



## **CITY COUNCIL ACTION**

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Council Meeting Date: February 26, 2024

Item No: 24-089

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: N/A

### **Title, Ordinance**

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Amending the Code of the City of Bangor, by Creating Regulations and Allowances for Co-living Dormitories.

### **Summary**

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The proposed changes would update the City's Code of Ordinances to define the use of "co-living dormitories" and to allow this use in the M&SD, NSD, DDD, WDD, HDR, S&PS, and GC&S zones. This use is a flexible form of housing that falls under the single-room occupancy housing type, where bedrooms are considered individual living quarters and there are typically shared kitchen facilities. This housing type is differentiated from boarding homes in that it would be larger in size (8 or more rooms) and there would be no minimum stay length for a portion of the building (boarding homes require stays of at least 30 days). This creates allowances for more transient workers or people who are transitioning from one residence to another, as well as more permanent residents. An on-site manager would be required for this use as well as proximity to transit and either business or short-term rental licensing.

A need has been expressed in the City for this type of living arrangement since it can provide a much more affordable type of workforce housing, particularly for younger people and the transient workforce. The 2022 Comprehensive Plan suggests that the City to "revise zoning regulations to remove barriers to development for a variety of housing types including single-room occupancy housing, tiny homes, and transitional housing".

### **Committee Action**

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Committee: Planning Board

Meeting Date: March 5, 2024

Action:

For:

Against:

### **Staff Comments & Approvals**

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City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral



## CITY COUNCIL ORDINANCE

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Date: February 26, 2024

Assigned to Councilor: Deane

**ORDINANCE**, Amending the Code of the City of Bangor by Creating Regulations and Allowances for Co-living Dormitories.

**WHEREAS**, the proposed changes would update the City's Code of Ordinances to create a new land use called "co-living dormitories", which is a type of single-room occupancy housing;

**WHEREAS**, a need has been expressed in the City for this type of living arrangement since it can provide a much more affordable type of workforce housing, particularly for younger people and the transient workforce;

**WHEREAS**, the 2022 Comprehensive Plan suggests that the City "revise zoning regulations to remove barriers to development for a variety of housing types including single-room occupancy housing, tiny homes, and transitional housing";

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT**

The Code of the City of Bangor is amended as follows:

### **§ 165-13 Definitions.**

...

#### **BOARDINGHOUSE**

A single-family dwelling or a portion of a mixed-use building where at least three, or but no more than 7, rooms are provided for living quarters for stays 30 days or longer. Meals may or may not be provided, but there is at least one common kitchen facility. The dwelling shall be occupied by the owner or operator. The building may also have a common room.

...

#### **CO-LIVING DORMITORY**

A building in which group sleeping accommodations are provided within 8 or more individual secure bedrooms, under joint occupancy and single management, occupied by no more than 2 persons per room. Each bedroom within a Co-living Dormitory is considered a separate living quarter and at least 75% of the rooms must be rented for a period of at least 30 days, per room. Meals may or may not be provided, but there shall be at least one, adequately sized common kitchen facility, which must include a stove, oven, refrigerator, and sink, to be shared with other residents of the building. No room may have individual cooking facilities, except for microwaves. Communal areas must be provided and accessible to all residents and can include, but are not limited to, lounges, recreation rooms, resident laundry facilities, kitchen facilities, and dining areas. A minimum of 10% of the gross floor area of the building must consist of common amenity space, which shall not include bathrooms, hallways, maintenance areas, or storage areas. On-site management shall be provided at all times.

...

**§ 165-72 Required number of spaces.**

...

C. Congregate housing for the elderly, ~~and boardinghouses,~~ and co-living dormitories: one space per three dwelling units or rooms.

...

**§ 165-90 Multifamily & Service District (M&SD).**

...

D. Conditional uses. Subject to Planning Board approval under the provisions of § **165-9**, the following uses may be permitted in this district:

...

**(7)** Co-living dormitory, provided that:

- (a)** The facility is located within 1/2 mile of a public transit route at the time of approval by the Planning Board.
- (b)** In accordance with Chapter 85 of the City Code of Ordinances, a business license is required to rent rooms for 30 days or longer.
- (c)** In accordance with Chapter 254 of the City Code of Ordinances, a short-term rental license is required to rent rooms for less than 30 days.

...

**§ 165-91 Neighborhood Service District (NSD).**

...

C. Permitted uses. The following uses are permitted in this district:

...

**(14)** Co-living dormitory, provided that:

- (a)** The facility is located within 1/2 mile of a public transit route at the time of approval by the Planning Board.
- (b)** In accordance with Chapter 85 of the City Code of Ordinances, a business license is required to rent rooms for 30 days or longer.
- (c)** In accordance with Chapter 254 of the City Code of Ordinances, a short-term rental license is required to rent rooms for less than 30 days.

**(15-14)** Accessory uses on the same lot that are customarily incidental to and subordinate to the above uses.

...

**§ 165-93 Downtown Development District (DDD).**

...

D. Conditional uses. Subject to Planning Board approval under the provisions of § **165-9**, the following uses may be permitted in this district:

...

**(6) Co-living dormitory, provided that:**

- (a) The facility is located within 1/2 mile of a public transit route at the time of approval by the Planning Board.**
- (b) In accordance with Chapter 85 of the City Code of Ordinances, a business license is required to rent rooms for 30 days or longer.**
- (c) In accordance with Chapter 254 of the City Code of Ordinances, a short-term rental license is required to rent rooms for less than 30 days.**

**§ 165-94 Waterfront Development District (WDD).**

**D. Conditional uses.** Subject to Planning Board approval under the provisions of § **165-9**, the following uses may be permitted in this district:

**(5) Co-living dormitory, provided that:**

- (a) The facility is located within 1/2 mile of a public transit route at the time of approval by the Planning Board.**
- (b) In accordance with Chapter 85 of the City Code of Ordinances, a business license is required to rent rooms for 30 days or longer.**
- (c) In accordance with Chapter 254 of the City Code of Ordinances, a short-term rental license is required to rent rooms for less than 30 days.**

**§ 165-100 High-Density Residential District (HDR).**

**D. Conditional uses.** Subject to Planning Board approval under the provisions of § **165-9**, the following uses may be permitted in this district:

**(10) Co-living dormitory, provided that:**

- (a) The facility is located within 1/2 mile of a public transit route at the time of approval by the Planning Board.**
- (b) In accordance with Chapter 85 of the City Code of Ordinances, a business license is required to rent rooms for 30 days or longer.**
- (c) In accordance with Chapter 254 of the City Code of Ordinances, a short-term rental license is required to rent rooms for less than 30 days.**

**§ 165-101 Shopping and Personal Service District (S&PS).**

**C. Permitted uses.** The following uses are permitted in this district:

**(21)** Co-living dormitory, provided that:

- (a)** The facility is located within 1/2 mile of a public transit route at the time of approval by the Planning Board.
- (b)** In accordance with Chapter 85 of the City Code of Ordinances, a business license is required to rent rooms for 30 days or longer.
- (c)** In accordance with Chapter 254 of the City Code of Ordinances, a short-term rental license is required to rent rooms for less than 30 days.

**(22 ~~21~~)** Accessory uses on the same lot and customarily incidental to and subordinate to the above uses and any use approved under Subsection **D** below.

...

Additions underlined, deletions struck through.



# COMMUNITY & ECONOMIC DEVELOPMENT

## CITY OF BANGOR

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PLANNING DIVISION

### Memorandum

**To:** Honorable Bangor City Council  
Debbie Laurie, City Manager

**From:** Anja Collette, Planning Analyst

**Date:** March 6, 2024

**CC:** Courtney O'Donnell, Assistant City Manager  
David Szewczyk, City Solicitor  
Anne Krieg AICP – Director of Community & Economic Development

**Re:** Planning Board Recommendation March 5, 2024  
Amending Chapter 165, Land Development Code, Attachment 2, Schedule A Urban  
Developed Area by Increasing the Maximum Height in the Multifamily and Service  
District (M&SD)

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Please accept this memorandum as the recommendation from the Planning Board for the noted item. The Planning Board considered this item in a noticed public hearing on March 5, 2024.

The meeting was conducted in the Council Chambers at City Hall and on Zoom. Members in attendance in the Chambers were Chair Reese Perkins and Members Don Meagher, Jonathan Boucher, Trish Hayes, Mike Bazinet, Joshua Saucier, and Alternate Member Janet Jonas.

Chair Perkins briefly reviewed the proposed amendments and stated they were discussed at a previous meeting.

From the staff memo:

- A. This item is for the formal adoption of language to create regulations and allowances for co-living dormitories. Staff discussed this with the Board at the February 6<sup>th</sup> meeting. These proposed changes to the Land Development Code would involve creating a definition for the use and would allow this use in the M&SD, NSD, DDD, WDD, HDR, S&PS, and GC&S zones. While GC&S isn't called out specifically in the language, the Code currently allows any permitted by right use in S&PS to also be permitted in the GC&S zone.
- B. This use is a flexible form of housing that falls under the single-room occupancy housing type, where bedrooms are considered individual living quarters and there are typically shared kitchen facilities. This housing type is differentiated from boarding homes in that it would be larger in size (8 or more rooms) and there would be no minimum stay length for 25% of the building (boarding homes require stays of at least 30 days). Stipulations on this use are that on-site management would be required at all times, at least 10% of the building would need to be used as common space, a full kitchen would need to be provided, and the facility would need to be located no more than ½ mile from a public

transit route. The parking requirement is proposed to be the same as boardinghouses, which is 1 space per 3 rooms. Additionally, a business license would be required for the rooms rented long term and a short-term rental license for the rooms rented short term.

- C. A need has been expressed in the City for this type of living arrangement since it can provide a much more affordable type of workforce housing, particularly for younger people and the transient workforce. The 2022 Comprehensive Plan suggests that the City to “revise zoning regulations to remove barriers to development for a variety of housing types including single-room occupancy housing, tiny homes, and transitional housing”.

Member Bazinet asked if the Board had any recommendations previously that were incorporated into the language. Planning Officer Collette stated that there were not any.

Member of the public, Andy Hamilton, spoke in support of the proposed changes and stated that there was interest in developing this use in the S&PS and GC&S zones near the mall.

Planning Officer Collette clarified that since the previous workshop, the minimum percentage of the building required to be used for common space had been reduced to 10%, that a full kitchen was stipulated as a requirement, and that common space could not include storage areas or hallways. Member Hayes asked if shared bathrooms were considered part of the common space. Planning Officer Collette stated there could either be shared bathrooms or an individual bathroom per room; stated that the definition focused more on the shared kitchens being a requirement for fire safety purposes and to match the definition of dormitory in the building and fire codes as much as possible.

Member Boucher asked a clarifying question on the fire safety requirements. Planning Officer Collette stated that it would be the same as what is required for any other type of dormitory, such as college dormitories.

Member Saucier moved to recommend to City Council that the proposed amendments ought to pass. Member Bazinet seconded the motion. The motion passed 7:0 with all members voting in favor.

The result of the vote is that a majority of Planning Board members voted to recommend that the proposed amendments ought to pass.

Anja Collette

**IN CITY COUNCIL**

**FEBRUARY 26, 2024**

**COrd 24-089**

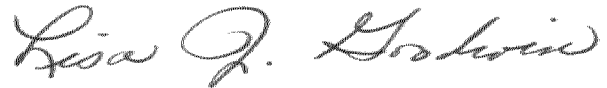
**Motion made and seconded for First Reading and Referral to Planning Board Meeting on March 5, 2024**

**Vote: 9 – 0**

**Councilors Voting Yes: Deane, Fish, Fournier, Hawes, Leonard, Schaefer, Tremble, Yacoubagha, Pelletier**

**Councilors Voting No: None**

**Passed**



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**CITY CLERK**

**IN CITY COUNCIL**

**MARCH 11, 2024**

**COrd 24-089**

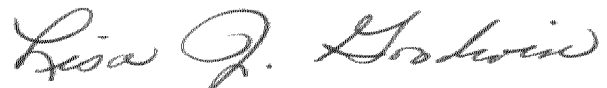
**Motion made and seconded for Passage**

**Vote: 5 – 0**

**Councilors Voting Yes: Deane, Fournier, Leonard, Schaefer, Yacoubagha**

**Councilors Voting No: None**

**Passed**



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**CITY CLERK**