

Regional Landscape Conservation Recommendations

1. Use What's Working

Maine has several good examples of “cooperative regional conservation efforts” underway. Much can be learned from these successful efforts when organizing regional landscape planning and conservation efforts. The State should review and analyze these efforts and summarize the elements that are essential in order to achieve effective, long-term regional landscape conservation.

2. Support and Fund Regional Land Conservation

The State should recognize and reward regional landscape conservation. Rewards should be significant enough for individual municipalities and other interests to benefit from participating in regional efforts. Recognition/support includes:

- a. Financial assistance for planning—keyed to implementation.
- b. Technical assistance (e.g. GIS support, resource info. & data)
- c. Policies that recognize and provide priorities/bonuses for regional efforts (e.g. LMF grants).
- d. Identification of state conservation priorities and goals suitable for providing consistency guidelines and statewide context for regional landscape conservation planning.
- e. Diversified funding to support conservation:
 - i. Real Estate Transfer Tax, Meals and Lodging Tax;
 - ii. explore creation of a Regional Purchase of Development Rights program, estate tax exemption on certified woodlots, a “quality of place” fee that supports expanding and maintaining landscape preservation;
 - iii. create a support system for private landowners preserving critical landscape values (e.g. public access, high value habitat)

3. Engage in Inclusive Regional Planning

Regional Planning should reflect true regional priorities, be informed by State policies and goals, and incorporate the role played by regional service centers. The regional planning process needs to be inclusive, yet shielded from special interests that can threaten true cooperative regional priorities.

4. Strengthen LURC

Development and conservation policy and planning for fully one-half of Maine's land area falls under the jurisdiction of the Land Use Regulation Commission. The circumstances and conditions which 35 years ago resulted in the creation of LURC and its location within the Maine Department of Conservation have changed dramatically over this time period. Given recent development trends and the dramatic shift in landownership characteristics in the 10 ½ million acres of unorganized territory, coupled with its importance to Maine's overall quality of place, it is critically important that the long term planning for this area is responsive to both the

dramatic changes taking place and to Maine's Quality of Place goals. It is time to be bold. Three key recommendations are:

- a. Eliminate the Subdivision "exemption"¹. Doing so will address the unregulated development currently occurring in LURC management zones.
- b. LURC Comprehensive planning should be done at the regional level (i.e. several regional plans instead of one plan for the whole jurisdiction) which includes adjacent organized towns.
- c. New/resurrected tools are called for: TDRs; floating "smart growth" zone; standards for "Developments of Regional Impact"

5. Review and Strengthen Site Law

Viewed as a whole, this Council's findings and recommendations provide an opportunity to consider meaningful changes to the DEP Site Location of Development Law (Site Law). The Site Law is one of Maine's key tools for regulating development, and as such, is critical for protecting and fostering Maine's Quality of Place, now and into the future. The Council recommends that the Governor and his Cabinet consider and make recommendations related to the following issues:

- a. Does the Site Location of Development Act still work to safeguard Maine's quality of place?
- b. Does the site law adequately consider local planning and zoning? How might the site law be responsive to regional planning?
- c. How can the Site Law promote quality of place goals and principles?
- d. Are there ways that the Site Law can promote asset based economic development?
- e. Should the Site Law consider existing transportation policy more fully?

¹ Subdivisions of one or two lots within a 5 year period are not considered a "subdivision" of land by LURC. Eliminating this exemption would require a LURC permit for any subdivision of land and. Current LURC zoning prohibits the creation of new lots in LURC "management zones".