

**CITY OF BELFAST COUNCIL
SECOND READING & PUBLIC HEARING
PROPOSED AMENDMENTS
CITY CODE OF ORDINANCES
CHAPTER 66, GENERAL PROVISIONS (DEFINITIONS)
AUGUST 3, 2021 CITY COUNCIL MEETING**

NOTES TO PUBLIC:

- 1) The proposed amendments to the City Code of Ordinances, Chapter 66, General Provisions, mostly affect current definitions associated with housing.
 - 2) The City of Belfast Planning Board, at its meeting of June 9, 2021, voted to recommend the amendments to the Chapter 66, General Provisions, that are identified in this proposal. The Planning Board conducted a duly noticed public hearing on the proposed amendments at its meeting of May 26, 2021. The role of the Planning Board is to consider potential amendments and to offer its recommendations to the City Council.
 - 3) The proposed amendments are scheduled for Second Reading and Public Hearing at the August 3, 2021 City Council meeting. The Council has the authority to adopt, reject, revise or table the proposed amendments at the Second Reading. The Council conducted the First Reading of the amendments at its meeting of July 6, 2021.
 - 4) 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.
 - 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, August 3 Council meeting. 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.
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TEXT OF PROPOSED AMENDMENTS

CHAPTER 66, GENERAL PROVISIONS

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, 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 or normal high watermark 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) that is part of a right-of-way or access easement that serves more than one other lot; an area that has area (land) that 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 **buildable area, which often is identified in terms of the number of dwelling units that would be permitted per net** acre.