

EXPLANATION OF THE JUNE 2023 LAND USE ORDINANCE AMENDMENTS

Floor Area Ratio (FAR)

Floor area ratio is a standard that is applicable in only one of the 40 zoning districts, Downtown Residential. Floor area ratio is a dimensional representation of the gross floor area of a structure and is intended to control the overall bulk of a building. The FAR requirement is calculated using the floor area ratio of every principal building within 300' of a proposed project. This calculation changes every time a building is demolished, constructed, or added on to and as a result, the FAR standard is not a fixed standard but one which is constantly changing. This constantly changing standard means a property owner cannot rely on a set dimensional requirement like setback distances or lot coverage standards. The existing Land Use Ordinance already controls the height of buildings, setbacks, and lot coverage. This amendment will remove the FAR requirement and all references to it.

Double Setback Distances

This section requires that buildings located in a subdivision where no lots are created must be configured and located in such a manner that the distance between them is equal to twice the setback distance, depending on the location of the buildings. For example, if two buildings face each other in a district where the front setback is 75', the buildings are required to be located no less than twice that distance from one another, which would result in the two buildings being 150' apart. This requirement greatly reduces a property owner's ability to build the maximum number of units that would otherwise be

allowed once these setback distances are applied to the buildings, in addition to the normal setback requirements and other dimensional standards. This amendment will remove this section entirely.

Underground Utilities

The section requires that all site plan and subdivision projects install their utilities underground. Typical issues with installing utilities underground is the prevalence of ledge which requires blasting, and the large amount of land which is considered sensitive, like wetlands. In most cases, an applicant is encouraged to avoid disturbing sensitive areas to the greatest extent possible, and installing overhead utilities is one way to accomplish that. This amendment will remove this requirement entirely.

Multi-Family Use

This provision requires that the conversion of an existing building into multifamily dwelling units (3 or more units) must meet certain minimum size standards which are not required for the construction of NEW multifamily dwelling units. These provisions include the requirement that each dwelling unit be at least 500 square feet. This is not only already addressed by the locally adopted building code which dictates the size and space requirements for dwelling units, but is actually more restrictive than the adopted building codes. There are other additional requirements that are already addressed in other areas of the Land Use Ordinance like parking requirements and plan review. This amendment will remove the entire section on conversion to multifamily use.



Town of Bar Harbor
Planning & Code Enforcement