

Article __. Shall an ordinance entitled “**Chapter 14 LAND USE ORDINANCE**” be amended by adding the underlined language and deleting the language in strikeover type as shown below.

Article 2: DEFINITIONS

Accessory Dwelling Unit- ~~(Amended May 9, 2009) An efficiency or one (1) bedroom residential unit that is clearly secondary to the owner-occupied residence used for purposes of housing not more than two (2) people, one or both of which must be related by blood, marriage or adoption to the primary residents, and which provides a separate living area designed and equipped with separate and complete housekeeping facilities (living area including kitchen, bath, and one (1) bedroom)~~ means a self-contained residential dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land. An accessory dwelling unit must be a minimum of 190 square feet.

Dwelling, Residential - ~~(Amended May 5, 2001) A building or portion thereof used exclusively for residential occupancy that is designed to be and is substantially separate from any other building or buildings except accessory buildings, including: single-family, two-family and multifamily units, but not including hotels, motels, lodging houses, or sheltered care group homes or tourist homes.~~

Handicapped family unit- ~~A dwelling which provides living facilities for handicapped persons. A handicapped family unit may also provide counseling and support services. Staff members may also be included in the population.~~

Article 3: ZONING DISTRICT STANDARDS

3.2 IR-1 ISLAND RESIDENTIAL ZONE

B. Permitted uses: The following uses are permitted in the IR-1 island residential zone:
(Amended May 9, 2015)

(1) ~~One single-family dwelling per lot~~ residential dwellings.

C. Conditional Uses: The following uses are permitted only upon the issuance of a conditional use permit by the Planning Board, subject to the provisions of Article 14 (Planning Board) of this chapter and any special provisions, standards or requirements specified below: **(Amended May 11, 2019)**

2. Other:

a. - f

g. ~~Handicapped family unit, as defined in Article 2 (Definitions) for handicapped persons, plus staff.~~

h. Lodging houses, with more than two (2) but not more than nine (9) lodging rooms.

i. ~~h.~~ Wireless Communication Facilities that comply with standards herein.

j. ~~i.~~ Limited Bed and Breakfast Restaurants that comply with standards herein.

k. i. Additional Accessory Dwelling Units. (Adopted May 12, 2007)

l. k. Agriculture. (Adopted May 14, 2016)

m. i. Aquaculture. (Adopted May 14, 2016)

n. m. Material Storage Area. (Adopted May 14, 2016)

o. n. Medical Clinic. (Adopted May 13, 2017)

F. Other requirements. Other requirements include the following:

(1) Off-street parking shall be required for the principal structure.

3.3 IR-2 ISLAND RESIDENTIAL ZONE

B. Permitted use. The following uses are permitted in the IR-2 island residential zone:
(Amended May 9, 2015)

(1) ~~One single-family dwelling per lot, excluding mobile home manufactured housing units residential dwellings.~~

C. Conditional uses. The following uses are permitted only upon the issuance of a conditional use permit by the Planning Board, subject to the provisions of Article 14 (Planning Board) of this chapter and any special provisions, standards or requirements specified below:
(Amended May 14, 2019)

(2) Other:

a. - f.

~~g. Handicapped family unit, as defined in Article 2, for handicapped persons plus staff.~~

~~h. g. Lodging houses, with more than two (2) but not more than nine (9) lodging rooms.~~

~~i. h. Additional Accessory Dwelling Units. **(Adopted May 12, 2007)**~~

~~j. i. Agriculture **(Adopted May 14, 2016)**~~

~~k. j. Aquaculture **(Adopted May 14, 2016)**~~

~~l. k. Material Storage **(Adopted May 14, 2016)**~~

F. Other requirements. Other requirements include the following:

(1) Off-street parking: Off-street parking shall be required for the principal structure.

3.9 I-B ISLAND BUSINESS ZONE

B. Permitted uses. The following uses are permitted in the I-B island business zone: **(Amended May 5, 2001)**

(1) ~~One single-family dwelling per lot, excluding mobile home manufactured housing units residential dwellings.~~

C. Conditional uses. The following uses are permitted only upon the issuance of a conditional use permit, subject to the provisions of Article 14 (Planning Board) of this Chapter and any special provisions, standards or requirements specified below: **(Amended May 11, 2019)**

(1) - (8)

~~(9) Handicapped family unit, as defined in Article 2 (Definitions), for handicapped~~

~~persons plus staff;~~

~~(10)~~ (9) Buried and underwater electric and telephone transmission cables (entering the Town of Long Island from the ocean only);

~~(11)~~ (10) Additional Accessory Dwelling Units; **(Adopted May 12, 2007)**

~~(12)~~ (11) Multi-Family Dwellings; **(Adopted May 12, 2007)**

~~(13)~~ (12) Raising of domesticated animals, excluding swine and reptiles, with no animals kept on less than 3 acres or closer than one hundred (100) feet to any street or lot line, and provided that such use will not create any odor, noise, health or safety hazards, or any other nuisance to neighboring properties. Except domesticated fowl as regulated in Ch. 5 Animals and Fowl – Article III Keeping of Domesticated Fowl. This ordinance, to include all of the above text, does not apply to cats and dogs. **(Adopted May 14, 2011)**

~~(14)~~ (13) Agriculture **(Adopted May 9, 2015)**

~~(15)~~ (14) Aquaculture **(Adopted May 9, 2015)**

~~(16)~~ (15) Material Storage Area **(Adopted May 14, 2016)**

Article 7: TOWNWIDE PERFORMANCE STANDARDS

Section 7.23 Accessory Dwelling Units. **(Adopted May 12, 2007)**

~~A. The purpose of these provisions authorizing Accessory Dwelling Units is to provide enhanced opportunities to accommodate housing for family/relative members while protecting the single-family character of existing residential neighborhoods.~~

~~B. Any proposed Accessory Dwelling Unit must meet the following standards:~~

- ~~1. Accessory Dwelling Units shall be primarily accessed through the existing living area of the primary structure and all other entrances to the Accessory Dwelling Unit as may be required shall appear subordinate to the main entrance serving the existing dwelling.~~
- ~~2. All additions or reconfigurations related to an Accessory Dwelling Unit shall be designed to be subordinate in scale and mass to the design and massing of the main structure and shall be compatible with the architectural style and quality of the main structure.~~
- ~~3. Accessory Dwelling Units shall have at least five hundred (500) square feet of floor area and shall not exceed fifty (50%) percent of the floor area of the main dwelling unit. Floor area measurements for these purposes shall not include unfinished attic, basement or cellar areas, and shall not include shared hallways or other common areas.~~
- ~~4. A Single Family Dwelling containing an Accessory Dwelling Unit shall be served by a single electrical service.~~
- ~~5. Only one (1) Accessory Dwelling Unit is permitted per lot and must be incorporated into the existing dwelling.~~
- ~~6. Accessory Dwelling Units shall not be permitted for any nonconforming structure or use, where the nonconformity is due to the use of the premises. Accessory Dwelling Units may be permitted in nonconforming structures that are nonconforming due to dimensional requirements as long as the proposed Accessory Dwelling Unit and structure conform to the other requirements for Accessory Dwelling Units under this Section.~~
- ~~7. **(Amended May 9, 2009)** (Amended May 11, 2019) Prior to permitting an Accessory Dwelling Unit in either an existing structure or a new structure, the Board of Appeals shall require the applicant to hire a licensed Site Evaluator (SE), not at public expense, to certify that any existing subsurface wastewater disposal system (SSWD) proposed to be used, or a new system to be built, meets or will meet the current standards of the Maine State Plumbing Code Subsurface Wastewater Disposal Rules for the number of bedrooms being proposed~~

for the structure. A full copy of the results shall be included in the Conditional Use Permit Application and submitted to the Planning Board

1. At least one accessory dwelling unit shall be allowed on any lot where a single-family dwelling unit is the principal structure in any zoning district in which residential housing is permitted, consistent with applicable zoning district dimensional requirements. The accessory dwelling unit may be constructed:
 - A. Within the existing single-family dwelling unit on the lot;
 - B. Attached to or sharing a wall with the single-family dwelling unit; or
 - C. Detached from the single-family dwelling unit. The setback and dimensional requirements for an accessory structure shall apply for detached Accessory Dwelling Units
2. A second Accessory Dwelling Unit may be allowed on a lot with a single-family dwelling unit and an Accessory Dwelling Unit provided that one of the two Accessory Dwelling Units must be detached from the single-family dwelling unit.
3. Accessory Dwelling Units shall have at least one hundred ninety (190) square feet of floor area. Floor area measurements for Accessory Dwelling Units within an existing single-family dwelling unit shall not include unfinished attic, basement or cellar areas, and shall not include shared hallways or other common areas.
4. The owner of a single-family dwelling unit must provide written verification that the Accessory Dwelling Unit is connected to adequate water and wastewater services before the structure may be certified for occupancy. Written verification must include:
 - A. Plans for subsurface wastewater disposal prepared by a licensed site licensed Site Evaluator (SE), not at public expense, certifying that any existing subsurface wastewater disposal system (SSWD) proposed to be used, or a new system to be built, meets or will meet the current standards of the Maine State Plumbing Code Subsurface Wastewater Disposal Rules for the total number of bedrooms being proposed for the lot. A full copy of the results shall be included in the building permit.
 - B. Proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use. A full copy of the results shall be included in the building permit.
5. An accessory dwelling unit may not be subject to any additional parking requirements beyond the parking requirements of the single-family dwelling unit on the lot where the accessory dwelling unit is located.