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Date: (Filing No. S- )

**ENVIRONMENT AND NATURAL RESOURCES**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 172, L.D. 550, Bill, “An Act To Amend the Definition of "Subdivision" in the Laws Governing Planning and Land Use Regulation for Subdivisions and a Provision Excepting the Division of a New or Existing Structure from Those Laws Beginning July 1, 2018”

Amend the bill by striking out all of sections 2 and 3 and inserting the following:

**'Sec. 2. 30-A MRSA §4402, sub-§6,** as enacted by PL 2017, c. 104, §4, is amended to read:

**6. Division of new or existing structures.** Beginning July 1, 2018, a division of a new or existing structure into 3 or more dwelling units whether the division is accomplished by sale, lease, development or otherwise in a municipality where the project is subject to municipal site plan review ~~in accordance with Title 38, section 488, subsection 19 or Title 38, section 489-A.~~

A. For the purposes of this subsection, "municipal site plan review" means review under a municipal ordinance that sets forth a process for determining whether a development meets certain specified criteria, which must include criteria regarding stormwater management, sewage disposal, water supply and vehicular access and which may include criteria regarding other environmental effects, layout, scale, appearance and safety.

B. The municipal reviewing authority in each municipality shall determine whether a municipal site plan review ordinance adopted by the municipality meets the requirements of paragraph A.

**Sec. 3. Retroactivity.** This Act applies retroactively to June 30, 2018.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**COMMITTEE AMENDMENT**

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**SUMMARY**

This amendment includes a definition for the term "municipal site plan review" as used in an exemption to municipal subdivision review requirements. It also makes the changes to the subdivision law that are included in the bill retroactive to June 30, 2018.