Metro Regional Coalition Agenda

May 11, 2021
Noon to 1:30 pm
Via ZOOM Conferencing

Please click the link below to join the webinar:
https://us02web.zoom.us/j/82571764292?pwd=anJ2L0wwYUdoYXBsdFFVVytXOEJ1UT09
Passcode: 500116, Webinar ID: 825 7176 4292, or call 312 626 6799

Note: As of March 31st, 2020, PACTS and GPCOG will be holding all committee meetings via Zoom conferencing technology. We remain committed to full public access and participation in our meetings through remote access during the COVID-19 crisis. Remote meetings will be held in accordance with the requirements of LD 2167, Public Law Chapter 618.

Participants are reminded that this meeting will be recorded and posted on the GPCOG website.

1. Welcome and introductions (5 minutes)

Chair Amy Kuhn will call the meeting to order and ask attendees to briefly introduce themselves.

2. Acceptance of minutes from the April 13, 2021 meeting (Attachment A)

3. Public Comment (5 minutes)

Residents of the region are invited to share up to 3 minutes of comment on any topic, including items on the agenda.

4. Presentation and Housing Discussion with Auburn Mayor Jason Levesque (45 minutes) (Attachment B)

Staff report: Our guest Jason Levesque has served as Mayor of Auburn since 2017. In his January 2021 State of the City speech as a part of his growth agenda he called for the creation of 2,000 new affordable market rate homes in Auburn. Last weekend the Lewiston Sun Journal published a feature article on Auburn’s housing efforts which include both progress and pushback – please see Attachment B.

Given the many similar housing issues facing Auburn and Metro Regional Coalition communities, staff have invited Mayor Levesque to share Auburn’s experiences, lessons learned, and insights, and hope that members will also share their experiences and views with the Mayor.
**Action:** Information and opportunity to discuss housing choice expansion ideas and experiences, and to apply those learnings in our region.

**5. Broadband Update (25 minutes)**

**Staff report:** Andrew Butcher, GPCOG’s Director of Innovation and resilience, is leading GPCOG efforts on broadband expansion. Andrew’s work includes staffing for the statewide Maine Broadband Coalition, and close collaboration with the legislature’s bipartisan Broadband caucus. He will update members on the rapidly evolving local, regional, state, and federal opportunities to expand connectivity. Members also will have the chance to share their community’s broadband work and discuss alignment opportunities.

**Action:** Information sharing and alignment opportunities.

**6. Other Updates (10 minutes)**

**Staff report:** Staff will update members the following items:

- American Rescue Plan Act updates, including any US Treasury guidance issued before the meeting date, and available information from Cumberland County about their ARPA planning and public engagement.
- Maine Jobs Plan updates, including any further announcements from the Governor on bonds or new supplemental budget initiatives.
- Other matters suggested by members.

**7. Adjourn**

**Upcoming Meetings**

Jun 8, 2021 12:00 PM
Metro Regional Coalition Meeting Minutes
April 13, 2021
Noon to 1:30 pm
Via ZOOM Conferencing

In Attendance:

<table>
<thead>
<tr>
<th>Name</th>
<th>Affiliation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amy Kuhn, Chair</td>
<td>Falmouth</td>
</tr>
<tr>
<td>Nathan Poore</td>
<td>Falmouth</td>
</tr>
<tr>
<td>Misha Pride</td>
<td>South Portland</td>
</tr>
<tr>
<td>Scott Morelli</td>
<td>South Portland</td>
</tr>
<tr>
<td>Matt Sturgis</td>
<td>Cape Elizabeth</td>
</tr>
<tr>
<td>Jeremy Gabrielson</td>
<td>Cape Elizabeth</td>
</tr>
<tr>
<td>Jon Jennings</td>
<td>Portland</td>
</tr>
<tr>
<td>Michael Foley</td>
<td>Westbrook</td>
</tr>
<tr>
<td>Jerre Bryant</td>
<td>Westbrook</td>
</tr>
<tr>
<td>Jim Gailey</td>
<td>Cumberland County</td>
</tr>
<tr>
<td>Virginia Wilder-Cross</td>
<td>Gorham</td>
</tr>
<tr>
<td><strong>Guest:</strong></td>
<td>Greg Payne, Avesta Housing and Maine Affordable Housing Coalition</td>
</tr>
<tr>
<td><strong>For GPCOG:</strong></td>
<td>Kristina Egan, Chris Hall, Vanessa Farr, Tom Bell, Julia Dubovsky</td>
</tr>
</tbody>
</table>

1. Welcome and introductions

Amy Kuhn called the meeting to order at 12:04 pm and welcomed everyone.

2. Acceptance of the March 9, 2021 meeting minutes

Michael Foley moved acceptance of the minutes from the March 9, 2021 MRC meeting, seconded by Virginia Wilder-Cross. The motion passed by unanimous roll call vote.

3. Public Comment.

No public comment was offered.

4. Federal and State Housing Developments.
Greg Payne is a Development Officer at Avesta Housing, and the Director of the Maine Affordable Housing Coalition, a diverse coalition of more than 135 private and public sector organizations committed to ensuring that all Mainers are adequately and affordably housed.

He updated committee members on recent federal investments in housing, rental assistance, and homelessness, along with key state house initiatives that are combining to make 2021 a hopeful year for housing advocates and communities committed to expanded housing choice. His slides are attached to these minutes.

Payne shared information about Maine’s housing deficits, especially for lower income households. Housing burden – the percentage of income used to pay for housing that exceeds 30% of income – remains a central and growing problem for our region and the state. For extremely low income people, there are far fewer housing units available than needed.

As of 12/31/20, Maine had 25,000 households waiting for HUD section 8 housing vouchers, a demand that is met with the construction of hundreds, not thousands, of new affordable housing units each year.

Payne noted that these numbers are compelling, and increasingly housing issues are becoming a bipartisan issue that touches every corner of Maine (and the country). He praised Governor Mills’ strong commitment to expanding housing supply and choice and noted that Maine House Speaker Ryan Fecteau shares the strong commitment to finding housing solutions.

At the Maine State House, Payne reviewed the provisions of LD 609, *Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions* (which GPCOG has testified in support of). He predicted the bill would be passed and signed after it received unanimous Committee support last week.

The Commission established by the bill will provide an opportunity to advance new state policies that encourage land use regulations that expand housing choices. GPCOG will be participating in the Commission’s work.

At the federal level, Payne focused on the provisions of the American Rescue Plan Act (ARPA) that address fundamental housing changes, including the creation of additional housing, rental supports, and foreclosure prevention.

Flexible ARPA funding distributed to states and local governments can provide the capacity to invest in landmark housing policy initiatives. For example, Vermont’s Governor just recently announced his intention to devote $200 million dollars of ARPA funding to increasing the state’s affordable housing supply.

Finally, Payne discussed the Biden Administration’s upcoming American Jobs Plan (AJP). With its focus on infrastructure, the AJP includes $213 billion for production, preservation, and rehabilitation of new and existing housing stock. It also includes municipal incentives to remove
local barriers to housing growth, and it may include expansion of the Low Income Housing Tax Credit program.

Payne reflected on his 30 years of housing work and remarked that 2021 was one of the most hopeful years he had experienced.

In Q&A the following points were made:

- Payne urged members to act locally to remove housing barriers, and to speak with the Governor and her staff about directing ARPA funds to expanded housing programs.

- Payne saw regional homeless shelters as one possible use of ARPA funds and noted the need for financial solutions to the problem of ongoing operational costs of supported living. He suggested Medicaid might be a vehicle for funding, as other states have already requested from the federal government.

- FedHome funds were discussed as a resource for the creation of additional housing for intellectually disabled persons.

- The most concerning bottleneck for use of federal funding was seen as the need for more construction workers – otherwise the price of labor might compromise the reach of federal funding.

5. American Rescue Plan Act (ARPA) State and Local Funding

ARPA is now law and US Treasury regulations providing additional detail on the allowable local, county, and state uses of ARPA funds are expected soon. ARPA broadly categorizes the allowable uses of county and local ARPA funding as:

- Replacement of lost government revenues (limited to revenue loss due to pandemic relative to fiscal year prior to the emergency),

- Reimbursement of pandemic related government expenses (including hazard pay),

- Responses to negative economic impacts of the pandemic, and

- Necessary investments in water, sewer, or broadband infrastructure.

Additionally, and separately from county and local aid, ARPA will provide the State with at least $100 million dollars devoted to “[carrying] out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency with respect to the Coronavirus Disease (COVID–19).”
Chris Hall outlined GPCOG’s partnership with Maine Municipal Association on an upcoming educational webinar focused on the US Treasury regulations, once they are announced. He also discussed GPCOG’s readiness to convene regional discussions of member communities to discuss their ARPA priorities and explore any areas of consultation or collaboration.

Some members emphasized that municipalities want to make their own determinations about the use of ARPA funding without completing regional conversations.

Members discussed the distribution of APRA funding in the region and noted how South Portland will receive a much smaller ARPA allocation than other cities of similar size. Members were supportive of efforts to address this inequality.

Jim Gailey shared that the Cumberland County Commissioners are waiting to receive the US Treasury regulations before they open discussions about the use of County ARPA funds.

6. Introducing Vanessa Farr

Vanessa Farr joined GPCOG last week as our second Senior Planner. Vanessa shared her background and experience as a municipal planner in our region and previewed some of the expertise and energy she brings to supporting the Metro Regional Coalition’s land use work.

7. Other Updates

- GPCOG submitted testimony on adult use marijuana sales tax sharing bills, in support of directing sales tax revenues to host communities.
- Jim Gailey confirmed an upcoming April 26th MRC meeting with County Commissioners on homelessness. Amy Kuhn, Nathan Poore, Matt Sturgis, and Jon Jennings all volunteered to help prepare for the meeting.

8. Adjourn

At 1: 28 pm Amy Kuhn adjourned the meeting by unanimous roll call.
Auburn looks to zoning to solve housing crunch

Proposed updates to Auburn’s comprehensive plan include ambitious zone changes that would drastically increase housing density in the city, sparking an age-old debate.

BY ANDREW RICE  SUN JOURNAL

Three of the six people who attended Wednesday’s community conversation at the Auburn Senior Community Center look at a slide while listening to Eric Cousens, Auburn’s director of Planning and Permitting, discuss some of the city’s long-range plans.  Russ Dillingham/Sun Journal  Buy this Photo
AUBURN — No one can predict the future. But, in Auburn, during the tail-end of a pandemic that has driven a housing market frenzy, officials are trying to plan for it.

At the heart of those plans is a drive to simplify Auburn’s zoning ordinances and increase density in hopes of addressing a housing shortage that has caught up with the city. But as the process unfolds, some are asking how much is too much, and how the sweeping changes could transform Auburn’s unique balance of urban and rural neighborhoods.

The zoning discussions have taken place at a time when Auburn officials have already been considering policy changes to encourage housing growth, including expansions of the city’s form-based code district and a final reading this week on a change that will allow secondary standalone dwellings in most residential districts.

A small committee working to update the 2010 Comprehensive Plan could be finished by July, but the public process has just begun.

Rather than doing a complete rewrite of the 2010 plan, the City Council voted to update three sections: recreation and open space, transportation, and future land use and zoning. The plan will also include a new section on promoting food access and growing Auburn’s agriculture economy.

Over the past week, city staff has been looking for feedback on Comprehensive Plan proposals that could bring big changes to Auburn’s
current zones, upping density limits and lowering setback requirements. Some areas could see density limits quadruple.

Meanwhile, some say the complicated planning process, coupled with the policy changes already occurring, is overwhelming at a time when the pandemic is still a barrier to public participation. Each of the city’s public discussions on the planning have been held in-person. A session on Tuesday saw less than 10 people. Thursday’s session had about 25.

Mayor Jason Levesque, who has led the charge for new housing, said the updates would “add simplicity” to Auburn’s zoning. He’s long argued that the city’s zoning rules have created “artificial scarcity” in the local housing market.

“Things get convoluted, they get overthought. They become protectionist,” he said of the city’s existing zoning. “Historically, (comprehensive) plans have come from a position of fear,” he said.
When asked about concerns over whether there could be unintended consequences from relaxing zoning standards too quickly, Levesque said, “if anything, people should be happy that the city recognizes that they’re paying taxes on that land, it’s their land that they purchased, and they’re going to be allowed to have more flexibility, as it should be.”

According to those involved, the general focus of the plan is to expand housing density in the city’s “urban core,” where city services and utilities like public water and sewer are already in place. The committee used current utility access to define the new proposed zoning, where “traditional neighborhood” is defined by having both public water and sewer, and “suburban residential,” the zone with the second-highest proposed density, is defined by having either public water or sewer.

Eric Cousens, director of Planning and Permitting, said increasing density in areas where services are already in place is “a logical approach to growing our city.”

He said cities can either encourage growth in an existing core, or add residential zoning districts on the outskirts. So far, he said, the group “is really focused on expanding density where we already have services rather than expanding into the agricultural zone.”

Dana Staples, a Planning Board member who has served on the Comprehensive Plan Update Committee, said he began noticing at the Planning Board level that “it was pretty confusing” for both members and applicants to navigate Auburn’s zoning ordinances.
He said he came on board with the mindset of simplifying the zones. The proposal calls for cutting the number of distinct zones in Auburn down to 10 from more than 20.

Staples has also served on several other city committees, including the Zoning Board of Appeals. He said a “theme” he’s noticed during his time is what happens when older buildings are considered nonconforming in their current zone. The issue has led to Auburn’s push to use form-based code in urban residential areas, but he said it also led to the new zoning proposals, particularly around building setbacks and density.

Compared to traditional zoning, form-based codes focus more on the size, form and placement of buildings, and less on land use (residential vs. commercial) and density.

In order for higher densities to be achieved, he said, you need to be able to have housing closer to the street. The proposal calls for small setback requirements (10 feet from the road) in the downtown neighborhoods, which progress larger as the zones get more rural (20-25 feet).

“The idea is that the downtown is where you want to have the most dense development,” he said. “Then it kind of spreads out as you get up toward the (agricultural) zone.”

**DRIVEN BY THE MARKET**

Going into the Comprehensive Plan update, the city was already on a path of aggressively pursuing policy changes that could encourage housing growth.
Last September, when the state was already seeing plenty of evidence of a boom in housing sales and prices, the City Council agreed to a six-month process to encourage new housing.

At the time, the push was labeled as necessary to combat a housing shortage and high demand that was driving up prices.

But even now, the market has shown no signs of slowing. In each quarter, Androscoggin County continues to see roughly 20% increases in units sold and housing prices compared to the year prior. At the start of 2020, the median home price in the county was $167,900. To begin 2021, it was $202,000.

Last year, real estate agents told the Sun Journal that there just isn’t enough available housing stock to meet the demand, especially as interest has begun to creep northward to escape the higher prices of southern Maine.

In September, officials said a preliminary analysis showed that existing services can withstand a population growth of 6,000 residents.
Cousens said the changes could lead to various types of development, including in-fill development in vacant lots, redevelopment of existing buildings into two-family or multi-family apartments, or new development.

With the current state of the housing market, Cousens said staff receives inquiries about redeveloping existing lots or renovating to add units “multiple times a week, if not every day.”

“I think there’s a sense with the demand we’re experiencing, if we don’t provide some additional supply, we’re going to fall short on opportunities,” he said. “If we artificially restrict supply with zoning, it drives the prices up and makes housing in Auburn less accessible. So, to the extent we can increase the supply to keep it affordable, that’s the goal.”
He said the city has at least a half-dozen market-rate, multi-family developments in the development pipeline.

For the committee, Staples said the ability to encourage new housing was considered with “each one of these zones.”

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Road Frontage</td>
<td>16/Acre</td>
<td>8/Acre</td>
<td>2/Acre</td>
<td>1/Acre</td>
<td>1/3 Acres + Add Dwelling</td>
<td>1/3 Acres</td>
<td></td>
</tr>
<tr>
<td>Density</td>
<td>Single Family: 4/Acre</td>
<td>2/Acre</td>
<td>1/Acre</td>
<td>1/3 Acres</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Depth of Lot</td>
<td>Depending on Frontage</td>
<td>Depending on Frontage</td>
<td>Depending on Frontage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height</td>
<td>2.5 (35 Feet)</td>
<td>2.5 (35 Feet)</td>
<td>2.5 (35 Feet)</td>
<td>2.5 (35 Feet)</td>
<td>2.5 (35 Feet)</td>
<td>2.5 (35 Feet)</td>
<td>2.5 (35 Feet)</td>
</tr>
</tbody>
</table>

This image compares a few existing zones with the proposed zoning updates, along with the proposed changes in density and setbacks. *City of Auburn*

But, according to those involved, leading the drive on housing has been Levesque, whose positions on the need for new housing, and Auburn’s current zoning ordinances, have been well-established.

Zoning has become a recurring theme during Levesque’s tenure, which began with the mayor wading into the thorny issue of Auburn’s agricultural zone.

While officials have put much of the focus on downtown development, the committee has also looked at potential areas where utilities could be expanded to allow for new housing development. Cousens said decisions would ultimately be based on public feedback and on which areas are ultimately the most cost effective.
So far, the agricultural zone is left mostly out of the proposed updates other than proposals for “strip zoning” a small number of rural areas where there is “an established pattern of residential uses along the road.”

At the root of Levesque’s push to reconsider Auburn’s zoning ordinances is his belief that they are “exclusionary,” and have ultimately created “artificial scarcity” by restricting new housing development at a time when the demand is at an all-time high.

Levesque has pointed to national trends in zoning that are moving to respond to the need for affordable housing. That includes a recent Biden administration proposal that would award grants and tax credits to cities that change zoning laws to bolster more equitable access to affordable housing.

In response to the Biden administration’s proposal, Julián Castro, secretary of Housing and Urban Development under President Barack Obama, told USA Today that, “too often, zoning regulations trap low-income families, especially families of color, in segregated neighborhoods and price them out of housing opportunity.”

Some experts argue that by eliminating zoning restrictions, cities can encourage multifamily development that is more affordable.

In a recent social media post about the proposal, Levesque called Auburn’s current zoning “anti-growth” and “racist.”
Levesque said, “When you hear someone say they want to ‘maintain the character of our rural agricultural landscape’ through a continuation of our current zoning practices, ask yourself what they really want.”

When asked to expand on that this week, Levesque said some zoning harkens back to the practice of “red-lining,” when financial institutions limited mortgage loans and other services to certain geographic areas, typically with large minority populations. He said in Auburn, he believes some zoning was designed “to keep people out.”

‘NOT OPTIMISTIC FOR COMPROMISE’

While officials are hoping the updated Comprehensive Plan can lay the groundwork for “smart growth,” some residents are wary of stripping away regulations meant to put limits on development.

Barbara McGivaren, a Winter Street resident, said she was immediately skeptical upon hearing Levesque’s “state of the city” address last year, during which he called for Auburn to dramatically increase its housing stock by 2,000 homes.

She said her street, which is slated to become part of the city’s form-based code district, is already a high-traffic area. But, most of her concern lies with the city’s process so far.

McGivaren said that when Levesque, during his address, asked officials to remove zoning regulations, she saw it as a directive to “eliminate obstacles to development by hacksaw as opposed to scalpel.”
“Some might call this a bold move; I think it rash,” she said.

McGivaren, and others, have also taken issue with the public process, which has unfolded as the area is still wrestling with a pandemic. She said the process should have begun with a citywide survey, with proposed updates based on the results, rather than the other way around.
This type of effort, she said, “would have eliminated the kind of confusion which now predominates, and a willingness to directly involve stakeholders would have spoken to the lack of ‘equity’ in housing that the mayor cited in his address. That would have required a relinquishing of control over the decision making, however, which rarely seems to be the mayor’s inclination.”

When it comes to the Comprehensive Plan, McGivaren said she’s “not optimistic for compromise.”

For City Councilor Holly Lasagna, hearing about confusion from the public led to an initial public feedback session. A week later, city staff called for three more sessions.

She said this week there “continues to be confusion about the zoning changes and how they affect, and are affected by, the Comprehensive Plan process that is occurring.”

She said while she appreciates the work city staff has put in to pull together the meetings, fact sheets and data, she wishes there had been more community input earlier in the process.

“The last time this process took place there was a lot more time spent on getting community input from all sectors, not just those who are able to attend a night meeting, in person, with a week’s notice while Androscoggin County is currently designated yellow in terms of COVID,” she said.
Pam Larouche, who wrote a recent letter to the Sun Journal concerning the secondary dwelling issue, said she’s not sold on the merits of cutting the number of zones in the city by half.

“Why is it such an advantage to bring the number of zones down to ten if it means dragging the downtown density into residential areas, areas where people bought homes precisely because there was more space,” she said.

Former City Councilor Andy Titus, who was wary of zone changes as an elected official, has been weighing in on social media.

During a recent discussion about the secondary dwelling proposal on an Auburn community Facebook page, he said “I have always been nervous about zoning changes like these. Maybe a land owner wants to back fill their lot with a rental building, but do neighbors want to look at these structures? If it is in my backyard, it does affect my neighbor.”

When asked about potential unintended consequences from the effort, officials said they’ve considered the downsides.

Cousens said there’s never a guarantee that housing costs can remain where they’ve been in the past. He said increasing supply “certainly helps, but it doesn’t solve the entire problem.”

Levesque argues that the proposed updates are “really a belief in the individual’s ability to make good decisions, not just for themselves, but for their neighbors.”
The city should “protect what makes Auburn great and unique,” while “still respecting the individual from either a business or residential standpoint,” he said.

‘IT’S NOT GOING TO HAPPEN OVERNIGHT’

For those worried that the updated Comprehensive Plan — and all of its proposed zone changes — would suddenly come down like a hammer, there is some consolation.

First, the proposed updates to the plan, particularly around zoning, have not yet been finalized.

Cousens said the series of community conversations being held into next week are meant to help residents better understand how the changes would impact them. During the meetings, staff have set up multiple work stations and are offering one-on-one sessions.

Following the first meeting on Tuesday, which only saw about six people show, Cousens said attendance hasn’t been what officials hoped. Thursday’s session, with about 25 people, was better.

The last of three planned sessions will be held at 6 p.m. on Tuesday at the Auburn Senior Community Center. An online survey has seen more engagement, with about 40 responses so far, Cousens said.
He said councilors need to know how the public feels before they make decisions on “where to change and how much to change.” That especially applies concerning density, he said.

The area of Stevens Mill Road, currently zoned Suburban Residential, is proposed to move to Traditional Neighborhood, which would allow a density of 16 units per acre. The current density is 4 units per acre for single-family homes, and 6 units per acre for two-family homes.
“There’s no exact right number. It’s what do people want, what can they live with on their neighbor’s property when they have expectations about their neighborhood,” he said.

Cousens said he “fully expects” there will be changes made to the proposal following feedback from the public.

“My goal now is to take the input from the public and make this better,” Staples said.

The city has created an online hub for the proposed Comprehensive Plan updates, with mapping tools that allow residents to compare existing zones to those proposed.

Following the results of the public meetings and survey, the Planning Board is scheduled to review the language and conduct a public hearing on June 8. The board will also make a recommendation to the City Council on whether they support the language or what changes the board feels should be made before it is finalized.

A City Council public hearing and first reading is slated for June 21.

But, even when the Comprehensive Plan is ultimately updated, the new zoning laws won’t automatically take effect. The plan is considered a guiding document for officials, meaning each proposed zone change would have to be separately considered and implemented by the Planning Board and City Council in what Levesque said could be a multi-year process.
The 2010 Comprehensive Plan called for an increase in the types of zoning in Auburn, but many of the proposals were not used. According to officials, however, about 70% of the strategies from the 2010 plan were ultimately implemented.

Levesque said since the plan is simply a guide for officials to work from, “the real work” will begin once it’s implemented.

“Just because you change the zoning, it doesn’t mean everything is going to change instantaneously,” he said. “It doesn’t happen that way. Things still have to go through the normal approval process. It’s not going to be the wild, wild west, but it does recognize that people want things easy to understand and they want flexibility.”