

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1673

H.P. 1071

House of Representatives, April 13, 2023

**An Act to Encourage Affordable Housing and Mixed-use
Development by Establishing a Thriving Corridors Program**

Reference to the Joint Select Committee on Housing suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative GERE of Kennebunkport.
Cosponsored by Senator POULIOT of Kennebec and
Representatives: BLIER of Buxton, CAMPBELL of Orrington, GATTINE of Westbrook,
GOLEK of Harpswell, LEE of Auburn, LOOKNER of Portland, WILLIAMS of Bar Harbor,
Senator: PIERCE of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA c. 190-A** is enacted to read:

3 **CHAPTER 190-A**

4 **THRIVING CORRIDORS PROGRAM**

5 **§4491. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms
7 have the following meanings.

8 **1. Form-based code.** "Form-based code" means a land use regulation approach that
9 describes building types and how the buildings sit on a lot and minimizes the separation of
10 uses.

11 **2. High-impact corridor.** "High-impact corridor" means a primarily linear collection
12 of contiguous parcels of land along a regional road that connects a downtown, village center
13 or crossroads to outlying areas.

14 **3. Master plan.** "Master plan" means a plan developed by a municipality to identify
15 land use requirements for a high-impact corridor after approval of a memorandum of
16 understanding under section 4494.

17 **4. Neighborhood standards.** "Neighborhood standards" means local land use
18 standards that support a pattern of development that aligns with community goals and is
19 unique to each identified neighborhood and that support local goals related to quality of
20 life, fiscal health, affordability, sustainability and access to civic and open spaces,
21 including, but not limited to, street design, type and orientation of buildings, setback
22 requirements, lot widths, storm water standards and characteristics that define the area of a
23 neighborhood.

24 **5. Preapproved building type.** "Preapproved building type" means a type of building
25 the development of which is endorsed by the community through a public process and
26 approved by the municipality.

27 **6. Quick-build project.** "Quick-build project" means a project that tests safety
28 improvements to a roadway to reduce unsafe conditions for pedestrians and bicyclists using
29 temporary or semipermanent materials that are cost-effective and can be easily adjusted in
30 response to municipality needs, including, but not limited to, reducing lane widths,
31 reducing curb radii, adding center refuge areas, adding physically separated sidewalks and
32 bike lanes and slowing vehicle speeds.

33 **§4492. Program established**

34 The Thriving Corridors Program is established within the Department of
35 Administrative and Financial Services to assist municipalities with technical support and
36 funding to redevelop high-impact corridors near a downtown, village center or crossroads
37 into mixed-use, mixed-income, walkable neighborhoods by infilling and redeveloping
38 underutilized land. The Department of Administrative and Financial Services shall support
39 a municipality in coordinating the planning and development of high-impact corridors,
40 including increasing the development of affordable housing, obtaining public support for

1 reconfiguring the roadway to slow traffic, reducing the number of vehicles in travel lanes
2 and improving roadway safety for all users.

3 **§4493. Memorandum of understanding**

4 A municipality may enter into a memorandum of understanding under the Thriving
5 Corridors Program established in section 4492 applicable to a high-impact corridor with
6 the Department of Economic and Community Development, the Department of
7 Transportation, the Maine State Housing Authority, the Office of Policy Innovation and
8 the Future and the Department of Environmental Protection.

9 **§4494. Approval**

10 The Department of Administrative and Financial Services may approve a
11 memorandum of understanding entered into pursuant to section 4493 in accordance with
12 this section. The department may provide notice to a municipality of additional information
13 needed to meet the requirements of this section.

14 **1. High-impact corridor qualifications.** A high-impact corridor subject to a
15 memorandum of understanding entered into pursuant to section 4493 must:

16 A. Have been planned and built prior to 1980;

17 B. Be located within 2 miles of a downtown, village center or crossroads;

18 C. Contain primarily commercial uses; and

19 D. Be subject to plans by the municipality to:

20 (1) Expand the high-impact corridor to a mix of uses;

21 (2) Expand a network of interconnected streets around the high-impact corridor;
22 and

23 (3) Produce a higher value per acre compared with the high-impact corridor's
24 existing condition.

25 **2. Minimum land use regulation standards.** A municipality shall adopt the following
26 ordinances in relation to a high-impact corridor. The ordinances must provide that within
27 the high-impact corridor:

28 A. There are no lot area per unit requirements or other criteria that limit density;

29 B. A minimum lot size may not be greater than 400 square feet;

30 C. Front setbacks may not be greater than 10 feet;

31 D. Side setbacks may not be greater than 10 feet;

32 E. Minimum lot widths may not be greater than 18 feet;

33 F. There is no on-site parking requirement; and

34 G. There is no open space requirement.

35 **3. Master plan.** A municipality shall develop a master plan following approval of its
36 memorandum of understanding. The municipality shall demonstrate that the elements of its
37 master plan can be achieved under its current local land use ordinances.

1 **4. Development approval process.** A municipality shall establish a simple and
2 predictable development approval process for the high-impact corridor that may include a
3 form-based code or a preapproved building type.

4 **§4495. Funding**

5 This section governs funding and support for a thriving corridors program approved
6 under section 4494.

7 **1. Eligibility for state funds.** A municipality may apply for state funds in order to:

8 A. Assign a high-impact corridor designation to any qualifying area;

9 B. Establish a master plan for a high-impact corridor that identifies neighborhoods;

10 C. Update existing land use regulations to meet the requirements of section 4494,
11 subsection 2;

12 D. Adopt neighborhood standards to enable the master plan; or

13 E. Establish a tax increment financing district to fund public improvements to a high-
14 impact corridor.

15 **2. Affordable housing; mixed-use projects.** Beginning January 1, 2024, the Maine
16 State Housing Authority shall prioritize funding for affordable housing and mixed-use
17 projects within a high-impact corridor that meets the requirements of section 4494,
18 subsection 2.

19 **3. Minimum standards.** The Office of Policy Innovation and the Future and the
20 Department of Economic and Community Development shall provide technical assistance
21 and funding to support municipalities in meeting the requirements of section 4494,
22 subsection 2.

23 **4. Quick-build projects.** Beginning January 1, 2024, upon request of a municipality,
24 the Department of Transportation shall prioritize the distribution of funds for quick-build
25 projects within a high-impact corridor.

26 **5. Capital planning.** The Department of Transportation shall prioritize funding for
27 thriving corridors programs approved under section 4494 in the department's capital
28 planning if the municipality has:

29 A. Implemented a quick-build project for a duration of at least 6 months;

30 B. Approved a master plan; and

31 C. Met the requirements of section 4494, subsection 2.

32 **§4496. Rules**

33 The Department of Administrative and Financial Services shall adopt rules to
34 implement this chapter. Rules adopted pursuant to this section are routine technical rules
35 as defined in Title 5, chapter 375, subchapter 2-A.

36 **SUMMARY**

37 This bill establishes the Thriving Corridors Program within the Department of
38 Administrative and Financial Services in order to assist municipalities with technical
39 support and funding to redevelop high-impact corridors near downtowns, village centers or

1 crossroads into mixed-use, mixed-income, walkable neighborhoods by infilling and
2 redeveloping underutilized land.