

UPDATING YOUR COMPREHENSIVE PLAN

*50 Recommendations for Making Plan Updates
More Effective*

**State Planning Office
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PART I: INTRODUCTION AND RECOMMENDATIONS

I. INTRODUCTION

THE 1990s GENERATION OF PLANS
THE NEED FOR BOLDER PLANS
HOW TO USE THIS HANDBOOK

II. RECOMMENDATION

TOP OVERALL RECOMMENDATIONS

1. Take a hard look at your existing plan
2. Aggressively and creatively engage the public
3. Shift emphasis from inventory to policy
4. Concentrate on State Goal #1
5. Incorporate performance measures
6. Try a visioning process
7. Think regionally
8. Meaningfully address housing needs
9. Plan for permanence
10. Focus on the fiscal
11. Anticipate unintended consequences
12. Integrate transportation planning considerations
13. Strengthen your plan as an economic development tool
14. Balance tradeoffs
15. Pay attention to plan format

TOP RECOMMENDATIONS FOR THE PLANNING PROCESS

16. Select a strong planning committee
17. Appoint the right chairperson
18. Build an effective committee
19. Understand the different roles involved in public participation
20. Foster leadership
21. Develop a creative and effective public participation strategy
22. Avoid over-reliance on meetings and surveys
23. Create “buy in”
24. Overcome problem issues
25. Seek professional help
26. Maintain enthusiasm and momentum
27. Get visual
28. Coordinate with SPO staff
29. Bring your plan to successful closure...
30. ...And effectively follow through on its implementation

TOP RECOMMENDATIONS FOR MANAGING GROWTH

31. Give greater consideration to non-regulatory approaches
32. Embrace growth areas...
33. ...And make them viable
34. Think neighborhood
35. Define/refine “rural”

36. Take strong steps to protect rural lands
37. Incorporate Beginning With Habitat data and approach
38. Consider transitional areas
39. Address commercial strip development
40. Avoid minor lot size distinctions as a strategy for directing growth
41. Promote conservation subdivisions but recognize their limitations
42. Integrate growth policies into a well-developed Land Use Plan
43. [Design matters](#)
44. Don't ignore incremental development
45. Use rate of growth ordinances with caution

FINAL TIPS AND REMINDERS

46. Don't put all your eggs in one basket
47. Measure by measure
48. Discard ideas that aren't working and think out of the box
49. Agree how to disagree and stand by your plan
50. Don't shelve it

III. APPROACH TO INTEGRATING EXISTING PLAN

- Option 1: Selectively Revised/Updated Plan
- Option 2: New Policy Section/Updated Inventory
- Option 3: Plan Supplement
- Option 4: Entirely New Plan

IV. COST CONSIDERATIONS

V. UPDATED PLANS AND THE "GROWTH MANAGEMENT LAW"

VI. CONCLUSIONS

PART II: ADDITIONAL BACKGROUND AND GUIDANCE

TOP OVERALL RECOMMENDATIONS

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APPENDICES

APPENDIX A: Selected Strategies for Managing Growth in Designated Rural Areas

APPENDIX B: Selected Strategies for Creating Viable Growth Areas

APPENDIX C: Other Ideas that Hold Promise

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PREFACE

In the late 1990s and early 2000s, a number of Maine communities began updating comprehensive plans that they had developed or last revised earlier in the '90s. About this same time, the State Planning Office (SPO), as part of concerted efforts to curb sprawl and promote smart growth, was advocating the need for “bolder” comprehensive plans that were more effective at guiding growth and addressing other local and regional issues.

This handbook grew out of a perceived need for better guidance on how plans could actually be made more effective. Originally presented as a concise listing of recommendations, the document has been fleshed out in an effort to provide more substance and direction. SPO viewed the handbook as an opportunity to highlight some of the lessons learned from the collective experience of over 10 years of comprehensive planning in Maine under the Planning and Land Use Regulation Act, commonly known as the “Growth Management Law.” The handbook was also seen as an occasion to pose new ideas and challenge conventional wisdom. This emphasis was consistent with the agency’s focus on formulating “smarter” approaches to addressing development sprawl and promoting a more sustainable growth pattern.

The handbook also complements a comprehensive plan update grant program that SPO began offering in 2001. This program has a fundamentally different slant than the planning grants that have been regularly offered over the years to provide first-time state funding for comprehensive plan development. The selection process for update grants is highly selective, focused on providing support to communities that are most committed and best positioned to take a critical look at their growth patterns and to develop stronger plans. The thinking is that these plans will not only help better serve their communities, but act as valuable demonstration projects, setting a high standard for the next generation of comprehensive plans in Maine.

Consistent with this approach, the handbook sets a “high bar” for plan updates. If Maine communities are to successfully address the difficult planning challenges of the 21st century, they must be ready to

discard approaches that don’t seem to be working. They also must devise forceful strategies and ways of measuring progress.

It is recognized that setting a high bar has some risks, not the least of which is that planning committees may develop plans that get too far ahead of a skeptical or indifferent general public. Bold proposals mean little if the public is not willing to get behind them.

That is why this handbook emphasizes the importance of coupling the development of a stronger plan with a more effective public participation process. This process should involve listening carefully and being responsive to citizen concerns. It should also inform, educate, and make the case for stronger courses of action.

As originally conceived, the “target audience,” both for the update grant program and for this handbook, were communities that largely recognized the merits of planning and reasonable land use regulation – and were ready to apply lessons learned from their 1990s planning experiences. It was assumed that the handbook would be most helpful to professional and lay planners who are familiar with comprehensive planning and its common pitfalls, and was written with that audience particularly in mind.

The perspective of the handbook, however, has broadened somewhat as it has evolved and expanded. It is hoped is that most of its recommendations will be helpful to a wide-range of communities, including ones that are developing their first comprehensive plans. Even for communities that are initially hesitant to embark on strong planning efforts, the recommendations on improving your public participation process deserve strong consideration.

Ultimately, the most critical ingredients to forging a stronger comprehensive plan, for any community, are a willingness to form and articulate a compelling vision for the future, a readiness to take a hard look at current policies and future trends, and a commitment to effective approaches likely to achieve positive, measurable outcomes consistent

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with the overall vision. This process requires a subtle shift of perspective that builds local accountability for effective planning and implementation, rather than focusing on a determination of “consistency” from the State Planning Office as the test of a successful plan. While a consistency finding is desirable for a variety of reasons, it should be viewed, not as an end in itself, but as a by-product of a community-motivated effort to effectively address existing and future planning challenges.

We would like to thank all of those who contributed to the development of this handbook. As many of its principles and ideas are the result of an ongoing dialogue, both within state agencies and statewide, it is difficult to assign individual credit. Under the leadership of Evan Richert, SPO Director from 1995-2002, the agency focused strongly on the pattern of development in Maine and its implications for the future. A number of recommendations are reflective of Evan’s innovative thinking. Perhaps more importantly, he created an atmosphere at SPO in which program teams and individual staff members were encouraged to question conventional wisdom and to think creatively – but always with an eye toward pragmatic solutions and measurable results. The agency’s Land Use Team, supervised by Beth Della Valle, has worked tirelessly to promote effective comprehensive planning in Maine, and this handbook incorporates many suggestions generated from individual team members and collectively.

The handbook’s principal researcher and author was Will Johnston, a member of SPO’s Land Use Team

from 2000 to 2002. We thank Will for his willingness to take on the challenge of assembling this document. The handbook has benefited greatly from his experience with comprehensive planning in Maine, his ability to distill complex issues and his organizational skills. His high work standards and perseverance in seeing the project through to completion deserve acknowledgement and expression of our gratitude.

We’d also like to thank all of those who reviewed various drafts of the document as it evolved. Reviewers included members of SPO’s Land Use Team, other state agency personnel, and regional planning commission staff. The handbook also underwent a final peer review by a selected group of town planners, planning consultants and other professionals. The final document has greatly benefited from their insightful comments and suggestions.

Comprehensive planning is a difficult but essential undertaking. While a basic theme of this handbook is that plans can be more effective, this is not to minimize the staunch efforts of Maine’s cities and towns in developing plans during the 1990s. The handbook attempts to draw lessons from, and build, on those efforts. No easy answers exist, but we can endeavor to ask the right questions. Our hope is that the document contributes to the ongoing, cooperative process of making comprehensive plans work better for Maine communities.

PART I: INTRODUCTION AND RECOMMENDATIONS



PAUL R. LEPAGE
Governor

DARRYL BROWN
Director

**ADVANTAGES OF MUNICIPAL ADOPTION OF A COMPREHENSIVE PLAN
CONSISTENT WITH THE PLANNING AND LAND USE REGULATION ACT**

(30-A, M.R.S.A. §4301 et seq.)

Note: The Planning and Land Use Regulation Act is commonly referred to as the Growth Management Act

1. An adopted consistent comprehensive plan is legally required to substantiate any zoning ordinance (that regulates land area beyond the minimum required in the state shoreland zoning guidelines), see 30-A, M.R.S.A. §4314. *Wells does not go beyond the minimums.*
2. An adopted consistent comprehensive plan is legally required to substantiate any impact fee ordinance, see 30-A, M.R.S.A. §4314. *Ordinance, but No fees have been enacted.*
3. An adopted consistent comprehensive plan is legally required to substantiate any rate of growth ("building cap") ordinance, see 30-A, M.R.S.A. §4314. *None - Expired*
4. An adopted consistent comprehensive plan, while not specifically required to substantiate other types of ordinances, provides the most solid legal footing to all land use and related ordinances by providing clear municipal policy intent within the parameters of state law.
5. Zoning ordinances enacted pursuant to an adopted consistent comprehensive plan, if determined by SPO to be consistent with the plan, become binding on state agencies (Governor can override if state interests are overly frustrated), see 30-A, M.R.S.A., §4352.6.
6. State growth related capital investments may only be made within a growth area designated within an adopted consistent comprehensive plan or one of the following growth area surrogates: sewer and water district, census designated place or urban compact area, see 30-A, M.R.S.A., §4349-A.1.
7. State agencies are directed to award preference for many state grant and investment programs to municipalities with an adopted consistent comprehensive plans, see 30-A, M.R.S.A. §4349.3.
8. State agencies are directed to assist municipalities with an adopted consistent comprehensive plan with plan implementation, see 30-A, M.R.S.A. §4349-A.2-A.
9. The most important advantage of adopting a consistent comprehensive plan is creating a highly participatory and official public statement describing the desired future for your community! In doing so, your municipality is contributing to a larger effort in concert with your neighbors to attain the State's Growth Management Goals and Coastal Policies.
10. Consistency of comprehensive plan and zoning ordinance is one component for eligibility for Natural Resource Protection Act (NRPA) permit granting authority, see 38, M.R.S.A., §480-F.1.B.

Note: This list reflects the interpretation of the Land Use Planning Team of the State Planning Office, who are charged with implementing the Planning and Land Use Regulation Act. This list is not meant to render a legal opinion. We recommend contacting the Maine Municipal Association or municipal attorney if an official legal interpretation is needed. Date last modified: October 26, 2011

