

MEMORANDUM

TO: Cape Elizabeth Town Council
FROM: Planning Board
DATE: September 18, 2009
SUBJECT: Town Center Amendments

Introduction

At the September 15, 2009 meeting, the Planning Board voted 6-0 to recommend the attached amendments to the Town Center District of the Zoning Ordinance. These amendments were recommended in the Comprehensive Plan, which is further described below.

Comprehensive Plan Implementation

The 2007 Comprehensive Plan includes several recommendations for ordinance changes. The high priority changes have been grouped into five packages. The Planning Board has completed its work on the BA District and Shoreland Zoning package and is working on the Agricultural package. One of the two remaining packages is a collection of "smart growth" type amendments, which include two changes to the Town Center District. At the request of a property owner in the Town Center, those two changes have been pulled out.

Comprehensive Plan recommendations for the Town Center District

The changes would allow a greater density of multi-family uses and allow greater than 50% multi-family in buildings as long as the first floor is nonresidential. The pertinent recommendation sections in the Comprehensive Plan are shown below.

Economy

Goal 1: The Town Center shall be promoted as the primary commercial area of Cape Elizabeth and shall be developed consistent with the Town Center Master Plan to meet the needs of residents and visitors currently attracted to the Town's natural resources and recreational opportunities.

Located in the town geographic center where Ocean House Rd intersects with Shore Rd and Scott Dyer Rd, the Town Center includes the K-12 school campus, Town Hall, Police and Fire Stations and the largest aggregation of commercial structures and businesses. The importance of the Town Center was officially recognized when the Town Council appointed a committee to create a Town Center Master Plan, adopted the Town Center Master Plan in 1993 (hereby incorporated to this Comprehensive Plan by reference) and then created the Town Center Zoning District in 1995.

The Master Plan calls for an identifiable Town Center that includes a village feeling, mixed retail uses targeted to residents, a pedestrian inviting environment, a common meeting place, visual vitality, and linkages to the Town's open space and school assets.

With the adoption and gradual implementation of the Town Center Master Plan, the reconstruction of sidewalks with street trees and pedestrian lighting, Town residents have embraced the vision of the Town Center. Individual property owners have invested in the beautification of their property and new development, consistent with the Master Plan vision, has been proposed. This overall evolution of the Town Center should continue.

Implementation Steps

1. Continue to implement the Town Center Master Plan.
2. Construct sidewalks throughout the Town Center.
3. *Develop mixed use buildings that include commercial uses on the first floor and allow residential uses on upper floors.*

Housing Goals

Goal 1: The Town should promote a diversity of housing types to accommodate residents of all age groups and household sizes.

An overwhelming majority of the housing stock is single family homes. While, at first glance, this appears to be what residents want, the lack of a variety of other

housing types is frustrating other goals important to residents. Population trends show that the town is aging. As residents age and they need or desire to transition out of traditional single family housing, their opportunities to remain in Cape Elizabeth are extremely limited. New condominium development and rental, multifamily housing construction are flat. Congregate housing on Scott Dyer Rd does provide an option for residents who seek some support services.

For younger residents or residents experiencing lifestyle changes who cannot afford to buy single family housing, rental housing availability is also very low. The construction of new multi-family housing would provide opportunities for younger residents to remain in the community, and could also provide some housing for workers in the business districts.

Implementation Steps

12. Encourage the development of multi-family housing units in mixed use buildings located in the town business districts.
13. *Increase the permitted density of multi-family housing units in mixed use buildings located in the business districts.*

Draft Amendments

The attached draft amendments reduce the minimum amount of lot area needed for a multi-family unit from 7,500 sq. ft. to 3,000 sq. ft.

Under permitted uses, multi-family unit has been listed in the singular.

Also, if a 2+ story building is proposed, more than 50% of the building may be residential as long as the first floor remains nonresidential. This approach preserves the very limited land area in Cape Elizabeth zoned for commercial uses, but also allows residential uses on upper floors, which may help subsidize commercial space.

These same two concepts have already been incorporated into the Business A Districts as part of the recent BA District Amendments. The proposed Town Center amendments are attached.