
OLR Bill Analysis

sHB 5392

AN ACT EXEMPTING CERTAIN VACANT LOTS FROM CONFORMANCE WITH CHANGES IN ZONING REGULATIONS.

SUMMARY

This bill exempts certain vacant lots in subdivisions and resubdivisions from changes to municipal zoning regulations and maps.

First, it exempts vacant lots shown on a subdivision or resubdivision plan (e.g., map) from changes adopted after the plan was approved or recorded if the (1) plan was recorded on or before October 1, 2024, and (2) lot's recorded chain of title references the plan.

Second, for vacant lots shown on a subdivision or resubdivision plan that was both recorded on or before October 1, 2024, and before the respective municipality adopted zoning regulations, the bill exempts these lots from changes adopted after the plan was approved or recorded if the lot conformed at any time with any applicable zoning regulations that were subsequently adopted.

Under the bill, these exemptions apply regardless of the laws that:

1. prohibit subdividing land until a subdivision plan has been approved by the local planning commission and recording subdivision plans unless they are approved by the planning commission and
2. require that subdivisions and resubdivisions that existed on a map or plan before a municipality adopted zoning regulations be submitted for the planning commission's approval.

The bill's exemptions are in addition to others under existing law, including one for lots in approved subdivision and resubdivision plans

for residential property that exempts them from changes in zoning regulations and maps after the plans are filed and recorded in the land records. Existing law also exempts any construction on vacant lots shown in an approved subdivision or resubdivision plan from changes adopted after the plan's approval.

EFFECTIVE DATE: October 1, 2024

BACKGROUND

Subdivisions and Resubdivisions

A "subdivision" is the division of a tract or parcel of land into three or more parts or lots made after a planning commission has adopted subdivision regulations for the purpose of selling or building development, whether immediate or future (excluding development for municipal, conservation, or agricultural purposes). It includes a "resubdivision," which is generally a change in a map of an approved or recorded subdivision or resubdivision for certain purposes (CGS § 8-18).

Vacant Lots

By law, a lot is considered "vacant" until a building permit is issued for it and its foundation completed. However, it is not considered "vacant" if any structures on it are subsequently demolished.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 21 Nay 0 (03/15/2024)