

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
LABOR AND HOUSING**

July 2022

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JOINT STANDING COMMITTEE ON LABOR AND HOUSING

LD 2003 An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions

ENACTED LAW SUMMARY

Public Law 2021, chapter 672 enacts recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions pursuant to Resolve 2021, chapter 59. The law:

1. Provides that, in a municipality in which housing density is limited to no more than one dwelling unit per lot or no more than two dwelling units per lot, the municipality shall allow structures with up to two dwelling units per lot if that lot does not contain an existing dwelling unit, except that, as long as the minimum lot size requirements for waste disposal are not violated, a municipality must allow up to four dwelling units per lot if that lot does not contain an existing dwelling unit and the lot is located in a designated growth area within a municipality consistent with the Maine Revised Statutes, Title 30-A, section 4349-A, subsection 1, paragraph A or B or if the lot is served by public water and sewer systems in a municipality without a comprehensive plan;
2. Provides that a municipality must allow structures on a lot with an existing dwelling unit to add up to two additional dwelling units on that lot if one additional dwelling unit is within or attached to the existing structure and the other additional dwelling unit is detached;
3. Specifies that, for a lot in any zone for which housing is permitted, the intent is not to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with Title 30-A, chapter 187, subchapter 4;
4. Specifies that accessory dwelling units are not subject to a municipality's rate of growth ordinance;
5. Provides that the affordable housing development and accessory dwelling unit provisions are subject to minimum lot size requirements in accordance with the Maine Revised Statutes, Title 12, chapter 423-A, as applicable;
6. Specifies that the income eligibility for all the housing units in an affordable housing development must be calculated at the time of initial occupancy;
7. Authorizes a municipality to allow more dwelling units in residential areas than the number required to be allowed by the municipality;
8. Provides that lots that have constructed dwelling units or accessory dwelling units in accordance with this law are not eligible for any additional increases in density except as allowed by the municipality;

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9. Provides that a municipality may establish requirements for a lot area per dwelling unit as long as the required lot area for subsequent units on a lot is not greater than the required lot area for the first unit;
10. Provides that the Department of Economic and Community Development, in cooperation with the Maine State Housing Authority, must establish both statewide and regional housing production goals;
11. Specifies that municipalities must, to fulfill the statewide or regional housing production goal established by the Department of Economic and Community Development, ensure that all zoning ordinances affirmatively further fair housing in accordance with federal law and the Maine Human Rights Act; and
12. Specifies that a municipality may regulate a short-term rental to meet the statewide or regional housing production goal established by the Department of Economic and Community Development.