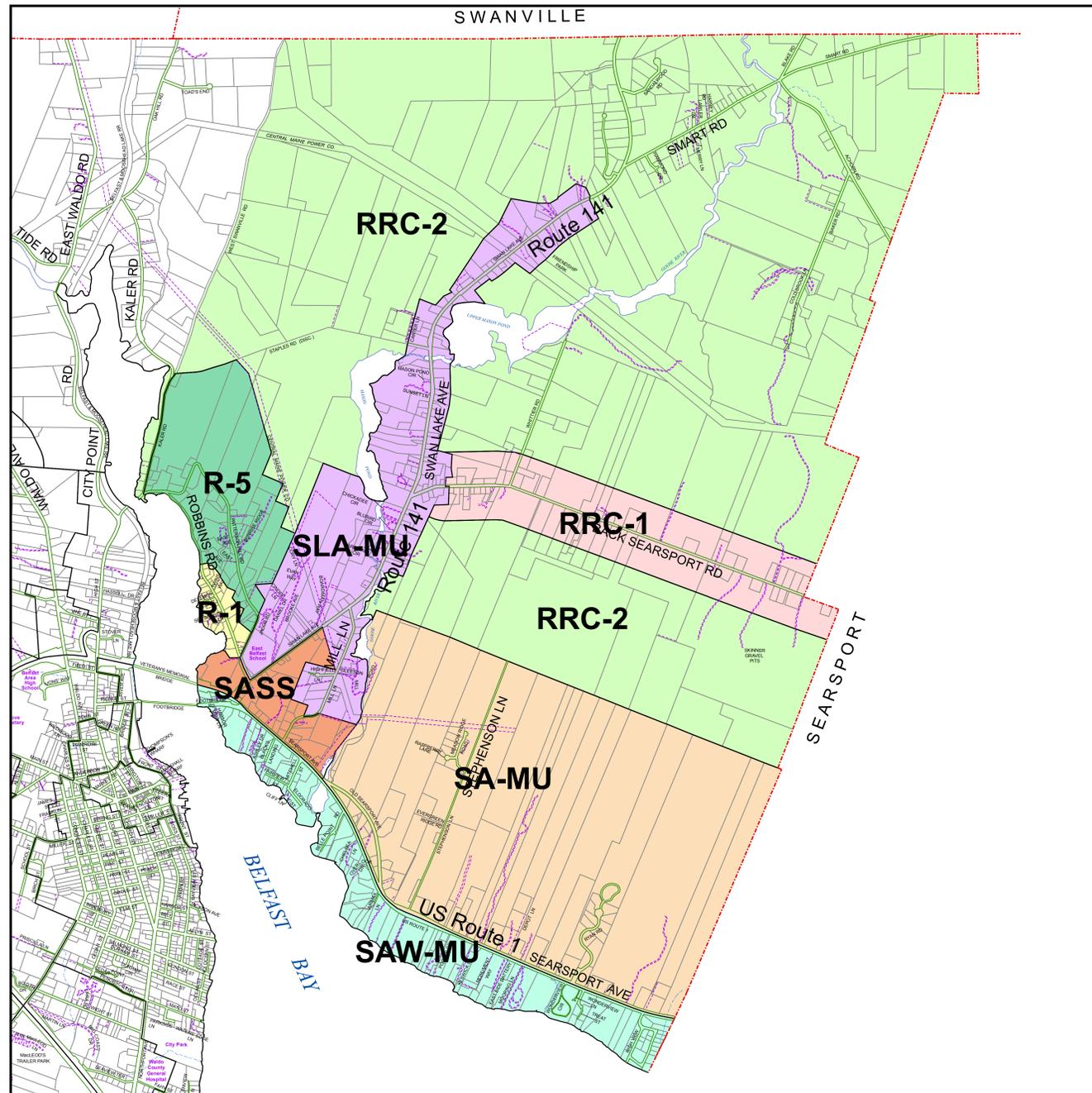


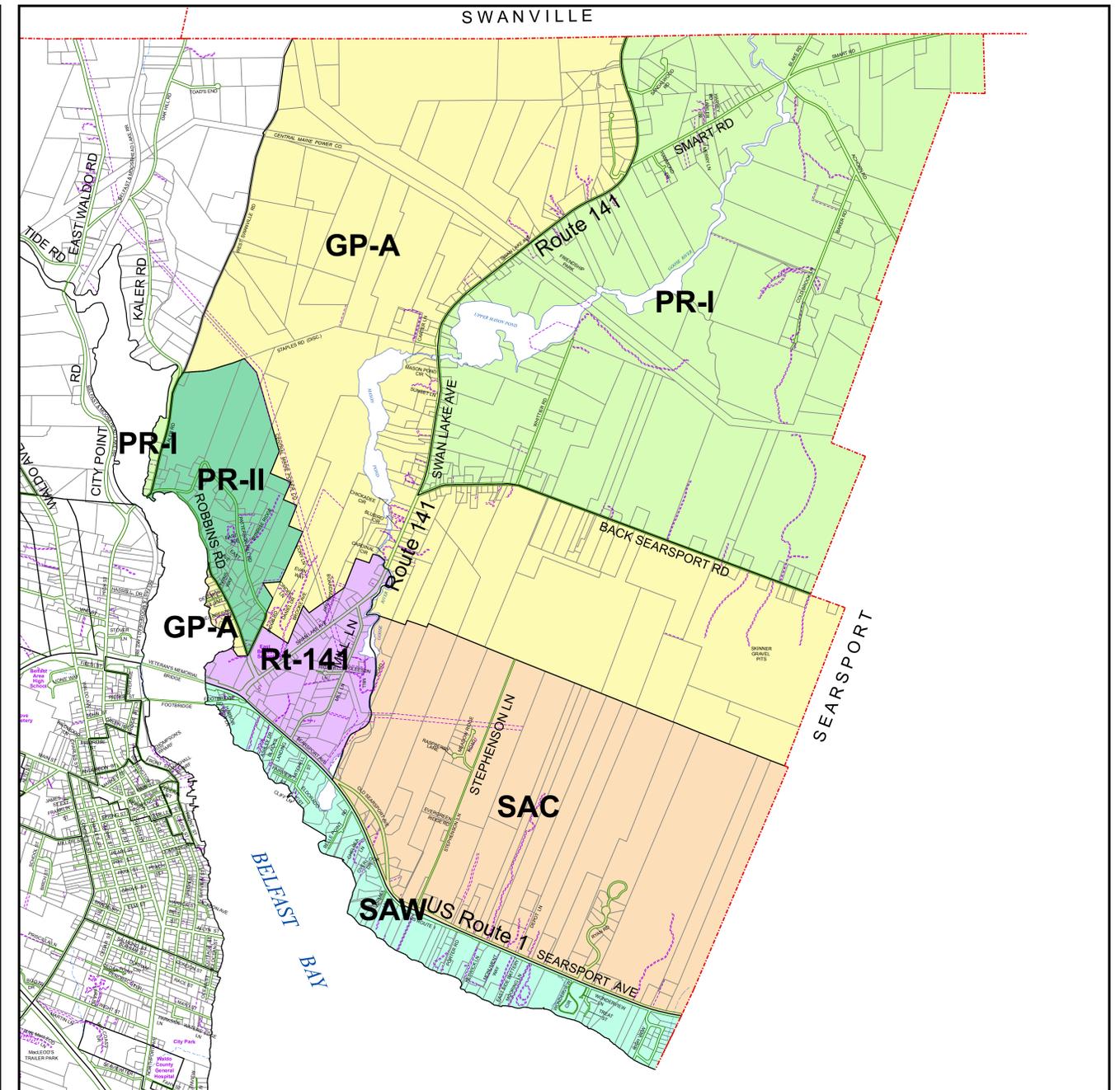
EAST SIDE

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.

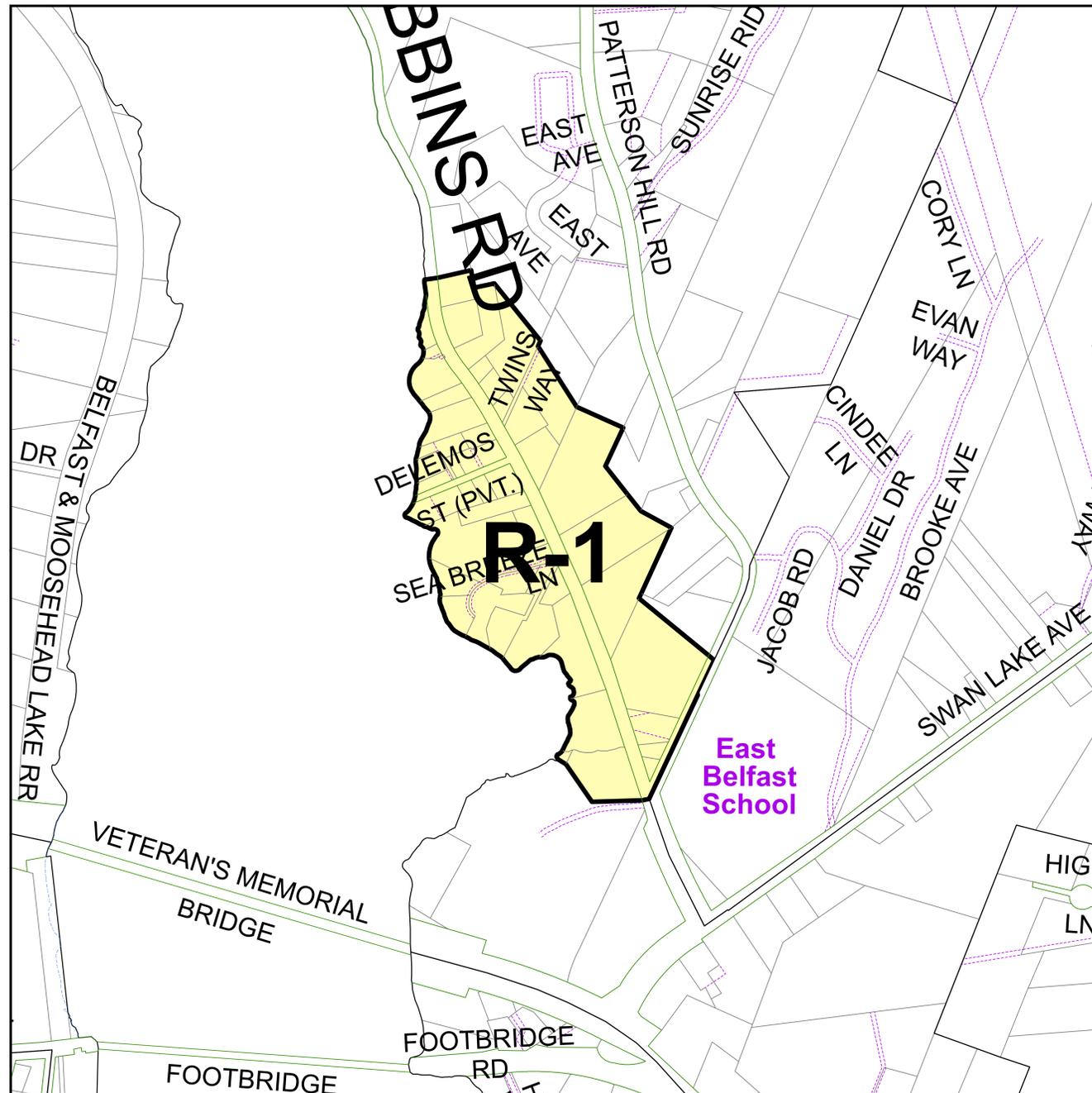
Other Issues & Ideas to Consider:

- 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 is in the process of acquiring the former Belfast and Moosehead Lake Railroad line from the Memorial Bridge to City Point (Train Station on City Point Road) and converting 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.

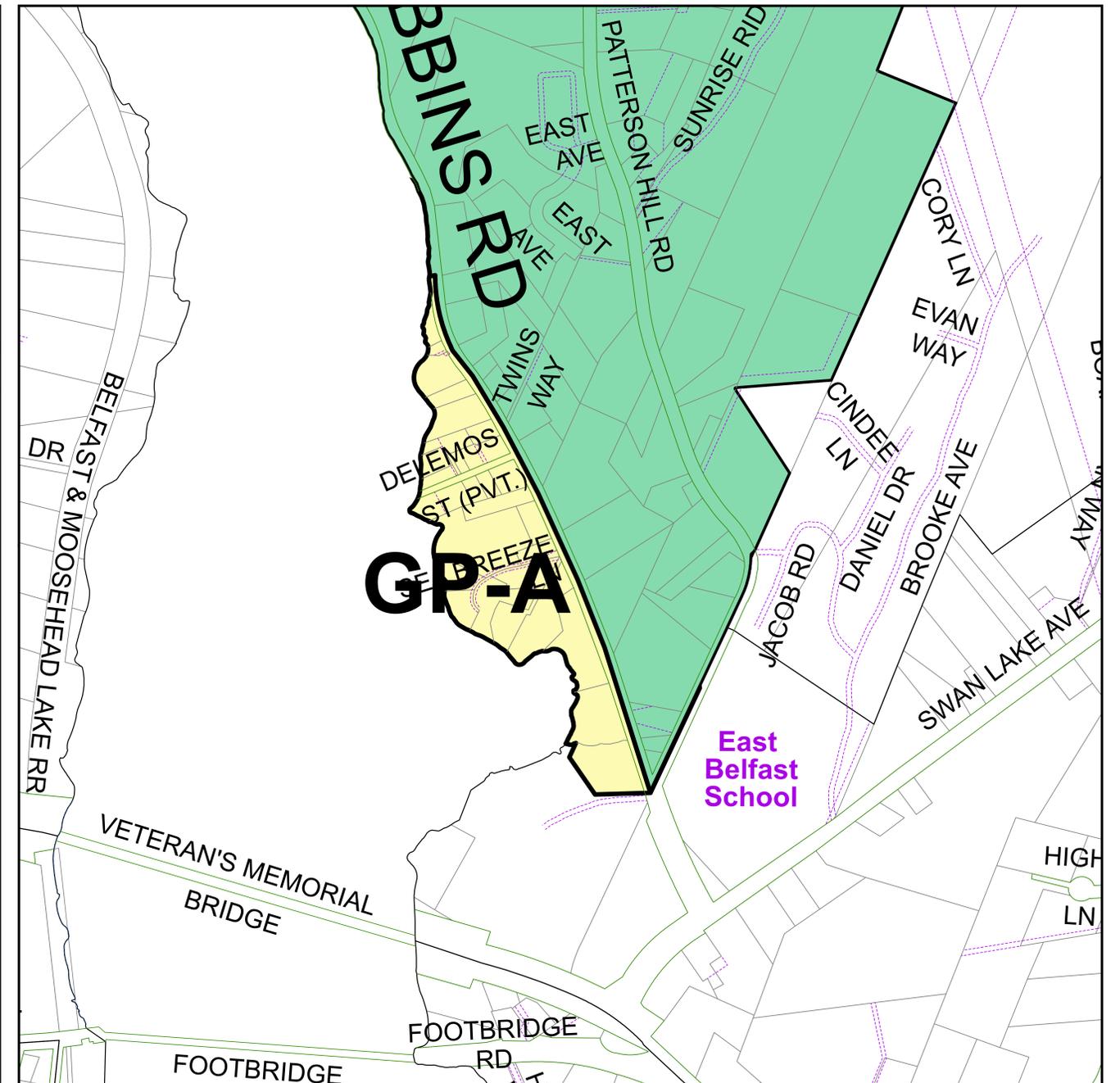
Residential-1

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

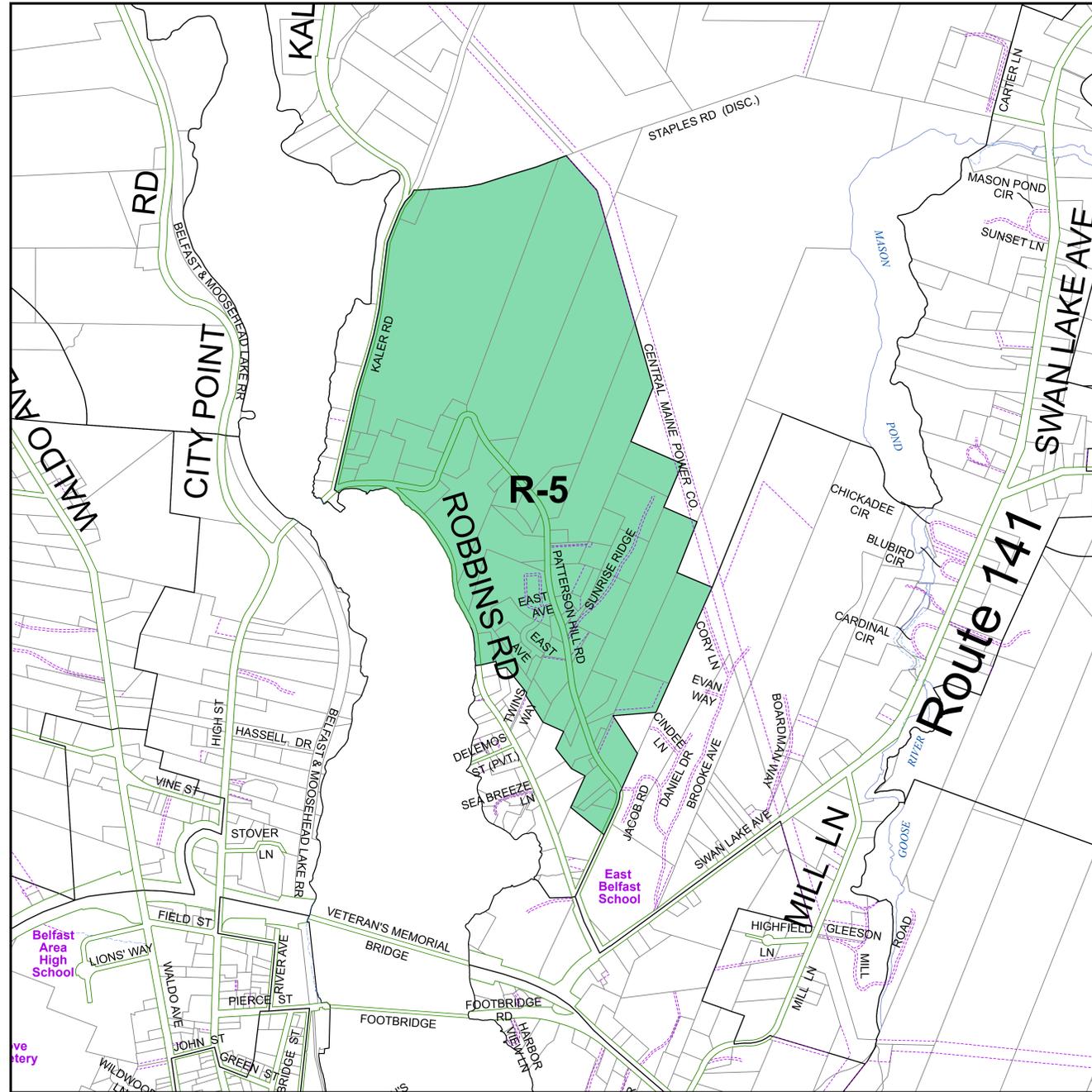
- 1) The most significant change is to include 18 properties that have frontage on Robbins Road and which have access to public sewer in the proposed Residential 1 area rather than in the Protection Rural 2 (Residential 5) area as is now the case.
- 2) Consider the desirability of reducing the front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

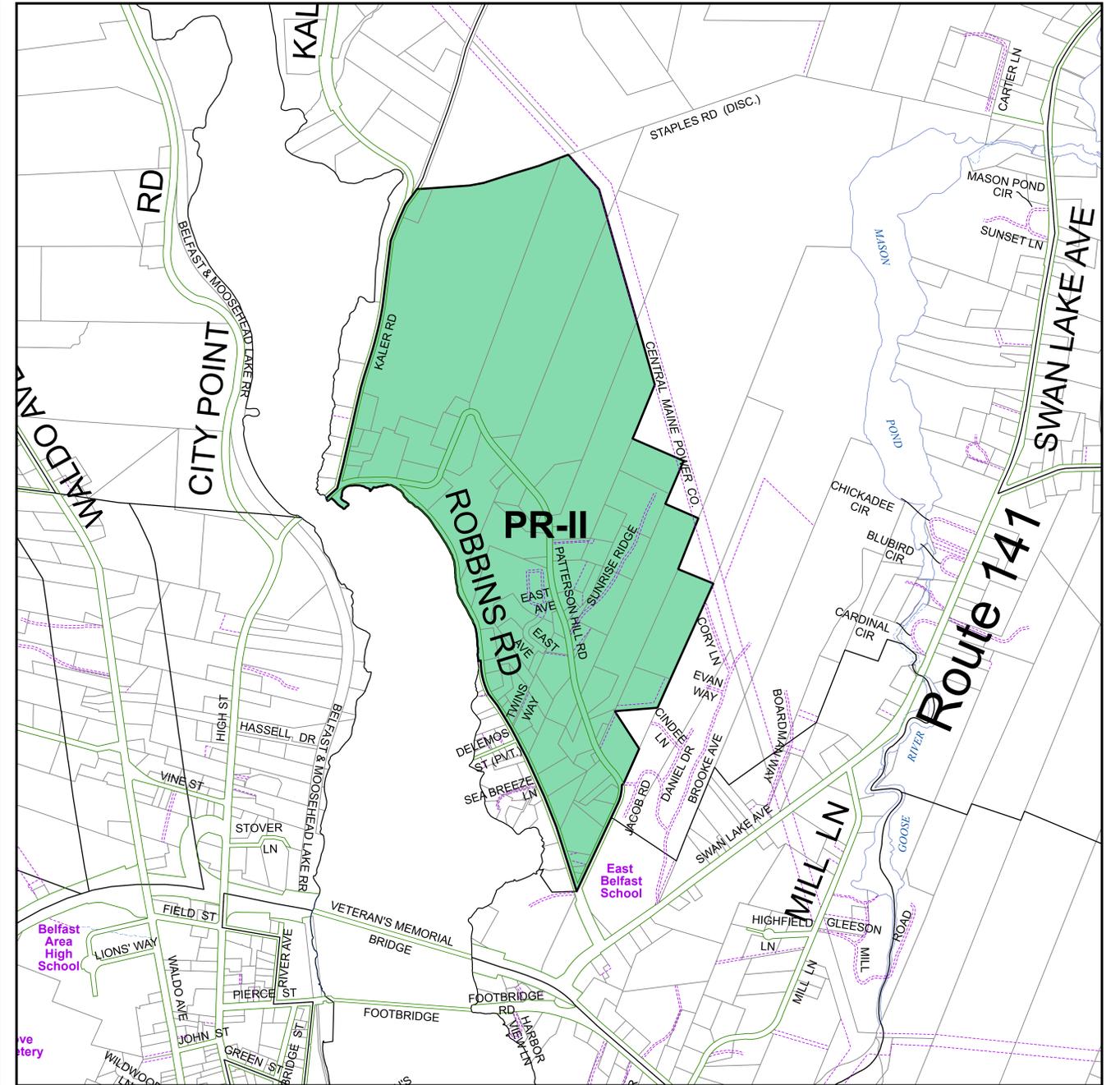
Residential-5

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

Density (Number of Housing Units per Acre)

- 1) 2 single family units per acre if on sewer or septic and property has frontage on either Swan Lake Avenue or Mill Lane
- 2) 3 single family units per acre if on sewer and have no road frontage on Swan Lake Avenue or Mill Lane
- 3) 4 two-family (duplex) units per acre if on sewer, regardless of where the property is located.
- 4) 2 two-family (duplex) units per acre if on septic, regardless of where the property is located.
- 5) 12 – 16 multi-family units per acre if on sewer. No multi-family permitted if property does not have public sewer.
- 6) Mobile Home Park density consistent with State Law. This usually means about 7 mobile homes per acre if on sewer, and 2 mobile homes per acre if not on sewer.
- 7) No specific restriction on amount of lot coverage for either a residential or a nonresidential use, unless such use is located in a shoreland overlay zone. Properties near the Goose River and Upper or Lower Mason Pond are subject to shoreland zoning provisions.

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

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

Major Changes Compared to Current Requirements

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

- 1) Some of the area located easterly of the Back Searsport Road is now in the Route 141 and Mill Lane Zoning Districts. This proposal would result in reducing the range of nonresidential uses now allowed in this zone. For examples, hotels and restaurants would be prohibited, and the size of some nonresidential uses that are permitted would be decreased, for example the size of a retail establishment could be no larger than 4,000 square feet rather than the current 20,000 square feet requirement. It is also noted that none of the uses that are proposed to become prohibited activities are now located in this area, and that none of the current uses exceed the proposed size limits.

- 2) The area on the southerly side of Swan Lake Avenue is now in the General Purpose-A zone. This area allows a wide range of uses, but the intent is to have nonresidential uses to be small in scale. The proposal would result in some uses that are now permitted becoming prohibited uses, particularly restaurants and hotels, but the size limitations on other nonresidential uses would be within current standards. Again, the uses that are proposed to be eliminated are not now located in this zone.
- 3) The area on the northerly side of Swan Lake Avenue is now in the Protection Rural zone. This proposal would result in greatly expanding the range of uses that would be allowed. Currently, most nonresidential uses, such as retail stores, auto sales and service and professional offices, are prohibited in the Protection Rural zone. The proposal also greatly reduces the minimum lot size requirement; from 2 acres to ½ acre for a single family residence.
- 4) Overall, the minimum lot size requirement would be affected, as would the minimum amount of road frontage requirement. Current standards range from 1 acre to 2 acres for a single family or two-family house if on septic and 1/3rd acre if on sewer. Also, current road frontage standards range from 100 feet to 200+ feet. The goal would be to create a single lot size and frontage standard for this area, with more lot frontage usually required if the lot fronts on Swan Lake Avenue or Mill Lane.
- 5) The nonresidential performance standards that now apply to any proposed nonresidential development that is located within the section of this area that is within the Route 141 and Mill Lane District would be replaced with a new set of nonresidential standards that are specific to nonresidential development activities in this area.
- 6) The number of multi-family housing units allowed per acre would greatly increase. At present, the area that is on public sewer is limited to either 3 or 6 multi-family housing units per acre. It is suggested that this density can be increased to 12 – 16 units per acre.

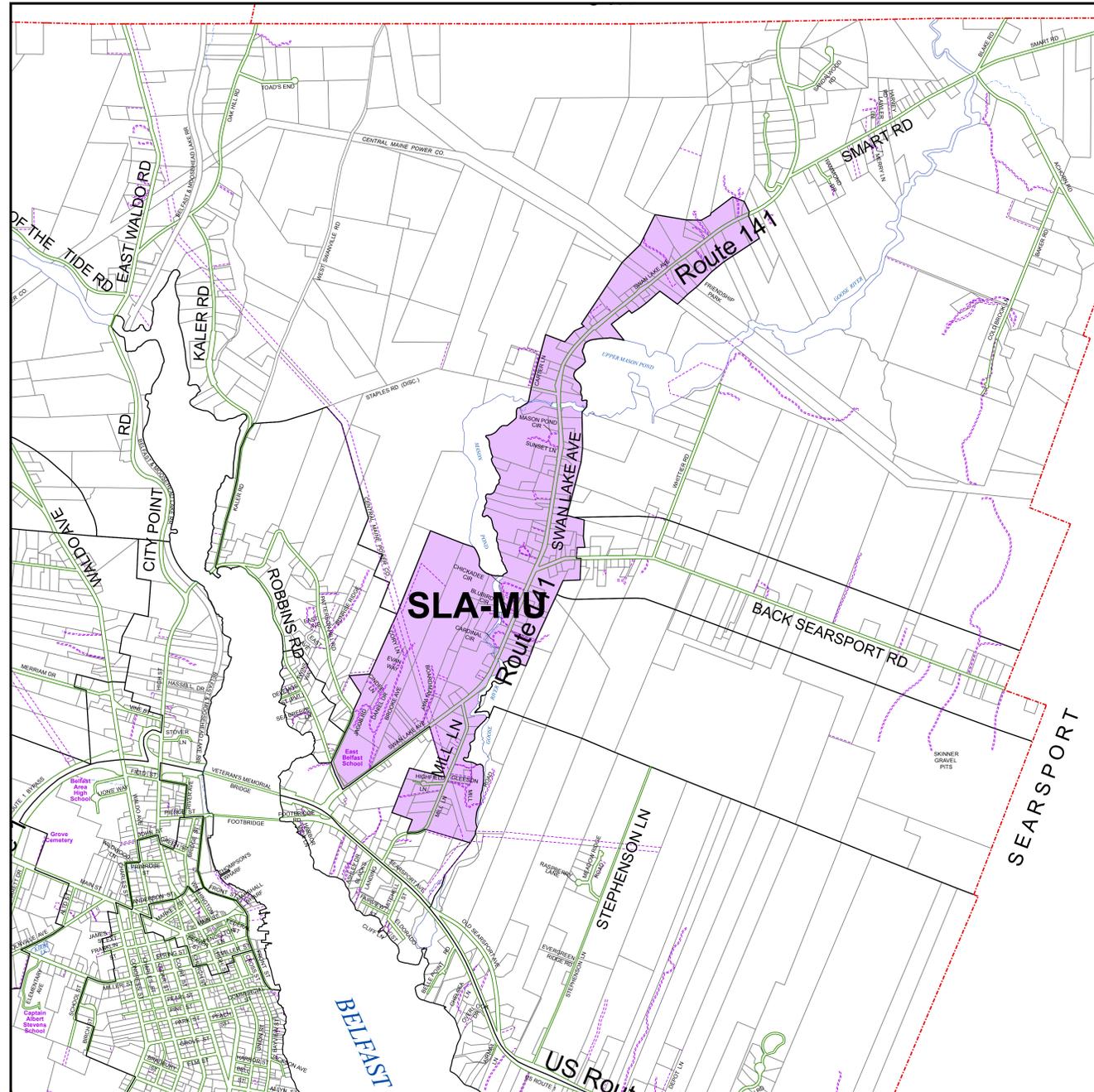
Other Issues & Ideas To Consider

- 1) The current volume of traffic and public safety issues associated with the Route 1 and Route 141 intersection could impact the amount of development that can occur in this area, or the cost to construct this development.
- 2) Traffic speeds on Route 141 are often cited as a neighborhood concern. Route 141 is a significant commuter road. City should take measures to ensure the speed of vehicles stay within posted speed limits.
- 3) At present, there is little need to encourage or construct additional public sewer on Swan Lake Avenue. The area, particularly the Belfast Trailer Park (formerly Clarke's Trailer Park) most in need of sewer was served by the extension of public sewer as far westerly/northerly as the Back Searsport Road in 2006. The City should monitor if the recent sewer extension on Swan Lake Avenue results in encouraging increased housing density prior to making any decision to extend sewer to any additional properties on Swan Lake Avenue.

- 4) City should carefully monitor the location of new driveways and any increased type of use on existing driveways in the interest of public safety. The City also should encourage the use of common curb-cuts to serve adjacent properties to try and manage the number of turn locations associated with driveways along both Swan Lake Avenue and Mill Lane.
- 5) City should strongly encourage back lot development in this area, which is one of the reasons for requiring more road frontage for a lot on Swan Lake Avenue or Mill Lane.
- 6) City should be sensitive to important water resources, both the Goose River and Upper and Lower Mason Pond, and should implement regulations to protect these resources.

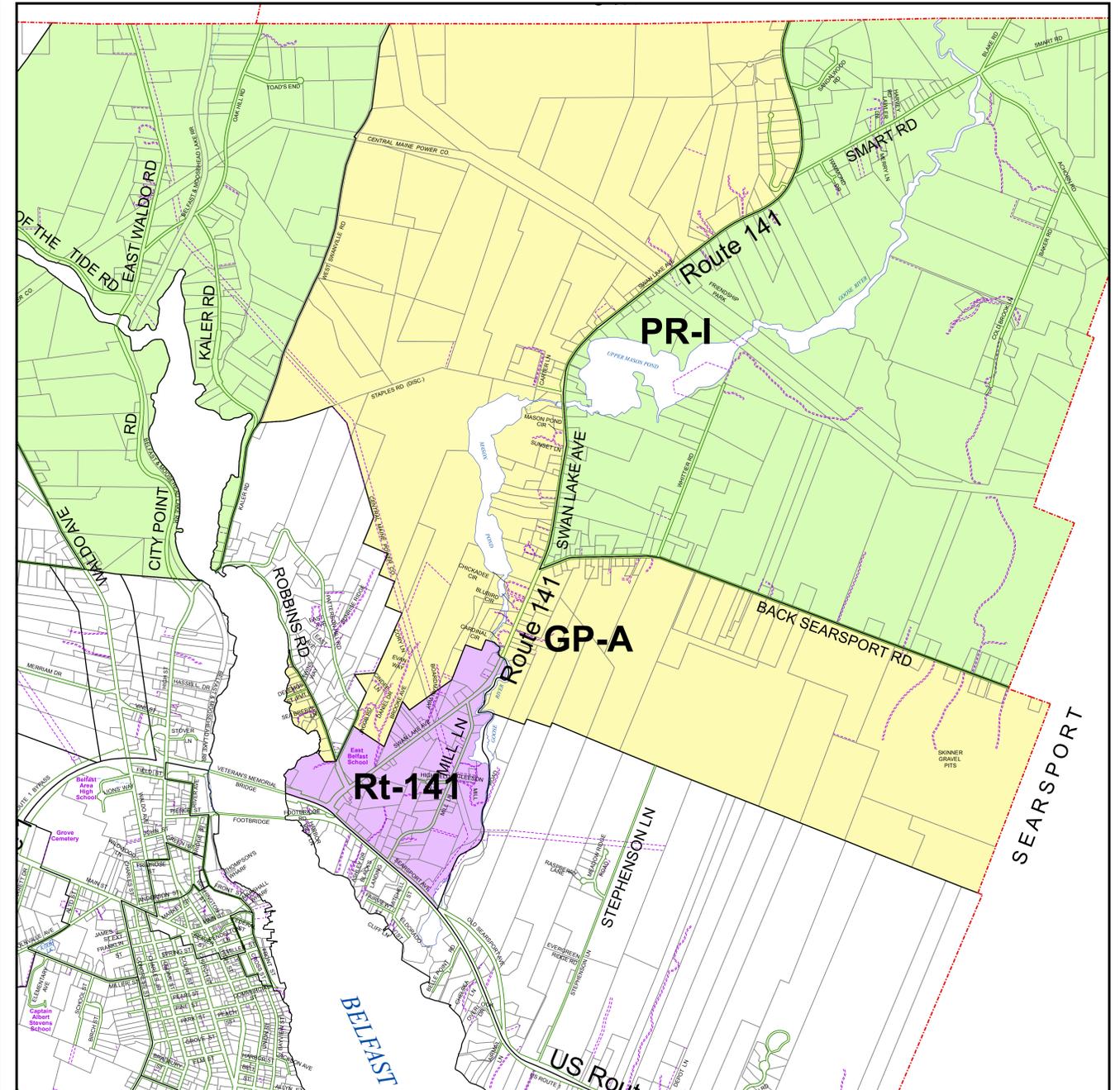
Swan Lake Avenue – Mixed Use

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) 1/2 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.

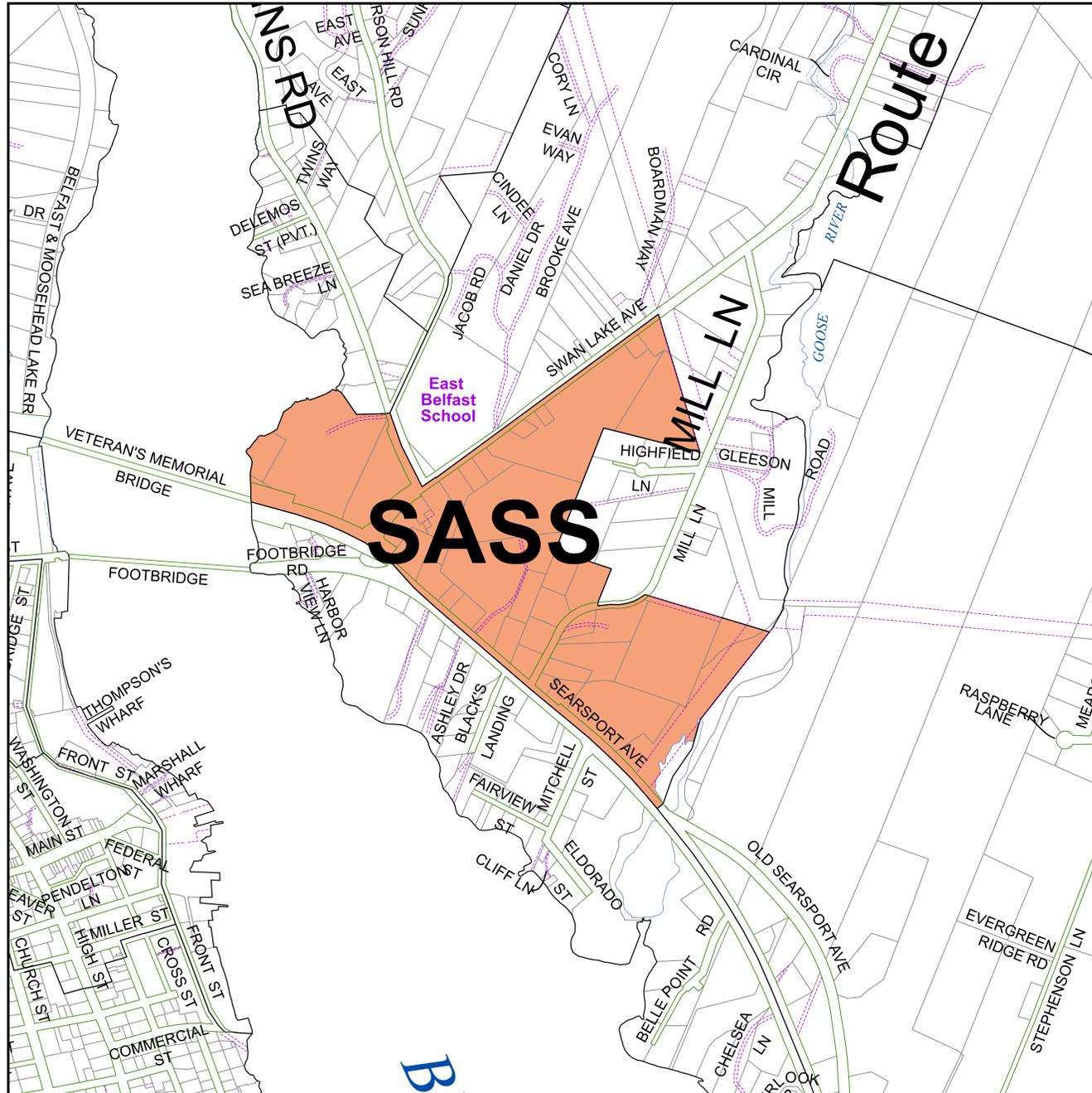
Other Issues & Ideas To Consider

- 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.

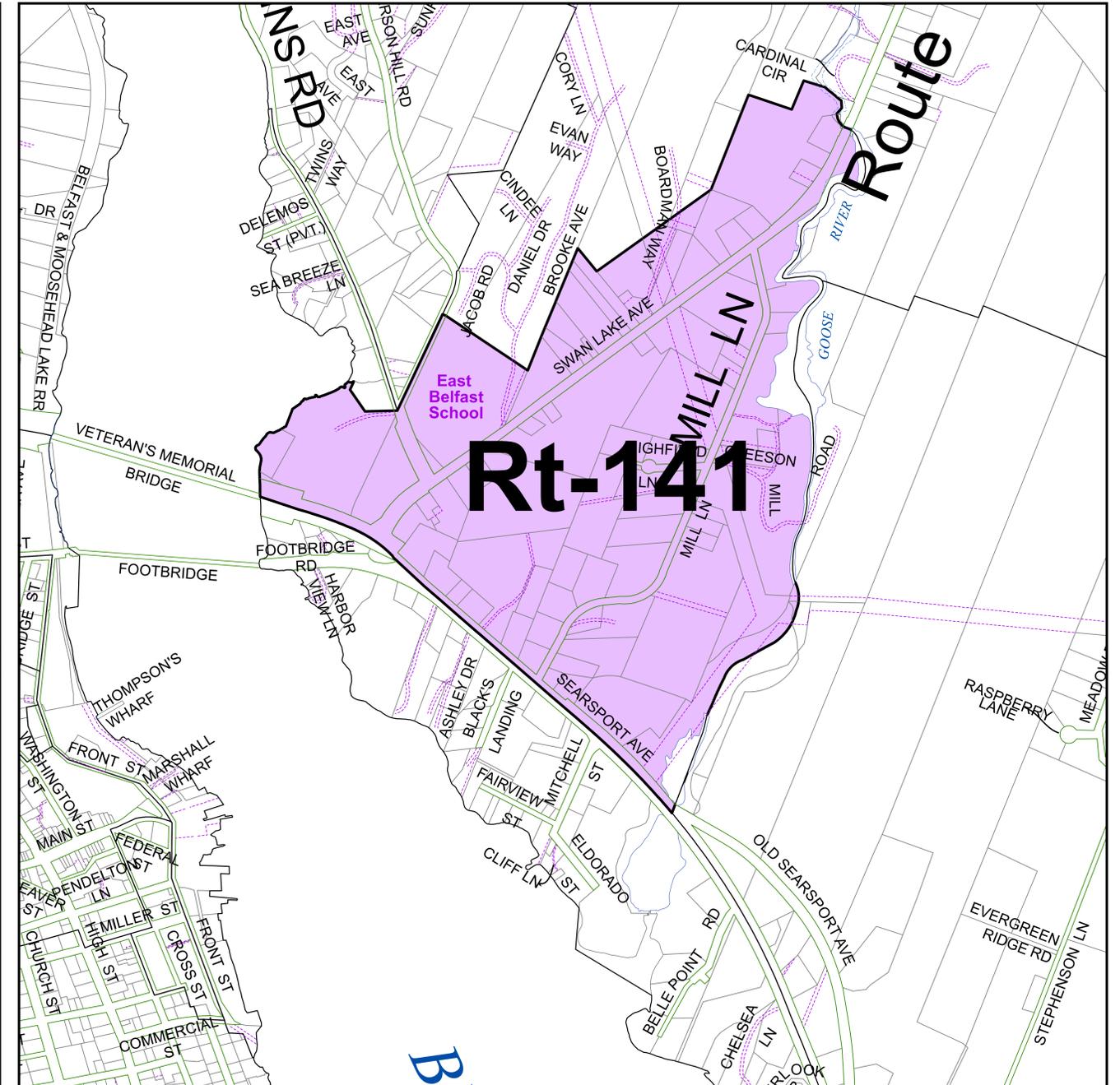
Searsport Avenue - Small Scale

PROPOSED LAND USE AREA



Zone
SASS Searsport Avenue - Small Scale

EXISTING ZONING



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) 1/2 acre for single family if on 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.

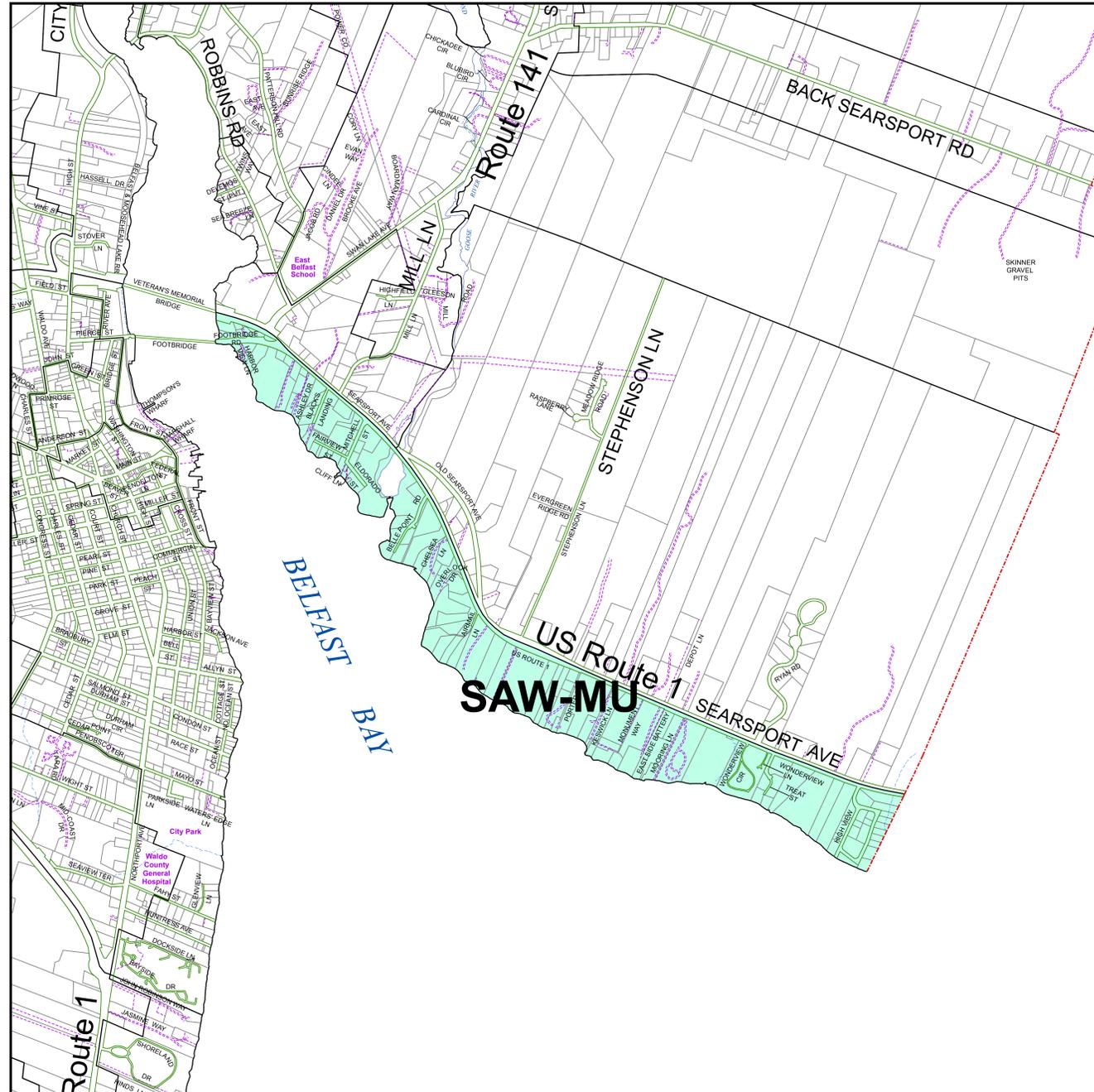
Other Issues & Ideas To Consider

- 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) The City is now involved in the Gateway One planning project that addresses transportation and land use management for the Brunswick to Stockton Springs area. The project's final report was delivered in August 2009. Future use and development of the Searsport Avenue area likely is one of the key issues that the City will need to consider regarding this planning project. Implementation of the recommendations in this project report could conflict with recommendations in this proposed zoning designation.

- 4) 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.
- 5) 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.
- 6) 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.
- 7) Traffic speeds are a frequently cited concern in the area. The City may want to adopt measures that address traffic speeds.
- 8) 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.
- 9) 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.

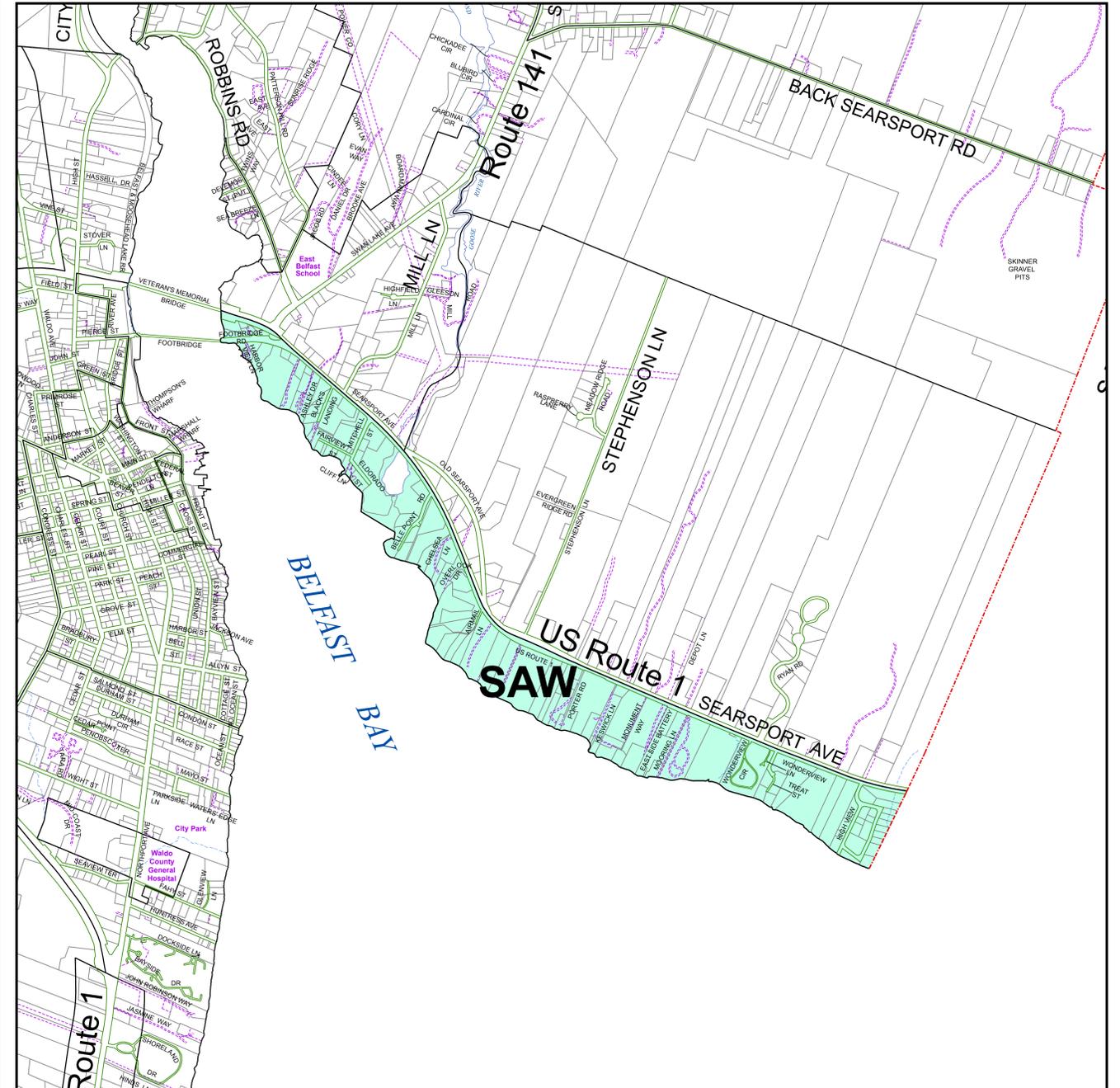
Searsport Avenue Waterfront – Mixed Use

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 and 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 to 100 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

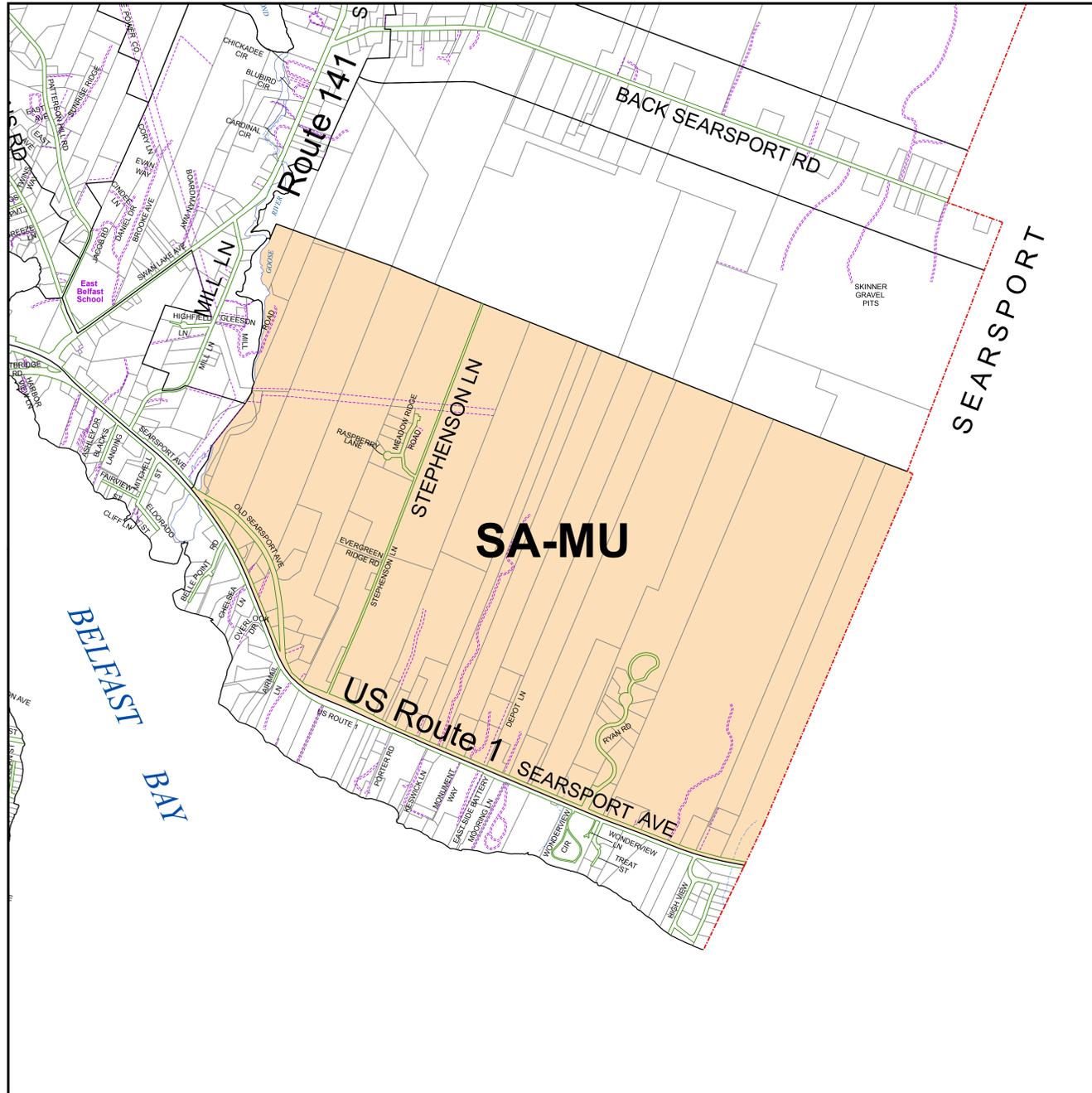
- 1) Access management is a key concern on Searsport Avenue. MDOT defines this road as a 'mobility corridor' which results in strict controls on the number and location of curb-cuts. MDOT enforces access management regulations through-out this section of Searsport Avenue, and such standards could affect 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) The City is now involved in the Gateway One planning project that addresses transportation and land use management for the Brunswick to Stockton Springs area. The project's final report was delivered in August 2009. Future use and development of the Searsport Avenue area likely is one of the key issues that the City will need to consider with respect to this planning project. Implementation of the recommendations in the Gateway One project report could conflict with recommendations in this proposal.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) Development of some of the properties also is difficult because the land is quite steep and there often is a significant amount of wetland
- 8) 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.

- 9) 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.

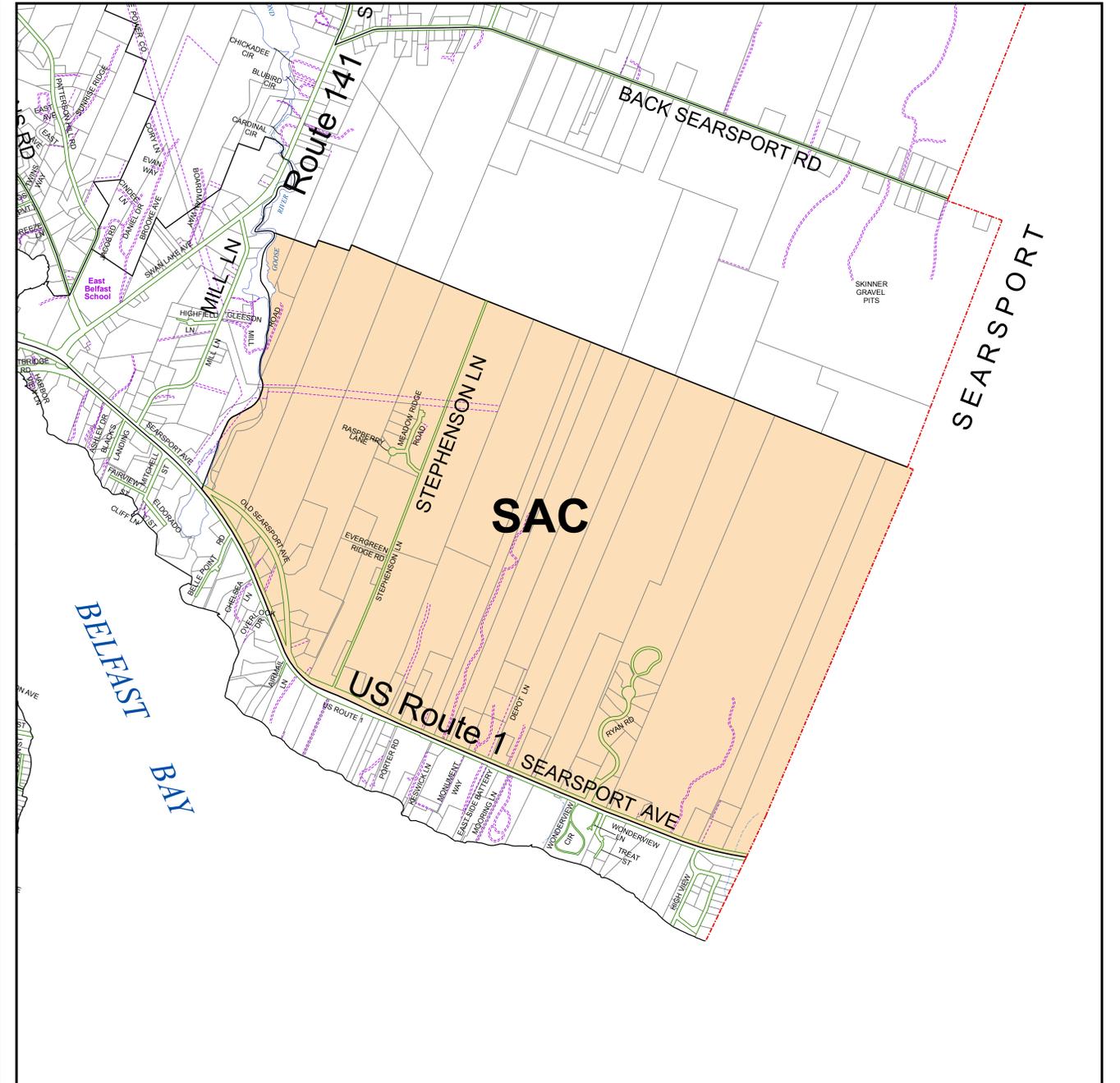
Searsport Avenue – Mixed Use

PROPOSED LAND USE AREA



Zone
SA-MU Searsport Avenue – Mixed Use

EXISTING ZONING



Zone
SAC Searsport Avenue Commercial District