

PART II CODE OF ORDINANCES

CH. II-19 ZONING AND FLOODPLAIN MANAGEMENT

FOOTNOTE(S):

--- (1) ---

Editor's note— The zoning, flood prevention and protection and site plan regulations of the town are not printed in this Code, but are on file in the town clerk's office.

Editor's note— At the city's instruction, Ord. of Sept. 24, 2007, Arts. I—XV, set out provisions intended for inclusion with Ch. II-19. For purposes of clarity, and at the editor's discretion, these provisions have been included as Art. II-19-2.

Cross reference— Boundaries of the town, § 2-2; provisions for notices for nuisances, signs, dangerous, unsafe, dilapidated buildings, and any other action the expense of which may be collected from the property owner, § 2-3; board of appeals, § 2-60 et seq.; parks and community programs advisory committee, § 2-85 et seq.; planning board, § 2-95 et seq.; waterfront and harbor committee, § 2-115 et seq.; division of planning, § 2-246; division of code administration functions, § 2-248; animals, Ch. II-3; buildings and building regulations, Ch. II-4; condominium conversion regulations, § 4-100 et seq.; land subdivision, Ch. II-7; licenses, permits and business regulations, Ch. II-8; marine activities, structures and ways, Ch. II-9; junked and abandoned motor vehicles prohibited on public and private property, § 12-3; solid waste regulations, Ch. II-13; swimming pools, Ch. II-15; traffic and motor vehicles, Ch. II-17; utilities, Ch. II-18; certain discharges into the public sewer system prohibited, § 18-190 et seq.

ART. II-19-1. IN GENERAL

Div. II-19-1-3. ESTABLISHMENT OF DISTRICTS

Sec. 19-7 Farm and Forest District (FF)

The farm and forest district is an area which is not expected to be provided with public sewer, located in a generally rural area and intended to remain in that character. The district allows residential uses at low density and recreational and agricultural pursuits.

Permitted Structures and Uses

- A. Accessory animal husbandry use [Adopted 7/10/17]
- B. Accessory buildings & uses
- C. Accessory dwelling unit [Adopted 7/11/16]
- D. Accessory farm use [Adopted 7/10/17]
- E. Animal husbandry
- F. Farming
- G. Forestry
- H. Municipal buildings & uses
 - I. Outdoor recreation
- J. Single Family Detached Dwellings
- K. Tier I Personal Wireless Service Facilities [Adopted, 4/25/05]
- L. Tier III Personal Wireless Service Facilities [Adopted, 4/25/05]
- M. Personal Use Airstrip [Adopted, 9/26/05]
- N. **Essential Services** ** [Adopted, 7/28/2014]

Conditional Uses

- A. Cemeteries
- B. Day care centers [Amended, 7/22/91]
- C. Day care homes {Amended, 7/22/91}
- D. Churches
- E. Extractive Industries
- F. Health Institutions
- G. Home occupations
- H. Kennels
 - I. Libraries
- J. Museums
- K. Private clubs
- L. Private schools
- M. Riding stables
- N. Amateur Radio Towers [Adopted, 4/23/90]
- O. Veterinary Clinics [Adopted, 5/27/93]
- P. Bed and Breakfast Establishments[Adopted 5/27/93]
- Q. Elderly Boarding Home [Adopted, 5/28/96]
- R. Outdoor Eating Areas [Adopted, 5/28/96]
- S. Roadside Stand [Adopted 02/27/12]

**[Note: establishment of an essential service that includes vehicular access or structures requires site plan approval by the Planning Board.]

[Table amended 1/24/11/, 7/11/16,11/14/16]	Max. Lot Coverage	Minimum Lot Size		Max. Residential Density (sq ft) See Section 19-64.1	Min. site size (acres)
		Lot Area (sq ft)	Lot Width (ft)		
All Uses	15%	--	250'		--
Cemeteries		--	--	--	10
Day Care Centers		--	--	--	2
Churches		--	--	--	5
Health Institute		--	--	--	5
Private Clubs		--	--	--	3
Private Schools		--	--	--	3
Riding Stables		--	--	--	3
Single Family Detached & Other Uses		80,000	--	80,000 [Adopted 7/11/16]	--

Minimum Setbacks in Feet			
	<u>Front Setback</u>	<u>Side Setback</u>	<u>Rear Setback</u>
Single Family Detached & Other Uses	25	20	40
Cemeteries, Day Care Centers, Churches, Riding Stables, Veterinary Clinics Health Institutions, Private Clubs, Private Schools, Kennels	50	50	50

Effective on: 7/10/2017

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ART. II-19-1. IN GENERAL

Div. II-19-1-3. ESTABLISHMENT OF DISTRICTS

Sec. 19-13 Mixed Use Cluster District (MUC)

To establish within the Town of Falmouth areas for well-planned mixed use developments with access to the region's major highway system.

Permitted Structures and Uses	Conditional Uses
<ul style="list-style-type: none"> A. Accessory buildings and structures B. Accessory Dwelling Unit C. Business and professional offices D. Wholly enclosed places of assembly, amusement, recreation, and government E. Wholesale, warehousing and distributions facilities F. Light manufacturing operations with no exterior storage of material, equipment or products G. Retail businesses as part of a mixed use development H. Two family or multi family as part of a mixed use development I. Research facilities J. Restaurants (including carry-out or drive through restaurants)[Amended 11/14/12] K. Residential planned developments as part of mixed use development L. Municipal buildings and uses M. Tradesman's offices N. Single Family Detached Dwellings (only in established residential areas and except on lots fronting on Gray Road) [Adopted 5/28/96] O. Tier I Personal Wireless Service Facilities [Adopted, 4/25/05] P. Tier II Personal Wireless Service Facilities [Adopted, 4/25/05] Q. Commercial Schools as part of mixed use development [Adopted 5/27/08] R. Grocery retail as part of a mixed-use development. [Adopted 11/26/12] S. Essential Services** [Adopted, 7/28/2014] 	<ul style="list-style-type: none"> A. Outdoor recreation facilities B. Day Care Centers C. Churches D. Excavating Business E. Land reclamation F. Processing of Mineral materials for resale [Amended, 4/25/88] G. Veterinary Clinic [Amended,7/22/91] H. Outdoor Eating Areas [Adopted, 5/28/96] I. Day Care Homes [Adopted, 7/23/01] J. Kennels [Amended 04/13/2020]
<p>**[Note: establishment of an essential service that includes vehicular access or structures requires site plan approval by the Planning Board.]</p>	

"MUC"- Mixed Use Cluster

	Min. Lot Area (Sq ft)	Min. Lot Width	Max. Lot Coverage	Min. Setbacks			Max. Residential Density (sq ft) See Section 19-64.1
				Front	Side	Rear	
Single family detached & Accessory dwelling units	20,000	125 ft.	20%	25	20	40	10,000 with public sewerage or 20,000 w/o public sewerage
All other uses	--	200 ft.	30%	50	25	25	10,000 with public sewerage or 20,000 w/o public sewerage

Effective on: 4/13/2020

PART II CODE OF ORDINANCES

CH. II-19 ZONING AND FLOODPLAIN MANAGEMENT

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ART. II-19-1. IN GENERAL

Div. II-19-1-3. ESTABLISHMENT OF DISTRICTS

Sec. 19-26.4 Gray Road Special District (GRSD) [Adopted [07/13/2015]]

Sec. 19-26.4.1 Purpose.

The District is established to remove the prohibition of parking in the front setback as required in Sec. 19-136.

Effective on: 7/13/2015

Sec. 19-26.4.2 Conformance with Other Regulations.

All development and use of land within the District shall conform to all requirements of the MUC and Route 100 Corridor Districts except as specifically exempted in this section.

Effective on: 7/13/2015

19-30.3 District Boundaries.

The boundaries of this District are the parcel lines of Map R05-Lot 45-B as referenced on the 2014 Assessor's Map.

Effective on: 7/13/2015

Sec. 19-26.4.4 Parking in the Front Setback.

Parking is permitted in the front setback.

Effective on: 7/13/2015

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ART. II-19-1. IN GENERAL

Div. II-19-1-3. ESTABLISHMENT OF DISTRICTS

Sec. 19-14 Village Mixed Use District (VMU)

To establish within the Town of Falmouth areas for small scale, low intensity nonresidential uses which are compatible with the residential character of the district. Areas designated as VMU are areas with historical development patterns as village centers.

Permitted Structures and Uses	Conditional Uses
A. Retail and service establishments with less than 5,000 SF of gross floor area B. Professional offices C. Art and craft studios D. Tradesman's offices E. Restaurants (not including carry-out or drive through restaurants) with less than sixty seats F. Museums G. Bed and Breakfast establishments H. Single family detached dwellings I. Two Family J. Multi Family K. Residential planned developments L. Municipal buildings and uses M. Accessory buildings and uses N. Accessory Dwelling Units O. Tier I Personal Wireless Service Facilities [Adopted, 4/25/05] P. Tier II Personal Wireless Service Facilities [Adopted, 4/25/05] Q. Commercial Schools with less than 5,000 SF of gross floor area R. Grocery Retail with less than 5,000 SF of gross floor area S. Essential Services** [Adopted, 7/28/2014]	A. Cemeteries B. Day care centers C. Day care homes D. Churches E. Health institutions F. Libraries G. The conversion of an existing structure into multi-family housing with no more than three dwelling units H. Congregate care facilities I. Home occupations J. Veterinary Clinic [Amended, 7/22/91] K. Elderly Boarding Home [Adopted, 5/28/96] L. Outdoor Eating Areas [Adopted, 5/28/96] M. Kennels [Amended 04/13/2020]
**[Note: establishment of an essential service that includes vehicular access or structures requires site plan approval by the Planning Board.]	

	Min. Lot Area (Sq ft)	Min. Lot Width	Max. Lot Coverage	Min. Setbacks			Max. Residential Density (sq ft) See Section 19-64.1
				Front	Side	Rear	
All other uses	--	150 ft.	35%	25	15	15	10,000 with public sewerage - 20,000 w/o public sewerage

Additional Standards

1. The conversion of an existing building or structure to another use shall be permitted only if off-street parking can be provided to meet the requirements of Section 19-38.
2. The enlargement of an existing building or structure shall be permitted only if off-street parking can be provided to meet the requirements of Section 19-38.
3. Any modification of any existing building or structure including, without limitation, any enlargement or change in use which results in an increase in the level of traffic generation, shall be permitted only if the vehicle entrance(s) meets the sight distance requirements set forth in Section 19-140 or improvements will be made to meet this requirement.
4. Notwithstanding the setback requirements above and in subsection 19-136.c, the area between the front lot line and a line drawn at the actual front setback depth and parallel to a straight line connecting the intersections of the front lot line with the side lot lines shall not be used for parking or service and shall be maintained as landscaped area except for necessary access roads and pedestrian ways.

5. In areas where the existing buildings have an established uniform setback relationship to the street, any new building or modification to an existing building shall maintain this established relationship notwithstanding the setback provisions of this section. An established uniform setback relationship is deemed to exist when the actual front setbacks for the two adjacent parcels on either side of and fronting on the same street as the subject parcel are within +/- 5 feet of the average actual front setback for the four (4) parcels. For lots near intersections, the parcels on the opposite side of the intersection and on the same side of the street shall be considered for this determination if necessary.

Effective on: 4/13/2020

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ART. II-19-1. IN GENERAL

Div. II-19-1-3. ESTABLISHMENT OF DISTRICTS

Sec. 19-19 West Falmouth Crossing Master Planned Development District (WFCMP) [Adopted 1/26/98] [Amended 12/22/05; 6/15/09]

To create a planned development at the West Falmouth Crossing interchange that will be in keeping with the semi-rural character of West Falmouth and surrounding neighborhoods. To permit maximum creativity in site design and to ensure high quality construction with special attention to landscaping, lighting, building orientation and form, coordination of architecture, and signage. To accomplish these goals, the Town Council may approve a Master Development Plan that guides the site plan review process in keeping with general performance standards of the ordinance, but with more flexibility granted to developers and the Planning Board in implementing the approved Master Development Plan. **(Formerly Exit 10 Master Planned Development District)*

Table 19-19 Uses Allowed - West Falmouth Crossing	
Permitted Structures and Uses	Conditional Uses
<ul style="list-style-type: none"> A. Accessory buildings and structures B. Business and professional offices C. Wholly enclosed places of assembly, amusement, recreation, and government D. Retail business as part of a mixed use development E. Research facilities F. Restaurants (not including carry-out or drive through service) G. Municipal buildings and uses H. Tradesman’s offices I. The following additional uses if specifically shown on a Master Development Plan approved by the Town Council: <ul style="list-style-type: none"> 1. Motels and hotels 2. Restaurants with carry out and/or drive through service 3. Movie theaters 4. Service establishments 5. Convenience stores with gas pumps as an accessory use 6. Outdoor recreational facilities 7. Light manufacturing operations with no exterior storage of material, equipment or products 8. Wholesale, warehousing, and distribution facilities 9. Automobile related sales and services J. Tier I Personal Wireless Service Facilities [Adopted, 4/25/05] K. Tier II Personal Wireless Service Facilities [Adopted, 4/25/05] L. Commercial schools as part of a mixed use development [Adopted 5/27/08] M. Grocery Retail as part of a mixed use development [Adopted 11/26/12](Note: The Town Council may require design specific information for Master Plan approval of items 9.a. through i.) N. Essential Services** [Adopted, 7/28/2014] 	<ul style="list-style-type: none"> A. Day care centers B. Churches C. Veterinary clinic D. Public utilities E. Outdoor eating areas F. Kennels [Amended 04/13/2020]
<p>**[Note: establishment of an essential service that includes vehicular access or structures requires site plan approval by the Planning Board.]</p>	

Sec. 19-19.A For projects for which a Master Development Plan has not been approved, the dimensional requirements shall be as follows: [Amended, 5/27/99]

Minimum Lot Area Sq.	Minimum Lot Width	Maximum Lot Coverage	Minimum Setbacks		
			Front	Side	Rear
None	200 ft.	30%	50	25	25

Effective on: 12/9/2013

Sec. 19-19.B For projects for which a Master Development Plan has been approved, the dimensional requirements shall be as follows: [Amended, 5/27/99]

1. 50 foot setback Leighton Road,
2. 40 foot setback from Route 100; and
3. 25 foot setback from the boundary lines of all properties that are not part of the approved Master Development Plan (other than Leighton Road and Route 100).

Effective on: 12/9/2013

Sec. 19-19.1 Planning Board Waivers

In approving site plans for development in the West Falmouth Crossing Master Planned Development District, the Planning Board shall waive or reduce these space and bulk requirements if it finds that all of the following conditions have been met:

- a. A Master Development Plan for the site has been approved by the Town Council in accordance with the standards and procedures set forth below; and,
- b. The waiver or reduction is consistent with the approved Master Development Plan; and,
- c. The amount of the reduction is appropriate to reasonably accommodate the development.

Effective on: 12/9/2013

Sec. 19-19.2 Exit 10 Design Guidelines

All development in the West Falmouth Crossing Master Planned Development District shall be consistent with the Exit 10 Design Guidelines dated December 9, 1997. In approving site plans for development in the district, the Planning Board must find that the proposed development will be carried out in a manner that is consistent with the design guidelines. In making determinations of consistency, the Planning Board may require peer review analyses provided by qualified design professionals. [Amended 11/10/08; Effective 01/01/09]

Effective on: 12/9/2013

Sec. 19-19.3 Master Development Plan Sign Controls

The number, size and location of signs shall conform to the requirements set forth in this ordinance, unless a Master Development Plan has been approved. If a Master Development Plan has been approved by the Town Council the provisions of Sections 19-44 through 19-53 of this Ordinance shall not be applicable insofar as they relate to number, size and location of signs in the area covered by the approved Master Development Plan. The Planning Board may approve signage for a parcel within an approved Master Development Plan if it finds that the proposed signage in terms of number, size and location is consistent with the Exit 10 Design Guidelines. [Amended, 5/27/99; 6/15/09; 7/24/17]

Effective on: 7/24/2017

Sec. 19-19.4 Master Development Plan Approval

In addition to the requirements of the Route 100 Corridor Overlay District for the preparation and filing of a Master Development Plan with the Planning Board, the owner of a parcel of land may seek Town Council approval of a Master Development Plan that will supersede the standard Mixed Use Cluster zoning. If the owner seeks such approval and the Council approves the Master Development Plan, all subsequent development activities in the area covered by the Plan shall be consistent with the approved Master Development Plan.

Effective on: 12/9/2013

Sec. 19-19.5 Master Development Plan Submissions

The Master Development Plan shall identify the proposed location, size, and use type of all buildings and shall show parking locations, roads and drives, and buffer zones. The Master Development Plan shall be conceptual in nature and shall be based upon a site inventory plan identifying the major development opportunities and constraints associated with the site. This inventory shall be prepared by a registered landscape architect or registered professional engineer and shall show in a conceptual manner natural drainage features, environmentally sensitive areas, prime development areas, potential points of vehicular access, and other significant man-made and natural features of the site.

Effective on: 12/9/2013

Sec. 19-19.6 Master Development Plan Procedure

The Town Council shall hold a public hearing on a proposed Master Development Plan within forty-five (45) days, but not sooner than twenty one (21) days of the submission of a Master Development Plan. At least ten (10) days prior to the hearing, the Council shall notify by mail the owners of all property abutting the property covered by the Master Development Plan. For the purposes of this section, the owners of the property shall be considered to be the parties listed by the tax assessor for the Town of Falmouth as those against whom taxes are assessed. Failure of any property owner to receive a notice of public hearing shall not necessitate another hearing or invalidate any action of the Council.

Notwithstanding the foregoing, with respect to a Master Development Plan filed at least twenty-one days prior to the adoption of this Ordinance, the Town Council may hold such public hearing on such proposed Master Development Plan at the same meeting at which the Town council adopts this Ordinance so long as notice of the filing of such Master Development Plan has been provided by mail to the owners of all property abutting the property covered by the Master Development Plan at least ten (10) days prior to such hearing.

Effective on: 12/9/2013

Sec. 19-19.7 Master Development Plan Findings and Conditions

In approving Master Development Plans under this provision, the Town Council shall find that the proposed development is consistent with the purpose of the West Falmouth Crossing Master Planned Development District, the Route 100 Study, and the Town's adopted comprehensive plan. Prior to approving a Master Development Plan, the Town Council may request reports from the Town Planner, Fire Chief, and Public Works Director containing their recommendations as to the development proposal. The Town Council may consider attaching conditions to the zoning approval including:

- a. Limitations on the number and types of permitted and conditional uses;
- b. Restrictions on the scale and density of development;
- c. Conceptual design and layout of buildings or other improvements, including buffering;
- d. Time frames for commencement and completion of public infrastructure;
- e. Performance guarantees securing completion and maintenance of improvements, including landscaping, and guarantees against defects;
- f. Preservation of open space and buffers, and protection of natural areas and historic sites;
- g. Provisions for reservation or dedication of land for public purposes;
- h. Contributions toward the provision of municipal services required by the development, including, for example, infrastructure improvements such as roads and sewers, and specialized maintenance needs arising from the rezoning; and,
- i. Provisions for enforcement and remedies for breach of any conditions or restrictions.

Effective on: 12/9/2013

Sec. 19-19.8 Master Development Plan Time Limits [Amended 10/10/2012]

If the Town Council grants approval of a Master Development Plan, the applicant's legal rights, duties or privileges determined thereby, shall expire if the development is not commenced within two (2) years of the date on which approval was granted and shall expire as to any portion of the development that is not substantially completed within twenty (20) years of the date on which approval was granted. The Council may extend these time limits upon showing by the applicant that additional time is needed due to required local, state, or federal permits or approvals, or because of market conditions. This provision shall be retroactive and shall apply to any master development on or after January 26, 1998.

Effective on: 12/9/2013

Sec. 19-19.9 Master Development Plan Filing and Transfers

A copy of the approved Master Development Plan shall be filed with the Town Planner and shall be included in all subsequent applications for site plan review. In approving a Master Development Plan, the Town Council may designate certain public improvements to be undertaken by the developer that are of particular importance to the Council (the "Designated Public Improvements"). Prior to the date that such Designated Public Improvements have been completed and accepted by the Town, the approval of the Master Development Plan may not be assigned without Town Council approval. The Town Council shall approve such transfer if the proposed transferee can demonstrate to the Council's satisfaction that it has the technical and financial capacity to complete the Designated Public Improvements. After the Designated Public Improvements have been completed and accepted by the Town, the approval of the Master Development Plan may be assigned without the need for Town Council approval.

Effective on: 12/9/2013

Sec. 19-19.10 Master Development Plan Amendments

Any amendment to the Master Development Plan, other than a "Minor Revision", as defined below, must first be approved by the Town Council before becoming effective. The approval of an amendment to the Master Development Plan, other than a Minor Revision, must comply with the same procedural requirements set forth above for the approval of the original Master Development Plan. A Minor Revision is any proposed change to a Master Development Plan that does not significantly expand the overall square footage of the improvements on the project, change the use of any portion of the project to a use that requires Town Council approval, as set forth above, or modify any conditions that may have been placed upon the project by the Town Council in approving the original Master Development Plan. A Minor Revision may be approved by the Planning Board.

Effective on: 12/9/2013

Sec. 19-19.11 Master Development Plan Zoning Reversion

If the Town Council rezones a West Falmouth Crossing Master Planned Development, the permitted uses and development standards shall be governed exclusively by the provisions of this subsection **19-19** and not by the underlying district in which such land is located unless and until such time as:

- a. one hundred and eighty (180) days pass without the filing of final site plans and subdivision plans to the Planning Board, unless the applicant shows that additional time is needed due to required local, state, or federal permits or approvals; or,
- b. the developer abandons the project and the developer or property owner(s) request that the rezoning be rescinded.

In such cases, the land tract shall revert to the original or underlying zoning.

Effective on: 12/9/2013

Sec. 19-19.12 Master Development Plan Height Limitations

No building shall exceed three (3) stories or thirty-nine (39) feet in height, as measured from the average finished grade within twenty (20) feet of the Building; provided, however, that if a Master Development Plan has been approved by the Town Council and such plan sets forth a height limitation, the height limitations set forth in such approved Master Development Plan, including any notes thereto, shall be applicable and shall control any contrary provision in this Ordinance.
[Adopted 3/26/01]

Effective on: 12/9/2013

PART II CODE OF ORDINANCES

CH. II-19 ZONING AND FLOODPLAIN MANAGEMENT

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Editor's note— The zoning, flood prevention and protection and site plan regulations of the town are not printed in this Code, but are on file in the town clerk's office.

Editor's note— At the city's instruction, Ord. of Sept. 24, 2007, Arts. I—XV, set out provisions intended for inclusion with Ch. II-19. For purposes of clarity, and at the editor's discretion, these provisions have been included as Art. II-19-2.

Cross reference— Boundaries of the town, § 2-2; provisions for notices for nuisances, signs, dangerous, unsafe, dilapidated buildings, and any other action the expense of which may be collected from the property owner, § 2-3; board of appeals, § 2-60 et seq.; parks and community programs advisory committee, § 2-85 et seq.; planning board, § 2-95 et seq.; waterfront and harbor committee, § 2-115 et seq.; division of planning, § 2-246; division of code administration functions, § 2-248; animals, Ch. II-3; buildings and building regulations, Ch. II-4; condominium conversion regulations, § 4-100 et seq.; land subdivision, Ch. II-7; licenses, permits and business regulations, Ch. II-8; marine activities, structures and ways, Ch. II-9; junked and abandoned motor vehicles prohibited on public and private property, § 12-3; solid waste regulations, Ch. II-13; swimming pools, Ch. II-15; traffic and motor vehicles, Ch. II-17; utilities, Ch. II-18; certain discharges into the public sewer system prohibited, § 18-190 et seq.

ART. II-19-1. IN GENERAL

Div. II-19-1-3. ESTABLISHMENT OF DISTRICTS

Sec. 19-15 Route 100 Corridor Overlay District (CO) [Amended, 7/22/91]

To establish additional development standards for all uses within one thousand (1,000) feet either side of the centerline of Route 100 (the Gray Road), throughout its length in Falmouth, to assure that the traffic capacity of Route 100 is maintained while the visual environment and rural character of the corridor is maintained.

<u>Permitted Structures and Uses</u>	<u>Conditional Uses</u>
1. Any use permitted in the underlying district which is not prohibited by this section except extractive industries. [Amended 12/22/05]	1. Any conditional use in the underlying district which is not

2. Residential Planned Developments.	excepted under this section
3. Office, retail and service uses as part of a residential planned development provided that less than ten (10%) percent of the total lot area is devoted to the non- residential uses and the non-residential development does not have a separate vehicular access	
4. Tier I Personal Wireless Service Facilities [Adopted, 4/25/05]	
5. Tier II Personal Wireless Service Facilities [Adopted, 4/25/05]	
6. Essential Services** [Adopted, 7/28/2014]	
**[Note: establishment of an essential service that includes vehicular access or structures requires site plan approval by the Planning Board.]	

Additional Standards

1. The setback of residential planned development from Route 100 shall be fifty (50) feet. [Amended 12/22/05]
2. The minimum net residential area per dwelling unit may be reduced by ten (10%) percent for residential planned developments which maintain a one hundred (100) foot landscaped buffer zone between Route 100 and the nearest building. The net residential area per dwelling unit may be reduced an additional five (5%) percent for each additional fifty (50) feet of buffer width to a maximum reduction of twenty-five (25%) percent. [Amended 12/22/05]
3. Any residential lot created after the effective date of the subdivision, whether or not a part of a subdivision, shall have its required road frontage on a street other than Route 100 unless the Planning Board determines that physical conditions particular to the parcel justify the granting of a waiver from this requirement. A waiver shall be granted only if there will be no further subdivision of the parcel and one of the following conditions is met:
 - a. There is too little road frontage to reasonably allow creation of a new way;
 - b. The shape or physical condition of the parcel does not permit access to or creation of a street other than Route 100; or
 - c. Common access will be utilized which will allow all proposed lots to be serviced by one new curb cut.
4. The limitation on curb cuts found in subsection 19-140.b, shall apply to all parcels within the Overlay District.8
5. Repealed July 24, 2017.
6. All uses shall be required to maintain a landscaped border strip along the street right-of-way of Route 100 meeting the requirements of subsection 19-153. The width of the border strip shall be related to the setback of the building as shown on the following table:

<u>Width of Border Strip</u>	<u>Building Setback</u>
10 ft.	less than 25 ft.
15 ft.	25 to 49 ft.
20 ft.	50 to 74 ft.
25 ft.	75 to 99 ft.
30 ft.	100 ft. or more

7. Prior to the division of any existing lot of record having a gross lot area of ten (10) acres or more or five hundred (500) or more feet of street frontage on Route 100 and prior to the submission of a subdivision or site plan for all or a portion of a lot, the owner shall file a master development plan with the Planning Board.

The master development plan shall be conceptual in nature and shall be based upon a site inventory plan identifying the major development opportunities and constraints associated with the site. This inventory shall be prepared by a registered landscape architect or registered professional engineer and shall show in a conceptual manner natural drainage features, environmentally sensitive areas, prime development areas, potential points of vehicular access, and other significant man-made and natural features of the site.

The master development plan shall address the overall use of the parcel, the overall vehicular circulation system within the parcel, the coordination of accesses onto Route 100, the general layout of utilities and drainage and provisions for buffering. The master development plan shall also demonstrate how the requirements of the Corridor Overlay District and the standards of this Ordinance will be met.

Once the master development plan has been filed with the Planning Board, any division of land or application for approval shall be consistent with the plan unless a revised master development plan is filed.

8. The minimum separation of principal buildings shall be the height equivalent of the taller building.

Effective on: 7/24/2017