

Draft Order

of the Bar Harbor Town Council

for the June 13, 2023 Town Meeting

It is hereby ordered that the following article be placed on the town meeting warrant with voting thereon to be held by Australian ballot.

WARRANT ARTICLE

Article **XX** **LAND USE ORDINANCE AMENDMENT – Conversion to Multifamily Use –**
Shall an ordinance, dated December 8, 2022, and entitled “**An amendment to remove the Conversion to Multifamily Use Requirements**” be enacted?

SUMMARY

This amendment would remove standards in the Land Use Ordinance specifically for the conversion of existing structures into multifamily dwelling units I and II.

EXPLANATION

These standards for the conversion of existing structures into multifamily dwelling units I and II go beyond the minimum standards required for the construction of new multifamily dwelling units. These requirements for the conversion of existing structures into multifamily dwelling units I and II are more restrictive than those of the locally adopted building codes, and address subjects covered in other areas of the Land Use Ordinance.

An amendment to Article V

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

Article V General Provisions

§ 125-69 Standards for particular uses, structures or activities.

B. Cabins and cottages. Cabins and cottages shall be treated as transient accommodations; provided, however, that any lot containing cabins and cottages shall contain at least 20,000 square feet.

C. Campgrounds. All site plans for proposed campground development shall demonstrate that:

- (1) The applicant has obtained all required state permits and licenses.
- (2) Each recreational vehicle, tent, or shelter site shall contain a minimum of 5,000 square feet of suitable land in shoreland areas and 2,500 square feet of suitable land in inland areas, not including driveways and roads, for each site. Land supporting wetland vegetation and land below the normal high water line of a water body shall not be included in calculating land area per site.
- (3) The area intended for placement of the recreational vehicle, tent or shelter site and utility and service buildings shall be set back a minimum of 50 feet from the exterior lot lines of the camping area, 100 feet from the normal high water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and 75 feet from the normal high water line of a tributary stream, upland edge of a wetland or any other body of water.
- (4) The campground shall be screened from all abutting areas.
- (5) Each recreational vehicle, tent or shelter site shall be provided with a trash receptacle.

~~D. (Reserved) Conversion to multifamily use. Conversion of existing structures into multifamily dwelling units I or II will be permitted only on the following conditions:~~

- ~~(1) Off street parking will be provided in accordance with the requirements of § 125-67D(3)(a).~~
- ~~(2) Written approvals of conversion plans by the Fire, Electrical, and Plumbing Inspectors are submitted at the time of application.~~
- ~~(3) Each dwelling unit shall be at least 500 square feet in area for one bedroom units, plus 150 square feet for each additional bedroom, and all such space shall comply with FHA standards.~~
- ~~(4) Each dwelling unit shall have its own toilet and kitchen facilities, and no dwelling unit will share these facilities with any other dwelling unit.~~

December 8, 2022

Given under our hands and seal at Bar Harbor this _____ day of _____, 2023:

Municipal Officers of the Town of Bar Harbor

Valerie Peacock, Chair

Matthew A. Hochman, Vice Chair

Gary Friedmann

Joseph Minutolo

Jefferson G. Dobbs

Erin E. Cough

Jill Goldthwait