

MAP 9

PROPOSED OUTSIDE RURAL 1, OUTSIDE RURAL 2, SWAN LAKE AVE MIXED USE & SPECIAL USE AREA EASTSIDE BELFAST

Purpose of Proposed Amendments to Establish the Outside Rural 1, Outside Rural 2 and two Special Use Areas in this Section of Belfast.

The Belfast Planning Board is recommending the establishment of three new zoning districts in this area, Swan Lake Avenue Mixed Use (SLAMU), Outside Rural 1 (OR-1) and Outside Rural 2 (OR-2), as well as the establishment of one Special Use Area on Back Searsport Road. The establishment of the SLAMU zone and the OR-1 zone are based on overall policy recommendations in the adopted Comprehensive Plan. The SLAMU district recognizes the existing character and density of development on Swan Lake Ave, as well as the availability of public sewer from Robbins Road to just shy of the Back Searsport Road intersection. The area from Back Searsport to Smart Road does not have access to public sewer, but all of Swan Lake Ave has access to public water. This designation also recognizes that most of Swan Lake Ave is in the MDOT Urban Compact zone, which means that the City and not the State controls the location of curb-cuts. While numerous nonresidential uses would be allowed, most would be smaller in scale than ones that would be permitted in the Searsport Avenue Commercial or Searsport Avenue Waterfront zoning districts.

The proposed standards for the Outside Rural 1 zone are very similar to the standards proposed for the Outside Rural - Rural Road Class 2 area identified in the Comprehensive Plan. The most significant exception is the Board's proposal to allow multi-family housing, triplexes and four-plexes on a subsurface system, as well as the proposal to allow 'flex housing', an approach that allows the development of multiple types of housing on an individual lot. The Outside Rural 1 zone includes the majority of land that is not in the SLAMU zone. An exception is the Smart Road area, from its intersection with Swan Lake to its intersection with Achorn Road. This area, like some other areas in rural Belfast, is proposed to be included in the Outside Rural-2 (OR-2) zone. The OR-2 zone would allow residential development on smaller lots than in the OR-1 zone (1 acre vs. 2 acres), and is based on the existing residential development pattern of houses located on smaller lots. The OR-1 and OR-2 zones would allow limited types of smaller scale nonresidential development.

The area subject to this proposal is currently subject to regulation through one of three existing zoning districts; General Purpose-A (GP-A), Route 141 & Mill Lane Commercial (MLC), or Protection Rural (PR). The GP-A zone includes lands around the westerly side of Rte 141 and southerly side of the Back Searsport Rd, and the MLC zone includes the beginning of Swan Lake Ave until the Goose River Bridge. The PR zone includes the area framed by the northerly side of the Back Searsport Rd and the easterly side of Swan Lake Ave. In addition, most of the area adjacent to the Goose River and Upper Mason and Lower Mason Ponds is subject to Shoreland Zoning requirements, which often are more restrictive than the underlying zoning, and the area surrounding Smart Road is also subject to the City Watershed Overlay Protection Ordinance standards. The latter Ordinance provisions largely affects activities that would disturb the clay layer, or that pose high risks of pollution.

While the proposed zoning would impact the range of uses allowed through current Zoning Ordinances (activities that could occur, and not necessarily what has occurred), particularly in the GP-A, the proposed amendments seem to reflect what the type of development that now exists in the area, and addresses some

of the inconsistencies in current zoning. The major changes that would occur if the current proposals are adopted include the following:

- It would establish consistent zoning along on roads in the area, meaning that the zoning on one side of the road would be the same as on the other side of the road. Current zoning in this area, even more than other areas in Belfast, use the road to distinguish zoning district boundaries. For example, the southerly side of Back SearSPORT Rd is in the GP-A zone that allows most uses, while the opposite side is in the PR zone that allows very few nonresidential uses. This approach may particularly benefit the SLAMU zone by allowing a greater range of nonresidential uses in the area that is now in the PR zone.
- The proposed standards would create opportunities to develop tri-plexes and four-plexes on a subsurface system in the OR-1 zone, OR-2 zone, and in the sections of the SLAMU zone that do not have access to public sewer. Multi-family housing is now a prohibited use. These same areas could develop flex housing (multiple types of residential development on a property). The Board hopes that the above options may encourage additional rental housing development.
- Similar to the above, the section of the SLAMU zone that has access to public sewer could develop multi-family housing with a greater number of units, and similarly could develop 'flex housing' on smaller lots.
- The proposed standards would create additional opportunities for persons in the OR-1 and OR-2 zones to use their property for home occupations, as well as small scale industrial/manufacturing uses; a use that is now prohibited.
- The minimum lot size and lot frontage requirements for properties that are now in the GP-A zone would increase (2 acre vs. 1 acre, and 200 ft vs 100 ft), and the range of nonresidential uses allowed would decrease.

Current Zoning for this Portion of the Outside Rural Area that Would Be Affected By the Proposed Amendments.

Map 9 identifies the area that would be affected by the proposed amendments. There are three existing zoning districts that would be affected by the proposal, including the following:

- Route 141 & Mill Lane Commercial (MLC). This district applies to the area adjacent to Swan Lake Ave from Robbins Rd to the Goose River bridge. The MLC zone was established in 2001 as a follow-up to the inclusion of this area in the General Purpose A zone post adoption of the 1995/1997 Comprehensive Plan. Prior to 1997, this area was included in the City's overall General Purpose zone. The MLC zone provided more clarity to the range of uses allowed than the GP-A zone, identified standards to allow denser multi-family housing development, and identified considerably more descriptive performance standards that would be used to regulate nonresidential development.
- Protection Rural (PR). Many of the lands included in this zone have a connection to Upper Mason Pond or the Watershed Overlay Protection District. The PR zone was created in 1997 based on policy direction in the 1995/1997 Comprehensive Plan, and was created from an area that previously was included in the City's overall General Purpose zone. As previously noted, this change increased minimum lot size and lot frontage requirements, and significantly reduced the range of nonresidential uses that were allowed.
- General Purpose A (GP-A). The GP-A zone was created in 1997 based on policy direction in the 1995/1997 Comprehensive Plan. The Zone is essentially a continuation of the overall General Purpose zone that was in effect for much of rural Belfast up until 1997.

Comparison of Uses for the Existing GP-A, PR, and MLC Zones and the Proposed Outside Rural 1 (OR-1), Outside Rural 2 (OR-2), and Swan Lake Avenue Mixed Use (SLAMU) zones.

The Table on pages 3 and 4 of this description provides a comparison between the Uses that are permitted activities in the current General Purpose-A (GP-A), Protection Rural (PR), and Route 141 & Mill Lane Commercial (MLC) zoning districts, and the proposed Outside Rural 1 (OR-1), Outside Rural 2 (OR-2), and Swan Lake Ave Mixed Use (SLAMU) zones. The Board notes that the only area that has access to public sewer is along Swan Lake Ave, from Searsport Ave to the Back Searsport Rd, and that properties along Swan Lake Ave (southerly of Smart Rd) and much of the Smart Rd area has access to public water. This is one of the only areas in the overall Outside Rural area that has access to these public services.

One Special Use Areas also is proposed. The Colcord property on Back Searsport Rd (now in the GP-A zone) which has been used as a stable and tackle shop could be used for retail activities, as well as a restaurant and several other uses. The Planning Board would be responsible for the review of an application to change or expand an existing use.

It is noted that the following comparison Use Table may be subject to change as the Planning Board continues its review of the proposed Outside Rural zoning districts and may decide to offer additional revisions. Also, this comparison chart does not identify all uses in the existing or proposed zoning districts, however, the most significant uses are identified.

Type of Use	GP-A (Existing)	PR (Existing)	MLC Existing)	OR-1 (Proposed)	OR-2 (Proposed)	SLAMU (Proposed)
Single Family & Two Family	CEO	CEO	CEO	CEO	CEO	CEO
Single Family w/Detached Unit	CEO	CEO	CEO	CEO	CEO	CEO
Multi-Family	PB	NO	PB	PB - Triplex & Fourplex Only	PB - Triplex & Fourplex Only	PB - Triplex & Fourplex on Septic. Other options on Sewer.
'Flex Housing'	NO	NO	NO	PB	PB	PB
Home Occupation, Larger Scale	CEO	PB	CEO	PB	PB	PB
Bed & Breakfast (All Classes)	PB	PB	CEO	PB	PB	PB
Schools, Day Care & Churches	PB	PB	PB	PB	PB	PB
Recreational Facilities/Clubs	CEO - PB If for Profit	PB	PB	PB	PB	PB
Group Home & Boarding Home	PB (Less than 8 residents)	PB	PB (Less than 8 residents)	PB (Less than 8 residents)	PB (Less than 8 residents)	PB (Including more than 8 residents)

Type of Use	GP-A (Existing)	PR (Existing)	MLC (Existing)	OR-1 (Proposed)	OR-2 (Proposed)	SLAMU (Proposed)
Agriculture	CEO	CEO	CEO	CEO	CEO	PBR
Farm Stands	PB	CEO	PB	CEO	CEO	PBR
Kennels, Stables	CEO- Stable PB - Kennel	PB	CEO- Stable PB - Kennel	PB	PB	PB
Vet Clinic & Hospital	PB	PB	PB	PB	PB	PB
Septic Storage/Spreading	NO	PB - Only an Existing Use	NO	PB (Existing Only)	NO	NO
Convenience Stores	PB	NO	PB	NO	NO	PB - Max 4,000 sf
Boat Building, Storage, Repair	PB	NO	PB	PB	PB	PB
Contractor Yards/Facilities	PB	NO	PB	PB	PB	PB
Light Industrial & Manufacturing	PB	NO	PB	PB	NO	PB
Auto Repair	PB	NO	PB	PB	PB	PB
Auto Sales	PB	NO	PB	PB - limited vehicles	PB - limited vehicles	PB
Restaurants	PB	NO	PB	NO	NO	PB
Hotel/Motel	PB	NO	PB	NO	NO	NO
Offices (Size Limits)	PB	NO	PB	PB 2,000 sf	PB 2,000 sf	PB 4,000 sf
Office (No Size Limit)	PB - Perhaps Question of Size	NO	PB	NO	NO	NO
Personal Services	PB	NO	PB	PB - 2,000sf limit	PB - 2,000 sf limit	PB - 4,000 sf limit
Retail Stores	PB - Perhaps Question of Size	NO	PB - 20,000 sf	NO	NO	PB - 4,000 sf limit
Storage Facilities	PB	NO	PB	PB (limits on size)	PB (limits on size)	PB - 8,000 sf limit
Solar Fields (Commercial)	PB	PB	PB	PB	PB	PB
Telecommunication Facilities	PB	PB	NO	PB	PB	PB
Gravel Extraction	PB	PB	NO	PB	PB	PB

Comparison of Dimensional Standards for the Existing GP-A, PR, and MLC Zones, and the Proposed Outside Rural 1 (OR-1), Outside Rural 2 (OR-2) and Swan Lake Ave Mixed Use (SLAMU) zones.

The dimensional standards for the existing GP-A and MLC zones have some similarities to the proposed SLAMU zone, the proposed dimensional standards for the proposed OR-1 and OR-2 zoning districts have many similar requirements to the current PR zone. That said, the Board has attempted to put forward dimensional standards that reflect desired and/or existing development patterns in the proposed zones. The standards for the SLAMU district also often reflect the availability of public sewer to some of the properties in this zoning district.

The Board, in considering potential dimensional requirements, also recognized that their proposal to allow multi-family housing and 'flex housing' will typically necessitate greater lot sizes and structure setbacks to address the more intensive use of a property associated with these uses. In addition, the Board is proposing to include provisions recommended in the adopted Comprehensive Plan to require a larger amount of lot frontage and larger lot sizes for certain nonresidential uses that generate more traffic or which could have more impact on neighboring properties.

The following table provides an overall comparison between the dimensional requirements for the current GP-A, PR, and MLC zones and the proposed OR-1, OR-2 and SLAMU zones. This comparison table identifies lot size and density standards for both properties on a subsurface system and that are served by sewer when applicable. It is also noted that some of the current standards for the GP-A and PR zones often lack clarity, particularly in addressing nonresidential dimensional requirements.

It is noted that the following comparison Dimensional Table likely will be adjusted by the Board as it continues its review of the proposed Outside Rural zoning districts.

Dimensional Standard	GP-A (Existing)	PR (Existing)	MLC (Existing)	OR-1 (Proposed)	OR-2 (Proposed)	SLAMU (Proposed)	Comments
Lot Size: Single Family	.33 acre - sewer 1 acre - septic.	2 acre	.33 acre - sewer .5 acre - septic	2 acre & 1.5 acre backlot	1 acre & .75 acre backlot	.33 acre - sewer .5 acre - septic	
Lot Size: Two-Family	.33 acre - sewer 1 acre - septic.	2 acre	.33 acre - sewer .6 acre - septic	2 acre & 1.5 acre backlot	1 acre & .75 acre backlot	.33 acre - sewer 1 acre - septic	
Lot Size: Multi-Family	1 acre for 3 units - sewer only	N/A	.5 acre sewer Prohibited septic	2 acre triplex & 2.5 acre fourplex - septic	2 acre triplex or fourplex - septic	.5 acre - sewer 1 net acre - septic	
Lot Size: ' Flex Housing'	N/A	N/A	N/A	* Minimum 2 acre	* Minimum 2 acre	* .5 acre - sewer 1 net acre - septic	* Reference supplemental Table
Lot Size: Nonresidential	1 acre	2 acre	1 net acre	* Minimum 2.5 acre	* Minimum 2 acre	1 net acre - sewer or septic	* Lot Size increases based on intensity of use
Lot Frontage - Residential	100 ft	200 ft	150 ft	200 ft	200 ft	150 ft	

Dimensional Standard	GP-A (Existing)	PR (Existing)	MLC (Existing)	OR-1 (Proposed)	OR-2 (Proposed)	SLAMU (Proposed)	Comments
Lot Frontage - Nonresidential	100 ft	200 ft	* 150 ft	* 250 ft	* 200 ft	150 ft	* Frontage increases based on intensity of use
Front Setback - Residential	30 ft	30 ft	30 ft	* 50 ft - new	30 ft	30 ft	* Existing housing at least 30 feet
Front Setback- Nonresidential	30 ft	30 ft	Minimum 25 ft - Increases based on building size	* 75 ft - new	* 50 ft - new	* 40 ft	* Existing at least 30 ft
Side Setback - Residential	15 ft	15 ft	15 ft	* 25 ft - new	* 20 ft - new	15 ft	* Existing at least 15 ft
Side Setback - Nonresidential	15 ft	15 ft	Minimum 15 ft - Increases based on building size	* 30 ft - new	* 25 ft - new	*25 ft - new	* Increases for more intense uses
Rear Setback - Residential	15 ft	15 ft	15 ft	* 20 ft - new	* 20 ft - new	15 ft	* Existing at least 15 ft
Rear Setback - Nonresidential	15 ft	15 ft	Minimum 15 ft - Increases based on building size	* 20 ft - new	* 20 ft - new	15 ft	* Increases for more intense uses
Residential Density Standard Single Family & Two Family	1 Structure Per Lot Size	1 Structure Per Lot Size	1 Structure Per Lot Size	* 1 Structure per 2 acre	* 1 Structure per 1 acre	Sewer - 1 per .33 acre Septic - 1 per acre	* Reduction for Backlots
Residential Density Standard Multi-Family	3 units/acre - sewer only	N/A	6 units initial .5 acre, 1,500 sf each additional unit	1 triplex per 2.5 acre & 1 fourplex per 3 acre - septic	1 triplex or 1 fourplex per 2 acres - septic	* Sewer - 4 units per .5 acre and 2,500 sf each additional unit	* SLAMU - Septic 1 triplex or fourplex per net acre
Residential Density Standards - Flex Housing	N/A	N/A	N/A	* Minimum lot size of 2 acres	* Minimum lot size of 2 acres	Min Lot - Sewer - .5 ac. Septic - 1 ac	* See Separate Tables
Structure Height - Residential	None Specified	None Specified	38 ft	38 ft	38 ft	38 ft	
Structure Height - Nonresidential	None Specified	None Specified	38 ft	38 ft	38 ft	38 ft	* Ag Silos Exempt
Lot Coverage - Residential	None Specified	None Specified	None Specified	None Specified	None Specified	None Specified	
Lot Coverage - MultiFamily	N/A	N/A	N/A	50%	50%	50%	60% for development on an existing developed lot
Lot Coverage- Nonresidential	None Specified	None Specified	None Specified	50%	50%	50%	60% for development on an existing developed lot

As noted in the above comparison of Dimensional Standards Table, and as referenced in the comparison of Use Table in this description, the Planning Board is recommending that the City allow a property owner to develop 'flex housing' on their property. Flex housing is a new concept. 'Flex housing' would allow the development of multiple housing units on a single property based on the size of the lot, the number of dwelling structures on the lot, the number of dwelling units in those dwelling structures, and the number of bedrooms in the dwelling units. Attached are the draft tables currently under consideration by the Planning Board for the Swan Lake Ave Mixed Use zone. Separate tables are shown for a property connected to sewer, and a property that uses a subsurface system.

Sewer Connection - SLAMU

Minimum Size of Property	Maximum # of Dwelling Units	Maximum # of Dwelling Structures	Maximum # of Bedrooms	Other Specific Maximums
21,780 SF (.5 Net Acre)	4	3	9	Only 1 of structures can be a tri-plex
32,670 SF (.75 Net Acre)	6	4	12	Only 1 of structures can be a four-plex
43,560 SF (1 Net Acre)	8	5	15	Only 1 of structures can be a four-plex
54,450 SF (1.25 Net Acre)	10	6	18	A maximum of 1 tri-plex and 1 four-plex
65,340 SF (1.5 Net Acre)	12	7	21	A maximum of 2 four-plexes

Subsurface System - SLAMU

Minimum Size of Property	Maximum # of Dwelling Units	Maximum # of Dwelling Structures	Maximum # of Bedrooms	Other Specific Maximums
43,560 SF (1 Net Acre)	4	3	8	Only 1 of structures can be a tri-plex
65,340 SF (1.5 Net Acre)	6	4	12	Only 1 of structures can be a four-plex
87,120 SF (2 Net Acre)	8	5	15	Only 1 of structures can be a four-plex
109,900 SF (2.5 Net Acre)	10	6	18	A maximum of 1 tri-plex and 1 four-plex
130,680 SF (3 Net Acre)	12	7	21	A maximum of 2 four-plexes

The following example of this proposed approach is provided below from the draft Dimensional Table for the Outside Rural 1 and Outside Rural 2 zones for a property that uses a subsurface system:

Minimum Size of Property	Maximum # of Dwelling Units	Maximum # of Dwelling Structures	Maximum # of Bedrooms	Other Specific Maximums
21,780 SF (.5 Net Acre)	4	3	9	Only 1 of structures can be a tri-plex
32,670 SF (.75 Net Acre)	6	4	12	Only 1 of structures can be a four-plex
43,560 SF (1 Net Acre)	8	5	15	Only 1 of structures can be a four-plex
54,450 SF (1.25 Net Acre)	10	6	18	A maximum of 1 tri-plex and 1 four-plex
65,340 SF (1.5 Net Acre)	12	7	21	A maximum of 2 four-plexes