



General Assembly

February Session, 2014

Raised Bill No. 5511

LCO No. 2090



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT GRANTING A MORATORIUM FROM THE AFFORDABLE HOUSING LAND USE APPEALS PROCESS UPON COMPLETION OF AN INCENTIVE HOUSING DEVELOPMENT.

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

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) Upon the completion
2 of any incentive housing development consisting of at least sixteen
3 dwelling units, the municipality in which such development was
4 constructed shall be eligible for a moratorium during which time the
5 provisions of subsections (a) to (j), inclusive, of section 8-30g of the
6 general statutes shall not be applicable to an affordable housing
7 application filed with the commission. Such moratorium shall be the
8 two-year period after (1) a certificate of incentive housing development
9 completion issued by the Commissioner of Housing is published in the
10 Connecticut Law Journal pursuant to subsection (b) of this section, or
11 (2) notice of a provisional approval is published pursuant to subsection
12 (b) of this section. For purposes of this section, "incentive housing
13 development" has the same meaning as in section 8-13m of the general
14 statutes, and "commission" has the same meaning as in subsection (a)
15 of section 8-30g of the general statutes.

16 (b) A municipality may apply for a certificate of incentive housing
17 development completion pursuant to this subsection by applying in
18 writing to the Commissioner of Housing and including documentation
19 showing that the municipality has met the requirements of subsection
20 (a) of this section, including evidence that certificates of occupancy for
21 each dwelling unit have been issued. Upon receipt of such application,
22 the commissioner shall promptly cause a notice of the filing of the
23 application to be published in the Connecticut Law Journal, stating
24 that public comment on such application shall be accepted by the
25 commissioner for a period of thirty days after the publication of such
26 notice. Not later than ninety days after the receipt of such application,
27 the commissioner shall either approve or reject such application. Such
28 approval or rejection shall be accompanied by a written statement of
29 the reasons for approval or rejection, pursuant to the provisions of this
30 section. If the application is approved, the commissioner shall
31 promptly cause a certificate of incentive housing development
32 completion to be published in the Connecticut Law Journal. If the
33 commissioner fails to either approve or reject the application within
34 such ninety-day period, such application shall be deemed
35 provisionally approved, and the municipality may cause notice of such
36 provisional approval to be published in a conspicuous manner in a
37 daily newspaper having general circulation in the municipality, in
38 which case, such moratorium shall take effect upon such publication.
39 The municipality shall send a copy of such notice to the commissioner.
40 Such provisional approval shall remain in effect unless the
41 commissioner subsequently acts upon and rejects the application, in
42 which case the moratorium shall terminate upon notice to the
43 municipality by the commissioner.

44 Sec. 2. Subdivision (1) of subsection (l) of section 8-30g of the 2014
45 supplement to the general statutes is repealed and the following is
46 substituted in lieu thereof (*Effective October 1, 2014*):

47 (l) (1) Notwithstanding the provisions of subsections (a) to (j),
48 inclusive, of this section, the affordable housing appeals procedure

49 established under this section shall not be applicable to an affordable
50 housing application filed with a commission during a moratorium,
51 which shall be the four-year period after (A) a [certification] certificate
52 of affordable housing project completion issued by the commissioner is
53 published in the Connecticut Law Journal, or (B) [after] notice of a
54 provisional approval is published pursuant to subdivision (4) of this
55 subsection. [Any moratorium that is in effect on October 1, 2002, is
56 extended by one year.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	New section
Sec. 2	<i>October 1, 2014</i>	8-30g(l)(1)

Statement of Purpose:

To provide a moratorium from the affordable housing land use appeals process to any municipality in which an incentive housing development consisting of at least sixteen dwelling units has been completed and to make technical changes.

[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.]