

# Zoning Commission



Land Use Academy Fact Sheets

[clear.uconn.edu/lua](http://clear.uconn.edu/lua)

## Legal Basis of Authority

In Connecticut, any municipality may, by vote of its legislative body, adopt the provisions of Chapter 124, Section 8-1 of the Connecticut General Statutes (CGS) and establish a zoning commission.

Municipalities are not required to establish Zoning Commissions however most have. If the municipality does establish a Zoning Commission, it must also establish a Zoning Board of Appeals.

## Membership

1. The Zoning Commission shall consist of not less than 5 nor more than 9 members.
2. The membership of the commission must comply with state statutes or town charter or ordinances providing for the maximum number of members who may be affiliated with a particular political party.
3. Members of the Commission shall be electors of the municipality.

## Terms of Office

The number of members, the method of their selection and removal and their terms of office shall be determined by ordinance. The town legislative body cannot be designated to act as the Zoning Commission except;

- In towns of less than 5,000, or
- If a legislative body was so acting prior to July 1, 1974 or
- If a legislative body was so acting prior to June 17, 1987 pursuant to a special act.

## Alternates

The ordinance establishing the Zoning Commission shall provide for the appointment or election of alternate members to the Zoning Commission. When seated, alternate members shall have all the powers and duties of regular members. Alternates shall be electors of the municipality and shall not be members of Zoning Board of Appeals or the Planning Commission. The ordinance shall also provide for the manner of designating alternates to act.

## Powers and Duties

Zoning Commissions have the following powers:

1. To establish, change or repeal zoning regulations and zoning districts, including village districts, in accordance with the considerations set forth in C.G.S. Section 8-2. [8-3]
2. To hear, consider and decide upon petitions for changes in the zoning regulations or zoning district boundaries. [8-3]
3. To provide for the manner in which the zoning regulations are to be enforced and to take appropriate actions to enforce them. [8-3 (e), 8-12]
4. To certify, when appropriate, that a building, structure or use is or will be in conformity with the zoning regulation. This function may be delegated to a zoning enforcement officer. [8-3 (f)]
5. To require, when it deems appropriate, that a site plan be filed to aid in determining the conformity of a proposed building, structure or use with the zoning regulation, and to approve, modify or deny such a site plan. This function may be delegated to a zoning enforcement officer. [8-3 (g)]

\*Bracketed numbers reference sections of the Connecticut General Statutes, visit [cga.ct.gov/2023/pub/title8.htm](http://cga.ct.gov/2023/pub/title8.htm)



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6. To hear, consider and decide upon applications for special permits or special exceptions in accordance with the zoning regulations. This function may be delegated to a zoning board of appeals or a planning commission. [8-2, 8-3c]
7. To approve or disapprove the construction of any above ground vault, crypt, columbarium or mausoleum for public use in any cemetery containing less than five acres. [Public Act 87-490]
8. To approve or disapprove the location of crematories proposed for plots of land which have not been used for cemeteries for at least five years or which are not established cemeteries containing twenty or more acres. [19a-320]
9. Regulate and restrict proposed location of any steam plant, gas plant, gas tank, water tank, electric substation, antenna, tower or earth station receiver of any public service company not subject to the jurisdiction of the Connecticut Siting Council. [16-235]
10. To grant special exemptions from density limits for the construction of affordable housing, per 8-2g.
11. Unless the municipality has voted to opt out, to approve the installation of temporary health care structures, per 8-1bb.
12. To regulate the protection of designated traprock ridges, per 8-1aa.
13. To adopt payment in lieu of parking requirements, per 8-2c.
14. To adopt inclusionary zoning regulations, per 8-2i.)

### CHECK OUT THESE ONLINE TOOLS AND RESOURCES

- *Online Academy* - provides online resources for those who want a quick refresher or are unable to attend a training.
- *Community Resource Inventory Online* - provides organized maps, tutorials and case examples that assist you in developing a basic inventory of your towns natural and cultural resources.
- *Connecticut's Changing Landscape* - provides data about how CT 's landscape has changed since 1985. Local Land Use officials can use this resource to evaluate the environmental, social and economic impacts of development that guide their decision making.

To learn more visit [nemo.uconn.edu/tools.htm](http://nemo.uconn.edu/tools.htm)

## Combined Planning and Zoning Commissions

Since 1959 municipalities have been allowed to establish combined planning and zoning commissions. Under Section 8-4a of the CGS, any municipality may establish a single commission to carry out both planning and zoning. The Planning and Zoning commission may consist of 5, 6, 7, 8, 9 or 10 members, not counting non-voting members. On commissions with 5 or 6 members, the terms of no more than 3 members may expire in any year, on 7 or 8 member boards no more than 4, and on 9 and 10 member boards, no more than 5 may expire in any year.

Upon the establishment of a combined commission, all regulations adopted by the separate planning and zoning commissions that were in effect prior to the establishment of the new combined board shall continue in full force until revised or repealed by the new board.

Vacancies shall be filled as provided in the ordinance establishing the combined commission.

For more information

Call: 860-345-5210

Email: [clear@uconn.edu](mailto:clear@uconn.edu)

Disclaimer: The materials contained in this fact sheet are a general, lay summary of the roles and responsibilities of local land use commissioners. They should not be relied on as a valid legal opinion or position. As such, these materials should not be used in place of consulting an attorney about the roles and responsibilities of a local land use commissioner.

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*The Land Use Academy is a program of the Center for Land Use Education and Research (CLEAR). Land, Sea and Space Grant collaborating.*