

*Community Guided
Planning and Zoning and
Chapter 10 of the
Commission's Rules*

Presentation to Western Maine
Subcommittees

February 23 & 24, 2015

Chapter 10: Land Use Districts and Standards

- Subchapter I: General Provisions
- Subchapter II: Land Use Subdistricts
- Subchapter III: Land Use Standards

Using Chapter 10: In General

LUPC rules work a lot like land use ordinances in municipalities.

Zoning Petition (“ZP”) process recognizes LUPC zoning maps have not evolved to same level of detail as in some municipalities

Using Chapter 10: Initial Questions

Ask same questions as in organized towns:

“What does the property owner want to do?”

“Where is the activity proposed?”

“In what subdistrict (zone) is this area located?”

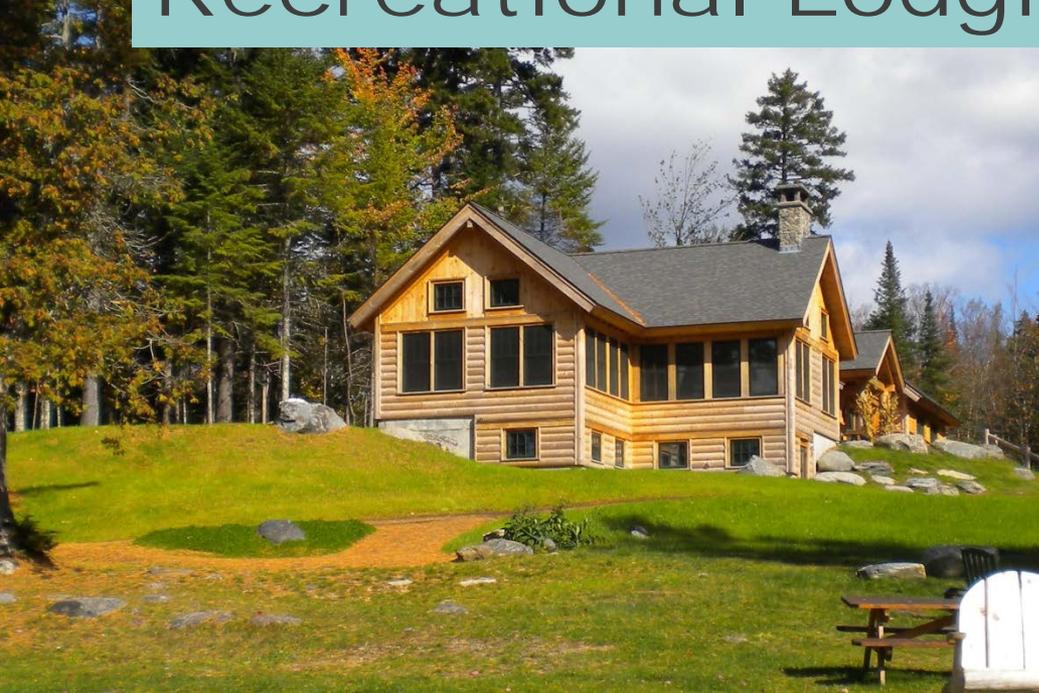
Using Chapter 10: Initial Questions cont'

“Is the proposed activity – the land use – allowed in this subdistrict?”





Recreational Lodging Rulemaking



Recreational Lodging Industry & Permitting Experience

- Expectations for more:
 - amenities/ privacy/ square footage
- Not flexible enough for variety of development trends
 - Resorts, group/youth camps, sporting camps, backcountry huts, campgrounds.

Rezoning not tailored to recreational use

Feedback from Stakeholders

- Facilities should be regulated based on:
 - Impact (to resources and traditional uses) AND
 - Location
- Relax regulations in light of new technology, new customer demands, and other realities
- Provide predictability AND flexibility

New Policies & Regulations

- New definition (10.02) – *Recreational Lodging*
- New zones (10.21) – D-PR & D-RF
- New and revised standards (10.27,Q)
 - Recreational Lodging Categories
 - Floor Area Adjustment
 - Geographic Allowance Area

How do Recreational Lodging changes work? - Sporting Camp example



<http://www.eaglelakesportingcamps.com/>

T16 R6 WELS

Square
Lake

Eagle Lake



Existing 9,800 square foot
commercial sporting camp
(CSC)



Blake Lake

Square Lake

Eagle Lake

Eagle Lake

T16 R6 WELS

T16 R5 WELS

Located
in M-GN

New Definition – Recreational Lodging Facilities

- ... buildings where sleeping accommodations are furnished to the public for commercial purposes
- ... cater to users engaged in natural resource-based recreation activities
- ... includes commercial sporting camps, youth or group camps, back-country huts, rental cabins, outpost cabins, campgrounds, lodges, hotels, motels, inns

New Standards – Recreational Facility Levels

Table A: Facility Level Determination.

Factors	Facility Level				
	A	B	C	D	E
(1) On-site recreation activities, features, and/or services ⁽ⁱ⁾	N	Low noise, odor Mostly screened		Some noise, odor Partially screened	Routine noise, odor Highly visible
(2) Utilities: May be served by public utilities and/or indoor plumbing or water and electric at campsites	N	Y	Y	Y	Y
(3) Floor area of principal buildings (in square feet) ⁽ⁱⁱ⁾ :	≤ 750	≤ 8,000	≤ 12,000	≤ 20,000	No limit
(4) Footprint of clearing within 250 feet of any body of standing water, tidal waters, or flowing waters downstream from the point where such waters drain 50 square miles or more. (in square feet) <i>Section 10.27, B still applies:</i>	≤ 3,000	≤ 24,000	≤ 36,000	≤ 60,000	No limit
(5) Retail (in square feet):	0	≤ 100	≤ 200	≤ 500	≤ 800
		or not more than 5% of floor area of principal buildings, whichever is larger			
(6) Dining amenities	N	Guests	Guests	Guests	Public
(7) Fuel sales	N	Guests	Guests	Guests	Public
(8) Recreation activities, features, and/or services ⁽ⁱ⁾	N	Guests	Guests	Guests	Public
(9) Overnight occupancy (in people):	≤ 80	≤ 100	≤ 150	≤ 250	No limit

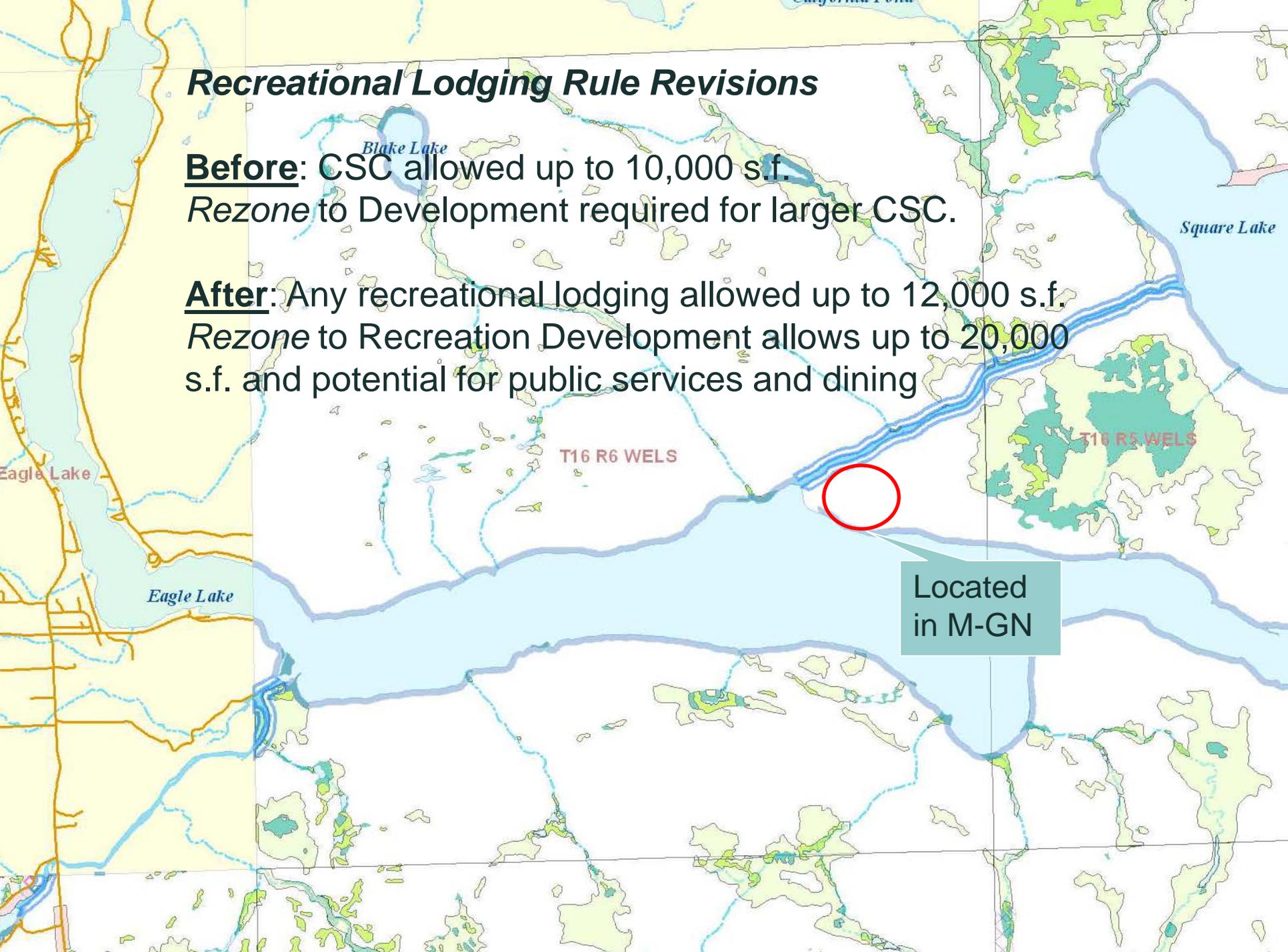
New Zoning Subdistricts – Recreational Facility Development

- D-RF
 - moderate intensity recreation facilities
 - in locations that would not be suitable for other types of commercial development
- Allows larger facilities
 - Allows Public Dining if impacts minimal

Recreational Lodging Rule Revisions

Before: CSC allowed up to 10,000 s.f.
Rezone to Development required for larger CSC.

After: Any recreational lodging allowed up to 12,000 s.f.
Rezone to Recreation Development allows up to 20,000 s.f. and potential for public services and dining



Located
in M-GN

Floor Area bonus

- Facility can have 25% larger floor area if it
 - Provides additional vegetative buffer
 - Uses colors and surfaces that blend in
- Not a requirement – incentive for reducing visual impact

Location Incentive - Geographic Allowance Area

