



General Assembly

Substitute Bill No. 5707

February Session, 2006

* HB05707PD 031306 *

AN ACT CONCERNING SUBDIVISIONS FOR AFFORDABLE HOUSING DEVELOPMENTS.

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

1 Section 1. Section 8-19 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) Any municipality may create by ordinance a planning
4 commission, which shall consist of five members, who shall be electors
5 of such municipality and whose terms of office and method of election
6 or appointment shall be fixed in the ordinance. The ordinance may
7 provide that members may be municipal employees if the municipality
8 has adopted an ordinance authorizing such membership pursuant to
9 the provisions of subparagraph (C) of subdivision (2) of subsection (e)
10 of section 7-421. The chief executive officer of the municipality and the
11 engineer thereof or commissioner of public works, if any, shall also be
12 members of the commission, without voting privileges. The terms of
13 office shall be so arranged that the terms of not more than three
14 members shall expire in any one year. Unless otherwise provided by
15 charter, vacancies shall be filled by the commission for the unexpired
16 portion of the term. Upon the adoption of this section by ordinance as
17 herein provided, and the appointment or election of a commission
18 thereunder, any planning commission in the municipality established
19 under any previous act of the General Assembly shall cease to exist,

20 and its books and records shall be turned over to the commission
21 established under this section, provided all regulations promulgated
22 by such planning commission prior to that time shall continue in full
23 force and effect until modified, repealed or superseded in accordance
24 with the provisions of this chapter. The area of jurisdiction of a
25 planning commission created by a town includes any city or borough
26 therein without a legally constituted planning commission for all
27 planning purposes except those specified in sections 8-24 and 8-29.
28 Powers granted under said sections may be delegated by the
29 legislative body of such city or borough to the planning commission of
30 the town in which such city or borough is situated. Any city or
31 borough in which a planning commission has been previously
32 established may, by ordinance, designate the commission established
33 under this section in the town in which such city or borough is situated
34 to be the planning commission of such city or borough, and such
35 commission shall supersede the planning commission previously
36 established in such city or borough. The commission shall elect a
37 chairman and a secretary from its members, shall adopt rules for the
38 transaction of business and shall keep a public record of its activities.
39 The planning commission of each municipality shall file an annual
40 report with the legislative body thereof.

41 (b) Notwithstanding the provisions of this chapter, any
42 municipality, by ordinance adopted by its legislative body, may
43 exempt from the subdivision regulations in such municipality adopted
44 pursuant to this chapter the first subdivision of land by a landowner,
45 provided the lot created is for affordable housing to be developed by
46 the municipality or a nonprofit organization. The ordinance shall also
47 provide that any further subdivision of such lot (1) shall not be exempt
48 from the subdivision regulations, and (2) any exemption under this
49 section shall be in addition to any other exemption authorized under
50 section 8-26 and shall not be construed as exercising any right under
51 any other exemption.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2006</i>	8-19
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PD *Joint Favorable Subst.*