



Long Range Planning Advisory Committee (LPAC)

**Thursday, September 8, 2016
Minutes**

Attendance:

Name	Present	Name	Present	Name	Present
Paul Bergkamp	√	Kurt Klebe	√	Breana Gersen	√
Sam Rudman	√	Sandra Lipsey	√		
Tom McKeon	-	Ned Kitchel, Council Liaison	-	Theo Holtwijk, Staff	-

Sam started the meeting at 6:00 PM.

1. Review of Street Standards

The committee reviewed and approved of the Street Standards report as written.

2. Review of Resource Conservation Zoning Overlay District

The committee reviewed the RCZO and made the following edits:

LONG RANGE PLANNING ADVISORY COMMITTEE – RESOURCE CONSERVATION ZONING REVIEW
Draft: August 29, 2016

LPAC conducted a review of the resource conservation zoning overlay (RCZO) district for Falmouth as authorized by the Town Council. This district was originally adopted in 2005. The committee met 9 times to discuss this topic. It reviewed several RCZO projects that the Town approved as well as conservation rules in Freeport and Gorham.

The committee discussed various aspects of the RCZO, but examined these four topics in more detail:

1. The required minimum percentage of common open space required in conservation subdivisions,
2. The waiver allowance for streets that exceed the Town's 1,500 feet dead end street length,
3. The dimensional lot requirements, and
4. The application of conservation zoning to all residential development, not just single family home development.

Each of these aspects was reviewed through the lens of "does it encourage growth in the growth area?" or "does it help to preserve the rural area?" This theme stemmed from the 2013 Comprehensive Plan.

FINDINGS/RECOMMENDATIONS

1. The committee applauds the Council's adoption of the "Year 1" zoning amendments in July 2016. These amendments allow, among other things, an increase in development densities and reduction in building setbacks and lot requirements in the growth area which permit a development pattern that is similar to that of older neighborhoods in Falmouth.
2. The committee believes it is important to give these new zoning rules time to result in new building projects. That way the effect of the new standards can be properly evaluated. Therefore, the committee does not recommend any additional dimensional changes at this time.
3. The committee recommends that the resource conservation zoning overlay district apply to all residential development, and not just single family home development, as it currently does. This will provide for a more equitable application of the district's rules.
4. The committee recommends amending the minimum acreage amount required for common open space provided within subdivisions. The current requirement is for 30% of the calculated Net Residential Area (NRA) plus the area equal to the total number of acres of "unsuitable area" of the parcel.
5. The committee recommends the following minimum open space acreage amounts:
 - a. For all projects in rural area zoning districts: 50% of calculated NRA + unsuitable area. 50% was the Town's standard prior to 2011. The committee believes that 50% better accomplishes the goal of preserving the character of the rural area.
 - b. For projects in growth area zoning districts involving 3 or more lots or with a project area that is greater than 1 acre: 30% of calculated NRA + unsuitable area. This maintains the current requirement.

- c. For projects in growth area zoning districts involving ~~4~~ 2 lots or less, or with a project area that is 1 acre or less: 0% of calculated NRA + unsuitable area. These small projects typically result in open space set asides that due to their small size is less useable for a conservation perspective.
6. Lastly, the committee is intrigued with a new concept which it called "Density Transfer Fee Option." The committee is not making specific amendment recommendations regarding the Density Trade Fee Option at this time, but is interested to find out if the Council likes this concept enough that it would like the Committee to further explore its mechanics.¹

g.a. The Density Trade Fee Option is proposed to apply only to projects in growth area zoning districts involving 3 or more lots or with a project area that is greater than 1 acre.

h.b. In a nutshell, the Density Trade Fee Option would allow, but does not require, a reduction of the minimum acreage amount required for common open space provided and a commensurate increase in development density in exchange for payment of an "Open Space Fee" to the Town.

i.c. The Open Space Fees collected by the Town are proposed to be placed in a dedicated account to be used primarily for open space acquisitions in the Town's rural area.

j.d. The Density Trade Fee Option's intent is to provide encouragement to grow in the growth area, while protecting the Town's rural area. The concept links what happens in the rural area, with what happens in the growth area. As such it would implement a key aspect of the 2013 Comprehensive Plan.

a.e. For example, the committee suggests allowing a "buy down" of open space from 30 to 0% NRA in the RA district and from 30 to 15% NRA in the RB and RD districts.

h.f. The committee suggests a fixed payment of \$50,000 into Town Open Space Fund for each additional unit over base density. The intent of the final amount is that it provides enough incentive for a developer to pursue this option, while providing the Town with sufficient funding to acquire open space in the rural area in an equitable amount.

i.g. The following example shows how this concept could work in the RA district with an assumed gross 80,000 sf lot with 65% NRA (10% roads, 25% unbuildable):

- o Current rule:
 - NRA = 52,000 sf
 - Maximum lots at 10,000 sf/unit: 5 units
 - Min. open space required = 15,600 sf (30%) + 20,000 sf (25% unbuildable) = 35,600 sf
- o Density trade option applied:

¹ This concept is also known as Density Transfer Credit, Density Transfer Charge, or Residential Density Transfer.

- Modified NRA = 52,000 + 15,600 = 67,600 sf
- Maximum lots: 6 units (= 1 bonus unit over current rules)
- Open Space Payment to Town = \$50,000
- Min. open space required = 20,000 sf

3. Next Meeting

The next committee meeting date is TBD.

The meeting was adjourned at 7:00 PM.

Draft minutes prepared by Sam Rudman, November 23, 2016