

Sanford Springvale

Your future is here

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PLANNING & DEVELOPMENT

Overview of LD 2003

LD 2003, also known as “An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions,” was signed into law by Maine’s Governor Mills on April 27, 2022. The law is designed to remove unnecessary regulatory barriers to housing production in Maine, while still allowing communities to create land use plans and protect environmental resources. The new law dictates certain regulations that municipalities must implement to allow an increase of residential dwellings in communities with designated growth areas and/or available sewer and water utilities. After much debate in the House of Representatives, these elements of LD 2003 are required to be in effect by January 1, 2024.

How This Applies to Sanford

- Certain elements of Sanford’s Code of Ordinances were already aligned with the new legislation of LD 2003, others require updates.
- The designated growth area of Sanford’s Comprehensive Plan, shown on the following page, encompasses a large area of the community, reaching approximately 0.5-1 mile on either side of Main Street.
- Sanford’s current **Single Family Residential** zone lies primarily within the designated growth area. LD 2003 requires up to four dwelling units be allowed per lot within this area, although some restrictions still apply. These new regulations largely align with Sanford’s existing Residential Development zone; therefore, City staff and the Planning Board have proposed a combination of these two zones into one.
- To promote attainable housing, LD 2003 now allows developers to apply for an **Affordable Housing Density Bonus** which will allow builders up to 2.5 times the base density allowed in the underlying zone.
- While Sanford already allows **Accessory Dwelling Units (ADUs)** some new regulations will cause an update to this section of code. LD 2003 now allows lots within the growth area up to two ADUs and removes the parking requirements. City staff and the Planning Board have also recommended new size limits and to allow owners of small multifamily buildings to have ADUs. One unit on site must still be owner occupied.

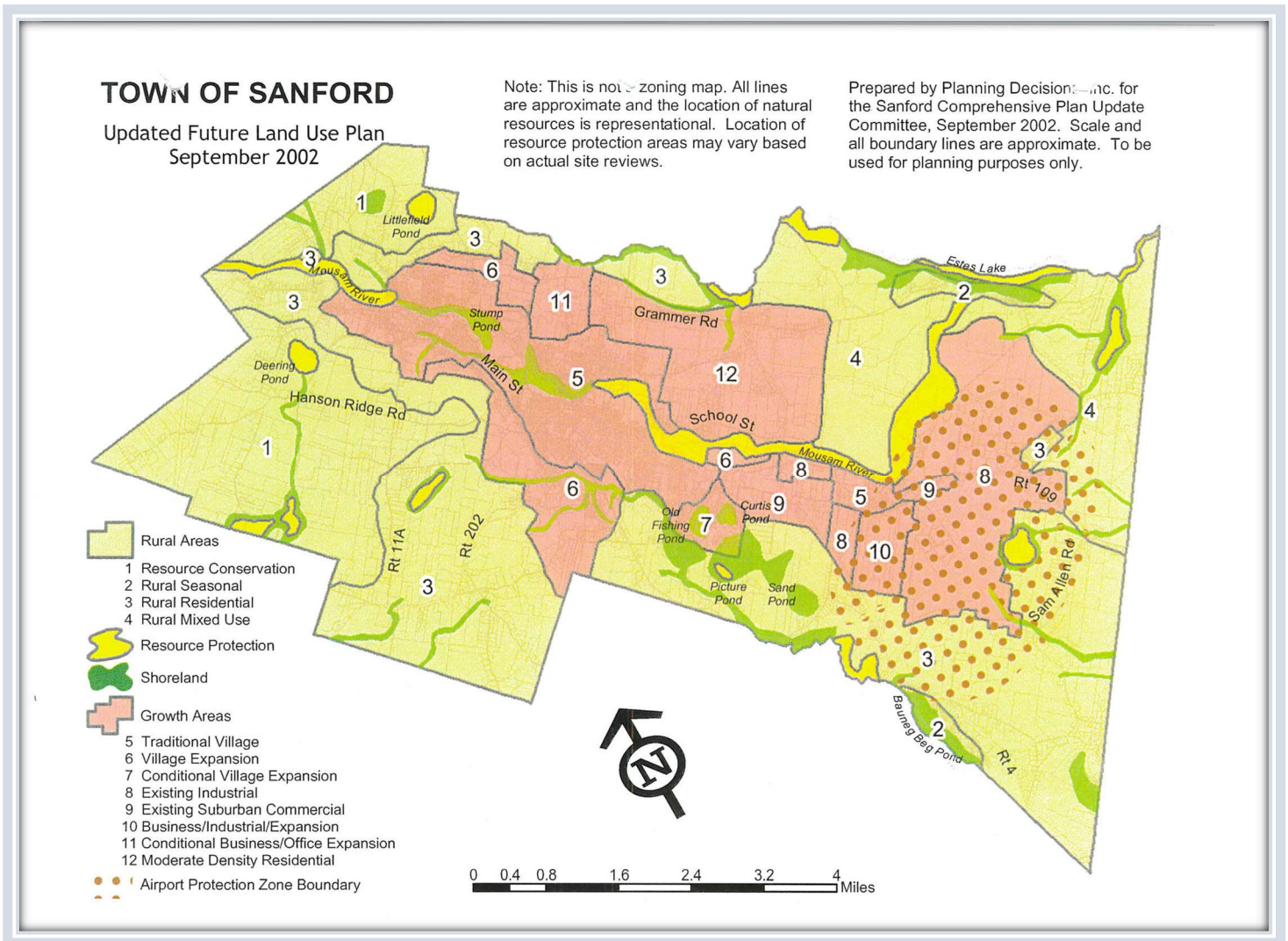
Goals of LD 2003

- Meet statewide housing production goals
- Remove unnecessary regulatory barriers to housing production
- Preserve local ability to create land use plans
- Preserve sensitive environmental resources

LD 2003 in Brief

- Allow 4 dwelling units per lot within a growth zone and 2 dwelling units per lot outside of a growth zone, in areas where housing is permitted.
- Allow 2.5 times the residential density if a development is Affordable, in areas where multifamily dwellings are permitted.
- Allow accessory dwelling unit(s) on any lot where single family housing is permitted.

LD 2003 Fact Sheet



Designated Growth Area

Sanford's designated growth area, shown above, was included in the 2002 Comprehensive Plan. This plan was amended in 2005 and is still Sanford's current comprehensive plan by which to base zoning recommendations and land use policies in the city. The Planning & Development Department is beginning the process to update the Comprehensive Plan with current findings and new goals for the future. Stay tuned for more information about this endeavor.

The map above is not Sanford's Zoning Map, which can be found online at sanfordmaine.org; however, the designated growth area does overlap with a portion of every zone in Sanford. Moving forward, the underlying zone will continue to use dimensional requirements (lot size, setback, density, etc.) to regulate development. This means that the changes put forth by LD 2003 will affect change across multiple zones but in different ways. In areas that allow residential within the growth area, up to four dwelling units will be allowed. In residential areas outside the growth area, up to two dwelling units will be allowed. The dimensional requirements for those dwelling units are determined by the underlying zone and will mean that not every parcel can actually build two or four dwelling units, based on size restrictions.

LD 2003 Fact Sheet

Frequently Asked Questions

I like Sanford how it is. Why do we need to change anything?

You're not alone, communities across Maine are grappling with these new requirements. But times change, and so do laws. In order to be in compliance with the new statewide law, Sanford will need to update its own laws and regulations. This is something we do regularly anyways and we thank you for taking an interest.

Does this mean my neighbor will build an apartment building next door?

LD 2003 is not really a one-size-fits-all kind of law. Depending on what zone you and your neighbor live in, it's possible more dwelling units could be added nearby. Your neighborhood may allow two or four dwelling units now where it used to only allow one; however, all the other rules will still apply. New dwelling units will still have density and height limitations, as well as minimum setbacks and lot size requirements to abide by. This means new buildings won't be any closer to neighbors than is already allowed, but you may still see a few more neighbors in the area.

What do you mean by dwelling unit?

A dwelling unit could be a single family house or an apartment. Some small multifamily buildings are referred to by the number of dwelling units within. For example, a duplex is just two dwelling units, a quadplex is four dwelling units. From the outside, these small multifamily buildings can often look just like a single family home and blend well with an established single family neighborhood.

Ok, but what's an "accessory" dwelling unit?

Accessory Dwelling Units, also known as ADUs, are apartments or homes that are secondary to an existing single family home or small multifamily building. These are sometimes referred to as "in-law apartments" and can be attached or detached from the primary building. For example, a homeowner could build an addition onto their home or convert a basement or garage into an apartment, either for a family member to live in or to rent out. While Sanford has allowed ADUs for a number of years, they were previously limited to one per parcel. LD 2003 now allows residential buildings in a growth area to have up to two ADUs, one attached and one detached.

House prices have skyrocketed recently. What does "Affordable Housing" even mean?

It's true, housing has become more expensive overall. The term Affordable Housing relates to specific income thresholds for residents as set by the U.S. Department of Housing & Urban Development (HUD). For rentals, a household with an income of no more than 80% of the Area Median Income for the community must be able to afford more than half of the units in an affordable housing development. For homeownership projects, the household income limit is 120% of the Area Median Income. These Affordable Housing projects may be eligible for funding from HUD to help subsidize the cost of construction; however, this is not Section 8 housing.

What is Sanford's Area Median Income?

Area Median Income (AMI) is the midpoint of all incomes in a given area as determined by the U.S. Department of Housing & Development (HUD). The state's HUD chapter, Maine Housing, publishes AMI reports annually based on county and family size. You can find these reports at MaineHousing.org; Sanford is located in York County.

Have more questions? Reach out to the Planning Department at (207)324-9150 for more information.