



**Planning & Development**  
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**Memo**

Date: July 27, 2022

To: Board of Selectmen

From: Jodine Adams, CEO and Michael G. Livingston, Town Engineer/Planner

Re: LD 2003

**Background:**

The State Legislature and Governor have passed a new law the limits the Town's home rule authority on controlling new dwelling units, multifamily units, affordable housing and Accessory Dwelling Units (ADU's), see attached. The deadline for Towns to adopt revised ordinances is July 1, 2023.

**Current Ordinances:**

Current ordinances and definitions place limitations on the number of dwellings on a lot, there are special buffers and setbacks for multi-family dwellings/developments and limitations on ADU's.

The current ordinances are in affect until changed by Town vote.

**Impacts:**

Many ordinance sections will need to be revised to have the Town's Ordinances come into compliance with the State mandates. See attached proposed draft of various ordinance changes in blue and strike outs highlighted.

**Ordinance Changes:**

The ordinance changes are Land Use ordinances that require adoption at Town Meeting by the voters.

*Definitions 145-10* – add Affordable Housing Development

*Multifamily Developments 145-48*

- Eliminate buffer requirements that exceed the setbacks that apply to a single family dwelling
- Add reference to increased density for Affordable Housing Development

*Affordable Housing 145-54*

- Change Statute reference
- Eliminate restriction to only the RA zone, change to any designated growth area
- Change density from 13,333 sf/dwelling to 2.5 times the district's density
- Eliminate current larger buffer requirements to be the same as apply to a single family dwelling setback
- Add a parking requirement of 2 spaces for every 3 dwellings, current requirements are 2 spaces per dwelling which would be 6 spaces for 3 dwellings.

*Accessory dwelling units 145-55*

- Eliminate exception for RB, RD and BB Districts. Allow in all zones that allow a residential dwelling
- Allow ADU's on nonconforming lots and within nonconforming structures
- Add minimum area of 190 sf
- Add clarification that parking shall meet the same requirements of a single family residential dwelling: two spaces + 0.5 spaces for each bedroom in excess of 4 bedrooms
- Specify that an ADU does not require additional net lot area
- Specify that an ADU is a new dwelling unit per subdivision law statute

*RB District 145-22* – add Multifamily use

*RD District 145-23* – add two-family and Multifamily uses

*BB District 145-25* – add Multifamily use

*AP District 145-31* – add Multifamily use

**Considerations:**

Initial input and concerns on changes would be appreciated.

Are the changes a consideration for the November Special Town Meeting?

Should the changes be considered in conjunction with possible Short Term Rental regulations/ordinances?