

**CITY OF BELFAST PLANNING BOARD
JUNE 23, 2021 BOARD MEETING
CONTINUATION OF BOARD DISCUSSION REGARDING
MULTI-FAMILY HOUSING & THE OUTSIDE RURAL AREA
NOTE from Wayne Marshall, Project Planner**

STATUS OF PROJECT WORK

- 1) The Board, at its meeting of June 9, voted to recommend a number of Ordinance revisions (Step 1 revisions) to the Council, including the following:
 - Revisions to the Searsport Avenue Commercial, Searsport Avenue Waterfront, Rte 141 & Mill Lane Commercial, Rte 137 Commercial, Route One South Commercial, and General Purpose B zoning districts (Chapter 102, Zoning, Article V, District Regulations). These amendments are now scheduled for First Reading at the Council meeting of July 6.
 - Supplemental Performance Standards for Multi-Family Housing, including the regulation of subsurface wastewater systems (Chapter 102, Zoning, Article VIII, Division 7.
 - Clean-up revisions to the previously adopted Performance Standards for Detached Accessory Dwelling Units.
 - Amendments to current definitions; Chapter 66, General Provisions.

I do not plan to discuss any of the above revisions at the June 23 meeting unless there are specific questions from the Board. The First Reading version of these amendments will be posted on the City Code and Planning page by Wednesday of this week if you would like to review the final format of the draft amendments. I have made significant formatting revisions to the Article V amendments to address the Board's request to incorporate more charts into the proposed amendments.

- 2) The Department proposed potential revisions to the Chapter 98, Technical Standards, regarding the parking standards for multi-family housing. The Board requested the Department 'test-run' the proposed changes on a real life project, the Developer's Collaborative multi-family housing project that the Board approved for the City owned Congress Street property. Bub Fournier performed the requested calculations and emailed such to you last week. **The Board should decide if you would like to proceed with the proposed revisions.** If you vote to proceed at your meeting of June 23, I still have time to submit such as part of the First Reading package of amendments for the July 6 Council meeting. I suggest that this is the first substantive issue discussed at the June 23 meeting.
- 3) The Board, at its June 9 meeting, continued to discuss potential approaches (Step 2 revisions) that mostly would affect the Residential Agricultural I, Residential Agricultural II, General Purpose A, and Protection Rural 1 zoning districts. While no specific conclusions were reached at the June 9 meeting, I believe the Board was generally supportive of implementing overall approaches outlined in the 2009/2012 Future Land Use

Plan for the Outside Rural area rather than retooling the current zoning districts. This issue was identified as the main discussion topic for the June 23 meeting. I have presented more information on this issue later in this memorandum.

- 4) This is a new discussion topic. If the Board decides to implement the Outside Rural approaches (#3 above), this would result in eliminating the General Purpose A (GP-A) zoning district for nearly all of Belfast. The only remaining vestige of the GP-A zone would be along Robbins Road, the area between the Road and the River. Consistent with recommendations in the 2009/2012 Future Land Use Plan, I would recommend that the Board convert this area to a Residential zoning district. The proposed new district would include both the 'water' and inland sides of Robbins Road.

I have attached the description of the above area, Residential 1 Area, Robbins Road area, and the accompanying maps from the 2009/2012 Future Land Use Plan. I particularly note that nearly all of the area between Robbins Road and the River is in the Urban Residential district of the Shoreland Zone, and that the approach outlined in the 2009/2012 Land Use Plan would address the current inconsistency between the underlying GP-A zone and the overlying Urban Residential Shoreland zone. I discuss this issue in some greater detail in this memorandum and can address other concerns at the Board meeting.

BOARD DISCUSSION AT JUNE 23 MEETING (Suggested Order of Discussion)

- 1) **First Reading Amendments.** Does the Board have any questions or concerns regarding the amendments you recommended at your June 9 meeting for adoption by the City Council?
- 2) **Parking Standards.** How would the Board like to proceed regarding potential amendments to the current parking standards for multi-family identified in the Chapter 98, Technical Standards? Board vote is requested.
- 3) **Step 2 Ordinance Revisions.** These revisions mostly address the areas that currently are in the Residential Agricultural I (RA-I), Residential Agricultural II (RA-II), General Purpose A (GP-A), and Protection Rural 1 (PR-1) zoning districts.

At the Board's February 9, April 7, and May 26 meetings, the Board focused most of its attention on how to retool current Ordinance standards for the above zoning districts to create additional opportunities for multi-family housing. The Board, at your June 9 meeting, considered an alternative that involves generally implementing the overall approaches identified in the 2009/2012 Future Land Use Plan for the proposed Outside Rural, Residential 4, and Swan Lake Avenue Mixed Use areas. Now that you have had 2 weeks to mull over the June 9 discussion, does the Board have a preferred way to move forward --- a) Retool the existing zoning districts, or b) Implement overall approaches identified in the 2009/2012 Future Land Use Plan?

If the Board decides to do approach a), I believe most of your discussion would center on the boundaries and uses allowed in the RA-II zone (Crocker Road/Marsh Road area), There are a lesser number of concerns regarding how to retool the current RA-1, GP-A, and PR-1 districts. The standards for the other districts

If the Board decides to do approach b), there are a number of issues that warrant discussion. Approach b) has the following main components:

- Implement the Residential 4 district for the Crocker Rd/Marsh Rd area. Many of the concerns for the Residential 4 district would be similar to those associated with the retooling of the current RA-II zoning district.
- Create a specific zoning district for Route 3, area from near Edgecomb Rd to the Belmont town line.
- Create a specific zoning district for the Swan Lake Avenue area, area from Holmes Green House to near Smart Road. Reference Future Land Use Plan information hand-delivered to you for June 9 meeting.
- Create an Outside Rural 1 district that features 2 acre lots with 200 feet of road frontage and that allows a limited range of nonresidential uses on larger lots.
- Create an Outside Rural 2 district that allows residential development on smaller lots, 1 acre with 150 - 200 ft of road frontage in a limited number of areas that now have a significant number of smaller lots.
- Create an Outside Rural Nonresidential district that recognizes that there are some current nonresidential uses that should be allowed to continue to flourish, even though such uses are not allowed in the larger area. This would be a limited number of uses and would include ones such as Bowen's Tavern, Belfast 52 Variety, and Out of the Box.

I also would suggest that this approach consider the rezoning of the Robbins Road area.

Crocker Road/Marsh Road area. Some questions. The Board should refer to both the current and proposed language for the RA-II zoning district, as well as the description and maps for the proposed Residential 4 zoning district (Future Land Use Plan). The Board should refer to information presented to you for your May 26 and June 9 meetings.

- What is the main purpose for this zoning district?
- What are the appropriate boundaries for this district?
- What are the appropriate densities for multi-family housing, recognizing that public sewer likely will not readily be available in nearly all of this district? With respect to

multi-family, the only two existing multi-family uses are on public sewer. In Springbrook, 4 of the buildings are 6-plexes (others are four plexes and duplexes), and the Belfast Square Apartments on Merriam Drive has 25 affordable rental units for older adults all in 1 building.

- What are the appropriate uses for this district? I suggest eliminating uses such as convenience stores, restaurants, office complexes, and hospitals. District could allow destination uses such as auto repair with limited auto sales, small engine repair, small scale health care and professional offices, and such.
- What is the appropriate lot size for a lot that is not on public sewer? Initial recommendation was 20,000 sq ft for a single family, 30,000 sq ft for a duplex, and 43,560 sq ft for multi-family. Intent was to allow 'smaller' lots because this was identified as a residential growth district.

Route 3 Area. I believe it makes sense to consider the Route 3 Corridor, from near Edgcomb Road to the Belmont town line as a distinct district. As discussed at the June 9 meeting, there are more nonresidential uses along this 'rural' road than nearly all other rural roads in Belfast combined. Do you agree with this approach? Some questions/issues. Also, Board should refer to the information for the Outside Rural area hand-delivered to you for the June 9 meeting.

- All of this area is subject to MDOT access management concerns, and the hills on Rte 3 often create concerns regarding sight distance and a property owner's ability to obtain an access management permit. As such, I believe it is critical that the City require significant lot frontages for lots, particularly lots used for a nonresidential purpose. Perhaps 200 feet for residential purposes and 300 for nonresidential (would not include home occupations) purposes. Also, MDOT standards create limits on the number of new curb-cuts on an existing lot.
- I would suggest that destination type uses are appropriate, auto repair (limited sales), offices, service businesses (limited customer traffic), schools, churches, and such, but that retail activities, except those associated with a home occupation be restricted. The intent would be to allow more uses, but not to turn this section of Route 3 into a retail/commercial corridor.
- Agricultural uses and accessory uses would be allowed. Some discussion of what constitutes agriculture if allow accessory uses (e.g. rental campground units). For example, would a hayfield allow someone to have campground units or an event center.
- What are appropriate types of multi-family, recognizing that all likely would be on a subsurface system? Suggestion is a 3 plex or 4 plex only.
- What is an appropriate depth for this zoning district? I note that we often have tried to keep all of a property in one zoning district, however, the depth of lots along Rte 3 range from as low as 150 feet to as high as 4,500 feet. In short, likely need to consider

an approach similar to that identified in the Future Land Use Plan description; pick a standard zone depth and present an opportunity for a property owner to increase the depth for a specific use and good cause shown.

- Board may want to consider larger front structure setbacks for Rte 3, particularly most nonresidential uses. Current setback is 30 feet. Also greater side setbacks for nonresidential uses.
- Board will need to consider performance standards for nonresidential uses that help to preserve the character of Rte 3; retaining vegetation, lighting, and such.

Swan Lake Ave Small Scale Mixed Use. The Board should refer to the description of this proposed area in the Future Land Use Plan for information.

Outside Rural 1. This district would include the majority of the properties in the rural area of Belfast. Residential uses, including tri-plexes and four-plexes would be allowed. Home Occupations would be allowed, however, nonresidential uses would be limited to ones such as auto repair, engine repair and the like. Discussion of what makes sense for agriculture. Lot frontage (curb-cuts) a concern.

Outside Rural 2. Residences would be allowed on smaller lots, but nonresidential uses would need to be on larger lots. Smaller lot frontages than Outside Rural 1.

Nonresidential Lots. Would need to ensure that none of the existing uses are left off this list of properties.

Robbins Road Proposal

A couple of additional comments on the Robbins Road proposal.

First, with the City decision to change the Shoreland Zoning designation for this area, this change makes too much sense. The City, however, also should consider a change to the Shoreland Zone standards for the Urban Residential District that increases the minimum amount of shoreland frontage from the current 50' to 100'. I note that implementing this standard would affect all properties in the Urban Residential district and not just those along Robbins Road. A 50 ft shore frontage requirement is really not appropriate for this district or any other district.

Second, including land on both sides of Robbins Road makes sense, however, the steep grades on the inland side of Robbins Road will present challenges for some property owners.

There is only 1 remaining nonresidential use located in this area, Lewis Baker's auto body shop on Seabreeze Lane. City should adopt standards that recognize the portion of this use that occurs outside the shoreland zone as a permitted activity, subject to compliance with all setback requirements, while continuing to consider the area located within the Shoreland

Zone as a nonconforming use of record. Nearly all of the use is located outside the Shoreland Zone. Overall, if City reduces lot size standards for the section of this area located outside of the Shoreland Zone, City should prohibit future nonresidential uses.

I believe variable front setbacks, as recommended in the Future Land Use Plan, makes sense. That said, some of the amount of setback will almost be a property-by-property layout. The alternative is to pick a rather low amount of front setback for properties along Robbins Road on the water side of the road, and a somewhat greater amount for those on the inland side because of the steep grades. That said, the current 25' front setback does not make a lot of sense; particularly because of the 66' wide right-of-way width.

This area should really have its own Zoning Designation rather than being mixed in with Zoning Districts located Inside the Bypass as suggested in the Future Land Use Plan. Perhaps call it Residential 7.

I look forward to Wednesday evening's discussion. There is always lots of ground to cover when major zoning changes are discussed. The potential exceptions to the rules are ones that warrant specific discussion.