

**FOR PUBLIC HEARING ON ACCESSORY APARTMENTS ON MARCH 19, 2024**

- 1. Amend Chapter 290, Article XA Performance Standards Generally, to ensure compliance with the new State-mandated housing rules of LD 2003, by eliminating the parking requirements for Accessory Apartments**

**§290-10A.5 Off-street parking and loading standards:**

**(B)1(b):** Accessory apartments: ~~one space per unit, except for those in the B-1 and B-TH, which~~ are exempt from off-street parking requirements.

- 2. Amend Chapter 290, Article III, Terminology, § 290-3.2 Definitions, to amend the definition of Accessory Apartment to ensure compliance with the new State-mandated housing rules of LD 2003**

**ACCESSORY APARTMENT**

A dwelling unit of 600 square feet or less, gross, of living area, that serves as the primary residence of its occupant(s). ~~on a lot with a single-family dwelling otherwise too small in area to accommodate an additional dwelling.~~ The accessory apartment shall comply with all applicable building codes and is subject to the State of Maine's Subsurface Wastewater Rules, as may be amended, as well as the minimum ~~lot size requirements for lots~~ dimensional requirements for lots in the shoreland zone. For the purpose of this provision, "primary residence" shall mean a dwelling unit occupied by the same resident for a minimum of six consecutive months, plus one day. The accessory apartment shall be subordinate to the principal structure(s) in size, form, and location and may be attached to or detached from a principal dwelling or contained within an accessory building (e.g. garage) on the lot.

- A lot ~~having a single-family dwelling~~ shall contain no more than one accessory apartment;
- ~~Both~~ All units shall serve as the primary residence of the occupants. For those accessory apartments permitted before June 17, 1997, there is not a primary residence requirement.