



House of Representatives

General Assembly

File No. 245

January Session, 2025

House Bill No. 7035

House of Representatives, March 25, 2025

The Committee on Housing reported through REP. FELIPE of the 130th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT PROHIBITING A MUNICIPALITY FROM IMPLEMENTING A BAN ON MULTIFAMILY HOUSING DEVELOPMENT.

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

1 Section 1. Subsection (d) of section 8-2 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2025*):

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

6 (1) (A) Prohibit the operation in a residential zone of any family child
7 care home or group child care home located in a residence, or (B) require
8 any special zoning permit or special zoning exception for such
9 operation;

10 (2) (A) Prohibit the use of receptacles for the storage of items
11 designated for recycling in accordance with section 22a-241b or require
12 that such receptacles comply with provisions for bulk or lot area, or
13 similar provisions, except provisions for side yards, rear yards and front
14 yards; or (B) unreasonably restrict access to or the size of such

15 receptacles for businesses, given the nature of the business and the
16 volume of items designated for recycling in accordance with section 22a-
17 241b, that such business produces in its normal course of business,
18 provided nothing in this section shall be construed to prohibit such
19 regulations from requiring the screening or buffering of such receptacles
20 for aesthetic reasons;

21 (3) Impose conditions and requirements on manufactured homes,
22 including mobile manufactured homes, having as their narrowest
23 dimension twenty-two feet or more and built in accordance with federal
24 manufactured home construction and safety standards or on lots
25 containing such manufactured homes, including mobile manufactured
26 home parks, if those conditions and requirements are substantially
27 different from conditions and requirements imposed on (A) single-
28 family dwellings; (B) lots containing single-family dwellings; or (C)
29 multifamily dwellings, lots containing multifamily dwellings, cluster
30 developments or planned unit developments;

31 (4) (A) Prohibit the continuance of any nonconforming use, building
32 or structure existing at the time of the adoption of such regulations; (B)
33 require a special permit or special exception for any such continuance;
34 (C) provide for the termination of any nonconforming use solely as a
35 result of nonuse for a specified period of time without regard to the
36 intent of the property owner to maintain that use; or (D) terminate or
37 deem abandoned a nonconforming use, building or structure unless the
38 property owner of such use, building or structure voluntarily
39 discontinues such use, building or structure and such discontinuance is
40 accompanied by an intent to not reestablish such use, building or
41 structure. The demolition or deconstruction of a nonconforming use,
42 building or structure shall not by itself be evidence of such property
43 owner's intent to not reestablish such use, building or structure;

44 (5) Prohibit the installation, in accordance with the provisions of
45 section 8-1bb, of temporary health care structures for use by mentally or
46 physically impaired persons if such structures comply with the
47 provisions of said section, unless the municipality opts out in

48 accordance with the provisions of subsection (j) of said section;

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

51 (7) Establish for any dwelling unit a minimum floor area that is
52 greater than the minimum floor area set forth in the applicable building,
53 housing or other code;

54 (8) Place a fixed numerical or percentage cap on the number of
55 dwelling units that constitute multifamily housing over four units,
56 middle housing or mixed-use development that may be permitted in the
57 municipality or implement a temporary or permanent ban on the
58 development of multifamily housing, as defined in section 8-13m, in the
59 municipality;

60 (9) Require more than one parking space for each studio or one-
61 bedroom dwelling unit or more than two parking spaces for each
62 dwelling unit with two or more bedrooms, unless the municipality opts
63 out in accordance with the provisions of section 8-2p; or

64 (10) Be applied to deny any land use application, including for any
65 site plan approval, special permit, special exception or other zoning
66 approval, on the basis of (A) a district's character, unless such character
67 is expressly articulated in such regulations by clear and explicit physical
68 standards for site work and structures, or (B) the immutable
69 characteristics, source of income or income level of any applicant or end
70 user, other than age or disability whenever age-restricted or disability-
71 restricted housing may be permitted.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2025	8-2(d)

HSG *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill prohibits certain municipalities from adopting zoning regulations that implement a ban on developing multifamily housing. This does not result in a fiscal impact as it does not change the cost of administering any local zoning regulations.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 7035*****AN ACT PROHIBITING A MUNICIPALITY FROM IMPLEMENTING A BAN ON MULTIFAMILY HOUSING DEVELOPMENT.*****SUMMARY**

This bill prohibits most municipalities from adopting zoning regulations that implement a temporary or permanent ban on developing multifamily housing. The bill applies to municipalities that exercise zoning powers under CGS § 8-2, rather than under a special act. Under the bill, “multifamily housing” is a building with at least three dwelling units.

Existing law prohibits regulations from placing a fixed numerical or percentage cap on the number of dwelling units allowed in the municipality that are multifamily properties with at least four units, mixed-use properties, or middle housing (i.e. duplexes, triplexes, quadplexes, cottage clusters, and townhouses).

EFFECTIVE DATE: July 1, 2025

BACKGROUND***Related Caselaw***

In 1984 the Connecticut Supreme Court concluded, when reviewing a temporary moratorium on certain commercial development, that municipalities may adopt zoning regulations establishing moratoria under CGS § 8-2 (*Arnold Bernhard & Co. v. Westport Planning & Zoning Commission*, 194 Conn. 152 (1984)).

COMMITTEE ACTION

Housing Committee

Joint Favorable

Yea 13 Nay 5 (03/06/2025)