



House of Representatives

General Assembly

File No. 384

January Session, 2003

Substitute House Bill No. 6640

House of Representatives, April 16, 2003

The Committee on Planning and Development reported through REP. WALLACE of the 109th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING SMART GROWTH.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-23 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2003*):

3 (a) (1) At least once every ten years, the commission shall prepare or
4 amend and shall adopt a plan of conservation and development for the
5 municipality. Following adoption, the commission shall regularly
6 review and maintain such plan. The commission may adopt such
7 geographical, functional or other amendments to the plan or parts of
8 the plan, in accordance with the provisions of this section, as it deems
9 necessary. The commission may, at any time, prepare, amend and
10 adopt plans for the redevelopment and improvement of districts or
11 neighborhoods which, in its judgment, contain special problems or
12 opportunities or show a trend toward lower land values.

13 (2) If a plan is not amended decennially, the chief elected official of
14 the municipality shall submit a letter to the Secretary of the Office of
15 Policy and Management and the Commissioners of Transportation,
16 Environmental Protection and Economic and Community
17 Development that explains why such plan was not amended. Until the
18 plan is amended in accordance with this subsection, a copy of such
19 letter shall be included in each application by the municipality for
20 funding for the conservation or development of real property
21 submitted to said secretary or commissioners.

22 (b) In the preparation of such plan, the commission may appoint
23 one or more special committees to develop and make
24 recommendations for the plan. The membership of any special
25 committee may include: Residents of the municipality and
26 representatives of local boards dealing with zoning, inland wetlands,
27 conservation, recreation, education, public works, finance,
28 redevelopment, general government and other municipal functions. In
29 performing its duties under this section, the commission or any special
30 committee may accept information from any source or solicit input
31 from any organization or individual. The commission or any special
32 committee may hold public informational meetings or organize other
33 activities to inform residents about the process of preparing the plan.

34 (c) In preparing such plan, the commission or any special committee
35 shall consider the following: (1) The community development action
36 plan of the municipality, if any, (2) the need for affordable housing, (3)
37 the need for protection of existing and potential public surface and
38 ground drinking water supplies, (4) the use of cluster development
39 and other development patterns to the extent consistent with soil
40 types, terrain and infrastructure capacity within the municipality, (5)
41 the state plan of conservation and development adopted pursuant to
42 chapter 297, (6) the regional plan of development adopted pursuant to
43 section 8-35a, (7) physical, social, economic and governmental
44 conditions and trends, (8) the needs of the municipality including, but
45 not limited to, human resources, education, health, housing, recreation,
46 social services, public utilities, public protection, transportation and

47 circulation and cultural and interpersonal communications, and (9) the
48 objectives of energy-efficient patterns of development, the use of solar
49 and other renewable forms of energy and energy conservation.

50 (d) (1) Such plan of conservation and development shall (A) be a
51 statement of policies, goals and standards for the physical and
52 economic development of the municipality, (B) provide for a system of
53 principal thoroughfares, parkways, bridges, streets, sidewalks and
54 other public ways as appropriate, (C) be designed to promote, with the
55 greatest efficiency and economy, the coordinated development of the
56 municipality and the general welfare and prosperity of its people, [(C)]
57 (D) recommend the most desirable use of land within the municipality
58 for residential, recreational, commercial, industrial, conservation and
59 other purposes, [(D)] (E) recommend the most desirable density of
60 population in the several parts of the municipality, [(E)] (F) note any
61 inconsistencies it may have with the state plan of conservation and
62 development adopted pursuant to chapter 297, [(F)] (G) make
63 provision for the development of housing opportunities, including
64 opportunities for multifamily dwellings, consistent with soil types,
65 terrain and infrastructure capacity, for all residents of the municipality
66 and the planning region in which the municipality is located, as
67 designated by the Secretary of the Office of Policy and Management
68 under section 16a-4a, [(G)] (H) promote housing choice and economic
69 diversity in housing, including housing for both low and moderate
70 income households, and encourage the development of housing which
71 will meet the housing needs identified in the housing plan prepared
72 pursuant to section 8-37t and in the housing component and the other
73 components of the state plan of conservation and development
74 prepared pursuant to chapter 297. Such plan shall identify areas where
75 it is feasible and prudent (i) to have compact, transit accessible,
76 pedestrian-oriented mixed use development patterns and land reuse,
77 and (ii) to promote such patterns and reuse.

78 (2) For any municipality that is contiguous to Long Island Sound,
79 such plan shall be (A) consistent with the municipal coastal program
80 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with

81 reasonable consideration for restoration and protection of the
82 ecosystem and habitat of Long Island Sound, and (C) designed to
83 reduce hypoxia, pathogens, toxic contaminants and floatable debris in
84 Long Island Sound.

85 (e) Such plan may show the commission's and any special
86 committee's recommendation for (1) conservation and preservation of
87 traprock and other ridgelines, (2) [a system of principal thoroughfares,
88 parkways, bridges, streets and other public ways, (3)] airports, parks,
89 playgrounds and other public grounds, [(4)] (3) the general location,
90 relocation and improvement of public buildings, [(5)] (4) the general
91 location and extent of public utilities and terminals, whether publicly
92 or privately owned, for water, sewerage, light, power, transit and other
93 purposes, [(6)] (5) the extent and location of public housing projects,
94 [(7)] (6) programs for the implementation of the plan, including (A) a
95 schedule, (B) a budget for public capital projects, (C) a program for
96 enactment and enforcement of zoning and subdivision controls,
97 building and housing codes and safety regulations, (D) plans for
98 implementation of affordable housing, [and] (E) plans for open space
99 acquisition and greenways protection and development, (F) plans for
100 corridor management areas along limited access highways and rail
101 lines, designated under section 16a-27, as amended by this act, and (G)
102 plans for schools, (7) proposed priority funding areas, and (8) any
103 other recommendations as will, in the commission's or any special
104 committee's judgment, be beneficial to the municipality. The plan may
105 include any necessary and related maps, explanatory material,
106 photographs, charts or other pertinent data and information relative to
107 the past, present and future trends of the municipality.

108 (f) A plan of conservation and development or any part thereof or
109 amendment thereto prepared by the commission or any special
110 committee shall be reviewed, and may be amended, by the
111 commission. [prior to scheduling at least one public hearing on
112 adoption. At least sixty-five days prior to the public hearing on
113 adoption, the commission shall submit a copy of such plan or part
114 thereof or amendment thereto for review and comment to the

115 legislative body. Such body may hold one or more hearings on the
116 proposed plan and shall submit any comments to the commission
117 prior to the public hearing on adoption. The failure of such body to
118 report prior to or at the public hearing shall be taken as approval of the
119 plan. At least sixty-five days prior to the public hearing on adoption,
120 the commission shall submit a copy of such plan to the regional
121 planning agency for review and comment. The regional planning
122 agency shall report its comments to the commission at or before the
123 hearing. The failure of the regional planning agency to report at or
124 before the hearing shall be taken as approval of the plan. The report of
125 the regional planning agency shall be advisory. Prior to the public
126 hearing on adoption, the commission shall file in the office of the town
127 clerk a copy of such plan or part thereof or amendment thereto but, in
128 the case of a district commission, such commission shall file such
129 information in the offices of both the district clerk and the town clerk.
130 The commission shall cause to be published in a newspaper having a
131 general circulation in the municipality, at least twice at intervals of not
132 less than two days, the first not more than fifteen days, nor less than
133 ten days, and the last not less than two days prior to the date of each
134 such hearing, notice of the time and place of any such public hearing.
135 Such notice shall make reference to the filing of such plan in the office
136 of the town clerk, or both the district clerk and the town clerk, as the
137 case may be.] The commission shall submit the preliminary plan to the
138 regional planning agency for review and comment. Not more than
139 sixty-five days after receipt of such plan, the regional planning agency
140 shall submit an advisory report to the commission and the legislative
141 body of the municipality which shall include a finding on the
142 consistency of the plan with the regional plan of development,
143 adopted under section 8-35a, as amended by this act, and the state plan
144 of conservation and development. Upon receipt of the advisory report,
145 the commission shall notify the Secretary of the Office of Policy and
146 Management of any inconsistency with the state plan and the reasons
147 therefor. The commission may revise the plan in accordance with the
148 report of the regional planning agency. The commission shall submit
149 the preliminary plan to the legislative body of the municipality for its

150 review and comment. The legislative body shall conduct a public
151 hearing on such plan. After the public hearing, the legislative body
152 shall make findings in the form of comments or recommendations on
153 the plan and shall submit such findings to the commission. The
154 commission, after consideration of the findings of the legislative body,
155 the consistency with the regional plan of development and the state
156 plan of development and the testimony at the public hearing
157 conducted by the legislative body, may revise the plan. The
158 commission shall then conduct a public hearing on the proposed final
159 plan. Prior to the public hearing on the plan, the commission shall file
160 in the office of the town clerk a copy of such plan or part thereof or
161 amendment thereto but, in the case of a district commission, such
162 commission shall file such information in the offices of both the district
163 clerk and the town clerk. The commission shall cause to be published
164 in a newspaper having a general circulation in the municipality, at
165 least twice at intervals of not less than two days, the first not more than
166 fifteen days, nor less than ten days, and the last not less than two days
167 prior to the date of each such hearing, notice of the time and place of
168 any such public hearing. Such notice shall make reference to the filing
169 of such plan in the office of the town clerk, or both the district clerk
170 and the town clerk, as the case may be. After completion of the public
171 hearing, the plan shall be submitted to the legislative body. The
172 legislative body may endorse or reject the entire proposed final plan or
173 parts thereof and may submit comments and recommend changes to
174 the commission. The commission may adopt the plan or revise the
175 plan by a single resolution or by successive resolutions. Any plan,
176 section of a plan or recommendation not endorsed by the legislative
177 body may be adopted by the commission by a vote of not less than
178 two-thirds of all the members of the commission. Upon adoption by
179 the commission, any plan or part thereof or amendment thereto shall
180 become effective at a time established by the commission, provided
181 notice thereof shall be published in a newspaper having a general
182 circulation in the municipality prior to such effective date. Any plan or
183 part thereof or amendment thereto shall be filed in the office of the
184 town clerk, except that, if it is a district plan or amendment, it shall be

185 filed in the offices of both the district and town clerk. Within sixty-five
186 days of adoption, the commission shall (1) notify the Secretary of the
187 Office of Policy and Management of any inconsistency with the state
188 plan of conservation and development and the reasons therefor, and
189 (2) notify the regional planning agency of any inconsistency with the
190 regional plan of development and the reasons therefor.

191 [(g) The commission may adopt the plan or any part thereof or
192 amendment thereto by a single resolution or may, by successive
193 resolutions, adopt parts of the plan and amendments thereto. Any
194 plan, section of a plan or recommendation in the plan, not endorsed by
195 the legislative body of the municipality may be adopted by the
196 commission by a vote of not less than two-thirds of all the members of
197 the commission. Upon adoption by the commission, any plan or part
198 thereof or amendment thereto shall become effective at a time
199 established by the commission, provided notice thereof shall be
200 published in a newspaper having a general circulation in the
201 municipality prior to such effective date. Any plan or part thereof or
202 amendment thereto shall be filed in the office of the town clerk, except
203 that, if it is a district plan or amendment, it shall be filed in the offices
204 of both the district and town clerk.

205 (h) Following adoption of a new plan by the commission, the
206 legislative body of any municipality may hold one or more hearings on
207 the proposed plan and, by resolution, may endorse the plan for the
208 municipality.]

209 Sec. 2. Section 8-35a of the general statutes is repealed and the
210 following is substituted in lieu thereof (*Effective July 1, 2003*):

211 (a) Each regional planning agency shall make a plan of development
212 for its area of operation, showing its recommendations for the general
213 use of the area including land use, housing, principal highways and
214 freeways, bridges, airports, parks, playgrounds, recreational areas,
215 schools, public institutions, public utilities and such other matters as,
216 in the opinion of the agency, will be beneficial to the area. Any
217 regional plan so developed shall be based on studies of physical,

218 social, economic and governmental conditions and trends and shall be
219 designed to promote with the greatest efficiency and economy the
220 coordinated development of its area of operation and the general
221 welfare and prosperity of its people. Such plan may encourage energy-
222 efficient patterns of development, the use of solar and other renewable
223 forms of energy, and energy conservation. Such plan shall be designed
224 to promote abatement of the pollution of the waters and air of the
225 region. The regional plan shall identify areas where it is feasible and
226 prudent to (1) have compact, transit accessible, pedestrian-oriented
227 mixed use development patterns and land reuse, and (2) promote such
228 patterns and reuse. The plan of each region contiguous to Long Island
229 Sound shall be designed to reduce hypoxia, pathogens, toxic
230 contaminants and floatable debris in Long Island Sound.

231 (b) Before adopting the regional plan of development or any part
232 thereof or amendment thereto the agency shall hold at least one public
233 hearing thereon, notice of the time, place and subject of which shall be
234 given in writing to the chief executive officer and planning
235 commission, where one exists, of each member town, city or borough,
236 [, and to the Secretary of the Office of Policy and Management, or his
237 designee.] Notice of the time, place and subject of such hearing shall be
238 published once in a newspaper having a substantial circulation in the
239 region. At least sixty-five days before the public hearing the regional
240 planning agency shall submit the plan to the Secretary of the Office of
241 Policy and Management for findings in the form of comments and
242 recommendations. Such findings shall include a review of the plan to
243 determine if the proposed regional plan of development is consistent
244 with the state plan of conservation and development. Such notices
245 shall be given not more than twenty days nor less than ten days before
246 such hearing. The regional planning agency shall note on the record
247 any inconsistency with the state plan of conservation and development
248 and the reasons for such inconsistency. Adoption of the plan or part
249 thereof or amendment thereto shall be made by the affirmative vote of
250 not less than a majority of the representatives on the agency. A copy of
251 the plan or of any amendments thereto, signed by the chairman of the
252 agency, shall be transmitted to the chief executive officers, the town,

253 city or borough clerks, as the case may be, and to planning
254 commissions, if any, in member towns, cities or boroughs, and to the
255 Secretary of the Office of Policy and Management, or his designee. The
256 regional planning agency shall notify the Secretary of the Office of
257 Policy and Management of the inconsistency and the reasons therefor.

258 (c) The regional planning agency shall revise the plan of
259 development not more than two years after the effective date of this
260 section.

261 (d) The regional planning agency shall assist municipalities within
262 its region and state agencies and may assist other public and private
263 agencies in developing and carrying out any regional plan or plans of
264 such regional planning agency. The regional planning agency may
265 provide administrative, management, technical or planning assistance
266 to municipalities within its region and other public agencies under
267 such terms as it may determine, provided, prior to entering into an
268 agreement for assistance to any municipality or other public agency,
269 the regional planning agency shall have adopted a policy governing
270 such assistance. The regional planning agency may be compensated by
271 the municipality or other public agency with which an agreement for
272 assistance has been made for all or part of the cost of such assistance.

273 Sec. 3. Section 16a-27 of the general statutes is repealed and the
274 following is substituted in lieu thereof (*Effective July 1, 2003*):

275 (a) The secretary, after consultation with all appropriate state,
276 regional and local agencies and other appropriate persons shall prior
277 to March 1, 2003, complete a revision of the existing plan and enlarge it
278 to include, but not be limited to, policies relating to transportation,
279 energy and air. Any revision made after May 15, 1991, shall identify
280 the major transportation proposals, including proposals for mass
281 transit, contained in the master transportation plan prepared pursuant
282 to section 13b-15. Any revision made after July 1, 1995, shall take into
283 consideration the conservation and development of greenways that
284 have been designated by municipalities and shall recommend that
285 state agencies coordinate their efforts to support the development of a

286 state-wide greenways system. The Commissioner of Environmental
287 Protection shall identify state-owned land for inclusion in the plan as
288 potential components of a state greenways system. Any plan adopted
289 after the effective date of this section shall identify (1) areas where it is
290 prudent and feasible (A) to have compact, transit accessible,
291 pedestrian-oriented mixed use development patterns and land reuse,
292 and (B) to promote such patterns and reuse, (2) priority funding areas
293 designated under section 5 of this act, and (3) corridor management
294 areas on either side of a limited access highway and a rail line. In
295 designating corridor management areas, the secretary shall make
296 recommendations that (i) promote land use and transportation options
297 to reduce the growth of traffic congestion; (ii) connect infrastructure
298 and other development decisions; (iii) promote development that
299 minimizes the cost of new infrastructure facilities and maximizes the
300 use of existing infrastructure facilities; and (iv) increase intermunicipal
301 and regional cooperation.

302 (b) Thereafter on or before March first in each revision year the
303 secretary shall complete a revision of the plan of conservation and
304 development.

305 Sec. 4. Section 22a-12 of the general statutes is repealed and the
306 following is substituted in lieu thereof (*Effective July 1, 2003*):

307 (a) The council shall submit annually to the Governor an
308 environmental quality report, which shall set forth: (1) The status of
309 the major environmental categories including, but not limited to, the
310 air, the water and the land environment; (2) current and foreseeable
311 trends in the quality, management and utilization of the environment
312 and the effects of such trends on the social, economic and health
313 requirements of the state; (3) the adequacy of available natural
314 resources for fulfilling human and economic requirements of the state
315 in the light of projected population pressures; (4) a review of the
316 programs and activities of the state and local governments and private
317 organizations, with particular reference to their effect on the
318 environment and on the conservation, development and utilization of

319 natural resources; (5) a program for remedying the deficiencies of
320 existing programs and activities, together with recommendations for
321 legislation; [.] and (6) the progress towards achievement of the goals
322 and objectives established in the state plan of conservation and
323 development, master transportation plan and the state-wide
324 environmental plan.

325 (b) The council shall have the authority to require submission by all
326 state agencies, at all stages of development, of construction plans for
327 review and comment by the council which shall include, but not be
328 limited to, all plans of the Department of Transportation which
329 anticipate the paving or building upon land not previously paved or
330 built upon, and location or expansion of noise-producing facilities such
331 as airports; and all plans of the Department of Public Works which
332 anticipate the paving or building upon land not previously paved or
333 built upon, the construction of structures occupying a substantially
334 greater air space than predecessor structures in the same location, and
335 the location or expansion of noise or pollution-producing facilities
336 such as heating plants, but which shall not include the conversion by
337 The University of Connecticut of a commercial or office structure to an
338 educational structure; provided the function of the council with
339 respect to such plans shall be advisory and consultative only. Review
340 by the council shall include an analysis of each plan to determine if
341 compact, transit accessible, pedestrian-oriented mixed use
342 development patterns and land reuse is feasible and prudent and if
343 such plan promotes such patterns and reuse.

344 Sec. 5. (NEW) (*Effective July 1, 2003*) (a) As used in this section:

345 (1) "Funding" includes any form of assurance, guarantee, grant
346 payment, credit, tax credit or other assistance, including a loan, loan
347 guarantee, or reduction in the principal obligation of or rate of interest
348 payable on a loan or a portion of a loan;

349 (2) "Growth-related project" means any project which includes (A)
350 the acquisition of real property when the acquisition costs are in excess
351 of one hundred thousand dollars; (B) the development or

352 improvement of real property when the development costs are in
353 excess of one hundred thousand dollars; (C) the acquisition of public
354 transportation equipment or facilities when the acquisition costs are in
355 excess of one hundred thousand dollars; or (D) the authorization of
356 each state grant, any application for which is not pending on July 1,
357 2004, for an amount in excess of one hundred thousand dollars, for the
358 acquisition or development or improvement of real property or for the
359 acquisition of public transportation equipment or facilities, except the
360 following: (i) Projects for maintenance, repair, additions or renovations
361 to existing facilities, acquisition of land for telecommunications towers
362 whose primary purpose is public safety, parks, conservation and open
363 space, and acquisition of agricultural, conservation and historic
364 easements; (ii) funding by the Department of Economic and
365 Community Development for any project financed with federal funds
366 used to purchase or rehabilitate existing single or multi-family housing
367 or projects financed with the proceeds of revenue bonds if the
368 Commissioner of Economic and Community Development determines
369 that application of this section and sections 6 and 7 of this act (I)
370 conflicts with any provision of federal or state law applicable to the
371 issuance or tax-exempt status of the bonds or any provision of any
372 trust agreement between the Department of Economic and
373 Community Development and any trustee, or (II) would otherwise
374 prohibit financing of an existing project or financing provided to cure
375 or prevent any default under existing financing; or (iii) any other
376 project, funding or other state assistance not included under
377 subparagraphs (A) to (D), inclusive, of this subsection.

378 (3) "Priority funding area" means the area of the state designated
379 under subsection (b) of this section.

380 (b) On or before January 1, 2004, and biennially thereafter, the
381 Secretary of the Office of Policy and Management, in consultation with
382 the Commissioners of Economic and Community Development,
383 Environmental Protection, Administrative Services and Transportation
384 shall develop recommendations for delineation of the boundaries of
385 priority funding areas in the state and for revisions thereafter. In

386 making such recommendations the secretary shall consider areas
387 designated as regional centers, growth areas and rural community
388 centers on the state plan of conservation and development,
389 redevelopment areas, distressed municipalities, as defined in section
390 32-9p of the general statutes; targeted investment communities, as
391 defined in section 32-222 of the general statutes; public investment
392 communities, as defined in section 7-545 of the general statutes,
393 enterprise zones, designated by the Commissioner of Economic and
394 Community Development under section 32-70 of the general statutes
395 and corridor management areas identified in the state plan of
396 conservation and development. The secretary shall submit the
397 recommendations to the Continuing Legislative Committee on State
398 Planning and Development established pursuant to section 4-60d of
399 the general statutes for review. The committee shall report its
400 recommendations to the General Assembly on or before February 15,
401 2004, and biennially thereafter. The boundaries shall become effective
402 upon approval of the General Assembly.

403 Sec. 6. (NEW) (*Effective July 1, 2003*) (a) On and after the approval of
404 the General Assembly of the boundaries of priority funding areas
405 under section 5 of this act, each state agency, department or institution
406 shall provide funding for growth-related projects by a ranking process
407 for applications based on points as follows: (1) Location in a priority
408 funding area, five points; and (2) one point for each determination by
409 the head of the agency, department, or institution that the project (A)
410 enhances other activities targeted by state agencies, departments and
411 institutions to a municipality within the priority funding area, (B) is
412 located in a distressed municipality, targeted investment community
413 or public investment community, (C) supports existing neighborhoods
414 or communities, (D) promotes the use of mass transit, (E) is consistent
415 with the municipal plan of conservation and development of the
416 municipality adopted under section 8-23 of the general statutes, as
417 amended by this act, and the regional plan of development adopted
418 under section 8-35a of the general statutes, as amended by this act, and
419 (F) provides for compact, transit accessible, pedestrian-oriented mixed
420 use development patterns and land reuse and promotes such patterns

421 and reuse.

422 (b) Notwithstanding the provisions of subsection (a) of this section,
423 the state may provide funding for a growth-related project that is not
424 located in a priority funding area if the head of the department, agency
425 or institution providing the funding determines that (1) failure to fund
426 the project creates an extreme inequity, hardship or disadvantage that
427 clearly outweighs the benefits of locating the project in a priority
428 funding area, (2) there is no reasonable alternative for the project in a
429 priority funding area in another location, and (3) the project must be
430 located away from other developments due to its operation or physical
431 characteristics. Funding shall not be available for economic
432 development but shall only be available to comply with state
433 environmental and health standards. Not more than one year after the
434 designation of priority funding areas, and annually thereafter, each
435 department, agency or institution shall prepare a report that describes
436 grants made under this subsection and the reasons therefor.

437 Sec. 7. (*Effective July 1, 2003*) On and after the approval of the
438 General Assembly of the boundaries of priority funding areas
439 pursuant to section 5 of this act, each state agency, department or
440 institution shall cooperate with municipalities to ensure that programs
441 and activities in rural areas sustain village character.

442 Sec. 8. (NEW) (*Effective July 1, 2003*) On and after the approval of the
443 General Assembly of the boundaries of priority funding areas under
444 section 5 of this act, each state agency and department shall review
445 regulations adopted in accordance with the provisions of chapter 54 of
446 the general statutes and modify such regulations to carry out the
447 purpose of coordinated management of growth-related projects in
448 priority funding areas and to implement the ranking process provided
449 for in section 6 of this act.

450 Sec. 9. (NEW) (*Effective July 1, 2003*) The Office of Policy and
451 Management shall coordinate review of federal projects in relation to
452 their location in priority funding areas to encourage location in urban
453 areas pursuant to the provisions of Federal Executive Order 12072-

454 Federal Space Management.

455 Sec. 10. (NEW) (*Effective July 1, 2003*) As used in sections 11 and 12
456 of this act and in subsection (a) of section 7-131e of the general statutes,
457 as amended by this act, "build out analysis" means an analysis
458 showing the maximum extent of development permitted in a
459 municipality under the subdivision regulations and zoning regulations
460 at the time of such analysis.

461 Sec. 11. (NEW) (*Effective July 1, 2003*) The Secretary of the Office of
462 Policy and Management, within available appropriations, shall
463 establish a technical assistance program to encourage and coordinate
464 build out analysis by municipalities to (1) identify areas where it is
465 feasible and prudent to have compact, transit accessible, pedestrian-
466 oriented mixed use development patterns and land reuse and to
467 promote such patterns and reuse, (2) develop strategies for land use
468 and to manage growth, and (3) determine the need for open space.
469 Such program shall include the development of informational
470 materials that describe initial mapping and source material
471 requirements, geographic information system methodology and local
472 review procedures.

473 Sec. 12. (NEW) (*Effective July 1, 2003*) Upon completion of a build
474 out analysis, any municipality, by ordinance adopted by its legislative
475 body, may establish a program of phased housing growth that limits
476 the number of building permits for new housing construction, not
477 including housing that is part of an affordable housing development,
478 as defined in section 8-30g of the general statutes, and housing for
479 which the subdivision or site plan was approved before the effective
480 date of the ordinance, that may be issued in the municipality in a
481 calendar year to not more than the average number of such building
482 permits issued for the preceding three calendar years for housing. The
483 provisions of any such ordinance shall terminate two years after
484 enactment or upon revision of the plan of conservation and
485 development of the municipality adopted under section 8-23 of the
486 general statutes, as amended by this act, whichever is earlier.

487 Thereafter, a municipality may provide for a build out analysis and
488 adopt a phased housing growth ordinance not less than ten years after
489 the adoption of the first ordinance.

490 Sec. 13. Subsection (a) of section 7-131e of the general statutes is
491 repealed and the following is substituted in lieu thereof (*Effective July*
492 *1, 2003*):

493 (a) Grant award decisions under the protected open space and
494 watershed land acquisition grant program established under section
495 7-131d or under the Charter Oak open space grant program
496 established under section 7-131t shall be made by the Commissioner of
497 Environmental Protection at least semiannually. All complete and
498 eligible grant applications shall be acted upon by the commissioner as
499 soon as practicable. No grant shall be approved for acquisition of land
500 in a municipality in which ten per cent or more of the land is
501 undeveloped unless such municipality, as part of the grant application,
502 submits a build out analysis, as defined in section 10 of this act. A
503 single project may receive a grant in more than one grant cycle, subject
504 to future availability of funds and subject to the limitations set forth in
505 this section and sections 23-78, 12-498 and 7-131d. Up to two per cent
506 of the grant funds may be used for administrative expenses including,
507 but not limited to: (1) Contractors to assist the Department of
508 Environmental Protection in the review and evaluation of grant
509 proposals and baseline data collection for conservation easements; (2)
510 appraisals or appraisal reviews; and (3) preparation of legal and other
511 documents. Administrative expenses may not be used for staff salaries.
512 Not later than September 1, 1998, for the protected open space and
513 watershed land acquisition grant program established under section 7-
514 131d, and not later than September 1, 2000, for the Charter Oak open
515 space grant program account established under section 7-131t, the
516 commissioner shall develop written guidelines and a ranking system
517 for consistency and equity in the distribution of grant awards under
518 the protected open space and watershed land acquisition grant
519 program established under section 7-131d or under the Charter Oak
520 open space grant program account established under section 7-131t

521 based on the criteria listed in subsections (b) and (c) of section 7-131d.
 522 Consistent with such criteria, additional consideration shall be given
 523 to: (A) Protection of lands adjacent to and complementary to adjacent
 524 protected open space land or class I or class II water company lands;
 525 (B) equitable geographic distribution of the grants; (C) proximity of a
 526 property to urban areas with growth and development pressures or to
 527 areas with open space deficiencies and underserved populations; (D)
 528 protection of land particularly vulnerable to development
 529 incompatible with its natural resource values including the protection
 530 of a public water supply source; (E) consistency with the state's plan of
 531 conservation and development; (F) multiple protection elements, such
 532 as water quality and supply protection, scenic preservation and
 533 farmland preservation; (G) the extent to which the presence of already
 534 constructed buildings or other manmade improvements diminish or
 535 overshadow the natural resource value of a proposed acquisition, or its
 536 value relative to its cost; and (H) preservation of forest lands and
 537 bodies of water which naturally absorb significant amounts of carbon
 538 dioxide.

539 Sec. 14. (*Effective from passage*) Within available appropriations, the
 540 Connecticut Transportation Strategy Board, created under section 13b-
 541 57e of the general statutes, shall conduct a study of the designation of
 542 metropolitan planning organizations under 23 USC 134. The study
 543 shall evaluate the establishment and composition of such metropolitan
 544 planning organizations and make recommendations for the number of
 545 metropolitan planning organizations in the state and for optimization
 546 of their efficiency in increasing community coordination of points of
 547 interest. The board shall submit its findings in accordance with section
 548 11-4a of the general statutes, to the Governor and the joint standing
 549 committees of the General Assembly having cognizance of matters
 550 relating to planning and development and transportation on or before
 551 January 1, 2004.

This act shall take effect as follows:	
Section 1	July 1, 2003

Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>
Sec. 4	<i>July 1, 2003</i>
Sec. 5	<i>July 1, 2003</i>
Sec. 6	<i>July 1, 2003</i>
Sec. 7	<i>July 1, 2003</i>
Sec. 8	<i>July 1, 2003</i>
Sec. 9	<i>July 1, 2003</i>
Sec. 10	<i>July 1, 2003</i>
Sec. 11	<i>July 1, 2003</i>
Sec. 12	<i>July 1, 2003</i>
Sec. 13	<i>July 1, 2003</i>
Sec. 14	<i>from passage</i>

PD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Policy & Mgmt., Off.	GF - None	None	None
Department of Economic & Community Development	GF - Cost	Potential Significant	Potential Significant
Council of Environmental Quality	GF - Cost	Potential Significant	Potential Significant
Department of Environmental Protection	GF - Cost; Various Funds	Potential Significant	Potential Significant
CT Transportation Strategy Board	GF - None	None	None

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 04 \$	FY 05 \$
Various Municipalities	See Below	See Below	See Below

Explanation

The bill adds certain factors that the Office of Policy and Management (OPM) must consider when it revises the State's Conservation and Development Plan, which results in no additional fiscal impact on the agency.

Beginning in January 1, 2004 the bill requires OPM to biennially recommend geographic areas to be designated Priority Funding Areas, which results in no fiscal impact on the agency.

The bill requires OPM to encourage federal agencies to locate in urban Priority Funding Areas, which results in no fiscal impact to the agency.

The bill requires OPM, within available appropriations, to establish a technical assistance program to aid towns in conducting a build out

analysis. It is anticipated that providing such assistance would require significant fiscal resources, currently no appropriations are available for this purpose.

The bill requires the Connecticut Transportation Strategy Board (CTSB) to prepare an analysis of how the state should designate metropolitan planning organizations. Any workload increase to the board is anticipated to be minimal and handled within routine activities of the board. The CTSB does not have any support staff or employees and depends on DOT for its administrative support.

Requiring the Council on Environmental Quality (CEQ) to report on the progress towards achievement of the goals and objectives in the state plan of conservation and development and the master transportation plan will require an additional employee. An full-year cost is approximately \$50,000. Any additional reviews by the CEQ can be handled within the routine duties of CEQ depending upon its status. It should be noted that the CEQ is not funded in HB 6548, the governor's recommended budget.

Any consultations required by the Department of Environmental Protection (DEP) and the Department of Economic and Community Development (DECD) in developing recommendations for delineation of the boundaries of priority funding can be handled within the routine duties of the agencies.

The ranking of projects based on the point system in the bill will change the current system of funding projects for both DEP and DECD. The DECD will incur additional costs to increase/change their computer data base and tracking system. The exact costs are not known at this time, but could be significant. The DEP would also need to alter its current computer programs. The exact fiscal impact is not known at this time, but could be significant.

Requiring the review and modification of regulations to carry out the purpose of coordinated management of growth related projects in priority funding areas and to implement the ranking process could

significantly increase costs to the DEP. Depending upon the complexity of the impacted regulations and the number impacted, costs could be significant, in excess of \$100,000.

Municipal Impact

The bill requires local and regional planning agencies to consider additional factors when revising their plans of conservation and development, which is not anticipated to result in a fiscal impact to municipalities. Additionally, the bill requires regional planning agencies to determine whether local plans are consistent with the region's and the state's plan of conservation and development, which results in no costs to municipalities.

The bill establishes a ranking system for funding certain projects which could divert funds from one municipality to another. The exact impact to municipalities is unknown.

It is anticipated that a municipality would incur costs for a build out analysis when resources permit. Requiring towns to complete a build out analysis as a precondition to apply for state open space could result in funds being diverted from one town to another due to the lack of a build out analysis. The exact impact is unknown.

There will be a grand list impact to towns that choose to impose a cap on the number of building permits issued for new housing construction provided they have completed a build-out analysis. The effect of the cap on new permits will postpone any grand list expansion that would have otherwise occurred.

OLR Bill Analysis

sHB 6640

AN ACT CONCERNING SMART GROWTH**SUMMARY:**

This bill requires state, regional, and local planning bodies to identify geographic areas where it is feasible and prudent to have a mixture of different land uses arranged in a way that allows people to get from homes, stores, parks, job sites, and other uses on foot or gives them access to mass transit. Their respective land use plans must identify these areas and promote their development or reuse based on this principle. Traditional zoning generally favors segregating different land uses.

The bill also specifies procedures for determining consistency between the local, regional, and state plans and requires reports on the progress being made toward achieving state planning goals.

The bill requires the state to designate Priority Funding Areas (PFAs). It requires state agencies to target development assistance in these areas based on the bill's criteria, which award points based on a project's location and the extent to which it addresses specific planning goals. But it also sets narrow conditions under which agencies can fund development projects outside of the PFAs and exempts other types of project from the PFA funding restrictions.

The bill requires the Office of Policy and Management (OPM) to encourage and assist towns to complete build-out analyses, which are projections of how towns will develop under their current land use regulations. It also allows towns that complete these analyses to place a two-year cap on the number of building permits they issue for most new residential construction. The bill requires towns and organizations applying for state open space grants to complete a build-out analysis if more than 10% of the town's land is undeveloped.

Lastly, the bill requires the Transportation Strategy Board to study how the state should designate metropolitan planning organizations.

EFFECTIVE DATE: July 1, 2003, except for the provision requiring the TSB to study designation, which takes effect upon passage.

STATE PLAN OF C&D

Plan Elements

The bill adds more factors OPM must consider when it revises the five-year State Plan of Conservation and Development (Plan of C&D). The plan's policies currently favor locating proposed state-funded projects in places where the roads, sewers, and other supporting infrastructure already exist. The plan must include broad transportation, energy, and air policies; identify specific transportation proposals; and consider ways to conserve and develop greenways. The current plan expires in 2003, and the next revision is scheduled for 2008.

Under the bill, the next time OPM revises the plan, it must identify geographic areas where it is feasible and prudent to have a mixture of different land uses arranged in a way that allows people to get from homes, stores, parks, job sites, and other uses on foot or gives them access to mass transit. The plan must also promote this type of development in these areas.

The revision must also identify corridors along limited access highways and rail lines (i.e., corridor management areas) and make recommendations that:

1. promote land use and transportation options that reduce that growth of traffic congestion,
2. connect infrastructure and land use planning decisions,
3. promote development that minimizes the cost of new infrastructure and maximizes the use of existing infrastructure, and
4. increases interlocal and regional cooperation.

(The bill requires local and regional planning organizations to do the same.)

Addressing Plans' Goals

The bill requires the Council on Environmental Quality (CEQ) to report on the progress being made toward achieving the goals and objectives of the Plan of C&D and the master transportation plan. CEQ must include this analysis in its annual environmental quality report, which measures the progress being made toward achieving the statewide environmental plan's goals and objectives.

The bill also requires CEQ to determine if proposed highways and new state facilities could and actually do promote compact, mixed-use developments that allow people to get from homes, stores, parks, job sites, and other uses on foot or gives them access to mass transit. CEQ must do this when it reviews the plans for these projects. By law, its reviews are advisory, and agencies do not have to follow its recommendations.

PFA's

Designation

The bill requires the legislature to designate PFAs where state agencies must target development projects. Beginning January 1, 2004, the bill requires OPM to biennially recommend geographic areas for PFA designation. It must do this in consultation with the transportation, administrative services, environmental protection, and economic and community development commissioners.

OPM must submit its recommendations to the Continuing Legislative Committee on State Planning and Development, which has until February 15 to submit its recommendations to the legislature for approval. The designations take effect upon approval, and OPM must include them in the 2008 revision and each subsequent revision of the Plan of C&D.

In recommending PFAs, the OPM secretary must consider the geographic designations the state already uses to target development funding. These include locally designated redevelopment areas and state-designated enterprise zones, distressed municipalities, targeted investment communities, and public investment communities. They also include areas designated in the Plan of C&D's location guide: regional centers, growth areas, and rural community centers. The secretary must also consider corridor management areas, which he must identify in the plan beginning with the 2008 revision.

Growth-Related Projects

State agencies must target PFAs for “growth-related projects” involving state-funded:

1. land acquisitions costing over \$100,000;
2. property improvements costing over \$100,000;
3. transportation equipment and facility acquisitions costing over \$100,000; and
4. applications for state grants for over \$100,000 that are submitted after July 1, 2004 for acquiring or improving land or acquiring transportation equipment or facilities.

These projects are mainly the same types of state-funded projects that must currently be consistent with the Plan of C&D. Under current law, state physical development projects costing over \$100,000 must conform to this plan, which includes a map showing where the roads, sewers, and other supporting infrastructure already exist.

The bill specifies that the funding for the growth-related projects could take the form of grants, loans, loan guarantees, and principal and interest rate reductions. It also specifies that the funding could take the form of tax credits, such as those the state gives to developers who clean up and redevelop contaminated properties. Under current law, projects funded through tax credits do not have to be consistent with the State Plan of C&D.

Agencies can fund growth-related projects outside of PFAs if:

1. the failure to do so would create an extreme inequity, hardship, or disadvantage that clearly outweighs the benefits of locating the project in a PFA;
2. there is no reasonable alternative for the project in a PFA in another location; and
3. the project must be located away from other developments due to its operation or physical characteristics.

Agencies can provide funds outside of PFAs only if they are needed to comply with state environmental and health standards. They cannot provide funds outside of these areas for economic development purposes.

Within one year after the legislature designates PFAs, agencies must annually prepare a report describing the growth-related projects they funded outside of these areas and their reasons for doing so.

Exempted Projects

The bill exempts agencies from complying with the PFA requirement if the project involves:

1. maintaining, repairing, expanding, or renovating existing facilities;
2. acquiring land for parks, conservation, open space, or telecommunications towers needed for public safety;
3. acquiring easements for agricultural, conservation, or historic purposes; or
4. any other activity that is not specifically subject to the PFA requirement.

The bill also exempts (1) projects funded by the economic and community development commissioner if they involve buying or rehabilitating existing single or multifamily homes or (2) projects financed with federal dollars or revenue bond funds. He can provide funds if adhering to the PFA requirement would conflict with the laws or rules under which the project received the federal or state revenue bond financing. He can also provide the funds if meeting the bill's requirements prevents him from (1) funding an existing project or (2) curing or preventing a default on an existing project.

Project Ranking

The bill requires agencies to rank development projects based on their location and the extent to which they address certain planning goals. As Table 1 shows, the bill's scoring requirements favor projects proposed in PFAs, since they automatically get five points. All

projects get a point if they are proposed in another state-designated area or address a specific planning goal. Consequently, projects proposed in PFAs could earn up to 11 points while those proposed outside of these areas can earn up to six.

Table 1: Project Ranking Requirements

<i>Planning Goal</i>	<i>Maximum Possible Points Based on Proposed Location</i>	
	<i>PFA Site</i>	<i>Site Outside PFA</i>
PFA location	5	0
Located in state-designated distressed municipality, targeted investment community, or public investment community	1	1
Enhances other state activities targeted at towns within a PFA	1	1
Supports existing neighborhoods or communities	1	1
Promotes use of mass transit	1	1
Consistency with local and regional plans of conservation and development	1	1
Provides for compact, transit-accessible, pedestrian-oriented, mixed-use development patterns and land reuse and promotes these patterns	1	1
Total Points	11	6

All agencies must amend their regulations to implement this ranking system after the legislature approves PFAs. They must also work with towns to ensure that their programs and activities sustain rural villages.

Federal Projects

The bill requires OPM to encourage federal agencies to site facilities in PFAs designated in urban areas. Federal Executive Order 12072 requires federal agencies to consider siting facilities in these areas as a way to help strengthen or preserve them.

LOCAL AND REGIONAL PLAN ELEMENTS

The bill adds new factors local and regional planning commissions must consider when preparing their respective development plans. Local plans must, rather than may, provide for a system of principal thoroughfares, parkways, bridges, streets, sidewalks, and other public

ways in places where these elements are appropriate.

Local and regional plans must identify geographic areas where it is feasible and prudent to have a mix of different land uses arranged in a way that allows people to get from homes, stores, parks, job sites, and other uses on foot or gives them access to mass transit. Their respective land use plans must identify these areas and promote their development or reuse based on this development principle.

The bill allows commissions to propose PFAs and plans for schools and corridor management areas as a way to implement their plans. They can currently recommend capital project budgets, land use and building code enforcement programs, affordable housing implementation plans, and greenway protection and preservation plans.

CONSISTENCY REVIEWS

Local Plans

The bill requires regional planning agencies (RPAs) to check local plans for consistency with the region's and the state's Plan of C&D and requires planning commissions to notify OPM about their plans' consistency with the latter. RPAs must do this each time a local planning commission amends or revises its plan of C&D, which, by law, must be updated every 10 years. RPAs already review and comment on proposed amendments and revisions, but the bill involves them in the process earlier. The bill also requires RPAs to submit their comments to legislative bodies as well as planning commissions.

In making these changes, the bill expands the process for amending or revising the local plans of C&D. Table 2 compares the process under the bill with that under current law.

Table 2: Comparison of the Process for Amending or Revising Local Plans of C&D Under the Bill and Current Law

Step	Bill	Current Law
1	The planning commission submits a "preliminary plan" to the RPA for review and comment.	A local commission must hold a public hearing on the changes or revisions before it adopts them
2	The RPA then has 65 days to submit an advisory report to the commission and the legislative body. The report must say	At least 65 days before the hearing, the commission must send copies of the changes or revisions to the local

Step	<i>Bill</i>	<i>Current Law</i>
	whether the plan is consistent with the regional and state plans.	legislative body and the RPA. Both bodies may comment on the changes or revisions and submit them to the planning commission before its public hearing (but neither is required to comment on the extent to which the changes or revisions are consistent with the regional or state plan).
3	After receiving the advisory report, the commission may change the plan to address the RPA's comments. It must also notify OPM about any inconsistencies between its plan and the state plan and explain the inconsistencies.	The legislative body may hold a hearing on the plan and endorse all or parts of it.
4	The commission must submit the preliminary plan to the legislative body for its review and comment. The legislative body must hold a public hearing on the plan, after which it must submit its findings and suggestions to the commission.	Before holding a hearing on the plan, the planning commission must file a copy of the plan in the offices of the town and special taxing district clerks. It must also publish a newspaper notice to that effect and about the time and place of the hearing. It must run the notice twice, the first between 15 and 10 days before the hearing and the second not less than two days before the hearing.
5	The commission may revise the plan after considering the legislative body's comments and suggestions, the RPA's consistency findings, and the public testimony from the legislative body's hearing.	If that body did not endorse the entire plan or endorses only parts of it, the planning commission must have a two-thirds vote to adopt the plan or the parts the legislative body did not endorse.
6	The commission must hold a public hearing on the proposed final plan. Before doing so, it must file a copy of the plan in the offices of the town and special taxing district clerks. It must also publish a newspaper notice to that effect and about the time and place of the hearing. It must run the notice twice, the first between 15 and 10 days before the hearing and the second not less than two days before the hearing. After the hearing, the commission must submit the final proposed plan to the legislative body.	The plan takes effect on the date the commission prescribed, and the commission must publish a newspaper notice to that effect.
7	The legislative body may endorse or reject the entire plan or parts of it. It may also submit comments and recommended changes to the commission.	The commission must file copies of the adopted plan in the offices of the town and special district clerk.
8	The commission may adopt or revise the plan by a single resolution or by successive resolutions. The voting requirement depends on whether the legislative body endorsed the plan or only parts of it. If the legislative body endorsed the entire plan or endorsed sections of it, the planning commission must	The legislative body may then hold another public hearing on the adopted plan.

Step	Bill	Current Law
	have a two-thirds vote to adopt the plan or the sections that were not endorsed.	
9	The plan takes effect on the date the commission prescribed, and the commission must publish a newspaper notice to that effect.	
10	The commission must file copies of the adopted plan in the offices of the town and special district clerk.	
11	Within 65 days after adopting the plan, the commission must notify the RPA and OPM about any inconsistencies between the local plan and the regional and state plans, respectively. In notifying OPM, the commission must explain any inconsistencies between its plan and the state's.	

Regional Plans

The bill requires RPAs to revise their regional plans by July 1, 2005 (Neither the bill nor the law requires RPAs to periodically revise their plans.) It also requires OPM to review the revised plans and subsequent amendments or revisions for consistency with the State Plan of C&D. It must do this before the RPAs formally adopt the changes.

Under current law, RPAs must hold public hearings on proposed amendments and notify the OPM secretary, the public, and the region's local planning commissioners and chief executive officers about the time and place of the hearings. The bill drops the notice requirement with respect to OPM, and instead requires RPAs to submit the revised plans or amendments to the secretary at least 65 days before the hearing. The bill imposes no deadline by which OPM must give its comments and recommendations, including those regarding consistency with the state plan. It requires the RPAs to note on the record any inconsistencies between their plans and the state's.

RPAs must notify OPM again after adopting the changes or revisions about any inconsistencies with the state plan and the reasons for them.

BUILD-OUT ANALYSIS

The bill requires OPM to establish, within available appropriations, a technical assistance program designed encourage and help towns conduct a build-out analysis, which is a planning method that allows

towns to see the full extent to which they would be developed under their current zoning and subdivision regulations. In establishing the program, the secretary must provide technical material describing the initial maps and source materials that towns must use to prepare the analysis, the method for storing and displaying relevant geographic data, and the procedures towns can use to review the analysis and how it was prepared.

The program must help towns prepare a build-out analysis that addresses land use needs and goals. It must specifically identify geographic areas where it is feasible and prudent to have a mix of different land uses arranged in a way that allows people to get from homes, stores, parks, job sites, and other uses on foot or gives them access to mass transit. The analysis must also help towns develop strategies to manage growth and determine the need for open spaces.

ANNUAL BUILDING PERMIT CAP ON NEW HOUSING CONSTRUCTION

The bill allows towns to impose short-term annual caps on the number of building permits for constructing new housing. The cap does not apply to proposed affordable housing projects or to housing that is part of a site or subdivision plan that the town approved before the ordinance's effective date.

A town can impose the cap only if it completed a build-out analysis and adopted an ordinance setting the cap, which can be no higher than the average number of building permits the town issued for new housing during three prior calendar years. The cap must expire two years after the ordinance's effective date or the date the town adopted a revised plan of conservation and development, whichever happens first. The town must wait at least 10 years before it can impose another cap, which must also be preceded by another build-out analysis.

OPEN SPACE GRANTS

The bill requires build-out analyses as a pre-condition for receiving state grants to acquire open space in towns where 10% or more of the land is undeveloped. The analysis must be attached to the grant applications.

METROPOLITAN PLANNING ORGANIZATIONS

The bill requires the Transportation Strategy Board (TSB) to study how the state should designate metropolitan planning organizations (MPOs), which it must do in order to receive federal transportation funds. The study must evaluate how MPOs are established and their composition. It must also recommend the number of MPOs the state should have and how they can efficiently increase coordination among different groups. The TSB must submit its report to the governor and the Transportation and Planning and Development committees by January 1, 2004.

BACKGROUND

Related Bill

sHB 6671 makes many changes to the laws governing the land use plans and regulations developed by state agencies, RPAs, and municipalities. It strengthens the requirements that plans developed by state agencies be consistent with the Plan of C & D. It requires greater consistency between local land-use plans and regulations, and requires municipalities to note on the record inconsistencies between local plans and regulations and the state Plan of C & D. The bill requires RPAs to update their plans of development and note inconsistencies with the state Plan of C & D.

These provisions were originally contained in sHB 6641, which the Planning and Development Committee favorably reported to the Transportation Committee with changes on March 26. The Transportation Committee added the provisions to its bill, which the committee favorably reported to the floor with changes on March 31.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 12 Nay 4