



General Assembly

February Session, 2000

***Raised Bill No. 5427***

LCO No. 1543

Referred to Committee on Select Committee on Housing

Introduced by:  
(HSG)

***An Act Concerning Housing On Farmland.***

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

1 Subsection (c) of section 8-30g of the general statutes is repealed and  
2 the following is substituted in lieu thereof:

3 (c) Upon an appeal taken under subsection (b) of this section, the  
4 burden shall be on the commission to prove, based upon the evidence  
5 in the record compiled before such commission that (1) (A) the  
6 decision from which such appeal is taken and the reasons cited for  
7 such decision are supported by sufficient evidence in the record; (B)  
8 the decision is necessary to protect substantial public interests in  
9 health, safety, or other matters which the commission may legally  
10 consider; (C) such public interests clearly outweigh the need for  
11 affordable housing; and (D) such public interests cannot be protected  
12 by reasonable changes to the affordable housing development or (2)  
13 (A) the application which was the subject of the decision from which  
14 such appeal was taken would locate affordable housing in an area  
15 which is zoned for industrial use and which does not permit  
16 residential uses, except, for the purposes of this subsection, it shall not  
17 be considered a residential use where the owner of farmland located in

18 an area that is zoned for industrial use, transfers or sells one or more  
19 parcels, but in no event shall more than three single-family residences  
20 be built on such parcels, and (B) the development is not assisted  
21 housing, as defined in subsection (a) of this section. If the commission  
22 does not satisfy its burden of proof under this subsection, the court  
23 shall wholly or partly revise, modify, remand or reverse the decision  
24 from which the appeal was taken in a manner consistent with the  
25 evidence in the record before it.

***Statement of Purpose:***

To allow up to three residences on farmland which is located in an industrial zone which does not allow residential use, in towns where the commission has the burden of proof to show that an application would locate affordable housing in such areas.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*