



General Assembly

Amendment

January Session, 2021

LCO No. 8983



Offered by:
REP. ZULLO, 99th Dist.

To: Subst. House Bill No. 6107 File No. 541 Cal. No. 385

(As Amended)

"AN ACT CONCERNING THE REORGANIZATION OF THE ZONING ENABLING ACT AND THE PROMOTION OF MUNICIPAL COMPLIANCE."

1 Strike subsection (d) of section 4 and substitute the following in lieu
2 thereof:

3 "(d) Zoning regulations adopted pursuant to subsection (a) of this
4 section shall not:

5 (1) Prohibit the operation of any family child care home or group
6 child care home in a residential zone; [. No such regulations shall
7 prohibit]

8 (2) (A) Prohibit the use of receptacles for the storage of items
9 designated for recycling in accordance with section 22a-241b or require
10 that such receptacles comply with provisions for bulk or lot area, or
11 similar provisions, except provisions for side yards, rear yards and front
12 yards; [. No such regulations shall] or (B) unreasonably restrict access to

13 or the size of such receptacles for businesses, given the nature of the
14 business and the volume of items designated for recycling in accordance
15 with section 22a-241b, that such business produces in its normal course
16 of business, provided nothing in this section shall be construed to
17 prohibit such regulations from requiring the screening or buffering of
18 such receptacles for aesthetic reasons; [. Such regulations shall not
19 impose]

20 (3) Impose conditions and requirements on manufactured homes,
21 including mobile manufactured homes, having as their narrowest
22 dimension twenty-two feet or more and built in accordance with federal
23 manufactured home construction and safety standards or on lots
24 containing such manufactured homes, [which] including mobile
25 manufactured home parks, if those conditions and requirements are
26 substantially different from conditions and requirements imposed on
27 (A) single-family dwellings; [and] (B) lots containing single-family
28 dwellings; [. Such regulations shall not impose conditions and
29 requirements on developments to be occupied by manufactured homes
30 having as their narrowest dimension twenty-two feet or more and built
31 in accordance with federal manufactured home construction and safety
32 standards which are substantially different from conditions and
33 requirements imposed on] or (C) multifamily dwellings, lots containing
34 multifamily dwellings, cluster developments or planned unit
35 developments; [. Such regulations shall not prohibit]

36 (4) (A) Prohibit the continuance of any nonconforming use, building
37 or structure existing at the time of the adoption of such regulations; [or]
38 (B) require a special permit or special exception for any such
39 continuance; [. Such regulations shall not] (C) provide for the
40 termination of any nonconforming use solely as a result of nonuse for a
41 specified period of time without regard to the intent of the property
42 owner to maintain that use; [. Such regulations shall not] or (D)
43 terminate or deem abandoned a nonconforming use, building or
44 structure unless the property owner of such use, building or structure
45 voluntarily discontinues such use, building or structure and such
46 discontinuance is accompanied by an intent to not reestablish such use,

47 building or structure. The demolition or deconstruction of a
48 nonconforming use, building or structure shall not by itself be evidence
49 of such property owner's intent to not reestablish such use, building or
50 structure; [. Unless such town opts out, in accordance with the
51 provisions of subsection (j) of section 8-1bb, such regulations shall not
52 prohibit]

53 (5) Prohibit the installation, in accordance with the provisions of
54 section 8-1bb, as amended by this act, of temporary health care
55 structures for use by mentally or physically impaired persons [in
56 accordance with the provisions of section 8-1bb] if such structures
57 comply with the provisions of said section, [.] unless the municipality
58 opts out in accordance with the provisions of subsection (j) of said
59 section;

60 (6) Prohibit the operation in a residential zone of any cottage food
61 operation, as defined in section 21a-62b;

62 (7) Establish for any dwelling unit a minimum floor area that is
63 greater than the minimum floor area set forth in the applicable building,
64 housing or other code, except that such prohibition shall not apply to
65 minimum floor area requirements contained in any deed or restrictive
66 covenant recorded in the land records of a municipality or established
67 as a condition of any site plan approval issued prior to October 1, 2021;

68 (8) Place a fixed numerical or percentage cap on the number of
69 dwelling units that constitute multifamily housing over four units,
70 middle housing or mixed-use development that may be permitted in the
71 municipality;

72 (9) Require more than one parking space for each studio or one-
73 bedroom dwelling unit or more than two parking spaces for each
74 dwelling unit with two or more bedrooms, unless the municipality opts
75 out in accordance with the provisions of section 5 of this act; or

76 (10) Be applied to deny any land use application, including for any
77 site plan approval, special permit, special exception or other zoning

78 approval, on the basis of (A) a district's character, unless such character
79 is expressly articulated in such regulations by clear and explicit physical
80 standards for site work and structures, or (B) the immutable
81 characteristics, source of income or income level of any applicant or end
82 user, other than age or disability whenever age-restricted or disability-
83 restricted housing may be permitted."