



January-March 2007

# Connecticut Planning

Newsletter of the Connecticut Chapter of the American Planning Association

## Planning Rising

by Mark Pellegrini, CCAPA President

Toward the end of the gubernatorial campaign, land use planning and development emerged as a defining issue. On October 6, 2006, Governor Rell issued Executive Order #15 (see page 4), creating the Office of Responsible Growth inside the State Office of Policy and Management. Shortly thereafter her opponent, New Haven Mayor John DeStefano, Jr. who among other duties chaired the Blue Ribbon Commission on Property Tax Reform, advocated a range of smart growth principles.

Underlying these proposals is recognition of the need to integrate planning, policy and investment decisions across State executive departments. There is also a growing consensus that the State needs new and innovative policies around affordable housing, economic development, transportation infrastructure, environmental protection and land conservation, and that these policies should all reinforce a set of guiding principles.

The past 15 years of effort of various organizations and interest groups have finally gained traction both in the legislature and the executive branch. In addition to CCAPA, organizations that can take some credit for advancing these issues are the Blue Ribbon Commission on Property Tax Reform, the Blue Ribbon Commission on Affordable Housing, the special commission on global warming, the Transportation Strategy Board, the Connecticut Institute for the 21st Century. CCAPA members have served on or assisted all of these groups, providing our perspective, expertise, experience, and facilitation and communication skills. (See the article by President-Elect Don Poland

elsewhere in this newsletter for more details regarding some of these efforts.)

In the last legislative session CCAPA organized an informational hearing on the importance of improved planning capacity at the State level. Our members have also contributed articles to the *Hartford Courant's* Place section (2006 recipient of the Chapter's Communication Award), which over the past several years has raised the public's awareness of the importance of land development and planning policies and strategies.

The executive order calls for two planning positions in the Office of Responsible Growth. This very modest staffing level begins to provide more resources at the State level to do the work necessary to inventory and review the efficacy of existing plans and policies; to conduct research on new plans and policies; and to help executive branch agencies and regional and local planning organizations understand the challenges facing the State, and promoting the best solutions to address those challenges.

Other organizations are calling for increased state planning capacity. These organizations include HOMEConnecticut, which will be advocating for technical assistance for regional and municipal planning agencies and for planning staff at OPM to provide statewide information and perspectives on housing issue. 1000 Friends of Connecticut is advocating for additional State planning capacity to identify economic development strategies that reinforce a smart growth agenda. Still other organizations are calling for increased planning capacity to deal with

(continued on page 4)

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Mark Pellegrini, AICP  
Dir. of Plan. & Econ. Dev.  
Town of Manchester  
41 Center Street  
Manchester, CT 06040-0191  
Tel: (860) 647-3043  
Fax: (860) 647-3144  
MarkP@ci.manchester.ct.us

#### President Elect –

Donald J. Poland, AICP  
Executive Director/CEO  
The Neighborhoods of Hartford, Inc.  
260 Constitution Plaza  
P.O. Box 230154  
Hartford 06123-0154  
Tel: (860) 757-9410  
Fax: (860) 722-6329  
ewplanning@yahoo.com

#### Secretary –

Laurie P. Whitten, AICP  
Town Planner  
Town of East Windsor  
Town Hall, 1 Rye Street  
Broad Brook, CT 06016-9553  
Tel: (860) 623-6030  
Fax: (860) 623-4798  
lwhitten@eastwindsorct.com

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Matthew Davis, AICP  
Senior Planner  
SECCOG  
5 Connecticut Avenue  
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Phone: (860) 889-2324, ext. 15  
Fax: (860) 889-1222  
mdavis@seccog.org

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Daniel A. Tuba  
Town Planner  
Town of Monroe  
7 Fan Hill Road  
Monroe, CT 06468-1823  
Tel: (203) 452-5424  
Fax: (203) 261-6197  
dtuba@monroect.org

#### MEMBERS-AT-LARGE

Jason A. Vincent, AICP  
Director of Planning  
Town of Stonington  
152 Elm Street  
Stonington, CT 06378-0352  
Tel: (860) 535-5095  
Fax: (860) 535-1023  
jvincent@stonington-ct.gov

Mary Ellen Kowalewski, AICP  
Dir. of Community Development  
Capitol Region COG  
241 Main Street  
Hartford, CT 06106  
Tel: (860) 522-2217  
Fax: (860) 724-1274  
mkowalewski@crcog.org

Christopher J. Smith, Esq.  
Shipman & Goodwin, LLP  
One Constitution Plaza  
Hartford, CT 06103-1919  
Tel: (860) 251-5606  
Fax: (860) 251-5318  
cjsmith@goodwin.com

Bruce Hoben, AICP  
Planimetrics  
31 Ensign Drive  
Avon, CT 06001  
Tel: (860) 677-5267  
Fax: (860) 674-2693  
b.hoben@planimetrics.net

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Christopher S. Wood, AICP  
Town Planner  
Town of Woodbury  
P.O. Box 369  
Woodbury, CT 06798-0369  
Tel: (203) 558-0654  
woodplanning@charter.net

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Alan L. Weiner, AICP  
City Planner  
City of Bristol  
111 North Main Street  
Bristol, CT 06010  
Tel: (860) 584-6225  
Fax: (860) 584-3838  
alanweiner@ci.bristol.ct.us

#### Newsletter –

Marcia A. Banach, AICP  
Director of Planning  
Town of South Windsor  
1540 Sullivan Avenue  
South Windsor, CT 06074  
Tel: (860) 644-2511, ext. 250  
Fax: (860) 644-7280  
banach@southwindsor.org

#### Professional Development –

John D. Pagini, AICP  
846 Silver Street  
Coventry, CT 06238  
Tel/Fax: (860) 742-7056  
pagini@charter.net

#### Program –

Patrice L. Carson, AICP  
Town Planner  
Town of Somers  
600 Main Street  
P.O. Box 308  
Somers, CT 06071-0308  
Tel: (860) 763-8218  
Fax: (860) 763-8223  
carsonpl1@yahoo.com

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Anna M. Breinich, FAICP  
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abreinich@pecpa.org

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david.w.woods@hofstra.edu



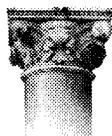
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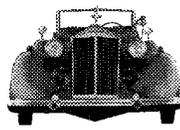
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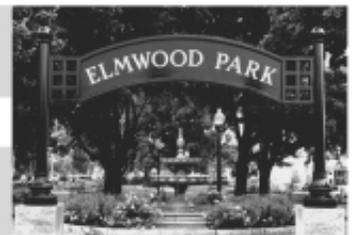


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# Professional Development News

by John D. Pagini AICP, Professional Development Officer

## Continuing Professional Development

### More CCAPA Planners Awarded Continuing Professional Development Certificates

- Congratulations to our outgoing Chapter President, Mark Pellegrini, who received his Continuing Professional Development Certificate in August.
- Due to staffing problems at AICP, other Certificate holders were not known at deadline, but will be acknowledged in April.

### Programs with Continuing Professional Development Credits Posted

- A list of programs approved for Continuing Professional Development Credits in the last year has now grown to 46; is updated regularly; and is posted as a PDF on the CCAPA website at [www.ccapa.org/member\\_services/continuing\\_education.htm](http://www.ccapa.org/member_services/continuing_education.htm).
- Thanks to all CCAPA Planners who have made us aware of programs, past and pending, for potential CPD credit. See PDO John Pagini should you wish to alert him concerning other programs.

## AICP Certification

### May, 2007 AICP Exam

The deadline for applications for the May, 2007 AICP Exam is March 6, 2007, and the testing window for the Exam will be May 7-21, 2007. Any candidates for the Spring 2007 or Fall 2007 Exams who have not previously contacted PDO John Pagini should do so at [pagini@charter.net](mailto:pagini@charter.net).

Candidates who go to [www.ccapa.org/member\\_services/aicp\\_exam.htm](http://www.ccapa.org/member_services/aicp_exam.htm) will find an AICP Exam Preparation Session power point presentation by CT and MA PDOs John Pagini and Lynn Duncan; AICP classroom session power points presented at the 2006 National Planning Conference in San Antonio; and an index to study sources keyed to the AICP Exam outline.

The Annual AICP Exam Classroom will be held in April, 2007. Look for a notice of a specific time and place by email and on the CCAPA website after the first of the year.

## FAICP

Planners who have an interest in nominating their colleagues to FAICP should look for CCAPA e-news and website notices concerning AICP's anticipated late Fall, 2007 round of nominations for award in 2008. CCAPA has established its own system of receiving and evaluating nomination in sync with the FAICP national nomination process. AICP must first post its nomination rules before nominations can be made.

Planners are reminded that AICP accepts nominations only once in every two years. ■

## Redesigning the Edgeless City — February 7-8, 2007 Harness Racing Museum & Hall of Fame Located in Goshen, NY

This professional development course, offered in collaboration between Regional Plan Association, the Lincoln Institute of Land Policy, and the Orange County Department of Planning, will explain innovative design and land-use law techniques for combating sprawl development. Structured around the handbook *Redesigning the Edgeless City*, the course draws on case study work by the faculty from across North America on topics including re-making the suburban highway, turning "edge city" districts into compact mixed-use centers, and using "green infrastructure" strategies for shaping new communities at the metropolitan fringe. Planning and policy advocates, city and state officials, developers, and citizen stakeholders are encouraged to enroll.

Registration is \$50 and participants qualify for 13 AICP and AIA continuing education credits. For details and to register for the course RSVP to [esmith@rpa.org](mailto:esmith@rpa.org) or call (212) 253-2727 x324. (Note: special registration is required for the second day of the course which is a hands-on design workshop that will demonstrate the application of these strategies to central Orange County, NY). ■



is published quarterly by the Connecticut Chapter of the American Planning Association. Contributions are encouraged. Submissions should be typewritten and submitted via email or CD-ROM/diskette, and must include the name and telephone number of the contributor. Material may be edited to conform to space or style requirements. Please address submissions to Executive Editor Marcia Banach at the addresses below.

<b>Executive Editor:</b> Marcia A. Banach, AICP Director of Planning Town of South Windsor Town Hall, 1540 Sullivan Ave. South Windsor, CT 06074 Ph: (860) 644-2511 Fax: (860) 644-7280	<b>Layout/Advertising:</b> Jeffrey H. Mills J.M. Communications 205 North Farms Rd. Coventry, CT 06238 Ph: (860) 742-7234 Fax: (860) 742-7349 <a href="mailto:jmills@appleisp.net">jmills@appleisp.net</a>
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**John D. Pagini, AICP**

846 Silver Street (860) 742-7056  
Coventry, CT 06238 [pagini@charter.net](mailto:pagini@charter.net)

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## Planning Rising, (cont'd from page 1)

land stewardship and open space issues.

The success of the Office of Responsible Growth will ultimately depend upon the continuing leadership of the Governor. She must hold her Commissioners accountable for effectively carrying out the executive order. It will also require the enthusiastic support of her Commissioners and their staffs. CCAPA is committed to working with the Office of

Responsible Growth and continuing our partnership with other organizations to help move the agenda forward. During 2007 our Government Affairs Committee will be working to support legislation for affordable housing, economic development, and increased capacity for planning at the State level and increased assistance to regional and local planning agencies to further define and support the responsible growth agenda. ■

## Summary of Executive Order No. 15

*The following is an excerpt from Executive Order No. 15.*

THE OFFICE OF RESPONSIBLE GROWTH shall be responsible for the following:

- a. Chairing an Interagency Steering Council, consisting of the Commissioners of the Department of Economic and Community Development, Department of Environmental Protection, Department of Agriculture, Department of Transportation and the Department of Public Health as well as the Executive Directors of the Connecticut Housing Finance Authority and the Connecticut Development Authority, to coordinate policy development and capital planning in an effort to efficiently utilize state expertise and financial resources.
- b. Creating Regional Roundtables that will invite the ongoing participation of city and town officials and foster the development of planning agendas tailored to the specific needs of different parts of our state, starting with new transit corridors.
- c. Developing support and incentives for communities to engage in regional planning, to update zoning maps and ordinances and to build the capacity of municipal staff, boards and agencies to make complex land use decisions. This effort will include the establishment of a new municipal training program that will be created in conjunction with regional planning organizations, the Connecticut Land Use Academy and resources that already exist in our state's colleges and universities.
- d. Updating the "Green Plan" for Connecticut by June 2007 to better identify sensitive ecological areas and unique features, guide acquisition and preservation efforts, support local build-out maps and assessments, and make these and other maps accessible to state agencies, regional planning agencies, local communities and nongovernmental organizations through geographic information systems (GIS).
- e. Reviewing transportation policies and projects to increase opportunities to promote mass transit and roadway design that support state and local economic development while preserving and enhancing the character, as well as the "walkability," of our communities.
- f. Expanding housing opportunities to meet the needs of all Connecticut residents and support an expanding workforce with housing that provides ready access to passenger rail and bus service.
- g. Reviewing all State funding that has an impact on the growth and development of Connecticut and establishing criteria that will target funds for uses that are consistent with goals that emerge for responsible growth.
- h. Targeting economic incentives to support development in designated Responsible Growth areas.
- i. Creating a new "Green and Growing" webpage to highlight best practices and develop a virtual toolbox and roadmap to promote Responsible Growth region by region and community by community.

# CCAPA's Role in Statewide Planning Issues

by Donald J. Poland, AICP, CCAPA President-Elect

Members of the CCAPA Executive Committee are often asked, "What role is CCAPA playing in statewide initiatives related to planning, development and smart growth?" The following are some answers to that question.

First and most importantly, CCAPA's Government Relations Committee has been working hard for many years to become a strong voice for planning in Connecticut. As most of you know, our legislative contacts have increased greatly in recent years and we have been very successful in playing a key role on planning legislation at the legislature.

Our success at the legislature has been due to our rational and balanced approach to addressing policy issues and by providing our expertise to the process. The most notable success we have had at the legislature is being invited by the Planning and Development Committee to sit in on and assist with "bill screening"

(a legislative function that is rarely open to individuals and organizations). Bill screening is the process through which the committee decides which proposed bills will make the cut for further consideration and which will be killed.

It is through this approach — being a resource — that CCAPA has become involved, as an organization and through its members, in so many other organizations and planning-related issues. While I do not know every member of CCAPA or every organization that we are involved in, I would like to name a few of the organizations that members of our Executive Committee are involved in: 1000 Friends of Connecticut, Connecticut Association of Zoning Enforcement Officials (CAZEO), Connecticut Partnership for Balanced Growth, Connecticut Trust for Historic Preservation, Home Connecticut, and the Connecticut Bar Planning & Zoning Section.

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The Executive Committee would like to thank all CCAPA members for their efforts and dedication to our profession.

**CCAPA's Role in Statewide Planning (cont'd)**

In addition, CCAPA members have been involved in many other organizations and initiatives. Some of the recent initiatives have included:

- **The Connecticut Transportation Strategy Board:** The TSB formed four working groups, including one that focused on Land Use and Economic Development. Jim Butler, then-CCAPA Vice President, served as a member of the working group. CCAPA was invited to speak before the group on issues related to state planning, and CCAPA submitted an 8-page report to the working group.
- **Blue Ribbon Commission on Property Tax Burdens & Smart Growth:** The Public Act forming this task force was based on a bill proposed by CCAPA in the previous year for the creation of a Smart Growth Task Force. The Commission consisted of 19 members, three of whom were CCAPA members: Christine Nelson, Robin Stein, and Chris Smith, a member of CCAPA's Executive Committee.
- **The Center Edge Coalition and Project:** The Center Edge Project was a

broad coalition organized by the Office of Urban Affairs of the Archdiocese of Hartford. Its objective was to educate people about disparities created by our long-term pattern of development.

CCAPA members provided review support for the CT Metro Patterns report and provided speakers for their public education outreach program.

- **The Hartford Courant — "Place":** "Place" is a weekly commentary feature that discusses the planning and development issues that face and shape Connecticut. Members of CCAPA have written many articles in "Place."

This article and list could go on and on about how CCAPA and its members are getting involved in organizations, programs, and initiatives that work toward improving Connecticut or fostering good planning. The Executive Committee would like to thank all CCAPA members for their efforts and dedication to our profession. I would like to hear from those of you who were not mentioned above to hear about what you do or what organizations you work with. Please contact me at [ewplanning@yahoo.com](mailto:ewplanning@yahoo.com). ■

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## A Source of Housing Research and Information

Many in the planning community are regular visitors to such sites as *About Planning*, *Planetizen*, or *Cyberurbia*, but more and more, savvy planners are turning — and returning — to the HUD USER Clearinghouse ([www.huduser.org](http://www.huduser.org)). HUD USER is your primary source for HUD-sponsored reports and information on housing policy and programs, building technology, economic development, urban planning, and other housing-related topics. This article will summarize the features and benefits of our Clearinghouse as we strive to provide relevant, useful, and interesting information to the planning community.

Managed by HUD's Office of Policy Development and Research, the HUD USER Clearinghouse provides housing professionals with access to more than 850 HUD-sponsored research publications and data sets — all at little or no cost. Most of our housing-based research

can be downloaded for free, or ordered for a nominal cost by visiting our Web Store (<http://webstore.huduser.org/>).

From broad overviews to detailed analyses, our Clearinghouse is designed to meet the changing needs of the people it serves. We recognize that many visitors are looking for concise, plain-language summaries of our research publications, while others demand greater depth and detail. Still others seek out our unique data sets — raw information that can be used to conduct new research and to identify location-specific market activity. Some of the data sets currently available include HUD median family income limits, qualified Census tracts, low-income housing tax credits, fair market rents, and portions of the American Housing Survey.

While our website offers a considerable depth of resources, finding what you need has never been easier. Our publications

*(continued next page)*

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### Calendar of Upcoming Events

<u>When</u>	<u>What</u>	<u>Where</u>
February 2, 2007	CCAPA Exec. Committee Meeting (9:30 a.m.)	Shipman & Goodwin, Hartford
March 2, 2007	CCAPA Program on regulating square footage for retail development (half-day morning session).	TBA
March 17, 2007	CT Bar Association Commissioners Training	TBA
April 14-18, 2007	APA National Conference	Philadelphia

Members are invited to attend any or all meetings of CCAPA and its committees. Keep up with changes to this listing by visiting the CCAPA website.



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## HUD USER, (cont'd from page 5)

are sorted according to topic and our enhanced search capabilities allow users to conduct advanced searches to find exactly what they need. Should you require additional assistance, our knowledgeable in-

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To keep busy professionals informed, we offer free subscriptions to both *HUD USER News* and to our newsletter, *ResearchWorks*. *HUD USER News* is a weekly listserv that surveys the latest housing resources produced

by HUD's Office of Policy Development and Research. The listserv summarizes new research findings, activities, and events in a concise email message that delivers the key points in a straightforward, uncluttered manner. The newsletter, *ResearchWorks*, offers a more in-depth look at the latest HUD research and how it's being applied in the field. It's published 10 times a year and you can subscribe online for free.

Another PD&R publication, *Cityscape: A Journal of Policy Development and Research*, features research on housing and urban policy issues written by scholars, government officials, and others involved in setting policy and charting the direction of future research. *Cityscape* examines and gives voice to innovative ideas, policies, and programs that show promise in revitalizing cities and

regions, renewing their infrastructure, and creating economic opportunities.

## The Regulatory Barriers Clearinghouse

HUD USER also manages an affiliated Clearinghouse that collects and publishes state and local regulatory reform strategies that support affordable housing: the Regulatory Barriers Clearinghouse. Located at [www.regbarriers.org](http://www.regbarriers.org), our searchable database contains thousands of regulatory reform strategies and relevant resources from around the country. We track affordable, mixed-income housing solutions in ten different categories, including planning and growth restrictions, zoning regulations, redevelopment/infill, and building codes. In addition, we publish a free electronic newsletter, *Breakthroughs*, that highlights successful "real world" strategies, case studies, and the people who are making affordable housing happen.

We hope this article has provided some useful information to you, the Connecticut planning community. Please make sure to visit our website the next time you have a need for relevant, up-to-date housing information. Feel free to direct any inquiries you might have to our toll-free help line at (800) 245-2691; to reach the Regulatory Barriers Clearinghouse, select option 4. ■



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## Government Relations Committee Discusses 2007 Legislative Agenda and New State Office of Responsible Growth

The CCAPA Government Relations Committee met in late October to discuss issues and strategies for the upcoming General Assembly session. Although the Chapter is not proposing any specific legislative action at this time, we intend to continue providing legislative committees, individual legislators, and State governmental agencies with objective, professional guidance on issues pertaining to planning and land use.

Issues that we expect to be involved with, as discussed in the last Newsletter, include revision of the State's authorization for the exercise of eminent domain, possible efforts to better address affordable housing needs, and changes to land use regulation organization at the municipal level. Discussions so far with various organizations indicate that these will all be put forth this session.

A primary objective for the Chapter is to support the implementation of the Governor's Executive Order creating an Office of Responsible Growth. This Order appears to address most of the

*(continued next page)*

# A Failure of Fairness? The Property Rights Movement is Reborn at the Ballot Box

by Richard Carson

Every once in a while a state voter initiative catches people's attention, and it takes the center stage nationally. Examples include creating term limits, setting property tax caps, and banning same-sex marriages. The next big trend is all about property rights, and it is well under way in 23 states.

This national movement about citizens' property rights is driven by two events. The first was the passage in Oregon in November 2004 of a property rights initiative called Ballot Measure 37. The second was the June 2005 U.S. Supreme Court decision, *Kelo v. City of New London*.

The American Planning Association says, "Radical property rights organizations have seized on the passage of Measure 37 to promote similar ballot measures in other states." These voter initiatives are described by opponents as the most draconian property compensation laws in the United States.

On the other side, proponents love measure 37 because it has brought new life to the property rights movement. Property rights initiatives have one thing in common: they exceed previous U.S. Supreme Court rulings in terms of what constitutes a property taking. In addition, they present the prospect of unraveling

local and state laws regarding the environment and land use.

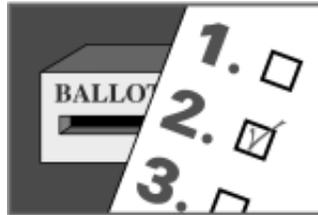
## Earlier Case Law and Legislation

The Fifth Amendment to the U.S. Constitution protects a private landowner from the government "taking" of property without fair compensation, and the case law on compensation for government takings has been widely accepted for more than 70 years.

In the late 1800s, the U.S. Supreme Court ruled in several cases (*Mugler v. Kansas* and *Lawton v. Steet*) that in order for a landowner to get compensation, the land use regulations must be so restrictive as to completely deprive the landowner of the land's economic value. In other

words, the government has had to compensate landowners for taking all the land's value, but it has not needed to compensate landowners for partial takings.

Some states-Louisiana, Texas, Mississippi, and Florida-have passed laws regulating compensation for partial property takings. The first three states essentially created partial takings thresholds at which a government must pay compensation. The thresholds are 20 percent for Louisiana, 25 percent for Texas, and 40 percent for Mississippi.



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The Harris Act, passed in Florida in 1995, went farther than the laws in Louisiana, Texas, and Mississippi and was the first real precursor to the Oregon voter initiative. The act affords landowners the right to sue local governments should their property value be “inordinately burdened” or “restricted” by government regulations. It also applies only to government regulation that happened after the act was implemented. Many of the property rights initiatives passed since the Harris Act go further in that they are retroactive.

**Oregon Leads the Way — For and Against**

It is ironic that the state where the property rights movement has now been reborn is Oregon. In the early 1970s, the state of Oregon legislated state-mandated land use planning, which was touted as cutting-edge public policy and hailed by some as a grand experiment in land use planning.

In 1973, a bipartisan Oregon legislature and a progressive Republican governor named Tom McCall approved the

first statewide land use planning program in the nation. The program required the use of comprehensive plans and urban growth boundaries, all in the name of saving farms and forests. For more than a quarter century, Oregon has received much national media attention for its innovative land use planning program.

On November 2, 2004, however, the very citizens who were purportedly served by this vaunted planning program permanently crippled and politically rejected the program with the passage of Ballot Measure 37. After 30 years, and by a decisive 61 percent to 39 percent margin, the voters essentially terminated the grand experiment by passing the severest property compensation law in the United States.

Oregon’s Ballot Measure 37 is a historic precedent because local governments in Oregon must now pay for any partial takings. The ballot measure’s language is as clear as it is devastating: “If a property owner proves that a land use regulation restricts the use of the owner’s  
*(continued next page)*

**Legislative Agenda (cont’d)**

recommendations that the Chapter has put forth over the past several years to establish an integrated State planning function. However, the Governor and the Legislature will need to provide the necessary political and financial support for this program to be effective.

David LeVasseur, Undersecretary of Intergovernmental Policy at the Office of Policy and Management, who is expected to head up the new Office of Responsible Growth, attended the Government Relations Committee meeting to brief us on his goals for setting up the office and its initial priorities.

According to LeVasseur, the interagency council created by the Executive Order will reach out to all State agencies and outside interests for input. Among the first steps will be conducting an inventory of the existing tools for  
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## Legislative Agenda (cont'd)

growth management and identifying gaps and redundancies in planning at the State level to support the Office's role as a focal point for coordinating resources. This will build on the land use training report that OPM prepared last year and will ideally result in additional funding to the Center for Land Use Education and Research at UConn. Clearly there is strong interest in improving land use planning and regulation through better training of land use decision makers.

LeVasseur assured us that the Office of Responsible Growth is not intended as an obstacle to development. The overall philosophy would appear to rely on incentives over regulation, to allow market forces to direct development. It remains to be seen how this philosophy will serve to implement the sound growth management principles now required of State, regional, and municipal plans. ■

— Christopher S. Wood, AICP  
Chair, Government Relations  
Committee

## Failure of Fairness (cont'd)

property and reduces its value, then the government responsible for the regulation will have a choice: pay the owner of the property an amount equal to the reduction in value or modify, change, or not apply the regulation to the owner's property." This has become known as "waive or pay."

The primary caveat to this is that the regulations in question must have been those in effect when the current property owner bought the property. Whether such a right is transferable to a new property owner is unclear and is now hotly debated.

The Oregonian, a Portland newspaper, reported that on the first day that measure 37 went into effect, citizens came in to file claims for such developments as a coastal subdivision with 400 one-acre lots, a farmland subdivision consisting of 350 two-acre lots, and a plan for a rural subdivision with a gambling casino, as well as numerous small rural subdivisions. The newspaper also reported that planners are "expecting proposals to build large retail centers or destination resorts on farmland that's been in the same families for generations."

Dorothy English is an unlikely symbol of this cultural revolution. The 92-year-

old grandmother bought 19 acres in the scenic hills overlooking Portland in 1953. When she went to the city of Portland to get permission to subdivide her land in order to give some to her children and finance her retirement, she had a rude awakening. "There were no restrictions on the land when we bought it," said English. "To come in and put new restrictions on it 20 years later, I think is stealing."

Dorothy English's story resonated with Oregon voters who had stood by and watched a state and city planning regime that literally ignored the will of the voters. In 2000, Oregon voters passed a similar compensation law by a 54 percent to 46 percent margin, but special interests got the Oregon Supreme Court to nullify the vote. The level of regulation reached in the city of Portland was perceived to be so onerous that the Portland homebuilders' association actually advised its members not to build in the city anymore.

## The Kelo Decision

The *Kelo v. City of New London* decision is a different kind of taking. New London had used its eminent domain powers to condemn private property for a private sector development, not for a public purpose such as a street, a library, or a school. The legal question was whether this action was a violation of the public use section of the Fifth Amendment to the U.S. Constitution. When the U.S. Supreme took up the case, it decided in favor of New London.

This enraged the property rights devotees nationwide, and they began to campaign in the states to ban this practice at the ballot box.

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## Action Across the Country

Ballot Measure 37 and the *Kelo* decision have planted the seeds of discontent nationally. Just as in 1978 when the Proposition 13 property tax limitation movement spread from California to the nation and just as in 1994 when the Contract with America made term limits the rage nationally, property rights is gaining national political attention and reaching the ballot box in at least half the states of the nation.

One example is the state of Washington's Initiative 933, which is called the Property Fairness Initiative. If enough registered voters vote to pass the initiative, the law will be retroactive to either any existing use in the past or to certain regulations back to 1996. Like Oregon's measure, Washington's initiative says "any ordinance, regulation, or rule to private property shall first pay the property owner compensations...." Washington also has state-mandated land use planning, but its program is more decentralized and less litigious than Oregon's.

To the south, in California's Napa

Valley, the Fair Payment for Public Benefit Act was considered by the voters in June 2006. It was modeled on both Oregon's and Washington's compensation requirements, and legal and administrative costs for just the unincorporated county were estimated at up to \$3 million a year. The law was to be retroactive to February 2005, the date of the initiative filing.

Because the retroactive date was fairly recent, it was believed that the main impact would be that the county would avoid adopting any new land use ordinances and that a static regulatory environment would result. The county, however, could not have avoided implementing new federal or state requirements over time. This measure was on the June 6, 2006, primary ballot, and failed as 64 percent voted "no."

Another initiative petition being fielded by activists is called the Nevada Property Owners' Bill of Rights. This initiative also provides for compensation for loss of property value. One of the automatic-loss triggers in this initiative is

*(continued next page)*

## Save the Date... 2007 Regional Planning Conference October 11-12, 2007 Hyannis, MA

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- Streamlined permitting
- Potential alternative energy — off-shore wind turbines
- Why your local regulations prohibit Low Impact Development
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- And other related subjects

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## 2007 Regional Planning Conference (cont'd)

Look also for a special session on historic Hyannis and maybe even a flag football game at Camelot along with many surprises to make for a most memorable event.

Look for the call for presentations in February '07 (for information contact Felipe Schwarz at [FSchwarz@VHB.com](mailto:FSchwarz@VHB.com)).

Please visit our website at [www.ccapa.org](http://www.ccapa.org) in the upcoming months for updates on this exciting event. ■

## Failure of Fairness (cont'd)

down zoning, but its primary goal is to prohibit the use of eminent domain for private sector projects. Down zoning is when a government rezones property from a classification that puts a higher value on the land to a lower one. If commercially zoned land was rezoned to rural category, for example, then the property owners would lose value.

## Antigovernment Motives

The political tactics used in all these states are strikingly similar. Proponents seem to believe that if it worked in Oregon, it is exportable to other states as well. The theme of all the current campaigns is that big government is not fair to the small property owner. Proponents seek out the most egregious examples of someone's property rights being trampled, and they publicize the most sympathetic victims they can find. So all of the proponents are out looking for the next Dorothy English.

Another common denominator in all

of the ongoing property rights initiatives is they are meant to curb government land use regulation with the threat of compensation. The truth is that local and state governments cannot afford to pay landowners for the regulations that the government imposes on them. It is yet another irony that the property rights movement and local government are both playing the unfunded-mandate card for different reasons.

Local governments tell state governments that if the state creates a mandate, the state should pay for it. The property owners, in turn, are telling local governments to pay for their mandates. Another profound result of these initiatives will be the unraveling of the environmental and land use planning gains made in the United States in the 20th century. ■

*Richard Carson is Director of Clark County Community Development, Vancouver, Washington. This article first appeared in the October 2006 issue of Public Management and is reprinted with permission of the author.*

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# CCAPA Membership News

Alan L. Weiner, AICP, Membership Chairman

## ■ Current CCAPA Membership

CCAPA had a total of 510 members as of November 15, 2006 (the latest date for which such information is available).

## ■ Welcome to Our Newest Members!

The following are the newest members of CCAPA (through 11/15/06):

Thomas Battiste, Litchfield  
Sanhita Chattopadhyay, Akron, OH  
Matt Coppler, Enfield  
Obidimma Ezezika, New Haven  
Elijah Ferrari, Westport  
Breyonne Golding, Storrs  
Charlton Hamer, Bridgeport  
James Howland, Burlington  
Alyssa Israel, Fairfield  
Charles Ladd, Enfield  
Andrew Mackie, New Haven  
Ryan Malloy, Middletown  
Emily Moos, Cos Cob  
Jason Newman, Glastonbury  
Constance Post, Stamford  
Eloise Powell, Glastonbury  
Deanna Rhodes, Portland  
Kent Schwendy, Manchester  
Alicia Senauer, New Haven  
Jeffrey Stoike, New Haven  
Lu Sun, New Haven  
Brenna Vredeveld, New Haven

## ■ Members in the News

**Mary Barton**, formerly the Planning and Zoning Officer for the Town of Watertown, now serves as the Land Use Officer for the Town of Thomaston. Mary can be reached at Town Hall, 158

Main Street, Thomaston 06787. Tel: (860) 283-8411. Fax: (860) 283-2893. Email: mbarton@thomastonct.org.

**Matthew J. Davis AICP**, is now the Manager of Planning Services for the Town of Groton. His new address: Town Hall Annex, 134 Groton Long Point Rd., Groton 06340. Tel: (860) 446-5975. Fax: (860) 446-5978. Email: mdavis@town.groton.ct.us. Matt was previously Senior Planner for the Southeastern Connecticut Council of Governments.

**Ruth Mulcahy** is the Planning and Zoning Officer for the Town of Watertown. Ruth, formerly the Land Use/Zoning Enforcement Officer for the Town of Litchfield, can now be reached at 51 Depot Street, Suite 502, Watertown 06795. Tel: (860) 945-5266. Fax: (860) 945-2705. E-mail: mulcahy@watertownct.org.

**Demian Sorrentino, AICP**, reports that, after nearly two-and-a-half years as Town Planner for the Town of Griswold, he is now working as a Project Manager for Boundaries, LLC, a surveying, civil engineering and land planning firm located in Griswold. He also notes that "although I have changed my primary employment, I will remain as part-time Planning & Zoning Agent for the Town of Chaplin." Demian's new address: P.O. Box 184, 179 Pachaug River Drive, Griswold 06351. Tel: (860) 376-2006. Fax: (860) 376-5899. Email: das.boundariesllc@snet.net.

## Changing Addresses?

Please advise both APA and CCAPA of any changes to your APA contact information. Report changes to APA as follows:

American Planning Association  
Member Records Department  
122 South Michigan Avenue  
Suite 1600  
Chicago, IL 60603  
Tel: (312) 431-9100  
addresschange@planning.org

Report changes to CCAPA as follows:

Alan L. Weiner  
9 High Street  
Collinsville, CT 06019-3125  
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ccapamembership@sbcglobal.net

## Changing Jobs?

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