



TOWN OF FALMOUTH

ORDINANCE NO 90-2015

An Ordinance Amending the Tidewater Master Plan Development District Master Plan and the Tidewater Design Guidelines regarding parcel TV3.

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.

Tidewater Master Plan Development District Plan as amended 9/22/08, Section 3.18.13 by reference:

Replace in its entirety the paragraph entitled T.V. Area 3 under Development Parameters for the Tidewater Village portion of the Master Plan. [Notes in brackets are explanatory only.]

T.V. Area 3

- Permitted structures and uses as defined by the Tidewater Master Planned Development District are as follows: 1, 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, and 26. [no change]
- The gross floor area of all buildings shall not exceed 46,000 square feet. [no change]
- The total footprint of all buildings shall not exceed 20,000 gross square feet. [new restriction]
- The footprint of any individual building shall not exceed 11,000 gross square feet. [increased from 8,000]
- No more than 3 buildings are permitted. [no change]
- The amount of green space cannot be reduced by more than 5%. [no change]

Not less than 40% of the net leasable area on the first floor of the buildings located in TV3 shall be used as retail or grocery retail space. [This removes the need to calculate a combination of TV2 and TV3 to determine retail provided. TV2 is accepted as no retail required.]

There will be no more than 17 combined residential units in TV2 and TV3. [Increased from 10]

Amend the Tidewater Village Design Guidelines Section C3.03, as amended 9/22/08, to incorporate identical language as follows:

Section C2.00 TV2 Development Parcel General Conditions and Intent

Section C2.01 Permitted Uses

~~Not less than 45% of the combined rentable floor area on the first floor of the buildings located in parcel TV2 will be used as retail space.~~

Section C3.00 TV3 Development Parcel General Conditions and Intent

C3.01 Permitted Uses

Not less than ~~45%~~ **40%** of the ~~combined rentable floor~~ **net leasable** area on the first floor of the buildings located in parcel TV3 ~~will~~ **shall** be used as retail ~~or grocery retail~~ space.

C3.03 Maximum Building Size

- A. No individual building can have a footprint larger than a gross floor area of ~~8,000~~ **11,000** square feet.
- B. The total footprint of all buildings shall not exceed 20,000 gross square feet.**
- ~~B. C.~~ The maximum building height is three stories.
- ~~C. D.~~ No more than 3 buildings are permitted – buildings may be linked to create a larger contiguous floor area provided the maximum footprint is as noted above.

Attest: _____

**Ellen Planer
Town Clerk
March 23, 2015**