

House of Representatives, March 25, 1998. The Committee on Planning and Development, reported through REP. DAVIS, 50th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING MUNICIPAL PLANS OF CONSERVATION AND DEVELOPMENT.

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

1 Section 8-23 of the general statutes is
2 repealed and the following is substituted in lieu
3 thereof:

4 (a) The commission shall prepare, adopt and
5 amend a plan of conservation and development for
6 the municipality. Such plan shall show the
7 commission's recommendation for the most desirable
8 use of land within the municipality for
9 residential, recreational, commercial, industrial,
10 conservation and other purposes and for the most
11 desirable density of population in the several
12 parts of the municipality. [Such plan shall take
13 into account] THE COMMISSION SHALL CONSIDER the
14 state plan of conservation and development adopted
15 pursuant to chapter 297 and SHALL CONSIDER THE
16 REGIONAL PLAN ADOPTED UNDER SECTION 8-35a. SUCH
17 PLAN shall note any inconsistencies it may have
18 with said state plan OR WITH THE REGIONAL PLAN.
19 Such plan shall make provision for the development
20 of housing opportunities, including opportunities
21 for multifamily dwellings, consistent with soil
22 types, terrain and infrastructure capacity, for

23 all residents of the municipality and the planning
24 region in which the municipality is located, as
25 designated by the Secretary of the Office of
26 Policy and Management under section 16a-4a. Such
27 plan shall also promote housing choice and
28 economic diversity in housing, including housing
29 for both low and moderate income households, and
30 encourage the development of housing which will
31 meet the housing needs identified in the housing
32 plan prepared pursuant to section 8-37t and in the
33 housing component and the other components of the
34 state plan of conservation and development
35 prepared pursuant to section 16a-26. Such plan may
36 also show the commission's recommendation for a
37 system of principal thoroughfares, parkways,
38 bridges, streets and other public ways; for
39 airports, parks, playgrounds and other public
40 grounds; for general location, relocation and
41 improvement of public buildings; for the general
42 location and extent of public utilities and
43 terminals, whether publicly or privately owned,
44 for water, sewerage, light, power, transit and
45 other purposes; and for the extent and location of
46 public housing projects. Such other
47 recommendations may be made by the commission and
48 included in the plan as will, in its judgment, be
49 beneficial to the municipality. The plan of
50 conservation and development shall be a statement
51 of policies, goals and standards for the physical
52 and economic development of the municipality, and
53 may include all necessary and related maps,
54 explanatory material, photographs, charts or other
55 pertinent data and information relative to the
56 past, present and future trends of the
57 municipality, and may include recommended programs
58 for the implementation of the plan, including a
59 schedule and budget for public capital projects,
60 and a program for enactment and enforcement of
61 zoning and subdivision controls, building and
62 housing codes and safety regulations, plans for
63 implementation of affordable housing and plans for
64 open space acquisition and greenways protection
65 and development. In preparing such plan the
66 commission shall consider the community
67 development action plan of the municipality, if
68 any, the need for affordable housing and the
69 protection of existing and potential public
70 surface and ground drinking water supplies, and

71 may consider physical, social, economic and
72 governmental conditions and trends, including, but
73 not limited to, local, regional and state studies
74 of the human resource, education, health, housing,
75 recreation, social services, public utilities,
76 public protection, transportation and circulation,
77 cultural and interpersonal communications needs of
78 the municipality and the objectives of
79 energy-efficient patterns of development, the use
80 of solar and other renewable forms of energy, and
81 energy conservation. The plan shall be designed to
82 promote with the greatest efficiency and economy
83 the coordinated development of the municipality
84 and the general welfare and prosperity of its
85 people. The commission may prepare and adopt plans
86 for the redevelopment and improvement of districts
87 or neighborhoods which, in its judgment, contain
88 special problems or show a trend toward lower land
89 values. The plan adopted under this section for
90 any municipality that is contiguous to Long Island
91 Sound shall be made with reasonable consideration
92 for restoration and protection of the ecosystem
93 and habitat of Long Island Sound and shall be
94 designed to reduce hypoxia, pathogens, toxic
95 contaminants and floatable debris in Long Island
96 Sound. The plan of any municipality in which a
97 traprock ridge, as defined in section 8-1aa, is
98 located may make recommendations for conservation
99 and preservation of traprock ridgelines, as
100 defined in said section. The commission may adopt
101 the plan of development by a single resolution or
102 may, by successive resolutions, adopt parts of the
103 plan, whether geographical or functional, and
104 amendments thereto. Prior to adopting the
105 conservation and development plan or any part
106 thereof or amendment thereto, the commission shall
107 file in the office of the town clerk a copy of
108 such plan or part thereof or amendment thereto
109 but, in the case of a district commission, such
110 commission shall file such information in the
111 offices of both the district clerk and the town
112 clerk, and shall hold at least one public hearing
113 thereon, notice of the time and place of which
114 shall be published in a newspaper having general
115 circulation in the municipality at least twice at
116 intervals of not less than two days, the first not
117 more than fifteen days, nor less than ten days,
118 and the last not less than two days prior to the

119 date of each such hearing, which notice shall make
120 reference to the filing of such records in the
121 office of the town clerk, or both the district
122 clerk and the town clerk, as the case may be. Any
123 plan or part thereof or amendment thereto shall,
124 upon adoption by the commission, be filed in the
125 office of the town clerk, but, if it is a district
126 plan or amendment, it shall be filed in the
127 offices of both the district and town clerk, and
128 shall become effective at a time established by
129 the commission, provided notice thereof shall be
130 published in a newspaper having general
131 circulation in the municipality prior to such
132 effective date. The commission shall review the
133 plan of conservation and development at least once
134 every ten years and shall adopt such amendments to
135 the plan or parts of the plan, in accordance with
136 the provisions of this section, as the commission
137 deems necessary to update the plan.

138 (b) The commission of any municipality more
139 than twenty per cent of which is existing
140 preservation area, conservation area or rural
141 land, as defined in the state plan of conservation
142 and development adopted pursuant to chapter 297,
143 shall consider as part of its plan of conservation
144 and development the use of cluster development to
145 the extent consistent with soil types, terrain and
146 infrastructure capacity within the municipality.

147 PD COMMITTEE VOTE: YEA 19 NAY 0 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5098

STATE IMPACT	None
MUNICIPAL IMPACT	Minimal Workload Increase, Within Resources, see explanation below
STATE AGENCY(S)	None

EXPLANATION OF ESTIMATES:

MUNICIPAL IMPACT: Any increase in the workload of municipal planning commissions due to the consideration of the regional plan of conservation of development in developing its plan and noting inconsistencies is estimated to minimally increase their workloads. This increase is anticipated to be within the commission's resources.

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OLR BILL ANALYSIS

SHB 5098

AN ACT CONCERNING MUNICIPAL PLANS OF CONSERVATION AND DEVELOPMENT

SUMMARY: The law requires each municipal planning commission to develop a plan of conservation and development addressing such issues as housing, infrastructure, economic development, and environmental protection. This bill requires the commission to consider the plan of development prepared by the regional planning agency in developing its plan, and to note any inconsistencies between the municipal and

regional plan. It also requires the commission to consider, rather than take into account, the State Plan of Conservation and Development. By law the commission must note any inconsistencies with the state plan.

EFFECTIVE DATE: October 1, 1998

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute
Yea 19 Nay 0