

Land Use and Development Code Amendment: White Rock Mixed-Use District

**Town of Gorham
Planning Board Meeting
May 1, 2023**

ITEM 1 – Public Hearing – Zoning Map and Land Use and Development Code Amendment - White Rock Mixed Use – a request to amend the Zoning Map and Land Use and Development Code, to implement the Comprehensive Plan, to create the White Rock Mixed-Use District.

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AMENDMENT TRACKING

DESCRIPTION	COMMENTS	STATUS
Town Council Meeting	The Town Council forwarded the item to the Planning Board for a public hearing and recommendations. (7 ayes)	December 6, 2022
Planning Board - Discussion	The item was forward to the PLBD CPIC committee for review and recommendations.	January 9, 2023
PLBD – Comp. Plan Implementation Committee	The committee recommended changes to the uses and buffering provisions for parking and outdoor storage.	February 6, 2023, rescheduled to February 13, 2023
PLBD – Comp. Plan Implementation Committee	The committee reviewed the proposed standards then request staff reach out to those lot owners that on the outskirts of the proposed White Rock Mixed-Use District to see their willingness to be included in the new district.	March 6, 2023
PLBD – Comp. Plan Implementation Committee	The committee forwarded the item to the next available meeting for a public hearing. The committee requested staff mail the item by registered mail to the lots owners identified as potential district expansion lots.	April 3, 2023
Planning Board – Public Hearing		May 1, 2023

The Planning Board refers to staff notes during the review process; however, it shall be noted that staff recommendations are noncommittal and all final decisions are those of the Planning Board and not Town Staff.

Memo completed by Thomas Poirier, Director of Community Development.

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1. OVERVIEW:

Town staff has sent a certified copy of a letter to the listed owners lots 89-33, 90-2, 89-5, 91-12, 90-12, 90-11-1, and 90-11 see if they would like to include there lots in the proposed White Rock Mixed-Use District. Staff has include a sample of the letter mailed to the lot owners for the committee's review.

As of the date of this memo Town staff has heard from only one of the lot owners. A representative for the owner of lots 89-33 and 90-2 sent the below email. Staff also had a follow-up phone conversation with a representative of the owner to discuss the proposed White Rock Mixed-Use District's details. As of the date of this memo staff has not heard whether or not they have a preference of whether to be included in the rezoning.

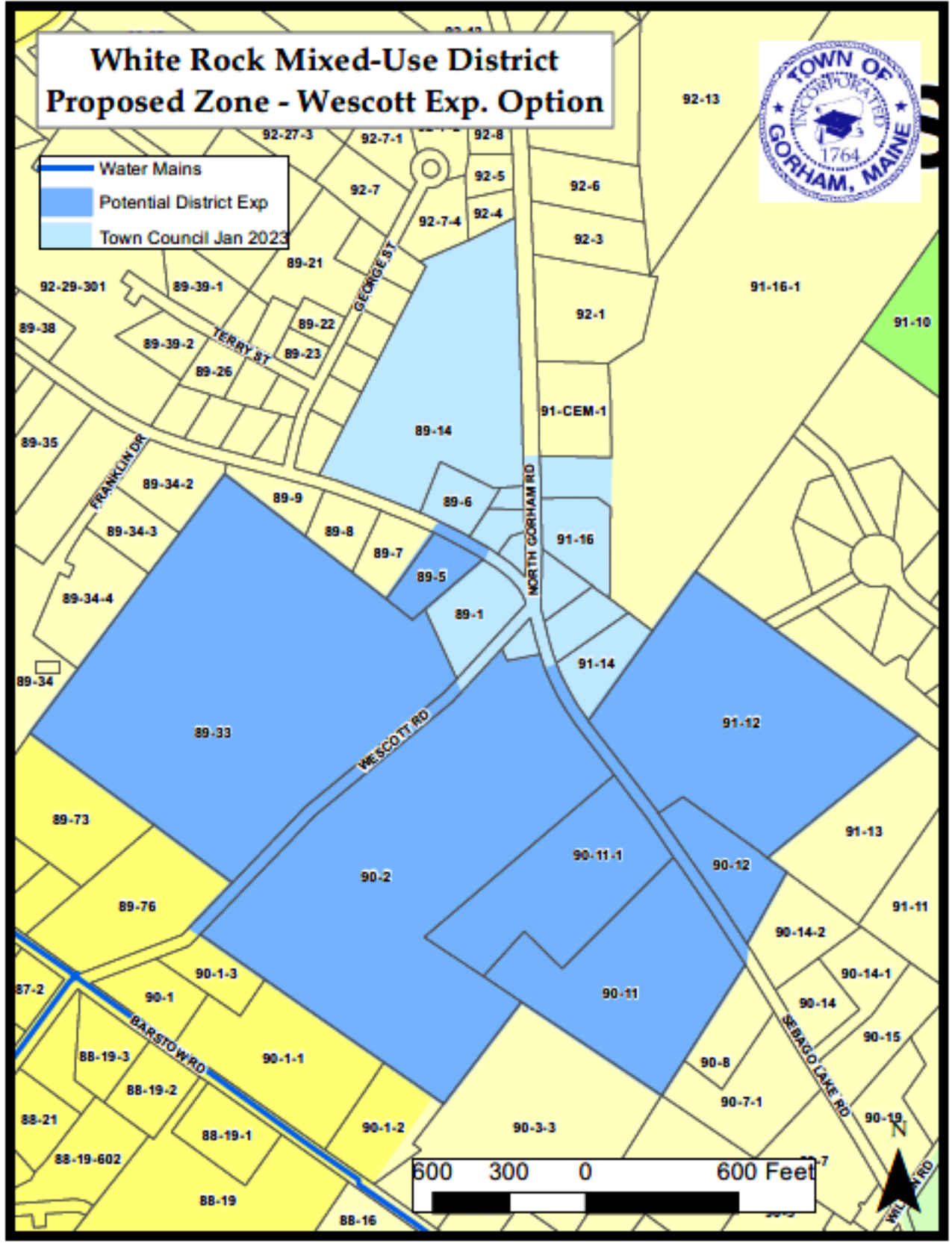
Dear Thomas,

My mother is Marlen Stocks, and her mail (addressed to 253 First County Road, Porter, Maine) is currently being forwarded to my home in Portland. Your letter dated March 13, 2023, was delivered to my house today, April 12, 2023, making it impossible for me response by March 27 as outlined in your letter. Given the circumstances, I request 10 days to review your proposal and that you not "assume" we would like to be included in the rezoning because you did not hear from us. We did not respond by March 27 because we were not contacted.

Best,
Cindy Stocks

See below map for discussion of the potential area to be rezoned White Rock Mixed-Use District. Based on this map the Town has included a revised zoning map showing all the parcels shown in light and dark blue in the map on the next page.

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To assist the Planning Board with the review of a new zoning amendment and the requirement of the new amendment being consistent with the Town's Comprehensive Plan. Below is the language from the Town's Comprehensive Plan regarding the vision for the White Rock Mixed-Use Area.

Comprehensive Plan: Future Land Use Information

White Rock Mixed-Use Area

- Location – The White Rock Mixed-Use Area includes the land around the White Rock intersection including the site of the former White Rock Elementary School (see Figure 6.2).
- Allowed Uses – The allowed uses in the White Rock Mixed-Use Area should include a wide range of residential uses including multi-family housing together with a limited range of non-residential uses including small-scale retail uses, restaurants without drive-thru service, offices, personal and business services, community uses, and inns and B&Bs.
- Development Standards – The development standards should allow for both new development and the reuse of existing buildings in a manner which maintains this area as an attractive rural crossroads. The standards should require that buildings be located within reasonable proximity to the street with a landscaped buffer strip along the edge of the street and not more than one, double-row of parking between the building and the street. Off street parking should be encouraged to be located at the side and/or rear of the building for non-residential uses. New or expanded buildings should be required to conform to good site and building design standards that assure that the project has a “village character”. The creation of vehicular accesses should be carefully managed and the vehicular interconnection of uses encouraged. Residential development should conform to the density and development standards for the Suburban Residential designation including the provision for variable density for small units.

2. PROPOSED AMENDMENT:

Town staff has made the proposed changes to the zoning amendment requested by the Committee. The committee's proposed changes are shown in black, underlined, and struck through.

CHAPTER 1: ZONING REGULATIONS

SECTION 1-?? – WHITE ROCK MIXED-USE DISTRICT

A. PURPOSE

To expand and add to the commercial and limited mixed-use area to the North Gorham area consistent with the Comprehensive Plan's goals. To this end, residential development shall be limited to mixed-use and/or multi-family and developed in accordance with the standards below.

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B. PERMITTED USES

- 1) Nursing home, home for the aged.
- 2) Residential units as part of a mixed-use development.
- 3) Municipal building or use.
- 4) Parks and playgrounds.
- 5) Accessory ~~residential~~ uses and buildings, including home occupations and outdoor storage.
- 6) Rooming house, apartment building or multifamily housing, except fraternity housing.
- 7) Business and professional offices and professional out-patient clinics.
- 8) Public utility facilities including substations, pumping stations and sewage treatment facilities.
- 9) Commercial school, hospital, church, or any other institution of educational, religious, philanthropic, fraternal organization, or social nature which is not used for residential or commercial purposes, which has less than two thousand (2,000) square feet of floor area and generates less than two hundred (200) vehicle trips during any twenty-four hour period, except fraternity houses.
- 10) Accessory Apartments
- 11) Inn
- 12) Bed and Breakfast Establishments
- 13) Recreational Vehicles Sales and Service
- 14) Personal and business services
- 15) Office of Contractor or tradesman.
- 16) Retail stores having a gross floor area of less than 2,500 square feet.
- 17) Light Industrial Uses of five thousand (5,000) square feet or less of gross floor area.
- 18) Auto-oriented businesses.
- 19) Any agricultural building or use except a sawmill.

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C. SPECIAL EXCEPTIONS

- 1) Commercial school, hospital, church or any other institution of education, religious, philanthropic, fraternal organization or social nature which is not used for residential purposes and has two thousand (2,000) or more square feet of floor area or generates two hundred (200) or more vehicle trips during any twenty-four hour period.
- 2) Bed and Breakfast Establishment with public dining as an accessory use.
- 3) Day Care Center

D. SPACE STANDARDS

	<u>Public Water Supply</u>	<u>Private Water Supply</u>
Minimum lot size for residential lots	40,000 sq.ft.	60,000 sq.ft.
Minimum lot area per residential dwelling unit	20,000 sq.ft.	40,000 sq.ft.
Minimum lot area per residential dwelling unit in a mixed-use building	*	20,000 sq.ft

* the lots' maximum residential unit density shall be set by design requirements of a private septic system designed and installed on the lot meeting all the requirements of the State of Maine Subsurface Wastewater Disposal Rules.

Minimum street frontage	150 ft.	200 ft.
Minimum front yard		
MDOT numbered routes	50 ft.	50 ft.
Local Roads	25 ft.	25 ft.
Minimum rear and side yards	15 ft.	15 ft.
Maximum building height	40' or three stories whichever is greater	
Maximum impervious area coverage	0.75	0.75

Notwithstanding the provisions of this subsection D, an auxiliary public utility structure is exempt from the minimum lot size, building coverage, and street frontage requirements of this district. Structures must meet setback requirements. Additional screening and buffering can be requested by the Planning Board.

E. PERFORMANCE STANDARDS

- 1) The performance standards contained in Chapter 2 of this Code shall be fully observed.
- 2) Developments and uses shall be developed to meet the following requirements:

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a) Lot Layout and Utilities:

1. The lots and buildings shall be served by underground utilities.
2. All generators, storage areas, electrical transformer pads, HVAC ground mounted units, above-ground propane tanks, and dumpster pads shall be landscaped and located behind the buildings and structures so that they are not visible from any public street or residential properties. The Planning Board/ Site Plan Review Committee may allow generators, storage areas, and dumpster pads to be located so they are not located behind the buildings if the Board or Committee finds that the proposed locations are required to provide for a better overall design of the lots/development and that they are sufficiently buffered from public roads and residential properties.
3. That parking lots between the front wall of a building and the street shall be limited to a double-row of parking spaces, access driveway, and driveway into the building. All other parking shall be located to the side and rear of the building

b) Buffer Yards and landscaping buffering shall conform to the following standards:

1. That a 25' landscaped buffer shall be required along the lot's frontage on a public street or private way.
2. That a 15' landscaped buffer shall be required along the side or rear property line where parking lots, dumpsters, and/ or storage areas are located abutting residential uses or properties.
3. The landscaped buffer area shall be designed and maintained to minimize the adverse impact on abutting properties and the public and to soften the appearance of the structure(s) and in particular, to minimize the adverse impact on any structures which exist on abutting lots located outside this district. Landscaped buffers should include a mix of evergreen and deciduous trees, shrubs, and plants. Hardscape features such as, but not limited to, stonewalls and decorative metal or wooden fences are also encouraged in the buffer area to provide ~~and shall the~~ a better overall buffer and balance the plantings.
4. No building, parking or service areas shall be located in the buffer area. Access roads may cross the buffer area to provide access to and from a street, but shall be designed to minimize the disruption of the buffer area. No direct access to parking stalls shall be provided from an access road located in a buffer area.

c) Building Design Standards:

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1. All principal buildings and structures for non-residential or mixed-use purposes shall be of a traditional New England Village design to be compatible with the predominant scale and character of the existing architecture in the area.
 2. The predominant exterior building materials shall be of high quality materials, including but not limited to, wood or vinyl clap board siding, masonry units that replicate shake or clapboard siding, brick, sandstone, wood, native stone and tinted/textured concrete masonry units and/or glass products or metal or plastic roofing that simulates shake or shingle roofing. Simulated material may be substituted for any of the aforementioned building materials.
 3. At least three different materials shall be used for the primary front façade for the building facing the primary street the building access and/or Sebago Lake Road/ North Gorham Road. The Planning Board or Site Plan Review Committee may waive the building materials to two different materials if it finds the building design has enough architectural details to sufficiently break up the massing of the building. Glass for use in windows and doors shall not be considered one of the required building materials. All facades that have frontage on streets or private ways shall be considered a primary façade.
- d) Access Management:
1. A parcel that does not have frontage on Sebago Lake Road or North Gorham Road shall not be granted vehicular access from the street except in cases where:
 - a. Access will be provided through a combined entrance with another parcel which has frontage along the street.
 2. Lots with access on Sebago Lake Road or North Gorham Road must have driveways located so that they are a minimum 300' from another driveway on the same side of the street unless:
 - a. The Planning Board finds that the distance would provide for unsafe circumstances.
 - b. The driveway's spacing to abutting properties' driveways cannot be spaced to meet the 300' minimum requirement. The Planning Board shall provide for a driveway spacing to the greatest extent practical.