

16 Existing Land Use

1. What's Happening?

Understanding Biddeford's current land-use patterns and zoning framework is essential to assessing existing conditions and determining whether adjustments are necessary to meet the City's goals. Because land use regulations influence all other components of the Comprehensive Plan, zoning serves as a key tool for shaping development and guiding growth. By actively directing change, these regulations help protect the qualities and resources that residents value.

2. This Topic Includes

- Current land use
- Town growth and rural areas
- Base Zoning Districts
- Zoning Overlay Districts
- Site Plan & Subdivision Regulations
- Floodplain Management
- Permitting and approvals processes
- City capacity
- Recent development patterns
- Projected Development Needs
- Future Growth Management Framework

3. Current Land Use

The City of Biddeford occupies approximately 30 square miles of land, comprising approximately 7,800 parcels, which support a varied mix of land uses. Of the land that is developed, a relatively high proportion is devoted to residential uses, open space, agriculture, forestry, and recreation. With continued growth, development patterns east of U.S. Route 1 have become increasingly intensive, characterized by a higher concentration of commercial and industrial uses along the U.S. Route 1 and I-95 corridors.

Biddeford's Land Use Distribution

Land area designated as “residential” is the largest land use category at approximately 40% of the city, and about 75% of the parcels (Fig. 1 and Table 1). Just under 7.8% of land is assessed as Open Space/Tree Growth, and 5.2% is assessed as Commercial uses. There is also a significant amount of land categorized as Industrial (4.6%) and Education, Literary and Scientific (3.5%).

Commercial and Industrial uses combined make up approximately 10% of the city's land. According to the City Assessment, a significant amount of land is considered Vacant or undeveloped (approximately 21%).

Figure 1. 2020 Existing Land Uses by Tax Assessment Land Category

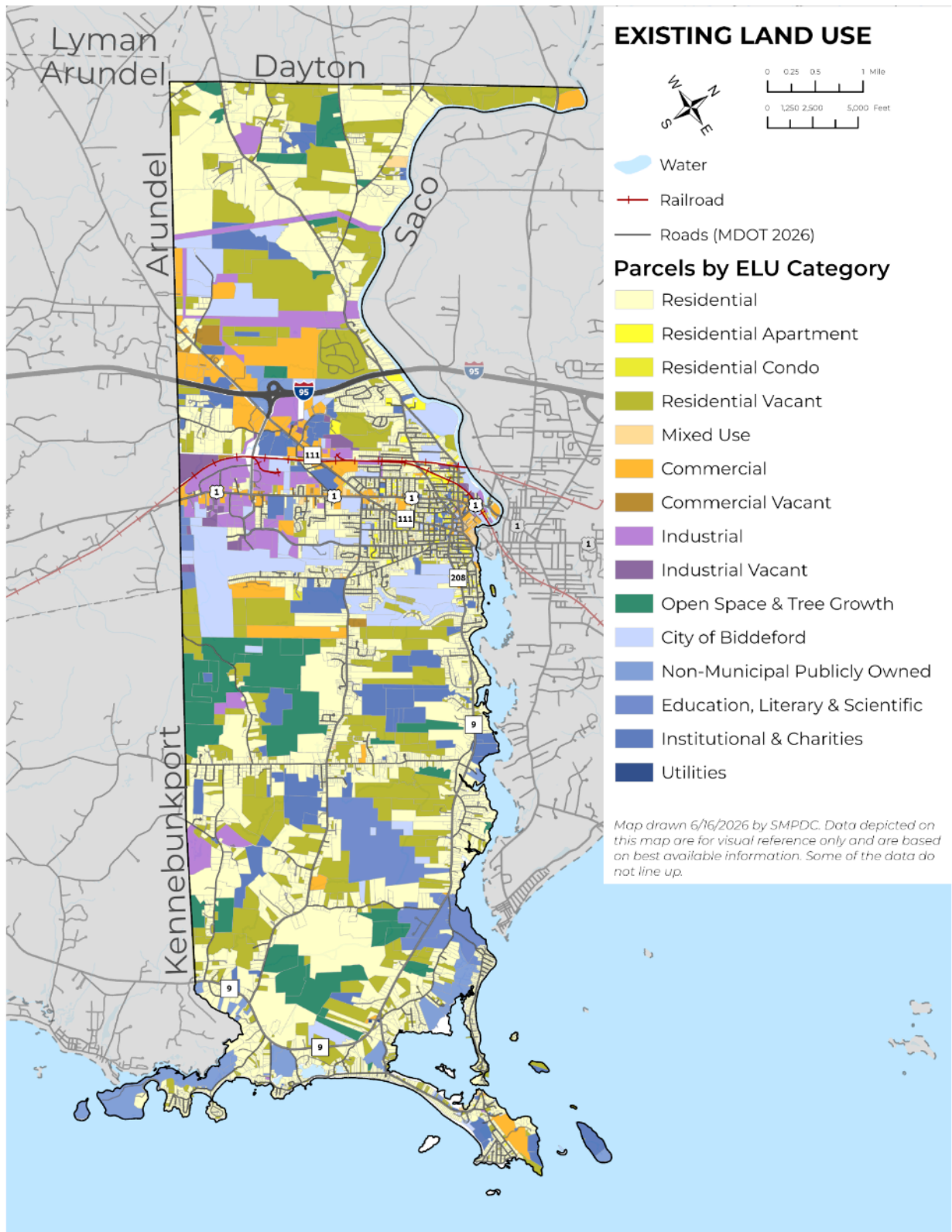


Table 16-1: 2020 Land Uses in Acres and Parcels Count by Tax Assessment Land Category

Land Use Category	Number of Parcels	Total Area (Acres)
City of Biddeford	141	1,368
Commercial	273	945
Commercial Vacant	33	63
Education, Literary and Scientific	25	632
Industrial	106	838
Industrial Vacant	33	132
Institutional/Charities	145	1,239
Mixed Use	95	52
Non-Municipal Publicly Owned	64	511
Open Space/Tree Growth	37	1,404
Residential	5,870	7,174
Residential Apartment	372	149
Residential Condo	14	12
Residential Vacant	577	3,538
Utilities	3	1
TOTAL ACREAGE	7,788	18,058

City Growth and Rural Areas

The State of Maine's Title 30-A, §4326: Growth management program elements, requires municipalities to develop a growth management program that includes defined Growth Areas, if applicable, as well as Rural Areas. These areas are defined as part of the State's Growth Management Program:

- **Growth Area:** ...suitable for orderly residential, commercial, or industrial development...and into which most development projected over 10 years is directed
- **Rural Area:** ...area deserving of some level of regulatory protection from unrestricted development...and from which most development projected over 10 years is diverted

The state requires municipalities to direct their infrastructure and facilities investments primarily toward Growth Areas. Biddeford's Growth Area Boundary was determined in the 2023 by the City Council and generally encompasses the area on both sides Route 1 with the **Saco River** being its northern boundary and the **town boundary with Arundel** bounding the area to the south.

Biddeford's Zoning

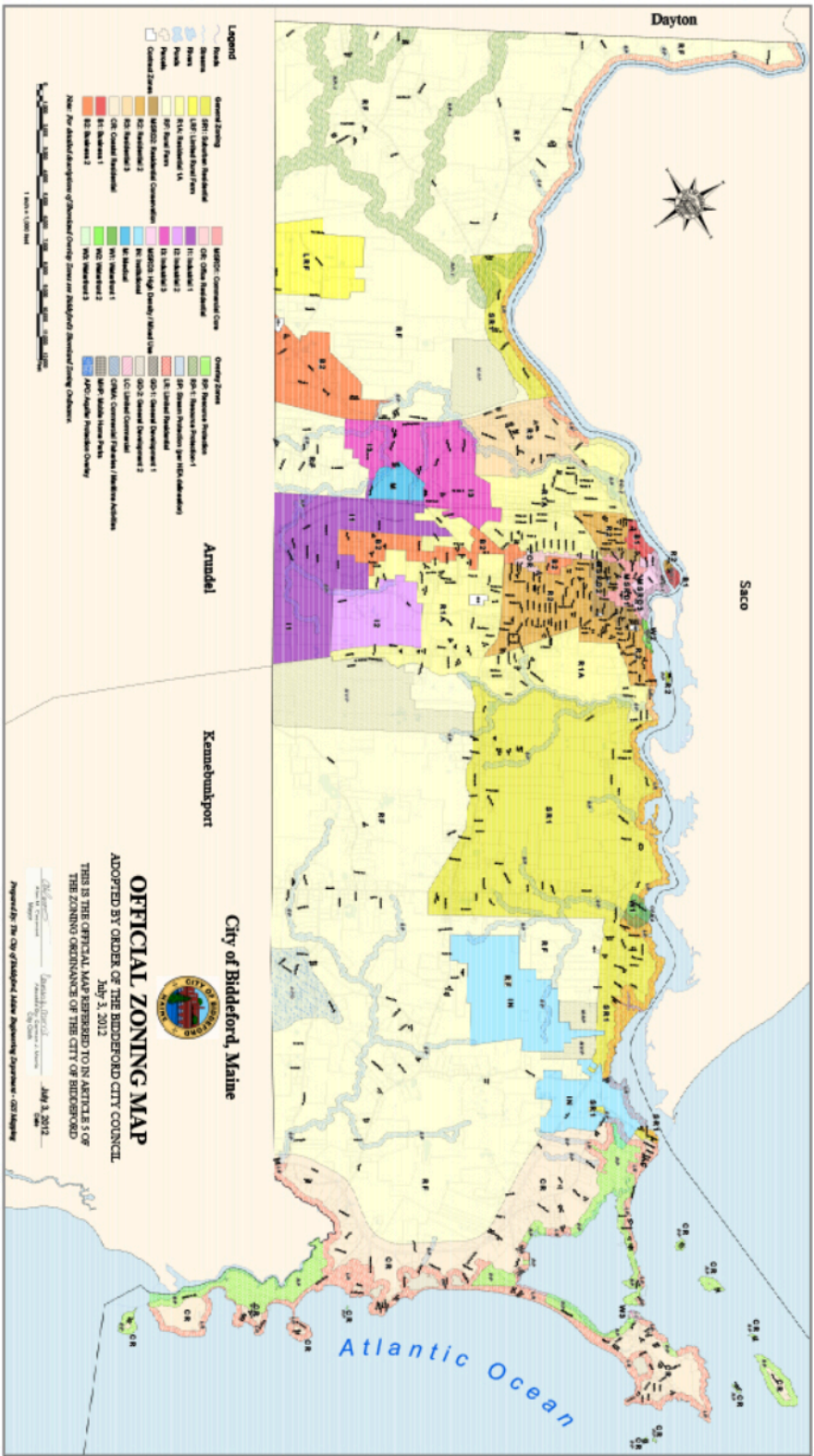
The City of Biddeford's Zoning Ordinance states the following General Purpose: "The purpose of this ordinance is to promote the health, safety, and general welfare of the residents of the City. Specifically, this ordinance is intended to promote and protect quality of life factors that could be threatened by uncontrolled or unregulated growth or development." The City's Zoning Ordinance, originally enacted in 1964 with revisions generally adopted once or twice per year.

Although the Biddeford Zoning Ordinance is thorough and rooted in sound planning principles, it is often perceived by residents and City staff as "complex." In addition to base zoning districts with defined use and dimensional requirements, the Ordinance contains numerous supplemental standards, special provisions, overlay districts, regulatory policies, and procedural requirements. Over time, these cumulative layers have contributed to confusion about what is allowed and where. As a result, property owners and community members routinely seek guidance from the Planning and Code Enforcement Departments to navigate applicable standards and the necessary permitting and approval pathways.

Base Zoning Districts

The Zoning Ordinance includes **15** categories within its base zoning. The boundaries of those base zoning districts established pursuant to this Ordinance are delineated in detail on the Biddeford Zoning Ordinance: Official Zoning Map below (Fig. 2).

Figure 2. Official Zoning Map



Zoning Districts Description

The Zoning Ordinance includes **15** categories within its base zoning. The boundaries of those base zoning districts established pursuant to this Ordinance are delineated in detail on the Biddeford Zoning Ordinance: Official Zoning Map below (Fig. 2).

Classes of Zones

- A.** Suburban Residential Zones to be known as SR Zones.
- B.** Coastal Residential Zones to be known as CR Zones.
- C.** Residential Zones to be known as R Zones.
- D.** Business Zones to be known as B Zones.
- E.** Industrial Zones to be known as I Zones.
- F.** Waterfront Zones to be known as W Zones.
- G.** Rural-Farm Zones to be known as R-F Zones.
- H.** Limited Rural-Farm Zones to be known as LR-F Zones.
- I.** Medical Zones to be known as M Zones.
- J.** Shoreland Zones to be known as RP-1, RP, LR, GD-1, GD-2, CFMA, and LC Zones.
- K.** Contract Zones to be known as CZ Zones.
- L.** Institutional Zones to be known as IN Zones.
- M.** Office Residential Zones to be known as OR Zones.
- N.** Main Street Revitalization District zones to be known as MSRD Zones.
- O.** Aquifer Protection Overlay Zones to be known as APO Zones.

General Description of Zones and Allowed Uses

- A. Suburban Residential Zone (SR-1):** This district is primarily intended for single-family residential development, with limited allowances for home-based professional offices under specific conditions. The neighborhoods generally consist of single-family homes on larger lots, served by public sewer and water, or at a minimum, public water.
- B. Coastal Residential Zone (CR):** This district was established to recognize coastal areas with notable environmental or scenic value. Permitted uses are largely limited to single-family residences, with certain home offices allowed under specific conditions. Lot sizes within the zone vary based on underlying soil characteristics.

C. Residential Zones: There are four sub-residential zones based on density:

1. **R-1-A:** This district permits only single-family and two-family (duplex) homes. It is fully served by public water and sewer and is best described as an in-town neighborhood with predominantly single-family and duplex housing.
2. **R-1-B:** Similar to R-1-A, this district allows single-family and two-family residences and is also served by public water and sewer. It represents established in-town single-family and duplex/two-family neighborhoods.
3. **R-2:** This district supports higher-density residential development, allowing a range of multifamily housing options. Public water and sewer service are available throughout.
4. **R-3:** This district is designed to offer substantial flexibility in residential development, accommodating a broad mix of housing types on a variety of lot sizes.

D. Business Zones:

1. **B-1:** This district encompasses the in-town commercial core and permits a combination of commercial uses and multifamily residential development. Its purpose is to promote robust commercial activity while also encouraging the conversion of vacant factory structures and the use of upper floors in both existing and new structures for multifamily housing.
2. **B-2:** This district consists of highway-oriented commercial corridors where residential uses are not allowed.

E. Industrial Zones:

1. **I-1:** This district allows for general commercial and industrial uses.
2. **I-2:** This district is a more specialized industrial zone that permits a limited range of industrial activities. Proposals within this zone require review and recommendations from the Economic Improvement Commission.
3. **I-3:** Serving as a gateway into the City, this district places strong emphasis on the visual appearance of development. Projects must comply with enhanced design and landscaping standards, and new or renovated building facades are expected to feature brick or stone, with alternative materials considered on a case-by-case basis. Residential-style structures may also be permitted under similar discretionary review. The zone accommodates a mix of commercial and industrial uses; however, outdoor storage and display are prohibited except on parcels adjacent to Pomerleau Street that do not border Barra Road or Alfred Street (Route 111).

F. Waterfront Zones:

1. **W-1:** Allows for a mixture of water-dependent or oriented commercial uses, including residential uses.
2. **W-2:** Allows for commercial water-dependent uses.
3. **W-3:** The Biddeford Pool Village Waterfront Zone that allows both water and non-water-dependent or oriented commercial uses, including residential uses.

G. Rural-Farm Zone (R-F): This district allows residential and agricultural use and allows exceptions for commercial uses.

H. Limited Rural-Farm Zone (LR-F): This district only allows for nonresidential uses, such as extractive operations, recycling, agricultural uses and open space.

I. Medical Zone (M): Medical offices and hospitals are allowed or other uses of that nature.

J. Shoreland Zones: See the next section, *Zoning Overlay Districts*.

K. Contract/Conditional Use Zones (CZ): Zones established through a negotiated agreement between a developer and the City Council, following Planning Board review. These zones permit uses that wouldn't ordinarily be allowed in the underlying district, but are considered appropriate due to their unique public or community benefits.

L. Institutional Zone (IN): The Institutional Zone is intended to support college and university activities while reducing potential negative impacts on the surrounding predominantly residential neighborhoods. All university-related uses, or any activities carried out by a college or university, must comply with an institutional master plan approved by the Planning Board.

M. Office Residential Zone (OR): The OR Zone is designed to guide the gradual transition of older residential areas along major roadways into a blend of residential and low-intensity nonresidential uses. Its intent is to allow existing homes to be adapted for small-scale office and service uses, as long as the area's architectural character is preserved, exterior displays remain minimal, and any proposed nonresidential conversions undergo site plan review.

N. Main Street Revitalization District Zones (MSRD):

1. **MSRD-1:** This district serves as the commercial center, aiming to support business and residential growth while maintaining Biddeford's historic character.

2. **MSRD-2:** This district focuses on residential conservation, allowing medium-density housing while preserving the historic and residential character of existing structures, and supporting the upkeep and renovation of homes.
3. **MSRD-3:** This high-density, mixed-use district is intended to maintain the historic integrity of buildings while encouraging the transformation of vacant and underutilized mill properties into a lively blend of residential and commercial uses that strengthens the revitalization of the downtown.

O. Aquifer Protection Overlay Zones (APO): The APO Zone is intended to safeguard Biddeford's groundwater by limiting land uses and activities that occur over aquifers and recharge areas. Its purpose is to regulate the use and management of hazardous materials that could contaminate these resources, and to ensure that the city's aquifers are preserved as a reliable water supply for residents.

Dimensional Standards

Biddeford's Zoning Ordinance defines lot dimension standards by zoning classification, and these standards have been periodically amended as new conditions and regulatory requirements have emerged. The tables below provide the **dimensional and development requirements** for every zoning district within the City of Biddeford. These tables summarize the minimum lot sizes, frontage requirements, building setbacks, maximum building heights, and other development standards that apply to each district. Overall, the tables serve as a comprehensive reference for understanding the physical standards that govern land use and development across all zoning districts in the city.

These dimensional standards can be found in Article 5, as an attachment, [Table B: Dimensional Requirements](#) of the City of Biddeford Zoning Ordinance, and are summarized in Tables 4-6 below.

Functionally, these regulations establish a clear gradient across the city. In Biddeford's urban core and historic Main Street Redevelopment Districts (MSRD), dimensional requirements feature reduced setback distances, smaller lot sizes, and higher maximum lot coverages to accommodate walkable, compact development. As you move outward from the core, you transition into highway-oriented commercial zones, like the Highway Business (B2) Zone, or suburban residential areas, like the Suburban Residential (SR1) Zone. In these districts, the dimensional requirements scale upward, requiring more road frontage, deeper setbacks, and lower lot coverage thresholds to manage vehicle access and separate higher-intensity uses, before giving way to the Rural-Farm zones.

Table 16-2: Residential Dimensional Standards

Zoning District	Minimum Lot Size, Square Feet Per Unit A				Frontage			Minimum Setback, Feet**				Maximum Heights+	
	Water and Sewer	Water, No Sewer	Sewer, No Water	No Water or Sewer	Water and Sewer	Water or Sewer	No Water or Sewer	From Major R.O.W	From Other R.O.W	Side	Rear	Stories	Feet
SR-1	15,000 C	20,000 C	20,000 C	40,000 C	100	100	200	40	25	10	10	3	35
CR	See Table C below				150	150	150	40	25	25	25	3	35
R-1-A	10,000 B	20,000	10,000	20,000	100	100	100	40	25	10	10	3	35
R-1-B	5,000 B	20,000	5,000	20,000	50	50	50	25	10	5	5	3	35
R-2	4,500 B	N/A	N/A	N/A	45	N/A	N/A	25	15	5	5	3	35
R-3, single-family	10,000	20,000	20,000	40,000	100	120	200	40	25	10	10	3	35
R-3, duplex	7,500 B	30,000	N/A	N/A	120	120	120	40	25	15	15	3	35
R-3, multifamily	15,000 1st 2 units, then 6,000/unit D	N/A	N/A	N/A	150	N/A	N/A	40	40	25	25	3	35

Table 16-3: Zoning Dimensional Standards

Zoning District	Minimum Lot Size, Square Feet Per Unit A				Frontage			Minimum Setback, Feet**				Maximum Heights+	
	Water and Sewer	Water, No Sewer	Sewer, No Water	No Water or Sewer	Water and Sewer	Water or Sewer	No Water or Sewer	From Major R.O.W	From Other R.O.W	Side	Rear	Stories	Feet
R-3, all other	10,000	N/A	N/A	N/A	100	100	200	40	25	10	10	3	35
B-1 O	1,000	N/A	N/A	N/A	None	N/A	N/A	10	10	10	10	6	60
B-2 O	10,000 J	20,000	20,000	40,000	150	150	150	30	25	10	10	3	35
I-1 O	None	None	None	N/A	50	50	N/A	40 S	30 S	25, E, S	25, E, S	6	60
I-2 O	None	None	None	N/A	50	50	N/A	40 S	30 S	25, E, S	25, E, S	6	60
I-3 O	None	None	None	N/A	50	50	N/A	40 S	30 S	25, E, S	25, E, S	6	60
W-1	15,000 C	20,000 C	20,000 C	40,000 C	100	100	100	40	25	25	15	3	35
W-2	7,000	N/A	N/A	N/A	50	50	50	0	0	10	10	3	35
R-F, SF M	20,000	20,000	20,000	40,000	120	120	200	40 H	25 H	25	25	3	35
R-F, Duplex M	20,000	20,000	20,000	40,000	120	120	200	40 H	25 H	25	25	3	35
R-F, All Other	40,000	40,000	40,000	40,000	2000	200	200	40 H	25 H	25	25	3	35
Medical	10,000	10,000	10,000	10,000	100	100	100	40 H	25 H	25	25	3	35
LR-F	80,000	80,000	80,000 *N	80,000 *N	100	100	100	40	30	25	25	6	60
Institutional	See Note P				See Note P			See Note P				See Note p	
QR Q	4,500 B	N/A	N/A	N/A	75	N/A	N/A	10	10	10	10	3	35

Table 16-4: Main Street Revitalization District Dimensions

Zoning District	Minimum Lot Size, Square Feet Per Unit A				Frontage			Minimum Setback, Feet**				Maximum Heights+	
	Water and Sewer	Water, No Sewer	Sewer, No Water	No Water or Sewer	Water and Sewer	Water or Sewer	No Water or Sewer	From Major R.O.W .	From Other R.O.W	Side	Rear	Stories	Feet
MSRD-1	None	N/A	N/A	N/A	None	None	None	None	None	None	None	Min. 2 stories or 26 feet, Max. 60 feet	
MSRD-2	2,000 B	N/A	N/A	N/A	50	N/A	N/A	15 R	15 R	None	None	3	35
MSRD-3	None	N/A	N/A	N/A	None	None	None	None	None	None	None	Min. 2 stories or 26 feet	

Please note that the PDF version of Table B also includes district-specific notes and exceptions that guide how structures may be constructed, expanded, or redeveloped. The notes are located under the “Notes for Table B” section.

Zoning District Overlays

In addition to the Base Zoning Districts, Biddeford’s Zoning Ordinance includes nine Overlay Districts:

Shoreland Overlay District (Article 14)

The Shoreland Overlay District (Fig. 2), despite its name, is not limited to coastal properties. Instead, it covers all land within 250 feet of water bodies and wetlands, and within 75 feet of protected streams.

Any property within these boundaries falls under the Shoreland Overlay Zone, which outlines specific dimensional requirements and identifies which land uses are allowed or prohibited in shoreland areas. Many activities within this zone require a permit from the Code Enforcement Officer (CEO).

Classes of Overlay Zones

- A.** Resource Protection (RP).
- B.** Resource Protection-1 (RP-1).
- C.** Limited Residential (LR).
- D.** Limited Commercial (LC).
- E.** General Development 1 (GD-1).
- F.** General Development 2 (GD-2).

- G. Commercial Fisheries/Maritime Activities (CFMA).
- H. Stream Protection (SP).
- I. Waterfront Renaissance (WR)

General Description of Overlay Zones and Allowed Uses

- A. Resource Protection (RP) District:** This district includes areas in which development would harm water quality, productive habitat, biological ecosystems, or natural and scenic values. Geographically, this district includes the following areas:
1. Areas located within 250 feet (measured horizontally) of the upland edge of freshwater wetlands—or wetlands connected to great ponds and rivers—that the Maine Department of Inland Fisheries & Wildlife (MDIF&W) has identified as “moderate” or “high” value waterfowl and wading bird habitat, including nesting and feeding areas. These habitats are shown on GIS maps maintained by either MDIF&W or the Maine Department of Environmental Protection as of December 31, 2008.
 2. Floodplain areas along rivers and along artificially created great ponds associated with rivers, as defined by the one-hundred-year floodplain shown on FEMA Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or by the flood of record. If such mapping is unavailable, these areas are identified using soil types classified as recent floodplain soils. This district also includes one-hundred-year floodplains adjacent to tidal waters, as mapped by FEMA on its Flood Insurance Rate Maps or Flood Hazard Boundary Maps.
 3. Areas of two or more contiguous acres with sustained slopes of 20% or greater.
 4. Areas of two or more connected acres that contain wetland vegetation and hydric soils, but are not classified as freshwater or coastal wetlands, and that do not have a surface connection to a water body during periods of normal high water.
 5. Land along rivers that is vulnerable to significant bank erosion, undercutting, or shifts in the riverbed, as well as land next to tidal waters that experiences severe erosion or large-scale soil movement, such as steep coastal bluffs.
 6. The land area located on the west side of Granite Point Road, as depicted on the Official Zoning Map. See additional clarification on Granite Point, Article 14, Section 13.

B. Resource Protection-1 District (RP-1): The RP-1 District applies specifically to the Swan Pond Brook corridor. Because this area lies near the intake pipe for the City's public water supply, Biddeford places high importance on restricting development that could harm water quality, wildlife habitat, or ecological systems within the corridor. The RP-1 District includes all land within 250 feet (measured horizontally) of the normal high-water line of Swan Pond Brook and its tributaries, as mapped on the City's Official Zoning Map.

C. General Development (GD-1) District: This district includes the following types of existing, intensively developed areas:

1. Areas consisting of two or more adjoining acres that are used for commercial, industrial, or intensive recreational purposes—or a combination of these uses—including, but not limited to, the following:

a. Areas devoted to manufacturing, fabricating, or other industrial activities;

b. Areas devoted to wholesaling, warehousing, retail trade, and service activities, or other commercial activities; and

c. Areas devoted to intensive recreational development and activities, such as, but not limited to, amusement parks, race tracks, and fairgrounds.

2. Areas that can be identified as having established patterns of intensive commercial, industrial, or recreational activity.

3. Some parts of the General Development 1 District may contain residential uses; however, an area cannot be designated as a General Development District if its only use is residential.

D. General Development 2 (GD-2) District: The General Development 2 District encompasses the same types of areas identified for the General Development 1 District. However, it is intended for newly designated General Development areas in which existing development is either limited or less intensive than that in the General Development 1 District. Some portions of the General Development 2 District may include residential uses, but an area cannot be classified as a General Development District solely based on residential development.

- E. Stream Protection (SP) District:** The Stream Protection District includes all land within 100 feet (measured horizontally) of the normal high-water line of a stream, as verified in the field. This does not include areas that fall within 250 feet of the normal high-water line of a great pond or river, or within 250 feet of the upland edge of a freshwater or coastal wetland. When a stream and its surrounding shoreland fall within those 250-foot areas, the land is regulated according to the Shoreland District associated with that particular water body or wetland.

The upstream starting point of a stream is shown on the City of Biddeford's Official Zoning Map, unless the Zoning Board of Appeals determines otherwise under Article XIV, Section 10.

- F. Limited Residential (LR) District:** The Limited Residential District encompasses areas that are appropriate for residential and recreational development. It includes lands that do not fall within the Resource Protection District or Stream Protection Districts, and that are less intensively used than the Limited Commercial District, General Development Districts, or the Commercial Fisheries/Maritime Activities District. The Limited Residential District includes the following:

1. Land located within 250 feet (measured horizontally) of the normal high-water line of any great pond, river, or freshwater wetland, as well as land within 250 feet of the upland edge of coastal or freshwater wetlands shown on the Official Zoning Map and verified in the field, unless noted otherwise. Please refer to Article 14, Section 13 for additional information.

- G. Limited Commercial (LC) District:** The LC District encompasses areas with a combination of light commercial and residential uses, but excludes those within the Stream Protection District. Development in this zone is meant to be less intensive than in the General Development Districts, maintaining a maximum non-vegetated (impervious) surface limit of 20% per lot. It may also include commercial properties that existed prior to January 1, 1989. Industrial uses are prohibited.

For clarification, the LC District includes the following commercial **areas**:

1. The Shoreland Zone (as field-verified) that overlaps the W3 Zone located within Biddeford Pool Village.

H. Commercial Fisheries/ Maritime Activities (CFMA) District: The CFMA District includes areas where the prevailing pattern of development aligns with the permitted uses listed in the Table of Land Uses (Section 14), as well as other locations suitable for functionally water-dependent activities. Suitability is based on factors such as:

1. The depth of navigable water,
2. Shelter from adverse weather,
3. Proximity to established fishing grounds and marine infrastructure,
4. Availability of shorefront space for commercial docks and staging, and
5. Compatibility with surrounding maritime development.

Floodplain Management

The City adequately identifies and protects its vulnerable coastal and riverine floodplains through active participation in the National Flood Insurance Program (NFIP). To ensure continued compliance with federal and state safety benchmarks, Biddeford updated its local Floodplain Management Ordinance (Article XII) in 2024 to mirror the newly issued Federal Emergency management Agency (FEMA) Flood Insurance Study and updated Flood Insurance Rate Maps (FIRMs) for York County. This local ordinance is consistently enforced by the Code Enforcement Officer, acting as the local Floodplain Administrator, who oversees a mandatory Flood Hazard Development Permit system. By strictly maintaining these updated performance standards, such as enforcing freeboard requirements that elevate the lowest floors of new residential structures in AE zones at least one foot above base flood elevation, Biddeford effectively reduces local flood vulnerability while maintaining state and federal regulatory consistency.

Site Plan Review and Subdivision Regulations

The City of Biddeford governs local land development through a coordinated framework established under Article XI (Site Plan Review) of the Land Development Regulations and Chapter 66 (Subdivisions) of the Code of Ordinances. These ordinances scale review requirements based on project intensity, utilizing a multi-stage Planning Board process to guide major subdivisions and commercial development toward areas with compatible infrastructure. The city's performance standards actively enforce smart growth principles by requiring pedestrian-oriented circulation, architectural scale compatibility in historic and downtown zones, and strict buildable lot constraints that deduct unbuildable land, such as wetlands, steep slopes, and the 100-year floodplain, from gross density calculations.

These regulations embed rigorous environmental performance standards directly into the local approval process to protect critical natural resources from the cumulative impacts of development. Biddeford addresses non-point source pollution and watershed protection by mandating that post-development stormwater runoff rates do not exceed pre-development levels, utilizing low-impact development (LID) strategies. Furthermore, the land use rules reinforce the distinction between growth and rural sectors by tying final project signoffs to verified public utility capacities or certified state subsurface wastewater compliance. Together, these regulatory tools ensure that current development patterns conform to the land use districts, density targets, and resource protections established throughout this plan.

Permitting and Approvals Processes

Biddeford's local development review system involves clear, multi-tiered permitting and approvals process designed to enforce the spatial and environmental goals of the Comprehensive Plan. Major developments, subdivisions, conditional uses, and projects within the Shoreland Zoning or Historic Districts are subject to a structured, three-tiered Planning Board evaluation, advancing from a preliminary sketch plan review through detailed technical analysis and final plan approval. To streamline smaller-scale commercial infill and modifications that align with smart growth goals, the City utilizes a Staff Review Committee (SRC). This delegated administrative body provides a faster, coordinated technical review for minor site plans while ensuring strict adherence to municipal performance standards and avoiding unnecessary planning board backlogs.

Once subdivision approval is granted, the implementation mechanism shifts to the Code Enforcement Office and Engineering Department to manage construction compliance. No structural development can occur without a building permit, which requires detailed architectural, mechanical, and site plans conforming to the International Building Code (IBC) and local zoning constraints. For projects impacting public infrastructure, the city mandates a pre-construction coordination process backed by dedicated inspection fees to fund third-party peer reviews and erosion control monitoring. The final regulatory step is the Certificate of Occupancy, which is strictly withheld until the Engineering Department verifies public sewer impact fee payments and physical connection compliance, and the Code Enforcement Officer certifies complete adherence to all Planning Board conditions and state internal plumbing and electrical rules.

Zoning Board of Appeals

Biddeford's Zoning Board of Appeals (ZBA) serves as the quasi-judicial safety valve of the land use framework, ensuring that the application of local regulations respects constitutional property rights while maintaining the integrity of the Comprehensive Plan. Appointed by the Mayor, this five-member citizen board holds the authority to hear administrative appeals challenging decisions or interpretations made by the Code Enforcement Officer or the Planning Board, alongside evaluating requests for dimensional variances. To safeguard local growth boundaries and prevent ad-hoc zoning erosions, the ZBA is strictly prohibited from granting use variances and must enforce the state's rigorous five-part undue hardship criteria, requiring proof that the property cannot yield a reasonable return due to unique physical constraints rather than personal or economic circumstances.

Operating under strict statutory timelines, aggrieved parties must file an appeal within 30 days of a contested decision, triggering a formal public hearing process that requires broad abutter notification within 200 feet. The board's review relies strictly on the formal record established through oral testimony and predefined documentary evidence, requiring a majority vote to reverse an administrative action or approve a relaxation of dimensional rules. Final approvals are tightly bound to execution deadlines, requiring the recipient to secure a building permit within one month of a variance being granted, while any further recourse for contested ZBA decisions must be brought directly to the Maine Superior Court.

Planning Board

The Planning Board holds reviewing and acting authority over subdivisions, projects subject to Site Plan Review, and specialized environmental and land use requests, including certain Shoreland Permits and Conditional Use Permits. Additionally, the Board plays a critical role by periodically preparing and revising the City's Comprehensive Plan. Under Biddeford's regulatory framework, the Planning Board is responsible for reviewing applications for major residential, commercial, and institutional principal uses. These specifically include single-family-attached developments, two-family and multi-family residential complexes, elderly and senior housing facilities, mobile home parks, and large-scale commercial or industrial establishments that exceed local administrative review thresholds.

City Capacity

At the inception of the Biddeford Comprehensive Planning process, the City had one planner on staff in the Planning Department, who was responsible for managing the City's planning processes, zoning issues, proposed development, land-use policies, and staffing the Planning Board. A second planner was hired in late January 2022 and, naturally, spearheaded the Comp Plan.

During the planning process, specific administrative capacity comments were made by community members, including that the Planning and Code Enforcement Departments could use more staff to help the public understand the complexities of the Zoning Ordinance, other land use regulations, permitting, and development review processes, and other building, infrastructure, and land development requirements. The Code Enforcement Department has indicated a desire for additional staff to maintain the quality and timeliness of its land-use regulation and other municipal services.

In addition, the current capacity and permitting application processes in City Hall does not support data collection and analysis needed to understand the trends in land use development in Biddeford. There is no digital compilation of issued permits, including permit type and details, that would enable Biddeford to easily see development trends and use data to shape policies.

However, the City just recently switched to CivicPlus Community Development, an online permitting system that will streamline permitting processes, increase productivity, and enable self-service for efficient growth. The software includes a built-in tool for quantifying data, enabling an understanding of land-use development trends and ultimately, answering the question, "What percentage of development has occurred in Growth Areas versus Rural Areas of Biddeford?"

Recent Development Patterns

The City has experienced substantial growth concentrated primarily in two distinct hubs: the historical Downtown/Pepperell Mill complex and western Biddeford along the Alfred Street corridor.

In the Downtown area, revitalization was catalyzed by the City's 2012 purchase and closure of the Maine Energy Recovery Company (MERC) waste-to-energy incinerator. This pivotal move spurred extensive mixed-use and residential redevelopment across over a million square feet of former textile mill buildings. Completed and approved downtown projects, including the Riverdam, Lincoln Mill, and the Fathom development, have introduced hundreds of market-rate and low-to-moderate-income housing units, alongside a new 644-space municipal parking garage, boutique hotel space, and the Pearl Point Park with a pedestrian bridge connecting residents to the Saco Transportation Center.

Table 16-5: Recent Developments in Downtown/Pepperell Mill Area

Project	Type	Housing Units
Fathom	Mixed-Use	191
Westbrook Development Corporation	Senior Housing	90
Lincoln Mill	Mixed-Use	140
Lincoln Mill	Hotel	35
Pepperell Building 11	Residential	76
Pepperell Buildings 19 & 20	Residential	64
Saco-Lowell	Residential	96
The Levee	Residential	83
Adam's Point	Residential	39
2 York	Residential	11
69 Elm Street	Residential	14
Riverdam	Residential	70

Concurrently, western Biddeford has emerged as a major residential and commercial service area, with intense development localized between Andrews Road and Barra Road. This corridor has absorbed significant housing expansion through large-scale projects like The Eddy and Devine Capital, as well as essential affordable housing initiatives spearheaded by Avesta and Westbrook Development Corporation slated through 2027. Supplemented by robust commercial footprints such as the Biddeford Crossing Shopping Center and major big-box retailers, western Biddeford complements the downtown's urban density. Moving forward, the City anticipates continued, self-sustaining investment and redevelopment in both sectors, driven largely by the influx of new residents.

Table 16-6: Recent Developments in Western Biddeford

Project	Type	Housing Units
The Eddy	Residential	250
Devine Capital	Residential	216
Avesta Housing	Low/Moderate Income	46
Westbrook Developments Phase 1	Low/Moderate Income	40
Westbrook Developments Phase 2	Senior Housing	37

Vision Alignment

Recent development in Biddeford is occurring primarily within large-scale, planned mixed-use developments and major master-planned residential complexes, rather than on an incremental, lot-by-lot basis. This is evidenced in the downtown core by the sweeping, multi-phased adaptive reuse of the million-square-foot Pepperell Mill Complex and the coordinated master plan of the former MERC site. Similarly, the growth in Western Biddeford consists of high-density, multi-family master planned developments like The Eddy (250 units) and Devine Capital (216 units), alongside coordinated phased affordable housing complexes by Avesta and Westbrook Development Corporation. By utilizing unified planned developments, the City has been able to secure critical public infrastructure, such as the 644-space municipal parking garage and the Saco River pedestrian bridge.

The recent development pattern is consistent with the community's vision, which prioritizes smart growth, transit-oriented development, and the prevention of low-density rural sprawl. By directing a vast majority of new residential units into the designated downtown urban growth area and the existing Alfred Street commercial service corridor, the city is actively fulfilling its Future Land Use Plan goals to build complete neighborhoods. This concentrated, high-density infill allows the city to efficiently utilize existing public water, sewer, and transit infrastructure. Furthermore, the deliberate integration of low-to-moderate-income family and senior housing within these planned developments directly matches Biddeford's stated commitment to addressing the housing crisis with diverse, equitable, and walkable housing choices.

Projected Development Needs

To accommodate anticipated residential and commercial growth over the next decade, Biddeford relies primarily on the redevelopment of underutilized urban parcels and master-planned infill rather than the consumption of raw, undeveloped acreage. The City anticipates continued growth pressures over the next 10 years to be concentrated within two designated areas, both of which possess more than enough land and structural capacity to absorb new development.

Downtown Core

The majority of downtown is already densely developed so much of the growth will continue to be redevelopment within and around the million-square-foot Pepperell Mill. However, within the downtown is also approximately 25-acre contiguous area which is predominantly vacant. Most of this property was formerly owned by the Diamond Match Company, which tragically burned to the ground in 1963 and has remained undeveloped. Located to the north of Elm Street, south of the Saco River and east of Main Street, this site is uniquely positioned to accommodate between 250 to 500 housing units within a mixed-use development featuring a pedestrian promenade along the Saco River and public open space.

Western Biddeford

The City also anticipates continued development activity within western Biddeford, utilizing currently vacant commercial lands and/or redeveloping commercial and industrial properties adjacent to the Alfred Street corridor to fulfill local housing and service demands.

Future Growth Management Framework

While the City's current regulatory framework relies on baseline zoning districts established to manage growth, achieving the forward-thinking goals of the 2023 Vision requires a modernized suite of tools. A comprehensive analysis of the specific regulatory and non-regulatory measures necessary to guide this growth is included in the Future Land Use Chapter. Aligning these tools directly with the Future Land Use Map ensures that Biddeford's implementation strategies are tied to the City's long-term vision for managing growth.