

Town of Bar Harbor

Planning & Code Enforcement Department

STRATEGIC WORKPLAN*

- GOAL 1:** Excellence in customer service and delivery of services
- GOAL 2:** Bar Harbor 2035 - a comprehensive plan that captures the community's vision for future growth and development while preserving its character
- GOAL 3:** Policies, programs, and land use regulations aligned with town-identified priorities

**Following is a list of documents, meetings and conversations that supported the creation of this workplan:*

- 1. Town of Bar Harbor Open Space Plan (2014-2020)*
- 2. Town of Bar Harbor Housing Policy Framework (October 1, 2019)*
- 3. Town of Bar Harbor Climate Action Plan (November 2021)*
- 4. Bar Harbor Town Council Priorities (July 19, 2022)*
- 5. An Examination of Bar Harbor Development Process (September 15, 2022)*
- 6. Framework to Improve the Development Process in Bar Harbor (September 23, 2022)*
- 7. Meeting with the Bar Harbor Chamber of Commerce Board of Directors (September 2, 2022)*
- 8. Meeting with the Planning & Code Enforcement Department staff (October 3 and 17, and December 12, 2022)*
- 9. Town Council meeting on October 3, 2022*
- 10. Planning Board meeting on October 5, 2022*
- 11. Comprehensive Planning Committee meeting on October 12, 2022*
- 12. One-on-one meetings with three downtown business people during the month of October 2022*
- 13. Design Review Board meeting on November 10, 2022*
- 14. Town of Bar Harbor Climate Emergency Task Force meeting on December 12, 2022*
- 15. Town of Bar Harbor Conservation Commission meeting on December 12, 2022*
- 16. The list of possible Land Use Ordinance Amendments that is maintained by the Planning & Code Department*

Note: Sentences that are written in green and that are underlined further the November 2021 Town of Bar Harbor Climate Action Plan and/or are climate-friendly.

Goal 1: Excellence in customer service and delivery of services

Objectives

- 1.1 To provide ease of access to services and information.
- 1.2 To create conversations with the community – inform and respond to questions.
- 1.3 To increase public trust in government - boards and staff.
- 1.4 To have a development process that is simpler and shorter.
- 1.5 To address concerns expressed by people opposing changes.
- 1.6 To ensure timely, consistent, predictable and fair delivery of service.
- 1.7 To create a Land Use Ordinance which both administrators (town staff and boards) and applicants can understand and comply with.
- 1.8 To identify and understand customer expectations.
- 1.9 To ensure that ordinances comply with state law, as applicable.
- 1.10 To implement codes, consistently and fairly.

Actions

- A. Add and implement IworQ planning module.
- B. Develop material to visually explain the approval/permit process (approval, permitting, etc.) by the Code Enforcement Officer (permit-by-right), by the Planning Director, and by boards to include steps, number of meetings, schedule, what is expected from the board or staff, what is expected from the applicants, how staff communicates, etc.
- C. Develop Frequently Asked Questions (FAQs).
- D. Develop and implement formal onboarding process and require training for members of the three quasi-judicial boards, with more intensive training for the chair and vice-chair.
- E. Develop and disseminate outreach material for substantive Land Use Ordinance amendments, as well as new code language.
- F. Provide public outreach to explain what is in the Land Use Ordinance and how to use it, as well as recent amendments.

- G. Provide a Maine Municipal Association Board Manual and up-to-date copy of the Land Use Ordinance to all quasi-judicial board (Planning Board, Board of Appeals, and Design Review Board) members.
- H. Complaints and compliments – provide a way for customers and residents to express their satisfaction and/or dissatisfaction with the department (process, boards, staff, etc.) and a system for the department to address them.
- I. Conduct an examination of Bar Harbor’s development process with non-developers (residents and homeowners).
- J. Tell our story early and regularly to explain initiatives and projects (what is going on), to inform the community, to let residents know of upcoming engagement opportunities, and to explain why and how we do what we do, etc.
- K. Schedule yearly check-in between the Town Council/Town Manager, staff, and the Planning Board, and similarly but separately with the Design Review Board and with the Conservation Commission.
- L. Improve public input by making sure that people know they are being heard (even if they cannot be acted on) during project review and approval, and Land Use Ordinance amendment process.
- M. Propose amendments to the approval procedures and paths for amendments of the Land Use Ordinance to include Planning Board, Design Review Board, and Board of Appeals.
- N. Track and propose amendments to language in the Land Use Ordinance that is incoherent, incorrectly punctuated, obsolete, unexplainable, etc.
- O. Enhance the readability of the Land Use Ordinance by using plain English, providing clear definitions, correcting outdated cross-references, and using visual/text box aids.
- P. Extricate the shoreland zoning provisions (125-68) out of Chapter 125, Land Use Ordinance, and make it its own chapter of the municipal code.
- Q. Review and update the rules of procedure for all three quasi-judicial boards to move toward a more paperless process.

- R. Review and update the rules of procedure for all three quasi-judicial boards to provide for structured onboarding and training.
- S. Provide annual training for the Planning Board, the Design Review Board, and Conservation Commission on the causes and impacts of climate change (basic knowledge) as it relates to Maine and thus provide for more informed decision making.
- T. Create “guardrails” for the approval of new buildings by the Design Review Board by focusing the review on the standards of the Land Use Ordinance, to include a formal review of compliance with standards and a written decision.
- U. Update the capacity forms for Water, Wastewater, Highway, Fire and Police departments, to increase efficiency and better outcomes.
- V. Identify what matters to our customers/residents and develop benchmarks to assess our performance with delivery of service.
- W. Develop itemized list of steps/instructions to manage the application process to the Board of Appeals and the Design Review Board, as well as for the minor site plan process.
- X. Scan all minutes (including old ones) into Laserfiche so they are searchable.
- Y. Implement, as applicable, LD 2003/P.L. 2021, Ch. 672, An Act to Implement The Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions.

Goal 2: Bar Harbor 2035 – a Comprehensive Plan that captures the community’s vision for future growth and development while preserving its character.

Objectives

- 2.1 To deliver a realistic and implementable comprehensive plan that reflects the community and its priorities.
- 2.2 To complete the final draft by October 2023.
- 2.3 To deliver a useful and meaningful Comprehensive Plan Executive Summary by December 2023.
- 2.4 To have a question to approve the comprehensive plan on the November 2024 ballot.
- 2.5 To identify growth areas and rural areas, as defined by the Maine Growth Management Act.
- 2.6 To explore greenfield development and infill development policies.
- 2.7 To support an economically and demographically diverse community.
- 2.8 To explore climate-friendly land use policies and land use patterns (density, street design, bike/ped connections, etc.).
- 2.9 To explore housing policies that will result in an increase in both supply and choices, while decreasing the price of entry.
- 2.10 To encourage housing by requiring less land per dwelling unit.
- 2.11 To encourage housing of all types and at all price points.
- 2.12 To explore the balance between tourism and quality of life.
- 2.13 To explore policies that capitalize on existing infrastructure, namely water and sewer.
- 2.14 To explore regional coordination interest in topics including, but not limited to, housing and transportation.

Actions

- A. Secure additional financing to complete the plan that the community expects.
- B. Continue focusing on meaningful participation (engagement and outreach).
- C. Increase engagement of the 18 to 35 age cohort.
- D. Identify the town's peak population.
- E. Ensure that sustainability is woven throughout the Comprehensive Plan.
- F. Explore the topics of tourism capacity and quality of life (to include qualitative and quantitative data) through a possible lens of infrastructure and service capacity such as, but not limited to, housing, traffic congestion, labor, sidewalk capacity, parking capacity, hospital capacity, town staffing, etc.
- G. Explore the topic of building performance standards to address energy performance and carbon emissions, while balancing the need for housing affordability.
- H. Provide guidance on how to meet the existing and future housing needs such as allowing housing in districts, types, and densities where it is not presently allowed.
- I. Provide guidance on using less land per dwelling unit by reforming the existing zoning by addressing barriers to housing such as overly strict zoning dimensional requirements (namely minimum lot size, minimum area per family, setbacks, height, lot coverage, and density).
- J. Provide guidance on the interest in relaxing the overly complex administrative processes.
- K. Provide guidance on the interest in reducing the number of zoning districts and developing a table of land uses based on the idea of "allowed uses unless expressly prohibited."
- L. Provide guidance to increase sustainable transportation. Provide guidance on the interest in having zoning districts with greater depth off the main roads, as well as avoiding the bisection of lots in numerous zonings districts.
- M. Provide guidance on the interest and need for regional coordination including, but not limited to, housing and transportation.

Goal 3: Policies, programs, and land use regulations aligned with town-identified priorities.

Objectives

- 3.1 To propose land use amendments that will help meet the community's priorities and goals.
- 3.2 To foster actions to increase the housing stock to reasonably meet the town's demand and needs by 2035.
- 3.3 To review and refine the Design Review Board building and sign standards, and review procedures.
- 3.4 To work with the region to meet housing and transportation demand and needs.

Actions — Pre- and/or non-Comprehensive Plan related

- A. Create an inclusionary housing program/zoning.
- B. Amend the Planned Unit Development provisions in the Land Use Ordinance with a focus on cluster housing and conservation subdivision (125-69 M and S).
- C. Review the Affordable Housing provisions in the Land Use Ordinance (126-69 R).
- D. Amend the definition of multi-family dwelling I and II (125-109).
- E. Delete the requirements of double setbacks between buildings (125-67B3).
- F. Add parking standards for all Transient Accommodations (125-67B).
- G. Consider the merger of Downtown Village I and II zoning districts (125-21 & 21.1).
- H. Consider expanding the number of districts where Employee Living Quarter (ELQ) and Shared Accommodation (SA) are allowed (Article III).
- I. Consolidate transient uses which presently include 16 different definitions (eight types of Transient Accommodation (TA), five types of Bed & Breakfast, hotels, motels, and cabins) (Article 3).
- J. Amend the provisions for the recording of subdivision plans (125-8B) at the Hancock County Registry of Deeds to be consistent with the County's requirements.

- K. Make the measurement of setback distances consistent (125-67B2) throughout all districts (excludes shoreland districts).
- L. Propose the deletion of the floor area ratio requirements (125-22) in the Village Residential District.
- M. Review parking standards for restaurants (125-67D).
- N. Clarify setbacks requirements for driveways and roads (125-67T).
- O. Update cell tower standards(125-69).
- P. Review solar provisions (districts, decommissioning plan and revegetation).
- Q. Consider having all signs within the Design Review Overlay District as Code Enforcement Officer permit/permit-by-right, with the exception of the ones that are internally illuminated.
- R. For new Transient Accommodation (TA) to include TA-1, TA-3, TA-4, and TA-6, and new Shared Accommodation (SA) SA-1, SA-2, and SA-3, and new Bed and Breakfast (B&B) B&B-1, B&B2, B&B-3, B&B-4, B&B-5 and B&B-6 uses that are outside of the Design Review Overlay District either develop review standards or remove the review from the purview of the Design Review Board. Consider excluding the existing TAs out of the purview of the Design Review Board where no exterior changes are proposed.
- S. Revise the design review standards that are being applied for the review of new buildings.
- T. Consider adding all properties on the National Register of Historic Places to Appendix A.
- U. Create a path for the Design Review Board to bring forth Land Use Ordinance amendments.
- V. Seek and apply for funding to assist with and incentivize the construction of affordable housing.
- W. Seek creative approaches to incentivize affordable housing.
- X. Advance housing policies and programs, and work to align the town's development activities with its priorities.

- Y. Work with Federal, State and regional partners to study, establish, and expand housing opportunities.
- Z. Develop and maintain working relationship with the community, state agencies, non-profit organizations, lenders, developers and realtors.
- AA. Work with the Sustainability Coordinator to develop sustainability benchmarks to serve as standards by which we judge and measure the impacts of our decisions.

Actions — Comprehensive Plan related

- A. Review and refine all performance standards to assess if they are still up-to-date and meaningful, beginning with ones that are ignored, obsolete, unenforceable, and/or that no one knows the reason why they are in the Land Use ordinance such as groundwater, nitrate calculations (126-67K), etc.
- B. Review the dimensional requirements, district boundaries, and allowed uses, and level of review, and revise as needed.
- C. Work with the Sustainability Coordinator to draft building performance standards to address energy performance and carbon emissions, while keeping in the forefront the need to maintain an affordable cost of entry.