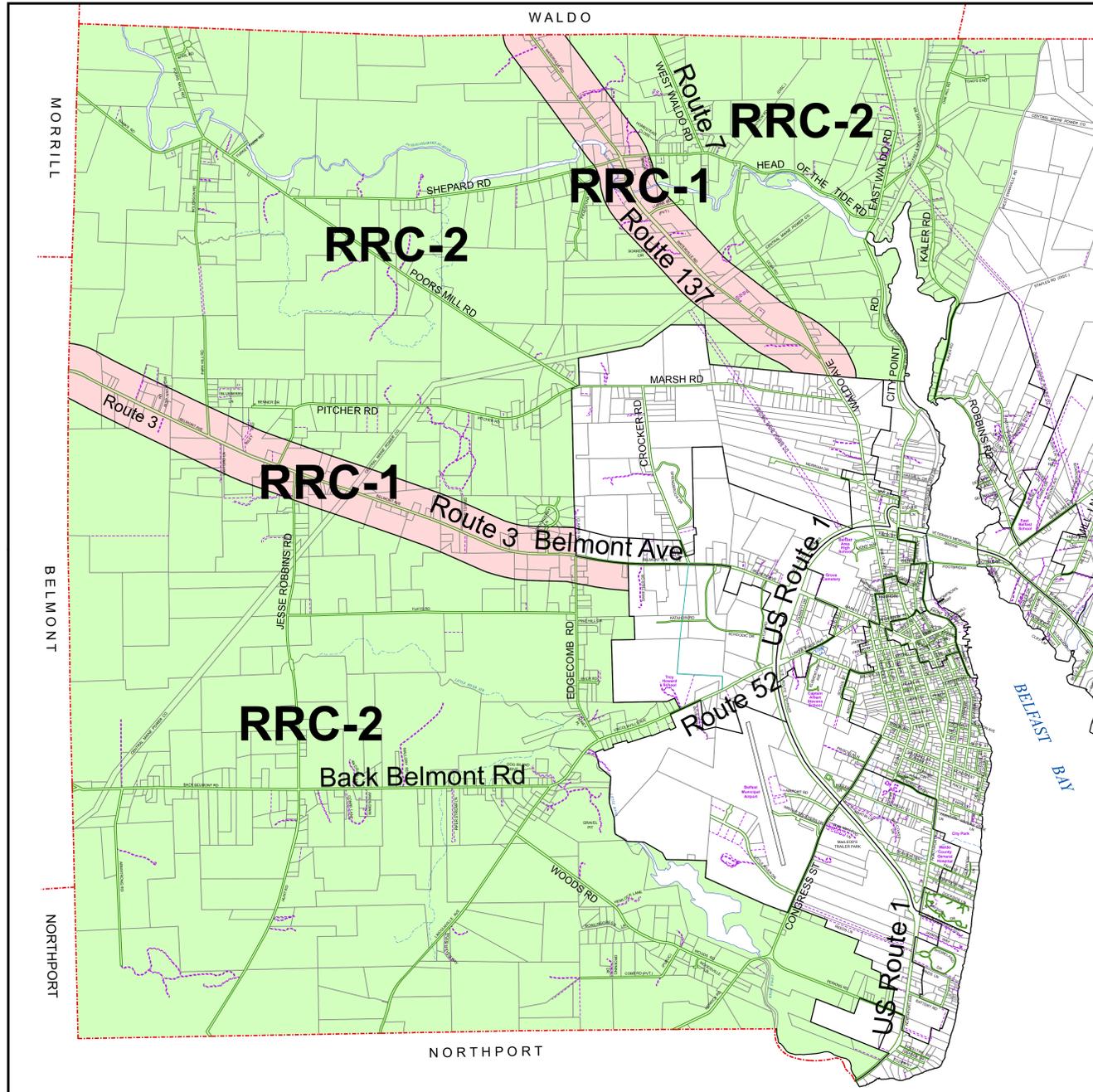


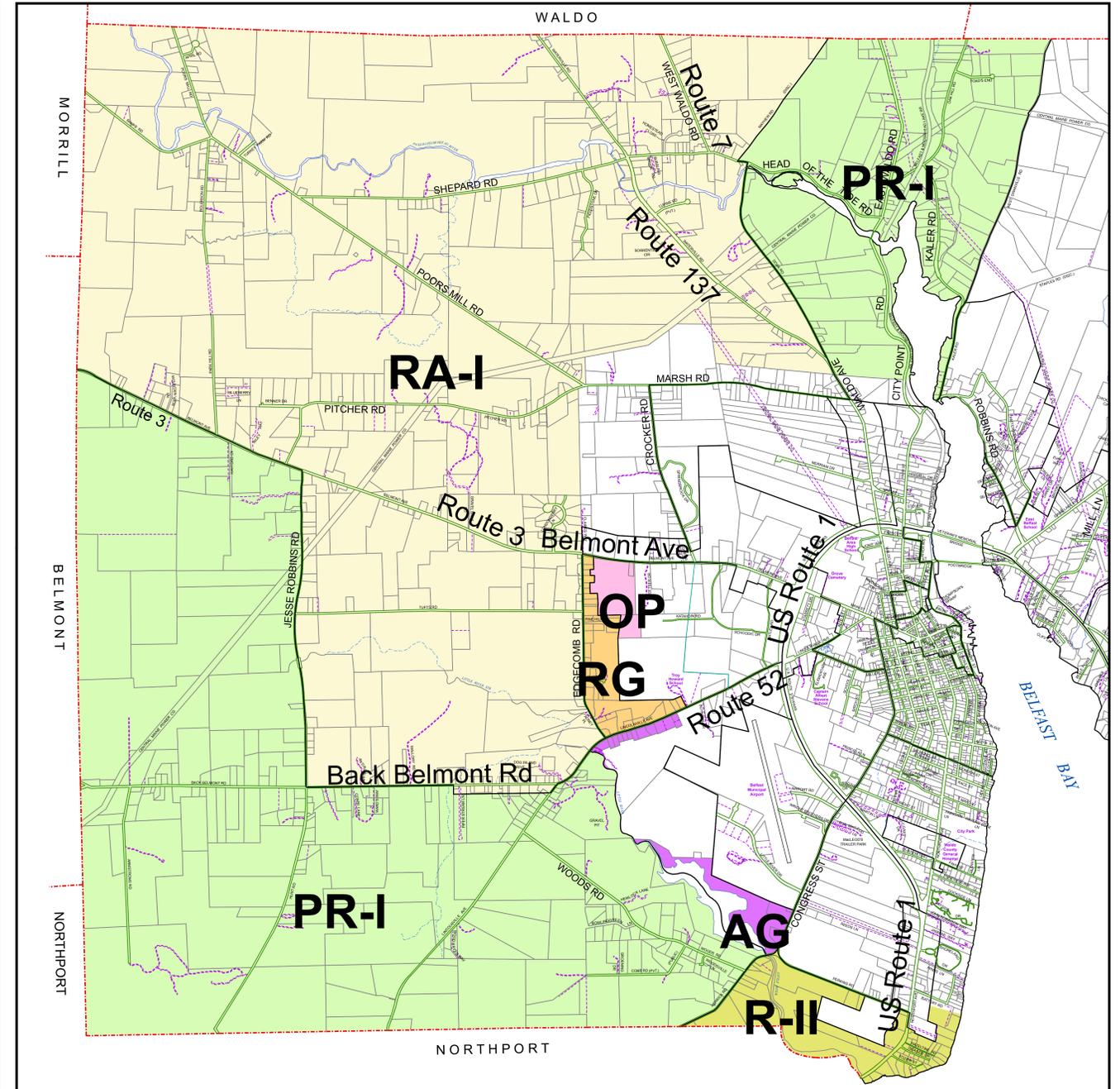
OUTSIDE RURAL

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 as Gibb's on Back Belmont Road and Hanscom's Auto Body on Lincolnvile 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 not 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 the 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

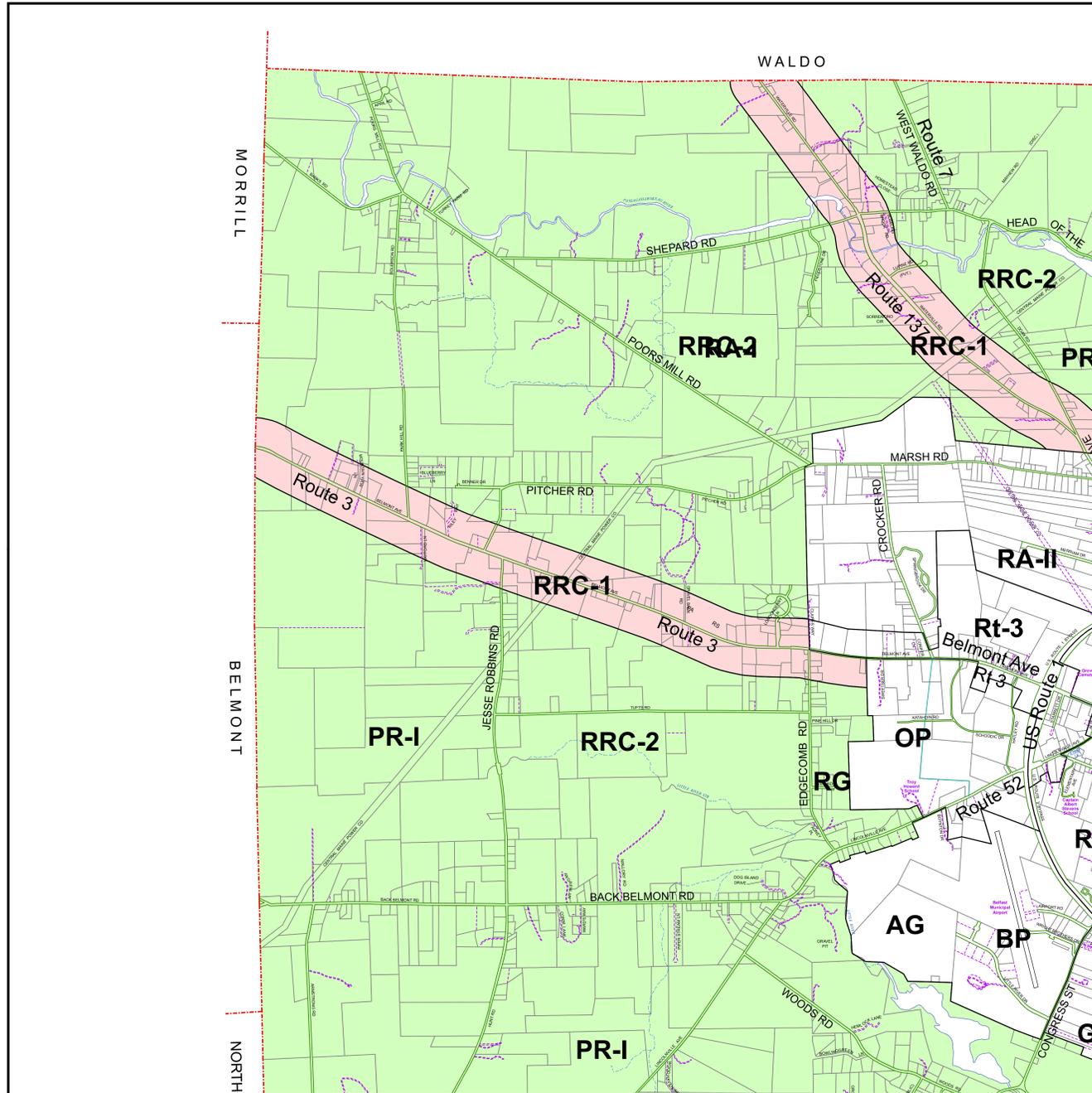
limited to: a business that makes furniture on-site and sells such goods on site, a business that makes candles on site and sells such goods on site, a business that makes clothing on the site and sells such goods on site, and a business that produces art on site and sells such goods on site.

- 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.

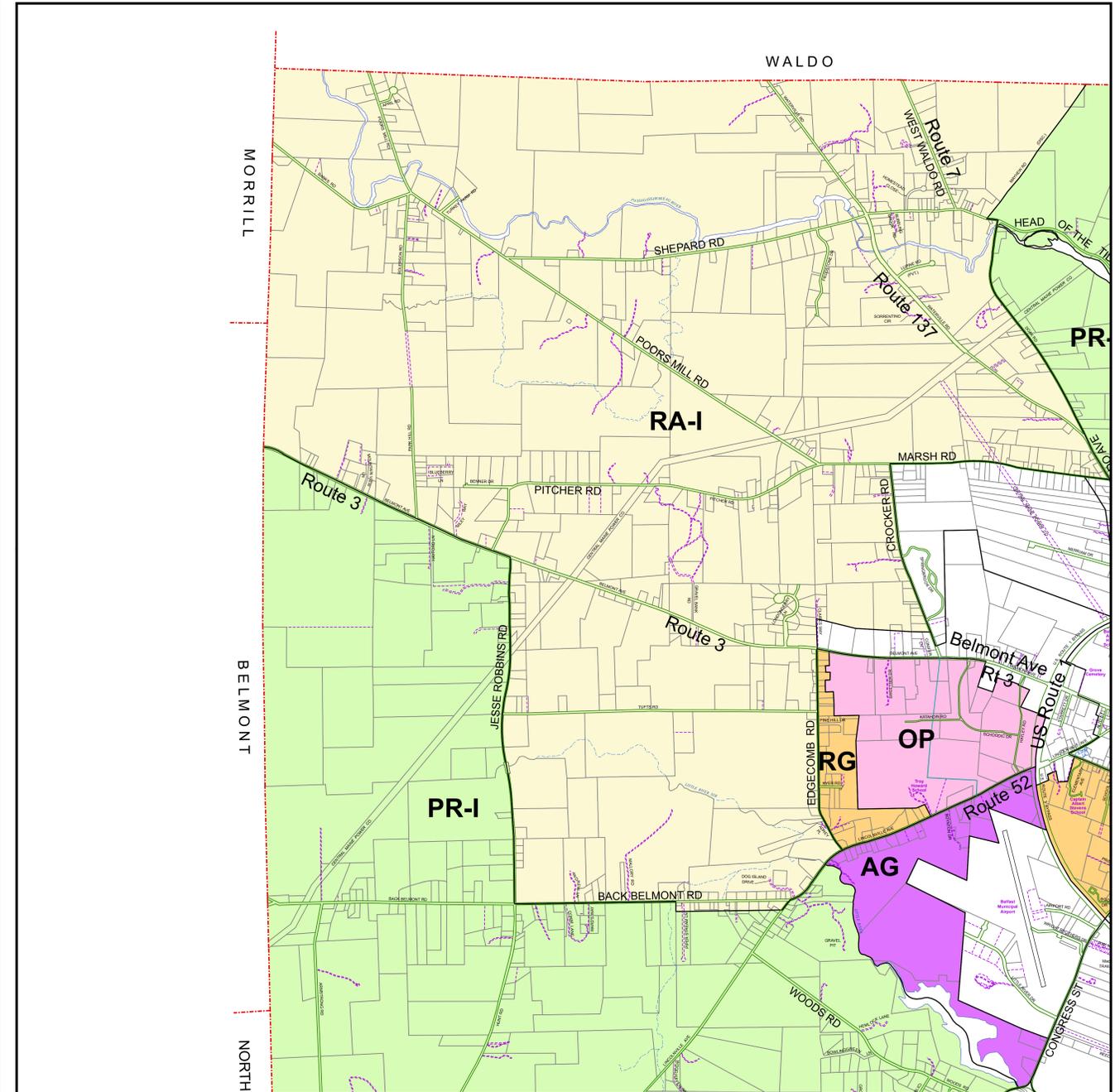
Rt 3 Area Rural Road Class

PROPOSED LAND USE AREAS



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

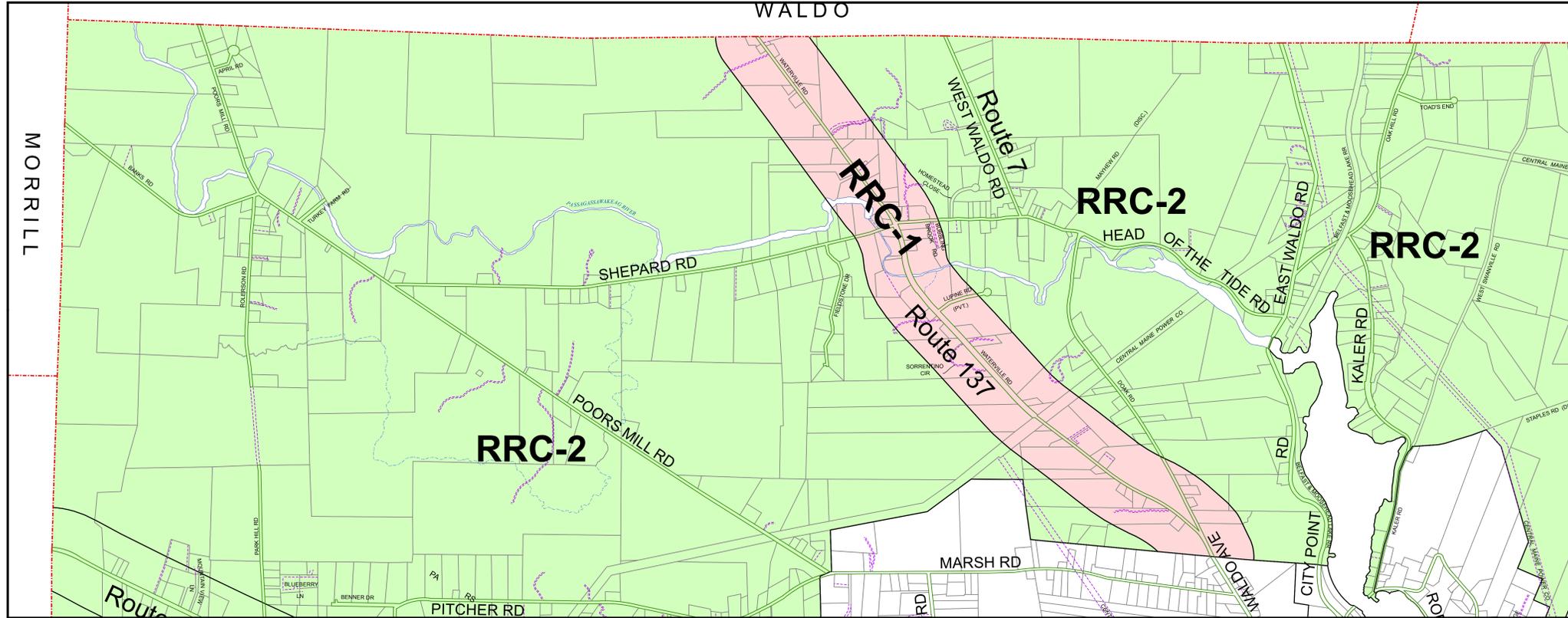
EXISTING ZONING



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

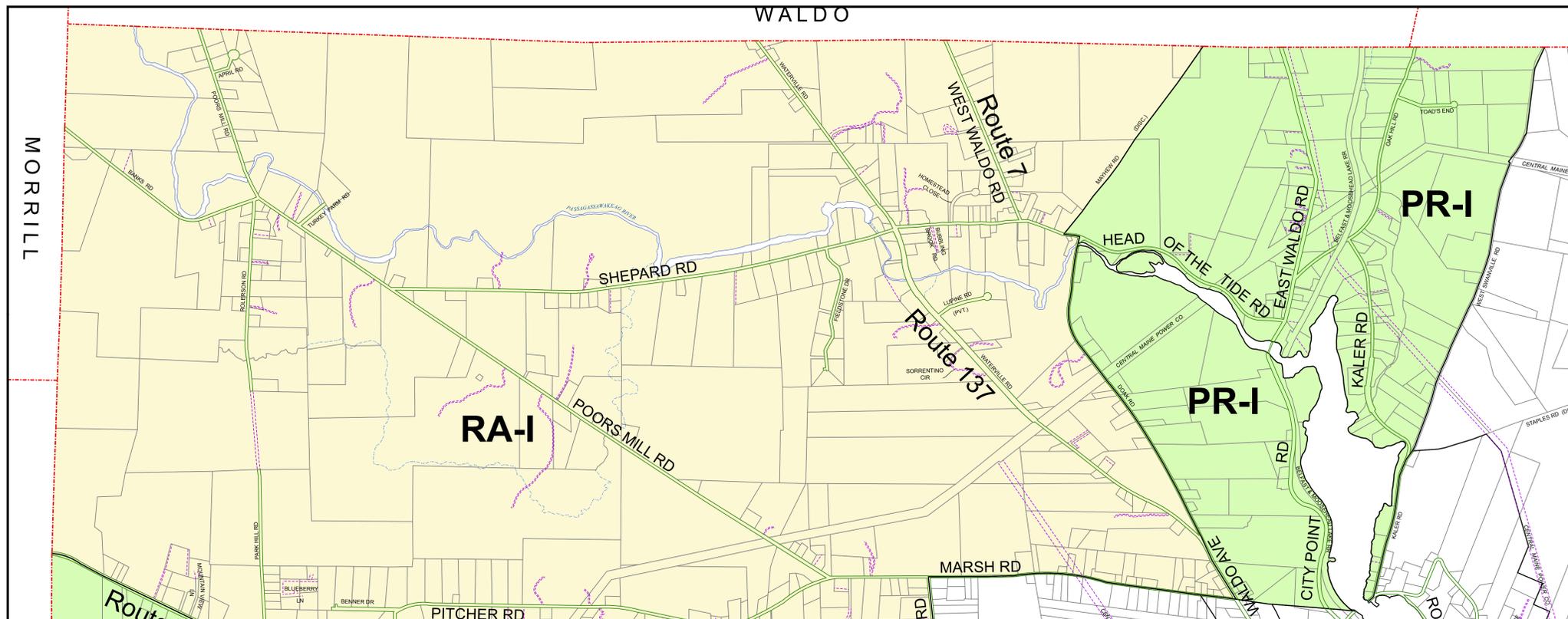
Route 137 Area Rural Road Class

PROPOSED LAND USE AREAS



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

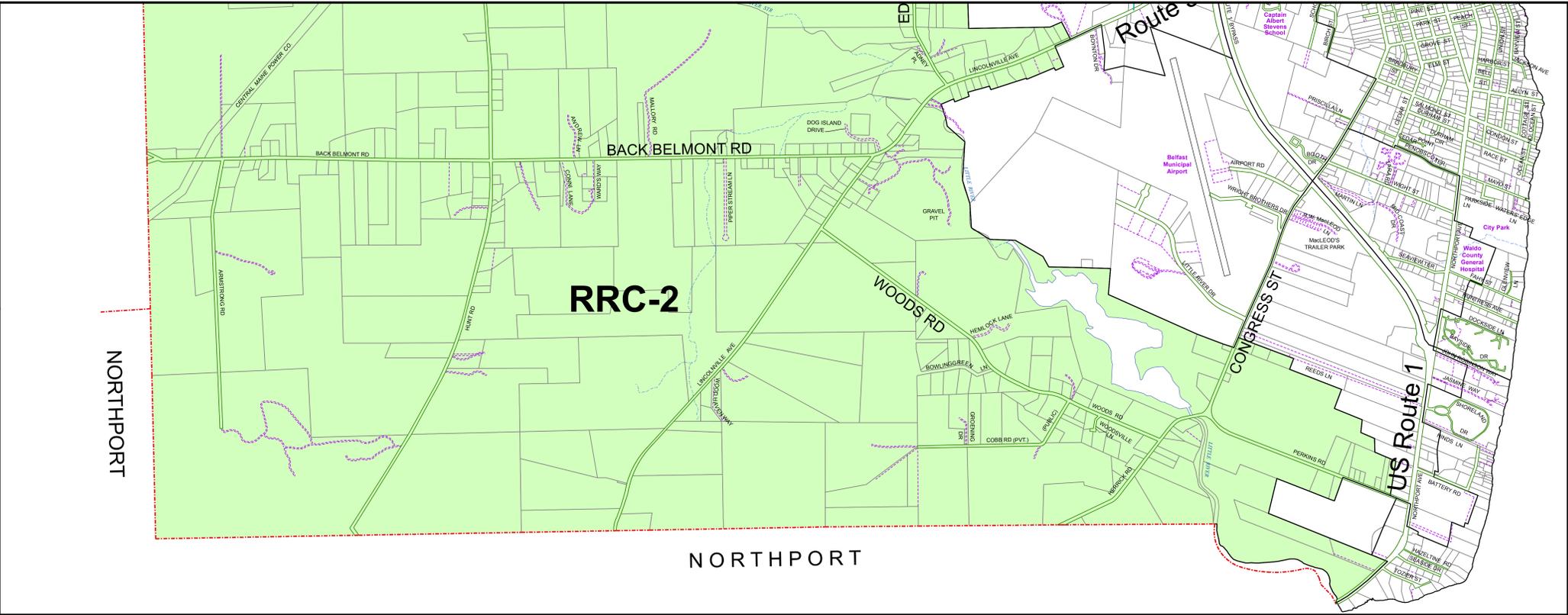
EXISTING ZONING



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

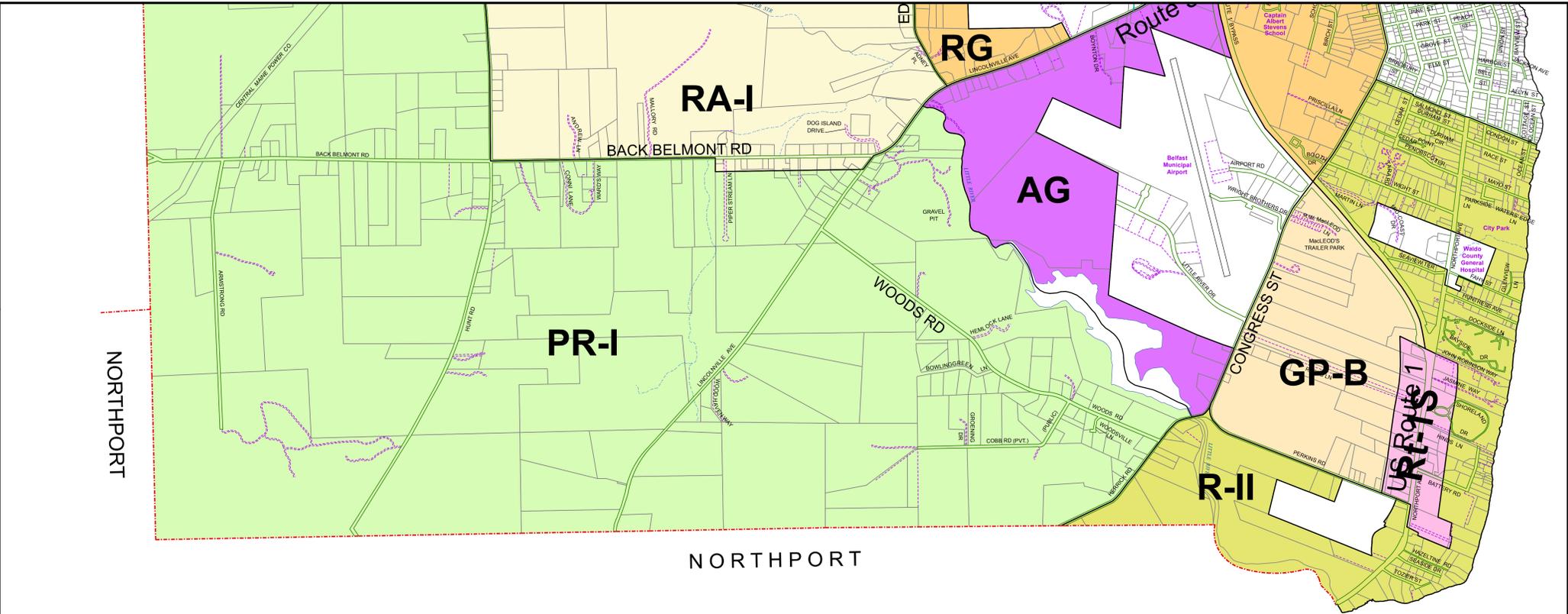
Back Belmont Area Rural Road Class

PROPOSED LAND USE AREA



Zone
RRC-2 Rural Road Class 2

EXISTING ZONING

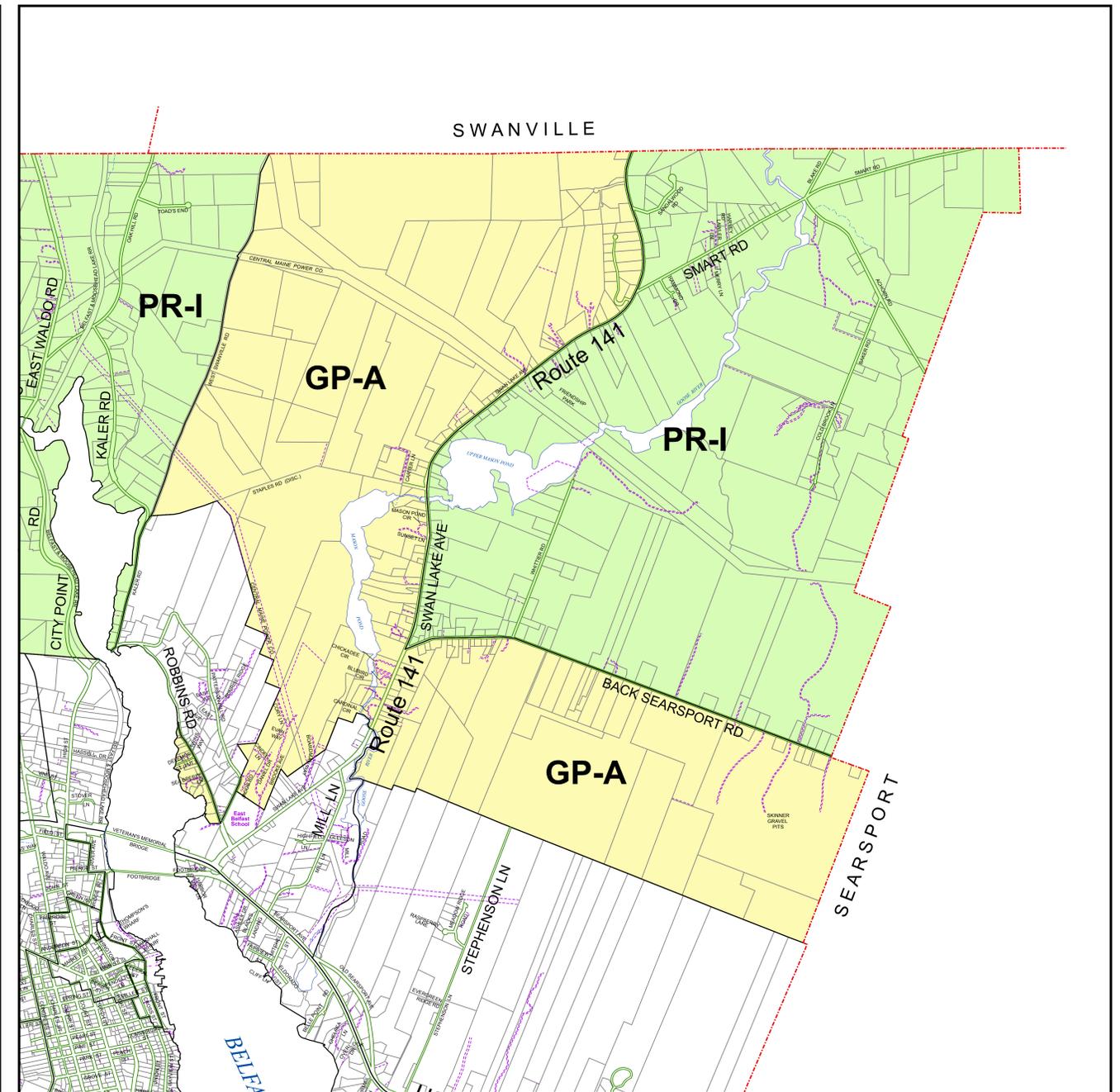
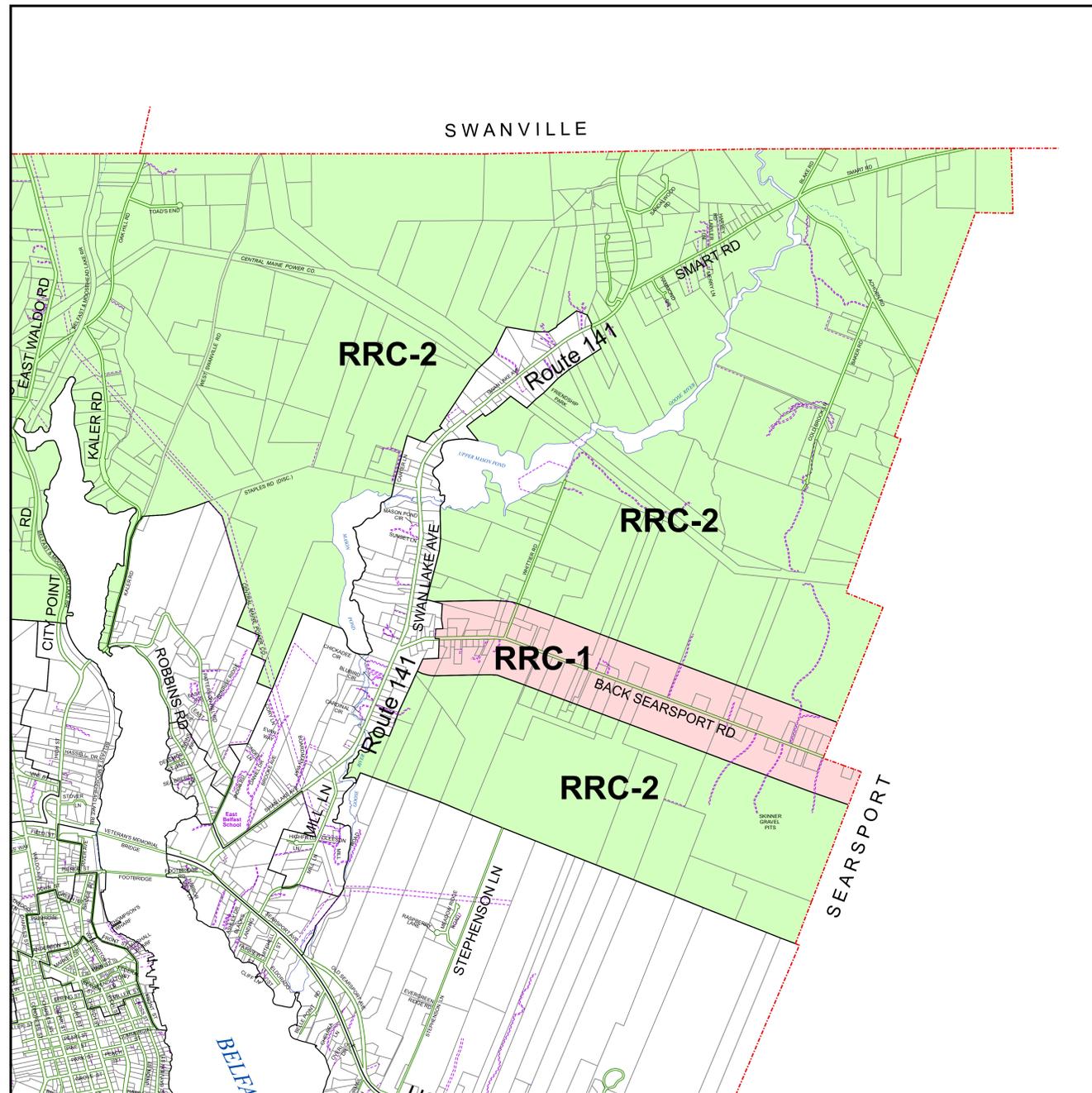


Zone
 AG Airport Growth District
 GP-B General Purpose "B" District
 PR-I Protection Rural District
 R-II Residential II District
 RA-I Residential/Agricultural I District
 RG Residential Growth District

East Side Area Rural Road Class

PROPOSED LAND USE AREAS

EXISTING ZONING



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

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