

PUBLIC HEARING # 2 ON HOUSING

CITY of BELFAST CITY COUNCIL

TUESDAY, SEPTEMBER 5, 2017

FIRST READING & PUBLIC HEARING on PROPOSED AMENDMENTS

CITY of BELFAST CODE of ORDINANCES

CHAPTER 102 ZONING & CHAPTER 66, GENERAL PROVISIONS

**ISSUE: AREAS IN WHICH MULTI-FAMILY HOUSING CAN OCCUR
AND THE DENSITY ALLOWED FOR SUCH HOUSING**

MAIN ISSUE & POTENTIAL OPTIONS.

The City of Belfast is considering several approaches to encourage the potential construction of additional rental housing in Belfast, particularly in areas which have or are located near City sewer and other services. This proposal identifies several potential options that are now being presented for public consideration. All options involve amendments to current City Ordinances, particularly Chapter 102, Zoning. In addition, minor changes are needed to Chapter 66, General Provisions, which is the definition section of the City Code.

Issue # 1: Should the City of Belfast amend current zoning ordinances to increase the density standard (the number of dwelling units that can be constructed per acre) for a multi-family structure or structures located in areas outside of the bypass? Proposal mostly involves properties that must be connected to public sewer.

Issue # 2: Should the City allow the construction of multi-family housing in certain zoning districts that are located outside of the bypass area if public sewer is not available on the property, provided the property can provide a subsurface wastewater disposal system that can adequately treat wastewater?

Issue # 3: Should the City allow the construction of multi-family housing in the Route 3 Commercial zoning district and establish density standards for the construction of such housing? Multi-family housing is now a prohibited use in the Route 3 Commercial zoning district?

CURRENT ZONING STANDARDS.

The construction of multi-family housing, which is defined as 3 or more dwelling units in 1 building, is now restricted to certain zoning districts and most of these districts require that the property is connected to public sewer to allow multi-family housing. However, the number of multi-family housing units (density) that can be constructed on a property can differ among the respective zoning districts. In addition, there are two zoning districts that allow the construction of multi-family if a property is not connected to public sewer, however, the density standard in these two zoning districts is quite low.

Following is a summary of current density standards for the zoning districts that allow multi-family housing, and if a property must be connected to public sewer to allow such housing. The adopted Official Zoning Map, copy attached, identifies the location and boundaries of the respective zoning districts.

- Searsport Avenue Commercial, Searsport Avenue Waterfront, Rte 137 Commercial, Rte 1 South Commercial, Rte 141 & Mill Lane Commercial, Office Park and Residential/Agricultural II zoning districts. A lot on which a multi-family structure(s) is located must be a minimum of one-half acre (21,780 sq ft) in size with 150 street frontage. The density standard is 3 units of multi-family housing on a 21,780 sq. ft. lot, and the lot size must increase by 7,260 sq. ft. for each additional multi-family unit. This standard would allow 6 units of multi-family housing per acre. However, if a project is developed as a Planned Unit Development (PUD), the density standard for multi-family can increase to 8 units per acre.

A property must be connected to public sewer to allow the construction of multi-family housing. Public sewer is available to most properties in the Searsport Ave Commercial, Searsport Ave Waterfront, and Rte 1 South Commercial zoning districts, and is available to properties that have road frontage on Swan Lake Avenue or Searsport Avenue in the Rte 141 & Mill Lane zoning district. Public sewer is available to less than 40% of the properties in the Route 137 Commercial zoning district, and in the Office Park zoning district it is not available to properties located northwesterly of the Hutchinson Center on Rte 3 or to some properties on Lincolnville Avenue. The only property in the Residential/Agricultural II zoning district that is connected to sewer is the Springbrook Condominium project on Crocker Road.

Current standards were adopted in 2001. The amendments now under consideration in this proposal would affect these current standards.

- General Purpose A and General Purpose B zoning districts. A lot must be a minimum of 1 net acre in size (net acreage represents the area that does not include certain constraints such as wetlands) with 150 feet of road frontage. Three (3) multi-family dwelling units can be constructed on lot that is 1 net acre in size. The lot does not need to have public sewer to allow multi-family housing, which means that the lot can use a subsurface wastewater disposal system. Very few properties in either zoning district have access to public sewer, and there is little likelihood that public sewer will be extended to other properties. Current

standards were adopted in 1985. Current standards were adopted in 2001. The amendments now under consideration in this proposal would affect these current standards.

- Residential 2 and Residential 3 zoning districts. Multi-family housing must be new construction in these zoning districts; the conversion of an existing single family or two family dwelling (two units in 1 structure) to a multi-family dwelling is prohibited. A lot on which multi-family housing is constructed must be a minimum of 10,000 square feet in size and must have 60 feet of street frontage. A lot of this size can be used for a maximum of 5 multi-family units. A lot must increase in size by 2,000 square feet for each additional multi-family housing unit. This density standard means that an acre of land could support about 20 multi-family housing units. The City adopted these zoning standards in October 2014; the construction of new multi-family housing was a prohibited use in these areas prior to the October 2014 amendments. No changes are proposed to the standards for these zoning districts as part of this proposal.
- Downtown Commercial zoning district. Minimum lot size of 2,000 square feet and lot must have 20 feet of street frontage. There is no specific or maximum density standard identified for multi-family housing, however, no housing is permitted on the first floor of a structure. While a property must be connected to public sewer to allow multi-family housing, it is noted that public sewer is available to all properties in the Downtown Commercial zoning district. Current standard has generally been in place for more than 30 years. No changes are proposed to the standards for the Downtown Commercial zoning district as part of this proposal.
- Waterfront Mixed Use 1 and 2 zoning districts. Multi-family housing is permitted as an accessory use to a non-residential use and as part of a mixed use development. These zoning districts comprise Belfast's working waterfront and there is limited opportunity for new multi-family housing. Public sewer is required and is available to all properties in the above districts. Most current standards have been in place since 2004. No changes are proposed to the standards for the Waterfront Mixed Use zoning districts as part of this proposal.

A Multi-Family dwelling structure is currently a prohibited used in the following zoning districts:

- Division 4, Residential/Agricultural I
- Division 7, Residential II
- Division 15, Business Park (No houses permitted)
- Division 18, Industrial IV Perkins Road (No houses permitted)
- Division 20, Protection Rural
- Division 20.5, Protection Rural 2
- Division 21, Airport Growth (No new houses permitted)
- Division 22, Residential Growth
- Division 24, Route 3 Commercial
- Division 30, Table of Uses, Residential 1

If the proposed amendments are adopted, only the Route 3 Commercial zoning district would be amended to allow multi-family housing.

Shoreland zoning standards also can impact where and how multi-family housing can be located. Chapter 82, Shoreland, limits the location of a multi-family dwelling structure to the following shoreland zoning districts: Stream Development, Limited Residential, General Development and Waterfront Development, however, these districts also require that each dwelling unit comply with the minimum lot size standard for the respective shoreland zoning district. The net effect of this lot size requirement is to eliminate nearly all possibilities for multi-family housing in any shoreland zone. For example, the minimum lot size requirement for each dwelling unit in the Limited Residential shoreland zone is 30,000 square feet, which means that a lot on which a 3 unit multi-family dwelling structure is located would need to be about 90,000 square feet in size (over 2 acres). No changes are proposed to current Shoreland Zoning standards.

At present, there are no performance standards identified in Chapter 102, Zoning, that are unique to a multi-family housing project. An application to construct multi-family housing is subject to Planning Board review as either a Site Plan, reference City Code of Ordinances, Chapter 90, Site Plan, or a Subdivision, reference Chapter 94, Subdivision (non-codified ordinance). The Code and Planning Department is recommending that the Council consider adopting performance standards that would apply to the permitting process for the construction of new multi-family housing.

PROPOSED ORDINANCE AMENDMENTS

ISSUE # 1: Should the City of Belfast amend current zoning ordinances to increase the density standard (the number of dwelling units that can be constructed per 'net' acre) for a multi-family structure or structures located in areas outside of the bypass? Proposal mostly involves properties that are connected to public sewer.

AND

Issue # 2: Should the City allow the construction of multi-family housing in certain zoning districts that are located outside of the bypass area if public sewer is not available on the property, provided the property can provide a subsurface wastewater disposal system that can adequately treat wastewater?

The City is proposing the following amendments to Chapter 102, Zoning, Article V, District Regulations, to implement approaches associated with Issue # 1 and Issue #2 outlined above. This proposal also involves proposed amendments to Chapter 66, General Provisions, the definitions section of the City Code of Ordinances.

Chapter 102, Zoning, Article V, District Regulations.

The City proposes to amend current zoning requirements for each of the following zoning districts identified in Chapter 102, Zoning, Article V, District Regulations, to identify the amount

of multi-family housing that could be constructed on a property in a respective zoning district. Reference the adopted Official Zoning Map to identify the location of each of the following zoning districts:

Division 2. General Purpose-A zoning district.

Division 3. General Purpose-B zoning district.

Current lot size and density standard.

Minimum lot size of 1 net acre to allow multi-family housing. Lot must have a minimum of 150 feet of street frontage. Maximum of 3 dwelling units per acre. Property does not need to be connected to public sewer.

Proposed lot size and density standards.

- 1) A lot/property that is not connected to public sewer and which uses a subsurface wastewater disposal system can be used for a maximum of one multi-family structure with a maximum of 3 dwelling units in said structure. The lot shall have a minimum net buildable area of 65,430 square feet (1.5 acres) and have a minimum of 150 lineal feet of street frontage (if it has street frontage) to be used for a multi-family dwelling. Further, the maximum number of dwelling units per lot standard applies even if the lot has a net buildable area of more than 1.5 acres. A single property that is not connected to public sewer cannot be used to construct more than one 3 unit multi-family dwelling structure. This standard applies to new construction and to the conversion of a single family or two-family residence or a nonresidential structure to multi-family housing.
- 2) A lot that is connected to public sewer must have a net buildable area of 21,780 square feet (1/2 acre) and have a minimum of 150 feet of street frontage (if it has street frontage) to allow the construction of multi-family housing. A maximum of 6 multi-family units can be constructed in one or more structures on a property that has a net buildable area of 21,780 square feet. The size of the lot must increase by 1,500 square feet of net buildable area for each additional multi-family unit that is constructed. This density standard would allow a maximum of about 19 multi-family housing units to be constructed on a property that has 1 net acre of buildable area. The multi-family dwelling units can be located in one or more (multi-family dwelling) structures. This standard applies to new construction and to the conversion of a single family or two-family residence or a nonresidential structure to multi-family housing.
- 3) Density standard for properties on which a nonresidential use is located.

The General Purpose A and General Purpose B zoning districts allow both residential and nonresidential uses to occur on a single property. The following density standards shall apply to a property that is occupied by both a nonresidential use and a residential use. For the purposes of this standard, a home occupation is considered an accessory use to a residential use; a home occupation is not considered a nonresidential use.

- a) A property that is occupied by a nonresidential use and that is connected to public sewer may allow the construction of one or more dwelling units, including multi-family dwelling units, provided the property has a minimum net buildable area of 43,560 square feet (1 acre), a minimum of 150 feet of street frontage (if it has street frontage) and the number of dwelling units on the property does not exceed one of the following: 1 single family dwelling unit per 43,560 square feet of net buildable area, 1 two-family dwelling unit per 43,560 square feet of net buildable area, or 1 unit of multi-family housing for each 7,000 square feet of net buildable area. This standard would allow about 6 units of multi-family housing on a property that is 1 net acre in size and that also is occupied by a nonresidential use.
 - b) A property that is occupied by a nonresidential use and that is not connected to public sewer and which uses a subsurface wastewater disposal system, may allow the construction of one or more dwelling units, provided that the property has a minimum net buildable area of 87,120 square feet (2 acres), a minimum of 150 feet of street frontage (if it has street frontage), and that the number of dwelling units on the property does not exceed one of the following: 1 single family dwelling unit per 87,120 square feet of net buildable area, 1 two-family dwelling structure per 87,120 square feet of net buildable area, or 1 three unit multi-family dwelling structure. A single property cannot have more than one multi-family dwelling structure.
- 4) A lot that does not conform to the minimum lot size requirement identified in 1, 2 or 3 above, regardless if it is or is not connected to public sewer, cannot be used to construct multi-family housing. However, a lot that has less than the minimum amount of street frontage may be used for multi-family housing, provided the property can obtain an access management permit from MDOT or a road opening (driveway entrance) permit from the City, and all structures located on the property can satisfy applicable performance standards.

Division 13. Searsport Avenue Waterfront

Division 25. Office Park

Division 26. Route 141 and Mill Lane Commercial

Division 27. Route 137 Commercial

Division 28. Route 1 South Commercial

Division 29. Searsport Avenue Commercial

Current Lot Size and Density Standards.

All of the above zoning districts require that a property be connected to public sewer to allow the construction of multi-family housing. The minimum lot size is 21,780 square feet (one-half acre) with 150 feet of street frontage for a 3 unit multi-family structure, and the lot size must increase by 7,260 square feet for each additional multi-family dwelling unit. A one acre property could support 6 multi-family housing units. In addition, these zoning districts allow an increase in the number of multi-family units from 6 units to 8 units per acre if a project is approved as a Planned Unit Development.

Proposed Lot Size and Density Standards.

- 1) In all of the above zoning districts, a property that is connected to public sewer must have a 'net' buildable area of 21,780 square feet (one-half acre) with a minimum of 150 feet of street frontage (if property has street frontage) to allow the construction of a maximum of 6 multi-family housing units in one or more structures. The size of the lot must be increased by 1,500 square feet of net buildable area for each additional multi-family dwelling unit that is constructed. This density standard would allow a maximum of 19 multi-family housing units to be constructed on one net buildable acre (43,560 square feet) of land. The multi-family dwelling units could be located in one or more (multi-family dwelling) structures. This standard applies to new construction and to the conversion of a single family or two-family residence or a nonresidential structure to multi-family housing.
- 2) In the Searsport Avenue Commercial, Office Park and Route 137 Commercial zoning districts, a property that is not connected to public sewer and which is 300 feet or more from the nearest public sewer main, may use a subsurface wastewater disposal system to support the construction of multi-family housing. A lot must have a net buildable area of 43,560 square feet (1 acre) and must have a minimum of 150 feet of street frontage (if property has street frontage) to allow the construction of a maximum of 4 multi-family dwelling units in one structure. The size of the lot must be increased by 5,000 square feet of net buildable land for each additional multi-family dwelling unit, regardless if said units are located in one or more multi-family dwelling structures. This density standard would allow the construction of about 12 multi-family dwelling units on a property that is 2 net acres in size and that is not connected to public sewer. This standard applies to new construction and to the conversion of a single family or two-family residence or a nonresidential structure to multi-family housing.
- 3) Density standard for properties on which a nonresidential use is located.

All of these zoning districts allow both a residential use and a nonresidential use to occur on the same property. The following density standards shall apply to a property that is occupied by both a nonresidential use and a residential use. For the purposes of this standard, a home occupation is considered an accessory use to a residential use; a home occupation is not considered a nonresidential use.

- a) In the Searsport Avenue Waterfront, Searsport Avenue Commercial, Route 137 Commercial, Route 1 South Commercial, Office Park, and Route 141 and Mill Lane Commercial zoning districts, subject to the exception identified in clause b) below, a property that is that is connected to public sewer and that is occupied by a nonresidential use may also be occupied by one or more dwelling units, including multi-family dwelling units, provided the property satisfies the following minimum standards:
 1. It has a minimum net buildable area of 43,560 square feet;
 2. It has a minimum of 150 feet of street frontage (if it has street frontage); and
 3. The number of dwelling units on the property does not exceed one of the following: 1 single family unit per 43,560 square feet of net buildable area, 1 two-family dwelling unit per 43,560 square feet of net buildable area, or 1 unit of multi-family housing unit for each 7,000 square feet of net buildable area. This standard would allow a

maximum of 6 multi-family housing units on a property that is occupied by a non-residential use and which has at least 43,560 square feet (one acre) of net buildable land area.

- b) Notwithstanding the standards identified in clause a) above, a property that is located in the Route 141 and Mill Lane Commercial zoning district, that was created before August 19, 2001, that has been occupied by a nonresidential use since August 19, 2001, that is connected to public sewer, that has been used for any type of residential use on or after August 19, 2001, which has a minimum of 21,760 square feet of net buildable area, and which has a minimum of 150 feet of street frontage (if it has street frontage), may allow the following types of residential uses in addition to a non-residential use:
 - 1. One single family dwelling unit or two-family dwelling unit for each 21,760 square feet of net buildable area;
 - 2. One multi-family dwelling unit for each 5,000 square feet of net buildable land area. This standard would allow the construction of about 8 multi-family dwelling units in one or more structures on a lot that has about one acre of net buildable land.
- c) A property in any of these zoning districts that is occupied by a nonresidential use that is not connected to public sewer and which uses a subsurface wastewater disposal system, may allow the construction of one or more dwelling units, provided the property has a minimum net buildable area of 43,560 square feet and a minimum of 150 feet of street frontage (if it has street frontage) and that the number of dwelling units on the property does not exceed one of the following: 1 single family residence per 43,560 square feet of net buildable area, 1 two family residence per 43,560 square feet of net buildable area, or 3 units of multi-family housing for the first 43,560 square feet of net buildable area and 14,520 square feet of net buildable area for each multi-family unit greater than 3 units.
- 4) Subject to the exception identified in 3)b) above, a lot that does not conform to the minimum lot size requirements identified in 1, 2 or 3 above, regardless if it is or is not connected to public sewer, cannot be used for a multi-family dwelling structure. However, a lot that has less than the minimum amount of required street frontage (if it has street frontage) may be used for multi-family housing, provided the property can obtain an access management permit from MDOT or a road opening (driveway entrance) permit from the City, and all structures located on the property can satisfy applicable performance standards.

Division 5. Residential/Agricultural II

Current Lot Size and Density Standards.

A property must be connected to public sewer to allow the construction of multi-family housing. A lot must be a minimum of 21,780 square feet (one-half acre) in size with a minimum of 150 feet of street frontage to allow a 3 unit multi-family structure and the lot size must increase by 7,260 square feet for each additional multi-family dwelling unit. It is specifically noted that only 1 property, Springbrook Condominium, is now connected to public sewer.

Proposed Standards

- 1) A property that is connected to public sewer must have a 'net' buildable area of 21,780 square feet (one-half acre) with a minimum of 150 feet of street frontage (if property has street frontage) to allow the construction of 6 multi-family housing units in one or more structures. The size of the lot must be increased by 1,500 square feet of net buildable area for each additional multi-family dwelling unit. This density standard would allow a maximum of 19 multi-family housing units in one or more structures on one net buildable acre of land. The multi-family dwelling units can be located in one or more (multi-family dwelling) structures. This standard applies to new construction and to the conversion of a single family or two-family residence or a nonresidential structure to multi-family housing.
- 2) A property that is not connected to public sewer and which is 300 feet or more from the nearest public sewer main, may use a subsurface wastewater disposal system to support the construction of multi-family housing. A lot must have a net buildable area of 43,560 square feet (1 acre) and must have a minimum of 150 feet of street frontage (if property has street frontage) to allow the construction of a maximum of 4 multi-family dwelling units. The size of the lot must be increased by 7,000 square feet of net buildable land for each additional multi-family dwelling unit, regardless if said units are located in one or more structures. This density standard would allow the construction of about 10 multi-family dwelling units on a property that is 2 net acres in size. This standard applies to new construction and to the conversion of a single family or two-family residence or a nonresidential structure to multi-family housing.
- 3) Density standard for properties on which a nonresidential use is located.

This zoning district allows both a residential use and a nonresidential use to occur on the same property. The following density standards shall apply to a property that is occupied by both a nonresidential use and a residential use. For the purposes of this standard, a home occupation is considered an accessory use to a residential use; a home occupation is not considered a nonresidential use.

- a) A property that is occupied by a nonresidential use and that is connected to public sewer, may allow the construction of one or more dwelling units, including multi-family dwelling units, provided the property has a minimum net buildable area of 43,560 square feet (1 acre) and a minimum of 150 feet of street frontage (if it has street frontage), and that the number of dwelling units on the property does not exceed one of the following: 1 single family dwelling unit per 43,560 square feet, 1 two-family dwelling unit per 43,560 square feet, or 1 unit of multi-family housing unit for each 12,000 square feet of net buildable area. This standard would allow a maximum of 3 multi-family housing units on a property that is occupied by a non-residential use and which has at least 43,560 square feet of net buildable land area.
- b) A property that is occupied by a nonresidential use and that is not connected to public sewer and uses a subsurface wastewater disposal system, may allow the construction of one or more dwelling units, provided the property has a minimum net buildable area of

43,560 square feet and a minimum of 150 feet of street frontage (if it has street frontage) and that the number of dwelling units on the property does not exceed one of the following: 1 single family residence per 43,560 square feet of net buildable area or 1 two family residence per 43,560 square feet of net buildable area. A property that is occupied by both a nonresidential use and multi-family housing, must have a minimum net buildable area of 65,340 square feet (1.5 acres) and a minimum of 150 street frontage (if it has street frontage) to allow the construction of 3 units of multi-family housing, and the property must have an additional 14,520 square feet of net buildable area for each multi-family unit greater than 3 units.

- 4) A lot that does not conform to the minimum lot size requirements identified in 1, 2 or 3 above, regardless if it is or is not connected to public sewer, cannot be used for a multi-family dwelling structure. However, a lot that has less than the minimum amount of street frontage (if it has street frontage) may be used for multi-family housing, provided the property can obtain an access management permit from MDOT or a road opening (driveway entrance) permit from the City, and all structures located on the property can satisfy applicable performance standards.

PROPOSED ORDINANCE AMENDMENTS

Issue # 3: Should the City allow the construction of multi-family housing in the Route 3 Commercial zoning district and establish density standards for the construction of such housing? Multi-family housing is now a prohibited use in the Route 3 Commercial zoning district.

Division 24. Route 3 Commercial

Current Standards

The Route 3 Commercial zoning district now allows the construction of a one family or two family dwelling structure on a lot that is at least one net acre in size. This zoning district does not allow multi-family housing. It does allow a property on which a nonresidential use is located to also be occupied by a single family or two family dwelling. Most properties located in this zoning district are connected to public sewer, however, properties that are located beyond the Nickerson Pump Station on Belmont Avenue (Route 3) and a few properties on Lincolnville Avenue are not connected to public sewer.

Proposed Standards.

Proposed Lot Size and Density Standards.

- 1) A property on which is single family or two-family residence is constructed may be located on a lot that has a net buildable area of 21,780 square feet (1/2 acre) with a minimum of 150 feet of street frontage (if it has street frontage), regardless if the property is connected to public sewer or uses a subsurface wastewater disposal system. (It is noted that this is a

decrease from the current lot size standard of 1 net buildable acre. One potential problem with the adoption of this standard is that it could lead to the creation of new lots in the Route 3 Commercial zoning district that are too small to subsequently be used for a nonresidential use; lot must a minimum of one acre to allow a nonresidential use).

- 2) A property that is connected to public sewer must have a 'net' buildable area of 21,780 square feet (one-half acre) with a minimum of 150 feet of street frontage (if property has street frontage) to allow the construction of a maximum of 6 multi-family housing units in one or more structures. The size of the lot must be increased by 1,500 square feet of net buildable area for each additional multi-family dwelling unit. This density standard would allow a maximum of 19 multi-family housing units in one or more structures on one net buildable acre of land. The multi-family dwelling units can be located in one or more (multi-family dwelling) structures. This standard applies to new construction and to the conversion of a single family or two-family residence or a nonresidential structure to multi-family housing.
- 3) A property that is not connected to public sewer and which is 300 feet or more from the nearest public sewer main, may use a subsurface wastewater disposal system to support the construction of multi-family housing. A lot must have a net buildable area of 43,560 square feet (1 acre) and must have a minimum of 150 feet of street frontage (if property has street frontage) to allow the construction of a maximum of 4 multi-family dwelling units. The size of the lot must increase by 5,000 square feet of net buildable land for each additional multi-family dwelling unit, regardless if said units are located in one or more structures. This density standard would allow the construction of about 12 multi-family dwelling units on a property that is 2 net acres in size. This standard applies to new construction and to the conversion of a single family or two-family residence or a nonresidential structure to multi-family housing.
- 4) Density standard for properties on which a nonresidential use is located.

The following density standards shall apply to a property that is occupied by both a nonresidential use and a residential use. For the purposes of this standard, a home occupation is considered an accessory use to a residential use; a home occupation is not considered a nonresidential use.

- a) A property that is occupied by a nonresidential use and that is connected to public sewer, may also be occupied by one or more dwelling units, including multi-family dwelling units, provided the property has a minimum net buildable area of 43,560 square feet (1 acre) and a minimum of 150 feet of street frontage (if it has street frontage), and that the number of dwelling units on the property does not exceed one of the following: 1 single family unit per 43,560 square feet, 1 two-family dwelling unit per 43,560 square feet, or 1 unit of multi-family housing unit for each 7,000 square feet of net buildable area. This standard would allow a maximum of 6 multi-family housing units on a property that is occupied by a non-residential use and which has at least 43,560 square feet of net buildable land area.
- b) A property that is occupied by a nonresidential use and that is not connected to public sewer and uses a subsurface wastewater disposal system, may allow the construction of

one or more dwelling units, provided the property has a minimum net buildable area of 43,560 square feet and a minimum of 150 feet of street frontage (if it has street frontage) and that the number of dwelling units on the property does not exceed 1 single family residence per 43,560 square feet of net buildable area or 1 two family residence per 43,560 square feet of net buildable area. A property that is not connected to public sewer that is occupied by both a nonresidential use and multi-family housing units must be a minimum of 65,340 square feet in size (1.5 acres) with a minimum of 150 feet of street frontage (if it has street frontage), to allow the construction of 3 units of multi-family housing, and the property must have an additional 14,520 square feet of net buildable area for each multi-family unit greater than 3 units

- 5) A lot that does not conform to the minimum lot size requirements identified in 1, 2 or 3 above, regardless if it is or is not connected to public sewer, cannot be used for a multi-family dwelling structure. However, a lot that has less than the minimum amount of street frontage (if it has street frontage) may be used for multi-family housing, provided the property can obtain an access management permit from MDOT or a road opening (driveway entrance) permit from the City, and all structures located on the property can satisfy applicable performance standards.

PROPOSED AMENDMENTS CHAPTER 66, GENERAL PROVISIONS

Note to Public. Chapter 66, General Provisions, identifies the definitions that apply to Subpart B, Land Use Regulations, of the City Code of Ordinances. The following amendments are proposed to current definitions. Language to be added is shown in **red and bold** font. Language to be deleted is shown in ~~bolded blue and strike-through~~ font. All other language is existing language in Chapter 66.

APARTMENT

~~A dwelling unit which is located in a building with more than one dwelling unit.~~

APARTMENT HOUSE

~~A building which contains two or more apartments.~~

BUILDING

Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure or persons, animals, ~~or~~ **chattel, equipment, goods or materials of any kind**. ~~Each portion of a building separated from other portions by a firewall shall be considered as a separate building except in the Downtown Commercial District.~~

DWELLING, MULTIFAMILY

A ~~dwelling containing~~ **building (structure) containing** three or more dwelling units, **including units that may be located over one another.**

DWELLING, SINGLE-FAMILY

A **building (structure) dwelling** containing one dwelling unit **that is not attached to any other dwelling by any means and that is surrounded by yards.**

DWELLING STRUCTURE

A fixed **building (structure)** in which there are one or more dwelling units, ~~including condominium units,~~ as the primary use of the structure.

DWELLING, TWO-FAMILY

A **building dwelling** containing two dwelling units, **each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.**

DWELLING UNIT

A room or group of rooms designed, **and** equipped, **occupied, or intended for occupancy as separate** ~~exclusively for use as~~ permanent, seasonal, or temporary living quarters **with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of** ~~for~~ only one family maintaining a household, ~~whether contained within a single family or multifamily structure, and condominiums, and shall include timeshare units, apartments, and mobile homes, but not recreational vehicles.~~

~~MULTI-UNIT RESIDENTIAL~~

~~A residential structure containing three or more residential dwelling units~~

~~NET ACRE~~

~~An area of 43,560 square feet which does not contain any area required for streets.~~

NET BUILDABLE **SITE** AREA

For the purposes of Chapter 102, Zoning, ~~T~~the area of a lot ~~upon which a structure can be built,~~ that does not include any of the following: area (land) below the normal high annual tide of a waterbody; area (land) that would be classified as a freshwater wetland of special significance as such is defined by the State Department of Environmental Protection; area (land) which is part of a right-of-way or access easement that serves more than one other lot; and area (land) which is part of a utility easement granted to the City, Belfast Water District, Waldo County or Central Maine Power or similar utility company.

NET RESIDENTIAL DENSITY

The number of dwelling units **permitted** per net **area, which often is identified in terms of the number of dwelling units that would be permitted per net** acre.

WALDO

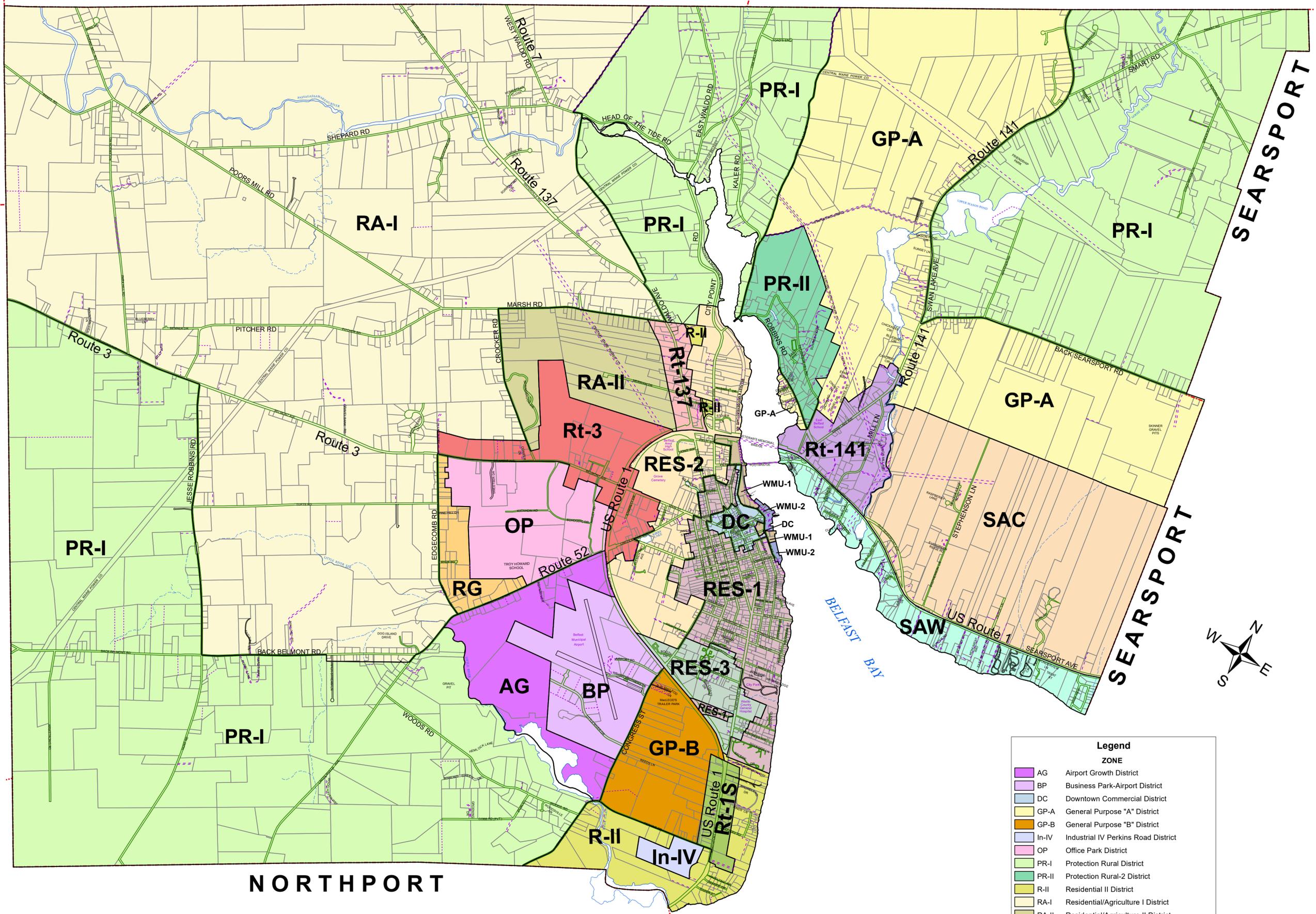
SWANVILLE

MORRILL

BELMONT

NORTHPORT

SEARSPORT



Legend	
ZONE	
AG	Airport Growth District
BP	Business Park-Airport District
DC	Downtown Commercial District
GP-A	General Purpose "A" District
GP-B	General Purpose "B" District
In-IV	Industrial IV Perkins Road District
OP	Office Park District
PR-I	Protection Rural District
PR-II	Protection Rural-2 District
R-II	Residential II District
RA-I	Residential/Agriculture I District
RA-II	Residential/Agriculture II District
RES-1	Residential 1 District
RES-2	Residential 2 District
RES-3	Residential 3 District
RG	Residential Growth District
Rt-137	Route 137 Commercial District
Rt-141	Route 141 and Mill Lane Commercial District
Rt-15	Route One South Commercial District
Rt-3	Route 3 Commercial District
SAC	Searsport Avenue Commercial District
SAW	Searsport Avenue Waterfront District
WMU-1	Waterfront Mixed Use 1 District
WMU-2	Waterfront Mixed Use 2 District



CITY OF BELFAST
WALDO COUNTY, MAINE



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 This map was prepared using the
 City of Belfast Geographic Information System.

This is the adopted Official Zoning Map for the City of Belfast; reference City Code of Ordinances, Chapter 102, Zoning, Section 102-4. This map includes all amendments adopted to the Official Zoning Map through May 5, 2015. Questions regarding this map, as such has been amended, should be directed to the City of Belfast, Code and Planning Department, 338-1417 x 25.