



# House of Representatives

General Assembly

**File No. 304**

February Session, 2006

House Bill No. 5039

*House of Representatives, April 3, 2006*

The Committee on Planning and Development reported through REP. WALLACE of the 109th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING SITE PLANS.**

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

1 Section 1. Subsection (g) of section 8-3 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (g) The zoning regulations may require that a site plan be filed with  
5 the commission or other municipal agency or official to aid in  
6 determining the conformity of a proposed building, use or structure  
7 with specific provisions of such regulations. If a site plan application  
8 involves an activity regulated pursuant to sections 22a-36 to 22a-45,  
9 inclusive, the applicant shall submit an application for a permit to the  
10 agency responsible for administration of the inland wetlands  
11 regulations not later than the day such application is filed with the  
12 zoning commission. The decision of the zoning commission shall not  
13 be rendered on the site plan application until the inland wetlands  
14 agency has submitted a report with its final decision. In making its  
15 decision the zoning commission shall give due consideration to the  
16 report of the inland wetlands agency. A site plan may be modified or

17 denied only if it fails to comply with requirements already set forth in  
 18 the zoning or inland wetlands regulations. Approval of a site plan  
 19 shall be presumed unless a decision to deny or modify it is rendered  
 20 within the period specified in section 8-7d. A certificate of approval of  
 21 any plan for which the period for approval has expired and on which  
 22 no action has been taken shall be sent to the applicant within fifteen  
 23 days of the date on which the period for approval has expired. A  
 24 decision to deny or modify a site plan shall set forth the reasons for  
 25 such denial or modification. A copy of any decision shall be sent by  
 26 certified mail to the person who submitted such plan within fifteen  
 27 days after such decision is rendered. The zoning commission may, as a  
 28 condition of approval of any modified site plan, require a bond in an  
 29 amount and with surety and conditions satisfactory to it, securing that  
 30 any modifications of such site plan are made or may grant an  
 31 extension of the time to complete work in connection with such  
 32 modified site plan. The commission may condition the approval of  
 33 such extension on a determination of the adequacy of the amount of  
 34 the bond or other surety furnished under this section. The commission  
 35 shall publish notice of the approval or denial of site plans in a  
 36 newspaper having a general circulation in the municipality. In any  
 37 case in which such notice is not published within the fifteen-day  
 38 period after a decision has been rendered, the person who submitted  
 39 such plan may provide for the publication of such notice within ten  
 40 days thereafter. The provisions of this subsection shall apply to all  
 41 zoning commissions or other final zoning authority of each  
 42 municipality whether or not such municipality has adopted the  
 43 provisions of this chapter or the charter of such municipality or special  
 44 act establishing zoning in the municipality contains similar provisions.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	8-3(g)

**PD**            *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***The Out Years***

None

**OLR Bill Analysis**  
**HB 5039**

***AN ACT CONCERNING SITE PLANS.***

**SUMMARY:**

Municipal zoning commissions operate under the statutes, special acts, or local charters. Those operating under the statutes can require a developer seeking zoning approval to submit a site plan showing how his proposal conforms to the zoning regulations. This bill allows commissions and other final zoning authorities operating under a charter or special act to require site plans. If they require site plans, they must follow the statutory procedure for plan approval even if the special act or charter contains similar provisions.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable

Yea 16    Nay 0    (03/17/2006)