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No. 1940

S.P. 789

In Senate, May 16, 2023

An Act to Promote Consistent Policies within Growth Management Programs in Order to Increase Food Security and Economic Resiliency in Local Communities

Reference to the Committee on State and Local Government suggested and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator HICKMAN of Kennebec.

1	Be it enacted by the People of the State of Maine as follows:
2 3	Sec. 1. 30-A MRSA §4312, sub-§2, ¶G, as amended by PL 2001, c. 578, §7, is further amended to read:
4 5 6	G. Encourage the widest possible involvement by the citizens of each municipality in all aspects of the planning and implementation process, in order to ensure that the plans developed by municipalities have had the benefit of citizen input; and
7 8	Sec. 2. 30-A MRSA §4312, sub-§2, ¶I, as enacted by PL 2001, c. 578, §8, is amended to read:
9 10	I. Encourage the development and implementation of multimunicipal growth management programs-; and
11	Sec. 3. 30-A MRSA §4312, sub-§2, ¶J is enacted to read:
12 13 14	J. Encourage municipalities to ensure that the language and requirements in charters, policies, codes, regulations, bylaws and fees align with each other and meet the overall intent of the comprehensive plan approved by the legislative body.
15 16	Sec. 4. 30-A MRSA §4312, sub-§3, ¶L, as amended by PL 2021, c. 657, §3, is further amended to read:
17 18	L. To encourage municipalities to develop policies that accommodate older adults with aging in place and that encourage the creation of age-friendly communities; and
19 20	Sec. 5. 30-A MRSA §4312, sub-§3, ¶N, as enacted by PL 2019, c. 153, §3 and reallocated by RR 2019, c. 1, Pt. A, §39, is amended to read:
21 22 23	N. To plan for the effects of the rise in sea level on buildings, transportation infrastructure, sewage treatment facilities and other relevant state, regional, municipal or privately held infrastructure, property or resources-; and
24	Sec. 6. 30-A MRSA §4312, sub-§3, ¶O is enacted to read:
25 26 27 28 29	O. To encourage municipalities to develop policies that assess community needs and environmental, food security and economic resiliency effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets.
30 31	Sec. 7. 30-A MRSA §4323, sub-§3, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, is amended to read:
32 33 34 35	3. Other. Do all other things necessary to carry out the purposes of this subchapter, including ensuring that the language and requirements in charters, policies, codes, regulations, bylaws and fees align with each other and meet the overall intent of the comprehensive plan approved by the legislative body.
36	Sec. 8. 30-A MRSA §4324, sub-§11 is enacted to read:
37 38	11. Language and requirements align and meet intent of comprehensive plan. A municipality or multimunicipal region shall ensure that the language and requirements in

charters, policies, codes, regulations, bylaws and fees align with each other and meet the

overall intent of the comprehensive plan approved by the legislative body.

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2	sec. 9. 30-A MRSA §4326, sub-§1, ¶H, as amended by PL 2021, c. 657, §5, is repealed and the following enacted in its place:
3 4 5 6 7 8	H. Residential housing stock, including affordable housing, and policies that assess community needs and environmental, food security and economic resiliency effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets;
9 10	Sec. 10. 30-A MRSA §4326, sub-§2, ¶C, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, is amended to read:
11	C. Address any conflicts between regional and local issues; and
12 13	Sec. 11. 30-A MRSA §4326, sub-§2, ¶D, as amended by PL 2001, c. 578, §15, is further amended to read:
14 15	D. Address the State's coastal policies if any part of the municipality or multimunicipal region is a coastal area-; and
16	Sec. 12. 30-A MRSA §4326, sub-§2, ¶E is enacted to read:
17 18 19	E. Ensure that the language and requirements in charters, policies, codes, regulations, bylaws and fees align with each other and meet the overall intent of the comprehensive plan approved by the legislative body.
20 21	Sec. 13. 30-A MRSA §4326, sub-§3-A, ¶A, as corrected by RR 2021, c. 2, Pt. A, §109, is amended by amending subparagraph (1), division (c) to read:
22	(c) Ensure that needed public services are available; and
23 24	Sec. 14. 30-A MRSA §4326, sub-§3-A, ¶A, as corrected by RR 2021, c. 2, Pt. A, §109, is amended by amending subparagraph (1), division (d) to read:
25 26	(d) Prevent inappropriate development in natural hazard areas, including flood plains and areas of high erosion; and
27 28	Sec. 15. 30-A MRSA §4326, sub-§3-A, ¶A, as corrected by RR 2021, c. 2, Pt. A, §109, is amended by enacting a new subparagraph (1), division (e) to read:
29 30 31	(e) Ensure that the language and requirements in charters, policies, codes, regulations, bylaws and fees align with each other and meet the overall intent of the comprehensive plan approved by the legislative body.
32 33	Sec. 16. 30-A MRSA §4326, sub-§3-A, ¶G, as repealed and replaced by PL 2021, c. 657, §6, is amended by amending subparagraph (5), division (a) to read:
34 35	(a) Assess community needs and environmental, food security and economic resiliency effects of municipal regulations;
36	SUMMARY
37	This bill amends the laws governing planning and land use regulation to encourage:

1. Municipalities to ensure that the language and requirements in charters, policies, codes, regulations, bylaws and fees align with each other and meet the overall intent of the comprehensive plan approved by the legislative body;

- 2. Municipalities to develop policies that assess community needs and environmental, food security and economic resiliency effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets; and
- 3. In the development of affordable housing, municipalities and multimunicipal regions to establish policies that assess food security and economic resiliency effects of municipal regulations.