

**DRAFT  
MEMORANDUM**

TO: Cape Elizabeth Town Council  
FROM: Planning Board  
DATE: June XX, 2015  
SUBJECT: Special Event Facility Overlay District Zoning Ordinance Amendment  
and Zoning Map Amendment

Introduction

The Town Council referred to the Planning Board on December 8, 2014 a Special Event Facility Ordinance Amendment for its review. The Planning Board has worked on the amendment at the January 6th, February 3rd, April 27th and May 5th workshops and the May 19, 2015 and June 16, 2015 meetings, when a public hearing was held.

Public Comment

Public comment on the amendments has been limited to representatives of the Sprague Corporation. The most recent communications indicate support for the proposed amendments.

Background

The Special Event Facility Zoning Amendment was forwarded to the Town Council with the following information provided by the town manager:

Town staff has met with representatives of the Sprague Corporation regarding the evolving use of the Wentworth Lodge as a special event facility. In order to bring this use of the property into alignment with town ordinance, a draft special event facility zoning ordinance amendment has been prepared in cooperation with the property owner.

The draft zoning ordinance amendment added "special event facility" as a permitted use in the Residence A District, with a minimum lot size of 15 acres, which could include adjacent parcels in the same ownership, and Site Plan review by the Planning Board.

#### Summary of proposed amendments

Planning Board members expressed concern with making a commercial activity a permitted use in a residential district. There was also an equity concern, where similarly situated property owners should have the same opportunities to use their properties. To better address these concerns, the proposed amendment was revised to be an overlay district, which requires Town Council approval of each district, and also to make the opportunity to apply for an overlay district available to property owners in the RA, RB and RC District.

A definition of "special event facility" is proposed, with a 15 acre minimum land area. The special event facility is subject to site plan review by the Planning Board, which would include use specific performance standards. Highlights of the performance standards are a limit of 12 events per year, restriction on amplified music to no later than 10 p.m, and a requirement that Site Plan approval must be renewed every three years.

The Planning Board is also recommending a companion Zoning Map amendment that would create a Special Event Facility Overlay District located on 4 lots in the area of Winters Lane and Old Proprietor Rd (the area of the Wentworth Lodge.).

#### Planning Board recommendation

At the June 16, 2015 meeting, the Planning Board adopted the following motion:

BE IT ORDERED that, based on the materials prepared and the facts presented, the Planning Board (recommends/does not recommend) the Special Event Facility Overlay District Zoning Ordinance Amendment and Zoning Map Amendment to the Town Council.