

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: January 27, 2105  
SUBJECT: Land Use Zoning Amendments/multiplex revisions

### Introduction

The Planning Board has reviewed the draft Land Use Amendments package several times. For this meeting, the Board will focus on the recommendations related to multiplex development. Only the multiplex related recommendations and draft amendments are shown below.

### Multiplex housing changes

Below is a list of the FOSP recommendations (#.), annotated with Comprehensive Plan recommendations(•).

- 14. Review the minimum lot size and setback requirements for multi-family and attached single family dwellings (condominiums) to determine if they are creating obstacles to developing a variety of housing types.

Pg 22 In the residential districts multi-unit development is called "multiplex housing," which is a permitted residential use. The changes shown on the following chart are proposed to equalize regulation of single family and multiplex development. In addition, a multiplex housing option has been proposed in Sec. 19-7-2 (E), which partners multiplex housing with stated town goals.

Multi-unit dimensional standards comparison with single family development									
Zoning District	Use Permitted	Minimum Lot Area		Density (sq. ft.)		Maximum units/building	Setbacks (ft) <sup>4</sup>		Height
		Single family	Multi-unit	Single family	Multi-unit		Single family	Multi-unit	
RA	Multiplex housing	none	10 acres	80,000	66,000	5	30/30/30	75	35'
<b>Proposed</b>			<b>5 acres</b>			<b>option</b>		<b>30'</b>	<b>option</b>
RB <sup>3</sup>	Multiplex housing	none	80,000 sq. ft.	60,000	60,000	5	30/30/30	75	35'
<b>Proposed</b>						<b>option</b>		<b>30'</b>	<b>option</b>
RC	Multiplex housing	none	5 acres	20,000	15,000	5	20/20/20	75	35'
<b>Proposed</b>			<b>3 acres</b>			<b>option</b>		<b>20'</b>	<b>option</b>
TC <sup>2</sup>	Multifamily dwelling unit <sup>1</sup>	none	7,500 sq. ft.	80,000	3,000	none	25-35/15/15	25-35/15/15	35'
BA <sup>5</sup>	Multifamily dwelling unit <sup>1</sup>	none	15,000 sq. ft.	80,000	7,500	none	10-25/5/5	10-25/5/5	35'

<sup>1</sup> Only allowed as accessory to a nonresidential use

<sup>2</sup> Design requirements also apply; side/rear setback is 50' abutting residential district

<sup>3</sup> See Sec. 19-7-2, Open Space Zoning

<sup>4</sup> Setbacks are shown as front/side/rear. Front setback is shown based on local street classification.

<sup>5</sup> Design requirements also apply; side/rear setback is 20' abutting residential district

- 83. Review the design of open space in the Open Space Zoning provisions to maximize the amount of open space in a single contiguous parcel and discourage narrow strips, except when strips are necessary for trail connections.

Pg 18 The Open Space Design standards have been reformatted into three subsections. This draft incorporates suggestions from town attorney John Wall.

- 85. Eliminate the cap on the number of units per building allowed for multiplex developments located in the RC and RB Districts. Create design standards for buildings exceeding 5 units and a maximum height limit that is greater than the current 35' height limit. This will be available only in conjunction with the Agricultural TDR (# 85), developments targeted to 55 and older (# 15) or an affordable housing overlay district (#19).

Pg 22 The attached draft leaves open the limit on the number of units in a multiplex development when the development does not include the public benefit/density bonus option. When a development does include a public benefit, then the height limit has been increased to 50'. A corresponding setback of the building height plus 10' also

would apply. The public benefit bonus is available for public sewer, preservation of agricultural land and preservation of open space. The Agricultural TDR has been included in the TDR provisions. The 55+ development option has not been included because of the Board's decision on #15 above. The affordable housing overlay has not been included because the ordinance currently provides a density bonus for affordable housing. Some sample illustrations have been added to the draft for discussion purposes.

- 86. Reduce the minimum lot size required for multiplex housing in the RC District from 5 acres to 3 acres and eliminate the minimum lot size for multiplex housing in the RB District.

Per the chart under #14, the minimum lot size in the RA District is proposed to be reduced from 10 acres to 5 acres. The minimum lot size in the RC District is proposed to be reduced from 5 acres to 3 acres.