



General Assembly

Amendment

February Session, 2006

LCO No. 5039

SB0054605039SD0

Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. LOONEY, 11th Dist.
SEN. GAFFEY, 13th Dist.
SEN. HANDLEY, 4th Dist.

SEN. MCDONALD, 27th Dist.
SEN. COLEMAN, 2nd Dist.
REP. MEGNA, 97th Dist.

To: Senate Bill No. 546

File No. 236

Cal. No. 204

**"AN ACT AUTHORIZING MUNICIPALITIES TO ABATE TAXES ON
OPEN SPACE LAND."**

1 In line 11, strike "enhance public"

2 In line 12, strike "recreation opportunities, (F)" and strike "(G)" and
3 insert "(F)" in lieu thereof

4 After the last section, add the following and renumber sections and
5 internal references accordingly:

6 "Sec. 501. (NEW) (*Effective October 1, 2006*) The zoning authority of
7 any municipality that (1) was incorporated in 1784, (2) has a mayor
8 and board of alderman form of government, and (3) exercises zoning
9 power pursuant to a special act, may provide for floating and overlay
10 zones and flexible zoning districts, including, but not limited to,
11 planned development districts, planned development units, special
12 design districts and planned area developments. The regulations shall

13 establish standards for such zones and districts. Flexible zoning
14 districts established under such regulations shall be designed for the
15 betterment of the municipality and the floating and overlay zones and
16 neighborhood in which they are located and shall not establish in a
17 residential zone a zone that is less restrictive with respect to uses than
18 the underlying zone of the flexible zoning district. Such regulations
19 shall not authorize the expansion of a pre-existing, nonconforming use.
20 Notwithstanding the provisions of this section, no planned
21 development district shall be approved which would permit a use or
22 authorize the expansion of a pre-existing nonconforming use where
23 the underlying zone is a residential zone."