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TESTIMONY TO THE JOINT SELECT COMMITTEE ON HOUSING

WRITTEN TESTIMONY PROVIDED NEITHER FOR NOR AGAINST LD 1976

"An Act to Update the Growth Management Program Laws"

DATE OF HEARING: Tuesday, November 14, 2023

November 13, 2023

Honorable Senator Piece, Honorable Representative Gere, Distinguished Members of the Committee:

Thanks to the Joint Select Committee on Housing for offering this chance to provide testimony on LD1976 (*An Act to Update the Growth Management Program Laws.*) As background, I worked as a municipal planner from 1998 to 2019, most recently as the Director of Planning & Urban Development for the City of Portland. Currently I teach planning and work with communities and regions on their planning projects. I am writing neither for nor against LD 1976, as I support changes in the program, but find the proposed changes in the current bill don't address the core challenges of the program. Instead, I ask that a short-term working group be created to develop changes to the Growth Management Program for a significantly amended version of this bill later in this session.

As a practicing planner who has worked on several Comprehensive Plans under the state Growth Management Program, as well as such plans in other states, I am pleased to see this issue under consideration before the Legislature. The Growth Management Program under 30-A MRSA §4301 et al serves an important purpose in state planning. It provides a common framework for community plans and a method for state agencies to provide support as they complete Comprehensive Plans. However, the Program as created 30 years ago is long overdue for an update.

Much of the framework follows national Best Practices. On the other hand, the data collection requirements in the Program are specific and extensive – and while the state has been sensitive to the resource limitations of smaller communities, the effect is often that communities spend most of the time in completing their Comprehensive Plans in meeting these requirements, and not enough time doing true planning for their futures.

The recent passage of LD2003 also increases the significance of Growth Areas under the Program, suggesting that it may be time to take a closer look at how Growth Areas are developed and how large they should be.

I want to offer my thanks to several organizations, led by GrowSmart Maine and BuildMaine, for creating the Policy Action 2023 program. I was pleased, in my role as a GrowSmart Maine board member, to be able to participate. Policy Action 2023 has a goal of "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." It set forth eight policy actions for consideration by the Legislature, including a look at the Growth Management laws with a goal of creating a more flexible and effective framework for all communities.

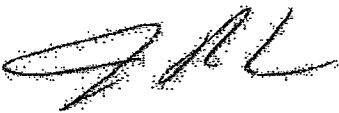


Unfortunately, I don't think the proposed changes proposed in LD 1976 achieve that goal. Rather, they replace existing extensive documentation and inventory requirements with a new set of extensive documentation and inventory requirements. The proposed new requirements are not easy to follow for those who are not experts in the field. As a result, these changes could leave communities – especially smaller cities and towns – struggling to simply understand the Growth Management Program requirements. I am concerned that these communities will continue to spend much of their time and money documenting existing conditions in keeping with the Program's requirements, leaving little time to have "blue sky" discussions about how they want to meet local and state goals. With the expectations set by LD2003 that communities should help meet the housing shortage in Maine through good planning, the need for these discussions is particularly paramount.

Rather than pass this bill at this time, I would recommend the creation of a short-term working group that will explore the Growth Management Program considering current state and local needs, as well as more detail on how communities can and should define growth areas in light of LD 2003. This working group should come back to the Joint Select Committee with recommendations on revised language. It should consist of a variety of members with different skill sets and interests – those committed to Smart Growth and good planning; planning experts familiar with national Best Practices; affordable and workforce housing providers; local officials; state officials; and others.

Please let me know if you have any questions. I hope my comments are helpful.

Sincerely,



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