

# MAINE STATE LEGISLATURE

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L.D. 1809

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No.H-627)  
110TH LEGISLATURE  
SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 1827, L.D. 1809, Bill,  
"AN ACT to Permit Municipalities to Adopt Contract Zoning  
under the Maine Zoning Laws."

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Amend the Bill by striking out all of section 2 and  
inserting in its place the following:

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Sec. 2. 30 MRSA §4962, sub-§1, ¶1 is enacted to read:

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1. Any zoning ordinance may include provisions for conditional or contract zoning. For the purposes of this subchapter, "conditional zoning" means the process by which the municipal legislative body may rezone property to permit the use of that property subject to conditions not generally applicable to other properties similarly zoned. "Contract zoning" means the process by which the property owner, in consideration of the rezoning of his property, agrees to the imposition of certain conditions or restrictions not imposed on other similarly zoned properties. All rezoning under this paragraph shall:

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(1) Be consistent with the municipal comprehensive plan;

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(2) Establish rezoned areas which are consistent with the existing and permitted uses within the original zones; and

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(3) Only include conditions and restrictions which relate to the physical development or operation of the property.

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The municipal reviewing authority, as defined in section 4956, subsection 2, shall conduct a public hearing prior to any property being rezoned under this paragraph. Notice of this hearing shall be posted in the municipal office at least 14 days prior to the

1 COMMITTEE AMENDMENT "A" to H.P. 1827, L.D. 1809

2 public hearing and shall be published in a newspaper of  
3 general circulation within the municipality at least 2  
4 times, the date of the first publication to be at least  
5 7 days prior to the hearing. Notice shall also be sent  
6 to the owners of all property abutting the property to  
7 be rezoned at their last known address. This notice  
8 shall contain a copy of the proposed conditions and re-  
9 strictions, with a map indicating the property to be  
10 rezoned.

11 STATEMENT OF FACT

12 This amendment establishes restrictions on the use of  
13 contract and conditional zoning to preserve the integrity of  
14 existing neighborhoods and the zoning process. The amend-  
15 ment requires this rezoning to be consistent with the exist-  
16 ing and permitted uses in the original zone. The amendment  
17 also establishes procedural steps to insure that no area is  
18 rezoned without adequate input from other property owners in  
19 areas that may be affected.

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5052030282

Reported by the Committee on Energy & Natural Resources.  
Reproduced and distributed under the direction of the Clerk  
of the House.

3/4/82

(Filing No. H-627)