

Adjacency and Subdivision Rulemaking: A Plan for the 5-Year Report

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Overview

- Background on 2019 Adjacency and Subdivision Rulemaking
- Review 2021 Work Plan
- Staff Plan for the Five-Year Report
 - Topics and Questions
 - Methods
 - Report Content and Outcomes
 - Timeline

2019 Rulemaking: Adjacency/Location of Development

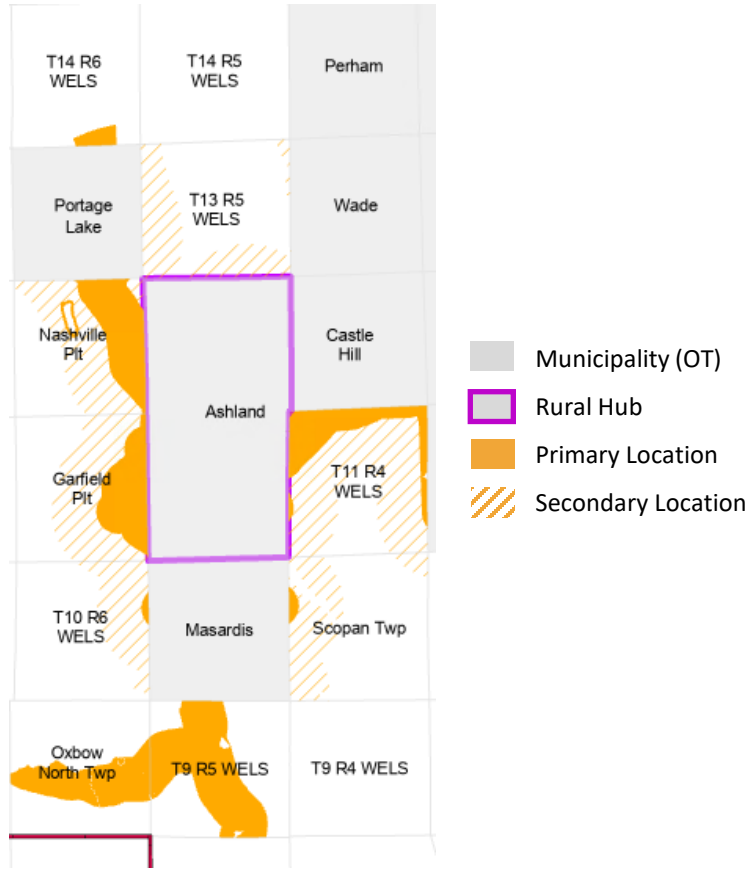
Goal: Encourage certain types of new development in and adjacent to existing developed areas.

- Designated 39 communities as Rural Hubs
- Established Primary Locations as land within:
 - seven miles of a rural hub boundary and within one mile of a public road, or
 - certain townships, plantations, and towns within one mile of a public road, or
 - 700 ft of MC 3 lakes

2019 Rulemaking: Adjacency/Location of Development

- Established Secondary Locations as land meeting three criteria:
 - in a township, plantation, or town bordering a Rural Hub and
 - within three miles of a public road,
 - and outside of a primary location

2019 Rulemaking: Adjacency/Location of Development



- D-CI and D-GN = Primary Location required
- D-RS and D-LD = Primary or Secondary Location required
- Emergency services
- Established Resource-Dependent Development Subdistrict (D-RD)
- Allowed recreation-based subdivisions around
 - MC 4 and 5 lakes
 - certain MC 7 lakes
 - certain trailheads

2019 Rulemaking: Subdivision

Goal: clearer, more flexible subdivision standards with more design options

- New subdivision design standards and options
 - Basic, Clustered, Rural Lot, Flex designs
 - Common open space requirements
 - Shoreland development requirements
- Subdivision road standards
 - roadway classification with associated design standards
 - Emergency egress
 - Road maintenance

2019 Rulemaking: Subdivision

- Review Factors for Recreation-Based Subdivisions include:
 - Considering the capacity of the recreational resource, such as the parking capacity
 - Ensuring adequate access to the recreational resource for lot owners, while also
 - Preventing informal trail building to the resource
- Established the Low-Density Development Subdistrict (D-LD)

2019 Rulemaking: Hillside Development & Wildlife Passage

Goals: 1) Protect natural character through harmonious fit on hillsides

2) Facilitate wildlife passage between habitat areas and across roads

- Hillside Development

- Ridgeline protection
- Vegetative screening and vegetation management plan
- Construction materials and colors
- Linear infrastructure
- Stormwater management

- Wildlife Passage

- 500-foot minimum corridor width
- Prioritize linking high value habitat on or off the property

2021 Reporting Work Plan

Variety of strategies, including:

- Survey rural hub towns and other municipalities to identify long-term implications
- Analyze travel distances for emergency services
- Identify any adverse impacts of resource-based development on natural or recreational resources
- Compare lot creation through subdivision with the historic rate
- Assess effectiveness of hillside development standards

Topics & Questions for the Five-Year Report

Adjacency/Location of Development (Work Plan Goals 2 & 4)

- Siting of new development subdistricts
 - close to existing development?
 - can services can be provided efficiently?
- Siting of resource-based development
 - negative effects on surrounding resources?
 - burden on service providers?
- Potential long-term implications of emerging patterns of development related to the rule change?

Topics & Questions for the Five-Year Report

Subdivision (Goal 3)

- Have new subdivision design options affected lot creation through the subdivision process?

Hillside Development (Goal 4)

- Do the hillside standards effectively minimize views of development from scenic resources?

Wildlife Passage (Goal 4)

- Are wildlife corridors being incorporated into the design of subdivisions and commercial development as intended?

Methods: Outreach

- **Officials**
 - Rural hubs
 - Plantations
 - Counties
 - Other surrounding municipalities
- **Stakeholders**
 - Landowners
 - Municipal groups
 - Regional development and planning organizations
 - Environmental organizations
 - Real estate and development professionals
- **Applicants**

Methods: Outreach

Rural Hubs near relevant development

Bethel

Ellsworth

Houlton

Patten

Rangeley

Calais

Greenville

Millinocket

Princeton

Saint Agatha

Interviews/Questions

- Solicit responses with detail
- Supplement with
 - Review of ordinances
 - Research in Registry of Deeds
- Answer questions regarding the LUPC

Methods: Data Collection & Development Trends

- Data collection
 - LUPC records and applications
 - municipalities (permitting data, ordinances)
 - registries of deeds
- Comparisons of Development Trends
 - between municipalities and the LUPC's service area
 - within the LUPC's service area before and after the rule change

Methods: Case Studies & Fieldwork

Case Studies

- relationship between development in primary and secondary areas and provision of services
- application of subdivision design standards
- application of wildlife passage standards
- changes to primary and secondary locations since the rule change
- outcomes of any zoning and permitting approvals or disapprovals that have caused concerns, such as any adverse impacts on natural or recreational resources

Fieldwork

- effectiveness of the hillside development standards

LUPC Website

https://www.maine.gov/dacf/lupc/projects/location_of_development/lod.html

Land Use Planning Commission

The Location of Development (Adjacency)

The Commission recently changed its rules about locating new zones for commercial development and residential subdivisions.



Updated! [Current Process](#): Measuring the effectiveness of the new rules

LEARN MORE



[Location of Development \(Adjacency\) Rules Summary](#):
What changed, and why change was needed



[Find Resources](#) from the 2016-2019 Adjacency and Subdivision Rulemaking

Measuring the Effectiveness of the Location of Development Rules

Last Updated: May 6, 2024



Monhegan Village - Bill Hinkel

The Land Use Planning Commission is committed to monitoring the effects of the adjacency and subdivision rule changes that took effect in 2019 ([Learn about what changed and why change was needed](#)).

Toward that end, the Commission has developed a work plan to collect information that will be helpful during periodic review of the new location of development rules.

Following the work plan, the Commission is currently collecting data for a Five-Year Report on the effects of the rule changes.

Below are links to the work plan, the staff plan for producing the Five-Year Report, and annual reports on the effects of the rule changes.

Date	Project Update or Event	File Links
	Adjacency & Subdivision Implementation Tasks – Reporting System Work Plan	<ul style="list-style-type: none">• Reporting System Work Plan (PDF 216KB)
May 3, 2024	New Commission Memo on Staff Plan for the Five-Year Report	<ul style="list-style-type: none">• Commission Memo on Staff Plan for the Five-Year Report (PDF 420KB)

Current Process Webpage

https://www.maine.gov/dacf/lupc/projects/location_of_development/lod_current_process.html

Report Contents & Possible Outcomes

Report Contents

- Methods and questions asked
- Data summaries and results
- Participant responses
- Tables, graphs, mapping, etc.
- Discussion and conclusions

Possible Outcomes

- Consider rule changes
- Additional guidance

Timeline

Mar. 2024	Apr. 2024	May 2024	June 2024	July 2024	Aug. 2024	Sept. 2024	Oct. 2023	Nov. 2024
Project Planning	→		Outreach, Analyses, Fieldwork	→		Report Writing and Review	→	Report to the Commission
		Commission Feedback			Share Outreach Results w/ Participants	Draft Any Conceptual Rule Change Proposals	→	

Comments or Questions?

Thank You

