

II.B. FUTURE LAND USE PLAN

1. Introduction

A future land use plan presents a vision of how Orland residents want their town to grow. It will serve as the basis for any zoning ordinance enacted by Orland and other land use regulations. The plan should represent a balance among the wishes of residents to preserve rural character and historic and natural resources, while also allowing reasonable opportunities for future growth and economic development. Through careful planning, Orland can accommodate all anticipated growth while also avoiding the excessive increases in property taxes that can result from poorly planned development.

Specifically, this section:

- a. estimates the amount of land needed for future growth;
- b. proposes a future development scheme for Orland; and
- c. recommends growth and rural areas.

2. Land Needed for Future Development

The Existing Land Use chapter assumed that Orland would need just under 400 acres of land for new development between 1998 and 2008. The town has ample land to accommodate this growth. Table L.4 in the Existing Land Use chapter shows that there are over 20,000 acres of vacant land with soils that are suitable for development. The issue is not the likely rate of development, since this amount is moderate, but where and how the development that does occur will take place.

3. A Future Development Scheme for Orland

Orland is a small town between the larger towns of Bucksport and Ellsworth. While many residents live in rural parts of town there are also concentrations of houses around the lakes and in the village. There are also areas of commercial development.

The future development scheme continues this pattern. It aims to retain Orland's rural character while providing adequate room for residential, commercial and light manufacturing development. The scheme tries to assure all landowners a reasonable return from using or selling their land and to provide adequate opportunities for first-time homebuyers to live in the town. The plan thus represents

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many compromises among the various interests in town. The proposed future land use scheme for Orland is shown on Map 6.

It is important to review and, if necessary revise this scheme every few years. As the town changes, it may need more land for a given use. For example, if more commercial development were to occur than is presently expected, the Highway Commercial areas may have to be expanded. The plan could be amended at that time.

The future land use plan is **not** a zoning ordinance and has no binding affect on landowners. If the town does decide to enact townwide zoning, however, it must be based on the recommendations of the comprehensive plan. Any land use ordinance changes would require a town meeting vote separate from a vote to adopt the comprehensive plan.

A. Orland Village

Since this area contains the only part of town served by public sewer, it is recommended for higher density development. House lots on public sewer would need a minimum of one-half acre under this proposed future land use plan. Areas not served by sewer would require one acre. The overall purpose of this area is to allow village-type development in a town that is otherwise largely rural.

Small-scale commercial uses (with a maximum of 2,500 square-feet of floor space) would be allowed in the village area if they were able to provide adequate parking. If the town does enact a National Register Historic District, new commercial uses would not be permitted within that district. The purpose of this restriction is to avoid uses incompatible with the historic buildings.

Given the availability of public sewer, the village area is suitable for limited multi-family development. These developments would have to meet the per unit lot requirements and provide adequate off-street parking. Thus, a 5-unit apartment building would require 2.5 acres (5 units x 0.5 acres).

Since Orland is a rural town, the plan recommends a 35 to 40 foot height limitation for all buildings. This helps avoid buildings that might be incompatible with the town's generally rural appearance. It is also consistent with the limitations of fire department equipment. It can be difficult to provide adequate protection to buildings taller than 40 feet.

B. The Shoreline and Lake Watersheds

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There are no plans to change the shoreland zoning in Orland. Thus, current permitted uses will continue. While this future land use plan contains no specific lake watershed districts, there are several provisions in the *Goals and Objectives* section to avoid excessive phosphorus loading.

C. Highway Commercial

There continues to be demand for highway-type commercial land in Orland. The plan recommends that these uses be permitted along portions of Routes 1 and 3 and on parts of Route 46. As mentioned in the *Goals and Objectives* section, there would be standards for highway access management and site plan layout for these uses. The purpose of limiting these uses to certain areas is to prevent a continuous strip of commercial development.

Since the town will continue to grow, it will be important to review the current boundaries of commercial areas in five to ten years. If there is an apparent shortage of commercial land, more areas may have to be included in this designation. To assure that owners of small businesses aren't penalized, the plan recommends that home occupations be permitted in all parts of town except for the Resource Protection Districts in shoreland zoning. Also, all existing businesses, regardless of their location, would be grandfathered.

D. Light-Manufacturing

Light manufacturing refers to uses where items are produced. This would be defined to include boat building, small assembly plants, and similar uses. These uses are more likely to cause complaints from neighbors due to the type of operations involved. Unlike commercial uses, they generally don't need to be in a visible location to attract customers. They do, however, need good road access since they generate traffic from employees and the shipping of materials.

The plan recommends a light manufacturing area for a portion of Route 46 near the Bucksport town line. This area may have to be expanded in the future if there is high demand for industrial space in town. As discussed in the *Goals and Objectives* section, there would be performance standards for industrial uses to regulate possible nuisances such as noise, dust, and glare. Such uses would

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also be required to be buffered from surrounding lots through vegetation or similar means. This would minimize impacts on surrounding properties.

The home occupation standards would be revised to allow up to 2,000 square feet of retail or manufacturing activity. This would allow operations such as machine shops or carpentry operations to take place in a shed behind a residence outside of the Light-Manufacturing district. All existing manufacturing operations would be grandfathered.

E. General Residential

These are areas of higher density residential development where a one-acre minimum lot size would be required in most cases. There may be circumstances where, due to poor soils, that a larger minimum may be required. This, however, would be determined by the plumbing permit process.

The plan recommends that areas that presently have higher density residential uses be General Residential. These would include portions of Leaches Point and several intersections that presently have small lot sizes. Permitted uses would be residential including multi-family uses and home occupations.

Multi-family uses would be permitted provided the per unit lot requirements are met. For example, a 4-unit building would require four acres. Here again, any construction would have to meet state plumbing permit requirements for waste water disposal. Mobile home parks would also be allowed in General Residential areas.

F. Rural Residential

The balance of town would be Rural Residential. This area would have a two-acre minimum lot size. The plan recommends this lot size since these areas are already low-density residential and have few built-up areas. The primary permitted uses in these areas would be residential, home occupations and mobile home parks. The town's agricultural and forested areas would be included in this district.

Family lot transfers, under this plan, would be exempt from the two acre minimum lot size requirement. This would allow a family to transfer lots to other family members and have a smaller lot size. Such transfers would only have to meet state minimum lot size requirements (20,000 square feet if soils are adequate for waste water disposal). These transfers would be allowed if they met the

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state subdivision law requirements (30-A MRSA 4401-D).

4. Growth and Rural Areas

The determination of growth and rural areas is an important part of the comprehensive planning process. Growth areas are those parts of town where most new growth is likely to occur. It is important not to have overly large growth areas in order to maintain the town's rural character. Conversely, there must be sufficient land to allow for some unanticipated growth.

The primary growth areas in Orland are the Light Manufacturing, Highway Commercial, General Residential and Village areas. These areas are in parts of town that already have similar types of development or that are well suited for the proposed uses. Given the projected need of about 400 acres of land for new development between 1998 and 2008, there is ample room in these growth areas to accommodate projected growth.

The rural areas would include Rural Residential and Farm and Forest areas. The designation "rural" does not mean that all development is restricted from these areas. Rather, the natural features of these areas and various incentives created by the town would mean that the development that does occur would be of a lower density than in the growth areas. Given the preference of many homeowners for a rural lifestyle, continued growth in rural areas is likely.

5. Measures to Distinguish Growth and Rural Areas

The plan makes several distinctions between growth and rural areas. The major distinction is the minimum lot size requirements, which are larger in the rural areas. Another incentive is the use of cluster zoning. The cluster option would be available (but not mandatory) for subdivisions of ten units or more in the rural areas. The cluster standards would require that the open space preserved be visible from the main public road serving the development. This would help maintain a rural appearance. There also would be provisions to waive this requirement, since it may not always be practical.

If the town enacts townwide zoning, there would be provisions to require that very poorly drained soils and slopes greater than twenty percent would not be counted toward the minimum lot size in rural areas. This would assure that developers would not use the cluster option to build at a higher density than they normally would.

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In many towns, developers have used clusters to locate all building lots on one corner of a parcel while leaving the area with poor soils or steep slopes as open space. They are thus creating more lots than they would have under a conventional subdivision. The plan aims to assure that any clusters are built, they meet certain minimum quality standards.

The poor soils and remoteness of the rural areas would also discourage growth. The cost of road building and extending other services into rural areas would make it very expensive to build in these areas. As discussed in the Goals and Objectives chapter, developers would be responsible for off-site road improvements that are required as a result of the traffic their development is likely to generate.

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6. Summary

The future land use plan contains sufficient measures to discourage sprawl and strip development, promote efficiency in public services, and protect the character of rural areas. These are basic requirements of Maine's Growth Management Act for a future land use plan. Since the Highway Commercial areas are relatively small, there is no threat of commercial strip development. The increased use of clusters reduces the risk of residential strip development in rural areas.

These same measures also promote efficiency in public services. They reduce the likelihood of major development occurring in areas where it would be difficult to provide municipal services such as snow plowing and school buses. Overall, the town will remain rural while assuring that there would be ample land available for development.