

Growth Management Law Rulemaking Stakeholder Group

Final Report and Recommendations May 2026

INTRODUCTION

The Maine Office of Community Affairs (MOCA) convened a Stakeholder Group in late 2025 to advise the state on the Growth Management Law Rulemaking process. The Stakeholder Group met six times between December 2025 and May 2026. The mandate of the Stakeholder Group was to develop recommendations to update the rules that implement Maine’s revised Growth Management Law. The recommendations contained in this document represent the conclusions of the Stakeholder Group and will be a core input as MOCA leads a formal rule-making process later in 2026. Stakeholder Group members approved this final version of the recommendations during their May 6, 2026, meeting.

► FRAMING THE CHALLENGE

From the outset, the group oriented their work around *three key questions*:

1.	How can we ensure the comprehensive planning process and associated products are useful for communities?
2.	How can we simplify the process for communities?
3.	How do we make sure that community needs are articulated in the context of broader state goals?

Within these questions, the stakeholder group outlined the *following key interests*:

- Make the process simple, clear, and less costly.
- Ensure that comprehensive plans meet both community needs and state goals, encouraging meaningful conversations in communities about their future and issues of statewide importance.
- Ensure rules support strong public participation.
- Increase the utility of comprehensive plans - ensure they include a future land use plan and a capital investment plan that move communities toward the futures they want in practical, realistic ways. Avoid requirements that are simply “checking the box.”

OUTCOMES OF THE STAKEHOLDER GROUP DIALOGUE

Overarching Recommendations

The following thematic through-lines serve as the foundation for the proposed rule changes:

▶ 1. **Organize the rule around a set of core questions to encourage connections across topic areas.**

The rule should be structured around a set of **core cross-cutting questions** that all communities are required to ask themselves during the needs assessment. These questions will be based on state growth management goals and will help communities identify their own needs. These core questions should be designed to move away from siloed topic areas and instead encourage a **holistic approach** that integrates land use and economic development. These questions are intended to:

- Encourage communities to actively draw on relevant data;
- Involve robust community participation;
- Draw connections between topic areas (e.g. economic planning, housing, transportation, climate, natural resource protection, etc.);
- Prompt communities to consider the long-term costs and benefits of the patterns of development that the community favors; and
- Help communities situate themselves within broader state and regional needs and goals.

Communities are **encouraged to seek assistance** from the state, regional councils and/or consultants to help prepare and guide community conversations around these core questions.

▶ 2. **Design the rule to include a scaled approach to community capacity.**

The rules should include a scaled approach that creates **clear baseline requirements** for all communities, **while offering flexibility** for communities to adjust the depth of their analysis on the core questions based on their specific context and capacity. Scaling will be **particularly important during the needs assessment**. The core, cross-cutting questions are envisioned as the baseline requirements. All communities must answer these questions. At the same time, guidance documents will:

- Create flexibility for how deeply communities go into these questions and;
- Provide tools for communities to develop certain topic areas further as relevant and useful to them, without mandating exhaustive analysis on each topic area.

▶ **3. Regional integration is central, not peripheral.**

Regional considerations must be central to the comprehensive planning process. The rule should require all communities to assess their role in the region. This is particularly important for key regional infrastructure such as housing, health care, transportation, education, and emergency services. Communities should be expected to assess their role in accessing and providing these services and incorporate strategies for the infrastructure and workforce needed to support these services into the future. These strategies should align with shared existing regional planning efforts. Using regional resources will reduce costs and increase efficiencies (see Policy Development section below).

▶ **4. The State has a role to play in providing and coordinating proactive support for communities.**

In order to make the comprehensive process simple, clear, and less costly, communities would benefit from more active support from both the state and regional planning in the following areas:

- **Data analysis:** MOCA and regional entities should play a role in providing raw data alongside “pre-digested” datasets and simple analysis tailored to community demographics. This helps to translate state goals into local context.
- **Making sense of regional intersections:** The state and regional councils are well situated to help communities identify their role in regional context, and to prevent the duplication of efforts.
- **Early review options:** To prevent costly rework, communities would benefit from MOCA offering an option for early review of the needs assessment or draft policies to verify consistency with state goals before finalizing the future land use plan.

State and regional entities will need resources in order to provide this level of additional support.

▶ **5. The rule, complemented by guidance, should provide criteria that allows the state to use more discretion when reviewing comprehensive plans for consistency.**

Each part of the rule should build toward two main outputs: a future land use plan (FLUP) and a capital investment plan (CIP). During the state’s review for consistency with state growth management goals, the state should ask:

- Has the community adequately engaged with the needs assessment questions outlined in the rule?
- How consistent are the FLUP and CIP with the community priorities identified and defined in the needs assessment?
- Do the FLUP and CIP advance Maine’s state growth management goals?

This approach implies some degree of discretion by the state when determining consistency. To clarify and bound this discretion, the rule should include criteria, complemented by guidance that has a robust set of examples and tools that inform communities and state evaluators. Potential criteria include:

- **Data informed:** Priorities are supported by broad data analyses across several indices, such as demographic needs
- **Interconnected analysis:** Communities are able to show linkages between topic areas, and between land use and economic development strategies
- **Regional connections:** Communities have located themselves within regional context, both in the current moment, and has anticipated their desired regional position in the future

These recommendations are developed further below, in relation to each component of the comprehensive planning process.

DETAILED RECOMMENDATIONS BY PLAN COMPONENT

The following recommendations show how the overarching themes of cross-cutting questions, regional integration, and scaled requirements should be integrated into each phase of the comprehensive planning process.

► INVENTORY/DATA/ ANALYSIS:

To reduce the burden on communities, the state should shift from simply providing raw data to supporting communities that make sense of it. In this “sense-making,” communities are expected to demonstrate that they have used relevant data to inform community discussions.

- **State support for data analysis:** The state (MOCA, in partnership with consultants and regional entities) should provide tools and strategies to help communities navigate the data in ways that are most relevant to them. This includes not just raw data but also simplified data with “pre-analysis:” the process of helping communities to draw information and insights out of the data that help communities answer the core questions during their needs assessment.
- **Guidance documents offer enhanced clarity on what data is essential** and outline how communities are expected and encouraged to engage with different types of data.
- **The rule should require communities to describe their process of using data** to inform discussions around the key questions in the needs assessment (see below). Communities must demonstrate that they have substantively engaged with this data to inform their priorities. They are not required to feed data back to the state..

- **An existing land use map remains essential.** Placetypes must be offered as a tool to expand the vocabulary and specificity around existing (and future) uses. Guidance will include details on how to use this approach, alongside options for technical assistance. Placetypes are encouraged but not required.
 - Communities with less capacity may have less detail on their maps. Those with access to parcel-level data should be required to use it. Ideally, regional or state entities will provide parcel-level data at the start of the process.

► **NEEDS ASSESSMENT:**

A proposed definition: A needs assessment is the process of using data and analysis to answer the core questions outlined in rule in each topic area. The purpose of the needs assessment is for communities to clarify their priorities for future land use and to ensure that communities have data-informed conversation on the issues that are essential to advance state goals.

- **While the needs assessment is a new term in statute, it is not a new process or step.** Some planning practitioners may have simply called this step “analysis” previously.
- **The core questions will be outlined in the rule.** The rule would point to guidance that offers ideas about how to look across the different topic areas and draw connections between them to answer each question. The answers to these questions will be used to inform a community’s future land use plan and capital investment plan.
- **The rules would emphasize the importance of public participation** in the needs assessment. This process should include a community visioning process to clarify local priorities and their relevance within a broader regional context. The rule should provide flexibility on the sequence and timing of the needs assessment, public participation, and community visioning.
- **Options for early state review** of the needs assessment would provide opportunity for a provisional screening for consistency with state goals, preventing potentially costly rework later in the process. This preliminary review could also happen around draft policy development and even a draft Future Land Use Plan.

► **POLICY DEVELOPMENT:**

Policies should flow directly from the priorities and vision identified in the needs assessment.

- **The rule should provide clarity on which policies are required, optional, and suggested.** Use a high bar when determining which policies will be required for all communities in the state.
- **Regional Alignment:** Communities can meet some of these requirements by showing adoption of, or alignment with regional policies.
 - **State review** of comprehensive plans should focus on whether local policies align with the community’s needs assessment and state goals. Policies that don’t obviously align with Growth Management State Goals will require explicit justification and will be subject to additional scrutiny to demonstrate consistency with state goals.

► IMPLEMENTATION STRATEGIES:

Like policies, implementation strategies are directly related to the priorities and vision identified in the needs assessment.

- **For strategies to be effective, they must be realistic, measurable, and financially feasible.** Strategies that are aligned with a community's needs and policies are most likely to succeed. Strategies should also be specific enough to be actionable.
- **Communities should demonstrate consideration of fiscal implications of their strategies,** such as potential gaps between proposed growth areas and existing services, and a capital investment strategy to fill those gaps.
- **Rules capital investment existing statutory requirements for capital investment plans** to support projected growth and infrastructure.

► FUTURE LAND USE PLAN:

The FLUP is one of the primary outputs of the comprehensive planning process, providing a legal and policy foundation for community decision-making and zoning.

- **The FLUP is a foundational tool to help communities manage growth and change.** For many communities, FLUPs are a mechanism to identify where growth should occur, and which are as should be protected from growth. Placetypes are one option to provide additional nuance and detail around planned land uses. Even for communities that do not expect to grow, the FLUP helps communities anticipate land-use changes, and provides orientation for implementation strategies and other community decision making.
- **The rule should clearly define minimum requirements for growth areas.** At the same time, create compelling guidance that encourages municipalities to go beyond what is required to include greater specificity. Placetypes offer vocabulary for this specificity.
- **Growth area designations should take into account future contingencies and costs,** including capacity for increasing municipal services and infrastructure to support growth areas, and the resiliency of growth areas to climate impacts.

► PUBLIC PARTICIPATION:

Public participation is a critical component of the comprehensive planning process, serving to clarify community priorities and needs, and foster buy-in for the chosen policies and strategies.

- **Stakeholders suggested that the current rule is sufficiently flexible.** It includes options and calls for a robust participation process.
- **As outlined in LD 1751, the state must provide guidance for public participation.** There is an opportunity for this guidance to provide strategies and tools that effectively support robust public participation. The state can also partner with organizations that have already developed helpful guidance in this area.
- **Public participation guidance should encourage communities to engage with priority populations on their terms,** and in ways that work for them. Data analysis can help to identify key population groups.
- **Municipal staff/volunteer capacity is often limited.** Templates for public meetings and engagement strategies in guidance can help to extend this capacity. This is also an area to encourage external support (e.g., Regional Councils or an external consultant). This is also an opportunity to offer training in collaborative public meeting facilitation.

COMPLEMENTARY RECOMMENDATIONS

- **Expanded capacity and technical assistance:** MOCA and other state agencies will require additional internal capacity to provide the technical assistance, data “pre-analysis” and early review options envisioned in this set of recommendations. Regional councils can also play an active role in providing technical support, particularly in facilitating regional conversations and helping communities identify regional intersections.
- **Strategic incentives:** Having a consistent comprehensive plan should be used more widely as a criterion (or as part of scoring criteria) for state funding. The state should use their discretion in determining the forms and thresholds for these criteria.
 - In addition, MOCA should provide up front guidance to help communities meet funding criteria. For example, identifying buildings or areas for redevelopment within the plan can make projects more competitive for state funds later.
 - To ensure fairness, if the state is widely using the presence of comprehensive plans as a criterion for grants, the state should offer planning grants, as well as consider scaling the threshold for incentives for smaller communities with less capacity.
- **Legal considerations:** The state should be intentional about which requirements live in the rule versus supplemental guidance to minimize litigation risk, which can jeopardize communities' zoning and access to state funds.
- **Shifting the public narrative on comprehensive planning:** There is an opportunity and urgency to increase public awareness and education to shift the perception of comprehensive planning from a bureaucratic hurdle to a useful tool for advancing community needs and goals, and helping communities assess trade-offs, costs and benefits of land use choices.

STAKEHOLDER GROUP PROCESS

- Stakeholders were chosen to represent a broad range of interests and expertise related to the comprehensive planning process.
- The Consensus Building Institute (CBI) was contracted as an external facilitator.
- Before the group met, CBI conducted one-on-one interviews with each stakeholder to understand key interests, concerns, and opportunities.
- The Stakeholder group met 5 times, with each meeting focusing on a topic area, listed sequentially:
 - Policy Development
 - Implementation Strategies
 - Future Land Use Plans
 - Public Participation Processes
 - Inventory and Data Analysis
- Before each stakeholder meeting, a sub-group met for a pre-meeting session, to generate initial ideas and confirm the agenda for the full group meeting.
- CBI captured the themes emerging from each meeting in meeting summaries, which can be accessed at <https://www.maine.gov/moca/programs/municipal-planning-assistance-program/gmp>.
- CBI assisted the group in drafting and revising this recommendations document.

PARTICIPANT LIST



Member	Affiliation
Dan Black	LB Development Partners
Tanya Emery	Maine Municipal Association
Jennie Franceschi	City of Westbrook Planning Department
Representative Traci Gere	Legislative Representative for Kennebunkport and parts of Kennebunk and Biddeford
Jay Kamm	Northern Maine Development Commission
Jen Ladd	Toole Design
Matt Markot	Loon Echo Land Trust
Michael Martone	Town Planner for Damariscotta and Newcastle
Steve McDermott	Individual experienced with comp planning and housing
Dayea Shim	GrowSmart Maine
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Amy Tchao	Drummond Woodsum Law
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