

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 216

6
7 S.P. 85

In Senate, January 18, 1983

8 Received by the Secretary of the Senate on January 18, 1983. Referred to
9 the Committee on Energy and Natural Resources, and ordered printed
10 pursuant to Joint Rule 14.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Twitchell of Oxford.
11

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Limiting all Dimensional Require-
18 ments in Land Use Control Ordinances and
19 Regulations to those Necessary to Protect
20 the Public's Health and Safety.
21

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

24 30 MRSA §4962-B is enacted to read:

25 §4962-B. Limitation on application of dimensional
26 requirements

27 Notwithstanding the provisions of any charter,
28 planning or land use control enabling legislation or
29 the "home rule" powers of individual towns, dimen-
30 sional requirements, including, but not limited to,
31 lot size requirements, frontage and setback require-
32 ments, height limitations, minimum width or floor
33 space requirements, room size and bedroom number re-

1 quirements, shall not be applied to any legally
2 permissible housing alternative in excess of that
3 which is actually necessary to protect the public's
4 health and safety. In any zoning district which is
5 more than 50% developed prior to the effective date
6 of this section, more stringent dimensional require-
7 ments, in keeping with, but not exceeding then exist-
8 ing development patterns, may be imposed on new hous-
9 ing developments and types.

10 STATEMENT OF FACT

11 This bill prohibits dimensional requirement in
12 land use control ordinances and regulations which are
13 not necessary to protect the public's health and
14 safety.

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