

Existing Land Use

Outstanding Questions/Comments:

- Has there been any analysis done on 2011 comp plan successes?
- Is most of the recent development occurring: lot by lot; in subdivisions; or in planned developments? Is recent development consistent with the community's vision?
- What regulatory and non-regulatory measures would help promote development of a character, and in locations that are consistent with the community's vision?
- Is the community's administrative capacity adequate to manage its land use regulation program, including planning board and code enforcement officer?
- What is the minimum amount of land needed to accommodate projected residential, institutional, commercial, or industrial development at least ten years into the future?
- Coordination is needed with Town Staff to determine how many parcels are located within each of the designated zoning districts in Town. This information will be added to the chapter within the table on pages 6-7 once the information is received.
- Coordination is needed with Town Staff for the "Recent Development," "Residential Growth," and "Commercial Growth" sections on pages 8-9.
- Industrial Growth section: Where has Freeport seen industrial growth since 2011?
- Coordination with Town Staff is needed for a summary of dimensional standards. This information will be added to the "Dimensional Standards" section on page 15.
- Coordination with Town Staff is needed to determine when Site Plan Review, Staff Review Board and administrative review is required for proposed development projects. This information will be added to the "Site Plan Review" section on page 15.
- Coordination with Town Staff is needed for a summary of the Design Review processes in Town. This information will be added to the "Design Review" section on page 16.

Highlights

- Freeport has a total area of 46.47 square miles which consists of 34.82 square miles of land and 11.65 square miles of coastal waters.
- Freeport is home to a variety of residential neighborhoods, ranging from historic homes in the downtown area and newer suburban developments on the outskirts of town.
- Approximately 76.43% of the town is zoned Rural Residential (RR I, IA, II) with the next largest zoning group Medium Density (MD A, B, I, II) at approximately 5.97% of the town.
- As of February 2024, there are 26 distinct zoning districts in the town of Freeport and multiple overlay zoning districts.
- The 2011 plan identified specific districts within Freeport as growth areas including Medium Density districts along Route One North (Medium Density Districts A and B), Village 1, Village Commercial, Village Mixed-Use Districts, and Commercial 1 and 3 Districts.

Freeport Land Use Patterns

Freeport has a total area of 46.47 square miles which consists of 34.82 square miles of land and 11.65 square miles of coastal waters. Freeport is situated along the coastline of southern Maine, providing residents and visitors with access to Casco Bay and the Atlantic Ocean. The town is intersected by several small rivers and streams, including the Harraseeket River, which flows through the heart of the town. Freeport is surrounded by several other towns and communities, including Brunswick to the north, Durham to the northeast, Yarmouth to the southwest, and Pownal to the west.

Like many towns in the region, Freeport's economy grew around a bustling center of maritime commerce. With access to maritime trade networks via the Harraseeket River, the town's natural harbor facilitated trade with other coastal communities and beyond. The primary industries were water-dependent and included shipbuilding, fishing, and trade. In the 19th century, Freeport experienced further development with the establishment of mills and factories along the banks of the river expanding the economy to include sawmills, textile factories, and harvesting natural resources of the area.

The arrival and expansion of railroads spurred additional growth in development. Freeport was further connected to the regional network with quicker access to Portland and Brunswick while facilitating the transportation of goods and people. The railroad also brought tourists to Freeport, drawn by its scenic beauty, coastal charm, and growing retail and tourism sectors. Additionally, the construction of Interstate 95 had a major impact on Freeport and contributed to the town's economic development by providing increased accessibility and stimulating tourism and retail growth.

Today, Freeport exhibits diverse land use patterns that reflect its mix of residential, commercial, industrial, and recreational areas. Freeport is home to a variety of residential neighborhoods, ranging from historic homes in the downtown area and newer suburban developments on the outskirts of town. The residential areas are characterized primarily by single-family homes with some multi-family homes in the form of condominiums and apartment buildings.

Freeport's downtown area remains a major commercial hub featuring a mix of retail shops, restaurants, and other businesses. The downtown district is known for its outlet stores, boutique shops, and local eateries, which attract tourists and shoppers from near and far. There are other commercial corridors along major roadways leading into and out of town, including Route 1. Industrial portions of Freeport include manufacturing, warehousing, distribution, and storage facilities located on the outskirts of town, away from residential and commercial areas.

Freeport has a mix of active farmland and preserved agricultural open space. Farms in the area produce a variety of crops. Agricultural preservation efforts aim to protect farmland from development and maintain certain rural characters of the town. Additionally, Freeport is known for its natural beauty and outdoor recreational opportunities. The town boasts several parks, conservation areas, and trails where residents and visitors can enjoy activities such as hiking,

picnicking, and birdwatching. Notable outdoor spaces include Wolfe’s Neck Woods State Park, Winslow Memorial Park, Hunter Road Athletic Field Complex, the Joan Benoit-Samuels Track and Field Complex at the High School and the Hedgehog Mountain area.

2011 Comprehensive Plan

The previous Comprehensive Plan identified a handful of implementation goals regarding land use, development, and growth areas. The plan discussed the balance of development in commercial areas, expanding residential areas along existing networks, and limiting non-residential growth in rural parts of the town. The plan also highlighted the importance of historic villages and preserving certain economic centers of the town. The plan also emphasized the importance of mixed-use development, where residential and commercial spaces coexist either within the same parcel, adjacent to each other, or in the same building. It further expands on successes of mixed-use development and suggests integrating open spaces, walking-distance access to goods and services, and facilities for bicyclists and pedestrians to create desirable living environments.

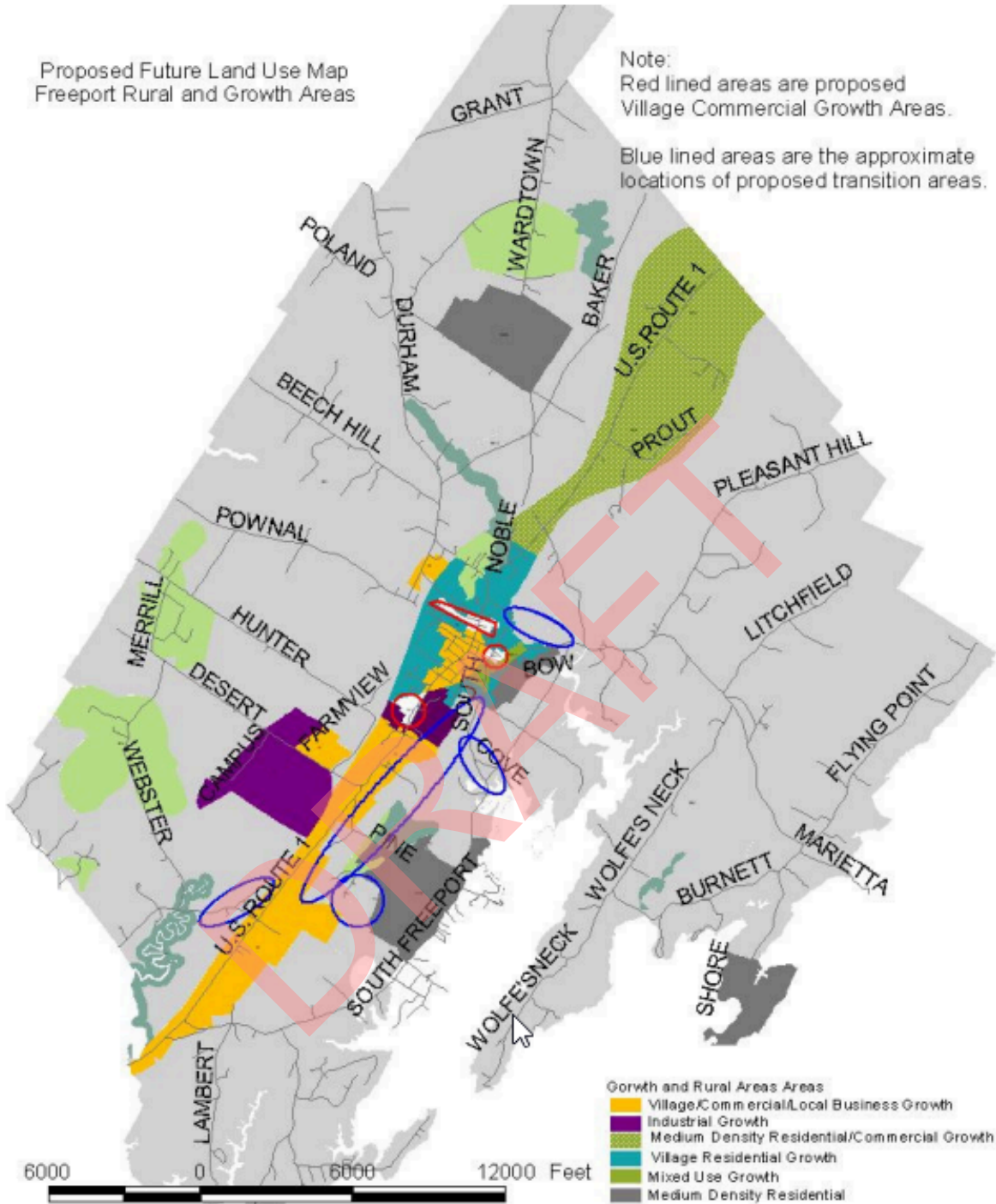
Here is the *Future Land Use Map* from the 2011 Comprehensive Plan (next page):

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Freeport Comprehensive Plan – First Draft

Proposed Future Land Use Map
Freeport Rural and Growth Areas

Note:
Red lined areas are proposed Village Commercial Growth Areas.
Blue lined areas are the approximate locations of proposed transition areas.



prepared by the Freeport Planning Department
August 2009, amended December 2010

The 2011 plan identified specific districts within Freeport as growth areas including medium density districts along Route One North, Village 1, Village Commercial, Village Mixed-Use Districts, and Commercial 1 and 3 Districts. These areas had seen increased density after 2005 and continued to offer a variety of housing types and commercial uses, all serviced by public water and sewer. The plan acknowledges the impact of higher residential densities on the town's tax base, noting the difference in assessed values between single-family homes and more denser developments.

Additionally, the plan discussed the need and desire to preserve rural character and direct growth away from rural and residential areas through a variety of land use tools and regulatory mechanisms to support future land use and facilitate desired development. A Transfer of Development Rights (TDR) program was suggested to balance the development between rural and designated growth areas. TDR programs aim to incentivize land preservation in rural areas while accommodating development in designated growth areas, thereby promoting balanced growth. The plan also suggests regulatory amendments including amending subdivision regulations and minimum lot sizes while also noting the importance of environmental review and road infrastructure in subdivision planning.

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Zoning

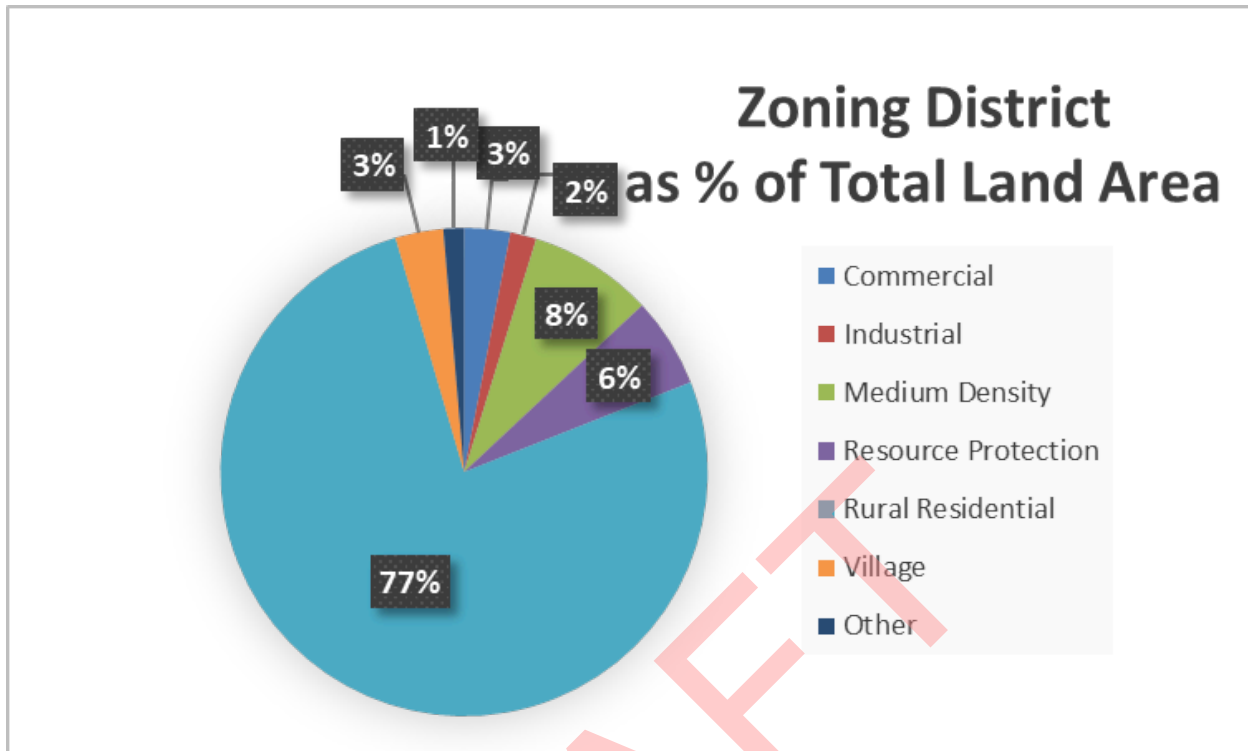
Approximately 76.43% of the town is zoned Rural Residential (RR I, IA, II) with the next largest zoning group Medium Density (MD A, B, I, II) at approximately 5.97% of the town. The Village zoning districts (V I, I-R, II; VC I, II, III; and VMU I, II) compose 3.18% of the total land area. Commercial zoning districts (C I, III, and IV) makeup roughly 3.06%. These zones and the remaining zones can be found in the table below:

(Please note that the Parcels, Acres and Land Area information will be inputted in the table once we confirm the data with Town Staff)

ZONE	ZONE DESC	# OF PARCELS	ACRES	% OF LAND AREA
BUSTINS	Bustins			
C1	Commercial I C-I			
C3	Commercial III C-III			
C4	Commercial IV C-IV			
I1	Industrial I I-I			
I2	Industrial II I-II			
ID	Island District ID			
LB	Local Business L-B			
MDA	Medium Density A MD-A			
MDB	Medium Density B MD-B			
MDR1	Medium Density Residential I MDR-I			
MDR2	Medium Density Residential II MDR-II			
MW	Marine Waterfront MW			
RP1	Resource Protection I RP-I			

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RP2	Resource Protection II RP-II			
RR1	Rural Residential I RR-I			
RR1A	Rural Residential I-A RR-IA			
RR2	Rural Residential II RR-II			
V1	Village I V-I			
V1-R	Village I-R VI-R			
V2	Village II V-II			
VC1	Village Commercial I VC-I			
VC2	Village Commercial II VC-II			
VC3	Village Commercial III VC-III			
VC4	Village Commercial IV VC-IV			
VMU-1	Village Mixed Use I VMU-I			
VMU-2	Village Mixed Use II VMU-II			
WATER	WATER			



Recent Development

Data needed for this section:

- Housing permit data in housing chapter
- All available building permit data (have 2022 applications)
- Location of all building development (maybe overlay map with 2009 map)

Residential Growth

Data needed for this section:

- Locations of larger residential developments, density included
- Map
- Residential Unit permits between 2010-2022

Commercial Growth

- Where has Freeport seen commercial growth since 2011?

Land Use Regulations

Land use tools (including zoning ordinances, subdivision regulations, dimensional requirements, site plan requirements, etc.) play a vital role in land use planning by providing frameworks for managing growth, preserving natural resources, and promoting sustainable development.

Zoning

Zoning ordinances establish regulations for how land can be used with specific zoning districts, guiding the location of residential, commercial, industrial, and preservation activities to ensure compatibility and direct growth. Freeports Zoning Ordinance (Article 21) is the land use control ordinance for the community.

[Insert Zoning Map Here]

Between 2011 and February 2024, the Zoning Ordinance was amended 64 times with the majority of the amendments including changes, additions, or deletion of multiple sections. Article IV establishes the Zoning District Regulations, purposes, and land use controls. As of February 2024, there are 26 distinct zoning districts in the town of Freeport and multiple overlay zoning districts.

Rural Residential District I (RR-I)

The RR-I district is the most open and rural area in town and extends generally beyond the area of Freeport that is serviced by public water and sewer. It is intended that open space, agricultural and low-density residential uses be encouraged, in that they tend to enhance, reinforce, and protect the rural, open space atmosphere now characterizing much of the Town.

Rural Residential District IA (RR-IA)

The RR-IA district includes, in limited areas along well-traveled roads or at intersections, areas where historically and traditionally dispersed small businesses have been located on property which is also the primary residence of the business owner. These rural uses are more intense than Home Occupations but less intense and limited than other commercial and industrial uses. They are a part of the rural character and diversity of housing types which the 2011 Comprehensive Plan seeks to protect. These areas are sub-districts of RR-I and are Rural Residential District IA or “RR-IA”.

Rural Residential District II (RR-II)

The RR-II district is similar to the RR-I District. It is generally rural and underdeveloped and contains poor soils and some steep slopes which are constraints on development. Its unique characteristic is that it comprises most of the Harraseeket Historic District. The uses permitted within it are, therefore, limited to those which are compatible with its historic and rural qualities.

Medium Density Residential District I (MDR-I)

The MDR-I district provides for locations where a diversity of residential housing types is permitted at a higher density than in the rural districts. Since public water and sewer are not available, densities are set at the maximum which would be compatible with on-site facilities.

Medium Density Residential District II (MDR-II)

The MDR-II permits a denser pattern of residential development than in the rural district. Because of the historic nature of some of the areas located in this District, mobile homes are not permitted. Large road frontages along major roads are required in order to limit the number of access points and retain a more rural atmosphere.

Medium Density Districts A + B (MD-A | MD-B)

The MD-A and MD-B districts maintain the present balance between residential and limited business uses in an area which includes some moderately densely developed areas containing structures of historical significance in sections which are more rural in nature. Route 1 is the major roadway in this District and extends from the Village to the Town of Brunswick border in the northern part of town.

Village I (V-I)

The V-I district begins the transition from the Village Commercial Districts to the neighboring residential districts and to encourage a high density of residential development.

Village I-R (V-IR)

The V-IR district begins the transition from the Village Commercial Districts and Village 1 District to the neighboring residential districts and to encourage a high density of residential development.

Village II (V-II)

The V-II district recognizes the existing South Freeport Village, which is an historic, residential area, and adjacent neighborhoods.

Commercial District I (C-I)

The C-I district provides for suitable locations for commercial uses and mixed use developments which are appropriately situated at highway locations and to encourage an attractive entrance to the Town of Freeport. This District comprises land along the U.S. 1 corridor from Yarmouth to the plaza just north of Desert Road and is the major local connector between Yarmouth and Freeport. This district is intended to be flexible with regard to minimum lot area, road frontage requirement, and setbacks from property lines provided points of access onto U.S. Route One are limited, and design standards are met.

Commercial District III (C-III)

The C-III district creates 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.

Commercial District IV (C-IV)

The C-IV district provides suitable locations for a variety of higher density residential and commercial uses which benefit from nearby major highway connections and existing public utilities. Open space and/or buffers are required to provide a buffer between higher density development and adjacent lower density residential properties and to protect environmentally sensitive areas.

Village Commercial (VC-I)

The VC-I district concentrates commercial activity within the Village Center.

Village Commercial II (VC-II)

The VC-II district begins the transition from the Village Commercial District to the neighboring residential districts.

Village Commercial III (VC-III)

The VC-III district begins the transition from the Village Commercial District to the neighboring districts. This District, which is included in the Design Review District, contains a mixture of residential and commercial uses which are located in structures maintaining a residential design and scale. New construction and renovation shall be compatible with the visual appearance and placement on the parcel of the existing buildings.

Village Commercial IV (VC-IV)

The VC-IV district mixes commercial and residential activity within the Village Center, and by offering flexibility of use, encourages the preservation of existing buildings, in particular, the old Town Hall.

Village Mixed Use District I (VMU-I)

The VMU-I district recaptures some of the character of a local town center by allowing commercial uses and all residential housing types at a scale that is compatible with the surrounding area. The commercial uses in this District would be limited to those providing goods and services to local residents on a regular basis. Development in this district needs to be pedestrian friendly with both on-road and off-road facilities, as can be accommodated, and a variety of open spaces. Roads in the district should minimize the amount of pavement required while balancing the need for adequate and safe traffic flow, pedestrians, and bicyclists. There should be measures to calm traffic in non-structural ways and to provide adequate space for pedestrian amenities, walkers at different speeds, handicapped accessible, and safe for travel by bicyclists.

Village Mixed Use District II (VMU-II)

The VMU-II district is similar to the VMU-I district except at a smaller scale.

Local Business District (LB)

The LB district provides an opportunity for retail, service and municipal facilities that primarily serve local residents. Service of any extended area or regional market is ancillary to the local market.

Industrial District I (I-I)

The I-I district provides for suitable locations, near major transportation routes, for industrial, office, business, and warehouse uses, including industrial parks, which will be environmentally sound and physically attractive assets to the Town. Off-site utilities are presently or potentially available.

Industrial District II (I-II)

The I-II district provides suitable locations, near major transportation routes, for industrial, office, business and warehouse uses, including industrial parks, which will be environmentally sound and physically attractive assets to the Town. Off-street utilities are presently or potentially available.

Resource Protection II (RP-II)

The RP-II district protects the quality and quantity of the groundwater resources of Freeport. This zone applies to all lands identified as aquifer recharge protection zones on the Town of Freeport zoning map.

Island District (ID)

The Island district protects the unique island natural areas and especially their shorelines and surrounding waters by discouraging inappropriate uses, prohibiting development on certain islands, and restricting development on the others as to not materially disturb wildlife habitat, contribute to water pollution, or alter the natural and scenic appearance of the landscape when viewed from offshore. This zone applies to the following islands: Bartol, Bowman, Crab, French, French's Ledge, Googins, Indian, Little Bustins, Little Flying Point, Little French, Pettengill, Pound of Tea, Pumpkin Knob, Sister, Sister's Ledge, Sow and Pigs, and Williams. Bustin's Island is not included.

Mining and Extraction Overlay District (MEOD)

The MEOD provides for the excavation, processing, and storage of mineral deposits in locations which will be compatible with surrounding land uses and the general character of the area; to ensure the orderly development of mineral resources in a manner compatible with the overall development of the Town of Freeport; to assure the best management practices for maximum control of potential adverse environmental impacts; to provide for future reuse of mined land and to provide for the public health, safety and welfare.

Nature-Based and Art Overlay District (NBAOD)

The NBAOD allows nature-based commercial uses that are consistent with the historical uses of any property within the overlay district and assist with the long-term sustainability of the current uses and the protection of the natural and historic resources of a property, to allow an indoor art center and indoor public assembly, and to specify the principal and accessory uses that are allowed thereon.

Shoreland Zoning

Freeport's Shoreland Zoning Ordinance establishes the guidelines for preservation, conservation, and development according to MRSA Title 38 sections 435-449. Amended in 2024, the Shoreland Zoning Ordinance establishes four shoreland zoning districts:

Shoreland Area (SA)

The SA Shoreland Zoning district is an overlay district that includes the land area located within two hundred and fifty (250) feet, horizontal distance, of the normal high-water line of any river; within two hundred and fifty (250) feet, horizontal distance, of the upland edge of a coastal wetland, including all areas affected by tidal action; within two hundred and fifty (250) feet of the upland edge of a freshwater wetland; excluding those areas in Marine Waterfront, Resource Protection 1 or Stream Protection.

Resource Protection District I (RP-I)

The RP-1 Shoreland Zoning district identifies areas where development would adversely affect water quality, productive habitat, or biological ecosystems including floodplains identified as 100-year coastal floodplains, areas with two or more acres of 20% slope or greater, areas with two or more acres supporting wetland vegetation and hydric soils, and areas identified by the Town of Freeport pertaining to source water protection for drinking water supply.

Stream Protection (SP)

The SP Shoreland Zoning district includes all land areas within seventy-five (75) feet, horizontal distance, of the normal high water line of a stream as defined in the Shoreland Zoning Ordinance, exclusive of those areas within two hundred and fifty (250) feet, horizontal distance, of the upland edge of a freshwater or coastal wetland.

Marine Waterfront District (MW)

The MW Shoreland Zoning district includes areas where the existing predominant pattern of development is functionally water dependent uses. The intent of this district is to recognize and preserve the marine heritage of Freeport and to permit services essential to fishing and boating

Dimensional Requirements

The following tables are to provide a summary of density and dimensional standards in the ordinance and are not representative of all details of each district. Please refer to the Freeport Zoning Ordinance Article IV for full details.

- Summary of dimensional standards will be added here

Site Plan Review

Site Plan regulations are part of Freeport's Zoning Ordinance (Article IV) Section 602. Alongside Article V Performance Standards, the site plan review provisions aim to safeguard public health and safety, enhance community well-being, conserve the environment, and limit costs borne by taxpayers by ensuring that non-residential, multi-family residential, and similar projects are designed and constructed with adequate measures for traffic safety, emergency access, pedestrian pathways, water supply sewage disposal, stormwater management, erosion control, sedimentation prevention, groundwater protection, environmental preservation, mitigation of adverse effects on neighboring properties, and integration into the community's character and surroundings.

- When is site plan review not required? And is there a broad categorization for when it is?

The Town Planner has the authority to review de minimis amendments to previously approved site plans. Certain proposed projects meet the criteria of the Staff Review Board including, but not limited to, Design Review Certificates and certain subdivision approvals. The Staff Review Board consists of the Town Planner, Fire/Rescue Chief, Police Chief, Codes Enforcement Officer, Town Engineer, and Public Works Superintendent (or their designees) with other input received from others as needed. All other projects and proposals are subject to the Project Review Board.

Subdivision Review

Freeport's Subdivision Ordinance (Article 25) aims to administer the approval process for new subdivisions, ensuring compliance with state review standards, alignment with Freeport's comprehensive plan, preserving the well-being of residents and existing development, preservation of natural and cultural assets, provisions of necessary infrastructure improvements, mitigation of potential adverse effects, and fostering the growth of a resilient and thriving community.

Floodplain Protection

Freeport’s Floodplain Management Ordinance was last amended December 20, 2005. Freeport participates in the National Flood Insurance Program and complies with the requirements of the National Flood Insurance Act of 1968. The Code Enforcement Department administers the Floodplain Ordinance standards in accordance with Federal and State standards. In 2020, FEMA updated FIRM maps and the State drafted an updated Floodplain Ordinance reflecting the updated maps and the current FEMA standards. The Town plans to update the ordinance and accompanying maps in 2024.

Design Review

- Information on Design Review will be added here

Future Development & Growth

- Information on future development & growth in town will be added here

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