

STATE OF MAINE
DEPARTMENT OF THE SECRETARY OF STATE

Rulemaking Fact Sheet
(see 5 M.R.S. § 8057-A(1))

Agency: Maine Land Use Planning Commission

Name, Address, Telephone Number, and Email Address of Agency Contact Person:

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Chapter Number and Rule Title: **Chapter 2**, Definitions; **Chapter 10**, Land Use Districts and Standards

Type of Rule: Routine Technical

Statutory Authority: 12 M.R.S. §§ 685-A(3); 685-A(7-A); and 685-C(5)

Public Hearing(s) (*include day, date, time, and location*): Not applicable; a public hearing has not been scheduled

Comment Deadline(s) (*include day, date, and time*):

Written comments must be submitted on or prior to Monday, September 14, 2026;

Written rebuttal comments must be submitted on or prior to Monday, September 21, 2026.

Principal Reason(s) or Purpose for Proposing this Rule [see 5 M.R.S. § 8057-A(1)(A)]:

The Maine Land Use Planning Commission is proposing miscellaneous revisions to Chapters 2 and 10. The proposed revisions would improve the rule's alignment with recent changes to related guidance from other state agencies, clarify certain provisions for consistency, and correct several errors. All proposed revisions are routine in nature, and include: Updating variance criteria for functionally dependent uses to remain consistent with changes to municipal law; Clarifying which special exception criteria apply to certain uses in the General Development subdistrict; Allowing a "qualified professional" to certify wharf, pier, dock, and breakwater designs in flood prone areas to increase consistency with Maine's model floodplain ordinance for municipalities; Adding an exception to the maximum structure height provisions for public safety facility structures less than 500 feet from lakes, ponds, rivers, and coastal wetlands to accommodate the additional height required for operational needs; and several corrections and clerical edits.

Is Material Incorporated by Reference into the Rule [see 5 M.R.S. § 8056(2-A)]? No

Analysis and Expected Operation of the Rule [see 5 M.R.S. § 8057-A(1)(B) & (D)]:

The proposed revisions will provide additional flexibility for certain types of activities, make the rules more consistent with state statutes, rules, and guidance, correct several citations, and update criteria; all of which will improve the function, accuracy, and clarity of the Commission's rules.

Brief Summary of Relevant Information Considered During Development of the Rule (including up to 3 primary sources relied upon)[see 5 M.R.S. §§ 8057-A(1)(E) & 8063-B]:

Staff relied upon the agency's historical permitting data, existing agency rules, and the professional judgment of agency staff and board members.

Estimated Fiscal Impact of the Rule [see 5 M.R.S. § 8057-A(1)(C)]:

If ultimately adopted, the revisions will not have a fiscal impact.

FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:

Economic Impact, Whether or Not Quantifiable in Monetary Terms [see 5 M.R.S. § 8057-A(2)(A)]:

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Individuals, Major Interest Groups and Types of Businesses Affected and How They Will Be Affected [see 5 M.R.S. § 8057-A(2)(B)]:

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Benefits of the Rule [see 5 M.R.S. § 8057-A(2)(C)]:

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Note: If necessary, additional pages may be used.