

CUSHING Shoreland Zoning Ordinance-Revised November 8, 2011
Revisions needed to comply with the State of Maine's
MANDATORY SHORELAND ZONING ACT, as amended January 25, 2018

Significant Revisions/Additions/Cushing-specific Provisions

1. Cushing specific-**Chapter 9. DISTRICTS AND ZONING MAPS**
@ A.- Cushing retains its 2011 "Fishing Home Business"; Cushing omits General Development Districts I & II as we do not have these districts.
2. Cushing specific-**Chapter 9. DISTRICTS AND ZONING MAPS**
@ B. as was the case in the operative 2011 Cushing SZO, Cushing requires a 1"=200' scale for the Shoreland Zoning map. State requires 1"=2000'.
3. Cushing-specific-**Chapter 10. INTERPRETATION OF DISTRICT BOUNDARIES-@ 10. A., B., C., D., E., F., G., & H..** Specifically defines Boundaries. These definitions are carried over from the 2011 SZO.
4. Language and clarification added: **Chapter 12. NON-CONFORMANCE**
@ first paragraph summary paragraph as 1st sentence of Chapter 12 C. 1. d Added to comply with State Model ordinance.
5. Language and clarification added, **Chapter 12. NON-CONFORMING STRUCTURES @ section C.** Added to comply with State Model ordinance. Measurement of non-conforming structures changed from volume to footprint.
6. Cushing-specific: **Chapter 13. DESCRIPTION OF DISTRICTS.**
@ title - Maine state model is "*ESTABLISHMENT OF DISTRICTS*"
7. Cushing-specific: **Chapter 13. DESCRIPTION OF DISTRICTS**
General Development Districts I & II are nowhere included in Cushing's SZO.
a. Cushing-specific: **@ Chapter 13.. A.** does not include General Development District I as Cushing has no such district.
8. Cushing-specific: **Chapter 13. DESCRIPTION OF DISTRICTS**
@ B.-Limited Residential District "(C)ommercial uses are

not permitted except for home occupations, rentals and fishing home businesses”. State defines Limited Residential District as including...”areas which are used less intensively than those in the Limited Commercial District, the General Development Districts, or the Commercial Fisheries/Maritime Activities District”.

9. Cushing-specific: **Chapter 13. DESCRIPTION OF DISTRICTS**
@E. As was the case in the operative 2011 document, Cushing has a “Fishing Home Business” district.
10. Cushing-specific: **Chapter 14. TABLE OF LAND USES**
@ B. Table-Cushing simplified the document, directing interested parties to appropriate, supervising authorities.
11. Cushing-specific: **Chapter 15. LAND USE STANDARDS**
@ A. Cushing requires 40,000 sq. ft. Minimum Lot Area per dwelling unit for Residential and Fishing Home Businesses and Accessory Dwelling Units, as is the case in the operative 2011 document.
12. Cushing-specific: **Chapter 15. LAND USE STANDARDS**
@ A. NOTE added for clarification regarding zoning district designation-wherein “The zoning district designation of a lot shall reflect the use of a land and structures thereon, irrespective of whether structures are within or without the Shoreland Zone”.
13. Language and clarification added: **Chapter 15. LAND USE STANDARDS**
@ B. 1. NOTE added re: “*significant wildlife habitat*” to comply with State model Ordinance.
14. Language and clarification added: **Chapter 15. LAND USE STANDARDS**
@ C. 1. Limitations placed on the construction of piers, docks, wharves, bridges and other structures extending or located below the normal high-water line of a water body or within a wetland to comply with State Model ordinance.
15. Language and guidance simplified: **Chapter 15. LAND USE STANDARDS**
@ J. St Cushing provisions omitted In favor of more general state guidance.

- a. Cushing title is “Storm Water Management”, State title is “Storm Water Runoff”.
16. Language added for new construction: **Chapter 15. LAND USE STANDARDS.** @ **NOTE**-new systems excluding fill extensions prohibited within 100 horizontal feet from the high-water line of a perennial water body. The minimum setback distance for new subsurface disposal systems may not be reduced by variance.
17. Cushing-specific: **Chapter 15. LAND USE STANDARDS.**
@ **M.** Cushing has no provisions for Developers at paragraph 3 as we have no “Significant River Segments” (see State Model at. p.27)
18. Cushing-specific: **Chapter 15 LAND USE STANDARDS.**
@ **O.** Cushing defers to State regulations. As such, Timber Harvesting is regulated, administered and overseen by the Maine Forest Bureau as described in 38 M.R.S.A. section 43A & B and 12 M.R.S.A. section 8867-B.
19. Table revised: **Chapter 15. LAND USE STANDARDS.**
@ **P.2.b.** revision of Table to conform with State Model ordinance.
20. Language added: **Chapter 17 DEFINITIONS**
@ **Accessory Dwelling Unit (ADU):** “Accessory dwelling unit means a self contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land. Added for clarification when considering the impact of LD 2003 (“An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions) on Cushing’s SZO.
21. Language added: **Chapter 17. DEFINITIONS**
@ **Functionally water dependent uses**-added ...”shoreland structures necessary for erosion control purposes”. Language was not in Cushing 2011 operative document but required by State Model ordinance.

