

MAINE STATE LEGISLATURE

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L.D. 1294

Date: 2/27/24

(Filing No. H-779)

HOUSING

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 819, L.D. 1294, "An Act to Implement Certain Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding the Ordinances Governing Residential Units Located in Buildings in a Location Zoned for Commercial Use'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 30-A MRSA §4364-C, sub-§3, as enacted by PL 2023, c. 490, §1, is amended to read:

3. Residential units in commercial zones. As necessary to achieve the statewide and regional housing production goals, a municipality may adopt ordinances to allow the establishment of residential units in high-density areas within buildings located in an area zoned for commercial use, including but not limited to vacant or partially vacant retail property. An ordinance establishing a limit on the number of residential units within a building in a location zoned for commercial use, whether previously adopted or adopted pursuant to this subsection, ~~must~~ may be proportional to the space available for residential units. This subsection is not intended to reduce or change health or safety requirements applicable to residential units located in a municipality.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill, which is a concept draft, and changes the title. It amends the law that authorizes a municipality, as necessary to achieve statewide and regional housing production goals, to adopt ordinances to allow residential units within buildings located in an area zoned for commercial use. Current law requires that an

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COMMITTEE AMENDMENT "A" to H.P. 819, L.D. 1294

1 ordinance that establishes a limit on the number of residential units within a building in a
2 location zoned for commercial use be proportional to the space available for residential
3 units in that building. This amendment removes that requirement and makes the
4 proportional limit optional.

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