

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 916

6
7 S.P. 302

In Senate, February 28, 1983

8 Referred to the Committee on Energy and Natural Resources. Sent down
9 for concurrence and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator McBreairty of Aroostook.

Cosponsor: Representative Vose of Eastport.

11
12 STATE OF MAINE
13

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

17 AN ACT Relating to Authority of the Land
18 Use Regulation Commission over Organized
19 Municipalities.
20

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

23 12 MRSA §685-A, sub-§4, as amended by PL 1979, c.
24 497, §2, is further amended to read:

25 4. Land use standards considered as minimum re-
26 quirements. Land use standards shall be interpreted
27 and applied by the commission as minimum require-
28 ments, adopted to reasonably and effectively promote
29 health, safety and general welfare and insure compli-
30 ance with state plans and policies.

31 Whenever the requirements of the adopted land use
32 standards are at variance with the requirements of
33 any other lawfully adopted rules, regulations, stan-

1 dards, ordinances, deed restrictions or covenants,
2 the more protective of existing natural, recreation
3 and historic resources shall govern.

4 Any portion of a land use district which subsequently
5 becomes an organized municipality or part of an
6 organized municipality or any plantation which adopts
7 planning, zoning and subdivision control as provided
8 in Title 30, section 5621, shall ~~continue to no~~
9 ~~longer~~ be regulated by the Land Use Regulation Com-
10 mission pursuant to this chapter until such time as
11 the municipality or plantation of which the regulated
12 district is then a part, shall adopt land use plans
13 and regulations not less protective of the existing
14 natural, recreational or historic resources than
15 those adopted by the commission. For a time period
16 of 4 years after initial commission approval of these
17 plans and regulations, any revisions or amendments to
18 the adopted plan and regulation that are less protec-
19 tive than those in the adopted plan shall be submit-
20 ted to the Land Use Regulation Commission for
21 approval.

22 Any municipality organized after September 23, 1971,
23 or any plantation which adopts planning, zoning and
24 subdivision control as provided in Title 30, section
25 5621, may submit to the commission and receive the
26 approval of the commission of the following:

27 A- A comprehensive land use plan for such
28 plantation or proposed city or town;

29 B- Standards for determining land use district
30 boundaries and uses permitted within such dis-
31 tricts in such plantation or proposed city or
32 town;

33 C- A land use district boundary map for such
34 plantation or proposed city or town;

35 D- Such other proposed regulations or standards
36 as the commission deems to be necessary to
37 achieve the purpose, intent and provisions of
38 this chapter; and

39 E- Upon request of the municipality or
40 plantation, the commission shall prepare such

1 plans, maps, regulations and standards as it may
2 deem necessary to meet minimum planning and
3 zoning standards for its approval thereof.

4 Upon obtaining the foregoing approval, the
5 plantation, city or town shall thereafter adopt, ad-
6 minister and enforce such approved plans, maps, regu-
7 lations and standards.

8 STATEMENT OF FACT

9 This bill removes municipalities and plantations
10 from Land Use Regulation Commission jurisdiction when
11 they organize.

12 1993021983