



General Assembly

Substitute Bill No. 985

January Session, 2023



AN ACT INCENTIVIZING HOUSING PRODUCTION.

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

1 Section 1. Section 8-169hh of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 For purposes of this section, [and] sections 8-169ii to 8-169ss,
4 inclusive, and section 2 of this act:

5 (1) "As of right" has the same meaning as provided in section 8-1a;

6 ~~[(1)]~~ (2) "Authority" means the Connecticut Municipal
7 Redevelopment Authority established in section 8-169ii;

8 ~~[(2)]~~ (3) "Authority development project" means a project occurring
9 within the boundaries of a Connecticut Municipal Redevelopment
10 Authority development district;

11 ~~[(3)]~~ (4) "Connecticut Municipal Redevelopment Authority
12 development district" or "development district" means the area
13 determined by a memorandum of agreement between the authority
14 and the chief executive officer of the member municipality, or the chief
15 executive officers of the municipalities constituting a joint member
16 entity, as applicable, where such development district is located,
17 provided such area shall be considered a downtown or does not

18 exceed a one-half-mile radius of a transit station;

19 [(4)] (5) "Designated tier III municipality" has the same meaning as
20 provided in section 7-560;

21 [(5)] (6) "Designated tier IV municipality" has the same meaning as
22 provided in section 7-560;

23 [(6)] (7) "Downtown" means a central business district or other
24 commercial neighborhood area of a community that serves as a center
25 of socioeconomic interaction in the community, characterized by a
26 cohesive core of commercial and mixed-use buildings, often
27 interspersed with civic, religious and residential buildings and public
28 spaces, that are typically arranged along a main street and intersecting
29 side streets and served by public infrastructure;

30 [(7)] (8) "Member municipality" means [(A)] any municipality [with
31 a population of seventy thousand or more] that opts to join the
32 Connecticut Municipal Redevelopment Authority in accordance with
33 section 8-169ll, [, or (B) any designated tier III or tier IV municipality.]
34 "Member municipality" does not include the city of Hartford or any
35 municipality that is considered part of the capital region, as defined in
36 section 32-600;

37 (9) "Middle housing" has the same meaning as provided in section
38 8-1a;

39 [(8)] (10) "Joint member entity" means two or more municipalities
40 with a combined population of seventy thousand or more that together
41 opt to join the Connecticut Municipal Redevelopment Authority in
42 accordance with section 8-169ll, provided no such municipality is
43 considered part of the capital region, as defined in section 32-600;

44 [(9)] (11) "Project" means any or all of the following: (A) The design
45 and construction of transit-oriented development, as defined in section
46 13b-79kk; (B) the creation of housing units through rehabilitation or
47 new construction; (C) the demolition or redevelopment of vacant

48 buildings; and (D) development and redevelopment;

49 [(10) State-wide transportation investment program"] (12) "State-
50 wide transportation investment program" means the planning
51 document developed and updated at least every four years by the
52 Department of Transportation in compliance with the requirements of
53 23 USC 135, listing all transportation projects in the state expected to
54 receive federal funding during the four-year period covered by the
55 program; and

56 [(11)] (13) "Transit station" means any passenger railroad station or
57 bus rapid transit station that is operational, or for which the
58 Department of Transportation has initiated planning or that is
59 included in the state-wide transportation investment program, that is
60 or will be located within the boundaries of a member municipality or
61 the municipalities constituting a joint member entity.

62 Sec. 2. (NEW) (*Effective July 1, 2023*) (a) As used in this section and
63 section 3 of this act, "housing growth zone" means any area within a
64 municipality in which applicable zoning regulations adopted pursuant
65 to section 8-2 of the general statutes are designed to facilitate
66 substantial development of new dwelling units consistent with
67 subsection (c) of this section. Any housing growth zone shall
68 encompass an entire development district and may include areas
69 outside such district.

70 (b) Notwithstanding section 8-169jj of the general statutes, prior to
71 the execution of any memorandum of agreement that establishes a
72 development district, any chief executive officer of a member
73 municipality, or the chief executive officers of the municipalities
74 constituting a joint member entity, shall create a proposal for a housing
75 growth zone and submit such proposal, including proposed zoning
76 regulations applicable to such zone, for the authority's review and
77 approval.

78 (c) (1) Except as provided in subdivision (4) of this subsection, the

79 authority shall approve any proposal submitted pursuant to
80 subsection (b) of this section if the authority determines that the
81 proposed zoning regulations applicable to the housing growth zone
82 are likely to substantially increase the production of new dwelling
83 units necessary to meet housing demand within the region.

84 (2) In making its determination pursuant to subdivision (1) of this
85 subsection, the authority shall presume that any proposal that includes
86 the following provisions is likely to substantially increase the
87 production of new dwelling units: (A) The proposal permits middle
88 housing as of right, and (B) the proposal requires only the approval of
89 the zoning board of appeals for the issuance of any applicable permits
90 for any application that would result in a net increase of dwelling units
91 other than middle housing units, provided such zoning board of
92 appeals, with respect to any application submitted pursuant to this
93 section, shall (i) have the same power to issue any permit or approval
94 as any other municipal body or official who would otherwise act with
95 respect to such application, (ii) hold a single public hearing not later
96 than thirty days after the receipt of any such application, (iii) by
97 majority vote, determine whether to approve or deny such application
98 not later than thirty days after such public hearing, and (iv) require no
99 separate approval from any planning and zoning commission, sewer
100 commission, water commission, municipal wetlands commission,
101 municipal conservation commission or board or municipal historic
102 preservation commission.

103 (3) In making its determination pursuant to subdivision (1) of this
104 subsection whether a housing growth zone proposal is likely to
105 substantially increase the production of new dwelling units, the
106 authority shall consider whether the proposal (A) allows the
107 development of new dwelling units without the requirement of any
108 off-street parking spaces, (B) requires that ten per cent of units are
109 considered set-aside units, as such term is used in section 8-30g of the
110 general statutes, for any application involving a net increase of ten or
111 more dwelling units, and (C) generally promotes residential diversity.

112 (d) Notwithstanding chapter 130 of the general statutes, no member
113 municipality, nor the municipalities constituting a joint member entity,
114 shall submit an application or request for funds for any authority
115 development project pursuant to section 8-169nn of the general
116 statutes, nor shall any bonds, notes or other obligations of the
117 authority be issued to carry out such project, pursuant to section 8-
118 169oo of the general statutes, until the member municipality, or the
119 municipalities constituting a joint member entity, enacts all of the
120 zoning regulations proposed in the housing zone growth proposal
121 approved by the authority.

122 Sec. 3. (NEW) (*Effective October 1, 2023*) (a) (1) Not later than March
123 31, 2024, and annually thereafter, each municipality shall report to the
124 Department of Economic and Community Development, for the
125 previous calendar year, (A) the number of new dwelling units
126 permitted in such municipality, including specifying how many new
127 dwelling units are located within single family, two-to-four family and
128 more than four family homes; and (B) the number of dwelling units
129 demolished in such municipality.

130 (2) Not later than December 31, 2023, each municipality shall report
131 the information specified in subsection (a) of this section for each
132 calendar year from 2018 to 2022, inclusive.

133 (b) On and after April 1, 2024, the Commissioner of Economic and
134 Community Development shall send a notice to any municipality that
135 fails to comply with the requirements of subsection (a) of this section.
136 If any municipality fails to comply with the requirements of subsection
137 (a) of this section more than sixty days after the issuance of such letter
138 by the commissioner, the commissioner shall deem such municipality
139 ineligible for discretionary state funding from the Department of
140 Economic and Community Development for a period lasting until the
141 subsequent reporting deadline required by this section unless such
142 prohibition is expressly waived by the commissioner upon the
143 commissioner's finding of good cause for such failure to comply.

144 (c) The Department of Economic and Community Development
145 shall collect the reports as provided in subsection (a) of this section and
146 publish such reports on the department's Internet web site.

147 Sec. 4. (NEW) (*Effective October 1, 2023*) The Secretary of the Office of
148 Policy and Management, in consultation with the Commissioner of
149 Administrative Services and the Commissioner of Transportation, shall
150 conduct a study of any real property owned by the state, excluding
151 any real property reserved for conservation by the state, to identify
152 properties surplus to state needs and suitable for development for
153 housing to improve housing opportunities for residents in the state,
154 with a particular focus on any property suitable for transit-oriented
155 development and affordable housing. Not later than January 1, 2024,
156 the secretary shall submit a report, in accordance with the provisions
157 of section 11-4a of the general statutes, to the Governor and to the joint
158 standing committees of the General Assembly having cognizance of
159 matters relating to housing and planning and development containing
160 the findings of such study.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	8-169hh
Sec. 2	<i>July 1, 2023</i>	New section
Sec. 3	<i>October 1, 2023</i>	New section
Sec. 4	<i>October 1, 2023</i>	New section

PD *Joint Favorable Subst.*