

# Chapter 2

## The Commission

### 2.1 Introduction

The Maine Land Use Regulation Commission (LURC or the Commission) was created by the Maine Legislature in 1971 to serve as the planning and zoning authority for the state's plantations and unorganized areas<sup>1</sup>. The Commission was established primarily in response to a recreational building and land development boom in these areas during the late 1960s. As directed by statute, its purpose is to extend the principles of planning and zoning; preserve public health, safety, and welfare; encourage the well-planned, multiple use of natural resources; promote orderly development; and protect natural and ecological values. The Commission has regulatory jurisdiction over land uses in these areas because there is no form of local government to administer land use controls, or local governments exist but choose not to administer land use controls. The jurisdiction is a diverse area which includes numerous coastal islands and stretches from Downeast across to the Western Mountains and up to the Canadian border (see Map 1). This area encompasses more than 10.4 million acres, over one-half of the state and one-fourth of New England.

While the more undeveloped portion of the jurisdiction is often referred to as wilderness by recreationists and those promoting recreation in the jurisdiction, this area is not wilderness by strict definition. To visitors, much of this area may seem like wilderness compared to much of the Northeast. For those living or working in or near the mainland portion of the jurisdiction, however, logging roads and active timber harvesting clearly identify the region as a working landscape important to the state's forestry industry and recreation industry. Historically, much of the jurisdiction has been referred to as the "wildlands" or the "North Woods" of Maine.

In 1971, and still today, the responsibility of guiding land use in the jurisdiction represents a unique challenge. The jurisdiction encompasses the largest, contiguous undeveloped area in the Northeast. The most striking features of the area are the forest — diverse in appearance because it is actively managed for timber — and the general absence of development. The natural world dominates the region, and the landscape is made intriguing by high mountains, pristine lakes and streams, wetlands and abundant wildlife. Settled areas and many of the conveniences of modern life are generally a long distance away. While the area has an extensive private land management road network, it has few public roads and is sparsely populated. Most development is concentrated along the edge of the jurisdiction, adjacent to more populous areas where services are more accessible.

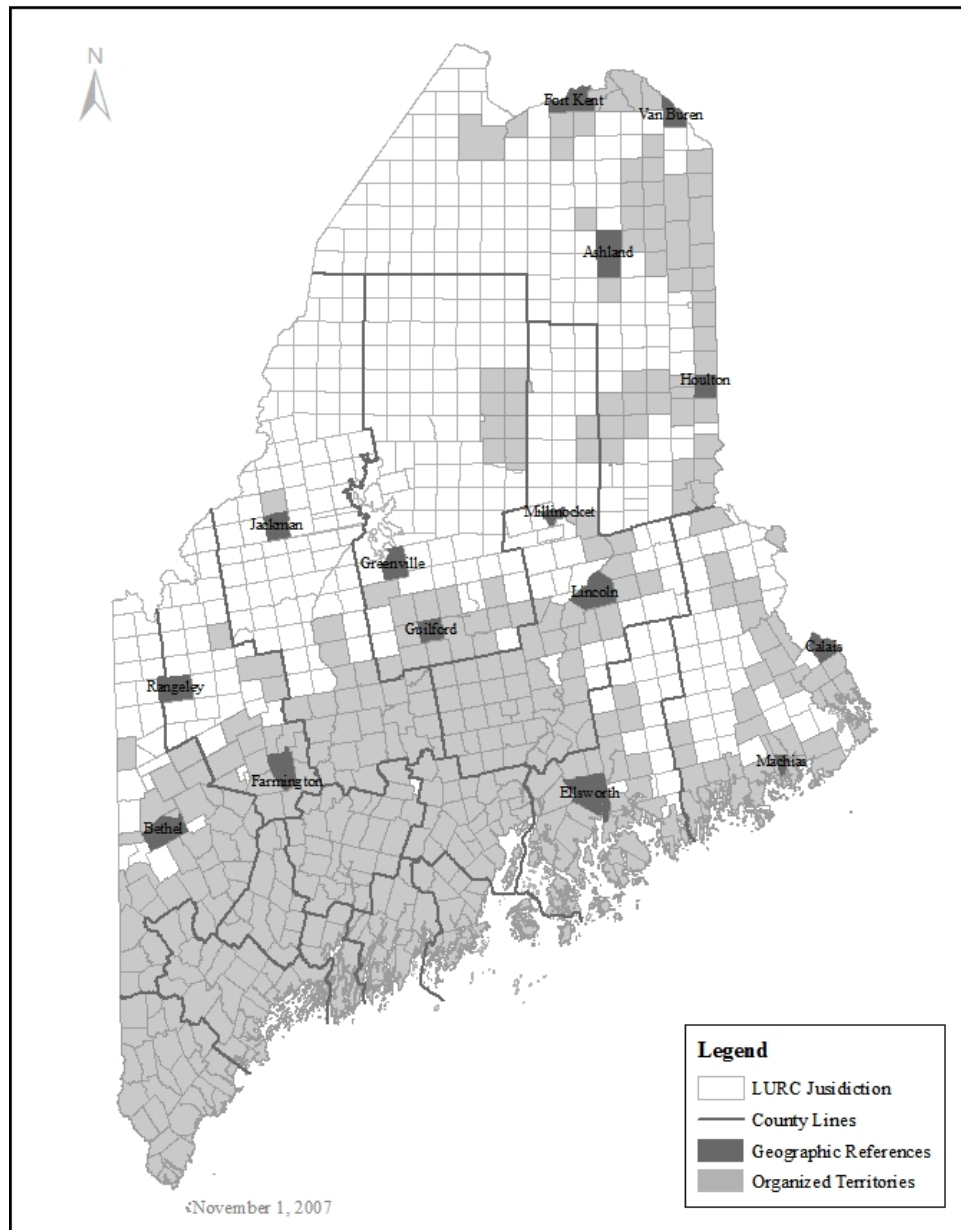
---

<sup>1</sup> While the first LURC law was passed in 1969, that law was so significantly rewritten two years later, 1971 is now considered to be the effective date of the current statute. The Commission's jurisdiction also includes several towns which have organized and chosen not to assume local land use controls and, thus, remain within the Commission's jurisdiction.

The North Woods have always possessed a powerful mystique. Residents and visitors alike place a premium on the natural values they find there. Even those who never visit the area value its uniqueness and consider it an important part of the state's identity.

*Map 1 – The Jurisdiction*

### REGULATORY JURISDICTION OF THE MAINE LAND USE REGULATION COMMISSION



## 2.2 *Structure and Function of the Commission*

.....

### 2.2.A THE COMMISSION AND STAFF

The Commission is a seven-member, independent board. Its members are appointed by the Governor and confirmed by the Legislature. While administratively LURC is a bureau within the Department of Conservation, under the law the Commission has independent policy and decision-making authority. The Commission has ultimate responsibility for rules, adjudications, policies and other agency decisions. These responsibilities include considering and adopting new rules and amendments to the Comprehensive Land Use Plan, acting on zoning petitions and important permit applications, acting as an appellate board to hear appeals of staff decisions on more routine permit applications, ratifying the administrative resolution of enforcement actions, and setting agency policy. The Commission generally meets monthly to consider pending business and holds public hearings as needed. Commission members hold staggered, four-year terms. Each of the members of the Commission must (1) reside in the Commission's jurisdiction, (2) be a former resident or be retired after working within the Commission's jurisdiction for a minimum of 5 years, or (3) have expertise in commerce and industry, fisheries and wildlife, forestry or conservation issues as they affect the Commission's jurisdiction. At least three Commission members must be residents of the jurisdiction.

A small staff carries out administrative, operational and other functions of the Commission. As the primary instrument of the Commission, the staff carries out its responsibilities guided by the Commission's policies. The staff operates under the supervision and oversight of a Director, who is appointed by the Commissioner of the Department of Conservation with the approval of the Commission members. The Director acts on routine permit applications delegated to staff by the Commission and is responsible for making staff recommendations to the Commission on matters that come before it. The Director reports and is responsible to the Commission in executing the Commission's policy decisions. The Director also reports and is responsible to the Commissioner of the Department of Conservation in connection with administrative matters affecting the agency. On matters where these responsibilities overlap, the Director provides a bridge of communication between the Commission and the Commissioner of the Department, and keeps the Commissioner informed of the Commission's work.

The staff of the agency is organized into three operational divisions: Administration, Planning, and Permitting and Compliance.

- **The Administration Division** provides primary administrative support to the Commission and the staff, including scheduling Commission meetings and hearings.
- **The Planning Division** is staffed by a Division Manager, several planners, and a GIS coordinator. This division coordinates the development of land use policy for the jurisdiction. Its responsibilities include advising the Commission on zoning approaches; tracking natural resource and other information; researching and analyzing land use and other issues; developing policies; revising and updating the Comprehensive Land Use Plan, zoning maps, land use standards and other rules; and assisting in the review of major projects. The division also directs LURC's educational efforts, including public outreach workshops and publications (in conjunction with the permitting and compliance division), updates operational procedures,

coordinates legislative activities and frequently represents the Commission on interagency matters.

Much of the planning staff's work involves identifying and researching emerging issues and developing appropriate responses. Examples of this work include the innovative lake management program adopted in 1990, deer yard study and associated program changes in 1991, the prospective zoning plan for the Rangeley area in 2001, and a guidance document clarifying the rezoning criterion of "demonstrated need" in 2004. The planners also oversee the preparation of resource plans which enable specialized management of unique features or resources and provide greater flexibility to landowners.

- **The Permitting and Compliance Division** is staffed by a Division Manager and regional representatives. The division's primary function is the processing and review of applications for development and rezoning activities that require a permit in the jurisdiction. The staff also provides on-site assistance, conducts inspections and enforces LURC regulations through a program of compliance checks of approved projects and regular monitoring of activity for potential violations. The staff processes over 1,000 applications each year, including applications for building permits, building permit amendments, development permits (commercial and industrial development), subdivision permits, rezoning petitions, forestry permits, variance requests and other specialized permits (e.g., hydropower, utility line, and stream alteration permits). The staff is delegated the authority to approve or disapprove routine permit applications, but all rezoning changes and variance requests must be acted on by the Commission based on information provided by the staff. The Permitting and Compliance Division also carries out educational activities, including training contractors, loggers, realtors and others in appropriate land use practices.

The Commission has facilitated permitting and compliance activities and improved service to applicants by establishing a staff presence in regional offices. It now has a total of five regional offices located in Ashland, Greenville, Bangor, East Millinocket and Rangeley. Each office is staffed by one or more regional representatives, who carry out both permitting and compliance tasks for their respective regions.

## 2.2.B COMMISSION RESPONSIBILITIES AND REGULATORY FRAMEWORK

The Land Use Regulation Law, the Commission's enabling statute, directs the Commission to plan, zone, implement land use standards, review permits and carry out associated responsibilities to include implementing certain federal as well as other state environmental regulations. In practice, the Commission is similar to a local planning board except that the area of its responsibility is vast in comparison to municipalities. In essence, it plans regionally and implements locally.

Zones and land use standards are the primary mechanism for implementing the Commission's goals and policies. These goals and policies, and much of the information on which they are based, are contained in this Comprehensive Land Use Plan, the Commission's primary policy document.

### Land Use Districts

In accordance with its enabling statute, the Commission has established zoning districts, many of which are resource-based, to protect important resources and prevent conflicts between incompatible uses. These districts identify what types of activities are appropriate and allowed in each zone. Interim zoning was first established for areas in the jurisdiction during the 1970s. Permanent zoning maps were finalized and adopted between the late 1970s and early 1980s. Today, the Commission administers a land use zoning program for 420 townships, 32 plantations, 8 organized towns and more than 700 coastal islands.

Districts are grouped into three general categories: management, protection and development. The Commission has sub-categorized these districts into ten development subdistricts, three management subdistricts, and 14 protection subdistricts (Table 1). Approximately 79% (8.2 million acres) of the jurisdiction lies in Management Subdistricts, 21% (2.17 million acres) in Protection Subdistricts, and less than 1% (41,000 acres) in Development Subdistricts.

Management subdistricts are applied to areas that are appropriate for commercial forest product or agricultural uses and for which future development is not anticipated. The General Management (M-GN) Subdistrict is the most significant subdistrict in terms of size. The purpose of the M-GN Subdistrict is to permit forestry and agricultural management activities to occur with minimal interference from unrelated development. The M-GN Subdistrict generally excludes land uses involving large-scale processing of materials. However, it allows specific smaller-scale natural resource-based processing (e.g., maple syrup processing, small sawmills, and mineral exploration and extraction) and a number of other uses, such as low-impact recreational uses (e.g., sporting camps). The M-GN Subdistrict allows single- and two-family dwellings but generally prohibits subdivision except for level 2 subdivisions (small-scale subdivisions that meet certain criteria in the Commission's rules and are located in specified minor civil divisions ("MCDs")).

Protection subdistricts are applied to areas where land use activities may jeopardize identified significant natural, recreational or historical resources. The Commission allows low-density residential development in a number of protection subdistricts. All protection subdistricts, except the Mountain Area Protection (P-MA), Wetland Protection (P-WL), Soils and Geology Protection (P-SG) and Recreation Protection (P-RR) Subdistricts, generally allow single- and two-family dwellings by permit or as special exceptions. The Resource Plan Protection (P-RP) Subdistrict may allow residential subdivisions as part of a concept plan.

Development subdistricts are applied to areas that have patterns of concentrated residential, recreational, commercial or industrial use, including commercial removal of minerals or other natural resources, and areas identified as appropriate for designation as development subdistricts. There are currently five types of development subdistricts that are applied throughout the jurisdiction:

- Residential Development (D-RS) and General Development (D-GN), allow residential subdivisions and a range of residential uses, the most common form of development in the jurisdiction.
- The Commercial Industrial (D-CI) Subdistrict allows larger-scale commercial and industrial projects.
- The Maritime Development (D-MT) Subdistrict reserves working coastal waterfronts primarily for water-dependent uses.

- The Planned Development (D-PD) Subdistrict accommodates large-scale development that depends upon a particular natural feature or location and therefore may be some distance from existing, developed areas. The large-scale development proposed for D-PD zones sometimes includes a mix of uses, including residential subdivisions and a range of residential uses.

In 2000, the Commission created five new development subdistricts as part of its prospective zoning effort in the Rangeley region ("Rangeley PZP"). Generally, these new subdistricts are variations of existing zones, but incorporate more explicit requirements regarding where they can be applied and what uses are allowed. To date, the Commission has limited the application of these zones to areas undergoing prospective zoning efforts. Further discussion of these subdistricts and the Rangeley PZP is included in Appendix D.

### **Land Use Standards**

In addition to zoning the jurisdiction, the Commission has established land use standards to ensure that land uses and development will not have an undue adverse effect on existing uses and resources. The land use standards, first adopted in 1977, establish dimensional and performance standards for development as well as other land use activities. They address considerations such as dimensional and setback requirements for structures, subdivision and development standards, timber harvesting practices near water bodies, and clearing of vegetation in the shoreland zone.

LURC's zoning requirements and land use standards are contained in Chapter 10 (Land Use Districts and Standards) of the Commission's regulations.

### **Administration**

Zones and land use standards are administered principally through permit review and notification procedures. Permit review is the process of reviewing a proposed activity to ensure that it meets the Commission's zoning and land use standards. The LURC statute stipulates that all development activities require a permit unless expressly exempted by statute or LURC regulations. The Commission reviews over 1,200 permit applications every year, including permits to build individual camps, create subdivisions and construct large, commercial developments. Notification procedures apply to certain land management activities, such as timber harvesting. These activities may be conducted without a permit provided written notice is provided to the Commission and certain performance standards are followed. The Commission receives approximately 800 notifications each year.

*Table 1 – Land Use Subdistricts*

**GENERAL DESCRIPTION OF THE COMMISSION'S  
PROTECTION, DEVELOPMENT AND MANAGEMENT SUBDISTRICTS<sup>2</sup>**

**Management Subdistricts**

M-GN	General Management Subdistrict	Covers areas of the jurisdiction not otherwise zoned, where forest and agricultural activities are allowed and encouraged without significant restriction.
M-HP	Highly Productive Management Subdistrict	Identifies highly productive agricultural or forest lands.
M-NC	Natural Character Management Subdistrict	Maintains large areas for forestry and primitive recreation with minimal development.

**Protection Subdistricts**

P-AL	Accessible Lake Protection Subdistrict	Protects accessible, undeveloped, high value lakes.
P-AR	Aquifer Protection Subdistrict	Covers important groundwater resources.
P-FP	Flood Prone Protection Subdistrict	Covers areas within the 100 year frequency flood.
P-FW	Fish and Wildlife Protection Subdistrict	Covers important deer winter shelter areas, coastal seabird nesting sites and can be applied to other significant plant and animal habitat.
P-GP	Great Pond Protection Subdistrict	Applies to a 250 foot wide strip around most lakes and ponds greater than 10 acres in size.
P-GP2	Semi-Remote Lake Protection Subdistrict	Applies to select lakes valued for their semi-remote character and determined to be suitable for limited development.
P-MA	Mountain Area Protection Subdistrict	Covers mountainous areas above 2,700 feet elevation.
P-RP	Resource Plan Protection Subdistrict	Permits landowners to develop a resource management plan for an area and, if approved by the Commission, allows land use activities in accordance with such plan.
P-RR	Recreation Protection Subdistrict	Covers areas along existing hiking trails, significant canoeing rivers, around unspoiled, remote fishing ponds, and other areas of recreational significance.

<sup>2</sup> While the gray highlighted subdistricts have, to date, only been applied to areas that have undergone a prospective planning process, the Commission may consider applying these zones to other parts of the jurisdiction in the future.

**Protection Subdistricts (continued)**

P-RT	Special River Transition Protection Subdistrict	Applies to developed shorelines on outstanding river segments in areas of the jurisdiction adjacent to organized towns.
P-SG	Soils and Geology Protection Subdistrict	Covers areas of steep slopes and unstable soils.
P-SL	Shoreland Protection Subdistrict	Protects shorelands of rivers, streams, ocean, and small ponds.
P-UA	Unusual Area Protection Subdistrict	Applies to unusually significant scenic, historic, scientific, recreational and natural areas not adequately protected by other zoning.
P-WL	Wetland Protection Subdistrict	Encompasses all submerged lands and other areas meeting wetland criteria.

**Development Subdistricts**

D-CI	Commercial and Industrial Development Subdistrict	Applies to areas around existing patterns of major commercial or industrial development that are incompatible with residential uses.
D-ES	Extended Settlement Development Subdistrict	Applies to areas around a wide range of commercial, light manufacturing, and public uses that are incompatible with residential uses and community centers.
D-GN	General Development Subdistrict	Covers areas around existing patterns of mixed, residential and small scale, commercial development.
D-GN2	Community Center Development Subdistrict	Applies to areas characterized by a mix of compatible residential, commercial, and civic uses.
D-GN3	Rural Settlement Development Subdistrict	Applies to small isolated residential settlements.
D-MT	Maritime Development Subdistrict	Provides for working waterfronts in coastal communities.
D-PD	Planned Development Subdistrict	Provides for special planned developments.
D-RS	Residential Development Subdistrict	Covers areas around existing patterns of residential development.
D-RS2	Community Residential Development Subdistrict	Covers areas that integrate home-based occupations, residential dwellings, and public uses that occur in a rural residential area.
D-RS3	Residential Recreation Development Subdistrict	Covers areas dedicated principally to seasonal and year-round residences and applies a restricted range of uses.

Zoning, land use standards and the permit review process are the primary tools provided to the Commission by the Legislature for carrying out its statutory mandate. These tools are accepted as a reasonable and appropriate means of protecting the public interest and guiding growth and development. The Commission recognizes that these regulatory tools can affect land value, both positively and negatively. The Commission is committed to exercising its authority fairly, responsibly, and with consideration to the interests of landowners, within the framework provided by its legal mandate.

The Commission complements its regulatory program with efforts to educate the public about appropriate, well-planned uses of land. Toward this end, the Commission conducts outreach workshops and develops and distributes publications about its programs.

## 2.2.C LANDOWNER INITIATIVES AND COOPERATIVE EFFORTS

Of necessity, in its early years, the Commission focused on setting up appropriate regulatory programs in accordance with its statutory mandate. Nevertheless, it has always recognized the value of cooperative approaches to the protection of important resources and values and will continue to seek out opportunities for such cooperation.

Over the years, numerous landowners have utilized the Resource Plan Protection (P-RP) Subdistrict (a landowner-initiated zone) as a more flexible alternative to LURC's traditional zoning framework. During the 1980s, several major landowners cooperated with the Commission on a small streams mapping project to improve the accuracy of LURC zoning maps. A number of landowners have developed or considered landowner-initiated concept plans that address the long-range development and conservation of large blocks of land in a manner that accomplishes both Commission and landowner objectives. Likewise, several resource plans have been developed by groups of landowners for the management of certain high-value rivers, including the St. John River and the Penobscot River.

The Commission recognizes that many actions taken by landowners advance its objectives. Examples include the following:

- The former Great Northern Paper, Inc. designated several "remote recreation areas" where recreational vehicular access is limited to maintain traditional uses and remote character. For example, a large area comprising about 50,000 acres and 30 lakes and ponds in the Debsconeag Lakes region is managed as a remote recreation area.
- Project SHARE, a voluntary association of landowners, businesses, government officials, educators, and conservation organizations, takes actions which conserve or enhance Atlantic Salmon habitat and populations in the Downeast region of Maine.
- Several major landowners have developed long-term management agreements with the Department of Inland Fisheries and Wildlife ("DIFW"), establishing protections for deer wintering areas that go well beyond areas protected by the Commission's zoning.
- Several landowners have developed resource protection plans in conjunction with Commission review and approval to provide for more efficient management of resources. Examples

include the St. John River Plan, The Penobscot River East Branch Plan, and the Penobscot River Lower West Branch Plan.

- A large tract in the Rangeley area was protected from development but retained for timber production and other purposes by selling the development rights under the federal Forest Legacy Program.
- Approximately 1.6 million acres of land in the jurisdiction have been placed under conservation easement protections through the sale of development rights by several landowners in the jurisdiction. An additional 300,000 acres has been purchased or donated for conservation ownership.

Many other examples of cooperative, nonregulatory initiatives exist. The Commission will continue to strongly encourage landowner initiatives and cooperative efforts that take advantage of the flexibility and creativity available through nonregulatory measures as well as optional regulatory tools which further the Commission's vision for the jurisdiction.

## 2.2.D THE COMMISSION'S CONSTITUENCY

The Commission differs from a local planning board in that its jurisdiction extends over multiple townships, plantations and towns. In organized communities, planning boards are ultimately responsible to the town's legislative body — usually town meeting or municipal councils. The Commission, on the other hand, is ultimately responsible to the people of Maine through legislators and the Governor.

The powers and functions given to the Commission under state statute are declared to be "in the public interest, for the public benefit, for the good order of the people of this state, and for the benefit of property owners and residents." The statute charges the Commission with "encourag[ing] the appropriate use of these lands by residents of Maine and visitors, in pursuit of outdoor recreation activities..."

In light of this statutory language, the Commission has historically viewed its constituency broadly. In making land use decisions affecting particular communities, the Commission strives to be sensitive to the concerns of local residents. But this is not its sole constituency. Many property owners within the Commission's jurisdiction do not reside there. Residents of organized areas may work in the jurisdiction or have other economic ties to the region and its resources. The recreating public also has a strong interest in the jurisdiction. In public forums concerning planning, zoning and permitting, the Commission strives to balance the concerns of these various constituencies.

## 2.2.E THE COMMISSION'S RELATIONSHIP TO OTHER GOVERNMENTAL ENTITIES

The Commission is the primary governmental agency responsible for land use planning and resource protection within its jurisdiction, but several other state and federal agencies administer statutes that deal, directly or indirectly, with land and resource use throughout Maine. A number of agencies have limited jurisdiction over specific resources or types of land use in the jurisdiction. In most cases, their responsibilities are distinctly different from the Commission's responsibilities. These responsibilities are briefly explained, below.

## **Department of Environmental Protection**

The Maine Department of Environmental Protection (“DEP”) administers a broad range of environmental protection and pollution control regulations governing activities that affect natural resources. DEP’s Bureau of Land and Water Quality administers the Site Location of Development Law (“Site Law”), the Natural Resources Protection Act (“NRPA”), and the Maine Waterway Development and Conservation Act (“MWDCA”).

Although, under Site Law, DEP is responsible for reviewing specific large projects elsewhere in the state, DEP’s authority within the jurisdiction is limited to metallic mineral mining for which DEP and LURC jointly administer specialized rules. Under legislation enacted in 2001, DEP may review projects in the Commission’s jurisdiction under Title 38 of the Maine Statutes for permitted uses in affected zones that extend into organized towns (e.g., pipelines and transmission lines).

NRPA directs DEP to protect significant natural resources such as rivers, lakes, fragile mountain areas, wetlands, significant wildlife habitat and coastal sand dunes. This Act applies statewide, although the Commission has been given the authority to administer it within its jurisdiction. Under direction from the Legislature, the Commission must periodically review and revise its standards to make them consistent with NRPA so that activities in the Commission’s jurisdiction will be regulated similarly to those outside the jurisdiction.

MWDCA authorizes a single permit for hydropower projects. LURC or DEP is the permitting agency for proposed hydropower projects and associated water quality certifications located wholly within the area of each agency’s jurisdiction. DEP is the permitting agency where a proposed project overlaps both jurisdictions. DEP also issues water quality certifications for federal relicensing permits for existing dams in the state, including such permits within the Commission’s jurisdiction, and is responsible for setting water levels on dam-controlled lakes and ponds within the jurisdiction, except those permitted under MWDCA.

## **Department of Health and Human Services**

The Department of Health and Human Services (“DHHS”) oversees the administration of a statewide plumbing code. LURC is not involved in the administration of the plumbing code, most of which is done by locally designated plumbing inspectors, but the LURC staff usually checks permit applications for consistency with plumbing code requirements. DHHS is also responsible for licensing all public water supply systems (i.e., any system serving 25 or more people) and issues bulk water transport licenses for certain major water users.

## **Maine Forest Service**

The Maine Forest Service (“MFS”) administers the state’s forest practices laws, which regulate certain aspects of timber harvesting practices. Under this program, MFS monitors forest management activity through reporting requirements and administers standards for forest regeneration, clearcutting, and liquidation harvesting. MFS could also assume regulation of forest practices near water bodies within the jurisdiction if a specified number of organized towns adopt statewide forestry standards approved by the Legislature in 2005. Further discussion of this legislation can be found in Section 5.6.

## **Department of Inland Fisheries and Wildlife**

The Maine Department of Inland Fisheries and Wildlife (“DIFW”) administers the Maine Endangered Species Act, which can affect land use activities in the jurisdiction. DIFW has mapped “essential habitat” — areas

essential to the conservation of an endangered or threatened species. Any activity proposed in these areas that requires a permit or license from a state agency or municipality also requires a determination by DIFW that the activity will not significantly alter or unreasonably harm the essential habitat.

Except for activities affecting essential habitat, DIFW generally functions as an advisor to LURC, providing technical assistance to the Commission but having no permitting authority itself. DIFW supplies LURC with information about the location of important terrestrial and aquatic habitats (including deer wintering areas, coastal nesting sites and remote ponds) so that the Commission can consider them for protective zoning.

### **Other Agencies**

A number of agencies serve as "review agencies" for certain permit applications that come before the Commission. These agencies review permit applications for impacts based on their area of expertise and submit comments and recommendations for the Commission's consideration.

For example, the Maine Historic Preservation Commission evaluates impacts on historical and archaeological sites, DEP assesses the impact of subdivisions on lake water quality, DIFW evaluates whether proposed activities would adversely affect fisheries or wildlife resources, the Maine Natural Areas Program evaluates impacts on rare botanical features, and the State Soil Scientist evaluates erosion control measures and soil suitability.

County and local governments also review permit applications for projects proposed within their jurisdictions. County Commissioners and town and plantation officials generally evaluate proposals for potential impacts on regional or local facilities and services.

Federal involvement in land use regulation within the jurisdiction is limited mainly to the U.S. Army Corps of Engineers' jurisdiction over wetlands. However, the U.S. Army Corps of Engineers as well as the U.S. Environmental Protection Agency and the U.S. Fish and Wildlife Service serve as review agencies for certain permit applications.

The comments and recommendations of these agencies are advisory. Ultimately, the Commission considers the information in the context of its statutory and other review criteria and makes a decision as to the significance of natural and cultural resources and the impact proposed activities will have on them.

## 2.3 *The Commission – Past, Present and Future*

---

Since its creation in 1971, the Commission has accomplished a great deal:

- Over 500 zoning maps, covering 10.4 million acres, have been created for the 459 townships, towns and plantations within the jurisdiction. New zoning maps have been developed from improved base maps. And, in 2005, the Commission completed a 15-year effort to make its zoning available in digital format and accessible to the public through an internet mapping site.
- The Comprehensive Land Use Plan, first adopted in the mid-1970s, establishes policies to guide the Commission's work. This document represents the fourth complete review and update of the plan and is designed to ensure that the Commission's policies are appropriate in the context of changing conditions and priorities.
- The Commission's Land Use Districts and Standards (Chapter 10), first adopted in 1977, contain the Commission's zoning and land use standards. This document has been revised periodically to improve the standards and to respond to the changing needs of the jurisdiction.
- In the late 1970s, the Commission prepared six Land Use Handbooks aimed at educating the Maine public about land use planning and design. These handbooks won the Meritorious Program Award from the American Planning Association.
- In the early 1980s, the Commission developed guidelines for erosion control on forestry operations. These guidelines subsequently became the model for the best management practices for forestry that were developed for the entire state in 1995.
- In 1987, the Commission and DEP adopted joint hydropower regulations to facilitate administration of the Maine Waterway Development and Conservation Act.
- In 1988, LURC established regional offices, adding three more in the mid-1990s. There are now offices in Ashland, Greenville, Bangor, East Millinocket and Rangeley. These offices dramatically improve the Commission's ability to provide on-site assistance, ensure compliance with its standards, and create new educational opportunities.
- A comprehensive lakes management program was developed following years of inventory and study of 1,500 lakes in the jurisdiction. In 1990, this program was implemented through adoption of a lake classification and management program designed to guide development to suitable lake locations and away from inappropriate locations. The Legislature subsequently used this classification system as a basis for identifying lakes on which personal watercraft ("jet skis") are banned.
- A comprehensive review of the deer wintering area program was undertaken, and changes to the program were adopted in 1991. The fundamental structure and function of the program was unaltered, but the program was improved by defining its scope and improving the basis for decision-making.

- In 1991, comprehensive metallic mineral mining rules were adopted jointly with DEP. They included technical rules pertaining to exploration and mining activities and revisions to the Land Use Districts and Standards which allow the rezoning of areas associated with mining activities.
- In 1992, *A Guide to Creative Site Planning in the Unorganized Areas of Maine* was prepared to provide pre-application guidance on site/development design to those who intend to subdivide and develop land in the Commission's jurisdiction.
- A number of resource protection plans have been developed jointly with landowners to both meet the resource protection objectives of the Commission and provide land management flexibility for landowners. These include resource plans for Dix Island (1977), Hewett Island (1978), Penobscot River (1981, renewed in part in 2002), St. John River (1982, renewed 1992 and 2002), White Mountain National Forest (1982, renewed 1992 and 2008) and Metinic Island (1992,1994).
- In 1993, the first concept plan was approved for a 17,000-acre area in Attean Township and Dennistown Plantation. This plan received the planning project of the year award from the Maine Association of Planners. Since then, concept plans have been approved for First Roach Pond, portions of Brassua Lake and Kingsbury Plantation, and all or portions of 26 minor civil divisions in Somerset and Piscataquis counties more or less surrounding Moosehead Lake. The concept plan is an innovation that fulfills the Commission's goals of encouraging landowner-initiated, long-range natural resource-based planning as an alternative to incremental, haphazard development.
- Planning assistance has been provided to 10 plantations or towns that were originally within the Commission's jurisdiction, but opted to prepare and administer their own plans and regulations. The Commission also worked with residents of Benedicta, Greenfield, Madrid and Centerville to prepare zoning maps for these townships when they deorganized and entered the Commission's jurisdiction. The maps serve as the basis for Commission decision-making in those MCDs.
- Planning assistance was provided to Monhegan Plantation in 1991 to prepare a land use and natural resource inventory and analysis. This report assists the Commission and Plantation officials in carrying out their respective responsibilities for the community. Commission staff also assisted Monhegan Plantation in applying for and receiving a grant to improve public facilities on the Island.
- In 1994, the Commission developed conservation easement holder guidelines and a model conservation easement to serve as the basis for easements that come before the Commission as part of regulatory actions. These guidelines and the attendant model conservation easement were updated in 2004.
- In 2000, the Commission adopted a prospective zoning plan for 10 MCDs surrounding the Town of Rangeley ("Rangeley PZP"), the Commission's first land use plan developed for a subregion of the jurisdiction. Together with rule changes and new zoning maps developed specifically for the subregion, the Rangeley PZP incorporates a long-term vision for the region

and a 20-year strategy for guiding the desired types of future development to designated areas in the Rangeley area.

- In 2001, the Legislature effectively eliminated the 40-acre exemption to the Commission's subdivision definition at the request of the Commission. This exemption had been a major obstacle to the Commission's ability to direct development to appropriate areas through its subdivision review process.
- In 2004, the Commission approved several major changes to the way in which it regulates major developments. Specifically, the Commission adopted (1) a guidance document clarifying the "demonstrated need" criterion applied to rezoning petitions; (2) a two-tier level of subdivision review to simplify the review process for small-scale, appropriately located subdivision proposals; and (3) development standards for all aspects of major development, including rules governing the layout and design of subdivisions.
- Each year, the Commission has acted upon hundreds of applications for development and other land use activities, approving the vast majority (over 90%). These permits are often approved with special conditions to prevent environmental degradation.

As evidenced by its history of accomplishment, the Commission's focus has shifted over the years in response to changing needs and new challenges. In its first decade, the Commission developed a planning and zoning framework for the unorganized areas, implemented interim zoning over its jurisdiction and established its major natural resource and development policies. In its second decade, with its regulatory framework in place, the Commission turned to fine-tuning its standards and addressing emerging issues. The major issues of this period were the spruce budworm outbreak, debate over conservation versus use of rivers and, in the latter years, significant changes in the amount and nature of development activity occurring in the jurisdiction. The surge in development activity associated with the land and real estate boom of the late 1980s commanded the Commission's attention in the early 1990s.

Over the last decade, demand for residential development has continued at a steady rate, corporate priorities and forestry operations are changing and land ownership patterns are shifting. An unprecedented amount of forestland has changed hands in recent decades. These land transactions are especially of concern because they come at a time when forestland is being viewed as an increasingly valuable commodity for nonforestry uses. Even though much of the acreage remains in forestry use, the growing volume of land transactions and increased use of land for development rather than forestry purposes has shaken the traditional vision of the region as one of stable ownership and land use patterns.

The jurisdiction has experienced periods of active land trading and speculation in the past, but these transactions always involved large parcels of land, the future use of which was not limited or predisposed by size. Recent land transactions have included many smaller parcels, use of which is more limited, with significant implications for future land use patterns.

The last two decades indicate that there is a high level of interest in land and housing in remote regions of the state. Some of this development has taken the form of coordinated subdivision proposals, but the majority is occurring as individual dwellings. Concurrently, there has been a growing interest in the natural resource values of lands in the jurisdiction, as demonstrated by the acquisition of large-scale conservation easements on approximately 1.6 million acres of the jurisdiction.

Looking to the future, the Commission's focus will likely continue to be dominated by its review of development proposals and questions of appropriateness in terms of location, scale and relation to existing uses and resources.