



Substitute House Bill No. 5165

Public Act No. 22-71

AN ACT CONCERNING THE STATE PLAN OF CONSERVATION AND DEVELOPMENT.

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

Section 1. Section 16a-25 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in this chapter:

(1) "Process" means the procedure for adopting, amending, revising and implementing a state plan of conservation and development;

(2) "Existing plan" means the plan promulgated by Executive Order No. 28, September 27, 1974;

(3) "Secretary" means the Secretary of the Office of Policy and Management;

(4) "Committee" means the continuing legislative committee on state planning and development established pursuant to section 4-60d;

(5) "Adoption year" means the calendar year [which is no later than five years subsequent to the year in which the plan was last adopted in accordance with the process established in this chapter] in which the General Assembly adopts the plan as the plan of conservation and

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development for the state;

(6) "Revision year" means the calendar year immediately preceding the adoption year;

(7) "Prerevision year" means the calendar year immediately preceding the revision year;

(8) "State agency" means any state department, institution, board, commission or official; and

(9) "Plan", when referring to the state plan for conservation and development, means the text of such plan and any accompanying locational guide map.

Sec. 2. Section 16a-27 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The secretary, after consultation with all appropriate state, regional and local agencies and other appropriate persons, shall, prior to March 1, 2012, complete a revision of the existing plan and enlarge it to include, but not be limited to, policies relating to transportation, energy and air. Any revision made after July 1, 1995, shall take into consideration the conservation and development of greenways that have been designated by municipalities and shall recommend that state agencies coordinate their efforts to support the development of a state-wide greenways system. The Commissioner of Energy and Environmental Protection shall identify state-owned land for inclusion in the plan as potential components of a state greenways system.

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

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

(d) Any revision made after July 1, 2005, shall describe the progress towards achievement of the goals and objectives established in the previously adopted state plan of conservation and development and shall identify (1) areas where it is prudent and feasible (A) to have compact, transit accessible, pedestrian-oriented mixed-use development patterns and land reuse, and (B) to promote such development patterns and land reuse, (2) priority funding areas designated under section 16a-35c, and (3) corridor management areas on either side of a limited access highway or a rail line. In designating corridor management areas, the secretary shall make recommendations that (A) promote land use and transportation options to reduce the growth of traffic congestion; (B) connect infrastructure and other development decisions; (C) promote development that minimizes the cost of new infrastructure facilities and maximizes the use of existing infrastructure facilities; and (D) increase intermunicipal and regional cooperation.

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

(f) Any revision made after October 1, 2009, shall take into

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consideration the protection and preservation of Connecticut Heritage Areas.

(g) Any revision made after December 1, 2011, shall take into consideration (1) the state water supply and resource policies established in sections 22a-380 and 25-33c, and (2) the list prepared by the Commissioner of Public Health pursuant to section 25-33q.

(h) Any revision made after October 1, 2019, shall (1) take into consideration risks associated with increased coastal flooding and erosion, depending on site topography, as anticipated in the most recent sea level change scenario updated pursuant to subsection (b) of section 25-68o, (2) identify the impacts of such increased flooding and erosion on infrastructure and natural resources, (3) make recommendations for the siting of future infrastructure and property development to minimize the use of areas prone to such flooding and erosion, and (4) take into consideration the state's greenhouse gas reduction goals established pursuant to section 22a-200a.

(i) Any revision made after October 1, 2016, shall take into consideration the need for technology infrastructure in the municipality.

(j) Thereafter on or before March first in each revision year the secretary shall complete a revision of the plan of conservation and development, provided no revision year may be later than four years subsequent to the year in which the plan was last adopted in accordance with the process established in this chapter.

Sec. 3. Section 16a-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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

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September first in [2011] 2023 and prior to September first in each prerevision year thereafter.

(b) After December first in [2011] 2023 and after December first in each prerevision year thereafter the secretary shall proceed with such further revisions of the draft of the revised plan of conservation and development as he deems appropriate. The secretary shall, by whatever means he deems advisable, publish said plan and disseminate it to the public on or before March first in revision years. The secretary shall post the plan on the Internet web site of the state.

(c) Not later than five months after publication of said revised plan the secretary shall hold public hearings, in cooperation with regional councils of governments, to solicit comments on said plan.

Sec. 4. Section 16a-29 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The secretary shall consider the comments received at the public hearings and shall make any necessary or desirable revisions to said plan and within three months of completion of the public hearings submit the plan to the continuing legislative committee on state planning and development for its approval, revision or disapproval, in whole or in part. Notwithstanding the provisions of this section, the secretary shall submit the state Conservation and Development Policies Plan, [2013-2018] 2025-2030, to said committee on or before December 1, [2012] 2024.

Approved May 24, 2022