

# Town of Windham

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## MEMO

DATE: January 3, 2020

TO: Windham Town Council  
THROUGH: Barry Tibbetts, Interim Town Manager  
FROM: Amanda Lessard, Planning Director  
Cc: Long Range Planning Committee

RE: Growth Management Discussion

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In support of the Town Council's January 9, 2019 special meeting workshop to discuss growth management, staff has compiled various pieces of supporting documentation and offers a summary of past discussions on this topic.

The Town Council previously discussed concerns associated with residential growth in Town at meetings on September 18, 2018, December 18, 2018, and January 29, 2019. The focus of those meetings was on options to limit or discourage new development in rural areas. The Council reviewed a summary of building permits issued, lots created, and subdivision applications under Planning Board review in 2018; a map and data from the 2016 Comprehensive Plan Update showing that a majority of development has occurred in rural areas; and tools to address growth concerns. A work plan for the Long Range Planning Committee (LRPC) was approved by the Town Council on September 25, 2018 that included developing: Recommendations on zoning ordinance and zoning map amendments for the Farm (F) and Farm Residential (FR) Zoning Districts, an Open Space Plan; Open Space & School Impact Fee recommendations, and a District Plan for South Windham. An update on the status of the LRPC's work is summarized below. The Town Council also considered a moratorium on subdivisions in the Farm Zone that did not pass.

The current building permit data enclosed shows that residential development in 2019 was more evenly split between rural and growth areas, but the number of permits for dwelling units between 2018 and 2019 increased by 40 percent.

There are a number of tools that the Town Council could consider to limit or discourage development in rural areas. These include, in order of the time required to implement:

- F/FR Zoning Ordinance & Map Amendments
  - o *Included in the LRPC work plan approved 9/25/2018. Includes a thorough review of dimensional standards, permitted uses and performance standards. The LRPC held two community workshops in November 2018 to present issues to and hear*

*concerns from members of the public on growth in rural Windham. The majority of participants expressed concern related to community character and the balance between the built and natural environment. The LRPC developed recommended amendments for conservation subdivisions that were reviewed by the Planning Board in July. The Council has not yet scheduled a public hearing on the proposed amendment. The Council held a workshop with the LRPC in October to discuss the LRPC's approach to rezoning. The Council requested additional zoning discussion.*

- Open Space Plan
  - o *Included in the LRPC work plan approved 9/25/2018. Will identify the properties and areas of Windham that should be targeted for protection or acquisition. An RFP for consultant services was recently issued and a plan is expected to be completed in 2-3 months.*
- Impact Fees
  - o *School and Open Space Impact Fees included in the LRPC work plan approved 9/25/2018. The LRPC made a recommendation for an Open Space Impact Fee that was reviewed by the Planning Board in November. A public hearing with the Council is expected to be scheduled in January.*
- Growth Management Ordinance
  - o *Municipalities may adopt ordinances pursuant to 30-A MRSA §4360 which sets the number of building or development permits for new residential dwellings at 105% or more of the mean number of permits issued for new residential dwellings within the Town during the 10 years immediately prior to the year in which the number is calculated. Staff worked with the LRPC on the enclosed draft ordinance for the Council to consider.*
- Moratorium on Subdivision Development
  - o *A moratorium on new subdivision applications in the Farm zoning district could be adopted immediately to prevent any additional development while the Town prepares and adopts amendments to the Land Use Ordinance. The Council considered a moratorium in January 2019 that was not adopted.*