

**Committee amendment to LD 1312, “An Act To Remove Barriers to Accessory Dwelling Units and Allow Accessory Dwelling Units where Single-family Houses Are Allowed”**

Amend the bill as follows:

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 30-A MRS §3015** is enacted to read:

**§3015. Accessory dwelling units**

**1. Use permitted.** A municipality shall allow one accessory dwelling unit, as defined in section 4301, subsection 1-C, to be located on the same lot as a single-family dwelling unit.

**2. Prohibited requirements.** A municipality may not:

A. Require additional setbacks for an accessory dwelling unit that is within an existing single-family dwelling unit;

B. Require side and back setbacks greater than 5 feet for newly constructed accessory dwelling units;

C. ~~Except as provided in paragraph E, require new or additional off-street parking spaces;~~

D. ~~Except as provided in paragraph E, require the owner of the single-family dwelling unit to occupy either the single-family dwelling unit or the accessory dwelling unit;~~

E. ~~Prohibit use of the single family dwelling unit or the accessory dwelling unit as a short term rental or vacation rental, as defined in Title 22, section 2491, subsection 17, except that a municipality may require additional off street parking and that the owner occupy the dwelling unit not used as a short term rental or vacation rental;~~

F. Prohibit inclusion of an accessory dwelling unit into a single-family dwelling unit that does not conform to existing land or building use ordinances as long as the inclusion does not increase the nonconformity and both units meet applicable fire safety and building codes;

G. Prohibit the conversion of a structure located on the lot of a single-family dwelling unit that does not conform to existing land or building use ordinances into an accessory dwelling unit as long as the conversion does not increase the nonconformity of the structure and the accessory dwelling unit created meets applicable fire safety and building codes; or

H. Require separate sewer or water connections for an accessory dwelling unit.

**3. Design standards.** Design standards for accessory dwelling units established by a municipality must be clear and objective.

**4. Historical districts.** Notwithstanding contrary provisions in subsections 2 and 3, an accessory dwelling unit in a historical preservation district must comply with the design standards applicable in the historical district.

## **SUMMARY**

This amendment removes language specifying that a municipality may not prohibit the use of a single-family dwelling unit as a short-term rental or vacation rental and that a municipality may require additional off-street parking and that the owner occupy the dwelling unit not used as a short-term rental or vacation rental.