



General Assembly

January Session, 2005

Committee Bill No. 6428

LCO No. 4131

04131HB06428HSG

Referred to Committee on Select Committee on Housing

Introduced by:
(HSG)

AN ACT MAKING THE REGIONAL FAIR HOUSING COMPACT PILOT PROGRAM PERMANENT.

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

1 Section 1. (NEW) (*Effective July 1, 2005*) (a) The regional planning
2 agencies of two planning regions of the state, as designated by the
3 Secretary of the Office of Policy and Management under the provisions
4 of section 16a-4a of the general statutes, may enter into a regional fair
5 housing compact to provide increased housing for low and moderate
6 income families within the regions. The regional planning agencies
7 shall use a negotiated investment strategy process to develop the
8 compact. The process shall provide for a series of negotiations to be
9 conducted by a mediator with the Secretary of the Office of Policy and
10 Management, or a designee, the Commissioner of Economic and
11 Community Development, or a designee, and the officers of the
12 regional planning agency or agencies within the chosen regions, or
13 their designees and a representative of each municipality within such
14 planning regions, appointed by the chief executive officer of such
15 municipality. Such negotiations shall be conducted for the purpose of
16 formulating and reaching consensus on a fair housing compact

17 containing regional goals for the development of adequate, affordable
18 housing based on the need for such housing in the regions as balanced
19 against environmental, economic, transportation and infrastructure
20 concerns, and the time frames for achieving such goals. The secretary
21 shall contract with an independent consultant to serve as mediator in
22 such negotiations.

23 (b) Upon the successful negotiation of such regional fair housing
24 compact, the terms of the compact shall be submitted to the regional
25 planning agency or agencies for incorporation into the regional plan or
26 plans of development, as provided under section 8-35a of the general
27 statutes, and shall be transmitted to the chief executive officers of the
28 municipalities located within the planning regions for approval by the
29 municipalities. Such compact shall not be included in the regional plan
30 or plans of development until sixty-five per cent of the legislative
31 bodies located within the planning regions have given such approval.

32 Sec. 2. (NEW) (*Effective July 1, 2005*) The state, acting by and in the
33 discretion of the Commissioner of Economic and Community
34 Development, in consultation with the Secretary of the Office of Policy
35 and Management, may enter into a contract to provide state financial
36 assistance in the form of a grant-in-aid, loan, deferred loan or
37 combination thereof to municipalities located within the planning
38 regions in which a regional fair housing compact has been approved as
39 provided in section 1 of this act. In the case of a deferred loan, the
40 contract shall require that payments on interest are due immediately
41 but that payments on principal may be made at a later time.
42 Notwithstanding the provisions of subsection (d) of section 4-86 of the
43 general statutes, funds appropriated to any state agency for payment
44 to local governments for purposes related to or necessary for the
45 development of housing in the regions, including, but not limited to,
46 the purposes contained in this section, other than those for which
47 distribution is governed by statutory formula, may be made available
48 for the program authorized under section 1 of this act, upon the
49 recommendation of the Governor and approval of the Finance

50 Advisory Committee. The grants-in-aid, loans, deferred loans or
51 combinations thereof authorized under this section and any additional
52 funds made available for the pilot program as provided in this section
53 shall be used by the municipalities in said regions for the purpose of
54 planning, construction or renovation of housing and for any of the
55 following when necessary to support the development of housing
56 within such municipalities in accordance with the regional fair housing
57 compact: (1) Sanitary sewer lines, including interceptors, laterals and
58 pumping stations; (2) natural gas, electric, telephone and
59 telecommunications pipes, wires, conduits and other facilities and
60 waterlines and water supply facilities, except for any such pipes, wires,
61 conduits, waterlines or facilities which a public service company, as
62 defined in section 16-1 of the general statutes, a water company, as
63 defined in section 25-32a of the general statutes, or a municipal utility
64 is required to install pursuant to any provision of the general statutes,
65 or any special act, a regulation or order of the Department of Public
66 Utility Control or a certificate of public convenience and necessity; (3)
67 storm drainage facilities, including facilities to control flooding; (4)
68 public roadways and related appurtenances; (5) community septic
69 systems approved by the Department of Environmental Protection,
70 provided administrative costs directly related to such construction or
71 renovation shall not exceed five per cent of the total grant or loan from
72 the department. Such grants-in-aid, loans, deferred loans or
73 combinations thereof shall be awarded in such amounts and upon
74 such conditions as the commissioner, in consultation with the
75 secretary, may prescribe by regulation except that no grant-in-aid,
76 loan, or deferred loan or combination thereof shall be made to any
77 municipality that has not approved a housing compact prepared under
78 section 1 of this act.

79 Sec. 3. Subsection (b) of section 4-66c of the general statutes is
80 repealed and the following is substituted in lieu thereof (*Effective July*
81 *1, 2005*):

82 (b) The proceeds of the sale of said bonds, to the extent hereinafter

83 stated, shall be used, subject to the provisions of subsections (c) and (d)
84 of this section, for the purpose of redirecting, improving and
85 expanding state activities which promote community conservation and
86 development and improve the quality of life for urban residents of the
87 state as hereinafter stated: (1) For the Department of Economic and
88 Community Development: Economic and community development
89 projects and grants under section 2 of this act, including administrative
90 costs incurred by the Department of Economic and Community
91 Development, not exceeding sixty-seven million five hundred ninety-
92 one thousand six hundred forty-two dollars, one million dollars of
93 which shall be used for a grant to the development center program and
94 the nonprofit business consortium deployment center approved
95 pursuant to section 32-411; (2) for the Department of Transportation:
96 Urban mass transit, not exceeding two million dollars; (3) for the
97 Department of Environmental Protection: Recreation development and
98 solid waste disposal projects, not exceeding one million nine hundred
99 ninety-five thousand nine hundred two dollars; (4) for the Department
100 of Social Services: Child day care projects, elderly centers, shelter
101 facilities for victims of domestic violence, emergency shelters and
102 related facilities for the homeless, multipurpose human resource
103 centers and food distribution facilities, not exceeding thirty-nine
104 million one hundred thousand dollars, provided four million dollars of
105 said authorization shall be effective July 1, 1994; (5) for the Department
106 of Economic and Community Development: Housing projects, not
107 exceeding three million dollars; (6) for the Office of Policy and
108 Management: (A) Grants-in-aid to municipalities for a pilot
109 demonstration program to leverage private contributions for
110 redevelopment of designated historic preservation areas, not
111 exceeding one million dollars; (B) grants-in-aid for urban development
112 projects including economic and community development,
113 transportation, environmental protection, public safety, children and
114 families and social services projects and programs, including, in the
115 case of economic and community development projects administered
116 on behalf of the Office of Policy and Management by the Department

117 of Economic and Community Development, administrative costs
118 incurred by the Department of Economic and Community
119 Development, not exceeding eight hundred sixty-seven million eight
120 hundred thousand dollars, provided eighty-two million five hundred
121 thousand dollars of said authorization shall be effective July 1, 2004.
122 Five million dollars of the grants-in-aid authorized in subparagraph
123 (B) of subdivision (6) of this subsection may be made available to
124 private nonprofit organizations for the purposes described in said
125 subparagraph (B). Twelve million dollars of the grants-in-aid
126 authorized in subparagraph (B) of subdivision (6) of this subsection
127 may be made available for necessary renovations and improvements of
128 libraries. Five million dollars of the grants-in-aid authorized in
129 subparagraph (B) of subdivision (6) of this subsection shall be made
130 available for small business gap financing. Ten million dollars of the
131 grants-in-aid authorized in subparagraph (B) of subdivision (6) of this
132 subsection may be made available for regional economic development
133 revolving loan funds.

134 Sec. 4. Subsection (k) of section 8-30g of the general statutes is
135 repealed and the following is substituted in lieu thereof (*Effective July*
136 *1, 2005*):

137 (k) (1) Notwithstanding the provisions of subsections (a) to (j),
138 inclusive, of this section, the affordable housing appeals procedure
139 established under this section shall not be available if the real property
140 which is the subject of the application is located in a municipality in
141 which at least ten per cent of all dwelling units in the municipality are
142 [(1)] (A) assisted housing, or [(2)] (B) currently financed by Connecticut
143 Housing Finance Authority mortgages, or [(3)] (C) subject to binding
144 recorded deeds containing covenants or restrictions which require that
145 such dwelling units be sold or rented at, or below, prices which will
146 preserve the units as housing for which persons and families pay thirty
147 per cent or less of income, where such income is less than or equal to
148 eighty per cent of the median income, or [(4)] (D) mobile manufactured
149 homes located in mobile manufactured home parks or legally-

150 approved accessory apartments, which homes or apartments are
151 subject to binding recorded deeds containing covenants or restrictions
152 which require that such dwelling units be sold or rented at, or below,
153 prices which will preserve the units as housing for which, for a period
154 of not less than ten years, persons and families pay thirty per cent or
155 less of income, where such income is less than or equal to eighty per
156 cent of the median income. The Commissioner of Economic and
157 Community Development shall, pursuant to regulations adopted
158 under the provisions of chapter 54, promulgate a list of municipalities
159 which satisfy the criteria contained in this subsection and shall update
160 such list not less than annually. For the purpose of determining the
161 percentage required by this subsection, the commissioner shall use as
162 the denominator the number of dwelling units in the municipality, as
163 reported in the most recent United States decennial census. As used in
164 this subsection, "accessory apartment" means a separate living unit
165 that [(A)] (i) is attached to the main living unit of a house, which house
166 has the external appearance of a single-family residence, [(B)] (ii) has a
167 full kitchen, [(C)] (iii) has a square footage that is not more than thirty
168 per cent of the total square footage of the house, [(D)] (iv) has an
169 internal doorway connecting to the main living unit of the house, [(E)]
170 (v) is not billed separately from such main living unit for utilities, and
171 [(F)] (vi) complies with the building code and health and safety
172 regulations.

173 (2) Notwithstanding the provisions of subsections (a) to (j),
174 inclusive, of this section, the affordable housing appeals procedure
175 established under this section shall not be available if the real property
176 which is the subject of the application is located in a municipality that
177 is participating in a regional fair housing compact that has been
178 approved pursuant to section 1 of this act and such regional housing
179 compact has been incorporated into the regional plan of development
180 of the regional planning agency of which the municipality is a
181 member.

182 Sec. 5. Section 8-389 of the general statutes is repealed and the

183 following is substituted in lieu thereof (*Effective July 1, 2005*):

184 Upon the incorporation of a successfully negotiated regional fair
185 housing compact into a regional plan of development by a regional
186 planning agency pursuant to section 8-386 or section 1 of this act, the
187 Commissioner of Economic and Community Development and the
188 Connecticut Housing Authority may give priority to any application
189 for financial or technical assistance made by a municipality, housing
190 authority or eligible developer as defined in subsection (u) of section 8-
191 39 in connection with any project located in a municipality which has
192 approved the regional fair housing compact pursuant to section 8-386
193 or section 1 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	New section
Sec. 2	<i>July 1, 2005</i>	New section
Sec. 3	<i>July 1, 2005</i>	4-66c(b)
Sec. 4	<i>July 1, 2005</i>	8-30g(k)
Sec. 5	<i>July 1, 2005</i>	8-389

Statement of Purpose:

To authorize the establishment of regional fair housing compacts as an incentive to municipalities to plan for the development of affordable housing.

[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.]

Co-Sponsors: REP. URBAN, 43rd Dist.

H.B. 6428