

WARRANT ARTICLE

**Article XX LAND USE ORDINANCE AMENDMENT – Minimum Area Per Family –**  
Shall an ordinance, dated January 7, 2026, and entitled “**An amendment to remove the minimum area per family requirement in certain zoning districts**” be enacted?

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SUMMARY

The amendment would remove the minimum area per family requirement in certain districts to increase the potential for housing development. Minimum area per family refers to the minimum area on a lot required for each dwelling unit and is different than the minimum lot size requirement.

GENERAL EXPLANATION

This amendment would remove the minimum area per family dimensional requirement for lots in zoning districts served by public water and sewer and/or fall within a designated growth area. The districts where changes are proposed include the Bar Harbor Gateway, Village Historic, Mount Desert Street Corridor District, Village Residential, Downtown Village I, Downtown Village II, Downtown Residential, Hulls Cove Business, Hulls Cove Residential Corridor, Hulls Cove Rural, Shoreland General Development I, Shoreland General Development II (Hulls Cove), Shoreland General Development III, and Educational Institution districts.

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LUO Amendment #LUO-2026-04  
**Minimum Area Per Family**  
Town of Bar Harbor

**Amendment to the Land Use Ordinance**  
**Article III**

*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 III. Land Use Activities and Standards**

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**§ 125-17. Bar Harbor Gateway.**

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B. Dimensional standards.

- (1) Minimum lot size: 20,000 square feet with sewers; 40,000 square feet without sewers.
- (2) Minimum road frontage and lot width: 100 feet with sewer; 150 feet elsewhere.
- (3) Minimum front setback: 50 feet on Route 3; 25 feet elsewhere.
- (4) Minimum side setback: 25 feet.
- (5) Minimum rear setback: 25 feet.
- (6) Maximum lot coverage: 50%.
- (7) Maximum height: 40 feet.
- ~~(8) Minimum area per family: 5,000 square feet with sewers; 10,000 square feet without sewers.~~

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**§ 125-18. Village Historic.**

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B. Dimensional standards.

- (1) Minimum lot size: 40,000 square feet.
- (2) Minimum road frontage and lot width: 100 feet with sewers; 150 feet without sewers.
- (3) Minimum front setback: 30 feet.
- (4) Minimum side setback: 25 feet.
- (5) Minimum rear setback: 25 feet.
- (6) Maximum lot coverage: 25%.
- (7) Maximum height: 40 feet.
- ~~(8) Minimum area per family: 40,000 square feet.~~

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**§ 125-19. Mount Desert Street Corridor District.**

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B. Dimensional standards.

- (1) Minimum lot size: 20,000 square feet.
- (2) Minimum road frontage and lot width: 100 feet.
- (3) Minimum front setback: 25 feet.
- (4) Minimum side setback: 25 feet.
- (5) Minimum rear setback: 25 feet.
- (6) Minimum side and rear setback for accessory structures: 10 feet.
- (7) Maximum lot coverage: 35%.
- (8) Maximum height: 40 feet.
- ~~(9) Minimum area per family: 10,000 square feet.~~

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**§ 125-20. Village Residential.**

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B. Dimensional standards.

- (1) Minimum lot size: 10,000 square feet with sewers; 40,000 square feet without sewers.
- (2) Minimum road frontage and lot width: 100 feet.

- (3) Minimum front setback for structures: 20 feet.
- (4) Minimum side setback for principal structures: 10 feet.
- (5) Minimum side setback for accessory, nonresidential structures: five feet.
- (6) Minimum rear setback for principal structures: 10 feet.
- (7) Minimum rear setback for accessory, nonresidential structures: five feet.
- (8) Maximum lot coverage: 50% with sewers; 25% without sewers.
- (9) Maximum height: 40 feet.
- ~~(10) Minimum area per family: 10,000 square feet with sewers; or 20,000 square feet without sewers.~~

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**§ 125-21. Downtown Village I.**

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B. Dimensional standards.

- (1) Minimum lot size: 1,000 square feet.
- (2) Minimum road frontage and lot width: 20 feet.
- (3) Minimum front setback: zero feet.
- (4) Minimum side setback: 25 feet on any side yard that abuts a residential or historic district; zero feet elsewhere.
- (5) Minimum rear setback: 25 feet on any rear yard that abuts a residential or historic district; zero feet elsewhere.
- (6) Maximum allowable lot coverage: 100%, exclusive of setbacks.
- (7) Maximum height: 45 feet and within 15 feet of the front property line, the building height shall be no more than 35 feet. Beyond 15 feet of the front property line, the building may extend to a maximum height of 45 feet. The building shall contain no more than three stories above mean original grade unless the following conditions are met, in which case the building may contain a fourth story above mean original grade:
  - (a) An amount of space equal to the square footage of the floor area that extends above 35 feet is dedicated somewhere in the building for dwelling units only;
  - (b) These dedicated dwelling units shall be rented for periods of no fewer than 90 consecutive days; and
  - (c) The building must provide a minimum number of dwelling units (See Table 3.<sup>2</sup>) which qualify as affordable housing as defined or otherwise provided.

~~(8) Minimum lot area per family: 750 square feet.~~

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**§ 125-21.1. Downtown Village II.**

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B. Dimensional standards.

- (1) Minimum lot size: 1,000 square feet.
- (2) Minimum road frontage and lot width: 20 feet.
- (3) Minimum front setback:
  - (a) Ten feet for buildings up to 30 feet in height.

- (b) Twenty feet for buildings over 30 feet and up to 45 feet in height.
- (c) Ten feet for buildings up to 45 feet in height, provided that the portion of the building above 30 feet in height meets all three of the following conditions:
  - [1] The portion of the building which is above 30 feet in height shall be set back no fewer than 20 feet from the front property line;
  - [2] The dedicated dwelling units shall be rented for periods of no fewer than 90 consecutive days; and
  - [3] The building must provide a minimum number of residential units (See Table 3.<sup>2</sup>) which qualify as affordable housing as defined or as otherwise provided.
- (4) Minimum side setback: zero feet.
- (5) Minimum rear setback: 20 feet for buildings on any yard that abuts a residential district; 10 feet for accessory structures and parking on any yard that abuts a residential district; five feet elsewhere.
- (6) Maximum lot coverage:
  - (a) Ninety percent for buildings up to 30 feet in height.
  - (b) Eighty percent for buildings over 30 feet and up to 35 feet in height.
  - (c) Seventy percent for buildings over 35 feet and up to 45 feet in height.
- (7) Maximum height: 45 feet and: within 15 feet of the front property line, the building height shall be no more than 35 feet. Beyond 15 feet of the front property line, the building may extend to a maximum height of 45 feet. The building shall contain no more than three stories above mean original grade unless the following conditions are met, in which case the building may contain a fourth story above mean original grade:
  - (a) An amount of space equal to the square footage of the floor area that extends above 35 feet is dedicated somewhere in the building for dwelling units only;
  - (b) These dedicated dwelling units shall be rented for periods of no fewer than 90 consecutive days; and
  - (c) The building must provide a minimum number of dwelling units (See Table 3.<sup>3</sup>) which qualify as affordable housing as defined or otherwise provided.
- ~~(8) Minimum lot area per family: 750 square feet.~~

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**§ 125-22. Downtown Residential.**

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**B. Dimensional standards.**

- (1) Minimum lot size: 5,000 square feet.
- (2) Minimum road frontage and lot width: 50 [feet].
- (3) Minimum front setback: 15 [feet].
- (4) Minimum side setback: five [feet].
- (5) Minimum side setback for accessory, nonresidential structures: five [feet].
- (6) Minimum rear setback for principal structures: 15 [feet].
- (7) Minimum rear setback for accessory, nonresidential structures: five [feet].

- (8) Maximum lot coverage: 75%.
- (9) Maximum height: 40 [feet].
- ~~(10) Minimum area per family: 2,500 square feet.<sup>2</sup>~~

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**§ 125-24. Hulls Cove Business.**

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B. Dimensional standards.

- (1) Minimum lot size: 10,000 square feet with sewers; 40,000 square feet without sewers.
- (2) Minimum road frontage and lot width: 100 [feet] with sewers; 150 [feet] without sewers.
- (3) Minimum front setback: 15 [feet].
- (4) Minimum side setback: five [feet].
- (5) Minimum rear setback: 15 [feet].
- (6) Maximum lot coverage: 75%.
- (7) Maximum height: 40 [feet].
- ~~(8) Minimum area per family: 5,000 square feet with sewers; 20,000 square feet without sewers.~~

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**§ 125-26. Hulls Cove Residential Corridor.**

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B. Dimensional standards.

- (1) Minimum lot size: 20,000 square feet with sewers; 40,000 square feet without sewers.
- (2) Minimum road frontage and lot width: 100 [feet] with sewers; 200 [feet] without sewers.
- (3) Minimum front setback: 75 [feet].
- (4) Minimum side setback: 25 [feet].
- (5) Minimum rear setback: 25 [feet].
- (6) Maximum lot coverage: 25%.
- (7) Maximum height: 40 [feet].
- ~~(8) Minimum area per family: 10,000 square feet with sewers; 20,000 square feet without sewers.~~

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**§ 125-27. Hulls Cove Rural.**

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B. Dimensional standards.

- (1) Minimum lot size: 40,000 square feet.
- (2) Minimum road frontage and lot width: 200 [feet].
- (3) Minimum front setback: 75 [feet].
- (4) Minimum side setback: 25 [feet].
- (5) Minimum rear setback: 25 [feet].

- (6) Maximum lot coverage: 25%.
- (7) Maximum height: 40 [feet].
- ~~(8) Minimum area per family: 40,000 square feet; 10,000 square feet with sewers and 20,000 square feet without sewers for a retirement community.~~

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**§ 125-47. Shoreland General Development I.**

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B. Dimensional standards.

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- (1) Minimum lot size: 30,000 square feet per residential dwelling unit in tidal areas and 40,000 square feet per residential dwelling unit in nontidal areas; 60,000 square feet per governmental, institutional, commercial or industrial structure adjacent to nontidal areas; 40,000 square feet for all other uses or structures.
- (2) Minimum road frontage and lot width: 20 [feet] from a point opposite Rodick Street on the northerly side of West Street easterly to the Municipal Pier; 50 [feet] elsewhere.
- (3) Minimum shore frontage: 150 [feet] per residential dwelling unit adjacent to tidal areas; 300 [feet] per governmental, institutional, commercial or industrial structure adjacent to nontidal area; 200 [feet] for all other uses or structures.
- (4) Minimum front setback: zero feet for that part of the district situated on the north side of West Street between the Municipal Pier and the point opposite the center line of Main Street; 15 feet elsewhere.
- (5) Minimum side setback: zero feet.
- (6) Minimum rear setback: zero feet for that part of the district situated on the north side of West Street between the Municipal Pier and the point opposite the center line of Main Street, provided that structures may be built out over the water subject to site plan review and all state and federal regulatory approvals; 15 feet elsewhere, provided that structures may be built out over the water subject to site plan review and all state and federal regulatory approvals.
- (7) Maximum lot coverage: 50% adjacent to tidal areas and rivers which do not flow to great ponds classified GPA; 20% elsewhere.
- (8) Maximum height: 15 [feet] for structures on piers, pilings or wharves west of the Municipal Pier seaward for 90 feet; for structures on piers, pilings or wharves west of the Municipal Pier and more than 90 feet offshore, the maximum height shall be no greater than the grade level of the sidewalk on the shoreward side of West Street, provided that transparent fencing may be installed on a flat roof to a maximum height of four feet above said grade level; 20 [feet] elsewhere.
- ~~(9) Minimum area per family: 30,000 square feet.~~

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**§ 125-49. Shoreland General Development II (Hulls Cove).**

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B. Dimensional standards.

- (1) Minimum lot size: 30,000 square feet per residential dwelling unit in tidal areas and

40,000 square feet per residential dwelling unit in nontidal areas; 60,000 square feet per governmental, institutional, commercial or industrial structure adjacent to nontidal areas; 40,000 square feet for all other uses or structures.

- (2) Minimum road frontage and lot width: 100 [feet] with sewers; 150 [feet] without sewers.
- (3) Minimum shore frontage: 150 [feet] per residential dwelling unit adjacent to tidal areas; 300 [feet] per governmental, institutional, commercial or industrial structure adjacent to nontidal area; 200 [feet] for all other uses or structures.
- (4) Minimum front setback: 75 [feet] from the center of Route 3, and 25 [feet] from the front lot line elsewhere.
- (5) Minimum side setback: five [feet].
- (6) Minimum rear setback: 15 [feet].
- (7) Maximum lot coverage: 70% adjacent to tidal areas and rivers which do not flow to great ponds classified GPA; 20% elsewhere.
- (8) Maximum height: 40 [feet].
- (9) ~~Minimum area per family: 30,000 square feet.~~

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### **§ 125-49.1. Shoreland General Development III.**

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#### **B. Dimensional standards.**

- (1) Minimum lot size: 30,000 square feet per residential dwelling unit in tidal areas and 40,000 square feet per residential dwelling unit in nontidal areas with sewer; 60,000 square feet per governmental, institutional, commercial or industrial structure adjacent to nontidal areas; 40,000 square feet for all other uses or structures without sewer.
- (2) Minimum road frontage and lot width: 100 feet with sewers; 150 feet without sewers.
- (3) Minimum shore frontage: 150 feet for residential use or dwelling unit adjacent to tidal areas; 300 feet per governmental, institutional, commercial or industrial structure adjacent to nontidal area; 200 feet for each other use, dwelling unit or structure for all other uses or structures.
- (4) Minimum front setback: 100 feet from the center of Route 3, and 75 feet from the front lot line elsewhere.
- (5) Minimum side setback: 25 feet.
- (6) Minimum rear setback: 25 feet.
- (7) Maximum lot coverage: 25%.
- (8) Maximum height: 35 feet.
- (9) ~~Minimum area per family: 30,000 square feet on sewers; 40,000 square feet without sewers.~~

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### **§ 125-51.1. Educational Institution.**

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#### **B. Dimensional standards.**

- (1) Minimum lot size: 40,000 square feet.
- (2) Minimum road frontage and lot width: 100 feet.

- (3) Minimum shore frontage: 150 feet per dwelling unit adjacent to tidal areas; 200 feet for all other uses and structures, excluding functionally water-dependent structures.
- (4) Minimum front setback: 25 feet.
- (5) Minimum side setback: 25 feet.
- (6) Setback from district boundary line: 25 feet; 110 feet along the eastern boundary of the district; 200 feet along the eastern boundary of the district for student housing, as defined.
- (7) Minimum setback from Shoreline: zero for functionally water-dependent uses; 75 feet for all other uses.
- (8) Maximum lot coverage: 30%.
- (9) Maximum height: 40 feet.
- ~~(10) Minimum area per family: 20,000 square feet.~~

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[End of ordinance]