



TOWN OF FREEPORT, MAINE
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TO: FREEPORT PLANNING BOARD

FROM: CAROLINE PELLETIER, TOWN PLANNER

RE: ITEM II: Village Commercial Districts – Zoning Ordinance Amendments – PUBLIC HEARING

DATE: WEDNESDAY, FEBRUARY 10, 2021

ITEM II: Village Commercial Districts – Zoning Ordinance Amendments – PUBLIC HEARING

This will be a public hearing to discuss the following proposed amendments to the Freeport Zoning Ordinance:

- 1) Adding “Mixed Use Development” as a permitted use subject to Site Plan Review in Section 413. Village Commercial “VC-I”; Section 414. Village Commercial II “VC-II”; Section 415. Village Commercial III “VC-III”; and, Section 416. Village Commercial IV “VC-IV”.
- 2) Changing the maximum building height to “up to three stories, with a maximum height of 45 feet” in Section 413. Village Commercial “VC-I”; Section 414. Village Commercial II “VC-II”; Section 415. Village Commercial III “VC-III”; and, Section 416. Village Commercial IV “VC-IV”.
- 3) Changing the minimum land area per dwelling unit requirement to zero in Section 413. Village Commercial “VC-I”.

Note: This discussion was initiated by Keith McBride, Executive Director, Freeport Economic Development Corporation (FEDC) with proposed amendment language developed by the Planning Board.

Background: At the December 2, 2020 Planning Board meeting, the Board had a discussion with representatives from Freeport Economic Development Corporation regarding some potential changes that could be made to existing land use regulations to encourage new housing units in the Downtown area. These discussion points were based upon feedback FEDC had gotten from developers (see original memorandum from FEDC to the Planning Board, attached). Although the primary focus is for the Village Commercial I District (which is the area in which some of these same concepts were previously discussed by the Board), the ideas were presented as something that may appropriate to consider for all of the Village Commercial Zoning Districts; VC-1, VC-2, VC-3 & VC-4. (for the purposes of this discussion, the locations of the Village Commercial Zoning Districts are as shown on the following page. A link to the Official Zoning Map can be found here: [Charter, Ordinances and Codes | Freeport ME \(freeportmaine.com\)](#)).

The Board had a follow-up discussion at the January 6, 2021 Planning Board meeting and decided to move forward with proposed amendments. A summary of the changes being proposed is as follows:

- 1) Adding “Mixed Use Development” as a permitted use subject to Site Plan Review in Section 413. Village Commercial “VC-I”; Section 414. Village Commercial II “VC-II”; Section 415. Village Commercial III “VC-III”; and, Section 416. Village Commercial IV “VC-IV”.
- 2) Changing the maximum building height to “up to three stories, with a maximum height of 45 feet” in Section 413. Village Commercial “VC-I”; Section 414. Village Commercial II “VC-II”; Section 415. Village Commercial III “VC-III”; and, Section 416. Village Commercial IV “VC-IV”.
- 3) Changing the minimum land area per dwelling unit requirement to zero in Section 413. Village Commercial “VC-I”.

Other standards to consider: Most of the area within all four of the Village Commercial Zoning Districts is within one of Freeport’s Design Review Districts. Village Commercial 2, Village Commercial 3 and Village Commercial 4 are also within the Freeport Village Overlay District. Re-engaging the working group that was looking at the Design Review Districts and Freeport Village Overlay Districts was also a suggestion. For now, the current standards in place will have some additional standards with regards to details such as building design and scale.



Comprehensive Plan: Since this is a Zoning Amendment discussion, the Board should keep in mind whether or not the possible amendments would be in harmony with the Comprehensive Plan. The

complete Comprehensive Plan can be viewed here: [Microsoft Word - CompPlanAdopted2-8-11.doc \(freeportmaine.com\)](#)

Page 29 of the Comprehensive Plan addressed mixed use and growth areas:

“Mixed Use and Growth Areas

The ultimate “concentrated” development model is **mixed use development**. Mixed use development allows residential and commercial development to exist on the same parcel, adjacent to each other, or in the same building. The best examples of mixed use development can be found in any New England village; with houses, businesses, and factories all close by. In this case, the past is our best model. Zoning separated these uses. In retrospect, it may have separated them too much.

Mixed use areas were desirable places to live. They can, once again, be desirable places to live as long as open spaces are intertwined with developed areas, goods and services are within walking distance, and safe and well maintained facilities for bicyclists and pedestrians are provided. Creating places for people to live, work, and play provides opportunities to reduce gasoline consumption, to reduce traffic congestion, to improve air quality, and to provide a mix of housing units in size and price. Mixed use areas should be in areas serviced by public water and sewer, or at least in areas that require minimal extensions to those utilities.

In 2007, the first mixed use districts were approved. In Freeport, the **growth areas** are the Medium Density Districts along Route One North, the Village 1, Village Commercial Districts, the Village Mixed Use Districts, and the Commercial 1 and 3 Districts. Since 2005, the allowable densities in those districts (with the exception of the Medium Density districts) have been increased while the size of the Districts remains the same. All of the Districts allow a wide variety of housing types and commercial uses. All of these areas are serviced by public water and sewer.

In 2008, the allowable residential density was increased in the Route One South area. This area could be a “receiving” area for a transfer of development rights (TDR) program (see recommendation for developing such a program in the Open Space and Recreation section of this Plan). The program works like this; development rights that are preserved in rural areas (the sending area) are traded for higher development in the Route One South corridor (the receiving area). This would provide another option for housing growth and simultaneously preserves rural areas. The TDR program will provide additional incentives to preserve types of rural land, active farmland, woodlots, or open spaces.

Freeport currently has a “Retirement Community Overlay District”. Any parcel over 30 acres having access to public water and sewer is eligible for this designation, no matter where it is in town. During the course of the review of these projects, it was suggested that these types of developments should only be allowed in certain districts, ideally those near other development. One “retirement community” has been approved. Another is proposed as of the end of 2009. These “communities” provide a variety of housing types, sizes, and prices, and varying levels of services. A zoning amendment is required for a retirement community.

Allowing higher density also has an impact on the town’s tax base. The average assessed value of a single-family home is close to \$48,000 per acre. Most of these homes are on lots 2.5 acres or larger. The assessed value per acre of a condominium complex is \$538,500 (see Table 14 –FDFTM)”

Table 14. Assessed Value and Land Used per Housing Type

Housing type	Number of Units	Total Acreage	Average Acres per Unit	Assessed Value	Assessed Value per Acre
Single-family	2,566	12,048	4.7	\$574,809,300	\$47,710
Duplex	88	86	0.9	\$7,383,300	\$88,423
Multi-family	30 buildings	68 acres	Unknown	\$115,113,600	\$222,259
Condominium	188	78	.4	\$42,003,000	\$538,500

Source: Freeport Assessing data and Freeport GIS data

Proposed Motions:

Proposed Motion to approve: Be it ordered that the Freeport Planning Board recommend that the Freeport Town Council adopt proposed amendments to the Freeport Zoning Ordinance pertaining the Village Commercial Zoning Districts, with regards to adding the permitted use of mixed use development, increasing maximum building height and eliminating the land per dwelling unit requirement in the Village Commercial I, as presented and discussed at the February 10, 2021 Planning Board meeting, as the Board finds that the proposal is in harmony with the 2011 Town of Freeport Comprehensive Plan in that

Proposed Motion to table: Be it ordered that the Freeport Planning Board table the discussion of the Village Commercial Zoning Districts, with regards to adding the permitted use of mixed use development, increasing maximum building height and eliminating the land per dwelling unit requirement in the Village Commercial I to the March 2, 2021 Planning Board meeting.



Freeport Economic Development Corporation

MEMORANDUM

TO: Caroline Pelletier, Town Planner
Freeport Planning Board

FROM: Keith A. McBride, FEDC Executive Director

DATE: December 4, 2020

RE: Workshop on Village Districts and Residential Development

The mission statement of FEDC is to partner with the town to promote responsible sustainable economic growth that strengthens and diversifies the economic base and enhances the quality of life and unique character of Freeport. For the past two years, we have been primarily focused on downtown, and our strategy is multi-faceted. As it relates to residential development, we have taken a strong position that new downtown housing would have an economic development benefit for all of Freeport, and we have had extensive conversations internally about supporting and finding opportunities to develop more downtown housing.

Part of our discussion has looked at the current zoning and its compatibility with the housing development and redevelopment we are trying to attract. We have received feedback from developers, some of whom are exploring downtown housing development and some who are not. We would like to share some of that feedback with the board, as it has helped inform our opinion on what small changes could be made to help encourage new housing units downtown.

We would like to take this workshop as an opportunity to engage the planning board in this effort. First, we would like to share with you our findings on the economic impact and value of downtown housing and what it could mean for Freeport at a time when increased vacancies and reduced traffic/business are negatively impacting our village core. Second, we would like to share feedback from the development community on the existing village zoning districts and third we would like to introduce some changes that we feel would make a difference in encouraging new housing development or the redevelopment of existing vacant or underutilized spaces into new housing.

We feel that the board's opinion and feedback, from the perspective of future land use and growth, will help focus our efforts. This discussion is a critical step in deciding whether we want to pursue small zoning changes in the village districts to make a big impact to economic development. We will discuss all of this in greater detail at the workshop. Thank you, and we look forward to this discussion.