



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 54

H.P. 29

House of Representatives, January 4, 2023

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

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


ROBERT B. HUNT
Clerk

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

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

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

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

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

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

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

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

22 **SUMMARY**

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