

## CHAPTER 10: FUTURE LAND USE PLAN

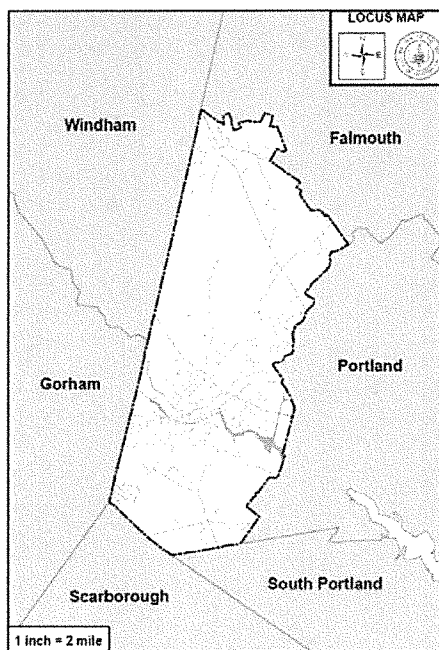
**STATE GOAL:** *To encourage orderly growth and development in appropriate areas of each community, while protecting the state's rural character, making efficient use of public services, and preventing development sprawl.*

### SUMMARY

Thus far in the Comprehensive Plan, the demographic, economic, historical, infrastructure, recreational, environmental and fiscal characteristics have been inventoried and analyzed. Recommendations for the future management of the City's various resources have been formulated. The Future Land Use Plan is intended to guide future land use and allocation of public services, such as sewer, in the City. The land use designations within growth areas are intended to make land development efficient and attractive. The land use recommendations are consistent with the overall vision for the City and the visions for the four quadrants of the City, as created and adopted with this Comprehensive Plan.

### ANALYSIS

For the most part, the municipal zoning strategy has worked effectively. The residential zones have been formulated to reinforce the patterns of the older neighborhoods that existed long before zoning mechanisms came to Maine. Non-residential zoning has focused on expanding the tax base and has been fulfilling that mission. Few modifications are proposed to existing zoning as the existing zoning ordinance was adopted in 2004, as a result of recommendations of the 2000 Comprehensive Plan. While minor modifications have been made to the zoning ordinance since that time, in order to further clarify the objectives of the zoning provisions, the changes proposed for consideration herein are intended to be forward thinking should be driven by market conditions that may not yet be in place. *Implementation of zoning changes will be part of a public process following adoption of this Comprehensive Plan. Implementation will be coordinated by the Planning Department staff.*



## **GROWTH & RURAL AREAS**

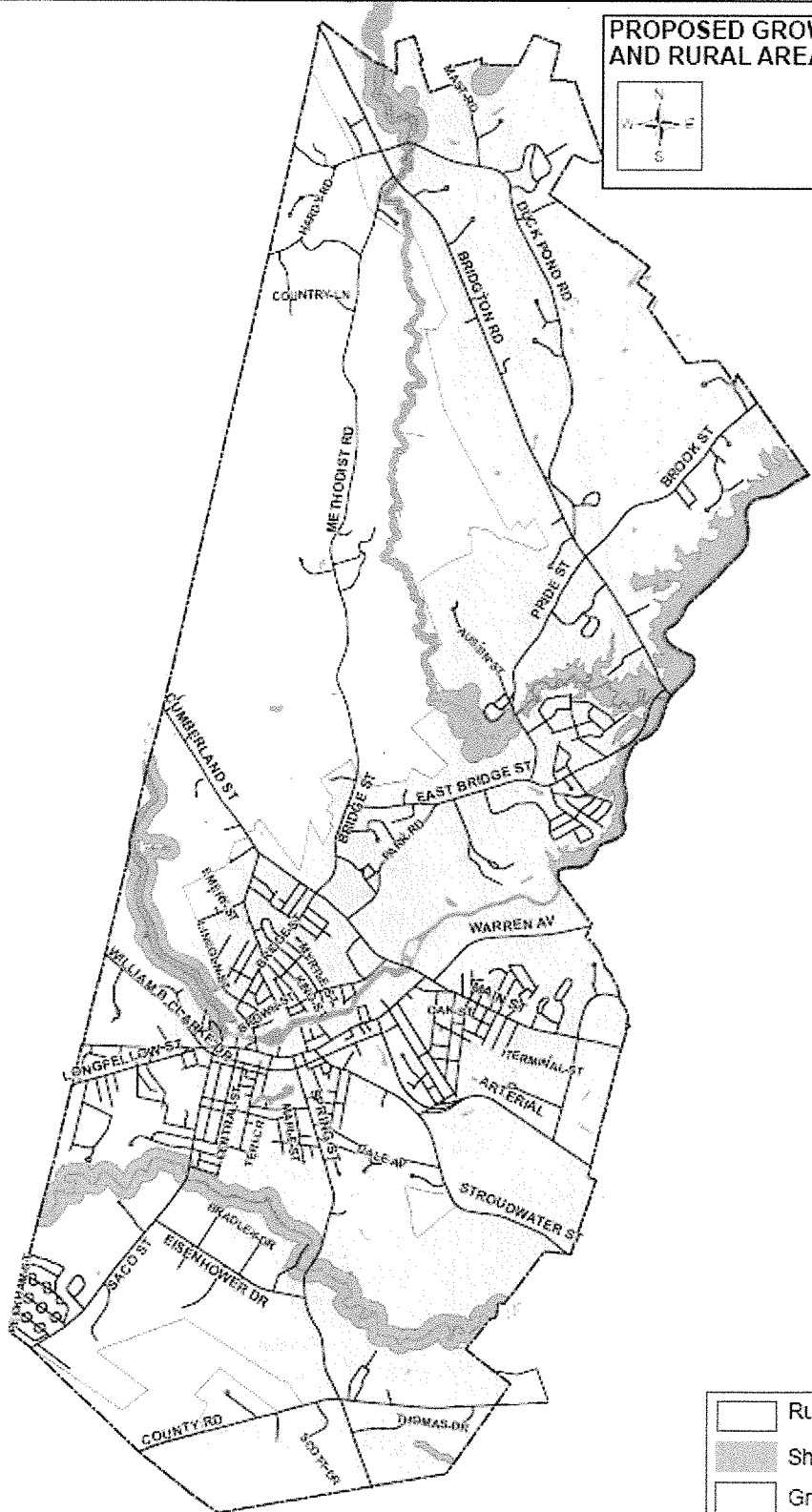
The State of Maine requires that municipalities designate areas where future development should be encouraged. These districts are to be classified as “growth areas”. State criteria for designating suitable growth areas include:

- Lands in proximity to existing municipal services, infrastructure, schools, and major transportation networks;
- Areas in which developable lands are readily available to accommodate future growth; and
- Areas devoid of critical natural resources and visual/cultural resources that should be preserved.

Based on past and planned growth in Westbrook, all but those areas planned and zoned Rural, or within the Shoreland Zone, are designated as Growth Areas on the Proposed Growth Areas and Rural Areas map. The areas planned and zoned Rural are designated as such. The remaining areas are in the Shoreland Zone. The City’s three Shoreland Zones have been found consistent with state requirements and provide varying levels of regulation based on the type of water body and existing level of development at the time when shoreland zoning was first promulgated. Growth Areas are subdivided into Residential, Industrial and Mixed Use Districts and are intended to accommodate those land uses. Rural areas are intended to remain that way, with low-density residential housing being the primary land use. A description of the location and intent of each of the designated Growth Areas and Rural Areas is further described below.

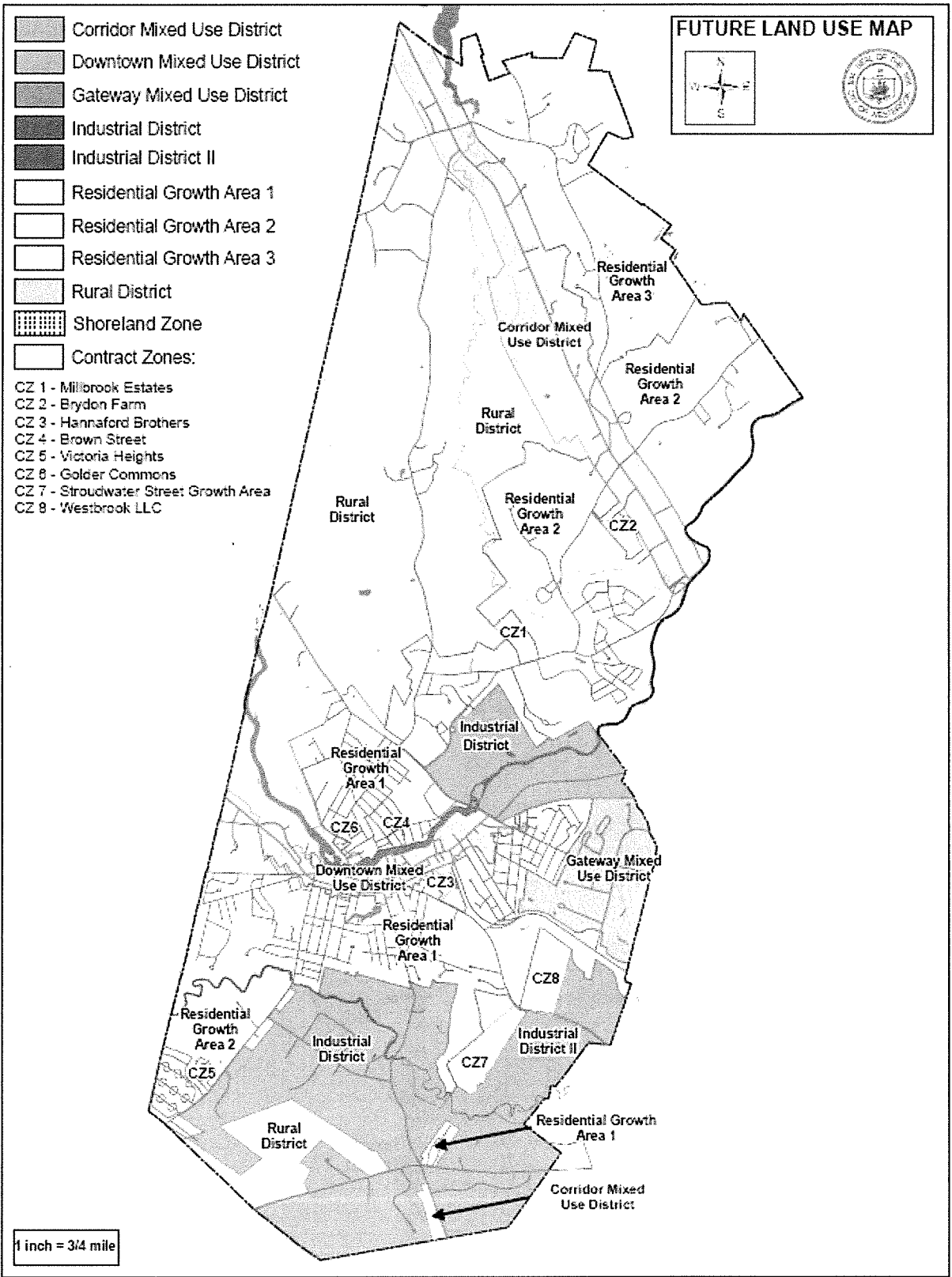
It is understood that in each of the growth and rural areas, municipal facilities and public utilities are permitted uses. Their development will still require site plan review on a case-by-case basis, if triggered by the amount of site improvements, with the scale of the facilities managed in order to reduce conflict with their surroundings.

PROPOSED GROWTH AREAS  
AND RURAL AREAS



1 inch = 3/4 mile

- Rural Areas
- Shoreland Zone
- Growth Areas



## RESIDENTIAL GROWTH AREAS

### Residential Growth Area 1

RGA-1 encompasses the established residential areas within and surrounding the urban core of the City. The principle focus of this growth area is to infill the remaining vacant residential parcels that have immediate access to existing public services and pose little expense to the City. The areas designated as RGA-1 include the areas designated as such in the 2000 Westbrook Comprehensive Plan and currently zoned RGA-1. Permitted uses should continue to include single-family, two-family dwellings and multiple-family dwellings by special exception approval. Low intensity commercial uses should continue to be allowed as reflected in the zoning ordinance. Residential density should continue to be allowed at a rate of one unit per 7,500 square feet for new lots and one unit per 5,000 square feet for existing lots and condominium units. Since adoption of the 2004 zoning ordinance, the City has made modifications to the provisions for existing lots in order to enable their development, but to ensure their consistency with surrounding developed lots. These provisions are important to the success of infill development, which has the least impact on public services, such as schools and public safety. See the zoning ordinance for complete space and bulk provisions.

### Residential Growth Area 2

RGA-2 is intended to develop suburban style neighborhoods in areas that can easily be served by municipal infrastructure. This area is a mixture of older subdivisions and vacant land that would best be served by interconnected road systems. The lack of connectivity is reflected on the Future Land Use Map and the recommendation for connectivity is a carry over from the 2000 Comprehensive Plan. Street connectivity is preferred as it enables faster response times for emergency services and facilitates more efficient delivery of public services, such as snow plowing. This enables a more optimal use of tax dollars for these services. New development is encouraged to bring sewer to sites, through the use of density incentives. For the most part, the areas designated as RGA-2 include areas designated as such in the 2000 Westbrook Comprehensive Plan and currently zoned RGA-2. Permitted uses should continue to include single-family, two-family dwellings and multiple-family dwellings by special exception approval. Low intensity commercial uses should continue to be allowed as reflected in the zoning ordinance. Residential density should continue to be limited to one unit per 10,000 square feet for lots on public sewer and one unit per 20,000 – 40,000 square feet for lots not on public sewer, with final density based on a hydrological impact study which shows that the soils can accommodate the proposed density, and the provision of an appropriately sized communal septic system. See the zoning ordinance for complete space and bulk provisions.

Areas Designated RGA-2 (See Future Land Use Map):

- East Bridge Street;
- Austin Street;
- Brook Street; and
- Saco Street – west side, south of Stroudwater River.

### Residential Growth Area 3

RGA-3 encompasses lands east of the Bridgton Road corridor (see the Future Land Use Map). This includes land currently zoned RGA-3. This is the smallest residential growth area in Westbrook and is intended to create a similar growth pattern to the Falmouth border. The RGA-3 designation recognizes that public sewer is not likely to be extended in the near term and that historical and recent development trends show a preference for lower density and preservation of open space in this area. While the area is rural in character, there is not an abundance of farm lands. The cluster density provisions of the zoning ordinance are designed to preserve open space and maintain the rural character along Duck Pond Road. Permitted uses should

continue to include single-family and two-family dwellings. Low intensity commercial uses should continue to be allowed as reflected in the zoning ordinance. Residential density should continue to be limited to one unit per 60,000 square feet for single traditional lots and one unit per 20,000 square feet for subdivisions with cluster designs. Setbacks are also reduced for cluster subdivisions. See the zoning ordinance for complete space, bulk and buffer provisions.

## COMMERCIAL GROWTH AREAS

Westbrook's commercial growth areas include three mixed use districts and two industrial districts. Mixed use development allows commercial and residential development to exist on the same parcel, either adjacent to each other or in the same building. The best examples of mixed use development can be found in almost any New England village, where residential and commercial uses mingle. Westbrook's historic downtown Main Street is a prime example of a successful mixed use district. This concept continues to be supported by the real estate market.

It is our intent to promote the viability of our commercial areas, from both an economic development standpoint and a livability standpoint. In the mixed use districts, there should be a focus on physical form and function, rather than placing the primary focus on land use. Buildings and open spaces should contribute to the public realm instead of hiding from it behind large parking lots and other development infrastructure. The recommendations for implementation listed herein are intended to promote these concepts and any new zoning provisions adopted would be implemented with new development. We do not intend to create non-conforming uses with this plan.

*The Prides Corner area, specifically the intersection of Bridgton Road and Brook and Pride Streets, was identified by the Sustain Southern Maine Partnership as a pilot program and Westbrook is undertaking a land use study, courtesy of Sustain Southern Maine, to plan for a more coordinated approach to transportation and land use planning. The study will identify ways to calm traffic around the intersection of Bridgton Road/Pride and Brook Streets through improving the character of the streetscape and improving pedestrian access. The study will also make recommendations on using building placement and form to increase the sense of place in the neighborhood. Planning for a desirable built form that has proven successful in historic New England villages should result in increased economic development activity in the area while also providing neighborhood oriented services. The Planning Department is managing this project, in coordination with the Greater Portland Council of Governments. If it is the will of the neighborhood, the study should be completed by 2014 and any necessary zoning changes should be adopted in 2014.*

### Downtown Mixed Use District

The Downtown Mixed Use District is intended to create a flexible atmosphere for the return of downtown to a prominent regional service center. This area should continue to be developed consistent with the site design and architectural character of historic downtown Westbrook. On-site parking is not required for non-residential uses in order to support the traditional downtown urban form and the constraints of the small lots that form the majority of the Main Street corridor. Development should be consistent with the Downtown Revitalization Plan, Downtown Parking Plan, Downtown Streetscape Plan and Riverfront Master Plan, as well as other planning efforts that promote these goals. The Downtown Mixed Use District reflects the area zoned City Center District and runs generally from Cumberland Mills to the Gorham town line and includes Bridge Street on the north side of the Presumpscot River (see the Future Land Use Map). A wide variety and intensity of residential uses should continue to be allowed, as well as commercial uses traditionally found in downtowns. See the zoning ordinance for complete space and bulk provisions

### Gateway Mixed Use District

The Gateway Mixed Use District is intended to provide for a regional service center that takes advantage of major transportation linkages, with its close proximity to Exits 47 and 48 of the Maine Turnpike as well as its close proximity to downtown Portland via Main Street/Brighton Avenue. This area generally reflects the area zoned Gateway Commercial District and is currently developed with a mix of strip retail development, such as free standing fast food restaurants and retail, car lots, industry, office and extractive industry. The area extends from just south of the Warren Avenue corridor to the Westbrook Arterial, along Larrabee Road. The current zoning provisions for new development promote a form and standard of development in keeping with a prominent regional service center. Many of the large lots, dominated by legal non-conforming uses (car lots and extractive industry), are available for future development under the Gateway provisions. This area, the Main Street/Brighton Avenue corridor, was the subject of a land use study with the City of Portland that recommended enhanced treatment of the “gateway” areas of Westbrook and Portland. More can be done to promote the gateway concept. A mix of uses promoting the regional service center concept, including multiple-family dwellings, should continue to be allowed.

Recommendations for implementation. *Implementation of zoning changes will be part of a public process following adoption of this Comprehensive Plan. Implementation will be coordinated by the Planning Department staff.*

- Revise the zoning ordinance to establish specific provisions for residential density for the multiple family dwelling use;
- Revise the zoning ordinance to establish that industrial uses, municipal facilities and telecommunications infrastructure should be located beyond the immediate Main Street corridor; and
- Revise the zoning ordinance to promote consolidated development on large lots.
- Revise the zoning ordinance to establish a uniform building line on Main Street.

### Corridor Mixed Use District

The Corridor Mixed Use District is a new growth area designation that is intended to replace the Highway Commercial 1 and 2 land use designations of the 2000 Comprehensive Plan and, ultimately, the Prides Corner Smart Growth Area and Highway Services zoning districts of the zoning ordinance. The Corridor Mixed Use District includes the Bridgton Road (Route 302) corridor and the east and west sides of Spring Street, generally south of the County Road corridor to the South Portland city line (see Future Land Use Map). The visions for these areas remain consistent with those of the 2000 Comprehensive Plan and zoning ordinance – to promote high-quality cohesive commercial and mixed-use development on consolidated lots while reducing traffic congestion. The scale and intensity of development should respect the surrounding residential neighborhoods while being substantial enough to establish an identifiable and attractive neighborhood mixed-use commercial corridor. This concept has been promoted through recent lot consolidation and a higher level of building design and architectural detail.

Recommendations for implementation:

*The following recommendations are intended for short term implementation, with the update of the zoning ordinance by the Planning Department as identified in this Comprehensive Plan update, would be implemented with new development, and are not dependent on access to public sewer.*

- Revise the zoning ordinance to reduce the frequency of curb cuts. This new provision would apply to new construction. Less frequent curb cuts reduces traffic congestion. It also promotes site consolidation and, therefore, coordinated development.

- Revise the zoning ordinance to establish a uniform building line along Bridgton Road and Spring Street.
- Revise the zoning ordinance to allow multi-family residential dwellings.

*The following recommendations are dependent on the provision of public sewer and other necessary infrastructure improvements, which should not be solely dependent on public funding.*

- Revise the zoning ordinance to include a new Corridor Mixed Use District land use designation which will further establish the mixed-use district concept. This district would establish space and bulk provisions. Increased density may be appropriate but building height should not exceed 4 stories.
- Rezone these areas to the Corridor Mixed Use District.

### Industrial District

Industrial District primarily includes those areas currently zoned Industrial Park District, and Manufacturing District. There is a portion of the area currently zoned Residential Growth Area 1 that lies north of the Stroudwater River that was planned Industrial District with the 2000 Comprehensive Plan. That area is proposed to remain planned Industrial. The Industrial District is intended to continue the City's long-standing policy of developing industrial, manufacturing and other larger scale commercial uses in proximity to existing services, and major transportation routes adjacent to similar districts in Portland and South Portland. This area is almost completely built out and much of the remaining vacant areas south of County Road consist of environmentally sensitive forested wetlands. Density provisions in the Industrial District should continue to allow improvement of the majority of a lot in order to enable maximum use of properties zoned for industrial and manufacturing uses, which have the highest return on investment of tax dollars.

Areas designated Industrial District (see Future Land Use Map):

- Generally, the area from Saco Street to the Portland city line, just north of the Stroudwater River to the South Portland city line, but not including Smiling Hill Farm; and
- The Warren Avenue corridor, including the Sappi property to the Portland city line.

### Industrial District II

The Industrial District II is generally proposed on both sides of outer Stroudwater Street, near the Portland city line (see Future Land Use Map), and is intended to serve as a reserve area for future industrial, business or mixed-use development on large lots in a setting that preserves a substantial open space corridor along Stroudwater Street. Commercial uses should be the predominant use and retail should only be allowed as an accessory use. Such development would be contingent on the extension of public sewer.

## **RURAL AREAS**

In a City with only 17 square miles of land area, Westbrook's currently rural lands will experience increased development pressures, especially at the edges of the City. Many of the City's rural lands include environmental constraints/assets such as steep slopes, prime/ secondary agricultural soils, high water table, upland wetlands, and shallow-to-bedrock soils.

### Rural District

The Rural District includes land that is not presently well suited for higher density development due to isolation from schools, emergency services, and adequate connected road networks and contains environmental factors that limit development potential. The Rural District is generally located west of the Bridgton Road Corridor and includes the Smiling Hill Farm, on the north side of County Road (see Future Land Use Map). The emphasis of



the district is to encourage conservation of the Mill Brook corridor and the visual character of the district through the use of coordinated development practices such as cluster development. Residential density should continue to be limited to one unit per 60,000 square feet for single traditional lots and one unit per 20,000 square feet for subdivisions with cluster designs. Low intensity commercial uses should continue to be allowed as reflected in the zoning ordinance. See the zoning ordinance for complete space, bulk and buffer provisions.

*Recommendations for Implementation. Implementation of zoning changes will be part of a public process following adoption of this Comprehensive Plan. Implementation will be coordinated by the Planning Department staff.*

- Revise the zoning ordinance to allow the neighborhood grocery use by special exception. The 2000 Comprehensive Plan included a floating overlay business district, the Neighborhood Commercial District that allowed for mom and pop type businesses such as the neighborhood grocery by special exception, but prohibited drinking establishments. This district was never enabled in the zoning ordinance and permitting the neighborhood grocery use by special exception should fulfill this vision while not needing to include a floating zone in the Comprehensive Plan. Floating zones are typically not depicted on Future Land Use maps and so may get overlooked.

*Strategies. (The strategies listed below will be implemented on an on-going basis and will be coordinated by the Planning Department staff. The Bridgton Road strategies will be implemented in the near term as part of a public process to update other sections of the Land Use Ordinances, as recommended in the Future Land Use Plan)*

- Westbrook will support the locations, types, scales, and intensities of land uses the community has identified as part of the visioning conducted as part of this planning process.
- Westbrook will continue to coordinate the community's land use strategies with other local and regional land use planning efforts, where there are common considerations.
- Westbrook will continue to provide protective measures for sensitive natural resources, as required by law.
- Westbrook will continue to undertake efficient permitting procedures and will provide the code enforcement officer with the tools, training, and support necessary to enforce land use regulations, and ensure that the Code Enforcement Officer is certified as required by law.
- Westbrook will seek out public-private partnerships, where practicable, in order to maximize its investment in implementing the Future Land Use Plan.
- Westbrook will continue to track new development in the community by type and location.
- Westbrook will direct a minimum of 75% of new municipal growth-related capital investments into designated growth areas.
- Westbrook will periodically evaluate implementation of the plan.