



General Assembly

January Session, 2009

Amendment

LCO No. 6691

HB0646706691HDO

Offered by:

REP. SHARKEY, 88th Dist.

To: Subst. House Bill No. 6467

File No. 549

Cal. No. 376

"AN ACT CONCERNING SMART GROWTH AND PLANS OF CONSERVATION AND DEVELOPMENT."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) (a) As used in this section and
4 section 2 of this act:

5 (1) "Smart growth" means economic, social and environmental
6 development that (A) promotes, through financial and other
7 incentives, economic competitiveness in the state while preserving
8 natural resources, and (B) utilizes a collaborative approach to
9 planning, decision-making and evaluation between and among all
10 levels of government and the communities and the constituents they
11 serve; and

12 (2) "Principles of smart growth" means standards and objectives that
13 support and encourage smart growth when used to guide actions and
14 decisions, including, but not limited to, standards and criteria for (A)

15 integrated planning or investment that coordinates tax, transportation,
16 housing, environmental and economic development policies at the
17 state, regional and local level, (B) the reduction of reliance on the
18 property tax by municipalities by creating efficiencies and
19 coordination of services on the regional level while reducing interlocal
20 competition for grand list growth, (C) the redevelopment of existing
21 infrastructure and resources, including, but not limited to brownfields
22 and historic places, (D) transportation choices that provide alternatives
23 to automobiles, including rail, public transit, bikeways and walking,
24 while reducing energy consumption, (E) the development or
25 preservation of housing affordable to households of varying income in
26 locations proximate to transportation or employment centers, (F)
27 concentrated, mixed-use, mixed income development proximate to
28 transit nodes and civic, employment or cultural centers, and (G) the
29 conservation and protection of natural resources by (i) preserving open
30 space, water resources, farmland, environmentally sensitive areas and
31 historic properties, and (ii) furthering energy efficiency.

32 Sec. 2. (*Effective from passage*) The Continuing Legislative Committee
33 on State Planning and Development, established pursuant to section 4-
34 60d of the general statutes, shall study the state plan of conservation
35 and development, including, but not limited to, the process for
36 adopting such state plan, the incorporation into such plan of the
37 principles of smart growth as defined in section 1 of this bill, and the
38 application of such plan and principles of smart growth to actions
39 undertaken by state agencies. In conducting such study, the committee
40 shall consult with stakeholders, including, but not limited to,
41 municipalities, regional planning organizations, state agencies and the
42 public. On or before February 1, 2010, the committee shall submit a
43 report of its findings and recommendations to the General Assembly
44 in accordance with the provisions of section 11-4a of the general
45 statutes.

46 Sec. 3. Section 16a-27 of the general statutes is repealed and the
47 following is substituted in lieu thereof (*Effective from passage*):

48 (a) The secretary, after consultation with all appropriate state,
49 regional and local agencies and other appropriate persons, shall, prior
50 to March 1, [2009] 2011, complete a revision of the existing plan and
51 enlarge it to include, but not be limited to, policies relating to
52 transportation, energy and air. Any revision made after May 15, 1991,
53 shall identify the major transportation proposals, including proposals
54 for mass transit, contained in the master transportation plan prepared
55 pursuant to section 13b-15. Any revision made after July 1, 1995, shall
56 take into consideration the conservation and development of
57 greenways that have been designated by municipalities and shall
58 recommend that state agencies coordinate their efforts to support the
59 development of a state-wide greenways system. The Commissioner of
60 Environmental Protection shall identify state-owned land for inclusion
61 in the plan as potential components of a state greenways system.

62 (b) Any revision made after August 20, 2003, shall take into account
63 (1) economic and community development needs and patterns of
64 commerce, and (2) linkages of affordable housing objectives and land
65 use objectives with transportation systems.

66 (c) Any revision made after March 1, 2006, shall (1) take into
67 consideration risks associated with natural hazards, including, but not
68 limited to, flooding, high winds and wildfires; (2) identify the potential
69 impacts of natural hazards on infrastructure and property; and (3)
70 make recommendations for the siting of future infrastructure and
71 property development to minimize the use of areas prone to natural
72 hazards, including, but not limited to, flooding, high winds and
73 wildfires.

74 (d) Any revision made after July 1, 2005, shall describe the progress
75 towards achievement of the goals and objectives established in the
76 previously adopted state plan of conservation and development and
77 shall identify (1) areas where it is prudent and feasible (A) to have
78 compact, transit accessible, pedestrian-oriented mixed-use
79 development patterns and land reuse, and (B) to promote such
80 development patterns and land reuse, (2) priority funding areas

81 designated under section 16a-35c, and (3) corridor management areas
82 on either side of a limited access highway or a rail line. In designating
83 corridor management areas, the secretary shall make
84 recommendations that (A) promote land use and transportation
85 options to reduce the growth of traffic congestion; (B) connect
86 infrastructure and other development decisions; (C) promote
87 development that minimizes the cost of new infrastructure facilities
88 and maximizes the use of existing infrastructure facilities; and (D)
89 increase intermunicipal and regional cooperation.

90 (e) Any revision made after October 1, 2008, shall (1) for each policy
91 recommended (A) assign a priority; (B) estimate funding for
92 implementation and identify potential funding sources; (C) identify
93 each entity responsible for implementation; and (D) establish a
94 schedule for implementation; and (2) for each growth management
95 principle, determine three benchmarks to measure progress in
96 implementation of the principles, one of which shall be a financial
97 benchmark.

98 (f) Any revision made after the effective date of this section shall be
99 consistent with each municipal plan of conservation and development
100 adopted under section 8-23. If the secretary determines that it is not
101 possible for the state plan of conservation and development to be
102 consistent with each such municipal plan of conservation and
103 development, the revision shall include a statement describing the
104 reasons such plans cannot be consistent.

105 ~~[(f)]~~ (g) Thereafter on or before March first in each revision year the
106 secretary shall complete a revision of the plan of conservation and
107 development.

108 Sec. 4. Section 16a-28 of the general statutes is repealed and the
109 following is substituted in lieu thereof (*Effective from passage*):

110 (a) The secretary shall present a draft of the revised plan of
111 conservation and development for preliminary review to the
112 continuing legislative committee on state planning and development

113 prior to September first in [2008] 2010 and prior to September first in
114 each prerevision year thereafter.

115 (b) After December first in [1985] 2010 and after December first in
116 each prerevision year thereafter the secretary shall proceed with such
117 further revisions of the draft of the revised plan of conservation and
118 development as he deems appropriate. The secretary shall, by
119 whatever means he deems advisable, publish said plan and
120 disseminate it to the public on or before March first in revision years.
121 The secretary shall post the plan on the Internet web site of the state.

122 (c) [Within] Not later than five months [of] after publication of said
123 revised plan the secretary shall hold public hearings, in cooperation
124 with regional planning agencies, to solicit comments on said plan.

125 Sec. 5. Section 16a-29 of the general statutes is repealed and the
126 following is substituted in lieu thereof (*Effective from passage*):

127 The secretary shall consider the comments received at the public
128 hearings and shall make any necessary or desirable revisions to said
129 plan and within three months of completion of the public hearings
130 submit the plan to the continuing legislative committee on state
131 planning and development, for its approval, revision or disapproval,
132 in whole or in part. Notwithstanding the provisions of this section, the
133 secretary shall submit the state Conservation and Development
134 Policies Plan, [2004-2009] 2012-2017, to said committee on or before
135 December 1, [2004] 2011.

136 Sec. 6. Section 16a-32a of the general statutes is repealed and the
137 following is substituted in lieu thereof (*Effective from passage*):

138 The Office of Policy and Management shall amend the state plan of
139 conservation and development adopted pursuant to this chapter to
140 include therein a goal for reducing carbon dioxide emissions within
141 this state [. Said office, in consultation with the Department of
142 Environmental Protection, shall submit a report to the General
143 Assembly on or before the thirtieth day following May 22, 1995, on or

144 before May 1, 1996, and annually thereafter, which details the net
 145 amount of carbon dioxide emitted annually within this state.
 146 Subsequent to the May 1, 2000, submittal, said report shall be
 147 submitted every three years with the first such report due May 1, 2003]
 148 consistent with the recommendations of the Connecticut Climate
 149 Change Action Plan prepared in accordance with section 22a-200a.

150 Sec. 7. Subsection (b) of section 8-23 of the general statutes, as
 151 amended by section 3 of public act 07-239, section 4 of public act 07-5
 152 of the June special session and section 17 of public act 08-182, is
 153 repealed and the following is substituted in lieu thereof (*Effective July*
 154 *1, 2010*):

155 (b) [Until the plan is amended in accordance with this subsection
 156 the municipality] On and after the first day of July following the
 157 adoption of the state Conservation and Development Policies Plan
 158 2012-2017, in accordance with section 16a-30, a municipality that fails
 159 to comply with the requirements of subsection (a) of this section shall
 160 be ineligible for discretionary state funding unless such prohibition is
 161 expressly waived by the secretary."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	16a-27
Sec. 4	<i>from passage</i>	16a-28
Sec. 5	<i>from passage</i>	16a-29
Sec. 6	<i>from passage</i>	16a-32a
Sec. 7	<i>July 1, 2010</i>	8-23(b)