

- 1. With respect to 30-A MRSA 4364-C (1), how specifically would CE “ensure that ordinances and regulations are designed to affirmatively further the purposes of the federal Fair Housing Act, 42 United States Code, Chapter 45, as amended, and the Maine Human Rights Act to achieve the statewide or regional housing production goal.” For the sake of argument, let’s assume that the state sets housing goals for CE of 300, 500, or 900 units?**

To further the goals of the FHA and the MHRA, the Town should ensure that ordinances and regulations would not permit or tolerate discrimination in the sale or rental of housing because of race, color, religion, sex, familial status, handicap, or national origin. This section is not necessarily limited by the units targeted, but simply to prohibit discrimination to ensure that people of all genders, races, national orientation, religion, and ability have access to housing, regardless of income.

- 2. Does 30-A MRSA 4364 (“Affordable Housing Density”) require CE to make any changes at all to the current zoning ordinance? In other words, could a[n] affordable housing development proposal simply be submitted under authority of this new state statute, which CE would have to recognize regardless of the zoning ordinance?**

Yes. The new legislation preempts any municipal ordinance regarding affordable housing. All ordinances will need to comply with the state’s affordable housing statutes. Affordable housing developments must be allowed where multifamily dwellings are allowed to have a dwelling unit density of at least 2 1/2 times the base density that is otherwise allowed in that location and may not require more than 2 off-street parking spaces for every 3 units. This requirement will apply to all affordable housing developments approved on or after July 1, 2023.

- 3. Does 30-A MRSA 4364-A (Residential areas, generally; up to 4 dwelling units allowed) require CE to make any changes to the current zoning ordinance aside from the “zoning requirements” specified in Section 2?**

Yes. Section 1 also requires that the Town allow up to two units per lot, if the lot does not contain an existing dwelling unit, for areas which are zoned for housing. Additionally, for lots which already contain a dwelling unit, the Town must allow the addition of up to two dwelling units; one unit attached or within, or one detached, or one of each.

- 4. Does 30-A §4364-B. (Accessory dwelling units) require CE to make any changes to the current zoning ordinance aside from the “zoning requirements” specified in Section 3?**

Yes, all zoning ordinances must be compliant with the entirety of §4364-B.