Making Great Communities Happen

Connecticut Chapter of the American Planning Association

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PLANNING AND DEVELOPMENT COMMITTEE – February 13, 2015

POSITION STATEMENT ON RAISED BILL 5090
AN ACT PROHIBITING ZONING COMMISSIONS FROM REQUIRING SPECIAL PERMITS OR SPECIAL EXCEPTIONS FOR USES MADE NONCONFORMING BY NEW ZONING REGULATIONS.

INTRODUCTION
The Connecticut Chapter of the American Planning Association has over 400 members who are governmental and consulting planners, land use attorneys, citizen planners, and other professionals engaged in planning and managing land use, economic development, housing, transportation, and conservation for local, regional, and State governments, private businesses and other entities.

OVERVIEW
Raised Bill 5090 would amend CGS 8-2 to prohibit Zoning Commissions from requiring Special Permits for uses made nonconforming by new zoning regulations.

ANALYSIS
Legally non-conforming uses are already protected by the following language in CGS 8-2: *"Such regulations shall not prohibit the continuance of any nonconforming use, building or structure existing at the time of the adoption of such regulations."*

Generally, planners try to avoid creating nonconforming uses via zone changes. There are, however, a very small percentage of nonconforming uses in every town with zoning.

A review of zoning regulations in CT revealed a few examples where a Special Permit is required for the expansion of a nonconforming use. Rather than simply disallowing the expansion of nonconforming use, these towns allow a nonconforming use the right to expand upon showing that they are able to meet the Special Permit criteria and will therefore not negatively affect the values of neighboring properties. Some towns allow a percentage of expansion (i.e. 25%) either by Site Plan or Special Permit approval.

CCAPA POSITION ON RAISED BILL 5090
There is no need to amend the statutes to protect the continuance of a nonconforming use. CCAPA opposes any proposal that would eliminate the option to require a Special Permit for expansions of a nonconforming use.

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POSITION STATEMENT ON RAISED BILL 6259
AN ACT CONCERNING THE BOUNDARIES OF REGIONAL ECONOMIC DEVELOPMENT DISTRICTS

INTRODUCTION
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OVERVIEW
Raised Bill 6259 would align the boundaries of regional economic development districts with the boundaries of one or more regional councils of government.

ANALYSIS
The CCAPA *Regionalism Policy Statement* supports coordination at all levels of government.

It says "Today's global economy requires agencies and governments at all levels in Connecticut to think and act regionally in order to remain economically competitive. No single municipality can provide the infrastructure, workforce and housing necessary to attract and retain businesses that compete globally. Rather, Connecticut must develop and promote livable regions that can attract and sustain a competitive economic cluster."

CCAPA POSITION ON RAISED BILL 6259
CCAPA supports the proposal to align the boundaries of regional economic development districts with the boundaries of one or more regional councils of government.