

IV. MAKING CHANGE HAPPEN

Creating positive change in the village center will involve a high level of cooperation between the public and private sectors. Actions by one can and do greatly influence the other. Investment in infrastructure by the public sector is one of the prime stimulants to private investment. Many private sector dollars generally follow every one public dollar invested.

Public policies and regulations also play a part in creating change. It is not the existence of regulations (if they are reasonable) that discourage the private sector, but the uncertainty surrounding vague, confusing or burdensome regulations. Developers and business owners respond positively when expectations and rationale are clearly articulated and demonstrated.

Many different tools are available for the Town to consider to shape and manage growth, development and redevelopment in the Village Center. These tools cover the types of development that can occur as well as their aesthetics and design. They vary in great degree in the complexity of their administration and costs to the Town and developers. Many the Town has already has implemented. For several of the tools, *Pros* and *Cons* are listed to discuss some of the trade-offs involved in their use. *Options* for their implementation are also provided.

Construction of the southwest relief route or bypass is one particularly important action that will greatly affect the character of the Village Center. It is crucial that this project move forward according to the timetable that was established by its planning process. The bypass is expected to have a profound effect on the character of traffic, including trucks, traversing the village center. While there will remain a large amount of through traffic, it will be less dominant. The current traffic situation drives away potential customers and clients of village businesses during periods of heaviest traffic.

A. FUNDING TOOLS

Town Investments

The Town can invest directly in public improvements in the downtown. Town funds could be used for road, curb and sidewalk improvements, tree planting, overhead lights, parking areas and other improvements. *Pros:* Can enhance the downtown and otherwise provide a mechanism for implementing the Plan. *Cons:* Town funds are limited, and there are other municipal needs requiring financial support. Town funds can not be used for improvements on private property that benefit one or a few property owners.

Options:

- ◆ Make periodic investments in public improvements, either to address the most serious needs or to enhance/encourage beneficial private investment.
- ◆ Schedule regular public investments through a capital improvements program, consistent with the downtown plan.

While federal/state grant programs are not as widely available as they were 10 years ago, there are still grant opportunities that could benefit the downtown. These include several categories of the State's Community Development Block Grant Program.

- * The Downtown Revitalization Grant Program, which can be used to address "slum and blight" conditions in the downtown. Eligible activities include sidewalk, street and other public facility repairs, facade grants, and the removal of blighted buildings, to name a few.
- * The Housing Assistance Grant Program, which can be used to rehabilitate single-family and multi-family housing units which are occupied by low to moderate income people. This program may be beneficial for the rehabilitation of second and third story downtown buildings.
- * The Micro Loan Grant Program, which can be used by the Town to provide low interest loans to assist existing businesses and new businesses that retain or create jobs for low to moderate income people. This program can be used to strengthen or attract specific types of businesses desired in the downtown.
- * The Economic Development Infrastructure Grant Program, which can be used to develop or rehabilitate public infrastructure so that existing and new businesses can retain or create jobs for low to moderate income people.

Other grant programs include:

- * The Land and Water Conservation Fund, administered by the Maine Department of Conservation, which can be used for the acquisition, development and renovation of public outdoor recreation facilities. Towns must either own the land or use grant funds to purchase it. Match requirements are 75% for a school project, and 50% for a non-school project.

- * Maine Trails Funding Program, administered by the Maine Department of Conservation, provides funds for trail construction for bicycle and pedestrian use.
- * The Urban Forestry Grant provides grant money for tree planting programs.

Pros: These grant programs can allow Gorham to make downtown investments which the Town could not afford to undertake on its own. *Cons:* These programs are highly competitive and require much citizen participation and local matching funds.

Maine Department of Transportation (MDOT) Programs

The MDOT provides funds to municipalities from a variety of programs, some of which could be used to support downtown improvements. These programs include:

- * Biennial Program. Many reconstruction, paving and safety improvement projects are funded through the MDOT's Biennial Transportation Improvement Program (BTIP). Gorham works with PACTS and the MDOT to set regional funding priorities for this program. The Town can work to ensure that the momentum for traffic relief routes continue and that other funds for downtown improvements are made available.
- * Enhancement Program. This program provides funding for bicycle, pedestrian, historic, trail, landscaping and other similar ancillary activities.
- * Gateway Program. This program provides up to \$5,000 per town for the construction of "gateway" enhancements to welcome visitors.
- * CMAQ Program. The Congestion Mitigation/Air Quality program provides support for transportation projects that reduce congestion and improve air quality. Some traffic signal projects may qualify but the program is primarily used for alternative modes such as bus, carpool/vanpool and rail projects.

Tax Increment Financing Program

A number of municipalities have participated in the state's Tax Increment Financing (TIF) program to fund improvements to support private development initiatives. The creation of a TIF district in the downtown would allow taxes from increased property values to be dedicated

to pay for public improvement within the district. To a large extent, the success of the program would depend upon the extent to which new businesses invest in the downtown. *Pros:* Provides a workable mechanism for securing public funds for downtown investments. *Cons:* Diverts funds that would otherwise be available for other purposes, and may limit the use of TIFs in other parts of town because of statutory limits on the percentage of land area and tax base that can be included in the program.

Loan Programs

There are a number of low interest loan programs that can be used by municipalities as well as developers. Such programs could be used to finance redevelopment in the downtown. These programs include the Maine Municipal Bond Bank which makes low interest loans to communities, the CDBG Development fund (loans up to \$100,000 or 40% of total project cost), the CDBG Interim Finance Program (short term loans for retention of housing and job opportunities for low to moderate income people), and Finance Authority of Maine (FAME) Business Development Programs (a range of loan programs for private businesses).

Pros: Provides another way of financing municipal improvements or private development. A tool to target certain types of businesses. *Cons:* Some of these programs are aimed at larger businesses which may not be appropriate for the village commercial district.

Options:

- ♦ Consider loan programs among many options for financing downtown change.
- ♦ Become more actively involved in packaging loans for the types of businesses that would benefit downtown.

B. COORDINATION TOOLS

Coordination activities can include a broad range of actions aimed at improving the downtown. Examples could include the following:

- * Downtown Revitalization Committee. A formal, broad-based committee could be formed to spear-head implementation of the downtown plan. The committee could be a key force in generating the kind of interest, enthusiasm and on-going support that will be needed to translate the downtown vision into a reality. Part of the committee's charge could be to promote and "sell" the plan to the general public and members of the business community.

- * **Public/Private Partnerships.** The Town can work closely with the private sector to encourage downtown improvements that will benefit both the public and private businesses. An example might be a town/business alliance aimed at supporting and enhancing the relief route. Another might be a joint enterprise aimed at providing more off-street parking, or encouraging residential development on the upper floors of downtown businesses.
- * **University Effort.** A formal Town/USM committee could be formed for the purpose of working with the University to minimize downtown congestion at peak times.
- * **Volunteers.** Many successful downtowns rely heavily on volunteers to make things happen. Volunteer efforts range from serving on committees, spear-heading downtown promotions and activities, planting trees and flowers, and preparing newsletters and articles to keep the public informed of events, activities and important meetings.

Pros: A range of coordination activities can generate broad-based enthusiasm and support for downtown improvements. *Cons:* Such efforts require a major commitment of time and resources in order to be effective.

Options:

- ◆ Form a downtown revitalization committee to oversee implementation of the master plan and otherwise provide support for a broad range of downtown improvement initiatives.
- ◆ Build on current public private cooperative efforts to further enhance the downtown.

C. REGULATORY TOOLS

Regulatory tools formalize Town goals and objectives. There are reasons why development has occurred in the existing pattern and by current uses. Town ordinances and regulations provided a blueprint (or failed to) for what occurred. Zoning, subdivision, sign and other ordinances have within them many parameters that regulate design either explicitly or by omission. Town zoning in the past allowed parking to occur in front of buildings and currently allows signs to be scaled and oriented to automobile occupants rather than pedestrians.

It is critical to understand the implications of the “hidden design” within zoning ordinances. It is important for the Town to develop a consensus about what historic and recent design

elements and patterns it likes, and ensure that those elements and patterns are permitted (and in some instances required) to be built.

- * **“Standard” Zoning:** Provisions within a standard zoning ordinance include requirements and limitations such as lot size and coverage, parking, building height and location, and permitted and conditional uses. The Town currently has “standard” zoning which includes general performance standards. If a town has a firm sense of what types of uses and patterns of development it wants to permit, then “standard” zoning can generally suffice. *Pros:* Applies equally to all development within the district. *Cons:* Generally inflexible, and can discourage creative development. If there are no other controls, it can result in “cookie cutter” type development that doesn’t reflect local desires or history.

Options:

- ♦ Evaluate effects of permitted uses against Town goals for making village centers more people oriented. Examine provisions such as setbacks, parking requirements, and drive-thru allowances.
 - ♦ Move to a more performance standards-based approach specifying allowed impacts and broad development guidelines rather than detailed zoning ordinance.
- * **Contract Zoning:** A formal legal agreement between a developer and municipality. The agreement allows a development to vary from established zoning requirements in exchange for strict adherence to the details of the agreement. Gorham has recently instituted contract zoning and it is available throughout the town. *Pros:* Can allow exceptional and beneficial development to occur that otherwise would not through normal zoning. *Cons:* Can be very difficult and expensive to administer. Difficult to develop criteria to determine what is exceptional and beneficial development for approval; approval process can become very contentious and political.

Options:

- ♦ Contemplate changes in contract zoning such as limiting areas eligible for contract zoning. This type of change might make only village centers or industrial areas eligible for contract zoning.
- ♦ In the village center, the restriction on residential uses could be lifted for residential use which is an upper story use of a multi-story building,

encouraging apartments over shops in the village center. This multi-use can maintain cash flow by having residential use if the demand for retail space is weak and provide “life” after business hours.

- * **Design Review:** Design review clearly identifies for proposed development the community expectations in terms of quality of design. Items that are generally included in design review include the types of materials allowed, building architecture (building size and massing, roof pitch, window placement and style), lighting, landscaping, signs and parking. A clear set of guidelines is produced which establish criteria for acceptance. The guidelines document contains numerous graphics to illustrate design considerations, often including “Do’s” and “Don’ts”. Developers have clearer understanding of the wishes of the town. It is critical that the design review guidelines adopted are related to appropriate concerns for public health, safety and welfare. Measures of this type have been widely upheld when developed with clear stated purposes. Excerpts from the Design Review Guidelines for Amherst, Massachusetts are provided in Appendix D.

Options:

- ◆ Make design review part of the site plan review process. The Planning Board is then responsible for implementation. *Pros:* Gives the Town more upfront and consistent control over the end result of development. This requires less administrative burdens on the town by weaving into an existing process. *Cons:* One part of entire process of design review. Planning Board can be less focused on aesthetics than other aspects of the project. Requirements are generally less stringent than if a separate process.
- ◆ Establish a stand-alone design review ordinance overseen by a separate board. The standards can apply to designated areas within the town by establishing special districts or overlay zones. The ordinance usually governs all aspects of the design of new construction and building alterations. They can be more stringent than guidelines (see below). Standards are often used in historic districts to ensure alterations to historic structures. *Pros:* Permits the Town strong control over the aesthetics and design of developments. Review Board members can be selected for their commitment to design and aesthetic considerations. *Cons:* New regulatory burden for developer and administrative

burden for town. Can be perceived as more unfriendly to business than if part of site plan review.

- * **Sign Ordinance:** A sign ordinance controls one of the most visible elements of a streetscape. Well designed signs should enhance and accentuate the architecture as well as provide advertising for businesses. This type of ordinance generally has distinct standards for different parts of a town.

Options: The new ordinance could adopt pedestrian-scale sign standards for the village.

- ♦ The ordinance can declare existing signs that do not comply with these standards as non-conforming. Non-conforming signs can be amortized for removal based on their age and cost with a timetable established for replacement.
- ♦ Or, more commonly, they are allowed to remain until there is a change of use or are replaced. Replaced signs should need to conform to the new ordinance.

Parking

- * **Shared or Joint Use Parking:** This program allows a reduction in parking requirements for developments that have varied parking demands. Uses are such that peak demands occur at different times, reducing the overall need for parking. Typical combinations of uses include: residential uses and office buildings; movie theaters and office buildings. Current zoning in the village commercial district allows shared parking with approval from the Board of Appeals. *Pros:* Can reduce development costs for developers, and therefore be an incentive for mixed-use development. Reduces amount of land devoted to parking, reducing its impact on an area. *Cons:* Uses change over time and may result in a shortage of parking. Management issues need to be clearly decided between property owners if more than one is involved.
- * **Interconnected Parking:** Provisions for interconnected parking require or encourage, when possible, connections between adjacent lots. They can be used in conjunction with access management techniques to manage allowed movements onto streets. The Planning Board currently has broad latitude to limit access to streets. *Pros:* Improves circulation between parking lots. Reduces vehicles entering and exiting from roadways.

Cons: Space devoted to connections can reduce space available for parking. Management of connections must be clearly defined.

- * **Parking Requirements.** This part of the zoning attempts to ensure appropriate parking facilities for new development or a change of use. Current specifications do not adequately cover enough types of specific uses, especially for service type of businesses.

Infill Development

- * Infill development is the development of a vacant parcel or redevelopment of an underutilized parcel. Or, infill can be an accessory structure that is built on an already developed parcel.

Options: The zoning ordinance could allow a broader use of accessory structures on already developed parcels if certain performance standards are met. *Pros:* Can be effective at filling in existing gaps in streetscape where existing structures have large setbacks (e.g., Village Mall Shopping Center and Cook's Hardware). Adds variety and visual interest in town centers. Can increase tax base. *Cons:* Can reduce space currently allotted to parking.

Access Management

- * Access management is the local control of driveways, vehicle movements and intersections to maintain roadway safety and traffic carrying capacity.

Options:

- ◆ Retain existing provisions for oversight of driveway location and design within zoning ordinance.
- ◆ Develop separate access management bylaw that includes more specific guidance on driveway design and location. There are many 'model' ordinances available.