



GARDINER CITY COUNCIL AGENDA ITEM INFORMATION SHEET



Meeting Date	01/15/2025	Department	Code Enforcement
Agenda Item	4.e)First Read regarding changes to the LUO Section 10.23.5 and 11.4.5 in compliance with LD2003		
Est. Cost	N/A		

Background Information

Please see the attached documentation regarding changes to the LUO section 10.23.5 and 11.4.5 in compliance with LD2003.

Requested Action	"I move to approve changes to the LUO section 10.23.5 and 11.4.5 in compliance with LD2003"
City Manager and/or Finance Review	
Council Vote/ Action Taken	
Departmental Follow-Up	

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

10.23.4.4 Covenants for mandatory membership in the association, setting forth the owners' rights and interest and privileges in the association and the common land, shall be reviewed by the Planning Board and included in the deed for each lot.

10.23.4.5 The association may levy annual charges against all property owners to defray the expenses connected with the maintenance of open space, other common and recreational facilities and town assessments.

10.23.5 Density Bonus

10.23.5.1 Affordable housing developments are permitted in:

10.23.5.1.1 All Zoning Districts that permit Multi-Family Dwelling as detailed in Section 7 of the Land Use Ordinance; and

10.23.5.1.2 Are in a designated Growth Area as outlined in Gardiner's Comprehensive Plan.

10.23.5.2 The off-street parking spaces must not exceed two spaces for every three units of affordable housing development. In cases of fractional results, the number of parking spaces must be rounded down to the nearest whole number.

10.23.5.3 If all the requirements found in this section are met, a housing density bonus may be granted up to a minimum of 2.5 times the permitted base density where the project is located.

10.23.5.4 The Planning Board shall review all applications for affordable housing developments per the City of Gardiner Subdivision Standards, Section 14 of the Land Use Ordinance.

10.23.5.5 When applicable, the Planning Board shall review an affordable housing application per the City of Gardiner's Site Plan Review, Section 6 of the Land Use Ordinance.

10.23.5.6 Each dwelling unit shall be equipped with approved, hard-wired smoke and CO detectors, according to the National Fire Protection Association's Life Safety Code.

10.23.5.7 A written verification that the proposed unit(s) can be connected to adequate water and wastewater services prior to issuance of a Certificate of Occupancy must be provided. When applicable, a written verification must include the following:

10.23.5.7.1 If connected to the City of Gardiner Sewer System (municipal sewer pumping and treatment), special district or equivalent centralized system, proof of adequate capacity to accommodate the added wastewater created by an additional unit and proof of payment for the connection to the sewer system;

10.23.5.7.2 If 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 MRS §4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 CMR Ch.241, State of Maine Subsurface Wastewater Disposal Rules, as amended.

10.23.5.7.3 If proposed to be connected to a well, the application must include proof that the water supply is potable and acceptable for domestic use.

11.4.5 Standards for Number of Parking Spaces

Place of Residence or Accommodation (spaces per room or dwelling unit)	
1/3 space	Dedicated Retirement Home, Nursing Care Facility
<u>2/3 Space</u>	<u>Multifamily housing that is utilizing a density bonus</u>
1 space	Overnight Accommodation
2 spaces	Single family Dwellings
1 space	Dwelling units in a two-family or multi-family structure with not more than one bedroom and eight hundred (800) square feet of floor area
1.5 spaces	Dwelling units in a two-family or multi-family structure with not more than two bedrooms and one thousand (1000) square feet of floor area
2 spaces	Dwelling units in a two-family or multi-family structure with more than two bedrooms or more than one thousand (1000) square feet of floor area
1 ¼ spaces	Senior Housing
Places of Public Assembly (spaces per seat, based on maximum seating capacity)	
¼ space	Theater, with fixed seating
1/3 space	Church
½ space	Restaurant, Convention Center, Meeting Hall, Grange and Bottle Club
Places of Commerce & Industry (spaces per 1,000 square feet of gross floor area)	
1 space	Warehouse, Inside Sale of Vehicles
1 ½ spaces	Industrial and Manufacturing Facilities, Wholesaling
3 spaces	Grocery Store over 5,000 square feet, Offices, Professional and Personal Services, except as noted.
4 spaces	Retail Sales except as noted
5 spaces	Banks, Medical & Dental Offices, Fitness Clubs, Child Care/Nursery Schools
Public and Institutional Facilities (spaces per 1,000 square feet of gross floor area)	
2 spaces	Elementary Schools
4 spaces	Secondary School, Community Center, Municipal Building
6 spaces	College, Hospital
Miscellaneous (criteria as specified)	
1 space per 1,000 sq ft	Indoor Sports Facility (Tennis, Fitness etc with no spectators)
1 space per 4 seats max. seating capacity	Stadiums, Arenas, Racetracks, and other Spectator Sport Venues
30 spaces per acre	Mini-golf, Go-carts, and other Outdoor Amusements
2 spaces	Campground
5 spaces per lane	Bowling Alley
3 spaces per service bay plus 1 space per 10 vehicles displayed	Vehicle Sales and Service