



ORDINANCE COMMITTEE MEMO

DATE: April 7, 2026

TO: Council Ordinance Committee

THROUGH: Bob Burns, Town Manager

FROM: Steve Puleo, Director of Planning

Cc: Amanda Lessard, Assistant Town Manager

RE: #26-01: Chapter 120 LUO Update on Amendments Affecting Municipal Implementation of LD 1829

Ordinance Council Meeting – April 15, 2026

OVERVIEW

This memorandum provides an update on the results of amendments to LD 2173, which serves as a technical corrections and clarification bill to LD 1829, Maine's 2023 housing legislation. The amendments primarily affect municipal responsibilities for adopting ordinance changes required under LD 1829, including timelines, procedural clarity, and implementation mechanics. As amended by the Joint Standing Committee on Housing and Economic Development, LD 2173 clarifies statutory language, adjusts implementation dates, and resolves operational issues identified by municipalities since LD 1829 took effect.

A possible key outcome of the committee amendments is that most required local ordinance amendments would not take effect until July 1, 2027, but we will not know for sure until the floor vote. This later implementation date provides additional time for local review, drafting, and adoption.

Staff has incorporated revisions recommended by the Town Attorney, based on his legal review of both LD 1829 and the proposed amendments in LD 2173, to ensure consistency with state law, minimize legal risk, and clarify administrative responsibilities. In addition, staff has adjusted the Town's internal implementation schedule by approximately one year to allow adequate time to begin and complete the ordinance adoption process in advance of the July 1, 2027 implementation date.

PURPOSE

As noted last committee meeting, the new law requires the Windham to amend the following LUO Articles [1](#), [3](#), [4](#), [5](#), [8](#), & [9](#).

The amendments will:

- Define accessory dwelling unit (ADU) allowances.
- Incorporate state minimum density and minimum lot size standards.
- Set limits on dimensional standards for multi-unit housing.
- Exempt structures with four (4) or fewer dwelling units and ADUs from Planning Board review when review would otherwise be based solely on unit count.

- Adopt affordable housing incentives.
- Update parking maximums and provisions for off-site parking.
- Revise the definition of subdivision; and
- Allow residential use in applicable commercial districts within the Designated Growth Area (DGA).

SCHEDULE

STATE MANDATED ORDINANCE CHANGES																																							
#26-01 Chapter 385 Public Law - Act for Maine Families by Amending the Laws governing Housing Density • Legislation introduced broad changes to State law affecting housing density, minimum lot sizes, development standards (especially in Growth Areas), municipal authority, subdivision definitions, and mandatory training for municipal officials.				Project Start: January 1, 2026																																			
				Task	Status	Start Date	End Date	Jan-26	Jan-26	Feb-26	Feb-26	Mar-26	Mar-26	Apr-26	Apr-26	May-26	May-26	Jun-26	Jun-26	Jul-26	Jul-26	Aug-26	Aug-26	Sep-26	Sep-26	Oct-26	Oct-26	Nov-26	Nov-26	Dec-26	Dec-26	Jan-27	Jan-27	Feb-27	Feb-27	Mar-27	Mar-27	Apr-27	Apr-27
STAFF REVIEW LUO Amendments review	DISCUSSION	1/2/26	1/27/26	X																																			
ORDINANCE COMMITTEE Review proposed changes	DISCUSSION	1/28/26	2/18/26		X	X																																	
STAFF REVIEW w/ ATTORNEY	ORDINANCE DISCUSSION	2/19/26	3/20/27				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
ORDINANCE COMMITTEE	REFER TO PLANNING BOARD	1/20/27	2/1/27																																		X		
PLANNING BOARD	PUBLIC HEARING	2/1/27	2/11/27																																		X		
TOWN COUNCIL	DISCUSSION	2/11/27	3/9/27																																		X		
TOWN COUNCIL	PUBLIC HEARING	3/10/27	3/13/27																																		X		
Agenda Period	ADOPTION	3/24/27	4/13/27																																		X	X	X

NEXT STEPS

Planning staff will continue to monitor final legislative action on LD 2173, including any floor amendments that may affect municipal responsibilities or timelines. Following final enactment, staff will prepare a detailed ordinance amendment framework consistent with state requirements and the Town Attorney’s guidance. Draft ordinance changes will be scheduled for review by the Planning Board and municipal officers, with a target of initiating the formal adoption process during the 2026–2027 legislative cycle to ensure compliance prior to the July 1, 2027 effective date.