

DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY  
**MAINE LAND USE PLANNING COMMISSION**

**Proposed Rule Revisions: 2023 Chapter 2 and Chapter 10  
Miscellaneous Revisions**

*March 1, 2023 – Proposed Revisions*

The following amendments propose changes to Chapter 2, Definitions; and Chapter 10, Land Use Districts and Standards for Areas within the Jurisdiction of the Maine Land Use Planning Commission. This document only includes relevant sections of each rule and indicates additions in underline, deletions with a ~~striketrough~~, and relocated text in double underline and double ~~striketrough~~. Most revisions are self-evident. Where necessary, further explanations of some changes have been included in [brackets]. These explanatory notes would not be included in the final rule.

## Summary of Proposed Revisions

- Response to recent changes in Maine Law:
  - [Public Law 2021 Chapter 669](#) adjusted the use of the term “marijuana” to instead use the term “cannabis.” While not required of the Commission, the revisions herein would concur with the statutory change. *[See Sections 10.21,D (D-GN2); 10.26,D,3 (Dimensional Requirements); 10.27,J,2 (Signs); 10.27,N (home-based businesses); and 10.27,S,4 (Commercial Businesses)]*
  - [Public Law 2021 Chapter 590](#), Section A-2 repealed and replaced 12 M.R.S. Section 685-B(4)(C). The Commission includes that portion of statute in Chapter 10 for user convenience. Revisions herein would update Section 10.24 to match statutory provisions. *[See Section 10.24]*
  - [Private & Special Law 2019 Chapter 13](#) approved the deorganization of Magalloway Plantation into Magalloway Township. *[See Notes about prospectively zoned areas; Section 10.08,D; Section 10.27,G (Recreational Gold Prospecting); Appendix C; and Appendix D.]*
  - [Public Law 2017 Chapter 403](#) approved the deorganization of Cary Plantation into Cary Township. Note that this name change will not affect the reference to Cary Plantation in Appendix E, as that instance reflects the reference to official FEMA documents. *[See Sections 10.21,J (D-RB)]*
  - [Private & Special Law 2017 Chapter 2](#) changed the name of T17 R 4 WELS to Sinclair Township. Note that this name change will not affect the reference to T17 R4 WELS in Appendix E, as that instance reflects the reference to official FEMA documents. *[See Section 10.21,J (D-RB); Section 10.27,G (Recreational Gold Prospecting); and Appendix C]*
  - [Private & Special Law 2016 Chapter 17](#) approved the deorganization of Oxbow Plantation into Oxbow North Township. *[See Section 10.21,J (D-RB); Section 10.27,G (Recreational Gold Prospecting)]*

*Revisions proposed herein respond to each of these changes in Maine Law.*

- Remove the automatic requirement that a hearing be held for all zoning petitions involving a D-PD subdistrict. Note that this revision would not affect when a hearing may be requested or the statutory requirements when a hearing must be held.
- Addition of parking space requirements to Section 10.25,D, including compliance with Title 29-A, Ch 19, Subchapter 1, §2068,B,(2) and the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- Assorted clerical edits, such as:
  - Clarifications regarding references to ‘shorelines’ for dimensional requirements.
  - Reorganization of dimensional requirements for minimum shoreline frontage and minimum road frontage to match other portions of Section 10.26.
  - Correction of several omissions or typographical errors resulting from recent revisions to Chapter 10. Examples include but are not limited to: references to rule sections, and the standardization of certain use listings.

## Chapter 2 – Definitions

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14. **Area of Special Flood Hazard:** See Flood, Area of Special Flood Hazard, ~~Area of Special~~.

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[Revision Note: Pursuant to the adopted basis statement for the Citizens' Petition for rulemaking regarding cannabis businesses in the D-GN2 (March 29, 2022 version of Chapter 10), the following clarifies which factors are considered when contemplating the compatibility of a use. Specifically, this edit provides a nonexclusive list of factors that are expected to be insightful to future assessments aimed at determining compatibility.]

48. **Compatible Use:**

A land use which is capable of existing in harmony with other uses or resources situated in its immediate vicinity because that use does not adversely affect such other uses or resources. In considering whether a use is compatible with other uses, the Commission considers, among other items, project scale; the presence, amount, type, timing, or characteristics of traffic generation, noise or sound, emissions (e.g., fumes, smoke, dust, odors), lighting, glare, other sources of nuisance; unsafe, or unhealthy conditions; and available avoidance or mitigation measures including buffers, separation, and treatment technology.

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71. **Farm Product:**

~~"Farm product" means t~~Those plants and animals and their products that are useful to humans and includes, but is not limited to, forages and sod crops, grains and food crops, dairy and dairy products, poultry and poultry products, bees and bee products, livestock and livestock products, manure and compost, fish and fish products and fruits, berries, vegetables, flowers, seeds, grasses, Christmas trees, or any other plant, animal, or plant or animal product that supply humans with food, feed, fiber, or fur.

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150. **Net Developable Land:**

~~"Net developable land" is t~~The area of a parcel, as determined by the Commission, that is suitable for development. The area ~~shall~~must be calculated by subtracting the following from the total acreage of the parcel:

- a. Portions of the parcel subject to rights-of-way and easements for vehicular traffic; and
- b. Unbuildable land. Unbuildable land includes, but is not limited to, land that has a low or very low soil potential rating, or that contains sensitive areas such as slopes exceeding 20 percent, non-tidal water bodies, or wetlands. Regarding soil suitability, the Commission may determine land is buildable if the plan for development satisfies the provisions of Chapter 10, Section 10.25(G)(2) for low or very low soil potential ratings.

[Revision Note: The following edits intend only to match the subtractive approach applied to “net developable land”.]

**151. Net Developable Shorefront Area:**

For the purposes of the Commission’s rules, “Net developable shorefront area” is ~~II~~ and, as determined by the Commission, that is within 250 feet from the shoreline and is suitable for development. The area must be calculated by subtracting the following from the total acreage of the shorefront area:

- a. ~~Meets~~ Portions of the shorefront area that do not meet the minimum ~~water body~~shoreline setback requirements of Chapter 10, Section 10.26(D)~~and is within 250 feet of a non-tidal water body or coastal wetland;~~
- b. ~~Does not have~~Portions of the shorefront area that have a low or very low soil potential rating; and
- c. ~~Contains or is part of a land area~~Portions of the shorefront area that contain or are part of a land area that contains at least 40,000 contiguous square feet ~~in size~~ of which ~~no more than~~ 20 percent or more is comprised of sensitive areas including, but not limited to, slopes exceeding 20 percent, non-tidal water bodies or wetlands.

Regarding soil suitability, the Commission may determine the shorefront area is developable if the plan for the development satisfies the provisions of Chapter 10, Section 10.25(G)(2) for low or very low soil potential ratings.

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[Revision Note: The Commission’s rules refer to “solid waste disposal facility”, but do not include a definition. The Maine Department of Environmental Protection’s Solid Waste Management Rules (Chapter 400(1)) include definitions for both “solid waste disposal facility” and “solid waste facility”. “Solid waste disposal facility” is narrowly defined as landfills and incinerators. “Solid waste facility” is much broader and includes transfer stations and composting facilities. The following change would add a definition consistent with the DEP’s rules. (Also see companion revisions to Chapter 10 subchapter II.) (Note that all subsequent definitions would be renumbered accordingly.)]

**###. Solid waste facility:**

Any land area, structure, location, equipment or combination of these, used for the handling of solid waste. These include but are not limited to solid waste transfer stations, landfills, incinerators, processing facilities, composting facilities, storage facilities and agronomic utilization sites, or as may be defined by the Maine Department of Environmental Protection’s rules, Chapter 400.

**###. Special Flood Hazard Area:** See Flood, Area of Special Flood Hazard.

[Revision Note: Adjust the placement of the definition for “wetland functions” to appear in the correct alphabetical order (i.e., after “Wetland, Freshwater” and before “Wetland Mitigation Banking”), without any changes to the text.]

**###. Wetland Functions:...**

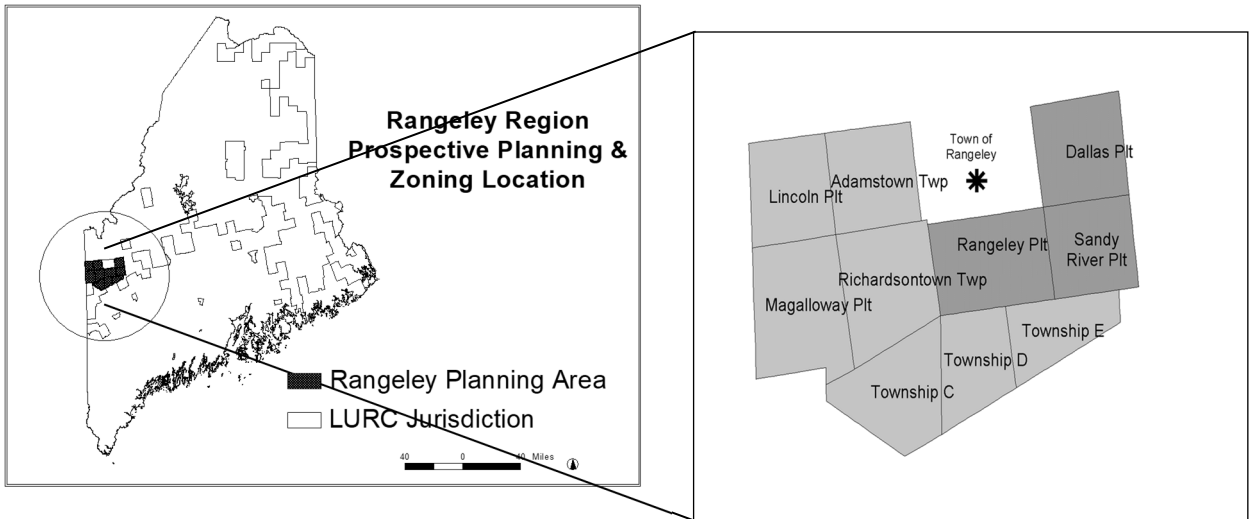
# Chapter 10 – Land Use Districts and Standards

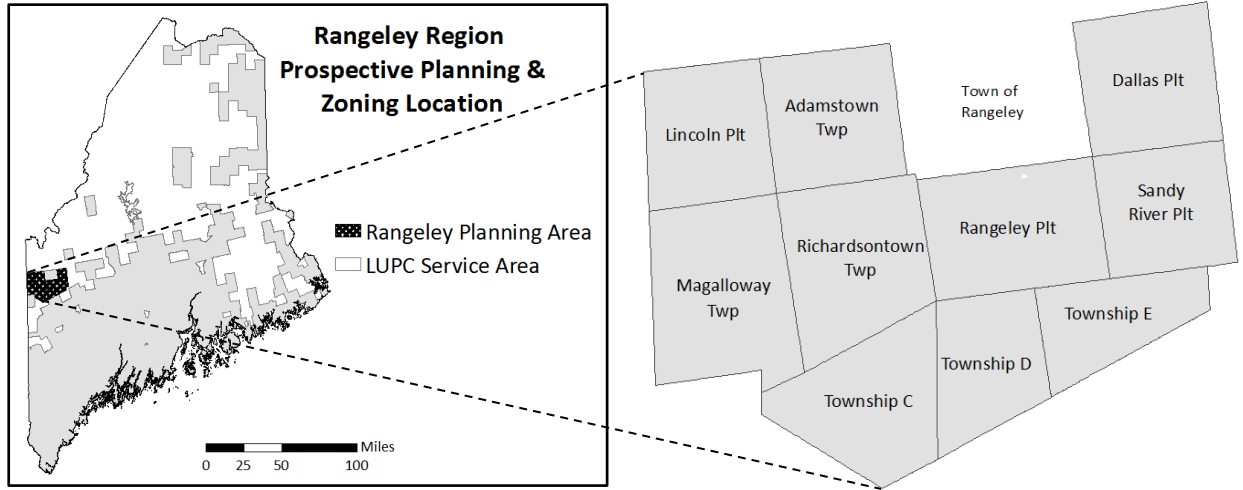
## A NOTE ABOUT PROSPECTIVELY ZONED AREAS

The gray highlighted text in these rules applies only to prospectively zoned areas as listed below:

Adamstown Twp.  
 Dallas Plt.  
 Lincoln Plt.  
 Magalloway ~~Plt.~~ Twp.  
 Rangeley Plt.

Richardsontown Twp.  
 Sandy River Plt.  
 Township C  
 Township D  
 Township E





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## 10.06 INTERPRETATION OF LAND USE STANDARDS

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The following ~~shall~~ apply to all uses in all subdistricts except as otherwise provided:

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- G. Subdivisions are prohibited unless allowed with a permit pursuant to the standards set forth for the subdistrict involved, except as provided in Section 10.25,Q,~~53,d,(6)~~.

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## 10.08 CRITERIA FOR ADOPTION OR AMENDMENT OF LAND USE DISTRICT BOUNDARIES

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**[Revision Note:** The provisions of Section 10.08,B do not apply to prospectively zoned areas, as these locations have addressed the location of development in a more specific manner as a result of a regional planning process. The existing citation regards a prior organization of Chapter 10.]

### D. PROSPECTIVELY ZONED AREAS

#### 1. Approval Criteria:

For areas that have been prospectively zoned by the Commission, a petition for adoption or amendment of a development district boundary ~~shall~~**must** not be approved unless the petitioner

demonstrates the proposal meets the requirements of Section 10.08, ~~A and B, 2, a through e, 1 and 2~~, as well as that:

- a. the requested change is needed due to circumstances that did not exist or were not anticipated during the prospective zoning process;
- b. the new development subdistrict is either contiguous to existing development subdistricts or within areas that are suitable as new growth centers; and
- c. the change will better achieve the goals and policies of the Comprehensive Land Use Plan, including any associated prospective zoning plans.

**2.** List of plantations and townships that have been prospectively zoned by the Commission:

- Adamstown Township, Oxford County
- Dallas Plantation, Franklin County
- Lincoln Plantation, Oxford County
- Magalloway ~~Plantation~~ Township, Oxford County
- Rangeley Plantation, Franklin County
- Richardsontown Township, Oxford County
- Sandy River Plantation, Franklin County
- Township C, Oxford County
- Township D, Franklin County
- Township E, Franklin County

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## 10.21 DEVELOPMENT SUBDISTRICTS

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Pursuant to 12 M.R.S. §685-A and consistent with the Commission's Comprehensive Land Use Plan, the following development subdistricts are established:

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### A. COMMERCIAL INDUSTRIAL DEVELOPMENT SUBDISTRICT (D-CI)

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### 3. Land Uses

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**[Revision Note:** The following proposed edit will improve the accuracy of the introductory statement, and improve consistency between provisions for uses allowed by standard, those allowed by permit, and those allowed by special exception. Further, the proposed generalization more accurately reflects the scope of each provision in Section 10.25, A. Specifically, Section 10.25, A includes provisions applicable to development proximate to any water body and some that apply only to lakes designated as certain management classifications.]

#### c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-CI subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, subject to the applicable requirements set forth in Sub-Chapter III ~~and, where within 500 feet~~

~~of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.25,A,2 and 3:~~

- ...
- (17) Solid waste ~~disposal facility~~;
- ...

**B. EXTENDED SETTLEMENT DEVELOPMENT SUBDISTRICT (D-ES)**

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**3. Land Uses**  
...

**c. Uses Requiring a Permit**

The following uses, and related accessory structures, may be allowed within D-ES subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III ~~and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.25,A,2:~~

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**C. GENERAL DEVELOPMENT SUBDISTRICT (D-GN)**

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**3. Land Uses**  
...

**c. Uses Requiring a Permit**

The following uses, and related accessory structures, may be allowed within D-GN subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III ~~and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.25,A,2:~~

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**d. Special Exceptions**

The following uses, and related accessory structures, may be allowed within D-GN subdistricts as special exceptions upon issuance of a permit from the Commission pursuant



to 12 M.R.S. § 685-A(10), the criteria of Sections 10.24,B,1-~~through 3~~, and applicable requirements set forth in Sub-Chapter III:

- ...
- (5) Hand-carry launches:
    - (a) Commercial hand-carry launches on Management Class 1 or 2 lakes; and
    - (b) Public hand-carry launches on Management Class 1 ~~and or~~ 2 lakes, in accordance with Section 10.27,L,1;
  - (6) Marinas;
  - (7) Trailered ramps:
    - (a) Commercial trailered ramps;
    - (b) Private trailered ramps, in accordance with Section 10.27,L,1; and
    - (c) Public trailered ramps on Management Class 1 ~~and or~~ 2 lakes; and
  - (8) Water-access ways, in accordance with Section 10.27,L,1.
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## D. COMMUNITY CENTER DEVELOPMENT SUBDISTRICT (D-GN2)

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### 3. Land Uses

The provisions of the D-GN2 subdistrict will not apply to any applications that have been received and deemed complete for processing by the Commission staff on or before January 1, 2001.

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#### c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-GN2 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III, and the limitations of Section 10.21,D,3,e, ~~and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.25,A,2.~~ Facilities allowed by permit may use legally existing structures that exceed dimensional requirements. However, structures exceeding the size limitations in Section 10.21,D,3,c may not be expanded.

- (1) Agricultural activities: Agricultural management activities which are not in conformance with the standards of Section 10.27,A;
- (2) Campsites, Residential;
- (3) Cemeteries, and family burying grounds in accordance with 13 M.R.S. § 1142;
- (4) Commercial: Commercial facilities having not more than 4,000 square feet of gross floor area, or as provided in Section 10.25,A,2,e that are compatible with residential uses, community centers, and foot traffic, specifically retail shops, restaurants, bed and breakfasts, professional and financial services, trades such as cabinetry or shoe repair, artisan shops, and galleries. Generally, including:

...

#### d. Special Exceptions

The following uses, and related accessory structures, may be allowed within D-GN2 subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), the criteria of Sections 10.24,B,~~1~~2 through 3, the applicable requirements set forth in Sub-Chapter III, and the limitations of Section 10.21,D,3,e, and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.25,A,~~2~~. Facilities allowed with a permit by special exception may use legally existing structures that exceed dimensional requirements. However, structures exceeding the size limitations in Section 10.21,D,3,d may not be expanded.

- (1) Commercial facilities that are compatible with residential uses, community centers, and foot traffic, specifically retail shops, restaurants, bed and breakfasts, professional services, trades such as cabinetry or shoe repair, artisan shops, and galleries:
  - (a) Commercial uses between 4,000 and 8,000 square feet in size, except as provided in Section 10.25,A,2,e; and
  - (b) Commercial uses with a total of no more than 10,000 square feet of outdoor display or storage area combined; and

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**[Revision Note:** Consistent with Public Law 2021 Chapter 669, section 6, the following replaces the term “marijuana” with the term “cannabis. While the recent statutory change is not incumbent upon the Commission or its rules, these revisions are in the spirit of the law.

Additionally, Section 10.21,D,3,e utilizes “licensed caregivers” yet [22 M.R.S. Sections 2422 and 2423-A](#) use the term “registered caregivers”. While it is reasonable to consider the terms licensed and registered as interchangeable for the Commission’s purposes; the following edits intend to match the applicable statutes, as was originally intended.]

#### **e. Certain ~~Marijuana~~ Cannabis Facilities and Uses Prohibited**

All medical ~~marijuana~~ cannabis and adult use ~~marijuana~~ cannabis development and activities involving cultivation, extraction, manufacturing, testing, or sale, within or part of any land use regulated by Section 10.21,D, are prohibited within D-GN2 subdistricts, except:

- (1) ~~licensed-registered~~ caregivers who sell or dispense ~~marijuana~~ cannabis pursuant to 22 M.R.S. § 2423-A solely out of the caregiver’s primary residence on an incidental or by appointment basis only and does not involve regular business hours, provided such operation does not involve the processing or manufacturing of ~~marijuana~~ cannabis using chemicals or solvents, and does not involve signage;
- (2) the provision or dispensing of medical ~~marijuana~~ cannabis by a ~~licensed-registered~~ or exempt caregiver as part of any hospice or long-term care facility, health care facility, or nursing home; and
- (3) all protections or privileges of 22 M.R.S. Chapter 558-C, or 28-B M.R.S., including but not limited to home cultivation of ~~marijuana~~ cannabis for personal use; and medical ~~marijuana~~ cannabis home cultivation by a qualifying patient or exempt caregiver.

#### **f. Prohibited Uses**

All uses not expressly allowed, with or without a permit, notification, or by special exception are prohibited in a D-GN2 subdistrict.

## **E. RURAL SETTLEMENT DEVELOPMENT SUBDISTRICT (D-GN3)**

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### **1. Land Uses**

The provisions of the D-GN3 subdistrict will not apply to any applications that have been received and deemed complete for processing by the Commission staff on or before January 1, 2001.

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### **c. Uses Requiring a Permit**

The following uses, and related accessory structures, may be allowed within D-GN3 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III ~~and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.25,A,2.~~ Facilities allowed by permit may use legally existing structures that exceed dimensional requirements. However, structures exceeding the size limitations in Section 10.21,E,3,c may not be expanded.÷

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### **d. Special Exceptions**

The following uses, and related accessory structures, may be allowed within D-GN3 subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), the criteria of Sections 10.24,B,~~1~~2 through 3, subject to the applicable requirements set forth in Sub-Chapter III, and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.25,A,~~2~~. Facilities allowed by permit by special exception may use legally existing structures that exceed dimensional requirements. However, structures exceeding the size limitations in Section 10.21,E,3,d may not be expanded.÷

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The following uses, and related accessory structures, may be allowed in D-GN3 subdistricts as special exceptions within D-GN3 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), the criteria of Sections 10.24,B,1 through 3, subject to the applicable requirements set forth in Sub-Chapter III, and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.25,A,~~2~~. Facilities allowed by permit by special exception may use legally existing structures that exceed dimensional requirements. However, structures exceeding the size limitations in Section 10.21,E,3,d may not be expanded.

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## H. PLANNED DEVELOPMENT SUBDISTRICT (D-PD)

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### 2. Description

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In any of the above cases, all development, other than access roads and utility lines must be at least 400 feet from any property line. Upon a showing of good cause, the Commission may, at its discretion, increase or decrease this setback. Furthermore, the project must be reasonably self-contained and self-sufficient and, to the extent practicable, provide for its own water and sewage services, road maintenance, fire protection, solid waste disposal and police security.

### 3. Allowed Uses

All uses approved in the Development Plan ~~shall~~must be allowed. No other use ~~shall~~must be allowed except where the Commission determines that such additional use is consistent with the Development Plan and with the purpose of the D-PD subdistrict.

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**[Revision Note: The following proposes to remove the automatic requirement that a public hearing be held for all zoning petitions involving a D-PD. A public hearing may still be held at the discretion of the Commission or if requested in writing pursuant to the Commission's Chapter 4 Rules of Practice. ]**

### 8. Application for Zone Change and Associated Development Plan

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#### b. ~~Hearings and~~ Criteria for the Approval of an Application for Zone Change and Associated Development Plan

~~The Commission must schedule a public hearing within 45 days after a complete application for zone change is filed, unless the applicant requests, in writing, that this time be extended.~~

~~The public hearing notification and proceedings must meet the requirements of Chapter 5 of the Commission's Rules and Regulations and the applicable provisions of the Administrative Procedures Act.~~ Within 90 days after the close of the record ~~of the public hearing~~, the Commission may approve, approve with conditions, or deny the application in writing. In making this decision, the Commission must ensure that the proposal:

- (1) Satisfies the statutory rezoning standards in 12 M.R.S. § 685-A(8-A);
- (2) Incorporates, where the land proposed for inclusion in the D-PD subdistrict is in a protection subdistrict, a substantially equivalent level of environmental and resource protection as was afforded under the protection subdistrict;
- (3) Utilizes the best reasonably available site for the proposed use;
- (4) Conserves productive forest or farm land;
- (5) Incorporates high quality site planning and design in accordance with accepted contemporary planning principles;

- (6) Envisions a project that is reasonably self-sufficient in terms of necessary public services; and
- (7) Provides for safe and efficient traffic circulation.

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**e. Time for Construction**

If no substantial start has occurred pursuant to the initial development permit by the later of: (a) 24 months after the date of approval by the Commission or (b) expiration of any extension of time for making a substantial start granted by the Commission, the approved permit and previously approved Development Plan become null and void and the D-PD subdistrict designation must be deemed to be revoked and the original subdistrict(s) must again apply. The deadline for making a substantial start on activity authorized in any permit amendment must be specified in the amendment or, if not, ~~shall be~~ governed by Chapter 4 of the Commission's rules.

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**J. RURAL BUSINESS DEVELOPMENT SUBDISTRICT (D-RB)**

(Applies only to certain locations within Aroostook County and Washington County)

**1. Purpose**

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**2. Description**

- a. The D-RB subdistrict must include areas to accommodate a range of small commercial, light manufacturing, and institutional facilities and businesses that are generally compatible with, and complementary to, natural resource-based land uses but may create some adverse impacts to residential uses, recreation uses, or resource protection. Businesses are typically larger than a permissible home-based business, but are not large-scale commercial or industrial developments, and may generate some level of nuisance-type impacts (e.g., noise, vibration, smoke, fumes, dust, odors, heat, light, glare, electrical interference) that extend beyond the property lines of the business.

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Areas within ~~¼ one-quarter~~ mile of Management Class 1 lakes or within ~~½ one-half~~ mile of Management Class 6 lakes ~~shall~~must not be included within the D-RB Subdistrict.

The D-RB subdistrict distinguishes between three types of rural businesses with differing impact categories, as provided in Section 10.27,R,1.

**b. Eligible Locations**

- (1) The following townships, plantations, and towns are eligible for the D-RB subdistrict:
  - (a) Aroostook County

Bancroft Twp., Benedicta Twp., Cary ~~Plt~~Twp., Connor Twp., Cross Lake Twp., Cyr Plt., E Twp., Forkstown Twp., Garfield Plt., Glenwood Plt., Hamlin, Hammond, Macwahoc Plt., Madawaska Lake Twp., Molunkus Twp., Moro Plt., Nashville Plt., North Yarmouth Academy Grant Twp., Oxbow ~~Plt~~North Twp., Reed Plt., Silver Ridge Twp., St. John Plt., TA R2 WELS, T1 R5 WELS, T9 R5 WELS, T14 R6 WELS, T15 R6 WELS, ~~T17 R4 WELS~~Sinclair Twp., Upper Molunkus Twp., and Winterville Plt.

For purposes of this section, “Category 2 & 3 towns, plantations and townships” are:

Bancroft Twp., Benedicta Twp., Cary ~~Plt~~Twp., Connor Twp., Cross Lake Twp., Cyr Plt., Garfield Plt., Hamlin, Hammond, Macwahoc Plt., Madawaska Lake Twp., Molunkus Twp., Moro Plt., Nashville Plt., Oxbow ~~Plt~~North Twp., Reed Plt., St. John Plt., T15 R6 WELS, ~~T17 R4 WELS~~Sinclair Twp., and Winterville Plt.

Except as provided in Section 10.21,J,2,b,(2), the D-RB subdistrict must be fully located within one mile from public roads, measured from the traveled portion of the road, in eligible townships, plantations and towns.

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### 3. Land Uses

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#### c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within D-RB subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III ~~and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.25,A,2:~~

...

- (21) Solid waste ~~disposal~~ facilities affecting an area less than 2 acres in size;
- (22) Structures: Non-commercial structures utilized for educational, scientific, or nature observation purposes; structures devoted to composting of sludge, septage or other residuals affecting an area less than 5 acres in size; and structures devoted to the storage of sand or salt;
- (23) Subdivisions: Commercial and industrial subdivisions for rural businesses within Bancroft Twp., Benedicta Twp., Cary ~~Plt~~Twp., Connor Twp., Cross Lake Twp., Cyr Plt., E Twp., Garfield Plt., Hamlin, Hammond, Macwahoc Plt., Madawaska Lake Twp., Molunkus Twp., Moro Plt., Nashville Plt., Oxbow ~~Plt~~North Twp., Reed Plt., Silver Ridge Twp., Sinclair Twp., St. John Plt., T15 R6 WELS, ~~T17 R4 WELS~~, and Winterville Plt.;

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#### d. Special Exceptions

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**[Revision Note: Revision to match the phrasing of all other sections in Subchapter II.]**

The following uses, and related accessory structures, may be allowed within D-RB subdistricts as special exceptions within the D-RB subdistrict upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), the criteria of Sections 10.24,B,1 through 4, and subject to the applicable requirements set forth in Sub-Chapter III:

- (4) Docking structures: New or expanded permanent docking structures;
- (5) Trailered ramps: Private trailered ramps, in accordance with Section 10.27,L,1; and
- (6) Water-access ways, in accordance with Section 10.27,L,1.

The following uses, and related accessory structures, may be allowed as special exceptions within D-RB subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), the criteria of Sections 10.24,B,1 through 5, ~~and 7~~, and subject to the applicable requirements set forth in Sub-Chapter III:

- (7) Subdivisions: Commercial and industrial subdivisions for rural businesses within Forkstown Twp., Glenwood Plt., North Yarmouth Academy Grant Twp., TA R2 WELS, T1 R5 WELS, T9 R5 WELS, T14 R6 WELS, and Upper Molunkus Twp..

The following uses, and related accessory structures, may be allowed as special exceptions within D-RB subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), the criteria of Sections 10.24,B,7, and subject to the applicable requirements set forth in Sub-Chapter III:

~~The following uses may be allowed as special exceptions provided the applicant shows by substantial evidence that either: (a) the use is integral to the business; or (b) the use predates May 9, 2016.~~

- (8) Residential: Single family dwellings.

**e. Prohibited Uses**

All uses not expressly allowed, with or without a permit or by special exception are prohibited in a D-RB subdistrict.

**K. RESOURCE-DEPENDENT DEVELOPMENT SUBDISTRICT (D-RD)**

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**3. Land Uses**

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**c. Uses Requiring a Permit**

The following uses, and related accessory structures, may be allowed within D-RD subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, subject to the applicable requirements set forth in Sub-Chapter III, ~~and if within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.25,A,2:~~

...

**d. Special Exceptions**

The following uses, and related accessory structures, may be allowed within D-RD subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), the criteria of Section 10.24,B,3 and 9, and subject to the applicable requirements set forth in Sub-Chapter III:

...

**L. RECREATION FACILITY DEVELOPMENT SUBDISTRICT (D-RF)**

...

**3. Land Uses**

...

**c. Uses Requiring a Permit**

The following uses, and related accessory structures, may be allowed within D-RF subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III ~~and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.25,A,2:~~

...

**d. Special Exceptions**

...

**[Revision Note: Revision to match the phrasing of all other sections in Subchapter II.]**

The following uses, and related accessory structures, may be allowed within D-RF subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), the criteria of Sections 10.24,B,1 through 4, and subject to the applicable requirements set forth in Sub-Chapter III:

...

- (6) Trailered ramps:
  - ~~(a) Commercial and trailered ramps;~~
  - ~~(b) Private~~private trailered ramps, in accordance with Section 10.27,L,1; and
  - ~~(c) Public~~public trailered ramps on Management Class 1 and 2 lakes; and
- (7) Water-access ways, in accordance with Section 10.27,L,1.

**e. Prohibited Uses**

All uses not expressly allowed, with or without a permit or by special exception are prohibited in a D-RF subdistrict.



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**M. RESIDENTIAL DEVELOPMENT SUBDISTRICT (D-RS)**


---

...

**3. Land Uses**

...

**c. Uses Requiring a Permit**

The following uses, and related accessory structures, may be allowed within D-RS subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, subject to the applicable requirements set forth in Sub-Chapter III ~~and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 lakes, subject to the applicable requirements of Section 10.25,A,2:~~

...

**d. Special Exceptions**

The following uses, and related accessory structures, may be allowed within D-RS subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), the criteria of Sections 10.24,B,1 through 3, and subject to the applicable requirements set forth in Sub-Chapter III:

- (1) Docking structures: New or expanded permanent docking structures;
- (2) Hand-carry launches: Public hand-carry launches on Management Class 1 ~~and or~~ 2 lakes;
- (3) Marinas;
- (4) Residential: Multi-family dwellings;
- (5) Trailered ramps:
  - (a) Commercial trailered ramps;
  - (b) Private trailered ramps, in accordance with Section 10.27,L,1; and
  - (c) Public trailered ramps on Management Class 1 and 2 lakes; and
- (6) Water-access ways, in accordance with Section 10.27,L,1.

**e. Prohibited Uses**

All uses not expressly allowed, with or without a permit or by special exception, are prohibited in D-RS subdistricts.

**N. COMMUNITY RESIDENTIAL DEVELOPMENT SUBDISTRICT (D-RS2)**

...

**3. Land Uses**

The provisions of the D-RS2 subdistrict will not apply to any applications that have been received and deemed complete for processing by the Commission staff on or before January 1, 2001.

...

**c. Uses Requiring a Permit**

The following uses, and related accessory structures, may be allowed within D-RS2 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III ~~and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and or Management Class 5 lakes, subject to the applicable requirements of Section 10.25,A,2:~~

...

**d. Special Exceptions**

The following uses, and related accessory structures, may be allowed within D-RS2 subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), the criteria of Sections 10.24,B,1 through 3, subject to the applicable requirements set forth in Sub-Chapter III, and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.25,A,~~2~~:

...

**O. RESIDENTIAL RECREATION DEVELOPMENT SUBDISTRICT (D-RS3)**

...

**3. Land Uses**

...

**c. Uses Requiring a Permit**

The following uses, and related accessory structures, may be allowed within D-RS3 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, subject to the applicable requirements set forth in Sub-Chapter III ~~and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.25,A,2:~~

...

**d. Special Exceptions**

The following uses, and related accessory structures, may be allowed within D-RS3 subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), the criteria of Sections 10.24,B,1 through 3, and subject to the applicable requirements set forth in Sub-Chapter III, and, where within 500 feet of Management Class 2 lakes or within 250 feet of Management Class 4 and Management Class 5 lakes, subject to the applicable requirements of Section 10.25,A,2:

...

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## 10.22 MANAGEMENT SUBDISTRICTS

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Pursuant to the Commission's Comprehensive Land Use Plan, the following management subdistricts are established:

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### A. GENERAL MANAGEMENT SUBDISTRICT (M-GN)

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...

#### 3. Land Uses

...

##### c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within M-GN subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

...

- (21) Solid waste ~~disposal~~ facilities affecting an area less than 2 acres in size;

...

##### d. Special Exceptions

The following uses, and related accessory structures, may be allowed within the M-GN subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), the criteria of Section 10.24,B,1, and subject to the applicable requirements set forth in Sub-Chapter III:

- (1) Home-based businesses: Major home-based businesses in the following plantations:
- Dallas Plantation,
  - Rangeley Plantation, and
  - Sandy River Plantation.

~~The following uses, and related accessory structures, may be allowed within M-GN subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-A(10), the criteria of Section 10.24,B,3, and subject to the applicable requirements set forth in Sub-Chapter III: The following uses may be allowed as special exceptions provided the applicant also shows by substantial evidence that such other conditions are met that the Commission may reasonably impose in accordance with the policies of the Comprehensive Land Use Plan:~~

- (2) Subdivisions: Maple sugar processing subdivisions;

...

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## 10.23 PROTECTION SUBDISTRICTS

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Pursuant to the Commission's Comprehensive Land Use Plan, the following protection subdistricts are established:

...

### F. SEMI-REMOTE LAKE PROTECTION SUBDISTRICT (P-GP2)

...

#### 2. Land Uses

...

##### c. Uses Requiring a Permit

The following uses, and related accessory structures, may be allowed within P-GP2 subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-B, and subject to the applicable requirements set forth in Section 10.25,A,2:

...

##### d. Special Exceptions

The following uses, and related accessory structures, may be allowed within P-GP2 subdistricts as special exceptions upon issuance of a permit from the Commission pursuant to 12 M.R.S. § 685-A(10), the criteria of Sections 10.24,B,1 through 3, the criteria of Section 10.25,A,2, and subject to the applicable requirements set forth in Sub-Chapter III:

- (1) Docking structures: New or expanded permanent docking structures;
- (2) Trailered ramps: Private trailered ramps, in accordance with Section 10.27,L,1; and
- (3) Water-access ways, in accordance with Section 10.27,L,1.

...

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### M. UNUSUAL AREA PROTECTION SUBDISTRICT (P-UA)

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...

#### 3. Land Uses

...

**[Revision Note: Revision to match the phrasing of all other sections in Subchapter II.]**

**c. Uses Requiring a Permit**

The following uses, and related accessory structures, may be allowed within P-UA subdistricts upon issuance of a permit from the Commission pursuant to 12 M.R.S. §685-B, and subject to the applicable requirements set forth in Sub-Chapter III:

...

**e. Uses Regulated by the Maine Forest Service**

Pursuant to Statute, the following uses are not regulated by the Commission within P-UA subdistricts but are regulated by the Maine Forest Service. Instances where a permit for the activity issued by the Maine Forest Service also requires review and approval by the Commission are noted.

- (4) Land management roads (Permits for land management roads in P-UA subdistricts ~~must~~ require review and approval by the Commission);
- (5) Natural resource extraction: Gravel extraction for road purposes less than 5 acres in size (Permits for gravel pits in P-UA subdistricts ~~must~~ require review and approval by the Commission);
- (6) Timber harvesting (Permits for timber harvesting in P-UA subdistricts require review and approval by the Commission); and
- (7) Water crossings on/for land management roads (Permits for water crossings on/for land management roads in P-UA subdistricts ~~must~~ require review and approval by the Commission).

...

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**N. WETLAND PROTECTION SUBDISTRICT (P-WL)**

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**1. Purpose**

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Insofar as this protection subdistrict also includes the area enclosed by the normal high water mark of surface water bodies within the Commission's jurisdiction, the purpose of this subdistrict must also be to help ~~insure-ensure~~ compatible surface water uses on those water bodies where there is the potential for conflict with other uses and values of such water bodies.

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## 10.24 GENERAL CRITERIA FOR APPROVAL OF PERMIT APPLICATIONS

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In approving applications submitted to it pursuant to 12 M.R.S. § 685-A(10) and §685-B, the Commission may impose such reasonable terms and conditions as the Commission may consider appropriate in order to satisfy the criteria of approval and purpose set forth in these statutes, rules and the Comprehensive Land Use Plan.

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### A. CRITERIA FOR APPROVAL OF ALL PERMIT APPLICATIONS

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1. “The commission may not approve an application, unless:

...

**[Revision Note: The revision illustrated below implements the specific changes made by the repeal and replacement of 12 M.R.S. Section 685-B(4)(C) as enacted by Public Law 2021 Chapter 590, Section A-2 (which became effective on August 8, 2022 regardless of the status of this rulemaking). The Commission includes the provisions of 12 M.R.S. Section 685-B(4) in Chapter 10 for user convenience.]**

- C. Adequate provision has been made for fitting the proposal harmoniously into the existing natural environment in order to ensure there will be no undue adverse effect on existing uses, scenic character and natural and historic resources in the area likely to be affected by the proposal.

(1) In making a determination under this paragraph regarding whether an applicant has made adequate provision for fitting the proposal harmoniously into the existing natural environment, the commission may consider the effect of at least 1.5 feet of sea level rise by 2050 and 4 feet of relative sea level rise by 2100 as specified by the Commission by rule adopted pursuant to section 685-A, subsection 3.

- (2) In making a determination under this paragraph regarding development to facilitate withdrawal of groundwater, the commission shall consider the effects of the proposed withdrawal on waters of the State, as defined by Title 38, section 361-A, subsection 7; water-related natural resources; and existing uses, including, but not limited to, public or private wells, within the anticipated zone of contribution to the withdrawal. In making findings under this subparagraph, the commission shall consider both the direct effects of the proposed withdrawal and its effects in combination with existing water withdrawals.
- (3) In making a determination under this paragraph regarding a community-based offshore wind energy project, the commission shall consider the project's effects on scenic character and existing uses related to scenic character in accordance with Title 35-A, section 3452.
- (4) In making a determination under this paragraph regarding a wind energy development, as defined in Title 35-A, section 3451, subsection 11, that is not a grid-scale wind energy development, that has a generating capacity of 100 kilowatts or greater and that is proposed for a location within the expedited permitting area, the commission shall consider the development's or project's effects on scenic character and existing uses relating to scenic character in the manner provided for in Title 35-A, section 3452;

...

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## 10.25 DEVELOPMENT STANDARDS

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### A. REVIEW STANDARDS FOR AREAS ADJACENT TO LAKES

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**[Revision Note:** The following proposed edits clarify that the provisions of Section 10.25,A,1 regard the general land use standards as currently stated in #2. This edit more accurately reflects the fact that the general land use standards are limited in application, yet the lake management classification standards differ in application, and the water quality limited lake standards apply to all land uses in all cases.]

For the purposes of this section, “areas adjacent to lakes” means areas within 250 feet of bodies of standing water greater than 10 acres in size, except i) where a water body related subdistrict extends to 500 feet, one-quarter mile, or one-half mile (e.g., the P-AL, P-GP2, and water body related P-RR subdistricts), or ii) where provisions regarding lake management classification dictate otherwise (e.g., MC1, MC3, and MC6 lakes).

~~1. The standards set forth below must be met for all subdivisions and commercial, industrial, and other non-residential structures and uses proposed on land adjacent to lakes. These standards must also be considered in applying the criteria for adoption or amendment of land use district boundaries, as provided in Section 10.08, to proposed changes in subdistrict boundaries adjacent to lakes.~~

#### 2.1. General Land Use Standards

The standards set forth below must be met for all subdivisions and commercial, industrial, and other non-residential structures and uses proposed on land adjacent to lakes. These standards must also be considered in applying the criteria for adoption or amendment of land use district boundaries, as provided in Section 10.08, to proposed changes in subdistrict boundaries adjacent to lakes.

In applying the standards set forth below, the Commission ~~shall~~must consider all relevant information available including the Maine Wildlands Lake Assessment Findings (Appendix C of this chapter), and relevant provisions of the Comprehensive Land Use Plan.

- a. **Natural and cultural resource values.** The proposal will not adversely affect natural and cultural resource values identified as significant or outstanding in the Wildland Lakes Assessment (Appendix C of this chapter).
- b. **Water quality.** The proposal will not, alone or in conjunction with other development, have an undue adverse impact on water quality;
- c. **Traditional uses.** The proposal will not have an undue adverse impact on traditional uses, including without limitation, non-intensive public recreation, sporting camp operations, timber harvesting, and agriculture;



- d. **Regional diversity.** The proposal will not substantially alter the diversity of lake-related uses afforded within the region in which the activity is proposed;
- e. **Natural character.** Adequate provision has been made to maintain the natural character of shoreland;
- f. **Lake management goals.** The proposal is consistent with the management intent of the affected lake's classification; and
- g. **Landowner equity.** Where future development on a lake may be limited for water quality or other reasons, proposed development on each landownership does not exceed its proportionate share of total allowable development.

### 3.2. Lake Management Classification Standards.

Unless otherwise provided, the following standards apply to changes to subdistrict designations, development, and uses based on the lake management classifications as indicated on the Commission's *Land Use Guidance Maps*.

#### a. Management Class 1 Lakes.

- (1) ~~(H)~~—Areas within one-quarter mile of the normal high water mark of these lakes are not eligible to be rezoned to D-RB or D-RF subdistricts.

#### b. Management Class 2 Lakes.

- (1) ~~(1)~~—Applications proposing single family dwellings within 500 feet of the normal high water mark of these lakes within the D-ES, D-GN, D-GN2, D-GN3, D-RB, D-RS, D-RS2, or D-RS3 subdistricts must not result in an average density per landownership of more than one dwelling unit per shore mile.
- (2) ~~(2)~~—Applications proposing one or more development units within 500 feet of the normal high water mark of these lakes within the D-RF subdistrict must not result in more than one dwelling unit per shore mile.

#### c. Management Class 3 Lakes. (Lakes potentially suitable for development)

- (1) P-GP2 subdistricts within 500 feet of the normal high water mark, measured as a horizontal distance, of Aziscohos Lake within Lincoln Plantation, Oxford County; or Lower Richardson Lake, Township C, Oxford County, the following ~~shall~~ apply:

##### (a) Allowed Densities

Parcels within the P-GP2 subdistrict that are in existence as of January 1, 2001 and that have more than 200 feet but less than 400 feet of shore frontage ~~shall~~ **must** be allowed one dwelling unit provided that other applicable requirements are met.

All parcels within the P-GP2 subdistrict that have more than 400 feet of shore frontage may be further developed subject to the following requirements:

- (i) Maximum density of building units. Overall density within each lot ~~shall~~ **must** be no greater than 1 dwelling unit, principal building, or rental cabin for every 400 feet of shoreline up to a maximum density of 13 units per mile of shoreline.

If physical constraints restrict the development potential of more than 50% of the shore frontage of a parcel, the maximum allowable number of building units per mile of shoreline ~~shall beare~~ reduced to one per 200 feet of shoreline that is not constrained. Constraints ~~shall~~ include slopes greater than 15%; wetlands; wildlife habitat such as deer wintering areas, eagle or loon nesting areas; habitat for rare or endangered plant and animals; unique natural communities and natural areas; and historic and archeological resources.

- (ii) Building units and density. For the purpose of determining density the following structures ~~shall~~ count as individual building units:

- (aa) single family seasonal dwelling units;
- (bb) rental cabins associated with campgrounds, sporting camps, or other commercial recreational facilities;
- (cc) sporting camp lodges or other commercial recreational base lodge facilities containing three or fewer rental rooms; and
- (dd) campgrounds.

Individual campsites, public and private trailered ramps, permanent docking facilities and water-access ways, and non-commercial structures for scientific, educational and/or nature observation purposes ~~shall do~~ not count as building units for the purposes of calculating allowable densities. Each set of up to three additional rental rooms, at sporting camp lodges or other commercial recreational base lodge facilities with more than three rental rooms, ~~shall~~ count as an additional unit.

- (iii) Phosphorous control. All development ~~shall must~~ be designed in accordance with the Maine Department of Environmental Protection's "Maine Stormwater Best Management Practices Manual, Volume II, Phosphorous Control in Lake Watersheds: A Technical Guide to Evaluating New Development." Development density ~~shall must~~ conform to the requirements of this manual.
- (iv) Extent of shoreline to be conserved. Within subdivisions, at least 50 percent of a landowner's ownership on a shoreline ~~shall must~~ be conserved to a depth of 500 feet or the depth of the lot, whichever is less, and set aside as open space according to the provisions of Section 10.25,S. The area to be conserved ~~shall must~~ be located so that it will create large and contiguous blocks of open space and/or to conserve sensitive resources and areas used traditionally by the public. This conservation of shoreline ~~shall does~~ not affect the amount of development allowed under the maximum density provision above.
- (v) Build-out rate. No more than 20 individual units may be constructed in any ten-year period per lot of record as of the date of adoption of these rules, except that credit for unbuilt units may be carried over to the following time period where a maximum of 40 building units in any 10-year period may be developed.
- (vi) Required buffer. No structural development ~~shall will~~ be allowed within a  $\frac{1}{4}$  mile radius of any commercial sporting camp, campground, or group of rental cabins associated with a commercial sporting camp or

campground. Individual campsites are excluded from this buffering requirement.

The buffer ~~shall~~must extend from the edge of the principal building, dwelling unit, rental unit, or campsite that is closest to any adjacent use.

**d. Management Class 4 Lakes.**

- (1) Proposals within 250 feet of the normal high water mark of these lakes involving any of the following situations must indicate future plans for other undeveloped shorelands adjacent to the lake of the same ownership:
  - (a) subdivisions and commercial, industrial, or other non-residential structures or uses within the D-CI, D-ES, D-GN, D-GN2, D-RB, D-RS, D-RS2, or D-RS3 subdistricts;
  - (b) any nonresidential structure or use within the D-GN3 subdistrict;
  - (c) any recreation day use facility or recreation supply facility in the D-RD subdistrict; and
  - (d) subdivisions and recreation facilities, recreational lodging facilities, and other non-residential structures or uses within the D-RF subdistrict;
- (2) The future plans will be considered part of the proposal and any changes will be subject to approval of an application to amend the original proposal. An applicant's proposed future plans must address, at a minimum, the next 10 years, and must include, but not be limited to, the following information regarding the applicant's land ownership on the lake:
  - (a) ownership area and shoreline length;
  - (b) potential suitability for development based on an appropriate inventory of soils and significant natural and cultural resources; and
  - (c) proposed or anticipated development, if any.

**e. Management Class 5 Lakes.**

- (1) Subdivisions within 250 feet of the normal high water mark of these lakes within the D-ES, D-GN2, D-RS2, or D-RS3 subdistricts, ~~must~~ be designed in accordance with Section 10.25,Q,4,b.

**f. Management Class 6 Lakes.**

- (1) Areas within one-half mile of the normal high water mark of these lakes are not eligible to be rezoned to D-RB or D-RF subdistricts.

**4.3. Water Quality Limiting Lakes Standards.**

The methodology used to identify water quality limiting lakes is shown in Appendix A of this chapter.

Water quality limiting lakes include those bodies of standing water 10 acres or greater in size where the Commission determines that the maximum number of allowable dwelling units would give rise

to a significant risk of increasing the phosphorus concentration of the water by 5 parts per billion or more. Such Commission determination must be based on available information and according to minimum shoreline frontage requirements.

With respect to future development near a water quality limiting lake, the Commission may impose more protective standards and dimensional requirements to reasonably assure that the maximum allowable change in phosphorus concentration for the waterbody is not exceeded.

...

**[Revision Note:** The following proposed edits add parking space requirements including minimum dimensions, accessible space requirements, and required number of spaces. Accessible space requirements are intended to meet ADA Standards for Accessible Design. Line of sight requirements for on-street parking are intended to meet Title 29-A, Ch 19, Subchapter 1, §2068,B,(2)]

## D. VEHICULAR CIRCULATION, ACCESS, AND PARKING

1. **General Circulation.** Provision shall-must be made for vehicular access to and within the project premises in such a manner as to avoid traffic congestion and safeguard against hazards to traffic and pedestrians along existing roadways and within the project area. Development shall-must be located and designed so that the roadways and intersections in the vicinity of the development will be able to safely and efficiently handle the traffic attributable to the development in its fully operational stage.
2. **Access Management.** Access onto any roadway shall-must comply with all applicable Maine Department of Transportation safety standards. For subdivisions and commercial, industrial and other non-residential development, the following standards also apply:
  - a. The number and width of entrances and exits onto any roadway shall-must be limited to that necessary for safe entering and exiting.
  - b. Access shall-must be designed such that vehicles may exit the premises without backing onto any public roadway or shoulder.
  - c. Shared road access shall-must be implemented wherever practicable.
  - d. Access between the roadway and the property shall-must intersect the roadway at an angle as near to 90 degrees as site conditions allow, but in no case less than 60 degrees.

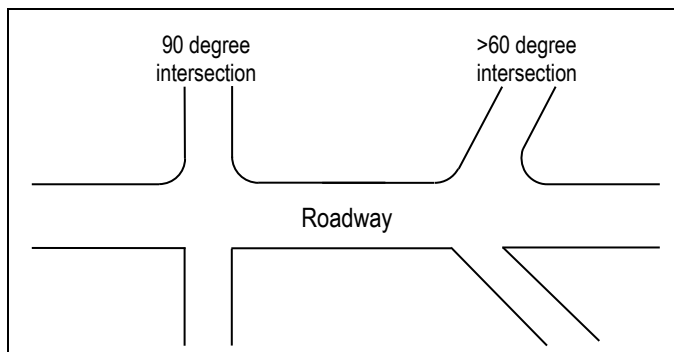


Figure 10.25,D-1. Intersection angle.

- e. The Commission may require a traffic impact study of roadways and intersections in the vicinity of the proposed project site if the proposed development has the potential of generating significant amounts of traffic or if traffic safety or capacity deficiencies exist in the vicinity of the project site.
3. **Parking Layout and Design.** The following standards apply to all subdivisions and commercial, industrial and other non-residential development, except for parking areas associated with trailered ramps and hand-carry launches which are regulated under the provisions of Section 10.27,L:
- a. Sufficient parking shall-must be provided to meet the parking needs of the development. The minimum number of parking spaces required shall-bear: ~~based on parking generation rates determined in accordance with standard engineering practices. In cases where it is demonstrated that a particular structure can be occupied or use carried out with fewer spaces than required, the Commission may reduce number of required spaces upon finding that the proposed number of spaces will meet the parking needs of the structure or use and will not cause congestion or safety problems.~~
- (1) One parking space plus one additional parking space per 300 square feet of floor area for retail stores and services;
  - (2) One parking space plus one additional parking space per four seats for eating and drinking establishments;
  - (3) One parking space per dwelling unit or rental unit for multi-family dwellings and lodging establishments, excepting recreational lodging facilities;
  - (4) Adequate capacity for all other activities not listed above based on parking generation rates determined in accordance with standard engineering practices; and-
  - (5) The minimum number of accessible parking spaces must meet the “2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.” U.S. Department of Justice. (September 15, 2010).
- b. In cases where it is the applicant demonstrates that a particular structure can be occupied, or a use can be carried out with fewer a different number of parking spaces than required, the Commission may reduce or increase the number of required parking spaces upon finding that the proposed number of parking spaces will meet the parking needs of the structure or use development and will not cause congestion or safety problems.
- b.c. Parking areas and access roads shall-must be designed such that runoff water is discharged to a vegetated buffer as sheet flow or alternatively collected and allowed to discharge to a concentrated flow channel, wetland or water body at a rate similar to pre-construction conditions. If runoff water is discharged to a concentrated flow channel, wetland or water body, a sediment basin shall-must be constructed to collect sediment before the runoff water is discharged.
- e.d. **On-street parking.** In areas where on-street parking already exists, new development shall-must have on-street parking where practicable and if there are sufficient spaces available in the immediate vicinity. Otherwise, parallel or diagonal on-street parking is permitted where the Commission finds that it will adequately meet the parking needs of the development and will not cause congestion or safety problems. Perpendicular on-street parking is prohibited. When an approaching vehicle is within 200 feet of a parking space, it must have a clear view for 300 feet beyond the parking space.

**d.e. Off-street Parking for Commercial, Industrial and Other Non-residential Development.**

- (1) Where practicable, off-street parking shall must be located to the side or rear of the principal structure.
- (2) The minimum dimensions for individual parking spaces are 9 feet by 20 feet, except that the minimum dimensions for individual accessible parking spaces must meet the "2010 Americans with Disabilities Act (ADA) Standards for Accessible Design." U.S. Department of Justice. (September 15, 2010). The Commission may reduce the minimum dimensions for standard individual parking spaces provided that the proposed dimensions will meet the parking needs of the development and will not cause congestion or safety problems.
- (3) Off-street parking areas must have a minimum travel lane width of 20 feet.
- (2)(4) Notwithstanding the dimensional requirements of Section 10.26, the Commission may reduce the minimum road setback requirement by up to 50 percent or to no less than 20 feet, whichever is greater, for development utilizing on-street parking in accordance with Section 10.25,D,3,c or for development whose parking area is located to the rear of the principal structure, except where the Commission finds that such parking will cause an undue adverse impact to the natural resources or community character of the area.
- (3)(5) Off-street parking shall must not be directly accessible from any public roadway. Ingress and egress to parking areas shall must be limited to driveway entrances.
- (4)(6) Off-street parking areas with more than two parking spaces shall must be arranged so that each space can be used without moving another vehicle.

**e.f.** Parking spaces shall must not be placed in the required roadway vegetative buffer. However, a "sight triangle" shall must be maintained 25 feet in length on each side of the intersection of the driveway and the roadway right-of-way, with the third side connecting the other two sides. Within each sight triangle, ~~no landscape plants, other than only~~ low growing shrubs, ~~shall are allowed and be planted. These shrubs~~ must be maintained to be no more than 30 inches in height above the driveway elevation.

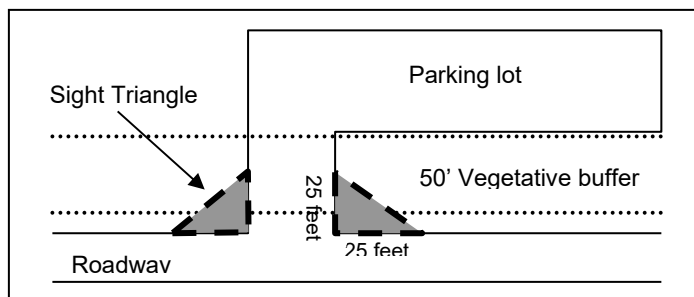


Figure 10.25,D-2. Sight triangle within a vegetative buffer.

**f.g.** Except for sight triangles, parking areas for commercial, industrial or other non-residential development shall must be visually buffered from the roadway by planting and maintaining a vegetative buffer of trees and shrubs or by locating parking areas to the rear of the principal structure.

**g.h.** When parking areas associated with commercial, industrial or other non-residential development are adjacent to residential structures or uses, landscaping and/or architectural screens ~~shall~~must be used to provide an effective visual buffer and separation between property lines and the edge of the parking area.

**h.i.** For parking areas associated with commercial, industrial or other non-residential development that are greater than one acre in size, a landscaping plan ~~shall~~must be developed and implemented that indicates planting locations, type and maintenance. The plan ~~shall~~must include the following:

- (1) Parking areas ~~shall~~must have landscaped strips along the perimeter, as well as landscaped islands within the parking area.
- (2) Expanses of parking area ~~shall~~must be broken up with landscaped islands that include shade trees and shrubs. Where possible, the area of ground left uncovered around the base of a tree must be at least equal to the diameter of the branch area or crown at maturity. Where not possible, adequate measures, including but not limited to soil enhancement techniques and underground irrigation, ~~shall~~must be used to ensure sufficient space for root growth and vegetative survival.

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## **P. PROTECTED NATURAL RESOURCES**

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### **1. Review Standards for Determinations of No Unreasonable Impacts.**

The following standards apply to permit applications affecting protected natural resources as listed in Sections 10.25,P, 2 through 3 and requiring determinations of no unreasonable impacts. For Tier 1 reviews, the applicable standards are limited to Section 10.25,P,1,b, c, and e.

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## **Q. SUBDIVISION AND LOT CREATION**

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This section governs the division of lots and the creation of subdivisions.

...

### **3. General Standards for All Subdivision Layouts.**

...

#### **d. Common Open Space.**

- (3) Unless another configuration better achieves the Commission's natural and cultural resource goals listed in Chapter 1 of the Comprehensive Land Use Plan, any common open space proposed for the subdivision ~~must~~shall be preserved in large, contiguous



blocks that connect with off-site undeveloped land to form a continuous integrated open space system.

...

#### 4. Layout Specific Standards.

The Commission has adopted additional subdivision standards for four different layouts, Basic, Clustered, Rural Lot, and FlexDesign.

...

- b. Clustered Subdivision Layouts.** Clustered subdivisions must meet all general standards in Section 10.25,Q,3, except as provided in Sections 10.25,Q,4,b,(1) through (3) below:
- (1) **Density and Dimensional Requirements for Clustered Layouts.** Chapter 10, Subchapter II identifies the subdivision densities that are allowed in individual land use subdistricts. Depending on the subdistrict, clustered layouts can use a moderate or high-density design. Subdivision densities are defined in Chapter 2 of the Commission's rules.
    - (a) The Commission may reduce the minimum lot size for moderate density designs provided the lot density requirement for the subdivision is met in the aggregate, inclusive of proposed common open space; and may reduce the minimum road frontage or shoreline frontage for individual lots in both moderate- and high-density designs, provided, in the aggregate, these dimensional requirements are met within the development.

**[Revision Note: The following revision clarifies limits to reducing dimensional requirements.]**

- (b) In addition, the Commission may reduce dimensional requirements of Sections 10.26,A through E, in the aggregate, provided:
  - (i) Dimensional requirements, in the aggregate, are not reduced by more than 50 percent; except that consistent with Section 10.26,G,2, shoreline setback requirements must not be reduced;
  - (ii) Site conditions are suitable for more concentrated development on some portions of a site and such concentrated development will not adversely affect resources; and
  - (iii) The specific benefits afforded by the cluster approach will prevent the loss of or enhance the conservation of important natural features.

---

## 10.26 DIMENSIONAL REQUIREMENTS

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The following dimensional requirements apply to all lots on which structural development is proposed unless otherwise provided by Section 10.26,G.

...



**[Revision Note:** The following revisions clarify that the provisions of Section 10.26,B apply to the shorelines of flowing waters and coastal wetlands, not just water bodies. Additionally, the section is proposed to be restructured, in-part to match the structure of Section 10.26,D.]

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## B. MINIMUM SHORELINE FRONTAGE

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### 1. Minimum shoreline frontage must be determined in the following manner:

- a. In the case of a lot which borders more than one non-tidal water body, the minimum shoreline frontage requirement must be met on each water body or wetland bordered by the lot. Where a single lot has multiple shoreline frontages on one water body (e.g., a peninsula or an island), the minimum shoreline frontage requirement must be met on each shoreline.
- b. Frontage ~~shall~~must be measured in a straight line between the points of intersection of side lot lines with the normal high water mark of the shoreline. Where a lot consists of an entire island, frontage must be measured as twice the diameter of the island along its longest axis.
- c. The minimum width of any portion of any lot within 100 feet, horizontal distance, ~~of the normal high water mark of a water body~~of the shoreline shall be equal to or greater than the applicable minimum shoreline frontage requirement.

1.2. For lots fronting on a flowing water draining more than 2 square miles but less than 50 square miles, a body of standing water less than 10 acres in size not including constructed ponds, or a coastal wetland, the minimum shoreline frontages are:

- a. 150 feet per dwelling unit for residential uses;
- b. 200 feet for commercial, industrial, and other non-residential uses involving one or more buildings; and
- c. 150 feet for a lot that only contains a residential campsite.

2.3. For lots fronting on a flowing water draining 50 square miles or more or a body of standing water 10 acres or greater in size, the minimum shoreline frontage ~~shall be~~is:

- a. 200 feet per dwelling unit for residential uses;
- b. 300 feet for commercial, industrial, and other non-residential uses involving one or more buildings; and
- c. 200 feet for a lot that only contains a residential campsite.

~~3.1. In the case of a lot which borders more than one water body, the shoreline frontage requirement must be met on each water body bordered by the lot.~~

~~4.1. Frontage shall be measured in a straight line between the points of intersection of side lot lines with the normal high water mark of the shoreline.~~

~~5.1. The minimum width of any portion of any lot within 100 feet, horizontal distance, of the normal high water mark of a water body shall be equal to or greater than the applicable minimum shoreline frontage requirement.~~

- 6.4.** The shoreline frontage may be waived to no less than 200 feet for public boat launches where the applicant demonstrates there will be no undue adverse impact to surrounding uses.
- 7.5.** There ~~shall be~~ is no minimum shoreline frontage requirement for lots developed only with a campsite.

**[Revision Note: The following proposes to restructure the section, in-part to match the structure of Section 10.26,D.]**

## C. MINIMUM ROAD FRONTAGE

### 1. Minimum road frontage must be determined in the following manner:

- a. These requirements apply to any privately or publicly owned road that is used for public access, including roads used by the public for which a toll is paid.
- b. Where the lot is located at the end of a road or on a circular turnaround with an outside diameter of less than 25 feet, the road frontage requirements shall not apply.
- c. Frontage ~~shall~~ must be measured along the traveled portion of the road between the points of intersection of side lot lines with the traveled portion of the road.
- d. In the case of a lot which borders more than one road, the minimum road frontage requirement must be met on at least one road ~~bordered by the lot~~.

### 1.2. Except as provided for in Section 10.26,C,~~63~~ below, the minimum road frontage ~~shall be~~ is:

- a. 100 feet per dwelling unit for residential uses;
- b. 200 feet for commercial, industrial, and other non-residential uses involving one or more buildings; and
- c. 100 feet for a lot that only contains a residential campsite.

~~2.1. These requirements apply to any privately or publicly owned road that is used for public access, including roads used by the public for which a toll is paid.~~

~~3.1. Where the lot is located at the end of a road or on a circular turnaround with an outside diameter of less than 25 feet, the road frontage requirements shall not apply.~~

~~4.1. Frontage shall be measured along the traveled portion of the road between the points of intersection of side lot lines with the traveled portion of the road.~~

~~5.1. In the case of a lot which borders more than one road, the road frontage requirement must be met on at least one road bordered by the lot.~~

### **6.3. Flexible Road Frontage Requirements In Prospectively Zoned Areas.**

- a. Except on state or state-aid highways, road frontage requirements for commercial and residential development in the D-GN, D-GN2, D-GN3, D-RS, and D-RS2 may be reduced below those listed above in order to allow the proposed development to conform with the

prevailing frontage in its immediate vicinity. The prevailing frontage is the average frontage of those lots within 500 feet on either side of the subject parcel.

- b. Reductions in road frontage ~~shall~~must be approved only when they will not cause an increased risk of accidents or impact the posted speed of the road.

7.4. There ~~shall be~~is no minimum road frontage requirement for lots developed only with a campsite.

...

**D. MINIMUM SETBACKS**

...

**3. Multi-family Dwellings, and Commercial, Industrial, and Other Non-Residential Uses.**

The minimum setbacks for multi-family dwellings and commercial, industrial, and other non-residential principal and accessory structures, other than those described in Section 10.26,D,2, 4, and 5 and except as provided in Sections 10.26,G and 10.27,Q are:

...

- c. 25 feet from the side and rear property lines, except as provided for in Section 10.27,S,4,a for outdoor cultivation of ~~marijuana~~cannabis.

...

**G. EXCEPTIONS TO DIMENSIONAL REQUIREMENTS**

...

- 7. Where development is adjacent to a water quality limiting lake, the Commission may vary the applicable dimensional requirements in accordance with Section 10.25,A,43.

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## 10.27 ACTIVITY-SPECIFIC STANDARDS

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The documents referenced within this section may be obtained from the Commission's office in Augusta, or any of its regional offices.

...

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### G. MOTORIZED RECREATIONAL GOLD PROSPECTING

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6. **Closed Areas.** Motorized recreational gold prospecting is prohibited within the following areas.

...

**e. Aroostook County.**

- (1) Allagash River and all water bodies within 800 feet of normal high water mark of the watercourse: T10 R12 WELS, T10 R13 WELS, T11 R13 WELS, T12 R13 WELS, T13 R12 WELS, T13 R13 WELS, T14 R11 WELS, T14 R12 WELS, T15 R10 WELS, T15 R11 WELS
- (2) Aroostook River: T9 R5 WELS, T9 R7 WELS, T9 R8 WELS, Oxbow ~~P#~~North Twp, T10 R6 WELS

...

- (12) McLean Brook: ~~T17 R4 WELS~~Sinclair Twp

...

**f. Oxford County.**

...

- (7) Magalloway River and tributaries, including Little Magalloway River: Bowmantown Twp, Lincoln Plt, Lynchtown Twp, Magalloway ~~P#~~Twp, Oxbow Twp, Parkertown Twp, Parmachenee Twp

...

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## H. DRIVEWAYS ASSOCIATED WITH RESIDENTIAL STRUCTURES AND USES

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...

**[Revision Note: The two following edits reflect that the underlying provisions regard more than just water bodies.]**

### 2. Water Body and Wetland Setback Requirements.

a. **Minimum Waterbody and Wetland Setback.** The minimum water body and wetland setback for a driveway which accesses an undeveloped lot or a lot having residential structures is:

- (1) 100 feet from the nearest shoreline of a flowing water draining 50 square miles, and a body of standing water greater than 10 acres in size;
- (2) 75 feet from the nearest shoreline of a coastal wetland; and
- (3) 50 feet from the upland edge of minor flowing waters and mapped P-WL1 wetlands.

### b. **Exceptions to Water Body and Wetland Setback Requirements.**

- (1) The water body and wetland setback requirements do not apply to approaches to water body or wetland crossings.
- (2) A lesser setback may be allowed with a permit in the following instances provided no other reasonable alternative exists and appropriate techniques are used as needed to prevent sedimentation of the water body or wetland.
  - (a) In the case of legally existing nonconforming structures located in the shoreland area, the driveway may extend to the portion of the principal structure farthest from the normal high water mark of the water body, but in no case closer than 50 feet from the normal high water mark of the water body; or
  - (b) To allow access to permitted facilities located nearer to the shoreline due to an operational necessity as described in Section 10.26,G,5.

...

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## J. SIGNS

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...

### 2. Regulations Applying to All Signs.

Notwithstanding any other provisions of this chapter, no sign may be erected or maintained which:

...

- g. With the exception of ~~marijuana-cannabis~~ businesses, advertises activities which are illegal under any state or federal law applicable at the location of the sign or of the activities;

...

---

## N. HOME-BASED BUSINESSES

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Except as hereinafter provided, home-based businesses not in conformance with the standards of Section 10.27,N are prohibited.

### 1. Minor Home-based Businesses.

- c. **Purpose.** The intent of Section 10.27,N,1 is to allow minor home-based businesses under the conditions stated herein in certain subdistricts without requiring a permit.

- d. **Size.**

- (1) A minor home-based business must not utilize ~~not~~ more than 50 percent of all floor area of all principal and accessory structures up to a limit of 1,500 square feet.

...

- j. **~~Marijuana-Cannabis~~ Businesses.** Minor home-based businesses involving a ~~marijuana cannabis~~ business are allowed in compliance with Section 10.27,S,4.

### 2. Major Home-based Businesses.

...

- j. **~~Marijuana-Cannabis~~ Businesses.** Major home-based businesses involving a ~~marijuana cannabis~~ business are allowed in compliance with Section 10.27,S,4.

...

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## S. COMMERCIAL BUSINESSES

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The standards in Section 10.27,S apply to commercial businesses. Natural Resource Processing Facilities and Recreation Supply Businesses not in conformance with the standards of Section 10.27,S,2 and 3 may be allowed upon issuance of a permit from the Commission, provided that such types of activities are allowed in the subdistrict involved. An applicant for such a permit must show by a preponderance of the evidence that the business activity, which is not in conformance with the Standards of Section 10.27,S will be conducted in a manner which produces no undue adverse impact upon the resources and uses in the area. Sections 10.27,S,1 and 4 include standards which may not be exceeded with a permit.

### 1. Standards for All Commercial Development.

- a. **Wildlife Passage.**

Except as provided in Section 10.27,S,1, ~~b,(1) through (3)a,(2)~~, the standard for wildlife

passage must be met for all commercial businesses located within a primary location and in a new development subdistrict established after June 17, 2019.

- (1) The design for the business must include suitable open space for wildlife passage, around or through the development, of at least 500 feet in width. The wildlife passage must be located, in order of preference, along the side of flowing waters or wetlands, in a way that links high value wildlife habitats on or off the property, along the property line of any abutting conserved land, or adjacent to one of the boundary lines of the parcel, to the extent practicable.
- (2) Notwithstanding Section 10.27,S,1,a,(1), the Commission may allow a design without onsite open space for wildlife passage:
  - (a) In cases where a proposed development constitutes “in-fill” development, on a parcel surrounded by existing development, for which any designated open space would be an isolated pocket providing little long-term value.
  - (b) In cases where the commercial business has joined with a group of landowners to jointly establish a common wildlife corridor at least 500 feet in width, within one-quarter mile of the project site, that will be protected in accordance with the provisions of Section 10.25,S.
  - (c) In cases where a site-specific resource assessment shows that the Commission’s wildlife passage goal will otherwise be met on or within one-quarter mile of the project site.
- (3) Permit applications for commercial businesses required to meet this standard must include a plan identifying the wildlife passage and demonstrating that the open space for wildlife passage will not be materially altered in the future by any uses allowed with or without a permit.

## 2. Natural Resource Processing Facilities.

...

### b. Standards for Natural Resource Processing Facilities without Structural Development.

...

- (6) Traffic.
  - (a) Any traffic generated by the processing facility must be consistent with the existing pattern on the network of roads used by the facility when considering the type of traffic (e.g., trucks or passenger vehicles), and hours of operation.
  - (b) If processed goods will be transported by trucks exceeding US truck classification, Class 4 commercial truck, the off-site network of roads used to transport those goods must at least meet the Class 3 roadway standards of Sections 10.25,D,4, ~~e and f~~, (3) and (4).

...

**[Revision Note:** Consistent with Public Law 2021 Chapter 669, section 6, the following replaces the term “marijuana” with the term “cannabis.” While the recent statutory change is not directed at the Commission or its rules, these revisions are in keeping with the spirit of the law.]

#### 4. ~~Marijuana~~ Cannabis Businesses.

Except as specified below, the following standards apply to medical ~~marijuana~~ cannabis and adult use ~~marijuana~~ cannabis facilities.

##### a. Odor.

- (1) Ventilation. Any building used for products manufacturing or cultivation must have a properly installed and functioning ventilation and filtration system to remove odors from air exiting the building; and
- (2) Property line setbacks. All areas used for outdoor cultivation must be setback 200 feet from all property lines; and
- (3) Vegetative Buffers for Outdoor Cultivation. An undisturbed vegetative buffer consisting of trees and shrubs must be maintained between areas used for outdoor cultivation of ~~marijuana~~ cannabis and all property lines. The buffer must be composed of a species or a combination of species that, when mature, will provide a dense vegetative buffer at least 25 feet wide and 12 feet tall. Where existing natural vegetation will meet this requirement, no additional planting is required. Where there is an existing cleared opening, a vegetative buffer must be planted to sufficiently attenuate odors. This may be accomplished by planting two staggered rows of evergreen trees 10 feet apart or by a custom planting plan approved by the Commission.

Greenhouses must comply with either ventilation standards or both property line setbacks and vegetative buffer standards, depending on whether the greenhouse most resembles an indoor or outdoor space.

##### b. Lighting.

- (1) Greenhouse lighting must be fully shielded between sunset and sunrise and must not illuminate exterior areas or otherwise make the greenhouse appear to glow.

...



## APPENDIX C      ALPHABETICAL LIST OF LAKES SHOWING WILDLANDS LAKE ASSESSMENT FINDINGS

...

### ALPHABETICAL LIST OF LAKES SHOWING WILDLANDS LAKE ASSESSMENT FINDINGS

PRINCIPAL LAKE NAME	LAKE #	TOWN NAME	IF&W REG	SIZE (AC)	RESOURCE RATINGS							RESOURCE CLASS	LAND USE		MGNT CLASS	
					FSH	WLD	SC	SH	BOT	CLT	PHY		ACCESS	DEV		
...																
AZISCOHOS P	3106	MAGALLOWAY <del>PL</del> TWP	D	12	S							1B	INAC	UNDEV	6	
...																
BEAVER P	3310	MAGALLOWAY <del>PL</del> TWP	D	179	O		O-					1A	AC	UNDEV	2	
...																
BEAVER P (LITTLE)	3312	MAGALLOWAY <del>PL</del> TWP	D	50	S							2	AC	DEV		
...																
BIGELOW P	3318	MAGALLOWAY <del>TW</del> PPLT	D	10								3	AC	UNDEV		
...																
CRANBERRY P	3314	MAGALLOWAY <del>TW</del> PPLT	D	100								3	AC	UNDEV		
...																
LONG P	3320	MAGALLOWAY <del>TW</del> PPLT	D	10								3	INAC	UNDEV		
...																
STURTEVANT P	3104	MAGALLOWAY <del>TW</del> PPLT	D	518	S		O	S				1B	AC	DEV		
...																
SUNDAY P	3316	MAGALLOWAY <del>TW</del> PPLT	D	30	S	S						2	INAC	UNDEV	6	
...																
UMBAGOG L	3102	MAGALLOWAY <del>TW</del> PPLT	D	7850	S	O	+	+		S+	+	1B	AC	UNDEV		
...																
UNNAMED P	7700	MAGALLOWAY <del>TW</del> PPLT	D	10								3	INAC	UNDEV		
...																

## APPENDIX D      LAKES AND RIVERS ON WHICH THE USE OF PERSONAL WATERCRAFT IS PROHIBITED

LAKE NAME	LAKE #	COUNTY	PRINCIPAL TOWN NAME	SIZE (ACRES)
...				
AZISCOHOS P	3106	OXFORD	MAGALLOWAY <del>PL</del> TWP	12
...				
BEAVER P	3310	OXFORD	MAGALLOWAY <del>PL</del> TWP	179
...				
SUNDAY P	3316	OXFORD	MAGALLOWAY <del>PL</del> TWP	30
...				

**[Revision Note:** As noted in the heading, the information included in Appendix E is incorporated into Chapter 10 for public information/user convenience. However, for administrative purposes, the information here would be removed from Chapter 10 and made publicly available through other means (e.g., an official Commission guidance document).]

**APPENDIX E**      **~~(RESERVED) FEMA MAPS FOR THE LUPC~~**  
**JURISDICTION**  
(FOR PUBLIC INFORMATION ONLY)

Title	Community or Map #	Effective Date
<b>AROOSTOOK COUNTY</b>		
FIRM, Benedicta, Town of, ME, Aroostook County	230420A	09/18/1985
FIRM, Cary Plantation, ME, Aroostook County	230441A	02/01/1985
FIRM, Connor, Township of, ME, Aroostook County	230451A	01/17/1985
FIRM, Cyr Plantation, ME, Aroostook County	230443A	08/19/1985
FIRM, Garfield Plantation, ME, Aroostook County	230444A	08/19/1985
FIRM, Hamlin, Town of, ME, Aroostook County	230445A	08/05/1985
FIRM, Maewahoe Plantation, ME, Aroostook County	230446A	09/18/1985
FIRM, St. John Plantation, ME, Aroostook County	230448A	09/27/1985
FIRM, Silver Ridge, Township of, ME, Aroostook County	230452A	09/04/1985
FIRM, T17 R4 WELS, Township of, ME, Aroostook County (Sinclair Twp)	230453A	10/01/1986
FIRM, T17 R5 WELS, Township of, ME, Aroostook County (Cross Lake Twp)	230454A	05/19/1987
FIRM, Winterville Plantation, ME, Aroostook County	230450A	11/01/1985
<b>FRANKLIN COUNTY</b>		
FIRM, Dallas Plantation, ME, Franklin County	230455	02/23/2000
FIRM, Freeman, Township of, ME, Franklin County	230457A	09/18/1985
FIRM, Madrid, Town of, ME, Franklin County	230350A	08/19/1985
<b>HANCOCK COUNTY</b>		
FIRM, FIS Hancock County, ME (All Jurisdictions)	23009C,	07/20/2016*
<i>Bald Island</i>	Panels 1333D, 1334D, 1341D	
<i>Bar Island</i>	Panel 1139D	
<i>Beach Island</i>	Panel 1114D	
<i>Bear Island</i>	Panels 1327D, 1329D	
<i>Barred Island (FEMA Listed as Big Barred Island)</i>	Panel 1114D	
<i>Big Barred Island</i>	Panel 1331D	
<i>Birch Island</i>	Panels 1117D, 1136D	
<i>Bradbury Island</i>	Panels 1332D, 1351D	
<i>Butter Island</i>	Panels 1331D, 1332D	

<i>Chain Links Islands – North</i>	Panels 1327D, 1331D
<i>Chain Links Islands – South</i>	Panels 1327D, 1331D
<i>Channel Rock Island</i>	Panels 1329D, 1333D
<i>Colt Head Island</i>	Panel 1114D
<i>Compass Island</i>	Panel 1328D
<i>Crow Island</i>	Panel 1351D
<i>Eagle Island</i>	Panels 1332D, 1333D, 1334D
<i>Eaton Island</i>	Panel 1138D
<i>Fletchers Landing Twp</i>	Panels 0594D, 0613D, 0614D, 0618D, 0756D, 0757D, 0759D, 0780D, 0781D, 0783D

(See FIRM, FIS, Town of Ellsworth, 230066, for Graham L. BFE)

<i>Fling Island</i>	Panel 1333D
<i>Grass Ledge Island</i>	Panel 1333D
<i>Great Spruce Head Island</i>	Panel 1327D
<i>Green Ledge</i>	Panel 1112D
<i>Hardhead Island</i>	Panel 1332D
<i>Hog Island</i>	Panels 1116D, 1118D
<i>Horsehead Island</i>	Panels 1113D, 1326D
<i>Inner Porcupine Island</i>	Panel 1334D
<i>Little Barred Island</i>	Panels 1327D, 1331D
<i>Little Marshall Island</i>	Panel 1413D, 1526D
<i>Little Spruce Head</i>	Panel 1326D
<i>Marshall Island</i>	Panels 1394D, 1413D, 1507D, 1526D
<i>Outer Porcupine Island</i>	Panel 1334D
<i>Peak Island</i>	Panel 1331D
<i>Pickering Island</i>	Panels 1119D, 1138D
<i>Pond Island</i>	Panels 1112D, 1116D
<i>Pumpkin Island</i>	Panel 1136D
<i>Resolution Island</i>	Panel 1113D
<i>Scott Island</i>	Panel 1136D
<i>Serag Island</i>	Panel 1327D
<i>Sheep Island</i>	Panel 1138D
<i>Sloop Island</i>	Panels 1329D, 1333D
<i>Sloop Island Ledge</i>	Panel 1329D
<i>Spectacle Island</i>	Panels 1116D, 1117D
<i>Sugarloaf</i>	Panel 1331D
<i>T07 ND Twp</i>	Panels 830D, 840D, 845D, 863D, 1026D, 1030D
<i>T09 SD Twp</i>	Panels 0806D, 0808D
<i>T10 SD Twp</i>	Panel 0830D
<i>T32 MD Twp</i>	Panel 0265D
<i>Two Bush Island</i>	Panel 1117D
<i>Western Island</i>	Panel 1112D

FIRM, Osborn, Township of, ME, Hancock County 23009C 07/20/2016

Panels 0430D, 0435D, 0437D, 0439D,  
0441D, 0442D, 0443D, 0444D,

0475D, 0606D, 0607D, 0630D,  
0650D

**KENNEBEC COUNTY**

FIRM, FIS, Kennebec County, ME, (All Jurisdictions) 23011C, 06/16/2011  
*Unity Township* Panels 0064D, 0202D, 0204D, 0210D

**KNOX COUNTY**

FIRM, FIS Knox County, ME (All Jurisdictions) 23013C, 07/06/16\*  
*Andrews Island* Panels 0364D, 0368D, 0581D  
*Bar Island* Panel 0577D  
*Birch Island* Panels 0364D, 0368D  
*Brig Ledge* Panel 0809D  
*Camp Cove Ledge* Panel 0809D  
*Camp Island* Panel 0368D  
*Clam Ledges* Panels 0364D, 0577D  
*Crescent Island* Panel 0368D  
*Criehaven Twp* Panels 0807D, 0809D, 0828D\*\*, 0836D,  
0850D\*\*  
*Crow Island* Panels 0577D, 0579D  
*Dix Island* Panels 0364D, 0577D  
*East Goose Rock* Panel 0211D  
*Egg Rock* Panel 0210D\*\*  
*Fisherman Island* Panel 0366D  
*Flag Island* Panel 0577D  
*Goose Island* Panel 0212D  
*Gooseberry Knob* Panel 0368D  
*Graffam Island* Panels 0576D, 0577D  
*Great Pond Island* Panel 0368D  
*Green Ledge* Panel 0809D  
*Herring Ledge* Panel 0594D  
*Hewett Island* Panels 0577D, 0581D  
*High Island* Panels 0364D, 0368D  
*High Ledge* Panel 0809D  
*Hog Island* Panels 0776D  
*Large Green Island* Panels 0592D, 0594D  
*Lasell Island* Panel 0204D  
*Little Green Island* Panel 0364D  
*Little Green Island (2)* Panels 0591D, 0592D  
*Little Hurricane Island* Panel 0392D  
*Little Pond Island* Panel 0368D  
*Little Two-Bush Island* Panel 0579D  
*Malcolm Ledge* Panel 850D\*\*  
*Marblehead Island* Panel 0366D  
*Mark Island* Panel 0211D  
*Matinicus Isle Plt* Panels 0569D, 0579D, 0588D, 0591D,  
0592D, 0594D, 0619D, 0638D,  
0644D, 0757D, 0776D, 0806D,

	807D, 0809D, 0826D**, 0827D, 0828D**, 0831D, 0850D**
<del>Metinic Green Island</del>	<del>Panel 0757D</del>
<del>Metinic Island</del>	<del>Panels 0569D, 588D, 0757D</del>
<del>Mink Island</del>	<del>Panel 0577D</del>
<del>Mouse Island</del>	<del>Panel 0204D</del>
<del>Muscle Ridge Twp.</del>	<del>Panels 0358D, 0362D, 0364D, 0366D, 0368D, 0380D**, 0383D, 0576D, 0577D, 0579D, 0581D</del>
<del>Nettle Island</del>	<del>Panel 0577D</del>
<del>Oak Island</del>	<del>Panel 0364D</del>
<del>Otter Island</del>	<del>Panel 0364D</del>
<del>Pleasant Island</del>	<del>Panel 0577D</del>
<del>Pudding Island</del>	<del>Panel 0809D</del>
<del>Ragged Island</del>	<del>Panel 0809D</del>
<del>Robinson Rock</del>	<del>Panel 0211D</del>
<del>Saddle Island</del>	<del>Panel 0212D</del>
<del>Seal Island</del>	<del>Panels 0644D, 0663D</del>
<del>Shag Ledge</del>	<del>Panel 0809D</del>
<del>Spectacle Island</del>	<del>Panel 0368D</del>
<del>Tenpound Island</del>	<del>Panel 0807D</del>
<del>The Hogshead</del>	<del>Panel 0809D</del>
<del>The Nubble</del>	<del>Panel 0776D</del>
<del>Two Bush Island</del>	<del>Panels 0577D, 0579D</del>
<del>Two Bush Reef</del>	<del>Panel 0577D</del>
<del>Wheaton Island</del>	<del>Panel 0807D</del>
<del>Wheeler Big Rock</del>	<del>Panel 0588D</del>
<del>Wooden Ball Island</del>	<del>Panels 0827D, 0831D</del>
<del>Yellow Ledge</del>	<del>Panel 0577D</del>

**LINCOLN COUNTY**

<del>FIRM, FIS, Lincoln County, ME (All Jurisdictions)</del>	<del>23015C,</del>	<del>07/16/2015</del>
<del>Bar Island</del>	<del>Panels 0387D, 0389D</del>	
<del>Haddock Island</del>	<del>Panel 0389D</del>	
<del>Hibberts Gore Township</del>	<del>Panels 055D, 060D</del>	
<del>Hungry Island</del>	<del>Panels 0313D, 0382D, 0401D</del>	
<del>Indian Island</del>	<del>Panel 0383D</del>	
<del>Jones Garden Island</del>	<del>Panel 0392D</del>	
<del>Killiek Stone Island</del>	<del>Panel 0391D</del>	
<del>Louds Island</del>	<del>Panels 0379D, 0383D, 0387D, 0391D</del>	
<del>Marsh Island</del>	<del>Panel 0391D</del>	
<del>Monhegan Island Plantation</del>	<del>Panels 0514D, 0518D</del>	
<del>Polins Ledges Island</del>	<del>Panel 0391D</del>	
<del>Ross Island</del>	<del>Panel 0393D</del>	
<del>Thief Island</del>	<del>Panel 0391D</del>	
<del>Thrumcap Island</del>	<del>Panel 0391D</del>	
<del>Webber Dry Ledge Island</del>	<del>Panel 0389D</del>	
<del>Western Egg Rock Island</del>	<del>Panel 0393D</del>	
<del>Wreck Island</del>	<del>Panel 0392D</del>	

~~*Wreck Island Ledge* Panel 0392D~~

**OXFORD COUNTY**

~~FIRM, FIS, Oxford County, ME, (All Jurisdictions) 23017C, 07/07/2009  
*Milton Township* Panels 0832D, 0833D, 0834D, 0845D,  
 0851D, 0852D, 0855D, 0856D,  
 0860D, 0865D~~

**PENOBSCOT COUNTY**

~~FIRM, Argyle, Township of, ME, Penobscot County 230464A 09/18/1985  
 (See FIRM, FIS, Town of Greenbush, 230107, for Penobscot R. BFE) 09/04/1987  
 FIRM, Carroll, Plantation of, ME, Penobscot County 230461A 08/19/1985  
 FIA, Flood Hazard Boundary Map, Greenfield, Town of, ME,  
 Penobscot County 230388 02/21/1975  
 FIRM, Kingman, Township of, ME, Penobscot County 230474A 01/17/1985  
 FIRM, Mount Chase, Plantation of, ME, Penobscot County 230462A 09/18/1985  
 FIRM, Prentiss, Plantation of, ME, Penobscot County 230463A 08/19/1985~~

**PISCATAQUIS COUNTY**

~~FIRM, Atkinson, Town of, ME, Piscataquis County 230407 12/04/1985  
 Panel 0005B  
 FIRM, Orneville, Township of, ME, Piscataquis County 230465A 04/17/1987~~

**SAGadahoc COUNTY**

~~FIRM, FIS, Sagadahoc County, ME (All Jurisdictions) 23023C, 07/16/2015  
*Perkins Township* Panels 0108F, 0112F, 0114F, 0116F, 0118F~~

**SOMERSET COUNTY**

~~FIRM, Concord, Township of, ME, Somerset County 230466A 02/01/1985  
 FIRM, Pleasant Ridge Plantation, ME, Somerset County 230367A 11/01/1985  
 FIRM, Rockwood Strip, Township of, ME, Somerset County 230467A 12/01/1987  
 (T2 R1 NBKP)~~

**WALDO COUNTY**

~~FIRM, FIS, Waldo County, ME (All Jurisdictions) 23027C, 07/06/2015  
*Lime Island* Panel 0704E  
*Little Bermuda Island* Panel 0704E~~

**WASHINGTON COUNTY**

~~FIRM, FIS Washington County, ME (All Jurisdictions) 23029C, 07/18/2017\*  
*Baring Plantation* Panels 0714E, 0718E, 0910E, 0920E,  
 0930E, 0935E, 0940E, 0945E,  
 0955E  
*Brookton Township* Panels 0135E, 0145E, 0155E, 0160E,  
 0165E, 0170E, 0305E  
*Edmunds Township* Panels 1170E, 1186E, 1187E, 1188E,  
 1189E, 1191E, 1193E, 1194E,  
 1430E, 1431E, 1432E, 1433E,  
 1434E, 1441E~~

<i>Grand Lake Stream Plantation</i>	Panels	0470E, 0490E, 0495E, 0610E, 0620E, 0630E, 0635E, 0640E, 0645E
<i>Lambert Lake Township</i>	Panels	0220E, 0240E, 0245E, 0355E, 0360E, 0380E
<i>Treescott Township</i>	Panels	1194E, 1213E, 1432E, 1433E, 1434E, 1441E, 1442E, 1451E, 1453E, 1454E, 1464E, 1465E, 1468E, 1684E, 1685E, 1701E, 1702E, 1703E

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Notes:	BFE	Base Flood Elevation	FIRM	Flood Insurance Rate Map
	FIA	Flood Insurance Administration	FIS	Flood Insurance Study

- \* When the current effective date of Chapter 10 is before the effective date of this map, the prior version of the FEMA map, as applicable to these communities, remains in effect until this map becomes effective.
- \*\* Indicates that FEMA did not print the map panel, but the community is all in a Special Flood Hazard Area. See the applicable index map, as the base flood elevation varies. These panels must be included in the list even though they have not been printed.