



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022

AMANDA E. BEAL
COMMISSIONER

STACIE R. BEYER
ACTING EXECUTIVE DIRECTOR

JANET T. MILLS
GOVERNOR

Memorandum

To: LUPC Commissioners
CC: Stacie Beyer, Acting Executive Director
From: Ben Godsoe, Acting Planning Manager and Stacy Benjamin, Acting Chief Planner
Date: April 27, 2022
Re: **Draft Moosehead Region Planning Package**

LUPC staff are pleased to present this draft **Moosehead Region Planning Package** for discussion at the upcoming Commission meeting on May 11. At the meeting, Commissioners will be asked to consider the draft package and to provide feedback on planned next steps in the process, including additional outreach and community meetings this summer.

The Package is divided into four parts:

- 1) Part 1 includes an introduction and provides a summary of the planning process to date.
- 2) Part 2 introduces specific recommended zoning changes and rule revisions that make up this Planning Package and provides a summary of the basis for each of these proposed changes. Maps showing locations and recommended changes are attached to the end of this memo.
- 3) Part 3 proposes a process and timeline through final adoption, including a public process to obtain public and stakeholder feedback on the draft package.
- 4) Part 4 discusses other actions and recommendations considered during this regional planning process.

PART 1 – INTRODUCTION AND PROCESS OVERVIEW

Introduction

When the Moosehead Lake Region Concept Plan was terminated in July of 2020, the entire area subject to the Concept Plan, including identified development areas, were concurrently rezoned as general management zoning and resource-appropriate protection zoning. As part of the termination process, Weyerhaeuser Company and Weyerhaeuser NR Company, the property owner, agreed to provide an opportunity for residents and stakeholders to participate in planning for future land uses in these areas that would help implement the community vision created through recent regional planning efforts. The goal was to obtain input about what types of development would be suitable in certain areas and to ensure adequate protections for resources of importance to the community. Toward this end, it was agreed that LUPC staff, with stakeholder input, would design and lead a regional planning process to inform and guide Commission land use decisions for the former development areas of the Concept Plan, with a goal of final Commission approval of any zoning changes or rule revisions by the end of 2022.

This **Moosehead Region Planning Package** outlines a series of proposals to implement a stakeholder-informed land use vision for the region. It seeks to respond to the common theme heard to focus development near Greenville and Rockwood by identifying appropriate development zones near those hubs. The Package also proposes removing Primary and Secondary Locations¹ from some of the minor civil divisions (MCDs) located between regional hubs. These areas are considered by many interested persons and stakeholders to be unsuitable for future rezoning that would allow for more intensive types of development like residential subdivisions or commercial development. These actions are described in detail below.

Planning Process Summary

- Fall 2020 - Obtained initial feedback from the community on proposed regional planning process, geographic scope, community concerns, and areas appropriate for conservation or development
- Winter 2020-21 - Developed a map-based digital survey to gather more in-depth information from the public and other stakeholders about locations that matter to them
- Spring 2021 - Used the initial feedback and survey data to develop four [Discussion Scenario Maps](#) representing a variety of future land use scenarios involving zoning changes and/or rule changes related to [locational criteria for development](#)
- Fall 2021 - Sought community feedback on the Discussion Scenario Maps by posting to the project website and hosting both in person and virtual public meetings in the Moosehead region
- Winter 2021-22 - Used feedback from comments and public meetings, combined with additional research and deliberation, to develop this Moosehead Region Planning Package

PART 2 - SPECIFIC PROVISIONS AND BASIS FOR CHANGES

A. Proposed Zoning Changes

The proposal calls for six new development zones in four MCDs as described in Table 1 below. General locations of the proposed subdistricts are shown on Map 1, Proposed Development Areas (attached below). These locations were all designated as development areas under the former Concept Plan for the Moosehead Lake Region and are located near designated Rural Hubs. All proposed development areas currently encompass areas primarily zoned General Management Subdistricts (M-GN) (see Map 2, Current Zoning, attached below) and are located within current Primary Locations.

Table 1. Locations for New Development Subdistricts (Refer to attached Map 1 for location)

Minor Civil Division	Location Designation	Proposed Subdistrict/ Approximate Size	Factors Considered/ Basis for Rezoning
Long Pond Township	Location A	D-RS (Residential) / ±17 acres	<ul style="list-style-type: none"> • All of Location A was a former development area in the Concept Plan • Currently surrounded by D-RS zones (eliminates outlier) • Any development will still require permitting review to safeguard any significant resources such as vernal pools

¹ For background information on primary and secondary areas, which are a tool used by the Commission as an initial screen for locating new development subdistricts, visit [Location of Development in Maine’s Unorganized Territories](#)

Minor Civil Division	Location Designation	Proposed Subdistrict/ Approximate Size	Factors Considered/ Basis for Rezoning
Taunton and Raynham Academy Grant	Location B	D-RS (Residential) / ±160 acres (2 parcels)	<ul style="list-style-type: none"> • All of Location B was a former development area in the Concept Plan • Near existing residential development and Rockwood • Broad support for concentrating development in or near Rockwood
Taunton and Raynham Academy Grant	Location D	D-RS (Residential) / ±100 acres	<ul style="list-style-type: none"> • Part of a former development area in the Concept Plan (original size 3,574 acres) • Near existing residential development • Broad support for concentrating development in or near Rockwood
Big Moose Township	Location E	D-GN (General Development) / ±1000 acres	<ul style="list-style-type: none"> • Part of a former development area in the Concept Plan (dimensions still to be determined) • Near existing development in Harford's Point and Greenville • Broad support for concentrating development near Greenville • Near Big Moose Ski Area
Beaver Cove	Location F	D-GN (General Development) / ±20 acres (2 areas ±10 acres each)	<ul style="list-style-type: none"> • All of Location F was a former development area in the Concept Plan • Near Beaver Cove Town Office • Broad support for this location and concentrating development near Beaver Cove and neighboring Greenville
Big Moose Township	Location I ²	D-RS / ±500 acres	<ul style="list-style-type: none"> • All of Location I was a former development area in the Concept Plan • Balances the potential need for future residential development near Greenville and the ski area with the removal of Primary and Secondary Locations from Big Moose Township (see Table 2)

The proposed development areas include both D-GN and D-RS zones. The exact extent of four of the locations (D, E, F, and I) will be determined through additional research, field verification, and mapping considerations should the Commission endorse this draft Package. The other two locations (A and B) encompass entire individual parcels as proposed. As currently conceptualized, the six development zones comprise a total of approximately 1,797 acres. This represents approximately 11% of the 16,910 acres originally designated for development in the prior Moosehead Lake Region Concept Plan submitted by Plum Creek.

² Location I was not included in the Discussion Scenarios. Additional research by staff concluded that removing the primary and secondary areas from Big Moose Township (as proposed below), while better protecting the significant natural resources located there, could limit future development needed to support the housing needs in Greenville and for the ski area. This area was selected due to its suitability for development, proximity to Greenville with access from Route 15, and limitations on shorefront development due to the presence of the rail line along the shore of Moosehead Lake.

Discussion Scenario 3 proposed two additional areas for development that are not included in this proposed package, Location C in Rockwood, and Location G in Beaver Cove. These areas both remain in a Primary Location under the Location of Development criteria and are eligible for rezoning in the future should the property owner desire to propose development there.

B. Proposed Revisions to Chapter 10, Section 10-08-A

Removing Primary and Secondary Locations from Minor Civil Divisions in the Moosehead Region

There was broad stakeholder support for Discussion Scenarios suggesting the removal of Primary and Secondary locations from MCDs in the region. Many commenters recommended additional MCDs be removed beyond those suggested in the Scenarios. This Package proposes ten MCDs for removal from Primary and Secondary Locations under the [Location of Development](#) criteria, including the six proposed in Discussion Scenario 2 (See Table 2 below).

The other four MCDs are proposed for removal in response to stakeholder recommendations and after careful consideration of the long-term impact of such an action on development in the region. Ultimately, staff concluded that removing the Primary and Secondary Locations in these MCDs will minimize the intensity of future development in these locations and help concentrate development in the Rural Hubs as desired by stakeholders. The current and proposed configurations of Primary and Secondary Locations for the region are shown on Map 3 and Map 4, respectively (attached below).

Table 2. Minor Civil Divisions to Be Removed from Primary and Secondary Locations

Minor Civil Division	Resources Present	Factors Considered/ Basis for Removal
Big Moose Township	Moosehead Lake, Big Moose Mountain, Burnham Pond, Indian Pond, Mountain View Pond, East Outlet, Eagle Rock Trail, Big Moose Trail	<ul style="list-style-type: none"> • Broad support for Scenario 2 • Current Primary and Secondary Locations include sensitive resources • Existing and proposed development zones can accommodate growth near Greenville, and which may allow for businesses serving visitors to the ski area • Limits the intensity of any future development on portions of the back side of the mountain • Some rezoning options remain available for the ski area (e.g., expanding the D-GN or rezoning to D-PD)
Bowdoin College Grant West	Upper Wilson Pond	<ul style="list-style-type: none"> • No public road access in existing Secondary Location • Limited area available for development
Lily Bay Township	Moosehead Lake, Lily Bay State Park, Burgess Brook, North Brook, Lily Bay Brook, Tussle Lagoon	<ul style="list-style-type: none"> • Broad support for Scenarios 2 and 4 • Broad support for limiting development potential in Lily Bay Township
Long Pond Township	Long Pond, Moose River, Mountain Brook, Twelvemile Bog, Fogg Pond, Churchill Stream, Northern Forest Canoe Trail	<ul style="list-style-type: none"> • Support for limiting development on the southeastern portion of Long Pond • Current Primary and Secondary Locations include sensitive resources (e.g., rare plants, and an extensive complex of wetlands) • Limited area available for development

Minor Civil Division	Resources Present	Factors Considered/ Basis for Removal
Misery Township	North Branch Stream, Misery Stream, Misery Ridge	<ul style="list-style-type: none"> • Broad support for Scenario 2 • Limited area available for development
Misery Gore Township	West Outlet, Misery Stream, Misery Ridge	<ul style="list-style-type: none"> • Broad support for Scenario 2 • Limited area available for development
Rockwood T2R1 NBKP ³	Brassua Lake, Demo Pond, Twelvemile Bog, Stony Brook	<ul style="list-style-type: none"> • Limited access to existing Secondary Location • Remote location • Area unavailable for development
Sandwich Academy Grant	Brassua Lake, Moose River, Long Pond Mountain	<ul style="list-style-type: none"> • Removal of Primary and Secondary Locations in adjacent townships • Limited area available for development
Sapling Township	Moosehead Lake, East Outlet, Indian Pond, West Outlet, Misery Ridge, Churchill Stream	<ul style="list-style-type: none"> • Broad support for Scenario 2 • Limited area available for development
Taunton and Raynham Academy Grant	Blue Ridge, Brassua Lake, Moosehead Lake, West Outlet, Misery Stream	<ul style="list-style-type: none"> • Broad support for Scenario 2 • Current Primary and Secondary Locations include sensitive resources (Blue Ridge, West Outlet) • Development zones added to focus new development near Rockwood

Current and proposed Primary and Secondary Locations are shown on Maps 3 and 4, respectively (attached below).

Indian Pond, Brassua Lake, and Long Pond

Various options were explored in response to stakeholder concerns about future development around Indian Pond, Brassua Lake, and Long Pond. Multiple stakeholders requested the removal of the Primary Locations around these three lakes. It was also suggested that these lakes be reclassified from MC-3 to MC-7 to minimize development potential. Any change to these Primary Locations or lake classifications requires careful consideration and examination of the Commission’s Comprehensive Land Use Plan (CLUP) policies and information regarding the Lakes Management Program.

One option to respond to stakeholder concerns about these particular lakes is to amend Section 10.08-A,C of Chapter 10 to provide for the removal of Primary Locations around certain MC-3 lakes, or around portions of certain MC-3 lakes within designated MCDs, but only *as a result of a formal regional planning process*. This approach would not require changing management classifications for these lakes and would provide a framework for any proposed removals stemming from future regional planning efforts throughout the Commission’s service area.

The Lakes Management Program, which was adopted by the Commission in the early 1990’s, and only after extensive public input, is intended to provide comprehensive protection for lakes (2010 CLUP, pg.

³ Rockwood consists of two MCDs, and the one proposed for removal is the western MCD

288), and applies jurisdiction-wide. Part of providing comprehensive protection for lakes includes guiding development toward suitable waterbodies, and away from unsuitable waterbodies. Management classifications assigned to specific lakes were intended to be permanent and stable over time and are one of the mechanisms that implement this goal. For example, Management Class 3 lakes, such as Indian Pond or Brassua Lake, currently have an “adjacency waiver” in the CLUP for proposals to rezone for development if certain criteria can be met (e.g., soils must be suitable and the proposal must not result in water quality impacts). The establishment of Primary Locations around MC-3 lakes is a result of the 2019 Adjacency and Subdivision Rulemaking and was intended to implement this “adjacency waiver.” The proposal would remove the Primary Locations around certain MC-3 lakes in the region based on the more detailed information about these waterbodies obtained from the community during this planning process. For this reason, the staff believes this is an appropriate fine-tuning for application of the adjacency policy in the Moosehead Region.

If the Commission determines this is a viable option, staff recommend proposing the removal of Primary Locations around Indian Pond, Long Pond in Long Pond Township, and portions of Brassua Lake for this Moosehead Region Planning Package. More specific information about each of these lakes is presented in Table 3, and the current and proposed configurations of Primary and Secondary Locations are shown on Map 3 and Map 4, respectively (attached below).

Table 3. MC-3 Lakes Proposed to Be Removed from Primary Locations

Lake	MCDs included	Factors Considered/ Basis for Removal
Indian Pond <i>(entire waterbody)</i>	Big Moose Township, Chase Stream Township, Indian Stream Township, Sapling Township	<ul style="list-style-type: none"> • Critically important resource for remote recreational tourism • East and West Outlets converge in northeastern end • Limited area available for development • Wildlife value and diverse riparian area
Brassua Lake <i>(portions of waterbody)</i>	Brassua Township, Rockwood Strip T2 R1 NBKP, Sandwich Academy Grant	<ul style="list-style-type: none"> • Part of undeveloped “western room” • Wildlife habitat value • Limited area available for development
Long Pond <i>(portion of waterbody in LUPC jurisdiction)</i>	Long Pond Township	<ul style="list-style-type: none"> • Remote recreation value • Current Primary area includes sensitive resources (rare plants) • Wildlife habitat value • Limited area available for development

As these rule changes are being considered, staff are exploring options for how best to incorporate the removal of additional MCDs into the current Location of Development language in Section 10.08-A,C of Chapter 10, as well as how to allow for the exclusion of certain MC-3 lakes as a result of a regional planning process. Should this approach be selected, staff will present draft language for such amendments for review at an upcoming Commission meeting.

Both the proposed locations for development zones and the proposed configuration of Primary and Secondary Locations are shown on Map 5, attached below.

PART 3 – PROPOSED PROCESS AND TIMELINE

Target Timeframe	LUPC Task
May 11	Commission feedback on the Draft Moosehead Region Planning Package followed by additional research and editing as directed/needed
Late May	Post the Draft Moosehead Region Planning Package and invite public to comment in writing or by using an online comment form.
June	Hold both in-person and virtual public meetings in the Moosehead region to seek input on the Draft Moosehead Region Planning Package. Provide monthly reports on feedback to Commissioners.
July	Use feedback from comments and the public meetings to prepare a Final Moosehead Region Planning Package.
August	Present the Final Moosehead Region Planning Package for Commission review and deliberation, including draft zoning maps and proposed rule language.
Fall	Undertake the formal rulemaking process and the formal Land Use Guidance Map adoption process.
Prior to Dec. 31, 2022	Commission adopts new maps and any proposed rule revisions.

PART 4. OTHER DISCUSSION ITEMS

Additional Protection Zoning for Certain Areas

Multiple commenters suggested adding protection zoning to specific locations in the planning region. These include:

- Lily Bay
- Indian Pond
- Brassua Lake
- Long Pond
- The Blue Ridge
- Burnham Pond
- Upper Wilson Pond
- East Outlet
- West Outlet
- West side of Big Moose Mountain

LUPC protection subdistricts are specialized zones designed to limit impacts to specific resources such as, but not limited to, shorelines, aquifers, significant wildlife habitat, or wetlands. Areas included in these specialty subdistricts must meet specific criteria, and protection zoning cannot be applied to areas that do not meet these criteria. Many of the locations noted above currently have some type of protection zoning already in place. For instance, all the lakes have Great Pond Protection (P-GP) zones, and the East and West Outlets have Shoreline Protection Subdistricts (P-SL) applied along both segments of river. Other areas have Fish and Wildlife (P-FW), Soil and Geology (P-SG), or Mountain Areas (P-MA) protection subdistrict designations, among others.

The Unusual Area Protection Subdistrict (P-UA) has been suggested for use in certain areas to protect them from development. The P-UA subdistrict is intended to "...protect areas of significant natural, recreational, historic, scenic, scientific or aesthetic value which are susceptible to significant degradation by man's activities." Chapter 10 describes the subdistrict as follows:

Areas identified by the Commission as important in preserving the historic, scenic, scientific, recreational, aesthetic or water resources of the region or State and which have special land management requirements which cannot adequately be accomplished within another subdistrict, provided that the area is essential to the values sought to be preserved and is no larger than reasonable to protect such values. P-UA subdistricts must include, but are not limited to, historic or archeological sites or structures, scientific phenomena, natural areas, or important water supply sources. (Chapter 10 §10.23,M page 164)

Historically, P-UA designations have been made primarily for significant cultural resources like historic sites, state parks, or water supply protection areas, or distinctive geologic or hydrologic features. Examples include locations such as Chesuncook Village, Swan Island, Gulf Hagas, and more. Because the allowed residential and commercial uses in a P-UA subdistrict are similar to the General Management subdistrict, and in some cases less restrictive, it is important to note that rezoning to this subdistrict would not achieve the level of protection desired by commenters in the process, and which is best achieved through permanent land conservation. Providing that level of protection is outside the Commission's purview.

In addition to protection zones for specific resources, the Commission has standards that apply to development in sensitive areas, such as requirements for development on hillsides, soil suitability, and surface water quality. These standards contribute to the protection of important resources and habitats when allowed or permitted development activities occur anywhere within the Commission's jurisdiction. Also, the Commission works closely with other agencies, such as MDIFW and MNAP, to ensure important plant and animal habitats and potential impacts are addressed in any development proposals. These practices: protection zoning, land use standards, and agency coordination, all act in concert to help maintain the "unique principal values" within the Commission's jurisdiction.

Removing the Primary and Secondary Locations from the areas noted above will limit the scale and intensity of allowed development in those locations by eliminating the potential for rezoning for residential subdivisions or most types of commercial development in the future. In light of these considerations, staff are not recommending any new areas for protection zoning as part of this Moosehead Region Planning Package.

The Blue Ridge

In response to concerns about the potential visibility of future proposed development along the Blue Ridge and the ridge to its south, staff have spent considerable time evaluating the existing conditions and land use considerations for these ridges. A significant portion of the northern end of the Blue Ridge (±500 acres) is covered under Plum Creek's Moosehead Region Conservation Easement, which does not allow most types of development⁴. The southern portion of the Blue Ridge is outside of Weyerhaeuser ownership and therefore outside the scope of this regional planning effort. However, portions of that area

⁴ The Moosehead Region Conservation Easement allows, among other activities, Timber Harvesting, Wind Power Turbine Activities in the Wind Power Facility Area, and Wind Power Associated Activities in all other locations on the Protected Property.

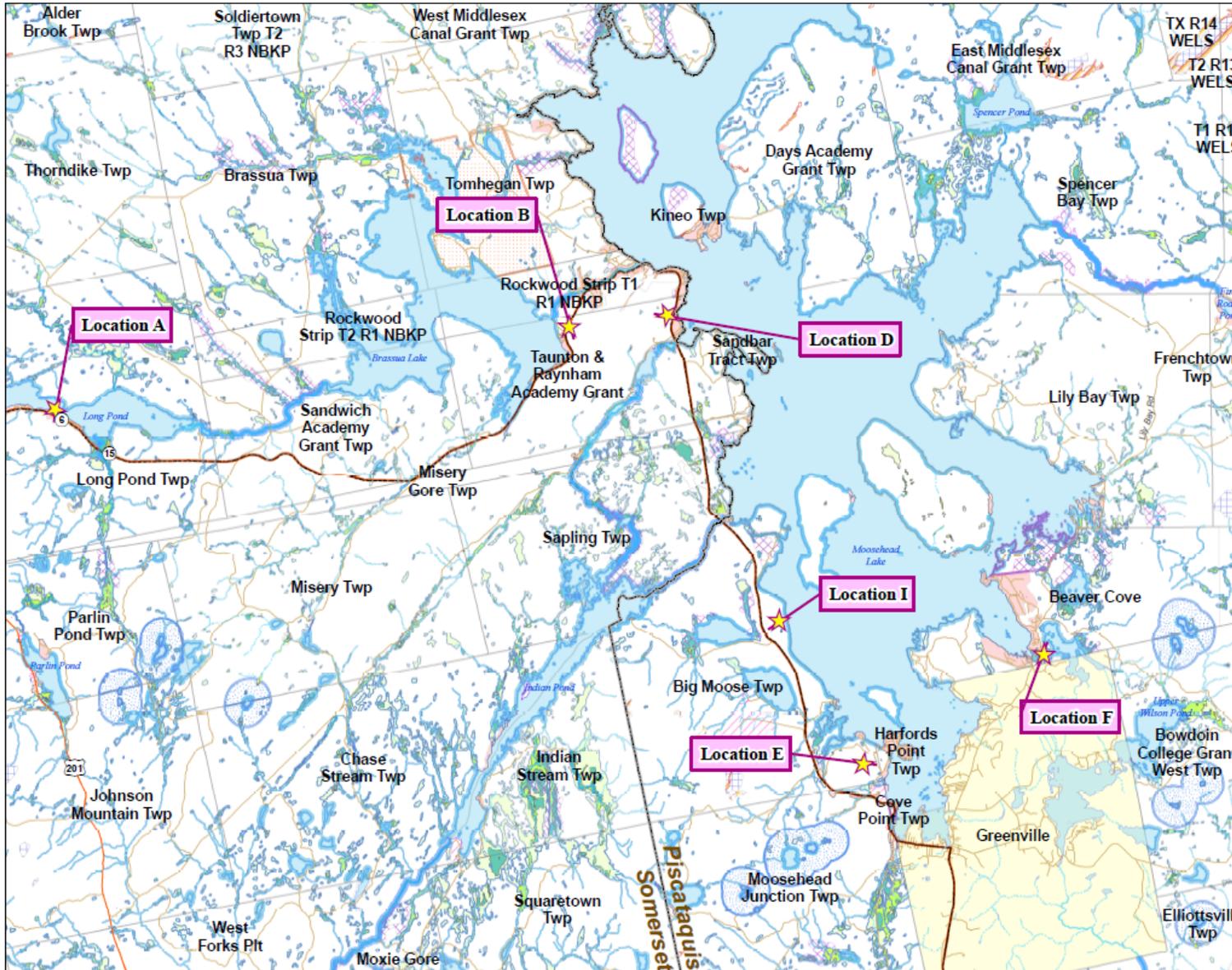
that are two acres or more and on slopes greater than 15% are subject to the Commission's hillside standards, which are intended to reduce the visibility of structures from resources such as waterbodies, roads, or permanent trails. Portions of the former Concept Plan's No Disturbance Area to the south of the Blue Ridge are also subject to the hillside standards.

Because of the broad public support for adding protections from development to the Blue Ridge, staff carefully analyzed and explored the available regulatory options to determine their suitability for application in this situation. Ultimately, staff have not proposed additional zoning for these areas for the following reasons:

- The reduction in intensity/scale of allowed future development resulting from the proposed removal of Primary and Secondary Locations from Taunton and Raynham Academy Grant
- The presence of the Moosehead Region Conservation Easement on the eastern portion of the Blue Ridge
- The additional layer of protection the hillside standards provide to these areas

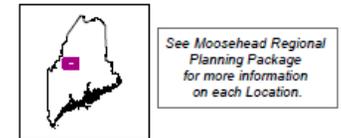
Natural Character Management Zoning (M-NC Subdistrict)

A few commenters suggested the use of Natural Character Subdistrict (M-NC) zoning either broadly applied or for specific areas in the region. According to the CLUP, "*The M-NC Subdistrict was designed to maintain the character of certain large undeveloped areas of the jurisdiction and to promote their use primarily for forest and agricultural management activities and primitive recreation*" (page 202). This subdistrict was created in 1977 but has never been used in the history of the Commission, likely due to the increased use of conservation easements as the preferred tool for protecting special areas from incompatible development. None of the former development areas under consideration as part of this planning process meet the 10,000-acre threshold, and the remaining area falls under the Moosehead Region Conservation Easement. For these reasons, staff have not proposed the use of M-NC zoning in this Moosehead Region Planning Package.



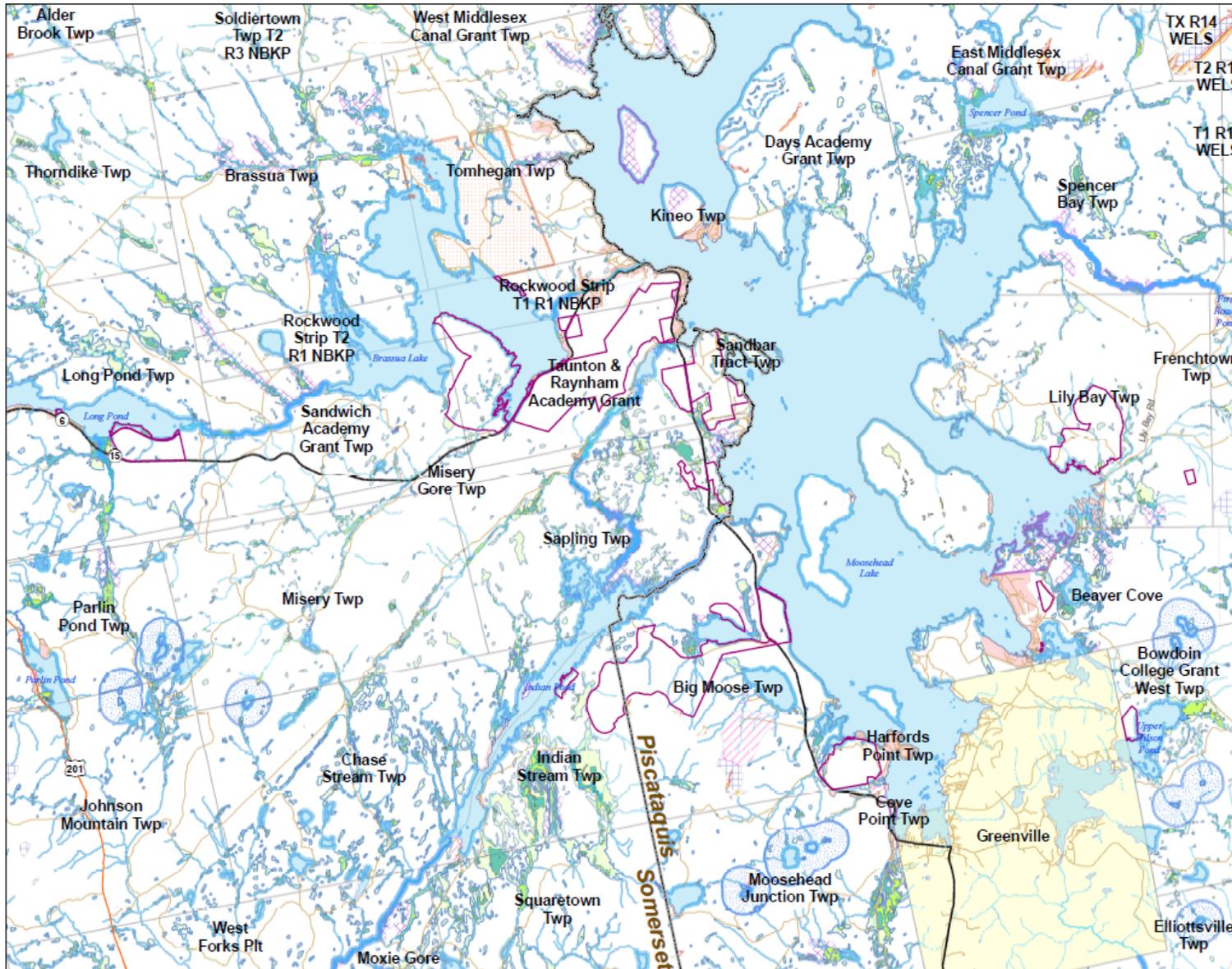
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Planning Package
4/27/2022

Map 1. Proposed
Development Areas



- County Lines
- LUPC Service Area
- Organized Town
- Waterbody
- U.S. Routes
- State Routes
- E911 Roads
- D-CI: Commercial Industrial
- D-GN: General
- D-RF: Recreation Facility
- D-RS: Residential
- M-GN: General
- P-AL: Accessible Lake
- P-FP: Flood Prone
- P-FW: Fish and Wildlife
- P-GP: Great Pond
- P-MA: Mountain Area
- P-RP: Resource Plan
- P-RR200: Recreation - 200'
- P-RR: Recreation
- P-SG: Soils and Geology
- P-SL1: Shoreland - 250'
- P-SL2: Shoreland - 75'
- P-UA: Unusual Area
- P-WL1: Wetlands of Special Significance
- P-WL2: Scrub-shrub Wetlands
- P-WL3: Forested Wetlands
- ★ Proposed Development Subdistrict Locations



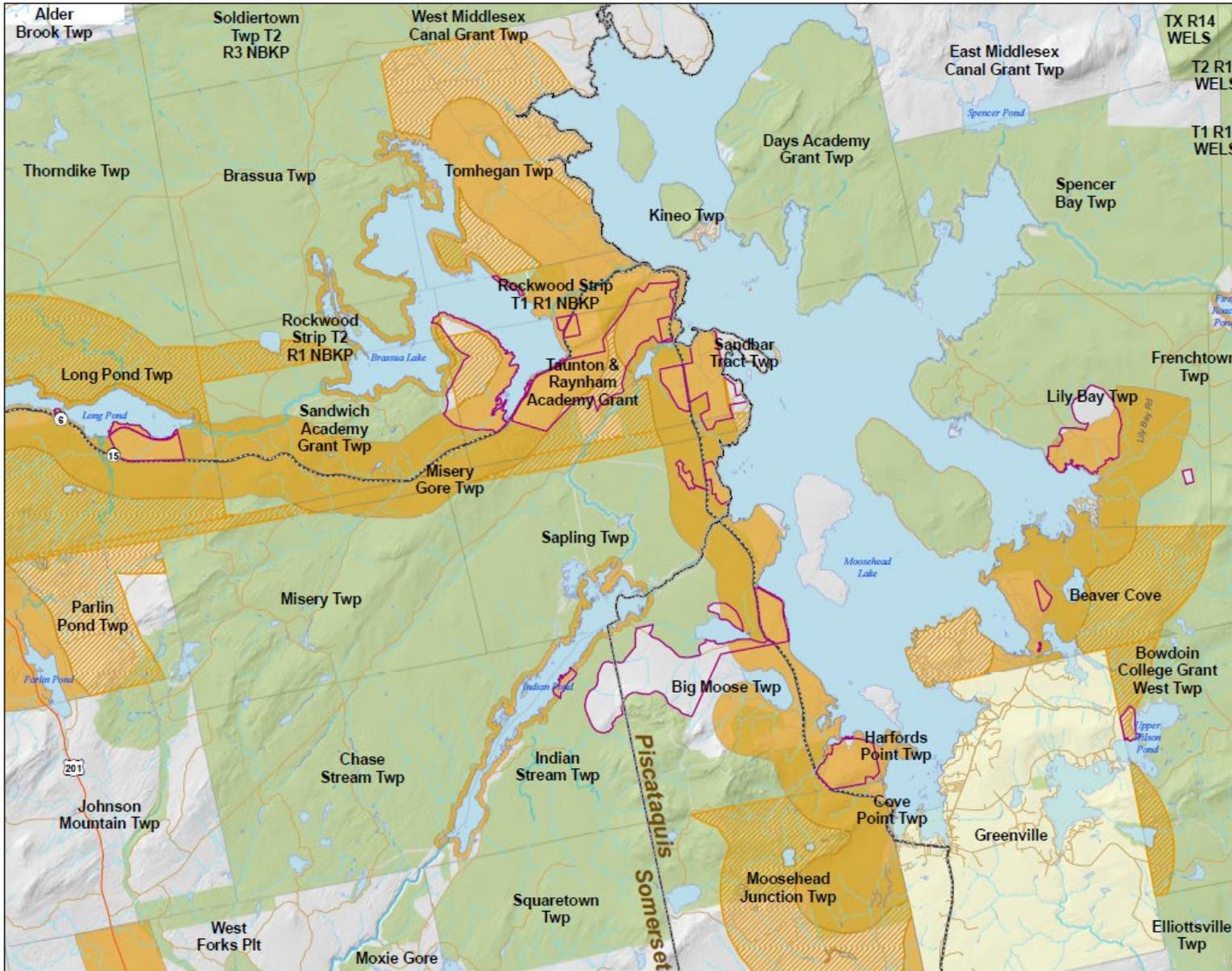


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Planning Package
4/27/2022

Map 2. Current Zoning



- Former Development Areas
 - County Lines
 - LUPC Service Area
 - Organized Town
 - Waterbody
 - U.S. Routes
 - State Routes
 - E911 Roads
 - D-CI: Commercial Industrial
 - D-GN: General
 - D-RF: Recreation Facility
 - D-RS: Residential
 - M-GN: General
 - P-AL: Accessible Lake
 - P-FP: Flood Prone
 - P-FW: Fish and Wildlife
 - P-GP: Great Pond
 - P-MA: Mountain Area
 - P-RP: Resource Plan
 - P-RR200: Recreation - 200'
 - P-RR: Recreation
 - P-SG: Soils and Geology
 - P-SL1: Shoreland - 250'
 - P-SL2: Shoreland - 75'
 - P-UA: Unusual Area
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 - P-WL3: Forested Wetlands
- 0 0.5 1 2 3 4 Miles

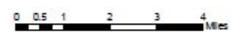


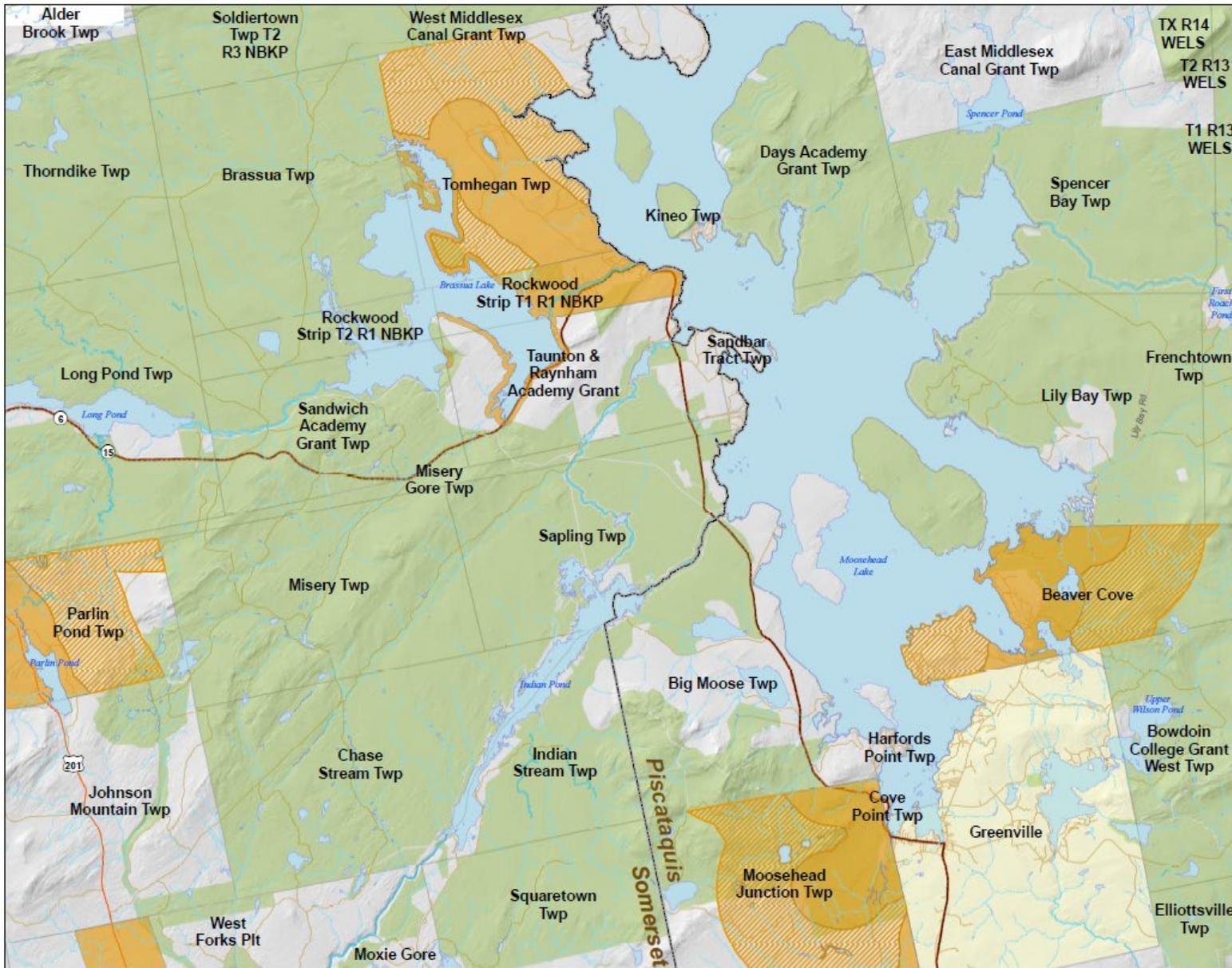
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Planning Package
4/27/2022

Map 3. Current Primary and Secondary Locations Under Chapter 10-08-A



- Former Development Areas
- County Lines
- LUPC Service Area
- Organized Town
- Waterbody
- Conserved Lands
- U.S. Routes
- State Routes
- E911 Roads
- Primary Location
- Secondary Location





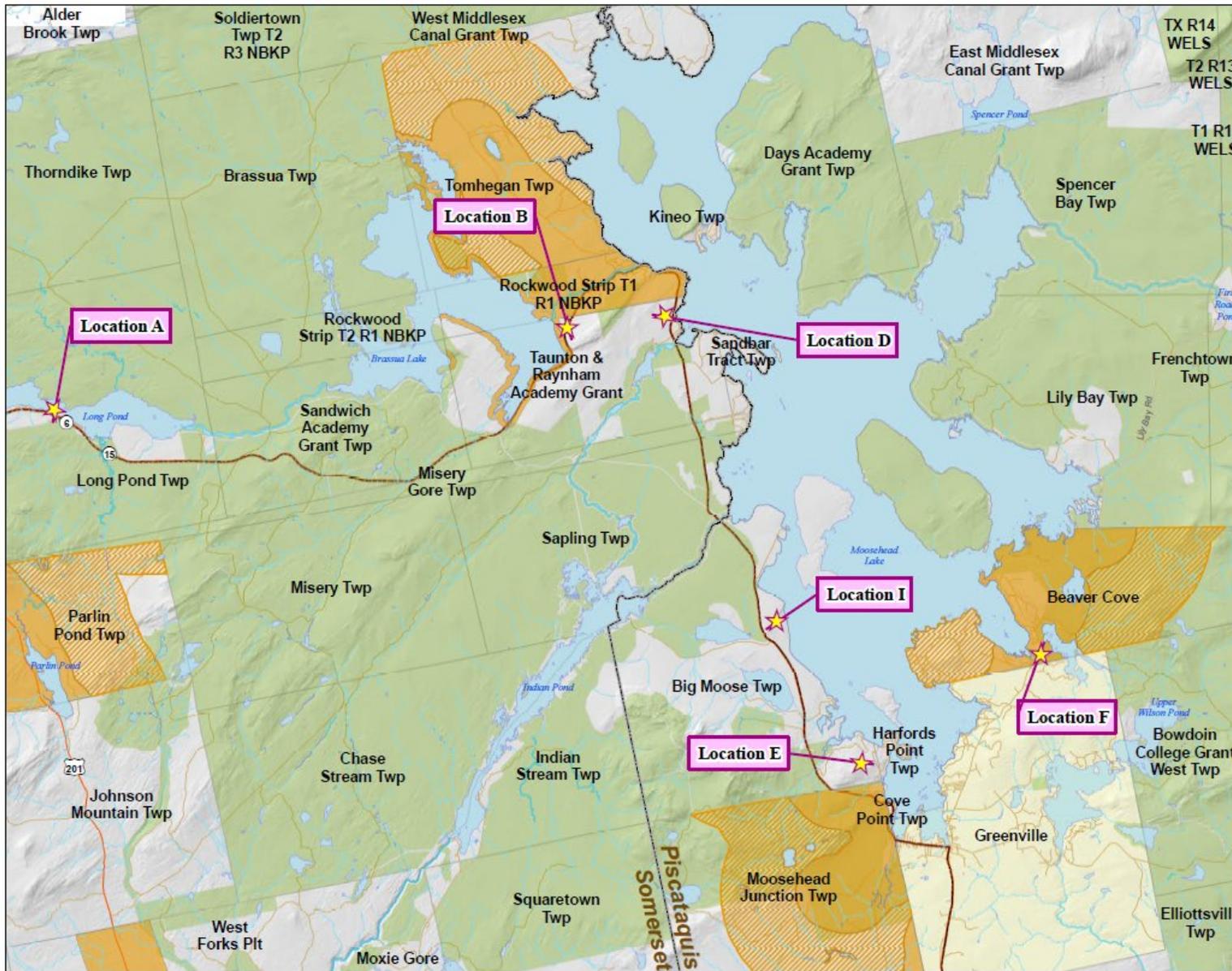
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Map 4. Proposed Primary and Secondary Locations Under Chapter 10-08-A



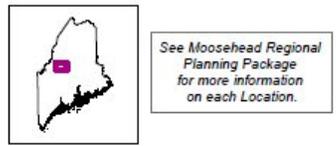
- County Lines
- LUPC Service Area
- Organized Town
- Waterbody
- Conserved Lands
- U.S. Routes
- State Routes
- E911 Roads
- Primary Location
- ▨ Secondary Location





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 Planning Package
 4/27/2022

Map 5. Proposed Primary and Secondary Locations Under Chapter 10-08-A and Proposed Development Areas



- County Lines
- LUPC Service Area Organized
- Town
- Waterbody
- Conserved Lands
- U.S. Routes
- State Routes
- E911 Roads
- Primary Locations
- Secondary Location
- ★ Proposed Development Subdistrict Locations

