

DRAFT proposal for consideration by LURC Reform Commission members to address concerns of Commission members as well as professional and public comment received to date

Prepared by Judy East in response to request by Commissioner Beardsley

Land Use Commission (LUC), or Unorganized Territory Planning Commission (UTPC)

Structure

1. Retain LUC as a centralized authority and move central headquarters to Bangor
 - a. Strengthen delegation to regional offices; add regional offices in counties not currently served with part time, or by appointment, staff hours
 - b. Annual review of staff director by Commission and DOC Commissioner
 - c. Create Executive Office and Legislative committee oversight of LUC – annual report and review(?) how about review 1, 3 and 5 years post adoption of recommended changes? Otherwise this is a lot of work that may not be necessary?
2. LUC Commission Membership (minimum of 3 (4?) members: residents of UT)
 - a. Increase LUC Commission to 9 members (All Confirmed by Legislature)
 - i. 3 Appointed by the Governor
 - ii. 2 Appointed by Senate President
 - iii. 2 Appointed by Speaker of the House
 - iv. 2 Appointed by the Maine Association of County Commissioners
3. All LUC meetings/hearings should be held in the UT or the service center towns
4. For appeals - appoint representative from project County (a County Commissioner or their designee) to serve temporarily on LUC
5. Appoint ombudsmen to serve as advocate for applicants before LUC process if or as necessary
6. Provide human resources training for staff to address customer service issues
7. LUC director serves at pleasure of DOC commissioner
8. Revise enabling legislation and statutory language to reflect more balance
 - a. Strengthen support for traditional uses and natural resource based economic vitality

Functions

1. Support greater regional planning
 - a. Enable counties, separately or in partnership, to petition LUC to engage in process for developing and implementing regional prospective zoning plan
 - b. Identify funding mechanism to support regional planning within LURC and in cooperation with regional planning councils and/or consultants

2. Process
 - a. Approve overarching guidelines and standards for regional plans (regional vision, stakeholder involvement, conservation, natural resources-based economic development, housing and subdivision growth, etc).
 - b. Approve regional plans, once completed by counties/regions
 - c. Approve rezoning upon completion by counties/regions
 - d. Planning oversight at DOC and large project review staffing;
 - e. Define thresholds for what constitutes a large project
 - f. Institute a workshop format to preview large projects with LUC Commissioners
 - i. Informal setting with stakeholders to discuss issues and receive input before formal process starts
3. Expand duties of LUC staff
 - a. Explore potential to cross-train DOC field staff to handle small permits
 - b. Expand periodic field locations of LUC offices through service-center and shire towns
4. Transfer wind energy projects to DEP
5. Clarify standards for securing a permit and/or concept plan approval – (Consider Task Force to review and develop specific recommendations)
6. Provide opportunity for counties, or groups of counties, to request approval to be delegated small permitting functions (similar to the way MeDEP is authorized to implement some federal environmental laws) e.g.,
 - a. Building permits
 - b. Accessory structures
 - c. Additions/renovations
 - d. Shore land alteration permits
 - e. Small subdivisions within designated growth areas