

Chapter 9- Existing Land Use

Communities use land use regulations to balance the costs and benefits of development and shape the future growth of a community. Every chapter of the comprehensive plan inventory culminates in the Land Use chapter. The inventories of natural resources, housing, economic development, and public facilities all inform the future growth, development, and land use.

The general land use pattern of Baldwin reflects a typical Maine mixture of scattered rural villages at major road intersections, residential and commercial development along main travel routes (Routes 113 and 107/11), farmland, and undeveloped forestland. Traditionally an agricultural community, agricultural land use diminished during the early 1900s. Cleared agricultural land reverted to forestland. With the advent of the automobile, Route 113 became a major travel route. In more recent years, Baldwin has seen an increase in the number of new residents who commute to the Greater Portland or York County area for employment.

Baldwin adopted a zoning ordinance in 1974. Before then, development, although limited, happened organically, following historic patterns. When the zoning ordinance was created, village zones were also based on the historic pattern and existing development. As Baldwin plans for the future, the town should consider how the existing zoning ordinance has impacted development, and how it should evolve over the next 10-15 years.

General Land Use

Despite increasing development pressures in neighboring towns, Baldwin has remained a largely rural community. Development is dominated by residential and seasonal housing, with limited commercial and industrial uses throughout the community. Development is concentrated in three villages – North Baldwin, West Baldwin, and East Baldwin. The most commercial uses are found in East Baldwin. Several small neighborhoods are scattered throughout town at major intersections. Other residential development organically follows the road network along Routes 113 and 107. There have been very limited industrial uses in the town's history, including lumber and wood processing.

Although Baldwin has seen an increase in development over the past 5-10 years, the town is still mostly undeveloped. Large private land holdings and conserved lands contribute to this pattern. There are some other development constraints, such as elevations, steep slopes, and wetlands that make a large part of the community best suited to open space.

Current Zoning Districts

The current zoning ordinance was most recently revised in 2018 and includes four zones and two shoreland zones. The current zones are typical of a rural Maine community, and include a balance of allowed residential, commercial, and industrial uses as well as protections for open space and natural resources. The following section highlights the purpose of the district, taken directly from the ordinance,

as well as some of the allowable uses and standards. This is meant to be a summary of the existing zones and does not include all details and requirements included in the ordinance itself.

Village Commercial (VC) District

The purpose of the village commercial district is to provide for neighborhood and compatible commercial development in the vicinity of East Baldwin, West Baldwin and North Baldwin.

The village district allows many uses, but most require a conditional use permit, such as retail and office businesses and schools. Uses such as single and two family residential, emergency services, forestry, and agriculture are permitted without a conditional use permit. The minimum lot size in this zone is 2 acres.

Rural (R) District

The purpose of the rural district is to conserve the qualities of the open rural open space, including agricultural and forestry uses while encouraging low intensity development compatible with the physical capability of the land.

The Rural district is very similar to the Village Commercial district in its allowed uses. It allows the same residential uses as the village district but allows for more recreational uses such as campgrounds and other commercial recreation. All dimensional requirements, including minimum lot size, are the same as in the village commercial district.

Highland (H) District

The purpose of the highland district is to recognize the inherent limitations for development posed by the higher elevations and steep slopes in this district, while allowing very low intensity development compatible with physical capability of the land.

Excluding the resource protection zone, the highland district has the fewest allowed uses. Single and two-family residences are permitted, along with emergency services, forestry, and agriculture. The minimum lot size is 10 acres, which limits land disturbance from more intense development. Additional permitted uses primarily involve recreation, both primitive and commercial.

Natural Resource Protection (RP) District

The purpose of the natural resource protection district is to protect fragile ecological systems, which, if intensively developed or substantially altered, would damage water quality, wildlife and aquatic habitat and biotic systems, and ecological relationships. To accomplish this purpose, uses are permitted which avoid disruption of the natural environment, while allowing productive use to be made of the land.

The Natural Resource Protection district is the most restrictive of the base zones, with only a few allowed uses related to emergency services, forestry, and agriculture. This district is primarily located around important natural resources, such as Sand Pond.

Shoreland Zoning

Resource Protection

The Resource Protection District includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values.

The Resource Protection district is mandated by statewide shoreland zoning regulations. It covers several specific areas including 250ft buffers along freshwater wetlands and wetlands associated with great

ponds and rivers, flood plains, and areas of contiguous steep slopes. Very limited residential and commercial uses are allowed in the resource protection zone, and they must follow performance standards specific to the shoreland zoning.

Stream Protection

The Stream Protection District includes all land areas within seventy-five (100) feet, horizontal distance, of the normal high-water line of a stream, exclusive of those areas within two-hundred and fifty (250) feet, horizontal distance, of the normal highwater line of a great pond, or river, or within two hundred and fifty (250) feet, horizontal distance, of the upland edge of a freshwater or coastal wetland.

Similar to the Resource Protection district, the Stream Protection district serves as a development buffer for protected water resources. Very minimal development is permitted within this zone, and is primarily limited to minor residential, agriculture, and conservation/wildlife management.

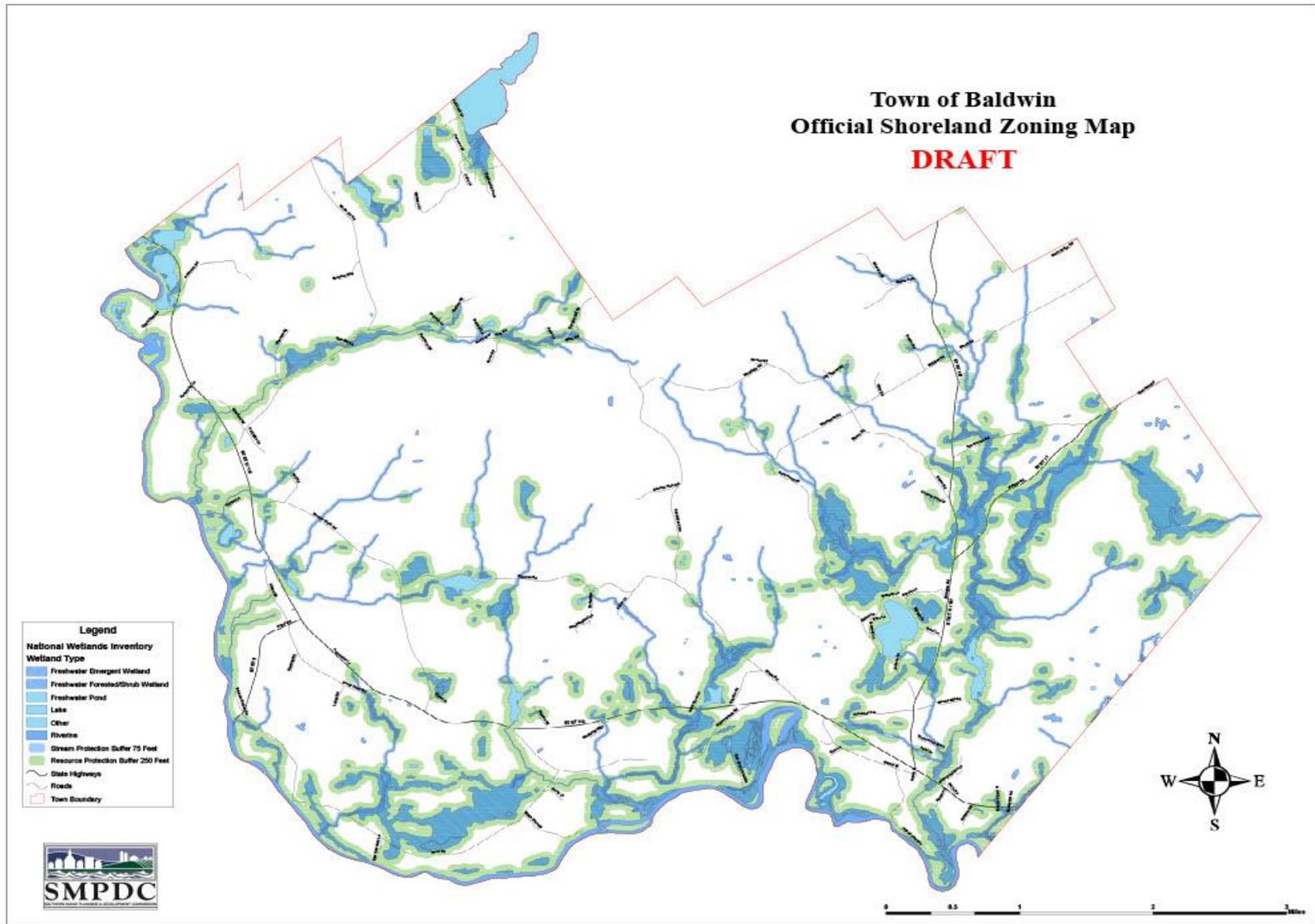
Issues and Implications

One of the many ongoing challenges with zoning ordinances is the unpredicted popularity of specific uses. No zoning ordinance can predict every possible use that may come to the community, so ordinances usually include some clause for defining a use.

In recent years, towns and cities have dealt with new and emerging uses. For instance, large scale commercial solar arrays have become more popular and widespread across the state after the passage of legislation incentivizing renewable energy. This is a specific use which comes with several land use challenges, such as proper siting, buffers, decommissioning, and land maintenance. The town should consider whether this zoning ordinance includes all the necessary use categories as time goes on.

The Community Survey showed that 69% of respondents are satisfied with the current 2-acre minimum lot size for residential development in the Rural district. Similarly, 73% of respondents are satisfied with the 2-acre minimum lot size in the Village Commercial district. Many comments agreed that 2-acre lots strike a good balance between rural character and developed land. Residents believe that decreasing the minimum lot size will result in housing at an undesirable density. Comments from the 23% of respondents who would like to see a larger minimum lot size in Baldwin expressed concern for overcrowding and suburbanization, while suggesting that the zoning be amended to allow for smaller lots in more developed areas and larger lots in rural areas of town.

Shoreland Zoning Map



Official Zoning Map

