

COMPREHENSIVE PLAN REVIEW PROCESS HAS CHANGED

The process by which the State Planning Office (SPO) reviews comprehensive plans for consistency with the ten state goals for comprehensive planning has been revised. Towns presently working on their comprehensive plans have a choice between submitting their plans under the old or the new rules. After June 1, 2008, all plans will be reviewed under the new rules. Some of these changes are merely “housekeeping” and others are more substantive. Copies of the complete 45-page set of rules are available at: <http://www.spo-comp-plan-rules.com/spo/> or from Tom Martin at the HCPC. What follows below is a very brief summary of the changes.

What Are Some of the Housekeeping Changes?

There is now a twelve-year limit to the SPO’s determination of a plan’s consistency. However, an expired finding of consistency does not automatically mean a plan is inconsistent. There is also an appeal process of an inconsistency finding if there have been errors in procedure or in findings of fact.

What Are Some of the Substantive Changes?

Vision Statement

A vision statement is now a required part of the plan. The statement must summarize the community’s desired future community character in terms of economic development, natural and cultural resource conservation, transportation systems, land use patterns and its role in the region. The public participation section must describe how public input was used to formulate the vision statement. The statement must also relate to the goals, objectives and future land use plan.

Future Land Use Plan

There are also more detailed guidelines for the Future Land Use (FLU) Plan, which will be the focus of the State Planning Office review of the plan. The FLU must designate as *growth areas* those lands that the community intends to direct a minimum of 75 percent of growth-related, publicly-funded capital investments (such as water and sewer lines and most public facilities) during the planning period. Built-out or developed areas that lack the capacity for further growth but require maintenance, replacement, or additional capital investment to support existing or infill development must also be designated as growth areas. Growth areas along major highways must be designed to promote nodes (concentrations) of development and avoid strip development, by limiting length along the roadway, including sufficient depth off the road, and providing for management of access (such as driveways and other curb cuts).

The FLU must identify a *rural area or areas*. The designation of *rural areas* is intended to identify areas deserving of some level of regulatory protection from unrestricted development for purposes that may include, but are not limited to, supporting agriculture, forestry, mining, open space, wildlife habitat, fisheries habitat and scenic lands, and away from which most development projected over ten (10) years is diverted.

There is now more emphasis given to non-regulatory techniques to guide growth into growth areas. These include, but are not limited to, investments in roads and water and sewer lines in growth areas. In rural areas, investments in land conservation are considered. Given the difficulty of getting residents to accept major differences in minimum lot size, less weight is now given to density differences.

Regional Coordination

There is increased emphasis throughout the rules on regional coordination. For example, the review criteria call for coordination of municipal comprehensive plans with regional efforts in recreation, open space, natural resource protection, water resource management, economic development and housing. The criteria also require that plans be consistent with those of adjoining communities when common issues are addressed.

Transportation

State and federal transportation policy has changed substantially since the SPO first started reviewing plans. There is now far more emphasis on preserving existing highway capacity and reviewing all alternatives before building or improving state-funded highways. These changes are reflected in the SPO's review criteria.

The plans must address transportation system safety and efficiency in the community and the region. Traffic volume, congestion and pedestrian and bicycle safety concerns must be addressed. Plans must also evaluate the lack of transportation links between neighborhoods, schools, recreation, shopping and public gathering areas. Problems caused by light pollution must be assessed.

Communities need to discuss how their land use regulations mesh with the MaineDOT, regional and local objectives for transportation system facilities. They also need to identify what, if any, environmental degradation caused by state or local transportation facilities or operations is occurring. An assessment of how local land use plans and decisions affect safety, congestion, mobility, efficiency and interconnectivity of the transportation system is required.

Where Can We Learn More?

The Hancock County Planning Commission will be working with the State Planning Office in planning a public presentation of the changes later during the FY 07-08 fiscal year. We also plan to work closely with one comprehensive planning committee to help it adjust its plan to the new process and will report the results. In the meanwhile, feel free to contact Tom Martin at the HCPC if you have any questions.