

City of Biddeford



2024.49

IN BOARD OF CITY COUNCIL...APRIL 16, 2024

BE IT ORDAINED, by the City Council of the City of Biddeford, that the Code of Ordinances, Part III: Land Development Regulations, Article V – Dimensional Requirements, NOTES for Table B be amended as follows:

- B.1.a. The Planning Board, or other appropriate approval authority, shall consider granting a density bonus of one residential unit for every 500 square feet of gross building living space floor area, excluding unfinished basements, within an existing structure, ~~excluding unfinished basement areas,~~ provided the applicant presents redevelopment/renovation plans to the Code Enforcement Officer demonstrating how the redevelopment project will result in the number of residential units with two or more bedrooms being at least, if not more than, the number of units with two or more bedrooms before the density bonus was granted.
- B.1.c. An applicant provided a density bonus for rental housing shall enter into a thirty (30) year contractual agreement with the City of Biddeford requiring that at least ~~30~~51% of ~~the additional~~ units created shall be leased such that they do not exceed 70% of the fair market rent (FMR) per bedroom size, as established annually by the U.S. Department of Housing and Urban Development (HUD). The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which shall be provided to the Code Enforcement Office prior to the issuance of any building permits. Rent-restricted units will be annually monitored by the Planning and Development Department for contract compliance.
- B.1.d. For projects proposing to demolish and rebuild an existing building, the existing approved density may be re-utilized within the redevelopment.
- B.3. Vacant Land Development: For vacant lots located within the R-1-A, R-1-B, R-2, R-3, OR, and MSRD-2 Zoning Districts, utilizing the density bonus standards within Section B, for low/moderate income (LMI) housing developments, may increase the base density by up to a multiple of 2.5%times of the particular zoning district where the lot is located.
- B.4. The developer may elect to utilize either the 500 square feet of gross building living space floor area calculation outlined in Section 1.A, or increasing the base density by up to a multiple of 2.5, as outlined in Section 3, providing it equates to more affordable housing being provided.
- B.~~4~~5. Condominium conversions/development:

5.P.5.c. The existing student housing park located on the south side of the Hills Beach Road may be replaced with new low-impact academic or support facilities. Low impact is defined as meeting the following standards:

- 1. The replacement has been approved as part of the institutional master plan The replacement has been approved as part of the institutional master plan.
- 2. The total footprint area of all replacement buildings and structures shall not exceed 14,400 square feet.
- 3. The amount of nonvegetated area after redevelopment shall be not more than the amount of nonvegetated area existing at the time of adoption of this provision.
- 4. No buildings, structures, parking, or other impervious surfaces shall be located closer to any adjacent wetland or the external boundary of the Institutional Zone than the existing facilities being replaced and, where possible, the setback from wetlands shall be increased.
- 5. The architectural design of the low-impact academic or support facilities shall be compatible with the adjacent residential character, consistent with the approved University Master Plan Architectural Design Standards, and shall be limited to a maximum height of 35 feet.
- 6. The low-impact academic or support facilities shall have no greater impact on the adjacent wetlands, than did the development existing at the time of the approval of the 2003-2007 Master Plan (approved May 7, 2003), as demonstrated by a wetlands delineation plan and stormwater management plan submitted as part of the application for site plan approval.
- 7. The low-impact academic or support facilities shall have no greater light intrusion, noise or traffic impact (both vehicular and pedestrian) on adjacent residential properties, than did the development existing on the site at the time of the approval of the 2003-2007 Master Plan (approved May 7, 2003), as demonstrated by a noise mitigation plan and traffic study submitted as part of the application for site plan approval.

April 16, 2024

Motion: Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

May 7, 2024

Motion: Councilor LaFountain

Second: Councilor Emhiser

Vote: Unanimous in favor.

Motion passed.

Attest by: 
Robin Patterson, City Clerk