



JOHN ELIAS BALDACCI
Governor

MARTHA E. FREEMAN
Director

February 23, 2010

Land Use Regulation Commission
c/o Samantha Horne-Olson
22 State House Station
Augusta, ME 04333-0022

RE: Comments on the CLUP – Chapter 4: Development

Dear Ms. Horne-Olson:

The State Planning Office recognizes the amount of effort that has gone into the preparation of the CLUP and applauds LURC for the work undertaken as part of this process. SPO supports LURC's central principles regarding growth and development that:

- (1) Discourage growth which results in sprawling development patterns, and
- (2) Encourage orderly growth within and proximate to existing, compatibly developed areas.

These are important elements which support quality of place and community character, both important characteristics of Maine's competitive advantage. The CLUP notes that "historically, development has stayed mainly on the edges of the jurisdiction, with the exception of scattered seasonal dwellings and traditional resource-based facilities such as sporting camps" (p. 55). However, analysis of development within the jurisdiction shows alarming trends of increasing levels of low density development (p. 81) and conversion of seasonal and resource-based facilities into year round homes (p. 80). These trends along with the increasing parcelization of the jurisdiction are working against the central policies noted above and the vision of the Commission for the unorganized territory.

The CLUP notes that "the Commission has always been guided by the premise that most new development should occur in or near areas where development already exists" (p. 59). The CLUP also notes that "many areas are poorly suited to accommodate intensive development" (p. 55). Section 4.3B, Policies and Regulations for Guiding Development, discusses planning tools currently in use by LURC to guide growth and development. SPO recommends that LURC consider limiting the use of Concept Plans and Planned Development to only those commercial or recreational projects that require proximity to specific natural resources. This would ensure that development allowed under these mechanisms does not increase the trend of low density development; add inordinate burden to the provision of services as compared to the taxes collected (p. 108, p. 111); or create cumulative impacts to the region as a whole (p. 109, p. 113).

The State Planning Office concurs with LURC in its findings that (1) exemption of certain lots from the Commission's subdivision review, (2) the Commission's reactive treatment of rezoning proposals, (3) lack of recognition of local and regional differences within the jurisdiction and (4) limited control over infrastructure improvements, particularly roads represent weaknesses in its ability to adequately plan for orderly growth and development guided by the stated principles. SPO also supports the statement in Section 4.8 on page 119 "that the principle development issue is not the amount of development taking place in the jurisdiction, but rather where it is located." SPO also supports the CLUP's findings on the same page that:

- (1) The Commissions' existing rules are inadequate to effectively direct development to appropriate areas; and
- (2) The factors driving development pressures will likely continue in coming years.

SPO



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Finally, SPO appreciates and supports the extensive effort the Commission has devoted to careful analysis and extensive outreach to residents and landowners, along with all Maine citizens, within the LURC jurisdiction. SPO encourages the Commission to ensure that residents and landowners within the LURC jurisdiction continue to be consulted as new policies are developed and implemented based on the CLUP.

Thank you for considering these comments from the State Planning Office.

Sincerely,

A handwritten signature in black ink that reads 'Martha E. Freeman'.

Martha E. Freeman
Director

Cc: Tim Glidden, SPO
Elizabeth Hertz, SPO