



Town of Falmouth Community Development Department
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Memorandum

Date: August 18, 2009
To: Falmouth Town Council
From: Amanda L. Stearns, Community Development Director
Cc: Nathan A. Poore, Town Manager
Ethan Croce, Senior Planner
Al Farris, CEO
Re: Amendments to the Retirement Community Overlay District

Staff has reviewed the request from OceanView for amendments to the existing RCOD language.

Based on the discussion at the August 10 meeting I have made the following adjustments to the language for the introduction.

1. Added several more definitions for skilled nursing facility and nursing facility. These are directly from the State of Maine Department of Health and Human Services.
2. Removed Section 3.16.3 and combined with next section that describes Standards for a district.
3. Amended Section titled Permitted Uses to clarify housing types and clarify that associated services are incidental and subordinate to the primary residential function.
4. Amended Space and Bulk Standards to reduce setbacks from 200 to 150 for structures up to 45 feet in height or three stories.
5. Amended section regulating expansion of existing buildings in a district.
6. Amended section regarding internal setbacks by removing setbacks to internal lot lines.
7. Amended Development Along Adjacent Roads to clarify design standards for buildings along such roads.

The following amendments remain unchanged.

1. Replace current definitions with ones that better reflect current practices, especially by the State of Maine.
2. Add definition of Personal Service as it appears as a specific associated use allowed in the district

3. Change the parking standards to reflect the unique aspects of this district. It is recognized that some Council members were concerned about parking for events open to the public. Staff recognizes this but also believes that this should be accommodated by a separate negotiation with the owner as the ordinance is designed to use formulas to generate parking standards. The applicant has indicated a willingness to look at additional parking where it can be accommodated.
4. Move the current section 3.16.9 to the second section as it defines the current district
5. Update reference to lot numbers in district designation.
6. Amend language to address amendments to the district.
7. Update references to staff and clarify how notice to abutters is given.
8. Update permitted uses to reflect current terminology and make consistent with underlying district language.
9. Update space and bulk standards to incorporate the changes requested for building height and net residential area.