

12 LAND USE

In developing a comprehensive plan, it is important to consider how land is used within a community. This section provides a description of land use trends in the Town of St. George and establishes a Future Land Use Plan. The Future Land Use Plan (see Section 12.3) brings together the various parts of the Comprehensive Plan that affect land use and illustrates, in a general sense, the likely pattern of future land use and development. While the Future Land Use Plan is not an ordinance, it does serve as a tool to help guide revisions to the Town's land use ordinances and as roadmap for possible future growth-related infrastructure investments. The boundaries shown on the Future Land Use Plan are general and should only serve as guidelines as the ordinances and associated maps are reviewed and revised through more detailed planning and analysis.

12.1 Land Use Trends

The Town of St. George is located on the St. George peninsula, which is bounded on the west by the St. George River, on the east by Penobscot Bay and on the north by the Town of South Thomaston. The peninsula is slightly over nine miles in length, and its width varies from 1 to 3½ miles. The shoreline is irregular, with a total length of about 45 miles.

There are still large, undeveloped rectangular-shaped “ribbon” lot parcels in the interior portion of the peninsula. Originally these lots stretched from the coast inward, providing early settlers with access to the waterfront as well as agricultural and forested lands. In recent years the waterfront portions of these parcels have been divided into small lots for residential uses. The interior lots of the peninsula are predominantly wooded, with very little agricultural use today. There is currently a small amount of cleared agricultural land, mostly in the northern part of Town. Evidence of past and current logging activity throughout the interior is seen on the Town's aerial photograph (1989). Current access to forested land is along the existing local road network and is adequate for forest management and harvesting.

Of the developed land, residential land use is the most dominant. Business activities are scattered throughout town primarily located along the Town's road network and concentrated in hamlets and villages. The only active industrial enterprise of any size is the Hy-Liner Rope Co. on Route 73 that was rebuilt in the early 1980's. The site of the former Great Eastern Mussel Farm on Mussel Farm Road was closed in 2016, but still offers a 20,000 square foot industrial space.

Year-Round Residential Development. Residential land use occurs along the major highways and local roads, and in protected coves along the coast. Route 131 runs the length of the peninsula, along the westerly side to Watts Cove, crosses the peninsula and then along the easterly side to the village of Port Clyde. Wallston Road, Turkey Cove and Glenmere Road together form the roadway along the western side of the peninsula from Watts Cove to Port Clyde. Route 73, Wallston Road and Glenmere Road are the major roads

running east and west along the peninsula. Most rural residential development occurs along these roads and immediately off these roads on the waterfront.

Concentrated residential housing occurs in the villages of Port Clyde, Tenants Harbor and Clark Island Village. Other areas with heavy residential use are on Rackliff Island, Spruce Head, Otis Point and above St. George Village/Wiley's Corner. Areas that have seen noticeable growth in the past ten years include Route 73 between Route 131 and Harrington Cove.

Most of St. George's residential housing units are single family dwellings, including mobile homes and seasonal dwellings. There are a small number of multi-family dwellings located in Tenants Harbor and Port Clyde.

The majority of these residences are built for year-round use; however, some are used seasonally, with year-round use intended for the future. Town Office records indicate that only two or three residences are converted from seasonal to year-round uses each year. These figures are probably low, since conversion often occurs without building permits.

Table 12.1 shows subdivision activity in St. George since 1989. It should be noted that the two items listed for the Maine Island Corporation represent additions to the original 76-lot subdivision created in the mid-1970's. This brings the total number of lots in this subdivision to 103. In the 10-year period from 1999 to 2009, the total number of subdivision lots in St. George almost doubled from 76 to 142. Since 2009 there have been no new subdivisions.

Table 12.1 Subdivisions in St. George 1989-2016				
Year	Name	# Lots	Dev. Lots	Location
1990	Deer Run	10		Harrington Cove
1990	Coastal Property Mg.	3		Scraggle Point
1990	George C. Hall	19	19	Dennison Road
1990	Cottage Lot			
1990	Maine Island Corp.	3		
1990	Maine Island Corp.	24		Rackliff Island
1992	Wharf Lot			
1992	Elizabeth Mitchell			
1993	John Hosmer			
1994	Long Cove Estates			
1995	Crowe	5		Route 73
1998	Margery Plymrec	3		
1998	Mafole North			rescinded subdivision
1999	Turkey Woods	6		
1999	Edward & Alice Estes	3		Route 73
	Total	76		
2000	Mill Creek	8		Mill Creek
2002	Harts Neck Haven	5		Harts Neck
2003	Crowe			rescinded subdivision
2004	Cliffside	9		Glenmere Road
2004	Glenmere LLC	11		Waymouth Road
2004	Englishtown Road East	3		Carlson Lane
2004	Ocean View Subdivision	2		Pebble Beach Road
2005	Adric Lane Subdivision	3		Adric Lane
2006	Long Cove Woods	11		Old Woods Road
2006	Old Woods Farm	11		Old Woods Road
2009	Spruce Head Road	5		Spruce Head Road
	Total	66		
20010- 2017		0		

Commercial and Business Land Use. Business land use in St. George is primarily in the form of services and retail shops that serve the local population. Home occupations are an important commercial endeavor for many of the Town's residents and are scattered throughout. No exact figures are available for the total number of home occupations and

Town officials indicate that many continue to be small craft shops. (See the Economy Section for a list of business establishments in St. George.)

Commercial fishing operations located along the waterfront in Tenants Harbor, Port Clyde, Wheeler's Bay, and Long Cove are important land uses as well. There is a light concentration of commercial lots along the waterfront areas of Port Clyde and Tenants Harbor. (See the Marine Resources Section for land use.)

Open Space, Farmland, and Tree Growth Properties. Twenty-six properties in St. George have been registered as forestland under the State of Maine Tree Growth Tax Law Program. This law allows for the assessment of forestland based on current use, rather than on market value as long as the land is managed for timber production and remains forested land. The total acreage registered in 2017 was 1,445.4 acres. This represents an increase of 43% in the past 10 years (1,011 acres in 2007 vs. 1,445.4 acres in 2017).

The State's Farm and Open Space Tax Law permits a reduction in taxes for land classified as farm land or open space. As with the Tree Growth Tax Law Program, taxation is based on current use, rather than fair market value. To be classified as farmland, a parcel must be at least ten contiguous acres and must produce a specified minimum gross income. Open Space is defined as (1) state wildlife and management areas, sanctuaries and preserves (2) land that conserves scenic resources; (3) land that enhances public recreational opportunities; and (4) land that promotes game management or preserves wildlife. In 2017 there were 16 properties in the Open Space Program and 4 properties in the Farm Land Program for a total of 657 acres. This represents a 46% increase in acreage since 1999 (448 to 657 acres).

Working Waterfront Access Pilot Program. In November 2005, the Maine Department of Marine Resources (DMR), working with the Land for Maine's Future (LMF) program, started to provide funds to help purchase development rights in order to preserve and protect key properties on the coast that provide access to and support commercial fisheries activities. When a project receives funding, the working waterfront property's development rights are extinguished through the sale of a working waterfront covenant, a legally binding deed restriction held by the Department of Marine Resources. The covenant protects all current and future fisheries related uses of the land by prohibiting all conflicting non-fisheries activities (i.e. condos, marinas, restaurants). The covenant does allow a degree of mixed uses that are compatible with the primary fisheries use and provides the property owner with the flexibility to manage the property as needed to remain financially viable. As of 2016, one St George land owner, Port Clyde Fisherman's Cooperative is registered in this program for a total of .75 acres.

Working Waterfront. The purpose of this law is to encourage the preservation of working waterfront land and to prevent the conversion of working waterfront land to other uses as the result of economic pressures caused by the assessment of that land for purposes of property taxation. This law requires the assessor to place a value on the property which recognizes what the property is worth as working waterfront land and not what its market value would be if the property could be converted to other uses.

The landowner may elect to apply for taxation under this law by filing an application with the local assessor. Applications must be filed on or before April 1st of the year in which the owner or owners wish to first subject such land to taxation under this law. As of 2017, there were 14 properties (13.6 acres) assessed as “working waterfront.”

Conservation Easements. A conservation easement is a legally enforceable restriction on the future uses of property, which can be sold or granted as a gift by the land’s current owners. Granted in the form of a deed to a governmental entity or qualified conservation land trust, it is designed to preserve and protect the land’s conservation values over time, while leaving the land in private ownership and on the tax rolls. The holders of the easement have the right enforce the restrictions on the land. Conservation easements can be designed to keep a property in an essentially wild state, or to allow limited residential uses, farming and forestry.

We are aware of 9 properties under Conservation Easement, totaling 217 acres. There are 4 preserved properties, totaling 36.28 acres. These are listed in the table below:

Table 12.2 Conservation Easements			
Location	Acres	Year	Owner
Lang Road	2.8	2009	CMLT
Lang Road	20.9	2005	CMLT
Teel Cove	81	1986	GRLT
Hawthorne Point	28	1996	GRLT
Turkey Cove	28	1996	GRLT
Watts Cove	28	1994	GRLT
Cutler Cove	23	2010	GRLT
Roaring Spout	2	1987	GRLT
Norton Island	44	2010	
French Property	26.65	1995	
Whitehead Island	67	2014	
Corp. Eider Lane	3.3		MCHT
TOTAL	217		

Coastal Mountain Land Trust (CMLT); Georges River Land Trust (GRLT); Maine Coast Heritage Trust (MCHT)

Table 12.3 Preserved Lands				
	Location	Acres	Year	Owner
Tommy's Island Preserve	Long Cove	1	2001	GRLT
The Brothers & Hay Ledge Islands	Port Clyde	12.4	1978	Nature Conservancy
High Island		22	2016	MCHT
Meadow Brook Preserve	Turkey Cove	22.5	2017	MCHT
	Road			
Bamford Preserve	Long Cove	36.28	2015	MCHT

Coastal Mountain Land Trust (CMLT); Georges River Land Trust (GRLT); Maine Coast Heritage Trust (MCHT)

Undeveloped Land. Undeveloped parcels, or parcels containing no buildings, account for approximately 24% of the total number of parcels compared with 29% of the total in 2007 (a decrease of 17%). However, a much larger portion of the total acreage is undeveloped, since many large lots in the interior of the peninsula contain only single dwellings. On the waterfront there are few undeveloped lots. There are a few large lots containing only one residence; and areas where small waterfront lots are adjacent to larger, undeveloped lots just behind water frontage. See also Undeveloped Blocks map in the appendix.

Publicly Owned Land. Properties held by St. George are listed in the Public Facilities section. Several of these lots are in Port Clyde and Tenants Harbor; the remainders are scattered throughout Town. The 66-acre Town Forest, located in the interior off the Kinney Woods Road is seeing increased use with addition of the Town Forest Trail. The 10 Cold Storage Road property in Port Clyde was purchased in 2015. The Town also owns the Marshall Point Lighthouse in Port Clyde. The State of Maine owns Fort St. George in the St. George River.

12.3 St. George's Land Use Ordinances

St. George's land use ordinances include:

- Shoreland Zoning Ordinance (adopted in 1973)
- Floodplain Management Ordinance (adopted in 1988)
- Site Plan Review Ordinance (adopted in 1989)
- Coastal Waters Management Ordinance (adopted in 1988)
- Minimum Lot Size Ordinance (adopted in 1979)
- Subdivision Ordinance (adopted in 1988)
- Housing Conversion Ordinance (adopted in 1985)
- Wellhead Protection Ordinance (adopted in 2005)

Shoreland Zoning Ordinance. St. George's Shore Land Zoning Ordinance applies to all land areas within 250 feet of the Town's water bodies, including the St. George River and Penobscot Bay. The ordinance establishes six zoning districts: (1) Resource Protection, (2) Stream Protection, (3) Limited Commercial, (4) Commercial Fishing /Maritime Activities, (5) Recreation, and (6) Marine Residential.

- The *Resource Protection District* includes inland or coastal wetlands, significant wildlife habitat, and areas of fragile soils, floodplains or designated as natural, scenic or historic areas of significance. This district applies to such areas as the marsh in Tenants Harbor, Fort St. George in Wiley's Corner, an inlet south of Otis Cove in the St. George River, and inlet just north of Ten Pound Island in the river and two inlets at Mill Cove, including the marsh around Scraggle Point.
- The *Stream Protection District* includes areas within 75 feet of the normal high-water line of a stream that is not part of the Resource Protection District.
- The *Limited Commercial District* includes areas that have two or more contiguous acres containing a mixture of residential and low intensity business or commercial uses.
- The *Commercial Fishing/Maritime Activities District* applies to specific areas of existing deep-water facilities in Tenants Harbor, Port Clyde, Long Cove, and other areas that are suitable for functionally water-dependent uses.
- The *Recreation District* applies to protected areas with existing deep-water access and beaches which have public access. This district includes the Ball Field and Tennis Courts, property on the waterfront owned by the Town in Tenants Harbor and Drift Inn Beach in Port Clyde.
- The *Marine Residential District* includes all shoreland not specifically included in the Resource Protection, Commercial Fishing and Recreation Districts. The intent of the Marine Residential District is to preserve the existing land use by low-intensity single-family dwellings.

Floodplain Management Ordinance. The citizens of St. George adopted the Federal Standard Floodplain Ordinance in 1988. This ordinance sets standards for development in areas subject to 100-year floods. These areas are along the waterfront of the mainland and islands, around Howard Pond and an unnamed stream, and around the marsh areas of Tenants Harbor. The ordinance was amended in June of 1992 to incorporate the redrawn and more accurate floodplain maps and revised in 2010, and again in 2015.

Site Plan Review Ordinance. This ordinance allows Planning Board review and citizen participation in commercial and industrial projects, and in large residential projects of three or more units. The ordinance applies to land uses for commercial, industrial, municipal, office, institutional or multi-unit residential purposes. The ordinance establishes review

standards to be taken into account by the Planning Board before approval of the proposed development can take place, as well as performance standards by the applicant. Review standards include considering the development's effects on air and water pollution, future water supply, existing water supply, soil erosion, traffic congestion, solid waste and sewage disposal as well as municipal solid waste and sewage disposal. Also to be reviewed are the development's effects on scenic and natural beauty, municipal services, groundwater, solar energy access, waterbodies and shoreline and 100 year floodplain elevation.

Coastal Waters Management Ordinance. The purpose of this ordinance is to provide for equitable future growth within waters under the Town's jurisdiction. In addition, the ordinance provides for the safe passage, operation and moorage in Town waters. Harbor boundaries, moorage areas, channel lines and a speed limit are established for Tenants Harbor and Port Clyde. The allocation of new moorings is assigned in the following order of preference:

1. Municipal resident shorefront owners
2. Resident commercial boat owners
3. Resident recreational boat owners
4. Resident commercial operators with rental moorings
5. Non-resident commercial boat owners
6. Non-resident recreational boat owners.

Minimum Lot Size Ordinance. St. George's minimum lot size ordinance was established to preserve the rural and residential character of the Town as well as to preserve and protect its natural environment and scenic beauty. The minimum size for residential lots is one acre per single family dwelling with 100 feet of road frontage.

Subdivision Ordinance. St. George's subdivision ordinance allows lots to be clustered with associated open space and lot size reduction. When a proposed subdivision is located on shore land, a portion of the waterfront shall be included in the open space if at all feasible. The Planning Board may also request that a proposed subdivision preserve scenic, historic or environmentally desirable areas. Developers of subdivisions located on islands not accessible by a public or private road are required to provide or prove existing provision of permanent mainland support facilities such as parking, launching and mooring facilities to service the development.

Housing Conversion Ordinance. This ordinance, enacted in 1985, permits the conversion of existing residential buildings to other than single family uses. The ordinance establishes regulations regarding the minimum land area per dwelling unit.

Wellhead Protection Ordinance. This ordinance, enacted in 2005, protects the quality of the ground water being extracted from the wells which serve the Tenants Harbor Water District (THWD) and the Port Clyde Water District (PCWD). The ordinance applies to all land uses within the Wellhead Protection Areas (WHPA) of the Tenants Harbor Water District's and the Port Clyde Water District's production wells. The employees and officers of the public water systems shall refer any problems or potential problems regarding land uses within the wellhead protection area to the CEO.

12.3 Future Land Use

The Future Land Use Plan is intended to reflect the community's vision for the future and to help align land use strategies which have been shaped by the inventory, analysis and policies developed in the previous chapters. The recommendations have been influenced by historical development patterns as well as existing natural resource constraints and input from the public.

While previous chapters in this Comprehensive Plan have expressed reservations about expanding zoning beyond the shoreland areas, it has also recognized the need for strategies which will facilitate future development in ways that help the Town achieve its vision for the future. To do this the plan identifies where there are historic patterns of development and where traditional rural character, critical rural resources (wetlands, streams, etc.) and waterfront uses should be protected.

The Future Land Use Plan will help the Town to focus new growth-related capital investments and to support regulatory approaches which support existing or infill development and encourage growth in appropriate locations in town, while helping to discourage it in areas where it is less desirable. (Road maintenance and some other rural investments would not count as "growth-related")

Growth Areas. Growth Areas are defined by the State as being "suitable for orderly residential, commercial, or industrial development, or any combinations of those types of development and related infrastructure". There are two growth areas in the Town of St. George, both of which are centered around existing villages. In these areas regulatory changes and capital investments (not including road maintenance) will help support infill and new development in the future.

- **Tenants Harbor Village Center**

Tenants Harbor is an existing mixed-use village which is served by public water. The area has an established core which includes the Town Offices, 2 churches, a Post Office, school, library, a general store, places to eat, public access to the harbor, and several other small scale commercial uses. The village is located along the main road (Route 131) running through town and offers a key point of access to the water. The Tenants Harbor

Vision Statement - The Town of St George shall be a desirable place to live, work, raise a family, retire and visit. To accomplish this vision the Town shall protect its scenic, recreational and natural resources that give St. George its distinctive character. Traditional fisheries and emerging marine based industries will continue to be an integral part of our culture and working waterfront. Tourism and non-marine related industry and businesses will provide additional employment opportunities and attract young people. The Town will have a variety of quality housing, including affordable options for low and middle-income families and senior citizens. Quality, local educational opportunities will continue to be valued and supported.

The spirit of community is reflected through the efforts of our citizens and volunteers. This vision shall be realized by you.

Village Center includes areas within the Shoreland Zone as well as a Well Head Protection area associated with the Water District, both of which will continue to be protected through appropriate regulations.

The Tenants Harbor Village Growth Area is meant to reflect the mixed-use nature of the village center. The current minimum lot size of 1 acre is recommended to remain the same for overall density purposes, however, a variety of strategies including changes to allow appropriate infill development will be evaluated to help provide for additional housing options, working waterfront, and to encourage commercial growth.

- ***Port Clyde Village Center***

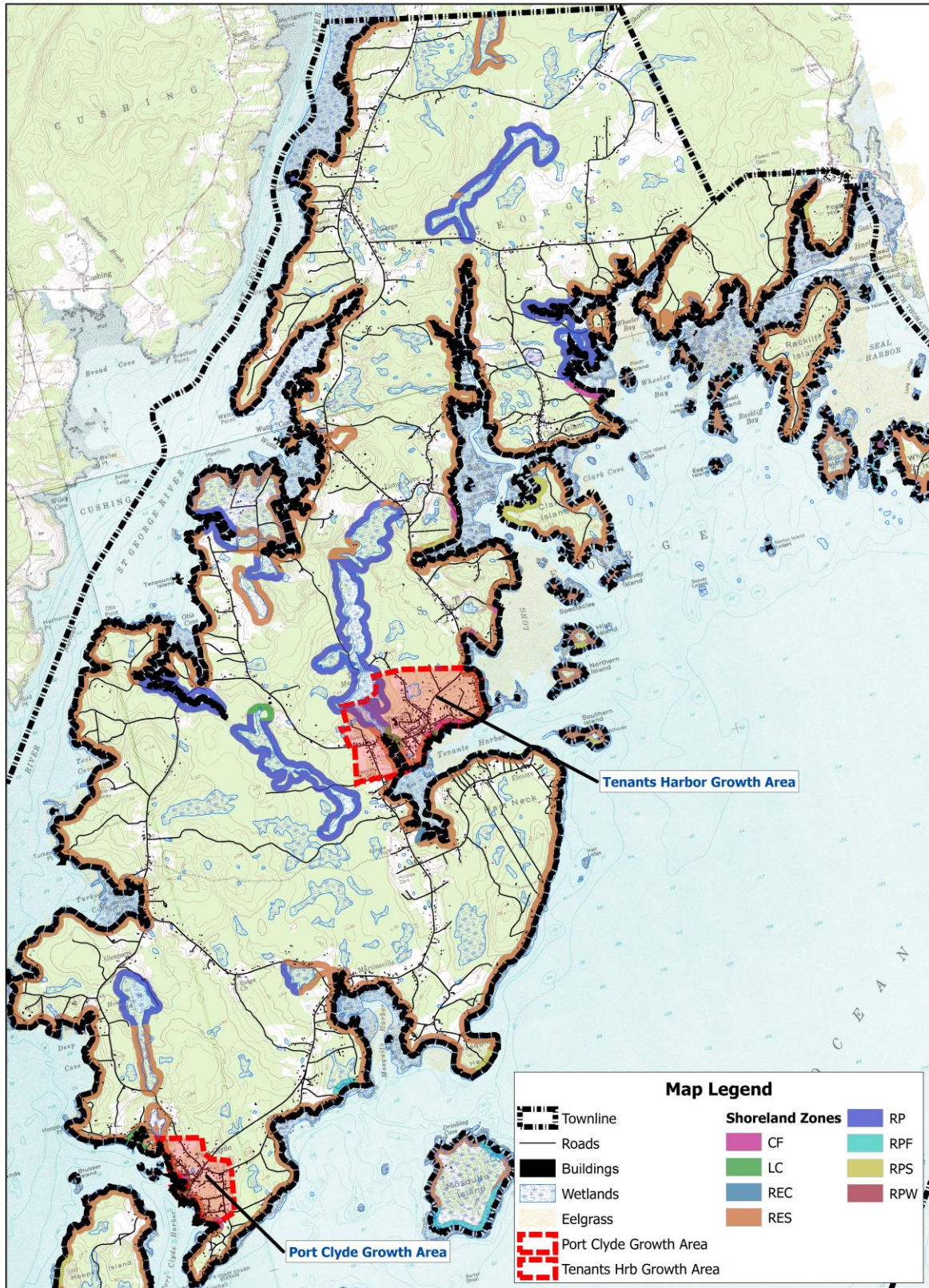
Port Clyde is another existing mixed-use village which is served by public water. The area has an established core which is centered around the harbor. There are several seasonal shops, a general store, public access to the harbor, and multiple commercial fishing wharves. Port Clyde also has a commercial ferry service providing access to Monhegan Island. The village is located at the end of Route 131.

The Port Clyde Village Growth Area is meant to reflect the mixed-use nature of the village center. The current minimum lot size of 1 acre is recommended to remain the same for overall density purposes, however, a variety of strategies including changes to allow appropriate infill development will be evaluated to help provide for additional housing options, working waterfront, and to encourage commercial growth.

Critical Resource Areas. Critical resource areas are reflected in the existing Shoreland Zoning Resource Protection Zones and are protected by mandatory regulatory mechanisms. Other high-value areas identified by the Natural Resources chapter of this plan may also be designated as Critical Resource Areas and will be protected primarily by non-regulatory mechanisms.

Rural Areas. Rural Areas make up the majority of the Town and have traditionally accommodated a mixture of uses (residential, commercial, home occupations, etc.) at lower densities than seen in the villages. Ordinance standards are recommended for protecting non-compatible uses from one another and maintaining the same density levels as are currently proposed. Traditional activities such as farming and forestry will be supported as well as conservation measures and public recreational access.

Town of St. George Future Land Use Plan



12.4 Goals, Policies, and Strategies

A. State Goal

To encourage orderly growth and development in appropriate areas of each community, while protecting the state's rural character, making efficient use of public services, and prevent development sprawl.

B. Local Policies and Strategies

Pursuant to the State goal, the Town of St. George has the following policies and strategies.

Strategies proposed in this Comprehensive Plan are assigned responsible parties and a timeframe in which to be addressed. **Short Term** is assigned for strategies to be addressed within two years after the adoption of this Comprehensive Plan, **Midterm** for strategies to be addressed within five years, and **Long Term** for strategies to be addressed within ten years. In addition, **Ongoing** is used for regularly recurring activities.

Policy 1: Identify areas most suitable for growth, areas with clearly identified constraints, and resource protection areas.

Strategy	Responsibility	Date
Use the Development Constraints Map, the Soils Map, the Water Resources Map, and other maps and information along with site specific data provided by the applicant to identify sites suitable for growth.	Planning Board	Ongoing
Revise the Town's land use ordinances (Subdivision, Site Plan Review, Shoreland Zoning, Floodplain Management, Minimum Lot Size, and Housing Conversion) as needed and according to this Plan to achieve orderly growth and development, maintain open space, and rural character.	Planning Board	Ongoing
Consider restricting residential development on the Town's undeveloped headlands, based on wildlife habitat, shoreland zoning regulations, and soil suitability.	Planning Board	Ongoing
Encourage private landowners to take steps to preserve open space through tree growth and farm and open space programs, conservation easements, deed restrictions, donations to land trusts or other organizations, etc.	Conservation Commission/Select Board	Ongoing
Maintain an inventory of unique archeological, historic, and natural areas that should be protected.	Conservation Commission	Ongoing

Policy F2. Discourage strip development along the Town's public roads.

Strategy	Responsibility	Date
Study the ordinances to regulate new uses along public roads. Standards could include the following: curb cut limitations, internal roads for large subdivisions, and larger road frontages. Changes may be needed in regulations and ordinances.	Planning Board	Ongoing

Policy F3. Discourage Town acceptance of new roads.

Strategy	Responsibility	Date
Maintain minimum road standards adopted by the Town.	Town Manager/Select Board	Ongoing

Policy F4. Limit intensive development that conflicts with the character of the Town, overtax public facilities, or harm natural resources.

Strategy	Responsibility	Date
Maintain the Site Plan Review Ordinance which includes review and performance standards designed to provide protection to existing residential areas and rural character.	Planning Board	Ongoing
Investigate the feasibility, and where appropriate, enact an Impact Fee Ordinance to require developers of large projects to build any roads and other public facility improvements as needed.	Planning Board	Ongoing
Consider restricting residential development on the Town's undeveloped headlands, based on wildlife habitat, shoreland zoning regulations, and soil suitability.	Planning Board	Ongoing

Policy F5. Monitor development activities in Town and take steps to slow growth when the pace of development exceeds the Town's ability to provide services.

Strategy	Responsibility	Date
Evaluate, on a regular basis, the patterns of development to determine the impacts on the Town. If the pace of growth appears to be too rapid, or inappropriate, consider implementing additional growth controls (e.g. limitations on new construction; and greater restrictions for growth, such as larger lot sizes and/or road frontages, increased setbacks in areas with development constraints).	Town Manager/Planning Board/Comprehensive Plan Committee	Ongoing

Policy F6. Meet the Town charter mechanisms to oversee the implementation of the Comprehensive Plan.

Strategy	Responsibility	Date
Maintain the Town charter provision to implement this Plan on a continuing basis.	Select Board/Comprehensive Plan Committee	Ongoing
Update the Comprehensive Plan at least every five years.	Comprehensive Plan Committee	Ongoing
Monitor population, housing, economy, and land use trends on an annual basis.	Select Board/Comprehensive Plan Committee	Ongoing
Meet with the representatives of neighboring communities to discuss issues of regional significance and to establish an ongoing dialogue on planning issues.	Select Board/Comprehensive Plan Committee	Ongoing