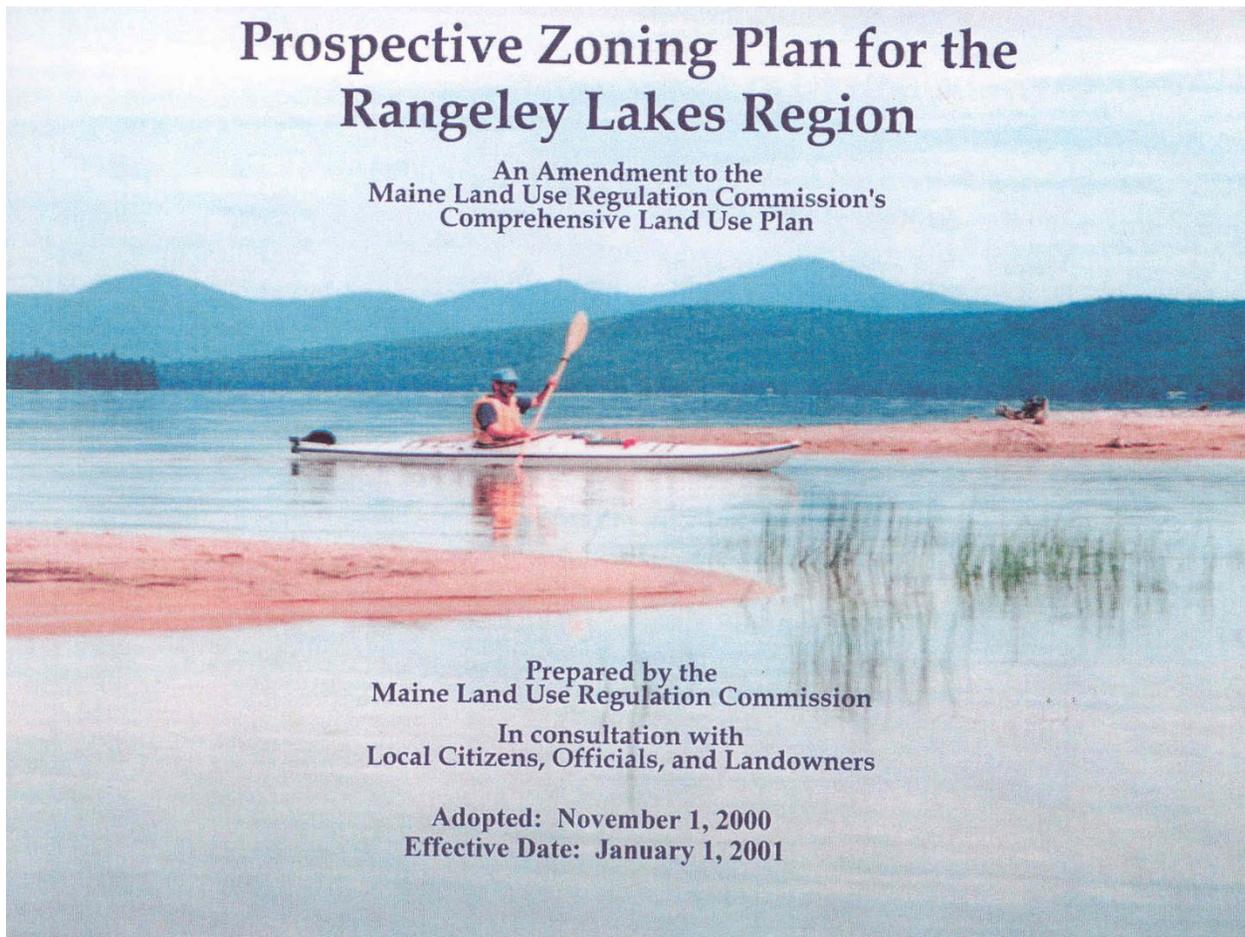


# Prospective Zoning Plan for the Rangeley Lakes Region

## ~ 2022 Evaluation and Progress Report to the Commission ~



**June 17 DRAFT**

**2022**

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## EXECUTIVE SUMMARY

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The Prospective Zoning Plan for the Rangeley Lakes Region (PZP or the Plan) was the Commission's first regional planning project, was developed over the course of five years, and was the product of a robust public process. Twenty-one years later, the PZP remains in place and is the only example of a planning process where the Commission prospectively rezoned an entire region for future growth.

The Plan intended to accommodate approximately 20 years' worth of development by identifying areas where the community sought to focus new development, and prospectively zoned those areas with customized subdistricts accommodating the types of development desired by the community (e.g., commercial business, home-based businesses, or residential subdivision). That process resulted in approximately 1,550 acres of land being zoned to one of two existing or five new development subdistricts<sup>1</sup>.

Consistent with prior reports, this document summarizes the fourth five-year period since the Plan was enacted, but also reflects on the past 21 years since the PZP was adopted in 2000, and on some of the important factors in the Rangeley Region that have changed since adoption.

### Zoning

[See Section II, B & C]

- Prospectively zoned development subdistricts represent locations in the Plan Area where the community intended to pre-emptively identify, encourage, or otherwise allow development types and densities that are not allowed in other portions of the Plan Area. However, prospective zoning is a "long term vision for the kind of place they want the region to be generations from now..." When done well, prospective zoning is a dynamic and iterative dialog and process.
- Data suggests that notable portions of prospectively zoned residential development subdistricts (*i.e.*, D-RS, D-RS2, and D-RS3), and portions of mixed use development subdistricts (*i.e.*, D-GN, D-GN2, and D-GN3) and nonresidential development subdistricts (*i.e.*, D-ES) are undeveloped or developed at densities that are lower than the rule of thumb / density used to establish the PZP. While contemplation of next steps should not wait until all subdistricts have been 'built-out', it could be detrimental to the community's vision to incrementally add more development subdistricts.
- The additional rezoning criteria introduced by the Plan seem to have been effective. There have been 9 rezonings over 21 years, compared to 29 rezonings in the 20 years prior.

### Residential Development

[See Section II, B & C]

- Residential development remains the predominant development type, yet for the most part, new residential development is occurring below the anticipated rate / amount (except in 2021), and the amount of growth accommodated by the Plan has not yet been achieved.
- As intended, residential development has been occurring primarily within Dallas, Rangeley, and Sandy River Plantations.

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<sup>1</sup> For a total of over 9,200 acres of development subdistrict (not including the Saddleback D-PD) in the region.

### Non-Residential Development

[See Section II,B & C]

- 43% of permits characterized as ‘commercial uses’ were for new development; all others regarded pre-existing development (e.g., reconstruction, expansion, modification).

### Subdivisions

[Section II,B & C]

- Of the residential subdivisions in the case studies, 113 subdivision lots have been approved in the past 21 years, 46% have been sold for the first time in the past two-year period, and another 21% remain unsold.
- Of the Post-Plan subdivision lots that have been sold, approximately half were purchased with other contiguous lots.

### Commercial Development

[See Section II,B & C]

- 43% of permits characterized as ‘commercial uses’ were for new development; all others regarded pre-existing development (e.g., reconstruction, expansion, modification). Consequently, little of the 272 additional acres prospectively zoned for commercial or mixed use subdistricts has been utilized.

### PZP Development Standards

[See Section II,D]

- The effectiveness of the new development standards is challenging to evaluate. While several clarifications would be valuable, based on staff experience, the standards appear to be operating as intended.

### Implementation Items

[See Section IV]

- Most implementation items are complete.

### A changing world

[See Section V]

- Regardless how well formulated the Rangeley Plan has been, no prospective zoning plan could have anticipated the changes that have occurred over the past twenty-years (e.g., rule revisions, Saddleback’s closure and reopening, legalization of marijuana, solar energy, short-term rentals, and pandemic related development).

**Conclusion:** The PZP originally was designed to accommodate a certain amount of growth. But after 20-years, the Plan is not approaching the point where all of the areas designated for residential or commercial development have been developed. Additionally, external factors such as the COVID-19 pandemic’s effects on the housing market are also affecting the Rangeley region and were not foreseen by the Plan when adopted in 2000. For these reasons, it is appropriate for the Commission to reach out to the community to determine if, how, and when the Plan should be updated or otherwise addressed.

## I. INTRODUCTION

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The 1997 and 2010 Comprehensive Land Use Plans identified the Rangeley Lakes Area as a region with special planning needs. Specifically, the 2010 CLUP notes that the Rangeley Lakes Area possesses concentrations of high-value natural resources that are potentially threatened by continued high rates of growth. (CLUP, page 111) As of the mid-1990s, a large amount of development had occurred in this area, a trend that was expected to continue. While this area was viewed as appropriate for well planned development, the Commission also recognized that a haphazard growth pattern posed the risk of degrading the area's draw as a recreational center and the tourism-based economies. Prospective zoning was, and is, seen as an effective method of balancing growth and economic development needs with the protection of the special resource values of the area.

Following an extensive planning effort, the Maine Land Use Regulation Commission (now the Maine Land Use Planning Commission) adopted the *Prospective Zoning Plan for the Rangeley Lakes Region* (Rangeley PZP or PZP) as an amendment to its *Comprehensive Land Use Plan* in November 2000. The Rangeley PZP took effect January 1, 2001 and includes:

Adamstown Township	Rangeley Plantation
Dallas Plantation	Sandy River Plantation
Lincoln Plantation	Township C
Magalloway Township <sup>2</sup>	Township D
Richardsontown Township	Township E

The vision set forth in the Prospective Zoning Plan identifies several key qualities which local people wanted to retain and the Commission supported:

- Be a four-season recreational gateway to the working woods for recreation and forestry;
- Rely on the Town of Rangeley as the economic center;
- Focus most year-round development in Dallas, Rangeley, and Sandy River Plantations (*a.k.a.*, 'Primary Plantations') adjacent to Rangeley;
- Retain the working woods in most outlying townships; and
- Maintain diverse lake experiential qualities from remote to rural and developed settings.

Further, the prospective zoning plan was guided by the following principles:

- **Be consistent with the Comprehensive Land Use Plan**
- **Be place specific** – *create zones which respond to the particular character of the region; and differentiate between plantations appropriate for growth and those which are remote.*
- **Create and draw from a long term vision** – *promote land uses that reinforce the special character of the region over the long term and discourage or prohibit those that do not.*
- **Provide for reasonable expansion** – *create explicit and reasonable boundaries for zones in order to meet the development needs of the region over the next 20 years.*
- **Focus development** (*and make permitting easier and more equitable there*)

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<sup>2</sup> Pursuant to Private and Special Law 2019 Chapter 13, and effective July 1, 2021, Magalloway Plantation deorganized and became Magalloway Township.

- **Stick to the plan** – *make it difficult to rezone areas outside of designated development zones, unless extenuating circumstances emerge.*

Stemming from these qualities and principles, the PZP created several new subdistricts, new standards, and additional rezoning criteria unique to prospectively zoned areas.

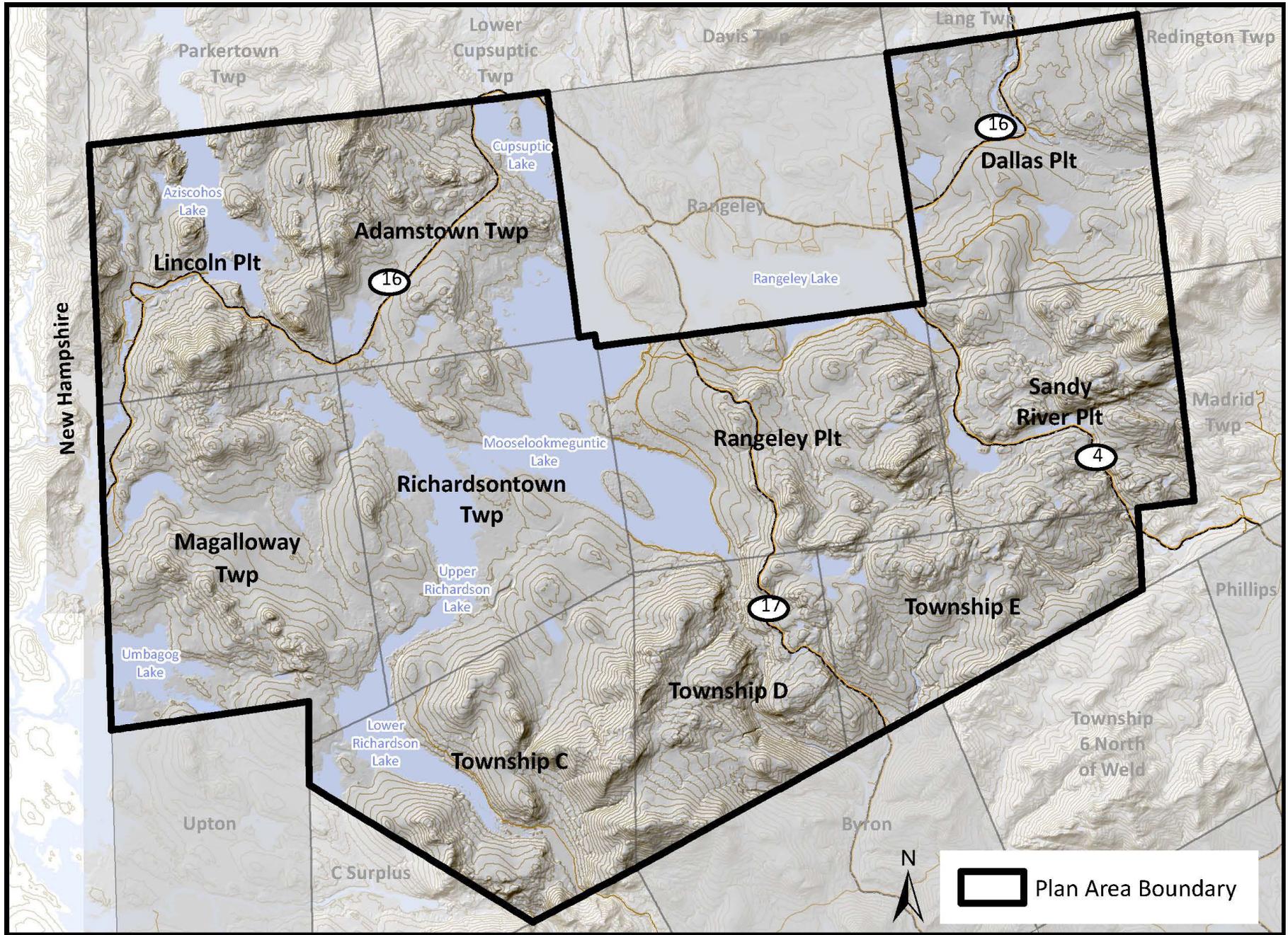
This prospective zoning system was intended to be easily understood and applied by both applicants and staff, without significant expansion of staff resources. It was designed using up-to-date, realistic, and “win-win” planning and regulatory concepts that have the greatest chance of maintaining or producing the desired qualities.

The *Prospective Zoning Plan for the Rangeley Region* has been in effect for twenty years. The PZP, in part, directs staff to monitor its effectiveness by tracking development trends and issues, reporting to the Commission periodically, and assessing at five-year intervals whether plan updates are necessary. Evaluations and Progress Reports were provided to the Commission in 2004, 2009, and 2014. This document will review many of the permitting and development data and trends since the adoption of the plan, and analyze the impact of the prospective zoning approach.

Now that the PZP has been in effect for twenty one years, it is appropriate for the Commission and the community to consider the current buildout status of the PZP and potential next steps.

#### **Land Use and the Pandemic**

Similar to the organized territories of Maine, in 2020 and 2021 the Commission has experienced notable increases in applications for residential development. These increases are likely the result of a response by individuals to the COVID-19 pandemic. For example, due to travel restrictions or related health risks, individuals seem to be reallocating their ‘travel budgets’ toward purchasing or renovating their primary or second homes. Similarly, as remote learning and working remotely have been widely accepted, if not required, some individuals and families have chosen to live in locations more distant from their places of employment. Still other individuals may be relocating to more rural areas that may present less health risks or offer more desirable means of achieving social distancing practices. Like prior assessments, this report retains the five-year datasets; however, several supplemental data points regarding 2021 permitting activity have been included for additional context.



## II. RESULTS

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It is important to take a periodic objective look at the prospective zoning plan, even if some provisions of the PZP may require a longer period for meaningful evaluation. With this in mind, this analysis will present data from the twenty years preceding and twenty years following the adoption of the PZP. This comparison of the 'before' and 'after' may be useful in better understanding the effects of the Plan. Further, it is important to understand that this data cannot fully account for the complex factors which may have influenced the results, such as the regional or state economy, fluctuating mortgage interest rates, the presence of natural resources that may attract certain uses, owner interest and ability to develop, and a global pandemic.

 Unless stated otherwise, all permitting data included in this report represents permit approvals. In many cases data is broken out by town, plantation or township, otherwise referred to as Minor Civil Divisions (MCDs). Permitting data includes building permits, development permits, subdivision permits, site law certifications<sup>1</sup>, zoning petitions, bridge construction permits, road permits, service drops, and utility line permits. Therefore, this data does not include shoreland and wetland alterations, timber harvesting, and water quality certifications which are more instructive to environmental considerations and less informative to prospective zoning matters.

### A. Changes in Zoning

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Prior to plan adoption, development zones in the region totaled 7,686 acres, all of which allowed subdivision. The remainder of the Plan Area was zoned General Management or in various protection subdistricts. When the PZP was adopted, development zones totaled 9,234 acres, all but 325 acres of which allowed subdivision<sup>3</sup>, and included an additional 2,017 acres of new P-GP2 subdistrict which allowed limited subdivision. Since the time of Plan adoption, an additional 1,923 acres of development subdistrict have been added, primarily for the Saddleback Planned Development subdistrict. The total acres of development subdistrict now stand at 11,158.

#### PZP Zoning Criteria

The Rangeley PZP created additional approval criteria under which any petition for rezoning a subdistrict would be reviewed. These criteria were established to best achieve one of the PZP's guiding principles: *"Stick to the plan – make it difficult to rezone areas outside of designated development zones, unless extenuating circumstances emerge."* These additional criteria required that a petition for amendment to a development subdistrict boundary must not be approved unless the petitioner demonstrates:

**Unforeseen Circumstances** – *"The requested change is needed due to circumstances that did not exist or were not anticipated during the prospective zoning process."*

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<sup>3</sup> 325 acres were zoned D-GN3, Rural settlement, which does not allow subdivision.

**Contiguous Development Districts** – *“The new development subdistrict is either contiguous to existing development subdistricts or within areas that are suitable as new growth centers.”*

**More Effective Approach** – *“The change will better achieve the goals and policies of the Comprehensive Land Use Plan, including any associated prospective zoning plans.” (See Chapter 10, Section 10.08,D)*

- Regarding the additional rezoning criteria, the limited data available are more indicative of success than failure.

Since 2001, there have been 9 petitions for rezoning; 5 were subsequently approved while the remaining 4 were denied or withdrawn<sup>4</sup>. Comparatively 25 zoning petitions were approved 4 were denied between 1981 and 2000<sup>5</sup>.

- One approved petition was initially submitted to the Commission prior to the effective date of the Rangeley Plan, and therefore was reviewed under the rules in effect at the time of the submittal. This petition rezoned 12 acres from (M-GN) General Management Subdistrict and (P-GP) Great Pond Protection to (D-RS) Residential Development Subdistrict for the purpose of developing three individual camp lots, and conserving 1 retained lot at Middle Dam on Lower Richardson Lake. This project was specifically mentioned in the PZP as “Other Potential Development Areas” (p. 19-20).
- The second approved zoning petition was for a United States Border Patrol Station on Route 16 in Dallas Plantation. This petition raised an issue with the interaction of the Rangeley PZP and the LUPC’s regulatory authority regarding ‘conditional zoning’. In this case, prior to petition approval, the applicant had yet to secure the contract for the border patrol station. This fact created concern that the rezoning could be approved according to the proposed use, though the ultimate development would not have been bound to that use. More specifically, rezoning petitions generally approve the subdistrict and therefore the range of allowed uses for the subdistrict, while the additional rezoning criteria in the Plan Area link the petition approval to the proposed use. While it may be appropriate for most rezonings to be based on the subdistrict not the use, the PZP should be considered distinctly different due to the development of a specific plan and related rezoning criteria.
- The third zoning petition rezoned 0.36 acres to P-GP2 to allow for a subdivision access road.
- The fourth approved zoning petition adjusted Wetland Protection, Great Ponds Protection, and General Management subdistricts on a site to better reflect on-site conditions.
- The last approved zoning petition was for the Saddleback Resort. See page 23 for details.

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<sup>4</sup> Note that another five zoning petitions were approved since 2001, however, they were either administrative in nature or rezoned areas from a protection subdistrict to a management subdistrict.

<sup>5</sup> Of the zoning petitions approved prior to the Plan that were approved, approximately 816 acres of land were designated as a development subdistrict.

The Commission has denied three zoning petitions in the region since plan adoption. One sought to rezone 42 acres of (M-GN) General Management Subdistrict to (D-RS2) Community Residential Development Subdistrict for the purpose of subdividing the parcel into 29 lots for speculative residential development and sale. The second sought to rezone 5 acres from (M-GN) General Management Subdistrict to (D-GN2) Community Center Development Subdistrict for the purpose of constructing a meeting hall. The third sought to rezone for a proposed residential subdivision in 2013. Each of the denied petitions failed to meet the Additional Approval Criteria (10.08,D), but also the general rezone criteria (10.08,A).

It is reasonable to conclude that the additional zoning criteria have been successful. Specifically, they have deterred rezoning more land for residential development (*i.e.*, the primary purpose of the PZP), yet flexible enough to account for circumstances that were not considered (*e.g.*, the border patrol station).

Because of the small number of zoning petitions and their outcome and extensive public involvement in designating development subdistricts, the results indicate some amount of success in providing an adequate amount of area to accommodate development. While quantifiable data is not available, over the twenty years during which the PZP has been in effect, staff have received inquiries and had discussions with (likely several dozen) landowners interested in rezoning and subdividing their property. Because many of those sites would not have met the necessary requirements, those inquiries did not result in an application for a zone change.

## B. Buildout of Development Zones

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- Prospectively zoned development subdistricts represent locations in the Plan Area where the community intended to pre-emptively identify, encourage, or otherwise allow development types and densities that are not allowed in other portions of the Plan Area. However, prospective zoning is a “long term vision for the kind of place they want the region to be generations from now...” When done well, prospective zoning is a dynamic and iterative dialog and process.
- Data suggests that notable portions of prospectively zoned residential development subdistricts (*i.e.*, D-RS, D-RS2, and D-RS3), and portions of mixed use development subdistricts (*i.e.*, D-GN, D-GN2, and D-GN3) and nonresidential development subdistricts (*i.e.*, D-ES) are undeveloped or developed at densities that are lower than the rule of thumb / density used to establish the PZP. While contemplation of next steps should not wait until all subdistricts have been ‘built-out’, it could be detrimental to the community’s vision to incrementally add more development subdistricts.

“The size of [development subdistricts] was determined through discussions with local people and in keeping with a general rule of thumb. This rule of thumb is to provide enough room for the twenty years to accommodate about as much development as occurred in the past two decades. This rule of thumb is consistent with State Planning Office policy for communities that are developing growth management plans.

In the past two decades, an estimated 650 residential dwellings or camps were constructed in the ten-township area. Assuming 2 acres per dwelling/camp, the planning area will need about 1300 acres of land zoned for residential and mixed uses.” (PZP, page 20)

The PZP employed a ‘rule of thumb’ (see below) to provide enough room for twenty years’ worth of growth. Figure 1 and Map 1 begin to describe development patterns and densities, and the extent of prospectively zoned areas still available.

**Figure 1: Density by Type of Development Subdistrict**

	<b>Residential Subdistricts</b> <i>(D-RS, D-RS2, and D-RS3)</i>	<b>Mixed Use Subdistricts</b> <i>(D-GN, D-GN2, and D-GN3)</i>	<b>Nonresidential Subdistricts</b> <i>(D-ES)</i>
Developed at a density of 1 unit <sup>6</sup> per 4 acres or less	17%	51%	3%
Part of a Commission approved subdivision	34%	12%	0%
Developed at a lower density <sup>7</sup>	20%	19%	64%
Undeveloped	23%	19%	33%
<b>Total</b>	<b>6,636 acres</b>	<b>603 acres</b>	<b>67 acres</b>

[Note: these data were determined by desktop analysis of aerial imagery, Commission approved subdivisions, E911 structure data, parcel layers, current zoning layers, and maps illustrating zones added as part of the PZP. Calculations are approximate.]

<sup>6</sup> Because these case studies include residential subdistricts, non-residential subdistricts, and mixed use subdistricts, “unit” may regard a single family dwelling, a commercial business (e.g., auto repair garage, laundromat), or some other development / nonresidential use (e.g., DOT maintenance facility, border patrol station, municipal transfer station).

<sup>7</sup> For this table “lower density” varies by subdistrict due to available data: Residential subdistricts = 1 unit per 13 acres; Mixed use subdistricts = 1 unit per 19 acres; and Nonresidential subdistricts = 1 unit per 11 acres.



### C. Activity By Subdistrict<sup>8</sup>

The following table, **Figure 2**, summarizes permit actions since 2001, and by subdistrict. If a permit action involved more than one subdistrict, it is only reported under the primary subdistrict, and therefore is only recorded here once.

**Figure 2: Permitting Activity By Subdistrict in the Rangeley Region, 2001 – 2020**

Subdistrict	# New Dwellings	Building Permits	Development Permits	Subdivision Permits	Other Permits	Total Actions
D-ES**			10		1	11
D-GN	30	4	7	3	4	18
D-GN2**	5	20	20		6	46
D-GN3**	5	32	3		1	36
D-PD	153 <sup>9</sup>	9	16	4	2	31
D-RS	12	72	1	8	8	89
D-RS2**	149	331	1	21	38	391
D-RS3**	120	566	2	23	83	675
M-GN	45	137	18	1	23	179
P-AL		1				1
P-AR		2	3		3	8
P-FP		1	1		1	3
P-FW		1			2	3
P-GP	14	72	9		22	103
P-GP2**	11	34	7	4	11	56
P-MA					11	11
P-RR					1	1
P-SL1	1	2			1	3
P-SL2		3	2		3	8
P-UA					1	1
P-WL1		1			11	12
<b>Total</b>	<b>392</b>	<b>1,288</b>	<b>100</b>	<b>64</b>	<b>233</b>	<b>1,685</b>

\*\* subdistricts created by the Rangeley PZP process

This table is the only dataset in this report that includes records regarding the Saddleback D-PD with other areas.

➤ **Some new residential development continues to occur in the General Management Subdistrict in plantations.**

Since the PZP has been adopted, 45 (12% of total) new dwellings have been permitted and 137 (11%) other permits have been approved for assorted residential development (*e.g.*, accessory structures, reconstructions, replacements, additions, etc.) in the General Management (M-GN)

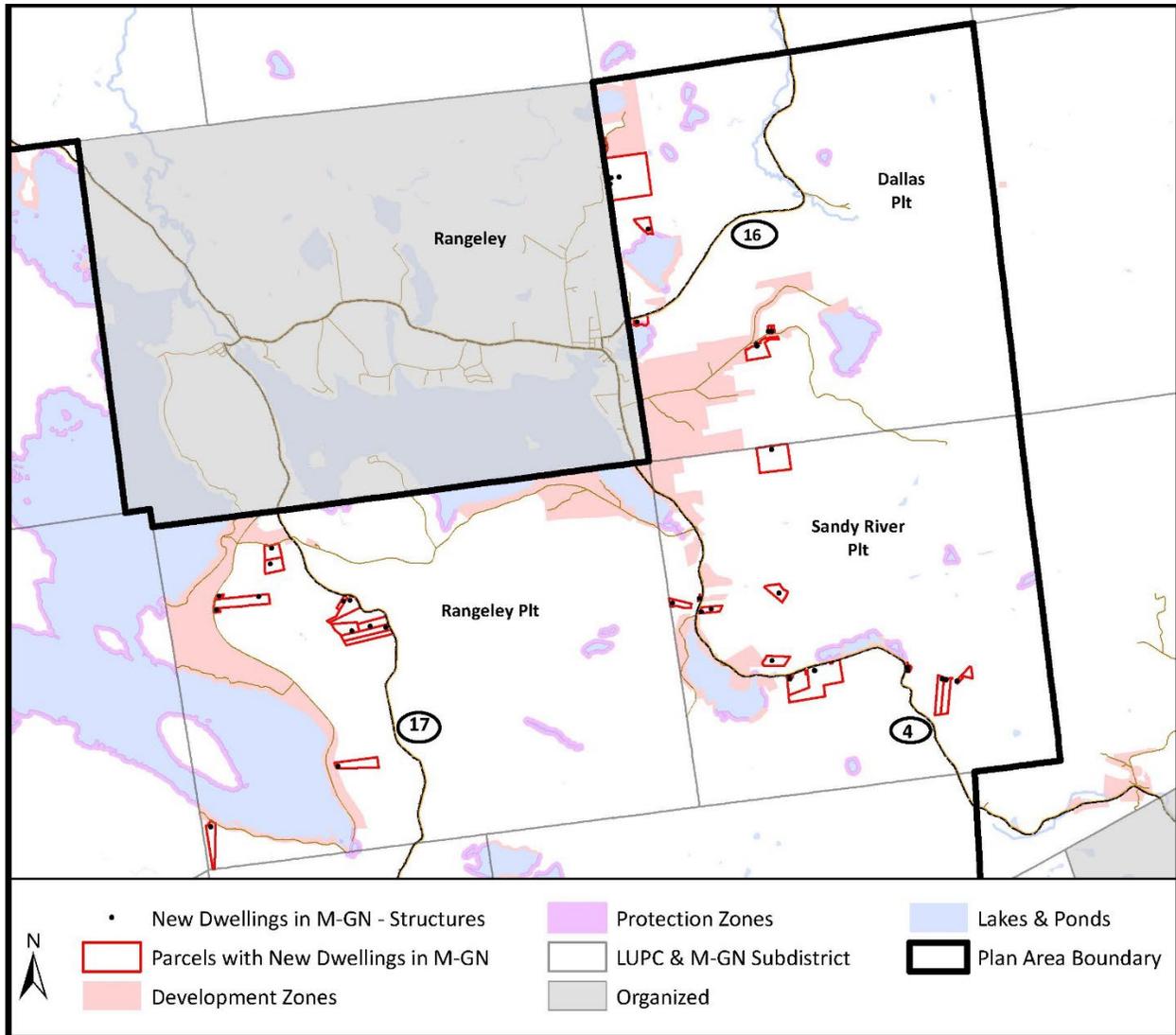
<sup>8</sup> The PZP created six new subdistricts: Extended Settlement, Community Center, Rural Settlement, Community Residential, Residential Recreation, and Semi-Remote Lakes. *See the Appendix for a description of each subdistrict.*

<sup>9</sup> Sixty eight of the units were never built and the permit has since expired, and permit approval for an additional 6 units was surrendered. Due to the manner in which the PZP addressed the Saddleback Resort and the custom nature of the D-PD subdistrict, development at the Resort was not included in the 20-year projections and this number is not included in the column total.

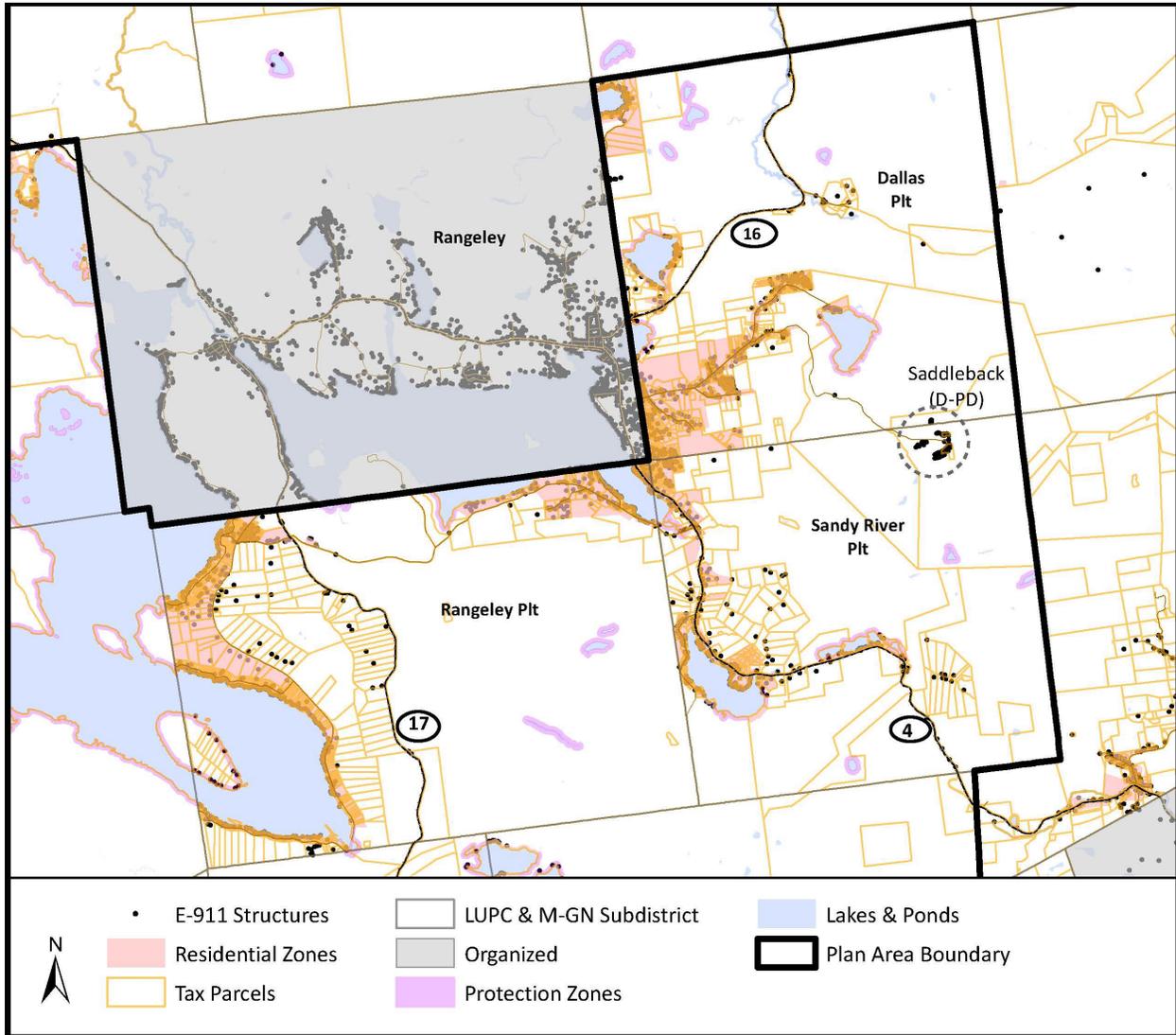
Subdistrict. The plantations containing the most area designated as development subdistricts also have the most residential development activity in the M-GN Subdistrict.

The amount of residential development occurring in the M-GN could be interpreted as being inconsistent with the Plan. The PZP aims to “retain the working woods in all but discrete locations in outlying townships” and the new subdistricts are to “provide as much room for development as has occurred over the past twenty years.” (p. i) However, the PZP “does not prescribe any additional disincentives for development in the management or protection zones.” (p. 12)

**Map 2a: New Dwellings in the General Management Subdistrict, Post Plan**



Map 2b: Existing Development in the General Management Subdistrict



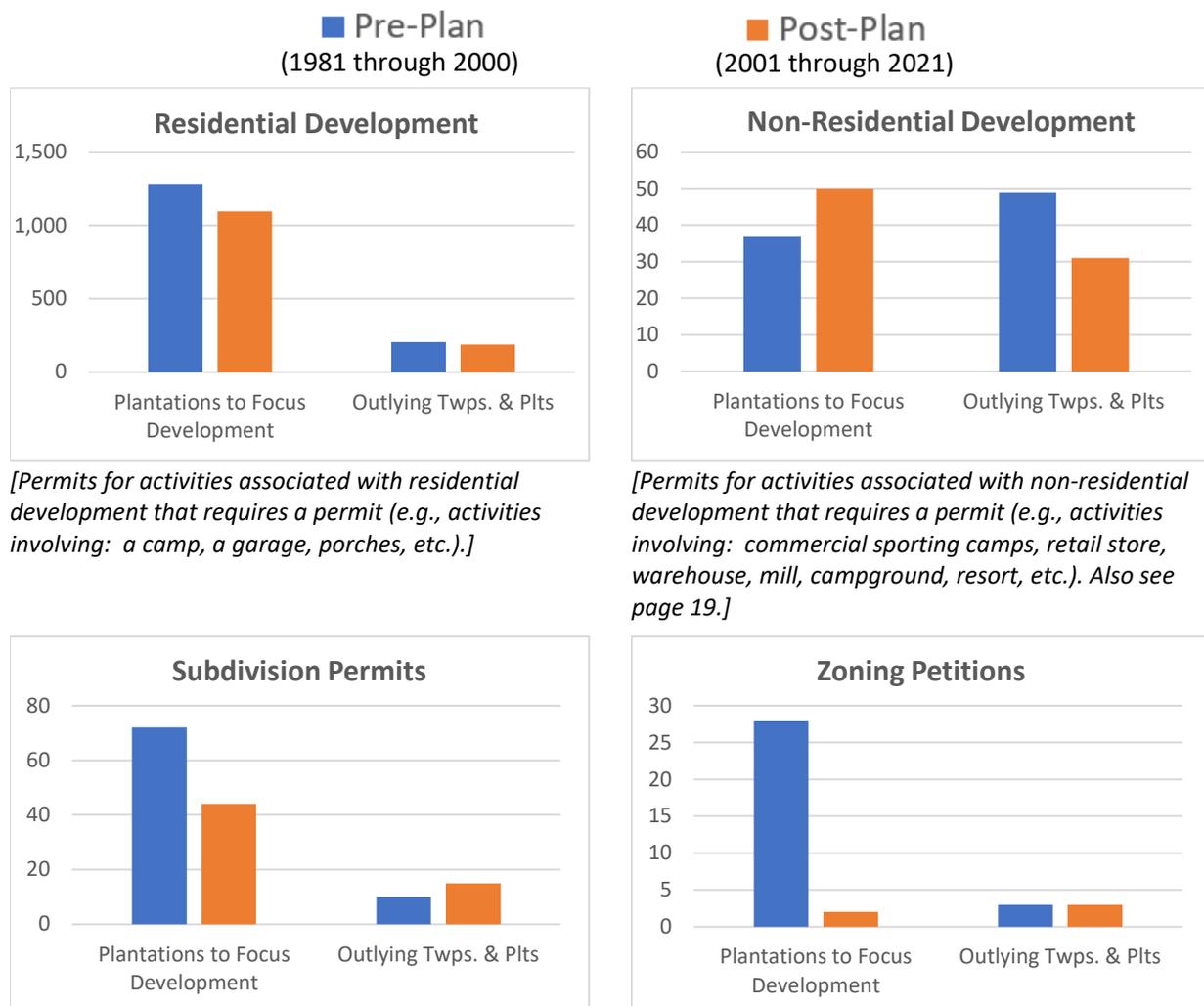
[NOTE: This map illustrates [E911 structures](#). The dataset may not be up to date, and does not distinguish between non-residential buildings and dwellings. However, the data is still a reasonable approximation of the pattern of development in the region.]

**D. Permitting Activity**

➤ Permitting and development activity has declined in the region when comparing the twenty years prior to the plan and the twenty years after the plan became effective. While that same downward trend also occurred across the whole Unorganized and Deorganized Territories, the Plan Area experienced double the reduction seen elsewhere.

There were 1,654 permits issued between 2001 and 2020 as compared to 2,208 permits issued between 1981 and 2000. **Figure 3** summarizes permits by type and municipality type (MCDs where the PZP intended to focus residential development versus all other outlying townships). In that regard, “Plantations to Focus Development” represent: Dallas, Rangeley and Sandy River Plantations; and “Outlying Townships” represent the remaining seven MCDs in the region.

**Figure 3: All Permits By Type and MCD Type, Pre-Plan & Post-Plan**

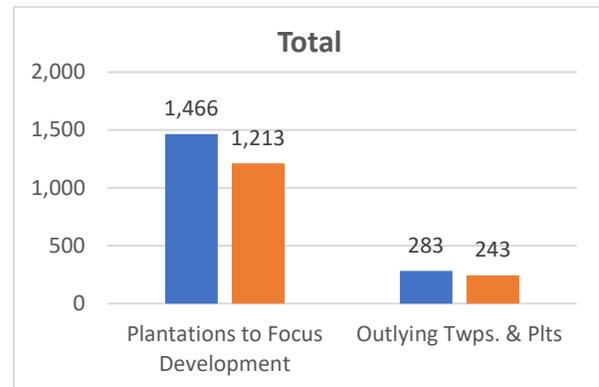
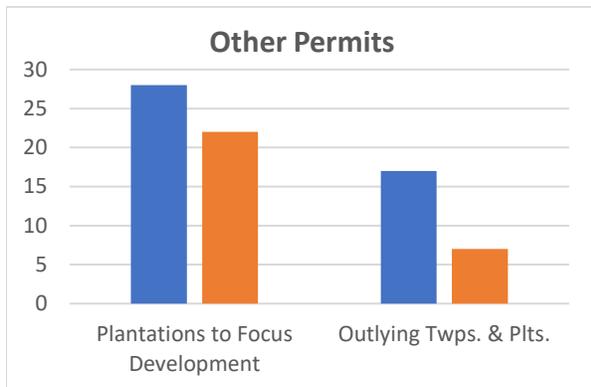


*[Permits for activities associated with residential development that requires a permit (e.g., activities involving: a camp, a garage, porches, etc.)]*

*[Permits for activities associated with non-residential development that requires a permit (e.g., activities involving: commercial sporting camps, retail store, warehouse, mill, campground, resort, etc.). Also see page 19.]*

*[Permits to create new lots where the lot(s) do not qualify as exemptions, see Section 10.25,Q,1 of the Commission’s Land Use Districts and Standards. Subdivision permits cannot include lots created through one of several exemptions.]*

*[Petitions to rezone a specified land area to another subdistrict(s). See Section 10.08 of the Commission’s Land Use Districts and Standards.]*



[Permits for assorted other development that requires a permit (e.g., bridge construction, roads, service drops, and utility lines).]

See *Appendix C* for companion data by individual MCD.

Comparatively, 15,299 permits were issued in the whole Unorganized and Deorganized Territories from 1981 through 2000, and 13,511 permits were issued from 2001 through 2020.

### Residential Development

➤ Residential development remains the top development type.

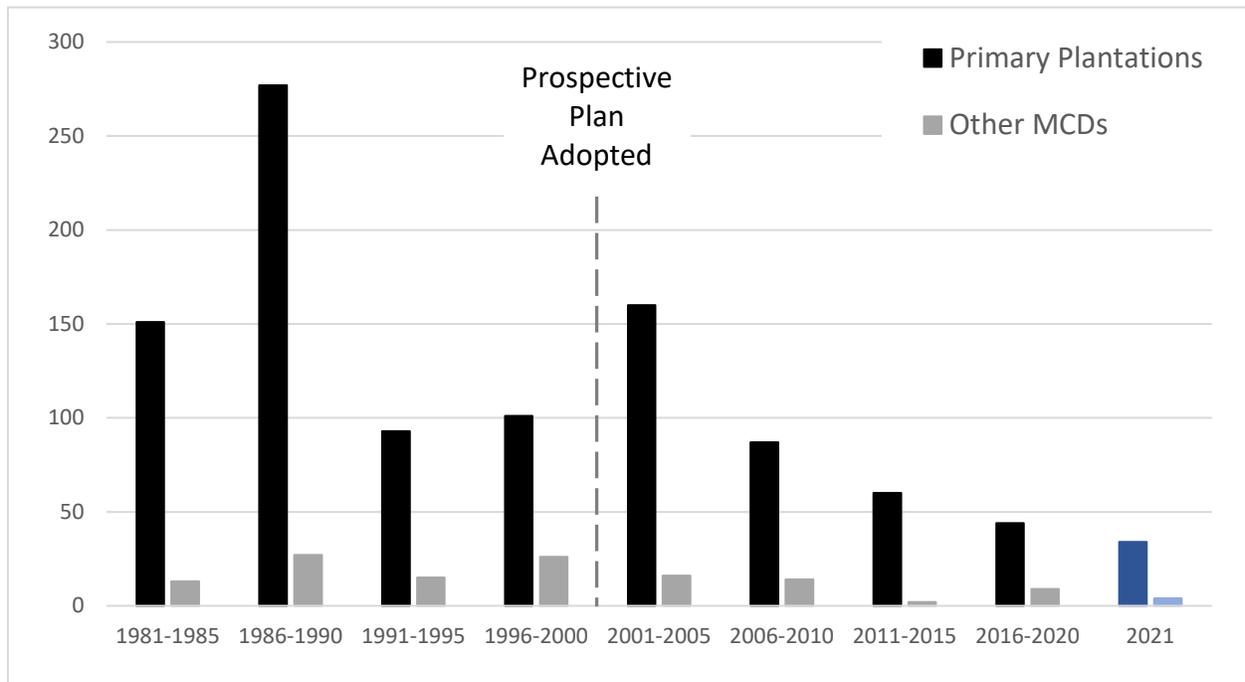
At 88% of all permitting activity, residential development remains the predominant development activity. This ratio is up slightly from 85% for the twenty years prior to the PZP. See *Figure 3* above.

➤ New residential development is occurring below the anticipated rate / amount.

In developing the PZP, a general “rule of thumb” was applied to provide enough room over the life of the plan to accommodate about as much development as occurred in the two preceding decades. Toward that end, the PZP aimed to accommodate an estimated 650 new dwellings. Since 2001, 392, or an average of 20 new dwellings per year, have been permitted within the Plan Area. Consequently, only 60% of the anticipated development has occurred over the twenty-year period.

Prior to the PZP, an average of 35 new dwellings were authorized annually. Interestingly, in 2021, 38 new dwellings were authorized in the Plan Area (bringing the total to 430 new dwellings or 66%). As illustrated in **Figure 4**, the number of new dwellings authorized in 2021 alone nearly matches the number approved in the prior five-year period. As of March 31, 2022, permits for new dwellings in 2022 are poised to match or exceed 2021 figures.

**Figure 4: New Dwellings by MCD Type by Year, 1981 – 2021, Except Those Permitted for D-PD Projects**



**Figure 5: Permits for Residential Development By MCD, Pre-Plan & Post-Plan  
MCDs Within Rangeley Prospective Plan Area**

Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020		
Adamstown Twp.	5	5	4	9	2	4		1	23	7
Dallas Plt	25	136	31	39	58	35	15	15	231	123
Lincoln Plt	4	8	6	10	9	5	1	5	28	20
Magalloway Twp.	1	6	3	5	4	3	1	1	15	9
Rangeley Plt	114	103	45	47	51	31	37	19	309	138
Richardsontown Twp.	1	2	2	1		1			6	1
Sandy River Plt	12	38	17	15	51	21	8	10	82	90
Township C	1	5		1	1	1		2	7	4
Township D									0	0
Township E	1	1							2	0
<b>Total New Dwellings</b>	<b>164</b>	<b>304</b>	<b>108</b>	<b>127</b>	<b>176</b>	<b>101</b>	<b>62</b>	<b>53</b>	<b>703</b>	<b>392</b>
<i>Annual Average</i>	<i>33</i>	<i>61</i>	<i>22</i>	<i>25</i>	<i>35</i>	<i>20</i>	<i>12</i>	<i>11</i>	<i>35</i>	<i>20</i>

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## Other Residential Permits (non-new dwellings)

Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020		
Adamstown Twp.	1	10	18	17	13	7	5	5	46	30
Dallas Plt	12	63	65	97	86	71	34	42	237	233
Lincoln Plt		6	12	13	23	12	6	8	31	49
Magalloway Twp.	1	6	8	12	8	15	11	6	27	40
Rangeley Plt	25	111	98	143	159	93	71	62	377	385
Richardsontown Twp.	1	2	3	2	3	2	1	2	8	8
Sandy River Plt	10	21	37	57	72	35	27	21	125	155
Township C			4	4	6	3	2	5	8	16
Township D									0	0
Township E	1			2	2			1	3	3
<b>Total Other Residential Permits</b>	<b>51</b>	<b>219</b>	<b>245</b>	<b>347</b>	<b>372</b>	<b>238</b>	<b>157</b>	<b>152</b>	<b>862</b>	<b>919</b>
<i>Annual Average</i>	<i>10</i>	<i>44</i>	<i>49</i>	<i>69</i>	<i>74</i>	<i>48</i>	<i>31</i>	<i>30</i>	<i>43</i>	<i>46</i>

- As intended, most residential development is occurring within the primary plantations surrounding the Town of Rangeley.

The PZP focuses year-round residential development primarily in Dallas, Rangeley, and Sandy River Plantations adjacent to the Town of Rangeley, with the remaining “outlying townships and plantations” to be sparsely developed. While the PZP made a distinction between ‘permanent dwellings’ versus ‘camps’, such distinction is no longer appropriate or helpful for monitoring development trends in the region because in practice, the terms are used interchangeably. Further, neither dwellings nor camps are synonymous with any given intensity of use. Because the type of development is changing, the distinction of year-round versus seasonal is no longer as useful as has been the case in the past. As a result, the Commission will need to keep this in mind when collecting and analyzing data.

Of residential development permits issued within the Rangeley Region, 84% (771) respectively were within these three plantations. Similar trends occurred between 1981 and 2000 (86%, 726) prior to implementation of the Rangeley PZP, which has continued to focus development in places where it has been historically. **Figure 3** also illustrates this result.

- Rangeley Plantation and Dallas Plantation are experiencing residential growth at a notably slower rate than prior to implementation of the PZP.

The largest change in permits for dwellings occurred in Rangeley Plantation, which decreased from 379 permits for new dwellings between 1981 through 2000, to 138 between 2001 through 2020. This represents a 56% decrease in the rate of growth. Similarly, Dallas Plantation experienced 108 (47%) less permits for new dwellings in the twenty years during the PZP, as compared to the twenty years prior.

- Development does not appear to be redirected to bordering minor civil divisions in the Commission's service area.

Minor civil divisions which are adjacent to the Plan Area include Coplin Plantation and the Townships of Andover North Surplus, C Surplus, Davis, Lang, Lower Cupsuptic, Madrid<sup>10</sup>, Parkertown, Redington, and T6 North of Weld. Permit trends within most of these townships generally indicate little to no change. **Figure 6** summarizes these new dwelling permit numbers for the period before and after adoption of the PZP. This outcome suggests that the Rangeley Plan has not had the unintended effect of redirecting development to adjacent MCDs.

**Figure 6: Residential Permits by MCD, 1981-2000 and 2001 – 2020.**

**MCDs Outside and Abutting Rangeley Prospective Zoning Plan Area**

**New Dwellings**

Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020		
Andover North Surplus Twp.	1	6	1	1	3	4	2	3	9	12
C Surplus Twp.	1		2					1	3	1
Coplin Plt.	17	19	16	14	28	4	4	8	66	44
Davis Twp.		2		1		1			3	1
Lang Twp.	3	1	7	3	7	3	1		14	11
Lower Cupsuptic Twp.	1	6	1	1					9	0
Madrid Twp.	<i>Data unavailable</i>				18	8	9	4	1	39
Parkertown Twp.		3	2	1	1	4			6	5
Redington Twp.									0	0
T6 North of Weld									0	0
<b>Total</b>	<b>23</b>	<b>37</b>	<b>29</b>	<b>22</b>	<b>57</b>	<b>24</b>	<b>16</b>	<b>16</b>	<b>111</b>	<b>113</b>
<i>Annual Average</i>	<i>5</i>	<i>7</i>	<i>6</i>	<i>4</i>	<i>11</i>	<i>5</i>	<i>3</i>	<i>3</i>	<i>6</i>	<i>6</i>

**Other Building Permits**

Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020		
Andover North Surplus Twp.		1	6	4	4	1			11	5
C Surplus Twp.	1			1					2	0
Coplin Plt.	1	13	24	25	20	6	1	1	63	28
Davis Twp.	0	1		1	3	1	1		2	5
Lang Twp.	1		3	6	6	1			10	7
Lower Cupsuptic Twp.			7	9	1	3	1		16	5
Madrid Twp.	NA	NA	NA		14	8		1	0	23
Parkertown Twp.		2	6	1	5	2	2	1	9	10
Redington Twp.									0	0
T6 North of Weld									0	0
<b>Total</b>	<b>3</b>	<b>17</b>	<b>46</b>	<b>47</b>	<b>53</b>	<b>22</b>	<b>5</b>	<b>3</b>	<b>113</b>	<b>83</b>
<i>Annual Average</i>	<i>1</i>	<i>3</i>	<i>9</i>	<i>9</i>	<i>11</i>	<i>4</i>	<i>1</i>	<i>1</i>	<i>6</i>	<i>4</i>

<sup>10</sup> Madrid deorganized on July 1, 2000 so it's difficult to make a pre- and post-plan comparison (even though there is a significant amount of development in the former town).

Non-Residential Development

➤ Non-residential uses have been dispersed across MCDs and subdistricts.

Permits for non-residential uses were issued for a variety of activities. Further, these activities are permitted via one of several permit types, including development permits, utility line permits, great pond permits, shoreland alteration permits, and road permits. **Figures 7 and 8** summarize the approved non-residential development permit actions by MCD and by subdistrict for the 2001-2020 period.

**Figure 7: Non-Residential Development Permit Approvals by Minor Civil Division, 2001 – 2020.**

	Commercial Use	Public Inst.	Recreation	Recreational Lodging	Road	Saddleback <sup>11</sup>	Utilities	Total
Adamstown Twp.				10				10
Dallas Plt.	8	8	7		8	5	3	39
Lincoln Plt.	2	3		4	1			10
Magalloway Twp.		1		2	1		2	6
Rangeley Plt.	4	2	1	9	2		4	22
Richardsontown Twp.				2	1		1	4
Sandy River Plt.	6			1	3	16	1	27
Township C				1	1		3	5
Township D					1			1
Township E	1							1
<b>Total</b>	<b>21</b>	<b>14</b>	<b>8</b>	<b>29</b>	<b>18</b>	<b>21</b>	<b>14</b>	<b>125</b>

The following are examples of non-residential activities permitted since 2001, organized by the categories listed above.

**Commercial Use:** accessory buildings for excavation business, water extraction production well, auto repair garage, commercial medical marijuana greenhouse, rental cabin, laundromat, recreation equipment sales and service, stump dump, and maple sugar processing facility.

**Public / Institutional:** DOT garage, sand & salt storage, convert schoolhouse to town office, solid waste transfer station.

**Recreation:** golf course and forestry museum

**Recreational Lodging:** campsites, pavilion, replace bathhouse, parking lot, and new campground. Involving campsites, campgrounds, youth camp, and commercial sporting camps.

**Roads:** land management road in development subdistrict, private driveways (that constitute a road), road realignment and reconstruction.

**Utilities:** public water supply, cell tower, electric or telephone distribution lines, service drops, and transformer station.

<sup>11</sup> These data include actions that may have resulted in “new dwellings” or “new lots” but are included here only if other non-residential development was also authorized.

**Figure 8: Non-Residential Development Permit Approvals by Subdistrict, 2001 – 2020.**

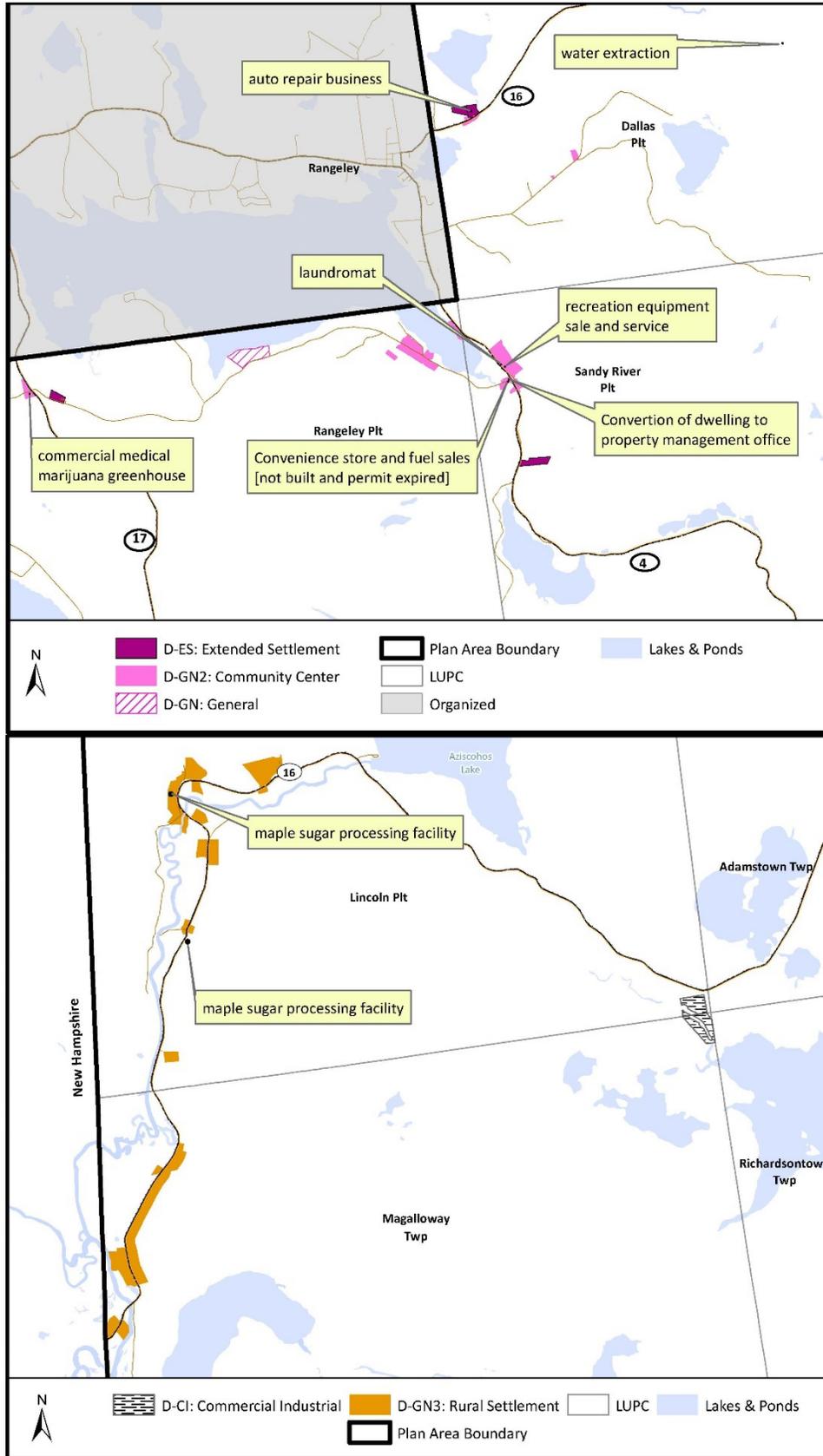
	Commercial Use	Public Inst.	Recreation	Recreational Lodging	Road	Saddleback <sup>8</sup>	Utilities	Total
Extended Settlement Development Subdistrict (D-ES)	2	9						11
General Development Subdistrict (D-GN)	2			5				7
Community Center Development Subdistrict (D-GN2)	8	1	8	4				21
Rural Settlement Development Subdistrict (D-GN3)	1	2						3
Planned Development Subdistrict (D-PD)						20		20
Residential Development Subdistrict (D-RS)				1				1
Community Residential Development Subdistrict (D-RS2)				1	5		1	7
Residential Recreation Development Subdistrict (D-RS3)	1			1	2		4	8
General Management Subdistrict (M-GN)	7 <sup>12</sup>	2		5	5	1	4	24
Aquifer Protection Subdistrict (P-AR)					1		2	3
Flood Prone Protection Subdistrict (P-FP)					1			1
Great Pond Protection Subdistrict (P-GP)			1	8	1			10
Semi-Remote Lake Protection Subdistrict (P-GP2)				4	2		3	9
Shoreland Protection Subdistrict (P-SL1)					1			1
<b>Total</b>	<b>21</b>	<b>14</b>	<b>9</b>	<b>29</b>	<b>18</b>	<b>21</b>	<b>14</b>	<b>125</b>

- 43% of permits characterized as ‘commercial uses’ were for new development; all others regarded pre-existing development (e.g., reconstruction, expansion, modification). Consequently, little of the 272 additional acres prospectively zoned for commercial or mixed use subdistricts has been utilized.

Map 3 illustrates each of these new uses geographically.

<sup>12</sup> Note that the Commission’s regulations do not regulate these activities as “commercial”; this report characterizes these actions as “commercial” only due to the groupings historically employed by prior analyses.

Map 3: New Commercial Development Permits, Post Plan



Subdivision

➤ The number of subdivision actions has decreased from 83 pre-plan to 59 post-plan, and the total number of lots being created has decreased from 347 pre-plan to 141 lots post-plan.

Subdivision permit activity<sup>13</sup> in the region included 59 subdivisions and various amendments (boundary adjustments, amend conditions, etc.), for 2001 through 2020.

Of the 141 development lots created, 30% were amendments. Comparatively, prior to the PZP, 43% of the lots created were amendments.

Prior to the PZP, 39% of subdivision actions sought to modify conditions and lot layout; however, during the twenty years after the PZP, these types of modifications represent only 11% of subdivision permits.

**Figure 9: Number of Approved Subdivisions by the Number of Lots Created Per Subdivision**

New Lots Per Permit	1981-2000		2001-2020	
	# of actions	%	# of actions	%
Reduction in lots	4	5%	2	3%
No change	32	39%	32	54%
1-2	20	24%	12	20%
3-5	6	7%	5	9%
6-10	8	10%	4	7%
11 or more	13	16%	4	7%
<b>Total</b>	<b>83</b>	<b>100%</b>	<b>59</b>	<b>100%</b>

**Figure 10: Subdivision Actions and Lots Created, 1981 – 2000 and 2001 – 2020**

Subdivision Actions and Lots Created by Minor Civil Division by Period

	1981-2000					2001-2020				
	Subdivision Actions				Lots Created	Subdivision Actions				Lots Created
	1981-1985	1986-1990	1991-1995	1996-2000		2001-2005	2006-2010	2011-2015	2016-2020	
Adamstown Twp.	1	5	3		18	3	2			9
Dallas Plt.	6	17	10	6	160	6	5	2	4	64
Lincoln Plt.								3	2	20
Magalloway Twp.				1			1	2	1	4
Rangeley Plt.	5	7	7	4	80	3	9	2	3	20
Richardsontown Twp.										
Sandy River Plt.		6	3	2	89	7	1	1	1	21
Township C						1				3
Township D								1		
Township E										
<b>Total</b>	<b>12</b>	<b>35</b>	<b>23</b>	<b>13</b>	<b>347</b>	<b>20</b>	<b>18</b>	<b>11</b>	<b>11</b>	<b>141</b>
<i>Annual Average</i>	<i>2</i>	<i>7</i>	<i>5</i>	<i>3</i>	<i>16</i>	<i>4</i>	<i>4</i>	<i>2</i>	<i>2</i>	<i>7</i>

... continued on next page...

<sup>13</sup> One subdivision permit approved in Rangeley Plantation in 2014 authorized the conversion of 10 cabins in a commercial sporting camp to be converted to dwellings and authorized the construction of 18 new units. While this activity constitutes “subdivision”, these units are included in the new dwelling data in Figures 2 and 5 above.

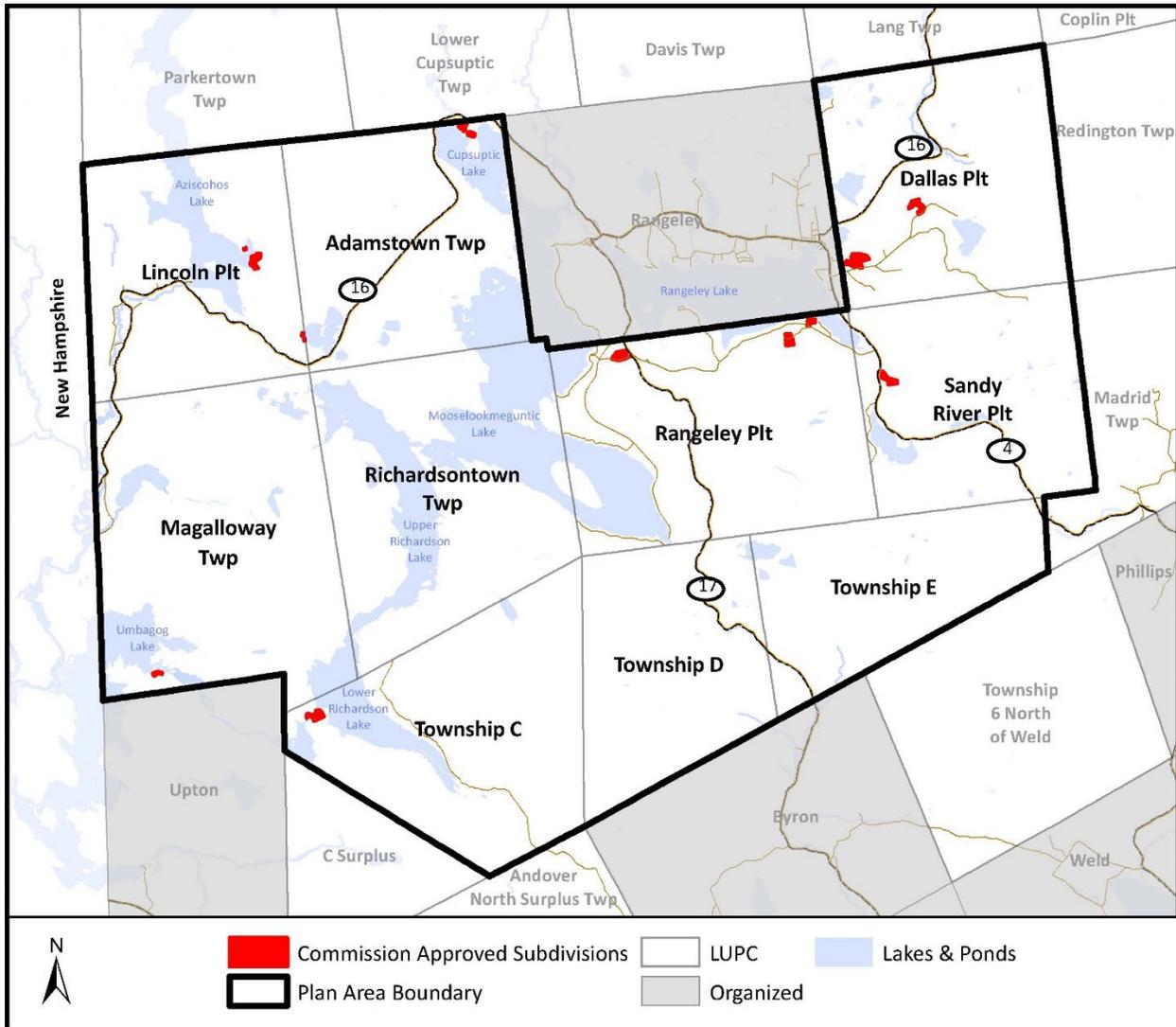
Lots Created by Minor Civil Division Type and by Period

Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020		
Plantations to Focus Development	65	154	103	7	26	64	8	7	329	105
Outlying Twps. & Plts.	10	1	7	0	11	1	24	0	18	36
<b>Total</b>	<b>75</b>	<b>155</b>	<b>110</b>	<b>7</b>	<b>36</b>	<b>92</b>	<b>32</b>	<b>7</b>	<b>347</b>	<b>141</b>

*Subdivision Case Studies*

Staff reviewed all 13 subdivisions that created three or more lots and were approved during the 21 years the PZP has been in effect. Following are a few observations:

**Map 4: All Subdivisions Creating Three or More Lots, 2001-2020**



- All inland subdivisions (77% of all lots created) were located in the three primary plantations, and all shorefront subdivisions were in the outlying minor civil divisions.
- Of the lots created in the past 21 years, 35% have been sold for the first time in the past two years (their average age is 12 years old). Another 21% of subdivision lots are unsold as of March 31, 2022.
- Of the subdivision lots that have been sold, the average time between someone buying a lot and seeking to develop the site is three years.
- Despite the significant increase in residential development pressures stemming from the pandemic, not one new subdivision has been proposed since 2016. Consequently, if these trends continue, much of the supply of approved subdivision lots will be significantly depleted.
- 17% of approved shoreland lots, and 21% of inland lots, remain unsold 8 to 17 years after the subdivision was approved.

**Figure 11: Subdivision Lots Sold After Approval, 2001 – April 2022**

SHORELAND	Years After Subdivision Approval				Total
	1 to 5	6 to 10	11 to 15	16 to 19	
<i>Shoreland Subdivision Lots Sold</i>	29%	17%	NA	13%	<b>58%</b>
<i>Total Lots: 24    Average # of Lots per Subdivision: 5    Average Years to Sell: 8</i>					
INLAND	Years After Subdivision Approval				Total
	1 to 5	6 to 10	11 to 15	16 to 19	
<i>Inland Subdivision Lots Sold</i>	26%	17%	20%	7%	<b>70%</b>
<i>Total Lots: 81    Average # of Lots per Subdivision: 10    Average Years to Sell: 8</i>					

[NOTE: This data regards only those subdivisions that created three or more lots.]

These results do not appear to suggest particular failure or success of the PZP. Similarly, (with the possible exception of the pandemic’s influences on land use trends) it is unlikely that any one factor alone led to these results.

- Of the Post-Plan subdivision lots that have been sold, 42% were purchased along with other contiguous lots.

Not surprisingly, some individuals purchased multiple and contiguous lots. This could have been for any number of reasons – for example: increased privacy, or as an investment. However, regardless of current reasons, the current or future landowner could sell the additional lots at any time.

**Figure 12: Transactions Involving Multiple Contiguous Lots**

# of Transactions	# of Contiguous Lots
4	2
3	3
3	4
1	7

See the supplemental information document titled [Subdivision Case Studies](#), for more details.

## E. Development Standards

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- The effectiveness of the new development standards is challenging to evaluate. While several clarifications would be valuable, based on staff experience, the standards appear to be operating as intended.

Additional review standards for development proposals in prospectively zoned areas were created and are now part of Chapter 10. These standards are provided in sections 10.25, B and 10.26, C through F, and include minimum road frontage, setbacks, lot coverage, maximum building height, outdoor lighting, buffering, and parking and circulation. These standards do not lend themselves to analysis of permit data and trends. Instead, these standards must be evaluated through individual site analyses and comparisons with the intended results. However, these standards include certain exceptions that provide flexibility to landowners and also make evaluation of the standards difficult or at the least less than conclusive. Further, no baseline analyses of individual sites were conducted against which to compare results. Nevertheless, the staff have identified some logical clarifications or minor changes to the standards that may be appropriate, based on experience administering the standards since the PZP was enacted.

### Building height, setbacks, lot coverage, and road frontage

Both fixed and flexible requirements apply to specific uses in the D-GN, D-GN2, D-GN3, D-RS, and D-RS2 subdistricts; while others also apply in the D-RS3, D-CI, and D-ES subdistricts. The additional standards provide flexibility for in-fill development to fit in with existing development or otherwise encourage compact development patterns.

### Outdoor lighting

Following the adoption of the PZP, the Commission adopted outdoor lighting standards which were applied jurisdiction-wide, not just in prospectively zoned areas.

### Buffering

As a result of the PZP, the community established additional buffering standards (Section 10.25,B,2) to complement the Commission's then existing vegetation clearing standards.

The new buffering standards apply to all principal and accessory buildings in all Development Subdistricts in prospectively zoned areas.

In applying these standards, staff have noted that Section 10.25,B,2 should clarify what, if any, clearing may be conducted within the required buffer. Until that time, clearing within the required vegetative buffer that complies with Section 10.27,B is viewed by the Commission as being consistent with Section 10.25,B,2.

### Building layout

To guide in-fill development and encourage compact development patterns, the community established building layout standards. These standards apply in the D-GN, D-GN2, D-GN3, D-RS, and D-RS2 subdistricts in prospectively zoned areas.

### Parking and circulation

The community also developed parking and circulation standards to address access management, parking layout and design, and subdivision and development roadway design. These standards also now apply across all of the Commission's service area, not just in prospectively zoned areas.

## F. Other Potential Development Areas

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In addition to rezoning a number of areas, the PZP identified other potential development areas. “Development in three additional areas... was discussed but zoning designations were not applied at this time, pending further information by the landowners. This plan recognizes that these landowners may file requests for rezoning permits for selected locations within these areas over the life of the plan. The Commission will approve such development proposals providing they are consistent with the pattern of growth, kinds of uses, and amount of overall development specified in this plan and meet all the zoning and regulatory requirements and statutory approval criteria.” (PZP, pages 19 and 23. See also locations identified with a question mark in the map on page 23 of the Plan.)

A portion of the area on Route 16 in Dallas Plantation was subsequently sold to Nestle Waters North America and in 2006 a water extraction operation was permitted on the site. While some parties contended that the use was inconsistent with the PZP, the Commission found that the use was consistent with the PZP and ultimately the Maine Supreme Court upheld the Commission’s determination.

The area on the Dallas Hill Road in Dallas Plantation refers to land owned by the Saddleback Ski Resort. The Saddleback Ski Resort has an extensive zoning and permitting record with the Commission dating back to the late 1980’s and establishment of a Planned Development Subdistrict (D-PD), and development of various facilities related to the resort. The landowner continues proposing additional development within the already expanded (D-PD) Planned Development Subdistrict. (see the next page)

The last area, identified by the PZP as another potential development area, was the Southeast corner of Rangeley Plantation. This area was anticipated to be used for gravel extraction and asphalt production, though no activities have been formally proposed.

In these few cases, this approach seems to have been successful in striking a balance between community planning and allowing large landowners formulating their own long-term vision. Application of this approach as part of other regional planning processes should be applied as the exception, not the rule, in order to minimize potential pitfalls and maximize the effects of the prospective zoning process. However, this type of allowance be time limited.

## G. Saddleback Resort

Saddleback Resort has been an important component of the ‘brand’, culture, and economy of the Rangeley Lakes region. As noted above, the Plan identified the resort as one of the “other potential development areas.” Additionally, since 1989, the resort has been designated as a Planned Development (D-PD) subdistrict. Planned Development subdistricts allow for large scale, well-planned development, and “intend to encourage creative and imaginative design and site planning, to promote efficient use of the land, and to accommodate well-designed, natural feature dependent development in appropriate locations.” Consequently, the process to develop the Plan and this report have singled out the site and related permitting activity to be addressed separately.

It is important to note that in 2015 the Saddleback Resort closed and remained closed for over five years. After being sold in 2020, the resort has reopened and continues to undergo a resurgence. It is unclear if and to what extent the multi-year closure of the Saddleback Resort influenced the development trends summarized elsewhere in this report.

### Rezoning

Prior to the Plan, two zoning petitions were approved at Saddleback, one to establish the 1,960 acre D-PD subdistrict, and the other revised the custom development plan (which identifies which uses are allowed within that subdistrict). Since the Rangeley Plan was approved, two more zoning petitions were approved, each expanding the D-PD subdistrict and amending the development allowed within the D-PD subdistrict.

### Data

	Pre-Plan				Post-Plan					Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020	2021		
Subdivision lots	1					27			2	1	29
New Dwellings	36	-3			54	93	11		16	33	174
Other/Commercial Development	1	2			8	6	2		3	3	19
<i>Notes regarding the other development</i>	<i>Trails and chairlifts</i>				<i>Snowmaking, trails, lodges, transmission line, cross country center, yurt, water extraction, RV park, grid-scale solar energy generation, staff housing, and the mid-mountain lodge</i>						

### III. OTHER INITIATIVES

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The PZP makes note of three other initiatives that may interact with the Prospective Zoning Plan, including the Town of Rangeley Comprehensive Plan; National Scenic Byways; and Maine Department of Transportation Access Management program.

The Town of Rangeley revised its comprehensive plan in September of 2012. The Commission will review and address relevant aspects of the Rangeley Comprehensive Plan when considering any changes to its own Rangeley PZP in the future.

Routes 4 and 17 are designated as both State and National Scenic Byways. The byways are managed according to a locally developed corridor management plan. Both the corridor management plan and the Rangeley PZP are consistent with each other. Since the adoption of the PZP portions of Routes 4 and 17 have been, and continue to be improved for safety and traffic flow, as well as delivery of interpretive information. A new turnout was recently constructed in Madrid Twp., just outside of the Plan Area and at the start of the Route 4 segment of the Rangeley Lakes National Scenic Byway. In 2010, 1.6 miles of Route 17 and the related scenic overlook (*a.k.a.*, Height of Land) were reconstructed to enhance safety, and provide parking for the scenic overlook and users of the Appalachian Trail.

Access standards were to be part of the PZP, but were omitted due to anticipated changes in the Maine Department of Transportation permitting processes. The Maine DOT has since adopted rules to assure safety and proper drainage on all state and state aid highways with a focus on maintaining posted speeds on arterial highways outside urban compact areas. The rules also include standards for avoidance, minimization, and mitigation of safety hazards along portions of rural arterials.

While not discussed in the PZP, the Umbagog National Wildlife Refuge is located within Magalloway Township and borders most of Umbagog Lake. The U.S. Fish & Wildlife Service adopted a revised Comprehensive Conservation Plan for the refuge in January 2009. The LUPC staff reviewed the revised plan and found it exemplary of the Commission's goals, policies, vision, and overall purpose. (Also see the Subdivision Case Studies, particularly SP 4094, as it appears to regard the Umbagog National Wildlife Refuge.)

## IV. IMPLEMENTATION ITEMS

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The *Prospective Zoning Plan for the Rangeley Lakes Region* identifies specific implementation action items to be completed (see pages 21 and 22 of the PZP). Those items are noted below, followed by any updates, actions taken, or pertinent information regarding their status.

### A. Identify Unique Factors of Interest/Changing Circumstances. (p. 21)

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#### 1. Economy

In the twenty years since the PZP became effective in 2001, real estate markets and the economy have been in flux and continue to experience dramatic swings. These factors are likely to contribute to influences upon development types, rates, and patterns in the jurisdiction and the Rangeley Region.

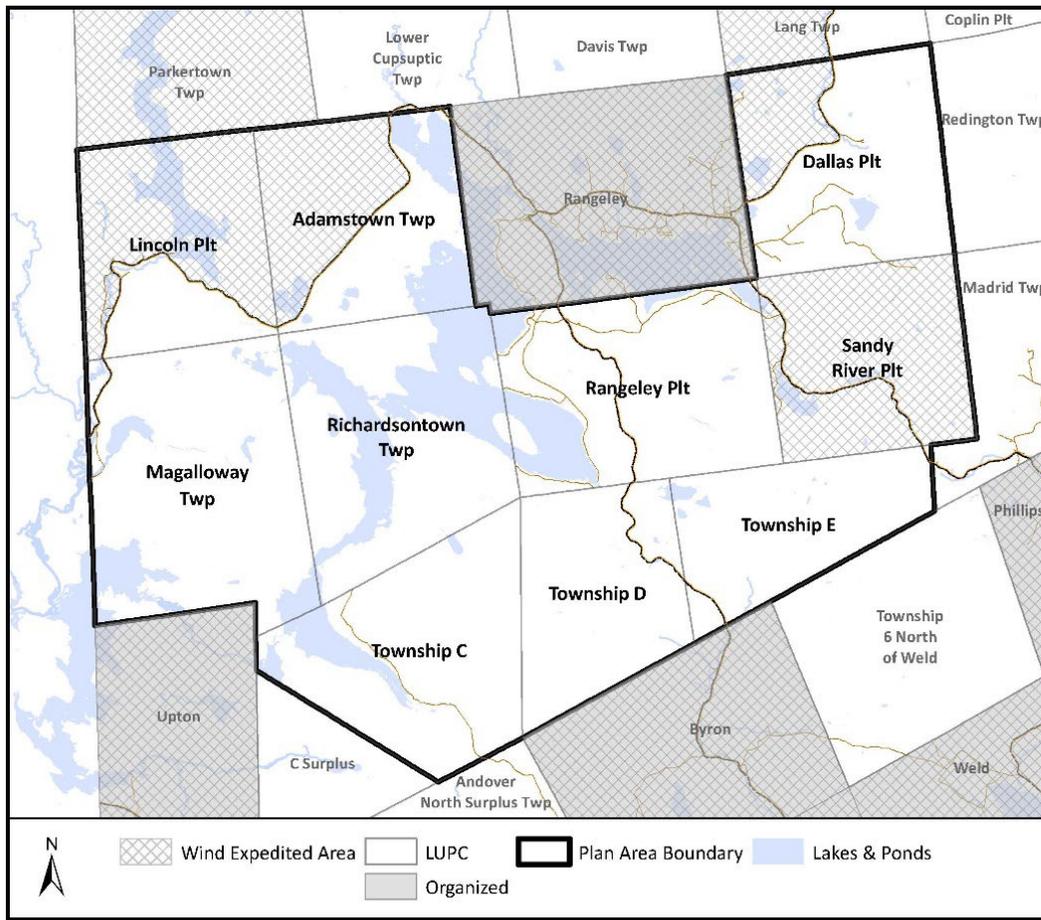
*Recommendation:* The Commission will be mindful of the need for appropriate economic development in the area and has asked staff to research policy alternatives that might allow the Commission to weigh economic development factors associated with specific development proposals when interpreting the region-specific rezoning criteria. For example, members of the Commission have expressed interest in giving special consideration to applicants who could be classified as “large employers.” Further research and Commission discussion is recommended if the Commission desires to establish a threshold number of jobs created or other criteria for future zoning petitions to receive such special consideration on this basis.

*Action Taken:* As part of prior reviews, staff contacted the Maine Department of Economic and Community development to learn more about any relevant thresholds and definitions and researched the “size standards of the federal Small Business Administration.” No relevant threshold or standard readily presents itself for the Commission’s use. For example, at the low end of the Small Business standards are employers of 500 or more people, not a reasonable standard for the Rangeley Region.

#### 2. Wind Power Expedited Permitting Area

In 2008, the Maine State Legislature passed the Wind Energy Act ([Public Law 2007 Chapter 661](#)) which created an “expedited permitting area” for grid-scale wind energy development (defined as: *development that uses a windmill or wind turbine to convert wind energy to electrical energy for sale or use by a person other than the generator*). As a result, all of Rangeley Plantation and Sandy River Plantation and certain areas in Dallas Plantation, Lincoln Plantation, and Adamstown Township were included in the expedited permitting area (see map). In these areas, grid-scale wind energy development is a use allowed with a permit in all subdistricts; however grid-scale wind energy development may not be feasible in a number of locations based on the available wind resources and technology capabilities.

Map 5: Wind Power Expedited Permitting Area



In 2016, the Maine State Legislature passed [Public Law 2015 Chapter 265](#), which provided a time limited opportunity for petitions to remove areas from the expedited permitting area for wind energy development. Of the forty-four petitions received by the Commission, petitions sought to remove Dallas Plantation, Rangeley Plantation, and Sandy River Plantation from the expedited permitting area for grid-scale wind energy development. While two of those petitions were invalid, Rangeley Plantation was successfully removed from the expedited permitting area for wind energy development.

Regardless whether in the expedited permitting area or not, no applications for grid-scale or community-scale wind energy development have been proposed within the Plan Area to-date.

**Action Taken:** Chapter 10 has been revised to reflect the necessary changes per the legislation that are directly linked to the PZP.

**Recommendation:** Monitor wind power development within these expedited permitting areas.

### 3. Land zoned for development

The Rangeley Plan zoned thousands of acres of land to development subdistricts as the primary means of guiding the location of development within the region. However, since the PZP adoption, a number of large parcels zoned for development have not yet been subdivided or developed. Further, if large parcels have been developed, the development may not be at a density or scale anticipated by the PZP. While this is not necessarily an issue at this time, the community and the Commission should consider the implication if this persists long-term. For example, if the prospectively zoned areas are not ‘the right places’, or they are the right places yet the respective owners do not wish to develop, then the prospective zoning plan could have the effect of hindering development or of facilitating development that may not be successful long term.

*Action Taken:* None

*Recommendation:* In 2022 the Commission should reach out to stakeholders, community leaders, and certain landowners to explore why the prospectively zoned areas have been under-utilized.

## **B. Monitor Permits for Home Occupations in the M-GN**

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Monitor the issuance of permits for home occupations in the General Management Subdistrict (M-GN), particularly for special exceptions in Rangeley, Dallas, and Sandy River Plantations. This monitoring should consider whether home occupations will be complementary or detrimental to the long-term function of the management zone for forestry and agricultural uses and the avoidance of development sprawl.) (p. ii & 21)

Minor home occupations are a use allowed without a permit or allowed without a permit subject to standards in all subdistricts throughout the jurisdiction, therefore data is not available. Major home occupations require a permit in D-GN2, D-GN3, and D-RS2 subdistricts; by special exception in D-ES, M-GN, P-AL, P-AR, P-FW, P-GP, P-RT, P-SL, and P-UA subdistricts; and are not an allowed use in all other districts within the Commission’s service area.

Although there were seven home occupations permitted during the twenty years prior to the PZP, four permits for home occupations have been issued for a major home occupation in the twenty years since the PZP was adopted. Specifically, these permits were for a farm stand, nursery/greenhouses in the D-RS2 subdistrict and a ‘pet shop’ in the D-GN3 subdistrict, located in Dallas Plantation and Magalloway Township respectively.

*Action Taken:* Monitoring of home occupations.

*Recommendation:* Continue to monitor home occupations, particularly major home occupations located within the General Management Subdistrict. Consider a review of home occupation regulations as the Commission’s priorities allow.

### C. Monitor New Development on Lower Richardson Lake

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Monitor new development on Lower Richardson Lake to determine its impact on the character of Upper Richardson Lake. Address whether there is a need to treat both lakes as one “remote” lake because they are physically connected and both have outstanding resource values. Boating traffic generated by development on the lower lake will most likely affect the upper portion in equal measure. (p. ii & 21)

One subdivision permit issued for 3 camp lots and 1 retained conserved lot has been issued on Lower Richardson Lake. This project was discussed during the prospective planning process and in the PZP. Only one of the camp lots has been developed to date, as discussed below. Each of the lots, though not all currently developed, are restricted by clearing limitations and building setbacks of no less than 100 feet from the lake.

Four new dwellings have been permitted on Lower Richardson Lake and one new dwelling on Upper Richardson Lake. However Lower Richardson Lake has also experienced other development since the PZP was adopted in 2001. Specifically, nine additions to existing dwellings, one relocation, and two reconstructions have been permitted on the Lower Lake. During the same period, two reconstructions, two expansions, and several accessory structures have been permitted on the Upper Lake.

*Action Taken:* No additional monitoring or visual analysis has been completed.

*Recommendations:* Continue to monitor development on Lower Richardson Lake.

In 2019, the Commission adopted rule revisions establishing new standards for development on hillsides and ridgelines. The standards serve to ensure development fits harmoniously into the natural environment by requiring the use of buffers, building setbacks, height restrictions, design and material standards, lighting standards, and landscaping to maintain the scenic quality of hillsides and ridgelines.

While these hillside standards apply across all of the Commission’s service area, their purpose is to minimize the impact of development upon the character of surrounding areas and resources – such as Upper and Lower Richardson Lake.

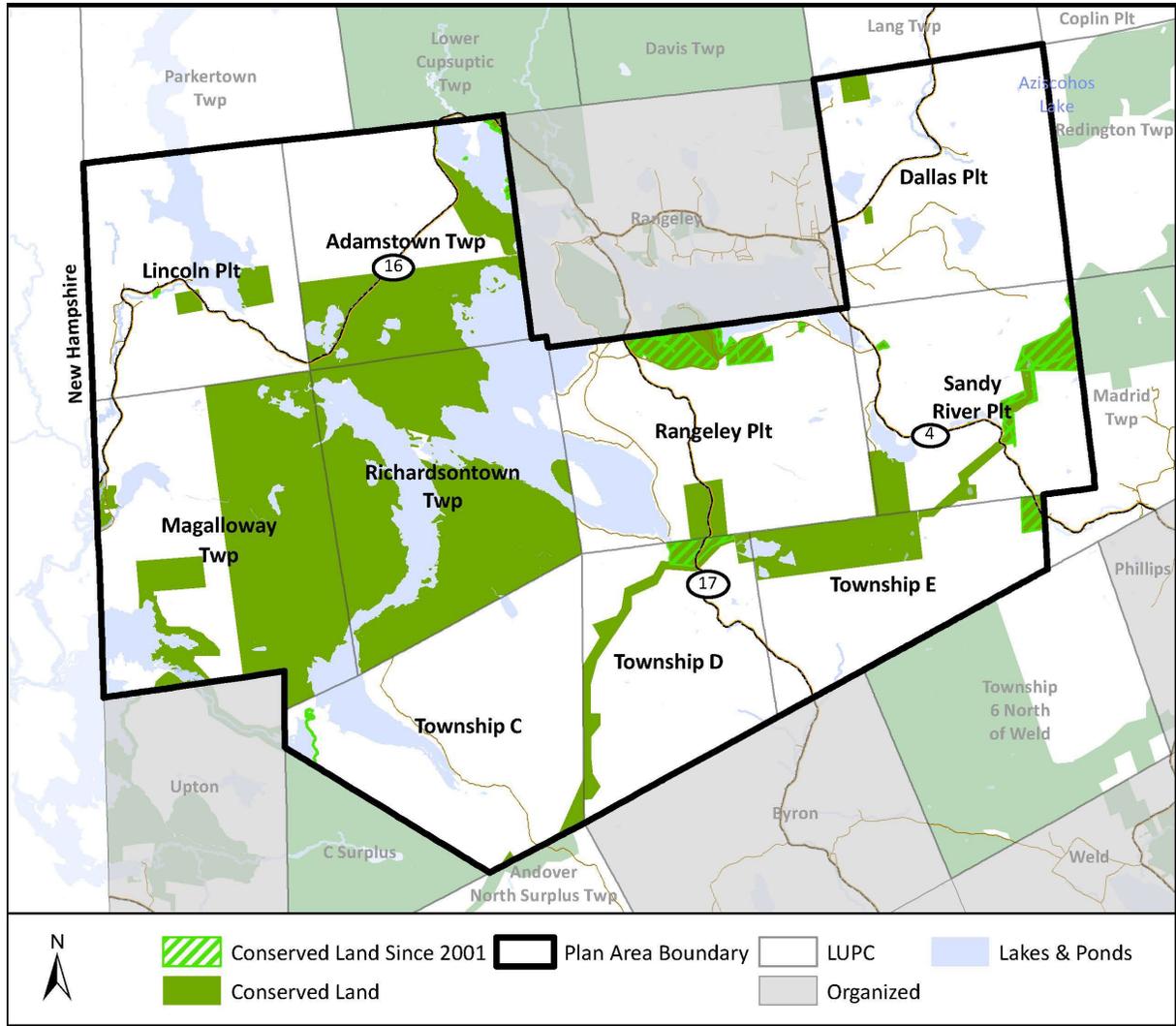
### D. Acquisition Priorities (p. ii & 21)

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The PZP identified priority areas for conservation attention, specifically Lower Richardson Lake, Azischohos Lake and the remaining undeveloped shore of Beaver Mountain Lake. Since the PZP was prepared, more than 23,000 acres have been conserved by easements or by fee ownership over eight different areas. Of those, one tract of 20,400 acres was a pending agreement at the time of the PZP adoption and is also within the areas of priority attention. Another parcel was conserved, effectively protecting 75% of the undeveloped shoreline of Beaver Mountain Lake. Two other parcels have been conserved through easement, approximately 1,200 acres on Cupsuptic Lake and 500 acres at the Height of Land, in 2006 and 2007 respectively.

As of the drafting of this report, approximately 68,300 acres (31% of land in the Plan Area) is owned in fee by a conservation organization or is involved in a conservation easement held by a conservation organization.

**Map 6: Conserved Land**



*[The Conserved Lands data illustrates areas owned in fee by a conservation organization and land where a conservation easement (e.g., restricting development, securing public access, etc.) is held by a conservation organization. The ownership lines do not represent legal boundaries nor are the ownership lines a survey. The data contained in Conserved Lands is an inventory only.]*

**Action Taken:** None

**Recommendation:** Remain supportive of conservation efforts, particularly in the priority areas.

### **E. Elimination of subdivision law exemptions (p. ii & 21)**

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The 40-acre Exemption was in existence until 2001, at which point it was restricted to only non-development purposes (*i.e.*, forestry, agriculture, or conservation). Any subsequent division or development of exempted lots would require prior LUPC approval.

The Commission completed rulemaking to clarify subdivision exemptions. No further action is planned at this time.

However, as illustrated in the attached case study on new dwellings permitted in the General Management (M-GN) Subdistrict, further division of existing 40-acre exempt lots will continue to influence land use patterns without any consideration to community-based land use planning goals or programs.

*Action Taken:* Revised Commission rules in 2002 following a statutory change that eliminated the use of the 40 acre exemption for development purposes.

*Recommendation:* No further action.

### **F. Improve Planned Development (D-PD) Subdistrict Rezoning process (p. ii & 22)**

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During the development of the Rangeley PZP some people expressed frustration with the Planned Development (D-PD) Subdistrict zoning process, particularly that it was seen as cumbersome and expensive. At that time, only one permit was reviewed under the D-PD criteria. With time, this issue was resolved as the LUPC worked with the applicant on amendments to the Development Plan and the Commission has adopted extensive revisions to the requirements for D-PDs.

*Action Taken:* This item has been resolved with regard to the application of expanding the D-PD Subdistrict in the PZP area.

*Recommendation:* Continue to look for opportunities to clarify the D-PD process, especially with regard to projects that trigger Site Law, and therefore will involve both the Commission and the DEP.

### **G. Enable the development of “mother-in-law apartments” in the Residential Recreation Subdistrict (D-RS3) (p. ii & 22)**

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“Mother-in-law-apartments”, more appropriately known as accessory apartments or accessory dwelling units, can pose concerns in regard to development compatibility depending upon the purpose of particular subdistricts or on-site environmental constraints. If appropriate standards are in place, accessory apartments can fit into the character of most areas, and may even be difficult to notice. Further, accessory apartments can work well to enable the provision of affordable or workforce housing and other cultural benefits. However, any action to achieve this directive should include careful thought and evaluation. Recently, it has come to the attention

of the Commission that short-term rentals, rented through online platforms such as AirBnB, can result in impacts to neighbors or natural resources. Such listings can include an entire home or a portion of a home (*e.g.*, accessory apartments).

*Action Taken:* The Commission is currently researching potential options for regulating short-term rentals in the LUPC service area.

*Recommendation:* Revisit this topic in the context of the whole jurisdiction to evaluate whether the use is appropriate for the D-RS3 Subdistrict or other areas.

## H. Periodic Analysis and Evaluation (p. 21)

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Efforts to track or research development rates and patterns should be continued, at least on the existing five or ten year cycle. Additional data, over a longer period of time, particularly data discussed herein, will be necessary to adequately analyze the PZP and enable its evolution. Those analyses should also include bordering MCDs in the jurisdiction that border the PZP area to confirm that the PZP is not redirecting development to unanticipated areas.

The next periodic analysis should consider conducting a build-out analysis, in addition to that which was done for Sandy River Plantation, to better understand the amount of land consumed by, and remaining for, development.

In order to conduct a build-out analysis using GIS, up-to-date and comprehensive mapping of primary structures will be necessary. By applying the primary structure locations to the parcel data, a valuable frame of reference can be created, illustrating the number and locations of parcels which are built out (according to current regulations) and for those that are not 'built out', identify the general number of parcels/structures which could be divided or developed.

*Action Taken:* The Commission has conducted an analysis of permitting activity in the PZP area three, eight, and thirteen years after the adoption of the Rangeley PZP. Further, in conjunction with the 2014 Evaluation and Progress Report, staff conducted a survey of stakeholders considered knowledgeable about development trends in the region, using an extensive set of targeted questions.

Analysis of the comments received was reviewed by the Commission at its May 2014 meeting. Notably, these comments included a variety of opinions among owners and developers, Realtors, and contractors on the one hand reporting a large surplus of available subdivision lots and performance problems in subdivisions and, on the other hand, others reporting significant demand for the creation of new subdivision lots.

*Recommendation:* The time has come to initiate a dialog and community discussion about the effectiveness of the PZP, the current needs of the community, and possible next steps. Additional information, such as a built-out analysis, may be warranted as well.

*Timeline:* Evaluations and progress reporting should continue on a every 5-year cycles *unless events warrant a more frequent schedule*, including spatial analysis of development trends in some areas.

## I. Other Items Identified During Implementation

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While conducting this and prior reviews several other items that warrant action were identified.

1. Identify thresholds which will trigger re-evaluation of the plan.

The PZP was developed so as to “provide enough room for the next twenty years to accommodate about as much development as occurred in the past two decades.” (p. 20) While the PZP currently appears to be performing well, the region will inevitably reach a point where various areas are “built-out”. Although in this regard, the term built-out is not defined. Some examples might include: development has consumed all available acreage/lots; residential development can no longer be focused in plantations as intended; residential development subdistricts can no longer accommodate residential development and it overflows into the General Management Subdistrict. The Commission and the public should identify thresholds which would trigger re-evaluation of plan (*i.e.*, when does the PZP need expansion?). This is particularly important given the necessary lead time to create an effective plan. Depending upon the features involved and the particular thresholds identified, GIS related modeling tools may be available to aid in this effort.

Recommendation: Continue regular analysis and evaluation of development trends to remain informed of trends, but also outline a process for identifying these thresholds.

2. Consider enabling the application of PZP subdistricts in any area of the service area.

As discussed earlier in this report, six new subdistricts were created in response to the *Rangeley Prospective Zoning Plan* (see **Appendix A** for a complete list and description of these subdistricts). While not stated directly in the PZP, the Commission and to some degree the public, has anticipated the authorization of the subdistricts created by the *Rangeley Prospective Zoning Plan* to be applied within the whole UT, not just in prospectively zoned areas. That is to say that landowners would be able to request a rezoning of their property to one of these subdistricts. According to results discussed herein, these subdistricts have been successful, and most would be appropriate for wide-spread usage.

Recommendation: Assess the purpose and description of each subdistrict, many of which are currently only allowed within prospectively zoned areas. Identify subdistricts which may be appropriate for use in areas that are not prospectively zoned. Finally, through a rule revision process, revise the purpose and description of any such subdistricts in order to clearly enable their application jurisdiction-wide. Alternatively, these zones could be employed by regions conducting Community Guided Planning and Zoning projects.

3. Revisit “extent of shoreline to be conserved” provisions of the P-GP2 Subdistrict

In creating the Semi-Remote Lake Protection (P-GP2) subdistrict, the community included several provisions to address the density of development within 500 feet of the respective shoreline. Among other requirements, the standards set a maximum density of development relative to the amount of shore frontage, and requires at least 50 percent of a landowner’s ownership on a shoreline to be conserved.

The Rangeley Prospective Zoning Plan created the Semi-Remote Lake Protection (P-GP2) Subdistrict to “provide a greater degree of certainty to both the landowners and the public as to the amount of development and conservation that will occur along certain lake shorelines.” (10.23,F) As implemented, the P-GP2 Subdistrict<sup>14</sup> requires for parcels having more than 400 feet of shore frontage to be developed, “at least 50 percent of a landowner’s ownership on a shoreline shall be conserved... as open space according to the provisions of Section 10.25,S.” This standard requires the open space, or development rights of that space, to be owned by a “qualified holder”. In this case, “qualified holder” is defined generally as a governmental body or a nonprofit corporation or trust.

The 2009 report noted that this requirement may be well suited for moderate to large lots, but could prove problematic for smaller lots where a “qualified holder” is generally unlikely to be interested in or able to manage small or scattered land areas. The lakes identified for the P-GP2 Subdistrict by the PZP included Aziscohos Lake and Lower Richardson Lake, though the issue is not unique to either lake.

*Action Taken:* During the plan period, two subdivisions have been approved within the P-GP2 subdistrict. (See Appendix D for a detailed summary of both subdivisions.) Both permits allowed the applicant to retain ownership of the common open space lots, and both projects include deed covenants that confirm that the Commission and the residential lot owners maintain the authority to enforce the open space covenants.

Based on rule changes (see below) and because neither permit has relied upon a conservation organization for ownership or management of the common open space lots, the concern raised in 2009 appears to have been addressed.

*Recommendation:* None

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<sup>14</sup> Now provided in Section 10.25,A,3,e; formerly provided in Section 10.23,F,3,f.

In 2004 the Commission adopted extensive revisions to the Open Space provisions<sup>1</sup>. Generally, these revisions addressed or otherwise clarified how and to what extent open space was to be preserved and maintained, and specified the types of entities that are qualified to own, preserve, and maintain open space.

In 2019 the Commission adopted numerous other revisions to the Common Open Space provisions as part of the overhaul of all subdivision layout and design standards. Among other adjustments, these revisions required that subdivision bylaws provide for mandatory lot owner or lessee membership, lot owner or lessee rights and privileges, association responsibilities and authority, operating procedures, proper capitalization to cover initial operating costs, and the subdivider's responsibilities.

While the provisions of Section 10.25,S Common Open Space apply to the Plan Area, they address open space in a way that is more general than is addressed by the Plan. Further, except for the P-GP2 subdistrict, the provisions of Section 10.25,S only apply to subdivisions. Conversely, the open space provisions tied to the Rangeley Plan apply to all existing lots, development, and subdivisions.

## V. A CHANGING WORLD

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It is hard to imagine that a region or a community would not change with the passage of time. Since the PZP became effective on January 1, 2001, notable events have occurred and, to one degree or another, have likely influenced development trends and community concerns. These influences may be positive, negative, or fundamentally shift development and land use matters.

The following are some notable examples of events or issues that seem particularly relevant to the Rangeley Region:

- 'The Great Recession': The housing bubble and related economic recession starting in 2007.
- Saddleback Resort: The five-year closure of the Saddleback Resort, and the recent reopening.
- Solar Energy: In recent years, grid-scale solar energy has become viable and incentivized.
- Marijuana: The legalization of medical marijuana in Maine, and the subsequent legalization of adult use marijuana<sup>15</sup>. In 2021, the Commission received a citizens' petition for rulemaking to prohibit marijuana related development in the Community Center Development (D-GN2) subdistrict. The Commission approved the requested rule revisions, which became effective in March 2022.
- LUPC Rulemaking: Over the last 20 years, the Commission revised Chapter 10, Land Use Districts and Standards, through 65 separate rulemaking processes of various scopes. As requested, the Commission has 'let the Plan work', meaning that these rulemakings were designed to complement or accommodate the policy goals of the PZP.
- Short-term Rentals: Short-term rentals (*e.g.*, Airbnb) have emerged as a notable land use trend nationally and in Maine. Preliminary results suggest that land use conflicts are likely in recreation tourism destinations, such as the Rangeley region. The Commission is currently researching potential regulatory approaches to this emerging land use.
- The COVID-19 Global Pandemic: The global pandemic and the response by families, individuals, employers, and all levels of government. (*e.g.*, travel restrictions, emigration from populated areas to comparatively more rural areas, commercial needs for more space, working remotely/remote learning). These factors appear to be resulting in increased residential development pressures (*e.g.*, many new dwellings, expansion of dwellings).
- Dark Skies: In 2020, the Commission was made aware of several grassroots efforts to explore official Dark Skies designation<sup>16</sup> for different regions in and near the UT. One of those areas includes the Town of Rangeley and potentially some of the surrounding minor civil divisions in the UT. While that effort does not stem from, or otherwise directly involve the PZP,

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<sup>15</sup> Additionally, the disparities between the authorization granted to towns, plantations, and townships (which differ for medical marijuana and for adult use marijuana) have exacerbated the matter.

<sup>16</sup> The International Dark Skies program was founded in 2001 to encourage communities, parks and protected areas around the world to preserve and protect dark sites through responsible lighting policies and public education. See [www.darksky.org/](http://www.darksky.org/)

refinement of lighting standards would not conflict with the PZP and may advance principles of the Plan.

- The Maine Won't Wait Climate Action Plan: This is a four-year climate plan for the state packed with actionable strategies and goals to emit less carbon, produce energy from renewable sources and protect our natural resources, communities and people from adverse climate change scenarios.
- Broadband Infrastructure: The world is now in the “digital age,” which brings increased expectations for access to reliable high-capacity communications infrastructure, but also has provided major advancements in the geographic reach of wireless communications.

Increasingly, it is difficult not to find that circumstances are changing. However well formulated and implemented the Rangeley Plan has been, no prospective zoning plan could have anticipated, nor withstand the changes that could be / have been brought forth by all these factors.

As noted in other portions of this report, the time has come to facilitate a community discussion, and to consider the next steps for the Rangeley Plan and related zoning and regulations.

## VI. CONCLUSIONS

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Most new development appears to be focused in the areas identified by the planning process as most desirable for growth, and which were prospectively zoned for development. It is not possible to know how much of that growth would have occurred in those locations anyway, and how much growth was incentivized toward particular places. However, the increase in the proportion of new dwellings occurring in development zones, as opposed to the M-GN, suggests that the strategy of providing pre-zoned areas as an incentive may be meeting with some success. Changes in growth in the region track changes in the economy and real estate market generally, and having areas zoned in advance to meet foreseeable development demand seems to ensure a clear path to development in a way that benefits the community as well as individual property owners.

Given the results to date, this prospective zoning plan provides subdistricts and standards which may be appropriate to apply in other areas of the Commission's service area. Further, the overall process and resulting plan has been beneficial and can serve as a model of one type of prospective zoning effort for other regions of the State.

The PZP aimed to accommodate 20 years' worth of development. Now 21 years later, the amount of development permitted has been significantly less than anticipated. However, external factors such as the COVID-19 Pandemic seem to be increasing demand for housing in the region. If the residential development trends of 2020 and 2021 continue, the remaining, unutilized, prospectively zoned areas could be consumed quickly. While not yet fully realized, the Rangeley PZP may be at a point where it would be appropriate for the community to update or revise it. Determining when and how to go about updating the Plan will depend on what the community wants to do, and on available resources to complete such a project. The next steps for the Rangeley Plan should include outreach to people who live, work, and recreate in the region, with the idea of determining if the places identified for future growth are still the right locations, and how best to accommodate any potential new uses into the PZP.

## VII. REMAINING QUESTIONS

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Despite the information collected and assessed, there are many factors that cannot be informed by numbers, charts, maps, or desktop analysis; there are many remaining questions, and there are any number of factors which have not yet been considered.

Community perspective and input is the most notable piece of this puzzle that is missing. This report is intended to summarize land use activities over the past 20 years and facilitate a dialogue within the community, between stakeholders, and with the Commission.

While there will be others, the following are several of these yet to be answered questions:

- Are the areas prospectively zoned to development subdistricts the 'right places'? And are there enough of the 'right places'?
- Of the 'unutilized' prospectively zoned properties, are those landowners uninterested in developing, or are they not in a position to develop? Are there other barriers or factors which have deterred these owners from developing?
- Of the prospectively zoned properties that have been developed to some extent, does the resulting density or extent of development match what the community envisioned? If not, in what ways? Should that be addressed?
- How do the community, community leaders, and stakeholders view the PZP and the development rate and patterns that have occurred? Which elements are viewed as successful, and which are viewed as less successful?

## VIII. LESSONS LEARNED

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In applying the *Rangeley Prospective Zoning Plan* and evaluating its effectiveness, staff has learned a few general lessons regarding prospective zoning. Given the Commission's interest in applying prospective zoning to other areas of the jurisdiction, it is important to capture these lessons. The following list is not exhaustive, rather it is meant to be a starting point for discussion.

- When prospectively zoning, contemplate the interaction of development subdistricts and the General Management Subdistrict, particularly in regard to residential development. If the intent of a prospective zoning plan is to concentrate residential development in Development Subdistricts, contemplate how the General Management Subdistrict fits into the equation. *(See page 8 for more information.)*
- Consider development, particularly residential development, in regard to intensity rather than whether the structure was permitted as a permanent dwelling or a seasonal camp. For example, where development might previously have been limited to 'seasonal dwellings', instead establish a distinction according to characteristics that better reflect the intensity of development, such as square footage, foundation type, setbacks and screening. *(See page 12 for more discussion.)*
- When prospectively zoning, include an area large enough to encompass the primary focus area and some buffer. This approach should work to minimize inappropriate diversion of development pressures to adjacent townships. *(See page 13 for more information.)*
- Work to address conflicts between, or clarify the rezoning criteria of, 10.08,D,1,a and the LUPC's regulatory authority (e.g., conditional zoning). *(See page 6 for more information.)*
- Development activity continues during the comprehensive planning process. By inviting dialogue about development proposals while developing a prospective zoning plan, landowners are better able to plan for development activities and PZP work can continue. In the *Rangeley Prospective Zoning Plan*, this approach was identified as "Other Potential Development Areas." Future application of this approach should be considered, but should be applied carefully and in limited fashion to minimize potential pitfalls and maximize the effects of the prospective zoning process. *(See page 22 for more discussion.)*
- Prior to applying prospective zoning standards, such as buffering and building layout, baseline data should be collected for future application. Without this baseline data, evaluation of such standards will be very difficult to achieve or will prove less conclusive. *(See page 21 for more discussion.)*
- Prior to adoption of a prospective zoning plan in an area, or substantial revision of an existing plan, identify thresholds that trigger re-evaluation of the PZP (i.e., when does the plan need expansion?). This is particularly important given the necessary lead time to create an effective plan. This should be thought of as a circuit breaker that will prompt Commission and public action in response to nearing capacity. *(See page 31, for more discussion.) Additionally, consider establishing guidance regarding what can be revised and through what type of process.*

- When approving or updating a prospective zoning plan or other regional or community guided planning and zoning plan or regulations, consider establishing a local or regional steering committee. For example, members might include one elected official from each town or plantation involved, and a county commissioner from each county involved. The Commission could then consult with this committee (when questions of intent arise; whether Commission rulemaking would be applied in the area; etc.). However, the Commission would retain its own decision-making authority/responsibilities.

## IX. APPENDICES

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### Appendix A: Subdistrict Descriptions

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The following is a list and description of all subdistricts which apply to the permitting activity in these ten minor civil divisions. The accompanying text represents excerpts from the Purpose and Description of each subdistrict in the Land Use Districts and Standards (Chapter 10). Note that subdistricts created through the Rangeley Prospective Zoning Process are identified with an asterisk (\*) and *italic* text.

#### *\* D-ES - Extended Settlement Development Subdistrict*

*The purpose of the D-ES subdistrict is to separate those land uses that create impacts incompatible with residential areas and community centers, as well as provide for appropriate areas to concentrate development at the edge of rural growth centers designated as development subdistricts. Concentrated development seeks to avoid the visual and fiscal impacts of sprawl.*

*This subdistrict is designed to accommodate a wide range of commercial, light manufacturing, and public uses that create impacts incompatible with other smaller scale commercial, public, and residential uses. This subdistrict allows facilities that generate traffic or noise such as transfer stations, gasoline stations, warehouses, self-storage, and contracting businesses. The subdistrict is not designed to accommodate general retail establishments better located in a community center or rural settlement; or to facilitate strip development along highways.*

*This subdistrict will only be applied in areas appropriate to accommodate this type of development in a community after a prospective planning process has been undertaken. Appropriate areas will be adjacent to other development subdistricts, particularly D-GN2 subdistricts. Adjacent is interpreted to mean within a distance of one road mile. The D-ES subdistrict will not be located in remote or lightly settled areas or separately from established or proposed development centers.*

#### *D-GN - General Development Subdistrict*

The purpose of the D-GN subdistrict is to recognize existing patterns of development in appropriate areas and to encourage further patterns of compatible development therein and adjacent thereto. It is the Commission's intent to promote these areas as future growth centers in order to encourage the location of compatible developments near each other and to minimize the impact of such development upon incompatible uses and upon public services and facilities. Thus the Commission's purpose is to encourage the general concentration of new development, and thereby avoid the fiscal and visual costs of sprawl, and to provide a continuing sense of community in settled areas.

#### *\* D-GN2 - Community Center Development Subdistrict*

*The purpose of the D-GN2 subdistrict is to provide for a range of complementary uses that have a similar size, scale, and character that make up community centers. It is designed to concentrate development in order to limit the fiscal and visual impact of sprawling development and to provide a continuing sense of community in settled areas. Adaptive reuse and rehabilitation of legally existing structures is encouraged in this subdistrict.*

*Community centers are areas where there is a mix of complementary residential, commercial, and civic uses that create a focal point for community life. This subdistrict is similar to the D-GN subdistrict but provides for a wider range of appropriate uses and increased size thresholds for*

*general commercial uses. This wider range of uses is permitted because additional development standards for uses in this subdistrict ensure that adjacent uses are compatibly developed and undertaken.*

*This subdistrict will be applied only in communities in the fringe of the Commission's jurisdiction as defined in the Comprehensive Land Use Plan, and in areas appropriate as centers of growth after a prospective planning process has been undertaken by the Commission.*

*\* D-GN3 - Rural Settlement Development Subdistrict*

*The purpose of the D-GN3 subdistrict is to provide for a range of complementary uses that have a similar size, scale, and character that make up a settlement area in remote or interior areas of the jurisdiction. It is designed to concentrate and control the rate of growth by prohibiting subdivision. This subdistrict seeks to limit the fiscal and visual impact of sprawling development and to provide a continuing sense of community in lightly settled areas. Adaptive reuse and rehabilitation of legally existing structures is encouraged in this subdistrict.*

*Rural settlements are areas where there is a mix of complementary residential, commercial, and civic uses that create a focal point for community life. This subdistrict is similar to the D-GN2 subdistrict but allows uses of an appropriately smaller size and intensity, also subject to specific development standards. It is also different from the D-GN2 subdistrict as it prohibits subdivisions in order to maintain the remote and small-scale feel of these development nodes. Gradual lot creation is allowed via the existing exemptions in the Commission's statute and these rules and regulations.*

*D-PD – Planned Development Subdistrict*

The purpose of the D-PD subdistrict is to allow for large scale, well-planned developments. The Commission's intent is to consider development proposals separated from existing developed areas, provided that they can be shown to be of high quality and not detrimental to other values established in the Comprehensive Land Use Plan, and provided they depend on a particular natural feature or location which is available at the proposed site. A permit will be granted when the Commission is persuaded by a preponderance of all evidence that the location of the site is the best reasonably available for the proposed use and that the goals and policies of the Comprehensive Land Use Plan are served. Where a D-PD subdistrict petition is granted, it shall not provide the basis for subsequent redistricting of the area to another development subdistrict, nor shall it serve to satisfy those requirements for redistricting surrounding areas to development subdistricts pursuant to Section 10.08.

The D-PD subdistricting process is designed to encourage creative and imaginative design and site planning, to promote efficient use of the land, and to afford the applicant reasonable guidance in formulating an acceptable development proposal.

*D-RS – Residential Development Subdistrict*

The purpose of the D-RS subdistrict is to set aside certain areas for residential and other appropriate uses so as to provide for residential activities apart from areas of commercial development. The intention is to encourage the concentration of residential type development in and adjacent to existing residentially developed areas.

*\*D-RS2 - Community Residential Development Subdistrict*

The purpose of the D-RS2 subdistrict is to designate residential areas that can accommodate an appropriate range of low-impact commercial and public uses that are compatible with residential uses. This subdistrict seeks to promote residential living and thriving neighborhoods with a limited range of services.

The D-RS2 subdistrict shall be located adjacent to a D-GN2 subdistrict in order to limit the fiscal and visual impacts of sprawling development. Adjacent is interpreted as within a distance of one road mile. This subdistrict is similar to the D-RS subdistrict but it allows for commercial development such as bed and breakfasts, health care facilities, and golf courses.

*\*D-RS3 - Residential Recreation Development Subdistrict*

The purpose of the D-RS3 subdistrict is to accommodate seasonal and year-round recreational development in high value resource areas without compromising the recreational setting. This subdistrict allows a restricted range of allowed uses in order to ensure attractive residential recreational opportunities.

The D-RS3 subdistrict shall be applied only in high natural resource value areas appropriate for residential or closely related uses in a community and shall be applied after a prospective planning process has been undertaken by the Commission. The D-RS3 subdistrict shall be located in areas that are inappropriate for intensive mixed development.

The D-RS3 subdistrict area will be located along or near the shorelines of Management Class 3, 4, 5, or 7 lakes or in other high value natural resource areas designated for growth by the Commission or zoned D-RS before January 1, 2001. The D-RS3 subdistrict will not be located in relatively remote or lightly settled areas of the jurisdiction.

*M-GN – General Management Subdistrict*

The purpose of the M-GN subdistrict is to permit forestry and agricultural management activities to occur with minimal interferences from unrelated development in areas where the Commission finds that the resource protection afforded by protection subdistricts is not required.

These are areas which are appropriate for forest or agricultural management activities and that do not require the special protection afforded by the protection subdistricts or the M-NC or M-HP subdistricts. Also included within M-GN subdistricts shall be areas which do not qualify for inclusion in any other subdistrict.

*P-AR – Aquifer Protection Subdistrict*

The purpose of the P-AR subdistrict is to protect the quantity and quality of ground water supply used or potentially available for human or industrial consumption.

*P-FW – Fish and Wildlife Protection Subdistrict*

The purpose of the P-FW subdistrict is to conserve important fish and wildlife habitats essential to the citizens of Maine because of their economic, recreational, aesthetic, educational or scientific value.

*P-GP – Great Ponds Protection Subdistrict*

The purpose of the P-GP subdistrict is to regulate residential and recreational development on Great Ponds to protect water quality, recreation potential, fishery habitat, and scenic character.

*\*P-GP2 - Semi-Remote Lakes Protection Subdistrict*

*The purpose of the P-GP2 subdistrict is to accommodate seasonal, recreational uses on lakes valued for their semi-remote character and determined to be suitable for limited development through a prospective planning process. This subdistrict is designed to site appropriate uses at a density and in a pattern of development that conserves the essential character of these lakes, and to accommodate traditional uses such as commercial sporting camps and public access. This subdistrict also provides a greater degree of certainty to both the landowners and the public as to the amount of development and conservation that will occur along certain lake shorelines.*

*This subdistrict includes areas within 500 feet of the normal high water mark, measured as a horizontal distance, of those lakes listed below:*

- Azischohos Lake within Lincoln Plantation, Oxford County;*
- Lower Richardson Lake, Township C, Oxford County.*

*The depth of this subdistrict may be deeper than 500 feet to allow development design in the project area that better meets the purpose of this subdistrict. Adjustments will only be made that do not increase the acreage of the project area by more than 10 percent or deviate from the uses allowed in this subdistrict.*

*Lakes classified as Management Class 3 or 7 may be included on this list only after analysis and review by the Commission through a prospective planning process.*

*P-MA – Mountain Area Protection Subdistrict*

The purpose of the P-MA subdistrict is to regulate certain land use activities in mountain areas in order to preserve the natural equilibrium of vegetation, geology, slope, soil and climate in order to reduce danger to public health and safety posed by unstable mountain areas, to protect water quality, and to preserve mountain areas for their scenic values and recreational opportunities.

*P-RR – Recreation Protection Subdistrict*

The purpose of the P-RR subdistrict is to provide protection from development and intensive recreational uses to those areas that currently support, or have opportunities for, unusually significant primitive recreation activities. By so doing, the natural environment that is essential to the primitive recreational experience will be conserved.

*P-WL – Wetland Protection Subdistrict*

The purpose of the P-WL subdistrict is to conserve coastal and freshwater wetlands in essentially their natural state because of the indispensable biologic, hydrologic and environmental functions which they perform.

Preserving wetlands will promote the public health and safety of persons and protect property against the hazards of flooding and drought by holding back water during floods and retaining water during dry periods. Wetlands also maintain water quality for drinking, store nutrients from upland run-off in plant tissue, serve as settling basins for silt and sediment from upland erosion, stabilize water supply by maintaining the groundwater table and groundwater recharge and discharge areas, and provide plant, fish and wildlife habitat. Wetlands function as integral and irreplaceable parts of a larger natural system, influencing our climate, economy, environment, and natural heritage.

Insofar as this protection subdistrict also includes the area enclosed by the normal high water mark of surface water bodies within the Commission's jurisdiction, the purpose of this subdistrict shall also be to help insure compatible surface water uses on those water bodies where there is the potential for conflict with other uses and values of such water bodies.

## Appendix B: Residential Development in the General Management (M-GN) Subdistrict

### Residential Development in the M-GN Subdistrict, by Type, Minor Civil Division, and Period

Minor Civil Division	1981-2000		2001-2020	
	Number of New Dwellings	Other Residential Permits for Expansions etc.	Number of New Dwellings	Other Residential Permits for Expansions etc.
Adamstown Twp.	1	1		1
Dallas Plt.	30	24	10	13
Lincoln Plt.	18	18	6	12
Magalloway Twp.	4	1	4	5
Rangeley Plt.	34	28	11	27
Sandy River Plt.	36	36	14	22
Township C				1
Township E	2	1		
<b>Total</b>	<b>125</b>	<b>109</b>	<b>45</b>	<b>81</b>

### Percentage of New Dwellings in the M-GN Subdistrict, by Minor Civil Division and Period

Minor Civil Division	Percentage of New Dwellings in M-GN	
	1981-2000	2001-2020
Adamstown Twp.	4%	0%
Dallas Plt.	13%	8%
Lincoln Plt.	64%	30%
Magalloway Twp.	27%	44%
Rangeley Plt.	11%	11%
Richardsontown Twp.	0%	0%
Sandy River Plt.	44%	22%
Township C	0%	0%
Township D	0%	0%
Township E	100%	0%
<b>Total</b>	<b>18%</b>	<b>14%</b>

**Appendix C: Permits by Type and MCD, Pre-Plan & Post-Plan****Residential Development**

Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020		
Dallas Plt.	37	154	95	136	144	106	49	57	422	356
Rangeley Plt.	112	214	143	190	209	124	81	81	659	495
Sandy River Plt.	22	52	54	72	122	56	35	31	200	244
Adamstown Twp.	6	15	22	26	15	11	5	6	69	37
Lincoln Plt.	4	15	18	22	32	17	7	13	59	69
Magalloway Twp.	2	12	11	17	12	18	12	7	42	49
Richardsontown Twp.	2	4	5	3	3	3	1	2	14	9
Township C	1	5	4	5	7	4	2	7	15	20
Township D									0	0
Township E	2	1		2	2			1	5	3
<b>Total</b>	<b>188</b>	<b>472</b>	<b>352</b>	<b>473</b>	<b>546</b>	<b>339</b>	<b>192</b>	<b>205</b>	<b>1,485</b>	<b>1,282</b>

**Non-Residential Development**

Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020		
Dallas Plt.	2	4	7	7	6	11	6	4	20	27
Rangeley Plt.	1		2	4	7	1	5	3	7	16
Sandy River Plt.		1	8	1	6		1		10	7
Adamstown Twp.	1	1	1	3	2		8	2	6	12
Lincoln Plt.	2	1	8	4	4	2	1	2	15	9
Magalloway Twp.		2	6	1	1	1	1	1	9	4
Richardsontown Twp.	1	5	3	3	2				12	2
Township C	1		1	2			2	1	4	3
Township D	1	1							2	0
Township E			1					1	1	1
<b>Total</b>	<b>9</b>	<b>15</b>	<b>37</b>	<b>25</b>	<b>28</b>	<b>15</b>	<b>24</b>	<b>14</b>	<b>86</b>	<b>81</b>

**Subdivision Permits**

Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2013	2016-2020		
Dallas Plt.	5	17	10	6	6	5	2	4	38	17
Rangeley Plt.	6	7	7	4	3	9	2	3	24	17
Sandy River Plt.		5	3	2	7	1	1	1	10	10
Adamstown Twp.	1	5	3		3	1		1	9	5
Lincoln Plt.							3	2	0	5
Magalloway Twp.				1		1	2	1	1	4
Richardsontown Twp.									0	0
Township C					1				0	1
Township D									0	0
Township E									0	0
<b>Total</b>	<b>12</b>	<b>34</b>	<b>23</b>	<b>13</b>	<b>20</b>	<b>17</b>	<b>10</b>	<b>12</b>	<b>82</b>	<b>59</b>

**Zoning Petitions**

Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020		
Dallas Plt.	2	8	1	4	2	1	1		15	4
Rangeley Plt.		1	3	1					5	0
Sandy River Plt.		5	1	2		1			8	1
Adamstown Twp.	1	1							2	0
Lincoln Plt.							1		1	1
Richardsontown Twp.									0	0
Township C					1				0	1
Township D									0	0
Township E									0	0
<b>Total</b>	<b>3</b>	<b>15</b>	<b>5</b>	<b>8</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>31</b>	<b>7</b>

[Note: The data summarized above is limited to ZPs between January 1, 1981 through December 31, 2021 proposing to change any subdistrict to one or more of the Commission's development subdistricts or to a P-GP2 subdistrict. Other zoning petitions during those periods assigned a management or protection subdistrict designation and are not instructive to the assessment of the Rangeley prospective zoning plan.]

**Other<sup>1</sup>**

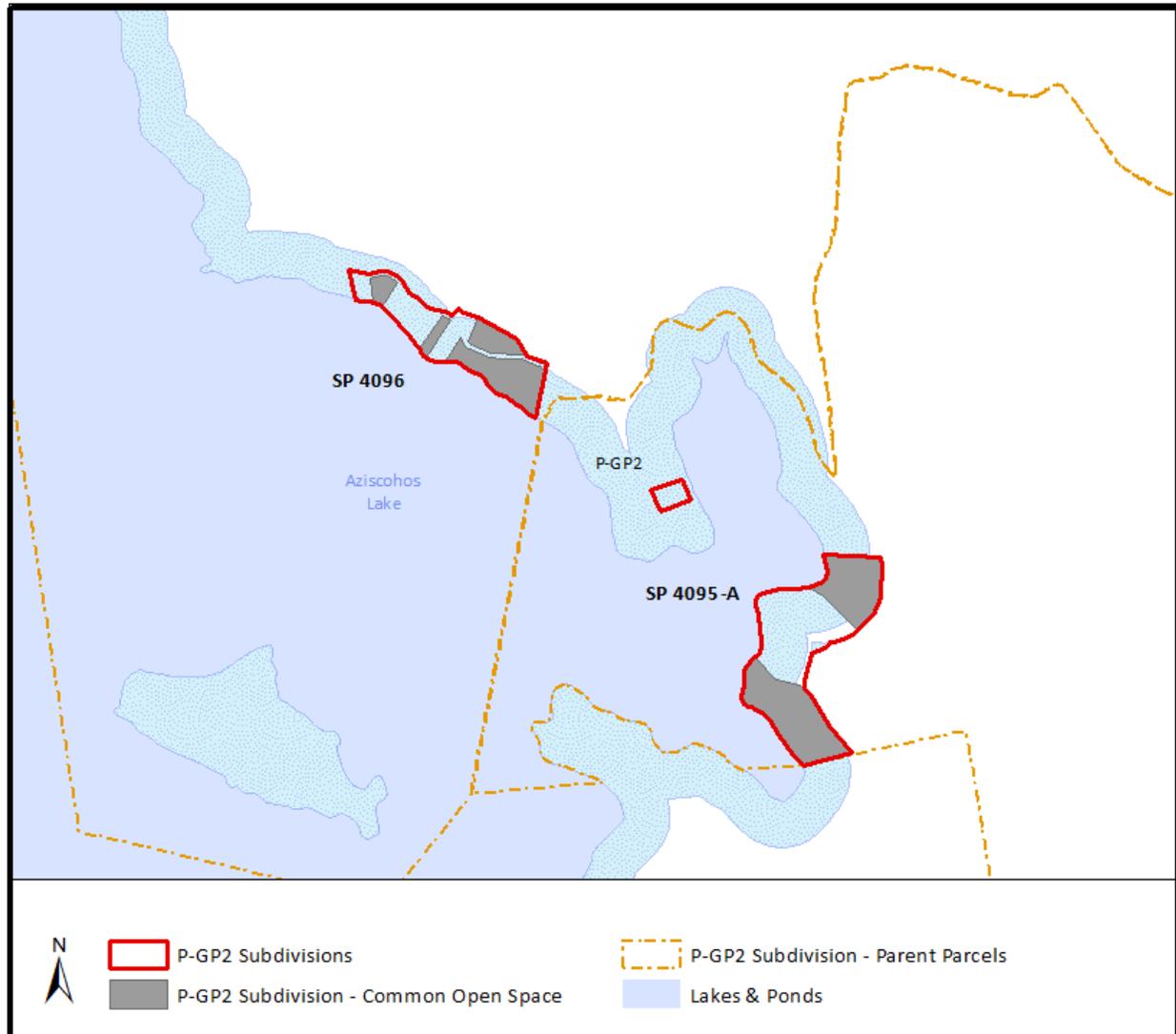
Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020		
Dallas Plt.	3	2	1	4	3	3	5	1	10	12
Rangeley Plt.		6	2	1	2	2	1	1	9	6
Sandy River Plt.		2	3	4		4			9	4
Adamstown Twp.	1	1	4	1					7	0
Lincoln Plt.	3	1	1	1	1				6	1
Magalloway Twp.						1	1		0	2
Richardsontown Twp.		1					2		1	2
Township C				2				1	2	1
Township D						1			0	1
Township E	1								1	0
<b>Total</b>	<b>8</b>	<b>13</b>	<b>11</b>	<b>13</b>	<b>6</b>	<b>11</b>	<b>9</b>	<b>3</b>	<b>45</b>	<b>29</b>

**Total**

Minor Civil Division	Pre-Plan				Post-Plan				Pre-Plan Total	Post-Plan Total
	1981-1985	1986-1990	1991-1995	1996-2000	2001-2005	2006-2010	2011-2015	2016-2020		
Dallas Plt.	49	185	114	157	161	126	63	66	505	416
Rangeley Plt.	119	228	157	200	221	136	89	88	704	534
Sandy River Plt.	22	65	69	81	135	62	37	32	237	266
Adamstown Twp.	10	23	30	30	20	12	13	9	93	54
Lincoln Plt.	9	17	27	28	37	19	12	17	81	85
Magalloway Twp.	2	14	17	19	13	21	16	9	52	59
Richardsontown Twp.	3	10	8	6	6	3	3	2	27	14
Township C	2	5	5	9	8	4	4	9	21	25
Township D	1	1				1			2	1
Township E	6	16	6	10	5	2	2	2	38	11
<b>Total</b>	<b>223</b>	<b>564</b>	<b>433</b>	<b>540</b>	<b>606</b>	<b>386</b>	<b>239</b>	<b>234</b>	<b>1,760</b>	<b>1,465</b>

### Appendix D: Subdivisions in the P-GP2 Subdistrict – Extent of Shoreline to be Conserved

As discussed in Section II,D of this report, subdivisions within the Semi-Remote Lake Protection (P-GP2) subdistrict must conserve at least 50 percent of a landowner's ownership on a shoreline which must be located so as it will create large and contiguous blocks of open space or to conserve sensitive resources and areas traditionally used by the public. The following summarizes the two cases approved since 2001.



**SP 4095-A – Lincoln Plantation – Aziscohos Lake**

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Description:

August 2, 2013 permit approval for 6 lots for residential development, 1 community center lot, 2 common open space lots, and one road lot.

Parent/Original Parcel:

2,566 acres (including 238 acres of flowed land)

Common Open Space Lots:

one lot consisting of 12 acres and 1,400 feet of shoreline, and the other including 8 acres and 530 feet of shoreline

Qualified Owner:

The permit allows both common open space lots to remain in the ownership of the applicant or its assigns. The open space covenants prohibit further subdivision of the open space lots, structural development, and overnight camping. However, the covenants confirm that the Commission and the residential lot owners maintain the authority to enforce the open space covenants.

**SP 4096 – Lincoln Plantation – Aziscohos Lake**

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Description:

June 2, 2015 permit approval for 5 lots for residential development, 4 common open space lots, and 1 community center lot.

**NOTE:** The permitted activity was not “substantially started” pursuant to Chapter 4, Section 4.07,F; this permit has expired.

Parent/Original Parcel:

4,792 acres (including 1,294 acres of flowed land)

Common Open Space Lots:

four lots with a total 13.7 acres and 1,364 feet of shoreline

Qualified Owner:

The permit allows the applicant to retain ownership of all common open space lots. The open space covenants prohibit further subdivision of the open space lots, structural development, and overnight camping. However, the covenants confirm that the Commission and the residential lot owners maintain the authority to enforce the open space covenants.