LD 2003 Amendments
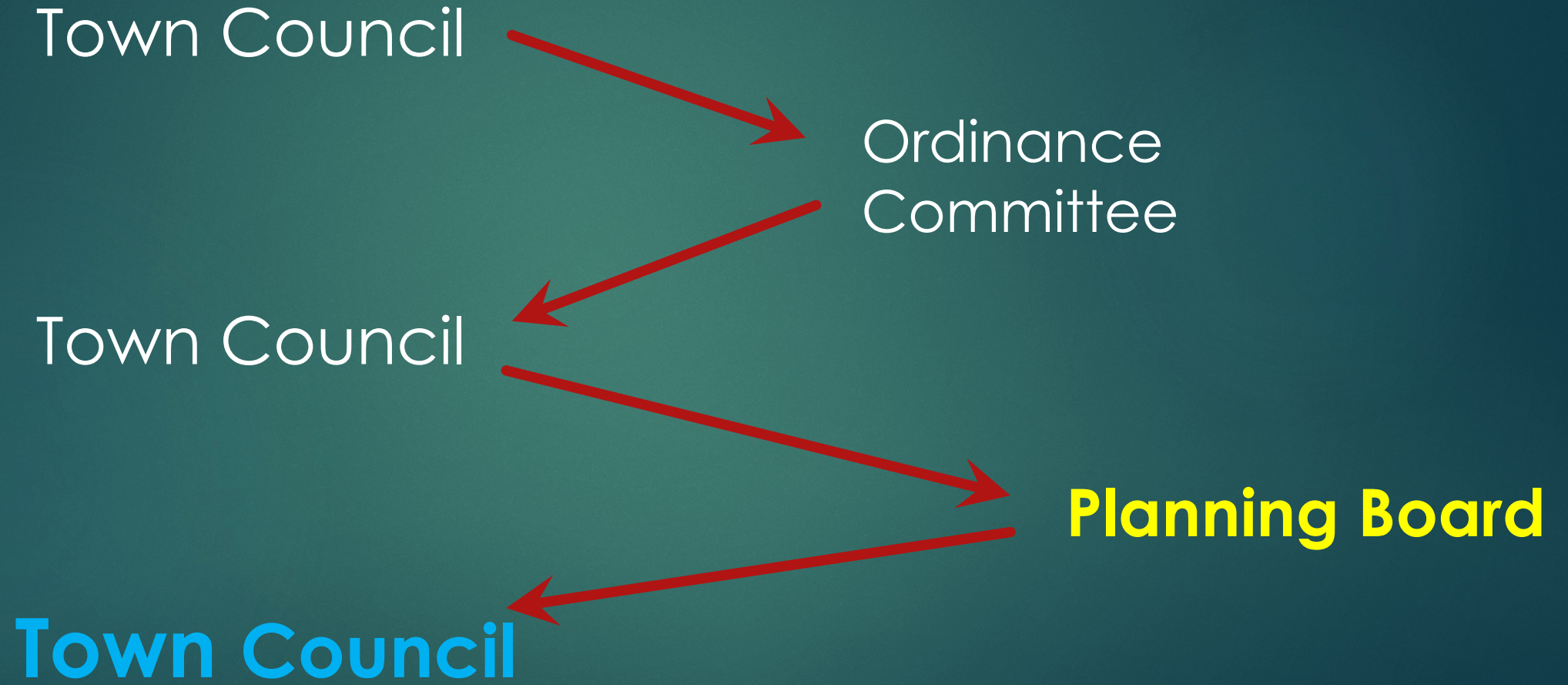
INFORMATIONAL PUBLIC FORUM

FEBRUARY 9, 2023

Hosted by the Ordinance Committee

- Penny Jordan, Ordinance Committee Chair
- Caitlin Jordan, Ordinance Committee
  - Gretchen Noonan, Ordinance Committee

LD 2003

▶ An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions

Ordinance Amendment Process

Town Council

Ordinance Committee

Town Council

Planning Board

Town Council

LD 2003 Highlights

▶ Fair Housing Requirement : effective 7-1-2022

▶ Accessory Dwelling Units – ADUs

▶ Small Multifamily building – up to 4 units

▶ Affordable Housing Density Bonus

ADUs

Source: LD 2003 Guidance

ADUs

DETACHED ADU

BASEMENT ADU

GARAGE-CONVERSION ADU

Source: AARP
ABCs of ADUs

Existing ADUs

Source: Town of Cape Elizabeth

Multifamily – Existing home

Adding 2 Units to Lot with Existing Home → **+1 +1** Additional units attached to the existing structure and detached from existing structure   **OR**   **+1 +1** Additional units within the existing structure and detached from the existing structure

Source: LD 2003 Guidance

2 - 4 family

Source: AARP ABCs of ADUs, Town of Cape Elizabeth

4-unit multifamily

Source: Town of Cape Elizabeth

Affordable Housing Density Bonus

- ▶ Available in designated Growth areas
- ▶ 2.5 times BASE density
- ▶ 30 year guaranteed affordable, 50%+ of development
- ▶ 80% of median income for rentals (2 person family, $71,520)
- ▶ 120% of median income for owners ($119,850)

Affordable Housing Density Bonus?

Source: Town of Cape Elizabeth

Highlights of the Cape Elizabeth LD 2003 Amendments

Definition clarity-Update with Rules

Multifamily: A building containing 2 or more dwelling units (except accessory dwelling units), or a mixed use building containing 1 or more dwelling units.

Multiplex Housing: Multiplex housing is housing containing two (2) or more attached dwelling units.

Multifamily development: A building containing 2 or more dwelling units (excepting accessory dwelling units), or a mixed use building containing 1 or more dwelling units. Development that may be considered multifamily development includes but is not limited to duplexes, triplexes, quadriplexes, multiplexes, townhouses, mansion apartments, garden apartments, and other dwelling units that share a common wall, floor or roof.

ADU Amendments

- Replace existing provisions with state requirements
- Single family = ADU
- From conditional to permitted use
- Minimum size 190 sq. ft, max size 1,000 sq. ft
- Attached/detached
- Setbacks
- No ADU can be a STR

Multifamily Amendments

- Merge synonymous definitions multiplex and multifamily
- BOTH Existing definitions need to comply with LD 2003
- 2 unit multifamily added in RA District
- 4 unit multifamily allowed in RB, RC, TC and BA
- Single family home setbacks apply
- New Section 19-7-17, Small multifamily provisions
- Added multifamily unit sq. ft. retained

Small Multifamily development Density Requirements

District	Minimum lot size*	Additional land for added unit	2 unit lot area total	3 unit total	4 unit total
RA	80,000 sq. ft.	66,000 sq. ft.	146,000 sq. ft. (3.4 acres)	212,000 sq. ft. (4.9 acres)	N/A
RB (on-site sewage disposal)	80,000 sq. ft.	60,000 sq. ft.	140,000 sq. ft. (3.2 acres)	200,000 sq. ft. (4.6 acres)	260,000 sq. ft (6 acres)
RB (public sewer	80,000 sq. ft.	20,000 sq. ft.	100,000 sq. ft (2.3 acres)	120,000 sq. ft. (2.8 acres)	140,000 sq. ft. (3.2 acres)
RC	20,000 sq. ft.	15,000 sq. ft.	35,000 sq. ft. (0.8 acres)	50,000 sq. ft. (1.15 acres)	65,000 sq. ft (1.5 acres)
TC	80,000 sq. ft.	7,500 sq. ft.	87,500 sq. ft. (2 acres)	95,000 sq. ft. (2.2 acres)	102,500 sq. ft. (2.4 acres)
BA (RC adjacent)	20,000 sq. ft.	15,000 sq. ft.	35,000 sq. ft. (0.8 acres)	50,000 sq. ft. (1.15 acres)	65,000 sq. ft. (1.5 acres)
BA (RA adjacent)	80,000 sq. ft.	15,000 sq. ft.	95,000 sq. ft. (2.2 acres)	110,000 sq.ft. (2.5 acres)	125,000 sq. ft. (2.9 acres)

*The smallest buildable legal nonconforming lot is 10,000 if served by public sewer, 20,000 sq. ft if served by subsurface sanitary wastewater disposal.

Affordable Housing Density Bonus

- New Sec. 19-7-17 Growth Area multifamily development
- RB, RC, TC, BA Districts – 17% of town
- Density is 2.5 times BASE
- 30 Year affordablilty
- 80% median income rental (2-person family, $71,520)
- 120% median income owners ($119,850)

Next Steps

- Questions!
- Ordinance Committee - next meeting to be scheduled