



General Assembly

Amendment

January Session, 2015

LCO No. 8400



Offered by:

REP. BUTLER, 72nd Dist.

REP. ROSE, 118th Dist.

To: Senate Bill No. 892

File No. 34

Cal. No. 513

"AN ACT CONCERNING HOUSING DEVELOPMENTS WITHIN INCENTIVE HOUSING ZONES."

1 Strike lines 8 to 75, inclusive, in their entirety and insert the
2 following in lieu thereof:

3 "Sec. 2. Subsection (b) of section 8-13n of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2015*):

6 (b) An incentive housing zone shall satisfy the following
7 requirements:

8 (1) The zone shall be consistent with the state plan of conservation
9 and development and be located in an eligible location.

10 (2) The regulations of the zone shall permit, as of right, incentive
11 housing development.

12 (3) The minimum allowable density for incentive housing
13 development, per acre of developable land, shall be: (A) Six units per
14 acre for single-family detached housing; (B) ten units per acre for
15 duplex or townhouse housing; and (C) twenty units per acre for
16 multifamily housing, [provided that] except that on or before
17 September 30, 2018, the commissioner may waive any requirement
18 under this subdivision and subdivision (4) of this subsection upon the
19 request of a municipality that is applying to the commissioner for a
20 letter of eligibility under section 8-13q, and on or after October 1, 2018,
21 a municipality whose population as determined by the most recent
22 federal decennial census is less than five thousand, when applying to
23 the commissioner for a letter of eligibility under section 8-13q, may
24 request approval of minimum as of right densities of not less than four
25 units per acre for single-family detached housing, not less than six
26 units per acre for duplex or townhouse housing, and not less than ten
27 units per acre for multifamily housing. In making such request, the
28 municipality shall [provide the Commissioner of Housing with] (i)
29 provide the commissioner with evidence of sewage disposal, water
30 supply, traffic safety or other existing, substantial infrastructure
31 limitations that prevent adoption of the minimum densities set forth in
32 this subdivision, or (ii) demonstrate that the land to be zoned for the
33 incentive housing development is owned or controlled by the
34 municipality or an agency thereof, or a land trust, housing trust fund
35 or nonprofit housing agency or corporation. If the proposed incentive
36 housing zone otherwise satisfies the requirements of this section, the
37 commissioner may issue the requested letter of eligibility. [A
38 municipality may request a waiver of the density requirements of this
39 subdivision and the commissioner may grant a waiver if the
40 municipality demonstrates in the application that the land to be zoned
41 for incentive housing development is owned or controlled by the
42 municipality itself, an agency thereof, or a land trust, housing trust
43 fund or a nonprofit housing agency or corporation. The proposed
44 incentive housing zone regulation shall require, in an enforceable
45 manner, that one hundred per cent of the proposed residential units
46 will be subject to an incentive housing restriction, and the proposed

47 incentive housing zone will otherwise satisfy the requirements of this
48 section.]

49 (4) In order to qualify for financial incentive payments set forth in
50 section 8-13s, as amended by this act, the regulations of an incentive
51 housing zone concerning the minimum as of right densities set forth in
52 subdivision (3) of this subsection shall constitute an increase of at least
53 twenty-five per cent above the density allowed by the underlying
54 zone, notwithstanding the provisions of said section 8-13s with regard
55 to zone adoption and building permit payments, except that on or
56 before September 30, 2018, the commissioner may waive any
57 requirement under this subdivision if the municipality submits
58 evidence set forth in subdivision (3) of this subsection.

59 (5) The minimum densities prescribed in subdivision (3) of this
60 subsection shall be subject only to site plan or subdivision procedures,
61 submission requirements and approval standards of the municipality,
62 and shall not be subject to special permit or special exception
63 procedures, requirements or standards.

64 (6) An incentive housing zone may consist of one or more subzones,
65 provided each subzone and the zone as a whole comply with the
66 requirements of sections 8-13m to 8-13x, inclusive, as amended by this
67 act.

68 (7) The land area of an incentive housing zone shall not exceed ten
69 per cent of the total land area in the municipality. The aggregate land
70 area of all incentive housing zones and subzones in a municipality
71 shall not exceed twenty-five per cent of the total land area in the
72 municipality."