

The following is a list of Planning Board "Immediate Priorities" found within Volume 1 of the Comp Plan

1. The Town should adopt performance standards that manage the character of new development and significant renovations. These standards should reflect the diversity of York's existing development and be specific to different zoning districts. The standards can take many forms. For example:
  - Implementing bulk/mass standards to regulate house size may be appropriate for the Nubble, but may be wholly inappropriate for the Rural zones.
  - Conversely, requiring a structure setback of 100 feet while retaining a naturally forested buffer of 50 feet along the main road may work for the Rural-3 zone (Rt. 91 area), but it is the wrong approach for the Long Sands Beach area.
  - Requiring both residential and nonresidential development along York Street to honor the appearance of existing historic structures may be warranted, but this approach makes little sense for the area along Ridge Road.
  - Existing nonresidential performance standards for the Route One zones which require buildings to be New England in character, locate parking to the side and rear of the structure and to have the best building face look out onto Route One.

A common theme voiced throughout the Neighborhood Meetings conducted for the Comprehensive Plan and also during the recent Route One planning process was development should "look good" and fit into existing surroundings. The use of performance standards and appearance codes is a way to accomplish this goal.

IMMEDIATE & MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 9)

2. The Town should allow the establishment of backlots, lots with no frontage, particularly in the proposed Rural Zones, as a way to limit the need for major road construction and to encourage the use of shared driveways which lessens the number of curb cuts. Backlots help property owners to achieve value from their land without the need to develop all of their property simply to pay for infrastructure costs. The proposal also must include provisions to prohibit the establishment of a right-of-way across the backlot to an unsubdivided area.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 9)

3. The Town Planning Board should establish guidelines that require the phasing of subdivisions, particularly to reflect where the project is located. Phasing should be carefully linked to the growth boundary identified in recommendation 1.1.3 above. In short, phasing will be required for a lesser number of lots in a Rural zone than a Residential zone. Phasing is one of the strongest tools available to a community to ensure the costs of new service delivery do not outpace a community's ability to absorb such costs.

An example of phasing is the Planning Board's approach in 1997 in approving the 99 lot Whippoorwill Subdivision located off Route One. The approved phasing schedule stipulated the applicant could obtain a maximum of 20 occupancy permits in any single year, and there was no carry-over in occupancy permits if they were not used in one calendar year. Thus, if the applicant obtained 17 occupancy permits in 1999, the applicant would still be limited to 20 occupancy permits in any subsequent year and the 3 unused permits could not be obtained until the end of the project. By requiring phasing, it will take a minimum of 5-6 years to build out this project, regardless of market conditions for new house sales.

The Town should also consider requiring phasing by applicant, not only by project location. This proposed approach would allow the Planning Board to consider the total number of new projects a developer may propose in any given period, and to stipulate phasing to lessen the amount of impact by controlling the rate of development. For example, if an applicant obtains Planning Board approval to construct a 10 lot subdivision in 1999 and later in the year applies for a 7 lot

subdivision in another location, the Board should consider phasing as if it were a single 17 lot subdivision. This recommendation will be difficult to implement because most applicants use multiple development companies, but it has merit in managing the rate of development.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 10)

4. The Town should amend the Zoning Ordinances to require all new lots to satisfy net buildable acreage requirements. The required deductions should be the same criteria established in the Planning Board Subdivision and Site Plan Regulations; poor soils, wetlands, steep slopes, easements and similar features. This should be implemented in concert with recommendation 1.3.2 above. The goal is to benefit orderly development by ensuring a property owner complies with the stricter standards identified in the Subdivision Regulations.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 11)

5. The Town of York Planning Board should reexamine current road construction standards specified in the Planning Board Subdivision and Site Plan Regulations to establish road construction standards, particularly road width and surface materials that reflect project transportation needs. Current standards often specify types of roads which are counter to York's desire to retain its small town and rural character. For example, if a subdivision is greater than 15 lots, the current standard requires a road to be 24' wide. The Planning Board, over the last 5 years, has used its authority to grant waivers to the standards to allow roads which make more sense for a project, but amending the Regulations to establish more reasonable standards is the preferred approach. The road standards should rarely require roads which are wider than 20' of paved surface (without pedestrian/bicycle amenities) and should allow narrow local access only roads that serve small subdivisions.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 19)

6. The Town should adopt access management guidelines to regulate the amount and location of new curb-cuts along Route One and major rural roads in York, such as Route 103, Route 91, Beech Ridge Road, Shore Road and Mountain Road. Current Planning Board Subdivision and Site Plan Regulations identify standards, but these standards do not always provide the Board with adequate tools to limit the number of curb cuts. Key provisions that should be inserted in these Regulations and the Zoning Ordinance involve residential driveways, both the need to advocate common driveways and to require turn-arounds on all driveways to prevent cars from backing out into major through roads.

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7. The Planning Board should assess the need for non-vehicular improvements (sidewalks, pedestrian paths, extended pavement width to support bicycle use) during the review of new subdivisions and require the applicant to construct appropriate improvements. Pedestrian facilities work best if they are incorporated into the original project design. Sidewalks are most appropriate for areas in the proposed Residential and Village Center zones, while pedestrian paths may be more appropriate for subdivisions in the proposed Rural zones.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 21)

8. The Town should cooperatively work with the Maine Department of Transportation (MDOT) to prepare a long-term plan for road improvements to the Route One corridor. The Town discussed lay-out options for Route 1 during the Planning Board's Route 1 Planning Process in 1995-1996. The Town is now informally working with MDOT to address some issues, but a more definitive plan is needed to ensure future improvements are well coordinated. The lay-out of Route 1 has been a significant local issue in 1997 and 1998 because of several major development projects, including the Hannaford Brothers grocery store, the Whippoorwill Subdivision, the proposed York

Crossing retail center, and the relocation of Stonewall Kitchens to the Town Route One parcel. Additional improvements are needed to Route One to address increasing traffic volumes and more right-left turn traffic. Many of the recommended improvements could be funded by developers as specific projects are approved. If MDOT assistance is unavailable, the Town should consider engaging the services of a consultant to perform a traffic management plan.

IMMEDIATE PRIORITY - PLANNING BOARD & PUBLIC WORKS TAKE LEAD ROLE (Page 22)

9. Consistent with recommendations identified in the Future Land Use Section, the Town should establish areas where appropriate nonresidential uses are specifically permitted, and clearly identify where nonresidential uses are prohibited. The Town should also require compliance with appropriate performance standards to ensure a proposed nonresidential use is compatible with the existing and desired character of an area. The areas in which nonresidential uses are recommended to be permitted include the following:
  - Village Centers: York has four main village centers, York Village, York Harbor, York Beach and Cape Neddick. The intent is to establish zoning standards that retain or enhance the existing character of these respective centers, while allowing business to flourish.
  - Long Sands Beach: This area should allow both restaurant and hotel development, the main nonresidential uses which now exist.
  - Route 91/Beech Ridge Road area: This rural zone should also allow businesses that make products, such as James Taylor Furniture Company, and small scale retail uses, such as the Brixham Grange Hall.
  - Route One: Appropriate sections of Route One area should serve as the Town's main commercial areas and a prime location for small scale industry. These areas are identified in the 1996 Route One Zoning Ordinance amendments.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 26)

10. York has always had a large number of local craftsman and entrepreneurs who have worked on the land on which they have lived. York should recognize the importance of these home based businesses to its local economy and adopt home occupation standards that fairly regulate such uses, while protecting against adverse impacts. All proposed home occupations should be required to obtain a permit from the Code Enforcement Officer to ensure appropriate Town standards are met. Three tiers of home occupation uses are proposed. The zoning districts in which each tier of home occupation is appropriate is identified in the Future Land Use Section. The tiers include:
  - Class 1 Home Occupation: The use must occur in the primary structure and should be less than 450 sf in size. The uses would be primarily office/professional with minimal traffic impact and no retail sales. No more than 1 employee other than occupant would be allowed. These are low impact uses on the neighborhood. Class 1 home occupations are discussed as being appropriate for many of the proposed Residential zones.
  - Class 2 Home Occupation: The use can occur in either the primary structure or an accessory structure (a garage, barn, etc.). A variety of uses would be allowed; office, service/repair, making products, and limited retail sales. There would be no more than 1 employee other than the occupant, minimal traffic and no night-time activity. The use should be no greater than 800 sf in size. Class 2 home occupations are discussed as being appropriate for some of the proposed Residential and Rural zones, and the Village Centers.
  - Class 3 Home Occupation. The use can occur in either a primary or an accessory structure. A wide variety of uses would be permitted; office, service/repair, making products and limited retail sales. The maximum size of the use should be in the range of 1,600 sf of ground floor space and 2nd story use should be permitted. Other than the occupant, there would be no more than 3 employees. This tier of home occupation is recommended for some rural zones and the Route One zones.

Implementation of the proposed home occupation provisions is considered a key recommendation in this Plan.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 26)

11. Consistent with direction provided in the Future Land Use Section, the Town should adopt standards that recognize the importance of traditional industries to the local economy and private property owners. Three of the most significant traditional industries are agriculture, timber harvesting and fisheries. Timber harvesting is proposed to be recognized as a permitted use in all zoning districts, and the Rural-4, Natural Resource Protection zone, has been designed to encourage sustainable timber harvesting activities as the most beneficial form of land use. Agriculture is permitted in all Rural Zones and “right to farm” standards are recommended for several areas. Recommendations regarding fisheries are identified in State Goal 7, Marine Resources.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 26)

12. Consistent with recommendations identified in the Future Land Use Section, the Town should establish areas where new and existing seasonal resident housing is encouraged. The main areas where this can occur include:
  - The Nubble: The Plan recommends this area be zoned Protected Residential to help safeguard its continuation as an area of many seasonal homes.
  - Back of Long Sands Beach and Ridge Road: This area should also be identified as a Protected Residential zone. A key recommendation that should encourage the construction of seasonal homes is to allow housing that does not exceed 2 bedrooms in size to be constructed at greater densities than 3 bedroom units.
  - Freeman Street area: Little undeveloped land remains, but this area should continue to support seasonal residential housing.

In addition, the Town should amend current zoning to allow reasonable expansions of currently non-conforming structures if the intent is for the home to remain occupied seasonally. Reinvestment in aging cottages is important to the Town.

IMMEDIATE PRIORITY to MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 27)

13. **Affordable Rental Units.** Perhaps the most important conclusion to come from the affordable housing surveys is that conversion of existing buildings to affordable apartments is the affordable housing strategy most likely to win voter support. A direct question about this received 5:1 support, and it is consistent with the finding that residents are extremely concerned about protecting the character of their neighborhoods. As a result, a policy needs to be enacted which will facilitate the conversion of existing buildings into affordable rental units. This will most likely be conversion of existing single-family homes into 2 or more affordable apartments, although non-residential buildings could also be converted. There was 2:1 support for disbursal of the units throughout Town, so wide geographic distribution should be allowed if possible. Ability to treat septic wastes will be the primary constraint for areas not served by public sewer. If scale of construction and building massing can be adequately addressed, it may make sense to permit new construction of affordable duplex or multi-family units as well. In all cases, affordable units must be controlled or managed to ensure they are rented year-round, at an affordable rate, to households whose incomes qualify under the State mandate limits. Because these will be rental units targeted at that portion of the population least able to purchase housing, condominium conversions must be prevented.

IMMEDIATE PRIORITY PLANNING BOARD TAKES THE LEAD ROLE (page 34)

14. The Town should amend the current Watershed Overlay Protection District by establishing a Natural Resource Protection Zone that includes the respective watersheds as well as other significant resource lands in the Mt. Agamenticus area. Consideration should be given to increasing lot sizes from the 3 acres presently permitted to a size better suited to protecting water quality and preserving other natural resources. Standards that address water quality impact should be reviewed as should measures to minimize future development in this area.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 37)

15. The Town should complement existing measures in the Watershed Protection District by ensuring all streams which drain into any of the major ponds are included in the Stream Protection Subdistrict of the Shoreland Overlay Zone. Many of these streams are single channels draining directly into a pond, often from very steep elevations. Protecting the stream channels is a prime way to help protect water quality.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 37)

16. The Town should consider including all streams which drain into the York River in the Stream Protection Subdistrict. Many of these streams are now unregulated. A prime way to control water quality is to properly manage uses along the streams that flow directly into the River.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 38)

17. The Town should increase vegetation cutting standards adjacent to the York River and within the watershed from the current standard of 75' of a no-cut/no clearing zone to a minimum of 100'. Providing good quality vegetative buffers is a prime means to protect water quality. This standard, however, should not be used to prohibit property owners from maintaining existing open fields along the River which presently offer scenic views. Provision should be made for removal of invasive species.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 38)

18. The Town has learned through 15 years of water quality testing in the lower Cape Neddick River that there is a significant water pollution problem. Clean water in the Cape Neddick River is a goal of the Town because it is important for public health, environmental health, the quality of life of York residents, and the Town's tourist economy. It is also directly related to the Town's established goal to ensure high water quality at public beaches, including Cape Neddick Beach (see Policy #5.2.5). A key determinant of water quality is the health and adequacy of riparian vegetative buffers. Providing good quality riparian vegetative buffers is a prime means to ensure: stability of the river banks; maintenance or improvement of water quality; conservation of fish and wildlife habitat; and protection of aesthetic values. Two critical steps for improving water quality in the River are to protect remaining buffers, and to re-establish lost buffers where feasible. State minimum shoreland standards have not proven adequate, so larger buffer requirements must be established and enforced.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 38)

19. Houses dot most of the shoreline of the Cape Neddick River located east of Route One, however, the area west of Route One remains relatively undeveloped. The Town has included the area east of Route One in the Limited Residential Subdistrict of the Shoreland Zone and it is recommended this classification remain. Current regulation of the River west of Route One is a mixed bag. It is recommended that this section of the River and connecting streams also be included in the Limited Residential Subdistrict with a 100' setback and 100' no vegetation cutting zone.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 40)

20. There are a number of other river systems in York that are significant and which warrant Town consideration. These include the Little River and its accompanying watershed, the Josias River and Brave Boat Harbor. Specific actions the Town can take include:

Including all streams which flow into York's surface water supply within the Stream Protection Subdistrict of the Shoreland Zone. Many of these streams are presently unprotected and warrant the protection that would occur through inclusion in the Stream Protection Subdistrict.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 40)

21. The Town should amend current zoning ordinances as recommended in the Future Land Use Section and State Goal 1, Orderly Development, to increase the minimum lot size in areas relying upon individual wells.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 41)

22. The Town should adopt shoreland zoning standards that reflect existing use patterns and which are consistent with direction provided in the Future Land Use Section for areas along its coastline. This is particularly true for the Long Sands Beach/Short Sands Beach area. In this area, development along the shoreline is restricted to residential uses, but the underlying zones allow commercial uses.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 43)

23. Low Impact Development (LID) is an emerging concept which integrates innovated site design standards to manage storm water runoff from developed sites. The "Maine Resources Guide for Land Use Planning" (Maine NEMO Program, 2005) describes LID as follows:

A new way of thinking about stormwater management is a highly effective strategy for controlling contaminated urban runoff. Low Impact Development strives to treat both rainfall and storm water runoff on the development site by retaining a sites [sic] natural infiltration and storage characteristics. Numerous opportunities exist within the developed landscape to control stormwater runoff close to the source, and the stormwater management should not be seen as stormwater disposal.

LID employs lot-level techniques to reduce the impact of development with multiple systems to reduce runoff volume through infiltration, retention, and evaporation; and to find beneficial uses for water rather than exporting it as a waste product down storm sewers.

Initially, LID standards should be integrated into the Town's land use codes to allow LID design. As local experience is gained with LID practices, policies should be expanded to encourage or require LID design where appropriate.

IMMEDIATE & ON-GOING PRIORITY – PLANNING BOARD TAKES LEAD ROLE (Page 44)

24. The Zoning Ordinance should be amended to establish a logical, Town-wide system to control impervious surfaces. Impervious surfaces include rooftops, driveways, roads, parking lots, sidewalks, and other surfaces into which rainwater cannot permeate. It also can include soils which become highly compacted as a result of land development. Development increases the amount of impervious surface, which results in a multitude of changes to the water cycle. Most notably, surface water runoff is increased. There is a great deal of scientific research that shows, in small watersheds (2nd order watersheds), a direct correlation between the amount of impervious surfaces and the ecological health of the streams in the watershed. The general rule of thumb is that impervious surfaces must be kept under 10% of the total area of the watershed in order to maintain the health of the stream ecology of the watershed. When evaluating larger

watersheds (3rd order or larger), it is necessary to evaluate impervious cover by sub-watershed – the 10% rule doesn't necessarily apply to larger watersheds.

IMMEDIATE PRIORITY – PLANNING BOARD TAKES LEAD ROLE (Page 45)

25. The Town should continue the current system of using subdistricts to help regulate activities in the Shoreland Zone. The areas now included in Resource Protection are appropriate; mostly undeveloped sections of the York River and ponds which serve as a public water supply. The Future Land Use Section of this Plan also identifies specific recommendations regarding minor amendments needed to the current Limited Residential and Mixed Use Subdistricts. Two new designations are also proposed in this Section. The Long Sands Beach, Short Sands Beach and Village Center areas (except Cape Neddick) are proposed for designation as Limited Commercial, a new Subdistrict for York, but one which is authorized in the State Shoreland Law. A Marine Dependent Use Subdistrict is also proposed for lands involved with active marine oriented uses.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 50)

26. The Town should protect all significant streams by including them in the Stream Protection Subdistrict. The current Ordinance only protects the area located below the confluence of two streams. The head waters of the stream are often some of the most critical areas that warrant protection from development activities. The Town should develop criteria for determining which streams should be protected. It is important that this provision be supported by a factual definition and set of conservation objectives. Protection measures should include such things as setback standards and standards for vegetation removal or disturbance. Protected streams shall be shown on the Town's Official Shoreland Map.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 50)

27. The Town should decrease the minimum size of wetland subject to shoreland regulations. The recommendation is that all wetlands should be subject to wetland fill regulations to be determined. The following wetland setbacks should also apply: 1 to 4 acres in size no less than 50'; 4-10 acres no less than 75'; and wetlands greater than 10 acres no less than 100'. The sole exception to the setback should be those wetlands located within the Mixed Use Overlay Zone, primarily wetlands in the Route One area..

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 51)

28. The Town should consider means for protecting "vernal" pools and wildlife corridor zones. Consideration should be given to the size and quality of the vernal pool in determining what standards should apply. Protection methods for consideration should include fill and vegetation disturbance standards and setbacks.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 51)

29. The Town should revise its current Subdivision Regulations and Zoning Ordinances to ensure protection of significant fish, bird, wildlife and plant habitat when new development is proposed. These areas are often identified in the 1989 study conducted by the State Department of Inland Fisheries and Wildlife entitled, *Significant Fish and Wildlife Resources of Southern York County* (and subsequent updates). The ordinance updates should include language and definitions from the State's "Model Ordinance Language" for such resources as "Fisheries", "Natural Communities and Natural Areas" and "Wildlife Habitat". Applicants should be required to conduct assessments of potential impacts on individual fish, bird, wildlife and plant species and habitats and identify measures to protect existing resources. It must be recognized that any activity on a previously undeveloped tract likely will have some adverse impact on wildlife and the associated habitat.

The goal is to protect the most significant areas, not all areas that sustain wildlife, while providing options that help preserve these less critical areas.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 55)

30. The Town of York shall review its floodplain management ordinance and land use ordinance to strengthen standards for new or replacement construction located in vulnerable tidal areas, or areas subject to freshwater flooding. The Town of York shall also review these ordinances provisions and enact amendments to protect existing properties and direct owners over time to modify their structures so that they are more resilient to sea level rise, storm surges, and rainfall events. This may include requiring additional elevation of the base floor of reconstructed buildings after flood damage, or in all cases of new or replacement construction.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 56)

31. The Town should review its Shoreland zoning and consider provisions with the objective of providing increased coastal buffer areas between developed areas and the shoreline, as properties are redeveloped, and should consider hard structures, such as seawalls, only when alternative options are unavailable.

IMMEDIATE PRIORITY – PLANNING BOARD TAKES LEAD ROLE (Page 57)

32. The Town should adopt specific zoning for Harris Island that recognizes its use as a private marina and public dock area . Harris Island does not neatly fit in any other zoning category. The Harris Island zone should recognize its unique characteristics.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 61)

33. Consistent with direction identified in the Future Land Use Section, the Town must ensure its Zoning Ordinances allow agricultural and forestry uses on appropriate lands. Agriculture and timber harvesting are proposed as permitted uses in the Rural Zones and the Natural Resource Protection Zone. These zones include nearly 80% of York's total land area. The Natural Resource Protection Zone is specifically being proposed as a way to encourage sustainable small scale timber harvesting activities and to reduce the likelihood of incompatible development.

An additional policy recommended in the Future Land Use Section that should help preserve agricultural and forest lands is the open space provision. A parcel currently used for agricultural purposes could be developed as an open space subdivision while still preserving the existing agricultural use in the required open space set aside. A good example of how this approach could work is the "Smith Field Subdivision". This 20 acre tract located off Route 91 near Maude Muller Spring was a former pumpkin field that was developed in 1994 as a 6 lot traditional subdivision. The resultant lots all are 3 acres in size with 200 feet of frontage on Route 91 which eliminated the former pumpkin field. An open space layout could have resulted in six 1 acre lots with about 100 feet of frontage and 12+ acres of the land being reserved for use as a pumpkin field.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 64)

34. The Planning Board should amend its Planning Board Subdivision and Site Plan Regulations, and recommend amendments to the Town Zoning Ordinance, as appropriate, to require proposed developments, as an element of the project review process, to identify archaeological and historical resources. In the event that such resources are identified, the applicant should be required to present appropriate documentation describing how such resources will be effected and what might be done to protect these resources, including but not limited to modification of the proposed design of the site, timing of construction and limiting the extent of the excavation or ground disturbance. The Subdivision Regulations and Ordinances generally address these concerns, but the requirements are sketchy. State law requires a municipality that wants to

perform Department of Environmental Protection Site Location development reviews to adopt definitive guidelines to address archaeological and historic resources. The Town should do that which is necessary to obtain the review authority from the Department of Environmental Protection because it allows greater local control and streamlining of the development review/permitting process.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 67)

35. A zoning district specific to the York Beach Village Center area should be created. This district should recognize existing land use patterns and allow new development and the redevelopment of existing buildings to emulate existing patterns. Regulatory standards should be altered to require new development and re-development to be pedestrian-oriented rather than vehicle-oriented. This should include re-evaluation of the types of uses permitted, dimensional standards, and intensity of development. Conditional or contract rezoning may be appropriate. Emphasis should be placed on the quality of design to enhance the built environment. Municipal capital spending should be consistent with these policy objectives as well, focusing on improving the quality of infrastructure and enhancing the streetscape.

Addresses Issues 1, 2, 4 and 9 which are:

1. How to maintain York Beach as a family oriented tourism area.
2. How to maintain and enhance the economic vitality of the area.
4. How to retain and reestablish the historic/period appearance of existing structures and encourage the rehabilitation of existing structures that are in decline.
9. Current zoning standards, particularly dimensional requirements, are not consistent with current types of buildings and land use.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 95)

36. Performance standards should be established in the Zoning Ordinance that new or renovated non-residential development must satisfy. There are no standards in the current Ordinance. Standards should address issues such as building appearance, pedestrian/visitor amenities, parking (likely off-site), signage, landscaping and drainage. The goal of these standards is to reflect the character of existing development, while ensuring desired improvements to the area and individual structures. Addresses Issues 4 and 9 which are:

4. How to retain and reestablish the historic/period appearance of existing structures and encourage the rehabilitation of existing structures that are in decline.
9. Current zoning standards, particularly dimensional requirements, are not consistent with current types of buildings and land use.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 95/96)

37. Town zoning should be amended to specifically encourage and allow the creation of "seasonal worker housing", such as dormitory housing, to provide more living facilities for the employees of area businesses. This housing should be located in the York Beach Village Center area to lessen the need for transportation/parking. One way to encourage such housing is to eliminate existing residential density requirements in the Zoning Ordinance if the housing is located on the upper floor of an existing or new non-residential use.

Addresses Issue 7 which is:

7. How to assist in providing sufficient employees to support business enterprises.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 96)

38. Existing density requirements identified in the Zoning Ordinance should be adjusted to allow additional condominium development in the area. Standards in York's Ordinances discourage types and densities of housing that can best meet the interests of seasonal residents. Potential redevelopment of Church Street as condominium units could address this need. The size of individual condominiums should also be limited to two bedroom units if a density bonus is offered

Addresses Issues 1 and 2 which are:

1. How to maintain York Beach as a family oriented tourism area.
2. How to maintain and enhance the economic vitality of the area.

IMMEDIATE TO MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 96)

39. The Town should eliminate the existing conflict between the underlying business zoning and the more restrictive Limited Residential Subdistrict for the Shoreland Overlay Zone. The Shoreland Zone should allow commercial uses. The recommended Shoreland Subdistrict is the Limited Commercial Subdistrict.

Addresses Issue 10 which is:

10. There is a conflict between the underlying business zone which allows nonresidential uses and the more restrictive Shoreland Overlay zone which only allows residential uses.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 97)

40. Home Occupations should be permitted, but they should be uses which are either unobtrusive to neighbors and do not exacerbate the existing density of development (Class 1 Home Occupation) or which are compatible with existing seasonal uses, such as a bed and breakfast operation.

Addresses Issue 9 which is:

9. Existing zoning which allows both single family residential uses and tourism related nonresidential uses, mostly hotels and restaurants. Also, the conflict between the underlying RES-5 zoning which allows the above nonresidential uses and how the Shoreland Overlay Zone, Limited Residential Subdistrict, prohibits such uses. The Shoreland Overlay Zone affects all areas located within 250' of the Atlantic Ocean.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 100)

41. The Town should explore adopting "bulk - scale" standards to more carefully regulate the size of houses which can be built. Many have expressed concern that new homes are becoming too large and are out of character with existing development. A specific concern is how the increasing size of homes along the perimeter of the Nubble may restrict current public views of the Ocean as one drives along Nubble Road. Adoption of such standards, however, will affect individual property rights, may lessen the likelihood of future investment in individual properties and may limit future increases in property values associated with the larger more expensive home.

Addresses Issue 5 which is:

5. The size, height, bulk and mass of new houses is often unlike existing homes. Concern with redevelopment of the Nubble as existing homes/cottages are demolished to construct new houses.

IMMEDIATE to MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 101)

42. The Town should consider allowing structure expansions, such as pools, decks, sheds, etc., that make an existing property more attractive and do not increase the amount of living space, even if such improvements exceed the current amount of permitted lot coverage.

Addresses Issue 8 which is:

8. Current zoning which has classified many lots on the Nubble non-conforming regarding lot size, setbacks and lot coverage, and how such status may inhibit reinvestment in existing homes and cottages.

IMMEDIATE to MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 101)

43. The filling of remaining small or isolated wetlands on the Nubble should be permitted to allow the development of existing lots of record where no reasonable alternative is possible, provided the property owner contributes to specific drainage improvements that will benefit the area and to preservation of off-site wetlands. Most of the remaining wetland value, is limited to primarily

stormwater/sedimentation control and accompanying nutrient attenuation. Most wetlands have been either created or altered by past development. This policy will support the previously approved (1950's - 1960's) development of the Nubble, the provision of better quality services and further protection of off-site critical wetlands. This will require amendments to the Inland Wetland Ordinance. However, great care should be given to protecting those wetlands which receive high points upon evaluation or are known to harbor wildlife on a regular basis even if only seasonally.

Addresses Issues 4, 6 and 8 which are:

4. The lack of a central drainage system for most of the Nubble and stormwater impacts on both developed and undeveloped lots.

6. The poor quality of most remaining undeveloped/vacant lots of record (created in past subdivisions which do not satisfy current requirements regarding lot size and services) and how development of these lots may adversely affect neighboring properties. A major concern is stormwater impacts associated with the filling of areas that are small isolated drainage or wetland areas.

8. Current zoning which has classified many lots on the Nubble non-conforming regarding lot size, setbacks and lot coverage, and how such status may inhibit reinvestment in existing homes and cottages.

#### IMMEDIATE TO MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 101)

44. The Town should adopt standards that recognize the large number of non-conformities; too little structure setback, too much lot coverage, and poor quality of existing buildings. The recommendation is to make new structure setbacks no greater than existing development and to allow an increase in lot coverage for smaller sized lots. Structure expansions, such as pools, decks, sheds, etc., that make an existing property more attractive and do not increase the amount living space, even if such improvements exceed the current amount of permitted lot coverage, should be considered. In addition, property owners should be permitted to demolish existing substandard structures that are non-conforming as to dimensional requirements and to replace them with a new structure that does not exacerbate existing non-conformities.

Addresses Issue 2 which is:

2. Ensuring improvements can be made to existing homes which have been rendered non-conforming as to dimensional regulations because of zoning changes. Residents expressed frustration with the inability to raze and replace an existing decrepit garage.

#### IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 103)

45. The conflict between the underlying zoning and the Shoreland Overlay District should be eliminated by establishing this area as part of the Limited Commercial Subdistrict of the Shoreland Overlay Zone. This change should foster reinvestment and potential expansion of existing hotels and restaurants in an area where hotels have the greatest likelihood of success In York.

Addresses Issue 3 which is:

3. There is a conflict between uses permitted in the underlying zoning districts and the Limited Residential Subdistrict of the Shoreland Overlay Zone and this conflict has affected the quality of development and reinvestment in existing businesses.

#### IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 106)

46. The Town should enact creative measures to allow the renovation of existing houses that are non-conforming as to setbacks, lot coverage and similar standards. This is critical to the long-term health and appearance of the area. For example, an existing house can be demolished and retain its non-conforming lot coverage or setbacks if the appearance and scale of the new house reflects the character of the area. In short, a property owner can gain flexibility in use of their property provided Town guidelines are met.

Addresses Issues 4, 10 and 11 which are:

4. Much of the existing development occurred before enactment of past and current zoning ordinances and does not comply with present dimensional or density requirements. Current standards often cause problems in renovating existing structures, some of which involve public health and safety concerns. The issue is how to allow needed reinvestment and renovation without causing overbuilding of the area.

10. Many of the homes along Long Beach Avenue have been renovated, but others require rehabilitation. Concern has been expressed regarding the aesthetics/appearance of existing development.

11. The size, height, bulk and mass of new houses is often unlike existing homes. Concern has been expressed regarding how newer or renovated homes may conflict with the character of existing development.

IMMEDIATE to MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 106)

47. The Town should enact performance standards to manage non-residential development projects and these standards should be appropriate to this zone. At present, there are no performance standards to guide non-residential development.

Addresses Issue 6 which is:

6. Long Sands Beach is an important feature of York's family oriented tourist environment, and this character needs to be retained.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 106)

48. Recognizing the large number of small non-conforming lots of record, future zoning should grant flexibility in the amount of lot coverage and structure setbacks to facilitate the long-term upgrade of existing often substandard housing units. The intent is to encourage a long-term increase in property values.

Addresses Issues 1 and 6 which are:

1. Most of the lots are quite small in size, from 4,000-8,000 sf, and often lack sufficient land area to support the existing use. A prime concern is the lack of public water and public sewer throughout much of the area. This adversely affects water quality which could endanger the public health. The unavailability of public water also raises fire protection issues.

6. The existing zoning for much of this area, GEN-3, allows a wide range of non-residential uses, but most of the development to date has been residential.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 111)

49. The Town should establish existing commercially developed areas of the waterfront, such as the Stage Neck Inn, as a Limited Commercial Subdistrict of the Shoreland Zone, and also should include several structures/properties in a Marine Dependent Use Zone. The intent is to eliminate the existing non-conforming status for Vinal's, the Yacht Club, Varrell's Wharf and similar businesses. This concern should be addressed during the rezoning process.

Addresses Issue 1, 2 and 3 which are:

1. How best to preserve the area's historic character and ensure new and renovated construction is consistent with this character. Building appearance was a major concern.

2. How to lessen or better manage conflicts between residents and nonresidential uses in the area.

3. Potential conflicts between the commercial use of the area's waterfront and the large residences that enjoy this same waterfront. This includes conflicts in zoning. Sections of the waterfront have long been used commercially, but the area is included in the Limited Residential Subdistrict of the Shoreland Zone which renders the uses non-conforming.

IMMEDIATE TO MID-TERM PRIORITY PLANNING BOARD TAKES LEAD ROLE (Page 114)

50. The Town should establish a Steering Committee of area property owners, business owners, residents and public officials to prepare a specific master plan for the Village Center area. This

Plan will address issues raised at the May 6 Neighborhood Meeting including traffic, streetscape improvements (street lighting, public benches, trash receptacles), pedestrian improvements, public parking, building design and zoning ordinance revisions. An additional issue that should be explored is the feasibility of replacing existing overhead utilities with underground utilities. The goal is to gently direct future development so existing positive features of the Village remain or are enhanced and negative characteristics are improved. Implementation of this project will require Town funding. The Committee should also address the matter of new or rebuilt/renovated non-residential building size and scale, and ways to keep the existing mix of residential and non-residential uses in the Village Center.

Specific response to issue 8, but also addresses issues 1-7 which are:

1. How best to preserve the area's historic character and ensure new and renovated construction is consistent with this character. Building appearance was a major concern.
2. How to decrease or better manage the amount of traffic on York Street.
3. The desire for additional police presence in the Village Center was cited, particularly to assist in traffic management.
4. How to better address pedestrian circulation and safety - making the Center a more "people friendly" area.
5. How to provide adequate public parking to support the area's restaurants, retail shops and offices.
6. Current Town Zoning, particularly the GEN-3 zoning district, is both too permissive, such as the wide range of type of uses permitted, and too restrictive, particularly the maximum amount of lot coverage and required minimum structure setbacks. Current standards often thwart the construction or renovation of buildings which residents feel belong in the Village.
7. The need to better define the purpose of the Village Center area was cited. Is it mostly a center to meet resident needs, or should it cater to tourists? Concern was expressed that the Village Center appears to lack focus.
8. Many voiced the need for a coordinated planning approach to ensure desired development occurs and that needed services are available to support this development.

#### IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 120)

51. The Town should revise current zoning to establish a specific Village Center zoning district. Use, dimensional, density and performance standards should all be evaluated. Policies and standards should be consistent with the history of the village and appropriate to the scale of this classic New England village. Good design and pedestrian scale and orientation should be emphasized.

The zoning district should encourage small scale street oriented offices, retail stores, service businesses, restaurants and public uses. Manufacturing uses, large scale businesses and offices, and uses which rely upon open areas for sales (auto sales and rentals, lumberyards, etc.) should be prohibited. This zone should also allow ongoing expansion of York Hospital, the Town's largest employer and a prime factor many residents cited in why they choose to move here. The intent of establishing a specific zoning district is to benefit the long-term health of the Village Center and aid in it serving as York's downtown area.

Specifically addresses Issues 1 and 6. Which are:

1. How best to preserve the area's historic character and ensure new and renovated construction is consistent with this character. Building appearance was a major concern. Also addresses most other issues cited.
6. Current Town Zoning, particularly the GEN-3 zoning district, is both too permissive, such as the wide range of type of uses permitted, and too restrictive, particularly the maximum amount of lot coverage and required minimum structure setbacks. Current standards often thwart the construction or renovation of buildings which residents feel belong in the Village.

#### IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 120)

52. Shoreland areas in the Village Center area should be included in the proposed Limited Commercial Subdistrict rather than the current Limited Residential Subdistrict. This approach will

eliminate the existing conflict between the Shoreland Overlay zone and the underlying zoning district. The Town, however, should examine the desirability of keeping areas within 250 feet of the York River in the Limited Residential Subdistrict.

Addresses Issue 6 which is:

6. Current Town Zoning, particularly the GEN-3 zoning district, is both too permissive, such as the wide range of type of uses permitted, and too restrictive, particularly the maximum amount of lot coverage and required minimum structure setbacks. Current standards often thwart the construction or renovation of buildings which residents feel belong in the Village.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 121)

53. Many existing nonresidential uses in the area are conforming under current zoning, but will be rendered non-conforming if this area is established as a protected residential zone (Recommendation 1 above). The Town should grant flexibility in allowing these uses to continue and expand. A recommended approach is to allow expansions within existing lot lines, provided performance standards are met. This flexibility, however, should not apply to non-residential uses that are now non-conforming. Addresses Issue 2 which is:

2. There is existing nonresidential development in the area, the Long Sands Mall being the largest. The current protected residential zoning for this use (RES-1B zone) adversely impacts this development, but few citizens have spoken positively regarding several proposals to allow an expansion of this use.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 130)

54. The area along Woodbridge Road from the York Water District office to the Long Sands Road intersection should be placed in the York proposed Village Center Zone (see Land Use Area #8) to better reflect the existing uses along this stretch of road.

Addresses Issues 1 and 2 which are:

1. Current Town zoning often allows more intensive land uses than the primary existing use, year-round single family residences.

2. There is existing nonresidential development in the area, the Long Sands Mall being the largest. The current protected residential zoning for this use (RES-1B zone) adversely impacts this development, but few citizens have spoken positively regarding several proposals to allow an expansion of this use.

IMMEDIATE PRIORITY - PLANNING BOARD TAKE LEAD ROLE (Page 130)

55. If current zoning is amended to allow only single family residential development, the Town also should adopt measures to allow existing nonresidential uses to expand. The recommendation is to allow any non-conforming use to expand within its existing lot lines, provided performance standards are met to the greatest extent practical.

Addresses Issue 1 which is:

1. Potential conflicts between the underlying zoning which is very permissive and the predominate use which is single family housing.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 132)

56. Vegetation cutting along the Cape Neddick River should be carefully controlled to ensure stability of the river banks, maintain or improve water quality, conserve fish and wildlife habitat, and help protect the area's character. Protection of existing buffers should be strengthened, and lost buffers restored where feasible, as described in Policy Section 5.2.1.

Addresses Issues 3 and 5 which are:

3. Maintaining the water quality of the Cape Neddick River is a concern. Many residents noted the need for a public sewer extension.

5. It is important to retain remaining open space along the River and the area's current character.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 135)

57. Open space (cluster) layout should be the norm for new subdivisions, with a requirement that up to 50% of the "buildable" land and all significant natural resource areas remain as permanently protected open space. Although little unsubdivided land remains east of Shore Road, how the subdivision may impact Ocean views from Shore Road and how it looks when viewed from Shore Road is also a concern.

Addresses Issues 1 and 2 which are:

1. The quality and character of future development. How will it blend with existing development. Concern that more nonresidential development may occur.
2. The amount of future development, particularly along Shore Road. Concern was specifically expressed regarding the loss of existing open space lands and potential adverse impacts on natural resources.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 138)

58. The Town should develop a Subdistrict of the Shoreland Zone that is specific to this area. The current General Development Subdistrict is too permissive and does not recognize marine dependent uses. The proposed Subdistrict - the "Harris Island Subdistrict" - would allow the same type of uses as permitted in the underlying zone. Most uses should setback a minimum of 50 feet from the normal high water mark, but marine dependent and marine related uses should not require a minimum setback. This is a unique area of York and the Town should ensure its zoning standards recognize and support existing uses, particularly marine oriented uses.

Addresses Issue 3 which is:

3. The Shoreland Zoning Subdistrict, General Development, is very permissive, but it fails to recognize marine dependent uses. This Subdistrict classification could cause problems relative to minimum structure setbacks.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 141)

59. Open space (cluster) layout should be the norm for new subdivisions, with a requirement that up to 50% of the buildable land and all of the significant natural resource areas remain as permanently protected open space. If the applicant agrees to retain 60% - 75% or more of the "buildable" land as permanent open space and the developed area is not readily visible from the main road, the applicant can receive a density bonus of 1 unit/lot for every 5 lots in the subdivision. The goal is to preserve existing character and natural resources while still allowing development of suitable lands.

Addresses Issues 1 and 3 which are:

1. How best to retain the area's "rural" character. This issue includes the preservation of existing open (undeveloped) lands.
3. How to protect significant natural resource features that exist throughout the area, particularly the York River, Brave Boat Harbor, Southside Brook, Dolly Gordon Brook and area ponds.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 145)

60. The Town should ensure Town Shoreland Ordinances are strengthened to accomplish the following:

- Establish areas along Brave Boat Harbor as Resource Protection Subdistrict.
- Provide protection for all area streams as these are either direct tributaries to the York River or Brave Boat Harbor area as well as critical wetlands.
- Increase vegetation cutting standards along currently undeveloped areas of the York River and Atlantic Ocean to a minimum of 100 feet.
- Prohibit septic systems within 250 feet of the York River and 150 feet of any tributary stream.

Addresses Issue 3 which is:

3. How to protect significant natural resource features that exist throughout the area, particularly the York River, Brave Boat Harbor, Southside Brook, Dolly Gordon Brook and area ponds.

IMMEDIATE TO MID-TERM PRIORITY - PLANNING BOARD TAKES LEAD (Page 146)

61. Manufacturing uses should be permitted in this zone (BEECH RIDGE ROAD/ROUTE 91 AREA LAND USE AREA #17 ON THE FUTURE LAND USE MAP). However, a new manufacturing use shall conform to strict performance standards. Performance standards shall manage impacts associated with the use, and aid in it being compatible with adjacent development. In addition, traffic impacts, particularly trucks, will be strictly regulated and an applicant may be required to fund road improvements.
- Addresses Issues 1, 2, 3 and 4 (Implement with Recommendations 1 & 2 above) which are:
1. The amount of future development that will occur in this area and its impact on remaining open space, the character of existing development and the need for additional town services.
  2. Potential conflicts between current zoning that allows most uses and the desire of some residents to limit future uses to mostly residential. Concurrent with this, the need to allow a wider range of uses in some section(s) of the community to provide opportunities for manufacturing and traditional industries.
  3. The appearance of future development, both residential and nonresidential. Buildings need to "look good".
  4. Potential conflicts between ongoing development and how many locals have traditionally used this area for activities such as hunting.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 149)

62. The Town should establish additional protection for the York River watershed by including all tributary streams in the Shoreland Overlay Zone. The stream protection zone should require minimum vegetated buffers of 75 feet and strictly limit use in these areas.
- Addresses Issue 7 which is:
7. The need to protect the area's natural resources, particularly the York River and its tributaries.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 150)

63. The Town should encourage the extension of public water to serve new subdivisions and existing residential areas to benefit fire protection. One tool could be to require water extensions for new subdivisions for a distance greater than current requirements; for example, 2,500 feet vs. 1,500 feet.
- Addresses Issue 10 which is:
10. The need for better quality fire protection was cited by many.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 150)

64. Manufacturing uses should be permitted in this zone (CHASES POND & SCITUATE ROAD LAND USE AREA #18 ON THE FUTURE LAND USE MAP). However, a new manufacturing use shall conform to strict performance standards. Performance standards shall manage impacts associated with the use, and aid in it being compatible with adjacent development. In addition, traffic impacts, particularly trucks, will be strictly regulated and an applicant may be required to fund road improvements.
- Addresses Issues 1, 2, 3 and 4 (Implement with Recommendations 1 & 2 above) which are:
1. The amount of residential development has been increasing and residents at the area's Neighborhood Meetings suggested the Town should reexamine the current GEN-2 zoning. Participants stressed the need to protect residential uses.
  2. Participants at the Neighborhood Meetings expressed concern regarding the amount of development that has occurred in the area and would like the Town to limit future development.

3. Concern was raised regarding the area's character and how new development has not always blended in well with this character. Several noted that Chases Pond Road serves as a gateway to Mt. Agamenticus and buildings along the road should "look good".

4. Concern was expressed regarding the area's natural resource base and how additional development could adversely affect these resources. The main concern was harm to the Mt. Agamenticus area.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 153)

65. The open space (cluster) layout should be strongly encouraged for new subdivisions (CHASES POND & SCITUATE ROAD LAND USE AREA #18 ON THE FUTURE LAND USE MAP). The recommended open space standard is up to 50% of the "buildable" land and all significant natural resource areas remain as permanently protected open space. A key issue in this area is the preservation of existing forest lands and the character of the major roads.

Addresses Issues 1, 3 and 4 which are:

1. The amount of residential development has been increasing and residents at the area's Neighborhood Meetings suggested the Town should reexamine the current GEN-2 zoning. Participants stressed the need to protect residential uses.

3. Concern was raised regarding the area's character and how new development has not always blended in well with this character. Several noted that Chases Pond Road serves as a gateway to Mt. Agamenticus and buildings along the road should "look good".

4. Concern was expressed regarding the area's natural resource base and how additional development could adversely affect these resources. The main concern was harm to the Mt. Agamenticus area.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 153)

66. The Town should adopt provisions to allow existing non-conforming uses to continue and to expand. Expansions must occur within existing lot lines and must satisfy performance standards that are designed to control nuisance concerns; noise, odors, lighting, and similar impacts.

Addresses Issue 2 which is:

2. The type of new development, particularly if nonresidential development occurs in a primarily residential area. Mixed use development was cited as a concern.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 157)

67. New houses which occur on lots along major roadways should be required to construct driveways with turn-arounds on their property, and the Code Enforcement Officer should have the authority to stipulate driveway location. The intent is to improve public safety on the frequently traveled major roads.

Addresses Issue 1 which is:

1. The amount and character of future development. A large percentage of new development has occurred along the major roads in the area which can cause problems with residents backing out of their driveways into the roadway, and which often adversely affects the presently forested roadside appearance.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 157)

68. The Town should further protection of the area's natural resources by ensuring all streams are included in the Shoreland Overlay Zone. Many of the areas small streams are now unprotected. Addresses Issue 1 and 5 which are:

1. The amount and character of future development. A large percentage of new development has occurred along the major roads in the area which can cause problems with residents backing out of their driveways into the roadway, and which often adversely affects the presently forested roadside appearance.

5. The quality of drinking water and how it could be adversely impacted by additional developments.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 157)

69. The Town should establish this area as a rural zone, with standards focused on protection of the important natural resources which abound in this area. This proposed zone should require very low density and strictly limited uses. Performance standards similar to those now in effect for the Watershed Overlay Protection Zone would also apply to all development.

Addresses Issues 1, 2, 3, and 4 which are:

1. Water quality, particularly protection of York's and Kittery's water supply, is a prime concern.
2. Protection of the area's natural resources, including its forest lands, wildlife habitat, rare and endangered plant species, and wetlands, including vernal pools.
3. Concern regarding how future residential or non-residential development could adversely impact this area.
4. The relatively scattered pattern of existing development and its remoteness from Town centers greatly increases the cost to deliver Town services.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 160)

70. The Town should adopt standards to expand the number and type of wetlands included in the Shoreland Overlay Zone, particularly significant vernal pools and all area streams. Also, additional wetlands and waterbodies in this area should be considered for designation in the Resource Protection Subdistrict.

Addresses Issues 1 and 2 which are:

1. Water quality, particularly protection of York's and Kittery's water supply, is a prime concern.
2. Protection of the area's natural resources, including its forest lands, wildlife habitat, rare and endangered plant species, and wetlands, including vernal pools.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 162)

71. The Town should amend the current Route One Zoning to establish a protective visual overlay zone for the area bordering the Spur Road. This area is currently zoned Route One-3 which allows large scale uses. For example, the proposed visual overlay zone could allow a use no greater than 5,000 sf per minimum lot size as determined by the amount of buildable land, and require effective screening from the Spur Road to help protect the existing visual character.

Addresses Issue 2 which is:

2. The Town should protect specific resources and areas along Route One, including the Spur Road entrance to York, the York River, the character of Cape Neddick Village and the rural character of the area leading into Ogunquit.

IMMEDIATE PRIORITY - PLANNING BOARD TAKES LEAD ROLE (Page 165)

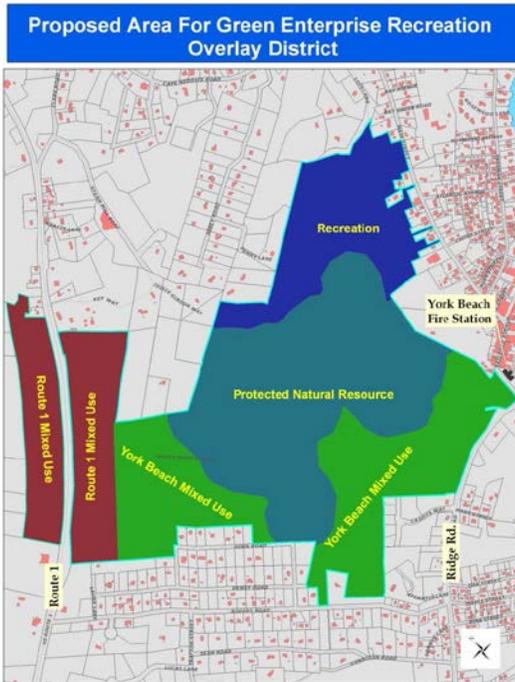
72. A Green Enterprise Recreation overlay district should be created that employs tools that acknowledges the unique attributes of this land. To that end, the overlay should consist of four subdistricts, outlined below. Each of the recommendations below is made with the assumption that they will take place within the context of a new Green Enterprise Recreation District.

- a. Route 1 Mixed Use Area. This area should extend approximately 400 feet back from Route 1. This subdistrict would serve as one of the entrances to this property, and eventually to York Beach. Though it should be zoned for a different scale and range of uses than York Beach, all effort should be placed to ensure that this area does not develop in a single-use strip development pattern, and that it be required to develop a traditional pattern that is an organic extension of the York Beach village area, and its recently adopted Design Standards,

rather than an abrupt break from it. This area has great possibility as a transportation hub, allowing for a dense, viable mix of uses consistent with a downtown development pattern.

b. York Beach Mixed Use Area. East of the Route 1 Mixed Use Area, and south of the Shoreland Zone that dominates the center of this overlay. This area should be most consistent with the existing York Beach area, in appearance, scale, and range of businesses.

c. Recreation Area. The land east of Route 1 and north of the areas Shoreland zone is best suited for a dedicated recreation area, providing low impact outdoor recreation areas, outdoor



education opportunities, some outdoor entertainment, and with some small footprint, accessory commercial structures allowed.

d. Protected Natural Resource Area. The Green Enterprise Recreation District contains wetland, streams, and vernal pools that are protected by local, state and federal regulations. This designation seeks to reinforce this status for wherever these resources are identified, and to refine the standards for development in the immediately adjacent Shoreland Zone. Currently permissive in the range of uses permitted in Shoreland, there is an opportunity to refine the performance standards of impact of those uses as they occur, so as to be compatible with these fragile natural resource areas.

**IMMEDIATE PRIORITY – PLANNING BOARD TAKES LEAD ROLE (Page 170)**

73. The specifics of the Green Enterprise Recreation Overlay District should make clear that new residential development not be stand-alone single family housing, but rather take the form of apartments over businesses, as well as housing that addresses the need for either workforce affordable or seasonal worker housing. The District should be implemented in such a way as to grant the Town oversight as to the site layout, pattern, scale, and design of new residential development so as to be consistent with the existing built environment and optimize the protection of natural resources.

**IMMEDIATE PRIORITY – PLANNING BOARD TAKES LEAD ROLE (Page 172)**