

Comparing Municipal and Regional Plans with the Draft 2013-2018 Conservation and Development Policies Plan (C&D Plan)

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Plan Comparison Summary

- Plan Comparison is an important element of the Cross-Acceptance Process, as outlined in OPM's report to the Continuing Legislative Committee on State Planning and Development dated January 25, 2011
- Goal is to achieve greater compatibility between local, regional and state plans, particularly with regard to how they address the six Growth Management Principles, and fewer interim changes
- Public Act 10-138 defines cross-acceptance as "a process by which planning policies of different levels of government are compared and differences between such policies are reconciled with the purpose of attaining compatibility between local, regional and state plans."
- RPOs and their member municipalities are encouraged to jointly compare the Draft C&D Plan with their respective POCDs and provide comments to OPM via a "Cross-Acceptance Facilitator"

Overview of Draft 2013-2018 C&D Plan

- OPM conducted outreach to RPOs, municipalities, state agencies and various advocacy groups between March and September 2011 on new C&D Plan requirements
 - Cross-acceptance process
 - Priority Funding Area legislation (CGS Chapter 297a)
 - Performance Metrics
- OPM submitted the initial Draft 2013-2018 C&D Plan to the Continuing Legislative Committee on State Planning and Development in December 2011, based on a new condensed format:
 - Briefly describes each Growth Management Principle (GMP)
 - Lists broad policy statements under each GMP
 - Links state agency programs and funding sources to each GMP
 - Identifies performance indicators for measuring progress
 - Provides guidance to agencies on addressing Principles of Smart Growth

Priority Funding Areas (PFAs)

- OPM plans to produce a draft map(s) delineating boundaries of PFAs this spring, once there is general consensus on the Draft C&D Plan policies
- State agencies have several new requirements once the General Assembly adopts the 2013-2018 C&D Plan, including:
 - CGS Sec. 16a-35d(a): Agencies shall only provide funding for growth-related projects located within PFAs, unless the project meets the exception criteria listed in CGS Sec. 16a-35d(b) and the OPM Secretary has granted his approval
 - CGS Sec. 16a-35d(c): Agencies shall prepare an annual report describing any grants made for projects outside of PFAs
 - CGS Sec. 16a-35e: Agencies shall cooperate with municipalities to ensure that programs and activities in rural areas sustain village character
 - CGS Sec. 16a-35f: Agencies shall review their respective regulations and modify them to carry out coordinated management of growth-related projects in PFAs

PFA Exceptions

- Any PFA map must be viewed as a guide that broadly reflects C&D Plan's GMPs and policies
- Projects not located in a PFA may be funded by an agency, with the approval of the OPM Secretary, upon determination that such project is consistent with the municipal POCD and that such project:
 - 1) enhances other activities targeted by state agencies to a municipality within the PFA
 - 2) is located in a distressed municipality, targeted investment community, or public investment community
 - 3) supports existing neighborhoods or communities
 - 4) promotes the use of mass transit
 - 5) provides for compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse and promotes such development patterns and land reuse
 - 6) creates an extreme inequity, hardship or disadvantage that clearly outweighs the benefits of locating the project in a PFA if such project were not funded
 - 7) has no reasonable alternative for the project in a PFA in another location
 - 8) must be located away from other developments due to its operation or physical characteristics, or
 - 9) is for the reuse or redevelopment of an existing site

Eligibility for Discretionary State Funding

- CGS Sec. 8-23(b)
 - Municipalities shall update their plans of conservation and development at least once every 10 years, or shall otherwise be deemed ineligible for discretionary state funding effective July 1, 2014, unless such prohibition is expressly waived by the OPM Secretary

2013-2018 C&D Plan Timeline

- **January 2011** – OPM recommends a process for “Cross-Acceptance” to the Continuing Legislative Committee on State Planning and Development
- **September 2011** – OPM submits an initial draft plan to the Continuing Committee
- **March 2012** – OPM publishes a “public” draft plan based on feedback from the Continuing Committee
- **March – August 2012** – OPM conducts public hearings in cooperation with RPOs

2013-2018 C&D Plan Timeline (cont.)

- **December 2012** – OPM submits its recommended Draft C&D Plan to Continuing Committee for consideration
- **2013 Legislative Session** - Continuing Committee holds a public hearing on Draft C&D Plan, prior to making its own recommendation to the General Assembly for approval or disapproval

Next Steps

- Municipalities and RPOs each review Draft C&D Plan
 - OPM to provide a standard format for reporting, including requests for certain data sets, images of best practices, etc.
 - Municipalities to compare Draft C&D Plan to local POCD, complete reporting form, and submit to Cross-Acceptance Facilitator
 - Cross-Acceptance Facilitator to compare Draft C&D Plan to regional POCD, consider municipal comments when completing its Plan Comparison report, and submit report to OPM within 1 month of the regional workshop
- Upon conclusion of regional workshops and associated comment periods, OPM aims to achieve general consensus on C&D Plan policies among state agencies, RPOs and towns

Next Steps (cont.)

- OPM will revise the Draft C&D Plan as appropriate, and utilize available data sets to determine criteria for depicting PFAs on a map that reflect the Plan's policies
- OPM will publish the revised draft this spring and work with RPOs to schedule public hearings over a five-month period
- OPM intends to provide a mechanism for RPOs and municipalities to comment on the draft map after its publication
- Plan Negotiation phase of Cross-Acceptance process to take place after publication of the public draft and continue, if necessary, into the fall