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To: Planning Board
From: Erin Zwirko, Director of Planning & Development
CC: Town Council and Nat Tupper, Town Manager
Re: LD 2003 Implementation and Planning Board Review Schedule
Date: March 15, 2023

Introduction

As you are aware by now, LD 2003, officially *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 last year with an effective date on July 1, 2023, for implementation of the new zoning provisions.

The legislation creates four new elements:

- Creation of statewide housing production goals and regional housing production goals;
- Provisions for affordable housing density;
- Provisions for dwelling unit allowances; and
- Provisions for accessory dwelling units (ADU).

Of the four items, the Town will be responsible for implementing all of the provisions except for the creation of statewide and regional housing production goals.

The Department of Economic and Community Development is directed to oversee the law, and began the rulemaking process earlier this year. The draft rule was released on February 8, 2023, and the deadline for comments was on March 13, 2023. [The draft rule is available on DECD's website \(note that this link downloads a Word document\).](#) It is anticipated that the final rule may be released sometime in May.

[DECD previously released a guidance document that is very helpful in explaining the provisions that need to be locally implemented.](#)

Review Schedule

The Department of Planning & Development is planning two information sessions and four session with the Planning Board as follows:

- **Informational Session:** March 29, 2023, 7 PM at the Yarmouth History Center, 118 East Elm Street. The purpose of this meeting will provide an overview of what LD 2003 is and what the provisions require. The Department staff will be on hand to answer questions about the legislation.

"Our Latchstring Always Out"

- **Planning Board Meeting 1:** April 12, 2023, 7 PM at the Log Cabin, 196 Main Street. The Department staff will provide an overview of LD 2003 and what the provisions require, as well as jumping into the implementation of the ADU provisions. Our ADU ordinance is in good shape but will require some tweaks to make it compliant, which will be presented. Public comment would be received.
- **Planning Board Meeting 2:** April 26, 2023, 7 PM at the Log Cabin, 196 Main Street. The Department staff will review the implementation of the affordable housing density provisions and present proposed ordinance changes. Public comment would be received.
- **Planning Board Meeting 3:** May 10, 2023, 7 PM at the Log Cabin, 196 Main Street. The Department staff will review the implementation of the dwelling unit allowances and present proposed ordinance changes. Public comment would be received.
- **Listening Session:** May 15, 2023, 7 PM at the Town Hall Community Room, 200 Main Street. The purpose of this meeting is to recap the proposals in front of the Planning Board and receive community feedback. We will make this a hybrid meeting.
- **Planning Board Meeting 4:** May 24, 2023, 7 PM at the Log Cabin, 196 Main Street. The Department staff will review the three main provisions and the recommendation for implementation. The Planning Board may choose to vote or offer additional revisions. Public comment would be received.
- **Optional Planning Board Meeting 5:** June 14, 2023, 7 PM at the Log Cabin, 196 Main Street. We will hold this date if the Planning Board feels more time is needed.

Following completion of this process, the recommendation would be forwarded to the Town Council for action. We recognize that the timeline is tight leading up to July 1, 2023. There appears that there is no penalty in the law or the rule, and by making strides in implementation, the Town may be able to insulate itself from any challenges. It is also noted that there may changes as a result of the rulemaking process.

I'm happy to answer any questions from the Board at the upcoming meeting. I am also available for one-on-one meetings with any Board member.