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**NOTE TO BELFAST CITY COUNCIL  
MARCH 4, 2025  
FIRST READING AND PUBLIC HEARING  
TRANSITIONAL HOUSING FACILITY AT 23 MILL LANE,  
THE UNITED METHODIST CHURCH  
FROM BUB FOURNIER, DIRECTOR OF PLANNING AND CODES DEPARTMENT**

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### **TRANSITIONAL HOUSING BACKGROUND**

At the regular meeting of Jan. 7, 2025, the Belfast City Council discussed a proposed Transitional Housing Facility to be located at 23 Mill Lane, the United Methodist Church. The project's supporters, the Midcoast Maine Homeless Coalition, were given specific questions to address at the Council's next regular meeting on Jan. 21, 2025. At that time, the Council directed staff to begin work on the necessary Ordinance Amendments to facilitate the proposal based on the details of the proposal and the discussion at the two Council meetings.

On Jan. 22, 2025, the Planning Board received the same information that the Council had reviewed the evening before, with the direction of making the necessary changes to the City Code to facilitate the proposed Transitional Housing Facility at 23 Mill Lane. At that meeting, the Board, with assistance from staff, began to look at specific standards that might be applied to such a use. The Board discussed language regarding definitions of the proposed use, as well as uses that may be conflated with the Transitional Housing Facility. The Board reached consensus on most of the standards that staff identified, including the potential requirement of an annual City License for any Transitional Housing Facility.

The one topic that the Board did not reach consensus on was how the shared bathrooms might work at the proposed facility. Staff identified the 23 Mill Lane proposal to utilize existing bathroom areas, with some upgrades, to provide bathrooms for residents of the facility. These shared bathrooms would also be available to other users in the mixed-use building such as the Church and other office tenants. Staff identified the potential conflicts with such an arrangement, and some Board members identified their concerns. After consulting with our Local Plumbing Inspector, State Fire Marshall's Office staff and State Plumbing Inspectors, City staff identified a conflict with the proposed function of the bathrooms at the proposed facility. Basically, because residential and nonresidential bathroom requirements are different

in the Plumbing Code, they become mutually exclusive. Therefore, allowing a mixed-use building's nonresidential uses to access the same bathrooms utilized by a residential occupancy cannot be allowed. Thus, the requirement to submit a description of how the bathrooms might function for any Transitional Housing Facility has been included with the proposed performance standards for this use in the draft language.

At a duly noticed public hearing on February 12<sup>th</sup>, 2025, the Planning Board reviewed a more developed draft of Ordinance Amendments on this topic. The Board received written and oral comments from community members in support and opposed to the proposal. The Board, after the public hearing and discussion, directed staff to make final minor adjustments to the draft language and recommended the proposal for City Council adoption unanimously.

The work being contemplated in this particular Ordinance Amendment package involves four different Chapters of the City Code and would allow a Transitional Housing Facility at one specific property, 23 Mill Lane, with Planning Board approval. The proposed amendments to Chapter 66 would define the proposed use. The proposed amendments to Chapter 14 Business would facilitate the annual licensing of any Transitional Housing Facility, including an annual inspection by the Code Enforcement Officer with final approval by the City Council for the license. The proposed amendments to Chapter 72 Housing and Lodging support the licensure and direct any such use to the standards in Chapter 102 as well as the adopted building, plumbing and electrical codes. The proposed amendments to Chapter 102 identify the standards that the Planning Board would apply in their review of any Transitional Housing Facility, incorporate the use into the user-friendly tables with footnotes for each zoning district, and implement a zoning map amendment to identify 23 Mill Lane as a Special Use Area (SUA-3) within the Outside Rural 2 zoning district that may allow such a use.

It's important to remember that a Transitional Housing Facility is not currently mentioned in the City Ordinance and would not be allowed under the current language. The most similar use in the current Ordinance would be a rooming house, and only "owner-occupied" rooming houses are currently allowed anywhere in the City.

The format of the draft language for this amendment package is typical. ~~Blue-strikethrough~~ font is text to be deleted from the current Ordinance. **Red** font is new language being proposed. **Black** font is currently existing.

## **FIRST READING AND PUBLIC HEARING**

Staff would like to present the draft proposal consisting of Ordinance Amendments regarding a Transitional Housing Facility at 23 Mill Lane. The proposal includes amendments to Chapter 66 Definitions, Chapter 14 Businesses, Chapter 72 Housing and Lodging, Chapter 102 Zoning, and a zoning map amendment. Please note that all property owners within 1,500' of the 23 Mill Lane property were notified directly during the Planning Board process. The notice has also been advertised for two weeks during the Planning Board process and two weeks prior to this First Reading at City Council. I am including all written comments to date with the proposal materials.

I respectfully request that you consider holding a public hearing after the presentation followed by a discussion and possible action. A Second Reading and Public Hearing at the upcoming meeting on March 18<sup>th</sup>, 2025 is possible. Following a Second Reading and Public Hearing on the proposal, the City Council could potentially adopt, table or amend the proposal. Only the City Council can adopt any proposed Ordinance Amendments.

Draft motion: *To accept the First Reading (as amended) on the proposed Ordinance Amendments regarding a Transitional Housing Facility at 23 Mill Lane and direct staff to arrange a Second Reading and Public Hearing at an upcoming meeting.*