

ORDER
STANDISH TOWN COUNCIL

DATE: April 11, 2023
ORDER NUMBER: 26-23

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-A and § 4364-B

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

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

• • •

**ARTICLE II
Definitions**

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ACCESSORY APARTMENT DWELLING UNIT – Separate living accommodations located within and subordinate to an existing ~~single family dwelling~~ primary residential use or located within a detached structure that meets building code requirements for a dwelling unit but that is subordinate to an existing ~~single family dwelling~~ primary residential use. An accessory ~~apartment dwelling unit~~ requires Code Enforcement Officer approval and is subject to the standards contained herein under § 181-35.5.

ACCESSORY BUILDING – A subordinate building incidental to and located on the same lot with the main building which is customarily a garage, workshop, bunkhouse and the like. A detached accessory ~~apartment dwelling unit~~ shall not be considered an accessory building.

• • •

DWELLING, MULTI-FAMILY – A building ~~designed or used as the living quarters for~~ on a single lot containing more than four dwelling units ~~three families~~. This term excludes motels, rooming houses, mobile homes and dwelling units with ~~family apartments or accessory apartments~~ dwelling units.

DWELLING, THREE OR FOUR-FAMILY – A building on a single lot containing three or four dwelling units. This term excludes motels, rooming houses, mobile homes and dwelling units with accessory apartments. ~~each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to the dwelling units.~~

DWELLING, TWO-FAMILY – A building on a single lot containing two dwelling units, ~~each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common~~

~~stairwell exterior to both dwelling units. This term excludes motels, rooming houses, mobile homes and dwelling units with accessory apartments.~~

• • •

~~FAMILY APARTMENT—A separate single residence located within and subordinate to an existing single family dwelling. A family apartment requires Code Enforcement Officer (CEO) approval and is subject to the standards contained herein under § 181-35.6.~~

• • •

ARTICLE III District Regulations

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§ 181-4. RR – Rural Residential Districts.

• • •

B. Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only.

(1) Accessory ~~apartment~~dwelling unit.

• • •

~~(5) Family apartments.~~

~~(6)~~(5) Forestry management.

~~(7)~~(6) Home Care Services.

~~(8)~~(7) Home occupations, Level 1.

~~(9)~~(8) Manufactured housing units.

~~(10)~~(9) Solar energy system, roof-mounted.

~~(11)~~(10) Solar energy system, small-scale.

~~(12)~~(11) Timber harvesting.

• • •

§ 181-5. RU – Rural Districts.

• • •

B. Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only.

(1) Accessory ~~apartment~~dwelling unit.

• • •

~~(6) Family apartments.~~

~~(7)~~(6) Forestry management.

- ~~(8)~~(7) Home Care Services.
- ~~(9)~~(8) Home occupations, Level 1.
- ~~(10)~~(9) Manufactured housing units.
- ~~(11)~~(10) Solar energy system, roof-mounted.
- ~~(12)~~(11) Solar energy system, small-scale.
- ~~(13)~~(12) Timber harvesting.

• • •

§ 181-6. R – Residential Districts.

• • •

A. Land uses in this district shall require written approval from the authority, as indicated, prior to issuance of a permit by the Code Enforcement Officer. Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only.

- (1) Accessory ~~apartment~~dwelling unit.

• • •

- ~~(6)~~ Family apartments.
- ~~(7)~~(6) Forestry management.
- ~~(8)~~(7) Home Care Services.
- ~~(9)~~(8) Home occupations, Level 1.
- ~~(10)~~(9) Manufactured housing units.
- ~~(11)~~(10) Solar energy system, roof-mounted.
- ~~(12)~~(11) Solar energy system, small-scale.
- ~~(13)~~(12) Timber harvesting.

• • •

§ 181-7. VC – Village Center Districts.

• • •

B. Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only.

- (1) Accessory ~~apartment~~dwelling unit.

• • •

- ~~(6)~~ Family apartments.
- ~~(7)~~(6) Forestry management.
- ~~(8)~~(7) Home Care Services.
- ~~(9)~~(8) Home occupations, Level 1.
- ~~(10)~~(9) Solar energy system, roof-mounted.
- ~~(11)~~(10) Solar energy system, small-scale.

~~(12)~~(11) Timber harvesting.

• • •

C. Permitted uses requiring site plan review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 of this chapter.

• • •

(8) Dwelling, three or four-family.

• • •

§ 181-7.1. Form Based Code Village Districts (FBCVD).

• • •

A. Terms defined. As used in this section, the following terms shall have the meanings indicated:

• • •

SINGLE-FAMILY HOME – A structure containing one primary dwelling unit. A “single family home” may include accessory dwelling units ~~and/or family apartments~~ as defined in § 181-3 subject to all relevant standards of this ordinance.

• • •

E. Standish Corner District Standards

• • •

(1) Town Center (TC) standards

~~(a) For structures or additions to structures created after June 7, 2011, residential uses are prohibited on the ground floor.~~

~~(b)~~(a) Maximum building floor area: none

~~(c)~~(b) Parking drives must be a minimum of 16 feet in width or as required by the Standish Fire Department. Shared drives are encouraged between adjacent lots to minimize curb cuts. On corner lots, parking drive shall not be located on the primary SCD street unless shared with a non-corner lot.

~~(d)~~(c) SCD street space standards (TC)

• • •

~~(e)~~(d) Lot width and block length (TC).

• • •

~~(f)~~(e) Supplemental Planning Board review triggers (TC).

• • •

~~(g)~~(f) Town Center (TC) allowed land uses and permit requirements (TC).

• • •

[3] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory dwelling units.

[b] Accessory uses and buildings.

~~(b)~~[c] Agriculture.

~~(c)~~[d] Dwelling, one unit. ~~(must comply with § 181-7.1 E)(1)(a)~~

~~(d)~~[e] Dwelling, two units. ~~(must comply with § 181-7.1 E)(1)(a)~~

~~(e)~~[f] Home occupation Level 1.

~~(f)~~[g] Home occupation Level 2.

~~(g)~~[h] Home occupation Level 3.

~~(h)~~[i] Home retail sales.

~~(i)~~[j] Outdoor display and sales.

~~(j)~~[k] Solar energy system, roof-mounted.

~~(k)~~[l] Solar energy system, small-scale.

~~(l)~~[m] Tradesman.

~~(m)~~[n] Yard or garage sale.

• • •

[4] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter

• • •

[g] Dwelling, multi-family. ~~(must comply with § 181-7.1 E)(1)(a)~~

[h] Dwelling, three or four-family. ~~(must comply with § 181-7.1 E)(1)(a)~~

• • •

~~(h)~~(g) SCD streetscape standards (TC).

• • •

(2) Town Main (TM) standards.

~~(a) For structures or additions to structures created after June 7, 2011, residential uses are prohibited on the ground floor.~~

~~(b)~~(a) Maximum building floor area not to exceed 40,000 square feet.

~~(e)~~(b) Parking drives must be a minimum of 16 feet in width or as required by the Standish Fire Department. Shared drives are encouraged between adjacent lots to minimize curb cuts. On corner lots, parking drive shall not be located on the primary SCD street unless shared with a non-corner lot.

~~(d)~~(c) SCD street space standards (TM)

• • •

~~(e)~~(d) Lot width and block length (TM).

• • •

~~(f)~~(e) Supplemental Planning Board review triggers (TM).

• • •

~~(g)~~(f) Town Main (TM) allowed land uses and permit requirements (TM).

• • •

[3] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory dwelling units.

[b] Accessory uses and buildings.

~~[b]~~[c] Agriculture.

~~[c]~~[d] Dwelling, one unit. (must comply with § 181-7.1 E)(2)(a)

~~[d]~~[e] Dwelling, two units. (must comply with § 181-7.1 E)(2)(a)

~~[e]~~ Family apartment (grandfathered single family home only).

• • •

[4] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[j] Dwelling, multi-family. (must comply with § 181-7.1 E)(2)(a)

[k] Dwelling, three or four-family. (must comply with § 181-7.1 E)(2)(a)

• • •

~~(h)~~(g) SCD streetscape standards (TM).

• • •

~~(4)~~(3) Town Avenue (TA) standards.

~~(a) For structures or additions to structures created after June 7, 2011, residential uses are prohibited on the ground floor.~~

~~(b)~~(a) Maximum building floor area not to exceed 30,000 square feet

~~(e)~~(b) Parking drives must be a minimum of 16 feet in width or as required by the Standish Fire Department. Shared drives are encouraged between adjacent lots to minimize curb cuts. On corner lots, parking drive shall not be located on the primary SCD street unless shared with a non-corner lot.

~~(d)~~(c) SCD street space (TA).

• • •

~~(e)~~(d) Lot width and block length (TA).

• • •

~~(f)~~(e) Supplemental Planning Board review triggers (TA).

• • •

~~(g)~~(f) Town Avenue (TA) allowed land uses and permit requirements (TA).

• • •

[3] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory dwelling units.

[b] Accessory uses and buildings.

~~{b}~~[c] Agriculture.

~~{e}~~[d] Dwelling, one unit. ~~(must comply with § 181-7.1 E)(3)(a)~~

~~{d}~~[e] Dwelling, two units. ~~(must comply with § 181-7.1 E)(3)(a)~~

~~{e}~~ Family apartment ~~(grandfathered single family home only).~~

• • •

[4] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[f] Dwelling, multi-family. ~~(must comply with § 181-7.1 E)(3)(a)~~

[g] Dwelling, three or four-family. ~~(must comply with § 181-7.1 E)(3)(a)~~

• • •

~~(h)~~(g) SCD streetscape standards (TA).

• • •

(54) Town Gateway (TG) standards

~~(a)~~ For structures or additions to structures created after June 7, 2011, residential uses are prohibited on the ground floor.

~~(b)~~(a) Maximum building floor area: 40,000 square feet

~~(c)~~(b) Parking drives must be a maximum of 24 feet in width or as required by the Standish Fire Department. Shared drives are encouraged between adjacent lots to minimize curb cuts. On corner lots, parking drive shall not be located on the primary SCD street unless shared with a non-corner lot.

~~(d)~~(c) SCD street space (TG).

• • •

~~(e)~~(d) Lot width and block length (TG).

• • •

~~(f)~~(e) Supplemental Planning Board review triggers (TG).

• • •

~~(g)~~(f) Town Gateway (TG) Zone allowed land uses and permit requirements (TG).

• • •

[3] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartment~~dwelling unit.

• • •

~~[f]~~ Family apartment.

~~[g]~~[f] Home occupation Level 1.

~~[h]~~[g] Home occupation Level 2.

~~[i]~~[h] Home occupation Level 3.

~~[j]~~[i] Home retail sales.

~~[k]~~[j] Outdoor display and sales.

~~[l]~~[k] Solar energy system, roof-mounted.

~~[m]~~[l] Solar energy system, small-scale.

~~[n]~~[m] Tradesman.

~~[o]~~[n] Yard or garage sale.

• • •

[4] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with § 181-7.1 and Part 2 and Part 3 of this chapter:

• • •

[k] Dwelling, three or four-family

• • •

~~(h)~~(g) SCD streetscape standards (TG). These standards are applicable when varying from existing standards for site plan review.

• • •

(65) Town Residential (TR) standards.

• • •

(f) Town Residential (TR) allowed land uses and permit requirements (TR).

• • •

[3] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartment~~ dwelling unit.

• • •

~~[f] Family apartment.~~
~~[g]~~~~[f]~~ Home occupation Level 1.
~~[h]~~~~[g]~~ Home occupation Level 2.
~~[i]~~~~[h]~~ Home occupation Level 3.
~~[j]~~~~[i]~~ Home retail sales.
~~[k]~~~~[j]~~ Solar energy system, roof-mounted.
~~[l]~~~~[k]~~ Solar energy system, small-scale.
~~[m]~~~~[l]~~ Tradesman.
~~[n]~~~~[m]~~ Yard or garage sale.

• • •

[4] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[g] Dwelling, three or four-family

• • •

F) Sebago Lake Village District standards.

• • •

(1) SLV Core (SLVC) standards

~~(a) For structures or additions to structures created after August 12, 2014, residential uses may not occupy the portion of the ground floor facing the primary SLVD street.~~

~~(b)~~(a) Maximum building footprint: 5,000sqft

~~(e)~~(b) Parking drives must be a minimum of 16 feet in width or as required by the Standish Fire Department. Shared drives are encouraged between adjacent lots to minimize curb cuts.

~~(d)~~(c) SLVCD street space standards (SLVC)

• • •

~~(e)~~(d) Lot width and block length

• • •

~~(f)~~(e) Supplemental Planning Board review triggers SLVC

• • •

~~(g)~~(f) Sebago Lake Village Core (SLVC) allowed land uses and permit requirements (SLVC).

• • •

[4] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartments~~ dwelling unit.

• • •

[d] Dwelling, one unit. ~~(must comply with § 181-7.1 F)(1)(a)~~

[e] Dwelling, two unit. ~~(must comply with § 181-7.1 F)(1)(a)~~

[f] Family apartment. ~~(must comply with § 181-7.1 F)(1)(a)~~

~~[g]~~[f] Home occupation Level 1.

~~[h]~~[g] Home occupation Level 2.

~~[i]~~[h] Home occupation Level 3.

~~[j]~~[i] Home retail sales.

~~[k]~~[j] Outdoor display and sales.

~~[l]~~[k] Solar energy system, roof-mounted.

~~[m]~~[l] Solar energy system, small-scale.

~~[n]~~[m] Tradesman.

~~[e]~~[n] Yard or garage sale.

• • •

[5] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[k] Dwelling, three or four-family. (must comply with § 181-7.1 F)(1)(a)

• • •

~~(h)~~(g) SLVD streetscape standards (SLVC).

• • •

(2) SLV Fringe (SLVF) standards.

• • •

(e) Sebago Lake Village Fringe (SLVF) allowed land uses and permit requirements (SLVF).

• • •

[4] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartments~~ dwelling unit.

• • •

~~[f]~~ Family apartment.
~~[g]~~[f] Home occupation Level 1.
~~[h]~~[g] Home occupation Level 2.
~~[i]~~[h] Home occupation Level 3.
~~[j]~~[i] Home retail sales.
~~[k]~~[j] Outdoor display and sales.
~~[l]~~[k] Solar energy system, roof-mounted.
~~[m]~~[l] Solar energy system, small-scale.
~~[n]~~[m] Tradesman.
~~[o]~~[n] Yard or garage sale.

• • •

[5] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[m] Dwelling, three or four-family.

• • •

(3) SLV Gateway (SLVG) standards.

• • •

(e) Sebago Lake Village Gateway (SLVG) allowed land uses and permit requirements (SLVG).

• • •

[4] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartments~~ dwelling unit.

• • •

~~[f] Family apartment.~~
~~[g]~~~~[f]~~ Home occupation Level 1.
~~[h]~~~~[g]~~ Home occupation Level 2.
~~[i]~~~~[h]~~ Home occupation Level 3.
~~[j]~~~~[i]~~ Home retail sales.
~~[k]~~~~[j]~~ Outdoor display and sales.
~~[l]~~~~[k]~~ Solar energy system, roof-mounted.
~~[m]~~~~[l]~~ Solar energy system, small-scale.
~~[n]~~~~[m]~~ Tradesman.
~~[o]~~~~[n]~~ Yard or garage sale.

• • •

[5] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[k] Dwelling, three or four-family.

• • •

(4) SLV Residential Connector (SLVRC) standards.

• • •

(e) SLVD Residential Connector allowed land uses and permit requirements (SLVRC).

• • •

[4] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartments~~ dwelling unit.

• • •

~~[f] Family apartment.~~

~~[g]~~[f] Home occupation Level 1.

~~[h]~~[g] Home occupation Level 2.

~~[i]~~[h] Home occupation Level 3.

~~[j]~~[i] Home retail sales.

~~[k]~~[j] Outdoor display and sales.

~~[l]~~[k] Solar energy system, roof-mounted.

~~[m]~~[l] Solar energy system, small-scale.

~~[n]~~[m] Tradesman.

~~[o]~~[n] Yard or garage sale.

• • •

[5] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[f] Dwelling, three or four-family

• • •

(5) SLV Residential (SLVR) standards.

• • •

(e) SLV Residential allowed land uses and permit requirements (SLVR).

• • •

[4] Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only:

[a] Accessory ~~apartments~~ dwelling unit.

• • •

~~[f] Family apartment.~~

~~[g]~~[f] Home occupation Level 1.

~~[h]~~[g] Home occupation Level 2.

~~[i]~~[h] Home occupation Level 3.

~~[j]~~[i] Home retail sales.

~~{k}[i]~~ Outdoor display and sales.
~~{j}[k]~~ Solar energy system, roof-mounted.
~~{m}[l]~~ Solar energy system, small-scale.
~~{n}[m]~~ Tradesman.
~~{o}[n]~~ Yard or garage sale.

• • •

[5] Permitted uses requiring site plan or subdivision review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 or Part 3 of this chapter:

• • •

[e] Dwelling, three or four-family

• • •

§ 181-8. BC – Business and Commercial Districts.

• • •

B. Permitted uses, not requiring site plan review, shall be as follows. Such uses shall require approval from the Code Enforcement Officer only.

(1) Accessory ~~apartment~~ dwelling unit.

• • •

~~(4) Family apartments.~~

~~(5)~~(4) Forestry management.

~~(6)~~(5) Home care services.

~~(7)~~(6) Home occupation, Level 1.

~~(8)~~(7) Single-family dwellings with ~~two hundred foot setback from public right of way and two-acre-per-dwelling-unit minimum lot size.~~

~~(9)~~(8) Solar energy system, roof-mounted.

~~(10)~~(9) Solar energy system, small-scale.

• • •

C. Permitted uses requiring site plan review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 of this chapter.

• • •

(10) Dwelling, two-family with two-acre-per-dwelling-unit minimum lot size.

~~(10)~~(11) Finished wood products.

~~(11)~~(12) Fueling station.

~~(12)~~(13) Funeral home.

~~(13)~~(14) Health care facility.

~~(14)~~(15) Heavy-duty repair garage.

~~(15)~~~~(16)~~ Heavy-duty repair facility.
~~(16)~~~~(17)~~ Home occupation, Level 2.
~~(17)~~~~(18)~~ Home occupation, Level 3.
~~(18)~~~~(19)~~ Home retail sales.
~~(19)~~~~(20)~~ Inn.
~~(20)~~~~(21)~~ Kennel.
~~(21)~~~~(22)~~ Manufacturing, Light with not more than 10,000 square feet of gross floor area.
 Exterior storage or assembly of materials or products is prohibited.
~~(22)~~~~(23)~~ Mechanical repair garage.
~~(23)~~~~(24)~~ Meteorological tower and small wind energy systems, as defined in § 181-49.21.
~~(24)~~~~(25)~~ Motels.
~~(25)~~~~(26)~~ Motor vehicle sales.
~~(26)~~~~(27)~~ Private clubs.
~~(27)~~~~(28)~~ Public utilities.
~~(28)~~~~(29)~~ Recycling center.
~~(29)~~~~(30)~~ Research facilities.
~~(30)~~~~(31)~~ Residential care facility.
~~(31)~~~~(32)~~ Restaurants with drive-through.
~~(32)~~~~(33)~~ Restaurants without drive-through.
~~(33)~~~~(34)~~ Retail businesses under 10,000 square feet.
~~(34)~~~~(35)~~ Road and rail distribution.
~~(35)~~~~(36)~~ Social events center.
~~(36)~~~~(37)~~ Solar energy system, medium-scale.
~~(37)~~~~(38)~~ Solar energy system, large-scale.
~~(38)~~~~(39)~~ Timber harvesting.
~~(39)~~~~(40)~~ Tradesman.
~~(40)~~~~(41)~~ Veterinary clinics.
~~(41)~~~~(42)~~ Warehousing and outdoor storage under 10,000 square feet.
~~(42)~~~~(43)~~ Wholesale businesses under 10,000 square feet.

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§ 181-9. WOC – Water-Oriented Commercial Districts.

• • •

A. Land uses in this district shall require written approval from the authority, as indicated, prior to issuance of a permit by the Code Enforcement Officer:

- (1) Accessory dwelling units
- (2) Accessory uses and buildings.
- ~~(2) Family apartments.~~

• • •

C. Permitted uses requiring site plan review shall be as follows. Such uses shall require Planning Board approval, in accordance with Part 2 of this chapter.

• • •

- (5) Dwelling, two family
- (6) Enclosed storage.
- ~~(6)~~(7) Hotels and motels.
- ~~(7)~~(8) Marinas and boat storage.
- ~~(8)~~(9) Meteorological tower and small wind energy systems, as defined in § 181-49.21.
- ~~(9)~~(10) Municipal uses.
- ~~(10)~~(11) Restaurants.
- ~~(11)~~(12) Retail businesses.
- ~~(12)~~(13) Solar energy system, medium-scale.
- ~~(13)~~(14) Solar energy system, large-scale.

• • •

§ 181-14. Lots

A. General Provisions

• • •

- ~~(2) No more than one principal structure shall be located on a lot unless at least one of the following conditions has been met:~~
 - ~~(a) The development was approved in accordance with the provisions of § 181-28 (Elderly housing); or~~
 - ~~(b) The development was approved in accordance with the provisions of § 181-28.1 (Village housing); or~~
 - ~~(c) The street frontage requirement, without the need for a variance, is met for each principal structure located on the lot, and the placement of the structures will allow division of the lot in conformance with the space and bulk regulations of the zoning district in which the property is located.~~

• • •

C. Back lots. Back lots ~~used solely for single family purposes~~ shall be permitted, subject to the following:

• • •

- (4) Construction of private way

• • •

- ~~(b) The issuance of a building permit for a single family dwelling on a back lot shall in no way be construed to imply the acceptance of any accessway for the purpose of maintenance, improvements or snow removal by the Town of Standish.~~

• • •

ARTICLE IV General Standards

• • •

§ 181-27 Cluster Development.

• • •

D. Standards

• • •

~~(7) For lots created outside the Standish Corner District, all deeds shall contain the following language: "Lot uses in this cluster subdivision are limited solely to those single-family residential uses that do not require a site plan review and approval."~~

• • •

§ 181-27.1. Conservation Development.

• • •

G. Plan notations/requirements

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(2) The final plan shall bear the following notation: "This subdivision was approved as a conservation subdivision development pursuant to § 181-27.1 of the Zoning Ordinance, as may be amended from time to time. Uses on the lots are limited solely to ~~those single-family residential uses that do not require a site plan review~~, excepting that home occupations as approved by the Planning Board may be permitted. Any lot to be improved with a dwelling unit shall be deed restricted from further subdivision."

• • •

§181-28.3 Growth area residential uses.

A. Up to four units allowed: "Dwelling unit, three or four family" as herein defined shall be considered a permitted use on any property located in a growth area as designated by the Town's Comprehensive Plan and which is zoned to allow residential uses. If "dwelling, three or four family" is not listed as an allowed use in the base zone it will be considered a use requiring Planning Board approval, and shall require Planning Board approval in accordance with Part 2 of this chapter.

B. Standards: Three or four unit dwellings shall be held to all standards of the base zone including lot area per dwelling unit.

• • •

§ 181-35.2.1 Home occupation Level 1.

• • •

B. Not more than one full-time equivalent person outside the dwelling unit shall be employed in the home occupation, and no more than one such individual shall be on the premises at any given time. ~~For the purposes of a home occupation Level 1, persons living in a family apartment shall not be considered living in the household/dwelling unit.~~

• • •

§ 181-35.2.2 Home occupation Level 2.

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B. Not more than two people outside the home shall be employed in the home occupation. Not more than one of the nonhousehold employees shall be actively working on the property at any one time; provided, however, that in the Form Based Code Village Districts, not more than two of the nonhousehold employees shall be actively working on the property at any one time. ~~For the purposes of home occupation Level 2, persons living in a family apartment shall not be considered to be living in the household/dwelling unit.~~

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§ 181-35.2.3 Home occupation Level 3.

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B. Not more than three people outside the household shall be employed in the home occupation. ~~For the purposes of home occupation Level 3, persons living in a family apartment shall not be considered living in the household/dwelling unit.~~

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§ 181-35.5. Accessory ~~Apartment~~Dwelling Units

A. Purpose. The purpose of the provisions concerning an accessory ~~apartment~~dwelling unit is to increase the variety of housing opportunities available to the Town's diverse population and to help contain sprawl by absorbing growth within existing lots and structures, thus precluding some of the pressure to further subdivide existing lots.

B. Approval. An accessory ~~apartment~~dwelling unit requires approval from the Code Enforcement Officer. It shall be the duty of the Code Enforcement Officer to review all applicable standards and approve an accessory ~~apartment~~dwelling unit if the accessory ~~apartment~~dwelling unit meets the applicable standards.

C. Performance standards.

- (1) The accessory ~~apartment~~dwelling unit must be located within the same building as the existing ~~single-family residence~~ one or two-family dwelling or within a detached structure that meets building code requirements for a dwelling unit. The accessory ~~apartment~~dwelling unit must contain its own cooking, eating, bathroom and sleeping facilities.

- (2) Either the existing ~~single-family residence~~one or two-family dwelling or the accessory ~~apartment~~dwelling unit must be owner-occupied. "Owner-occupied" means that ~~either the existing single-family residence or the accessory apartment~~a dwelling unit on the property, which may be or the accessory apartment is occupied by a person who has a legal or equitable ownership interest in the property and bears all or part of the economic risk of decline in value of the property and who receives all or part of the remuneration, if any, derived from the lease or rental of the property.
- (3) Ownership of the existing ~~single-family residence~~one or two-family dwelling use and the accessory ~~apartment~~dwelling unit must be the same.
- (4) Only one accessory ~~apartment~~dwelling unit is allowed on a lot.
- ~~(5) Accessory apartment are not allowed on nonconforming lots, except that for purposes of this section only, frontage requirements shall not be considered in determining whether the lot is nonconforming.~~
- ~~(6)~~(5) An accessory apartment~~dwelling unit~~ located outside of the Shoreland Zone and that complies with the requirements of this section shall not be considered a dwelling unit when calculating lot area per dwelling unit for the purposes of this chapter, for the private way construction thresholds of § 181-14 (4), or when calculating parking requirements for the purposes of this chapter. For all other purposes, an accessory ~~dwelling unit~~apartment shall be considered a dwelling unit. ~~Accessory apartments are not allowed in the Shoreland Zone.~~
- ~~(7) No dwelling unit that is served by an on-site subsurface wastewater disposal system shall be modified to create an accessory apartment until a site evaluation has been conducted by a Maine-licensed soil evaluator that demonstrates that a lawful subsurface wastewater disposal system may be utilized in support of both the single-family residence and the accessory apartment, and such system is approved by the Town.~~
- (6) Prior to the issuance of an occupancy permit for any accessory dwelling unit the applicant must provide written verification that the accessory dwelling unit is connected to adequate water and wastewater services. Written verification under this subsection must include:
 - (a) If an accessory dwelling 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 accessory dwelling unit and proof of payment for the connection to the sewer system;
 - (b) If an accessory dwelling 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. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under 12 M.R.S.A § 42;
 - (c) If an accessory dwelling 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 accessory dwelling unit, proof of payment for the connection and the volume and supply of water required for the accessory dwelling unit;

- (d) If an accessory dwelling 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.
- ~~(8) The number of occupants of the accessory apartment is limited to four, with a maximum of two bedrooms.~~
- ~~(9)(7) Accessory apartmentdwelling unit shall contain a minimum of 190 square feet and a maximum of 1,000 square feet of living space. For purposes of this section, "living space" means the total floor area designated for occupancy and exclusive use as an accessory apartmentdwelling unit, expressed in square feet, measured from the center lines of adjoining partitions and exteriors of outside walls.~~
- ~~(10) Adequate off-street parking shall be provided as required by § 181-24 for both the single-family residence and the accessory apartment.~~
- ~~(11)(8) The accessory apartmentdwelling unit must comply with all applicable building and fire safety codes in effect at the time of the application.~~
- ~~(12) An accessory apartmentdwelling unit shall be designed to maintain the architectural design, style, appearance, and character of the building as a single-family residence. Any exterior alteration shall preserve the formal, front entrance of the building in order to maintain the single-family appearance and architectural style of the original building. Exterior stairs shall be enclosed and are restricted to the rear or sides of the building wherever practicable.~~
- ~~(13)(9) A home occupation or tradesman use may be conducted, subject to existing regulations, as an accessory use to either the accessory apartmentdwelling unit or existing single-family residence, but not to both.~~
- ~~(14)(10) Any application to the Code Enforcement Officer for an accessory apartmentdwelling unit shall be accompanied by the registration of accessory apartmentdwelling unit form (available in the Code Enforcement Office) filled in by the owner(s) of the existing single-family residence. Upon approval of the application by the Code Enforcement Officer, the applicant shall record the registration of accessory apartmentdwelling unit form in the Cumberland County Registry of Deeds within 30 days of the date of approval. No building or occupancy permits for the accessory apartmentdwelling unit shall be issued until proof of recording of the registration at the Registry has been received by the Code Enforcement Officer.~~
- ~~(15)(11) An occupancy permit must be issued by the Code Enforcement Officer prior to occupancy of an accessory apartmentdwelling unit created or modified pursuant to this section.~~
- ~~(16)(12) Should the owner(s) of the building that contains the accessory apartmentdwelling unit be found in noncompliance with the standards contained in this section, the noncompliance shall be considered a violation of this chapter, and the accessory apartmentdwelling unit use shall be discontinued.~~

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§ 181-35.6 Family apartment standards. (Reserved)

~~A. Purpose. The purpose of the provisions concerning a family apartment is to provide a means for family members to inhabit a separate residence, co-located with a primary dwelling unit, while protecting the single-family character of residential neighborhoods.~~

~~B. Definition. A separate residence located within and subordinate to an existing single-family dwelling. A family apartment requires CEO approval and is subject to the standards contained herein.~~

~~C. Approval. A family apartment requires approval from the Code Enforcement Officer. It shall be the duty of the CEO to review all applicable standards and approve a family apartment if, in the opinion of the CEO, the family apartment meets applicable standards.~~

~~D. Performance standards:~~

- ~~(1) A family apartment shall not be permitted as a nonconforming structure nor in conjunction with any existing nonconforming structure, unless granted a variance by the Board of Appeals.~~
- ~~(2) A family apartment shall only be allowed as an accessory use of an existing single-family residence. A family apartment is specifically disallowed as an accessory use to a duplex, or any multifamily dwelling.~~
- ~~(3) A family apartment shall only be occupied by a direct family member, by blood, adoption or marriage. If a family apartment has been approved by the Town and a family member no longer lives in the apartment, then the Town approval shall be considered void. This specifically disallows usage of said apartment by nonfamily members.~~
- ~~(4) Adequate off-street parking, as determined by the CEO, is required for both residences.~~
- ~~(5) The family apartment shall not exceed 30% of the floor area of the main dwelling unit. Floor area measurements shall not include unfinished attic, basement or cellar spaces, nor public hallways or other common areas.~~
- ~~(6) Any request for a family apartment shall conform to all provisions of the Maine State Plumbing Code. No dwelling that is served by an on-site wastewater disposal system shall be modified to create a family apartment until a site evaluation has been conducted by a licensed soil evaluator which demonstrates that a lawful wastewater system will be utilized, in support of both the primary residence and family apartment.~~
- ~~(7) Any structural changes must meet applicable building codes. No open or enclosed outside stairways shall be permitted above the first story.~~
- ~~(8) (Reserved)~~
- ~~(9) Additional land area and/or frontage are not required for a family apartment, provided that the standards contained herein are met and maintained.~~

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