

1 **Town Center Affordable Housing Amendments**  
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3 **SEC. 19-6-4. TOWN CENTER DISTRICT (TC)**  
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5 **A. Purpose**  
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7 The purpose of this district is to encourage an identifiable Town Center that  
8 includes a village feeling, mixed retail and residential uses to serve residents, an  
9 environment inviting to pedestrians, a common meeting place, visual  
10 cohesiveness and enrichment and linkages to the Town’s open space and nearby  
11 school campus. The Town Center district boundaries reflect the prevalence of  
12 public buildings and commercial uses and the historic compactness of  
13 development. The Town Center District requirements are tailored to the unique  
14 characteristics of the Cape Elizabeth Town Center.  
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16 In the center of the Town Center District, there exists a unique compactness of  
17 development exemplified by smaller lot sizes and existing structures with  
18 compatible space and bulk massing and requirements of the Town Center District  
19 shall apply in the core subdistrict, except where standards specific to the Town  
20 Center Core Subdistrict are established.  
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22 **D. Standards**  
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24 1. Performance Standards  
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26 h. A multifamily dwelling unit shall be accessory to a  
27 nonresidential use and located in a building where more than  
28 fifty percent (50%) of the floor area of the structure is occupied  
29 by nonresidential uses. For multi-story buildings, more than fifty  
30 percent (50%) of the structure may be allocated for multifamily  
31 dwelling units as long as the first floor is nonresidential. (Effective  
32 May 12, 2010)  
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34 2. The following Space and Bulk Standards shall apply:  
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MINIMUM LOT AREA	
(1a) Single family dwelling unit	80,000 sq. ft.
(1b) Single family dwelling unit in the Town Center Core Subdistrict	10,000 sq. ft.
(2) Multifamily dwelling unit	7,500 sq. ft.
(3) Wind energy systems	20,000 sq. ft. (Effective October 8, 2008)
(4) Other uses	None

MAXIMUM NUMBER OF DWELLING UNITS PER AREA	
(1) Multifamily housing in a mixed use building	1 unit per 3,000 sq. ft. of gross lot area (Effective May 12, 2010)
(2) Rooming or boarding home	1 bed per 5,000 sq. ft. of gross lot area

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MAXIMUM BUILDING HEIGHT	
(1) All uses	35 ft.
MAXIMUM BUILDING FOOTPRINT	
(1) All uses other than school or municipal uses	5,000 sq. ft. This limitation shall not prohibit the connection of separate structures by a covered or enclosed walkway.
MAXIMUM BUILDING DIMENSION	
(1) All uses other than school or municipal uses	100 ft.

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5 3. Design Requirement

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The following requirements shall be applicable to all development which requires site plan review by the Planning board, any new construction or addition, and any exterior alteration to a locally historic structure designated in the Town Center Plan. These standards shall be used to determine if a development is compatible with the Town Center District. The intent is not that all buildings should look the same, but rather to encourage a mix of compatible styles, sizes, and characteristics.

g. Landscaping and Site Development

4. Village green. This section shall apply when a village green is included in a Site Plan Review application. One purpose of the Town Center District is to encourage a common meeting place. A village green is a prominent and highly visible park-like area where the public may gather, relax and contemplate both casually and as part of organized outdoor public events. A village green created in compliance with this section must have at least one hundred (100) continuous feet of road frontage on Ocean House Road, a depth measured perpendicular from Ocean House Road of at least one hundred (100) feet with a minimum width of one hundred (100) feet, and a minimum

1 size of at least twenty-thousand (20,000) square feet. A village  
2 green shall be designed as a park, green or square,  
3 permanently preserved as groomed open space with legal  
4 public access, and offered in fee to the Town of Cape Elizabeth.  
5 A village green shall be developed with a defined edge framed  
6 with elements such as landscaping, roads, pedestrian  
7 walkways and distinctive buildings. A village green shall have  
8 a distinctive center and/or focal point. Pedestrian walkways  
9 shall be constructed that guide movement through and around  
10 a village green and connect a village green to the Town Center  
11 sidewalk network, adjacent buildings and properties. The  
12 requirements of subsection Sec. 19-6-4 (D)(3)(d) Building and  
13 Parking Orientation, and Sec. 19-6-4(D)(3)(g)(2), Parking Lot,  
14 shall be applied in a manner that complements a village green.  
15 (Effective March 9, 2016)

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17 h. Affordable Housing in a Mixed use building.

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19 This section shall apply when a Site Plan Review application  
20 includes a building with at least 36 dwelling units affordable to  
21 low-income households. One purpose of the Town Center District  
22 is to encourage mixed retail and residential uses to serve residents.  
23 The inclusion of a significant amount of affordable housing  
24 improves housing choice for residents, and expands the potential  
25 customer base in close proximity to local businesses. Affordable  
26 housing created in compliance with this section must maintain low-  
27 income affordability for a minimum of 30 years.

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29 An affordable housing building that applies for review under this  
30 section may substitute the applicable provisions in Sec. 19-6-4(D)  
31 Standards with the following:

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33 1. Maximum Number of dwelling units per area: 1,500 sq. ft
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35 2. Maximum Building Height: 45 ft.
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37 3. Maximum Building Footprint: 12,000 sq. ft.
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39 4. A multi-family building where at least 70% of the dwelling  
40 units are affordable to low-income families may allocate the first  
41 floor for multi-family units when the building is located at least  
42 200' from a public road right-of-way. A building that must  
43 comply with the maximum 35' front yard setback may not use  
44 this provision.