

## Regulatory Context

### Key Findings

- The rules that regulate harbor and waterfront development are complex and involve multiple federal, state and local agencies and departments ([See Table XXX, page YY](#))
- The Harbor Master is responsible for harbor and vessel care, harbor operations and safety ([See Section 2-702](#))
- The purpose of the Harbor Management Commission (HMC) is to...  
*...protect marine-historic resources and sensitive natural resource areas found along its harbor and in nearshore coastal waters; to provide growth in public opportunities for water-based recreational activities; to maintain and enhance navigational facilities for the benefit of all harbor users; and to allocate land and water resources in an economically and environmentally sound manner*
- HMC is responsible for
  - Annual review and recommending updates to the Harbor Management Plan
  - Recommending related ordinances for adoption by City Council
  - Review applications for consistency with the Harbor Management Plan
  - And other duties as outlined in [Section 2-703](#)
- The Planning Board and Code Enforcement Office review and approve applications for construction of land use activities within the shoreland zone

### Goals and Objectives

#### Goal:

- Clear and effective regulations that support waterfront development and harbor use consistent with City goals, harbor capacity (whether natural or human-made), and municipal legal authority

#### Objectives:

1. The City understands and exercises its authority to oversee harbor development and use for the benefit of the community and protection of the environment
2. Regulatory clarity and predictability for municipal regulation
3. All regulated structures and activities are properly authorized by the appropriate federal, state, and local authorities
4. A user-friendly and practical Harbor Management Plan that is reviewed annually and updated as needed

## Recommended Actions

### Abbreviation Key:

Harbor Master - HM

Parks & Rec Committee – P&RC

City Staff - S

Wastewater Treatment Plant – WWTP

Harbor Trail Committee – HTC

Harbor Management Commission – HMC

City Council – CC

Comprehensive Plan Commission - CPC

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Objective	Recommended Action	Responsibility	Timeline
1,2,3	Identify any gaps in current City regulation that are within municipal authority	HM, S, HMC	Short Term (1-2 years)
1,2,3	To better ensure City involvement in future development of the harbor and to fill any gaps in regulation, consider the recommended standards or incentives below and the following: <ul style="list-style-type: none"> <li>Enhancements to existing City standards</li> <li>A separate ordinance such as a Marine Construction Ordinance</li> <li>Or other options as appropriate</li> </ul>	HM, S, HMC	Short Term (1-2 years)
1,2,3	Develop a checklist of standards and approvals for applicants and applicable City departments, boards, and commissions to be used while issuing permits	S, HM	Short Term (1-2 years), Ongoing
4	Annual review of the harbor plan	HMC	Ongoing
1,3	Keep abreast of federal and state rules related to the harbor and foster a productive working relationship with federal and state agencies	HM	Ongoing
1,3	Seek coordination with Owls Head on harbor regulations	HMC	Ongoing
<b>Recommended standards or incentives that could be considered when updating City regulations:</b> <ul style="list-style-type: none"> <li>Provisions for integrating public access into waterfront projects</li> <li>Consideration of flooding and storm surge for new construction</li> <li>ADA accessibility, where feasible</li> <li>Provisions for incenting creation or maintenance of view corridors</li> <li>Dimensional standards for piers and wharfs</li> <li>Minimization of impacts to traditional fishing grounds</li> <li>Protection of harbor health</li> <li>Standards for that encourage a sufficient number of boat pump outs</li> <li>Encouragement of environmentally sustainable materials (e.g. alternatives to foam filled floats)</li> <li>Minimize hazards to navigation</li> </ul>			