



House of Representatives

General Assembly

File No. 306

February Session, 2006

House Bill No. 5041

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 TECHNICAL REVISIONS TO MUNICIPAL PLANNING AND ZONING STATUTES.

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

1 Section 1. Section 8-4a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 [Any] Unless otherwise provided by special act, any town, city or
4 borough [, unless otherwise provided by special act,] may by
5 ordinance or by vote of its legislative body designate its zoning
6 commission or its planning commission as the planning and zoning
7 commission for such municipality, and such commission shall
8 thereupon have all the powers and duties of both a planning
9 commission and a zoning commission and shall supersede any
10 previous planning commission or zoning commission, as the case may
11 be. Such vote shall establish the number of members to comprise such
12 planning and zoning commission, which number of members shall be
13 five, six, seven, eight, nine or ten, not counting nonvoting members. In
14 the establishment of a five-member planning and zoning commission,

15 the provisions of section 8-19 shall apply. In the establishment of a
16 planning and zoning commission with six or more members, the
17 provisions of section 8-19 shall apply except that the terms of office
18 shall be so arranged that not more than three of such terms on a six-
19 member commission, four of such terms on a seven or an eight-
20 member commission, or five of such terms on a nine or ten-member
21 commission shall expire in any one year. Any public hearing
22 conducted by a planning and zoning commission with six or more
23 members shall be held by the commission or a committee thereof
24 appointed for that purpose constituting a majority of the members of
25 the commission. Any combined planning and zoning commission
26 established under the general statutes prior to October 1, 1959, may
27 continue to exist. Upon the establishment of a combined planning and
28 zoning commission, all regulations adopted by the planning
29 commission or the zoning commission which were in effect prior to the
30 establishment of such combined commission shall continue in full
31 force and effect until modified, repealed or superseded in accordance
32 with the provisions of this chapter and chapter 126. A vacancy on such
33 combined planning and zoning commission shall be filled in a manner
34 prescribed by the legislative body of such [municipality] town, city or
35 borough.

36 Sec. 2. Section 8-26b of the general statutes is repealed and the
37 following is substituted in lieu thereof (*Effective October 1, 2006*):

38 Whenever a subdivision of land is planned, the area of which will
39 abut or include land in two or more municipalities one or both of
40 which are within a region or regions having a regional planning
41 agency or agencies, the planning commission, where one exists, of each
42 such municipality shall, before approving the plan, give written notice
43 of such subdivision plan to the regional planning agency or agencies of
44 the region in which it or the other municipality is located. Such notice
45 shall be made by certified mail, return receipt requested not later than
46 thirty days before the public hearing to be held [in relation thereto] on
47 the plan. A regional planning agency receiving such notice shall, at or
48 before the hearing report to each such planning commission and to the

49 proponent of such subdivision on its findings on the intermunicipal
50 aspects of the proposed subdivision, including street layout, storm
51 drainage, sewer and water service and such other matters as it
52 considers appropriate. If such report of a regional planning agency is
53 not submitted, at or before the hearing, it shall be presumed that such
54 agency does not disapprove of the proposed subdivision. A regional
55 planning agency may designate its executive committee to act for it
56 under this section or it may establish a subcommittee for the purpose.
57 The report of such regional planning agency shall be [purely] advisory
58 only.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	8-4a
Sec. 2	<i>October 1, 2006</i>	8-26b

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:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The Out Years

None

OLR Bill Analysis

HB 5041

AN ACT CONCERNING TECHNICAL REVISIONS TO MUNICIPAL PLANNING AND ZONING STATUTES.

SUMMARY:

This bill makes minor and technical changes to two sections of the zoning and planning statutes.

EFFECTIVE DATE: October 1, 2006

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 16 Nay 0 (03/17/2006)