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## **An Act To Change the Impact of the Rate of Growth Ordinance Limit on the Town of York**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 30-A MRS §4360, sub-§3**, as enacted by PL 2005, c. 597, §3 and affected by §4, is amended to read:

**3. Ordinance requirements.** A municipality may adopt a rate of growth ordinance only if:

A. The ordinance is consistent with section 4314, subsection 3;

B. The ordinance sets the number of building or development permits, not including permits for affordable housing, at 105% or more of the mean number of permits issued within the municipality during the 10 years immediately prior to the year in which the number is calculated. The mean is determined by adding together the total number of permits issued for each year in the prior 10 years and then dividing by 10;

C. In addition to the permits established pursuant to paragraph B, the ordinance sets the number of building or development permits for affordable housing at no less than 10% of the number of permits set in the ordinance pursuant to paragraph B; and

D. The number of building or development permits allowed under the ordinance is recalculated every 3 years.

The term "mean number of permits" in paragraph B includes the mean number of permits that were issued to the general public under the residential growth ordinance of the Town of York, as amended May 20, 2006, and does not include any of the permits that were issued pursuant to an exemption under Section 6 of the residential growth ordinance of the Town of York, as amended May 20, 2006, or that were not characterized as growth permits.

### **SUMMARY**

This bill provides that the building permit limit in the Town of York is calculated by using the number of permits issued to the general public and not including the number of permits issued pursuant to certain exemptions to the residential growth ordinance of the Town of York.