

Making Great Communities Happen



Connecticut

Connecticut Chapter of the American Planning Association

Government Relations Chairman: Christopher S. Wood, AICP
Phone: 203 558-0654 woodplanning@charter.net www.ccapa.org

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PLANNING AND DEVELOPMENT COMMITTEE

SMART GROWTH LEGISLATIVE PACKAGE – CCAPA COMMENTS

OVERVIEW

The Smart Growth Working Group spent nearly a year analyzing growth management issues and developing this package of legislative proposals to improve the State's response to the need for and potential impacts of continued growth. CCAPA has closely monitored this effort and strongly supports legislative proposals that promote smart planning for responsible growth management.

Our over 550 members – municipal and consulting planners, land use attorneys, citizen planners, and other professionals – are on the front lines of planning and managing land use at local, regional, and State levels. We are committed to assisting the legislature and State agencies with developing and furthering responsible growth management principles. We recognize that providing the necessary tools for smart planning at all levels is essential for dealing with the opportunities and challenges of continued growth, even more so under today's economic climate.

SUMMARY

These bills address a wide range of land use planning issues that are of professional interest to CCAPA members. CCAPA appreciates the efforts of the Smart Growth Work Group in developing this package. While we cannot support all of the specific bills as currently drafted, as detailed below, CCAPA has been and will be available to assist the Planning and Development Committee, its staff, and other interested parties in the development of improved planning guidelines to promote responsible growth in our State.

ANALYSIS

H.B 6463 An Act Concerning Membership on Regional Planning Agencies

CCAPA supports the concepts promoted by this bill provided that the final language specifies that CEO membership is in addition to current representation.

H.B. 6589 An Act Concerning Land Use Appeals

CCAPA strongly supports this logical and appropriate approach to expediting legal challenges to land use decisions and we recommend that the Committee seek input from practicing land use attorneys.

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H.B. 6464 An Act Concerning Coordinated Preservation and Development

This proposal would assign responsibility for review of certain State funding programs to the Face of Connecticut Steering Committee for consistency with the smart growth definition proposed by H.B. 6467. It is not clear how the programs listed are not inherently consistent with responsible growth management principles and what an additional review will accomplish. As CCAPA has previously recommended, these and similar decisions should properly be evaluated under the same “priority funding areas” criteria that are being developed in the next State Plan in accordance with CGS §16a-27 as amended by PA 05-205, An Act Concerning Plans of Conservation and Development. Finally, it is clear that the Face of Connecticut Steering Committee, or its member agencies, will require additional funding to conduct the necessary reviews.

H.B. 6465 An Act Concerning Smart Growth and Transportation Planning

CCAPA does not support this proposal based on the proposed definition of smart growth in H.B. 6467. CCAPA agrees that transportation planning should also consider and include growth management principles. However, the proposed smart growth definition may not be as effective as necessary in promoting smart planning for transportation and growth management generally. CCAPA supports the concept of ensuring that all State level planning is based on smart planning, consistent with the overall State Plan goals and the statutory growth management principles currently in CGS §8-23.

H.B. 6466 An Act Concerning Projects of Regional Significance

CCAPA does not support this concept as drafted. Although this bill proposes a voluntary program of regional planning organization review of certain development projects, the criteria for identifying those projects requires further consideration. From a planning perspective, a 50,000 square foot supermarket or electronics store is hardly significant regionally and additional levels of review may unfairly burden such relatively small developments in cities. A more relevant criterion may be the expected vehicle trip generation for large scale projects. Furthermore, it is unlikely that RPOs would have the resources to initiate such reviews and reports even if current State funding levels are retained.

H.B. 6585 An Act Concerning Regionalism

This bill appears to add an incentive for municipalities to implement joint provision of services as currently authorized by CGS §7-148cc, adopted in 2001. Assuming fiscal incentives are assured, CCAPA supports this concept as promoting smart planning.

H.B. 6389 An Act Promoting Regionalization

This proposed bill would create incentives, in the form of grants, for towns to implement the interlocal agreements authorized by CGS §7-148cc. As noted in comments on H.B. 6585, CCAPA supports this concept as promoting smart planning.

H.B. 6588 An Act Concerning Training for Local Land Use Commissioners

CCAPA has long supported efforts to ensure training for volunteer citizen planners and regulators and believes that CLEAR has demonstrated its effectiveness in this task. CCAPA strongly supports the provision of adequate resources for such training. However, any such programs should recognize the difficulty towns face in attracting sufficient numbers of volunteers, and avoid any provisions that discourage such volunteerism. The requirement in this bill that a reviewing court must consider the training and expertise of commissions would seem to create just such a disincentive.

SMART GROWTH LEGISLATIVE PACKAGE – CCAPA COMMENTS

H.B. 6467 An Act Concerning Smart Growth and Plans of Conservation and Development

CCAPA believes this concept needs further consideration before any revisions to planning statutes are adopted. CCAPA supports the development of a single, consistent set of guidelines for State, regional, and municipal plans. However, CCAPA believes the proposed language could further complicate efforts to promote smart planning from the bottom up as well as the top down.

CCAPA strongly endorses the promotion of consistency in planning at all levels of government, and in providing clear guidance to the private sector, which must also apply smart planning principles. However, the addition of another set of definitions to the list of considerations, objectives, principles, and recommendations that are provided in CGS §8-23 threatens to overwhelm and confuse even the best planning efforts. In 2005, CCAPA worked with the Committee on the development of “growth management principles,” which are now in Section 8-23, with the understanding that these statements represented the State’s definition of “smart growth.” We recommend that the Committee review this existing set of guidelines to determine if any refinements are necessary, in lieu of adopting an entirely different set of definitions.

The proposed language also purports to address “sprawl development” without defining the term, which creates the potential for further confusion and conflict when considered at the different levels of planning that occur in the State.

Over the years, additions and revisions to CGS §8-23 have resulted in a somewhat disjointed set of guidelines for municipal and regional plans. This entire section may be due for a comprehensive redrafting that streamlines and simplifies the appropriate standards for smart planning. Any such revision should ensure that the guidelines of §8-23 are consistent with those in §16a-27 applying to the State Conservation and Development Policies Plan.

If the Committee continues with a new set of definitions to promote responsible growth management, the current draft should be further evaluated with regard to several details. For example:

- What exactly is meant by “social and environmental development?”
- References to local, state, and regional planning integration and consistency should be the same throughout the definitions.
- Reliance on local property taxes may not be as onerous as previously believed, given current economic and fiscal conditions.
- It is unclear what promoting “redevelopment of existing infrastructure and resources” means but in any event redevelopment generally should be in addition to, not instead of new construction.
- If the intent is to promote development in close proximity to employment centers, the definition should recognize that a significant proportion, if not a majority, of the jobs in Connecticut are located in suburban areas.

H.B. 6469 An Act Concerning Smart Growth and State Planning

CCAPA supports the development of appropriate data and information to support smart planning. Assuming adequate resources are provided to CLEAR, the development of a statewide geographic information system is a critical step to provide municipalities and regional agencies with the planning efficiencies provided by this technology, as our neighboring states have demonstrated. CCAPA does not necessarily see the equivalent benefits of a tax incidence study or a state-wide build out analysis, but does not oppose such effort, again if sufficient resources are provided.