

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

Call to Order: 6:05pm	Call to Order
Roll Call: Chair Lou Valentine, Win Winch, Tom Mourmouras. Absent: Jean LeClerc, Jason Webber. Staff: Jeffery Hinderliter Town Planner, Megan McLaughlin; Assistant Town Planner. Others Present: Helene Whittaker.	Roll Call
1. Open Meeting	
2. Minutes: 6/30/16 Win Winch made a motion to approve the June 30, 2016 meeting minutes, seconded by Tom Mourmouras.	MOTION VOTE UNANIMOUS
3. Future Land Use Plan Discussion Chairman Valentine mentioned that Tom Mourmouras asked if we should be concerned about anything regarding marinas and boat access. Planner Jeffrey Hinderliter stated that whenever you are looking at development along the protected major water bodies such as wetlands, streams, rivers and the ocean, you are looking at rules that go beyond what we have the authority to do and that is part of Shoreland Zoning. Planner Hinderliter stated that we can work to fit it in. Win Winch mentioned that there is no boat access in Old Orchard Beach. Planner Hinderliter talked about the document that he have to the members and stated that this is some of the most important language for the future land use plan. And although we are not writing a zoning ordinance we hit things more broadly. We don't get into the exact density and so on. We have created all of the districts and all of the districts are reflected on the future land use map. There are a couple of things Planner Hinderliter and Assistant Planner McLaughlin have to work on to change some minor things such as colors and districts. <p style="text-align: center;"><u>FUTURE LAND USE PLAN DISTRICT PURPOSE AND SUGGESTED USES</u> 12/6/2016</p> <u>R1 (Residential 1)</u> The residential 1 district (R-1) is established as a zoning district in which the principal use of the land is for low density single-family and two-family residences and limited, compatible non-residential uses that contribute to a wholesome residential neighborhood environment. <u>Suggested Uses:</u> Residential (All except multi-family, mobile home); Care for people (hospice, residential care, nursing home, massage therapy); Schools/Recreation (parks); Agriculture (small-scale, horticulture), Non-	

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

residential (small wind power, home occupations, place of worship); Accommodations (none); Misc. (none).

R2 (Residential 2)

The residential 2 district (R-2) is established as a zoning district in which the principal use of the land is for single-family, two-family and multi-family (conditionally) residences and customary accessory, municipal, educational and religious uses that contribute to a wholesome neighborhood environment. It will provide for certain non-residential uses but limited so as to maintain residential compatibility.

Suggested Uses: Residential (All except mobile homes); Care for people (message therapy, child care); Schools/Recreation (nursery/preschool, park); Agriculture (none); Non-residential (small wind power, yard/garage sales, home occupations); Accommodations (student visa housing); Misc. (none).

R3 (Residential 3)

The residential 3 district (R-3) is established as a zoning district where the principal use of the land is for single-family, private residences on small lots.

Suggested Uses: Residential (1-family, accessory apartment, manu/modular housing, micro housing); Care for people (massage therapy); Schools/Recreation (nursery/preschool, park); Agriculture (none); Non-residential (small wind power, yard/garage sales, home occupations); Accommodations (student visa housing); Misc. (none).

There is no sewer here and that's a problem. Planner Hinderliter mentioned that the Comp Plan could say that in order for this area to continue to grow, it is recommended that the public sewer connections be provided to this area by the developer.

R4 (Residential 4)

The residential 4 district (R-4) is established to accommodate one-family and multifamily homes, and customary accessory educational, public and religious uses associated with residential neighborhoods.

Suggested Uses: Residential (All permissible); Care for people (massage therapy, child care); Schools/Recreation (nursery/preschool, park); Agriculture (horticulture); Non-residential (small wind power, yard/garage sales, home occupations); Accommodations (student visa housing); Misc. (none).

OPD (Ocean Park District)

The intent of the OPD is to provide an area that allows a variety of residential uses and a limited number of low-impact, compatible non-residential uses and a visual style that compliments Ocean Park's character. The district encourages

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

standards that are in keeping with character of this area and a pedestrian-friendly environment.

Suggested Uses: Residential (All except for mobile homes); Care for people (hospice, nursing, residential care, massage therapy, child care); Schools/Recreation (outdoor rec facility, community center, park); Agriculture

(none); Non-residential (yard/garage sales, home occupations, places of worship); Accommodations (B & B, overnight cabins, hotel, motels, student visa housing); Misc. (food stands).

RD (Rural District)

The rural district (RD) is established as a zoning district where the land is used for a wide variety of purposes at low density and where ample land area is an essential prerequisite for establishment and conduction of most rural land uses. Preservation of its rural character and sensitive environmental resources to the extent possible is also one of the most important purposes of the RD district.

Suggested Uses: Residential (All except for mobile homes); Care for people (all except hospital, medical facility); Schools/Recreation (nursery/preschool, outdoor rec facility, community center, park, shooting range); Agriculture (all permissible); Non-residential (building trades, contractor storage yards, vehicle repair, retail 0-5,000 sq ft, office, office building, low impact warehousing, wholesale food production, flea market, yard/garage sales, cemetery, home occupation, places of worship); Accommodations (overnight cabins, student visa housing); Misc. (microbrewery, medical marijuana facility).

DD1 (Downtown District 1)

The purpose of the downtown district 1 (DD-1) is to maintain the historical downtown area as the town's principal commercial, service, and entertainment center for year-round residents and seasonal visitors, by promoting increased commercial diversity, vertical stratification of mixed uses, improved infrastructure, and implementation of design standards targeted at creating a visually exciting and harmonious environment attractive to the changing market demands.

Suggested Uses: Residential (All except for mobile homes); Care for people (medical office, alternative medical office, massage therapy); Schools/Recreation (recreational facility indoor/outdoor, park); Agriculture (none); Non-residential (convenience store, convenience store with gas, gas station, vehicle repairs with gas, vehicle repairs, retail 0-5,000, retail 5,000-10,000, office, office building, all restaurants, parking garage/structures, small wind power, yard/garage sales, public transportation facility, home occupation, places of worship); Accommodations (B & B, overnight cabins, student visa housing, hotel, motel); Misc. (microbrewery, bar with food prep, bar without food prep, food stands,

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

liquor/beer store, tattoo parlor).

DD2 (Downtown District 2)

The downtown district 2 (DD-2) represents a natural expansion of the DD-1 district into adjacent underutilized parcels for the purpose of increasing the critical mass of commercial space and diversity of goods and services essential to provide for a strong local economy. Since the DD-2 district is both visually and functionally related to the traditional downtown, many of the same uses and design standards of the DD-1 district apply.

Suggested Uses: Residential (All except for mobile homes); Care for people (medical office, medical facility, alternative medical office, massage therapy); Schools/Recreation (recreation facility indoor/outdoor, community center, park); Agriculture (none); Non-residential (convenience store, convenience store with gas, gas station, vehicle repairs with gas, vehicle repairs, retail 0-5,000, retail 5,000-10,000, office, office building, all restaurants, parking lot stand alone, parking garage/structures, small wind power, yard/garage sales, public transportation facility, home occupation, places of worship); Accommodations (B & B, overnight cabins, student visa housing, hotel, motel); Misc. (microbrewery, bar with food prep, food stands, liquor/beer store, tattoo parlor).

This district is very similar to the DD1 District however you won't see as many allowable uses and see some tighter restrictions.

GB1 (General Business District 1)

(a) The general business district 1 (GB-1) shall extend along Old Orchard Road, Ocean Park Road, Temple Avenue, and Saco Avenue from the Saco town line to E. Emerson Cummings Blvd./Union Avenue, and shall

(none); Non-residential (yard/garage sales, home occupations, places of worship); Accommodations (B & B, overnight cabins, hotel, motels, student visa housing); Misc. (food stands).

Suggested Uses: Residential (All except for mobile homes); Care for people (all except hospital, medical facility); Schools/Recreation (nursery/preschool, outdoor rec facility, community center, park, shooting range); Agriculture (all permissible); Non-residential (building trades, contractor storage yards, vehicle repair, retail 0-5,000 sq ft, office, office building, low impact warehousing, wholesale food production, flea market, yard/garage sales, cemetery, home occupation, places of worship); Accommodations (overnight cabins, student visa housing); Misc. (microbrewery, medical marijuana facility).

Planner Hinderliter stated that since this is the primary gateway to our community, we are looking into more design sort of standards to make this area look more desirable.

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

GB2 (General Business District 2)

(a) The general business district 2 (GB-2) shall extend along both sides of Saco Avenue from E. Emerson Cummings Boulevard to the DD-2 district boundary at tax map 206, block 26, lot 1, and shall extend to the back property line of any lot with direct frontage on Saco Avenue for a maximum depth of 300 feet from the street right-of-way.

(b) With the density of the settlement pattern of this area, the GB-2 district is primarily designed to encourage conversion of existing residential structures to small office and retail operations that generate relatively lighter trip generation and parking demand.

Suggested Uses: Residential (All except for mobile homes); Care for people (hospice, nursing home, medical office, medical facility, alternative medical office, massage therapy); Schools/Recreation (park); Agriculture (none); Non-residential (convenience store, convenience store with gas, gas station, vehicle repairs with gas, vehicle repairs, vehicle sales, vehicle rentals, retail 0-5,000, retail 5,000-10,000, office, office building, all restaurants, redemption center, small wind power, yard/garage sales, home occupation, places of worship); Accommodations (B & B, overnight cabins, student visa housing, hotel, motel); Misc. (food stands).

NCD1 (Neighborhood Commercial District 1)

The purpose of the Ocean Park neighborhood commercial district (NCD1) is to provide for the continuation and/or establishment of businesses and services, which support and complement the character of surrounding residential neighborhoods.

Suggested Uses: Residential (All except for mobile homes); Care for people (none); Schools/Recreation (park); Agriculture (none); Non-residential (convenience store, retail 0-5,000, office, office building, all restaurants, parking lot stand alone, small wind power, yard/garage sales, home occupation); Accommodations (B & B, hotel, motel); Misc. (food stands).

NCD2 (Neighborhood Commercial District 2)

The purpose of the Union/Washington Ave neighborhood commercial district (NCD2) is to provide for the continuation and/or establishment of businesses and services, which support and complement the character of surrounding residential neighborhoods.

Suggested Uses: Residential (All except for mobile homes); Care for people (massage therapy); Schools/Recreation (park); Agriculture (none); Non-residential (convenience store, retail 0-5,000, office, office building, all restaurants, yard/garage sales, home occupation); Accommodations (B & B,

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

hotel, motel); Misc. (microbrewery, food stands).

DTR (Downtown Residential District)

The intent of the DTR1 is to provide an area with a variety of residential uses with easy access to the downtown. This area is meant to be primarily residential but to also allow a limited number of non-residential uses that complement the downtown area while not impacting the residential neighborhoods character.

Suggested Uses: Residential (All except for mobile homes); Care for people (medical office, massage therapy); Schools/Recreation (park); Agriculture (none); Non-residential (convenience store, retail 0-5,000, office, restaurant low turnover, restaurant take out only, yard/garage sales, home occupation); Accommodations (B & B, overnight cabins, student visa housing, hotel, motel); Misc. (none).

Some have very low density requirements and some have higher density requirements. What we were looking at is to allow for a variety of residential uses and a limited number of limited number of non-residential uses.

We are looking to keep this as a residential neighborhood and to recognize that and allow it to grow and to allow for higher density in this area.

ID (Industrial District)

The industrial district (ID) is established as a zoning district where the principal use of the land is for manufacturing, processing, treatment, research, warehousing, storage and distribution, excluding those uses where there is danger of explosions; chemical, radioactive, or biological contamination; or other hazards to public health or safety.

Suggested Uses: Residential (none); Care for people (medical facility); Schools/Recreation (recreational facility, shooting ranges, vocational schools, park); Agriculture (horticulture, landscape nursery, kennel, commercial wood processing); Non-residential (building trade, contractor storage yard, office, office building, heavy industrial, light industrial, high impact warehousing, low impact warehousing, high impact manufacturing, low impact manufacturing, wholesale food production, redemption center, R&D facility, small wind power, wireless telecom, public/private transportation facility); Accommodations (none); Misc. (microbrewery, medical marijuana).

Helene Whitaker asked why we would allow vocational schools, parks as well as also medical marijuana and a shooting range in this area.

Planner Hinderliter stated that if we think of the campground area where you can have certain uses that are permissible, but that doesn't mean that they can fit right into a district often uses have to meet other criteria that they have to meet in order to fit into the district. Even though a use may be permissible in an area doesn't mean that it can exist. It has other restrictions that it has to meet also.

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

PRUD (Planned Residential Use Development)

The intent of the PRUD district is to encourage creative and flexible residential, recreational and limited nonresidential/care for people land uses that efficiently maximize the use of developable land for residential and recreational use while allowing the integration of limited nonresidential/care for people development that supports and is compatible with residential and recreational uses—all within a quality community environment.

Suggested Uses: Residential (1-family, 2-family, multi family, manufactured/modular homes, accessory apartments); Care for people (nursing, residential care facility, medical office, medical facility, alternative medical office, massage therapy, child care); Schools/Recreation (outdoor rec facility, community center, park); Agriculture (none); Non-residential (office, yard/garage sales, home occupations); Accommodations (none); Misc. (none).

This is the Dunegrass area which is currently zoned planned mixed use development. With this it has a lot of non-residential types of uses that are permissible as this area has developed the majority is residential. What this district is looking to achieve is very similar to how Dunegrass has grown but in a manner that is less cumbersome in terms of its confusion. We are seeking to encourage creative and flexible residential recreation and limited non-residential care for people land uses that efficiently maximize the use of developable land for residential and recreational uses and allow some integration of limited non-residential care for people.

Chair Valentine asked how we designate accessory apartments in town. Planner Hinderliter stated that accessory apartments are now accessory dwellings and they are pretty restricted. They are allowed 1 per lot and cannot have its own electrical meter, it has limited square footage in terms of its minimum and maximum and has to have a common entrance through the primary residence.

MUNI (Municipal District)- Note this needs further consideration

The intent of the Muni District is to recognize the existence of important municipal and school buildings and grounds so to provide regulations that allow these uses to continue to exist and grow. Also, to recognize the uniqueness of the ballpark and its surrounding property through creative land use techniques and regulations that encourages continued use of the ballpark as well as other potential uses.

Suggested Uses: Residential (none); Care for people (none); Schools/Recreation (nursery/preschool, K-12, K-12 commercial, vocational schools, colleges/universities, indoor and outdoor recreational facility, community center, park); Agriculture (none); Non-residential (redemption centers, small wind power, wireless telecom, flea markets, transportation facility); Accommodations (none); Misc. (none).

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

Helene Whitaker asked if a microbrewery could be located there.
Planner Hinderliter stated that this could make sense in that area.

CG (Campground Neighborhood District)

The intent of the CG is to allow a variety of residential housing types at varying densities within the context of a traditional, walkable neighborhood. Regulations will encourage thoughtful reuse and redevelopment. A limited number of low-impact non-residential uses are permitted.

Suggested Uses: Residential (All except for mobile homes); Care for people (group care homes, recover care facility, hospice, nursing home, residential care facility, halfway house, clinic, medical office, medical facility, alternative medical office, massage therapy, child care); Schools/Recreation (park); Agriculture (none); Non-residential (yard/garage sales, home occupation, places of worship); Accommodations (B & B, overnight cabins, student visa housing, hotel, motel); Misc. (none).

PAD (Portland Ave District)

The intent of the PAD is to provide a mixed-use area that allows for residential and non-residential uses. Development and design standards should complement the architecture and historic quality of the structures in the Historic Overlay (HO) and create a pedestrian friendly environment and enhance the community's image. This district includes the HO district. The HO district intent is to provide an area in town to formally recognize and protect its historic, cultural and architectural resources. The regulations of the HO district supplement the regulations of the PAD.

Suggested Uses: Residential (All except for mobile homes); Care for people (alcohol/drug rehab, group care homes, recover care facility, hospice, nursing home, residential care facility, clinic, medical office, medical facility, alternative medical office, massage therapy, child care); Schools/Recreation (park); Agriculture (none); Non-residential (convenience store, retail 0-5,000, retail 5,000-10,000, office, office building, all restaurants, small wind power, yard/garage sales, home occupations); Accommodations (B & B, overnight cabins, student visa housing, hotel, motel); Misc. (liquor/beer store).

EG (East Grand District)

The intent of the EG is to accommodate a mix of residential uses, resort accommodations and a limited number of non-residential uses. Regulations should encourage these uses to exist and grow in a manner that complements and enhances this area as well as the community image.

Suggested Uses: Residential (All except for mobile homes); Care for people (massage therapy, child care); Schools/Recreation (park); Agriculture (none); Non-residential (convenience store, retail 0-5,000, all restaurants, parking

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

garage/structure, small wind power, yard/garage sales, home occupations); Accommodations (B & B, overnight cabins, student visa housing, hotel, motel); Misc. (microbrewery, bar with food prep, food stands, liquor/beer store).

C (Campground District)

The purpose of the Campground District (C) is to establish all existing campgrounds as a seasonal conforming uses, and to provide performance and design standards that permit the expansion of existing campgrounds and creation of new campgrounds within the District while mitigating the on and off-site impacts created by the use.

Suggested Uses: Campgrounds, primitive campsites, RV campsites, park model campsites, uses accessory to permitted campground uses such as registration offices, administration and maintenance facilities; Active and passive outdoor recreational facilities including but not limited to ball fields, shuffleboard courts, swimming pools, playgrounds, and trails; Restrooms, washrooms, and shower facilities; Self-service and coin operated laundry facilities; Convenience stores and retail located at least 100 feet from a public street and not open to members of the public who are not registered occupants or guests of registered occupants of the campground; Personal services not open to members of the public who are not registered occupants or guests of registered occupants of the campground; Private access roads; Freestanding decks, sheds, and recreational vehicle accessory enclosures; Dumping stations for the discharge of liquid septic and gray water wastes from a recreational vehicle or trailer holding tank; Other uses and structures which are customarily incidental to the operation of a campground.

We are looking to formalize the campground districts so that they are no longer an overlay. The campground overlay district has created some confusion and it has been hard to work with especially because the campground overlay district allows uses such as a regular zoning district but since it is overlay there is another district underneath and this district in many cases does not allow the same uses that the overlay does. And it appears that the original overlay was created to bring all of the campgrounds into conformance. One of the ways that the ordinance is read is if you establish a campground anywhere in town, if you can get the campground overlay placed in a particular area, having campgrounds as a formal zoning district would get rid of some of the confusion and also make it a formal district so it is not this floating overlay zone.

SUGGESTED USE LIST

Residential

- 1 Family
- 2 Family
- Multi Family

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

- Apartment, Accessory
- Mobile Home
- Manufactured/Modular Housing
- Micro Housing

Care for People

- Alcohol/Drug Rehab
- Group Care Home
- Recover Care Facility
- Hospice
- Nursing Home
- Residential Care Facility
- Halfway House
- Clinic
- Hospital
- Medical Office (Doctor, Dentist)
- Medical Facility (Doctor, Dentist)
- Alternative Medical Office
- Massage Therapy
- Child Care (Different Types)

Schools/Recreation

- Nursery, Pre School
- K-12 Schools
- K-12 Schools (Commercial)
- Vocational Schools
- College, Universities
- Recreation Facility (Indoor)
- Recreation Facility (Outdoor)
- Shooting Ranges (In, Out)
- Community Center
- Park

Agriculture Uses

- Agriculture
- Agriculture (Small Scale but Produce Goods for Sale)
- Horticulture (Commercial)
- Animal Husbandry
- Landscape Nursery
- Kennel
- Animal Keeping (Chickens, Goats)
- Commercial Wood Processing

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

Non-Residential Uses

- Building Trade (Different Levels)
- Contractor Storage Yard
- Convenience Store
- Convenience Store, Including Gas
- Gas Station
- Vehicle Repairs with Gas
- Vehicle Repairs
- Vehicle Sales
- Vehicle Rentals
- Retail 0-5,000
- Retail 5,001-10,000
- Retail >10,000
- Office
- Office Building
- Restaurant, High Turnover
- Restaurant, Low Turnover
- Restaurant, Take Out Only
- Restaurant, Drive Thru
- Parking Lot, Stand Alone
- Parking Garage/Structure
- Industrial, Heavy
- Industrial, Low Impact
- Warehousing, High
- Warehousing, Low
- Manufacturing, High
- Manufacturing, Low
- Food Production, Wholesale
- Redemption Center
- R&D Facility

Misc. Non-Residential

- Small Wind Power/Solar
- Wireless Telecom
- Flea Market
- Yard/Garage Sales
- Cemetery

- Public Transportation Facility
- Private Transportation Facility
- Home Occupation (Different Classes)
- Places of Worship
- Uses Accessory to Campgrounds

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

<p>Accommodations</p> <ul style="list-style-type: none"> • Bed & Breakfast • Overnight Cabins • Student Visa Housing • Hotel, Motel or Motor Court • Campgrounds • Campsites <p>Misc. Uses</p> <ul style="list-style-type: none"> • Microbrewery • Medical Marijuana Facility • Marijuana, Retail • Bar, Without Food Preparation • Bar, With Food Preparation • Food Trucks • Food Stands • Liquor/Beer Store, Stand Alone • Sexual Oriented Business • Tattoo Parlor <p>Planner Jeffrey Hinderliter told the Board Members that if they had anything to add by next week they are welcome to. We have this scheduled for the Planning Board next week.</p>	
<p>4. Timeline and work towards completion</p> <p>Review Criteria for Future Land Use Plan Designations</p> <p>A. Growth Areas</p> <p>A community's Future Land Use Plan must identify a growth area or areas. The designation of growth areas is intended to ensure that planned growth and development and related infrastructure are directed to areas most suitable for such growth and development. Land areas designated as growth area must be consistent with the following provisions.</p> <p>(1) The Future Land Use Plan must designate as growth area those lands into which the community intends to direct a minimum of 75% of dollars for municipal growth-related capital investments made during the planning period.</p> <p>(2) Built-out or developed areas that may not have capacity for further growth but require maintenance, replacement, or additional capital investment to support existing or infill development must also be designated as growth areas.</p> <p>(3) Growth areas must generally be limited to land areas that are physically suitable for development or redevelopment. Growth areas may include incidental</p>	

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

land areas that are physically unsuitable for development or redevelopment, including critical natural resource, however, the plan must address how these areas will be protected from negative impacts of incompatible development to the greatest extent practicable or, at a minimum, as prescribed by law.

(4) To the greatest extent practicable growth areas should be located adjacent to existing densely-populated area.

(5) Growth areas, to the greatest extent practicable, should be limited to an amount of land area and a configuration to encourage compact, efficient development patterns (including mixed uses) and discourage development sprawl and strip development.

(6) Growth areas along roads should be configured to avoid strip development and promote nodes or clusters of development.

B. Growth Area Exemptions

In some communities, conditions may make the identification of specific areas for residential, institutional, commercial, and/or industrial growth inappropriate. These conditions, as described in 30-A M.R.S.A. §4326(3-A) and Section 4.5 of this Chapter, include:

- (1) Severe physical limitations;
- (2) Minimal or no growth; or
- (3) The lack of a village or densely populated area.

Communities with one or more of these conditions may develop a Future Land Use Plan that does not identify growth areas for residential, institutional, commercial, or industrial growth pursuant to the criteria identified in Section 4.5. If a growth area exemption is proposed, the plan's description of existing trends and conditions must support the exemption request. Communities with growth caps or rate-of-growth ordinances are not eligible for a growth area exemption.

C. Shared Growth Areas

Pursuant to and in accordance with 30-A M.R.S.A. §4325, communities may enter into an interlocal agreement with one or more neighboring communities to designate regional growth areas for anticipated residential, institutional, commercial, or industrial growth and/or related services or infrastructure.

D. Transitional Areas

The Future Land Use Plan may designate as transitional area those land areas which the community identifies as suitable for a share of projected residential, institutional, commercial or industrial development but that is neither intended to accept the amount or density of development appropriate for a growth area nor

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

intended to provide the level of protection for rural resources afforded in a rural area or critical rural area. Designated transitional areas are intended to provide for limited suburban or rural residential development opportunities. Land areas designated as transitional area must be consistent with the following provisions:

- (1) Transitional areas cannot be defined as growth areas for the purposes of state growth related capital investment pursuant to 30-A M.R.S.A. §4301(5-B).
- (2) Development standards in transitional areas must limit strip development along roads through access management, minimum frontage requirements, and other techniques.
- (3) Transitional areas cannot include significant contiguous areas of working farms, wood lots, properties in state tree growth and farm and open space tax programs, prime agricultural and forestry soils, unfragmented habitat, or marine resources identified in the conditions and trends in Sections 3.3, 3.4, and 3.5.
- (4) Transitional areas must be compatible with designations in adjacent communities or provide buffers or transitions to avoid land use conflicts with neighboring communities.

E. Rural Areas

The community's Future Land Use Plan must identify a rural area or areas. The designation of rural areas is intended to identify areas deserving of some level of regulatory protection from unrestricted development for purposes that may include, but are not limited to, supporting agriculture, forestry, mining, open space, wild life habitat, fisheries habitat and scenic lands, and away from which most development projected over ten (10) years is diverted.

A community's Future Land Use Plan must designate as rural area or areas any portion of the community consistent with the following provisions:

- (1) To the greatest extent practicable, rural areas must include working farms, wood lots, properties enrolled in current-use tax programs related to forestry, farming or open space, areas of prime agricultural soils, critical natural resources, and important natural resources.
- (2) The Future Land Use Plan must identify proposed mechanisms, both regulatory and non-regulatory, to ensure that the level and type of development in rural areas is compatible with the defined rural character and does not encourage strip development along roads.
- (3) Rural areas shall not include land areas where the community actively encourages new residential, institutional, or commercial development.
- (4) Rural areas must be compatible with designations in adjacent communities or provide buffers or transitions to avoid land use conflicts with neighboring communities.

TOWN OF OLD ORCHARD BEACH
COMPREHENSIVE PLAN COMMITTEE
January 26, 2017 – 6:00 PM
Council Chambers

<p>A question came up regarding if you have to designate everything as a growth, transitional or rural area. Planner Hinderliter understands that it has to have some sort of designation.</p> <p>This maybe a question to ask the State.</p> <p>Chair Valentine suggested to have overlays for the districts (1, 2 or 3)</p> <p>Helene Whitaker asked if the State allows development on marshlands.</p> <p>Planner Hinderliter stated that it is very difficult to do that. There are some wetlands that have a lower category according to its designation by the Department of Inland Fisheries or Water life. Wetlands usually have different categories. Those that aren't critical habitats usually you have the ability to alter but you just cannot do it without paying for it someway.</p> <p>Planner Hinderliter suggested to the Comprehensive Board to give their thoughts on this and think about what areas and how they should be designated.</p> <p>Also concentrate on the districts and maybe sit down with the Planning Office to go over these.</p> <p>Planner Hinderliter said that they will go over all of this at the meeting in February.</p>	
<p>5. Good & Welfare</p> <p>Assistant Planner Megan McLaughlin mentioned that she sent out an RFP to a number of engineering firms and we finally settled on Wright Pierce and they are going to be conducting a town wide drainage study and they will be mapping our drainage ways and areas that flood and coming up with a plan on how to tackle these areas. We were thinking with the future land use plan that there might be some way to integrate this with the Comprehensive Plan. She had mentioned to Stephanie Hubbard from Wright Pierce that we might be interested in talking with her about how we can integrate these two since we are still updating this right now. They want to be done with this March/April. The planning portion probably wouldn't happen for a month or so.</p> <p>Megan asked the Board that if they know of any areas that they can think of that we can use in this study that would be useful.</p> <p>The Comprehensive Board would like for Stephanie Hubbard from Wright Pierce to come to one of the meetings.</p>	
<p>6. Adjourn</p>	
<p>The meeting adjourned at 7:47 pm.</p>	

I, Valdine Camire, Administrative Assistant to the Comprehensive Plan Committee of the Town of Old Orchard Beach, do hereby certify that the foregoing document consisting of fifteen (15) pages is a true copy of the original minutes of the Comprehensive Plan Committee Meeting of January 26, 2017.

Valdine Camire