

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1007

H.P. 743

House of Representatives, March 10, 2011

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**An Act To Amend the Laws Governing Comprehensive Planning To  
Encourage the Development of Affordable Housing**

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Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative MOULTON of York.  
Cosponsored by Senator SULLIVAN of York and  
Representatives: BOLAND of Sanford, BOLDUC of Auburn, FREDETTE of Newport,  
RUSSELL of Portland.

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

2 **Sec. 1. 30-A MRSA §4326, sub-§3-A, ¶G,** as enacted by PL 2001, c. 578, §15,  
3 is amended to read:

4 G. Ensure that the municipality's or multimunicipal region's land use policies and  
5 ordinances encourage the siting and construction of affordable housing within the  
6 community and comply with the requirements of section 4358 pertaining to  
7 individual mobile home and mobile home park siting and design requirements. The  
8 municipality or multimunicipal region shall seek to achieve a level of at least 10% of  
9 new residential development, based on a 5-year historical average of residential  
10 development in the municipality or multimunicipal region, that meets the definition  
11 of affordable housing. The comprehensive plan must include a strategy for achieving  
12 affordable housing and workforce housing objectives consistent with low-income  
13 populations and workforce populations based upon census data or data provided by  
14 the Maine State Housing Authority for the municipality or multimunicipal region. A  
15 municipality or multimunicipal region is encouraged to seek creative approaches to  
16 assist in the development of affordable housing, including, but not limited to, cluster  
17 housing, reduced minimum lot and frontage sizes, increased residential densities and  
18 use of municipally owned land. If a proposed development contains more than 5  
19 residential units, a municipality or multimunicipal region may impose impact fees for  
20 housing that do not exceed 2% of the estimated costs of land acquisition and  
21 residential development and if the proceeds from those fees are dedicated to  
22 low-income and workforce housing in the municipality or multimunicipal region  
23 based upon criteria adopted by the Maine State Housing Authority. A municipality  
24 or multimunicipal region may adopt a strategy of granting an incentive for dedication  
25 of 25% of proposed housing in developments having no fewer than 12 residential  
26 units. These dedicated low-income and workforce units must meet criteria adopted  
27 by the Maine State Housing Authority;

28 **SUMMARY**

29 This bill provides additional details of the process for municipalities or  
30 multimunicipal regions with regard to development of affordable housing as part of a  
31 comprehensive plan.