



General Assembly

Amendment

January Session, 2009

LCO No. 5817

SB0025105817SR0

Offered by:
SEN. DEBICELLA, 21st Dist.

To: Senate Bill No. 251

File No. 143

Cal. No. 171

"AN ACT CONCERNING HOUSING DEVELOPMENT IN ENTERPRISE ZONES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 32-70 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (a) Any municipality that was a distressed municipality under the
7 provisions of subsection (b) of section 32-9p on February 1, 1986, may,
8 with the approval of the Commissioner of Economic and Community
9 Development, designate an area of such municipality as an enterprise
10 zone. Any such area shall consist of one or two contiguous United
11 States census tracts, contiguous portions of such census tracts or a
12 portion of an individual census tract, as determined in accordance with
13 the most recent United States census and, if such area is covered by
14 zoning, a portion of it shall be zoned to allow commercial or industrial
15 activity. The census tracts within which such designated area is located

16 shall also meet at least one of the following criteria: (1) Twenty-five per
17 cent or more of the persons within the individual census tracts shall
18 have income below the poverty level, as determined by the most recent
19 United States census, as officially updated by the appropriate state
20 agency or institution; (2) twenty-five per cent or more of the families
21 within the individual census tracts shall receive public assistance or
22 welfare income, as determined by the most recent United States
23 census, as officially updated by the appropriate state agency or
24 institution; or (3) the unemployment rate of the individual census
25 tracts shall be at least two hundred per cent of the state's average, as
26 determined by the most recent United States census, as officially
27 updated by the appropriate state agency or institution. In calculating
28 any such percentage for one or two contiguous census tracts,
29 contiguous portions of census tracts or a portion of an individual
30 census tract, the commissioner shall round up to the nearest whole
31 percentage number. If a census tract qualifies under the eligibility
32 criteria for designation as an enterprise zone and if the commissioner
33 determines that a census tract which is contiguous to such tract has
34 significant job creation potential, the commissioner may include such
35 contiguous census tract, or a portion thereof, in the enterprise zone in
36 lieu of a second qualified census tract if such contiguous census tract
37 meets at least one of the following reduced criteria: (A) Fifteen per cent
38 or more of the persons within the census tract shall have income below
39 the poverty level, as determined by the most recent United States
40 census, as officially updated by the appropriate state agency or
41 institution; (B) fifteen per cent or more of the families within the census
42 tract shall receive public assistance or welfare income, as determined
43 by the most recent United States census, as officially updated by the
44 appropriate state agency or institution; or (C) the unemployment rate
45 of the census tract shall be at least one hundred fifty per cent of the
46 state's average, as determined by the most recent United States census,
47 as officially updated by the appropriate state agency or institution. If a
48 census tract boundary line is the center line of a street, the
49 commissioner may include within the enterprise zone that portion of
50 the property fronting on such street which is outside of but adjacent to

51 the census tract. The depth of such property so included in the
52 enterprise zone shall be determined by the commissioner at the time of
53 the designation of the zone. If a census tract boundary line is located
54 along a railroad right-of-way, railroad property or natural stream of
55 water, the commissioner may include within the enterprise zone any
56 private properties under common ownership which are traversed by
57 the railroad right-of-way, railroad property or natural stream of water.
58 Any private properties so affected shall be included in the enterprise
59 zone at the time of the designation of the zone except, in the case of an
60 enterprise zone designated prior to October 1, 1983, the commissioner
61 may include within the zone any such property if the municipality in
62 which the zone is located requests the commissioner to include such
63 property not later than sixty days after October 1, 1983. If more than
64 twenty-five per cent of the project area of a development project under
65 chapter 132 is located in an area eligible for designation as an
66 enterprise zone and the project plan for such development project is
67 approved by the Commissioner of Economic and Community
68 Development in accordance with section 8-191, the commissioner may
69 include the entire project area of such development project area in an
70 enterprise zone. If more than twenty-five per cent of the project area of
71 a municipal development project under chapter 588~~l~~ is located in an
72 area eligible for designation as an enterprise zone and the
73 development plan for such project is approved by the Commissioner
74 of Economic and Community Development in accordance with section
75 32-224, the commissioner may include the entire project area of such
76 project in an enterprise zone. If more than fifty per cent of an approved
77 redevelopment area under chapter 130 is located in an area eligible for
78 designation as an enterprise zone, the commissioner may include the
79 entire redevelopment area in an enterprise zone. The commissioner
80 may also include in the area designated as an enterprise zone (i) any
81 facility, as defined in section 32-9p, which is located outside of but
82 contiguous to a census tract included in the zone, (ii) any private
83 properties which are (I) under common ownership, (II) located outside
84 of a census tract included in the zone and (III) contiguous to a railroad
85 right-of-way which is the boundary of such a census tract, or (iii) any

86 private properties which are located outside of a census tract included
87 in the zone, but between the zone and a railroad right-of-way, where
88 other segments of such railroad right-of-way serve as boundaries for
89 the zone. The commissioner may, at any time after the designation of
90 an area as an enterprise zone, include in such zone any area
91 contiguous to such zone which, at the time of the designation of such
92 zone, was eligible to be included in such zone but was not so included.
93 The commissioner may, at any time after the designation of an area as
94 an enterprise zone, include in such zone any property which is located
95 within one hundred fifty feet of a stream, the center line of which is the
96 boundary of a census tract included in such zone, and which property
97 contains an existing building or facility, having an area equal to or
98 greater than one hundred thousand square feet, that is or was formerly
99 used for manufacturing purposes but is underutilized or vacant at the
100 time the property is included in such zone. If the commissioner
101 determines that the necessary data is not available from the most
102 recent United States census, the commissioner may use such data as
103 the commissioner deems appropriate. The commissioner shall include
104 in the designation of the enterprise zone in the city of Meriden the
105 entire parcel of land bordered by Cook Avenue, Hanover Street,
106 Perkins Street Square, and South Colony Street. The commissioner
107 shall designate a portion of South Stratford, from Birdseye Road to the
108 beginning of the Lordship section of town, as an additional enterprise
109 zone."