



GARDINER CITY COUNCIL AGENDA ITEM INFORMATION SHEET



Meeting Date		Department	
Agenda Item			
Est. Cost			

Background Information

Requested Action	
City Manager and/or Finance Review	
Council Vote/ Action Taken	
Departmental Follow-Up	

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

Municipal Comprehensive Plan Status as of January 20, 2026

This is the best available data made available to us. Contact the municipality directly for the most accurate adoption status. Contact the Municipal Planning Assistance Program for the most accurate consistency status. Not all comprehensive plans are reviewed by this office. Not all comprehensive plans are presented for adoption. LUPC has a comprehensive plan for its territory; therefore, unorganized and deorganized territories under LUPC jurisdiction are considered consistent.

If you notice any discrepancies or potential errors within the data, please don't hesitate to reach out to the Municipal Planning Assistance Program (MPAP) for assistance and clarification. Your feedback is invaluable in ensuring the accuracy and reliability of our resources.

Municipality	Comp Plan Date	Amendment	Consistent	Consistency Date	Consistency Valid Through	Adoption Date	Plan Link	Regional Council	LUPC	Inland/Coast
Gardiner	2014	FALSE	TRUE	1/28/2015	1/28/2027	4/1/2015	https://www.maine.gov	KVCOG	No	Coastal
Garfield								NMDC	LUPC	Inland
Garland	1991	FALSE	FALSE	1/31/1992				EMDC	No	Inland
Georgetown	2021	FALSE	TRUE	10/21/2021	1/23/2032		https://www.maine.gov	MCOG	No	Coastal
Gilead	2010	FALSE	TRUE	9/9/2010	9/9/2022		https://www.maine.gov	AVCOG	No	Inland
Madawaska	1000	EA/ICE	TRUE	01/01/0001	01/01/0114		https://www.maine.gov	EMDC	NA	Inland



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SAMANTHA D. HORN
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LEGISLATIVE INCENTIVES FOR ADOPTION OF A COMPREHENSIVE PLAN THAT IS
CONSISTENT WITH
MAINE'S GROWTH MANAGEMENT ACT
(30-A, M.R.S. §4301 et seq., and 5, M.R.S. §§3321-3324)

Only communities that adopt a consistent comprehensive plan can...

- Enact legitimate zoning*, impact fee, and rate of growth ordinances;
[30-A, M.R.S.A. §4314; 30-A, M.R.S.A. §4352.2](#)
- Require state agencies to comply with local zoning standards;
[30-A, M.R.S.A., §4352.6](#)
- Qualify for preferred status with many state competitive grant programs;
[5, M.R.S. §3234](#)
- Guide state growth-related capital investment towards locally-chosen growth areas;
[5, M.R.S. §3234](#)
- Qualify for Site Location of Development Act exemptions for certain growth-area developments;
[38, M.R.S.A. §488.14 & 488.19](#)
- Qualify for relaxed MaineDOT traffic permit standards for certain growth-area developments;
[23, M.R.S.A. §704-A.2.D](#)
- Qualify for authority to issue Natural Resources Protection Act (NRPA) permits; and
[38, M.R.S.A. §480-F](#)
- Qualify for authority to issue Site Location of Development Act permits.
[38, M.R.S.A. §489-A](#)

* Exceptions apply for certain shoreland zoning, adult entertainment, and floodplain management ordinances.

Note: Absent a court ruling to the contrary, a current Department of Agriculture, Conservation & Forestry finding of consistency constitutes evidence of a plan's consistency with the Growth Management Act. If a legal interpretation is needed or desired, consultation with a municipal attorney or the Maine Municipal Association is recommended.

When a municipality's comprehensive plan consistency (or "Finding of Consistency") expires—typically after 12 years in jurisdictions like Maine—the municipality loses its state certification, which often leads to the loss of grant eligibility, increased vulnerability to lawsuits, and the potential invalidation of certain land-use ordinances.



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Here is a breakdown of what happens:

1. Loss of State Funding and Priority

- **Grant Ineligibility:** The municipality may no longer be eligible for state-administered funding for growth-related capital investments, such as the Community Development Block Grant (CDBG) program.
- **Reduced Funding Priority:** Agencies like the Department of Transportation (e.g., MaineDOT) often give priority funding to towns with consistent plans.



Brunswick, ME (.gov)

2. Legal and Regulatory Vulnerability

- **Zoning Challenges:** The plan acts as the legal basis for local zoning ordinances. Without it, zoning ordinances or impact fee ordinances can be more easily challenged in court.
- **Invalidation of Ordinances:** Portions of rate-of-growth or zoning ordinances that are not consistent with an updated plan may lose their effectiveness.
- **Loss of Impact Fees:** A town may lose the ability to charge impact fees for new developments.



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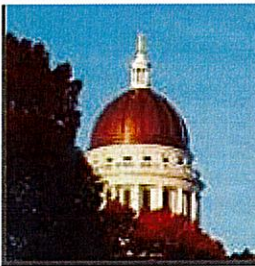
3. Development and Planning Disruptions

- **Inconsistent Growth:** Without an updated plan, new development may be approved that is not aligned with the community's desired growth patterns (e.g., "upzoning" areas against staff recommendations).

- **Stalled Projects:** Infrastructure and development projects that rely on state, federal, or public-private partnerships may be delayed or cancelled because the necessary planning foundation is missing.

4. Re-certification Requirement

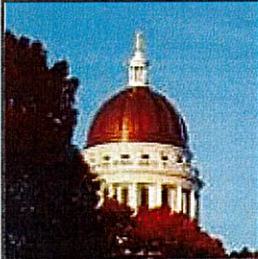
- **Comprehensive Update:** After the consistency finding expires, the municipality must update its plan and resubmit it to the State for review.
- **New Standards:** If the plan is not updated and re-certified within a specific timeframe (e.g., 24 months in some cases), it may have to be resubmitted under the most current, likely stricter, state review standards.



Maine Legislature (.gov)

What Doesn't Immediately Happen:

Expiration of the consistency finding does not, in itself, immediately make a comprehensive plan invalid or "inconsistent," but it initiates a period where the municipality is at risk for the consequences mentioned above.



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Note: The specific consequences depend heavily on local and state laws, though the above represents common practices in growth management states like Maine.