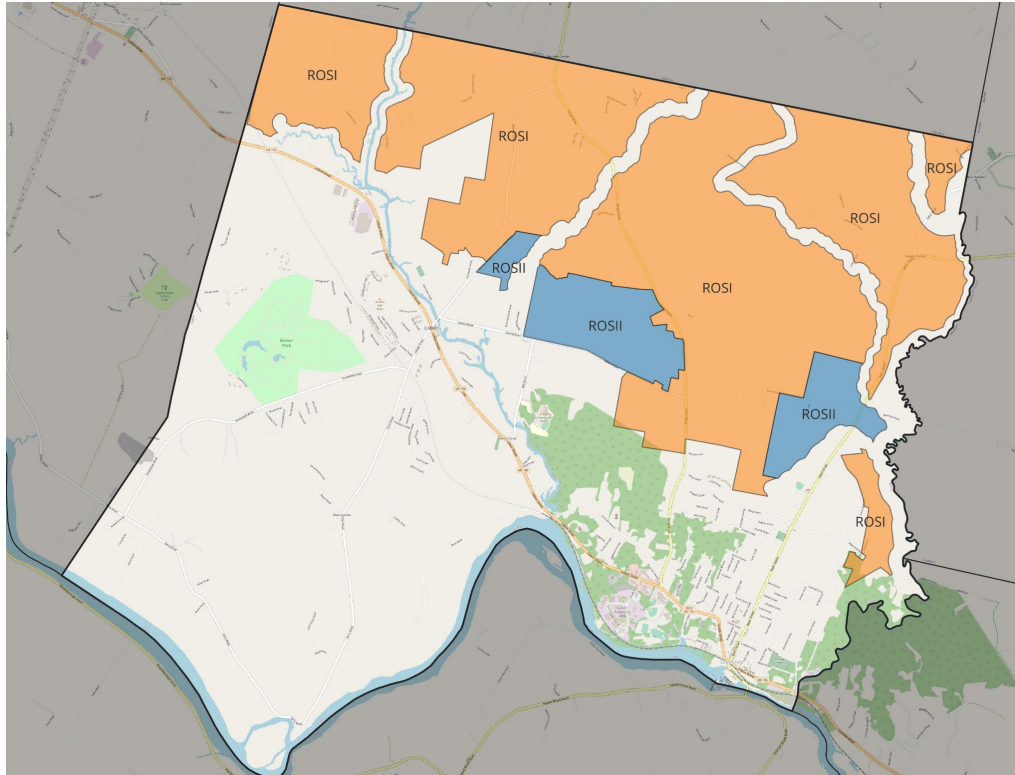


Lisbon Rural Open Space Zoning Summary and Proposed Changes

What are ROS-I and ROS-II?

The ROS-I and ROS-II zones (Rural Open Space-I and -II) are rural zones in Lisbon. These zoning regulations were developed to protect Lisbon’s farmland, forest, and open space, and to direct the majority of new growth away from rural areas and towards parts of Lisbon with existing public infrastructure and services. The 2019 Comprehensive Plan defines these zones as places where limited new housing will be built, while open lands and country roads will be preserved. These areas should continue to demand little from municipal services.

The ROS-I zone allows limited residential development, requiring an Open Space Subdivision if the parcel is greater than 10 acres. The ROS-II zone is intended “to maintain the agricultural land base of Lisbon” while allowing limited residential development. This smaller zone is more restrictive. New residential subdivisions are not allowed, back lots are not allowed, and all new residential lots must have driveways on existing public streets.



Map of Lisbon showing ROS-I in orange, ROS-II in blue.

There are 456 parcels in the ROS-I zone. The average parcel size is 14.2 acres. In ROS-I, 74 parcels are enrolled in current use tax programs - those parcels tend to be larger, with an average size of 50.4 acres. There are 56 parcels in the ROS-II zone with an average parcel size of 24.8 acres. In ROS-II, 12 parcels are enrolled in current use tax programs - those parcels have an average size of 57.3 acres. Apart from a few parcels in ROS-II on Upland Road, no properties in these zones are served by public water and sewer utilities.

These rural areas of Lisbon have an economic impact (farms, woodlots), contain important open spaces for recreation and the environment, and are key to the “rural character” of Lisbon.

Why are we considering changes to the zoning regulations for ROS-I and ROS-II?

Some residents of the ROS-I and ROS-II zones feel the regulations are too restrictive or put an unfair burden on rural landowners. ROS-II landowners cannot create subdivisions or back lots. ROS-II landowners must go through the cluster subdivision process if they own more than 10 acres.

These regulations are all intended to protect Lisbon’s farms, forests, and open spaces by keeping large tracts of land intact and available for agriculture, recreation, and environment - as well as to limit the impact of development on town services.

North Star Planning has been working with the Planning Board to develop new zoning regulations that **improve flexibility and fairness for residential development** in these zones **while continuing to preserve farmland, forest, and open space.**

Ordinance Development

The Planning Board considered different zoning tools to preserve rural land while still allowing flexibility for housing development. The two primary options are Conservation/Open Space Subdivisions and Maximum Lot Size.

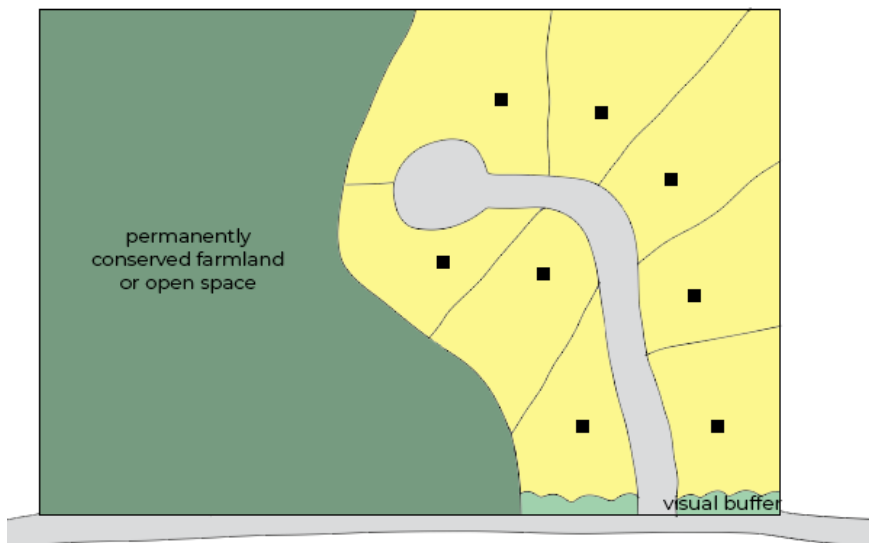
The main differences between these options are:

- Conservation subdivision only applies to subdivisions while maximum lot size applies to all lot splits within the zoning district
- Conservation subdivisions require a formal open space dedication, easement, or common ownership the open space, while maximum lot size allows unencumbered use of the property owner's large remaining land area

Conservation or Open Space Subdivision

Conservation subdivision is a fairly common tool in rural communities in Maine on large parcels and/or in agricultural zones. A conservation subdivision requires that the subdivider permanently conserve at least 50% of the parcel as open space with an easement, while the rest of the land can be divided into house lots of a smaller minimum lot size. These subdivisions are typically designed by a developer.

Conservation Subdivision Example:



These subdivisions are a good tool to preserve open space and make new housing less visible from the road. However, the required open space easement can be an additional hurdle for landowners, and land splits that occur outside of a subdivision are not subject to the same requirements to preserve open space and views.

Maximum Lot Size

Another approach to preserving farm, forest, and open lands is through a maximum lot size ordinance. A maximum lot size ordinance sets a maximum lot size and a maximum density for new residential lots: for example, 1 acre lots and 2 units per 10 acres. Dimensional requirements (lot width, road frontage) can be flexible. Setback requirements can be adjusted to determine how close new development is to the road. New lots that will be used primarily for agriculture, forestry, or open space are not subject to these limits.

This results in new residential lots that are smaller and compact, while reserving large areas of land for agriculture, forest, and open space - however, these large areas do not need to be conserved under an easement.

This is a zoning ordinance that impacts all lots and lot splits in a zone. The regulations are embedded in zoning and dimensional standards, making it easier to apply and enforce.

The Board concluded that maximum lot size was a better approach for Lisbon as it provided more flexibility and less requirements for property owners, allowing landowners to split their lots for an appropriate level of residential development while still maintaining the integrity of rural Lisbon.

The following scenarios demonstrate proposed maximum lot size regulations in ROS-I and ROS-II.

ROS-I – 25 acre lot

Under current zoning, this parcel owner would be required to do an Open Space Subdivision. They would be required to permanently conserve 12.5 acres of the land, and could build five 2.5 acre house lots.

Under Maximum Lot Size:

- Maximum lot size: 1.5 acres
- Maximum density: 1 unit per 5 acres
- Minimum road frontage: 300'
- 4 new house lots, 19 acres preserved



ROS-II – 60 acre lot

Under current zoning, this parcel could not be subdivided.

Under Maximum Lot Size:

- Maximum lot size: 2 acres
- Maximum density: 1 unit per 10 acres
- Minimum road frontage: 300'
- 5 new house lots, 50 acres preserved



Next Steps

Before moving forward with any ordinance changes, the Lisbon Planning Board and Town Council have decided to conduct public outreach to get direct feedback from residents of the ROS-I and ROS-II districts. An online survey will be available in December and January, and a public meeting will be held on January 25, 2024 from 6-7 PM. The feedback collected will inform how the Planning Board proceeds with any zoning changes in these districts.