

ARTICLE 4

Shall an ordinance entitled, “An Ordinance to Amend the Town of Bowdoinham Land Use Ordinance to Update District Requirements” 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)/acre¹

(iii) Minimum Road Frontage² - 150 feet

(iv) Minimum Setbacks for Buildings³ –

(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/acre¹

(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 Area⁴

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/ acre¹

(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 Area⁴

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

¹One 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)

²The 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.

³The 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.

⁴ 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.⁶⁵
- iii c) Maximum Residential Density – 4 DU/acre ~~20,000 sq. ft.~~¹
- 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 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 – 20,000 sq. ft.
- ii) Minimum Lot Size for Subdivisions with Community Subsurface Wastewater System – 10,000 sq. ft.⁶⁵
- iii) Maximum Net Residential Density – 4 DU/acre¹
- 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 Area⁴

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.⁶⁵
- iii c) Maximum Residential Density – 10 DU/acre ~~20,000 sq. ft.~~
- 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.
- iii) Maximum Net Residential Density – 10 DU/acre
- 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 Area⁴

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

⁶⁵A 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 23rd day of April 2024.

BOARD OF SELECTMEN OF THE TOWN OF BOWDOINHAM:

Joanne Joy, Chair

Debra Smith, Vice Chair

Mark Favreau

Peter Feeney

Allen Acker