

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1014

H.P. 709

House of Representatives, March 11, 1991

Received by the Clerk of the House on March 7, 1991. Referred to the Committee on Energy and Natural Resources and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

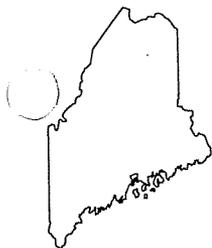
Presented by Representative LORD of Waterboro.

Cosponsored by Senator LUDWIG of Aroostook and Representative GOULD of Greenville.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Amend the Shoreland Zoning Laws.



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

4 38 MRSA §438-A, sub-§1-A is enacted to read:

6 1-A. Minimum guidelines; limitations. The minimum
8 guidelines adopted under subsection 1 may not require a
10 municipality, in adopting an ordinance, to:

12 A. Treat, as expansions of a nonconforming use, increases
14 in hours of operation, days of operation or seasons of
16 operation of the nonconforming use;

18 B. Restrict the availability of variances, as provided
20 under Title 30-A, section 4353, except as necessary to
22 implement subsection 6; and

24 C. Treat as a single lot 2 or more contiguous lots that do
26 not meet the area or dimensional requirements of a municipal
28 ordinance adopted under this article if:

30 (1) The lots are shown on a recorded subdivision plat
32 approved by the appropriate municipal officials after
34 September 22, 1971; and

36 (2) The lots are in single or joint ownership on the
38 effective date of the municipal ordinance or amendment
to the ordinance.

30 STATEMENT OF FACT

32 This bill provides that the Board of Environmental
34 Protection's minimum guidelines for shoreland zoning ordinances
36 may not compel municipalities to adopt certain restrictive
38 provisions concerning nonconforming lots, nonconforming uses and
zoning variances. Each local government would be able to
determine whether such measures are appropriate to the shoreland
areas under its jurisdiction.