

ORDER  
STANDISH TOWN COUNCIL

DATE: April 11, 2023  
ORDER NUMBER: 25-23

SUBMITTED BY: LeClerc

TITLE: AMENDMENTS TO STANDISH TOWN CODE, CHAPTER 181, LAND USE, FOR COMPLIANCE WITH STATE HOUSING LAW 30-A M.R.S.A. § 4364

The Town of Standish hereby ordains the following amendments to Chapter 181, Land Use, Part 1, Zoning, Article II, Definitions, and Article IV, General Standards, add §181-28.2 (Additions are underlined and deletions are struck out):

**CHAPTER 181 – LAND USE  
PART 1  
ZONING**

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ARTICLE II  
**Definitions**

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AFFORDABLE HOUSING DEVELOPMENT – A residential development as defined in 30-A M.R.S.A. § 4364(1), as may be amended.

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ARTICLE IV  
**General Standards**

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**§181-28.2 Affordable housing developments**

A. Administration

- (1) Affordable housing developments shall require Site Plan and Subdivision review and approval.
- (2) Affordable housing developments are permitted when the area where the project is proposed meets both of the following criteria:
  - (a) It is in a growth area as identified in the Town of Standish’s Comprehensive Plan; and
  - (b) It is zoned to permit three-family or multi-family dwellings.

B. Allowed Density

- (1) Outside of the FBCVDs, affordable housing developments may have 2.5 times the density allowed by the base zoning for the district, provided that it must comply with minimum lot size requirements established by 12 M.R.S.A § 423-A, as applicable, and that a majority of the units in the development must be designated as affordable.

C. Required Parking

- (1) Notwithstanding any other provision of Chapter 181 to the contrary, affordable housing developments are required to have 1.5 off street parking spaces per dwelling unit.

D. Long term affordability. Prior to the issuance of an occupancy permit the owner of the affordable housing development shall provide the town evidence that they have executed a restrictive covenant, recorded in the appropriate registry of deeds, for the benefit of and enforceable by a party acceptable to the Town, to ensure that for at least 30 years after completion of construction:

- (1) For rental housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and
- (2) For owned housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

E. Proof of water and wastewater. Prior to the issuance of an occupancy permit the owner of an affordable housing development shall provide written verification that each unit is served by adequate water and wastewater services. This verification must include:

- (1) If a housing unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system;
- (2) If a housing unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under 30-A M.R.S.A. § 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under 22 M.R.S.A. § 42;
- (3) If a housing unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
- (4) If a housing unit is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_

ROLL CALL      YEA                                      NAY                                      ABSTAIN

BUTLER \_\_\_\_\_  
 GABA \_\_\_\_\_  
 LECLERC \_\_\_\_\_  
 LIBBY \_\_\_\_\_  
 MACRI \_\_\_\_\_  
 PAUL \_\_\_\_\_  
 WATSON \_\_\_\_\_

TOWN COUNCIL CHAIR \_\_\_\_\_

CLERK/SECRETARY \_\_\_\_\_

Introduction – 4/11/2023  
 Planning Board Public Hearing – 6/5/2023  
 First Reading – 5/9/2023  
 Public Hearing – 6/6/2023