



Connecticut

Connecticut Chapter of the American Planning Association

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PLANNING AND DEVELOPMENT COMMITTEE

PROPOSED S.B. 695 AN ACT CREATING THE POSITION OF PLANNING ENFORCEMENT OFFICER FOR MUNICIPALITIES

SUMMARY: The proposed bill would create the position of a Planning Enforcement Officer.

ANALYSIS: No details are yet provided as to the scope of the duties, how they would integrate with zoning and wetlands enforcement, what experience and training would be required, or how municipalities would fund such a position. Generally, enforcement of conditions of approvals for subdivisions is managed by the zoning and wetlands enforcement staff and the department of public works or engineering staff. Some municipalities have consolidated enforcement responsibilities under a land use enforcement position. It is not clear what other planning functions undertaken by a Planning Commission or joint Planning and Zoning Commission are enforceable.

FISCAL IMPACT: Creation of a new municipal position would have a fiscal impact.

CCAPA POSITION: The Connecticut Chapter of the American Planning Association does not believe that defining a planning enforcement officer position is necessary to ensure compliance with site development approvals or to promote proper planning implementation generally. Municipalities are currently capable of meeting these goals with zoning and wetlands enforcement staff, a land use administrator, and/or a town planner. If there is concern about a lack of statutory authority to enforce conditions of subdivision approval subsequent to completion of all bonded construction, CGS Section 8-2 might be amended to authorize zoning regulations to include requirements and procedures for compliance and enforcement of any site development plan, including subdivision site development. Another approach may be to authorize planning or planning and zoning commissions to adopt regulations under Section 8-25 to assign site development enforcement to a zoning or land use enforcement officer, rather than create a new position.