

Transportation and Land Use Policy in Maine

June, 2007

Local comprehensive planning in Maine is not required. However, local governments that do not plan under the established state planning framework do not have access to the full array of land use tools available to planning communities. Also, the state offers financial and technical assistance for local planning and provides additional incentives to local governments that meet the requirements of Maine's voluntary plan certification process. Maine strives to coordinate transportation and land use through its Statewide Transportation Plan as well as its more detailed highway corridor plans. The State of Maine is empowered to protect the function of its state highways through state requirements for the local subdivision process and state highway access permitting. Maine has an additional tool for addressing development impacts that many states do not. All developments that generate at least 100 trips on any state highway during the peak hour must secure a traffic movement permit from the state.

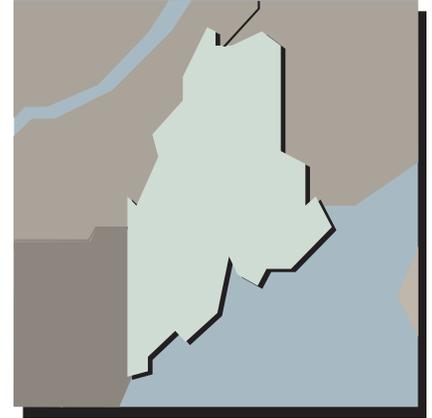
The State Framework for Local Planning in Maine

Maine adopted the [Comprehensive Planning and Land Use Regulation Act](#) in 1988, establishing state goals and minimum procedures for local comprehensive planning and regulation. Compliance with the Act is encouraged through financial and technical assistance and through permit exemptions and grant incentives linked to a voluntary certification process. Additionally, local governments that choose to adopt zoning, impact fee or rate of growth restriction ordinances must base these ordinances on a comprehensive plan developed under the Act. The intent of the Act is to protect rural character, make efficient use of public services, and prevent development sprawl. Of the 491 municipalities in Maine, approximately 287 have adopted comprehensive plans consistent with the Act.

The State Planning Office (SPO) coordinates the review of local comprehensive plans and development regulations by regional councils, state agencies, neighboring municipalities, and citizens. SPO administered [rules](#) primarily govern the process of local comprehensive plan review by state agencies. Currently, these agencies are asked to comment on whether the local plan uses agency data appropriately, promotes state goals, and is consistent with agency programs and policies. The SPO is in the process of defining a new review approach which will be based on much more detailed [criteria](#) defining the minimum data, levels of analysis, policies, and strategies that must be included in local growth management programs.

The Sensible Transportation Policy Act

The coordination of transportation and land use planning is also guided by the [Sensible Transportation Policy Act](#). This 1991 legislation expresses seven policies to guide state transportation planning, capital investment, and project decisions which emphasize fixing existing roads, managing demand, and promoting alternative transportation modes before increasing highway capacity through road building. In 2003, the Sensible Transportation Policy Act was amended requiring the Maine Department of Transportation (MaineDOT)



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to adopt [rules](#) linking transportation and land use planning and providing incentives to communities that adopt and implement land use plans minimizing over-reliance on the state highway network. MaineDOT implements these rules by facilitating regional participation and input when crafting the Statewide Transportation Plan. The regional perspective of local needs, values, and preferences on alternatives is provided by existing Metropolitan Planning Organizations and regional transportation advisory committees made up of local public officials and citizens and formed by MaineDOT. These regional entities develop and coordinate the Statewide Transportation Plan public participation process. They also provide written recommendations to MaineDOT on transportation issues and goals, regional transportation needs and deficiencies, transportation improvement priorities, multimodal system options, social, environmental and economic issues and goals, and land use issues and goals.

State Highway Corridor Planning

The coordination of transportation and land use through the Statewide Transportation Plan is reinforced in Maine through new approaches to highway corridor planning. In 2004 the MaineDOT launched a pilot project, [Gateway 1](#), with the Federal Highway Administration, the Maine State Planning Office, and 21 towns on the Route 1 Corridor. These partners are striving to develop a long-term strategy for coordinating growth and transportation decisions along the corridor. The outcome of the project will be a corridor plan and may also involve changes in local land use regulation, new solutions for ongoing traffic issues, or new legislation to enable shared decision-making.

Subdivision and Access Requirements

Maine also coordinates transportation and land use through the subdivision approval process. Subdivision means the creation of three or more lots or dwelling units within five years. Before approval, [state law](#) requires local governments to determine that a proposed subdivision will not cause unreasonable congestion or unsafe conditions on highways or roads. Additionally, if the subdivision requires state highway access outside of an urban compact area, it must first demonstrate that it has secured an access permit from the MaineDOT. MaineDOT access permits are also required by [statute](#) for the construction of any state highway driveways or entrances and for changing a current driveway or land use in a way that will increase traffic volume, or create a safety or drainage concern. Permits on arterial highways with higher than average driveway-related crash rates require applicants to avoid, minimize, or mitigate any safety deterioration or speed reduction resulting from their project.

Traffic Movement Permit Requirements

In addition to access permits, Maine [statutes](#) require traffic movement permits. With limited exemptions, projects generating 100 or more trips during the peak hour must file a traffic movement permit application. Based on adopted standards, the MaineDOT may issue the permit, require the applicant to conduct a traffic study, or require the applicant to mitigate the impacts of the project. The MaineDOT may delegate the authority to issue traffic movement permits to municipalities that have adopted ordinances consistent with the state's standards. MaineDOT has begun discussions with the State Planning Office and the Department of Environmental Protection on how to interrelate the Traffic Movement Permit with the [Site Location of Development Act](#). The Site Location of Development Act requires developments that may have a substantial effect upon the environment to meet certain standards addressing areas such as stormwater management, groundwater protection, infrastructure, wildlife and fisheries, noise, and unusual natural areas.

For More Information

For more information about state transportation and land use policy, contact the WSDOT Transportation Planning Office:

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