



## MEMORANDUM

**To:** Town Council

**From:** Long Range Planning Advisory Committee + (LPAC+)

**Date:** February 16, 2018

**Re:** Resource Conservation Zoning Overlay District (RCZOD)

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At the request of the Town Council, LPAC+ reviewed on February 8, 2018 the Resource Conservation Zoning Overlay District (RCZOD) recommendations that were made on November 10, 2016 (see attached).

LPAC+ affirms, and recommends that the Council take action as soon as possible on, the following recommendations:

- Recommendation 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.
- Recommendation 5a: The committee recommends the following minimum open space acreage amount: 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.

The committee understands that recommendation 3 is already in process.

In addition, LPAC+ agrees to further discuss recommendation 5c and incorporate any conclusions into its forthcoming Open Space Plan:

- Recommendation 5c: For projects in growth area zoning districts involving 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.

Thank you.

**LONG RANGE PLANNING ADVISORY COMMITTEE – RESOURCE CONSERVATION ZONING  
REVIEW**  
November 10, 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 “growth-rural” 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 30% requirement.
- c. For projects in growth area zoning districts involving 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.