

**FREQUENTLY ASKED QUESTIONS ABOUT
THE STPA RULE AND PIOTTI BILL RULE
FIRST EDITION – NOVEMBER 2008**

- What is the purpose of the rule? Its purpose is to promote linkage of land use and transportation decisions so that land use activities do not outpace the ability of transportation systems to provide smooth and safe travel, and to avoid costly safety and capacity improvements.
- Is it mandatory? No. Municipalities need not use the rule. However if they choose to develop plans that meet the STPA objectives, they will be eligible for certain transportation incentives (funding, bonus prioritization etc.)
- What is the difference between DOT plan approval and SPO finding of consistency? SPO has the responsibility to make a finding of consistency on a municipal plan that was developed pursuant to the growth management act (citation XXXX). MaineDOT has the responsibility to comment on the municipal plan as part of SPO's consistency determination process. In addition, and for purposes of becoming eligible for transportation investment decisions, MaineDOT reviews the transportation chapter of the comprehensive plan or a stand alone transportation plan and related ordinances and makes a determination on whether the plan meets the objectives of the STPA rule.
- When does new rule apply? Effective date is 09-10-08.
- Will it affect projects in the next 2010-11 workplan? Technically, the rule applies to the 10-11 workplan, but since towns are not likely to have revised their plan/ordinance to meet the rule, the Department will apply appropriate flexibility to applicants.
- Is it retroactive to the repeal and replace effective date? It applies to effective date of 09-10-08.
- Will this impact projects that are in process between the old rule and the new rule? No, projects funded or in some stage of development before 9-10-08 are not affected.
- Will towns now have to go back and prove their LU plan meets the objectives of STPA under the new rule or make changes to it? Transportation chapters or plans should be reviewed and if appropriate updated every 5 years. If an update is not undertaken in 5 years, municipalities shall forward their review and indicate why they believe an update is not needed. MaineDOT and SPO will consider the rationale and either agree or disagree, with reasons and recommendations for action as appropriate. If MaineDOT and the town cannot come to agreement, it may result in a determination that results in loss of eligibility for transportation investment incentives.
- If MaineDOT elects to apply a surcharge to a community whose LU plan is inconsistent with the Department's preferred transportation strategy, how will the surcharge be used? First, a surcharge may apply only to significant transportation projects (those that add capacity); the surcharge would only apply in the form of a local match requirement.
- In the primary stages of implementation of the rule, how "strict" is the Department going to be in determining whether a community's transportation plan meets the STPA rule objectives and whether bonus prioritization points may be applied to a funding request? The Department will be flexible in its determination that a plan or ordinance meets the objectives of the STPA during the next funding cycle (i.e. the 10-11 workplan) as communities acclimate to the new rule. If a community has adopted the minimum goals, objectives and strategies, or their equivalent, they will get full credit. If the community only adopts some, the MaineDOT may only provide partial credit. The more effort a municipality makes in adopting and implementing measures that protect safety and capacity of the transportation system, the more credit they will receive.

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- For significant transportation projects, the rule suggests that MaineDOT may request that an RPC determine whether MaineDOT's transportation strategies are consistent with affected community comprehensive plans. In addition, both the STPA rule and Piotti bill suggest that MaineDOT may secure the technical assistance of the RPCs to assist municipalities with their planning efforts. With that in mind, will MaineDOT provide additional resources to the RPCs? In view of current revenue crisis, MaineDOT is unable to provide a guarantee that additional resources will be made available. While this has been the intent all along, it is anticipated new RPC work plans will need to prioritize work efforts. As such, the Department will focus first on support for service centers and communities that host multiple higher level transportation system elements.
- How will the new rule implement the act? The intent of the new rule is to get communities engaged in a partnership with MaineDOT that serves to protect safety and capacity of the system. As such, the goal is to encourage more municipalities to adopt land use measures that will avoid the need for bypasses or addition of through lanes. In fact, the goal is to encourage municipalities, through transportation investment incentives, to adopt a more compact and mixed land use form, to minimize sprawl and to increase the viability of multiple modes of travel.
- What are the specific requirements of towns/planning boards under the rule? If a community chooses to use the rule, it requires that each community transportation plan at a minimum adopt policies in 5 areas: 1) Preservation of the transportation system, 2) Prioritized needs, 3) Promotion of public health and protection of natural/cultural resources and enhanced livability, 4) Meet diverse transportation needs (multi-modal), 5) Maximize efficiency of network through good planning.
- What is required if a town will not do comp plan within five years? Municipalities should provide a rationale indicating that the current plan or transportation section meets the STPA objectives or what changes to the transportation section will be made to meet those STPA objectives.
- What happens if a town does not comply with STPA? MaineDOT will issue a letter indicating how the plan does not meet the STPA objectives and that the community is not eligible for transportation investment incentives.
- How does rule apply to MPOs with their federally mandated 20 year plan? The rule always applied to MPOs. It directed MPOs to develop and maintain an inventory of existing and proposed transportation systems. A new component states that MPOs should include consideration of land use development patterns and management efforts within the MPO planning area. MPOs may also include recommendations to MaineDOT and MPO area municipalities for land use and transportation goals, policies, objectives and strategies that assure the long-term benefits of the regional transportation system.
- What are the implications for a municipality inside an MPO that doesn't have a comp plan? The municipality that wishes to become eligible for transportation investment incentives may provide documentation to MaineDOT (& SPO?) in the form of adopted policy, program, ordinance etc. indicating how they do (or intend to) meet the objectives of STPA. If they do not/will not meet the minimum requirements, the MaineDOT will inform the municipality that it is not eligible for transportation investment incentives.
- What are the implications if part of the town is in an MPO and part is not? The MaineDOT still has the same responsibility previously noted. The MPO may engage but is not required to weigh in unless a significant transportation project is under assessment by MaineDOT.



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QUALITY COMMUNITY PROGRAM APPLICATION

Quality Community Program Application

Quality Community Program Application Announcement

The Maine Department of Transportation (MaineDOT) is pleased to announce its new Quality Community Program, a new name for existing programs you are probably already familiar with, such as Transportation Enhancements, Safe Routes to School, Small Harbor Improvement Program, and various other community programs. The Department has consolidated the former individual applications into a "common" Quality Community Program application to improve overall program and project delivery, as well as to simplify application processes.

MaineDOT's Quality Community Program includes federal and state funding opportunities to improve the quality community environment in Maine. This competitive program is intended to improve community transportation related facilities through small harbor improvements, bicycle and pedestrian improvements, safety improvements, environmental improvements, scenic, historic, and other quality community improvements. The applications were due June 30th, 2008 to compete for funding available in fiscal years 2010-2011.

The following are the major funding programs that support the Quality Community Program:

Transportation Enhancement Program

The Transportation Enhancement Program is a Federal and State program (minimum 20% local match) offering a funding opportunity to help communities expand their transportation and quality community environments. This program supports pedestrian and bicycle facilities, historic and environmental projects, and downtown revitalization initiatives, as well as other investments that create an enhanced transportation system. Project proposals must show a relationship to surface transportation.



For more information please visit www.maine.gov/mdot/community-programs/enhancement-program.php

Safe Routes to School

This Federal and State program offers an opportunity for infrastructure improvements (up to 100% funding) that will improve safety or increase the number of children walking or bicycling to school or after school activities (this program applies to projects within 2 miles of an elementary or middle school). Project improvements typically include sidewalks, traffic calming, pedestrian crossings, and off-road bicycle and pedestrian facilities.



For more information on this program, please visit <http://www.maine.gov/mdot/opt/srts.php>

Small Harbor Transportation Improvement Program

The Small Harbor Improvement Program (SHIP) promotes public access and economic development activities to preserve traditional maritime activities along the coast. SHIP helps municipalities make improvements to public wharves, landings, boat ramps, etc. A minimum local cash match of 25% of the total project is required.

For more information on this program, please visit <http://www.maine.gov/mdot/freight/ship1.php>



**SENSIBLE TRANSPORTATION
POLICY ACT RULE
(AS ADOPTED 9/10/2008)**

[STPA Homepage](#)

[Sensible Transportation
Handbook](#)

[Return to the MaineDOT
Homepage](#)

[Home](#)

Rule for the Maine Sensible Transportation Policy Act (As Adopted 9/10/2008)

Background

In 2003, the 121st Legislature directed the Maine Department of Transportation (MaineDOT) to work in collaboration with the State Planning Office (SPO) to draft a rule to link the transportation planning processes of the Sensible Transportation Policy Act (STPA) with those of the Comprehensive Planning and Land Use Regulation Act. This change was based on the belief that land use and transportation planning must work hand-in-hand to protect highway safety and mobility and also enhance economic opportunity, community livability, and environmental quality. The Law also directs MaineDOT to develop incentives for communities that adopt plans that reduce reliance on the state highway system.

MaineDOT, the Maine Turnpike Authority and the State Planning Office collaborated on the Transportation Chapter of both the STPA rule and the Growth Management Act; the goal being for the Transportation Chapters of these Rules to be the same.

MaineDOT also developed a Municipal Handbook to guide local planning efforts in meeting the STPA policy objectives. Municipalities or groups of municipalities that develop plans using the new STPA rule will be eligible for transportation planning assistance and other investment incentives including:

- Bonus prioritization points that increase access to funding in MaineDOT's competitive programs - MaineDOT is to publish a list of these annually;
- Incremental reductions in any local match requirements; and
- Bonus prioritization points for MaineDOT funded highway reconstruction and transportation mobility projects.
- MaineDOT, in consultation with the State Planning Office, reserves the right to determine whether transportation chapters of land-use plans, policies or ordinances adopted by municipalities will meet the STPA policy objectives.

Following are the full text of the Adopted STPA Rule, an accompanying guide, entitled "Sensible Transportation - A Handbook for Local and Inter-Community Transportation Planning in Maine", the background and purpose, and a summary of the resulting changes made to the original Rule:

- [Final Adopted STPA Rule \(Adobe PDF Format\) \(MS Word Format\)](#)
(About rules on this website)
- [Sensible Transportation Handbook \(Working draft through 12/2008\)](#)
- [STPA Rule Summary \(Adobe PDF Format\) \(MS Word Format\)](#)

Please note: The above documents are in both Adobe PDF format, and Microsoft Word format. To download a reader for either document format, please click on the links below.

[download the free MS Word \(2003\) viewer](#)

[download the free Adobe PDF viewer](#)

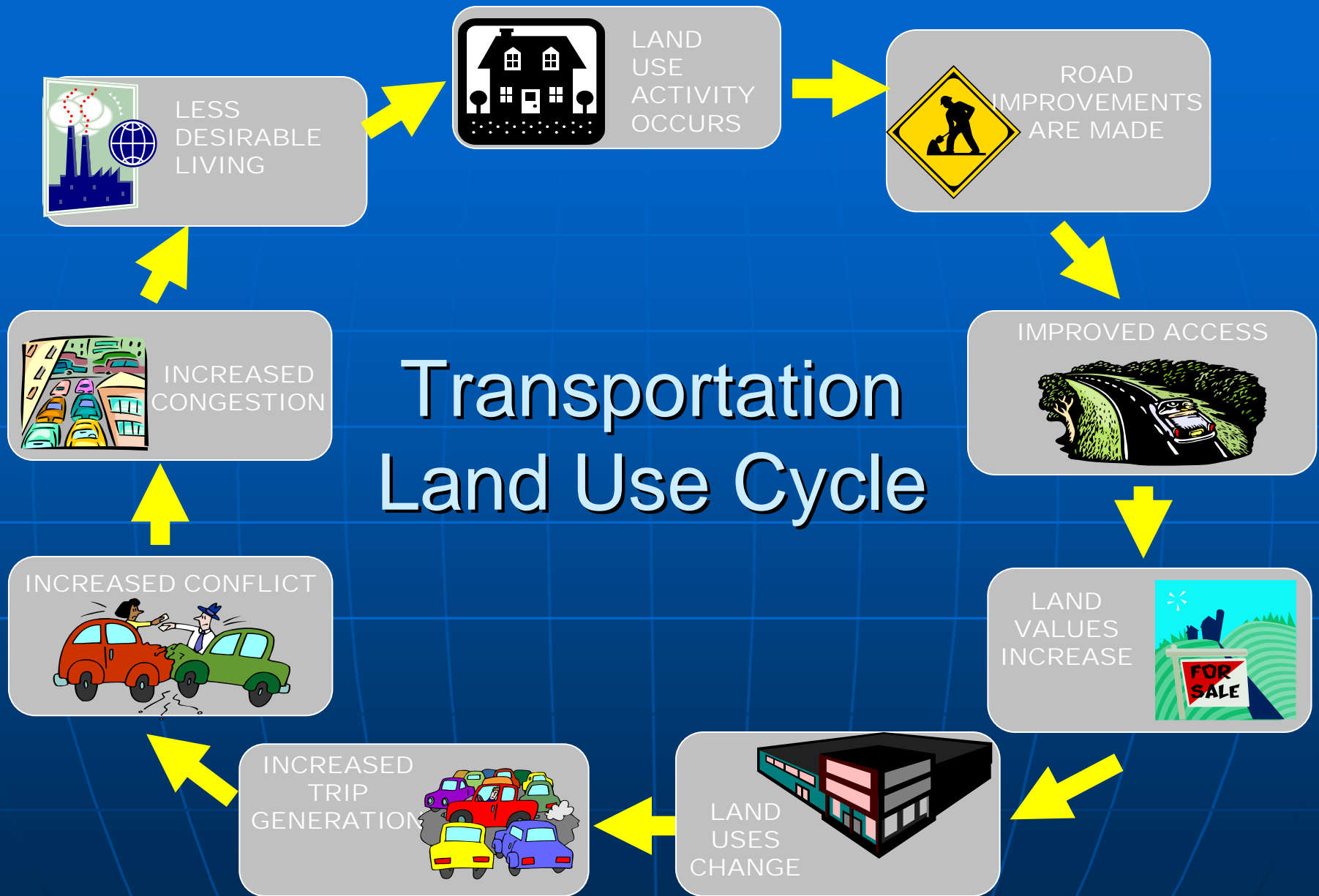
If your web browser or screen reader cannot view either of these two formats, please contact the Bureau of Planning at (207) 624-3300.

This page last updated on 10/7/08

Linking Land Use & Transportation Planning

AVCOG Planning Day
November 6th, 2008

Transportation Land Use Cycle



Presentation Overview

- Overview Sensible Transportation Policy Act (STPA)
- Connecting STPA & Growth Management Law
- Link to *Connecting Maine* (Long Range Plan)
- Rule Summary, Local Benefits, Public Objectives
- Developing Local How To Handbook
- “Piotti” Bill (MRSA 23 §73-A) & rating system
- Elements of Piotti Rule
- Quality Community Program Application
- Next Steps

History & Overview of STPA

- What is the STPA?
 - Voter referendum – 1991
 - De-widening of Turnpike (later reversed)
 - **Involve people; think regional**
 - **Favor alternative mode investments over wider or new roads**
 - **Design projects so that they “fit”**
- In 2003, Legislature Directed STPA to be coordinated with Growth Management Act

Long Range Plan Connection

- *Connecting Maine*

- MaineDOT's Long Range Plan

- Vision & Goals

- “incorporate sound land use & growth management principles in support of natural, cultural heritage and to minimize public costs”
- Land use coordination is inherent in Goals 1, 2, 3 & 4 - system needs to
 - Be Safe, Secure & Sustainable (1&2)
 - Promote Economic Vitality/Competitiveness (3)
 - Enhance Quality of Life

Connection between STPA & Growth Management Law

- An Act to Enhance Integration of Transportation & Land Use Planning
 - STPA Amended 2003
 - Public Law 2002, Chapter 22
 - Link STPA with GMA* processes
 - Collaborate with State Planning Office
 - Reduce over-reliance on state highway network
 - Create incentives for communities that do so

*GMA = Growth Management Act (Comprehensive Planning and Land Use Regulation Act)

Connection between Growth Management Act & STPA

- Collaborated with SPO
 - Comprehensive Plan Transportation rule = STPA Rule Chapter III
- When communities update comp plans, transportation section must comply with STPA Policy Objectives

Updating STPA Rule

- Expanded/Clarified Policy Objectives
- Clarified & articulated land use linkage in Sub-Chapters 1 & 2 (for MaineDOT & MTA)
- “Codified” changes to regional planning & outreach processes
- **Created New Chapter III**
 - Promote Municipal & Multi-Municipal planning
 - Provide for voluntary compliance
 - Incentivize municipalities that work to reduce reliance on the state highway system
 - Favor multi-municipal efforts

Goals/Objectives:

Transportation & Land Use Planning
must work hand in hand to:

- Provide for safety & mobility
- Lessen need for road congestion relief
- Enhance Economic Vitality
- Enhance Community Livability
- Maintain Environmental quality

STPA INCENTIVES

- Incentives
 - Bonus prioritization points
 - for all MaineDOT competitive programs
 - Reduced local match
 - Bonus prioritization points for MaineDOT sponsored projects
 - highway reconstruction
 - mobility projects

STPA Rule & Handbook

- Background
- Partnerships
- Transportation & Land Use Connection
- Public Involvement
- Taking Stock
- Imagining the Future
- Policies & Strategies
- Implementation
- Appendix A
 - Common Issues
- Appendix B
 - Menu of Strategies
- Appendix C
 - Sample Inventory Forms
- Appendix D
 - Contacts

Chapter 3:

Transportation/Land Use connection occurs at three levels:

- **Neighborhood**
 - transportation connects land uses that are personal & part of the territory of the neighborhood's residents.
- **Community**
 - neighborhood connections to community
- **Region**
 - community is part of a region served by roads, rail, ports & airports.

How these 3 levels interact help define built environment

■ Density

- determines how much transportation choice may be available to an area

■ Distance

- the ease with which a traveler can move from one point to another (literally – how much energy it takes)

■ Diversity

- the variety of land uses accessible to each other

■ Design

- geometry & interconnection of streets,
- management of access,
- neighborhood streetscapes,
- context (character) of a place served by transportation

How do 4 D's relate to STPA objectives?

- good land use & transportation planning
 - helps communities with efficient transportation & quality local “environment”
 - that efficiency enhances economic vitality & promotes community livability &
 - preserves environmental quality by reducing congestion & vehicle miles traveled

Benefits of incentives & support for good planning:

- preserves Maine's infrastructure assets
 - reduces need for future costly road improvements
- supports economy
 - allows safe & efficient movement of goods & people
- improves quality of life
 - social, cultural & natural environment

Piotti Bill - MRSA 23 73-A

- Created to foster implementation of STPA & Growth Management Act
- Municipalities receive priority for funding through MaineDOT Quality Community Programs
- Assists with funding for community improvements
 - sidewalks, bike facilities,
 - small harbor transportation improvements,
 - environmental, aesthetic & historic
 - others as funding allows

Quality Community Program

- Gives communities opportunity to benefit from improving planning & implementation,
 - meeting objectives of STPA & requirements of Piotti Bill
- Combines Community Based Programs
 - Transportation Enhancements
 - Safe Routes to School
 - Small Harbor Improvement Program
 - Community Gateways Program
 - Surface Water Quality Program
- Consolidates & simplifies the application process
- Incorporates transition process

STPA/PIOTTI BILL BONUS POINTS

Communities will receive additional points if they have:

- SPO-Consistent & Adopted Comprehensive Plan or
- MaineDOT-Consistent Transportation Plan,
 - Meeting policy objectives of STPA rule &
- Adopted Ordinances, Policies, Programs to implement such plans
- *More bonus points if a community is partnered with one or more communities*

Municipalities encouraged to collaborate with MaineDOT when changing previously endorsed measures

- Towns may be required to return funding resulting from incentives if approved plan and ordinances are changed by municipality and no longer support goals in STPA

Status/Next Steps

- Municipal Handbook (*Good Moves*) nearly complete
 - *HOW TO* guide for
 - meeting STPA objectives
 - offering menus of strategy options
- Legislature just approved provisionally adopted rule
- “Piotti Bill” Rule Making (Minor Technical)
 - To begin late spring
- Upcoming Application Process (due June 6)
- TA & Outreach plus data/analysis packet refinements

Questions?