



General Assembly

**Substitute Bill No. 5042**

February Session, 2006

\* \_\_\_\_\_ HB05042PD \_\_\_\_\_ 031706 \_\_\_\_\_ \*

**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2 the general statutes is repealed and the following is substituted in lieu  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 Section 16a-32 of the general statutes is repealed and the  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.] After receiving  
33 written approval from the committee, the secretary may undertake  
34 interim changes in the plan upon the secretary's own initiative or upon  
35 application by (1) the chief elected official of a municipality or the head  
36 of a state agency, or (2) any resident or property owner of a  
37 municipality in which a change is proposed. No application for an  
38 interim change from a municipality may be submitted unless the  
39 municipality in which the change is proposed has a plan of  
40 conservation and development that has been updated in accordance  
41 with section 8-23, as amended by this act. The secretary shall adopt  
42 regulations in accordance with chapter 54 to establish procedures for  
43 applications for such interim changes by any person, political  
44 subdivision of the state or state agency. Such regulations shall include,  
45 but need not be limited to, provisions for interviews and consultations  
46 with local planning and zoning commissions or, in those  
47 municipalities which have adopted the provisions of chapter 124 but  
48 which do not have a zoning commission, the persons designated to  
49 exercise zoning powers pursuant to section 8-1, review of local plans of  
50 development and public hearings. The secretary shall notify the chief  
51 executive officer and the persons exercising planning or zoning

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

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

70 (d) Nothing in this section shall be construed to prohibit the  
71 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	October 1, 2006	8-23(g)
Sec. 2	October 1, 2006	16a-32

**PD**            *Joint Favorable Subst.*