

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

---

Legislative Document

No. 54

---

H.P. 29

House of Representatives, January 4, 2023

### **An Act to Require Compliance with Natural or Agricultural Resource Protection Ordinances**

---

Reference to the Committee on Labor and Housing suggested and ordered printed.

  
ROBERT B. HUNT  
Clerk

Presented by Representative LEE of Auburn.  
Cosponsored by Senator ROTUNDO of Androscoggin and  
Representatives: CLOUTIER of Lewiston, CRAVEN of Lewiston, SHAW of Auburn.

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

2 **Sec. 1. 30-A MRSA §4364-A, sub-§1**, as enacted by PL 2021, c. 672, §5, is  
3 amended to read:

4 **1. Use allowed.** ~~Notwithstanding any provision of law to the contrary, except~~ Except  
5 as provided in Title 12, chapter 423-A, for any area in which housing is allowed, a  
6 municipality shall allow structures with up to 2 dwelling units per lot if that lot does not  
7 contain an existing dwelling unit, except that a municipality shall allow up to 4 dwelling  
8 units per lot if that lot does not contain an existing dwelling unit and the lot is located in a  
9 designated growth area within a municipality consistent with section 4349-A, subsection  
10 1, paragraph A or B or if the lot is served by a public, special district or other centrally  
11 managed water system and a public, special district or other comparable sewer system in a  
12 municipality without a comprehensive plan.

13 A municipality shall allow on a lot with one existing dwelling unit the addition of up to 2  
14 dwelling units: one additional dwelling unit within or attached to an existing structure or  
15 one additional detached dwelling unit, or one of each.

16 A municipality may allow more units than the number required to be allowed by this  
17 subsection.

18 **Sec. 2. 30-A MRSA §4364-A, sub-§6-A** is enacted to read:

19 **6-A. Natural or agricultural resource protection ordinances.** A housing structure  
20 built after October 1, 2023 must comply with the requirements of a municipal ordinance  
21 designed to protect natural or agricultural resources that was adopted before April 27, 2022.

22 **SUMMARY**

23 This bill requires that a housing structure required to be allowed under municipal  
24 zoning ordinances and built after October 1, 2023 comply with municipal ordinances  
25 designed to protect natural and agricultural resources adopted before April 27, 2022.