

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1108

S.P. 360

March 6, 2007

**An Act To Change the Impact of the Rate of Growth Ordinance
Limit on the Town of York**

Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BOWMAN of York.

Cosponsored by Representative WEAVER of York, Representative HILL of York.

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

2 **Sec. 1. 30-A MRSA §4360, sub-§3**, as enacted by PL 2005, c. 597, §3 and
3 affected by §4, is amended to read:

4 **3. Ordinance requirements.** A municipality may adopt a rate of growth ordinance
5 only if:

6 A. The ordinance is consistent with section 4314, subsection 3;

7 B. The ordinance sets the number of building or development permits, not including
8 permits for affordable housing, at 105% or more of the mean number of permits
9 issued within the municipality during the 10 years immediately prior to the year in
10 which the number is calculated. The mean is determined by adding together the total
11 number of permits issued for each year in the prior 10 years and then dividing by 10;

12 C. In addition to the permits established pursuant to paragraph B, the ordinance sets
13 the number of building or development permits for affordable housing at no less than
14 10% of the number of permits set in the ordinance pursuant to paragraph B; and

15 D. The number of building or development permits allowed under the ordinance is
16 recalculated every 3 years.

17 The term "mean number of permits" in paragraph B includes the mean number of permits
18 that were issued to the general public under the residential growth ordinance of the Town
19 of York, as amended May 20, 2006, and does not include any of the permits that were
20 issued pursuant to an exemption under Section 6 of the residential growth ordinance of
21 the Town of York, as amended May 20, 2006, or that were not characterized as growth
22 permits.

23 **SUMMARY**

24 This bill provides that the building permit limit in the Town of York is calculated by
25 using the number of permits issued to the general public and not including the number of
26 permits issued pursuant to certain exemptions to the residential growth ordinance of the
27 Town of York.