Appendix 8

Chapter Three: Contents of a Comprehensive Plan [1]

How do you create a whole picture of your town, both its natural and man-made systems? How do you grasp the possibilities for future growth? Preparing a comprehensive plan can seem like a large and intimidating assignment. But, taken a step at a time, it becomes manageable, and most who participate in the process find it rewarding.

The Inventories and Analyses

Where do you start?

Mechanically, Maine's Comprehensive Planning and Land Use Regulation Act (MRSA Title 30-A §4301-4350) calls for a three-part process: first, inventory and analyze existing conditions; second, prepare policies to address the issues raised in the inventories, and designate "growth" and "rural" areas; and third, prepare strategies to implement the plan.

The Act and its regulations prescribe a number of topics about which data are to be gathered and analyzed: these are the inventories.

A method of land use planning

At first, the required inventories may seem to be disjointed topics. But they are connected. In fact, you can think of them as a layer cake, in which one layer depends and is built upon the one before it. Some call this "ecological" planning, because it makes clear the relationships among the natural foundations of a community and the human activities that take place upon them. Together, they tell a constantly evolving story of the community.

This method was spelled out by the planner and landscape architect Ian McHarg in his 1969 book *Design with Nature*. McHarg showed how communities can be built in cooperation with, rather than in competition with, natural systems. Subsequent authors have built on this work, including helpful guides such as Frederick Steiner's *The Living Landscape*.

The "layering" begins with inventories and maps of natural features. It proceeds to inventories and maps of resource-based economic activity, like farming and forestry. It then moves to inventories of the built environment – economy, population, and transportation system, land use, and other systems that utilize the land. Ian McHarg likened resulting maps and analyses to "a complex X-ray photograph" that depicts areas suitable for growth and areas that should be reserved for their natural or resource-based functions. This is a good way to think about comprehensive planning in Maine, because this method helps a community or region "see" areas that might be suitably designated for growth, and those that naturally fall into rural categories.

The required Inventories and how they are c-o-n-n-e-c-t-e-d.

---

[1] Excerpt from: Comprehensive Planning: A Manual for Maine Communities, Maine State Planning Office, 2005

In all, the Act and its regulations prescribe 13 topics or "layers" for inventory and analysis.

Layer 1: Topography, soils & geology, and water resources
These are physical processes of the land. They help determine the town's capacity for growth and natural constraints to that growth. They also have much to do with natural beauty and image of a community. See Chapter 4.

Layer 2: Habitat and other significant natural resources
These are biological processes of the land and are inextricably tied to natural physical elements of layer 1. See Chapter 5.

Integral to layers 1 and 2 are natural features that may contribute or be vulnerable to hazardous events, such as floods and coastal storms, dam failures, ice dams, and forest fires. See Chapter 6.

Layer 3: Historic and archaeological resources
These are the earliest elements of human activity on the land and frequently occurred in the community precisely because of opportunities for survival, livelihood and wealth made available by resources in the first two layers. See Chapter 7.

Layers 4 and 5: Agriculture and forestry; marine resources
These economic activities are embedded in and rely upon the community's physical and biological resources. They were the first widespread layer of human activity on the land. Frequently, they reshaped the natural environment and gave many towns and cities images and self-identities that persist to this day. See Chapters 8 and 9.

Layer 6: The local and regional economy
In much of Maine, the local or regional economy still is dominated by natural resource-based industry. But in many cases – in some regions of Maine, most cases – different economies have sprung up, owing less to the community's natural resources and more to location near metropolitan areas, transportation and communications networks, educational facilities, and the like. These activities create another layer of activity on the landscape. See Chapter 10.

Layer 7: Population and demographics
The rate and character of a community's population growth are tied in large part to a community's or region's economic base—that is, the base from which goods and services are produced and exported and incomes are earned. In turn, population growth feeds back to help determine how large the local economic engine will be. See Chapter 11.

Layer 8: Land use patterns
The interplay among activities that make up the local and regional economy, populations required to staff the economy, and civic institutions that serve the populations creates demand to convert land into development for a variety of uses such as homes, stores, industries, offices, schools, and places of worship. The way in which they are built and placed in relationship to each other (compact like a village? spread out in suburban style? etc.) determines the pattern of land use. This pattern often is distinctive and part of a community's identity. See Chapter 12.

Layer 9: Housing
The population translates into demand for shelter – homes, apartments, seasonal homes, mobile home parks, and retirement communities. The price of housing, including its affordability to the region's workforce, depends on strength of the region's economy, on natural characteristics of the

community, on supply of housing compared with demand for it, and how local regulations affect housing supply. See Chapter 13.

Layer 10: Transportation
Transportation is the means by which one moves from one land use to another: between home and work or school, between work and banks, a doctor's office, or law offices, between home and a friend's house or a park, or between a home out-of-state and a coastal or mountain resort. Automobiles and trucks, traveling on public roads, emerged as the prevalent form of transportation by 1950 and are dominant today. Other forms are important as well, including rail, air and water-borne traffic, bicycling and walking. The transportation system both shapes and is shaped by patterns of land use. See Chapter 14.

Layer 11: Recreation and open space
Recreation is a specific type of human activity, and a variety of open spaces, from natural woods to manmade fields, are sought after to accommodate it. Open space and recreational activities that take place in and upon it often are symbolic of a community's quality of life. See Chapter 15.

Layer 12: Public facilities and services
Each of the previous "human" layers, economy, population, and the array of land use, housing, transportation, recreation activities demands public services. Whether and how these services are delivered, how demands will change as a result of growth, and what their costs will be are central questions of local government. See Chapter 16.

Layer 13: Fiscal capacity
This final layer is a "reality" layer: what is the community or regional capacity to pay for services inventoried in Layer 12 as a result of demands exerted by previous layers? This layer brings home the reality of budgets, taxes, and requirements for capital facilities to accommodate community growth and vision. See Chapter 17.

What's included in an inventory?

The inventory and analysis for each of the 13 topics usually includes:
– A discussion of recent trends. Unless you look at the past, you will end up only with a snapshot of today, without any good sense of where the community has been or where it's headed.
– A description of existing conditions.
– Projections of how recent trends extend into the future, as appropriate.
– An analysis of issues and implications. What problems or issues are raised by the information collected, and how serious are they? If trends continue, what will be the impact on the community? Do issues raised deserve specific attention in the comprehensive plan's policy section? Analyzing issues and implications gives substance to the inventories. It is the essential link between inventory and later formulation of policies.
– Details are provided in the chapters that follow.

How much time and effort should be spent on inventory and analysis?

The more information and analysis a plan contains, the more likely it will anticipate issues and be able to support choices of policies and implementation strategies. However, the State Planning Office urges municipalities not to spend an inordinate amount of time and resources on

inventories at the expense of analyzing information and developing the plan's policies and implementation strategies. It therefore uses a two-stage "threshold approach" to the inventory and analysis. The first stage is a scan of the topic (or, as we have described it, the "layer"), with enough information and analysis to allow a baseline understanding of the topic and to show whether or not there is a problem to be worried about. If there is, the inventory and analysis can move to the second stage of documenting the issue well enough to justify policies and implementation strategies that may later be adopted.

Policies

What is a policy?

A policy is a specific statement of principle or course of action. Whereas a "goal" is an intention for which the community is striving, a policy is a statement concerning how to reach that goal. For example, to have clean water is a goal. To try to meet that goal, a community might adopt policies such as, "The Town must (should) (shall) strengthen its shoreland zoning ordinance to regulate land use near streams and lakes"; and, "The Town must (should) (shall) upgrade its sewage treatment plant."

The policies must, at the least, address statewide goals contained in the Act. It's up to the community to fashion policies the way it thinks best, based on conditions it has found in the community. Here are some guidelines:

Guideline 1: To the greatest extent possible, policies should be "directive." That is, they should be an instruction to those who will be implementing the plan. Policies that include the word "must" or "shall" or that specify what is to be done are "directive." "The Town shall extend public water lines to the industrial park," or "Reduce residential density in the rural-farm district to 1 unit per 10 acres" are examples of policies that direct or instruct. Not all policies are directive; some may be suggestions or general guidelines. These use "permissive" words like "should" or "encourage." "The Town is encouraged to identify land for affordable housing," or "The Town should limit new septic systems within 250 feet of Wet Lake" are examples of non-directive policies. Comprehensive plans generally will be found consistent with the Growth Management Act by the State Planning Office only if key policies – such as policies intended to direct new development into growth areas and away from rural areas or that are needed to meet other goals of the law are directive.

Guideline 2: Policies should be linked to issues that arise from inventories and analyses. For example, one of the State's goals is to maintain clean water. But specific policies to address that goal should be shaped by an understanding of the issue in your community. The inventory and analysis of water resources may have found that a lake in the community is threatened by development on its shores. Having made that finding, there should be a policy to address it, such as, "Through the Town's land use ordinance, provide for greater setbacks and natural buffers between development and the shores of Wet Lake." On the other hand, let's say that the inventory and analysis did not find any other major problem, or anticipate future problems, relating to water quality. It would therefore be inappropriate to come up with a policy such as, "Development is to be strictly limited in the watershed of the Dry River." In this case, there are no facts to support the policy. If the planning committee does believe there is a problem in the watershed of the Dry River — or thinks there could be one in the future — it should be documented as part of the inventory and analysis before arriving at a policy about it.

Guideline 3: Policies should be specific enough that there isn't confusion about the direction the Town should take. A poorly written policy sometimes sounds like a restatement of the goal, offering no real direction for those who will be trying to implement the policy. For example, in striving for the goal of clean water, a policy statement such as, "The Town should take steps to protect the quality of Wet Lake" isn't very helpful. The committee may not have the expertise to spell out all the steps, nor does a policy statement have to be very detailed. But it should give direction, and that direction should spring from facts in the inventory and analysis.

If the problem relating to the lake is storm water runoff from farms or new development, for example, a better statement of policy would be, "Enact regulations to reduce the flow of contaminated storm water runoff to Wet Lake." Or, if the problem is believed to be failing septic systems from old seasonal homes that have been converted to year-round use, an appropriate policy might be, "Assure that septic systems around Wet Lake are upgraded to standards recognized by Maine's Subsurface Waste Water Disposal Rules."

Guideline 4: Policies should be realistic. It doesn't hurt to be ambitious or visionary, but there should be some prospect of being able to carry out stated policy. For example, a policy that says, "The Town should do whatever is necessary to return Wet Lake to its original, pristine condition" may be technically and financially impossible. It may also be politically impossible, since the policy may lead to a requirement of no farming, no woodcutting, and no development near the lake. Alternatively, a policy that says, "Enact land use controls to strictly limit flow of phosphorus to Wet Lake" may be a challenge but is within the realm of possibility.

Guideline 5: Policies should not contradict each other. As the committee moves from one subject to another and attempts to address different goals, it is easy to adopt inconsistent policies. For example, to address the goal of clean water, the committee may adopt a policy of extending a public sewer line to take care of former seasonal homes with failing septic systems along a lake shore. But the lake might be in an area that the committee does not think should be further developed—a policy that would be foiled if an extended sewer line opened up land for development. You must resolve such inconsistencies (e.g., in this case by limiting the number of hookups to the new sewer line or by finding a different way to deal with the failing septic systems). The point is that what's said in one part of the plan may affect another part.

Guideline 6: Policies should be consistent with regional policies; or, if they are not, there should be a discussion of how the conflict can be resolved. The Act suggests that each comprehensive plan specifically discuss how resources that are shared with other municipalities will be cooperatively managed.

When should the planning committee start writing policies?

Gathering the information called for in the inventories can seem a very long task. Textbook planning says all 13 inventories and analyses should be complete before setting forth policies. How can you create policies until you have all the facts, know the extent of any problems, and understand how one inventory might be affected by the facts gathered in another inventory?

But this has to be balanced against the possibility that, unless the planning committee starts talking about substantive matters and feels like it is making decisions fairly early in the process, members will lose interest. As important as purely factual material is, it's like popcorn without the salt: boring, without the flavor of issues and a debate on policies to address those issues. There is no single way to go about the inventory work and to relate it to the drafting and debating of policies. Each committee has to gauge its stamina and readiness to get involved in policy

debates. Some committees will find the fact-gathering educational and interesting. Some will hesitate to write policy until all the facts are in. Others will be anxious to dive into the policy-making and after a few months of fact-gathering will wonder, "What's the point?" unless policy discussions start. Whatever approach is taken, make sure to reserve enough time to debate and shape policy: it will take longer than you think.

Beware of silence (I)

One of the chronic deficiencies of comprehensive plans is that they raise issues in their inventories and analysis, but then fall silent on the matter. There either is no policy addressing the issue, or policy is stated in very general or ambiguous terms. Conversely, sometimes policies and strategies are included that seem to appear from nowhere, with no inventory and analysis to support them. These circumstances violate two guidelines presented in this section (link policies to issues, and do so with specificity). It also confuses those who are relying on the plan for direction. In the first case, should the matter be addressed or not, and if so, how? In the second case, why are policies included when no issue has been identified? At the very least, if a comprehensive planning process, having raised and documented an issue, cannot reach agreement on a policy to address it, this should be explained. Readers can understand that differences might have to wait to be settled in the future.

Future Land Use Map

The future land use map is a culmination of inventories and policies. The future land use map is a graphic statement of policy, showing "growth" areas to which development is to be directed and "rural" areas away from which development is to be directed. The future land use map may be part of the comprehensive plan citizens will review most closely. It should be clear, unambiguous, and easy to read. Its preparation is the subject of Chapter 18 in Part C of this manual.

The future land use map is a major step toward preparing a zoning or similar regulatory map. The boundaries are more general than a zoning map; and the provisions within each land use area for allowed uses are not in the detail found in a zoning ordinance. However, the future land use map is the foundation upon which a new or revised zoning map will be based.

Implementation Strategies

In general

The implementation strategies describe how the policies will be put into action. An implementation strategy:

– Specifically describes the action to be taken.
– Assigns responsibility to the appropriate municipal board, organization, or staff person.
– Establishes a schedule and priorities for carrying out the action.
– Estimates the cost, if any, and source of funds to carry out the action.

The implementation strategies tie back directly to the policies. Among other things, the implementation strategies must specify actions the community will take to:

- Write a land use ordinance that reflects the future land use map and other land use policies.
- Provide for affordable housing.
- Assure that growth will in fact be directed to growth areas and away from rural areas. These actions may range from land use regulations to providing public facilities and services in the designated growth areas.
- Provide for the coordinated management of resources shared with other communities .
- Address other statewide goals and local policies.

The implementation strategies should be as specific as possible, so that decision-makers and committees know what is to be done, who is to do it, and within what period of time.

Beware of silence (II)

Just as a persistent problem in many comprehensive plans is silence on policies after issues have been raised in the inventory, so, too, is silence on recommended strategies to implement policies that are stated. Moving from controversial issues (like affordable housing, how to build up growth areas and preserve rural areas, etc.) to policies, and then to specific strategies to implement the policies, gets increasingly harder. With leadership, patience, and participation, answers can be reached more often than not. But even then it might not be possible. If it isn't, explain that. Even an explanation that a recommended strategy cannot be offered, and why, may serve as a stepping stone later on when more people understand the issue and are willing to move ahead.

Capital investment plan

The implementation strategy also must include a capital investment plan: a plan to provide and finance the public facilities needed to accommodate projected development in designated growth areas. Needed facilities will have been identified in inventory/analysis and policy sections of the plan. The capital investment plan may not be able to estimate the costs of all anticipated facilities, but it should:

- Identify those facilities.
- Estimate the costs, if possible.
- Identify the likely source of funds.
- Indicate the priorities among the facilities.
- Be realistic, staying within the municipality's ability to fund facilities.

Regional coordination

Many growth issues such as natural resources, transportation, solid waste, and economic development extend beyond the borders of a single town. In fact, overall land use patterns themselves are regional rather than just local in scope.

A town may not be able to accomplish its goals without cooperation of neighboring municipalities. Protection of a lake or ground water aquifer may take land use controls in several towns. Towns may wish to join together to provide affordable housing. Improvements to the flow of traffic on a major roadway may involve changes in several communities.

In such cases the plan should consider ways of coordinating its efforts with other towns and the regional planning council that serves the area. Regional planning councils in Maine can provide information on region-wide plans and policies, and on the plans of neighboring communities.

More about regional approaches to land use planning is presented in Chapter 19.

References:
1. McHarg, I. (1969). <u>Design with Nature</u>. Garden City, N. Y: The Natural History Press.
2. Steiner, F. (2000), <u>The Living Landscape: An Ecological Approach to Landscape Planning</u>. New York: McGraw-Hill, 2nd edition.
3. Johnston, W. (April 2003). <u>Updating Your Comprehensive Plan: 50 Recommendations for Making Plan Updates More Effective</u>. Augusta, ME: State Planning Office. Retrieved on October 11, 2005 from: http://www.maine.gov/spo/landuse/pubs/