

# Planning and Development Committee JOINT FAVORABLE REPORT

**Bill No.:** HB-6646

AN ACT CONCERNING CERTIFICATES OF APPROVAL FOR MOTOR

**Title:** VEHICLE DEALERSHIPS AND REPAIR SHOPS.

**Vote Date:** 3/10/2023

**Vote Action:** Joint Favorable Substitute

**PH Date:** 2/15/2023

**File No.:**

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## **SPONSORS OF BILL:**

Planning and Development Committee

## **REASONS FOR BILL:**

With limited exceptions, the law requires a business applying for a motor vehicle dealer's or repairer's license (K7) to show the Department of Motor Vehicles that the municipality where it intends to locate has approved its proposed site (i.e., granted a certificate of approval). This bill transfers authority to issue certificates of approval from the municipality's zoning board of appeals (or if none, the entity designated by local law) to its zoning commission. It requires the commission to determine whether the proposed location and property use complies with the municipality's zoning regulations.

The purpose of this bill is to end the confusion regarding who and what can issue certificates of approval.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

None expressed.

## **NATURE AND SOURCES OF SUPPORT:**

### **[CAZEO, President, Michael Glidden](#)**

The proposed change will help settle the matter and provide a clear who and why for to question of what land use agency should be the primary party responsible for DMV locational approvals.

It makes sense to have the Zoning Commission review locational approvals because they are tasked with developing and implementing zoning regulations for the exact purpose of locating appropriate uses within a community

**CCAPA, Government Relations Officer, John Guskowski**

Some communities may need time to bolster standards specific to motor vehicle uses and we would strongly recommend that local jurisdictions: 1) define locations where this use is allowed; and 2) provide adequate site plan standards for development of the use to achieve necessary public health, safety, and welfare requirements.

The result of this bill will be to unify a more complete range of land use regulation and review authorities in the most appropriate local entity

**CCM, Chief Strategy Officer, Donna, Carroccia**

Statutes require a Zoning Board of Appeals (ZBA) to decide if a particular site is appropriate for a motor vehicle dealer or repairer to locate. However, the ZBA is not involved in the planning of land use and should not be involved in this decision. The statute is outdated as town's zoning regulations and district map already determine where motor vehicle businesses can operate

In a case where the specific location is not already an approved location for the business described on the K-7, then CCM believes the Planning and/or Zoning Commission is the appropriate town agency to determine if a particular site is an appropriate site to a particular type of business.

**NATURE AND SOURCES OF OPPOSITION:**

**Enfield ZBA, Commissioner, Mary Turner**

Opposes, but testimony may be based on the 2021 version of the bill as it recommends authorizing the PZC (rather than the zoning enforcement officer) to issue the certificates—which the bill already does

Claims that the bill would do nothing different, however it is unclear whether their concerns are based on the current state of the proposal, or an earlier outdated version.

**Reported by: Matthew Lombardo**

**Date: 3/14/23**