

Connecticut Federation of Planning & Zoning Agencies

**2025 LEGISLATION**  
**AN ACT CONCERNING HOUSING GROWTH**  
**HB 8002**  
**P.A. 25-1**

*Office of Legislative Research Summary*  
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 LAW OFFICES 

## HB 8002 “An Act Concerning Housing Growth”

### Public Act 25-1

Summary of those Provisions Effecting Municipal Planning and Zoning

Taken from an analysis of this new law prepared by  
*A Partnership for Strong Communities.*

#### ZONING

**Minimum Parking Requirements Applicability.** Prohibits towns from enforcing minimum parking requirements for residential developments with less than 16 homes. For residential development with at least 16 units, applicants must submit a parking needs assessment. *Sec 18, 19, 53. Page 18<sup>1</sup>*

**Conservation and Traffic Mitigation Districts.** A municipality may create up to two “conservation and traffic mitigation districts” where a town can extend parking minimums to development of less than 16 units. These districts may cover a combined total of no more than 8 percent of the municipality’s land area. *Sec 19. Page 19*

**Fees in Lieu of Parking Changes.** Planning and zoning commissions may adopt regulations allowing applicants subject to a minimum parking requirement to pay a fee instead of providing the required parking spaces in commercial developments and residential or mixed-use developments with at least 16 dwelling units. *Sec 21. Page 20*

**Middle Housing Development As of Right.** Middle housing developments (2-9 units) are allowed by summary process (similar to as of right approval) on any area zoned for commercial or mixed-use developments; towns may also opt in to allow middle housing by summary process in any area zoned for residential use for points towards their 8-30g moratorium (see 8-30g updates below). *Sec 16-17. Page 17*

**Tiny Home Protections.** Prohibits manufactured homes from being treated differently under municipal zoning than other similar residential developments, regardless of size – potentially adding additional flexibility to the use of tiny homes. *Sec 18.*

**Protest Petition Modifications.** Limits ability of protest petitions to prevent housing development by requiring changes to be opposed by at least half of impacted residents and neighbors, up from 20%. *Sec 24. Page 20*

**Zoning for Transit Oriented Development.** Towns with rail or regular bus service can create a transit-oriented district (TOD) that allows for denser housing development as of right within ½ mile of the transit station. *Sec 11, 13, 22. Page 12*

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<sup>1</sup> Page References are to the attached OLR Analysis

## AFFORDABLE HOUSING ACT Connecticut General Statute Sec. 8-30g

**8-30g Moratoriums.** Towns will have an easier path to an 8-30g moratorium if they zone for additional housing by creating “priority housing development zones.” Towns can gain additional points towards their 8-30g moratorium by allowing neighboring municipality housing authorities to build within their town boundaries. *Sec 41. Page 7<sup>2</sup>*

**Updating 8-30g Moratorium Points to Account for Zoning Changes.** Town may only receive moratorium points for middle housing (2-9 units) built through summary review if the towns opt-in to changing zoning regulations to allow middle housing by summary review in any residentially zoned area; middle housing built by summary review on commercial/mixed-use areas no longer eligible for moratorium points due to updated zoning laws. *Sec 42 Page 8.*

### PLANNING

**Housing Growth Planning.** Municipalities must create their own housing growth plan, or participate in a Council of Government (COG)-directed regional housing growth plan, that provides detailed information on how a town will increase the number of affordable (deed-restricted) units. *Sec 4-6, 41, 51-53. Page 1*

**Council on Housing Development.** Establishes the Council on Housing Development, which together with the Secretary of the Office of Policy and Management (OPM), will evaluate and enforce towns’ housing growth plans and coordinate housing growth policies statewide. *Sec 5-6, 14. Page 5*

**Regional Housing Needs.** Assigns COGs the responsibility to set affordable housing unit goals for each town in its planning region, informed by OPM housing needs assessments and technical support. *Sec 7, 53. Page 6*

**Housing Growth Grant Program.** Creates the Housing Growth Grant Program, beginning FY28, where municipalities making progress towards their housing growth plans can apply for funds to build necessary public infrastructure. The grant program does not yet have funding attached to it. *Sec 15. Page 16*

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<sup>2</sup> Page References are to the attached OLR Analysis

## STATE ASSISTANCE

**Regional Planning Incentive Account Modifications.** Effective immediately (pro-rated), COGs are eligible for an additional \$400K each – \$200K for housing planning and technical support, and \$200K for storm management/flood mitigation or waste/recycling management. *Sec 30.*

**Housing Growth Grant Program.** Beginning in FY28, municipalities who (1) are making progress towards their housing growth plans; (2) have a transit-oriented district; or (3) have a housing growth zone under CMDA can apply for funds for housing-related public infrastructure projects, including water and sewer, roads, and pedestrian, bike, and transit infrastructure. The grant program does not yet have funding attached to it. *Sec 15.*

**New Water Quality Loan Program.** Beginning in FY28, municipalities who have a population of more than 50,000 people and (1) are making progress towards their housing growth plans; (2) have a transit-oriented district; or (3) have a housing growth zone under CMDA are eligible for loans for wastewater system improvements. *Sec. 47.*

**School Construction Reimbursement Rate.** Beginning in FY27, municipalities who (1) are making progress towards their housing growth plans; (2) have a transit-oriented district; or (3) have a housing growth zone under CMDA may receive a 5% increase to their state school construction grant reimbursement rate. *Sec 46.*

**New COG Transit Infrastructure Grant.** OPM may establish a grant program for COGs for public transit, bicycle, or pedestrian infrastructure projects, within available appropriations. *Sec 25.*

**Greyfield Revitalization Program Modification.** DECD will prioritize towns who have already adopted zoning regulations for conversion of commercial to residential as of right for funding from the Greyfield Revitalization Program. *Sec 49.*

**Transit Oriented Development Funding Incentives.** Towns with TODs automatically qualify for additional financial incentives, including the new Housing Growth Grant Program, funding from the CT Municipal Development Authority (CMDA), higher reimbursement rates for school construction projects, and loans for sewer projects. *Sec 13, 15, 45, 46.*

## HB 8002 “An Act Concerning Housing Growth”

### Public Act 25-1

## OLR Analysis for those sections affecting Zoning and Planning

### §§ 4-6, 41 & 51-53 — HOUSING GROWTH PLANNING

*Replaces current law’s requirements on municipal affordable housing plans (CGS § 8-30j) with a new framework in which municipalities generally decide whether to opt into a regional COG-made plan or develop their own plan for increasing the number of affordable deed-restricted units; requires new plans to be submitted to OPM every five years; municipalities in compliance with the bill’s planning and implementation requirements are eligible for grants under the Housing Growth Program the bill establishes (§ 15); establishes penalties for delinquent plans*

The bill requires each municipality to either adopt its own housing growth plan (municipal HGP) or opt to comply with a regional housing growth plan (regional HGP) developed by the local council of governments (COG). Broadly, HGPs outline policies and practices that promote or enable housing development to meet the municipal affordable housing goal (i.e. a numerical goal for developing affordable housing that is deed-restricted for at least 40 years). The plans cover a five-year period and must be updated every five years. The bill correspondingly repeals current law’s affordable housing planning requirements (CGS § 8-30j) and makes related conforming changes (see CGS §§ 7-148rr & 8-30g). This law requires each municipality to adopt an affordable housing plan and update it at least once every five years. The plan must specify how the municipality intends to increase its number of affordable housing developments. Municipalities that comply with the bill’s planning and implementation requirements are eligible for the Housing Growth Program, which the bill establishes to provide grants for public infrastructure projects (see § 15). Municipalities that do not timely submit their plans are ineligible for a new moratorium under CGS § 8-30g until the plan is submitted. Likewise, COGs that do not timely submit their plans are ineligible for regional services grants until their plan is submitted.

EFFECTIVE DATE: January 1, 2026

**Municipal Authority to Choose Plan Type** - Under the bill, municipalities may generally choose to either opt into a regional HGP or develop their own plan. But a municipality may elect to comply with the regional HGP only if: 1. the municipality does so within 30 days after being notified by the COG of its recommended affordable housing goal (these are issued every 10 years, see § 7); and 2. the regional HGP is approved by the municipality's chief executive officer and its planning commission or combined planning and zoning commission. The 20 municipalities with the lowest adjusted equalized net grand lists per capita as of the fiscal year prior to the date the municipality’s housing growth plan is due (AENGLC, which accounts for property tax base per person and income per person) cannot opt into a regional plan, nor are they subject to the standard municipal HGP requirements. Instead, these municipalities must develop plans that: 1. prioritize rehabilitating and preserving existing affordable housing units; 2 identify policies to promote

developing new dwelling units without displacing existing municipal residents; 3. identify infrastructure improvements to support existing municipal residents; and 4. identify specific opportunities for developing new affordable housing units in the municipality.

### **Regional HGPs**

Every five years, each COG must develop a regional HGP covering municipalities that have opted into it. COGs develop and adopt these plans in coordination with the municipalities in their respective planning region that provide for the local adoption of “housing growth policies” (see above) and the development of additional dwelling units. Municipalities that opt into the regional HGP do so before the plan is formulated, but after the COG issues recommended housing growth goals.

**Plan Contents.** The bill specifies that the regional HGPs must include the following elements for each covered municipality and align with Office of Policy and Management (OPM)-developed guidelines on these plans: 1. “housing growth policies” (see below) each municipality has adopted or must adopt to reduce specific regulatory barriers to the development of dwelling units in the municipality and to promote the development of additional dwelling units in the municipality; 2. an explanation of the plan’s consistency with (a) municipal, regional, and state plans of conservation and development and (b) any applicable plans adopted by the local water pollution control (sewer) authorities; 3. identification, to the extent practicable, of (a) specific zones or parcels that could be developed via a “summary review” process (see § 17 below, which modifies current law’s statutory definition) in order to meet each municipality’s affordable housing goal and (b) the maximum residential density for each area; 4. strategies each municipality has adopted or will adopt to improve the access to affordable housing units by individuals with an intellectual disability or other developmental disability; 5. strategies a municipality has adopted or will adopt to promote the development of diverse housing types, considering factors like unit size, number of bedrooms, construction type, density of development, and ownership models; 6. an inventory of “developable land” (see below) within the municipality; 7. an explanation of how the plan conforms to, and implements, the requirements in the Zoning Enabling Act on addressing disparities in housing needs, affirmatively furthering the purposes of the federal Fair Housing Act, and promoting housing choice and economic diversity (see CGS § 8-2); 8. identification of the projected infrastructure needs and improvements needed to meet each municipality’s housing goal; And 9. an implementation schedule for the policies, strategies, and other actions identified in the plan that is calculated to achieve each municipal affordable housing goal. Under the bill, housing growth policies” include policies, practices, ordinances, and regulations proposed or adopted by a COG or municipality that are designed to reduce or remove regulatory constraints on the construction, rehabilitation, repair, or maintenance of deed-restricted affordable housing units. This may include zoning regulation amendments, fee waivers, fixed assessment agreements, tax abatements, and expedited housing development project approval processes. Housing growth policies also include regional or municipal actions intended to promote the development of

affordable housing units, including, (1) seeking funding for affordable housing unit development or sewer infrastructure, (2) donating municipal land for development, or (3) entering into agreements with developers for a development that includes affordable housing units. Under the bill, “developable land” includes any land, whether governmentally owned or not, which as of January 1, 2026, can be feasibly developed or redeveloped, based on commercially reasonable assumptions, for residential or mixed uses. But it does not include: 1. land already committed to a public use or purpose, whether publicly or privately owned; 2. parks, recreation areas, and open space dedicated to the public or subject to a recorded conservation easement; 3. land otherwise subject to an enforceable restriction on, or prohibition of, development (excluding municipally imposed restrictions adopted by ordinance or regulation); 4. wetlands or watercourses as defined in state law; and 5. areas of at least one-half acre of contiguous land that are unsuitable for development due to topographic features, such as steep slopes.

**Public Engagement.** In creating the regional plan, a COG may hold public informational meetings or other activities to inform residents about the plan. COGs must post a copy of any draft plan or amendment to it on their website at least 35 days before a meeting or other activity. Additionally, a municipality may hold public informational meetings or other activities to inform residents about any proposed regional HGP and must post a copy of the draft plan or amendment to it on its website. If the municipality holds a public hearing, these documents must be posted at least 35 days prior to it.

**OPM Review.** The bill requires COGs to submit their plans to the OPM secretary for approval as follows: 1. not later than June 1, 2028, and every five years thereafter, for the Capitol Region Council of Governments, the Northeast Connecticut Council of Governments, the Lower Connecticut River Valley Council of Governments, the Northwest Hills Council of Governments and the Southeastern Connecticut Council of Governments; and 2. between June 1, 2028, and June 1, 2029, and every five years thereafter, for the South Central Connecticut Council of Governments, the Connecticut Metropolitan Council of Governments, the Naugatuck Valley Council of Governments and the Western Connecticut Council of Governments. If a COG does not submit the plan on time, its chair must submit a letter to the secretary that explains the reason for missing the deadline and specifies a date by which it will be submitted. That date cannot be more than 30 days after the deadline. COGs are ineligible for their regional services grant if they are delinquent in submitting their plans (until the plan is submitted). The secretary must accept or reject a COG’s plan within 120 after receiving it and, if rejecting it, must give the COG written notice with the reasons for doing so and suggested amendments to obtain approval. The bill specifies the OPM secretary must approve plans that conform with the bill’s requirements. If the secretary does not act within this timeframe, the COG must instead submit it to the Council on Housing Development created by the bill (see § 14) for approval. Under the bill, if the council rejects the plan, it must provide written notice to the COG, including its reasons for the denial and any proposed amendments required for approval. COGs have 30 days to submit an amended plan.

**Required Municipal Action Following Approval.** Following a regional HGP's approval, each municipality that has elected to comply with it must adopt and implement the plan's housing growth policies. Municipalities must also submit annual progress reports to the secretary. (Eligibility for housing growth program grants (§ 16) is contingent on a municipality demonstrating progress (see below) toward adopting and implementing the housing growth policies.) After adoption of the regional plan, each municipality subject to it must file the adopted plan in the office of the town clerk and post it on its website.

### **Municipal HGPs**

Municipalities that do not opt to comply with a regional HGP must create their own plan that includes nearly identical elements as a regional HGP must include for each municipality it covers (see above). However, municipal HGPs, when addressing projected infrastructure needs, must also identify projected wastewater capacity. Municipalities can choose to additionally include the elements that are required of low ANGLEC municipal plans (e.g. identifying policies to promote the development units without displacing existing residents). As part of the municipal planning process, the municipality must adopt a municipal affordable housing goal. If this goal differs from the one set by the COG, then the municipality must notify the COG in writing of the reason for the difference. Under the bill, a municipality may hold public informational meetings or other activities to inform residents about any proposed municipal HGP and must post a copy of the draft plan or amendment to it on its website. If the municipality holds a public hearing, these documents must be posted at least 35 days prior to it.

**Review and Approval Process.** Like regional plans, municipal plans must be approved by the OPM secretary (or Council on Housing Development, if applicable). But municipalities must first submit them to their local COG at least 90 days before submitting them to the secretary. The COG must review the plan and propose any necessary amendments in writing within 60 days of receipt. If a municipality does not accept a proposed amendment, it must give the COG a written explanation why. Municipalities must submit their plans to OPM in the same frames as COGs must for the respective region, as follows: 1. not later than June 1, 2028, and every five years thereafter, for municipalities that are members of the Capitol Region planning region, the Northeastern Connecticut planning region, Lower Connecticut River Valley planning region, the Northwest Hills planning region and the Southeastern Connecticut planning region; and 2. between June 1, 2028, and June 1, 2029, and every five years thereafter, for municipalities that are members of Greater Bridgeport planning region, the Naugatuck Valley planning region,, the South Central Connecticut planning region and the Western Connecticut planning region. If the deadlines align, the bill allows municipalities to include the HGP as part of its plan of conservation and development submission. Municipalities may also submit their HGP early to coincide with plan of conservation and development's submission, as long as the next submission is five years later. If a municipality does not submit the HGP on time, its chief executive officer must submit a letter to the secretary that explains the reason for missing the deadline and specifying a date by which it

will be submitted. That date cannot be more than 30 days after the deadline. Municipalities cannot obtain a new moratorium under CGS § 8-30g if they are delinquent in submitting their plans (until the plan is approved). The OPM secretary's (or council's, if applicable) review and approval process for municipal HGP is the same as it is for regional plans. Following approval of a municipal HGP, the municipality must adopt and implement the plan's housing growth policies. Municipalities must also submit annual progress reports to the secretary; eligibility for housing growth program grants (§ 15) is contingent on a municipality demonstrating progress (see below) toward adopting and implementing the housing growth policies and attaining the affordable housing goal.

### **OPM Guidelines for Demonstrating Progress**

As described above, after the planning process is complete, municipalities must generally work to adopt and implement the housing growth policies outlined in the applicable HGP, and annually report on their progress, to be eligible for housing growth program grants (see § 15). By March 1, 2026, the bill requires the OPM secretary, in consultation with COGs and the Department of Housing (DOH) commissioner, to issue publicly available guidelines that specify formats, mapping standards, and standardized metrics for municipalities' annual reporting. These include permits issued, certificates of occupancy, and deed-restricted units by income level. The secretary may update the guidelines occasionally.

### §§ 5, 6 & 14 — COUNCIL ON HOUSING DEVELOPMENT

*Establishes a Council on Housing Development to, among other things, (1) review whether discretionary state grant programs adhere to the state Plan of Conservation and Development's goals, (2) create guidelines for transit-oriented districts, (3) act on certain municipal and regional housing growth plans, and (4) review housing growth grant applications.*

The bill establishes a 17-member Council on Housing Development to generally advise and help the ORG coordinator review regulations, develop guidelines, and establish programs on housing growth in the state. Among other specified responsibilities (see below), it also charges the council with approving or modifying any municipal or regional housing growth plans (HGPs) that the OPM secretary fails to act on within the time period the bill requires (i.e. within 120 days of receiving a plan; see §§ 4-6 above). Under the bill, if the council denies an HGP, it must provide (1) written notice to the municipality or COG as applicable, (2) a statement of the reasons for denial, and (3) any amendments it proposes that are required for plan approval. The bill allows a municipality or COG to submit an amended HGP to the council for approval or denial within 30 days after it receives the council's denial. EFFECTIVE DATE: Upon passage, except January 1, 2026, for provisions on denied HGPs and subsequent amendment submissions (§§ 5 & 6).

§§ 7 & 53 — REGIONAL HOUSING NEEDS AND RECOMMENDED

MUNICIPAL GOALS

*Replaces current law's requirements on fair share allocations (CGS § 4-68ii) with a new framework in which (1) OPM identifies statewide and regional housing needs and (2) COGs use this information to assess regional needs and assign recommended affordable housing goals to municipalities.*

The bill repeals current law's requirement that the OPM secretary establish and apply a method for determining each municipality's fair share allocation of affordable housing by generally (1) determining the need for affordable housing units in each of the state's planning regions and (2) fairly allocating this need to each region's municipalities (CGS § 4-68ii). The bill instead requires the OPM secretary, in consultation with other officials and stakeholders, to establish a regional housing needs program to provide municipalities with information on anticipated statewide and regional housing needs. The bill makes COGs responsible for assessing these needs and setting a recommended affordable housing goal (i.e. how many deed-restricted units) for each municipality in their respective region, except those municipalities with relatively low property wealth per capita. In doing so, COGs must generally consider factors that are similar to those that current law requires the OPM secretary to use when setting the fair share methodology. Under the bill, the COGs' recommended goals are subject to the OPM secretary's approval and serve as the default goal for regional and municipal housing growth plans (see above). The bill also requires, by July 1, 2026, and every five years thereafter, OPM's Geographic Information Systems Office, to consult and coordinate with COGs to develop statewide data tools for municipalities to use, together with local data, to compile an inventory of developable land (see above). EFFECTIVE DATE: January 1, 2026

**OPM's Assessment of Needs to Determine Housing Growth Targets** By December 1, 2026, and every ten years after that, the OPM secretary, in consultation with the commissioners of the Housing and Economic and Community Development departments, COGs, and statewide organizations and individuals with expertise in affordable housing, fair housing, and planning and zoning (as chosen by the secretary), must (1) evaluate the need for housing over the next 10 years and (2) determine housing growth targets for the state and each planning region. In doing the evaluation, the bill requires the secretary to at minimum consider the following factors:

1. housing replacement needs; 2. the availability of affordable and deeply affordable housing; 3. the number of household formations; 4. population demographic changes; and 5. measures of housing cost burden, including, households with incomes at or below 30% of the area median income (AMI) with housing costs at or above 50% of their income. The OPM secretary must submit the statewide methodology and the regional allocations to the Planning and Development and Housing committees by December 1, 2026, and every 10 years after that. (Presumably this means he must submit information on how the evaluation was conducted, in addition to the housing growth targets.)

**COGs' Recommended Goals for Municipalities** The bill requires each COG to use OPM's targets to assess regional housing needs and recommend an affordable housing goal for each municipality in the planning region, except those 20 municipalities (statewide) with the lowest adjusted equalized net grand lists per capita. In setting the municipal goals, COGs must generally consider factors that are similar to those that current law sets for purposes of establishing the fair share methodology. Specifically, under the bill, COGs must use a methodology that:

1. ensures no goal exceeds 20% of the occupied dwelling units in the municipality;
2. considers the duty of the state and municipalities to affirmatively further fair housing under the state Zoning Enabling Act and federal law;
3. relies on appropriate regional metrics of need for affordable housing units to ensure adequate housing options, including the number of households whose (a) income is no more than 30% of the area median income and (b) housing costs make up at least 50% of the household's income (using data from HUD's Comprehensive Housing Affordability Strategy data set or a similar source chosen by the OPM secretary);
4. used appropriate factors for fairly allocating this need among municipalities, including a municipality's compliance with provisions in the Zoning Enabling Act and local plan of conservation and development, including (a) the proximity of housing to current or planned public transportation projects, commercial or industrial zones in which significant employment opportunities exist (as identified by the COG), and downtown areas (as defined by the bill), (b) the availability of developable land (as defined by the bill, see above), and (c) a municipality's share of multifamily housing.
5. increases a municipality's goal if, relative to other municipalities in its planning region, it has a (1) higher equalized net grand list per capita, (2) higher median income, or (3) lower population share with income below the federal poverty rate, or living in multifamily housing (i.e. it has at least three units in a single building).

COGs' regional housing needs assessments and recommended affordable housing goals for municipalities are subject to the OPM secretary's approval. But the secretary cannot reject either solely on the basis that they may result in a greater number of dwelling units being developed than he deems adequate. Once approved, COGs must publish on their respective websites the recommended municipal goals and the input assumptions and data sources they used to set them. COGs must also notify each municipality what its recommended goal is.

§§ 8-10 & 41 — DIFFERENT MORATORIUM THRESHOLD AFTER ADOPTING PRIORITY HOUSING DEVELOPMENT ZONE

*Creates an alternative standard for a municipality to qualify for a moratorium under CGS § 8-30g if it creates an overlay zone meeting specific requirements; these zones qualify as "housing growth zones" under Connecticut Municipal Development Authority law*

Under existing law, a municipality qualifies for this temporary suspension (i.e. moratorium) each time it shows it has added a certain amount of affordable housing units over the applicable period (see Background — § 8-30g). Under the bill, if a municipality adopts zoning regulations creating

an overlay zone meeting specific requirements, a lower moratorium threshold generally applies. The bill designates these zones “priority housing development zones” (hereinafter priority zones). Among other requirements, the priority zone must (1) cover at least 10% of the municipality’s developable land and (2) allow specific minimum housing densities and multifamily housing development as-of-right. The bill makes the housing commissioner responsible for reviewing these priority zones for conformity with the bill’s requirements and approving them through letters of eligibility. The bill specifies that its provisions on the required content of priority zone regulations must not be construed to affect the power of local zoning commissions, or the body exercising zoning authority, to adopt or amend regulations under their other statutory or special act powers.

EFFECTIVE DATE: January 1, 2026

**Reduced Moratorium Threshold**

Under the bill, municipalities that adopt a commissioner-approved priority zone generally qualify for a § 8-30g moratorium under a lower threshold than existing law sets (i.e. after adding less affordable housing stock, generally). But they are eligible for one only if, when they apply for the moratorium, the commissioner determines that they complied with the requirements in the final letter of eligibility (see below). By law, a municipality is eligible for a moratorium each time it shows it has added a certain amount of affordable housing units over the applicable period, measured in housing unit equivalent (HUE) points. A moratorium typically lasts four years, except that certain municipalities with at least 20,000 dwelling units are eligible for moratoria lasting for five years if they are applying for a subsequent moratorium (i.e. they previously qualified for a moratorium). In addition to showing current law’s moratorium thresholds, the table below shows the bill’s reduced threshold for municipalities that adopt an approved priority zone. The bill’s provisions on priority zones do not change the threshold applicable to certain larger municipalities applying for a subsequent moratorium.

**Moratorium Eligibility Thresholds**

	<b>Current Law’s Requirements for Added Housing Units, Measured in HUE Points</b>	<b>Requirements for Municipalities That Adopt a Priority Zone as Provided by the Bill Measured in HUE Points</b>
<b>Generally Applicable Moratorium Threshold</b>	Greater of 2% of the housing stock, as of the last decennial census, or 75 HUE points	Greater of 1.75% of the housing stock, as of the last decennial census, or 65 HUE points
<b>Subsequent Moratorium Threshold for Municipalities That Have</b>	1.5% of the housing stock as of the last decennial census (if an affordable	No change to threshold (other provisions in the bill replace current law’s planning

**At Least 20,000 Dwelling Units** housing plan has been adopted) requirement with a requirement that the municipality adopt a Housing Growth Plan or Opt into The Regional Plan).

**Requirements for Local Zone Adoption** - Regardless of conflicting provisions in a charter or special act, the bill allows a municipality's zoning commission (or body exercising zoning authority) to adopt regulations establishing a priority zone as an overlay zone. The zone may consist of one or more subzones, as long as each subzone and the zone as a whole comply with the bill's requirements. The bill specifies that any regulation creating a priority zone must:

1. be consistent with (a) local and regional housing growth plans and (b) CGS § 8-2 (the law most municipalities exercise zoning authority under), including its provisions on varied housing opportunities; 2. ensure the zone is consistent with the state plan of conservation and development and located in an "eligible location" (i.e. within an existing residential or commercial district and suitable for development as a priority zone); 3. allow "multifamily housing" (i.e. buildings with three or more residential dwelling units) as of right within the zone, generally subject to minimum density requirements the bill establishes (see below); 4. ensure the zone encompasses at least 10% of the municipality's total "developable land" (see below); and 5. be likely to substantially increase the production of new dwelling units needed to meet housing needs within the zone (as determined by the housing commissioner). The bill specifically allows a municipality's zoning commission (or body exercising zoning authority) to: 1. modify, waive, or eliminate dimensional standards applicable to any underlying zone in order to support the minimum or desired densities, mix of uses, or physical compatibility in the priority zone (e.g., building height, setbacks, lot coverage, parking ratios, and road design standards); 2. in a priority zone, allow for a mix of business, commercial, or other nonresidential uses within a single zone or for the separation of these uses into one or more subzones, if (a) the zone as a whole complies with the act's requirements and (b) the uses are consistent with as-of-right residential development and the densities the bill specifies; and 3. overlay the priority zone over all or part of an existing historic district. Under the bill, "developable land" includes any land, whether governmentally owned or not, which as of January 1, 2026, can be feasibly developed or redeveloped, based on commercially reasonable assumptions, for residential or mixed uses. But it does not include: 1. land already committed to a public use or purpose, whether publicly or privately owned; 2. parks, recreation areas, and open space dedicated to the public or subject to a recorded conservation easement; 3. land otherwise subject to an enforceable restriction on, or prohibition of, development (excluding municipally imposed restrictions adopted by ordinance or regulation); 4. wetlands or watercourses as defined in state law; and 5. areas of at least one-half acre of contiguous land that are unsuitable for development due to topographic features, such as steep slopes.

**Minimum Density Requirements** - Under the bill, the following minimum housing densities must be allowed in a priority zone, per acre of developable land: 1. four units per acre for single-family

detached housing, 2. six units per acre for duplexes or “townhouse housing” (i.e. a residential building constructed in a group of at least three attached single-family dwelling units in which each unit extends from foundation to roof and has exterior walls on at least two sides), and 3. 10 units per acre for multifamily housing. The bill specifies that municipalities (1) may only subject these minimum densities to site plan or subdivision procedures, submission requirements, and approval standards and (2) cannot subject them to special permit or special exception procedures, requirements, or standards.

**Parameters for Establishing New Historic Districts** - The bill specifies that a municipality may establish a historic district within an approved priority zone. Municipalities must notify the commissioner about new districts within seven days (see below). If the district’s requirements or regulations will render the approved priority zone out of compliance with the bill’s requirements, the commissioner must (1) deny or revoke a preliminary or final letter of eligibility and (2) deny or revoke a certificate of affordable housing project completion (i.e. the eligibility determination for an § 8-30g moratorium).

**Priority Zone Approval Process** - Once a municipality adopts a priority zone, it must request from the housing commissioner a final letter of eligibility. (The bill also allows (1) a municipality to apply for, and the commissioner to issue, a preliminary letter of eligibility, based on its proposed zoning modifications and (2) the commissioner to subsequently issue a final letter of eligibility when the municipality implements the proposed modifications and met the bill’s priority zone requirements.) The commissioner must review requests within 90 days after receiving them and may approve, reject, or request modifications to them. If a municipality modifies a proposed or adopted priority zone (including creating an overlapping historic district) after applying for or receiving a preliminary or final letter of eligibility, it must notify the commissioner about the modifications within seven days. The commissioner may deny or rescind the letter if the changes do not comply with the bill’s requirements.

**Reviewing Progress in the Zone** - The bill allows the housing commissioner, at least a year after providing a final letter of eligibility, to review market conditions in a municipality and the state and, in her discretion, determine whether there were sufficient building permits or other indicators of progress toward constructing dwellings in the zone. If she determines that was not the case, she may rescind a letter of eligibility or current certificate of affordable housing completion.

**Background — § 8-30g** - The affordable housing land use appeals procedure is a set of rules that allows developers to appeal to Superior Court local planning and zoning commission decisions denying affordable housing developments or approving them with costly conditions. In traditional zoning appeals, the developer must convince the court that the commission (i.e. municipality) acted illegally or arbitrarily, or abused its discretion, by rejecting the proposed development. The § 8-30g appeals procedure instead places the burden of proof on the municipality. Only

municipalities in which less than 10% of the housing stock is affordable, and that have not qualified for a moratorium, are subject to the procedure.

**Background — Affordable Housing Developments** - By law, an affordable housing development under § 8-30g is “assisted housing” or a “set-aside development.” The former is generally certain government-assisted housing or housing occupied by people receiving rental assistance. The latter is a development in which, for at least 40 years after initial occupancy, at least 30% of the units are deed-restricted based on specified household income limits.

**Background — HUE Points** - A municipality is eligible for a moratorium on appeals taken under the § 8-30g procedure each time it shows it has added a certain amount of affordable housing units over the applicable period (since July 1, 1990, for first moratoria), measured in HUE points. Generally, newly built set aside and assisted housing developments count toward the moratorium, as do units subjected to certain deed restrictions. The table below shows the law’s HUE point allocation by unit type.

**Table: Base and Bonus HUE Points**

<i>Unit Type</i>	<i>Base HUE Value (per Unit)</i>
<i>Owned or rented market-rate unit in a “set-aside development”</i>	0.25
<i>Owned or rented elderly unit restricted to households earning no more than 80% of the median income</i>	0.50
<i>Owned family unit</i>	<i>80% of median income</i>
<i>restricted to households</i>	<i>60% of median income</i>
<i>earning no more than:</i>	<i>40% of median income</i>
<i>Rented family unit</i>	<i>80% of median income</i>
<i>restricted to households</i>	<i>60% of median income</i>
<i>earning no more than:</i>	<i>40% of median income</i>
<i>Owned or rented homes in resident-owned mobile manufactured home parks occupied by households earning 80% or less of the median income</i>	1.50
<i>Owned or rented homes in resident-owned mobile manufactured home parks occupied by households earning 60% or less of the median income</i>	2.00
<i>Owned or rented homes in resident-owned mobile manufactured home parks not otherwise eligible for points</i>	0.25

*Certain middle housing dwelling units built under local option regulation*

0.25

<i>Unit Type</i>	<i>Base HUE Value (per Unit)</i>
<i>Rental family units in a set-aside development, if the developer applied for local approval before July 6, 1995</i>	<i>Bonus equal to 22% of the total points awarded to the development</i>

§§ 11, 13 & 22 — ZONING FOR TRANSIT-ORIENTED DEVELOPMENT

*Creates a framework in which adoption of zoning regulations that promote transit-oriented development may make the municipality eligible for grants under the bill's Housing Growth Program (§ 15), loans under the bill's sewer loan provisions (§ 46), and increased school construction reimbursements (§ 45)*

The bill creates a framework in which a municipality's eligibility for the bill's new Housing Growth Program grants, which are administered by OPM, (see § 15), is tied to its designation as a qualifying transit-oriented community (TOC). Additionally, municipalities that become TOCs may be eligible for (1) loans for sewer projects under a new program the bill creates (see § 46) and (2) higher rates of reimbursement for school construction projects (see § 45). Under the bill, a municipality with a regular bus service station or rapid rail or bus transit station generally can become a TOC by adopting zoning regulations creating a transit-oriented district (or "district") around the station that meet certain requirements, including allowing certain housing developments "as of right" (see *Background — As-of Right Developments*). A municipality that lacks a rapid transit station or regular bus service station can become a TOC if it (1) borders a municipality that has one or more rapid transit stations or regular bus service stations, and (2) creates a transit-oriented district in or adjacent to a downtown area in its jurisdiction. The bill also makes TOCs eligible for additional funding under any program the OPM secretary administers if the TOC adopts additional zoning criteria (in addition to meeting all other TOC requirements discussed below), including (1) higher density development, (2) requiring greater housing unit affordability than what the bill specifically requires in certain larger proposed developments, (3) developing public land or public housing, (4) implementing programs to encourage homeownership, and (5) other criteria the OPM secretary sets. The bill additionally makes any municipality that adopts a transit oriented district by January 1, 2026, eligible for Housing Growth Program grant (§ 15) funding for developments within the district. The municipality need not qualify as a TOC.

EFFECTIVE DATE: January 1, 2026

**Qualifying as a TOC** - A municipality generally becomes a TOC by establishing a transit-oriented district meeting certain requirements the bill establishes, as described below. These requirements are generally aimed at enabling varied housing types to be developed near transit stations and downtown areas. The bill also restricts the regulations a municipality can adopt for its districts. The OPM secretary must determine a municipality's compliance with the bill's requirements. (The OPM secretary may delegate this and his other TOC-related authority under the bill to a designee.) To help a municipality adopt a conforming district, OPM may give (1) technical assistance on adopting regulations that substantially comply with OPM's guidelines, described below, or (2) an interpretation or written guidance on whether a municipality's regulations conform to the statute under which most municipalities exercise zoning powers (CGS § 8-2). The secretary may waive certain requirements by granting an exemption (see below) but cannot impose requirements additional to those in the bill and CGS § 8-2. The bill specifies that the secretary cannot deem a municipality a qualifying TOC without its consent.

**Transit-Oriented Districts** - Under the bill, a "transit-oriented district" is an area the municipality designates that is subject to zoning criteria designed to encourage increased development density (including mixed-use development) consistent with the bill's provisions. TOCs are municipalities that have adopted a reasonably sized, as determined by the OPM secretary, transit-oriented district situated around a rapid transit station, regular bus service station, or downtown area. For municipalities with a rapid transit station ("qualifying rapid transit communities"), this generally means the district must contain a rapid transit station or a planned station (i.e. any public transportation station serving any rail or rapid bus route). Additionally, a qualifying rapid transit community's district must (1) encompass all the land within a one-half mile radius of these stations or (2) be located within a reasonable distance, as determined by the OPM secretary, of any other transit service, a commercial corridor, or the municipality's downtown area (i.e. a central business district or other commercial area that, among other things, serves as a center of socioeconomic interaction). The same parameters apply to "qualifying bus transit communities," except their districts must encompass all the land within a one-half mile radius of a regular bus service station (i.e. a bus stop with a bus stopping at least every 60 minutes during peak hours) operating no less than five days per week. Alternatively, municipalities that border a municipality with a rapid transit or regular bus station may instead designate a district in or adjacent to a downtown area in their jurisdiction. To qualify as a TOC, a municipality's transit-oriented district must be a reasonable size. Under the bill, the OPM secretary, in consultation with the zoning commission, is responsible for determining whether a district meets this requirement. To do so, the secretary has to (1) determine whether the area could equitably support greater development density, based on the municipality's geographic characteristics, and (2) consider the municipality's and region's housing needs. When making his determination, the OPM secretary cannot require the following land types to be included in the transit-oriented district:

1. special flood hazard areas on the National Flood Insurance Program's flood insurance rate map;

2. inland wetlands, as defined in state law; 3. existing or planned public park land; 4. land subject to conservation or preservation restrictions (e.g., an easement); 5. coastal resources protected by the Coastal Management Act; 6. areas needed to protect drinking water supplies; and 7. areas likely to be inundated during a 30-year flood event, as shown in the sea level change scenarios UConn's Marine Sciences Division publishes. The zoning commission may consult with any town agency to determine whether the district is a reasonable size. A municipality's zoning commission must consult with its inland wetlands agency when establishing the district's boundaries. If a proposed activity in the district could qualify as a "regulated activity" under state law (e.g., filling or obstructing wetlands or watercourses), the commission must collaborate with the agency to determine whether it requires a permit.

**Requirements for Developments in TOCs As-of-Right Developments.** - Qualifying TOCs must allow the following developments as of right (after an inland wetlands public hearing, if one is required) in the district:

1. transit community middle housing developments with up to nine units; 2. developments with 10 or more units, at least 30% of which qualify as a § 8-30g set-aside development (see *background*); and 3. developments, with any number of units, if they are (a) built on land owned by the municipality, the local public housing authority, a nonprofit, or a religious organization and (b) deed restricted for at least 40 years to preserve them as units priced affordably for renters or buyers earning 60% or less of the lesser of the federally determined state or area median income (SMI or AMI) (i.e. for which these households would pay no more than 30% of their annual income). Under the bill, "transit community middle housing developments" generally are duplexes, triplexes, townhomes, and perfect sixes (three story buildings with two units per story). The bill additionally specifies that municipalities must, within a district, allow existing residential or commercial properties to be converted (as of right) into any of the above-listed development types. For any of these as-of-right developments that result in the development of at least 10 units, a municipality may enact zoning regulations that require commercial uses to be allowed on the ground level of any multistory development. Any local regulations must comply with the secretary's guidelines (see below). This provision does not apply to developments by a nonprofit religious organization.

**Accessory Apartments Allowed.** - Under the bill, a person who owns real property in a transit-oriented district, and has owned it for at least three years, may build an accessory apartment as of right on his or her property. These property owners may do so even if the municipality voted to opt out of the state law generally allowing accessory apartments as of right on lots with single-family homes in all municipalities. Under the bill, the accessory apartment must comply with any structural or architectural zoning requirements adopted pursuant to CGS § 8-2, which is the law most municipalities exercise zoning authority under. Under existing law, an "accessory apartment" is a separate dwelling unit that (1) is located on the same lot as a principal dwelling unit of greater

square footage; (2) has cooking facilities; and (3) complies with or is otherwise exempt from any applicable building code, fire code, and health and safety regulations (CGS § 8-1a).

**Required Set-Asides.** - TOCs must require developers proposing developments with 10 or more units (unless allowed as of right, as described above) to deed-restrict a certain percentage of the units for 40 years after initial occupancy (see the table below) so they are affordable for renters or buyers earning no more than 60% of the lesser of the SMI or AMI. Under the bill, the percentage of units that a developer must deed restrict (set aside) varies with the strength of the area’s housing market and its quality of life (“opportunity”), as determined by the Connecticut Housing Finance Authority’s (CHFA’s) most recent Housing Needs Assessment. The table below shows the classifications and corresponding percentages of units that have to be restricted under the bill.

**Table: Deed-Restriction Requirements**

<b>CHFA’s Census Tract Designation</b>	<b>Restricted Units</b>
High Opportunity/Heating Market	10%
High Opportunity/Cooling Market	10%
Low Opportunity/Cooling Market	5%

**District Guidelines Adopted in Consultation With the Council on Housing Development**

The OPM secretary, in consultation with the council on housing development (see below), has to develop guidelines on TOC districts. The guidelines must at least address:

1. prioritizing mixed-use and mixed-income developments;
  2. increasing affordable housing availability;
  3. ensuring appropriate environmental considerations are made, with an emphasis on analyzing potential impacts on environmental justice communities (as defined in state law);
  4. increasing (a) ridership of mass transit systems and (b) the feasibility of walking, biking, and other means of mobility other than motor vehicle travel;
  5. reducing the need for motor vehicle travel and residential off street parking;
  6. maximizing the availability of developable land;
  7. increasing the economic viability of development projects;
  8. reducing the length of time needed to approve development applications;
  9. lot size, lot coverage, setback requirements, floor area ratio, and height restrictions; and
  10. inclusionary zoning requirements.
- The bill specifies that the guidelines may include model ordinances, regulations, or bylaws for municipalities exercising zoning powers under CGS § 8-2.

**Substantial Compliance Requirement and Exemptions.** - The bill generally prohibits TOCs from adopting any regulations for their transit-oriented districts that do not substantially comply with OPM’s guidelines on these districts. However, the OPM secretary may approve conflicting regulations, upon a municipality’s application, based on factors the application identifies. The secretary must decide within 60 days after receiving the application and is prohibited from “unreasonably withholding” exemption approvals. If the request is denied, the municipality may

opt out of the bill's TOC provisions and must return any housing growth program funding it already received.

**Background — As-of-Right Developments** - For the laws on zoning, an “as-of-right development” is a development that may be approved without requiring (1) a public hearing; (2) a variance, special permit, or special exception; or (3) other discretionary zoning action, other than a determination that a site plan conforms with applicable zoning regulations (CGS § 8-1a).

**Background — § 8-30g Set-Aside Development** - Under the affordable housing land use appeals procedure (referred to as “§ 8-30g”), a set-aside development is a development in which at least 30% of the units are deed-restricted for at least 40 years after initial occupancy. Specifically, at least (1) 15% of the units must be deed restricted to households earning 60% or less of the AMI or SMI, whichever is less, and (2) 15% of the units must be deed-restricted to households earning 80% or less of the AMI or SMI, whichever is less.

#### § 12 — TRANSIT-ORIENTED DISTRICTS QUALIFY AS HOUSING GROWTH ZONES

*Makes transit-oriented districts established under the bill qualify as housing growth zones under the CMDA law*

The bill makes transit-oriented districts (see above) housing growth zones under the CMDA law. Under existing law, municipalities cannot receive certain financial assistance from the authority until they enact approved housing growth zone regulations.

EFFECTIVE DATE: January 1, 2026

#### § 15 — HOUSING GROWTH GRANT PROGRAM

*Creates an OPM-administered housing growth program to provide grants to certain municipalities for costs related to constructing, improving, or expanding public infrastructure*

By July 1, 2028, the bill requires the OPM secretary to establish and administer a housing growth program to provide grants to municipalities for costs related to constructing, improving, or expanding public infrastructure. These infrastructure projects may include, among others: water and sewer lines, roads, bicycle and pedestrian infrastructure, and transit infrastructure associated with developing new dwellings. Municipalities must return unspent funds to OPM at the conclusion of a project for which the money was given. EFFECTIVE DATE: January 1, 2026

**Eligibility** - Municipalities are eligible for grants under the bill's new program if they do at least one of the following: 1. comply with the bill's housing growth planning provisions, including demonstrating progress toward implementing the applicable adopted plan (see §§ 4-6); 2. are deemed by the OPM secretary to be a qualifying transit oriented community after adopting zoning regulations that promote transit-oriented development (see § 11); 3. adopt a development district

under a MOA with CMDA; or 4. meet additional eligibility criteria the secretary develops. By law, CMDA as a quasi-public agency authorized to stimulate economic development and transit-oriented development in development districts by, among other things, developing property and managing facilities. By law, a “development district” is an area encompassing a transit station or downtown in which zoning regulations create a “housing growth zone” to facilitate housing development (CGS § 8-169hh et seq.). (The bill makes transit-oriented districts (§ 11) qualify as housing growth zones under this law (see § 12).

**Application and Review** - With the Council on Housing Development’s approval, the OPM secretary must set the grant program’s eligibility criteria, application process, evaluation criteria, guidelines for grant expenditures, and municipal reporting requirements. The secretary must publish this information on OPM’s website. While the secretary is responsible for approving applications, he must first submit applications and supporting materials to the Council on Housing Development for its review.

**OPM’s Report to Legislature** - Beginning July 1, 2028, the secretary must annually report to the Planning and Development Committee on the program’s grant applications for the prior fiscal year. Specifically, the report must include for each municipality that applied for a grant: 1. a description of the public infrastructure projects for which the municipality applied for a grant, 2. whether the grant was partially or totally awarded, and 3. the grant amount.

#### §§ 16, 17 & 41 — SUMMARY REVIEW OF CERTAIN HOUSING DEVELOPMENTS

*Requires municipalities zoning under CGS § 8-2 to allow certain middle housing and mixed-use developments on parcels zoned for commercial or mixed uses, subject only to summary review process; amends the existing definition of “summary review;” changes when a municipality is eligible for HUE points for middle housing developed pursuant to a local option*

**Required Zoning Change** - Current law allows municipalities exercising zoning powers under CGS § 8-2 to adopt regulations providing for as-of-right development of middle housing on lots zoned for residential, commercial, or mixed use. (Under current law, middle housing can be a development of any size as long as it qualifies as a duplex, triplex, quadplex, cottage cluster, or townhome.) Under the bill, beginning July 1, 2026, these municipalities’ zoning regulations (1) must allow transit community middle housing developments and mixed-use developments, subject only to a summary review, on any parcel that is zoned for commercial or mixed-use development and (2) may allow transit community middle housing developments, subject only to a summary review, on any parcel that allows for residential use. (See also § 20, which applies these provisions, and others described below, to municipalities that exercise zoning authority under a special act.) Under the bill, “transit community middle housing developments” are residential buildings with two to nine units, such as duplexes, triplexes, cottage clusters, perfect sixes, and townhouses (as these terms are defined by law, see CGS § 8-1a). As under existing law, a mixed-use development

contains residential and nonresidential uses in a single building. A “summary review” is the process used under the law on converting vacant nursing homes into multifamily housing. Under this process, a project can be approved if (1) it complies with zoning regulations, without requiring a public hearing, variance, special permit or exception, or any other discretionary zoning action, except for a determination that a site plan conforms with the applicable regulations and (2) public health and safety will not be substantially impacted. (The latter consideration is not part of the as-of-right review process.) The bill additionally specifies, for purposes of the bill’s requirements and the law on converting nursing homes, that the zoning regulations a project must comply with include those on setbacks, lot size, and building frontage. Optional Zoning Change With HUE Point Incentive Under current law, municipalities that adopt regulations providing for as-of-right development of middle housing on lots zoned for residential, commercial, or mixed use are eligible for 0.25 HUE point per dwelling under the Affordable Housing Land Use Appeals Procedure law (see § 41 below) for middle housing built as-of-right. The bill changes this HUE point incentive to reflect the new requirement for parcels zoned for commercial or mixed-uses (see above). Under the bill, the HUE point incentive is available only if a municipality opts allow transit community middle housing developments on any lots zoned for residential use, subject only to a summary review. (In line with current law, the bill specifies that a municipality cannot repeal or substantially amend its regulation on middle housing on residentially zoned parcels while it has a moratorium that it qualified for in part using HUE points awarded for middle housing.) (For additional information on HUE points, see §§ 8-10 & 41, Background — HUE Points).

EFFECTIVE DATE: January 1, 2026, for the revised definition of summary review and July 1, 2026, for the other provisions.

#### § 18 — ZONING FOR MANUFACTURED HOMES

*For regulations adopted under CGS § 8-2, requires all manufactured homes meeting federal standards to be treated like other dwellings, regardless of how small they are*

Existing law prohibits regulations adopted under CGS § 8-2 from imposing on manufactured homes (including mobile homes) and associated lots and mobile home parks conditions that are substantially different from those imposed on single- or multi-family dwellings and associated lots, cluster developments, or planned unit developments. The prohibition currently applies to manufactured homes built to federal standards if their narrowest dimension is 22 feet or more. The bill eliminates this size requirement.

#### §§ 18, 19 & 53 — MINIMUM PARKING REQUIREMENTS

*Generally prohibits conditioning approval of a smaller residential development on a minimum schedule of off-street parking requirements unless certain findings are made; for larger developments, allows developers to rebut parking schedule minimums; allows municipalities to designate districts where smaller developments are subject to this same rebuttal process*

In practice, many municipalities have zoning regulations with a schedule of off-street parking requirements that vary based on a proposed project's use (e.g., retail or housing) and size (e.g., square footage or number of bedrooms). Current law generally specifies that for dwellings, these requirements cannot require more than one or two parking spaces per unit, depending on the number of bedrooms. Although current law also permits a municipal opt out of this limitation on parking space requirements. The bill repeals the provisions on allowable parking requirements for dwellings and replaces them with new parameters for determining parking requirements for residential developments that vary depending on the development's size and location. The new requirements apply to all municipalities, whether they exercise zoning authority under CGS § 8-2 or a special act. (The provisions the bill repeals apply only to towns that zone under CGS § 8-2.)  
EFFECTIVE DATE: July 1, 2026

**General Rule for Developments With 16 or Fewer Units** – Beginning July 1, 2026, the bill prohibits the local zoning enforcement officer (ZEO) or planning, zoning, or combined planning and zoning commission from rejecting a proposed residential development with fewer than 17 units solely due to a failure to conform to a requirement for off-street parking unless the lack of parking will have a specific adverse impact on public health and safety that cannot be mitigated through approval conditions that have no substantial adverse impact on the project's viability. But the bill creates an exception to this prohibition for projects in areas locally designated as conservation and traffic mitigation districts (see below).

**Rule for Developments With at Least 17 Units** - The bill specifically allows municipalities to adopt parking requirements for residential developments with at least 17 units. However, these requirements are rebuttable by the proposed developer. Under the bill, municipalities must allow developers to submit a parking needs assessment to the ZEO or commission with oversight. They must then condition the project's approval on the construction of the lesser of these two options:

1. one space per dwelling of less than two bedrooms and two spaces per dwelling with at least two bedrooms; or
2. the number of such spaces recommended by the parking needs assessment.

Under the bill, the parking needs assessment, which must be paid for by the developer, must analyze (1) available existing public and private parking that may be used by the proposed development's residents, (2) public transportation options that the proposed development's residents may use that mitigate the need for off-street parking, (3) projected future needs for off-street parking for the proposed development, and (4) any relevant local traffic, parking, or safety study.

**Authority to Adopt Traffic Mitigation Districts** - The bill allows municipalities to adopt up to two conservation and traffic mitigation districts. In these districts, municipalities can impose minimum parking requirements on residential developments with up to 15 units, generally subject to the same requirements regarding parking needs assessments that apply to larger developments. These locally designated districts each cannot account for more than 4% of municipality's land area but may be contiguous. Once adopted, the municipality must submit a property description of

them to the OPM secretary. Within 90 days of receiving a description, the secretary must report on the district to the Council on Housing Development (see § 14 above). Municipalities that impose minimum parking requirements on residential developments of 15 or fewer units in a district must allow the proposed developer to submit a parking needs assessment to the ZEO or commission with oversight. The assessment the developer submits must analyze the same items described above for developments with at least 17 units. Likewise, once an assessment is submitted, municipalities must condition the project's approval on the construction of the lesser of these two options: 1. one space per dwelling of less than two bedrooms and two spaces per dwelling with at least two bedrooms; or 2. the number of such spaces recommended by the parking needs assessment.

#### § 21 — FEES IN LIEU OF PARKING

*Narrows a provision in current law that allows planning and zoning bodies to adopt regulations on paying fees in lieu of providing parking*

The bill narrows a provision in current law that authorizes planning and zoning bodies to adopt regulations on paying fees in lieu of providing parking. Under existing law, this authorization applies to all zoning regulations (including those adopted under special act authority) as well as subdivision regulations adopted by a planning commission under statutory authority. Under this provision, planning and zoning bodies may adopt regulations allowing applicants subject to a minimum parking requirement to pay a fee instead of providing the required parking spaces, if they make certain findings. The bill narrows the authority to collect fees to the following projects: (1) commercial developments and (2) residential or mixed-use developments with at least 16 dwelling units. (By law, mixed-use developments contain both residential and nonresidential uses (CGS § 8-1a)). As under existing law, the bill requires the planning or zoning body to determine, before accepting a fee, that the number of required parking spaces (1) cannot be physically located on the parcel or (2) would result in an excess number of parking spaces for the use or area. EFFECTIVE DATE: January 1, 2026

#### § 24 — PROTEST PETITIONS

*Limits the impact of protest petitions filed on proposals to change zoning regulations or district boundaries and modifies who may sign these petitions*

The bill limits the legal effect of protest petitions filed on proposals to change zoning regulations or district boundaries. It also modifies who may sign a protest petition. By law, a proposal to establish, change, or repeal a zoning regulation or zoning district boundary is adopted if the zoning commission's members vote in favor of it, generally by a simple majority. However, the threshold increases to a two-thirds majority if a valid protest petition is filed, making it more difficult to approve the proposal. Under the bill, the voting threshold remains a simple majority even if a valid protest petition is filed. Under current law, to be valid, a protest petition must be signed by

the owners of at least 20% of the (1) area of the lots included in the proposed change or (2) lots within 500 feet in all directions of the property included in the proposed change. Under the bill, it needs to be signed by the owners of at least 50% of the (1) area of the lots included in the proposed change, (2) total number of lots included in the proposal, or (3) lots within 500 feet in all directions.

§ 41 — BONUS MORATORIUM POINTS FOR PROJECTS WITH A NEIGHBORING TOWN'S HOUSING AUTHORITY

*Provides a 0.25 point per unit bonus toward a CGS § 8-30g moratorium for units already eligible for HUE points if the unit was constructed by, or in conjunction with, a neighboring municipality's housing authority*

Under existing law, a municipality qualifies for a temporary suspension (i.e. moratorium) of the affordable housing land use appeals procedure (CGS § 8-30g) each time it shows it has added a certain amount of affordable housing units over the applicable period, measured in HUE points. The bill provides a 0.25 point bonus for units already eligible for HUE points if the unit was constructed by, or in conjunction with, a neighboring municipality's housing authority. (For additional information on HUE points, see §§ 8-10 & 41, *Background — HUE Points*).

EFFECTIVE DATE: January 1, 2026

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