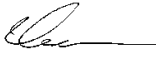




**STATE OF CONNECTICUT**  
**OFFICE OF POLICY AND MANAGEMENT**

*Intergovernmental Policy Division*

To: Municipal Chief Elected Officials and Chief Executive Officers

From: W. David LeVasseur, Acting Undersecretary 

Date: April 13, 2015

Subject: Guidance on Maintaining Eligibility for Discretionary State Funding re: CGS Section 8-23

The Office of Policy and Management (OPM) has received several requests from municipalities for guidance pertaining to statutory requirements for local plans of conservation and development (POCD). Specifically, **CGS Section 8-23(b) states that municipalities that have not adopted a POCD within the past 10 years shall be ineligible for discretionary state funding.** This prohibition on *discretionary state funding* was originally intended to be effective July 1, 2010 (P.A. 07-239), but subsequent legislation allowed a broad-scale deferral of its implementation until July 1, 2015.

I would like to use this opportunity to clarify and explain the practical implications for municipalities that have an expired POCD, so that you can take the necessary steps to manage the situation until a new POCD is adopted by the municipal planning commission or planning and zoning commission (PC/PZC):

- If a POCD is not adopted within the required 10-year period, the Chief Elected Official of the municipality shall submit a letter to the OPM Secretary and the Commissioners of Transportation, Energy and Environmental Protection, and Economic and Community Development explaining the reason(s) therefor. (See Attachment A – Sample “Notice of Expired POCD”)
- A copy of the Notice of Expired POCD shall be included with each application for *discretionary state funding* submitted by the municipality to any administering state agency, until a new POCD is adopted.
  - “*Discretionary state funding*” includes any source of funding that a state agency administers through a competitive process. Examples include, but are not limited to, the Urban Action Program, Small Town Economic Assistance Program, Clean Water Fund, Drinking Water State Revolving Fund, as well as various housing, historic preservation, brownfields remediation, open space and farmland preservation programs.
  - **An expired municipal POCD does not impact other entitlement or formula-based programs,** such as the Local Capital Improvement Program (LoCIP), Education Cost Sharing (ECS), Town Aid Road (TAR), Payment in Lieu of Taxes (PILOT) for Private Colleges, General Hospitals and State-Owned Property, the Mashantucket Pequot/Mohegan Fund, etc.
- Concurrent with the municipality’s submittal of each application for *discretionary state funding* to an administering state agency, the Chief Elected Official of the municipality may submit a separate letter to the OPM Secretary requesting a waiver of the *discretionary state funding* prohibition. (See Attachment B – Sample “Waiver Request Letter”)

- The OPM Secretary shall consider the information provided in each Waiver Request Letter and provide a timely written response to both the Chief Elected Official of the municipality and to the administering state agency's point-of-contact, as to whether or not the *discretionary state funding* prohibition is waived for the subject application.
- The 10-year clock for maintaining *discretionary state funding* eligibility re-sets whenever the municipal PC/PZC adopts a new POCD that has been prepared or amended in accordance with the process outlined in CGS Section 8-23. (Note: OPM has no role in the review of municipal POCDs.)
- In lieu of the requirement that the PC/PZC submit a hard copy of the POCD to the OPM Secretary within 60 days after adoption, OPM will accept a brief letter that includes: 1) a link to the POCD on the municipality's website; 2) certification of the POCD adoption date (e.g., PC/PZC minutes); and 3) a description of any inconsistency between the POCD adopted by the PC/PZC and the State Plan of Conservation and Development and the reasons therefor, as is currently required under CGS Section 8-23(h)(5).

In addition to maintaining eligibility for *discretionary state funding*, a municipality that regularly updates its POCD also benefits from the public involvement of its citizens and businesses in helping to address the vision, goals and evolving needs of the community. This, in turn, helps to inform regional and state plans when they are updated.

Another benefit afforded to any municipality that regularly updates its POCD is the enhanced role that it can play when an administering state agency is considering funding certain projects that are not located within state-mapped Priority Funding Areas. Specifically, CGS Section 16a-35d prohibits state agencies from funding any growth-related project located outside of a Priority Funding Area, unless the project is consistent with the municipal POCD and meets the other statutory criteria for an exception. Expired POCDs will not be considered by the administering state agency if/when such an exception is needed.

I am confident that the guidance outlined above will ensure that any municipality with an expired POCD is treated fairly and consistently during the period that it is making a good-faith effort to adopt a new POCD. Please note that, if your municipality does not intend to apply for *discretionary state funding* during the period that the POCD is expired, there is no need for you to submit a Waiver Request Letter to OPM.

If you have any questions on this guidance, please contact Dan Morley of my staff at (860) 418-6343 or [Daniel.Morley@ct.gov](mailto:Daniel.Morley@ct.gov).

Attachments: A) Sample "Notice of Expired POCD"  
 B) Sample "Waiver Request Letter"  
 C) CGS Section 8-23 re: Process for Adopting a Municipal POCD

Cc: Planning & Development Committee  
 Regional COG Directors

## **Attachment A**

Sample "Notice of Expired POCD"

Insert Municipal Header

Date

Secretary Benjamin Barnes  
Office of Policy and Management  
450 Capitol Avenue  
Hartford, CT 06106-1379

Commissioner James P. Redeker  
Department of Transportation  
P.O. Box #317546  
2800 Berlin Turnpike  
Newington, CT 06111

Commissioner Robert J. Klee  
Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127

Commissioner Catherine H. Smith  
Department of Economic and Community Development  
505 Hudson Street  
Hartford, CT 06106-7106

RE: Notice of Expired Plan of Conservation and Development

Dear Secretary Barnes and Commissioners Redeker, Klee, and Smith:

In accordance with Section 8-23 of the Connecticut General Statutes (CGS), I am notifying you that the Plan of Conservation and Development (POCD) for the Town/City of \_\_\_\_\_ was last adopted by its Planning Commission/Planning and Zoning Commission on Date, and is considered to be expired because it is more than 10 years old. As a result, the Town/City of \_\_\_\_\_ is ineligible for discretionary state funding until the Planning Commission/Planning and Zoning Commission adopts a new POCD.

Please use this paragraph to explain the reason(s) why the POCD was not revised and adopted in a timely manner and the steps being taken to comply with CGS Section 8-23.

Until such time that a new POCD is adopted, I understand that the Town/City of \_\_\_\_\_ must attach a copy of this letter to each application for discretionary state funding that is submitted to an administering state agency. Furthermore, I understand that an administering state agency will not consider an application submitted by the Town/City of \_\_\_\_\_ as eligible for discretionary state funding, unless the OPM Secretary has expressly waived such prohibition. I intend to initiate the waiver request process only if there is a need for the Town/City of \_\_\_\_\_ to apply for discretionary state funding during the period that its POCD is expired.

In summary, I would like to reaffirm the Town/City of \_\_\_\_\_'s commitment to a thorough and comprehensive public process for developing its POCD.

Sincerely,

Name of Chief Elected Official

Cc: Planning Commission/Planning and Zoning Commission

## **Attachment B**

Sample “Waiver Request Letter”

Insert Municipal Header

Date

Secretary Benjamin Barnes  
Office of Policy and Management  
450 Capitol Avenue  
Hartford, CT 06106-1379

RE: Request for Waiver of Discretionary State Funding Prohibition

Dear Secretary Barnes:

On Date of "Notice of Expired POCD" letter, I notified you and the Commissioners of Transportation, Energy and Environmental Protection, and Economic and Community Development that the Town/City of \_\_\_\_\_'s Plan of Conservation and Development (POCD) has expired, making it ineligible for discretionary state funding. At this time, I respectfully request that you consider a waiver of the discretionary state funding prohibition as allowed under CGS Section 8-23(b).

Specifically, the Town/City of \_\_\_\_\_ has applied for discretionary state funding under the Name of Grant Program administered by the Name of Administering State Agency in the amount of \$xx,xxx.xx. This grant, if awarded, would allow the Town/City of \_\_\_\_\_ to Briefly Describe the Proposed Project.

The Town/City of \_\_\_\_\_ continues to make progress in revising its POCD and currently Provide a Status Update on the POCD Revision Process. At this time, I fully expect that the Planning Commission/Planning and Zoning Commission will finalize and adopt the POCD by no later than Anticipated Date of POCD Adoption.

I appreciate your timely consideration of this waiver request. When you inform me of your decision, please also directly notify Name/Title of Program Manager at Administering State Agency, as this will help to ensure that this application receives the same degree of consideration as other eligible applications.

I understand that this waiver request, if approved, is valid only for the application described above, and that a new waiver request is required for each application for discretionary state funding until the Planning Commission/Planning and Zoning Commission has finalized and adopted its POCD. Thank you for your prompt consideration of this request.

Sincerely,

Name of Chief Elected Official

Cc: Name/Title of Program Manager at Administering State Agency

## **Attachment C**

CGS Section 8-23 re: Process for Adopting a Municipal POCD



**Sec. 8-23. Preparation, amendment or adoption of plan of conservation and development.** (a)(1) At least once every ten years, the commission shall prepare or amend and shall adopt a plan of conservation and development for the municipality. Following adoption, the commission shall regularly review and maintain such plan. The commission may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. The commission may, at any time, prepare, amend and adopt plans for the redevelopment and improvement of districts or neighborhoods which, in its judgment, contain special problems or opportunities or show a trend toward lower land values.

(2) If a plan is not amended decennially, the chief elected official of the municipality shall submit a letter to the Secretary of the Office of Policy and Management and the Commissioners of Transportation, Environmental Protection and Economic and Community Development that explains why such plan was not amended. A copy of such letter shall be included in each application by the municipality for discretionary state funding submitted to any state agency.

(3) Notwithstanding any provision of subdivisions (1) and (2) of this subsection, no commission shall be obligated to prepare or amend a plan of conservation and development for such municipality from July 1, 2010, to June 30, 2013, inclusive.

(b) On and after the first day of July following the adoption of the state Conservation and Development Policies Plan 2013-2018, in accordance with section 16a-30, a municipality that fails to comply with the requirements of subdivisions (1) and (2) of subsection (a) of this section shall be ineligible for discretionary state funding unless such prohibition is expressly waived by the secretary, except that any municipality that does not prepare or amend a plan of conservation and development pursuant to subdivision (3) of subsection (a) of this section shall continue to be eligible for discretionary state funding unless such municipality fails to comply with the requirements of said subdivisions (1) and (2) on or after July 1, 2014.

(c) In the preparation of such plan, the commission may appoint one or more special committees to develop and make recommendations for the plan. The membership of any special committee may include: Residents of the municipality and representatives of local boards dealing with zoning, inland wetlands, conservation, recreation, education, public works, finance, redevelopment, general government and other municipal functions. In performing its duties under this section, the commission or any special committee may accept information from any source or solicit input from any organization or individual. The commission or any special committee may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan.

(d) In preparing such plan, the commission or any special committee shall consider the following: (1) The community development action plan of the municipality, if any, (2) the need for affordable housing, (3) the need for protection of existing and potential public surface and ground drinking water supplies, (4) the use of cluster development and other development patterns to the extent consistent with soil types, terrain and infrastructure capacity within the municipality, (5) the state plan of conservation and development adopted pursuant to chapter 297, (6) the regional plan of conservation and development adopted pursuant to section 8-35a, (7) physical, social, economic and governmental conditions and trends, (8) the needs of the municipality including, but not limited to, human resources, education, health, housing, recreation, social services, public utilities, public protection, transportation and circulation and cultural and interpersonal communications, (9) the objectives of energy-efficient patterns of development, the use of solar and other renewable forms of energy and energy conservation, and (10) protection and preservation of agriculture.

(e) (1) Such plan of conservation and development shall (A) be a statement of policies, goals and standards for the physical and economic development of the municipality, (B) provide for a system of principal thoroughfares, parkways, bridges, streets, sidewalks, multipurpose trails and other public ways as appropriate, (C) be designed to promote, with the greatest efficiency and economy, the coordinated development of the municipality and the general welfare and prosperity of its people and identify areas where it is feasible and prudent (i) to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and (ii) to promote such development patterns and land reuse, (D) recommend the most desirable use of land within the municipality for residential, recreational, commercial, industrial, conservation, agricultural and other purposes and include a map showing such proposed land uses, (E) recommend the most desirable density of population in the several parts of the municipality, (F) note any inconsistencies with the following growth management principles: (i) Redevelopment and revitalization of commercial centers and areas of mixed land uses with existing or planned physical infrastructure; (ii) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (iii) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse; (iv) conservation and restoration of the natural environment, cultural and historical resources and existing farmlands; (v) protection of environmental assets critical to public health and safety; and (vi) integration of planning across all levels of government to address issues on a local, regional and state-wide basis, (G) make provision for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the

Secretary of the Office of Policy and Management under section 16a-4a, (H) promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourage the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to chapter 297. In preparing such plan the commission shall consider focusing development and revitalization in areas with existing or planned physical infrastructure.

(2) For any municipality that is contiguous to Long Island Sound, such plan shall be (A) consistent with the municipal coastal program requirements of sections 22a-101 to 22a-104, inclusive, (B) made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound, and (C) designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound.

(f) Such plan may show the commission's and any special committee's recommendation for (1) conservation and preservation of traprock and other ridgelines, (2) airports, parks, playgrounds and other public grounds, (3) the general location, relocation and improvement of schools and other public buildings, (4) the general location and extent of public utilities and terminals, whether publicly or privately owned, for water, sewerage, light, power, transit and other purposes, (5) the extent and location of public housing projects, (6) programs for the implementation of the plan, including (A) a schedule, (B) a budget for public capital projects, (C) a program for enactment and enforcement of zoning and subdivision controls, building and housing codes and safety regulations, (D) plans for implementation of affordable housing, (E) plans for open space acquisition and greenways protection and development, and (F) plans for corridor management areas along limited access highways or rail lines, designated under section 16a-27, (7) proposed priority funding areas, and (8) any other recommendations as will, in the commission's or any special committee's judgment, be beneficial to the municipality. The plan may include any necessary and related maps, explanatory material, photographs, charts or other pertinent data and information relative to the past, present and future trends of the municipality.

(g) (1) A plan of conservation and development or any part thereof or amendment thereto prepared by the commission or any special committee shall be reviewed, and may be amended, by the commission prior to scheduling at least one public hearing on adoption.

(2) At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto for review and comment to the legislative body or, in the case of a municipality for which the legislative body of the municipality is a town meeting or representative town meeting, to the board of selectmen. The legislative body or board of selectmen, as the case may be, may hold one or more public hearings on the plan and shall endorse or reject such entire plan or part thereof or amendment and may submit comments and recommended changes to the commission. The commission may render a decision on the plan without the report of such body or board.

(3) At least thirty-five days prior to the public hearing on adoption, the commission shall post the plan on the Internet web site of the municipality, if any.

(4) At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto to the regional planning agency for review and comment. The regional planning agency shall submit an advisory report along with its comments to the commission at or before the hearing. Such comments shall include a finding on the consistency of the plan with (A) the regional plan of conservation and development, adopted under section 8-35a, (B) the state plan of conservation and development, adopted pursuant to chapter 297, and (C) the plans of conservation and development of other municipalities in the area of operation of the regional planning agency. The commission may render a decision on the plan without the report of the regional planning agency.

(5) At least thirty-five days prior to the public hearing on adoption, the commission shall file in the office of the town clerk a copy of such plan or part thereof or amendment thereto but, in the case of a district commission, such commission shall file such information in the offices of both the district clerk and the town clerk.

(6) The commission shall cause to be published in a newspaper having a general circulation in the municipality, at least twice at intervals of not less than two days, the first not more than fifteen days, or less than ten days, and the last not less than two days prior to the date of each such hearing, notice of the time and place of any such public hearing. Such notice shall make reference to the filing of such draft plan in the office of the town clerk, or both the district clerk and the town clerk, as the case may be.

(h) (1) After completion of the public hearing, the commission may revise the plan and may adopt the plan or any part thereof or amendment thereto by a single resolution or may, by successive resolutions, adopt parts of the plan and amendments thereto.

(2) Any plan, section of a plan or recommendation in the plan that is not endorsed in the report of the legislative body or, in the case of a municipality for which the legislative body is a town meeting or representative town meeting, by the board of selectmen, of the municipality may only be adopted by the commission by a vote of not less than two-thirds of all the members of the commission.

(3) Upon adoption by the commission, any plan or part thereof or amendment thereto shall become effective at a time established by the commission, provided notice thereof shall be published in a newspaper having a general circulation in the municipality prior to such effective date.

(4) Not more than thirty days after adoption, any plan or part thereof or amendment thereto shall be posted on the Internet web site of the municipality, if any, and shall be filed in the office of the town clerk, except that, if it is a district plan or amendment, it shall be filed in the offices of both the district and town clerks.

(5) Not more than sixty days after adoption of the plan, the commission shall submit a copy of the plan to the Secretary of the Office of Policy and Management and shall include with such copy a description of any inconsistency between the plan adopted by the commission and the state plan of conservation and development and the reasons therefor.

(i) Any owner or tenant, or authorized agent of such owner or tenant, of real property or buildings thereon located in the municipality may submit a proposal to the commission requesting a change to the plan of conservation and development. Such proposal shall be submitted in writing and on a form prescribed by the commission. Notwithstanding the provisions of subsection (a) of section 8-7d, the commission shall review and may approve, modify and approve or reject the proposal in accordance with the provisions of subsection (g) of this section.

(1949 Rev., S. 856; 1959, P.A. 577, S. 6; 1969, P.A. 477, S. 1; 1971, P.A. 862, S. 5, 6; P.A. 78-314, S. 3; P.A. 80-327, S. 2; P.A. 85-279, S. 4; P.A. 88-13, S. 1, 3; P.A. 91-392, S. 2; 91-395, S. 3, 11; 91-398, S. 2, 7; P.A. 95-239, S. 3; 95-335, S. 9, 26; P.A. 99-117, S. 1, 2; P.A. 01-197, S. 1, 4; P.A. 03-19, S. 20; P.A. 05-205, S. 1; P.A. 06-17, S. 1; 06-24, S. 1; P.A. 07-239, S. 3; June Sp. Sess. P.A. 07-5, S. 4; P.A. 08-182, S. 16, 17; P.A. 09-230, S. 7; P.A. 10-138, S. 5; P.A. 11-124, S. 3; 11-188, S. 2.)

History: 1959 act added provisions re districts; 1969 act substituted "shall" for "may" thereby requiring that recommendation for most desirable land uses and population density be included in development plan, but did leave optional the inclusion of other recommendations re streets, bridges etc. and further clarified contents of plan re economic development, schedules, budgets, various codes and regulations and community needed and deleted requirement that report be filed annually; 1971 act changed public hearing notice requirements from publication at least seven days before hearing to publication "twice at intervals of not less than two days, the first not more than fifteen days nor less than ten days, and the last not less than two days" before hearing; P.A. 78-314 allowed consideration of energy-efficient development, renewable forms of energy and energy conservation in development plan; P.A. 80-327 allowed consideration of water supplies and their protection in development plan; P.A. 85-279 made consideration of surface and ground drinking water supplies in preparation of the plan mandatory rather than discretionary; P.A. 88-13 allowed consideration of affordable housing and open space acquisition in the plan of development and required that the plan of development be reviewed and updated at least once every 10 years; P.A. 91-392 added provisions re development of housing opportunities and promotion of housing choice and economic diversity in housing; P.A. 91-395 designated existing provisions as Subsec. (a) and amended them to require that municipal plans take into account the state plan and that plans adopted under this section be reviewed for consistency with the state plan of development and added Subsec. (b) requiring municipalities to consider use of cluster development; P.A. 91-398 added provision re plans in municipalities contiguous to Long Island Sound; P.A. 95-239 amended Subsec. (a) to provide that the plan may make regulations re traprock ridgelines; P.A. 95-335 amended Subsec. (a) to change the name of the plan of development to the plan of conservation and development and authorized the plan to include provisions re greenways protection and development, effective July 1, 1995; P.A. 99-117 divided existing Subsec. (a) into (a) and (b), redesignating existing Subsec. (b) as (c), and amended Subsec. (b) by adding provision regarding explanation of failure to conduct review of the plan, effective January 1, 2000; P.A. 01-197 deleted former provisions and inserted new Subsecs. (a) to (h) which reorganized former provisions and authorized planning commissions to appoint special committees and to submit the plan to the legislative body of the town, broadened the scope of the plan to include cluster development, traprock and other ridgelines and neighborhood and district plans and made technical changes to form and content, effective July 1, 2001, and applicable to municipal plans of conservation and development adopted after that date; P.A. 03-19 made a technical change in Subsecs. (f) and (g), effective May 12, 2003; P.A. 05-205 amended Subsec. (c) to add Subdiv. (10) re protection and preservation of agriculture, amended Subsec. (d)(1) to redesignate subparagraphs and require the commission to consider focusing development and revitalization in areas with infrastructure, adding new Subpara. (B) re system of principal

thoroughfares, revising new Subpara. (C) to add provisions re identification and promotion of areas of mixed use development patterns and land reuse, and revising new Subpara. (F) re growth management principles, amended Subsec. (e) to eliminate provisions re principal thoroughfares consistent with changes in Subsec. (d), revising Subdiv. (3) to add recommendations for schools and adding new Subdiv. (6)(F) re corridor management areas and new Subdiv. (7) re priority funding areas, amended Subsec. (f) to require posting of plan on Internet web site of the municipality, change the number of days the regional planning agency has for review from 65 to 35, require the regional planning agency to make specific findings and add provisions re revision of the plan and submission to the legislative body, amended Subsec. (g) to add provisions re Internet posting and notice to the Office of Policy and Management, replaced former Subsec. (h) re hearings and endorsement with new Subsec. (h) authorizing an owner or tenant to request changes to the plan and made technical changes throughout the section, effective July 1, 2005 (Revisor's note: In Subsec. (d)(1)(C)(ii), the words "land and reuse" were changed editorially by the Revisors to "and land reuse" for consistency); P.A. 06-17 amended Subsec. (f) by revising provisions re submission to the legislative body or board of selectmen and organizing subsection into subdivisions, amended Subsec. (g) by adding requirement that a plan of conservation and development not endorsed by the legislative body or board of selectmen be approved by a two-thirds majority of the commission, making conforming changes and organizing subsection into subdivisions and amended Subsec. (h) by making conforming changes, effective October 1, 2006, and applicable to plans of conservation and development adopted after that date; P.A. 06-24 amended Subsec. (g) by replacing requirement that the commission notify the Secretary of the Office of Policy and Management of inconsistencies of the municipal plan with the state plan with requirement that the commission submit to the secretary a copy of the plan and a description of any such inconsistencies not more than 60 days after adoption of the plan; P.A. 07-239 divided existing Subsec. (a) into Subsecs. (a) and (b), added provisions re discretionary funding therein, deleted provision re application for funding for conservation or development submitted to secretary or commissioners in said Subsec. (b) and redesignated existing Subsecs. (b) to (h) as Subsecs. (c) to (i), effective July 1, 2010; June Sp. Sess. P.A. 07-5 amended Subsec. (a)(2) to insert "state" re discretionary funding, effective July 1, 2010; P.A. 08-182 amended Subsecs. (c)(6) and (f)(4)(A) to change "regional plan of development" to "regional plan of conservation and development" and, effective July 1, 2010, amended Subsecs. (d)(6) and (g)(4)(A) to change "regional plan of development" to "regional plan of conservation and development"; P.A. 09-230 amended Subsec. (b) to delete provision re plan amendment and provide that municipality shall be ineligible for discretionary state funding for failure to comply with Subsec. (a) following adoption of state plan, effective July 1, 2010; P.A. 10-138 added Subsec. (a)(3) providing that no commission shall be obligated to prepare a plan from July 1, 2010, to June 30, 2013, and amended Subsec. (b) to make technical changes and provide that municipalities that do not prepare a plan pursuant to Subsec. (a)(3) shall continue to be eligible for discretionary state funding unless such municipalities fail to comply with Subsec. (a)(1) and (2) on or after July 1, 2014, effective July 1, 2010; P.A. 11-124 amended Subsec. (e)(1)(H) by replacing "housing plan" with "state's consolidated plan for housing and community development"; P.A. 11-188 amended Subsec. (e)(1)(D) by adding ", agricultural" re use of land.