



Connecticut

Connecticut Chapter of the American Planning Association

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2005 LEGISLATIVE SESSION SUMMARY

Land Use

PA 05-263: An Act Concerning the Definition of Lakes (HB 6704)	<ul style="list-style-type: none">• Defines “reservoir”; refines the constraints on zoning regulations; and sunsets the provision on October 1, 2005; absolves restraints for towns with current plan per 8-23.	<ul style="list-style-type: none">• Apparent attempt to address the damages of the original legislation.
PA 05-190 An Act Concerning Buffers to Inland Wetlands Areas and Concerning Application of the Conveyance Tax to Land Classified as Farm Land, Forest Land, or Open Space Land (SB 1085)	<ul style="list-style-type: none">• Requires that land required as buffer to wetlands be assessed at same value as wetlands.• Requires reapplication for tax abatement under 490 program when land is transferred; specifies that the classification applies to the owner not to the land.	<ul style="list-style-type: none">• Will it lead to strategic wetlands applications to reduce taxes?• Would appear to protect towns’ investment in temporary open space.
PA 05-228 An Act Concerning Farm Land Preservation, Land Protection, Affordable Housing and Historic Preservation (SB 410)	<ul style="list-style-type: none">• Matching grants to further farming viability.• Matching grants for farm transition program.• Farm link database.• Recording fee to fund these and local CIP.• Local land acquisition and development authority.	<ul style="list-style-type: none">• Acquisition funded by new \$30 land record filing fee.
PA 05-124 An Act Concerning The Preservation and Use of Agricultural Lands and Conservation and Preservation Restrictions (HB 6783)	<ul style="list-style-type: none">• Controls on any development on land subject to conservation restrictions.	<ul style="list-style-type: none">• Will require land use agencies to confirm submittal of notices to easement holders.
PA 05-280 An Act Concerning Social Services and Public Health Budget Implementation Provisions	<ul style="list-style-type: none">• Only SFD zoning for “any community residence that houses six or fewer persons receiving mental health or addiction services”	<ul style="list-style-type: none">• Adds protected use to CGS 8-3e; apparently already protected by Federal housing law.

Planning

PA 05-205 An Act Concerning Plans of Conservation and Development (HB 6750)	<ul style="list-style-type: none">• New growth management principles and issues for consideration in Plans – municipalities and RPAs.• Adoption procedure amended, private amendment procedure added.• Priority funding area concept added.	<ul style="list-style-type: none">• Adoption procedure may need adjustment; no time limit set for Legislative Body action.
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Process/Administration

PA 05-218 An Act Amending Certain Motor Vehicle Statutes Section 22	<ul style="list-style-type: none">• Requires certificate from zoning commission for license for dealing or repairing motor vehicles (Section 14-54 CGS).	
PA 05-287 An Act Concerning Government Administration (SB 096) Section 45	<ul style="list-style-type: none">• Requires meetings to be recorded (in addition to hearings) if any application is deliberated (Section 8-7a CGS).	<ul style="list-style-type: none">• Does not include wetlands. See FOI requirements for document management requirements.• Effective Jan 1, 2006
PA 05-280 An Act Concerning Social Services and Public Health Budget Implementation Provisions	<ul style="list-style-type: none">• Revises CGS Section 8-3a to protect any community residence that houses six or fewer persons receiving mental health or addiction services.	<ul style="list-style-type: none">• Federal fair housing law is apparently already controlling on this use.

What Did Not Pass

HB 6616 Ethics Bill	<ul style="list-style-type: none">• Omnibus ethics bill with significant local impact.	<ul style="list-style-type: none">• Will resurface.
HB 6703 Planning Resources Bill	<ul style="list-style-type: none">• GIS council; split rate taxation; tax incidence study; education resources report.	<ul style="list-style-type: none">• Geospatial Information Systems Council and land use education report established through budget implementer bill (PA 05-3, Secs 84 and 85).
SB 691 Municipal Liens	<ul style="list-style-type: none">• Increased fines and liens for zoning violations.	<ul style="list-style-type: none">• CCAPA priority.
SB 1083 Land Use Regulation Reorganization	<ul style="list-style-type: none">• Consolidate and reorganize land use agencies.	<ul style="list-style-type: none">• Will resurface.

CCAPA's Ongoing Legislative Interests

State Planning Capacity	<ul style="list-style-type: none">• Top priority to continue development and coordination of growth management capabilities.
Contract Zoning	<ul style="list-style-type: none">• Potentially valuable planning tool.
Impact Fees	<ul style="list-style-type: none">• National APA supports; politically unlikely.
Affordable Housing	<ul style="list-style-type: none">• Perennial legislative issue.
Process and Clarification	<ul style="list-style-type: none">• Inland Wetlands decision schedule.• Non-conforming uses, structures and lots.• Plan of Conservation and Development adoption.• Enforcement.
Land Use Regulation Reorganization	<ul style="list-style-type: none">• Complex and risky.
Ethics	<ul style="list-style-type: none">• Necessary but requires more thought.
Eminent Domain	<ul style="list-style-type: none">• Kelo/New London Supreme Court decision fallout.