



TOWN OF FREEPORT, MAINE
Planning Department
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TO: FREEPORT TOWN COUNCIL

Cc: PETER JOSEPH, TOWN MANAGER

FROM: CAROLINE PELLETIER, TOWN PLANNER

RE: Village Commercial Districts – Zoning Ordinance Amendments

DATE: TUESDAY, MARCH 2, 2021

Background: At the February 10, 2021 Planning Board meeting, the Planning Board reviewed the following agenda item:

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.

Initial discussions of the Planning Board occurred on December 2, 2020 when the Planning 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. 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 \(freeportmaine.com\)](#)).



Process: The Board had a follow-up discussion at the January 6, 2021 Planning Board meeting and decided to move forward with a public hearing on February 10, 2021 on the amendment discussions noted above. Legal ads for the public hearing were published in the Brunswick Times Record on 1/28/21 and 2/2/21. The Board received two written letters prior to the meeting, and four members of the public commented at the meeting.

Public Notice

PUBLIC HEARING

The Freeport Planning Board will hold a public hearing on Wednesday, February 10, 2021 at 6:00pm 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".

The public is welcome to attend. Information on how to participate can be found on the meeting agenda posted on the meeting calendar of the Town's website at www.freeportmaine.com. Submitted materials are available for viewing on the website or by contacting the Planning Office at the Freeport Town Hall at (207)865-4743 option 5.

Abutter notification was sent in accordance with the notification requirements outlined in the Rules of Order and Procedure of the Freeport Planning Board.

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. These current standards in place will have some additional standards with regards to details such as building design, height and scale and this was taken into consideration during the Board's deliberation. Standards regarding setbacks and maximum impervious coverage are also existing factors in lot development and will remain unchanged with this proposal.

With regards to the Comprehensive Plan, some additional guidance to consider can be found on page 29 of the 2011 Comprehensive Plan regarding "Mixed Use and Growth Areas". Information on the impacts of higher density on the Town's tax base can be seen on Table 14 in "FREEPORT DATA, FACTS, TRENDS, AND MAPS". The complete Comprehensive Plan can be viewed here: [Comprehensive Plan | Freeport ME \(freeportmaine.com\)](https://www.freeportmaine.com/Comprehensive-Plan)

Recommendation from the Planning Board: The Planning Board made the following motion:

MOVED AND SECONDED: Be it ordered that the Freeport Planning Board recommend that the Freeport Town Council adopt proposed amendments to the Freeport Zoning Ordinance pertaining to 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 it promotes mixed use development in the downtown with the amendment that we strike the change in height in the VC-4 District and hopefully that is workable. (Canaan & Burwell) **ROLL CALL VOTE:** (5 Ayes) (2 Excused-Ball & Child)