MEMORANDUM

TO: Cape Elizabeth Town Council
FROM: Ordinance Committee
DATE: October 7, 2020
SUBJECT: Town Farm Parking Amendment

Introduction

At the September 14, 2020 meeting, the Town Council referred to the Ordinance Committee review of a proposed amendment to the Zoning Ordinance to make parking a permitted use in the Town Farm District.

Review

The Ordinance Committee reviewed a draft amendment at the October 5, 2020 Ordinance Committee meeting. The committee confirmed that the Cape Elizabeth Land Trust (CELT) holds a 50 year conservation easement on the Town Farm and they had been notified of the amendment discussion, and had no objection to the change. The committee noted that outstanding issues such as appropriate location of parking in relation to greenbelt trails and ADA access would be addressed at a later date.

Recommendation

By a vote of 2-0, the committee approved the following recommendation:

> That we recommend that parking be an approved use for the property in a manner consistent with its current status and use.

Zoning Ordinance
Town Farm District Parking Amendment

SEC. 19-6-10. TOWN FARM DISTRICT (TF) (Effective November 13, 1999)

A. Purpose

The Town Farm District includes the area west of Spurwink Avenue formerly known as the "Poor Farm" and an area extending from Spurwink Ave 100' to the east. The Town Farm District is intended to preserve the upland portion of the Town Farm. The historic boundaries of the Town Poor Farm also include the Spurwink Marsh, extending to Sawyer Rd. The land is undeveloped open space comprised of rolling fields, treed ridge lines, and the Spurwink River and Spurwink Marsh. The purpose of this district is to recognize and protect the special nature of the Town Farm as an area representing historic, cultural, scenic, natural, and open space qualities which should continue. The Town Farm embodies rural character and is integral and essential to the Town and the Greenbelt. The scenic significance of the Town Farm is discussed in more detail in a town report entitled an Assessment of the Visual Resources of Cape Elizabeth, Maine, dated February 1989. The Town Farm District is created to preserve these features for the benefit of the public.

B. Permitted Uses

The following uses are permitted in the Town Farm District:

1. The following resource-related uses:

    a. Agriculture
    b. Vegetation Management
        1. Mowing
        2. Tree maintenance
        3. Brush clearing
        4. Other vegetation management activities necessary to maintain and enhance views and scenic quality.

2. Parking~~Reserved~~

3. The following nonresidential uses:

    a. Informal Recreation
    b. Education and scientific research
    c. Nature trails, catwalks and footbridges
    d. Snowmobile touring

D. Prohibited Uses

All uses not specifically allowed as permitted or conditional are prohibited within this district. In addition, the following uses are expressly prohibited:

1. Reserved~~Parking~~
2. Organized sports involving teams with coaches, uniforms or established schedules
3. Athletic playing fields
4. New structures
5. Telecommunication towers
6. Public bathrooms or rest facilities

F. Site Plan Review

The following uses and activities shall be subject to site plan review by the Planning Board, according to the terms of Article IX, Site Plan Review, prior to issuance of any building permit, plumbing permit, or other permit:

1. Public utilities/essential utility services
2. Any construction allowed under the Portland Water District Lease
3. Parking
4~~3~~. Any other use or activity listed in Sec. 19-9-2, Applicability, as requiring site plan review.