



General Assembly

**Amendment**

February Session, 2006

LCO No. 4951

\*SB0054604951SD0\*

Offered by:

SEN. LOONEY, 11<sup>th</sup> Dist.

REP. MEGNA, 97<sup>th</sup> Dist.

To: Senate Bill No. 546

File No. 236

Cal. No. 204

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

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2006*) The zoning authority of  
4 any municipality that (1) was incorporated in 1784, (2) has a mayor  
5 and board of alderman form of government, and (3) exercises zoning  
6 power pursuant to a special act, may provide for floating and overlay  
7 zones and flexible zoning districts, including, but not limited to,  
8 planned development districts, planned development units, special  
9 design districts and planned area developments. The regulations shall  
10 establish standards for such zones and districts. Flexible zoning  
11 districts established under such regulations shall be designed for the  
12 betterment of the municipality and the floating and overlay zones and  
13 neighborhood in which they are located and shall not establish in a  
14 residential zone a zone that is less restrictive with respect to uses than  
15 the underlying zone of the flexible zoning district. Such regulations

16 shall not authorize the expansion of a pre-existing, nonconforming use.  
17 Notwithstanding the provisions of this section, no planned  
18 development district shall be approved which would permit a use or  
19 authorize the expansion of a pre-existing nonconforming use where  
20 the underlying zone is a residential zone."