

# AG 19-69

Date: \_\_\_\_\_

Application number: \_\_\_\_\_

## Accessory Dwelling Unit Residential Growth Permit Application Falmouth, Maine

I hereby apply for a residential Growth Permit for the construction of an accessory dwelling unit in accordance with Section 19-69 of the Falmouth Code of Ordinances. I certify that I am the owner of the property described below and that the information provided in this application is true and correct to the best of my knowledge.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

1. Name and Mailing address of applicant: \_\_\_\_\_  
\_\_\_\_\_

2. Location for Growth Permit requested<sup>1</sup>: Map \_\_\_\_\_ Lot \_\_\_\_\_

3. Evidence of ownership – Attach a copy of deed or proposed deed and Purchase & Sale agreement:  
Book & Page Number: \_\_\_\_\_ Date of Filing: \_\_\_\_\_

4. Description of building: General Style: \_\_\_\_\_  
Height of building: \_\_\_\_\_ feet  
Area of the Footprint: \_\_\_\_\_ square feet  
Gross Floor Area: \_\_\_\_\_ square feet

5. Attach completed building permit application, including plot plan and 2 sets of plans.

Building Permit number: \_\_\_\_\_ (to be completed by Code Office).

Application received by Administrative Assistant: \_\_\_\_\_ date: \_\_\_\_\_

Application approved by CEO: \_\_\_\_\_ date: \_\_\_\_\_

<sup>1</sup> The Growth Permit covered by this application will be issued only for the lot identified above. The application and/or resulting Growth Permit may not be transferred to another lot (19-69, h)



**Sec. 19-69 Rate of Residential Growth [Adopted 7/24/00] [Amended 4/28/03; 5/24/04; 12/19/06; 5/13/13; 7/11/16]**

- a. Applicability** - A development permit is required for the construction of new dwelling units as required below.
- b. Legal authority** - This section is adopted pursuant to Home Rule Powers as provided for in Article VIII-A of the Maine Constitution and 30-A M.R.S.A. §2101 et seq., and as provided for in Title 30-A M.R.S.A. §4360.
- c. Purpose** - The purpose of this section is to:
  - 1. Provide for the local housing needs of the Towns existing residents;
  - 2. Plan for continued residential population growth of the Town at a rate that is compatible with the orderly and gradual expansion of community services, including education, fire and police protection, road maintenance, waste disposal, health services, etc.;
  - 3. Avoid a situation in which the rapid completion of major subdivisions, housing many families with school-age children, could outstrip the towns capability to expand its schools and other services soon enough to avoid serious overcrowding; and
  - 4. Ensure fairness in the allocation of building permits.
- d. Exemption** – The following are exempt from the provisions of this section:
  - 1. The repair, replacement, reconstruction or alteration of any existing residential building or structure;
  - 2. The repair, replacement, reconstruction, construction or alteration of a nonresidential building or structure;
  - 3. The repair, replacement, reconstruction, construction or alteration of congregate housing, elderly boarding homes, and housing units located in a RCOD;
  - 4. The repair, replacement, reconstruction, construction or alteration of any dwelling unit meeting the definition of affordable housing; and
  - 5. The repair, replacement, reconstruction, construction or alteration of any dwelling unit in the VC Districts.
- e. Maximum rate of residential growth.**
  - 1. Town Wide Growth Cap.** The maximum number of development permits issued in any calendar year shall be limited in the manner prescribed below. For the calendar year 2016, the number of permits shall be half of the total listed, with odd numbers being rounded up to the next whole number.
    - a. No more than 65 development permits total for new single family detached dwelling units, two-family dwelling units and manufactured housing units combined.
    - b. No more than 24 development permits for new multi family dwellings.
    - c. No more than 20 development permits for new accessory dwelling units.



**2. Growth Cap applicable to F (Farm and Forest) and HL (Highland Lake) Districts Only.**

The maximum number of growth permits issued in any calendar year shall be limited in the manner prescribed below. For the calendar year 2016, the number of permits shall be half of the total listed.

- a. No more than 26 development permits total for new single family detached dwelling units, two-family dwellings and manufactured housing units combined.
  - b. No more than 8 growth permits for new accessory dwelling units.
- f. **Periodic review.** This section shall be reviewed by the Town Council periodically (but not less frequently than once every three years), to ensure that the annual maximum growth rate has not become inconsistent with the Town's capital improvement capability to establish or enlarge needed public facilities and services, and to be in compliance with Title 30-A M.R.S.A §4360.
- g. **Issuance procedure** - Development permits shall be issued in conjunction with a building permit.
- h. **Transferability** - A development permit shall only be valid for construction of the associated dwelling unit at the time the permit is issued. The development permit may be transferred to new owners of the unit if conveyed.