



General Assembly

February Session, 2000

Amendment

LCO No. 3795

Offered by:

REP. DAVIS, 50th Dist.

To: Subst. House Bill No. 5168

File No. 265

Cal. No. 230

***"An Act Concerning Municipal Plans Of Conservation
And Development."***

1 Strike out section 1 in its entirety and substitute the following in lieu
2 thereof:

3 "Section 1. Section 8-23 of the general statutes, as amended by
4 section 1 of public act 99-117, is repealed and the following is
5 substituted in lieu thereof:

6 (a) The commission shall prepare, adopt and amend a plan of
7 conservation and development for the municipality. Such plan shall
8 show the commission's recommendation for the most desirable use of
9 land within the municipality for residential, recreational, commercial,
10 industrial, conservation and other purposes and for the most desirable
11 density of population in the several parts of the municipality. Such
12 plan shall take into account the state plan of conservation and
13 development adopted pursuant to chapter 297 and shall note any
14 inconsistencies it may have with said state plan. Such plan shall make
15 provision for the development of housing opportunities, including
16 opportunities for multifamily dwellings, consistent with soil types,

17 terrain and infrastructure capacity, for all residents of the municipality
18 and the planning region in which the municipality is located, as
19 designated by the Secretary of the Office of Policy and Management
20 under section 16a-4a. Such plan shall also promote housing choice and
21 economic diversity in housing, including housing for both low and
22 moderate income households, and encourage the development of
23 housing which will meet the housing needs identified in the housing
24 plan prepared pursuant to section 8-37t and in the housing component
25 and the other components of the state plan of conservation and
26 development prepared pursuant to section 16a-26. Such plan may also
27 show the commission's recommendation for a system of principal
28 thoroughfares, parkways, bridges, streets and other public ways; for
29 airports, parks, playgrounds and other public grounds; for general
30 location, relocation and improvement of public buildings; for the
31 general location and extent of public utilities and terminals, whether
32 publicly or privately owned, for water, sewerage, light, power, transit
33 and other purposes; and for the extent and location of public housing
34 projects. Such other recommendations may be made by the
35 commission and included in the plan as will, in its judgment, be
36 beneficial to the municipality. The plan of conservation and
37 development shall be a statement of policies, goals and standards for
38 the physical and economic development of the municipality, and may
39 include all necessary and related maps, explanatory material,
40 photographs, charts or other pertinent data and information relative to
41 the past, present and future trends of the municipality, and may
42 include recommended programs for the implementation of the plan,
43 including a schedule and budget for public capital projects, and a
44 program for enactment and enforcement of zoning and subdivision
45 controls, building and housing codes and safety regulations, plans for
46 implementation of affordable housing and plans for open space
47 acquisition and greenways protection and development. In preparing
48 such plan the commission shall consider the community development
49 action plan of the municipality, if any, the need for affordable housing
50 and the protection of existing and potential public surface and ground
51 drinking water supplies, and may consider physical, social, economic

52 and governmental conditions and trends, including, but not limited to,
53 local, regional and state studies of the human resource, education,
54 health, housing, recreation, social services, public utilities, public
55 protection, transportation and circulation, cultural and interpersonal
56 communications needs of the municipality and the objectives of
57 energy-efficient patterns of development, the use of solar and other
58 renewable forms of energy, and energy conservation. The plan shall be
59 designed to promote with the greatest efficiency and economy the
60 coordinated development of the municipality and the general welfare
61 and prosperity of its people. The commission may prepare and adopt
62 plans for the redevelopment and improvement of districts or
63 neighborhoods which, in its judgment, contain special problems or
64 show a trend toward lower land values. The plan adopted under this
65 section for any municipality that is contiguous to Long Island Sound
66 shall be made with reasonable consideration for restoration and
67 protection of the ecosystem and habitat of Long Island Sound and shall
68 be designed to reduce hypoxia, pathogens, toxic contaminants and
69 floatable debris in Long Island Sound. The plan of any municipality in
70 which a traprock ridge, as defined in section 8-1aa, is located may
71 make recommendations for conservation and preservation of traprock
72 ridgelines, as defined in said section. The commission may adopt the
73 plan of conservation and development by a single resolution or may,
74 by successive resolutions, adopt parts of the plan, whether
75 geographical or functional, and amendments thereto. Prior to adopting
76 the conservation and development plan or any part thereof or
77 amendment thereto, the commission shall file in the office of the town
78 clerk a copy of such plan or part thereof or amendment thereto but, in
79 the case of a district commission, such commission shall file such
80 information in the offices of both the district clerk and the town clerk,
81 and shall hold at least one public hearing thereon, notice of the time
82 and place of which shall be published in a newspaper having general
83 circulation in the municipality at least twice at intervals of not less than
84 two days, the first not more than fifteen days, nor less than ten days,
85 and the last not less than two days prior to the date of each such
86 hearing, which notice shall make reference to the filing of such records

87 in the office of the town clerk, or both the district clerk and the town
88 clerk, as the case may be. Any plan or part thereof or amendment
89 thereto shall, upon adoption by the commission, be filed in the office of
90 the town clerk, but, if it is a district plan or amendment, it shall be filed
91 in the offices of both the district and town clerk, and shall become
92 effective at a time established by the commission, provided notice
93 thereof shall be published in a newspaper having general circulation in
94 the municipality prior to such effective date.

95 (b) [The] At least every ten years the commission shall review the
96 plan of conservation and development [at least once every ten years]
97 and shall adopt [such] a new plan. The commission may adopt
98 amendments to the plan or parts of the plan, in accordance with the
99 provisions of this section, as the commission deems necessary to
100 update the plan. The commission shall appoint a special committee to
101 develop and make recommendations for a new plan of conservation
102 and development. The membership on the committee shall include,
103 but not be limited to, representatives of local boards dealing with
104 zoning, inland wetlands, conservation, recreation, education, public
105 works, finance and general government. Each new plan adopted under
106 this subsection shall not be effective until approved by a vote of the
107 legislative body of the municipality. On and after July 1, 2000, if a
108 commission does not review the plan within said ten years, the chief
109 elected official of the municipality shall submit a letter to the Secretary
110 of the Office of Policy and Management and the Commissioners of
111 Transportation and Economic and Community Development that
112 explains why such review was not conducted. A copy of the letter shall
113 be included in each application by the head of a municipal agency for
114 funding for development of real property submitted to said secretary
115 or commissioners until the plan is reviewed in accordance with this
116 subsection.

117 (c) The commission of any municipality more than twenty per cent
118 of which is existing preservation area, conservation area or rural land,
119 as defined in the state plan of conservation and development adopted
120 pursuant to chapter 297, shall consider as part of its plan of

121 conservation and development the use of cluster development to the
122 extent consistent with soil types, terrain and infrastructure capacity
123 within the municipality."