

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

H.P. 725 - L.D. 970

**An Act To Encourage Policies Regarding Accessory Dwelling Units under
Local Comprehensive Plans and Zoning Requirements**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §4301, sub-§1-B is enacted to read:

1-B. Accessory dwelling unit. "Accessory dwelling unit" means a self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land.

Sec. 2. 30-A MRSA §4312, sub-§3, ¶J, as amended by PL 2015, c. 349, §1, is further amended to read:

J. To promote and protect the availability of outdoor recreation opportunities for all Maine citizens, including access to surface waters; ~~and~~

Sec. 3. 30-A MRSA §4312, sub-§3, ¶K, as enacted by PL 2015, c. 349, §2, is amended to read:

K. To encourage municipalities to develop policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets; and

Sec. 4. 30-A MRSA §4312, sub-§3, ¶L is enacted to read:

L. To encourage municipalities to develop policies that provide for accessory dwelling units.

Sec. 5. 30-A MRSA §4326, sub-§1, ¶H, as amended by PL 2015, c. 349, §3, is further amended to read:

H. Residential housing stock, including affordable housing, ~~and~~ policies that assess community needs and environmental effects of municipal regulations, lessen the

effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets and policies that provide for accessory dwelling units;

Sec. 6. 30-A MRSA §4326, sub-§3-A, ¶G, as amended by PL 2015, c. 349, §4, is further amended to read:

G. Ensure that the municipality's or multimunicipal region's land use policies and ordinances encourage the siting and construction of affordable housing within the community and comply with the requirements of section 4358 pertaining to individual mobile home and mobile home park siting and design requirements. The municipality or multimunicipal region shall seek to achieve a level of at least 10% of new residential development, based on a 5-year historical average of residential development in the municipality or multimunicipal region, that meets the definition of affordable housing. A municipality or multimunicipal region is encouraged to seek creative approaches to assist in the development of affordable housing, including, but not limited to, ~~cluster housing, reduced minimum lot and frontage sizes, increased residential densities, use of municipally owned land and establishment of policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets;~~

(1) Cluster housing;

(2) Reduced minimum lot and frontage sizes;

(3) Increased residential densities;

(4) Use of municipally owned land;

(5) Establishment of policies that:

(a) Assess community needs and environmental effects of municipal regulations;

(b) Lessen the effect of excessive parking requirements for buildings in downtowns and on main streets; and

(c) Provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets; and

(6) Provisions for accessory dwelling units;

Sec. 7. 30-A MRSA §4326, sub-§3-A, ¶J, as amended by PL 2015, c. 349, §5, is further amended to read:

J. Develop management goals for great ponds pertaining to the type of shoreline character, intensity of surface water use, protection of resources of state significance and type of public access appropriate for the intensity of use of great ponds within the municipality's or multimunicipal region's jurisdiction; ~~and~~

Sec. 8. 30-A MRSA §4326, sub-§3-A, ¶K, as enacted by PL 2015, c. 349, §6, is amended to read:

K. Encourage policies that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets; and

Sec. 9. 30-A MRSA §4326, sub-§3-A, ¶L is enacted to read:

L. Encourage policies that provide for accessory dwelling units.