

**§ 280-15-14 Affordable Housing Density Bonus [Added 3/5/2024 Order #: 24-16-01]**

**A. Purpose.**

**The purpose of the Affordable Housing Density Bonus is to provide options for housing developments that qualify as affordable using metrics set by the U.S. Department of Housing and Urban Development (HUD). The provisions in this chapter support alternate residential development options which are not restricted to any one zoning district.**

**B. Applicability.**

**(1) Affordable Housing is defined by 30-A M.R.S. §4364 as:**

- (a) For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs; and,**
- (b) For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8 as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs.**

**(2) The Affordable Housing Density Bonus is available in any zone which allows multifamily residential development.**

**(3) The Affordable Housing Density Bonus may only be used if the development is located within the Growth Zone of the City's Comprehensive Plan on record at the time of application, or served by public water and sewer services.**

**(4) Unless specified in 280-15-14, the development shall conform to the standards of the zone in which it is located.**

**(5) Unless specified in 280-15-14, the development shall conform to the standards of all overlay zones in which it is located.**

**(6) Unless specified in 280-15-14, Affordable Housing development shall conform to Chapter 265: Floodplain Management, Chapter 270: Shoreland Zoning, and Chapter 275: Subdivision of Land.**

**(7) The Code Enforcement Officer, with concurrence of the Planning Director, shall find that an Affordable Housing Development conforms to the standards of 280-15-14. The Code Enforcement Officer may elevate the review of the application based on the size or complexity of the project, in conformance with 280-16-5.**

**C. Standards**

**(1) Density.**

**The total residential density may be no greater in an Affordable Housing Development than 2.5 times the base density normally permitted in the zone in which the development is proposed.**

**(2) Parking Requirements.**

**Parking provided for the Affordable Housing Development shall be in conformance with 280-**

14-12 Off-Street parking but in no instance shall the number of required parking spaces for every three dwelling units.

(3) Existing density bonus.

The Planning Board may elect to approve an Affordable Housing Development which meets any or all of the standards of the stated density bonus of the underlying zone if the development meets all other Development Standards of that zone.

(4) Affordability.

The Affordable Housing Development shall comply with the income restrictions and standards as defined by the U.S. Department of Housing and Urban Development. The total breakdown of units must be identified in a table on the site plan and designate if units are to be rentals or home-ownership units.