

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: September 1, 2021
SUBJECT: Technical Amendments

Introduction

The Town periodically processes a package of "technical" amendments to the Zoning and Subdivision Ordinances. The last package was in 2015. A technical amendments package is usually a miscellaneous collection of amendments that are not major policy changes. The need for an amendment is often identified when ordinance provisions are applied to real world situations. Imprecise language, unusual circumstances, and emerging chronic problems are common catalysts of technical amendments.

List of Amendments

The following is a working list of technical amendments to the Zoning and Subdivision Ordinances.

1. Site Plan and Subdivision parking lot paving standards (Sec. 16-3-2. B.4, Sec. 19-9-5. 2)
2. Escrow account payments not in arrears. (Sec. 16-2-1.c)
3. Nonconforming provisions applicability (Sec. 19-4-3)
4. CAD control requirements prior to construction/disturbance of approved projects. (Sec. 16-2-7)
5. Gravel depth and pavement thickness clarification (Sec. 16-3-2. B. 3 and 4)
6. RP Permit boardwalk permitting
7. Shoreland Zoning Height definition
8. Low and Moderate income definition updated reference to MSHA
9. Other

Process

The Planning Board has the authority under Sec. 19-10-3 to prepare ordinance amendments and recommend them to the Town Council for consideration. Alternately, the Planning Board can formally request authorization from the Town Council to prepare a package of technical amendments. In this instance, the Planning Board should vote to send a request to the Town Council.