AN ACT CONCERNING THE AUTHORITY OF A ZONING COMMISSION TO REGULATE THE BRIGHTNESS AND ILLUMINATION OF ADVERTISING SIGNS AND BILLBOARDS.

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

Section 1. Subsection (a) of section 8-2 of the 2018 supplement to the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2018):

(a) The zoning commission of each city, town or borough is authorized to regulate, within the limits of such municipality, the height, number of stories and size of buildings and other structures; the percentage of the area of the lot that may be occupied; the size of yards, courts and other open spaces; the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, including water-dependent uses, as defined in section 22a-93, and the height, size, [and] location, brightness and illumination of advertising signs and billboards. Such bulk regulations may allow for cluster development, as defined in section 8-18. Such zoning commission may divide the municipality.
into districts of such number, shape and area as may be best suited to
carry out the purposes of this chapter; and, within such districts, it
may regulate the erection, construction, reconstruction, alteration or
use of buildings or structures and the use of land. All such regulations
shall be uniform for each class or kind of buildings, structures or use of
land throughout each district, but the regulations in one district may
differ from those in another district, and may provide that certain
classes or kinds of buildings, structures or uses of land are permitted
only after obtaining a special permit or special exception from a zoning
commission, planning commission, combined planning and zoning
commission or zoning board of appeals, whichever commission or
board the regulations may, notwithstanding any special act to the
contrary, designate, subject to standards set forth in the regulations
and to conditions necessary to protect the public health, safety,
convenience and property values. Such regulations shall be made in
accordance with a comprehensive plan and in adopting such
regulations the commission shall consider the plan of conservation and
development prepared under section 8-23. Such regulations shall be
designed to lessen congestion in the streets; to secure safety from fire,
panic, flood and other dangers; to promote health and the general
welfare; to provide adequate light and air; to prevent the
overcrowding of land; to avoid undue concentration of population and
to facilitate the adequate provision for transportation, water, sewerage,
schools, parks and other public requirements. Such regulations shall be
made with reasonable consideration as to the character of the district
and its peculiar suitability for particular uses and with a view to
conserving the value of buildings and encouraging the most
appropriate use of land throughout such municipality. Such
regulations may, to the extent consistent with soil types, terrain,
infrastructure capacity and the plan of conservation and development
for the community, provide for cluster development, as defined in
section 8-18, in residential zones. Such regulations shall also encourage
the development of housing opportunities, including opportunities for
multifamily dwellings, consistent with soil types, terrain and
infrastructure capacity, for all residents of the municipality and the
planning region in which the municipality is located, as designated by
the Secretary of the Office of Policy and Management under section
16a-4a. Such regulations shall also promote housing choice and
economic diversity in housing, including housing for both low and
moderate income households, and shall encourage the development of
housing which will meet the housing needs identified in the state's
consolidated plan for housing and community development prepared
pursuant to section 8-37t and in the housing component and the other
components of the state plan of conservation and development
prepared pursuant to section 16a-26. Zoning regulations shall be made
with reasonable consideration for their impact on agriculture, as
defined in subsection (q) of section 1-1. Zoning regulations may be
made with reasonable consideration for the protection of historic
factors and shall be made with reasonable consideration for the
protection of existing and potential public surface and ground
drinking water supplies. On and after July 1, 1985, the regulations shall
provide that proper provision be made for soil erosion and sediment
control pursuant to section 22a-329. Such regulations may also
encourage energy-efficient patterns of development, the use of solar
and other renewable forms of energy, and energy conservation. The
regulations may also provide for incentives for developers who use
passive solar energy techniques, as defined in subsection (b) of section
8-25, in planning a residential subdivision development. The
incentives may include, but not be limited to, cluster development,
higher density development and performance standards for roads,
sidewalks and underground facilities in the subdivision. Such
regulations may provide for a municipal system for the creation of
development rights and the permanent transfer of such development
rights, which may include a system for the variance of density limits in
connection with any such transfer. Such regulations may also provide
for notice requirements in addition to those required by this chapter.
Such regulations may provide for conditions on operations to collect
spring water or well water, as defined in section 21a-150, including the
time, place and manner of such operations. No such regulations shall
prohibit the operation of any family child care home or group child
care home in a residential zone. No such regulations shall prohibit the
use of receptacles for the storage of items designated for recycling in
accordance with section 22a-241b or require that such receptacles
comply with provisions for bulk or lot area, or similar provisions,
except provisions for side yards, rear yards and front yards. No such
regulations shall unreasonably restrict access to or the size of such
receptacles for businesses, given the nature of the business and the
volume of items designated for recycling in accordance with section
22a-241b, that such business produces in its normal course of business,
provided nothing in this section shall be construed to prohibit such
regulations from requiring the screening or buffering of such
receptacles for aesthetic reasons. Such regulations shall not impose
conditions and requirements on manufactured homes having as their
narrowest dimension twenty-two feet or more and built in accordance
with federal manufactured home construction and safety standards or
on lots containing such manufactured homes which are substantially
different from conditions and requirements imposed on single-family
dwellings and lots containing single-family dwellings. Such
regulations shall not impose conditions and requirements on
developments to be occupied by manufactured homes having as their
narrowest dimension twenty-two feet or more and built in accordance
with federal manufactured home construction and safety standards
which are substantially different from conditions and requirements
imposed on multifamily dwellings, lots containing multifamily
dwellings, cluster developments or planned unit developments. Such
regulations shall not prohibit the continuance of any nonconforming
use, building or structure existing at the time of the adoption of such
regulations. Such regulations shall not provide for the termination of
any nonconforming use solely as a result of nonuse for a specified
period of time without regard to the intent of the property owner to
maintain that use. Such regulations shall not terminate or deem
abandoned a nonconforming use, building or structure unless the
property owner of such use, building or structure voluntarily
 discontinues such use, building or structure and such discontinuance
 is accompanied by an intent to not reestablish such use, building or
 structure. The demolition or deconstruction of a nonconforming use,
 building or structure shall not by itself be evidence of such property
 owner's intent to not reestablish such use, building or structure. Unless
 such town opts out, in accordance with the provisions of subsection (j)
 of section 8-1bb, such regulations shall not prohibit the installation of
 temporary health care structures for use by mentally or physically
 impaired persons in accordance with the provisions of section 8-1bb if
 such structures comply with the provisions of said section. Any city,
 town or borough which adopts the provisions of this chapter may, by
 vote of its legislative body, exempt municipal property from the
 regulations prescribed by the zoning commission of such city, town or
 borough; but unless it is so voted municipal property shall be subject
 to such regulations.

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

| Section 1 | July 1, 2018 | 8-2(a) |

Statement of Purpose:
To permit a zoning commission to regulate the brightness and
illumination of advertising signs and billboards.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline,
except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is
not underlined.]