

Town of Falmouth

Proposed Order to amend various sections of the Zoning and Site Plan Review Ordinance regarding common open space and net residential area.

Be it ordained this day the ____ day of _____, _____ by the Town Council of the Town of Falmouth, Maine in Town Council assembled:

Pursuant to Section 10.10 of the Town of Falmouth Zoning and Site Plan Review Ordinance and the Town Charter, the Council hereby amends the Town of Falmouth Zoning and Site Plan Review Ordinance as attached hereto.

Introduced by Councilor Fred Chase, July 26, 2010
Public Hearing August 23, 2010

This version of the amendment is as reviewed by the Community Development Committee.

Vote 1 - Amendment to the Resource Conservation Overlay District regarding percent of open space required.

3.13.5 Standards for Conservation Subdivisions

C. Required Common Open Space – Common open space shall be designated as prescribed below: [Amended 12-17-07]

1. Minimum Acreage Amount Required – The acreage amount of common open space provided within the subdivision shall be equal to or greater than the sum of the following (rounded up to the nearest tenth of an acre):
 - a. ~~fifty~~thirty percent (~~35~~0%) of the calculated Net Residential Area; plus,
 - b. the area equal to the total number of acres of unsuitable area that were deducted from the unsuitable area of the parcel that is deducted from the gross area of the site to determine the Net Residential Area under section 5.31.

Vote 2 - Amendments to various sections regarding the calculation of net residential area for lots created for development.

2.118 Reserved. ~~Net Residential Area:~~ The area of a lot or lots which is useable for determining allowable densities in residential development. (See Section 5.31) [Amended 8/26/96]

3.2 “F” - Farm and Forest District – remove from table under Minimum net residential area per dwelling unit “Single Family Detached & Other Uses, 80,000.”

3.3 “RA” – Residential A District - remove from table under Minimum net residential area per dwelling unit “Single Family Detached & Other Uses, 20,000.”

Amendments to various Sections of the Zoning and Site Plan Review Ordinance regarding net residential area and common open space.

3.4 “RB” – Residential B District - remove from table under Minimum net residential area per dwelling unit “Single Family Detached & Other Uses, 40,000.”

3.5 “RC” – Residential C District - remove from table under Minimum net residential area per dwelling unit “Single Family Detached & Other Uses, 60,000.”

3.13.6 Standards for Subdivision Development Using Country Estate Lots

B. Standards for Individual Lots – Country Estate lots shall conform to the following standards:

2. Minimum Net Residential Area Per Unit – The ~~maximum density for a Country Estate subdivision is~~ the minimum net residential area per unit is two hundred fifty thousand (250,000) forty-thousand (40,000) square feet ~~of net residential area per dwelling unit~~

5.31 Net Residential Area [Amended 8/26/96] [Amended 7/24/2000]

5.31.2 Minimum ~~Suitable Building~~ Net Residential Area Per Lot [Amended 1/24/11]

a. Residential lots created after January 24, 2011 shall have the following minimum square feet of net residential area as defined in Section 5.31.1 above with the exception of Item a.

- 1. Residential A – 15,000
- 2. Residential B - 20,000
- 3. Residential C – 30,000
- 4. Farm and Forest – 40,000
- 5. Village Mixed Use – 15,000
- 6. Mixed Use Cluster – with sewer 7,500, without sewer 15,000

~~At least fifty (50%) percent of any residential lot shall consist of land that does not fall within any of the categories of deductions in Subsection 1 above. [Adopted 8/26/96]~~

b. For residential planned developments, at least seventy-five (75%) percent of any lot shall consist of land that does not fall within the categories of ~~Subsection 1~~ Section 5.31.1. [Adopted 8/26/96] [Amended 7/24/2000; 12/22/05]

~~c. For lots in the Residential “A”, Mixed Use Cluster, and Village Mixed Use Districts, at least seventy five (75%) percent of any residential lot shall consist of land that does not fall within the categories of Subsection 1. [Adopted July 24, 2000]~~

~~d. Land that is not suitable for development should be set aside as buffer and/or common open space areas. [Adopted July 24, 2000]~~

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