



General Assembly

February Session, 2006

Raised Bill No. 5042

LCO No. 348

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Referred to Committee on Planning and Development

Introduced by:
(PD)

AN ACT CONCERNING MUNICIPAL PLANS OF CONSERVATION AND DEVELOPMENT AND INTERIM CHANGES TO THE STATE PLAN OF CONSERVATION AND DEVELOPMENT.

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

1 Section 1. Subsection (g) of section 8-23 of the 2006 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2006*):

4 (g) The commission may adopt the plan or any part thereof or
5 amendment thereto by a single resolution or may, by successive
6 resolutions, adopt parts of the plan and amendments thereto. Any
7 plan, section of a plan or recommendation in the plan, not endorsed by
8 the legislative body of the municipality may be adopted by the
9 commission by a vote of not less than two-thirds of all the members of
10 the commission. Upon adoption by the commission, any plan or part
11 thereof or amendment thereto shall become effective at a time
12 established by the commission, provided notice thereof shall be
13 published in a newspaper having a general circulation in the
14 municipality prior to such effective date. Any plan or part thereof or
15 amendment thereto shall be posted on the Internet web site of the

16 municipality, if any, and shall be filed in the office of the town clerk,
17 except that, if it is a district plan or amendment, it shall be filed in the
18 offices of both the district and town clerks. The commission shall
19 [notify] submit a copy of the plan to the Secretary of the Office of
20 Policy and Management not more than sixty days after adoption of the
21 plan and shall include with such copy a description of any
22 inconsistency between the plan adopted by the commission and the
23 state plan of conservation and development and the reasons therefor.

24 Sec. 2. Section 16a-32 of the general statutes is repealed and the
25 following is substituted in lieu thereof (*Effective October 1, 2006*):

26 (a) Each revision of the plan of conservation and development shall
27 be initiated by the secretary and shall be undertaken in accordance
28 with the process outlined in this chapter.

29 (b) [Upon written approval of the committee, interim changes in the
30 plan may be undertaken by the secretary upon his own initiative or
31 upon application by any person, political subdivision of the state or
32 state agency without initiating a revision of the plan.] Without
33 initiating a revision of the plan, and after receiving written approval
34 from the committee, the secretary may undertake interim changes in
35 the plan upon the secretary's own initiative or upon application by any
36 (1) municipality or state agency, or (2) resident or property owner of a
37 municipality in which a change is proposed. No application for an
38 interim change may be submitted unless the municipality in which the
39 change is proposed has a plan of conservation and development that
40 has been updated in accordance with section 8-23, as amended by this
41 act. The secretary shall adopt regulations in accordance with chapter
42 54 to establish procedures for applications for such interim changes by
43 any person, political subdivision of the state or state agency. Such
44 regulations shall include, but need not be limited to, provisions for
45 interviews and consultations with local planning and zoning
46 commissions or, in those municipalities which have adopted the
47 provisions of chapter 124 but which do not have a zoning commission,

48 the persons designated to exercise zoning powers pursuant to section
49 8-1, review of local plans of development and public hearings. The
50 secretary shall notify the chief executive officer and the persons
51 exercising planning or zoning powers in any municipality which is the
52 subject of an application for change in the locational guide map and
53 shall notify any members of the General Assembly representing any
54 area which is the subject of such an application. A joint public hearing
55 by the secretary and the committee shall be held in any such
56 municipality if requested by any chief executive officer or planning or
57 zoning official notified by the secretary pursuant to this subsection.
58 The committee shall also hold a hearing in addition to any hearing
59 required to be held in any municipality concerning the locational guide
60 map on any other proposed changes. After such public hearing, [by the
61 committee and upon written approval of the committee, the secretary
62 may] the committee shall approve or disapprove the application and
63 notify the secretary of its decision not more than ten days thereafter.
64 The secretary shall make interim changes in the plan to reflect the
65 approved changes.

66 (c) The secretary shall report annually on or before February
67 fifteenth to the committee progress on the implementation of the plan
68 and the extent to which state actions are in conformity with the plan.

69 (d) Nothing in this section shall be construed to prohibit the
70 committee from initiating a revision of the plan at any time.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	8-23(g)
Sec. 2	<i>October 1, 2006</i>	16a-32

Statement of Purpose:

To require municipalities to submit a copy of the plan and conservation to the Secretary of the Office of Policy and Management upon adoption and revise the procedures for applications for interim changes to the state plan of conservation and development.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]