

Recreational Lodging Initiative Informational Sheet: Part 4 – Rule Excerpts

Over the past two years the Maine Land Use Planning Commission (Commission) worked with recreational lodging facility owners and other stakeholders to understand changing market demands for recreational lodging services and identify ways in which the Commission's regulatory structure could be improved to match these changes. Based on stakeholder feedback, ideas, and concerns the Commission adopted rule revisions that address a majority of the issues identified.

This document, four of four in a series, provides the main parts of the rules regarding recreational lodging facilities and a brief introduction or summary of each section. ***This document is viewed as most valuable to: i) individuals that currently operate a recreational lodging facility and anticipate a project to add to or modify the facility in the near future; or ii) individuals that anticipate proposing a recreational lodging facility in the near future.***

This document includes only the key components (or excerpts) of the rules regarding recreational lodging facilities; other portions of Chapter 10 of the Commission's Rules, *Land Use Districts and Standards* will apply. When in doubt, refer to the official rules (www.maine.gov/dacf/lupc/laws_rules/ch10.html).

In order to provide to you the best new resources, this document also includes the Supplement to Non-Residential Development Permit Application for Recreational Lodging Facilities. The questions contained within the supplement will guide you in providing to the Commission the information necessary for the LUPC staff to act upon your application.



For more information:

- www.maine.gov/dacf/lupc/projects/recreational_lodging/recreational_lodging.shtml
- contact the LUPC office that serves your area:
Ashland Office – (207) 435-7963; **Bangor Office** – (207) 941-4052; **East Millinocket Office** – (207) 746-2244;
Greenville Office – (207) 695-2466; **West Farmington Office** – (207) 670-7493; or **Augusta Office** – (207) 287-2631;
- contact Tim Beaucage at (207) 287-4894 or timbeaucage@maine.gov

10.02 DEFINITIONS



As definitions are the base of all rules, the rules define a number of new terms, including: Dining Amenities; Incidental; Outpost Cabin; Recreational Lodging Facilities; Recreation Activity, Features, and/or Services. (See Section 10.02 of Chapter 10 of the Commission's Rules, *Land Use Districts and Standards*). However, the following definitions are the most important starting point.

167. Recreation Activity, Features, and/or Services:

Recreation activity, features, and/or services do not include modes of transportation to and from the site (e.g., airplane, snowmobile, ATV, or car), but do include any on-site track or trail that does not extend off-site (e.g., motocross track, mud runs, airplane rides). Measures taken to reduce noise and odor, including but not limited to, soundproofing, buffering, hours of operation, or emissions control devices may be considered when evaluating noise and odor levels. Examples of on-site recreation activities, features, and/or services grouped by noise and odor impacts:

- a. Low noise/odor – climbing wall, horseshoes, open field activities, tennis, swimming, small range for sighting of firearms, archery, guiding, vehicle shuttle or transportation services, rental of non-motorized equipment, and mini golf;
- b. Some noise/odor – facilities for organized team sports (e.g., baseball), paintball, rafting base, rental of motorized equipment, and airplane rides for overnight guests; and
- c. Routine noise/odor – shooting range, atv/snowmobile/motocross racing, amusement park, public airplane rides.

168. Recreational Lodging Facilities:

Site improvements, a building or group of buildings, or any part thereof, used, maintained, advertised or held out to the public as a place where sleeping accommodations are furnished to the public for commercial purposes. Recreational lodging facilities primarily cater to recreational users who engage in recreation activities that are primarily natural resource-based. The term includes, but is not limited to, commercial sporting camps, youth or group camps, back-country huts, rental cabins, outpost cabins, campgrounds, lodges, hotels, motels, inns, or any combination of these types of uses that exhibit characteristics of a unified approach, method or effect such as unified ownership, management or supervision, or common financing. To be included in a recreational lodging facility, rental units must be served by an on-site attendant while guests are present. Related development that is located more than one half mile, measured in a straight line, from the nearest structure providing guest services, such as dining, gathering places, retail shower house, dumping station, check-in office, and equipment rental shall be considered a separate facility, unless the owner chooses to consider them as one facility. Caretaker or attendant housing will not be used to establish the one half mile distance unless no other guest services are provided. If no guest services are provided then all development on the regulatory parcel shall be considered part of the same facility and may be part of a facility on an adjoining parcel. For the purposes of Land Use Planning Commission rules, recreational lodging facilities are divided into five levels:

Level A Facilities have minimal impacts on existing resources within the development site and surrounding areas. Level A recreational lodging facilities are specifically designated by Section 10.27,Q,1.

Level B Facilities have low impacts on existing resources within the development site and surrounding areas. Level B facilities are specifically designated by Section 10.27,Q,1.

Level C Facilities have moderate impacts on existing resources within the development site and surrounding areas. The standards for these facilities are designed to allow development while conserving the natural resource and recreation values of the development site and surrounding areas. Level C facilities are specifically designated by Section 10.27,Q,1. A Level C facility characterized by any of the factors in Section 10.27,Q,1, Table B is referred to as a “Level C – Expanded Access” facility.

Level D Facilities have moderate to high impacts on existing resources within the development site and surrounding areas. Level D facilities may provide limited on-site goods and/or services to meet the needs of guests, though these are not of a type, scale or design intended to meet the goods and services needs of the public at large that is not an overnight guest. The standards for these facilities are designed to allow larger-scale development while conserving the natural resource and recreation values of the development site and surrounding areas. Level D facilities are specifically designated by Section 10.27,Q,1. A Level D facility characterized by any of the factors in Section 10.27,Q,1, Table B is referred to as a “Level D – Expanded Access” facility. A Level D facility may be located in a geographic allowance area as provided in Section 10.27,Q,3.

Level E Facilities have the potential to have significant local and regional impacts. Level E facilities may include a range of lodging options at larger scales and typically include a broad range of recreational services and/or amenities that make the facility not only a recreation destination but also may meet some of the goods and services needs of the greater region. The standards for these facilities are designed to allow large scale development while conserving the natural resource and recreation values of the development site and surrounding areas. Level E facilities are specifically designated by Section 10.27,Q,1.

10.27 ACTIVITY-SPECIFIC STANDARDS

Q. RECREATIONAL LODGING FACILITIES



Because many lodging facilities are unique and therefore difficult to label, the rules now categorize recreational lodging facilities into one of five different facility levels, based on impacts. **Section 10.27,Q,1 is the primary tool for determining which facility level applies to any given site.**

All new recreational lodging facilities, and reconstruction of or substantial improvements to existing recreational lodging facilities, must be developed in conformance with the standards of this Section or in accordance with other applicable provisions of this Chapter. If the requirements in the standards below are at variance with the requirements of any other provisions of this Chapter, or other lawfully adopted rules, regulations, standards, or ordinances, the more protective of existing natural, recreational and historic resources shall apply.

1. Recreational Lodging Categories.

A recreational lodging facility will be categorized based on the factors in Table A below. A facility will be categorized in the lowest facility level (A, B, C, D or E, with A being the lowest level and E being the highest level) in which the facility does not exceed any of the limits established in the Table A. Facilities in existence prior to July 1, 2013 may be categorized without regard to footprint of clearing. If such a facility exceeds the footprint of clearing standard for the facility level, the total footprint of clearing may not be increased without recategorizing the facility. Except that if necessary for the siting of new development on appropriate soils, up to 10,000 square feet of new cleared area may be created, provided an equivalent area of existing clearing must be revegetated, and must be sited to maximize visual screening.

Within the D-GN, D-GN2, D-GN3, D-RF, and M-GN Subdistricts, Level C and Level D facilities may offer expanded services to the general public and increased overnight occupancy as provided in Table B, with the rows labeled 5 through 9 in Table B substituting for the corresponding rows in Table A. In these subdistricts, Table B adjusts Table A. A Level C or Level D facility applying any of the Table B adjustments is referred to in Sub-Chapter II as a “Level C – Expanded Access” facility and “Level D – Expanded Access” facility, respectively. As provided in Sub-chapter II, these expanded access facilities require permit or special exception approval.



Some recreational lodging facilities may choose to provide amenities that would alter the level in which their facility is categorized. A facility may be able to permit such amenities as a separate use without incorporating it within a facility’s categorization. For example, a Level B facility may desire to sell fuel. Such an operation could be permitted as: i) a Level C – Expanded Access facility (or higher), or ii) a Level B facility and an auto service station (gas station). Ultimately, the uses must be appropriately authorized – whether within a recreational lodging facility category, another use listing, or both.

Table A: Facility Level Determination.

Factors	Facility Level				
	A	B	C	D	E
(1) On-site recreation activities, features, and/or services ⁽ⁱ⁾	N	Low noise, odor Mostly screened	Some noise, odor Partially screened	Routine noise, odor Highly visible	
(2) Utilities: May be served by public utilities and/or indoor plumbing or water and electric at campsites	N	Y	Y	Y	Y
(3) Floor area of principal buildings (<i>in square feet</i>) ⁽ⁱⁱ⁾ :	≤ 750	≤ 8,000	≤ 12,000	≤ 20,000	No limit
(4) Footprint of clearing within 250 feet of any body of standing water, tidal waters, or flowing waters downstream from the point where such waters drain 50 square miles or more. (<i>in square feet</i>) Section 10.27,B still applies:	≤ 3,000	≤ 24,000	≤ 36,000	≤ 60,000	No limit
(5) Retail (<i>in square feet</i>):	0	≤ 100 or not more than 5% of floor area of principal buildings, whichever is larger	≤ 200	≤ 500	≤ 800
(6) Dining amenities	N	Guests	Guests	Guests	Public
(7) Fuel sales	N	Guests	Guests	Guests	Public
(8) Recreation activities, features, and/or services ⁽ⁱ⁾	N	Guests	Guests	Guests	Public
(9) Overnight occupancy (<i>in people</i>):	≤ 80	≤ 100	≤ 150	≤ 250	No limit



Table B: Expanded Access Adjustment.

A Level C or D “Expanded Access” facility provides certain amenities to the general public in addition to overnight guests, and may have increased overnight occupancy. The term Expanded Access reflects that more people will be accessing these facilities.

Factors	Facility Level				
	A	B	C (Expanded Access)	D (Expanded Access)	E
(5) Retail (<i>in square feet</i>):			< 200 or not more than 10% of floor area of principal buildings, whichever is larger	< 500	
(6) Dining amenities			Public	Public	
(7) Fuel sales			Public	Public	
(8) Recreation activities, features, and/or services ⁽ⁱ⁾			Public	Public	
(9) Overnight occupancy (<i>in people</i>):			≤ 300	≤ 400	

Key:

- N = not allowed;
- Y = allowed but not required;
- Guests = amenities may be available to overnight guests and may be available on an incidental basis to the general public. In this regard, these amenities provide only limited services or purpose for the convenience of guests, and that, while they may be occasionally patronized by others, are not of a type, scale or design intended to meet the needs primarily of the greater region. Activities, features, and services that are individually advertised are not considered incidental. Activities, features, and services that are not incidental are regulated under separate use listings.
- Public = amenities may be available to overnight guests as well as the general public on a regular basis. With regard to fuel sales, “Public” allows the retail sale of not more than two fuel types (e.g., gas, diesel, aviation gas, natural gas, or propane) to the public with not more than one functioning dispensing device per fuel type where each device can serve no more than one vehicle, customer or container simultaneously, except when the applicant can demonstrate that such dispensing device is not practicable. A recreational lodging facility may continue to utilize any dispensing devices that: i) were in private use at the facility as of August 5, 2013; and ii) do not conform to the provisions above regarding the number of fuels or vehicles, customers, or containers served simultaneously. However, in such cases, any new or replacement fuel dispensing devices shall conform to the provisions above regarding the number of fuels or vehicles, customers, or containers served simultaneously.

Table A and B Notes:

- (i) See definitions.
- (ii) Floor area limits in Table A may be increased by 25% in accordance with Section 10.27,Q,2.

2. Floor Area Adjustment for Expanding Square Footage.

Incentives to Reduce Impacts

The rules provide incentives for facility owners to further reduce impacts, specifically: If the facility provides additional vegetative screening, then the facility may include a 25% square footage increase in floor area limits.

In any subdistrict, a recreational lodging facility or proposed facility legally bound by provisions acceptable to the Commission that result in a 25 foot vegetative buffer along all property lines facing exterior roads and 50% more depth of the vegetative buffer than otherwise would be required by Section 10.27,B along a whole shoreline and that restrict building color to blend in with the surrounding area and restricts the use of reflective surfaces, shall be allowed 25% more square footage than the floor area limits of Section 10.27,Q,1, Table A. If the subdistrict (see Sub-chapter II) in which the facility is located or is proposed to be located has more restrictive square footage limits, then the subdistrict square footage limits shall apply.

3. Geographic Allowance Area.

Incentives to Reduce Impacts

The rules provide incentives for facility owners to further reduce impacts, specifically: If located near services, facilities that are larger or that provide more amenities may not need to rezone. The rules identify locations (referred to as geographic allowance areas) that are especially appropriate for the subsequent increased traffic and demand for services that accompany certain facilities. *For example, the General Management (M-GN) Subdistrict lists "Recreational lodging facilities: Level D (inside the Geographic Allowance Area)" as a use allowed with a permit.* The following criteria are also illustrated on a map, see www.maine.gov/dacf/lupc/projects/recreational_lodging/RuleMaking/GeographicAllowanceAreas_Final.pdf.

Certain levels of recreational lodging facilities located within the M-GN, D-GN, or D-RF Subdistricts and within one of the areas described below may be allowed by permit or by special exception (see Sub-chapter II). Facilities located within townships or plantations located within the Prospective Zoning Plan for the Rangeley Lakes Region and facilities located on islands may not receive such geographic allowance.

- (a) Within 2 miles measured in a straight line from a public road (except Interstate 95), and located within 10 miles measured in a straight line from the boundary of one of the following municipalities: Anson, Ashland, Bethel, Bingham, Calais, Caribou, Carrabassett Valley, Dover-Foxcroft, Eastport, Ellsworth, Eustis, Farmington, Fort Kent, Gouldsboro, Greenville, Guilford, Houlton, Island Falls, Jackman, Jonesport, Kingfield, Lincoln, Lovell, Lubec, Machias, Madawaska, Medway, Milbridge, Millinocket, Milo, Newry, Oakfield, Old Town, Orono, Patten, Presque Isle, Princeton, Rangeley, Rockwood Strip T1 R1 NBKP, Rumford, Saint Agatha, Sullivan, The Forks Plantation, Unity, Van Buren, Waterford, Wilton. Facilities located within one of these towns, townships, or plantations shall be considered to be within 10 miles of the boundary.

4. Measuring Square Footage Limits.



This section clarifies existing policies regarding how to measure square footage limits.

Unless otherwise specified by another provision, any square footage limitations for recreational lodging facilities shall be a calculation of the total floor area for all principal buildings associated with the facility. For purposes of this calculation, principal buildings generally include, for example: main lodge, cabins for the housing of guests, bathroom facilities, sauna/spa, caretaker and guide housing, and recreation rooms. (e.g., the principal space available to or necessary for serving the guests). Further, accessory structures are not counted, including but not limited to: wood shed, generator building, workshop, storage, composting toilet infrastructure, and structures having a footprint of not more than 100 square feet which are part of an on-site recreation activity. Outpost cabins may not be considered in determining conformance of a Commercial Sporting Camp with the applicable floor area limitation of Section 10.27,Q,1.

5. Campgrounds.



This section clarifies existing policies regarding how RVs can be modified and stored at campgrounds.

1. RVs that are at individual sites or campgrounds shall not have permanent foundations and shall not have the wheels removed.
2. In order to comply with transient occupancy standards, a tent, trailer, camper, recreational vehicle, or similar device used for camping may be stored within a storage area on the premises of the campground provided that the device is not utilized or inhabited while located within the storage area that is not a campsite.

6. Conversion of Use.



This section clarifies existing policies regarding how recreational lodging facilities may convert to another use.

Pursuant to 12 M.R.S.A. § 685-B(1)(A), recreational lodging facilities may not be converted to another use without a permit issued by the Commission. Conversion may be permitted, provided the proposed use is allowed within the subdistrict and complies with the all applicable regulations. When the conversion is to a residential use, the following shall apply:

- a. The structures will comply with the provisions of Sections 10.11,B, C and D; and
- b. Any water dependent structures for recreational lodging facilities must be removed or relocated to a location conforming with the provisions of Section 10.26,D; and
- c. The lots and structures must comply with all applicable rules, including subdivision standards in Section 10.25,Q and Section 10.25,R.
- d. However, notwithstanding Section 10.27,Q,6,c, if the subdivision of the facility into individual lots would not meet the necessary subdivision design standards of Section 10.25,Q or Section 10.25,R, or the minimum lot standards, the Commission may permit the conversion of use provided that:
 - (1) the principal structures may be sold individually but shall be limited by deed restrictions to existing square footage of floor area or footprint;
 - (2) the lot must be commonly owned as a condominium lot;

- (3) the conversion and related division shall meet the subdivision design standards to the greatest extent practicable; and
 - (4) in no case shall less than three (3) principal structures be located on a commonly owned lot.
- e. If a campground is converted to another use:
- (1) the historic use of a site for an RV do not establish a right to use that site or permanently place an RV or other structure at that site; and
 - (2) permanent structures, including but not limited to an office, store, bathhouses, and recreation buildings, may be allowed to remain and/or be converted to another use, in conformance with other provisions of the Commission’s Land Use Districts and Standards.

7. Water-dependent Structures for Recreational Lodging Facilities.

 This section allows facilities to include small structures near waterbodies for equipment or safety, with limitations on use, size, and location, as well as requirements for screening.

Recreational lodging facilities may include not more than two water-dependent structures per waterbody, including but not limited to: swimmer sign-out boards, boat racks, and a shed building for the storage of personal floatation devices, paddles, anchors, and other water-related equipment. Such buildings and structures shall:

- a. Contain not more than 100 square feet of floor area per structure;
- b. Not be constructed on a permanent foundation;
- c. Not be habitable or inhabited;
- d. Be located not less than 25 feet from the normal high water mark of any waterbody or watercourse;
- e. Be used only for the purposes of this section; and
- f. Be screened by vegetation or topography from the waterbody.

 **Subdistricts**

The list of allowed uses within each subdistrict, or zone, has been revised – replacing many of the former terms with the new recreational lodging categories. While the rules do not include the previous use listings such as “campground,” “commercial sporting camp,” etc. – these valued lodging types are very much included within the recreational lodging categories. The rules allow these categories of facilities in appropriate subdistricts. (See “Recreational lodging facilities: Levels A, B, C, C – Expanded Access, D, D – Expanded Access, and E.”)

Supplement to Non-Residential Development Permit Application for Recreational Lodging Facilities

WHO NEEDS TO SUBMIT THIS SUPPLEMENT?

This supplement form must accompany the Non-Residential Development Permit Application, when the proposed project involves one or more recreational lodging facilities. Generally, recreational lodging facilities include development that may have previously been described as commercial sporting camp, campground, youth or group camp, back-country hut, hotel or motel, and/or some mixing of these uses; see Section 10.02,(168) and Section 10.27,Q,1 for specific definition and criteria.

WHERE CAN I GET HELP TO COMPLETE THIS FORM?

Call the LUPC office that serves your area and ask to speak to or meet with one of our regional representatives (see below for office locations and contact information). Also, go to the LUPC website at www.maine.gov/dacf/lupc/ to browse through our rules and regulations, recent publications and newsletters, Commission meeting agendas, and other valuable information.

 Avoid delays by making sure this application form is complete! Contact the LUPC office that serves your area if you need help with this request.

PRE-APPLICATION AND POST-PERMIT SERVICES

The LUPC staff encourages, and is available for, meetings and site visits before you submit your application, after you receive your permit, and/or after your project is complete. Our staff can assist you with understanding the applicable requirements of submitting a proposal for the Commission's review and determining how your project best fits your site and therefore help ensure your project can be permitted.

While the pre-application meeting can be extremely valuable for identifying issues or concerns early on, no decisions are made at these meetings and the thoughts expressed are not binding on the Commission or the applicant. The information presented at these meetings is very general, and the review is not substantive.

Call the LUPC office that serves your area to schedule an appointment.

HOW LONG WILL IT TAKE TO OBTAIN A PERMIT?

A permit decision will be issued within 90 days of a complete application being received and accepted by the LUPC Staff. In many cases a permit decision will be made sooner, particularly on smaller projects that meet all the applicable standards. The 90 day time period will not start until a complete application with all required exhibits is submitted. The LUPC staff will contact you if the application is not complete and let you know what is still required to make it complete. Occasionally, more information is requested by a review agency, in which case, the application may need to be placed on hold until that information is provided.

MAILING YOUR FORM

Fill out the application form. Mail the entire application form and the required attachments (including the appropriate application fee and exhibits to the LUPC office that serves your area.

AUGUSTA OFFICE <i>Main LUPC Office</i>	ASHLAND OFFICE <i>Serving most of Aroostook County and northern Penobscot County</i>
18 Elkins Lane - Harlow Bldg. Tel. (207) 287-2631 22 State House Station TTY (888) 577-6690 Augusta, ME 04333-0022 FAX (207) 287-7439	45 Radar Road Tel. (207) 435-7963 Ashland, ME 04732-3600 FAX (207) 435-7184
DOWNEAST OFFICE <i>Serving Hancock, Knox, Lincoln, Sagadahoc, and Washington counties; portions of Kennebec, Penobscot and Piscataquis counties; and the coastal islands in the LUPC jurisdiction</i>	EAST MILLINOCKET OFFICE <i>Serving southern Penobscot County, southern Aroostook County, and portions of Piscataquis County</i>
106 Hogan Rd, Suite 7 Tel. (207) 941-4052 Bangor, ME 04401 FAX (207) 941-4222	191 Main Street Tel. (207) 746-2244 East Millinocket, ME 04430 FAX (207) 746-2243
GREENVILLE OFFICE <i>Serving Somerset County and most of Piscataquis County</i>	RANGELEY OFFICE <i>Serving Franklin County and Oxford County</i>
43 Lakeview Street Tel. (207) 695-2466 P.O. Box 1107 FAX (207) 695-2380 Greenville, ME 04441	133 Fyfe Rd Tel. (207) 670-7492 OX P.O. Box 307 Tel. (207) 670-7493 FR W Farmington, ME 04992

DEFINITIONS

The following terms, definitions and requirements are excerpts from the Commission's Chapter 10, *Land Use Districts and Standards* that are referenced in this form. Chapter 10 can be found in its entirety online at www.maine.gov/doc/LUPC.

Recreation Activity, Features, and/or Services: Recreation activity, features, and/or services do not include modes of transportation to and from the site (e.g., airplane, snowmobile, ATV, or car), but do include any on-site track or trail that does not extend off-site (e.g., motocross track, mud runs, airplane rides). Measures taken to reduce noise and odor, including but not limited to, soundproofing, buffering, hours of operation, or emissions control devices may be considered when evaluating noise and odor levels. Examples of on-site recreation activities, features, and/or services grouped by noise and odor impacts:

- a. Low noise/odor – climbing wall, horseshoes, open field activities, tennis, swimming, small range for sighting of firearms, archery, guiding, vehicle shuttle or transportation services, rental of non-motorized equipment, and mini golf;
- b. Some noise/odor – facilities for organized team sports (e.g., baseball), paintball, rafting base, rental of motorized equipment, and airplane rides for overnight guests; and
- c. Routine noise/odor – shooting range, atv/snowmobile/motocross racing, amusement park, public airplane rides.

Recreational Lodging Facilities: Site improvements, a building or group of buildings, or any part thereof, used, maintained, advertised or held out to the public as a place where sleeping accommodations are furnished to the public for commercial purposes. Recreational lodging facilities primarily cater to recreational users who engage in recreation activities that are primarily natural resource-based. The term includes, but is not limited to, commercial sporting camps, youth or group camps, back-country huts, rental cabins, outpost cabins, campgrounds, lodges, hotels, motels, inns, or any combination of these types of uses that exhibit characteristics of a unified approach, method or effect such as unified ownership, management or supervision, or common financing. To be included in a recreational lodging facility, rental units must be served by an on-site attendant while guests are present. Related development that is located more than one half mile, measured in a straight line, from the nearest structure providing guest services, such as dining, gathering places, retail shower house, dumping station, check-in office, and equipment rental shall be considered a separate facility, unless the owner chooses to consider them as one facility. Caretaker or attendant housing will not be used to establish the one half mile distance unless no other guest services are provided. If no guest services are provided then all development on the regulatory parcel shall be considered part of the same facility and may be part of a facility on an adjoining parcel. For the purposes of Land Use Planning Commission rules, recreational lodging facilities are divided into five levels:

Level A Facilities have minimal impacts on existing resources within the development site and surrounding areas. Level A recreational lodging facilities are specifically designated by Section 10.27,Q,1.

Level B Facilities have low impacts on existing resources within the development site and surrounding areas. Level B facilities are specifically designated by Section 10.27,Q,1.

Level C Facilities have moderate impacts on existing resources within the development site and surrounding areas. The standards for these facilities are designed to allow development while conserving the natural resource and recreation values of the development site and surrounding areas. Level C facilities are specifically designated by Section 10.27,Q,1. A Level C facility characterized by any of the factors in Section 10.27,Q,1, Table B is referred to as a "Level C – Expanded Access" facility.

Level D Facilities have moderate to high impacts on existing resources within the development site and surrounding areas. Level D facilities may provide limited on-site goods and/or services to meet the needs of guests, though these are not of a type, scale or design intended to meet the goods and services needs of the public at large that is not an overnight guest. The standards for these facilities are designed to allow larger-scale development while conserving the natural resource and recreation values of the development site and surrounding areas. Level D facilities are specifically designated by Section 10.27,Q,1. A Level D facility characterized by any of the factors in Section 10.27,Q,1, Table B is referred to as a "Level D – Expanded Access" facility. A Level D facility may be located in a geographic allowance area as provided in Section 10.27,Q,3.

Level E Facilities have the potential to have significant local and regional impacts. Level E facilities may include a range of lodging options at larger scales and typically include a broad range of recreational services and/or amenities that make the facility not only a recreation destination but also may meet some of the goods and services needs of the greater region. The standards for these facilities are designed to allow large scale development while conserving the natural resource and recreation values of the development site and surrounding areas. Level E facilities are specifically designated by Section 10.27,Q,1.

THIS APPLICATION FORM IS NOT A VALID PERMIT.

NO CONSTRUCTION ACTIVITIES MAY BEGIN PRIOR TO YOUR RECEIPT OF A PERMIT.

THE COMMISSION MAY REQUIRE ADDITIONAL INFORMATION NOT ENCOMPASSED IN THIS APPLICATION.

3. **Footprint of clearing.** Is there, or will there be any cleared areas within 250 feet of any body of standing water, tidal waters, or flowing waters downstream from the point where such waters drain 50 square miles or more (e.g., P-SL1)? YES NO

If you answer YES, please complete the following. If you answer NO, continue to Question 4.

Sub-Area and Description	Dimensions (in feet) (LxW)	Square Footage
<i>Example: Area 1: campsites 1-10 and shower house</i>	<i>10 sites at 25x45; 100x50</i>	<i>6,125 sf</i>
Area 1, description:		
Area 2 (if applicable), description:		
Area 3 (if applicable), description:		
Area 4 (if applicable), description:		
Area 5 (if applicable), description:		
Area 6 (if applicable), description:		

4. **Retail space.** What is / will be the total square footage of retail space (i.e., camp store) at the facility? NA _____ Square Feet

5. **Fuel sales.** Will fuel sales be available at the site during one or more seasons? YES NO

! *In this regard, fuel sales at Recreational Lodging Facilities do not include pre-bottled fuel (i.e., tank exchange or Coleman fuel).*

If you answer YES, please complete the following questions. If you answer NO, continue to Question 6.

5.1 What fuel type(s) will be sold? Gas Diesel Propane
 Natural Gas Other _____

5.2 How many functioning fuel dispensing devices will be available? _____ Devices

5.3 If the fuel dispensing devices are existing, when were they installed? _____ Date

5.4 How many vehicles, customers, or containers can be served simultaneously? _____ Vehicles, customers, or containers

6. **Overnight occupancy.** Once constructed and operating, how many overnight occupants, including staff, could be accommodated at the facility? _____ Occupants

(Example: a campground facility with 20 campsites, each with a maximum occupancy of 6 people at each site, and housing for two staff will have an overnight occupancy of 122 people.)

! *If occupancy varies between seasons, indicate the overnight occupancy for the season with the highest occupancy. For example: consider a facility that operates during the summer season as what might be viewed as a youth camp, with an overnight occupancy of 60 people; but that same facility operates as what might be viewed as a commercial sporting camp with an overnight occupancy of 25 people during all other seasons. In this case, the maximum overnight occupancy is 60 people.*

7. **Access to amenities.** Some facilities provide services and/or amenities just to overnight guests while other facilities offer amenities to overnight guests and the general public (on a regular basis). Check the following statements that best describes the proposed facility and its retail space; fuel sales; dining amenities; and/or recreation activities, features, and/or services:

Description	Dining	Retail	Fuel Sales	Recreation activities, features, and/or services
A. The following services and amenities will be available to overnight guests at the facility during one or more seasons, and may be provided by chance or on an incidental basis to the general public. <i>(Example: a lodging facility that serves only its overnight guests, but on rare occasion sells fuel to a stranded motorist.)</i> Note: activities, features, and services that are individually advertised (i.e., "gas", "store", "mini golf") are not considered incidental. Check all that apply:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. The following services and amenities will be available to overnight guests of the facility, as well as the general public, on a regular basis during one or more seasons. <i>(Example: a lodging facility that provides services to overnight guests but also sells day passes to the public to utilize the on-site ski center.)</i> Check all that apply:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. The following services and amenities will not be available at the facility for either guests or the public. Check all that apply:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

... Continued on other side...

SECTION B: FACILITIES ALLOWED BY SPECIAL EXCEPTION *(Complete this section only if applicable)*

8. **Recreational lodging facilities allowed by special exception.** In certain cases, Recreational Lodging Facilities: Level C, Level C – Expanded Access, Level D, Level D – Expanded Access, and Level E may require special exception approval in the D-GN, D-RF, and M-GN Subdistricts. If your proposal includes one of these facility types and subdistricts, please attach to your application substantial evidence that:
- there is sufficient infrastructure to accommodate the additional traffic and activity generated by the facility; and
 - surrounding resources and uses that may be sensitive to such increased traffic and activity are adequately protected.

 *If you are unsure whether or not your proposal includes one of these facility levels or subdistricts, contact the LUPC office that serves your area for assistance.*

SECTION C: FLOOR AREA ADJUSTMENT *(Complete this section only if applicable)*

9. **Floor area adjustment.** A recreational lodging facility or proposed facility shall be allowed 25% more square footage than the floor area limits of Section 10.27,Q,1, Table A if legally bound by provisions acceptable to the Commission that result in:
- a 25 foot vegetative buffer along all property lines facing exterior roads;
 - 50% more depth of the vegetative buffer than otherwise would be required by Section 10.27,B along a whole shoreline; and
 - that restrict building color to blend in with the surrounding area and restricts the use of reflective surfaces.

If you intend to apply this provision, please provide with your application such legal documentation that you propose to implement the standard stated above.

 *Such provisions generally must be of sufficient duration, limitation, and requirement to adequately limit the applicant's, and/or landowner's rights, title, or interest. See Chapter 4, Section 4.03,(3) for more information regarding Title, Right or Interest.*

 *If the subdistrict (see Chapter 10, Sub-chapter II) in which the facility is located or is proposed to be located has more restrictive square footage limits, then the subdistrict square footage limits shall apply.*