

**CITY OF BELFAST PLANNING BOARD
MAY 26, 2021 PUBLIC HEARING (VIA ZOOM WEBINAR)
PROPOSED AMENDMENTS – CITY CODE OF ORDINANCES
CHAPTER 66, GENERAL PROVISIONS (DEFINITIONS)
AMENDMENTS ASSOCIATED WITH REVISIONS TO MULTIFAMILY
HOUSING STANDARDS**

NOTES TO PUBLIC:

- 1) The City of Belfast Planning Board is conducting a public hearing at its meeting of May 26, 2021 to solicit public comment on a series of amendments that focus on the City's attempt to create additional opportunities to construct multi-family housing in Belfast. The role of the Planning Board is to consider potential Ordinance amendments and to offer a recommendation on said amendments to the Council. The Planning Board does not have the authority to adopt Ordinance amendments.
- 2) Chapter 66, General Provisions, identifies definitions that apply to certain terms used in Subpart B, Land Use Regulations, of the City Code of Ordinances, including Chapter 78, Floodplain, Chapter 80, Intown Design, Chapter 82, Shoreland, Chapter 86, Signs, Chapter 90, Site Plan, Chapter 94, Subdivision, Chapter 98, Technical Standards, and Chapter 102, Zoning. The proposed amendments to Chapter 66, General Provisions, identify potential revisions to existing definitions in Chapter 66.
- 3) The City has used the following format to identify the proposed amendments to Chapter 66. All text shown in **Bold and Red Font** is language that is proposed to be added to the Chapter/Ordinance. All text shown in ~~**Bold and Blue and Strike-Through Font**~~ is language that is proposed to be deleted from the Chapter/Ordinance. All text shown in **Black Font** is existing language in the Chapter/Ordinance that is not proposed to be either added or deleted.
- 4) Persons who want to offer public comment on the proposed amendments to the Planning Board for the May 26 public hearing can do so in any of the following four ways:
 - a) Submit comment via email in advance of the meeting to public@cityofbelfast.org. Comment should be received no later than 2:00 pm on May 26 so it can be provided to Planning Board members in advance of the meeting. This is the recommended way to submit comment as it allows the Board to read and consider your comment in advance of the meeting.
 - b) Submit a letter by 2:00 pm on May 26 to: City of Belfast, Code & Planning Department, 131 Church St, Belfast, ME, 04915.
 - c) Submit a comment to the Board during the May 26 public hearing via email using the following email address: public@cityofbelfast.org. Comment will be presented to the Board.
 - d) Submit oral comment during the May 26 public hearing via the scheduled ZOOM webinar. Information regarding how to access the ZOOM webinar can be found by May 24 on the City website, cityofbelfast.org, reference planning and codes.

- 5) The complete text of all Ordinance amendments (this document and accompanying amendments) can be found on the City website, cityofbelfast.org, reference planning and codes link, Multi-Family Housing amendments. Questions regarding the proposed Ordinance amendments should be directed to Wayne Marshall, Project Planner for the City, at wmarshall@cityofbelfast.org, or by calling 338-1417, ext 125.

TEXT OF PROPOSED AMENDMENTS

ACCESSORY DWELLING UNIT IN A DETACHED STRUCTURE

~~means a~~ **A** one or two bedroom dwelling unit that is constructed as an accessory dwelling unit to a single family dwelling unit and ~~which that~~ is located in a structure that is detached from the single family dwelling unit. The structure in which the accessory dwelling unit is constructed can be used solely as a dwelling unit or may be constructed in an accessory structure that may also serve as a garage, a barn, or similar structure.

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 of 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.~~

~~ELDERLY-OLDER ADULT~~ HOUSING

Housing units intended for and solely occupied by persons 62 years of age or older or, ~~an elderly~~ couple whose head or spouse is 62 years of age or older. To qualify as **elderly-older adult** housing, the owner of such housing units must enter an agreement with the City that specifically restricts the use of the housing units to persons who satisfy this definition.

~~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.**