



# **Build Maine + GrowSmart Maine POLICY ACTION 2023 Overview of Proposed Legislation**

**DRAFT FEBRUARY 5, 2023**





# PROBLEM STATEMENT

Maine's current uncoordinated approach to building places is causing real, unintended, and significant social, environmental, financial, economic, and cultural challenges and requires the creation of a cohesive approach to land development, redevelopment, and placemaking.

# THE GOAL OF POLICY ACTION 2023

Our goal is to address barriers to and create incentives for equitable, sustainable growth and development that strengthens downtowns and villages of all sizes while pulling development pressure away from productive and open natural areas. We do so acknowledging that Maine has urban, rural, and suburban settings for which any solution may/not be a fit and a variety of people who deserve to be welcomed to their communities.



# WHY POLICY ACTION 2023 MATTERS NOW

At its core, Maine is a collection of towns, big and small. People in rural, suburban, and urban areas have a town or neighborhood they identify as their own, their hometown, with interwoven relationships, networks, stories, histories. Hometowns provide not just shelter, but a sense of belonging. Human relationships are intimately tied to these physical places, and is something everyone should be able to hold onto.

In Maine we see two different kinds of places - the ones we love, the reasons we chose to move here or chose to stay here, and the ones that we have been building for decades which are isolated and look, feel, and function in a way that is not authentically Maine. These places actually erode the places we love and need.

Maine's towns, big and small, are critical to supporting a Maine that continues to provide what is increasingly becoming a rare condition - community. With Policy Action 2023, we propose strategies to rebalance how and where we grow, to reclaim and encourage more of those authentic places while reducing the damage caused by those unconnected places. Each person views advocacy priorities through the lens of what matters most to them. The value of smart growth and the idea of planning around people and community, is that good proposals satisfy most objectives including equity, housing affordability, transportation safety and choice, climate action, fiscal health, economic strength, and quality of life.

## **EQUITY**

Policy Action 2023 demands that the choices we make with regard to our built environment eliminate immediate and intergenerational structural and financial hardship for people in Maine, regardless of race, gender, geographic location, income level. It is our collective responsibility to build places that help people live full lives, with convenient access to daily needs, jobs, and social networks.

## **TRANSPORTATION SAFETY AND CHOICE**

Policy Action 2023 understands that street design and safety are directly related to the economic viability. We have an opportunity to build on the good work already happening to create streets that are safer and more attractive for development.

## **CLIMATE ACTION**

Policy Action 2023 recognizes that all urgent issues must be viewed through a climate lens, and that

we must stop solving problems in isolation. Instead we propose wise use of resources and solutions that provide multiple benefits. For example, we must provide housing now, in locations where there is access to jobs, public transportation, where infrastructure investments have already been made, and in a pattern and form that is both financially productive for communities and individuals.

## **FISCAL HEALTH**

Government is responsible for providing public services. A low density pattern of development does not produce enough taxable revenue for municipalities to service and maintain these places over time. Finding ways to accommodate more people while protecting the municipal tax base is a key priority, especially true when it comes to our transportation system. When we build low density housing in remote places, there is a direct and costly impact on our transportation system from increased traffic and congestion, and public demands to "fix the problem".

## **ECONOMIC STRENGTH**

Policy Action 2023 supports sustainable economic growth, development, and land protection that align with community-driven vision and priorities. We are looking both at how to unlock potential in our service centers, villages, and downtowns, but also rural areas that are critical to our future economic potential. High quality farmland and soils will play an increasing role in the production of food and fiber and well-managed forest land will continue to produce critical foundational and new forest products. Policy Action 2023 looks comprehensively at how to advance both immediate and long-term economic needs in a way that understands the economic and supportive of Maine ingenuity.

## **QUALITY OF LIFE**

Policy Action 2023 builds on the critical connection between Maine people and the open land that provides access to recreation, hunting, and important ecological systems that will help sustain us in the face of a changing climate. Policy Action 2023 also understands how critical it is for people in Maine to feel a sense of daily connection and purpose that comes with being part of a community.

### **POLICY ACTION 2023 ADVANCES A BOLD PLAN FOR ECONOMIC INVESTMENT AND OPEN SPACE PROTECTION**

**In our Downtowns and Developed Areas: Policy Action 2023 proposes policies and resources to ensure growth occurs where it makes best use of public infrastructure.**

**In our Rural and Open Spaces: Policy Action 2023 diverts development pressure from high quality farmland, forestland, and open spaces. These too contribute to the economy while providing vast benefits to the community, the municipality, and individual wellbeing.**

# WHAT IS POLICY ACTION 2023

Policy Action 2023 is a collaboration between Build Maine and GrowSmart Maine, with nearly 100 people from across Maine and beyond working to create cohesive policy and funding to address land development, redevelopment, and placemaking through a transparent, open process supporting legislation that addresses barriers and creates incentives to grow Maine's communities and natural resources, each in the right places, with a look and feel suiting urban, suburban and rural places.

## Intention

These proposals seek to evaluate and improve regulations to reduce unnecessary delay and cost while maintaining appropriate process and guardrails to encourage long term solutions. Legislative proposals are sponsored by a bipartisan and geographically diverse group of legislators, and we are thankful for their support of this work. PA23 participants are not obligated to endorse all proposals and will focus on individual areas of interest and connections to the shared goal.

### Eight policy areas focused on outcomes:

- 1. Coordination of Government.** Growth happens in the right places with coordination of government at all levels.
- 2. Rework Transportation Funding.** Offer multi-modal choices across Maine by reworking transportation funding.
- 3. Complete Streets Action.** It's safe and easy to use alternative transportation with Complete Streets
- 4. Growth Management Law.** A more flexible planning framework would accommodate changes in best practices in land use planning and implementation.
- 5. State Historic Rehab Tax Credit.** Historic buildings bring value across Maine with a stronger historic tax credit.
- 6. Subdivision Regulations.** Development is encouraged in the right places with revised subdivision rules.
- 7. Downtown Revitalization and Open Space Protection.** Downtowns AND rural areas are strengthened with enhanced fiscal policies.
- 8. Carbon Neutral Buildings.** State climate goals are advanced by encouraging carbon neutral buildings.



## 1. COORDINATION OF GOVERNMENT

Working to help growth happen in the right places with coordination of government at all levels.

Point person: Galen Weibley

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### **LD 602 - An Act to Provide Regional Support to Deliver State and Federal Programs to Cities and Towns**

Increased funding for planning resources and capacity (similar to State Planning Office).

Rep Traci Gere (D),  
District #134

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### **LR 933 - Resolve to Prepare Pre-approved Building Types**

State develops an open process to create a menu of building types, including construction drawings that meet building and life safety code. Towns can hold their own public process to apply the types locally. If developers choose from these, they can reduce housing cost by streamlining the regulatory process. Opt in for municipalities. Will have a state fiscal note. Municipal planning efforts could be supported by the LD2003/ Housing Opportunities Program in DECD planning funds.

Sen. Matt Pouliot  
(R), District #15

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### **LR 1771 - An Act To Increase the Supply of Housing by Updating Land Use Regulations, Establishing An Alternative Permitting Process, + Decreasing Processing Time for State Approval of Certain Housing Developments**

Bill to enable housing production by providing alternative fast track approval for affordable housing that is in line with local planning.

Rep Traci Gere (D),  
District #134

New mixed-use infill, Westbrook



## 2. REWORK TRANSPORTATION FUNDING

Working to offer multi-modal choices across Maine by reworking transportation funding.  
Point person: Cole Cochrane

### **LR 1777 - An Act to Strategically Advance the State's Public Transit Infrastructure by Reinvigorating the Public Transit Advisory Council and Increasing Funding**

The bill seeks to address the systemic lack of public transit funding and coordination in Maine by bolstering state transit planning and assistance, increasing state funding for on-road public transit, and solidifying Maine's commitment to public transit in statute. The bill would amend Title 23 to make an explicit commitment to public transit in DOT's decisions on capital investments, transit planning, and projects. It also strengthens the Public Transit Advisory Council in order for it to represent stakeholders, to provide frequent recommendations on public transit decisions, and be a competent body to promote the interests of public transit. Additionally the bill includes expanding transit planning assistance at MDOT to better coordinate with local and regional transit needs; and increases state contribution to wheeled transit in order to relieve the pressures of local match and improve the statewide transit system.

Rep. Maggie O'Neil (D), District #129



### 3. COMPLETE STREETS ACTION

Working to make it safer and easier to use alternative transportation with Complete Streets.

Point person: Zoe Miller

<b>LR 1782 - An Act to Establish a Thriving Corridors Program by Encouraging Affordable Housing and Mixed-use Development</b>	Aligning and coordinating land use and transportation to revitalize aging commercial, high-impact corridors. Establishes guidelines, tools, and incentives for municipalities to encourage housing and mixed use development along these corridors.	Rep Traci Gere (D), District #134
<b>LR 179 - An Act to Expand the Use of Traffic Cameras for School and Work Zones</b>	Allows for cameras in targeted areas to assist in speed limit enforcement for the safety of all road users. (Bicycle Coalition of Maine bill)	Sen. Mattie Daughtry (D), District #23
<b>LR 1256 - Resolve to Establish a Task Force to Recommend Strategies to Achieve the Goal of Eliminating Traffic Fatalities and Serious Injuries</b>	This bill resolves to Establish a Vision Task Force to Recommend Strategies to Achieve the Goal of Eliminating Traffic Fatalities and Serious Injuries. The task force has 21 members. It is required to report on its findings to the Joint Standing Committee on Transportation by January 10, 2024.	Rep Daniel Ankeles (D), District #100
<b>LR 2226 - An Act to Grant Municipalities the Authority to Set Lower Motor Vehicle Speed Limits</b>	This bill authorizes municipalities to reduce posted speeds by up to 10 miles per hour in specific contexts and to make physical changes on such roads to encourage better compliance with posted speed limits.	Sen. Rick Bennett (R), District #18
<b>LR 996 - An Act to Increase Street Safety</b>	This bill establishes roadway project design criteria to implement and support MaineDOT's Complete Streets Policy.	Rep. Marc Malon (D), District #133



## 4. GROWTH MANAGEMENT LAW

Working to create a more flexible planning framework to create a more flexible + effective framework for all communities and accommodate best practices.

Point people: Vanessa Farr / Abe Dailey

### **LR 1377 - An act to update the growth management law**

This bill will provide a redline version of the law as a starting point to promote significant, much needed discussion. More input coming from BRILUP survey and pending update reports to legislative committees. Goal is to modernize the law and allow for more focus on implementation strategies.

Rep. Melanie Sachs (D), District #102



Downtown plan with proposed infill, Newcastle

## 5. STATE HISTORIC REHABILITATION CREDIT

Bringing increased value across Maine with a stronger historic tax credit.  
Point people: Tara Kelly / Sarah Hansen /Robert O'Brien

### **LR 1684 - An act to expand the Maine Historic Rehabilitation Credit**

This bill strengthens Maine's historic tax credit by extending eligibility to homeowners and enhancing incentives for small commercial projects. It increases the existing small credit to 30% for up to \$1M in eligible expenses, and it creates a 25% homeowner credit for up to \$250K of exterior rehabilitation and weatherization expenses. Both include boosters for affordable housing.

Rep Maureen Terry (D), District #108



## 6. SUBDIVISION REGULATIONS

Encouraging development in the right places with revised subdivision rules.  
Point people: Kara Wilbur / Nancy Smith

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### **LR 1159 - An Act to Increase Housing and Protect the Regional Road Network, Municipal Tax Base, and Working Lands**

This bill will reduce regulations and shorten review time for creation of new units that do not require subdivision of land on properties within growth areas or on water/sewer and will also reduce development pressure in designated rural areas.

Rep. Lydia Crafts (D), District #46

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### **LR 275 - Resolve Directing the Department of Agriculture, Conservation and Forestry to convene a stakeholder group tasked with a Comprehensive overhaul and modernization of the State Subdivision Statutes**

Stakeholder group will propose language to modernize subdivision statute to promote development in growth areas and reduce development pressure in Maine's rural areas, protect public health, safety and welfare, advance state goals to produce affordable housing and streamline the development review process.

Rep John "Jack" Ducharme III (R) District #43



## 7. DOWNTOWN REVITALIZATION + OPEN SPACE PROTECTION

Strengthening downtowns and rural areas with enhanced fiscal policies.  
Point people: Matt Cannon / Chelsea Gazillo

### **LR 1399 - An Act To Increase Maine's Housing Supply, Combat Climate Change, and Preserve Rural Open Spaces by Prohibiting Communities from Large Lot Zoning Practices in Areas Where Public Sewer and Water Infrastructure are Available**

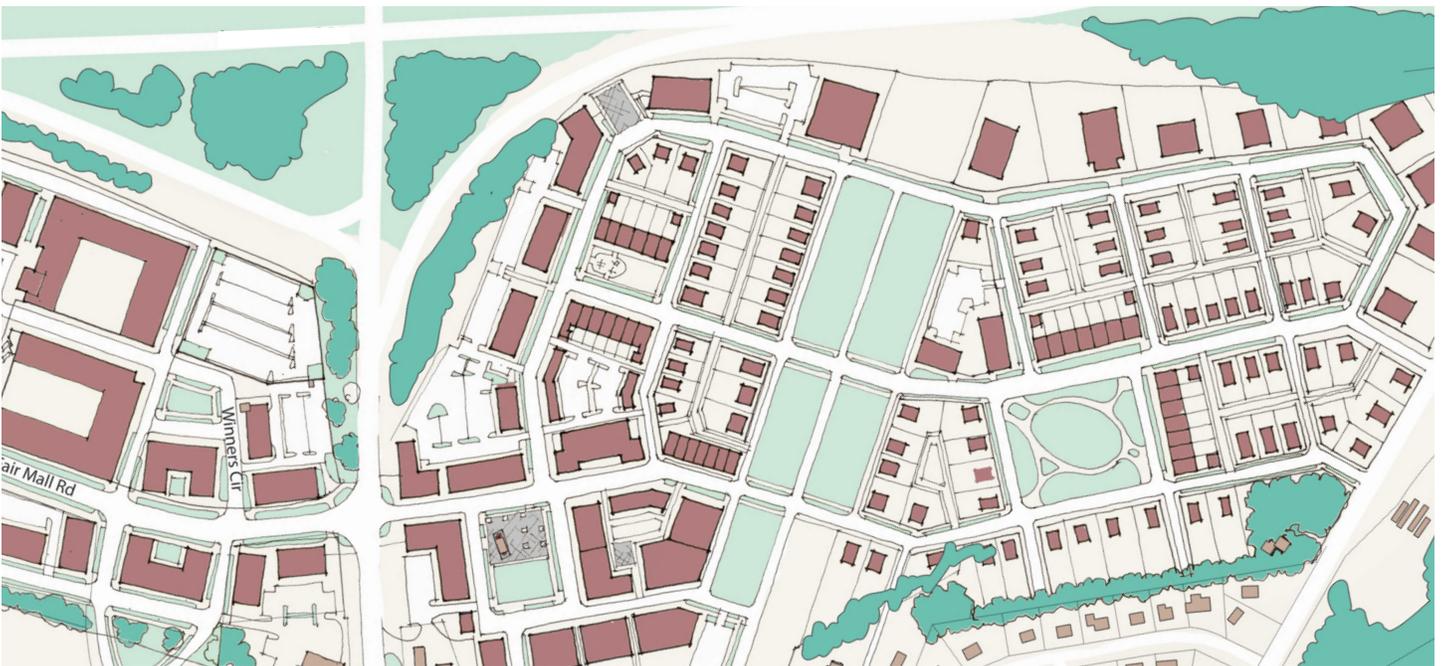
This Bill supports State Planning goals established decades ago by eliminating large lot zoning in areas designed for, or already built out at, higher densities. Specifically, in areas where water and sewer infrastructure are available, the State would preclude minimum lot sizes greater than 5,000 square feet. Within designated growth areas, where public water and sewer do not exist and are not available, minimum lot sizes greater than 20,000 SF would be eliminated.

Rep. James Boyle (D), District #109

### **LD 638 - An Act to Establish an Infrastructure Bank**

Intent is to evaluate and recommend strategies for investing in abandoned and underutilized properties. Municipal governments and regional organizations may create incentives for land improvements including infrastructure banks or other means to guarantee loans, and a structure for repayment of those loans for infrastructure projects that serve planned areas.

Rep. Marc Malon (D), District #133



A plan for walkable, mixed-use, neighborhood redevelopment in Topsham

## 8. CARBON NEUTRAL BUILDINGS

Advancing State climate goals by encouraging carbon neutral buildings.  
Point people: Naomi Beal

### **LR 271 - An Act to Support Lower Home Energy Costs**

Proposal for Maine to institute a volunteer audit system for buildings at point of sale or at change of occupancy. This will help building owners calculate energy costs in order to make informed decisions about utility expenses. Further, the audit will be combined with suggestions for how to improve energy efficiency and provide information on the relevant incentives, rebates, and programs which would assist owners in updating their buildings at the lowest cost. Audits are included in the Inflation Reduction Act and should result in no cost to consumers.

Rep. Rebecca Millett (D) District #123

