



## **TOWN OF FALMOUTH**

### **ORDINANCE NO 152-2014**

#### **An Ordinance Amending the Zoning and Site Plan Review Ordinance Regarding the establishment of a Special District for Village Park**

**Be it ordained by the Town Council of the Town of Falmouth, Maine in Town Council assembled, that the Falmouth Zoning and Site Plan Review Ordinance be amended as follows.**

#### **3.23 Village Park Special District**

**3.23.1 Purpose-** The Village Park Special District (VPSD) is established due to the existing configuration of the park, including the great lawn, gazebo, outdoor ice rink, maintenance shed, and existing parking lot on the site. The unique nature of the park improvements and the construction of a seasonal, pavilion-style ice hockey rink with additional non-hockey off season recreational and municipal uses in the same location of the existing rink does not meet the strict provisions of the Village Center 1 (VC1) District. Maintaining the current locations of the park improvements will serve the town and the purpose of the VC1 District.

**3.23.2 Conformance with other Requirements -** All development and use of land within the VPSD shall conform to all requirements of the Zoning and Site Plan Review Ordinances except for provisions in Section 3.6.5 except as specifically provided for in this section and Section 3.23.4 below.

- a. **Dimensional Standards** – Dimensional standards shall comply with the VC1 zone except that uses shall be exempt from setback requirements in Section 3.6.5.1, paragraphs 1 and 2.
- b. **Architectural Standards** – Architectural Standards shall comply with the VC1 zone except for the following:
  - 1) Metal siding may be used in conjunction with other durable building materials noted in Section 3.6.5.5.3.
  - 2) Unenclosed areas are exempt from the architectural design requirements of the VC1 zone. (Sections 3.6.5.5.3 through 3.6.5.5.5.)

- 3) Facades facing a public street or internal drive shall provide fenestration appropriate to the internal function. A minimum of 30% fenestration between three feet and ten feet is encouraged but not required if inappropriate for the internal use. ie: locker rooms, bathrooms, storage rooms, etc.

c. **Parking Areas** – The parking lot design shall comply with the VC1 zone except for the following:

- 1) The existing parking area shall be allowed between the building and Hat Trick Drive.
- 2) Screening between the parking area and Hat Trick Drive is not required.

**3.23.3 District Boundaries** – The boundaries of the VPSD are as depicted on the Village Park Fragmentary Zoning Map dated [?????] which shall be made part of the Official Zoning map upon adoption.

**3.23.4 Site Plan Review** – Site improvements specifically related to the hockey rink shall be made in accordance with the plans entitled “Casco Bay Hockey Association, Rink Project – 2014, prepared by Blais Civil Engineers, sheets S1 and L1, dated April 9, 2014” (Plans), and shall be exempt from the Section 9 of this Ordinance, Planning Board Site Plan Review. Future changes to the site shall be reviewed under Section 9 of this Ordinance, Planning Board Site Plan Review where applicable.

a. **Completion of Site Improvements**

- 1) No use of the hockey rink shall commence until such time as a Certificate of Occupancy is issued.
- 2) All improvements as shown on the Plans shall commence within nine months and shall be completed within 18 months of the effective date of this amendment. The Community Development Director may allow a onetime extension if it is determined that extenuating circumstances related to construction so warrant.

**3.23.5 Permitted Uses**

- a. Any use permitted in the Village Civic District (VCC)
- b. Outdoor recreation facilities with a Maximum New Ground Floor Tenant Area (MNGFTA) of no greater than 50,000 gross square feet.

**Attest:** \_\_\_\_\_

**Ellen Planer**  
**Town Clerk**  
**May 28, 2014**