



General Assembly
January Session, 2023

Raised Bill No. 6890

LCO No. 5469



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT CONCERNING QUALIFYING TRANSIT-ORIENTED COMMUNITIES.

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

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) For the purposes of this
2 section:

3 (1) "Qualifying transit-oriented community" means any municipality
4 that is a qualifying rapid transit community, qualifying bus transit
5 community, qualifying transit adjacent community or that is deemed a
6 qualifying transit-oriented community pursuant to subsection (i) of this
7 section;

8 (2) "Rapid transit station" means any public transportation station
9 serving rail or rapid bus routes;

10 (3) "Regular bus service station" means any public transportation
11 station serving a bus route that operates on a fixed schedule;

12 (4) "Qualifying rapid transit community" means any municipality
13 that has not less than one rapid transit station or a planned rapid transit

14 station, contained within a transit-oriented district adopted by such
15 municipality, provided such transit-oriented district is of reasonable
16 size and includes land of such municipality located within a one-half-
17 mile radius of any such station;

18 (5) "Qualifying bus transit community" means any municipality that
19 has not less than one regular bus service station that operates not less
20 than five days a week that is contained within a transit-oriented district
21 adopted by such municipality, provided such transit-oriented district is
22 of reasonable size and (A) includes land of such municipality located
23 within a one-half-mile radius of any such station, or (B) is located within
24 a reasonable distance, as determined by the coordinator, of any other
25 transit service, a commercial corridor or downtown area of such
26 municipality;

27 (6) "Qualifying transit adjacent community" means any municipality
28 without a transit station, but that borders a municipality that has not
29 less than one rapid transit station or regular bus service station, that
30 designates a transit-oriented district over or adjacent to a downtown
31 area;

32 (7) "Reasonable size" means a size determined by the coordinator to
33 be adequate to require greater density of development in an equitable
34 manner, as determined by the coordinator, considering the geographic
35 characteristics of any municipality that applies for discretionary
36 infrastructure funding pursuant to this section;

37 (8) "Transit-oriented district" means a collection of parcels of land in
38 a municipality designated by such municipality to adhere to zoning
39 criteria designed to encourage increased density of development,
40 including mixed-use development and concentration of discretionary
41 state investments;

42 (9) "Downtown area" means a central business district or other
43 commercial neighborhood area of a municipality that serves as a center
44 of socioeconomic interaction in the municipality, characterized by a
45 cohesive core of commercial and mixed-use buildings, often

46 interspersed with civic, religious and residential buildings and public
47 spaces, that are typically arranged along a main street and intersecting
48 side streets and served by public infrastructure;

49 (10) "Mixed-use" means developments for residential or commercial
50 use, including any single building developed for both residential and
51 commercial uses;

52 (11) "Coordinator" means the State Responsible Growth Coordinator
53 as established by section 2 of this act; and

54 (12) "Discretionary infrastructure funding" means any grant program
55 administered, by the state, for which any municipality is an eligible
56 grantee, and that is related to the expansion of transportation systems,
57 the expansion of public sewer and water services, brownfield
58 remediation, revitalization funds or other related investments that
59 further the purposes of this section as determined by the coordinator.

60 (b) Any qualifying transit-oriented community shall be eligible for
61 discretionary infrastructure funding. To receive such funding, any such
62 community, or any municipality that is not a qualifying transit-oriented
63 community but has adopted a resolution pursuant to subsection (c) of
64 this section, shall submit an application for such funding to the
65 coordinator in a form developed by the coordinator. The coordinator
66 shall direct the state entity responsible for providing any discretionary
67 infrastructure funding to prioritize the provision of such funding to any
68 qualifying transit-oriented community pursuant to this section over the
69 provision of such funding to any municipality that is not a qualifying
70 transit-oriented community.

71 (c) Any transit-oriented district located in a qualifying rapid transit
72 district shall (1) allow a minimum net density of thirty homes per acre
73 in municipalities with a population exceeding sixty thousand or a
74 minimum net density of twenty homes per acre in municipalities with a
75 population of not more than sixty thousand, (2) include affordability
76 requirements in compliance with subsection (h) of this section, and (3)
77 not include excessive lot size or excessive parking requirements, as

78 determined by the coordinator.

79 (d) Any transit-oriented district located in a bus transit community
80 district shall (1) allow a minimum net density of twenty homes per acre
81 in municipalities with a population exceeding twenty-five thousand or
82 a minimum net density of fifteen homes per acre in municipalities with
83 a population of not more than twenty-five thousand, (2) include
84 affordability requirements in compliance with subsection (h) of this
85 section, and (3) not include excessive lot size or excessive parking
86 requirements, as determined by the coordinator.

87 (e) Any transit-oriented district located in a qualifying transit
88 adjacent community shall (1) allow a minimum net density of ten homes
89 per acre, (2) include affordability requirements in compliance with
90 subsection (h) of this section, and (3) not include excessive lot size or
91 excessive parking requirements, as determined by the coordinator.

92 (f) Any municipality that is not a qualifying transit-oriented
93 community may be eligible for discretionary infrastructure funding
94 pursuant to this section, if the municipality, acting through the zoning
95 commission of such municipality, adopts a resolution stating that such
96 commission intends to enact zoning regulations that enable the
97 municipality to qualify as a qualifying transit-oriented community.
98 Such commission shall enact such zoning regulations not more than
99 eighteen months after the adoption of such a resolution. If such
100 commission does not enact such regulations within eighteen months
101 after the adoption of such resolution, unless the coordinator grants an
102 extension to such commission in the coordinator's discretion, the
103 municipality shall return any discretionary infrastructure funding
104 received following the adoption of such resolution, and such
105 municipality shall not be eligible for discretionary infrastructure
106 funding until the zoning commission of such municipality enacts zoning
107 regulations that enable the municipality to qualify as a qualifying
108 transit-oriented community.

109 (g) In determining whether a transit-oriented district is of reasonable

110 size, the coordinator shall (1) consider municipal and regional housing
111 needs, (2) consider whether such district allows for a greater density of
112 development than the minimum densities required by this section, and
113 (3) not require the inclusion of the following lands in any such district:
114 (A) Special flood hazard areas, as defined by the Federal Emergency
115 Management Agency; (B) wetlands, as defined in section 22a-29 of the
116 general statutes; (C) land designated for use as a public park; (D) land
117 subject to conservation or preservation restrictions, as defined in section
118 47-42a of the general statutes; (E) coastal resources protected by the
119 Coastal Management Act; (F) areas necessary for the protection of
120 drinking water supplies; and (G) areas identified as likely to be
121 inundated during a thirty-year flood event by the Marine Sciences
122 Division of The University of Connecticut pursuant to the division's
123 responsibilities to conduct sea level change scenarios pursuant to
124 subsection (b) of section 25-68o of the general statutes.

125 (h) Each qualifying transit-oriented community shall require that any
126 proposed development that contains ten or more dwelling units be
127 subject to deed restriction requiring that, for not less than forty years
128 after the initial occupation of the proposed development, a percentage
129 of dwelling units shall be sold or rented at, or below, prices which will
130 preserve the units as housing for which persons and families pay thirty
131 per cent or less of their annual income, where such income is less than
132 or equal to eighty per cent of the area median income. The percentage
133 of deed-restricted dwelling units required under this subsection shall be
134 determined based upon sales market typologies as described in the most
135 recent Connecticut Housing Finance Authority Housing Needs
136 Assessment:

137 (1) Twenty per cent for any municipality designated High
138 Opportunity/Strong Market;

139 (2) Eighteen per cent for any municipality designated High
140 Opportunity/Weak Market;

141 (3) Twelve per cent for any municipality designated Low

142 Opportunity/Strong Market;

143 (4) Five per cent for any municipality designated Low
144 Opportunity/Weak Market; and

145 (5) Zero per cent for any municipality designated Low Development
146 Activity.

147 (i) The coordinator shall determine if a municipality is in compliance
148 with the provisions of this section. The coordinator may consult with
149 the Commissioner of Housing to determine such compliance. Any
150 municipality that is not a qualifying rapid transit community, qualifying
151 bus transit community or qualifying transit adjacent community may be
152 deemed a qualifying transit-oriented community if the coordinator
153 determines that such municipality has adopted a transit-oriented
154 district that contains any rapid transit station or regular bus service
155 station and is of a reasonable size on or before October 1, 2023.

156 (j) Each qualifying transit-oriented community shall be eligible for
157 additional funding administered by the coordinator if such community
158 implements specific additional bonus zoning criteria as may be
159 determined by the coordinator, including higher density development
160 levels than are required by subsections (c) to (e), inclusive, of this
161 section, greater affordability of housing units than is required by
162 subsection (h) of this section, the development of public land or public
163 housing and any additional criteria determined by the coordinator.

164 Sec. 2. (NEW) (*Effective October 1, 2023*) (a) There shall be an Office of
165 Responsible Growth within the Intergovernmental Policy Division of
166 the Office of Policy and Management.

167 (b) The Office of Responsible Growth shall be responsible for the
168 following:

169 (1) Preparing the state plan of conservation and development
170 pursuant to chapters 297 and 297a of the general statutes;

171 (2) Reviewing state agency plans, projects and bonding requests for

172 consistency with the state plan of conservation and development;

173 (3) Coordinating the administration of the Connecticut
174 Environmental Policy Act, as set forth in sections 22a-1 to 22a-1h,
175 inclusive, of the general statutes;

176 (4) Facilitating interagency coordination in matters involving land
177 and water resources and infrastructure improvements;

178 (5) Providing staff support to the Connecticut Water Planning
179 Council;

180 (6) Coordinating the neighborhood revitalization zone program, as
181 provided in sections 7-600 to 7-602, inclusive, of the general statutes;

182 (7) Assisting the Chief Data Officer of the state with oversight of state-
183 wide geographic information system data and resources, and
184 participating in the geographic information system user-to-user
185 network to develop geographic information system data standards and
186 initiatives;

187 (8) Providing staff support to the Advisory Commission on
188 Intergovernmental Relations;

189 (9) Serving as the state liaison to the state's regional councils of
190 governments;

191 (10) Developing guidelines for transit-oriented districts and bonus
192 zoning criteria pursuant to section 1 of this act;

193 (11) Administering responsible growth and transit-oriented
194 development and regional performance incentive grant programs,
195 including discretionary infrastructure funding provided pursuant to
196 section 1 of this act; and

197 (12) Preparing the public investment community index annually.

198 (c) The Secretary of the Office of Policy and Management shall
199 designate a member of the secretary's staff to serve as the State

200 Responsible Growth Coordinator to oversee the Office of Responsible
201 Growth.

202 (d) The Office of Responsible Growth established pursuant to this
203 section shall constitute a successor agency to the office established by
204 Executive Order No. 15 of Governor M. Jodi Rell, in accordance with
205 section 4-38d of the general statutes.

206 (e) The secretary shall adopt regulations, in accordance with the
207 provisions of chapter 54 of the general statutes, to carry out the purposes
208 of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	New section
Sec. 2	<i>October 1, 2023</i>	New section

Statement of Purpose:

To (1) provide financial incentives for municipalities that adopt certain transit-oriented development policies and to coordinate related state funds through the Office of Responsible Growth, and (2) establish the Office of Responsible Growth.

[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.]