

ARTICLE 13

Revised March 2026

MUNICIPAL OFFICERS' CERTIFICATION OF THE OFFICIAL TEXT OF PROPOSED ORDINANCE(S)
[30-A M.R.S.A. § 3002(2)]

To the Town Clerk of the Town of Ogunquit, Maine:

We hereby certify to you that the documents to which we have affixed this certificate are a true copy of the official text of an ordinance(s) entitled:

1. Chapter 225 – Zoning Ordinance, including:
 - Article 9 – Standards for Specific Land Uses, §225-C.1 *Accessory dwelling units*

Which is to be presented to the voters for their consideration on June 6, 2026.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Approved on this 31st day of March 2026, by a majority of the Select Board

Michael Collins
Michael F. Collins, Chair

Carole J. Aaron
Carole J. Aaron, Vice-Chair

Richard A. Dolliver
Richard A. Dolliver

Scott A. Vogel

Abstained
Robert M. Whitelaw

Remove the Design Review Requirement for Accessory Dwelling Units (ADU) (§225-9.1)

§ 225-9.1. Accessory dwelling units. [Amended 4-7-2007; 6-11-2024ATM by Art. 13]

As an accessory use to a single-family dwelling, the creation and renting of a single apartment within the dwelling, attached to the dwelling or freestanding from the main dwelling shall be permitted, provided all of the following conditions are met:

- A. An accessory dwelling unit must meet a minimum size of 190 square feet and shall be no larger than 700 square feet.
- B. The owner of an accessory dwelling unit must provide written verification to the municipality that the accessory dwelling unit is connected to adequate potable water and wastewater services before the municipality may issue a certificate of occupancy. Written verification under this subsection must include:
 - (1) If an accessory dwelling 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 accessory dwelling unit and proof of payment for the connection to the sewer system;
 - (2) If an accessory dwelling 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 under Section 221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under 22 M.R.S.A. § 42;
 - (3) If an accessory dwelling 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 accessory dwelling unit, proof of payment for the connection and the volume and supply of water required for the accessory dwelling unit; and
 - (4) If an accessory dwelling unit is connected to a well, 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.
- C. The primary dwelling is owner-occupied. If leased the accessory dwelling unit shall be occupied by the lessee for a duration of not less than 12 consecutive months. Accessory dwelling units shall not be leased or rented as short-term rentals.
- D. The building is located on a conforming lot for a single-family dwelling in the district in which it is located, or is located on a nonconforming lot as defined in Article 2 of this chapter.
- E. All required permits are obtained for construction of the accessory dwelling unit ~~including a design review approval in all zoning districts~~, and a certificate of occupancy is obtained prior to the accessory dwelling unit being occupied.
- F. Any accessory dwelling unit located within the same structure as a single-family dwelling unit or attached to or sharing a wall with a single-family dwelling unit, the setback requirements and dimensional requirements must be the same as the setback requirements and dimensional requirements of the single-family dwelling unit, except for an accessory dwelling unit permitted in an existing accessory building or secondary building or garage as