

Article 1. Shall an ordinance entitled “2024 Amendments to the Islesboro Land Use Ordinance Regarding Affordable Housing and Minimum Lot Sizes” be enacted?

(The proposed ordinance is available for review and inspection at the Town Clerk’s Office and will be available at the Town Meeting.)

**2024 AMENDMENTS TO THE ISLESBORO LAND USE ORDINANCE REGARDING AFFORDABLE HOUSING AND MINIMUM LOT SIZES**

---

The Land Use Ordinance of the Town of Islesboro shall be amended as follows (additions are underlined and deletions are ~~struck out~~):

1. Amend Article III, Districts, as set forth below:

**§125-22 Establishment of Districts**

For the purpose of this chapter, the Town of Islesboro is divided into districts. These districts, as outlined below, are shown on the Protection Districts Map titled “Town of Islesboro Protection Districts Map,” signed by the Board of Selectmen, Town of Islesboro; this map is on file at the Town Office. This map may be amended from time to time, in the same manner as this chapter, is made a part of this chapter and is hereby incorporated by reference. As noted in § 125-10 of this chapter the depiction of districts on this map is merely illustrative of their general location.

- Resource Protection District
- Limited Development District
- Meadow Pond District
- Shoreland Protection District
- Maritime Activities District
- Rural Protection District
- Town Centers District

• • •

**§ 125-29.1 Town Centers District.**

• • •

**B.** Space and bulk requirements. Notwithstanding any other provision in this chapter or the Development Review Ordinance (including, without limitation, the minimum lot size standards and the performance standards for cluster developments) to the contrary, the following space and bulk requirements apply in the Town Centers District:

**(1)** Minimum lot size.

• • •

(f) Notwithstanding anything in this Code to the contrary, residential lots within an affordable housing development, as defined in this

Chapter, and subject to the performance standards contained in § 125-61, shall have a minimum lot size of 8,000 square feet per dwelling unit.

• • •

**§ 125-33 Minimum lot sizes in all districts.**

A. Each lot that is not an "excepted lot" as provided for by this chapter and is established after March 23, 1985, in the Resource, Shoreland or Rural Protection Districts or, after the effective date of this chapter, in the Limited Development, Meadow Pond, and Maritime Activities Districts, shall have not less than 65,340 square feet (1.5 acres) in area per dwelling unit except for lots located in the Town Centers District, which shall comply with the minimum lot size requirements imposed by § 125-29.1, as amended. Within the Shoreland Zone each dwelling unit and ADU must meet the minimum lot size, setbacks and frontage requirements.

2. Amend Article V. Standards as set forth below:

• • •

**§ 125-61. Affordable housing developments.**

A. Affordable housing developments, as defined in § 125-62, may take advantage of increased density when constructed in the Town Centers District, as set forth in § 125-29.1(1)(f) of this chapter, provided that such developments comply with the following standards:

1. The owner of the affordable housing development shall execute a restrictive covenant, in a form acceptable to the Town Attorney, which shall be recorded in the Waldo County Registry of Deeds, for the benefit of and enforceable by the Town of Islesboro or other qualified holder, that ensures that any affordable housing unit with the affordable housing development shall for at least 30 years after the completion of construction: (i) remain limited to households at or below 120% of area median income at the time of initial occupancy in the case of rental housing, or (ii) remain limited to households at or below 120% of area median income at the time of initial occupancy in the case of owned housing.
2. Affordable housing developments must comply with all shoreland zoning requirements imposed by the Town of Islesboro and by the Maine Department of Environmental Protection.
3. Prior to issuance of any building permit, the property owner must submit written verification that the proposed affordable housing development is connected to adequate water and wastewater facilities. Proof of adequacy must be consistent with the requirements of 30-A M.R.S. § 4364(5), as may be amended.

- i. If a housing unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system;
- ii. If a housing unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector pursuant to 30-A M.R.S. §4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules*.
- iii. If a housing unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
- iv. If a housing unit is connected to a well, proof of access to potable water, including the standards outlined in 01-672 C.M.R. Ch. 10 section 10.25(J), *Land Use Districts and Standards*. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.