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MEMORANDUM

TO: Kate Matthews, Code Enforcement Officer

CC: Kathy Eddy, Assistant to Code Enforcement & Planning  
Jason Rogers, Town Manager  
Randy Thurston, Code Enforcement Officer

From: Jamel Torres, Senior Planner, North Star Planning



RE: Ordinance modifications relative to LD 2003 based on feedback from  
Ordinance Review Committee on September 27, 2023

Date: October 11, 2023

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North Star Planning (NSP) staff attended the Ordinance Review Committee's (ORC's) meeting on September 27, 2023 and reviewed proposed modifications to the Town's Land Use Ordinance relative to the requirements of LD 2003, adopted into state law into the following state statutes:

- [30-A MRS §4364](#) – Affordable Housing Density Bonus
- [30-A MSRA §4364-A](#) – Multiple Dwelling Units on any property where housing is allowed
- [30-A MSRA §4364-B](#) – Accessory Dwelling Units

NSP staff has made additional modifications to several sections in the Town's Land Use Ordinance, based on feedback received at the September 27, 2023 ORC meeting. The specific modifications can be found below.

**Recommendations for Naples Land Use Ordinance –**

**Affordable Housing Density Bonus:**

- Section 504 Zoning Districts
  - No new modifications since the 9/27/23 ORC meeting
- Section 611 Multi Family Dwellings
  - Subsection 8. – New language -- All roads that will be dedicated to the Town for public use shall meet the standards for public roads contained in the subdivision regulations and be accepted by the legislative body of the Town at a Town Meeting. All private roads, drives, or access ways shall also meet the standards for private roads contained in the subdivision regulations.

## **Multiple Dwelling Units on any property where housing is allowed:**

- Section 504 Zoning Districts
  - No new modifications since the 9/27/23 ORC meeting

## **Accessory Dwelling Units:**

- Section 400 Definitions
  - New Definition – Accessory Dwelling Unit: A self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land. Accessory dwelling units are designed and equipped with housekeeping facilities so that it can be occupied by a person or persons living independently from the person(s) occupying the principle single-family dwelling.
- Section 507 Accessory Apartments
  - Section 2.d. – New Language – Accessory dwelling units shall be allowed on legal, non-conforming lots of record so long as they meet the standards set forth in Section 300 Nonconforming Provisions in the Land Use Ordinance.
  - Section 2.h. – New Language – Accessory dwelling units may not be leased/rented for a period of less than ninety (90) days. Evidence of such, such as a deed restriction recorded at the Cumberland County Registry of Deeds, shall be included with the required Registration of Accessory Dwelling Unit form submitted to the Code Enforcement Officer.
  - Section 2.i. – New Language – Change the form title from “Registration of Accessory Apartment” to “Registration of Accessory Dwelling Unit” to be consistent with the modified ordinance language/state standards.
- Land Use Ordinance
  - Change “accessory apartment” to “accessory dwelling unit” throughout the ordinance language to be consistent with state standards.