

## ARTICLE 5

Shall an ordinance entitled, “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Add, Revise and Clarify Provisions” be enacted?

NOTE: Proposed additions to existing Code sections are underlined.

Proposed deletions of existing Code sections are crossed out.

Other sections of the Ordinance are unchanged.

### ARTICLE 5: LAND USE DISTRICTS

#### D) Residential/Agricultural District-

##### 1) Dimensional Requirements:

a) For All Lots Which Do Not Meet Subsection b or c below.

(i) Minimum Lot Size – 1 acre

(ii) Maximum Residential Density – 1 Dwelling Unit (DU)/acre

(iii) Minimum Road Frontage<sup>2</sup> - 150 feet

(iv) Minimum Setbacks for Buildings<sup>3</sup> –

(A) Front Yard - 50 feet

(B) Side Yard - 10 feet

(C) Rear Yard - 10 feet

b) Lots Which Are Within A Minor Subdivision (which is created after June 10, 2009).

(i) Minimum Lot Size – 1 acre

(ii) Maximum Net Residential Density – 1 DU/acre

(iii) Minimum Road Frontage to a public road - 150 feet. Minimum Road Frontage internal to the subdivision – 50 feet.

(iv) Minimum Setbacks for Buildings external to the subdivision follow standard minimum setbacks (Section D.1.a.iv). Minimum Setbacks for Buildings internal to the subdivision –

(A) Front Yard – 10 ~~50~~ feet

(B) Side Yard - 10 feet

(C) Rear Yard - 10 feet

(v) Open Space Requirement - 25% of Net Residential Area<sup>4</sup>

c) Lots Which Are Within A Major Subdivision (which is created after June 10, 2009).

(i) Minimum Lot Size – 20,000 sq. ft.

(ii) Maximum Net Residential Density – 1DU/ acre<sup>1</sup>

(iii) Minimum Road Frontage to a public road - 150 feet. Minimum Road Frontage internal to the subdivision – 50 feet.

(v) Minimum Setbacks for Buildings external to the subdivision follow standard minimum setbacks (Section D.1.a.iv). Minimum Setbacks for Buildings internal to the subdivision –

(A) Front Yard - 10 feet

(B) Side Yard - 10 feet

(C) Rear Yard - 10 feet

(v) Open Space Requirement - 80% of Net Residential Area<sup>4</sup>

d) e) Structures shall not cover more than 20% of any lot.<sup>45</sup>

<sup>1</sup>One Accessory Dwelling Unit that meets the standards of Article 4, Section B shall be exempt from any density requirements or lot area requirements. (Note: written in reference to DECD proposed rule 19-100; Chapter 5; Section 4.B.3.a)

<sup>2</sup>The Minimum Road Frontage requirement may be waived by the Code Enforcement Officer if the property meets the Back Lot Performance Standard in Article 4, Section B.

<sup>3</sup>The setback shall be the minimum horizontal distance from a lot line to the nearest part of a building, including porches, steps and decks. Except that, ramps needed for disability access into a principle dwelling shall be exempt from the minimum setbacks.

<sup>4</sup>If a new lot is created to meet open space requirements it does not count toward the number of lots in a subdivision unless the intent of the transferor is to avoid the objectives of this Ordinance. A new lot created to meet open space requirements is not subject to the maximum lot size requirement.

## E) Village I District-

### 1) Dimensional Requirements:

#### a) For All Lots Which Do Not Meet Subsection b below.

- i ~~a~~) Minimum Lot Size – 20,000 sq. ft.
- ii ~~b~~) Minimum Lot Size for Subdivisions with Community Subsurface Wastewater System – 10,000 sq. ft.<sup>65</sup>
- iii ~~c~~) Maximum Residential Density – 4 DU/acre ~~20,000 sq. ft.~~
- iv ~~d~~) Minimum Road Frontage - 75 feet
- v ~~e~~) Minimum Setbacks for Buildings –
  - (A i) Front Yard - 20 feet
  - (B ii) Side Yard - 10 feet
  - (C iii) Rear Yard - 10 feet
- vi ~~f~~) Maximum Building Height – 35 feet
- vii ~~g~~) Structures shall not cover more than 30% of any lot. ~~Lots legally non-conforming due to lot size may have up to 50% structure coverage.~~

#### b) Lots Which Are Within A Subdivision (which is created after June 10, 2009).

- i) Minimum Lot Size – 20,000 sq. ft.
- ii) Minimum Lot Size for Subdivisions with Community Subsurface Wastewater System – 10,000 sq. ft.<sup>65</sup>
- iii) Maximum Net Residential Density – 4 DU/acre
- iv) Minimum Road Frontage to a public road - 75 feet. Minimum Road Frontage internal to the subdivision – 50 feet.
- v) Minimum Setbacks for Buildings external to the subdivision follow standard minimum setbacks (Section E.1.a.v). Minimum Setbacks for Buildings internal to the subdivision –
  - (A) Front Yard - 0 feet if front lot line does not directly abut a road (i.e. abuts sidewalk, path, grass, etc.). 10 feet if front lot line abuts a road.
  - (B) Side Yard - 10 feet
  - (C) Rear Yard - 10 feet

- vi) Maximum Building Height – 35 feet
- vii) Structures shall not cover more than 50% of any lot.
- viii) Open Space Requirement - 10% of Net Residential Area<sup>4</sup>

**F) Village II District-**

1) Dimensional Requirements:

a) For All Lots Which Do Not Meet Subsection b below.

- i a) Minimum Lot Size – 30,000 sq. ft.
- ii b) Minimum Lot Size for Subdivisions with Community Subsurface Wastewater System – 10,000 sq. ft.<sup>65</sup>
- iii e) Maximum Residential Density – 10 DU/acre ~~20,000 sq. ft.~~<sup>1</sup>
- iv d) Minimum Road Frontage - 100 feet
- v e) Minimum Setbacks for Buildings –
  - (A i) Front Yard - 30 feet
  - (B ii) Side Yard - 10 feet
  - (C iii) Rear Yard - 10 feet
- vi f) Maximum Building Height – 35 feet
- vii g) Structures shall not cover more than 50~~30~~% of any lot. ~~Lots legally non-conforming due to lot size may have up to 50% structure coverage.~~

b) Lots Which Are Within A Subdivision (which is created after June 10, 2009).

- i) Minimum Lot Size – 30,000 sq. ft.
- ii) Minimum Lot Size for Subdivisions with Community Subsurface Wastewater System – 10,000 sq. ft.<sup>5</sup>
- iii) Maximum Net Residential Density – 10 DU/acre<sup>1</sup>
- iv) Minimum Road Frontage to a public road - 100 feet. Minimum Road Frontage internal to the subdivision – 50 feet.
- v) Minimum Setbacks for Buildings external to the subdivision follow standard minimum setbacks (Section F.1.a.v). Minimum Setbacks for Buildings internal to the subdivision –

(A) Front Yard - 0 feet if front lot line does not directly abut a road (i.e. abuts sidewalk, path, grass, etc.). 10 feet if front lot line abuts a road.

(B) Side Yard - 10 feet

(C) Rear Yard - 10 feet

vi) Maximum Building Height – 35 feet

vii) Structures shall not cover more than 50% of any lot.

viii) Open Space Requirement - 20% of Net Residential Area<sup>d</sup>

<sup>54</sup> Structures may cover up to 30% of lots that are legally non-conforming due to lot size.

<sup>55</sup> A subdivision shall not exceed the maximum residential density for the district.

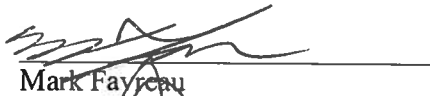
This Ordinance shall take effect upon adoption by the Town Meeting.

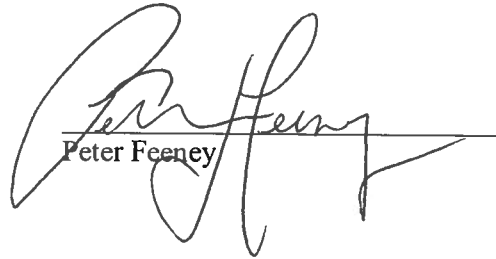
Given under our hands this 23<sup>rd</sup> day of April 2024.

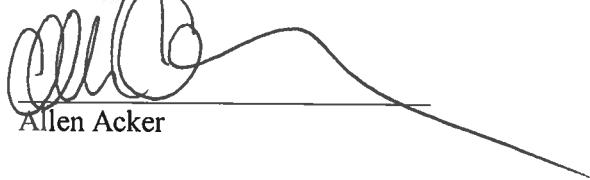
BOARD OF SELECTMEN OF THE TOWN OF BOWDOINHAM:

  
Joanne Joy, Chair

  
Debra Smith, Vice Chair

  
Mark Favrre

  
Peter Feeney

  
Allen Acker