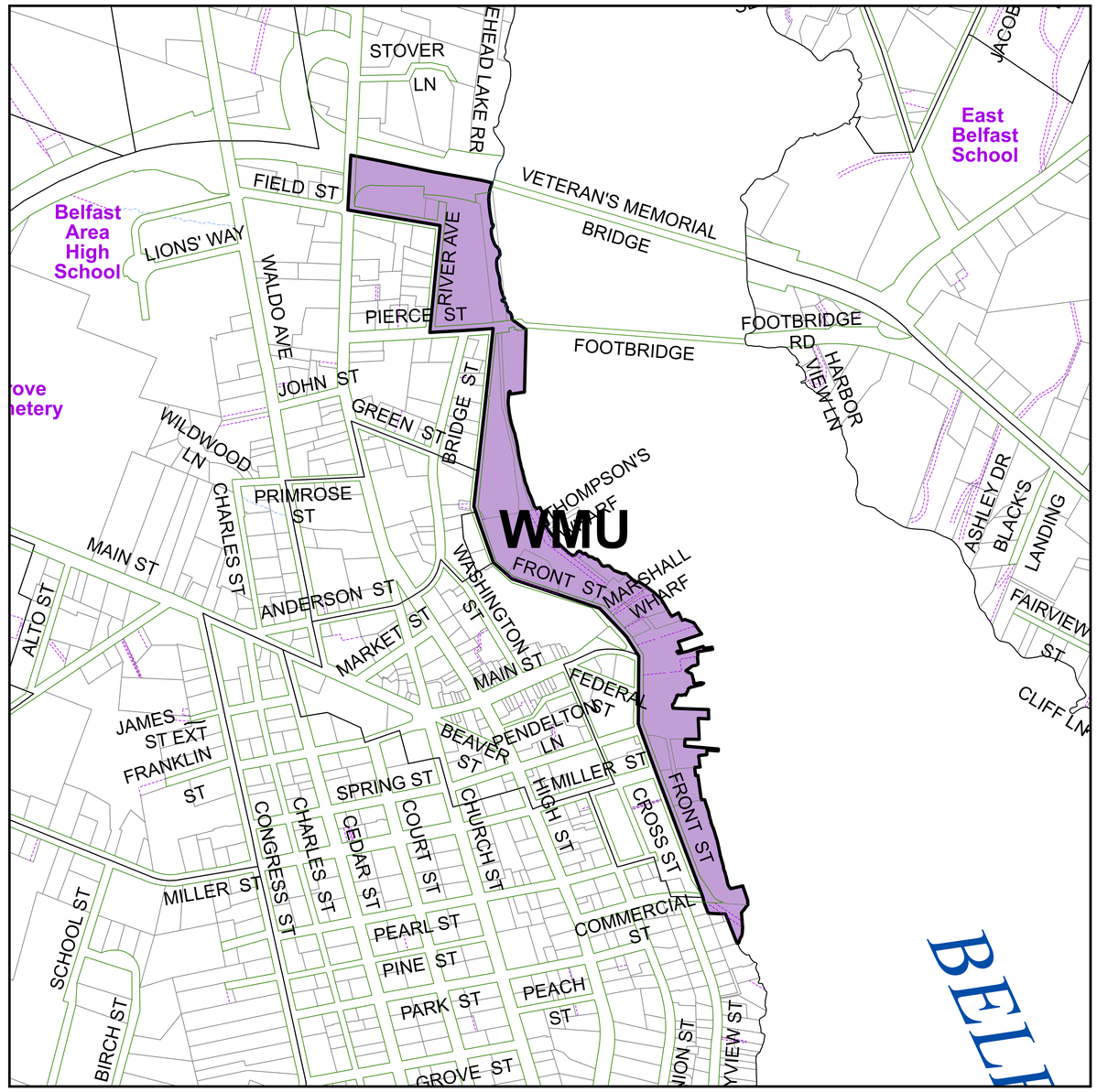
Working Waterfront- Mixed Use

PROPOSED LAND USE AREA



Zone
WWF-MU Working Waterfront- Mixed Use

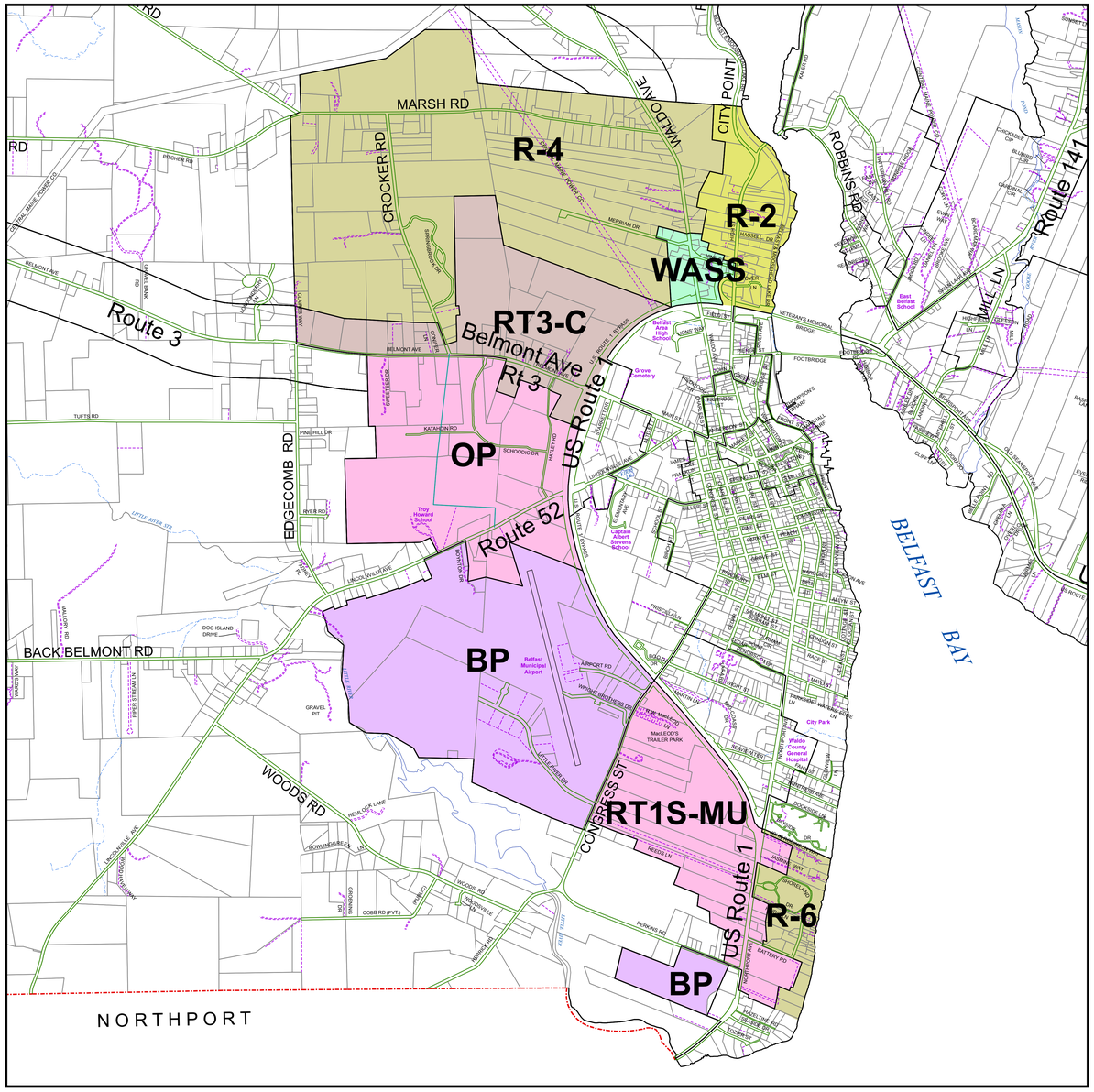
EXISTING ZONING



Zone
WMU Waterfront Mixed Use District

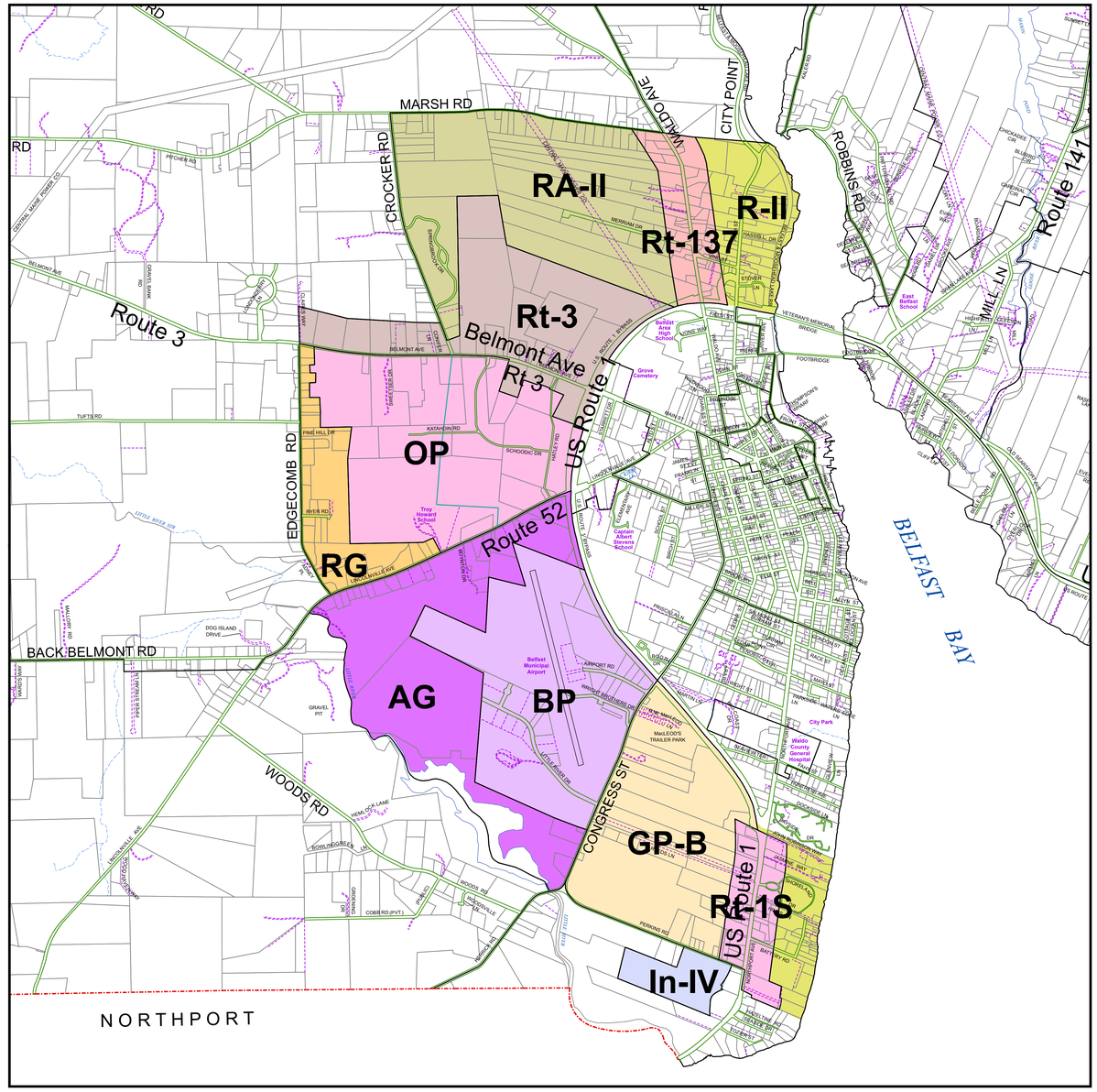
NEAR BYPASS

PROPOSED LAND USE AREAS



Zone
BP Business Park
OP Office Park
R-2 Residential 2
R-4 Residential 4
R-6 Residential 6
RT1S-MU Route 1 South – Mixed Use
RT3-C Route 3 Commercial
WASS Waldo Avenue – Small Scale

EXISTING ZONING



Zone
AG Airport Growth District
BP Business Park-Airport District
GP-B General Purpose "B" District
In-IV Industrial IV Perkins Road District
OP Office Park District
RA-II Residential/Agricultural II District
RG Residential Growth District
R-II Residential II District
Rt-137 Route 137 Commercial District
Rt-1S Route One South Commercial District
Rt-3 Route 3 Commercial District

SECTION 4.3
RESIDENTIAL 4 AREA

"ENCOURAGE HOUSING"

Goal

To establish an area that is close to public services, shopping, jobs and existing housing which could accommodate much of the community's long-term need for higher density residential housing.

Overview of Past, Current & Future Use

This area supports a mix of uses, but the predominant use is residential housing. Single family houses of varying values and sizes are the most common development. There also are several multi-family housing projects in the area; Belfast Square Apartments (senior housing) on Merriam Drive, the 46 unit Springbrook Condominium project on Crocker Road which MBNA initially constructed in 2000 to provide housing for its employees, and the Group Home Foundation's 6 unit independent living apartments for persons with special needs on Waldo Avenue that was constructed in 2008. With the exception of the above noted developments, most houses are located on the main streets in the area, and little development is located more than 200 feet from the street. Most nonresidential uses in the area, such as B&J Auto Repair and Flagg's Garage, are small in scale and create little traffic impact.

The City believes that this area presents an opportunity to satisfy many of the community's long-term needs for higher density residential housing, and proposes this area to be a long-term residential 'Growth Area'. This area has many of the features you look for in establishing a growth area; it is close to the downtown, schools, major places of employment, and current urban areas, and there is a significant amount of underdeveloped land. A significant drawback, however, is that most of the area is on the periphery of City sewer. That said, much of the area is on public water. As such, the City should be prepared to constructively work with persons who would like to develop this area for significant amounts of housing by financially participating in the extension of public services, particularly public sewer. Steep slopes, pockets of wetlands, and the narrow configuration of some of the larger parcels will present constraints, but the positive characteristics of this area outweigh the drawbacks.

Recommendations

Permitted Uses (Examples of Main Uses Permitted)

1) Single-family & two-family residences

2) Multi-family housing (sewer & by using a subsurface system)
3) Congregate Care & Elderly housing (sewer & by using a subsurface system)
4) Home Occupations, Larger Scale
5) Schools, Churches, Child Care & Similar Uses,
6) Small Scale Professional Offices
7) Indoor Recreational Facilities
8) Agricultural

Minimum Lot Size

1) 1/3rd acre – 15,000 sq ft for single-family or two-family (sewer)
2) ½ acre – 20,000 sq ft for single family (septic)
3) 1 acre – 40,000 sq ft for two-family (septic)
4) 1 acre for Multi-family (sewer or subsurface system)
5) 1 acre for any type of nonresidential use
6) 150 feet street frontage

Density (Number of Dwelling Units per Acre)

1) 3 single family units per acre (sewer)
2) 2 single family units per acre (septic)
3) 6 two-family units per acre (sewer)
4) 2 two-family units (1 structure) per acre (septic)
5) 12 – 16 multifamily units per acre if on sewer
6) Multifamily units on a subsurface system; density controlled by plumbing code
7) No specific density standard for elderly or congregate housing if on sewer, density controlled by plumbing code if on septic/subsurface system
8) No specific restriction on amount of lot coverage for either a residential or a nonresidential use

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

1) Single family and two family residential; 30 feet front and 15 feet side and rear
2) Multi-family residential; 30 feet front and 25 or more feet side and rear. Parking to be located to the side or rear of the structure.
3) Nonresidential use; 30 feet front and 25 or more feet side and rear. Parking to be located to the side or rear of the structure.

Major Changes Compared to Current Requirements

1) The proposed Residential-4 area includes land that is now in 3 different zoning districts; Route 137 Commercial, Residential Agricultural I and Residential Agricultural II. The intent is to create a district that allows similar uses on both

sides of the major roads (Waldo Avenue, Crocker Road and Marsh Road), and to establish housing as the main permitted and desired use.

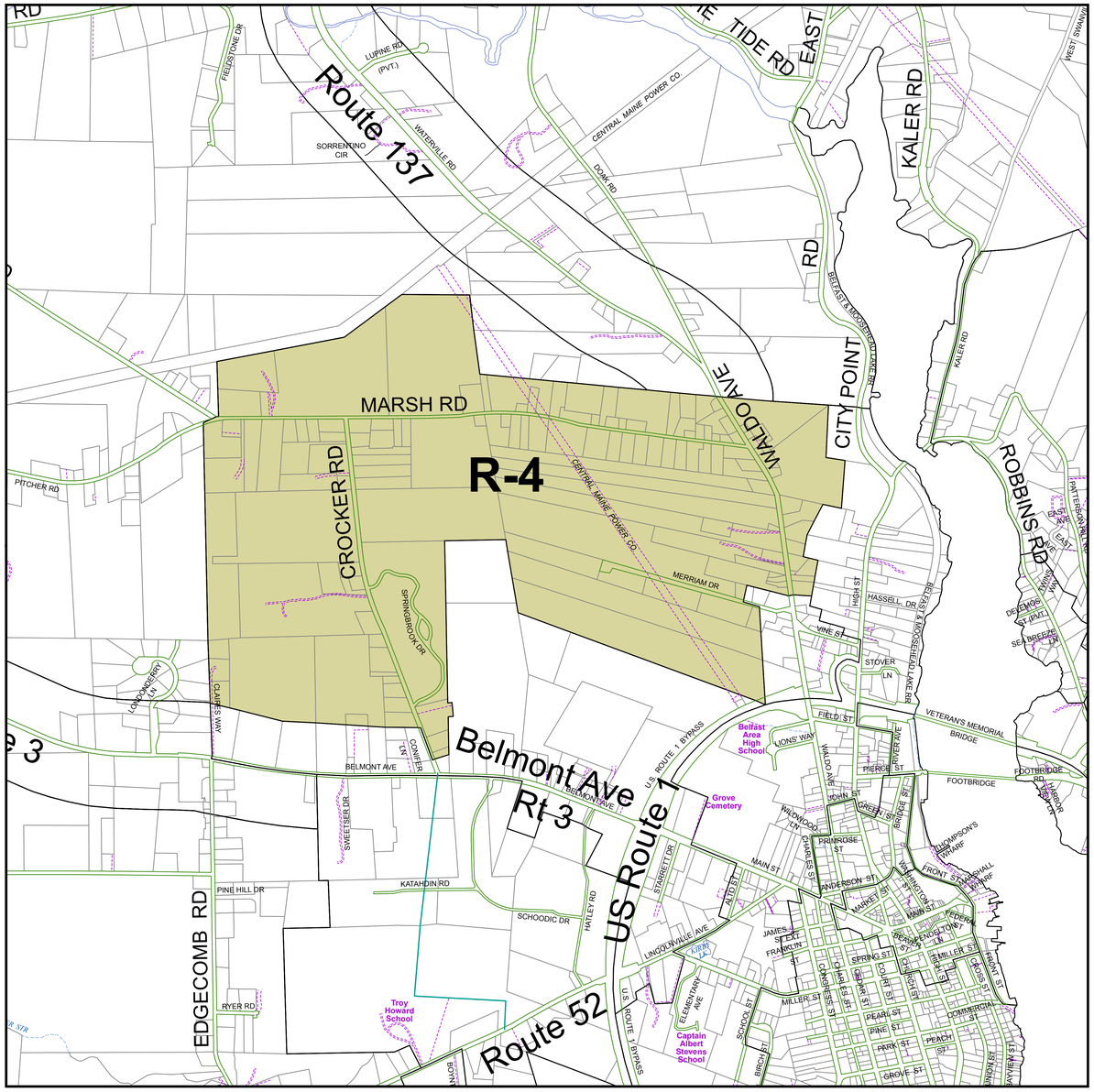
2) This proposed area would allow greater housing density than current zoning, particularly the number of multi-family units. This also means that the minimum lot size for a residential use is often less than current standards. In particular, the Residential Agricultural I zone now requires a 2 acre minimum lot size for a house, but this proposed district will require a ½ acre lot size for a property that is not on public sewer, and 1/3rd acre for a property on sewer. It is noted that the proposed density standards (except for multi-family housing which is now only 6 units per acre) are now the norm in the Residential Agricultural II and Route 137 zones.
3) The proposed area eliminates many of the nonresidential uses that are now permitted, particularly in the area along Waldo Avenue that is now in the Route 137 Commercial zone.

Other Issues & Ideas To Consider

1) A major impediment to encouraging greater density housing development in this area is the lack of public sewer. The City should consider cooperating with a potential developer by financially participating in the cost of a sewer extension. City also could consider extending public sewer entirely at City cost along the section of Waldo Avenue out to Marsh Road that is not now served by sewer as a way to encourage growth.
2) City should consider allowing additional density and waiving sewer connection fees for a project that constructs affordable housing as a portion of the development.
3) Some of the area is quite steep. Elevation/grades in the area could inhibit the development of interconnecting roads among/between future developments.
4) City should ensure that several existing nonresidential uses that could be rendered nonconforming by the implementation of this recommendation have the ability to expand, including an increase in the size of the lot. The City wants these existing businesses to be able to thrive and expand.
5) The amount and speed of traffic in this area has been cited by residents as a concern. Route 137 is a State road that supports considerable commuter traffic, and Crocker Road appears to be experiencing more 'cut-through' traffic. The goal is to encourage most new housing to be located on new streets that will serve individual neighborhoods, such as the road constructed for Springbrook Condominums, rather than relying upon single driveways located off the major streets for individual residences.
6) The area along Route 137 as far to the northeast as Marsh Road is in the MDOT urban compact zone. The inclusion of this area within the urban compact zone is one of the reasons which support identifying this as an area which can support greater housing densities.

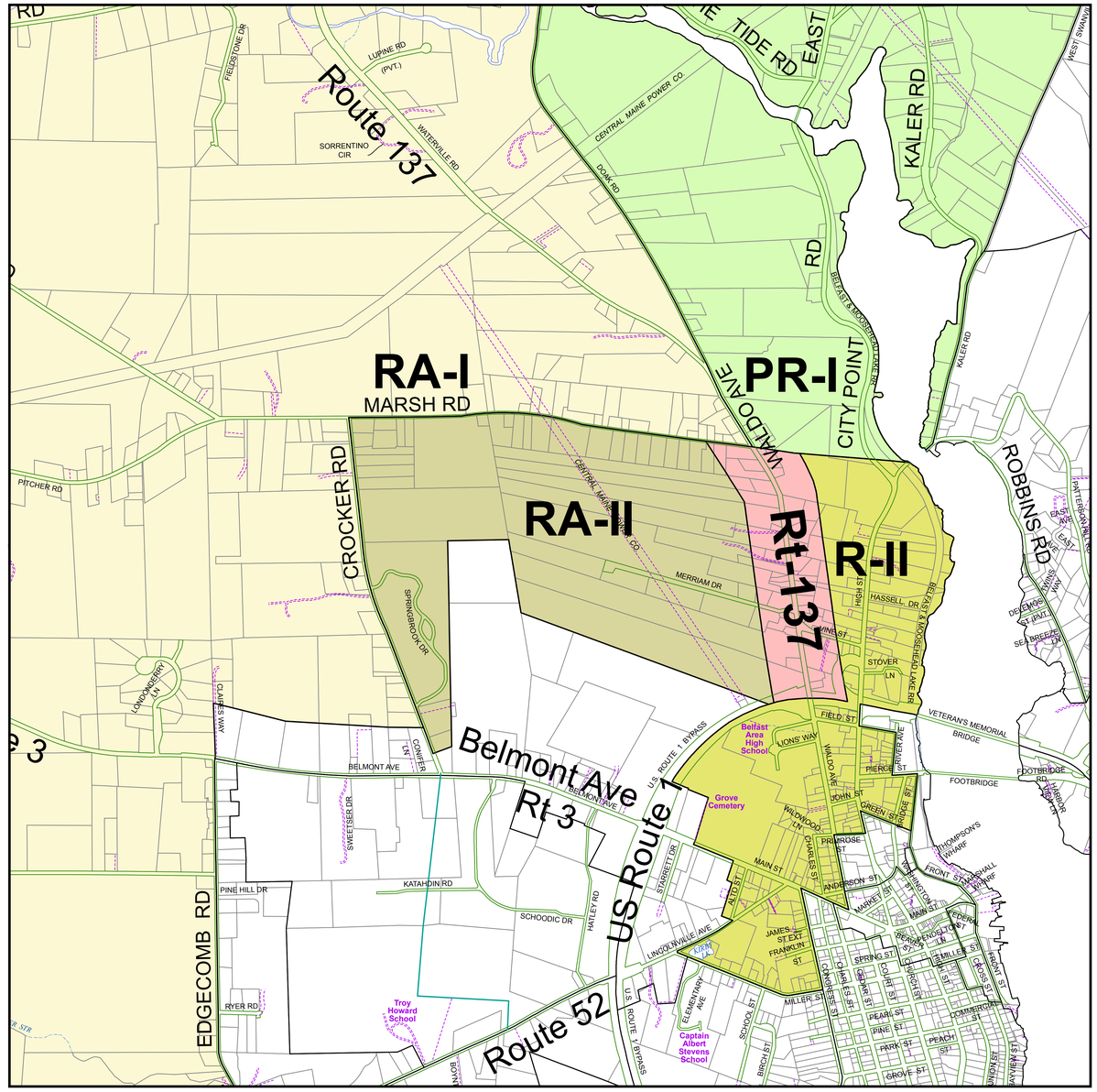
Residential-4

PROPOSED LAND USE AREA



Zone
R-4 Residential 4

EXISTING ZONING



Zone
PR-I Protection Rural District
RA-I Residential/Agricultural I District
RA-II Residential/Agricultural II District
R-II Residential II District
Rt-137 Route 137 Commercial District

WALDO AVENUE SMALL SCALE MIXED USE AREA

"SMALL BUSINESS IS KEY"

Goal

To establish an area located near the downtown/in-town area in which small scale business development is encouraged.

Overview of Past, Current & Future Use

The area near the Route 1 overpass now supports a number of small scale businesses, and in the 70's was one of the areas that supported the City's chicken processing industry. Currently, Perry's Quick Stop, Waldo Avenue Redemption Center, KSW Credit Union, the Wentworth professional office complex, Krabriel/Riposta Funeral Home, and Lisa Nichols Hair Salon are located along Waldo Avenue/Route 137 between Merriam Drive and the Route One overpass. On High/Vine Street, there is Belfast Variety, and a monument business is located on Vine Street. Single family houses and an occasional duplex are located on most other lots.

This small area experiences a considerable amount of traffic. This is mostly because the on/off ramps for Route 1 are located in the area; with the southerly on-ramp to Route 1 directing cars to Route 3, and this being the main exchange for persons traveling on Route 137 and Route 7. The amount of traffic helps support the type of businesses that are located in the area, and the proximity of several busy intersections detracts from the suitability of this area for residential growth. City regulations should allow a wide variety of small scale businesses, while working to ensure such businesses positively contribute to the character of the community and the area.

This clearly is a mixed use 'Growth Area' that could support additional small business development and limited amounts of additional housing. The availability of public sewer and public water on Vine Street and to most properties near Vine Street and Merriam Drive on Waldo Avenue also supports this area being a 'Growth Area'. It is also noted that this section of Route 137 is located within the MDOT Urban Compact area. Lastly, the uses permitted in this area, and the performance standards that should be used to regulate development should be very similar to those used for the proposed Searsport Avenue Small Scale district located near the Route 1/Route 141 intersection.

Recommendations

Permitted Uses (Examples of Main Permitted Uses)

1) Small Scale Retail, perhaps up to 20,000 square feet in size, however a lesser sized retail use may be more appropriate.
2) Service Businesses & Professional Offices
3) Restaurants, however fast food restaurants would be prohibited. The exception to this standard would be a fast food restaurant (no drive-through) that is established as an accessory use to another business, such as a restaurant franchise that is located or operated in a convenience store/service station.
4) Auto Repair and Service, with auto sales as an accessory use.
5) Service Stations
6) Single-family & two-family residences
7) Multi-family housing
8) Home Occupations, Larger Scale
9) Schools, Churches, Child Care & Similar Uses

Minimum Lot Size

1) 1/3rd acre – 15,000 sq ft for single family or two-family (sewer)
2) ½ acre – 20,000 sq ft for single family (septic)
3) 1 acre – 40,000 sq ft for two-family (septic)
4) 1 acre for Multi-family, (housing units must be on sewer)
5) 1 acre for any type of nonresidential use
6) 150 feet street frontage, minimum, for residential and nonresidential uses

Density (Number of Housing Units per Acre)

1) 3 single family units per acre (sewer)
2) 2 single family units per acre (septic)
3) 6 two-family units per acre (sewer)
4) 2 two-family units per acre (septic)
5) 12 - 16 multifamily units per acre (provided served by public sewer)
6) No specific restriction on amount of lot coverage for either a residential or a nonresidential use

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

1) Single family and Two-family Residential Uses: 30 feet front, 15 feet side & rear.
2) Multi-family Residential: 30 feet front and 25 feet side & rear. Parking to be located to side or rear of building.

3) Nonresidential uses: 30 feet front for nonresidential uses and 15 feet side & rear for nonresidential uses, unless the use abuts an existing residential use which would increase the side and rear structure setback requirement to 25 feet.

Major Changes Compared to Current Requirements

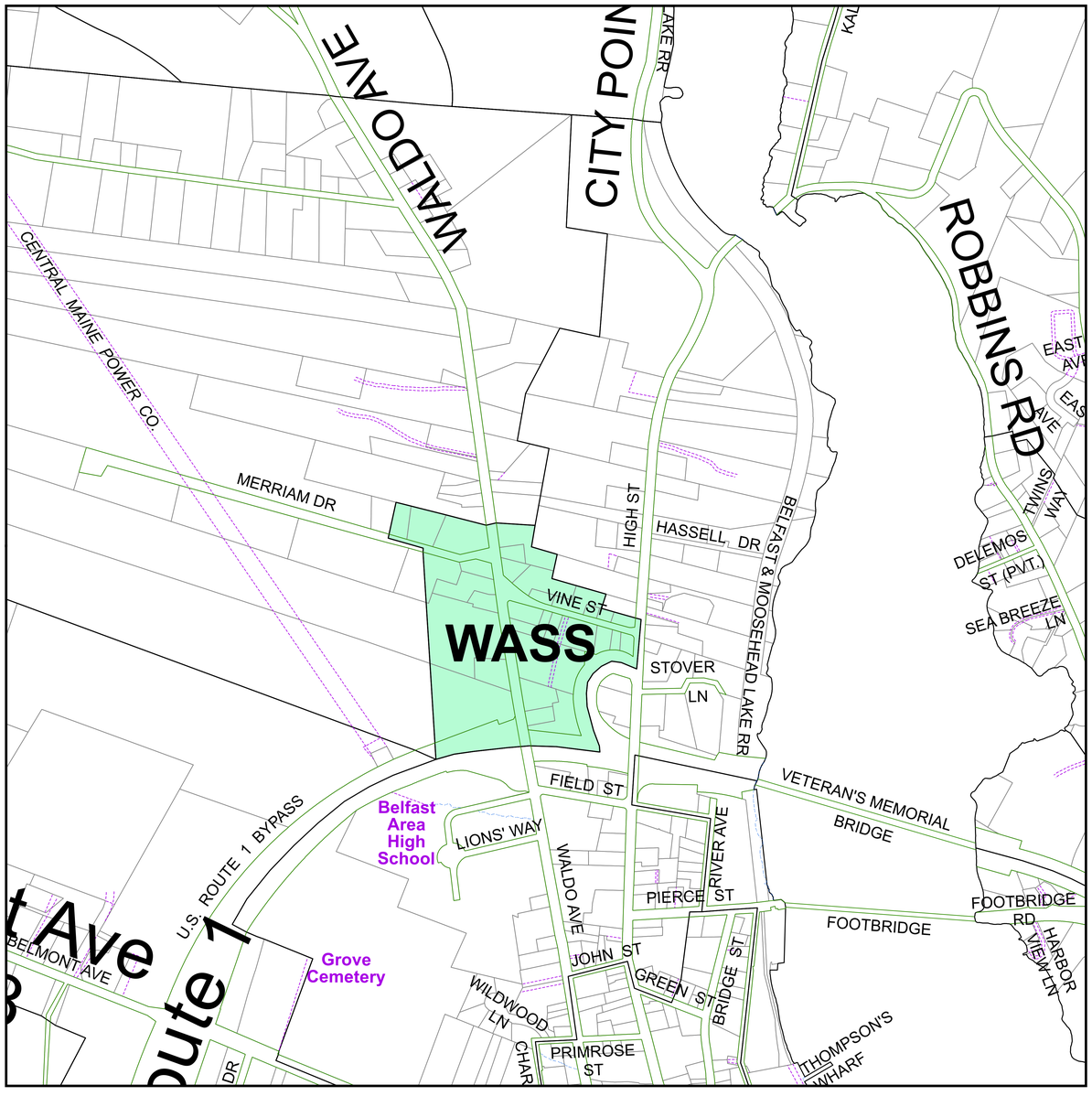
1) It is also noted that the amount of area along Waldo Avenue that is included in this proposed area has been greatly reduced. At present, the area along Waldo Avenue from the Route 1 overpass to Marsh Road is in the Rt 137 Commercial zone; a zone which is 500 foot deep on both sides of the road. The new westerly boundary for this mixed use area along Waldo Avenue is proposed to be near Merriam Drive, which eliminates about 2,000 feet of road frontage along Waldo Avenue from this area.
2) A second proposed boundary change is to include all of Vine Street, including Belfast Variety, within this mixed use small scale area. At present, this area is in the Residential II zone, which prohibits all retail operations. Belfast Variety is now considered a non-conforming use, but it would become a conforming (allowed) use if this proposal is adopted.
3) In comparing current zoning to this proposal, little change is recommended in the types of nonresidential uses that would be allowed.

Other Issues & Ideas To Consider

1) Consider amending the current nonresidential performance standards that apply to this area to eliminate standards that require an increase in lot frontage or greater setbacks based on the size of a nonresidential structure or the amount of traffic generated.
2) While City sewer is available to most properties, sewer is not now available to several of the properties located easterly of Vine Street, such as the Redemption Center. City should consider extending public sewer to this area and should be willing to participate in the cost of extending this service.
3) The area along Route 137 (Waldo Avenue) is now inside the urban compact zone which means that this section of Route 137 is not subject to MDOT access management requirements. The City, not MDOT, regulates most access management concerns.
4) The City should ensure performance standards that apply to nonresidential uses in this area help minimize conflicts between existing residential and non-residential uses. This is important in a mixed use area.
5) The width of this area is deliberately quite narrow; a maximum width of 500 feet along Waldo Avenue. The City believes that additional depth is not needed to support the type of nonresidential development targeted for this area.

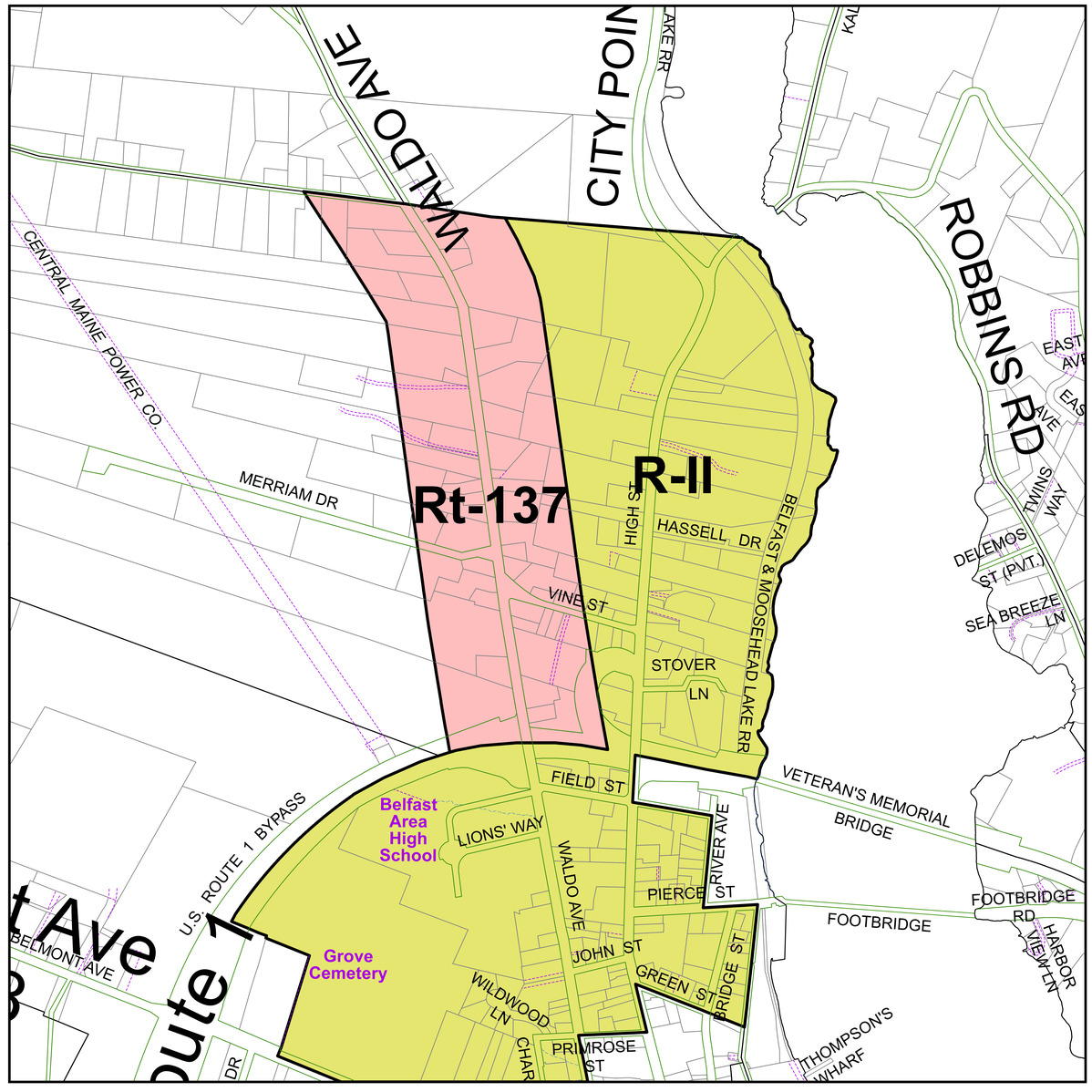
Waldo Avenue – Small Scale

PROPOSED LAND USE AREA



Zone
WA-MU Waldo Avenue – Mixed Use

EXISTING ZONING



Zone
R-II Residential II District
Rt-137 Route 137 Commercial District

ROUTE 3 COMMERCIAL ZONE

"MAIN SHOPPING AREA"

Goal

To provide an area in which retail, including larger retail and fast food restaurants, can prosper and serve as a prime shopping area for Belfast and County residents. Further, to establish strict boundaries for this area to ensure compact development and to lessen the likelihood of commercial sprawl.

Overview of Past, Current & Future Use

This area, which is located along Route 3, Lincolnville Avenue and Starrett Drive near the intersection of Routes 1 and 3, is a main shopping area in Belfast and now supports most of the community's larger retail stores, fast food restaurants, and similar stores owned by national/state/regional interests. The City should adopt policies which allow and attract such uses to this area. The City believes the area is well-suited for this purpose because of its location near major State roads and the accompanying amount of traffic. Also, this is where businesses have chosen to locate, there is additional land to support commercial development, and commercial development in this area is less likely to adversely affect residential uses. The City also should use performance standards and flexible zoning approaches to manage impacts associated with development and ensure that new development incorporates good quality design features that complement the City's character.

The community debated the future use of this area at length in 2000 – 2001 and again in 2007 – 2008. In October 2007, and February 2008, the City Council adopted amendments to the zoning regulations that were adopted in 2001. The 2001 regulations recognized this area as a major commercial district, but limited the maximum size of retail to 75,000 square feet. The amended 2007/2008 regulations clarified the type of uses permitted in the area, the performance standards and other regulatory tools that would be used to manage development, and the boundaries of this area. The key components of the new standards are as follows:

- City will allow 1 retail store greater than 75,000 square feet that sells clothing, general merchandise and/or groceries in the area located on the northerly side of Route 3, between Route 1 to the east and Crocker Road to the west.
- Development of the so-called 'Les Hills' property, that is now owned by Bob Bahre, must involve the preparation of a master plan and is subject to contract rezoning.

- Crocker Road shall serve as the westerly boundary for retail and restaurant development, with an exception granted for the Perry's Furniture property.
- The City increased the depth of this zone on the northerly side of Route 3 between Crocker Road and Route One.
- Most other zoning standards adopted in 2001 continue to apply to the remainder of the area.

It is also noted that few residences are now located in this area; there are only 5 residences located easterly of Crocker Road. This is much different than most other commercial areas in Belfast, as most commercial areas have as many if not more residences than businesses. The lack of residences in the area is one of the key reasons why this area was chosen to allow larger businesses.

Stated simply, this district is the primary commercial 'Growth Area' for Belfast.

Recommendations

These recommendations reflect the new zoning standards the City Council adopted in October 2007 and March 2008.

Permitted Uses (Examples of Main Uses)

1) 1 Retail Store larger than 75,000 sq ft that sells clothing, general merchandise and/or groceries in area between Route 1 and Crocker Road.
2) Retail, up to 75,000 sq ft per structure, in other areas located easterly of Crocker Road. No new retail located westerly of Crocker Road
3) Restaurants, including fast food, except no restaurants are permitted westerly of Crocker Road
4) Service businesses
5) Hotel
6) Manufacturing
7) Professional Offices
8) Single family residential and two-family residential

Minimum Lot Size

1) 1 acre (sewer or septic) for a residential or nonresidential use
2) Minimum 150 ft of street frontage for a residential or nonresidential use, with an increase in amount of frontage required based on size of nonresidential development or number of vehicle trips generated per peak hour.

Density (Number of Housing Units per Acre)

1) 1 single family unit or 1 two family unit per acre
2) No specific restriction on amount of lot coverage for either a residential or a nonresidential use.

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

1) Residential uses – 30 feet front setback and 15 feet side and rear
2) Nonresidential uses have a minimum front setback requirement of 30 feet with increases based on the size of the structure.
3) Nonresidential uses have a minimum 15 feet side and rear setback with increase based on size of development
4) Contract rezoning applies to the 'Les Hills' property, which means that setback requirements are flexible.

Major Changes Compared to Current Requirements

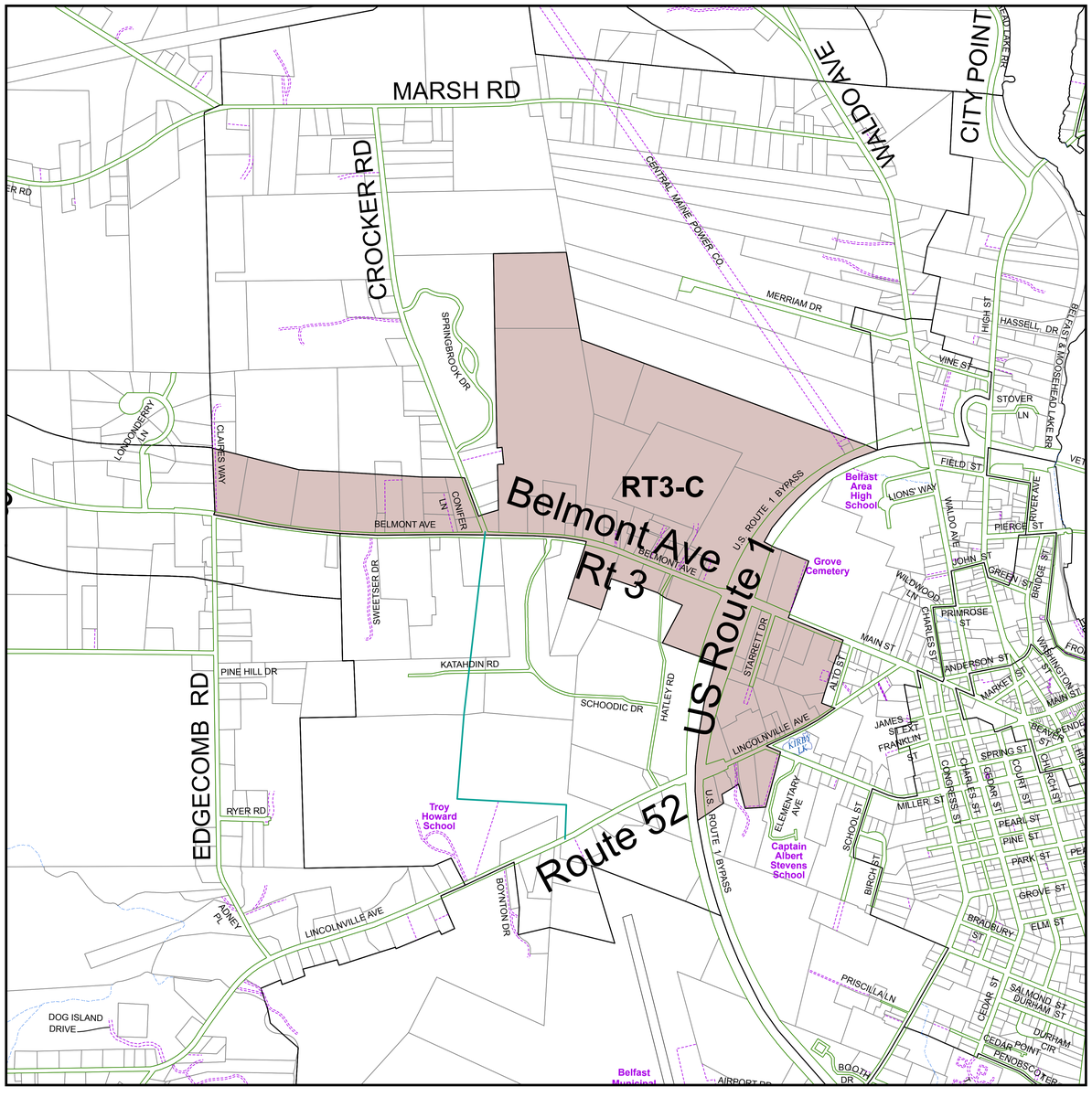
No new changes are now proposed. City notes that extensive changes were made to the Comprehensive Plan and also the City Zoning Ordinance when the Council adopted amendments for this area in late 2007 and early 2008. These policy decisions and the zoning adopted to implement this policy should remain in effect.

Other Issues & Ideas To Consider

1) Potential need for new signal light and road improvements at the Schoodic Drive entrance to Bank of America property if retail development occurs on 'Les Hills' property.
2) No public sewer is now available beyond the Schoodic Drive entrance to Bank of America. With the City's intent to limit significant commercial development to the area located westerly of Crocker Road, the City should discourage the extension of public sewer westerly of Crocker Road.
3) Quite a bit of the property along Route 3 consists of wetlands, which could inhibit the scale of future development.
4) In the long-term, if the 'Les Hills' property is fully developed, the City may want to consider expanding the depth of the Route 3 Commercial zoning district toward Route 137 (Webber property) to support additional commercial development, provided the main means of access to this area is from Route 3, and the prohibition on larger retail along Waldo Avenue remains.

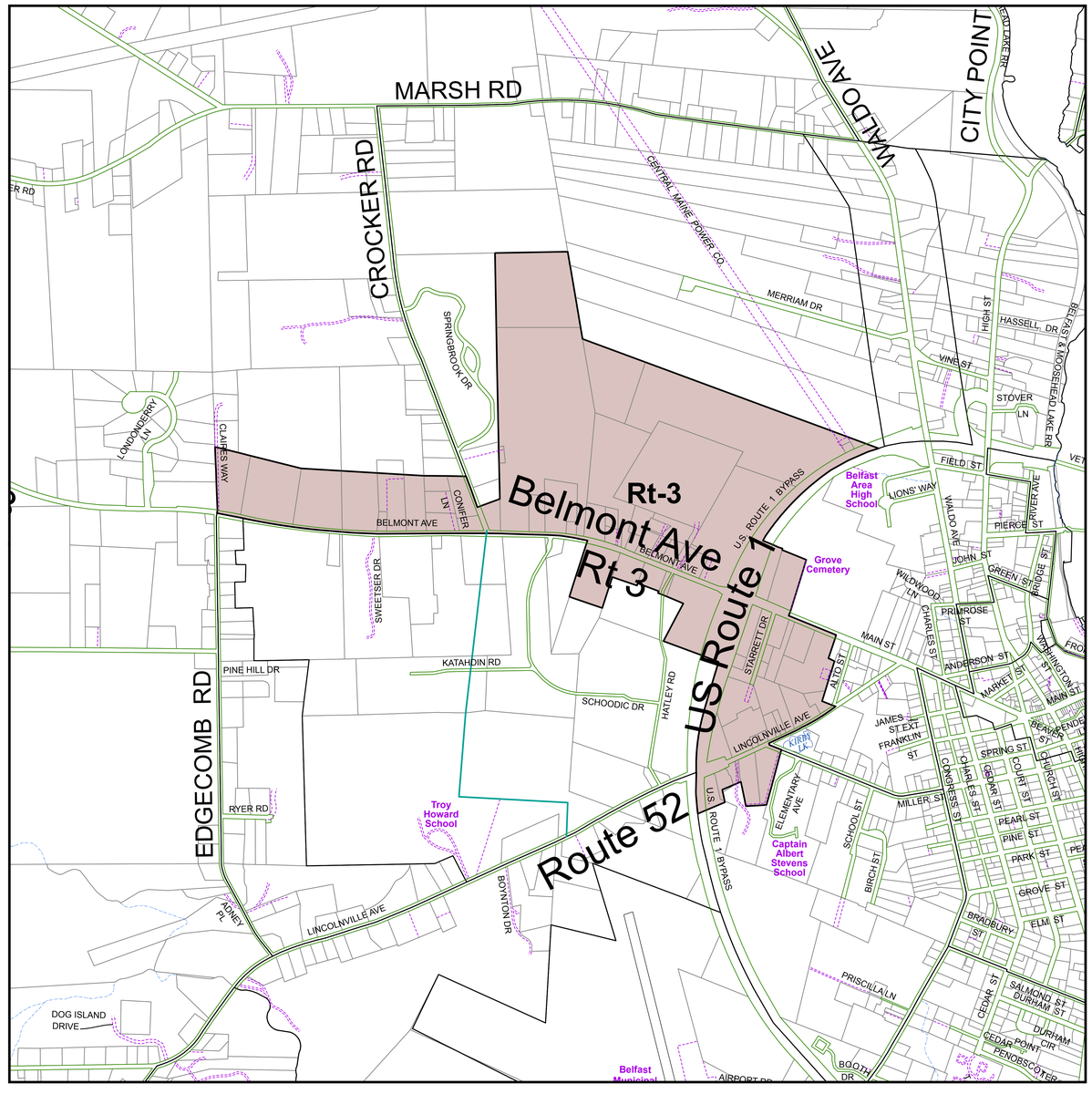
Route 3 Commercial

PROPOSED LAND USE AREA



Zone
RT3-C Route 3 Commercial

EXISTING ZONING



Zone
Rt-3 Route 3 Commercial District

OFFICE PARK

"JOBS ZONE"

Goal

To create an area in which large scale office and job based development is encouraged, and to ensure that other development permitted in the area complements this type of development.

Past, Current & Future Use

The character and use of this area changed dramatically in the mid-1990's when MBNA decided to purchase the former farm fields and residences and to develop a large call center operation. Within the short span of 7 years, what was once open space was developed into nearly 600,000 square feet of professional office space and support facilities, including the University of Maine Hutchinson Center. At its peak, MBNA employed about 2,800 persons. MBNA ceased operations in 2006 when it merged with Bank of America. Bank of America continues to employ between 700-800 persons, and in 2008, sold Phase I of the office complex to athenahealth, inc., which is using the facility to support its medical/insurance payment processing operations. As of August 2019, athenahealth employed between 800-900 persons.

The City, in 1985, identified this area as a primary site for large scale job creation activities when it located most of the area in an Industrial zone. In 2001, the City amended the types of uses permitted in the area and the boundaries of the zone to reflect MBNA's development. In 2007 – 2008, during the Council's debate of the 'larger retail' issue, the City revised the boundaries of the zone that were established in 2001 and made several changes to the types of uses permitted. It is proposed that most of the 2007 – 2008 changes remain in effect.

This area also supports a mix of larger scale public and non-profit uses, including Troy Howard Middle School, the YMCA, Sweetser Homes, Inc., the aforementioned University of Maine Hutchinson Center, the City ballfields, and the dog park that was constructed in 2008. There are a very limited number of privately owned homes in the area.

Further, this area is on the edge of Belfast Airport. It is important to regulate uses that occur in this area to minimize potential conflict with current and future airport operations. As such, the location and amount of residential development should be controlled.

This clearly is a 'Growth Area'. This small area supports nearly 1/3rd of the jobs in Belfast, and there are limited opportunities for additional complementary development to support further job growth. History has shown that the City acted wisely years ago in reserving this area for development that created significant job growth.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Offices and Office Complexes
2) Light industry/manufacturing
3) Retail, provided it is located easterly of a line parallel to Crocker Road. Further, City should allow retail development in this area consistent with the zoning guideline adopted in 2001; allow a maximum of 75,000 square feet of retail per 25 acres of property (reference Section 102-775(a) of current zoning code for the Office Park zoning district
4) Schools, child care and churches
5) Indoor and Outdoor Recreational facilities
6) Single family & two-family housing, provided the location is controlled to reflect airport operations (airport overlay district)
7) Home Occupations, larger scale.

Minimum Lot Size

1) ½+ acre for residential (greater for duplex if no sewer)
2) 1 acre (sewer or septic) for any type of nonresidential use.
3) Minimum 150 ft of street frontage with increase in amount of frontage required for nonresidential use based on size of development or number of car trips generated per peak hour.

Density (Number of Housing Units per Acre)

1) 1 single family residence per ½ acre (sewer or septic)
2) 2 two-family units (1 duplex) per ½ acre (sewer)
3) 2 two-family units (1 duplex) per acre (subsurface system)
4) Special exception should be granted for Sweetser Homes property on Route 3 and for potential dormitory construction associated with University of Maine Hutchinson Center
5) No specific restriction on amount of lot coverage for a residential or a nonresidential use.

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

1) Residential; minimum 30 ft front setback and 15 foot side and rear setback.
2) Nonresidential; minimum front setback of 30 feet with increase based on size of development/structure.
3) Nonresidential; minimum 15 feet side and rear setback with increase based on size of development/structure.

Major Changes Compared to Current Requirements

1) The amendments that the Council adopted to the Office Park zoning district in 2007 – 2008 resulted in a significant change in the boundaries of this zoning district. The district formerly included properties owned by MBNA that were on the northerly side of Route 3. These areas were removed from the Office Park zone through adoption of the 2007 – 2008 amendments. It is noted that these areas had less likelihood of being developed for office use because they had been sold by Bank of America.
2) The proposal would result in eliminating multi-family housing as an option, but would still allow single family and two family housing, provided the location of the housing does not conflict with airport operations. This proposal, if implemented, would more clearly create opportunities for the Hutchinson Center to establish dormitory style housing.
3) The amount of land included within this area would be expanded to include several properties on the southerly side of Lincolnville Avenue/Route 52. These properties are now in the Airport Growth zone; a zoning district which is proposed to be eliminated. This change in classification could result in allowing the construction of a house in an area in which all new housing is now prohibited.
4) Eliminate the former 40+ acre 'Gould/Perry' property on Route 3 now owned by Bank of America from the Office Park zone and include it in the proposed Outside Rural, Rural Road Class 1 area, with the provision that this property could be used for any non-retail use permitted in the Office Park, or for higher density housing, through a Special Exception process administered by the Zoning Board of Appeals.

Other Issues & Ideas To Consider

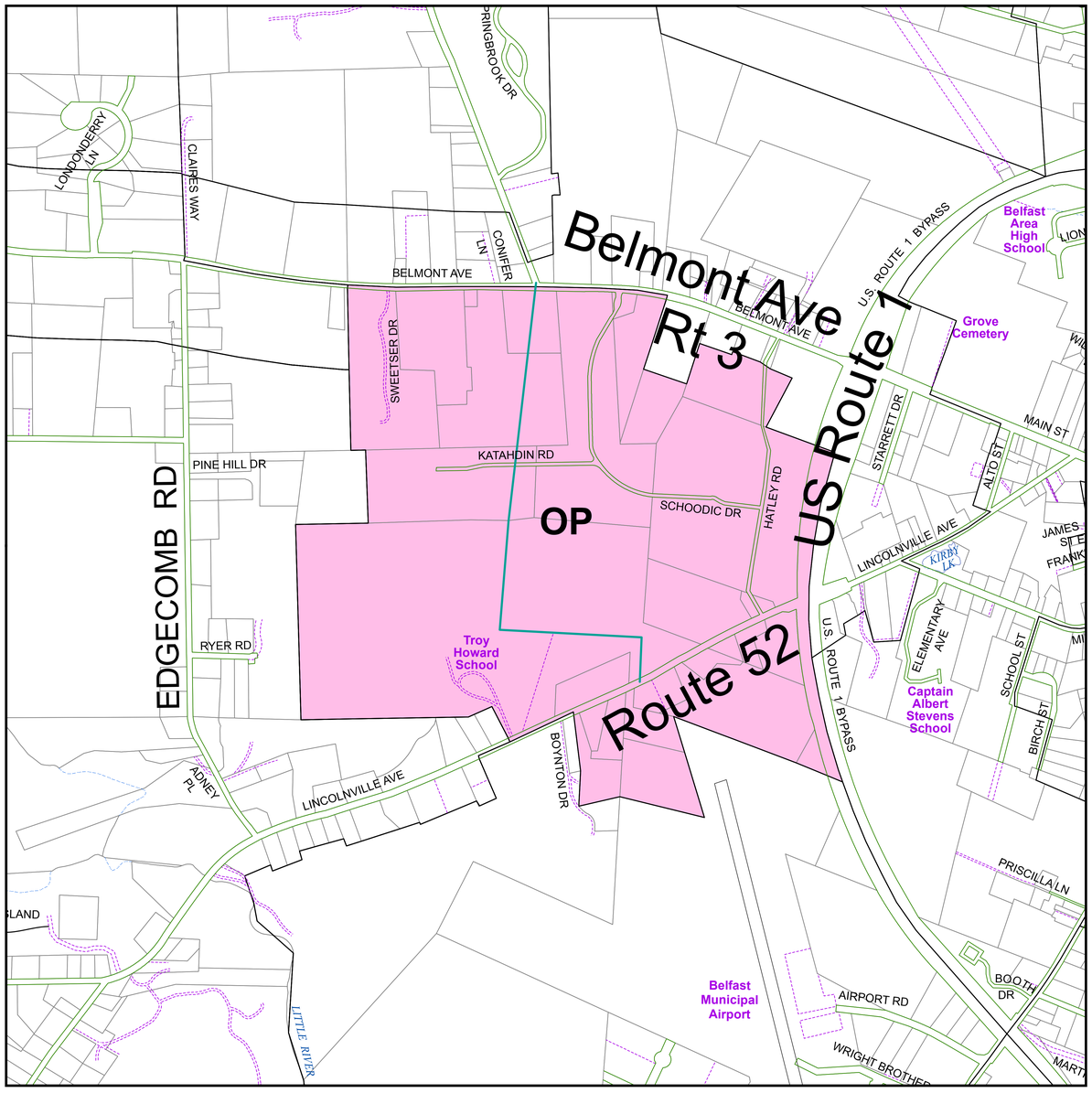
1) It is important to manage conflicts with future use of airport by establishing an Airport Protection Overlay zone. The intent of this overlay zone would be to manage incompatible development with airport use. The proposed overlay district is a similar by different tool than the Airport Growth zone which the City established in 1997 that could be used to protect airport operations.
2) Most properties along Route 52 and some properties along Route 3 are subject to MDOT access management rules. Additional growth along Route 52 could result in more of this area being included in the City's urban compact zone (MDOT

designation), which means that the City may become responsible for the maintenance of this road.

3) A significant amount of the property in this area is comprised of wetlands. For example, Bank of America and athenahealth, inc own considerably more ground than the property on which their current buildings and parking lots are located, however, nearly all remaining land is wetland and cannot be used for significant amounts of additional development.
4) There is limited availability of public sewer in this area. The Troy Howard Middle School and YMCA on Route 52 are served by a force main (pump) line, and the properties owned by Bank of America, athenahealth, inc, and the University of Maine Hutchinson Center are served by privately owned lines. The lack of public sewer will affect the intensity of development that can occur on other properties. That said, this area likely is a low priority candidate for a public sewer extension via a gravity line.

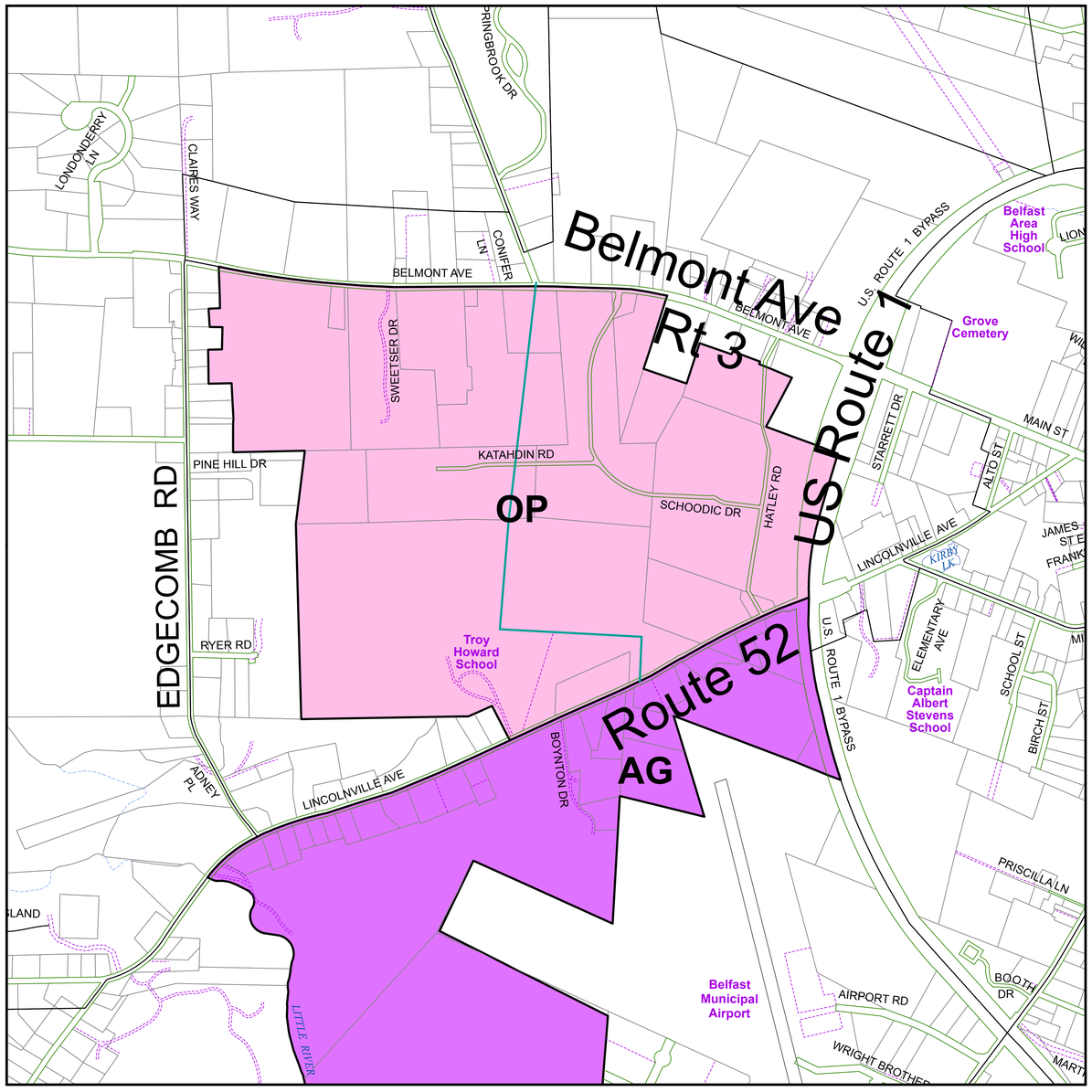
Office Park

PROPOSED LAND USE AREA



Zone
OP Office Park

EXISTING ZONING



Zone
AG Airport Growth District
OP Office Park District

BUSINESS PARK

"JOBS ZONE"

Goal

To establish an area that encourages business development within the City developed Business Park and on surrounding lands and which allows and supports airport operations and the expansion of such.

Overview of Past, Present & Future Use

The City established the Belfast Business Park, formerly the Belfast Industrial Park, in the mid-1980's. Current development in the Park, such as Ducktrap Seafoods and Belfast Industries, employs over 300 persons. The City owned 6 unsold lots in the Park in 2009, the combined size of which is about 12 acres. The Business Park surrounds the Belfast Airport, a municipally owned airport that is experiencing increasing private use and which underwent significant improvement in 2005 – 2006. At present, however, there are no commercial carriers which provide regular/scheduled passenger or freight services at the airport.

The proposed district includes all lands in the Business Park and the Municipal Airport, and also includes the 100 acre parcel the County purchased in 2004 from Charles Boynton as a potential site for a new County jail, and other lands owned by the Boynton's. The main purpose of this area is to encourage business growth that creates jobs, particularly industry, warehousing and offices. The City Council, in 2004, amended terms of the former Industrial I zone to establish the Business Park zone. Current regulatory standards appear to be appropriate for this area. This approach recognizes that the City covenants that regulate the use of properties in the Park often provide more definitive standards to manage uses in the Business Park and at the Airport than via the use of zoning regulations.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Manufacturing, including accessory retail
2) Warehousing
3) Offices & some service businesses
4) Municipal & County uses
5) Single family (limited to 1 unit per parcel or 1 unit per every 5 acres for parcels greater than 5 acres. Also, no residential uses in the City Business Park or at the Airport per existing covenants).

Minimum Lot Size

1 acre (sewer or septic) for any use
Minimum 150 ft of street frontage

Density (Number of Housing Units per Acre)

A maximum of 1 single family residence per lot, or if a parcel is greater than 5 acres in size, 1 housing unit per 5 acres. This density requirement reflects concern with the potential conflict between residential uses and use of Belfast Airport. It is also noted that residential uses are prohibited in the Business Park.

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

1) Setback requirements for the Business Park are now established by Business Park regulations, and this approach should continue.
2) Setbacks for other areas should be no less than 25 feet from all lot lines.

Major Changes Compared to Current Requirements

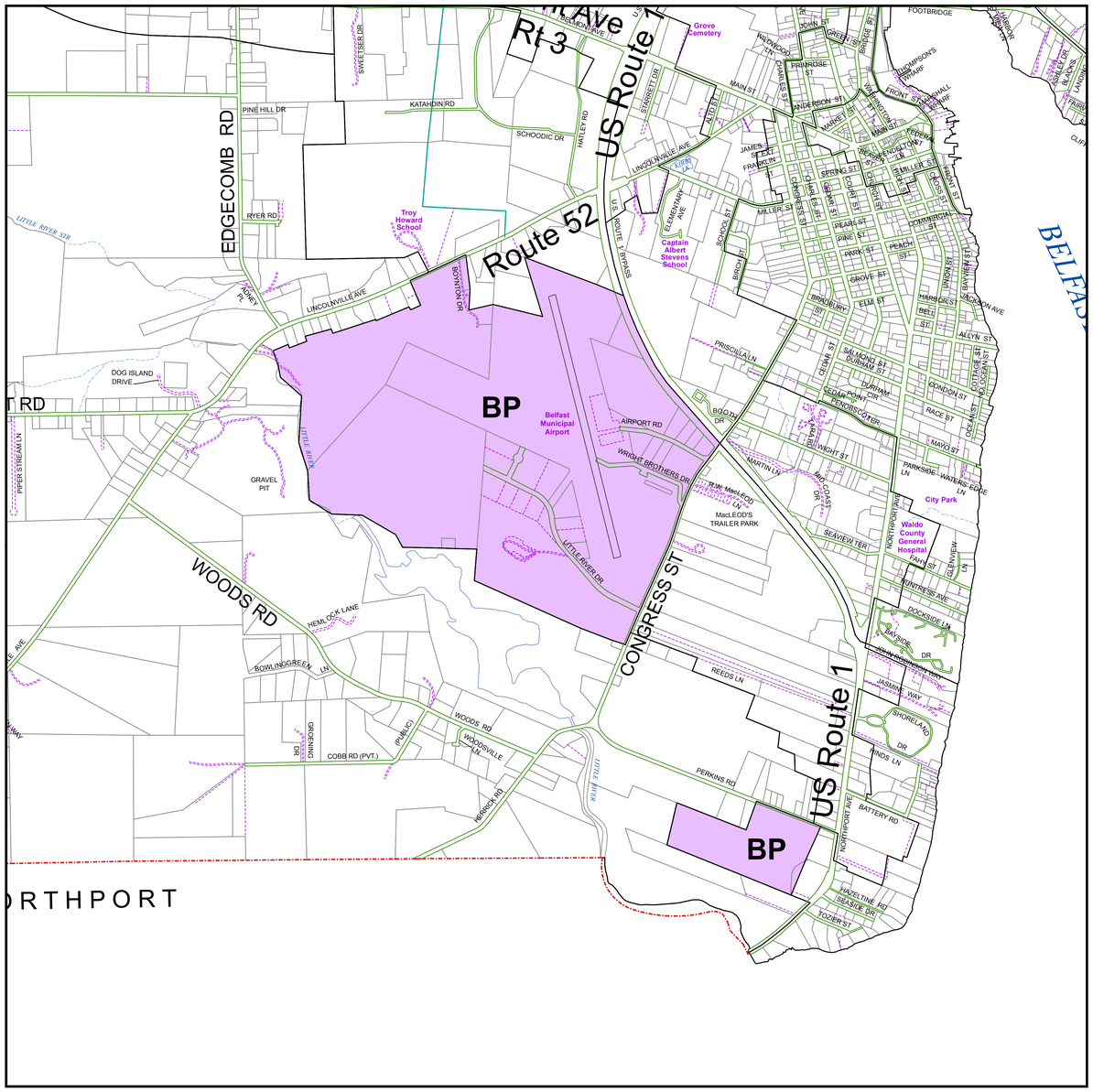
1) One change is to extend the boundaries of this area to properties now owned by the Boynton family and Waldo County that currently are in the Airport Growth zone.
2) Second change is to allow a maximum of 1 single family house for every 5 acres of land. Housing is now prohibited. It also is noted that housing is expressly prohibited at the Business Park and the Airport.

Other Issues & Ideas To Consider

1) It is important to better manage potential land use conflicts regarding current and future use of the airport by establishing an Airport Protection Overlay zone. The intent is to establish an overlay district that accurately reflects areas in which conflicts could occur, and regulations that effectively address these conflicts. The City Airport Committee should be consulted in establishing the boundaries and regulations that would apply to the overlay district. This proposed overlay district would replace the current Airport Growth zone area.
2) The City likely will need to upgrade the public sewer in the Business Park if a high volume water user locates at the Park. The current sewer can support low level users, but a high level user could require upgrades to the pump stations. City also may want to explore joint efforts with the County to extend sewer from this site to the Route 52 pump station near Troy Howard Middle School, rather than relying upon the current sewer line which pumps sewage to the Wight Street area.
3) City should consider acquiring land adjacent to the Airport and Business Park to enhance operations of such.
4) Consistent with 3 above, City should consider the long-term need to expand the size of the current Business Park. The few remaining lots in the Park likely cannot serve a larger scale use.

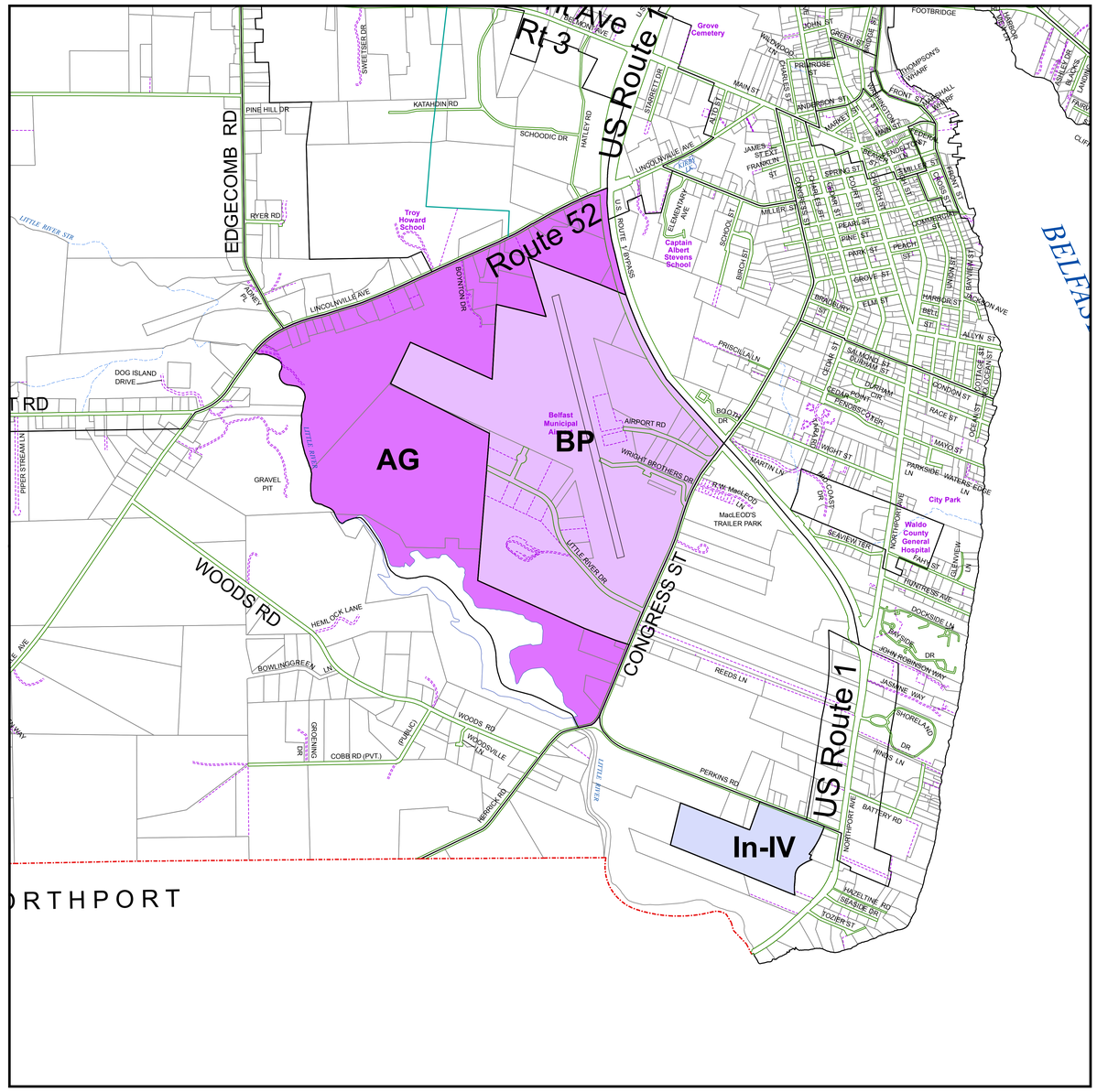
Business Park

PROPOSED LAND USE AREAS



Zone
BP Business Park

EXISTING ZONING



Zone
AG Airport Growth District
BP Business Park-Airport District
In-IV Industrial IV Perkins Road District

ROUTE ONE SOUTH MIXED USE

"SMALL SCALE COMMERCIAL & MIX"

Goal

To establish an area that recognizes the current mix of uses, retail stores, professional offices, service businesses, a hotel/restaurant, a light manufacturing business and residential, and to adopt regulations that allow such uses to co-exist while development of this area occurs.

Overview of Past, Current & Future Use

The ½ mile stretch of Route 1 located between Perkins Road to the south and the jug handle to the north has experienced a real mix of development. To the east of Route 1 lies Belfast Bay. The land area is about ¼ mile deep (between Rt 1 and the Bay) and the predominant development is residential. There are 3 main nonresidential uses located on the water side of the road, Moss, Inc. (manufacturer), State Farm Insurance (office), and Penobscot Bay Inn and Restaurant (hotel/restaurant), and all have frontage directly on Route 1. Most residences are closer to the coast, although some have frontage on Route 1, and one, Penobscot Shores, which is a retirement community, stretches from the road to the coast. The inland side of the road supports more business activity, with Aubochon Hardware the largest (about 20,000 sf) and the Irving Service Station the busiest. Several of the lots on the inland side of the area are quite large, but there is only a limited amount of remaining road frontage that is undeveloped.

Immediately to the north of the jug handle is a .75 mile stretch of Route One that fronts on the by-pass and which ends at Congress Street. The by-pass was constructed in the late 1960's and re-routed Route 1 so it no longer ran through the middle of in-town Belfast along Northport Avenue and High Street. The by-pass is a restricted access highway on which new curb-cuts/driveways are prohibited. The area to the east is part of Belfast's urban core. The area to the west is largely underdeveloped, although there are several uses located along outer Congress Street; an oil storage depot, a mobile home park, and several residences. This section of Congress Street also borders the City airport and Business Park.

Frankly stated, this area, unlike many in Belfast, has no central or overriding character. It is a mix of uses. The type and amount of commercial development appears to be limited by the area's location south of the Route 1 – Route 3 intersection. This section of Route 1 experiences much less traffic than near the Route 3 intersection or on the easterly side of the Memorial Bridge. There are several larger parcels near Congress

Street, but to date, there has been little demand to develop such. Further, some of the soil conditions in the area are quite wet, which affects how much area can be developed. And, until late 2006, there was little public sewer in the area. Public sewer (gravity) has now been built to the Perkins Road intersection, and there is some likelihood that development along Congress Street could tie into the City's force main line in this area by connecting to an existing pump station.

This is one of those areas in which the City should monitor future development activities to determine if one type of use becomes the most prevalent, and if it does, the City may want to reconsider the most appropriate zoning designation for this area. This is a 'Growth Area', mostly because of the general availability of public services (water & sewer), the area's location along or near a major highway (Route 1), and the amount of development which has occurred to date. There are additional opportunities for more development.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Retail Stores, up to 20,000 square feet, except that in the outer Congress Street area, particularly properties that front on Congress Street, only smaller sized retail stores should be permitted.
2) Professional Offices
3) Service businesses
4) Auto sales, service & repair
5) Manufacturing/Light Industry
6) Hotel
7) Restaurant, however, fast food restaurants are prohibited
8) Warehouses & Storage, including fuel storage
9) Single family & two family residential, including manufactured housing
10) Home Occupations, Larger Scale

Minimum Lot Size

1) 1 acre (sewer or septic), residential or nonresidential
2) Minimum 150 ft of street frontage, with increase in amount of road frontage for nonresidential uses based on size of development/building or amount of traffic generated

Density (Number of Housing Units per Acre)

1) 1 single family or two family residential unit per acre

2) No specific restriction on amount of lot coverage for either a residential or a nonresidential use

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

1) Residential Uses; Front setback of 30 feet and a side and rear setback of 15 feet.
2) Nonresidential uses; minimum 30 ft front setback, with increases based on size of use
3) Nonresidential uses; minimum 15 feet side and rear setback with increases based on size of development or proximity to existing residences

Major Changes Compared to Current Requirements

1) A major change is to extend the boundaries of the Route One South area to include most properties that are now located in the General Purpose-B zone. This includes properties that have street frontage on the northwesterly side of outer Congress Street. It is noted that the General Purpose-B zone allows a wide range/mix of uses, and that the proposed Route One South area would similarly allow a mix of uses.
2) A second major change is to decrease the type of housing and density of housing now permitted in either the current Route One South zone or the General Purpose B zone. Both zones currently allow multi-family housing and densities as great as 6 multi-family units per acre. The main reasons to decrease density are potential conflicts with future use and development of Belfast Municipal Airport and to emphasize that this area likely is better suited for nonresidential development in the long-term.
3) A third change is to revise the number of properties located on the easterly (water side) of the area that would be included in the Rt 1 South Mixed Use area. At present, all properties on the water side that are within 500 feet of Route 1 are in this area. This proposal would result in eliminating the Penobscot Shores property from this area, and the depth of the area would be determined by current property lines in the area. The intent is to include only properties that have road frontage on Route 1 in this area.

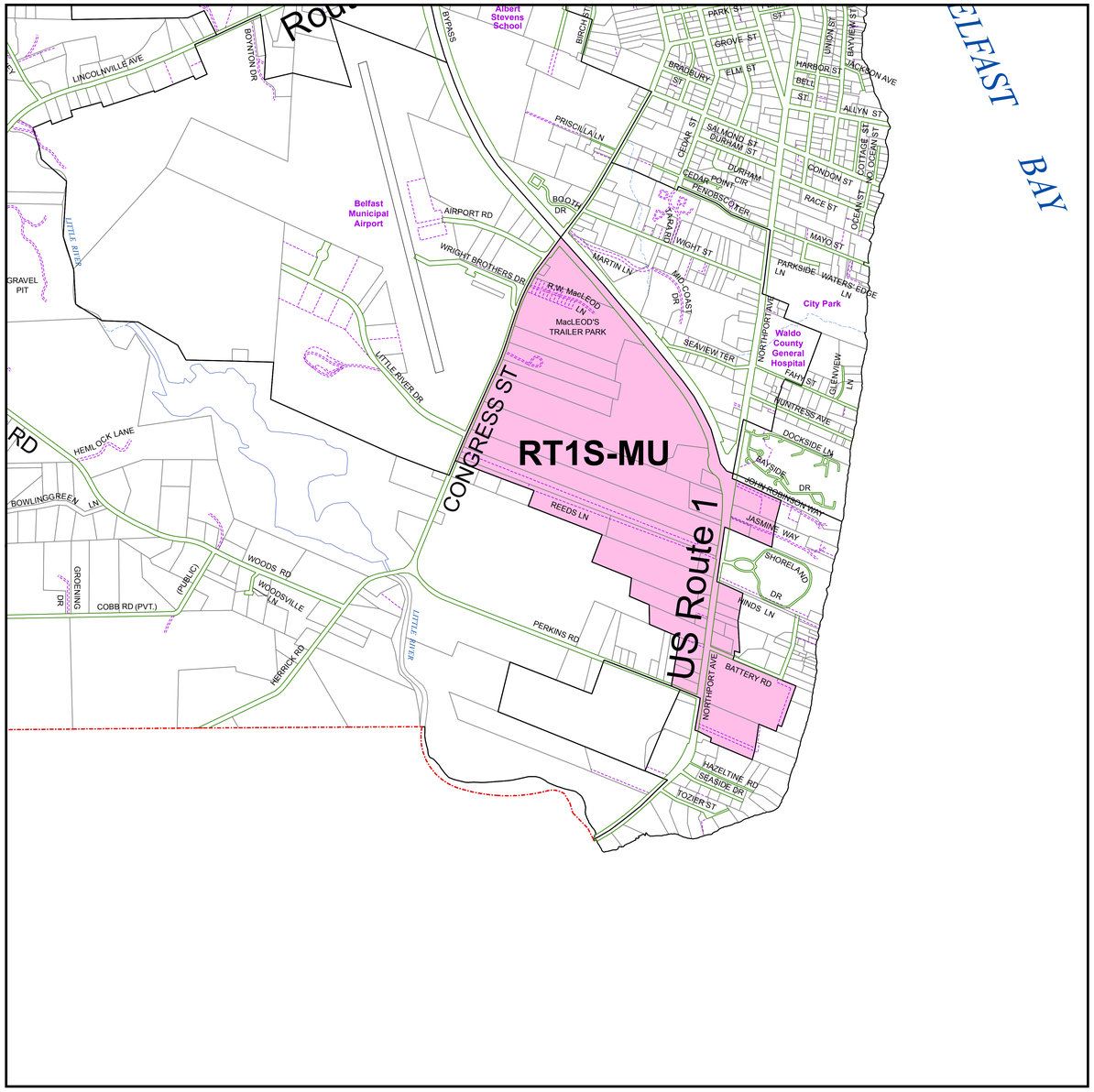
Other Issues & Ideas To Consider

1) It is important to manage conflicts with future use of airport by establishing the Airport Protection Overlay zone. This overlay district likely would have the greatest impact on properties located in the Congress Street area. The Airport Committee should assist in identifying potential conflict areas associated with current and future use of the airport.
2) There is a large amount of wetlands that affect the area located between Route One and Congress Street. This could adversely affect future development in this area.

3) This section of Route One is located within the urban compact zone, which means the City, and not MDOT, maintains the road and controls most decisions regarding access to Route 1.
4) MDOT, in 2007 – 2008, made initial improvements to the Congress Street and Route 1 intersection. In the longer term, this intersection likely warrants installation of a signal light, particularly if greater development occurs at the Business Park.
5) The limited access section of Route 1 located northerly of the jug handle often appears to be a rural area, partly because there are no curb-cuts and much of the area is wooded. The City may want to consider enacting regulations to require a protective wooden buffer strip along this section of Route 1 so the area retains its rural (forested) character.
6) The limited access highway requirement associated with the by-pass appears to have served Belfast well in helping to manage traffic in this area. The City should support the continuation of the limited access provision.

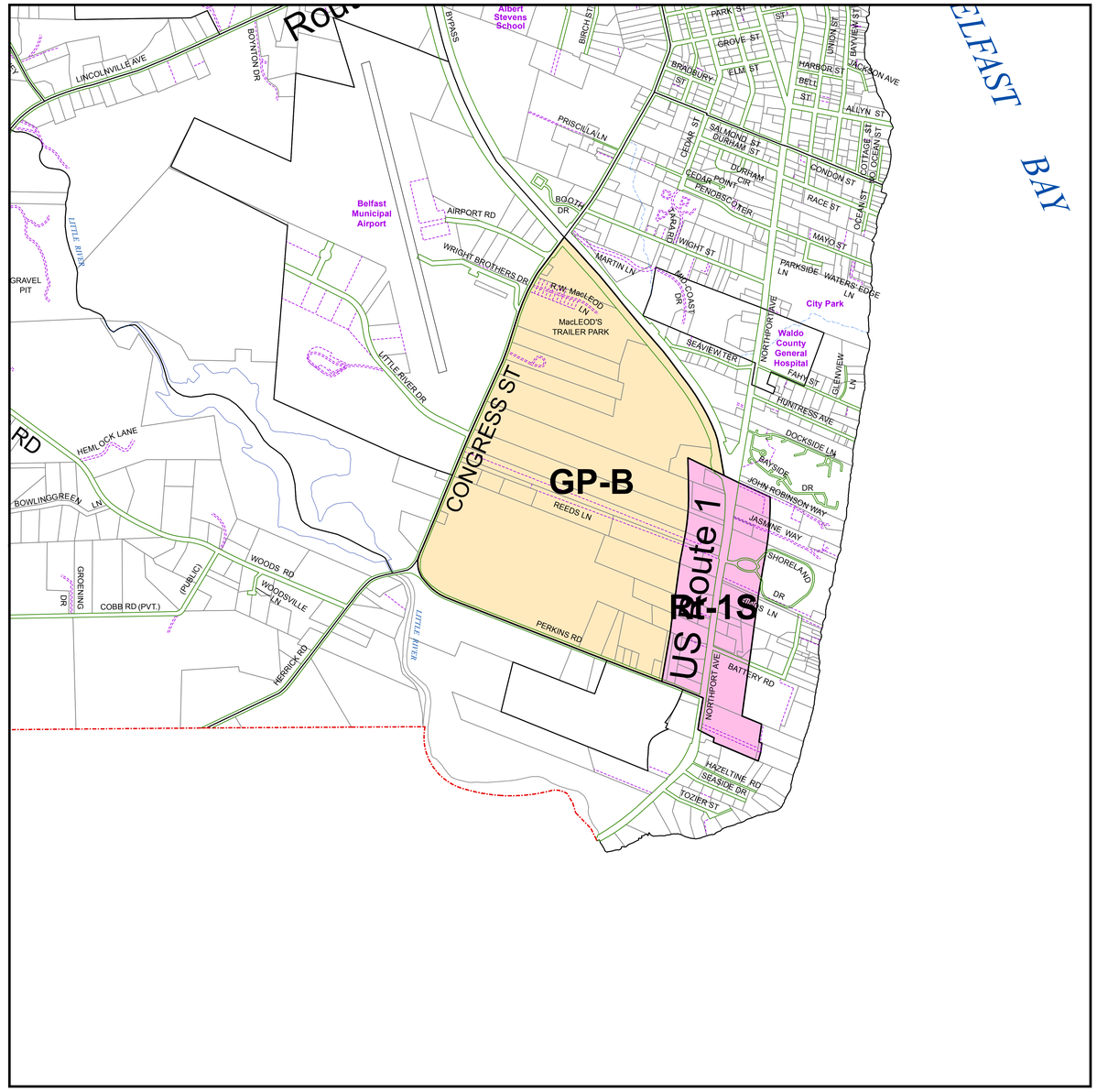
Route 1 South – Mixed Use

PROPOSED LAND USE AREA



Zone
RT1S-MU Route 1 South – Mixed Use

EXISTING ZONING



Zone
GP-B General Purpose "B" District
Rt-1S Route One South Commercial District

RESIDENTIAL 6 AREA

"WATERFRONT HOUSING AREA"

Goal

To establish an area in which residential development along the outer section of Belfast Bay is the predominant use.

Overview of Past, Current & Future Use

Most of the area located along the Belfast Bay waterfront, from the jug handle on Route 1 to the Northport – Belfast line, has been developed for single family housing, and quite a bit of such has occurred on smaller lots. Many of the houses are built immediately adjacent to the coast or have views of the coast. The streets in the area usually run from Route One to the coast, and all end in a cul-de-sac or private turnaround area; there are no cross streets that connect these streets to one another. There are one or two larger undeveloped parcels, and the only nonresidential uses in the area are located immediately adjacent to Route 1. The amount of land area between the Bay and Route One is usually about ¼ mile in depth.

At present, little of the existing development in this area is served by public sewer, and most of the existing houses use individual septic systems. Public sewer ends at Perkins Road, and many of the residences are located south of this area along Tozier Street, Seaside Drive and Hazeltine Road. Also, many of the homes located northerly of Perkins Road are often near the coast, such as along Battery Road, and sewer to this area is via a private force main (pump line) and serves only a limited number of homes. While there are some opportunities for additional housing, these opportunities are quite limited. Also, all areas within 250 feet of the Bay are subject to City/State Shoreland requirements, usually requirements of the Limited Residential subdistrict. The exception is the Battery which is in the General Development Subdistrict, which is a shoreland zoning classification which the City should re-examine.

The Residential 6 zone is a 'Growth Area', but the total amount of new housing which can be constructed in this area will be limited. Also, most of the housing will be upper end homes because of the waterfront location or water views.

Recommendations

Permitted Uses (Examples of Main Use)

1) Single-family & two-family residences

2) Congregate Care & Elderly housing
3) Home Occupations, Small Scale (low impact)
4) Schools, Churches, Child Care & Similar Uses

Minimum Lot Size

1) 1/2 acre – 20,000 sq ft for single family if on sewer or septic
2) ½ acre – 20,000 sq ft for two-family if on sewer
3) 1 acre for two-family if on septic
4) 1 acre for nonresidential development
5) 100 feet road frontage, increasing to 200 feet if on Route One

Density (Number of Housing Units per Acre)

1) 2 single family houses per acre (sewer or septic)
2) 4 two-family units per acre if on sewer
3) 2 two-family units per acre if on septic
4) 0 multifamily housing per acre, it is a prohibited use
5) There is no specific density standard for congregate housing or elderly housing. Penobscot Shores is a congregate housing project.
6) It is noted that density for housing usually increases to 1 house per 30,000 square feet in the Shoreland Zone, however, it may be appropriate to allow a higher density standard (more units per acre) for select properties located in the Battery that are also in the Shoreland Zone.

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

1) Residential uses; usually 30 feet front and 15 feet side & rear
2) Congregate Care & Elderly Housing, likely 30 feet front and 25 feet side & rear
3) Nonresidential uses, 30 feet front and 25 feet side and rear
4) No specific restriction on amount of lot coverage for either a residential or nonresidential use; unless property is located in the Shoreland area.

Major Changes Compared to Current Requirements

1) The Residential 6 area proposal would create a new zoning district which would replace the current Residential II zone that applied to most of this area. This change results in the following:
   - an increase in the minimum lot size from 15,000 square feet to 20,000 square feet, which reflects the unavailability of sewer to most of this area
   - an increase in the amount of road frontage from 60 feet to at least 100 feet and to 200 feet if the property is on Route 1. One hundred (100') is more

appropriate for a ½ acre lot, however, small frontage lots should be prohibited on Route 1.

- Eliminates offices uses which are now a permitted use in the Residential II zone.

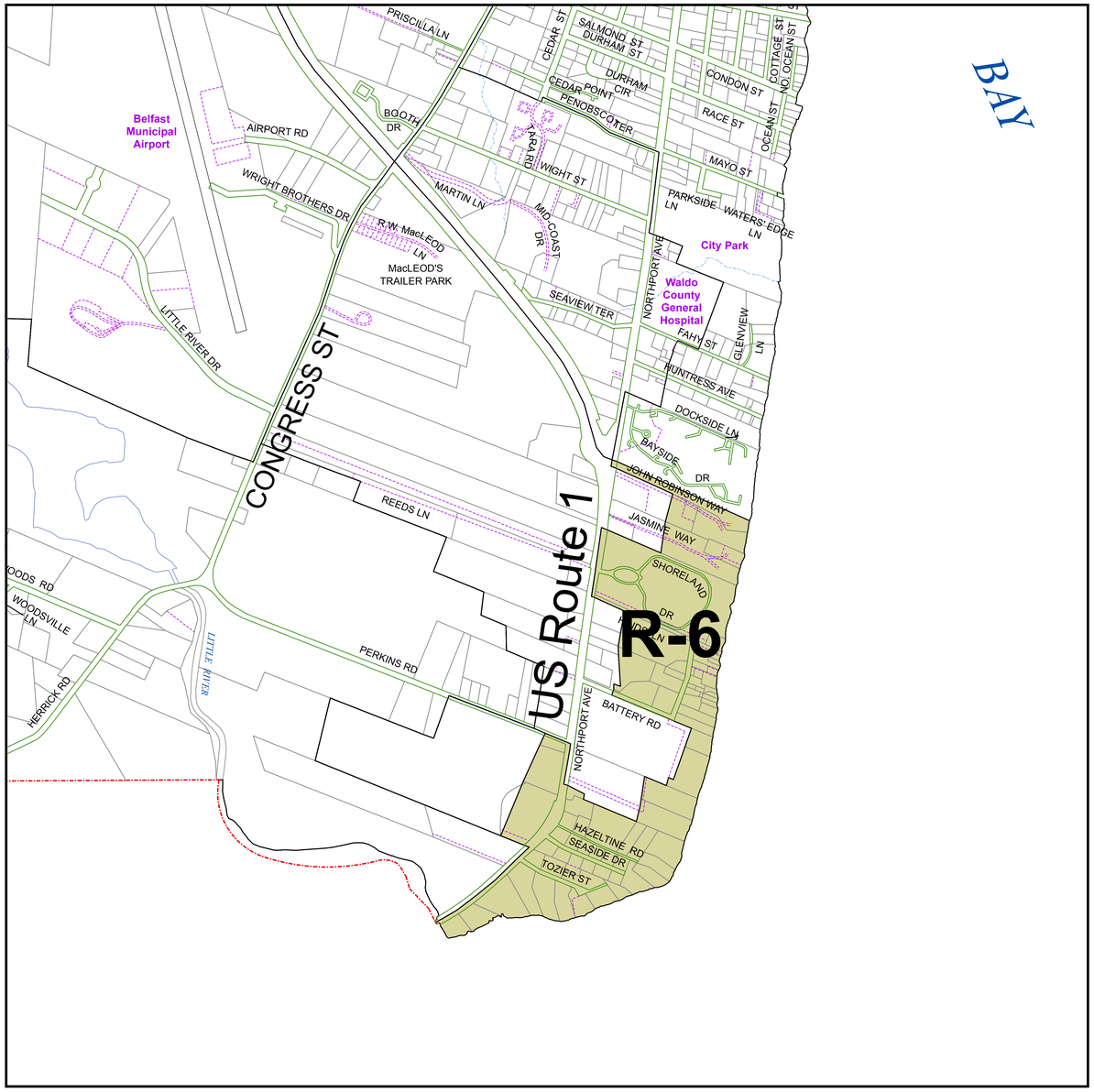
2) Removes the section of the Penobscot Shores property that is located adjacent to Route 1 from the current Rte 1 South zone, which results in all of this property being included in one district. Also, several smaller properties that have no frontage on Route 1 would now be included entirely within a residential district. Properties located between the jug handle and Perkins Road that have frontage on Route 1 would be in a mixed use district rather than this residential area, with the exception of the Penobscot Shores property.

Other Issues & Ideas

1) Much of the area is subject to Shoreland zoning requirements, which mandates setbacks from the water and increases in the minimum lot size. Area also includes the mouth of the Little River. Most of the Shoreland area is in the Limited Residential subdistrict, however the 'Battery' is now in the General Development subdistrict. The General Development subdistrict allows a wide range of uses, including most nonresidential uses. The City should consider amending the Shoreland classification for the Battery area.
2) The public sewer extension the City constructed on Route 1 to Perkins Road could eventually be used to extend sewer to residences located in the Hazeltine Road, Seaside Drive, and Tozier Street area, however, there appears to be little need to extend such service at this time. It is recommended that any such extensions occur at property owner expense rather than City expense, since most of the lots in this area have sufficient size to support on-site wastewater disposal, most of the available land has been developed, and there are limited opportunities for additional development.
3) Many of the homes in this area have high property values because of the waterfront location. Within the last five years, there has been growing interest in the construction of private docks. The City should monitor the amount of dock construction and where it occurs, and should consider amending its current dock regulations if too many docks are proposed. This concern would need to be examined by the Harbor Committee.

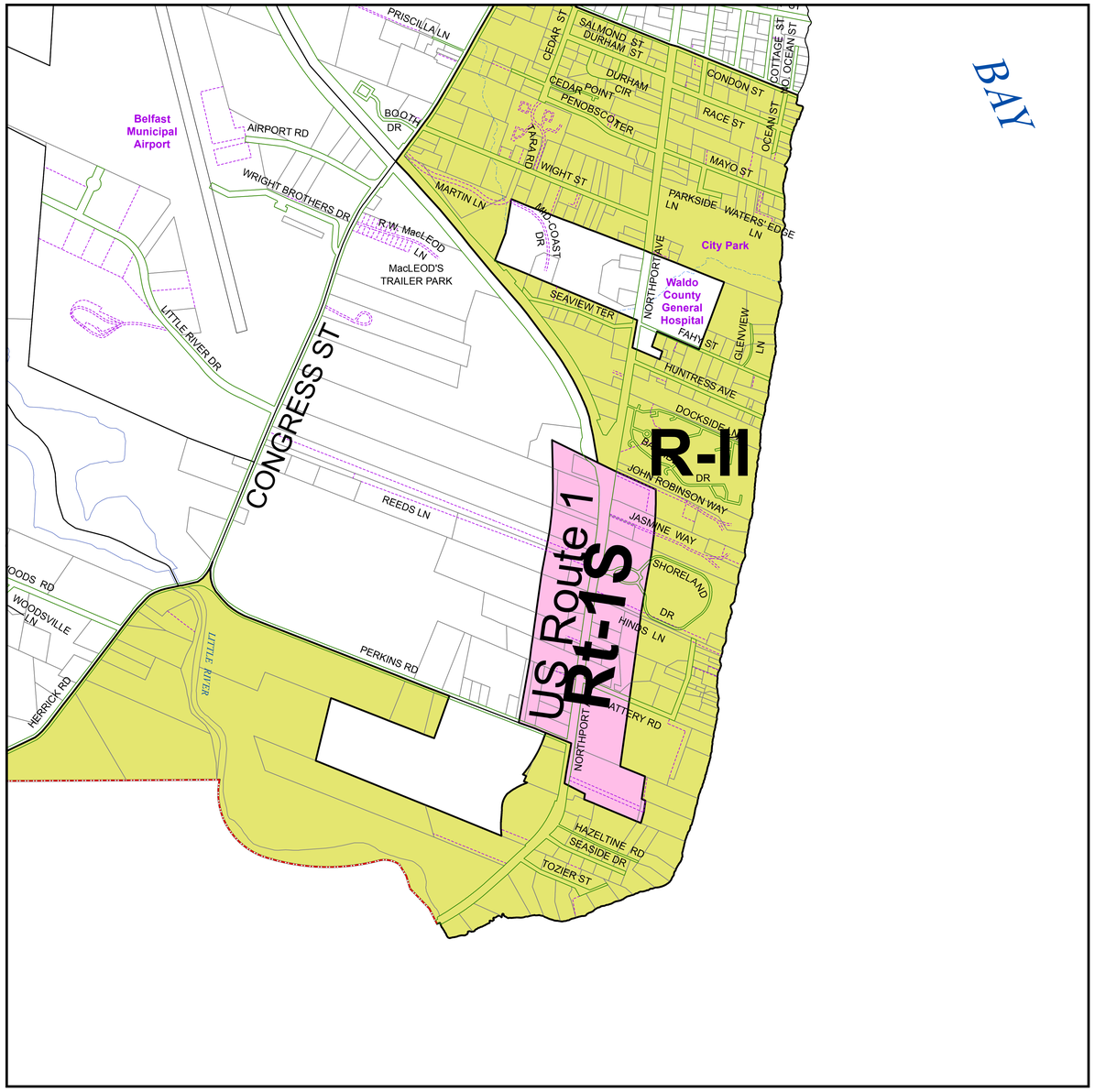
Residential-6

PROPOSED LAND USE AREA



Zone
R-6 Residential 6

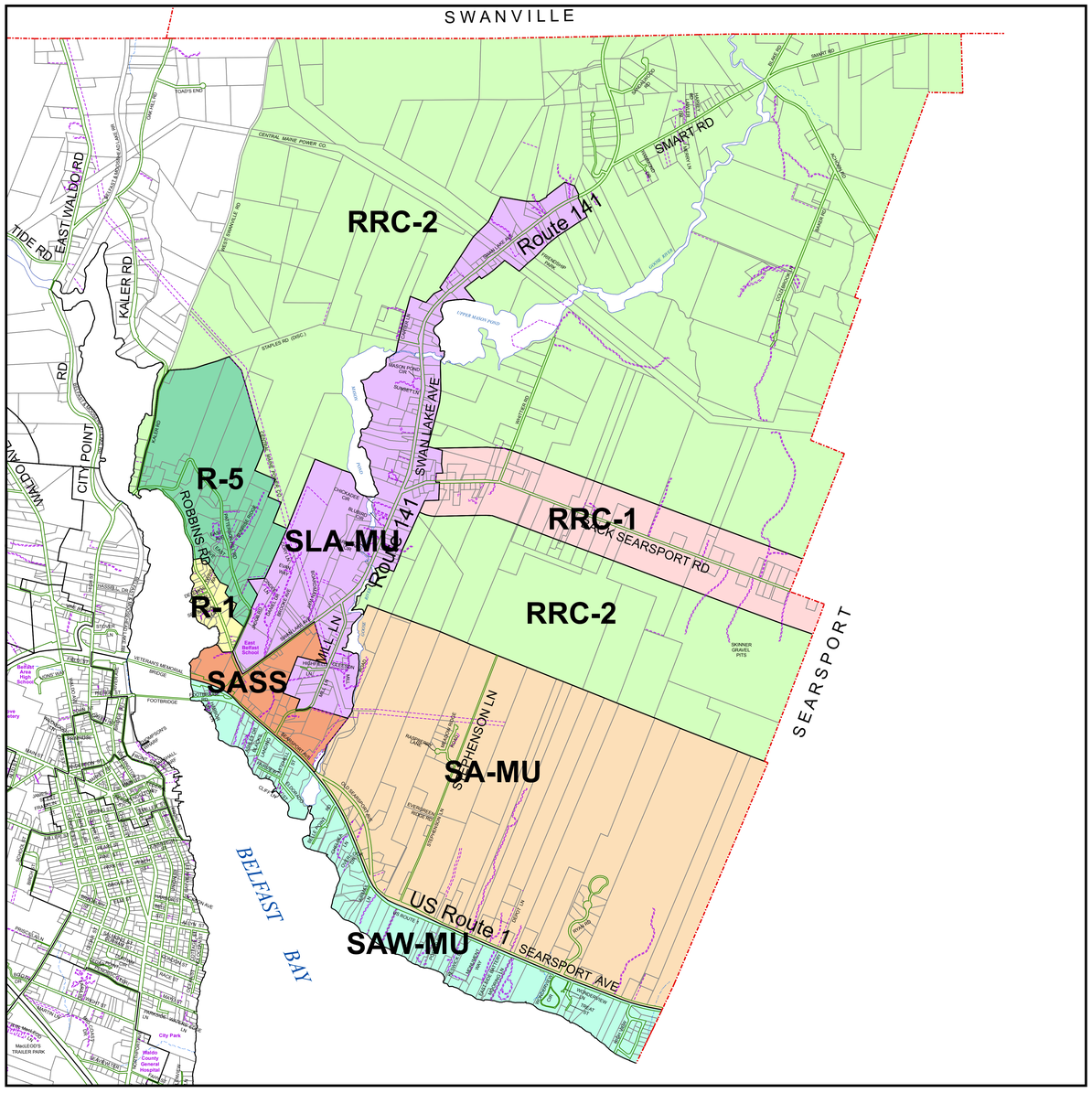
EXISTING ZONING



Zone
R-II Residential II District
Rt-1S Route One South Commercial District

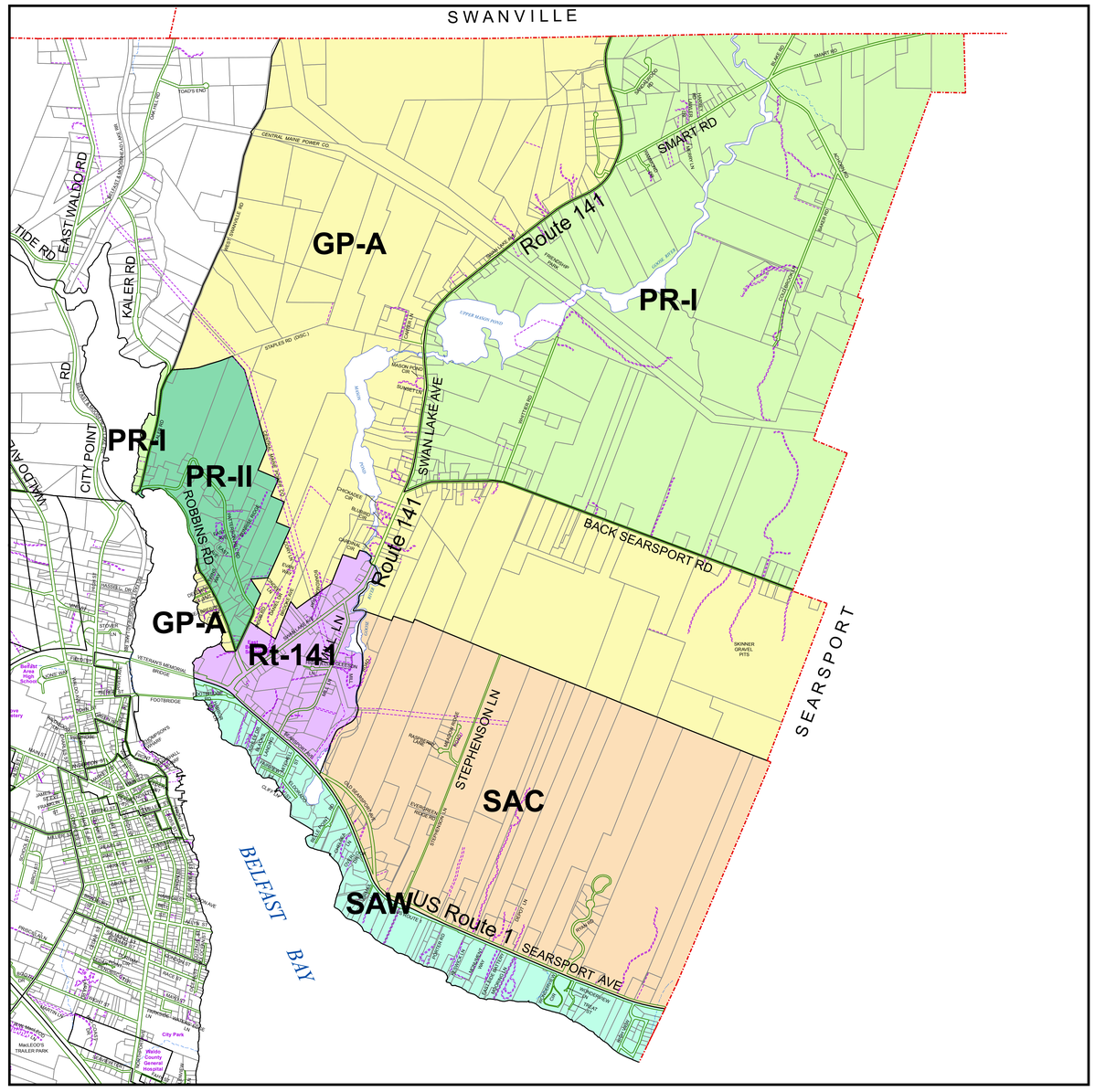
EAST SIDE

PROPOSED LAND USE AREAS



Zone
R-1 Residential 1
R-5 Residential 5
RRC-1 Rural Road Class 1
RRC-2 Rural Road Class 2
SA-MU Searsport Avenue – Mixed Use
SAW-MU Searsport Avenue Waterfront – Mixed Use
SLA-MU Swan Lake Avenue – Mixed Use
SASS Searsport Avenue – Small Scale

EXISTING ZONING



Zone
GP-A General Purpose "A" District
PR-I Protection Rural District
PR-II Protection Rural-2 District
Rt-141 Route 141 and Mill Lane Commercial District
SAC Searsport Avenue Commercial District
SAW Searsport Avenue Waterfront District

RESIDENTIAL 1 AREA
(Robbins Road Area)

"EXISTING RIVERFRONT HOUSING AREA"

Purpose

To establish a protected residential area which recognizes that all properties in the area have access to public sewer and which encourages the renovation of existing houses and construction of new houses by allowing housing at lot sizes that are similar to most current development.

Overview of Past, Present & Future Use.

Until the early 1990's, many homes in this area were 40+ years old and were quite modest in size. Most were located on lots that were less than ½ acre (21,780 square feet) in size, and some on lots as small as 4,000 square feet in size. The small size of the lots, the area's proximity to the Passagassawakeag River, and the questionable status of subsurface wastewater disposal systems in the area, prompted the City, with the assistance of State Community Development Block Grant monies, to extend public sewer service to the area in the early 90's. Soon thereafter, the character of housing construction in this area began to change.

In the past 15 years, many of the former modest homes have been extensively renovated or have been demolished and replaced with newer, larger, more expensive homes. Newer residents appear to be attracted to the area's location along the upper reaches of the Passagassawakeag River and consider this narrow strip of land along Robbins Road a desirable place to live. This trend also has resulted in many of the former residents 'moving on'. In many respects, this area likely has seen greater change than most any other area in Belfast, and this transition appears to be continuing.

The area's changing character also is reflected in how the City proposes to regulate development. In 2004, the City amended the Shoreland Zoning standards that apply to this area to establish it as a residential only zone. Prior to 2004, the area was included in the General Development Subdistrict of the Shoreland Zone, a Subdistrict that allowed most types of uses; industrial and commercial uses as well as housing. The area is now in the Urban Residential Subdistrict, which is the same Shoreland Zoning designation that applies to properties along streets such as Bay View and North Ocean Street (located inside the bypass along the coast).

The City now proposes to establish consistency between the Shoreland Zoning adopted in 2004 and the main underlying zoning. The recommended approach is to establish this as part of the Residential 1 zone, which is the same zoning district that now applies to the Cedar Street – Court Street area. This zoning would allow houses on small size lots, about ¼ acre, and with minimal street frontage, 60 feet. At present, this area is part of the General Development–A zone which allows most uses, including industrial and commercial. It is also believed that it would be appropriate to extend this land use district to the area located immediately adjacent to the inland side of Robbins Road; an area which also has public sewer. If this approach is adopted, there could be some increase in the number of new houses constructed, but it should ensure that the main future use will be housing renovations and expansions.

This area is considered a residential 'growth area'. The small size of the area results in it being unable to support a significant number of new homes, however, the availability of sewer and the density permitted classifies it as a 'growth area'.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Single-Family & Two-Family
2) Home Occupations, Small Scale Only, including Bed & Breakfast
3) Municipal Uses
5) Schools, Churches, Day Care Centers & Similar Uses

Minimum Lot Size

1) ¼ acre – 10,000 square feet (sewer)
2) ½ acre – 20,000 square feet (septic)
3) 60 feet street frontage

Density (Number of Housing Units per Acre)

1) 4 single-family houses per acre (sewer)
2) 2 single-family houses per acre (septic)
3) 8 two-family (duplex) units per acre (sewer)
4) 2 two-family (duplex) units per acre (septic)
5) 0 multi-family units per acre. Multi-family is a prohibited use.
6) No specific lot coverage requirement in the zoning ordinance for either residential uses or the limited number of nonresidential uses that can occur. It is noted, however, that most of the area on the southerly side of Robbins Road along the River is in the Shoreland Zone and that maximum lot coverage requirements apply.

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

1) Variable front setback for residential based on existing development patterns, with the possibility of reducing the setback to as little as zero feet from the Robbins Road right-of-way, particularly for properties on the water side of Robbins Road. It is noted that many of the homes, particularly on the water side, are located close to Robbins Road because of the small size of the lots. It also is noted that existing development patterns for many of properties on the inland side of Robbins Road would result in a structure setback that is larger than on the water side. One reason cited for instituting this provision is that Robbins Road is a 66' wide right-of-way.
2) Side setback of 15 feet, but perhaps some flexibility to allow a lesser setback for structures located on existed undersized (nonconforming) lots.
3) Rear setback of 15 feet for dwelling units and 5 feet for an accessory structure, if the accessory structure is detached from the main structure.

Major Changes Compared to Current Requirements

1) The water side of Robbins Road would change from the General Purpose A zoning district to the Residential 1 zoning district. The General Purpose-A zone allows most uses, retail, service businesses, light manufacturing, and others, while in the Residential 1 zone, housing is the main permitted use. That said, this change would have little effect on most properties on the water side of Robbins Road because nearly all of the land is in a Shoreland Subdistrict that now only allows housing uses.

2) On the inland side of the Robbins Road, from the intersection with Patterson Hill to the point at which Robbins Road meets the River, the City would amend the zoning district from the current Protection Rural 2 zone to the Residential 1 zoning district. The main effect of this change would be to reduce the lot size from ½ acre with sewer to ¼ acre with sewer. There would be little affect on the range of uses permitted since the Protection Rural 2 zone is also largely a protected residential area.

   The proposed change is consistent with the overall guidelines that were used to prepare this Plan, including:
   - In most areas outside the by-pass, the zoning on both sides of the road should be the same;
   - In areas with public sewer, smaller size lots should be permitted.

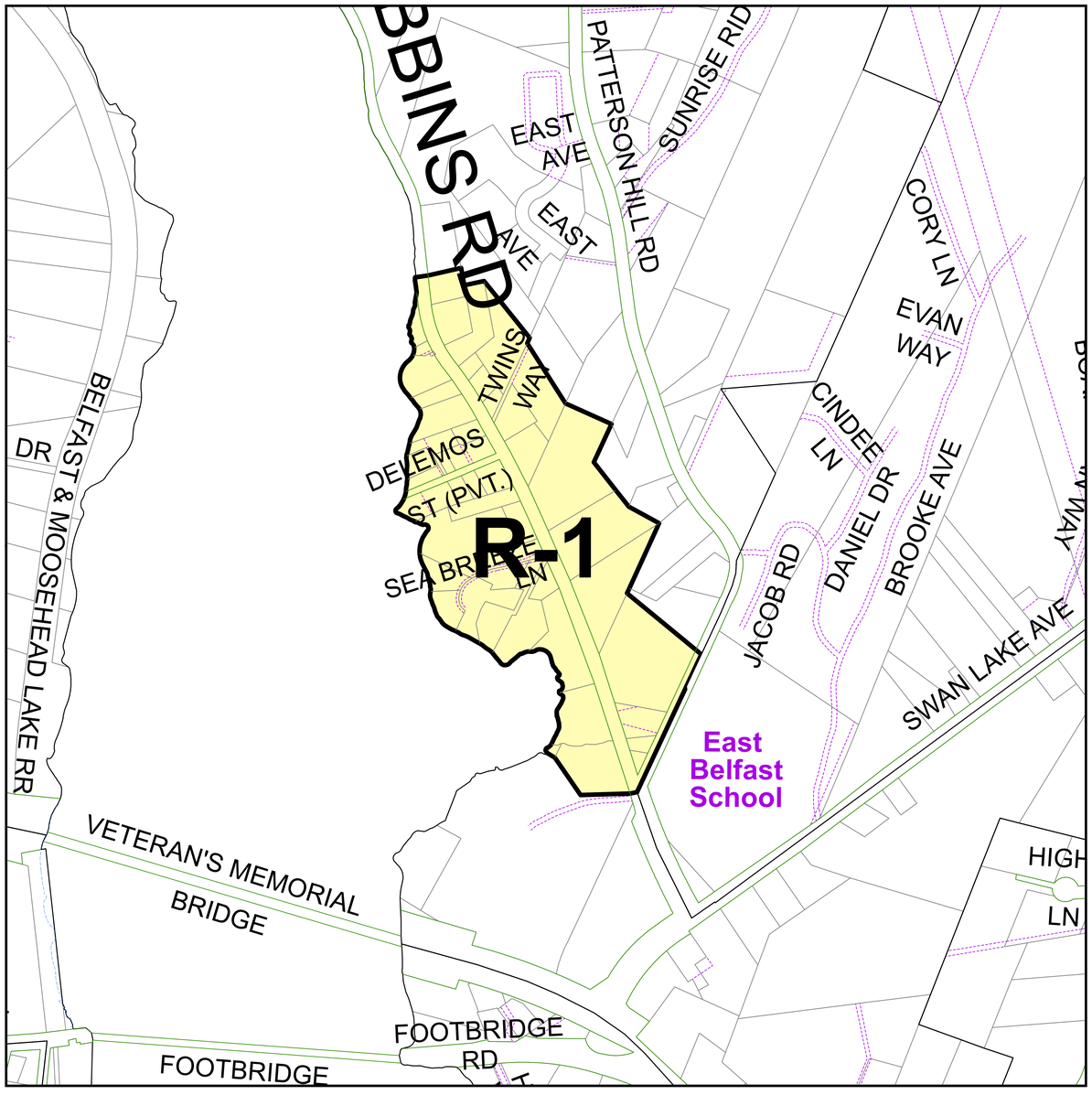
   This proposed change results in 18 lots which have frontage on the inland side of Robbins Road being included in the proposed Residential 1 zone rather than the Protection Rural 2 (Residential 5) zone.

Other Issues & Ideas to Consider:

1) There is a need for improved stormwater management along Robbins Road.
2) Robbins Road experiences both local and non-local traffic, which appears to contribute to speeding in the area. Robbins Road provides a connection to Oak Hill/City Point Road, which is the nearest alternative to the Veterans Memorial Bridge to cross the Passagassawakeag River.
3) Longer-term, the City should consider constructing a sidewalk along this section of Robbins Road, or widen the road to accommodate a bicycle lane. The Coastal Mountain Land Trust has acquired the former Belfast and Moosehead Lake Railroad line from the Memorial Bridge to City Point (Train Station on City Point Road) and converted the former railroad bed into a bicycle/pedestrian trail. It also has been suggested that this trail system should link to the Belfast Footbridge via Kaler Road and Robbins Road. If there is a substantial increase in foot traffic or bicycle traffic on this road, the City may need to consider providing pedestrian oriented amenities. That said, the proximity of houses to the road along Robbins Road and the slope of the road could make it very difficult to construct a good quality sidewalk or paved shoulder. The potential need to construct a sidewalk is one of the reasons why the City should continue to own a 66 foot wide road right-of-way.

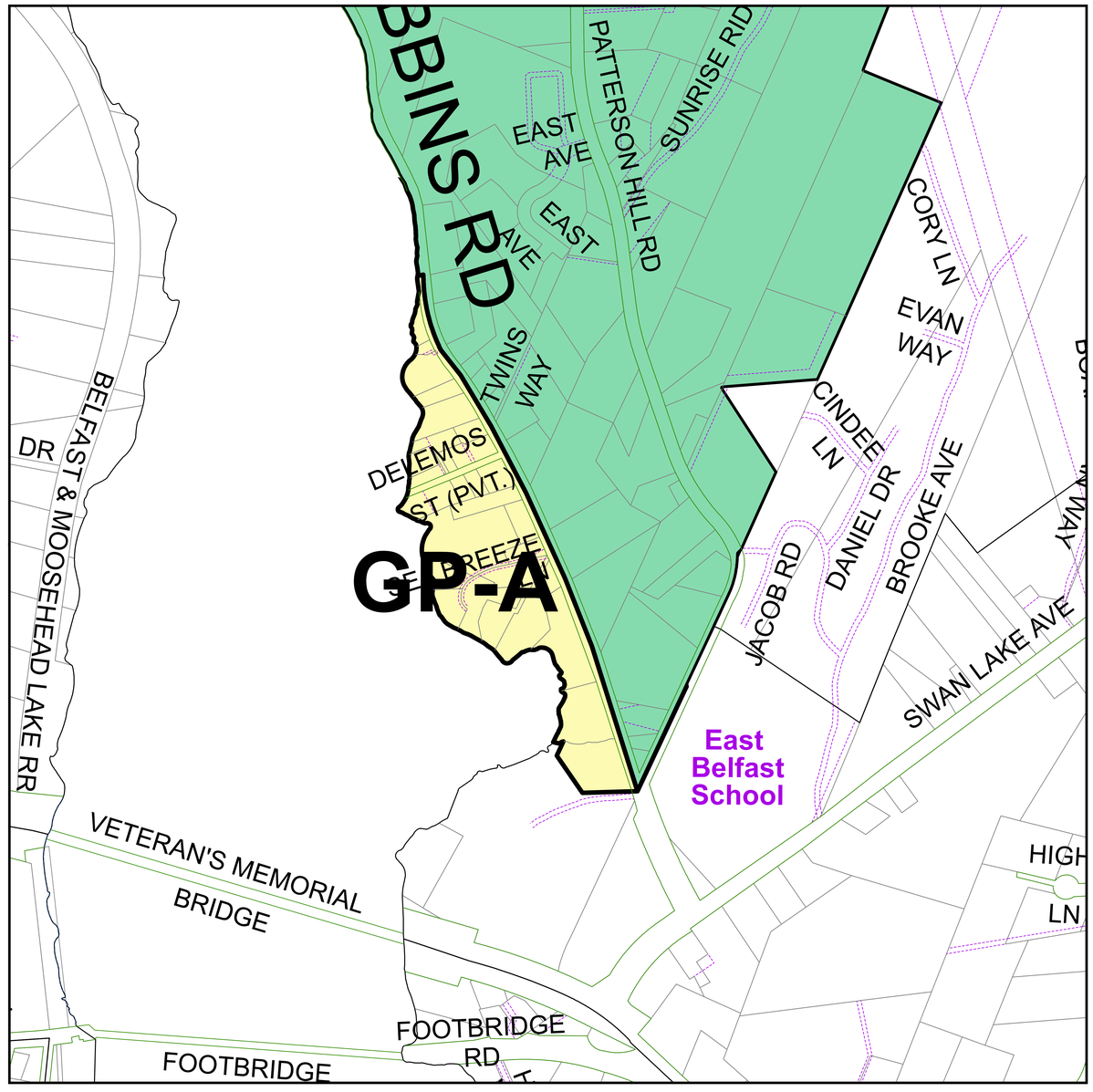
Residential-1

PROPOSED LAND USE AREA



Zone
R-1 Residential 1

EXISTING ZONING



Zone
GP-A General Purpose "A" District

RESIDENTIAL 5 AREA

"PROTECTED HOUSING AREA"

Purpose

To establish a regulatory approach that recognizes that the land uses which occur in this area, and residents' expectations of the type of uses which should occur in this area is transitioning from one in which a wide variety and mix of uses was permitted, to an area in which single family housing should be the predominant use.

Overview of Past, Current & Future Use

This area largely is located along Patterson Hill Road. Most existing development consists of single family housing, some of which is located on small lots (1/2 acre and less), others of which is on parcels that are 5+ acres in size. Other developments in the area include the Bay Head Apartments (26 unit PenquisCAP affordable housing project) and the Midcoast Christian Fellowship Church and an associated regional food pantry. Many who live in the area were born and raised in Belfast, but that has started to change over the last 10 years as others have moved into the area, partly because of the views of the River and Bay afforded by the height of Patterson Hill.

The current zoning for this area was established in 2000 through the citizen petition process that is identified in the adopted 1997 Comprehensive Plan. This process allowed the residents of an area that was zoned General Purpose A to petition the City to change the zoning to a Protection Rural status. The current zoning is called Protection Rural-2, which differs from the Protection Rural 1 zone because it allows housing development on smaller lots.

The proposal does not envision any amendments to the limited range of uses permitted in this area under the current Protection Rural 2 zone. The only recommended change is to include properties that currently have road frontage on Robbins Road and which have access to public sewer in the adjacent (proposed) Residential 1 zone which is located on the water side of Robbins Road. This area likely can accommodate a modest increase in the amount of current housing, partly because most housing in this area uses septic for waste disposal. This area largely qualifies as a limited 'Residential Growth' area.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Single-Family & Two-Family Residential
2) Home Occupations, Larger Scale Permitted, including Bed & Breakfast
3) Municipal Uses
4) Schools, Churches, Day Care Centers & Similar Uses
5) Agriculture

Minimum Lot Size

1) 1 acre for single family or two family or a nonresidential use on septic
2) ½ acre for single family or two family or a nonresidential use on sewer
3) 100 feet street frontage for all uses

Density

1) 2 single family houses per acre (sewer)
2) 1 single family house per acre (septic)
3) 4 two-family (duplex) units per acre (sewer)
4) 2 two-family (duplex) units per acre (septic)
5) 0 multi-family units per acre; multi-family is a prohibited use
6) No specific restriction regarding amount of lot coverage for either a residential or a nonresidential use.

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

1) Current front setback requirement of 30 feet, perhaps a reduction to 20 feet is warranted. Quite a few of the current houses do not satisfy the 30 foot front setback requirement.
2) Side and rear minimum setback of 15 feet for both residences and the limited number of nonresidential uses that are permitted.

Major Changes Compared to Current Requirements

1) The most significant change is to include 18 properties that have frontage on Robbins Road and which have access to public sewer in the proposed Residential 1 area rather than in the Protection Rural 2 (Residential 5) area as is now the case.
2) Consider the desirability of reducing the front setback requirement for structures.

3) Also, there is no height limit identified in the current Protection Rural-2 zone standards. A structure height limit may be appropriate for this area.

Other Issues & Ideas To Consider

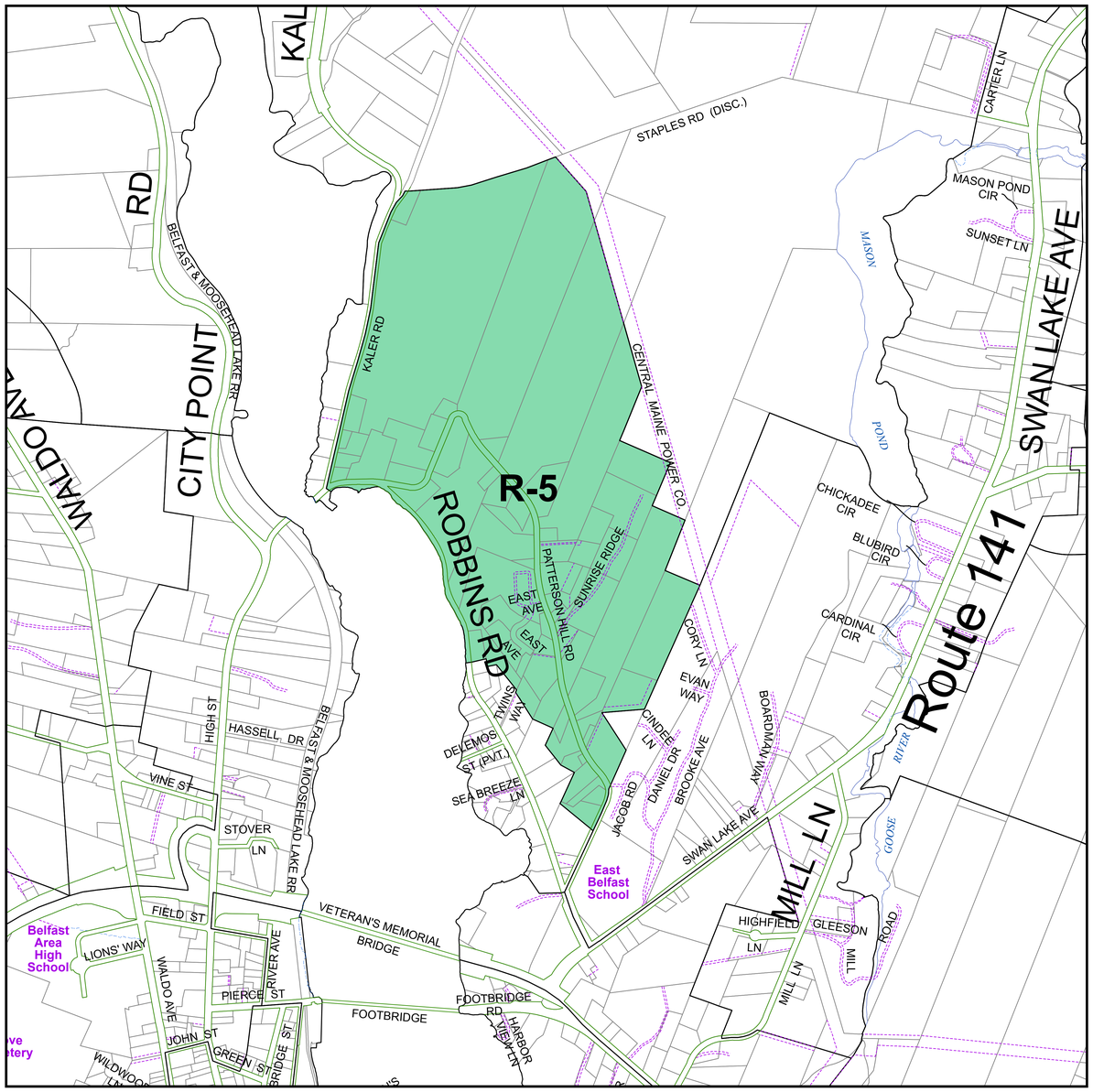
1) Steep slopes on Patterson Hill often cause conflicts with development. The City should consider adopting 'steep slope' provisions to regulate development in this area and other areas.

2) Most of the area lacks public sewer, and some existing lots are quite small in size. There is a long-term potential (need) of extending public sewer to this area. That said, if the City invests in installing public sewer in this area, it may warrant a change in the zoning to allow greater densities of housing development.

3) This area is a cross between 'rural' and smaller lot residential, but there is little public infrastructure to manage stormwater or to accommodate pedestrians. The City should explore the desirability of constructing sidewalks or using an extended pavement shoulder for Patterson Hill Road. Further, stormwater improvements should be considered.

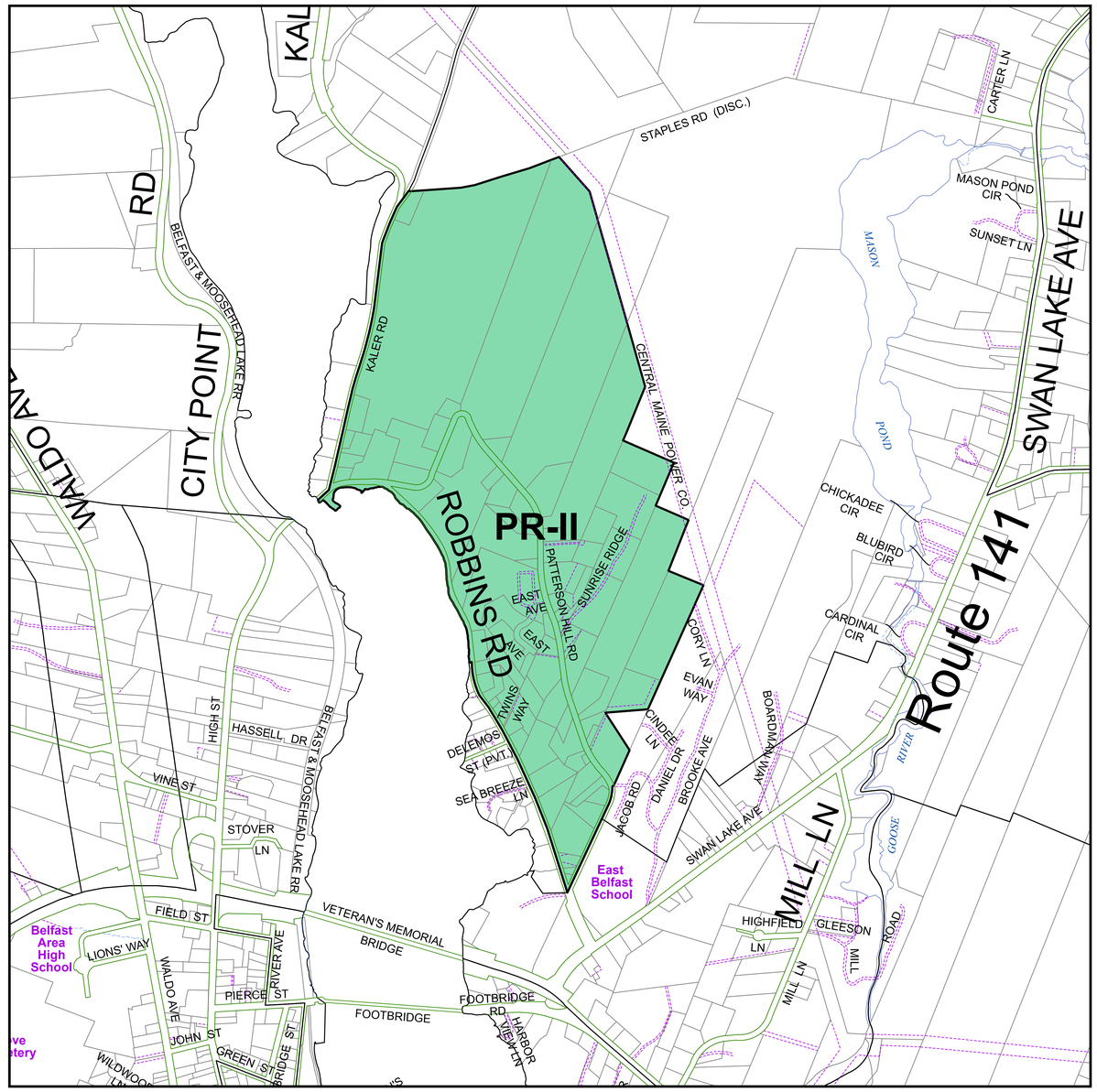
Residential-5

PROPOSED LAND USE AREA



Zone
R-5 Residential 5

EXISTING ZONING



Zone
PR-II Protection Rural-2 District

SWAN LAKE AVENUE MIXED USE

HOUSING & SMALL SCALE COMMERCIAL

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) ½ 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 provisioins.

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.

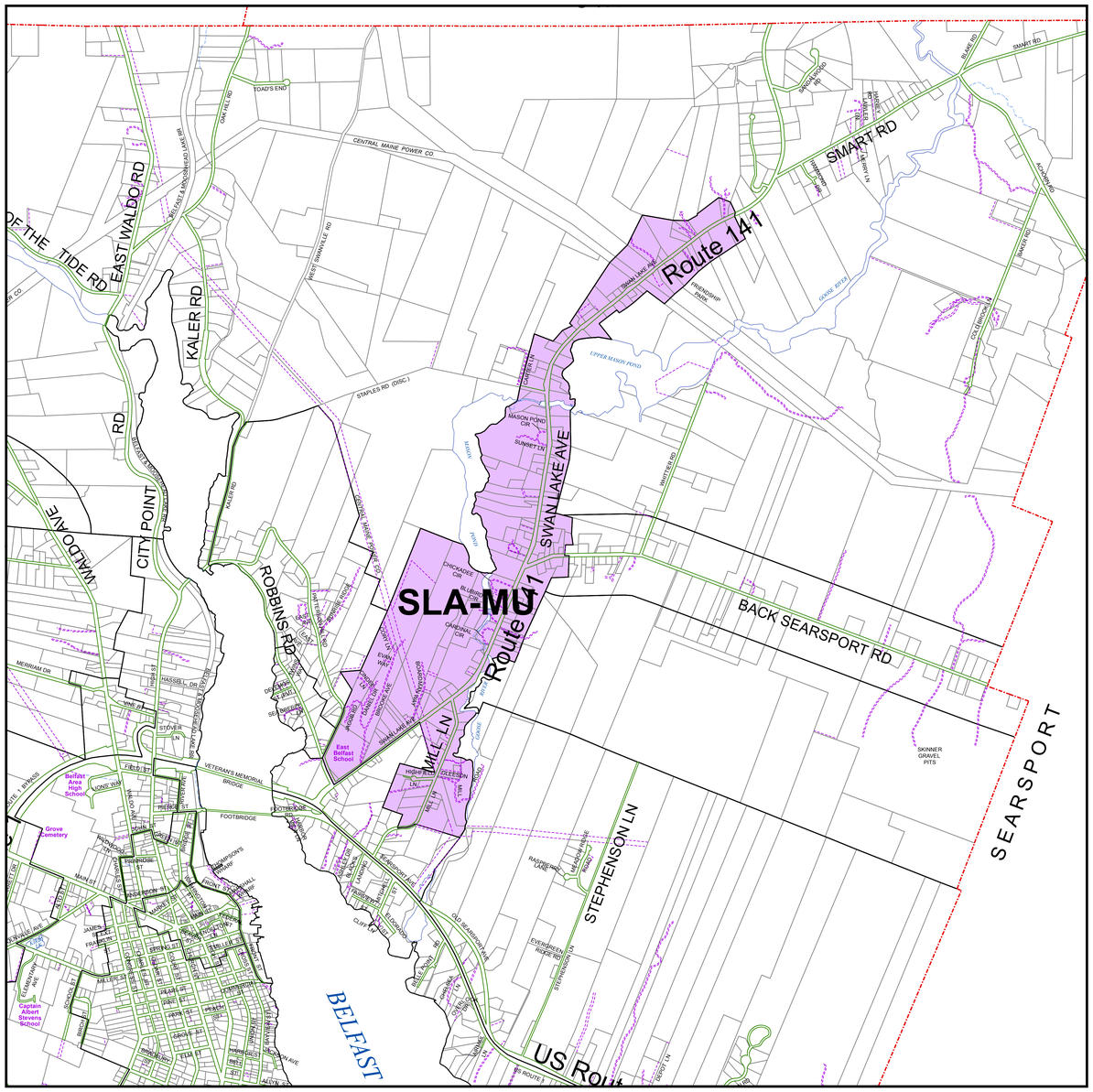
1) Some of the area located easterly of the Back Searsport Road is now in the Route 141 and Mill Lane Zoning Districts. This proposal would result in reducing the range of nonresidential uses now allowed in this zone. For examples, hotels and restaurants would be prohibited, and the size of some nonresidential 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.

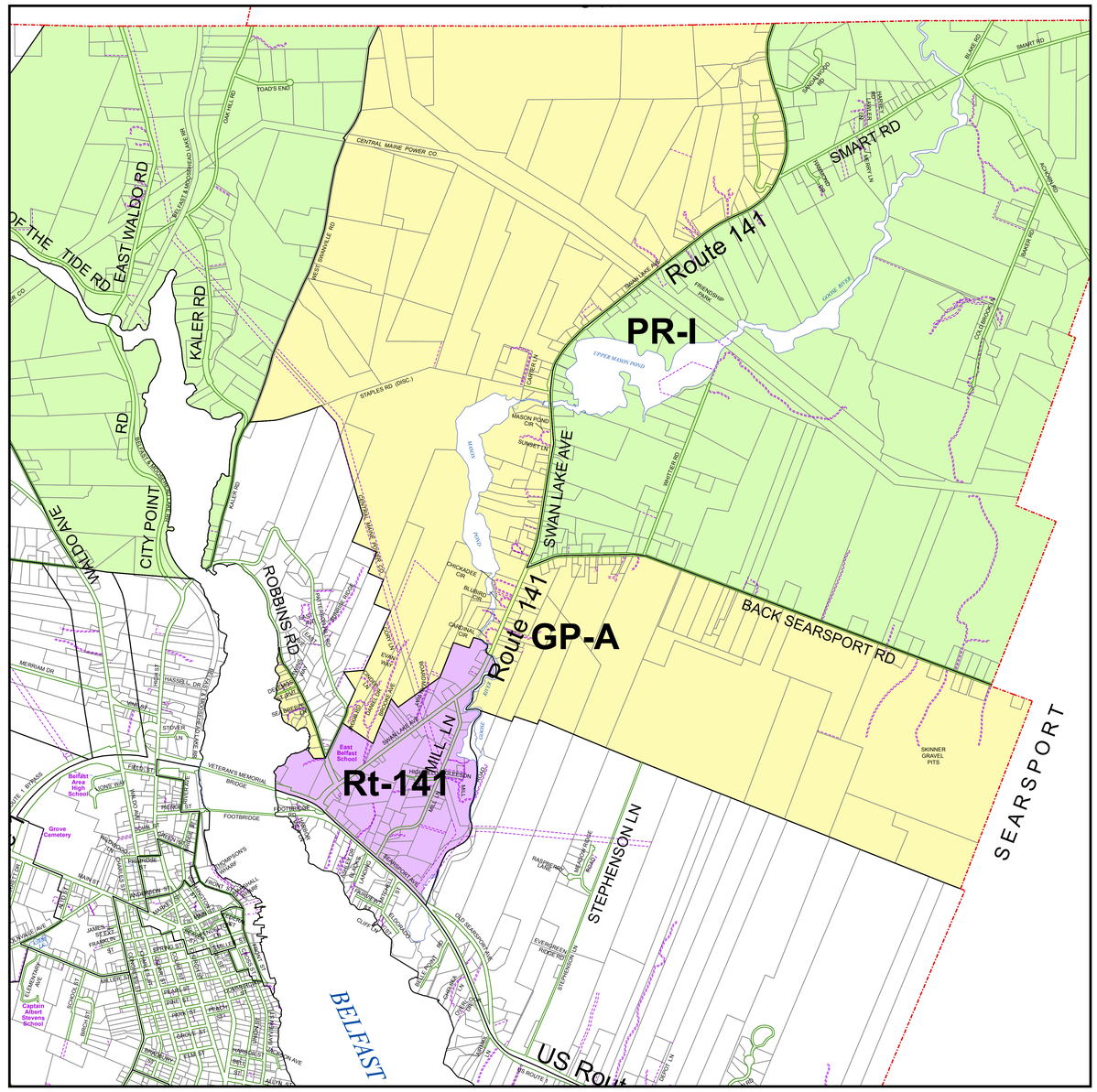
Swan Lake Avenue – Mixed Use

PROPOSED LAND USE AREA



Zone
SLA-MU Swan Lake Avenue – Mixed Use

EXISTING ZONING



Zone
GP-A General Purpose "A" District
PR-I Protection Rural District
Rt-141 Route 141 and Mill Lane Commercial District

SEARSPORT AVENUE SMALL SCALE AREA

"SMALL BUSINESS AREA"

Goal

To establish an area located mostly along Searsport Avenue, from the Veterans Memorial Bridge to the Goose River in which small scale business development is encouraged.

Overview of Past, Current & Future Use

The area is located along Searsport Avenue, from the Veterans Memorial Bridge to the south and the Goose River to the north. It also includes a limited amount of area along Swan Lake Avenue/Route 141; area between Searsport Avenue and the Holmes Green House property. The area includes the only two roads, Swan Lake Avenue 141 and Mill Lane (which connects to Swan Lake Avenue), that allow travel to the west for the entire length of Searsport Avenue (2.25 miles) in Belfast.

The dominant use in this area is small scale business. The Eastside Garage, the Big Apple (Mobile) Service Station, a wedding gown store and an insurance office are some of the small businesses along Searsport Avenue. Holmes Green House is the largest business along Swan Lake Avenue, and the Eastside Elementary School also is included in this area. The businesses are locally owned and cater to both locals and tourists. There also are single family houses in the area, and there is a fair amount of undeveloped land, although most of the road frontage along both Searsport Avenue and Swan Lake Avenue has been developed.

This small area experiences a considerable amount of traffic. This is mostly because of motorists traveling along Searsport Avenue (an average of 25,000 vehicle trips per day on the Veterans Memorial Bridge), and persons using Route 141. The Route 1/Route 141 intersection is one of the main traffic intersections for which the City is seeking a long-term improvement to better manage traffic. The amount of traffic helps support the type of businesses that are located in the area, and detracts from the suitability of this area for residential growth occurring immediately adjacent to the busy streets. City regulations should allow a wide variety of small scale businesses, while working to ensure such businesses positively contribute to the character of the community and the area.

This clearly is a mixed use 'Growth Area' that could support additional small business development and limited amounts of additional housing. The availability of public sewer and public water also supports this area being a 'Growth Area'. It is also noted that all of this area is located within the MDOT urban compact area. Lastly, the uses permitted in this area, and the performance standards that should be used to regulate development should be very similar to those used for the proposed Waldo Avenue Small Scale district located along Route 137 and Vine Street.

Recommendations

Permitted Uses (Examples of Main Permitted Uses)

1) Small Scale Retail, up to 20,000 square feet in size
2) Service Businesses & Professional Offices
3) Restaurants, however fast food restaurants would be prohibited. The exception to this standard would be a fast food restaurant (no drive-through) that is established as an accessory use to another business, such as a restaurant franchise that is located or operated in a convenience store/service station.
4) Hotel/Motel
5) Auto Repair and Service, including accessory auto sales.
6) Auto Sales and RV Sales
7) Service Stations
8) Single-family & two-family residences
9) Multi-family housing
10) Congregate and elderly Housing
11) Home Occupations, Large Scale
12) Schools, Churches, Child Care & Similar Uses
13) Greenhouse, no size limit
14) Light Industry/Manufacturing
15) Boat construction, storage and repair.
16) Hydropower generation, including the use of such power to support an on-site use.

Minimum Lot Size

1) 1/3rd acre – 15,000 sq ft for single family or two-family (sewer)
2) ½ acre – 20,000 sq ft for single family (septic)
3) 1 acre – 40,000 sq ft for two-family (septic)
4) 1 acre for Multi-family, (housing units must be on sewer)
5) 1 acre for any type of nonresidential use
6) 150 feet street frontage, minimum, for residential and nonresidential uses

Density (Number of Housing Units per Acre)

1) 3 single family units per acre (sewer)
2) 2 single family units per acre (septic)
3) 6 two-family units per acre (sewer)
4) 2 two-family units per acre (septic)
5) 12 - 16 multifamily units per acre (provided served by public sewer)
6) No density regulation for elderly or congregate housing
7) No specific restriction on amount of lot coverage for either a residential or a nonresidential use

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

1) Single family and Two-family Residential Uses: 30 feet front, 15 feet side & rear.
2) Multi-family Residential: 30 feet front and 25 feet side & rear. Parking to be located to side or rear of building.
3) Nonresidential uses: 30 feet front for nonresidential uses and 15 feet side & rear for nonresidential uses, unless the use abuts an existing residential use which would increase the side and rear structure setback requirement to 25 feet.

Major Changes Compared to Current Requirements

1) Little change is recommended in the types of nonresidential uses now allowed in this area. Most of this area is now in the Route 141 and Mill Lane Commercial District; reference land use comparison map. One change in the type of uses permitted, however, is to allow fast food restaurants (no drive-through) as an accessory use to a service station/convenience store operation. Also, some of the area that was included in the former Route 141 and Mill Lane Commercial Zone would now be included in the proposed Swan Lake Avenue Mixed Use Zone.

Other Issues & Ideas To Consider

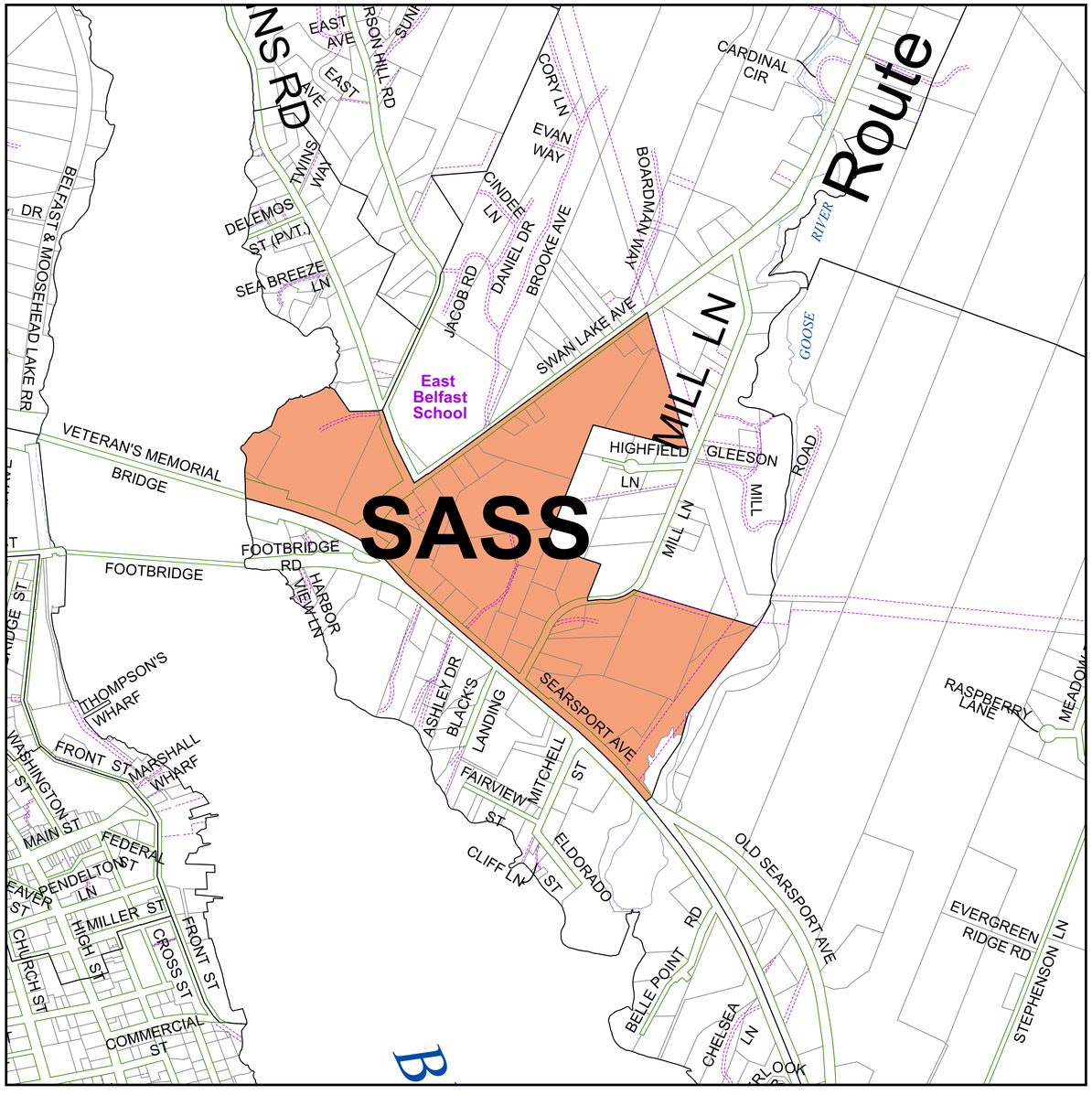
1) The Route 1/Route 141 intersection is a problem intersection; it is both a high crash area and several of the turning movements at the intersection are graded at less than acceptable levels by MDOT (amount of time required to make a turn from Route 1 onto Route 141, or from Route 141 turning northbound onto Route 1). There also are conflicts with pedestrians who use this intersection. The City should work cooperatively with MDOT to pursue long-term solutions to address traffic management issues at this intersection. An approach which should be considered is the construction of a 'roundabout'.
2) The Gateway One project report identified that the speed of traffic in this area often exceeds the posted speed limit by more than 10 mph. In fact, this is one of only 2 areas in the heavily developed sections of Route 1 between Brunswick and Stockton Springs in which traffic speeds were ranked at greater than 10 mph above the posted speed limit. The City should work cooperatively with MDOT and

area property owners to pursue long-term approaches that help manage traffic and minimize conflicts with pedestrians and bicyclists.

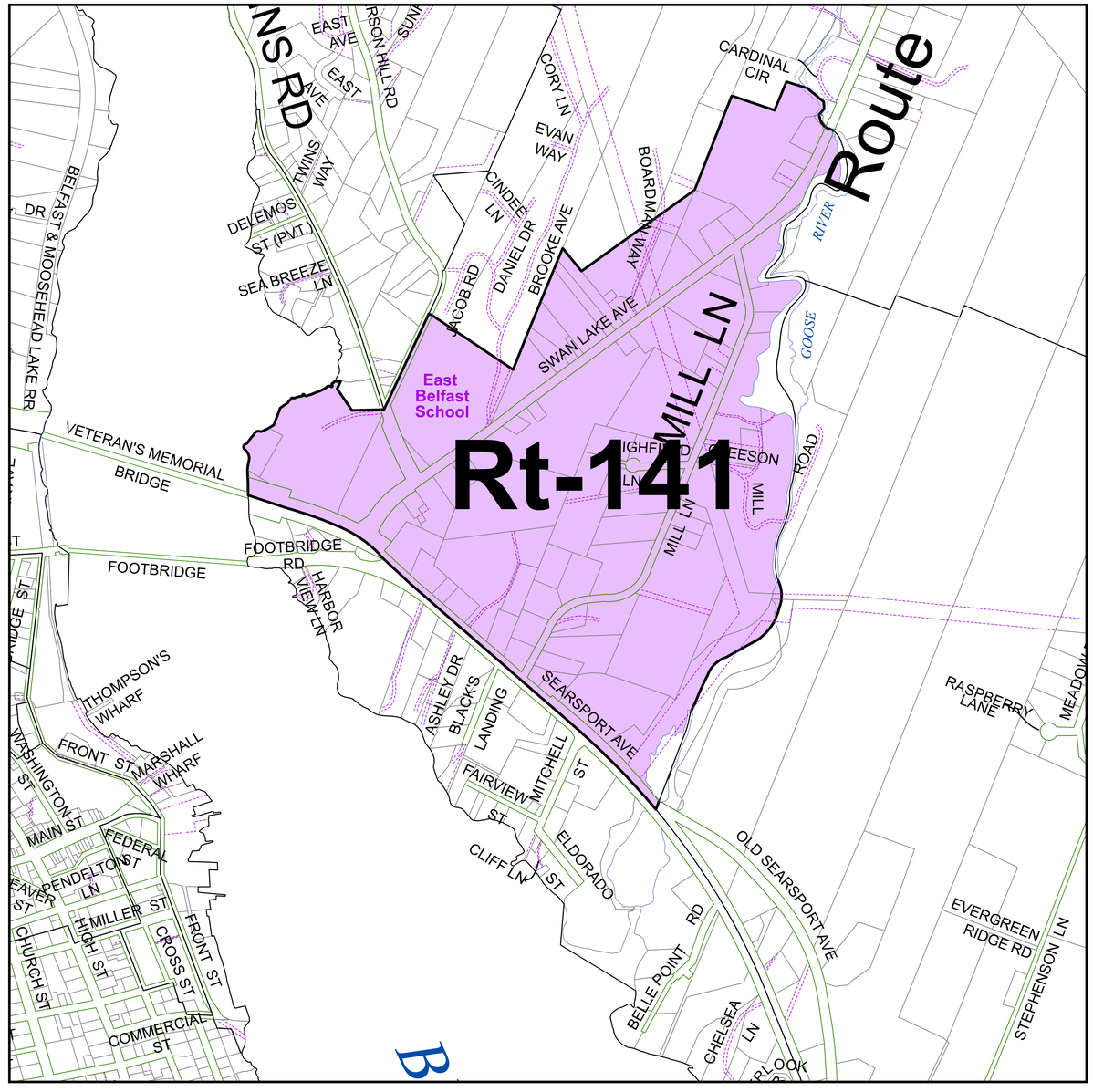
3) The City has invested significant monies to enhance connectivity between the downtown/waterfront area and this section of Belfast through renovation of the Belfast Footbridge. The City should consider ways to enhance this connectivity. This goal also was identified in the Belfast Vibrancy Report completed in 2006.
4) The City should ensure performance standards that apply to nonresidential uses in this area help minimize conflicts between existing residential and non-residential uses. This is important in a mixed use zone. In considering appropriate performance standards, the City should consider eliminating the current nonresidential performance standard that requires an increase in lot frontage or greater setbacks based on the size of a nonresidential structure or the amount of traffic generated. The small number and lay-out of properties included within this area, and the 35 mph speed limit contribute to this recommendation.

Searsport Avenue - Small Scale

PROPOSED LAND USE AREA



EXISTING ZONING



Zone
SASS Searsport Avenue - Small Scale

Zone
Rt-141 Route 141 and Mill Lane Commercial District

SEARSPORT AVENUE WATERFRONT

"TOURISM & HOUSING MIX"

Goal

To allow future development that is similar in scale and use to existing development, while recognizing the area's location adjacent to Belfast Bay greatly influences the type of development that most likely will occur in the future.

Overview of Past, Current & Future Use:

The proposed district includes all land located on the waterfront side of Searsport Avenue from the Memorial Bridge to the Belfast/Searsport municipal line. Searsport Avenue runs the length of this district, nearly 2.5 miles. The area's location along a major State travel corridor, Route One, and its proximity to the water and the accompanying views of Belfast Bay, has shaped the type of development which has occurred. Most nonresidential uses depend on the tourism industry. The Comfort Inn, Belfast Harbor Inn, Wonderview Cottages & Campground, Colonial Gables cottages & hotel, Young's Lobster Pound, and Perry's Nut House are some of the more prominent tourism oriented uses. Many of the single family residences, most of which are high value properties and homes, are built near the water. Only one property, Young's Lobster Pound, however, is served by a dock, mostly because of tidal conditions and the significant amount of coastal mudflats in the area. The depth of the land between Searsport Avenue and the Bay is quite narrow, and ranges from 550 to 850 feet.

The approach to this area recognizes that the City, in the 1990's, extended public sewer to nearly all properties along Searsport Avenue. The availability of sewer creates an opportunity to support both denser housing development and businesses that use higher volumes of water, such as hotels and restaurants. There is, however, much less remaining undeveloped land on the water side of Searsport Avenue compared to the inland side. Also, even though sewer is available, many of the homes continue to use septic rather than sewer, particularly because the land on the water side is sloping away from Route One, which means most users need to pump uphill to the sewer line.

City zoning requirements, since at least 1985, have recognized that the water side of Searsport Avenue should be regulated differently than the inland side. In general, the zoning for the waterside has allowed a lesser range of uses and often uses that are smaller in scale. The City, in 2001, adopted revised zoning regulations that reflected many of the requirements of the 1985 zoning. It is recommended that the 2001 requirements remain in effect; both the range

of uses allowed and the performance standards which are used to regulate development activity.

More specifically, this zone will allow a mix of tourism oriented and residential development. The size of retail development is a maximum of 20,000 square feet, which is significantly larger than any single retail use that now occurs in this area. Also, restaurants are permitted, but fast food restaurants are prohibited, both because of traffic concerns and concerns with impact on the area's character. The nonresidential performance standards that were adopted in 2001 are recommended to continue in place. Two features of these standards that are unique to this district are a maximum building coverage standard, about 30%, and a variable side setback requirement which allows a reduction in the amount of side setback required if such reduction results in retaining a view of the Bay from Route One.

The City considers this area a 'Growth Area' for both residential and nonresidential uses, and proposes to continue to use performance standards to regulate nonresidential uses to try and lessen the potential degree of conflict between a mix of uses that may be located side-by-side, or along the road compared to along the waterfront.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Retail, up to 20,000 sq ft per structure.
2) Restaurants, prohibits fast food
3) Service businesses
4) Hotel
5) Professional Offices
6) Single family, two-family and multi-family residential

Minimum Lot Size

1) 1 acre (sewer or septic) for nonresidential uses
2) Minimum 150 ft of street frontage for any nonresidential use with an increase in the amount of road frontage required based on size of development or number of car trips generated by the development.
3) 1/3rd acre for single family or two-family if on sewer
4) ½ acre for single family if on septic septic
5) 1 acre for two-family if on septic
6) 1 acre minimum for any multi-family development, however, multi-family must be on sewer.
7) All residential uses are required to have a minimum of 150 feet of road frontage.

Density (Number of Housing Units per Acre)

1) 3 single family units per acre (sewer)
2) 2 single family units per acre (septic)
3) 6 two-family units (duplex) per acre (sewer)
4) 2 two-family units (duplex) units per acre (septic)
5) 6 – 8 multifamily units per acre (must be on sewer)
6) 30% maximum lot coverage standard for any building structure, regardless if it is a residence or a nonresidential development. Standard applies only to the structure and not the amount of impervious surface. Also, lot coverage standards apply to the area within the shoreland zone.

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

1) Minimum 30 ft front setback requirement for nonresidential uses with increases to 75 feet based on size of nonresidential development
2) Minimum 15 feet side setback for nonresidential uses with increases to 40 feet based on size of nonresidential development. Variable side setback based on view corridors is an option that is now in the Code which should be continued.
3) Minimum 20 feet rear setback for nonresidential uses with increases to 50 - 100 feet based on size of nonresidential development & proximity to existing residences
4) Residential setbacks are usually 30 feet front and 15 feet side and rear.

Major Changes Compared to Current Requirements

1) Overall, proposed zoning for this combined area would be very similar, nearly carbon copy, to the current zoning which was adopted in 2001.

Other Issues & Ideas To Consider

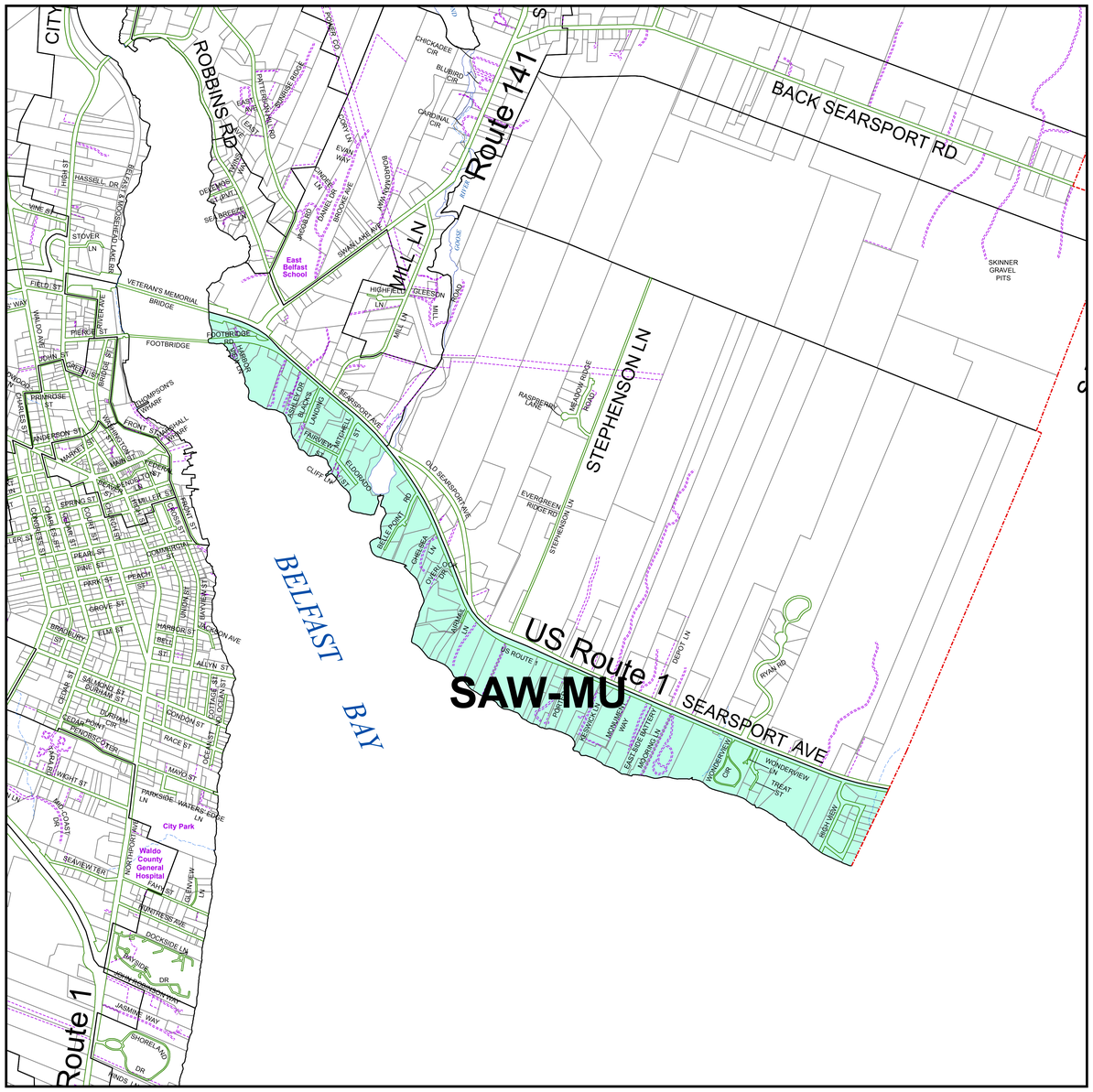
1) Access management is a key concern on Searsport Avenue. MDOT defines this road as a 'mobility corridor' which results in strict controls on the number and location of curb-cuts. While the area from the Memorial Bridge to the Goose River is within the urban compact zone and is not subject to MDOT's access management standards, the area between the Goose River and the Searsport line must comply with MDOT requirements. Access management standards, which were first adopted in 2003, have affected the amount and type of development which has occurred on the waterside of Searsport Avenue, and will continue to affect future development.
2) As future development occurs on Searsport Avenue between the Goose River and the Searsport line, MDOT may transfer maintenance responsibilities of Searsport Avenue to the City. In short, the area past the Goose River could become part of the urban compact zone, which also means that MDOT access management standards would no longer apply.

That said, regardless of which entity, the State MDOT or the City manages where access points can occur, it is critical that access management remain an important regulatory tool.

3) As additional development occurs, there may be increasing conflicts between business development and housing development. This is particularly true on water side of Searsport Avenue. For example, in 2003, a proposal to construct a sports center, which was approved by the Planning Board, was challenged in court by a resident who owned property on the waterfront. This challenge resulted in the sports center not being constructed.
4) The increasing amount of traffic on Searsport Avenue may decrease the desirability of this area to support future housing. That said, numerous new single family houses, most of which have been quite expensive, have been constructed within the last 10 years. In the longer term, more property along the coast could be converted to or used for residential development because of the area's water views.
5) The Committee believes that public views of the water/coastline from Route 1 are an important resource to retain to the maximum extent practical. The City has adopted regulations that provide some flexibility in side and front setbacks for future development which can be implemented if this flexibility assists in preserving a public view.
6) Traffic speeds are a frequently cited concern in the area. The City may want to adopt measures that address traffic speeds.
7) The Route One and Route 141 intersection is a major problem area. It is particularly difficult to make left turns from Route 141 to travel north on Route 1. The City should constructively work with MDOT to pursue long-term traffic improvements, such as construction of a round-about rather than the current 'T" type un-signalized intersection, to address traffic problems associated with this intersection.
8) There are several large properties along the coast which own land from Searsport Avenue to the Bay. The Colonial Gables, Wonderview Campground, Moorings Campground and the Chowder House property all are in this category. These large parcels may present attractive options for developers; and the potential redevelopment of such parcels could greatly affect how future development of the area occurs.

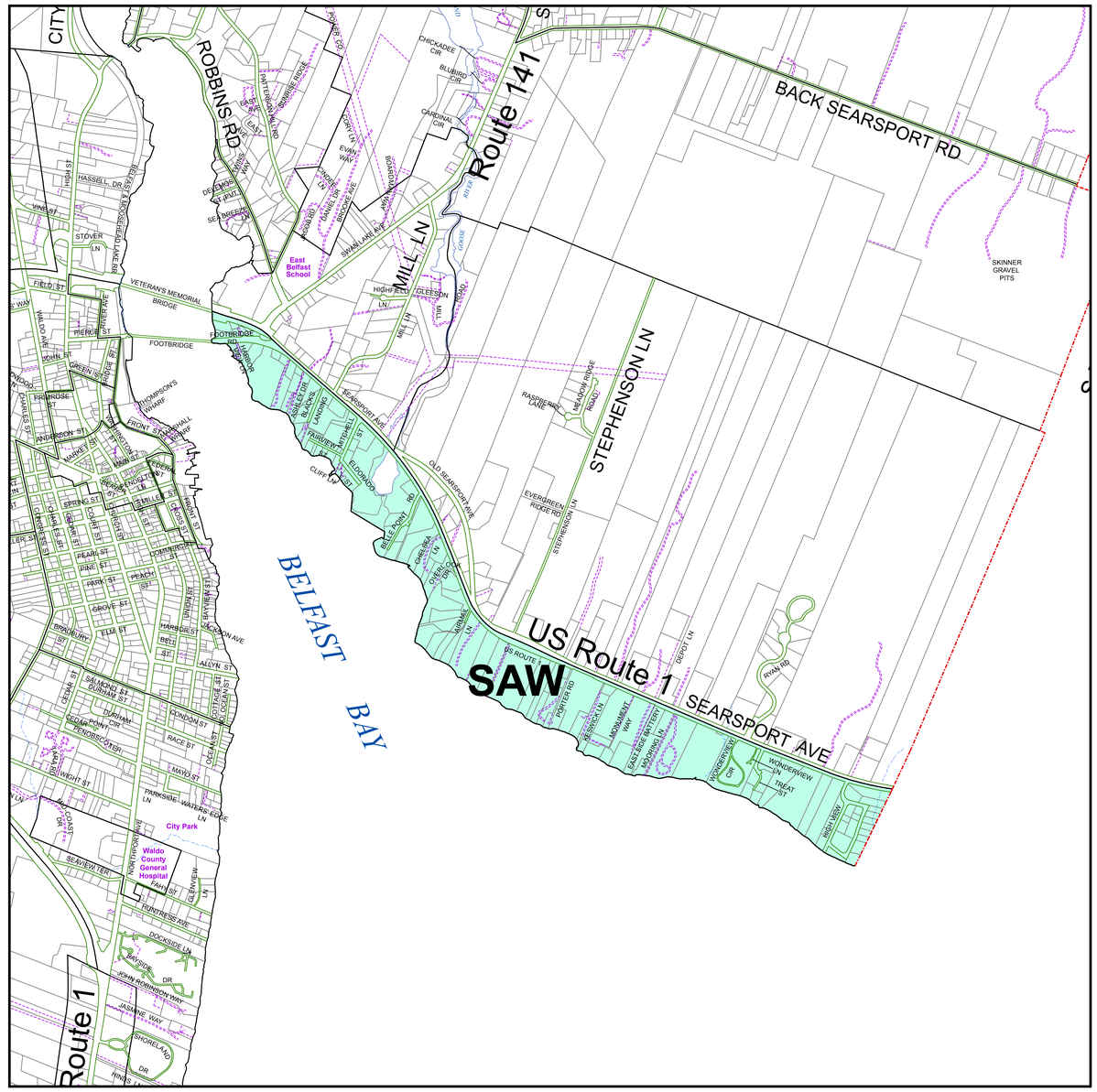
Searsport Avenue Waterfront – Mixed Use

PROPOSED LAND USE AREA



Zone
SAW-MU Searsport Avenue Waterfront – Mixed Use

EXISTING ZONING



Zone
SAW Searsport Avenue Waterfront District

SEARSPORT AVENUE MIXED USE

"COMMERCIAL & HOUSING MIX"

Goal

To allow and encourage a mix of intensive uses, both nonresidential uses and housing, on a heavily traveled major State road that has City services, including sewer.

Overview of Past, Current & Future Use

The inland side of Searsport Avenue (Goose River to the Belfast/Searsport municipal line) features a mix of development, both houses and businesses. While many of the existing businesses cater to the hospitality market; particularly hotels and restaurants, several focus on the local market; such as Viking Lumber, Jerry's Hardware and Tire Warehouse. There are also several offices, Penobscot Bay Dentistry, Broad-reach (formerly Waldo County Family & Children's Services) and GRF Real Estate. Single family housing is the most common residential development, but the availability of public sewer has attracted interest in multi-family housing. The 38 unit Seaside Heights (Oceans East – affordable housing) Rental Housing Project was opened in late 2007 and the proposed 32 unit Harbor View Condominium project was approved by the Planning Board in April 2005, but to date, it has not been constructed.

The approach to this area recognizes that the City, in the 1990's extended public sewer to nearly all properties along Searsport Avenue. The availability of sewer creates an opportunity to support both denser housing development and businesses that use higher volumes of water, such as hotels and restaurants. Also, there is a significant amount of undeveloped or underdeveloped land in the area. This is a growth area in which significant amounts and a mix of development could occur.

Until 2001, the City included this area in 3 distinct zoning districts. The area within 500 feet of Searsport Avenue was included in the Highway Commercial District; a district which allowed most commercial uses. The area near Viking Lumber was included in the Industrial III zone, with the long-term intent of developing this area as an industrial park, much like the City industrial park near the Belfast Airport. Lastly, the area located more than 500 feet from Searsport Avenue and which included all lands easterly of the Back Searsport Road, was included in the General Purpose District. The General Purpose District allowed most uses, but retail uses, offices and similar nonresidential uses were intended to be smaller in scale than could be developed in the Highway Commercial District along Searsport Avenue.

The City adopted major changes to the zoning for this area in 2001. One of the main changes was to create a district that reflected the depth, about 6,000 feet, of many of the properties in the area. It is noted that the size of shape of many of the properties dates to the original grant of land to Belfast from the King in the late 1700's. This district would allow intense nonresidential development, such as retail stores up to 75,000 square feet in size, and higher density housing, such as 3 single family housing units per acre. In addition, new nonresidential performance standards were drafted to address issues such as how to manage traffic, the lay-out of the development, including parking, and building design. The goal was to encourage development that looked good and functioned well.

In 2004, the voters adopted a Citizen Initiative that resulted in the establishment of the Special Commercial Development District. This District included about 85 acres of ground near the Tire Warehouse property, that was part of the Searsport Avenue Commercial District established in 2001. This Special District created an opportunity for a retail store up to 200,000 square feet in size to occur. In March 2008, the Council adopted an amendment to City Ordinances that resulted in elimination of the Special Commercial District.

It is recommended that the current zoning for this area, which is Searsport Avenue Commercial district, largely remain in effect. This district clearly is a 'Growth Area' and one which can support both a mix of uses, including larger retail uses than are permitted in most Belfast zoning districts.

Recommendations

Permitted Uses (Examples of Main Uses)

1) Retail, maximum of 75,000 sq ft per structure.
2) Restaurants, but fast food restaurants would be prohibited.
3) Service businesses, including gasoline service stations. Such service stations would be permitted to operate a fast food restaurant (no drive-through) as an accessory use.
4) Hotel
5) Manufacturing/Industry
6) Storage & Warehouses
7) Professional Offices
8) Single family, two-family and multi-family residential
9) Hydropower generation on Goose River, including the use of such power to support an on-site use.

Minimum Lot Size

1) 1 acre minimum (sewer or septic) for any nonresidential use
2) Minimum 150 ft of street frontage for any nonresidential use, with an increase in the amount of frontage required based on size of the development or number of car trips per peak hour
3) 1/3rd acre for single family or two-family if units are on sewer
4) ½ acre for single family on septic and 1 acre for two-family on septic
5) 1 acre for multi-family housing, provided there is public sewer service. Multi-family is not a permitted use if sewer is not available.
6) Road frontage requirements for all residential uses would be 150 feet.

Density (Number of Housing Units Permitted per Acre)

1) 3 single family units per acre (sewer)
2) 2 single family units per acre (septic)
3) 6 two-family (duplex) units per acre (sewer)
4) 2 two-family (duplex) units per acre (septic)
5) 12 - 16 multifamily units per acre (must be on sewer)
6) No maximum lot coverage requirement for nonresidential buildings

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

1) Minimum 30 ft front setback requirement for nonresidential uses, with increases based on size of nonresidential development or amount of traffic generated.
2) Minimum 15 feet side setback for nonresidential uses with increases to 40 feet based on size of nonresidential development.
3) Minimum 20 feet rear setback for nonresidential uses with increases to 50 to100 feet based on size of nonresidential development and proximity to existing residences.
4) Residential development setbacks are usually 30 feet front and a minimum of 15 feet for both the side and rear.

Major Changes Compared to Current Requirements

1) It is recommended that fast food restaurants, which are now permitted, be prohibited as a use in this area. It is noted that none of the current restaurants along Searsport Avenue qualify as a fast food restaurant and such development could be out of character for this area. There also is concern regarding managing the amount of traffic associated with fast food restaurants; particularly because of the number of existing curb-cuts on Searsport Avenue and the speed of the road. The goal is to limit fast food restaurants to only the Route 3 Commercial zone.

2) The recommendation, as noted in #1 above, is to prohibit free-standing fast food restaurants. The City should grant an exception to a service station/convenience store. This type of use could operate a franchise type of fast food restaurant as an accessory use to the primary use (the service station), provided there is no drive-through involved with the restaurant.
3) It is recommended to increase the number of multi-family housing units allowed per acre; from the current level of 6 units to 12 or more units. The main reason is to make it more cost effective to construct multi-family housing.

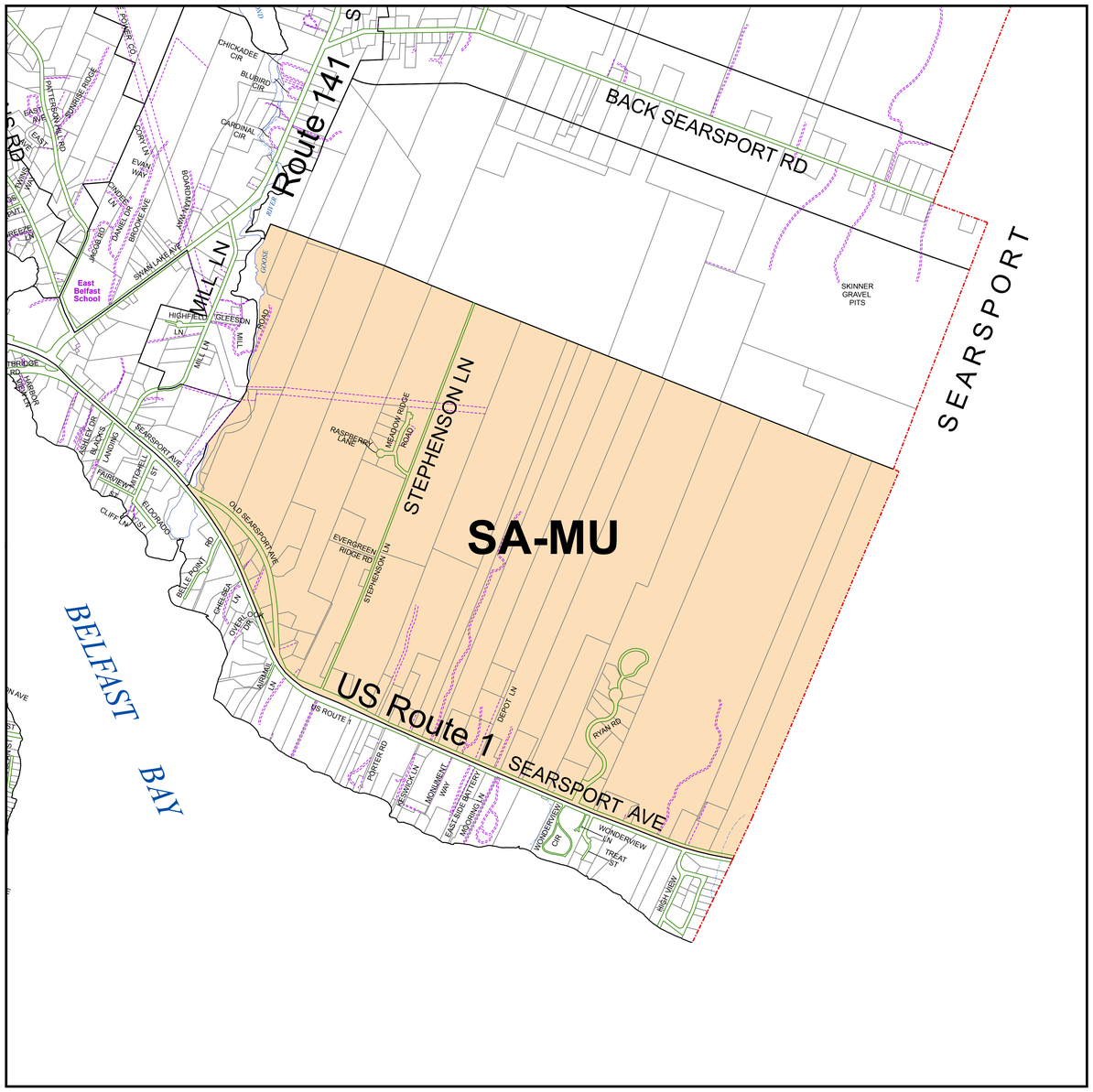
Other Issues & Ideas To Consider

1) Access management is a key concern on Searsport Avenue. MDOT defines this road as a 'mobility corridor' which results in strict controls on the number and location of curb-cuts. MDOT enforces access management regulations through-out this section of Searsport Avenue, and such standards could affect the amount and location of development which can occur along Searsport Avenue.
2) As future development occurs on Searsport Avenue, MDOT may seek to transfer road maintenance responsibilities to the City. The area could change from being outside the urban compact area to one which is considered inside the urban compact area. If this occurs, MDOT access management standards would no longer apply to this area and the City would regulate access. Regardless, of which entity that regulates access, access management is a key concern.
3) As additional development occurs, there may be increasing conflicts between business development and housing development. The inland side of the highway may not have frontage on the water, but many of the properties have water views and such views often result in establishing the desirability of the area for residential housing.
4) Many of the lots on Searsport Avenue are quite large, but they are quite narrow and poorly shaped (layout dates to the late 1700's), which causes significant issues in developing the property. Development in the area could require persons to merge existing lots to create a better configured lot for development, particularly larger scale development.
5) Most existing development occurs within 500 feet of Searsport Avenue. There are only two public roads off of the Avenue, Stephenson Lane and Ryan Road, and only 1 private development, Viking Lumber, that has a sawmill and storage buildings located off of Route One. The City should encourage development to occur off of Route One.
6) Development of some of the properties also is difficult because the land is quite steep and there often is a significant amount of wetland
7) Although constructing such could be both difficult and expensive, the potential desirability of using frontage roads to serve multiple properties rather than relying upon curb-cuts for individual properties on Route 1 warrants exploration. This likely is a longer-term approach.

8) The City has expressed interest in serving as a community which could support on-shore development associated with offshore wind power generation. The large amount of land area off of the inland side of Searsport Avenue could serve as a location to support on-shore development, including a potential industrial park.

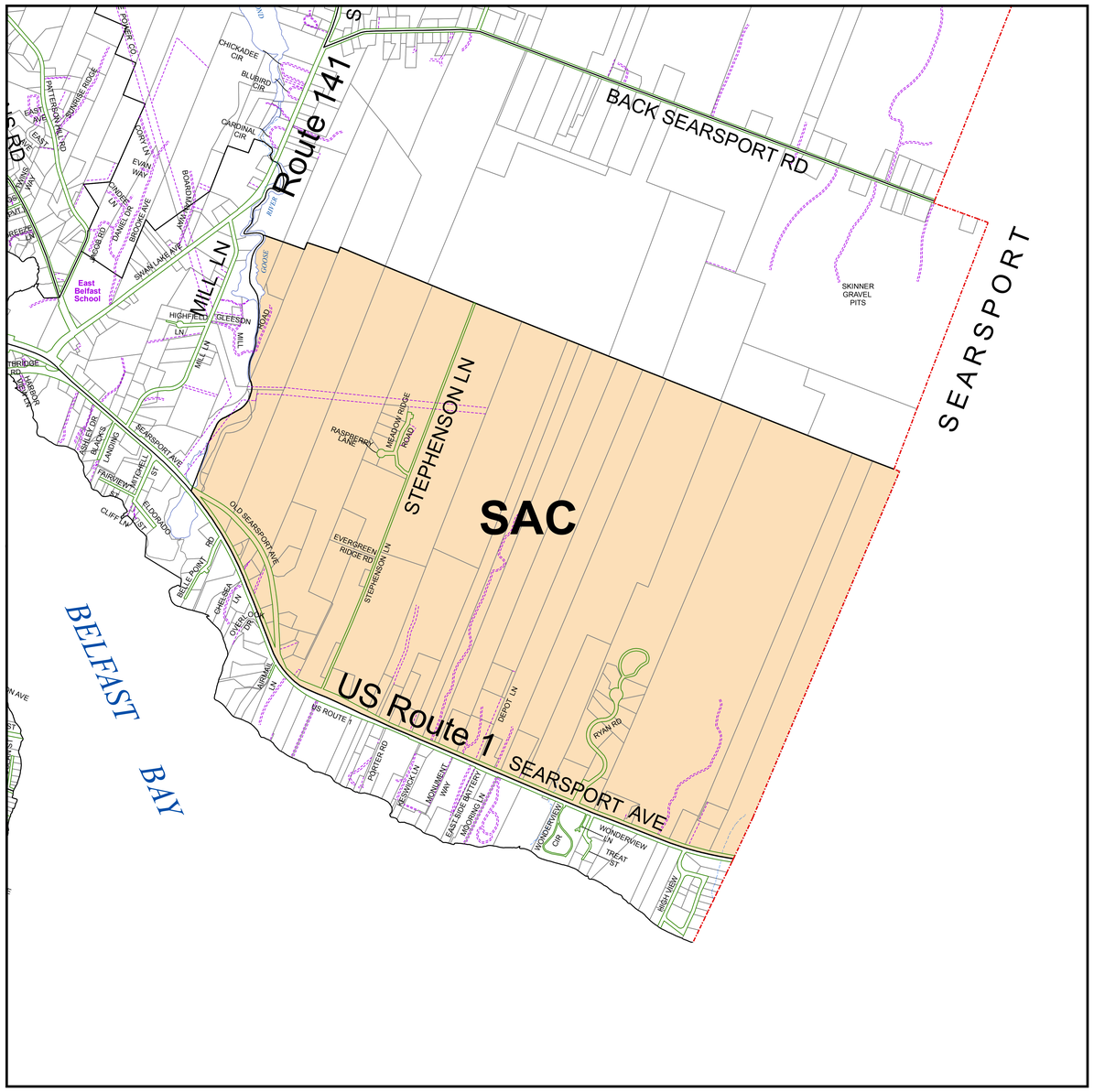
Searsport Avenue – Mixed Use

PROPOSED LAND USE AREA



Zone
SA-MU Searsport Avenue – Mixed Use

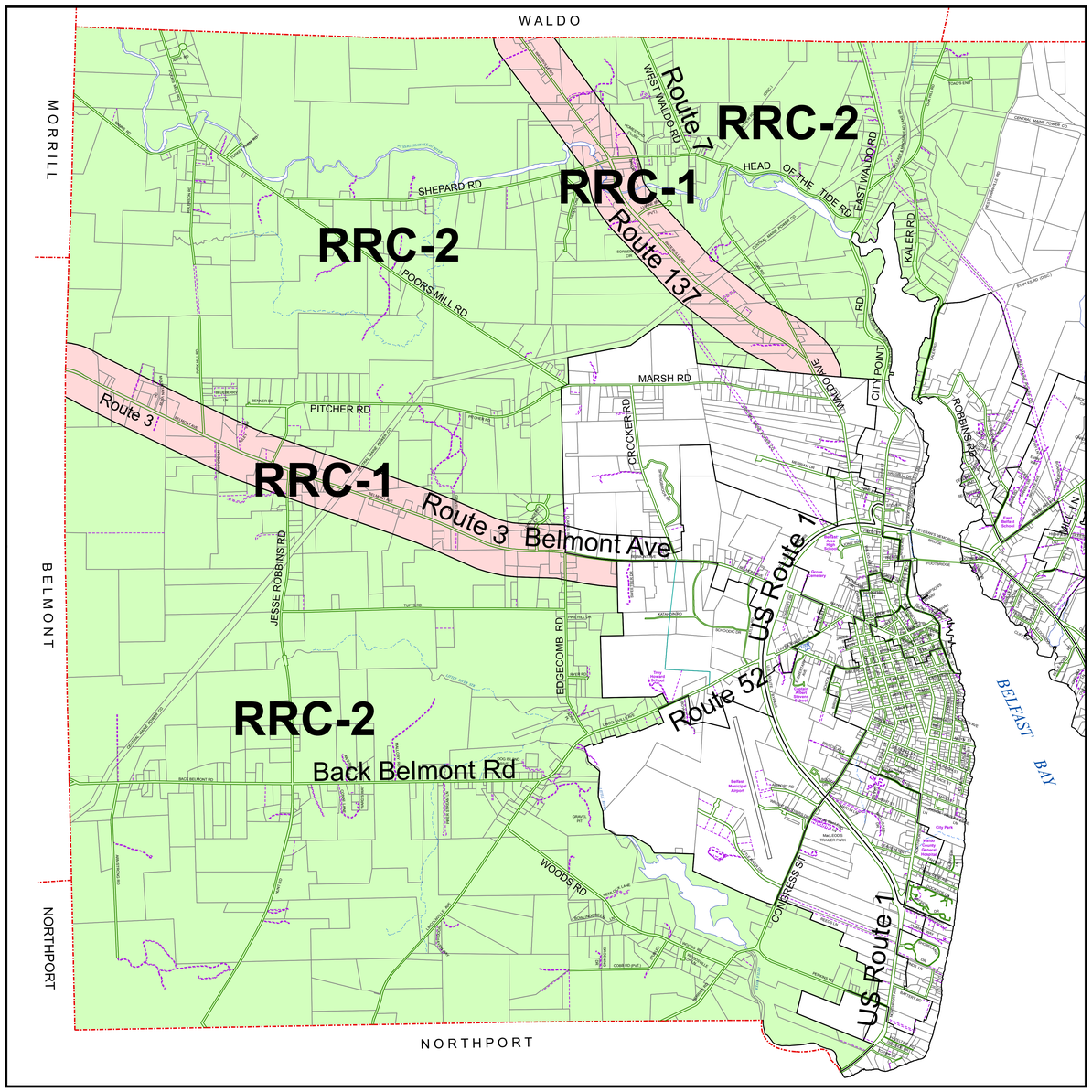
EXISTING ZONING



Zone
SAC Searsport Avenue Commercial District

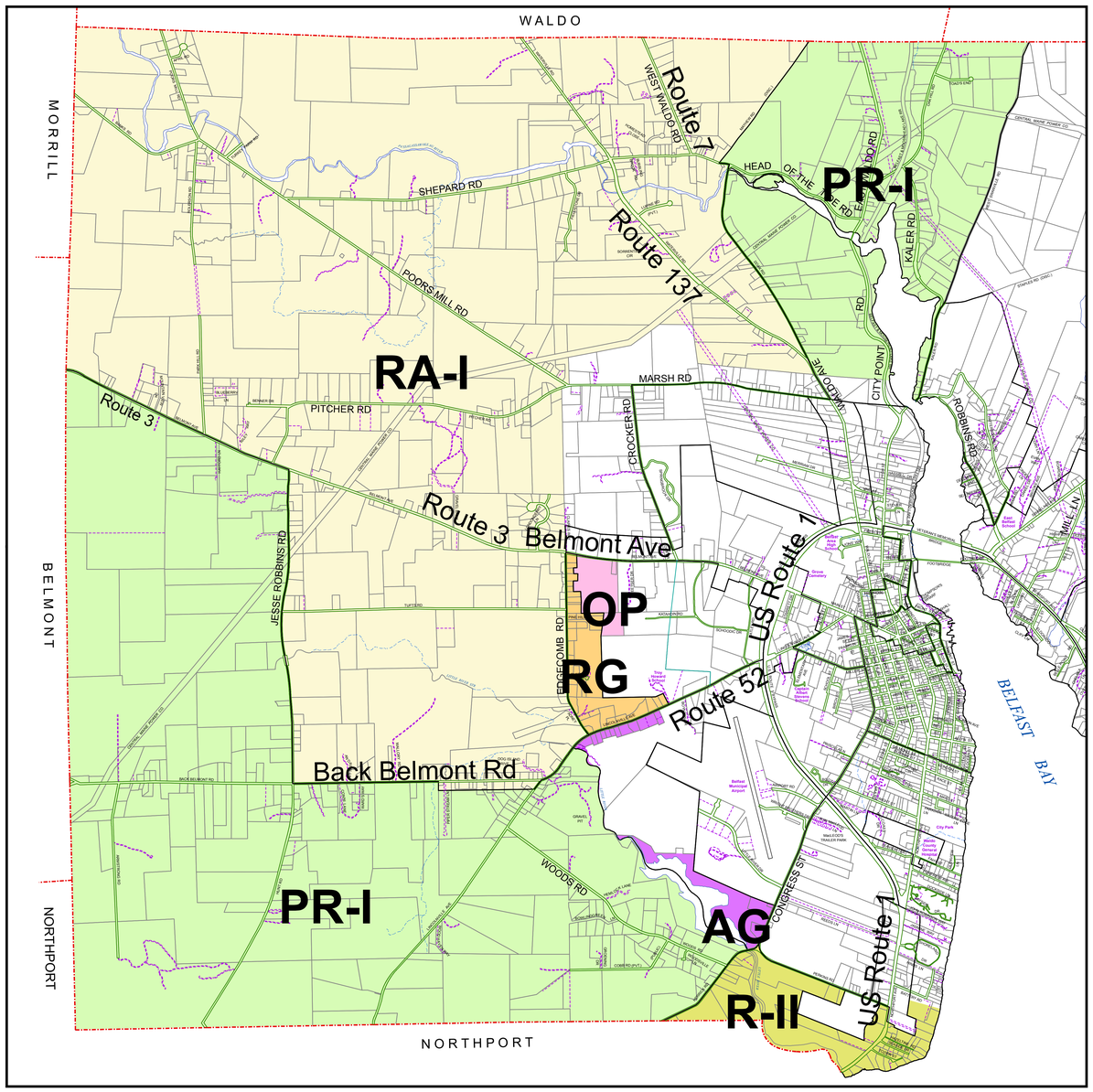
OUTSIDE RURAL

PROPOSED LAND USE AREAS



Zone
RRC-1 Rural Road Class 1
RRC-2 Rural Road Class 2

EXISTING ZONING



Zone
AG Airport Growth District
OP Office Park District
PR-I Protection Rural District
RA-I Residential/Agricultural I District
RG Residential Growth District
R-II Residential II District

RURAL ROAD CLASSIFICATION AREAS

"RURAL HOUSING & LAND USE"

Goal

To create a land use regulatory system that promotes traditional resource industries, such as timber harvesting and agriculture, and the preservation of land, while recognizing that the most common type of development that now occurs is single family housing and that housing is the likely development for which that many land owners will chose to use their property.

Overview of Past, Current and Future Use:

This is by far the largest proposed land use area in Belfast. The size of this area equals or exceeds the combined amount of land included in all other proposed land use areas described in this Plan. On the west side of the River, this area includes all land located northeasterly of Marsh Road along Routes 7 and 137, westerly of the Crocker Road and Edgecomb Road along Routes 3 and 52, and northwesterly of the Perkins Road area. On the east side, this area includes all land along and northerly of the Back Searsport Road, except for a small strip of land along Swan Lake Avenue.

One main contrast between this area and most of the rest of Belfast is the large amount of undeveloped land. Much of the area is former farm land that remains fields or that has been overtaken by woods. Most of the houses in the area are located immediately adjacent to the main roads, and there are few roads with a significant amount of housing on them that lead off the main road. Further, the developed lots that were created prior to the mid-80's often are quite small, ½ acre (100 ft by 200 ft), but others are in excess of 100 acres in size with only a single house on the lot. None of this area has public sewer, but some does have public water; mostly because the area is located along a road which leads to the deep water wells which the Water District uses to supply public water. Despite the vast amount of land in this area, the total number of residences in the area comprises less than 1/3rd of the total number of houses in Belfast.

There is a limited amount of nonresidential development in the area, and most of it is relatively small and quite scattered. There is only 1 operating convenience store (Belfast 52 Variety), 1 restaurant (the Road House on Rt 137), several small retailers (such as the Fabric Shop on Route 3), several professional offices (such as Robertson's Chiropractic Clinic and Atlantic Chiropractic, both on Route 3), several small auto repair shops (such Gibb's on Back Belmont Road and Hanscom's Auto Body on Lincolnville

Avenue), several construction or boat storage yards (Faulkingham on the Woods Road and Alex Turner's on Route 137), several licensed junkyards, and similar small scale businesses. In addition, there are quite a few gravel pits, including major operations such as Lane Construction and State Sand & Gravel, several small farms, and even a remaining chicken house or two. Most of the area off of the main roads, however, has seen little or no development.

The current zoning for much of this area changed dramatically in 1997 following adoption of a new Comprehensive Plan (adopted in 1995 and readopted as amended in 1997). Prior to 1997, most of the area was in the General Purpose zone which allowed most uses and required a minimum lot size of 1 acre with 100 feet of road frontage. In 1997, much of the area was removed from the General Purpose zone and included in either the Protection Rural (PR-1) or Residential Agricultural I (RA-1) zone. The Protection Rural zone generally limits uses to single-family and two-family houses and agriculture and requires a minimum lot size of 2 acres with 200 feet of road frontage. The Residential Agricultural (RA-1) zone also requires a minimum lot size of 2 acres (1 acre for an exempt division lot), but only 100 feet of road frontage is needed. The RA-1 zone allows housing and agriculture, and a limited number of nonresidential uses; such as but not limited to small convenience stores, small professional offices and restaurants. The stated goals in establishing the new zoning districts were to protect 'rural character' by limiting the types of development that could occur, and increasing the size of most new lots.

The City has examined the zoning adopted in 1997 and current development patterns. One problem with several areas is that the main roads often are used as the dividing line between zoning districts. Several examples include along Route 3, Back Belmont Road, and Back Searsport Road. This, unfortunately, has resulted in persons who live on one side of the road being able to use their land for activities that persons who may live on the other side cannot do.

In addition, current zoning rarely distinguishes between the different types of roads in Belfast; both the purpose of the road and the existing pattern of development along the road. For example, few would argue that Route 3 and the Rollerson Road are similar, but sections of both are now included in the same zoning district. Most of the state roads in Belfast, Routes 3, 7, 52, 137 and 141, experience high volumes of traffic, including persons who are traveling from one region of the state or country to another. Another class of roads in Belfast, such as Oak Hill/City Point, the Back Belmont Road and the Back Searsport Road, experience a significant amount of commuter traffic. While on others, such as the Hunt Road, Rollerson Road, and Baker Road, you likely could lay down in the middle of the road for five minutes or so and stand a good chance that you wouldn't get run over.

The approach recommended in this Plan for regulating land use in the Rural Area is based on the different types of road. Two classes of roads are suggested, Class 1 and

Class 2. While the minimum lot size and the minimum amount of road frontage required for both classes of roads is similar, there are some significant differences in the type of uses allowed. Both Classes would allow single family housing and natural resource uses such as agriculture, forestry and gravel pits, but only the Class 1 roads would allow uses such as small scale auto sales and repair facilities and small scale offices (less than 4,000 square feet), and then only if the properties met specific criteria such as the amount of sight distance at the driveway entrance, amount of road frontage, and the ability to screen the use from neighbors. In addition, the proposal would allow somewhat smaller house lots with a lesser amount of road frontage if the lot does not front on the main road. The intent is to encourage back lot (no road frontage required) development.

Overview of Recommended Regulatory Approach

The main reasons for adopting this regulatory approach include the following:

1) Areas that are or appear rural in character should remain rural in character.

2) The type of road often is a good indicator of the type of current that has occurred and the type of future development that should be permitted.

3) The approach will ensure that the regulations that apply to persons who live on one side of the road are the same as the zoning that applies to persons who live on the other side of the road.

4) This system has flexibility. If the character of a road changes over time, for example it begins to experience a much larger amount of commuter traffic, it is possible to change the zoning designation (Class of Road) of this road/area without affecting the zoning for the remaining area.

5) It is very important to manage the number and location of curb-cuts and driveways onto most roads in Belfast. The location and number of driveways is a significant public safety issue, and affects the speed of traffic on a road and the number of accidents.

The regulatory guidelines that accompany this approach include the following:

1) The depth of the zone for Class 1 roads is recommended to be 750 – 1,000 feet from the edge of the road right of way. All areas located more than this amount of distance from the edge of a right of way would be considered part of the Class 2 road system.

2) Notwithstanding # 1 above, it is recognized that 750 – 1,000 feet is an arbitrary distance and that it is not related to property ownership. Thus, a person whose property is in both a Class 1 zone and Class 2 zone that proposes a type of development that is only permitted in a Class 1 zone, can request a 'Special Exception' from the Belfast Zoning Board of Appeals to include more of their property in the Class 1 zone.

3) At the point at which Road Classes intersect, such as near an Intersection, the higher Road Class (Class 1) prevails.

4) Any existing use that may be rendered nonconforming by the adoption of this Code will be permitted to expand up to a maximum of 100% of the current floor area for any structure or 100% of the developed area on the site. Also, may allow an increase in size of lot on which nonconforming activity occurs.

5) City specifically endorses the long-term continuing use of all existing commercial properties in the Class 1 and Class 2 areas whose existing use would otherwise be rendered nonconforming by the implementation of these recommendations. Specific examples of such existing uses include the restaurant, convenience store and laundromat located at the intersection of Rte 137 and 7, and Belfast 52 Variety located at the intersection of Lincolnville Avenue and Back Belmont Road. Further, it is recognized that the above examples are just that, examples, and that this provision likely applies to other uses and properties in the Class 1 and Class 2 areas. The City shall examine alternatives to implement this policy and shall choose an approach that achieves the goal outlined in this policy.

Other planning concerns for this Area:

1) The City should discourage the extension of public services to most of this area. This is a rural area. The extension of public sewer would be a tremendous public expense and would eventually cause the character of the area to change.

2) The City should strongly encourage the creation of 'back lots', including lots which have no frontage on the main road and which use a common driveway for access to the main road.

3) The City should allow the use of minor roads, roads which are about 16' in width and which can remain a gravel surface, for developments which serve up to 7 house lots. These roads must remain in private ownership and would require a right-of-way width of 50', and could use a hammerhead as a turn-around rather than a cul-de-sac at the end of the road. Why? Road construction is expensive, and roads which will generate little traffic do no need to meet the same construction standards as major travel roads.

4) The City, in an effort to encourage the construction of affordable ownership (non-rental) housing, should consider allowing small housing clusters on properties in which the lots created would be smaller than the minimum lot size required for the zone. The housing clusters typically would involve the provisions such as the following: no more than 7 single family housing units; construction of a single road to access all lots, usually a minor road; the retention of common open space area; offering homes which moderate income persons could afford to purchase; and provisions which cap that amount of appreciation in housing price for a reasonable period of time. This approach likely is more suitable for non-state roads, particularly Class 2 roads, and could apply to most Rural Road Class properties. While this provision could lead to residential growth occurring outside the established growth area, it also could result in one or more of the builders in the area undertaking a project which involves less risk in terms of land and infrastructure costs; two of the factors which often cause housing to be non-affordable.

5) The City should allow a wide range of uses which would be classified as home occupations to occur on a property, provided the use was operated by the owner/occupant of the property, and the use could satisfy applicable standards. Reference pages 14 & 15 of this Plan for greater detail regarding home occupations.

The Rural Road Class 1 and Rural Road Class 2 areas are both considered 'Rural' areas. While housing and some nonresidential uses are allowed, the City is not attempting to direct significant amounts of growth to these areas. For example, the City does not intend to expend significant capital project monies on constructing infrastructure improvements, such as public sewer (which is a recommended action in the growth areas), and proposed land uses are generally of lesser intensity and scale in this area.

CLASS 1 ROADS

"MAJOR RURAL TRAVEL ROADS"

Goal

To carefully manage the intensity and scale of development so it does not conflict with use of the road, and to encourage development that is compatible with the general rural character of the area.

List of Proposed Class 1 Roads

1) Route 3 (Belmont Ave), from Edgecomb Road to the Belfast – Belmont line. This area also includes a 40+ acre property now owned by Bank of America (formerly owned by the Gould/Perry families) that is located easterly of Edgecomb Road.

2) Route 137, (Waterville Road) from Marsh Road to the Belfast – Waldo line.

3) Back Searsport Road

Permitted Uses (Examples of Main Uses)

1) Single Family and Two Family residential
2) Home Occupations, larger scale, including bed & breakfast and day care home (reference pages 14 & 15)
3) Professional Offices less than 4,000 square feet in size; limit of 1 structure per minimum lot size
4) Self storage buildings
5) Agricultural, including sale of material and equipment associated with such use, for example, a livery.
6) Greenhouse/Nursery
7) Forestry operations, including wood processing
8) Gravel Extraction (if not in watershed area)

Permitted Uses Subject to Obtaining a Special Exception from Zoning Board of Appeals

1) Warehouse (limited truck traffic)
2) Boat storage and repair

3) Recreational facilities, indoor & outdoor (e.g. golf courses & campgrounds)
4) Schools, Churches & Child Care Centers (more than 13 students)
5) Kennels
6) Auto repair and services, with limited auto sales
7) Small scale industry & manufacturing
8) Consider allowing contractor service yards, such as John Faulkingham yard on Woods Road
9) Septage disposal, treatment and spreading operations

It is recommended that uses that often are more intense or have greater impacts be permitted only if the project complies with more stringent standards. The Zoning Board of Appeals would consider such applications as a 'Special Exception' and would apply criteria such as but not necessarily limited to the following:

1) A use would need a larger lot size lot than the minimum 2 acre threshold otherwise required for a nonresidential use.
2) A greater amount of road frontage than 200 feet; likely 400+ feet.
3) Greater setbacks from the road, with the goal of establishing good quality screening for the project to create a buffer between the road and the use.
4) Greater setbacks from all side lot lines, likely 100+ feet, with the setback area to be a natural buffer area. Goal is to lessen conflict with abutting property owners.
5) Consider the amount and type of traffic generated by the use, and ensuring that there is good quality sight distance and adequate separation between the entrance to this site and adjacent driveways.

Minimum Lot Size & Density (Number of Housing Units per Acre)

1) Single Family Residence on 1.5 acres & 200 feet frontage, if fronts on a Class 1 road.
2) Two Family Residence (duplex) on 2 acres & 200 feet frontage if frontage on a Class 1 road
3) Single Family or Two Family residence on 1.5 acre & 150 feet frontage if no frontage on a class 1 road. Also, back lots may not require any frontage on a road.
4) Multifamily residential should generally be a prohibited use because of the lack of sewer.
5) A permitted nonresidential use must have at least 2 acres with 200 feet frontage, and the amount could be greater subject to 'special exception' from Zoning Board of Appeals.

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

1) Front structure setback of 30 feet for a residential use
2) Side and rear setback requirements of 15 feet for a residential use.

3) Front structure setback of 75 feet for a structure that is used for a nonresidential use. Also, the amount of front setback for a nonresidential use could be greater subject to 'special exception' from Zoning Board of Appeals.
4) Side setback requirement of 30 feet for a nonresidential use, and the amount of this setback could be greater subject to 'special exception' from Zoning Board of Appeals.
5) Rear setback requirement of 50 feet for a nonresidential use, and the amount of this setback could be greater subject to 'special exception' from Zoning Board of Appeals.

Major Changes Compared to Current Requirements

The amount and type of change is based on the zoning district in which the area currently is located. Five zoning districts now apply to the areas that are proposed to become Class 1 Roads; General Purpose-A, Residential Agricultural-1, Protection Rural-1, Airport Growth and Residential Growth. The land use maps provided in this document illustrate both current zoning and the proposed area that would be included in the Class 1 Road land use designation.

Areas that currently are in General Purpose-A zone would be affected as follows. This mostly includes areas along the southeasterly side of the Back Searsport Road.

1) The minimum lot size would increase from 1 acre to at least 1.5 acres for most residential uses.
2) The amount of road frontage would increase from 100 feet to 200 feet.
3) The range of uses permitted would decrease. For example, retail stores and convenience stores would be prohibited.
4) The amount of side and rear setbacks could increase for some nonresidential uses.

Areas that currently are in Residential Agricultural-1 zone would be affected as follows. This includes some areas along the northerly side of the outer section of Route 3 and along Route 137.

1) The minimum lot size would decrease from 2 acres to 1.5 acres for most residential uses, but the current 1 acre exemption for exempt subdivision lots would no longer apply.
2) The minimum amount of road frontage would usually increase from 100 feet to 200 feet.
3) The range of uses that will be permitted would be very similar to the current range of uses permitted.
4) The amount of side and rear setbacks could increase for some nonresidential uses.

Areas that currently are in Protection Rural 1 zone would be affected as follows. These areas include the southerly side of the outer section of Route 3 and the northerly side of the Back Searsport Road.

1) The minimum lot size and minimum amount of road frontage often would decrease from 2 acres to 1.5 acres for a residential use.
2) The range of uses that would be permitted would be expanded to include a greater number of nonresidential uses; for example professional offices and auto repair.
3) The amount of side and rear setbacks could increase for some nonresidential uses.

Areas in Airport Growth zone. This includes only a few properties along the airport (southeasterly) side of Route 52/Lincolnville Avenue.

1) Single family housing could be permitted in an area that now prohibits single family housing.
2) The minimum lot size would increase from 1 acre to at least 1.5 acres.
3) The minimum amount of road frontage would now be added to the Code. Strangely, there is no current minimum amount of road frontage identified for the Airport Growth zone.
4) The range of uses that would be permitted would be expanded to include a number of nonresidential uses, for example professional offices and auto repair, and the zone would allow single family houses.
5) The amount of side and rear setbacks could increase for some nonresidential uses.

Areas in Residential Growth. This includes only a few properties located on the northwesterly side of Lincolnville Avenue that are located between Troy Howard Middle School and Edgecomb Road.

1) The minimum lot size would increase from 1/2 acre to at least 1.5 acres.
2) The minimum amount of road frontage would increase from 60 feet to at least 200 feet in most cases.
3) The range of uses that would be permitted would be expanded to include a number of nonresidential uses; for example, professional offices and auto repair.
4) The amount of side and rear setbacks could increase for some nonresidential uses.

Other Issues & Ideas To Consider

1) If all properties were to be fully developed as either a residential use or some types of nonresidential uses, many of these areas would no longer be considered 'Rural'. One reason many of the areas proposed as Class 1 roads appear 'Rural' today is because there has not been extensive development as of yet, and to date, there has been minimal pressure to develop the area. This, however, could change over time which means the City should monitor future development in this area.

2) Most of the roads identified as Class 1 Roads are subject to MDOT access management requirements. The minimum amount of lot frontage identified in the proposed standards often will be inadequate to meet MDOT driveway separation

requirements, particularly along Route 3 and for uses that generate more than 50 vehicle trips per day.

3) The City should consider implementing a view protection corridor for the section of Route 3 near Hayford Hill. This area allows persons driving easterly along Route 3 their first view of Belfast Bay, and it is an important resource to the area's tourism economy. Regulatory options could include requiring greater setbacks from Route 3 for all houses and nonresidential uses, and imposing stricter height limits. Such standards would only apply to structures that would adversely impact the view corridor.

CLASS 2 ROADS

'LOCAL COMMUTER ROADS & QUIET ROADS'

Goal

To allow only low intensity development and to preserve, to the greatest extent practical, the rural character and amount of open space in the area.

Examples of Class 2 Roads

This district includes all roads and areas (area more than 750 - 1,000 feet from a Class 1 Road) that are not Class 1 Roads and which generally are located westerly of the Edgecomb Road, Crocker Road and Marsh Road on the westerly side of the River, and northerly of the Back Searsport Road on the east side of the River. Examples of these roads are listed below. This is not a complete list of all Class 2 Roads.

- Back Belmont Road
- Lincolnville Avenue (Rt 52), area located westerly of Troy Howard Middle School
- Route 7 (West Waldo Road)
- Doak Road
- Oak Hill Road
- Edgecomb Road
- Woods Road
- Jesse Robbins Road
- Pitcher Road
- Poors Mill Road
- Kaler Road
- Smart Road

Permitted Uses (Examples of Main Uses)

1) Single Family and Two Family Residential
2) Home Occupations, larger scale, including Bed & Breakfast and day care home (reference pages 14 & 15)
3) Agricultural, including accessory sales of products from the farm
4) Nurseries/greenhouses
5) Gravel Extraction (if not in watershed area)
6) Forestry operations, including wood processing

Permitted Uses Subject to Obtaining a Special Exception from the Zoning Board of Appeals

1) Boat building, storage & repair
2) Self storage buildings
3) Recreational facilities, indoor & outdoor (golf courses & campgrounds)
4) Schools/churches & Child Care Centers (more than 13 students)
5) Kennels
6) Consider allowing contractor service yards, such as John Faulkingham yard on Woods Road
7) Septage disposal, treatment and spreading operations

The above types of uses often generate more impacts, and as such, warrant review by the Zoning Board of Appeals as a 'Special Exception' to ensure the proposed use does not adversely affect neighboring properties. Suggested criteria which the Board of Appeals would consider could include:

1) A use must have a larger lot size lot than the minimum 2 acre threshold otherwise required for a nonresidential use.
2) A greater amount of road frontage than 200 feet; likely 400+ feet.
3) Greater setbacks from the road, with the goal of establishing good quality screening for the project to create a buffer between the road and the use.
4) Greater setbacks from all side lot lines, likely 100+ feet, with the setback area to be a natural buffer area. Goal is to lessen conflict with abutting property owners.
5) Consider the amount and type of traffic generated by the use, and ensuring that there is good quality sight distance and adequate separation between the entrance to this site and adjacent driveways.

Minimum Lot Size & Density (Number of Housing Units per Acre)

1) Single Family or Two-Family on 2 acres & 200 feet frontage if frontage on a Class 2 road.

2) Single Family or Two-Family on 1.5 acre & 150 feet frontage if no frontage on a Class 2 road. Also, a back lot may not require any road frontage.
3) Multifamily residential is a prohibited use.
4) A nonresidential use must have at least 2 acres & 200 feet of road frontage, but the amount could be greater if it is subject to obtaining a special exception from the Zoning Board of Appeals.

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

1) Front structure setback of 30 feet for a residential use
2) Side and rear setback requirements of 15 feet for a residential use.
3) Front structure setback of 75 feet for a structure that is used for a nonresidential use. Also, the amount of front setback for a nonresidential use could be greater subject to a 'special exception' from Zoning Board of Appeals.
4) Side setback requirement of 30 feet for a nonresidential use, and the amount of this setback could be greater subject to 'special exception' from Zoning Board of Appeals.
5) Rear setback requirement of 50 feet for a nonresidential use, and the amount of this setback could be greater subject to 'special exception' from Zoning Board of Appeals.

Major Changes Compared to Current Requirements

The amount and type of change is based on the zoning district in which the area currently is located. Four main zoning districts now apply to the areas that are proposed to become Class 2 Roads; Residential Agricultural-1, Protection Rural-1, Residential Growth, and Residential II. The land use maps provided in this document illustrate both current zoning and the proposed land use designation.

Areas that currently are in Residential Agricultural-1 zone would be affected as follows. This mostly includes all areas along Route 7 (West Waldo Road), the southwest side of the Doak Road, the westerly side of the Edgecomb Road, the area near the intersection of Lincolnville Avenue and the Back Belmont Road, the easterly side of the Jesse Robbins Road, and all of the Pitcher Road and Poors Mill Road area.

1) The minimum lot size would remain the same for most residential uses, but the current 1 acre exemption for exempt subdivision lots would no longer apply.
2) The minimum amount of road frontage would usually increase from 100 feet to 200 feet.
3) There will be a decrease in the range of nonresidential uses that would be permitted compared to the current zone. For example, restaurants, professional offices and convenience stores would no longer be permitted. The proposed amendment would result in Belfast 52 Variety on Lincolnville Avenue being considered a nonconforming use.

4) The amount of side and rear setbacks could increase for some nonresidential uses.

Areas that currently are in Protection Rural 1 zone would be affected as follows. These areas mostly include Smart Road, northeasterly side of Doak Road, Oak Hill Road, the westerly side of Jesse Robbins Road, and the Woods Road.

1) The minimum lot size and minimum amount of road frontage would remain the same for most purposes.
2) The range of uses that would be permitted would be expanded to include a few nonresidential uses that currently are prohibited; boat repair, recreational uses, and self storage buildings for example.
3) The amount of side and rear setbacks could increase for some nonresidential uses.

Areas in Residential Growth zone would be affected as follows. This includes only the area along the easterly side of Edgecomb Road.

1) The minimum lot size would increase from 1/2 acre to 2 acres.
2) The minimum amount of road frontage would increase from 60 feet to 200 feet in most cases.
3) The range of uses that would be permitted would be expanded to include some nonresidential uses; such as boat repair, storage facilities and recreation facilities.
4) Also, some uses that are now permitted would be prohibited, such as professional offices.
5) The amount of side and rear setbacks could increase for some nonresidential uses.

Residential II zone includes only the area along Herrick Road and Perkins Road, and would be affected as follows.

1) Lot size increases from ½ acre to 2 acres.
2) Road frontage increases from 60 feet to at least 200 feet.
3) Allows a few nonresidential uses that are now prohibited, such as kennels, but also prohibits a use that is now permitted, professional offices.
4) Amount of structure setbacks would increase.

Other Issues & Ideas To Consider

1) Many of these roads experience commuter traffic. The speed of this traffic often conflicts with how residents view their area as being located on a 'Rural' road, and an area in which they expect both the amount and speed of traffic to be reasonable. This conflict likely will be exacerbated as more of the rural land in Belfast and surrounding towns is developed.

2) Most existing development, particularly housing development, is often located fairly close to the road. The proximity of existing houses to the road can lead to conflicts between the amount of activity on the road and residents' expectation that they live in a quiet rural area.

3) It is critical that the City manage the location and number of curb-cuts along these commuter roads.

4) Much of the land in this area is undeveloped, including many large tracts of land (50+ acres). This land, however, rarely is being used for a natural resource purpose, such as forestry or agriculture, and one of the main reasons it remains undeveloped is the current lack of development pressure. This current lack of development pressure could be transitory, and as the desire for more development occurs, land that is now considered rural could be developed in a manner that eliminates the general rural character of the area. For example, a person who owns a single family house on a 5 acre lot on the Woods Road may be concerned if a 25 unit subdivision is proposed on an abutting 50 acre parcel; a feeling of too much development. The City should consider implementing regulatory provisions that attempt to retain the rural character of the area, such as requiring open space subdivisions and/or requiring the preservation of natural buffer areas.

5) The City, in an effort to encourage the construction of affordable ownership (non-rental) housing, should consider allowing small housing clusters on properties in which the lots created would be smaller than the proposed minimum lot size required for the zone. The housing clusters typically could involve provisions such as the following: no more than 7 single family housing units; construction of a single road to access all lots, usually a minor road; the retention of common open space area; offering homes which moderate income persons could afford to purchase; and provisions which cap that amount of appreciation in housing price for a reasonable period of time.

6) The City should encourage private efforts that result in the long-term protection of important open space resources, such as conservation easements.

7) City should consider locations in which a salvage yard or junkyard can be operated. Any such operation would need to conform to all State standards and be adequately screened and separated from neighboring properties. Further, the use should not result in any likelihood of adverse impacts on individual drinking water supplies or the area's natural resources. Currently, there are several salvage and junk yard operations in the area which is proposed to be Rural Road Class 2.

OUTLINE OF APPROACH TO REGULATE HOME OCCUPATIONS

The approach outlined in this section identifies examples of the types of uses that could qualify as allowed home occupations, larger scale operations, and some of the issues that will be important to consider in the regulation of such uses. The overall approach

would allow a fairly wide range of home based businesses to occur in the Outside Rural area, both the Class 1 and Class 2 areas, provided such businesses are small in scale and do not adversely impact other property owners in the area. It is noted that this list of guidelines is quite explicit, mostly so users of this Plan have a good start point for considering how home occupations should be regulated. It is also noted that these guidelines appear in the Outside Rural Area of the Plan, however, many of these would be applicable to other proposed land use areas identified in this Plan in which larger scale home occupations would be allowed.

- The owner/operator of the business must live on the property. It must be a home based business. It is noted that the standard specifically references 'live' on the property rather than 'own' the property, which means that someone who rents/leases the property could operate the business. The Belfast Planning Board has issued home occupation permits to a number of persons who rent a property, provided the owner of the property consents to the use.

- Home based businesses would allow the production of goods on site. Such businesses that produce goods on site or engage in trades that add real value to goods produced elsewhere would have the opportunity to sell such goods on the property, provided the size (square feet) of the retail sales area is quite small, usually no greater than 800 square feet. In addition, such sales also could include a limited number of goods not produced on the site, provided such goods are similar or related to the goods produced on the site (for example, candle holders for a person that produces candles in their business), and that the production and accompanying sale of goods produced on the site is the prime activity. Examples of such uses include but are not limited to: a business that makes furniture on-site and sells such goods on site, a business that makes candles on site and sells such goods on site, a business that makes clothing on the site and sells such goods on site, and a business that produces art on site and sells such goods on site.

- Home based businesses that engage in the sale of second hand products would be permitted as special exception, provided the size of the structure in which sales occur is no greater than 1,200 square feet, and there is no outside display of goods for sale. Examples of such uses would be Joan's Tree House on Tufts Road and Mary's Oak Hill Barn in Swanville. (It is noted that this 'category' of use likely is the most difficult to regulate and could result in a proliferation of uses such as antique shops and similar retail stores along a road.)

- Home based businesses would allow the delivery of services on the site, provided the size of the area in which services are provided is quite small, usually no greater than 800 square feet. Examples of such service businesses include but are not limited to: a small engine repair shop, a shoe repair shop, a hair salon, and a seamstress.

- Home based businesses would allow the delivery of professional services, services usually provided in an office, provided the office use is quite small, usually no greater than 800 square feet, and does not involve more than 2 employees not related to the business owner.

- Home based businesses could include the operation of a small scale restaurant and places that sell food prepared on site. Small scale means a building that has no more than 20 seats.

- Home based businesses could include operations that are accessory to an on-site agricultural use. Examples of such may include a farm stand, a livery, a corn maze, petting farms, and such. It is noted that the 'face' of agriculture is changing, and that farms are now engaged in an increasing array of accessory operations to sustain the farm. For example, the Good Karma Farm on Perkins Road raises llamas and alpacas and sells fiber goods and soaps, and the Keene Farm on Shepard Road sells compost.

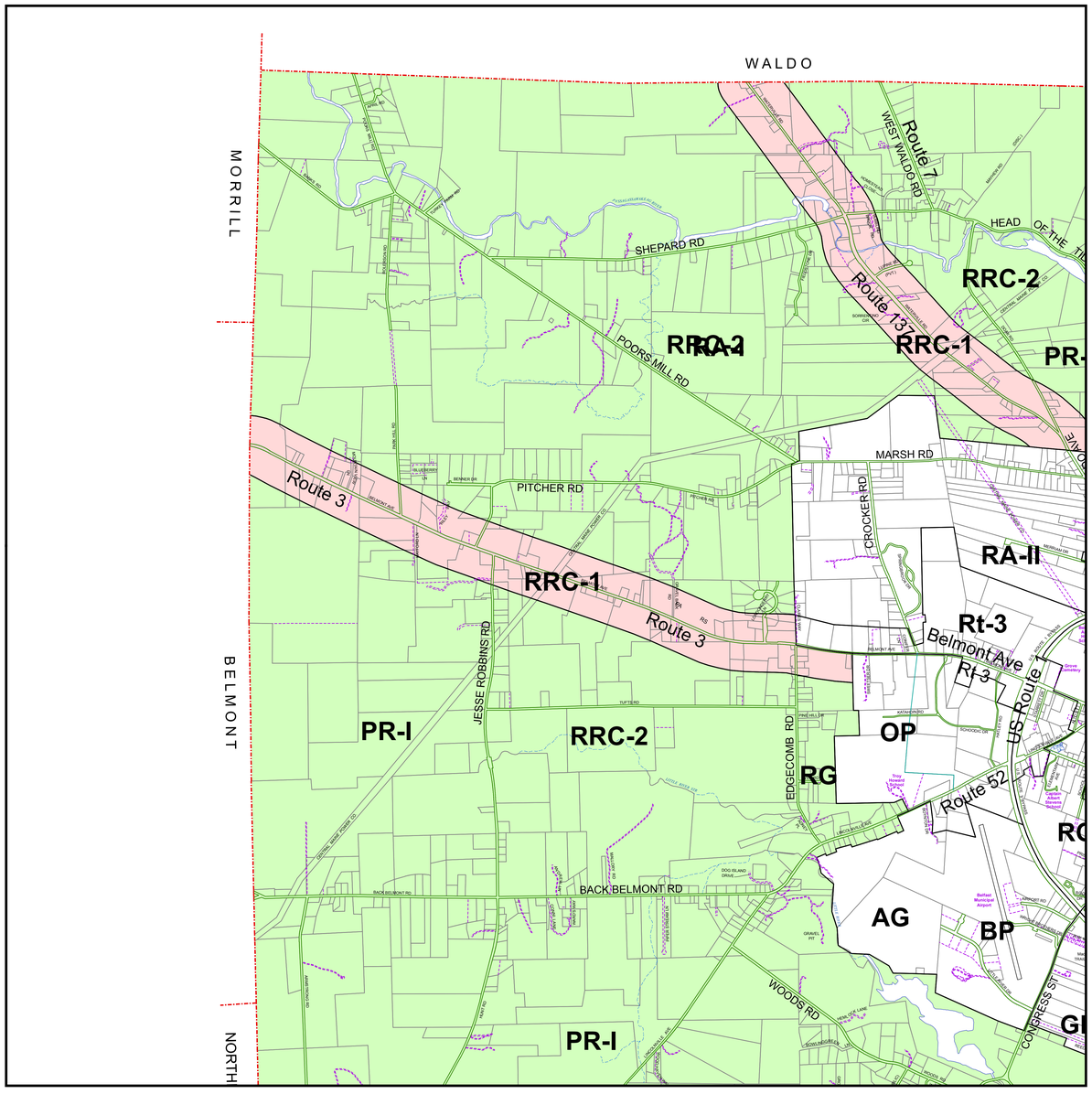
- Home based businesses specifically would include a home based day care business which the State currently defines as less than 13 students. Any facility with more than 13 students would need to be considered as a day care center.

- The City should consider the adoption of standards to regulate such uses to lessen any potential adverse impacts on neighbors. These standards could include but are not necessarily limited to: limitations on the hours of operation; prohibitions on the storage of outside goods; no noxious impacts on neighbors; and the amount of traffic should be low scale and all parking must occur on the site. It is expressly understood that these guidelines are suggestions, and that the City may consider more specific standards in preparing the Zoning Ordinance language that would be adopted to implement this policy direction.

- City should monitor the number of small home based businesses and other types of businesses that occur in various sectors of the Outside Rural area and will consider if City regulations are effective in ensuring that this is a 'Rural' area and that one person's use of their property is not adversely affecting neighboring properties.

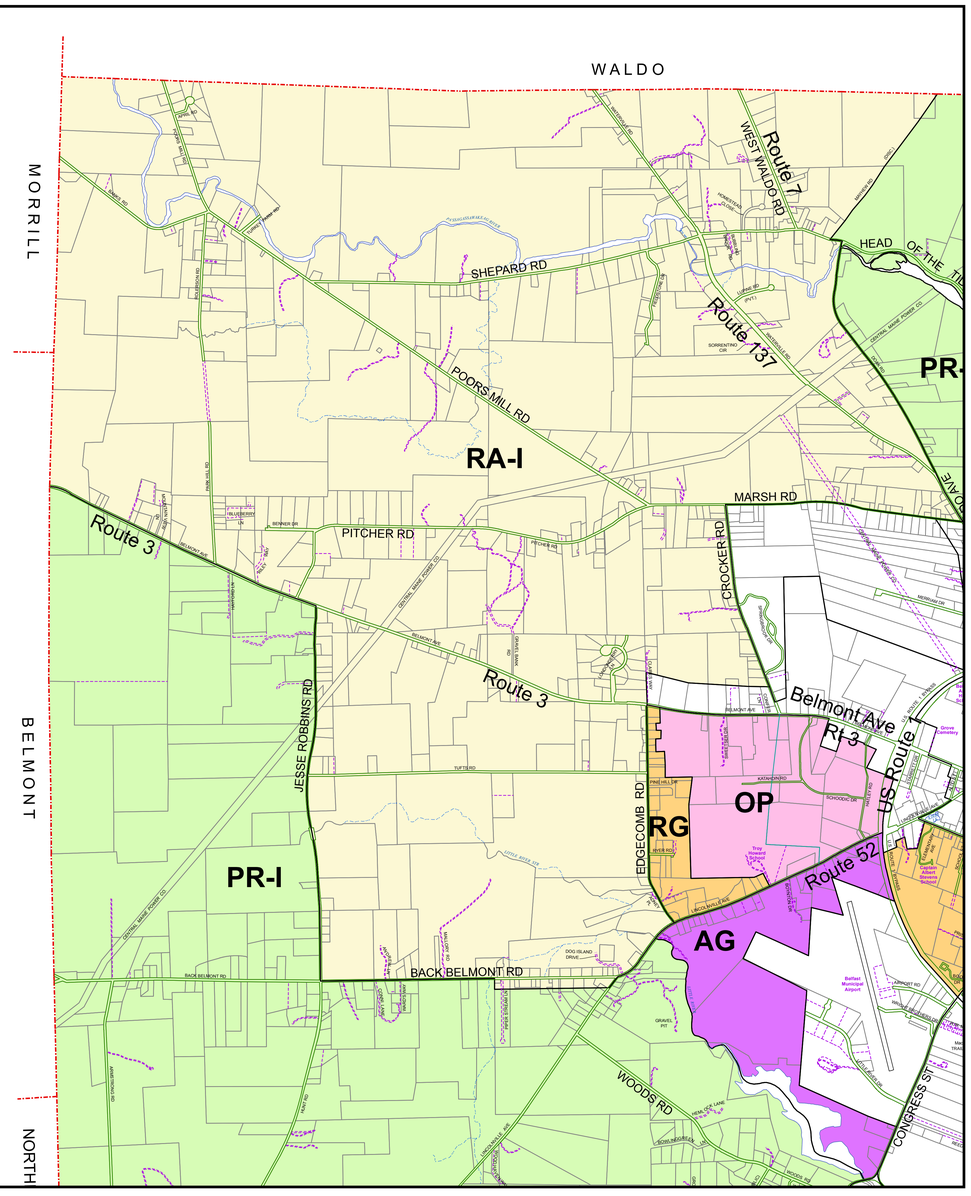
Rt 3 Area Rural Road Class

PROPOSED LAND USE AREAS



Zone
RRC-1 Rural Road Class 1
RRC-2 Rural Road Class 2

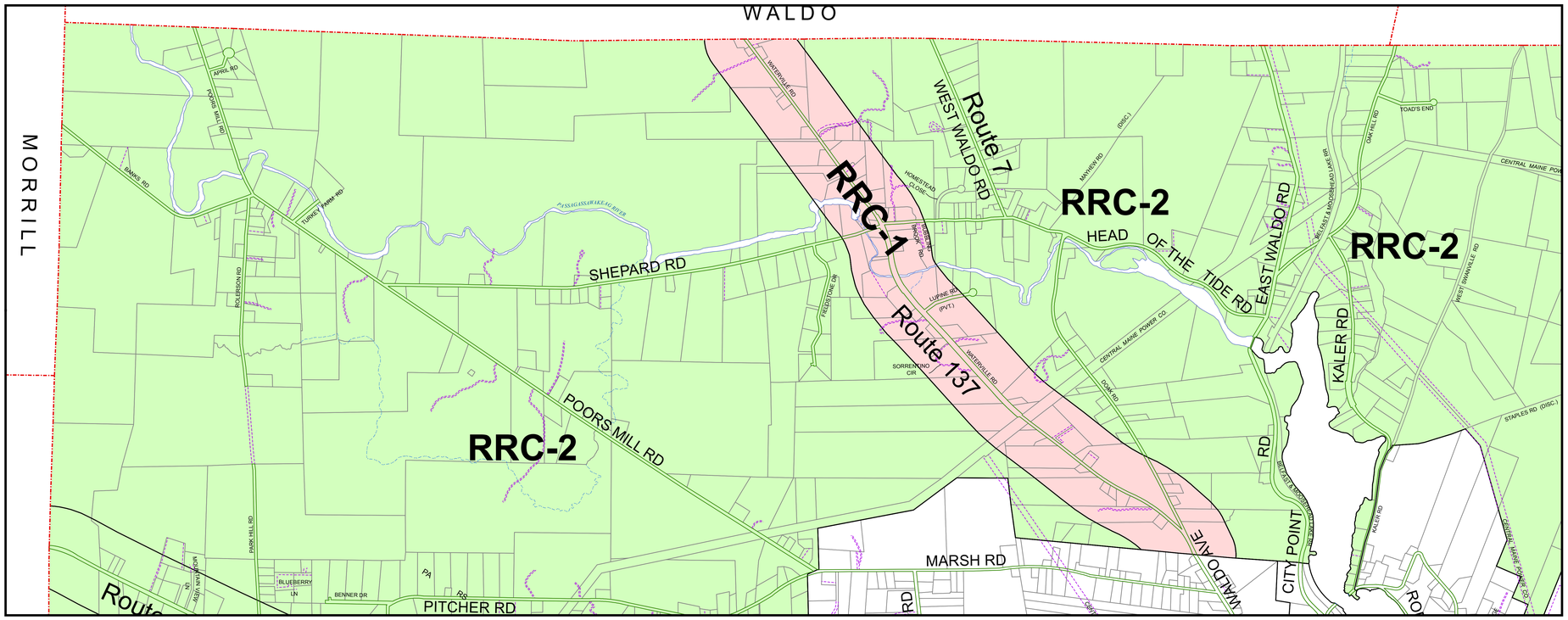
EXISTING ZONING



Zone
AG Airport Growth District
OP Office Park District
PR-I Protection Rural District
RA-I Residential/Agricultural I District
RG Residential Growth District

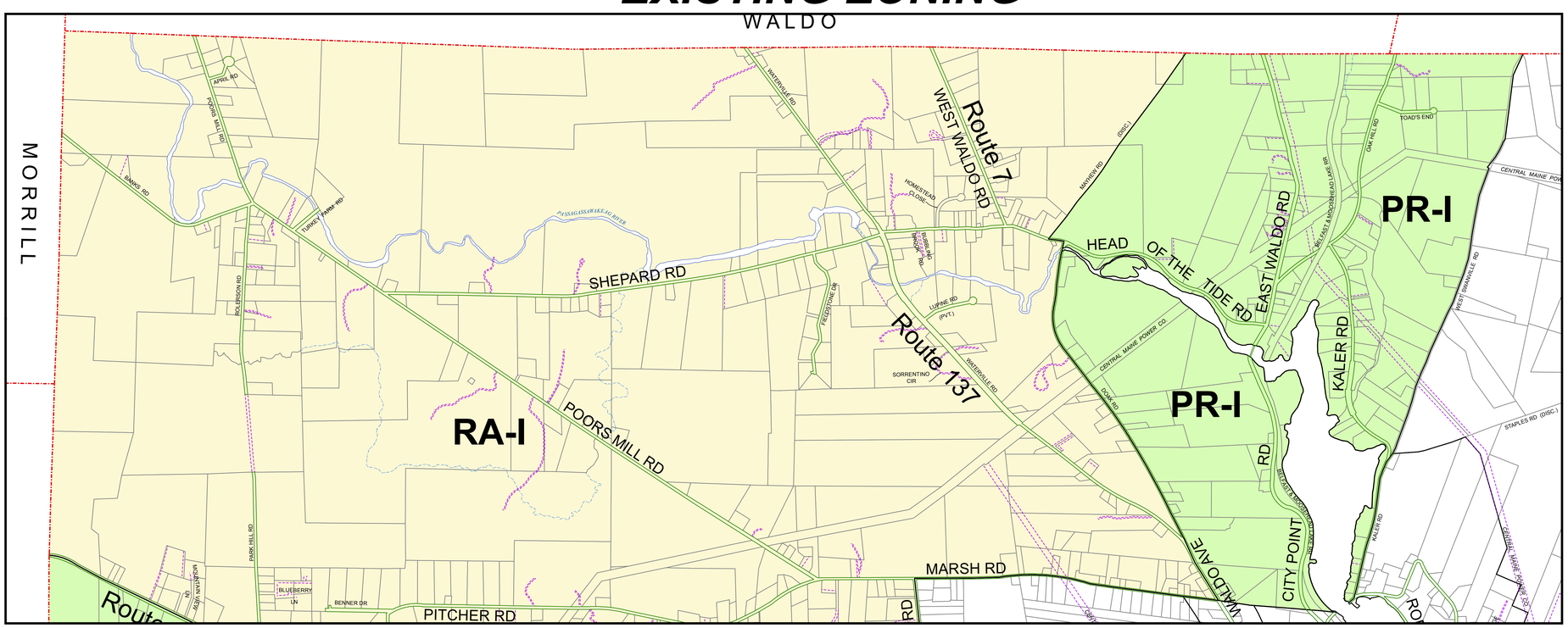
Route 137 Area Rural Road Class

PROPOSED LAND USE AREAS



Zone
RRC-1 Rural Road Class 1
RRC-2 Rural Road Class 2

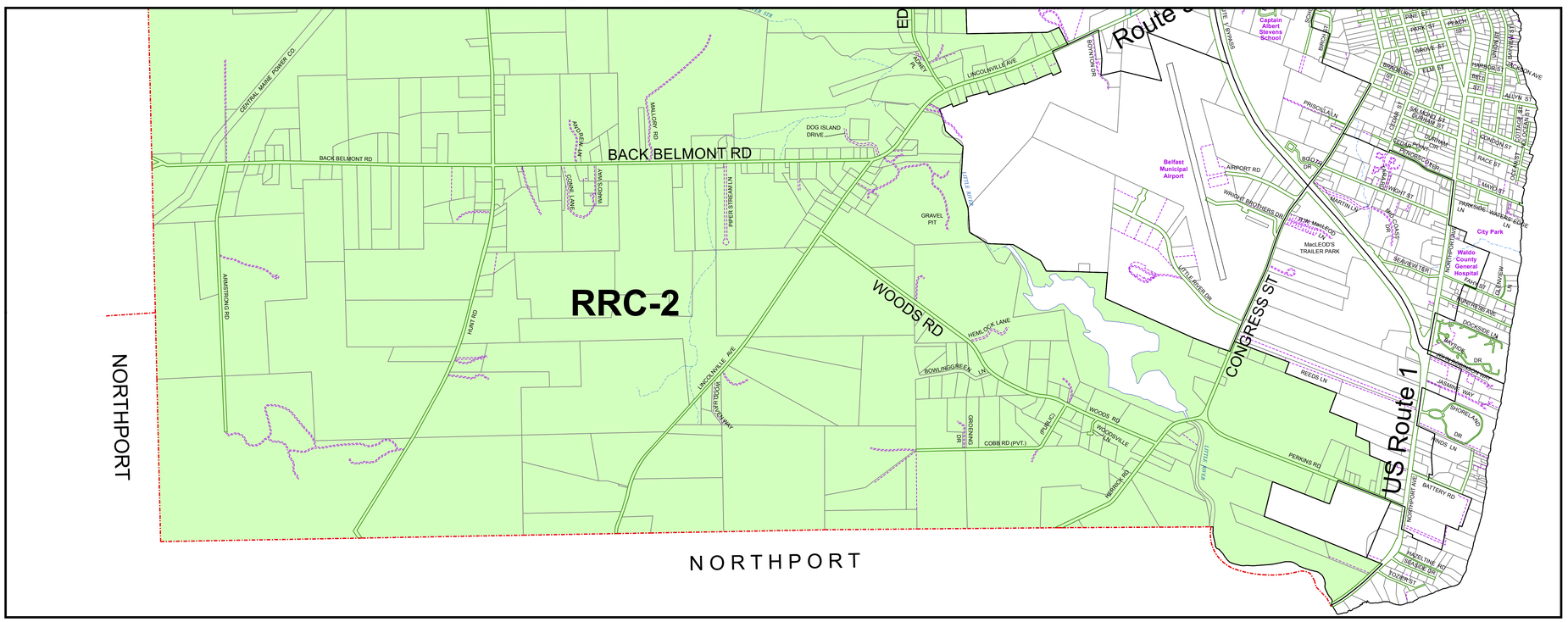
EXISTING ZONING



Zone
PR-I Protection Rural District
RA-I Residential/Agricultural I Dist.

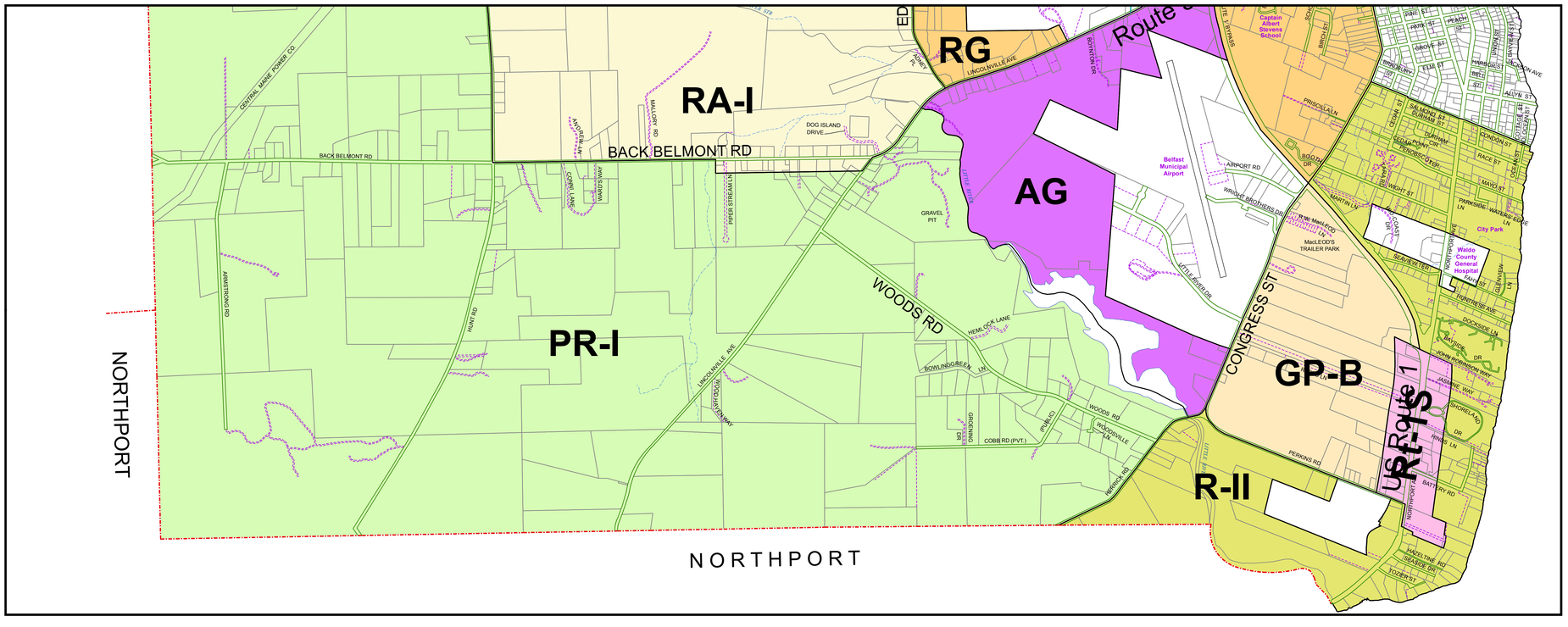
Back Belmont Area Rural Road Class

PROPOSED LAND USE AREA



Zone
RRC-2 Rural Road Class 2

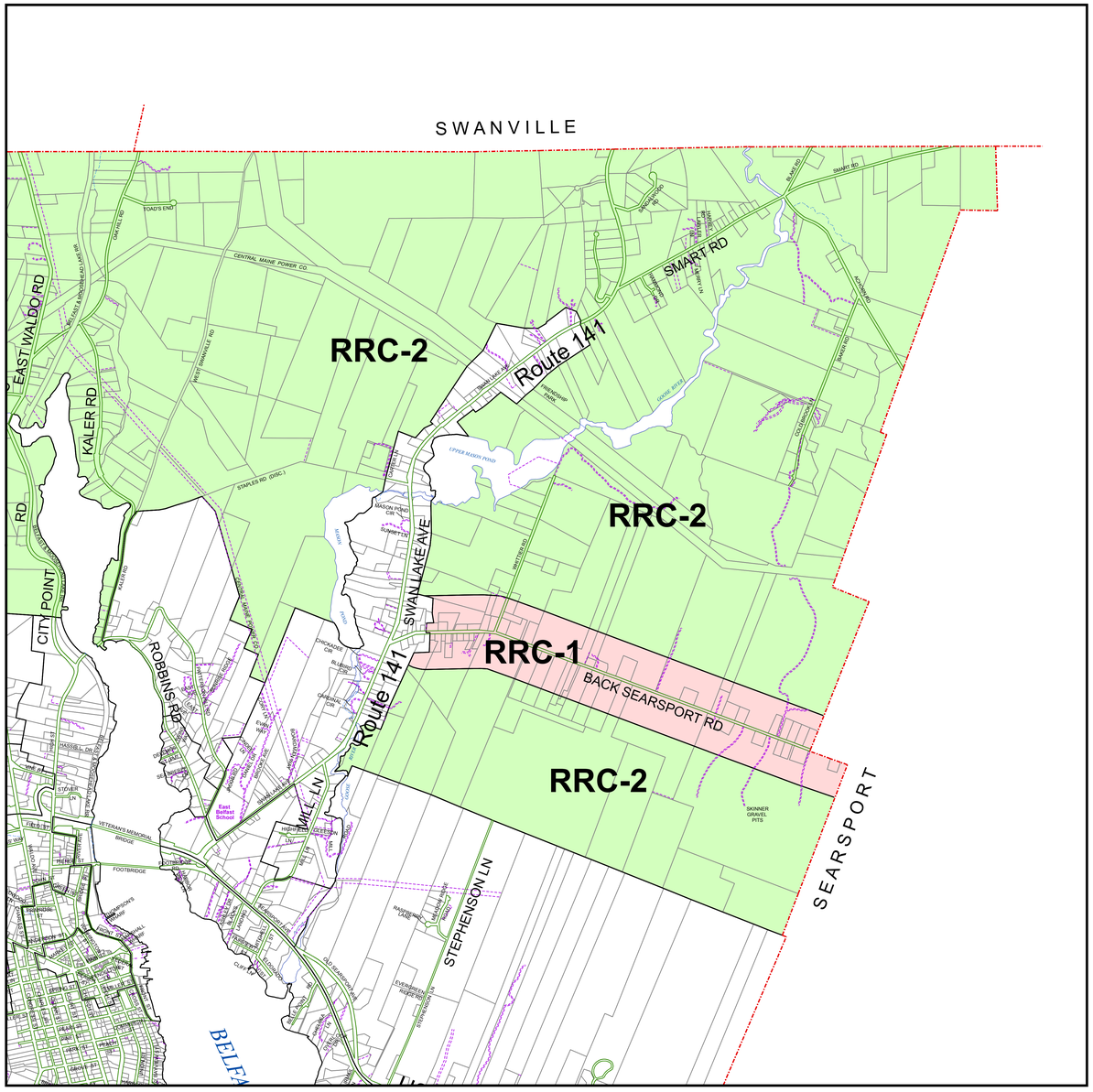
EXISTING ZONING



Zone
AG Airport Growth District
GP-B General Purpose "B" District
PR-I Protection Rural District
R-II Residential II District
RA-I Residential/Agricultural I District
RG Residential Growth District

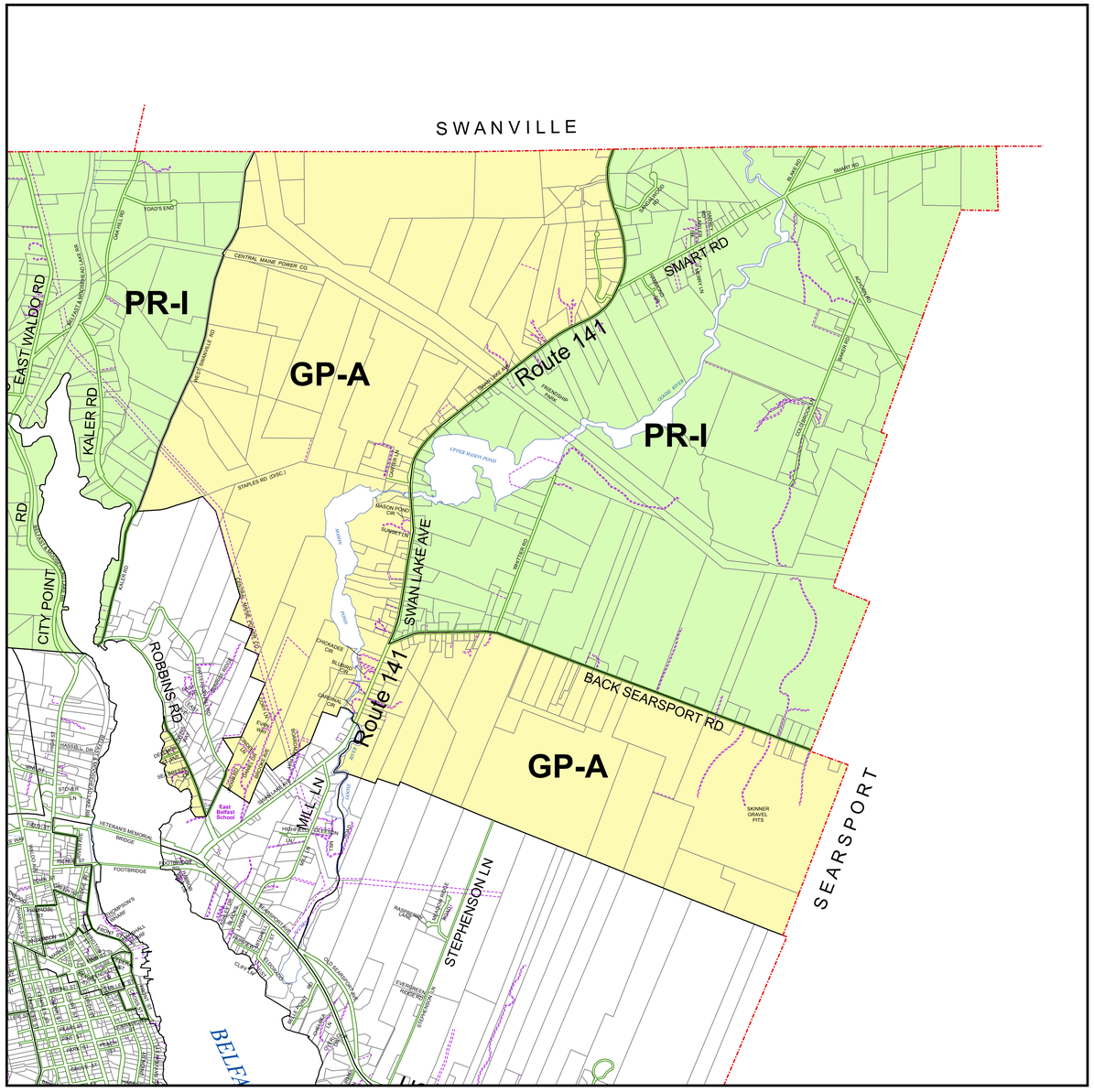
East Side Area Rural Road Class

PROPOSED LAND USE AREAS



Zone
RRC-1 Rural Road Class 1
RRC-2 Rural Road Class 2

EXISTING ZONING



Zone
GP-A General Purpose "A" District
PR-I Protection Rural District