



May 28, 2019

Sarah Tracy, Chair, Town Council
Town of Freeport
30 Main Street
Freeport, ME 04032

Re: C3 Zoning Text Amendment

Dear Ms. Tracy,

Freeport Housing Trust, Inc. respectfully submits a recommendation to update the Zoning Chapter of the Town's Ordinances.

The Trust recommends that the zoning text be amended so that the Minimum Land Area per Dwelling Unit in the C3 zone is 3,630 square feet of lot area per dwelling unit. This brings the zone in line with similar zones in the town center. Specifically, V-1, VC-2, and VC-3 currently limit density based on 3,630 SF per dwelling unit, VMU-1 and 2 use 2,500, and VC-1 uses 5,000. Several parcels in the C3 zone exceed the proposed density with no apparent negative impacts. As the Town looks to improve the availability of housing options, allowing greater density along the Route 1 corridor is a logical step. Additionally, the Trust proposes to delete 411.D.7: Maximum Gross Floor Area per lot, since the maximum impervious surface and building height limits achieve the intent of this zoning limitation.

Thank you for the opportunity to present this zoning amendment. I value the opportunity to meet with you during the annual workshop and discuss ways to improve the livability of Freeport.

If you have any questions, please contact me at matt@freeporthousingtrust.org or (207) 865-1652.

Sincerely,

A handwritten signature in black ink that reads "Matt Peters".

Matthew Peters
Executive Director

Section 411. Commercial District III - “C-III”

A. Purpose:

It is the intent of this District to create an attractive entrance to the Village. A mix of commercial and residential uses are permitted with restrictions on building size and parking locations. Landscaping requirements are mandated in the front setback. In order to limit access points on heavily traveled U.S. Route 1, access on other streets and on service roads is encouraged through decreased road frontage requirements. This District is part of the Design Review District and contains historically and architecturally significant buildings and structures which should influence the design of future development.

B. Permitted Uses:

1. Single Family Dwelling
2. Two Family Dwelling

The following uses are subject to site review regardless of size:

3. Public or Private School
4. Commercial School
5. Outdoor Recreation School
6. Cemeteries
7. Public Utilities excluding commercial communications towers
8. Municipal Use
9. Multiple-family Dwelling
 - a. Existing buildings shall not be subject to the provisions of Section 411.D.6 below
10. PUD (Subject to the provisions of Article V, Section 504)
11. Restaurant
12. Restaurant - Carry-Out
13. Bed & Breakfast Inn
14. Business and Professional Offices
15. Public Assembly - Indoor
16. Private Assembly
17. Auto Repair Service Garage
18. Religious Institutions
19. Hotel - Motel
20. Commercial Sales and Service, including up to 200 square feet of incidental, accessory outdoor storage. This outdoor storage is permitted only on a seasonal basis (April to October). Materials such as propane, which must be located outdoors at all times, are exempt from the seasonal restriction, but they must be screened from abuttor and street views.
21. Parking Facility
22. Retail Trade

- 23. Manufacturing and Processing
- 24. Day Care Center Facilities
- 25. Commercial Recreation – Indoor
- 26. Parking area for open space *{Amended, Effective 12/02/14}*
- 27. Artisan Food and Beverage *{Effective 12/17/14}*
 - a. food truck(s) as an accessory use is allowed subject to the provisions of Sec. 526A – Food Trucks

C. Prohibited Uses:

Specifically include, but are not limited to, the following:

- 1. Manufacturing, fabrication, disposal, or any use of asbestos products.
- 2. Paper manufacturing
- 3. Petroleum and petrochemical refining and reprocessing
- 4. Production of lubrication oils and grease
- 5. Manufacture of explosives including, but not limited to, ammunition and fireworks
- 6. Offal or deer animal disposal and reprocessing
- 7. Abattoirs and slaughterhouses

D. Space Standards:

- 1. Minimum lot size: 2 acres
- 2. Maximum Building Height: 35 feet
- 3. Minimum Road Frontage
 - U.S. Route 1 and Pine Street: 300 feet
 - Other Streets: 150 feet
- 4. Maximum Impervious Surface to lot area ratio: 70%
- 5. Minimum Setback:
 - a. All setbacks except from I-95 boundary:
 - Front: 50 feet, if parking is located between the 25' front landscaped setback and the 50' setback. 25' if parking is located beyond 50' of the front property boundary line.
 - Side: On a lot with two side lot lines, the total combined minimum width of both side setbacks shall be 75' and the minimum side setback shall be 25'. If a parcel has only one side lot line, the minimum side setback shall be 35'. *{Amended, 03/19/19}*
 - Rear: 35 feet
 - b. All setbacks from I-95 boundary: 25 feet
- 6. Minimum Land Area per Dwelling Unit: 7,000 s.f.
- 7. Maximum Gross Floor Area per lot: 40,000 s.f.

E. Other Standards:

- 1. Buffer strips, as required by Section 506, shall consist of at least the minimum required

- setbacks.
2. Landscaping is required in the setback from U.S. Route 1 and in the front setback from all other streets for a minimum of 25 feet except for driveways. Landscaping is required in all side setbacks for a depth of 15 feet extending from the front property line to the furthest back edge of the developed area (buildings, parking lots, other impervious surface). The Project Review Board shall determine whether the side landscaping shall consist of plantings and/or retention of the natural vegetative cover. Only accessways, walkways, pedestrian and vehicle connectors between parking lots on abutting lots and common driveways for abutting lots are permitted in the side setback.
 3. Outdoor storage is prohibited except as permitted in Section 411 B.17 above.
 4. The Performance Standards of Section 527 are applicable. *{Amended, Effective 01/02/18}*
 5. If existing or proposed parking spaces are eliminated due to the creation of parking lot connectors and/or common driveways for abutting lots, the property shall be credited for each lost space so that no net loss of parking spaces shall occur.
 6. Curb cuts on Route One and Pine Street should be limited, where possible, to one per lot. In addition, because of the limited sight distance at certain parcels containing frontage on Pine Street, if any lot fronting on Pine Street is subdivided after May 1, 1997, one common driveway location which provides access to all existing and new lots shall be provided in the deed. The common driveway location shall meet MDOT requirements for sight distance and all necessary easements shall be included in each deed.

Section 412. Commercial District IV “C-IV”

A. Purpose:

This District is intended to provide suitable locations for uses which require nearby major highway connections and public utility services. Uses are designed to serve both local and regional markets and regulations are included to protect abutting residential uses and districts.

B. Permitted Uses:

1. One single family dwelling per Lot of Record as of November 1, 1995

The following uses are subject to site review regardless of size:

2. Public or Private School
3. Commercial School
4. Outdoor Recreation School
5. Local convenience goods stores accommodating local needs such as but not limited to retail bakeries, delicatessens, candy, nut and fish stores, fruit and vegetable stores, grocery and food stores, 5 & 10 stores, hardware stores, auto parts supply, book stores, branch banks, dry goods stores and florist shops;
6. Personal service stores such as but not limited to beauty and barber shops, laundromats,

Town of Freeport Official Zoning Map

Adopted February 26, 2013

Amendment approved 03/15/16 to add
the VI-R in the area of Cottage St

Legend

Zoning Districts

- Commercial 1 C1
- Commercial 3 C3
- Commercial 4 C4
- Industrial 1 I1
- Industrial 2 I2
- Local Business LB
- Medium Density A MDA
- Medium Density B MDB
- Medium Density Residential 1 MDR1
- Medium Density Residential 2 MDR2
- Resource Protection 1 RP1
- Resource Protection 2 RP2
- Rural Residential 1 RR1
- Rural Residential 1A RR1A
- Rural Residential 2 RR2
- Village Commercial 1 VC1
- Village Commercial 2 VC2
- Village Commercial 3 VC3
- Village Commercial 4 VC4
- Village Mixed Use 1 VMU-1
- Village Mixed Use 2 VMU-2
- Village 1 V1
- Village 2 V2

- BUSTINS
- Island District ID
- Parcels (2012)
- Setback from top of bank
- Marine Waterfront MW
- Stream Protection SP
- Shoreland Area SA
- Protected Eagle's Nests

