



Community Development Department
 271 Falmouth Road
 Falmouth, ME 04105
 ☎ 207.699.5303
 🌐 www.falmouthme.org

Memorandum

Date: November 22, 2017
 To: Town Council
 From: Ethan J. Croce, Community Development Director
 Re: Residential Density Workshop

On 11/13/17, the Council adopted a moratorium on the development of two-family and multi-family subdivision developments in the RA, RB, and RD Zoning Districts. The moratorium was enacted in response to the unanticipated number of two-family residential development proposals that have occurred as a result of zoning amendments adopted on 7/11/16 that, among other things, allowed for increased residential density allowances in these three zoning districts.

The 7/11/16 zoning amendments allowed for increased density for single-family housing as well as for two-family and multi-family housing. However, as can be seen from the tables below, while the density allowance for single-family housing was doubled in the RA and RB Districts, the density allowance for two-family and multi-family housing was tripled. Under the current ordinance, in all three zoning districts, the density allowance for two-family and multi-family housing is now at least double the density allowance for single-family housing. This disparity in density allowance is likely the primary reason that the town has seen such a surge in two-family housing proposals over the past year.

Maximum Residential Density Pre 7/11/16 Amendments (Square feet of Net Residential Area per dwelling unit)

	RA	RB	RD*
Single-family	20,000	40,000	N/A
Two-family**	15,000	30,000	N/A
Multi-family**	15,000	30,000	N/A

* RD Zoning District did not exist prior to 7/11/16. The RD District includes areas formerly zoned F and RB.

** Two-family and Multi-family housing were both called “multiplexes” prior to 7/11/16

Maximum Residential Density Post 7/11/16 Amendments (Square feet of Net Residential Area per dwelling unit)

	RA	RB	RD
Single-family	10,000	25,000	30,000
Two-family	5,000	10,000	15,000
Multi-family	5,000	10,000	15,000

As stated in the moratorium language, the purpose of the moratorium is to provide the Council *“a reasonable period of time to prepare and adopt amendments to the Falmouth Zoning and Site Plan Review Ordinance and other regulations of the Town to prevent serious public harm from excessive two-family and multi-family residential development in the RA, RB, and RD zoning districts and to address the reasonably foreseeable impacts of such proposed or anticipated development on public facilities.”*

In reviewing the adopted moratorium language, in conjunction with listening to concerns expressed by councilors at prior meetings, staff have listed three policy assumptions, below:

Assumptions

1. The overarching policy goal of directing growth to the town’s designated growth areas, accomplished in part through the 7/11/16 zoning amendments allowing increased residential density in the growth areas, is still valid.
2. The goal of making two-family and multi-family housing more feasible to develop, accomplished in part through the 7/11/16 zoning amendments which removed certain ordinance restrictions related to this form of housing, is still valid.
3. The disparity in density allowances (as referenced above) between single-family housing and two-family and multi-family housing should either be eliminated or minimized to reduce the incentive to favor two-family and multi-family housing over single-family housing.

If these assumptions are true, they may help form the foundation for the council’s discussion on this issue and help refine and narrow down the focus of future efforts to amend the ordinance.