

1000 FRIENDS of Connecticut
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PRESERVING, CONSERVING AND GROWING SMART

Testimony to the Planning and Development Committee

March 2, 2009

Senator Coleman, Representative Sharkey, and members of the Planning and Development Committee, thank you for the opportunity to speak with you today. For the record, my name is Heidi Green. I am the President of 1000 FRIENDS of Connecticut, a statewide smart growth education and advocacy organization. Our mission reflects the vision of thousands of individuals and organizations statewide to promote and shape growth throughout Connecticut's cities and downtowns -- ensuring a prosperous economy, healthy natural environment, and distinctive, integrated and walkable communities, while protecting our valuable natural and cultural resources. In advancement of that mission, it was my pleasure to serve as one of three co-chairs of the Economic Development Subgroup of the Smart Growth Working Group.

Catalyzing smart, sustainable growth in Connecticut requires significant policy changes at the state, regional and local levels to: 1) reduce the state's reliance on the regressive property tax; 2) increase regional cooperation for economic development and land use; 3) modernize the state's zoning codes; and 4) encourage investments that will deliver immediate and long-term benefits to Connecticut's cities and metropolitan regions -- investments in transit, transit oriented development, brownfield remediation and reuse, affordable housing and preservation of lands and water resources, critical wildlife habitats, and prime soils that sustain our agricultural economy.

On today's agenda are a number of proposed bills that would significantly advance smart growth. I thank the Committee for its boldness and comprehensiveness in raising these bills. I urge you to not just favorably consider them, but to *champion* **HB 6463 An Act Concerning Membership on Regional Planning Agencies**, **HB 6464 An Act Concerning Coordinated Preservation and Development**, **HB 6465 An Act Concerning Smart Growth and Transportation Planning**, **HB 6466 An Act Concerning Projects of Regional Significance**, **HB 6467 An Act Concerning Smart Growth and Plans of Conservation and Development**, **HB 6469 An Act Concerning Smart Growth and State Planning**, **HB 6585 An Act Concerning Regionalism**, **HB 6589 An Act Concerning Land Use Appeals**, and to combine the thinking on regionalism reflected in **HB6585**, **SB 371**, **HB 5544**, **HB 6387**, and **HB 6389** to create an *omnibus regionalism bill*.

In the following paragraphs, please find specific comments and suggestions on the individual bills for which 1000 FRIENDS seeks your support and asks you to strenuously advocate for among your caucuses and leadership. Please, make 2009 the SMART GROWTH SESSION!

6467 An Act Concerning Smart Growth and Plans of Conservation and Development defines *smart growth* as “economic, social and environmental development that (1)uses land and resources to enhance the long-term quality of life for current and future generations in the state and promotes (A)integrated planning that coordinates tax, transportation, housing, environmental and economic development policies at the state and local level, (B) the reduction of reliance on the property tax by municipalities by creating efficiencies and coordination of services on the regional level while reducing interlocal competition for grand list growth, (C) the redevelopment of existing infrastructure and resources, including brownfields and historic places, instead of new construction in undeveloped places, (D) transportation choices that provide alternatives to automobiles, including rail, bikeways and walking, while reducing energy consumption, (E) affordable and available housing for mixed income households in close proximity to transportation and employment centers, (F) concentrated, mixed use development around transportation nodes and civic and cultural centers, and (G) the conservation and protection of natural resources by preserving open space, farmland and historic properties and furthering energy efficiency, and (2) is accomplished by a collaborative approach to planning, decision-making and evaluation between and among all levels of government to promote economic competitiveness in the state while preserving natural resources.”

The bill would declare it the policy of the state to address the high financial, social and environmental cost of sprawl through effective smart growth. It would require the state’s economic development strategy, and conservation and development policies plan, as well as regional and local land use plans to incorporate smart growth.

1000 FRIENDS of Connecticut recommends strengthening the bill’s scope by requiring smart growth criteria be integral to the state’s Master Transportation Plan, Housing Plan, Green Plan, and guide the actions of the State Properties Review Board, the Department of Agriculture and the Department of Public Health.

Finally, this legislation would require the Office of Policy and Management to develop model zoning regulations providing for smart growth available for adoption by local zoning commissions. This would allow cities and towns that choose to modernize their zoning codes to avoid paying for boiler plate zoning regulations and allow them to focus their resources on inclusive customization of the code to their individual street grid and context.

If the General Assembly were to do nothing more than pass, and the Administration nothing more than implement, this bill this year, Connecticut would be well on the road to a smart sustainable future!

6464 An Act Concerning Coordinated Preservation and Development would require the Face of Connecticut Steering Committee screen grant applications for open space and watershed land acquisition, purchase of development rights for farmland, grants for historic preservation and funds for

brownfield remediation for compliance with smart growth principles. It would require the steering committee to notify state agencies if the applications before them were found inconsistent. Applications that fail to meet smart growth criteria would be ineligible. *Our state resources are limited and must be deployed strategically to meet the state's desired smart growth outcome. With looming budget deficits, high bond obligations, and a contracting statewide economy, we clearly can't afford to fund pet projects and pork. 1000 FRIENDS of Connecticut unequivocally supports applying a smart growth filter to the ranking process of all state investments and for a decisive preference given to investments that will enhance smart growth. We recommend strengthening this bill by collapsing it with a strengthened version of 6465 and adding language to include a smart growth screen to economic development investments including grants for industrial parks. We recommend the state adopt a capital investment plan for all its investments to detail the cost, timeline, and source & status of funds for each investment.*

6465 An Act Concerning Smart Growth and Transportation Planning would require the Transportation Strategy Board to maintain a capital plan for transportation investment that incorporates smart growth principles. The TSB would also be required to screen transportation projects using a smart growth filter.

This bill is a good compliment to a heartier 6464. Though the Transportation Strategy Board currently prepares a list of transportation projects, that list is not screened for compliance with smart growth principles, listed projects are unranked and the specific resources, status and timeline of projects is not detailed. Now, more than ever, we need transparency to be sure our limited resources advance immediate goals and long-range outcomes.

6466 An Act Concerning Projects of Regional Significance defines *regional planning organizations*. It defines *projects of regional significance*. And it would enable regional planning organizations to establish a process for combined state, regional and local agencies to conduct pre-application reviews of projects of regional significance.

Large-scale smart growth projects generally require approvals of myriad offices and agencies, from the local historic commission, to the local zoning commission, to the Department of Environmental Protection, to the State Traffic Commission, to the Connecticut Development Authority. A pre-application review at the regional level would meet a number of goals. First, it would let developers know what timelines and submission requirements to expect and would let agencies know what they have in queue so applications can be filed more completely, problems identified early on in the process, approvals expedited, and when necessary for sanctions to be applied in a more timely fashion. It would also strengthen the communication and relationships between staff and decision makers at all levels of government so contradictory practices or policies can be identified early on and more readily negotiated. This is the kind of good governance the people of Connecticut deserve.

6463 An Act Concerning Membership on Regional Planning Agencies would require the chief elected official of a city or town hold a membership seat on the regional planning agency. There is wide support for increasing the degree to which services are delivered and authority granted to regional entities. We believe this is long past due. Connecticut can no longer afford the inefficiency of fractured

and fragmented local government. Cities and towns need to work better together to coordinate the services they deliver, focus economic development to maximize public investments already made, and increase sustainability and competitiveness. Regional agencies are a logical nexus for economic development, housing, transportation plans, and natural resource and land use planning. We believe should regional agencies take on wider government responsibilities they must be directly accountable to the electorate. Requiring mayors and first selectmen be among the membership of regional agencies is a necessary first-step for more accountable governance. *This requirement should be encapsulated into HB 6565.*

6585 An Act Concerning Regionalism would give municipalities engaged in regional agreements, meeting criteria for regional taxation, economic development, education and land use a share of the sales tax. This is a dramatic step toward reducing municipal reliance on the property tax and the damaging and unsustainable land use practices it spawns. We believe this would lead regions to consider the best and most sustainable site for new development that will reward current citizens and future human generations, flora and fauna. We also believe it would increase the efficiency of government by reducing wasteful and duplicative programming and purchases.

The bill would also restore the planning grant that supports the efforts of regional planning organizations to develop and facilitate regional agreements. Support for staff to change how we govern is critically important, especially in these times when our state is retracting its support to cities and towns, and municipal coffers are reeling from the impact of the decline in real estate values.

1000 FRIENDS recommends the Committee merge into this bill the grants proposed by Governor M. Jodi Rell in HB 6389 for regional service sharing and for the purchase of capital equipment to be shared regionally.

6589 An Act Concerning Land Use Appeals would establish a land use court in each judicial district. 1000 FRIENDS supports conveniently located courts customized to hear land use cases. We believe an expedited appeals process would provide citizens greater certainty and help reduce developer costs. We also believe a change in the judicial process would provide a strong incentive for citizen engagement at the local level. Strong plans, developed by involved citizens and backed-up by clear zoning and design guidelines lead to much better outcomes than lengthy and costly legal wrangling.

With Connecticut's fields and forests rapidly turning into housing subdivisions and commuter traffic clogging country roads, the state finds itself at a crossroads. It can continue on its current path and jeopardize the quality of life for its residents or choose a smart growth approach and protect the state's character.

1000 FRIENDS of Connecticut chooses the latter and with the policy changes spelled out in the aforementioned bills, the Planning and Development Committee will reinforce the goals spelled out by Governor Rell when she established Executive Order 15. You will revitalize our cities, preserve the unique charm of our state, and build livable, economically strong communities while protecting our natural resources for the enjoyment of future generations.

You will alleviate significant challenges in Connecticut's land use patterns, the lack of coordination for environmental preservation and economic development at the state and local level, and our over-reliance on the property tax. Thank you and the members of the Responsible Growth Task Force and the Smart Growth Working Group for your efforts thus far and your continued advocacy!

Smart Growth Principles

1. Mix land uses;
2. Take advantage of existing community assets;
3. Create a range of housing opportunities;
4. Foster walkable, close-knit neighborhoods;
5. Promote distinctive, attractive communities;
6. Preserve key natural areas;
7. Strengthen and encourage growth in existing communities;
8. Provide a variety of transportation choices;
9. Make development decisions predictable, fair and cost-effective;
10. Welcome citizen and stakeholder participation.

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Four-Part Smart Growth Agenda

For robust cities and downtowns, to sustainably grow our state and local economies, and to protect critical natural resources, we must make comprehensive changes to the state's development policies and investment priorities. Those changes must include: 1. reducing our reliance on the property tax; 2. improving regional cooperation; 3. modernizing local zoning codes; and 4. investing strategically and in the long-term best interests of the people and the state.

In the 2009 Session of the Connecticut General Assembly, the global economic and state fiscal crises will make smart growth policies a higher priority than ever. At the same time, there are real opportunities at hand and we must be prepared to seize them.

There is a slowdown in the pace of growth, let's use it to align plans and shape policies to direct investment toward sustainable development when the credit markets loosen. In recent years, with budget surpluses, Connecticut state government has fallen woefully short of paying its share of education, special education, and reimbursements for property tax exempt parcels. The current strain on the state budget means that already strapped municipalities will likely to be asked to do even more, increasing the pressure to raise property taxes. Let's be sure any cuts at the state level don't increase our reliance on the property tax, and let's target state revenue enhancements to reducing property taxes when the economy rebounds. Our out-dated transportation system hinders economic development and forces us to spend ever more hours in our cars. Let's capitalize on the federal stimulus and low gasoline prices to reduce vehicle miles travelled by ramping-up state transit investment. Connecticut has tens-of-thousands of acres of contaminated sites in our cities and older industrial areas, let's create green economy jobs cleaning them up and make high ranking sites ready for newly productive lives when the economy gets sunnier.

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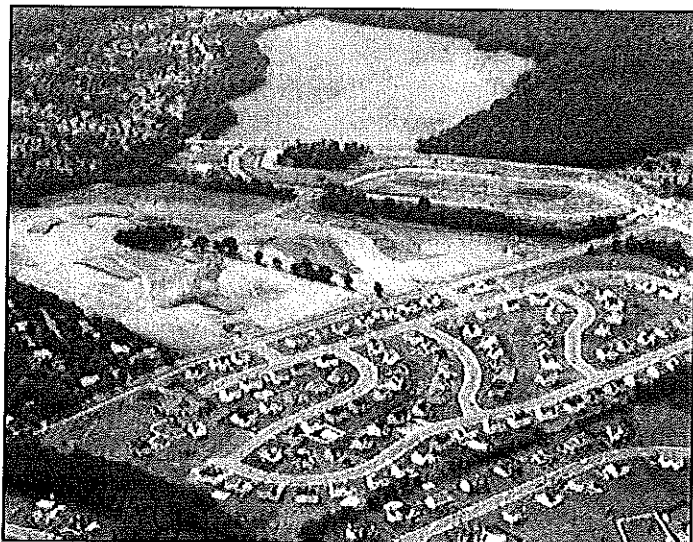
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EXECUTIVE SUMMARY

With Connecticut's fields and forests rapidly turning into housing subdivisions and commuter traffic clogging country roads, the state finds itself at a crossroads. It can continue on its current path and jeopardize the quality of life for its residents or choose a smart growth approach and protect the state's character. 1000 Friends of Connecticut chooses the latter and joins Governor M. Jodi Rell in support of the goals for Connecticut established by the Governor in Executive Order 15: revitalize our cities, preserve the unique charm of our state, and build livable, economically strong communities while protecting our natural resources for the enjoyment of future generations.

But 1000 Friends of Connecticut recognizes that several challenges stand in the way of achieving those objectives. Connecticut's land use patterns, the lack of coordination among plans for environmental preservation and economic development at the state and local level, and its over-reliance on the property tax as a part of a balanced state/local revenue structure all create obstacles to the attainment of the goals articulated in the Governor's Executive Order.

In early 2006, 1000 Friends of Connecticut, a statewide smart growth education and advocacy organization, began compiling sound policy recommendations to overcome these obstacles and meet responsible growth goals. The result is a proposal that includes a series of incentives to wean municipalities from fiscal zoning and develop policies to better coordinate land use decisions, economic development and local service delivery. This proposal has been crafted with the following principles:



(1) preserve local autonomy and fiscal health; (2) encourage a coordinated and connected approach to planning and development; (3) broaden economic and social choice; (4) increase availability of reasonably priced housing; and (5) discourage sprawl. By focusing on these objectives, we can repair and strengthen the fabric of

Connecticut's land use decision-making system and resulting patterns contribute to economic stagnation, sprawl, clogged transportation corridors, social and economic inequity and racial segregation.

our cities and towns; encourage economic growth and competitiveness; and preserve the sense of place and quality of life unique to Connecticut.

Connecticut's existing land use patterns and fiscal policy are inextricably linked and must be addressed in concert to preserve

and enhance our economic viability and quality of life. 1000 Friends of Connecticut's goal is the adoption of two distinguishable, but connected, policy streams:

- 1) **Give towns incentives to encourage smart growth.**
- 2) **Reduce our reliance on the property tax.**

The first recommended policy stream provides incentives to towns to adopt land use policies that foster sensible and coordinated land use planning, efficient and accessible transportation, preservation of open space and farmland, protection of water quality and clean air, creation of jobs and sustainable economic development, promotion and use of existing infrastructure, and main-

tenance and creation of reasonably priced housing. Grants would be provided to towns that meet statutory standards for land-use planning and decision-making.

The second recommended policy stream reduces reliance on the property tax by providing: (A) a substantial increase in the amount of new state aid for public education through (1) an immediate implementation of the full Education Cost Share formula with a "foundation" level of \$8,122 per student, and (2) the assumption by the state of 40 to 75 percent of each town's special education costs, and (B) fully funding the two "Payment in Lieu of Taxes" (PILOT) grants — for tax-exempt state property and tax-exempt college and hospital property.