

# Matrix of Statutory Responsibilities and Processes for the Council of Governments / Regional Planning Commission

Updated: September 1, 2022

<b>CGS 8-3b: Zoning; Zoning Use Change</b>	
<b>Statutory Requirements of the Council of Governments / Regional Planning Commission</b>	<b>Process</b>
<p>“When the zoning commission of any municipality proposes to establish or change a zone or any regulation affecting the use of a zone any portion of which is within five hundred feet of the boundary of another municipality, the zoning commission shall give written notice of its proposal to each regional council of governments for the region or regions in which it and the other municipality are located.”</p>	<ol style="list-style-type: none"> <li>1. The Council of Governments (COG) is required to be given notice by certified mail, return receipt requested, or by electronic mail to the electronic mail address COG has designated on its website for notice receipt not later than thirty (30) days before the public hearing. COG must confirm the receipt of such notice.               <ol style="list-style-type: none"> <li>a. If the notice is sent via email and the planning and zoning commission or office does not receive an email message from the COG confirming receipt of such notice, then the municipality must send such notice by certified mail, return receipt requested, to the COG not later than twenty-five (25) days before the public hearing.</li> </ol> </li> <li>2. The COG will report its findings and recommendations to the zoning commission at or before the hearing, and the report will be made a part of the record of that hearing.</li> <li>3. COGs contiguous to Long Island Sound will include findings and recommendations on the environmental impact of the proposal on the ecosystem and habitat of Long Island Sound.</li> <li>4. If a COG does not submit a report at or before the hearing, it will be assumed that the COG does not disapprove of the proposal.</li> <li>5. A COG receiving notification may transmit the proposal to the Secretary of the Office of Policy and Management or his designee for comment.</li> <li>6. The report by the COG is purely advisory.</li> </ol>

**CGS 8-26b: Proposed Subdivision**

Statutory Requirements of the Council of Governments / Regional Planning Commission	Process
<p>“Whenever a subdivision of land is planned, the area of which will abut or include land in two or more municipalities, the planning commission, where one exists, of each such municipality shall, before approving the plan, give written notice of such subdivision plan to each regional council of governments for the region or regions in which it and the other municipality are located.”</p>	<ol style="list-style-type: none"> <li>1. The Council of Governments (COG) is required to be given notice by certified mail, return receipt requested, or by electronic mail to the electronic mail address COG has designated on its website for notice receipt not later than thirty (30) days before the public hearing. COG must confirm the receipt of such notice.               <ol style="list-style-type: none"> <li>a. If the notice is sent via email and the planning and zoning commission or office does not receive an email message from the COG confirming receipt of such notice, then the municipality must send such notice by certified mail, return receipt requested, to the COG not later than twenty-five (25) days before the public hearing.</li> </ol> </li> <li>2. The COG will report at or before the hearing its findings on the inter-municipal aspects of the proposed subdivision, including street layout, storm drainage, sewer and water service and such other matters as it considers appropriate.</li> <li>3. If a COG does not submit a report at or before the hearing, it will be assumed that the COG does not disapprove of the subdivision.</li> <li>4. The report by the COG is purely advisory.</li> </ol>

**CGS 8-23: Preparation, Amendment, or Adoption of Plan of Conservation and Development**

Statutory Requirements of the Council of Governments / Regional Planning Commission	Process
<p>The Council of Governments (COG) is required to receive notification of municipal Plans of Conservation and Development “or part thereof or amendment thereto.”</p> <p>COG, through its Regional Planning Commission (RPC), will submit an advisory report pertaining to the Plan of Conservation and Development along with its comments to the municipal planning commission at or before the public hearing.</p>	<ol style="list-style-type: none"> <li>1. A municipality must submit the copy or amendment of the plan of conservation and development (POCD) to the Council of Governments (COG) at least sixty-five (65) days before the public hearing.</li> <li>2. COG comments are required to include findings on the consistency of the plan with:               <ol style="list-style-type: none"> <li>a. the regional plan of conservation and development, adopted under section 8-35a;</li> <li>b. the state plan of conservation and development, adopted pursuant to chapter 297; and</li> <li>c. the plans of conservation and development of other municipalities in the area of operation of COG.</li> </ol> </li> <li>3. The municipal planning commission may render a decision on the plan without the report of the COG.</li> </ol>

**CGS 8-25a: Regional Plan of Conservation and Development**

Statutory Requirements of the Council of Governments / Regional Planning Commission	Process
<p>“At least once every ten years, each regional council of governments shall make a plan of conservation and development for its area of operation, showing its recommendations for the general use of the area including land use, housing, principal highways and freeways, bridges, airports, parks, playgrounds, recreational areas, schools, public institutions, public utilities, agriculture and such other matters as, in the opinion of the council, will be beneficial to the area. Any regional plan so developed shall be based on studies of physical, social, economic and governmental conditions and trends and shall be designed to promote with the greatest efficiency and economy the coordinated development of its area of operation and the general welfare and prosperity of its people. Such plan may encourage energy-efficient patterns of development, the use of solar and other renewable forms of energy, and energy conservation. Such plan shall be designed to promote abatement of the pollution of the waters and air of the region. Such plan shall consider the need for technology infrastructure in the region.”</p>	<ol style="list-style-type: none"> <li>1. The regional plan shall identify areas where it is feasible and prudent to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse.</li> <li>2. The regional plan shall identify areas where it is feasible and prudent to promote such development patterns and land reuse and shall note any inconsistencies with the following growth management principles:               <ol style="list-style-type: none"> <li>a. Redevelopment and revitalization of regional centers and areas of mixed land uses with existing or planned physical infrastructure;</li> <li>b. Expansion of housing opportunities and design choices to accommodate a variety of household types and needs;</li> <li>c. Concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse;</li> <li>d. Conservation and restoration of the natural environment, cultural and historical resources and traditional rural lands;</li> <li>e. Protection of environmental assets critical to public health and safety; and</li> <li>f. Integration of planning across all levels of government to address issues on a local, regional and state-wide basis. The plan of each region contiguous to Long Island Sound shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound.</li> </ol> </li> <li>3. Before adopting the regional plan at least one public hearing is required. Notice of the time, place, and subject of the hearing shall be published in a newspaper having a substantial circulation in the region. Notices should be given not more than twenty (20) days or less than ten (10) days before such hearing.</li> <li>4. Sixty-five (65) days before the public hearing the Council of Governments (COG) shall post the plan on its website and submit the plan to the Secretary of the Office of Policy and Management.</li> <li>5. Adoption of the plan shall be made by the affirmative vote of not less than a majority of the representatives on the council.</li> <li>6. The COG will provide assistance to municipalities within its region and state agencies and may assist other public and private agencies in developing and carrying out any regional plan or plans of such council.</li> </ol>

### **CGS 8-191: Adoption of Municipal Development Plan**

<b>Statutory Requirements of the Council of Governments / Regional Planning Commission</b>	<b>Process</b>
<p>“Before the development agency adopts a plan for a development project... (2) the regional council of governments for the region within which such municipality is located shall find that such plan is in accord with the plan of development for such region, or if such council fails to make a finding concerning the plan within thirty-five days of receipt of the plan by such council, it shall be presumed that such council does not disapprove of the plan...”</p>	<p>Failure of the Council of Governments (COG) to report a finding concerning a development plan to the municipality within thirty-five (35) days will suggest the COG does not disapprove of the plan.</p>

### **CGS 22a-102: Revision to Municipal Plan of Development**

<b>Statutory Requirements of the Council of Governments / Regional Planning Commission</b>	<b>Process</b>
<p>“...the regional council of governments shall review [municipal plans of conservation and development] for consistency with requirements and criteria listed in subsections (a) and (b) of this section and said section 22a-101 [Municipal coastal programs]...”</p>	<p>The Council of Governments (COG) must within ninety (90) days notify the municipality in writing of any suggested modifications to the proposed revisions to the municipal plan of development.</p>

### **CGS 25-33h: Coordinated Water System Plan**

<b>Statutory Requirements of the Council of Governments / Regional Planning Commission</b>	<b>Process</b>
<p>“The municipalities and regional councils of governments shall comment on, but shall not be limited to commenting on, the consistency of the plan with local and regional land use plans and policies.”</p>	<p>Each water utility coordinating committee shall prepare a coordinated water system plan in the public water supply management area. The committee must solicit comments from a variety of stakeholders including Council of Governments (COG).</p>