



Town of Falmouth Community Development Department
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Memorandum

Date: March 10, 2011
To: Town Council
From: Amanda L. Stearns, Community Development Director
Cc: Nathan A. Poore, Town Manager
Re: Request for consideration of amendments to the Zoning and Site Plan Review Ordinance regarding calculation of net residential area to clarify the amendments approved January 2011

Please find attached a draft order to amend Section 5.31 of the Zoning and Site Plan Review Ordinance. This amendment is requested to clarify the treatment of existing nonconforming lots due to size and lots that are approved with reduced lot sizes under the Resource Conservation Overlay District.

The previously approved amendment addressed the calculations for new lots created. This proposed amendment specifies the requirements for nonconforming lots due to lot area and lots that are approved by the Planning Board with reduced lot area. The recommended solution is to reinstate the 50% requirement for these two categories of lots.

The unintended consequence for of the previously approved amendment for lots created under Section 3.13, Resource Conservation Overlay District is that for lots in Farm and Forest the minimum lot size increased from 20,000 square feet to 40,000 square feet. Prior to the January amendment the lots could be reduced to 20,000 square feet with 50% of the lot required to be buildable area regardless of the lot size.