



House of Representatives

General Assembly

File No. 197

February Session, 2026

Substitute House Bill No. 5362

House of Representatives, March 26, 2026

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

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE MAJORITY LEADER'S ROUNDTABLE.

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

1 Section 1. Subsection (a) of section 8-30g of the 2026 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2026*):

4 (a) As used in this section:

5 (1) "Affordable housing development" means a proposed housing
6 development which is (A) assisted housing, or (B) a set-aside
7 development;

8 (2) "Affordable housing application" means any application made to
9 a commission in connection with an affordable housing development by
10 a person who proposes to develop such affordable housing;

11 (3) "Assisted housing" means housing which is receiving, or will
12 receive, financial assistance under any governmental program for the

13 construction or substantial rehabilitation of low and moderate income
14 housing, and any housing occupied by persons receiving rental
15 assistance under chapter 319uu or Section 1437f of Title 42 of the United
16 States Code;

17 (4) "Commission" means a zoning commission, planning
18 commission, planning and zoning commission, zoning board of appeals
19 or municipal agency exercising zoning or planning authority;

20 (5) "Municipality" means any town, city or borough, whether
21 consolidated or unconsolidated;

22 (6) "Set-aside development" means a development in which not less
23 than thirty per cent of the dwelling units will be conveyed by deeds
24 containing covenants or restrictions which shall require that, for at least
25 [forty years after the initial occupation of the proposed development]
26 the applicable time period set forth in subparagraph (A) or (B) of this
27 subdivision, such dwelling units shall be sold or rented at, or below,
28 prices which will preserve the units as housing for which persons and
29 families pay thirty per cent or less of their annual income, where such
30 income is less than or equal to eighty per cent of the median income. In
31 a set-aside development, of the dwelling units conveyed by deeds
32 containing covenants or restrictions, a number of dwelling units equal
33 to not less than fifteen per cent of all dwelling units in the development
34 shall be sold or rented to persons and families whose income is less than
35 or equal to sixty per cent of the median income and the remainder of the
36 dwelling units conveyed by deeds containing covenants or restrictions
37 shall be sold or rented to persons and families whose income is less than
38 or equal to eighty per cent of the median income, for at least (A) twenty
39 years after the initial occupation of a proposed development built on
40 land owned by a municipality or conveyed by a municipality to a
41 developer for the purpose of constructing such development, or (B)
42 forty years after the initial occupation of a proposed development built
43 on land not owned by a municipality or conveyed by a municipality to
44 a developer for the purpose of constructing such development;

45 (7) "Median income" means, after adjustments for family size, the

46 lesser of the state median income or the area median income for the area
47 in which the municipality containing the affordable housing
48 development is located, as determined by the United States Department
49 of Housing and Urban Development; and

50 (8) "Commissioner" means the Commissioner of Housing.

51 Sec. 2. Subsection (f) of section 8-30g of the 2026 supplement to the
52 general statutes is repealed and the following is substituted in lieu
53 thereof (*Effective October 1, 2026*):

54 (f) Except as provided in subsections (k) and (l) of this section, any
55 person whose affordable housing application is denied, or is approved
56 with restrictions which have a substantial adverse impact on the
57 viability of the affordable housing development or the degree of
58 affordability of the affordable dwelling units in a set-aside
59 development, may appeal such decision pursuant to the procedures of
60 this section. Such appeal shall be filed within the time period for filing
61 appeals as set forth in section 8-8, 8-9, 8-28 or 8-30a, as applicable, and
62 shall be made returnable to the superior court for the judicial district
63 where the real property which is the subject of the application is located.
64 Upon motion by the municipality, the court shall stay any such
65 proceeding if the municipality has applied for a certificate of affordable
66 housing project completion pursuant to subparagraph (C) of
67 subdivision (4) of subsection (l) of this section for purposes of seeking a
68 moratorium and such application is pending determination by the
69 Commissioner of Housing. The court shall stay such proceeding until
70 the commissioner has made such determination. If such application is
71 granted by the commissioner and a moratorium is granted, the court
72 shall dismiss the appeal. Affordable housing appeals, including pretrial
73 motions, shall be heard by a judge assigned by the Chief Court
74 Administrator to hear such appeals. To the extent practicable, efforts
75 shall be made to assign such cases to a small number of judges, sitting
76 in geographically diverse parts of the state, so that a consistent body of
77 expertise can be developed. Unless otherwise ordered by the Chief
78 Court Administrator, such appeals, including pretrial motions, shall be

79 heard by such assigned judges in the judicial district in which such
80 judge is sitting. Appeals taken pursuant to this subsection shall be
81 privileged cases to be heard by the court as soon after the return day as
82 is practicable. Except as otherwise provided in this section, appeals
83 involving an affordable housing application shall proceed in
84 conformance with the provisions of section 8-8, 8-9, 8-28 or 8-30a, as
85 applicable.

86 Sec. 3. Subsection (l) of section 8-30g of the 2026 supplement to the
87 general statutes is repealed and the following is substituted in lieu
88 thereof (*Effective October 1, 2026*):

89 (l) (1) Except as provided in subdivision (2) of this subsection, the
90 affordable housing appeals procedure established under this section
91 shall not be applicable to an affordable housing application filed with a
92 commission during a moratorium, which shall commence after (A) a
93 certification of affordable housing project completion issued by the
94 commissioner is published in the Connecticut Law Journal, or (B) notice
95 of a provisional approval is published pursuant to subdivision (4) of this
96 subsection. Any such moratorium shall be for a period of four years,
97 except that for any municipality that has (i) twenty thousand or more
98 dwelling units, as reported in the most recent United States decennial
99 census, and (ii) previously qualified for a moratorium in accordance
100 with this section, any subsequent moratorium shall be for a period of
101 five years. Any moratorium that is in effect on October 1, 2002, is
102 extended by one year.

103 (2) Such moratorium shall not apply to (A) affordable housing
104 applications for assisted housing in which ninety-five per cent of the
105 dwelling units are restricted to persons and families whose income is
106 less than or equal to sixty per cent of the median income, (B) other
107 affordable housing applications for assisted housing containing forty or
108 fewer dwelling units, or (C) affordable housing applications which were
109 filed with a commission pursuant to this section prior to the date upon
110 which the moratorium takes effect.

111 (3) Eligible units completed before a moratorium has begun, but that

112 were not counted toward establishing eligibility for such moratorium,
113 may be counted toward establishing eligibility for a subsequent
114 moratorium. Eligible units completed after a moratorium has begun
115 may be counted toward establishing eligibility for a subsequent
116 moratorium.

117 (4) (A) Except as provided in subparagraph (B) of this subdivision,
118 the commissioner shall issue a certificate of affordable housing project
119 completion for the purposes of this subsection upon finding that there
120 has been completed within the municipality one or more affordable
121 housing developments which create housing unit-equivalent points
122 equal to (i) the greater of two per cent of all dwelling units in the
123 municipality, as reported in the most recent United States decennial
124 census, or seventy-five housing unit-equivalent points, or (ii) for any
125 municipality that has (I) adopted a municipal housing growth plan or
126 has elected to comply with a regional housing growth plan in
127 accordance with the provisions of section 8-13cc, as amended by this act,
128 (II) twenty thousand or more dwelling units, as reported in the most
129 recent United States decennial census, and (III) previously qualified for
130 a moratorium in accordance with this section, one and one-half per cent
131 of all dwelling units in the municipality, as reported in the most recent
132 United States decennial census.

133 (B) If a municipality has received a final letter of eligibility from the
134 commissioner pursuant to section 8-13gg, the commissioner shall issue
135 a certificate of affordable housing completion to such municipality at
136 such time as, upon application, the commissioner determines, in the
137 commissioner's discretion, that the municipality is in compliance with
138 the following conditions: The municipality remains in compliance with
139 all requirements for a final letter of eligibility, and there has been
140 completed within the municipality one or more affordable housing
141 developments that create housing unit-equivalent points equal to (i) the
142 greater of one and three-quarter per cent of all dwelling units in the
143 municipality, as reported in the most recent United States decennial
144 census, or sixty-five housing unit-equivalent points, or (ii) for any
145 municipality that (I) has adopted a municipal housing growth plan or

146 has elected to comply with a regional housing growth plan in
147 accordance with the provisions of section 8-13bb, as amended by this
148 act, (II) has twenty thousand or more dwelling units, as reported in the
149 most recent United States decennial census, and (III) previously
150 qualified for a moratorium in accordance with this section, one and one-
151 half per cent of all dwelling units in the municipality, as reported in the
152 most recent United States decennial census.

153 (C) A municipality may apply for a certificate of affordable housing
154 project completion pursuant to this subsection by applying in writing to
155 the commissioner, and including documentation showing that the
156 municipality has accumulated the required number of points within the
157 applicable time period. Such documentation shall include the location
158 of each dwelling unit being counted, the number of points each dwelling
159 unit has been assigned, and the reason, pursuant to this subsection, for
160 assigning such points to such dwelling unit. Upon receipt of such
161 application, the commissioner shall promptly cause a notice of the filing
162 of the application to be published in the Connecticut Law Journal,
163 stating that public comment on such application shall be accepted by the
164 commissioner for a period of thirty days after the publication of such
165 notice. Not later than ninety days after the receipt of such application,
166 the commissioner shall either approve or reject such application. Such
167 approval or rejection shall be accompanied by a written statement of the
168 reasons for approval or rejection, pursuant to the provisions of this
169 subsection. If the application is approved, the commissioner shall
170 promptly cause a certificate of affordable housing project completion to
171 be published in the Connecticut Law Journal. If the commissioner fails
172 to either approve or reject the application within such ninety-day
173 period, such application shall be deemed provisionally approved, and
174 the municipality may cause notice of such provisional approval to be
175 published in a conspicuous manner in a daily newspaper having general
176 circulation in the municipality, in which case, such moratorium shall
177 take effect upon such publication. The municipality shall send a copy of
178 such notice to the commissioner. Such provisional approval shall
179 remain in effect unless the commissioner subsequently acts upon and
180 rejects the application, in which case the moratorium shall terminate

181 upon notice to the municipality by the commissioner.

182 (5) For the purposes of this subsection, "elderly units" are dwelling
183 units whose occupancy is restricted by age, "family units" are dwelling
184 units whose occupancy is not restricted by age, and "resident-owned
185 mobile manufactured home park" has the same meaning as provided in
186 subsection (k) of this section.

187 (6) For the purposes of this subsection, housing unit-equivalent
188 points shall be determined by the commissioner as follows: (A) No
189 points shall be awarded for a unit unless its occupancy is restricted to
190 persons and families whose income is equal to or less than eighty per
191 cent of the median income, except that (i) unrestricted units in a set-
192 aside development shall be awarded one-quarter point each, and (ii)
193 dwelling units in transit community middle housing developments
194 developed pursuant to subdivision (2) of subsection (a) of section 8-2s₂
195 as amended by this act, that are otherwise ineligible to receive points
196 shall be awarded one-quarter point each; (B) family units restricted to
197 persons and families whose income is equal to or less than eighty per
198 cent of the median income shall be awarded one point if an ownership
199 unit and one and one-half points if a rental unit; (C) family units
200 restricted to persons and families whose income is equal to or less than
201 sixty per cent of the median income shall be awarded one and one-half
202 points if an ownership unit and two points if a rental unit; (D) family
203 units restricted to persons and families whose income is equal to or less
204 than forty per cent of the median income shall be awarded two points if
205 an ownership unit and two and one-half points if a rental unit; (E)
206 elderly units restricted to persons and families whose income is equal to
207 or less than eighty per cent of the median income shall be awarded one-
208 half point; (F) a set-aside development containing family units which
209 are rental units shall be awarded additional points equal to twenty-two
210 per cent of the total points awarded to such development, provided the
211 application for such development was filed with the commission prior
212 to July 6, 1995; (G) a mobile manufactured home in a resident-owned
213 mobile manufactured home park shall be awarded points as follows: (i)
214 One and one-half points when occupied by persons and families with

215 an income equal to or less than eighty per cent of the median income,
216 (ii) two points when occupied by persons and families with an income
217 equal to or less than sixty per cent of the median income, and (iii) one-
218 fourth point for the remaining units; and (H) any unit described in
219 subparagraphs (A) to (G), inclusive, of this subdivision shall be awarded
220 an additional one-quarter point, provided such unit was constructed by
221 or in conjunction with a housing authority, as defined in section 8-40, of
222 a neighboring municipality.

223 (7) [Points] Except as otherwise provided in subparagraph (A) of
224 subdivision (6) of this subsection, points shall be awarded only for
225 dwelling units which (A) were newly-constructed units in an affordable
226 housing development, as that term was defined at the time of the
227 affordable housing application, for which a certificate of occupancy was
228 issued after July 1, 1990, (B) were newly subjected after July 1, 1990, to
229 deeds containing covenants or restrictions which require that, for at
230 least the duration required by subsection (a) of this section for set-aside
231 developments on the date when such covenants or restrictions took
232 effect, such dwelling units shall be sold or rented at, or below, prices
233 which will preserve the units as affordable housing for persons or
234 families whose income does not exceed eighty per cent of the median
235 income, or (C) are located in a resident-owned mobile manufactured
236 home park.

237 (8) Points shall be subtracted, applying the formula in subdivision (6)
238 of this subsection, for any affordable dwelling unit which, on or after
239 July 1, 1990, was affected by any action taken by a municipality which
240 caused such dwelling unit to cease being counted as an affordable
241 dwelling unit.

242 (9) A newly-constructed unit shall be counted toward a moratorium
243 when it receives a certificate of occupancy. A newly-restricted unit shall
244 be counted toward a moratorium when its deed restriction takes effect.

245 (10) The affordable housing appeals procedure shall be applicable to
246 affordable housing applications filed with a commission after a three-
247 year moratorium expires, except (A) as otherwise provided in

248 subsection (k) of this section, [or] (B) when sufficient unit-equivalent
249 points have been created within the municipality during one
250 moratorium to qualify for a subsequent moratorium, or (C) between the
251 expiration of the moratorium and the next applicable deadline for the
252 municipality to submit a municipal housing growth plan to the
253 Secretary of the Office of Policy and Management pursuant to
254 subsection (a) of section 8-13bb or, if the municipality has elected to join
255 a regional housing growth plan, the next applicable deadline for the
256 regional council of governments to submit a regional housing plan to
257 the Secretary of the Office of Policy and Management pursuant to
258 subsection (a) of section 8-13cc.

259 (11) The commissioner shall, within available appropriations, adopt
260 regulations in accordance with chapter 54 to carry out the purposes of
261 this subsection. Such regulations shall specify the procedure to be
262 followed by a municipality to obtain a moratorium, and shall include
263 the manner in which a municipality is to document the units to be
264 counted toward a moratorium. A municipality may apply for a
265 moratorium in accordance with the provisions of this subsection prior
266 to, as well as after, such regulations are adopted.

267 Sec. 4. Section 8-30g of the 2026 supplement to the general statutes is
268 amended by adding subsection (n) as follows (*Effective October 1, 2026*):

269 (NEW) (n) Each municipality that is in receipt of an affordable
270 housing application submitted under this section shall compile a record
271 of all such applications. On a quarterly basis, each municipality shall
272 submit a report to the Department of Housing outlining the number of
273 such applications received, the name of the developer of the proposed
274 development and the number of set-aside and market-rate units
275 proposed in each application. The Department of Housing shall, on a
276 quarterly basis, publish such information on its Internet web site.

277 Sec. 5. Section 8-2s of the 2026 supplement to the general statutes, as
278 amended by section 16 of public act 25-1 of the November special
279 session, is repealed and the following is substituted in lieu thereof
280 (*Effective October 1, 2026*):

281 (a) On and after July 1, 2026, any zoning regulations adopted or
282 amended pursuant to section 8-2 (1) shall allow for the development of
283 a transit community middle housing development, as defined in section
284 8-13hh, or a mixed-use development, on any lot that is zoned for
285 commercial or mixed-use development, subject only to summary
286 review, as defined in section 8-2r, and (2) may allow for the
287 development of a transit community middle housing development on
288 any lot that allows for residential use subject only to such summary
289 review.

290 (b) Any municipality that adopts zoning regulations that allow for
291 the development of a transit community middle housing development
292 as described in subdivision (2) of subsection (a) of this section shall be
293 awarded, in addition to any housing unit-equivalent points awarded
294 pursuant to subparagraph (B) of subdivision (6) of subsection (l) of
295 section 8-30g, as amended by this act, one-quarter housing unit-
296 equivalent point [pursuant to subdivision (6) of subsection (l) of section
297 8-30g] for each unit of such middle housing within the development for
298 which a certificate of occupancy has been issued by the municipality.

299 (c) No municipality that has (1) adopted zoning regulations that
300 allow for the development of a transit community middle housing
301 development as described in subdivision (2) of subsection (a) of this
302 section, (2) been awarded housing unit-equivalent points pursuant to
303 subsection (b) of this section, and (3) qualified for a moratorium from
304 the affordable housing appeals procedure under subsection (l) of section
305 8-30g, as amended by this act, based in part on housing unit-equivalent
306 points awarded pursuant to subsection (b) of this section shall repeal or
307 substantially modify such zoning regulations concerning such
308 development of such middle housing during the period of such
309 moratorium.

310 Sec. 6. Subsection (b) of section 8-13bb of the 2026 supplement to the
311 general statutes is repealed and the following is substituted in lieu
312 thereof (*Effective October 1, 2026*):

313 (b) A municipality may elect to comply with the requirements of the

314 regional housing growth plan developed and adopted by the regional
315 council of governments for the planning region in which such
316 municipality is located pursuant to section 8-13cc, as amended by this
317 act, in lieu of developing and adopting a municipal housing growth
318 plan, provided (1) the municipality elects to comply with such regional
319 housing growth plan not later than thirty days after such municipality
320 receives notice of such municipality's affordable housing goal from such
321 council of governments, and (2) such regional housing growth plan is
322 approved by the municipality's chief executive officer and its planning
323 commission or combined planning and zoning commission. After
324 approval of the regional housing growth plan by the secretary pursuant
325 to this section, such affordable housing goal shall not be subject to
326 revision on the basis that one or more municipalities in the relevant
327 regional council of governments have opted out of such regional
328 housing growth plan and elected to pursue a municipal housing growth
329 plan.

330 Sec. 7. Subsection (g) of section 8-13bb of the 2026 supplement to the
331 general statutes is repealed and the following is substituted in lieu
332 thereof (*Effective October 1, 2026*):

333 (g) (1) The Secretary of the Office of Policy and Management shall
334 approve or reject a municipal housing growth plan submitted under this
335 section not later than one hundred twenty days after receipt. If such plan
336 submitted by a municipality is rejected by the secretary, the secretary
337 shall provide written notice of such rejection to the municipality, a
338 statement of the reasons for rejection and the amendments proposed by
339 the secretary required for approval of the plan. The secretary may only
340 reject a plan submitted pursuant to this section if the secretary
341 determines such plan does not conform with the requirements of this
342 section.

343 (2) If the secretary does not approve or reject the municipal housing
344 growth plan in the time provided by this subsection, the municipality
345 shall submit such plan to the Council on Housing Development
346 established pursuant to section 8-13ii for approval or denial. The council

347 may only deny a plan submitted pursuant to this section if the council
348 determines such plan does not conform with the requirements of this
349 section. If the council denies such plan, the council shall provide (A)
350 written notice of such denial to the municipality, (B) a statement of the
351 reasons for denial, and (C) any amendments proposed by the council
352 required for approval of the plan by the council. A municipality may
353 submit an amended municipal housing growth plan to the council for
354 approval or denial not later than thirty days after the receipt of a denial
355 pursuant to subparagraph (A) of this subdivision.

356 Sec. 8. Subsection (c) of section 8-13cc of the 2026 supplement to the
357 general statutes is repealed and the following is substituted in lieu
358 thereof (*Effective October 1, 2026*):

359 (c) (1) The Secretary of the Office of Policy and Management shall
360 approve or reject a regional housing growth plan submitted by a
361 regional council of governments under this section not later than one
362 hundred twenty days after receipt. If a plan is rejected by the secretary,
363 the secretary shall provide written notice of such rejection to the
364 regional council of governments, a statement of the reasons for rejection
365 and the amendments proposed by the secretary required for approval
366 of the plan. The secretary may only reject a plan submitted pursuant to
367 this section if the secretary deems such plan does not conform with the
368 requirements of this section.

369 (2) If the secretary does not approve or reject a plan in the time
370 provided by this subsection, a regional council of governments shall
371 submit such plan to the Council on Housing Development established
372 pursuant to section 8-13ii for approval or denial. The council may only
373 deny a plan submitted pursuant to this section if the council deems such
374 plan does not conform with the requirements of this section. If the
375 council denies such plan, the council shall provide (A) written notice of
376 such denial to the regional council of governments, (B) a statement of
377 the reasons for denial, and (C) any amendments proposed by the council
378 required for approval of the plan by the council. A regional council of
379 governments may submit an amended regional housing growth plan to

380 the council for approval or denial not later than thirty days after the
381 receipt of a denial pursuant to subparagraph (A) of this subdivision.

382 Sec. 9. Subsection (a) of section 8-37bb of the general statutes is
383 repealed and the following is substituted in lieu thereof (*Effective October*
384 *1, 2026*):

385 (a) On or before December 31, 2013, and annually thereafter, each
386 housing agency [, except the Department of Housing,] shall submit to
387 the General Assembly a report, for the year ending the preceding
388 September thirtieth, which analyzes by income group, households
389 served by its housing construction, substantial rehabilitation, purchase
390 and rental assistance programs. Each report shall analyze the
391 households served under each program by race. The analysis shall
392 provide information by housing development, if applicable, and by
393 program. Each analysis shall include data for all households (1) entering
394 an agency program during the year ending the preceding September
395 thirtieth, and (2) in occupancy or receiving the benefits of an agency
396 rental program the preceding September thirtieth. The report of the
397 Connecticut Housing Finance Authority shall also identify, by census
398 tract, the number of households served in each program and the total
399 amount of financial assistance provided to such households. The
400 provisions of this section shall not be construed to preclude a housing
401 agency from reporting additional information on programs it
402 administers. Each report submitted under this section shall also analyze
403 the efforts, and the results of such efforts, of each agency in promoting
404 fair housing choice and racial and economic integration. The provisions
405 of this section shall not be construed to require an occupant or applicant
406 to disclose his race on an application or survey form.

407 Sec. 10. Subsection (f) of section 8-37r of the 2026 supplement to the
408 general statutes is repealed and the following is substituted in lieu
409 thereof (*Effective October 1, 2026*):

410 (f) Before exercising the authority to develop a housing project
411 pursuant to this section, the commissioner shall (1) submit a report to
412 the Council on Housing Development established pursuant to section 8-

413 13iii, concerning the process for identifying real property, [(1) suitable]
414 including (A) the suitability of such real property for such development,
415 including that such development is consistent with a municipal housing
416 growth plan or a regional housing growth plan, as such terms are
417 defined in section 8-13aa, [(2) (B) the geographic location of such real
418 property, [(3) (C) income targets of the population to be served by such
419 development, [(4) (D) any priorities for tenant selection concerning
420 such development, if any, and [(5) (E) any other preferences or factors
421 applied or considered by the commissioner regarding individuals or
422 households that may reside in such development, and (2) coordinate
423 with the planning and zoning authority in which the housing project is
424 to be developed to (A) make such report available to the public, and (B)
425 hold a public hearing on the proposed housing project.

426 Sec. 11. Subsection (d) of section 8-13bb of the 2026 supplement to the
427 general statutes is repealed and the following is substituted in lieu
428 thereof (*Effective October 1, 2026*):

429 (d) A municipal housing growth plan submitted by a municipality
430 pursuant to this section shall address the following elements in a form
431 and level of detail specified by guidelines issued by the secretary
432 pursuant to subsection (i) of this section:

433 (1) The plan's consistency with (A) the municipal plan of
434 conservation and development prepared pursuant to section 8-23, as
435 amended by this act, (B) the regional plan of conservation and
436 development prepared pursuant to section 8-35a, (C) the state plan of
437 conservation and development prepared pursuant to chapter 297, and
438 (D) any plan adopted by the local water pollution control authority, if
439 applicable, provided a municipality may elect to disregard a municipal
440 plan of conservation and development prepared pursuant to section 8-
441 23, as amended by this act, and any plan adopted by the local water
442 pollution control authority to the extent to which such plans require the
443 adoption of measures in the municipal housing growth plan that
444 otherwise would not be necessary;

445 (2) The identification, to the extent practicable, of specific zones or

446 parcels that may be developed to meet the municipality's affordable
447 housing goal through the process of summary review, as defined in
448 section 8-2r, together with the maximum allowed residential density for
449 each such area;

450 (3) The strategies the municipality has adopted or shall adopt to
451 improve the accessibility of affordable housing units for individuals
452 with an intellectual disability or other developmental disabilities;

453 (4) Strategies a municipality has adopted or shall adopt to promote
454 the development of diverse types of housing units, considering factors
455 such as unit size, number of bedrooms, construction type, density of
456 development and ownership models;

457 (5) An inventory of developable land within the municipality, using
458 the definition of developable land set forth in section 8-13aa;

459 (6) An explanation of how the plan conforms to and implements the
460 requirements of subsection (b) of section 8-2, including addressing
461 significant disparities in housing needs, affirmatively furthering the
462 purposes of the federal Fair Housing Act, 42 USC 3601 et seq., as
463 amended from time to time, and promoting housing choice and
464 economic diversity;

465 (7) Identification of the projected infrastructure needs, including, but
466 not limited to, projected wastewater capacity, and other improvements
467 needed to meet the municipality's affordable housing goal; and

468 (8) An implementation schedule for the policies, strategies and other
469 actions identified in the plan that is calculated to achieve the municipal
470 affordable housing goal.

471 Sec. 12. Subsection (b) of section 8-13cc of the 2026 supplement to the
472 general statutes is repealed and the following is substituted in lieu
473 thereof (*Effective October 1, 2026*):

474 (b) Each regional housing growth plan submitted to the secretary
475 pursuant to this section shall address the following elements in a form

476 and level of detail specified by guidelines issued by the secretary
477 pursuant to subsection (i) of section 8-13bb for each municipality that is
478 located in the planning region for the regional council of governments
479 that has elected to comply with the regional growth plan pursuant to
480 subsection (b) of section 8-13bb, as amended by this act:

481 (1) The housing growth policies each municipality has adopted or
482 shall adopt to reduce specific regulatory barriers to the development of
483 dwelling units in the municipality and to promote the development of
484 additional dwelling units in the municipality;

485 (2) The plan's consistency with (A) the municipal plans of
486 conservation and development prepared pursuant to section 8-23, as
487 amended by this act; (B) the regional plan of conservation and
488 development prepared pursuant to section 8-35a; (C) the state plan of
489 conservation and development prepared pursuant to chapter 297; and
490 (D) any applicable plans adopted by a local water pollution control
491 authority, provided (i) such plan may, with the consent of the affected
492 municipality, elect to disregard a municipal plan of conservation and
493 development prepared pursuant to section 8-23, as amended by this act,
494 and any plan adopted by the local water pollution control authority if
495 such plan requires the adoption of measures in the regional housing
496 growth plan that otherwise would not be necessary, and (ii) a
497 municipality whose municipal plan of conservation and development
498 prepared pursuant to section 8-23, as amended by this act, or plan
499 adopted by the local water pollution control authority was disregarded
500 in the development of a regional housing growth plan may elect to
501 disregard such plans to the extent that such plans require the adoption
502 of additional measures;

503 (3) The identification, to the extent practicable, of specific zones or
504 parcels that may be developed to meet a municipality's affordable
505 housing goal through the process of summary review, as defined in
506 section 8-2r, together with the maximum allowed residential density for
507 each such area;

508 (4) The strategies a municipality has adopted or shall adopt to

509 improve the accessibility of affordable housing units for individuals
510 with an intellectual disability or other developmental disabilities;

511 (5) Strategies a municipality has adopted or shall adopt to promote
512 the development of diverse types of housing units, considering factors
513 such as unit size, number of bedrooms, construction type, density of
514 development and ownership models;

515 (6) An inventory of developable land within a municipality, using the
516 definition of developable land provided in section 8-13aa;

517 (7) An explanation of how the plan conforms to and implements the
518 requirements of subsection (b) of section 8-2, including addressing
519 significant disparities in housing needs, affirmatively furthering the
520 purposes of the federal Fair Housing Act, 42 USC 3601 et seq., as
521 amended from time to time, and promoting housing choice and
522 economic diversity;

523 (8) Identification of the projected infrastructure needs, including, but
524 not limited to, projected wastewater capacity, and other improvements
525 needed to meet the municipality's affordable housing goal; and

526 (9) An implementation schedule for the policies, strategies and other
527 actions identified in the plan that are calculated to achieve the affordable
528 housing goals for each municipality in the planning region.

529 Sec. 13. Subsection (e) of section 8-23 of the 2026 supplement to the
530 general statutes is repealed and the following is substituted in lieu
531 thereof (*Effective October 1, 2026*):

532 (e) (1) Any such plan of conservation and development adopted prior
533 to October 1, 2027, shall (A) be a statement of policies, goals and
534 standards for the physical and economic development of the
535 municipality, (B) provide for a system of principal thoroughfares,
536 parkways, bridges, streets, sidewalks, multipurpose trails and other
537 public ways as appropriate, (C) be designed to promote, with the
538 greatest efficiency and economy, the coordinated development of the
539 municipality and the general welfare and prosperity of its people and

540 identify areas where it is feasible and prudent (i) to have compact,
541 transit accessible, pedestrian-oriented mixed use development patterns
542 and land reuse, and (ii) to promote such development patterns and land
543 reuse, (D) recommend the most desirable use of land within the
544 municipality for residential, recreational, commercial, industrial,
545 conservation, agricultural and other purposes and include a map
546 showing such proposed land uses, (E) recommend the most desirable
547 density of population in the several parts of the municipality, (F) note
548 any inconsistencies with the following growth management principles:
549 (i) Redevelopment and revitalization of commercial centers and areas of
550 mixed land uses with existing or planned physical infrastructure; (ii)
551 expansion of housing opportunities and design choices to accommodate
552 a variety of household types and needs; (iii) concentration of
553 development around transportation nodes and along major
554 transportation corridors to support the viability of transportation
555 options and land reuse; (iv) conservation and restoration of the natural
556 environment, cultural and historical resources and existing farmlands;
557 (v) protection of environmental assets critical to public health and
558 safety; and (vi) integration of planning across all levels of government
559 to address issues on a local, regional and state-wide basis, (G) make
560 provision for the development of housing opportunities, including
561 opportunities for multifamily dwellings, consistent with soil types,
562 terrain and infrastructure capacity, for all residents of the municipality
563 and the planning region in which the municipality is located, as
564 designated by the Secretary of the Office of Policy and Management
565 under section 16a-4a, (H) promote housing choice and economic
566 diversity in housing, including housing for both low and moderate
567 income households, and encourage the development of housing which
568 will meet the housing needs identified in the state's consolidated plan
569 for housing and community development prepared pursuant to section
570 8-37t and in the housing component and the other components of the
571 state plan of conservation and development prepared pursuant to
572 chapter 297, and (I) consider allowing older adults and persons with a
573 disability the ability to live in their homes and communities whenever
574 possible. Such plan may: (i) Permit home sharing in single-family zones

575 between up to four adult persons of any age with a disability or who are
576 sixty years of age or older, whether or not related, who receive
577 supportive services in the home; (ii) allow accessory apartments for
578 persons with a disability or persons sixty years of age or older, or their
579 caregivers, in all residential zones, subject to municipal zoning
580 regulations concerning design and long-term use of the principal
581 property after it is no longer in use by such persons; and (iii) expand the
582 definition of "family" in single-family zones to allow for accessory
583 apartments for persons sixty years of age or older, persons with a
584 disability or their caregivers. In preparing such plan the commission
585 shall consider focusing development and revitalization in areas with
586 existing or planned physical infrastructure.

587 (2) Any such plan of conservation and development adopted on or
588 after October 1, 2027, shall (A) be a statement of policies, goals and
589 standards for the physical and economic development of the
590 municipality; (B) provide for a system of principal thoroughfares,
591 parkways, bridges, streets, sidewalks, multipurpose trails and other
592 public ways as appropriate; (C) be designed to promote, with the
593 greatest efficiency and economy, the coordinated development of the
594 municipality and the general welfare and prosperity of its people and
595 identify areas where it is feasible and prudent (i) to have compact,
596 transit-accessible, pedestrian-oriented mixed use development patterns
597 and land reuse, and (ii) to promote such development patterns and land
598 reuse; (D) (i) include a climate change vulnerability assessment, based
599 on information from considerations described in subsection (d) of this
600 section, which shall consist of an assessment of existing and anticipated
601 threats to and vulnerabilities of the municipality that are associated with
602 natural disasters, hazards and climate change, including, but not limited
603 to, increased temperatures, drought, flooding, wildfire, storm damage
604 and sea level rise, saltwater intrusion and the impacts such disasters and
605 hazards may have on individuals, communities, institutions,
606 businesses, economic development, public infrastructure and facilities,
607 public health, safety and welfare, (ii) identify goals, policies and
608 techniques to avoid or reduce such threats, vulnerabilities and impacts,
609 and (iii) include a statement describing any consistencies and

610 inconsistencies identified between such assessment and any existing or
611 proposed municipal natural hazard mitigation plan, floodplain
612 management plan, comprehensive emergency operations plan,
613 emergency response plan, post-disaster recovery plan, long-range
614 transportation plan or capital improvement plan in the municipality,
615 and identify and recommend, where necessary, the integration of data
616 from such assessment into any such plans and any actions necessary to
617 achieve consistency and coordination between such assessment and any
618 such plans; (E) recommend the most desirable use of land within the
619 municipality for residential, recreational, commercial, industrial,
620 conservation, agricultural and other purposes and include a map
621 showing such proposed land uses which considers the threats,
622 vulnerabilities and impacts identified in the climate change
623 vulnerability assessment conducted pursuant to subparagraph (D)(i) of
624 this subdivision; (F) recommend the most desirable density of
625 population in the several parts of the municipality; (G) note any
626 inconsistencies with the following growth management principles: (i)
627 Redevelopment and revitalization of commercial centers and areas of
628 mixed land uses with existing or planned physical infrastructure; (ii)
629 expansion of housing opportunities and design choices to accommodate
630 a variety of household types and needs; (iii) concentration of
631 development around transportation nodes and along major
632 transportation corridors to support the viability of transportation
633 options and land reuse and reduction of vehicle mileage; (iv)
634 conservation and restoration of the natural environment, cultural and
635 historical resources and existing farmlands; (v) protection of
636 environmental assets critical to public health and safety; and (vi)
637 integration of planning across all levels of government to address issues
638 on a local, regional and state-wide basis; (H) make provision for the
639 development of housing opportunities, including opportunities for
640 multifamily dwellings, consistent with soil types, terrain and
641 infrastructure capacity, for all residents of the municipality and the
642 planning region in which the municipality is located, as designated by
643 the Secretary of the Office of Policy and Management pursuant to
644 section 16a-4a; (I) promote housing choice and economic diversity in

645 housing, including housing for both low and moderate income
646 households, and encourage the development of housing which will
647 meet the housing needs identified in the state's consolidated plan for
648 housing and community development prepared pursuant to section 8-
649 37t and in the housing component and the other components of the state
650 plan of conservation and development prepared pursuant to chapter
651 297; (J) consider allowing older adults and persons with disabilities the
652 ability to live in their homes and communities whenever possible; (K)
653 identify infrastructure, including, but not limited to, facilities, public
654 utilities and roadways, that is critical for evacuation purposes and
655 sustaining quality of life during a natural disaster, and that shall be
656 maintained at all times in an operational state; (L) identify strategies and
657 design standards that may be implemented to avoid or reduce risks
658 associated with natural disasters, hazards and climate change; and (M)
659 include geospatial data utilized in preparing such plan or that is
660 necessary to convey information in such plan. Any such plan may: (i)
661 Permit home sharing in single-family zones between up to four adult
662 persons of any age with a disability or who are sixty years of age or
663 older, whether or not related, who receive supportive services in the
664 home; (ii) allow accessory apartments for persons with a disability or
665 persons sixty years of age or older, or their caregivers, in all residential
666 zones, subject to municipal zoning regulations concerning design and
667 long-term use of the principal property after it is no longer in use by
668 such persons; (iii) expand the definition of "family" in single-family
669 zones to allow for accessory apartments for persons sixty years of age or
670 older, persons with a disability or their caregivers; and (iv) identify one
671 or more areas that are vulnerable to the impacts of climate change for
672 the purpose of prioritizing funding for infrastructure needs and
673 resiliency planning. In preparing such plan the commission shall
674 consider focusing development and revitalization in areas with existing
675 or planned physical infrastructure. The commission or any special
676 committee may utilize information and data from any natural hazard
677 mitigation plan, floodplain management plan, comprehensive
678 emergency operations plan, emergency response plan, post-disaster
679 recovery plan, long-range transportation plan, climate vulnerability

680 assessment or resilience plan in the preparation of such plan of
 681 conservation and development, including a document coordinated by
 682 the applicable regional council of governments, provided such
 683 information and data shall not be incorporated by reference, but
 684 summarized and applied in such plan to the specific policies, goals and
 685 standards of the subject municipality.

686 (3) For any municipality that is contiguous to Long Island Sound,
 687 such plan shall be (A) consistent with the municipal coastal program
 688 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with
 689 reasonable consideration for restoration and protection of the ecosystem
 690 and habitat of Long Island Sound, and (C) designed to reduce hypoxia,
 691 pathogens, toxic contaminants and floatable debris in Long Island
 692 Sound.

693 (4) Any such plan of conservation and development adopted after
 694 June 1, 2028, for municipalities that are members of the Capitol Region
 695 planning region, the Northeastern Connecticut planning region, the
 696 Lower Connecticut River Valley planning region, the Northwest Hills
 697 planning region and the Southeastern Connecticut planning region, and
 698 any plan adopted after June 1, 2029, for municipalities that are members
 699 of the South Central Connecticut planning region, the Greater
 700 Bridgeport planning region, the Naugatuck Valley planning region and
 701 the Western Connecticut planning region, shall be consistent with the
 702 applicable municipal housing growth plan submitted pursuant to
 703 section 8-13bb, as amended by this act, or regional housing growth plan
 704 submitted pursuant to section 8-13cc, as amended by this act. In the
 705 event of a conflict between a plan of conservation and development
 706 adopted pursuant to this section and such municipal or regional
 707 housing growth plan, the commission may determine that the
 708 provisions of such municipal or regional housing growth plan shall
 709 supersede the conflicting provisions of the plan of conservation and
 710 development.

<p>This act shall take effect as follows and shall amend the following sections:</p>
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Section 1	<i>October 1, 2026</i>	8-30g(a)
Sec. 2	<i>October 1, 2026</i>	8-30g(f)
Sec. 3	<i>October 1, 2026</i>	8-30g(l)
Sec. 4	<i>October 1, 2026</i>	8-30g(n)
Sec. 5	<i>October 1, 2026</i>	8-2s
Sec. 6	<i>October 1, 2026</i>	8-13bb(b)
Sec. 7	<i>October 1, 2026</i>	8-13bb(g)
Sec. 8	<i>October 1, 2026</i>	8-13cc(c)
Sec. 9	<i>October 1, 2026</i>	8-37bb(a)
Sec. 10	<i>October 1, 2026</i>	8-37r(f)
Sec. 11	<i>October 1, 2026</i>	8-13bb(d)
Sec. 12	<i>October 1, 2026</i>	8-13cc(b)
Sec. 13	<i>October 1, 2026</i>	8-23(e)

HSG *Joint Favorable Subst.*

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:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Department of Housing	GF - Potential Cost	Minimal	Minimal

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 27 \$	FY 28 \$
Various Municipalities	Potential Cost	See Below	See Below
Various Municipalities	Potential Savings	See Below	See Below

Explanation

The bill makes various changes related to housing that result in the impacts described below.

Section 1 expands the types of affordable housing developments that can be built under the affordable housing land use appeals procedure and allows these types of developments to be awarded housing unit equivalent points toward a moratorium.

This may result in a potential cost to municipalities beginning in FY 27 associated with legal fees to the extent more appeals associated with this type of housing are brought forward.¹

The section may also result in a potential savings to municipalities beginning in FY 27 for legal costs to the extent that more municipalities

¹ Several municipalities reported spending up to \$215,000 on legal costs, appeals, and litigation related to CGS 8-30g projects within the past few years.

are awarded a moratorium.²

Section 2 requires a court to dismiss an appeal made under the affordable housing land use appeals procedure if a municipality applies for a moratorium and is eligible. This may result in a potential savings to municipalities beginning in FY 27 associated with fewer legal costs.

Sections 3 and 5 make a moratorium awarded under the affordable housing land use appeals procedure to last until the next applicable housing growth plan due date. This may result in a fiscal impact in the out years that is dependent on if the moratorium would have expired prior to or extended beyond the housing growth plan due date.³

These sections also make clarifying and conforming changes regarding points awarded for certain housing units toward a moratorium under the affordable housing land use appeals procedure. Any impact is dependent on if additional points are counted or subtracted from a town's moratorium.⁴

Section 10 may result in a potential minimal cost to the Department of Housing (DOH) beginning in FY 27 to the extent that public hearings are held and staff and/or contractors require additional time or resources for these hearings.

Sections 11 to 13 make various changes to municipal housing growth plans and municipal plans of conservation and development. This may result in a potential cost to municipalities beginning in FY 27 to the extent additional resources are necessary to meet these requirements.

The bill makes various other changes that do not result in a fiscal impact to the state or municipalities.

² As of August 2025, five municipalities have an active moratorium granted under CGS 8-30g.

³ Housing growth plans are due on either June 1, 2028, or June 1, 2029, depending on the region.

⁴ A moratorium under the affordable housing land use appeals procedure is associated with a potential savings to municipalities associated with fewer legal costs and fees.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5362****AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE MAJORITY LEADER'S ROUNDTABLE.**

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§ 2 — § 8-30G APPEALS STAYED WHEN MUNICIPALITY SEEKS MORATORIUM AND DISMISSED IF GRANTED

Requires courts to stay an § 8-30g appeals proceeding when a municipality applies for a moratorium; requires appeals proceedings to be dismissed if a moratorium is granted

§ 3 — EXTENDING § 8-30G MORATORIA TO ALIGN WITH HOUSING GROWTH PLAN SUBMISSION DEADLINES

Extends a municipality's moratorium on appeals taken under § 8-30g until the next applicable HGP deadline

§§ 3 & 5 — ALLOCATING § 8-30G HUE POINTS FOR TRANSIT COMMUNITY MIDDLE HOUSING

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Requires municipalities to submit information quarterly on developments that would qualify for an appeal under § 8-30g; requires DOH to post the information on its website

§ 6 — AFFORDABLE HOUSING GOALS IN HOUSING GROWTH PLANNING LAW

Prohibits revision of affordable housing goals after OPM approves a regional HGP due to a municipality opting out of it (this provision appears to have no legal effect as affordable housing goals are set for each municipality individually and once OPM approves them, only a municipality making its own HGP can set a different goal)

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§ 10 — DOH COLLABORATION WITH LOCAL LAND USE AUTHORITY

Requires the DOH commissioner to work with the local planning and zoning authority to share information with the public about a proposed DOH project on state owned or controlled land

§§ 11-13 — HGP TAKES PRECEDENCE OVER OTHER LOCAL PLANS

Generally specifies that local POCDs and sewer plans can be disregarded when they unnecessarily limit an HGP; requires local POCDs to be consistent with HGPs

BACKGROUND

SUMMARY

This bill makes various changes in laws related to affordable housing, including the affordable housing land use appeals procedure (§ 8-30g) and housing growth plan requirements, as described in the section-by-section analysis below.

EFFECTIVE DATE: October 1, 2026

§ 1 — REDUCED DEED RESTRICTION DURATION FOR CERTAIN § 8-30G SET-ASIDE DEVELOPMENTS

Reduces, from 40 to 20 years, the required deed restriction under § 8-30g for set-aside developments built on municipal land or land a municipality transfers to a developer to build one

The bill changes the definition of “set-aside development” for purposes of the affordable housing land use appeals procedure (§ 8-30g) to reduce, in some circumstances, the required period of affordability.

Currently, a “set-aside development” is one in which, for at least 40 years after initial occupancy, at least 30% of the units are deed restricted for low- and moderate- income families. Under the bill, the required duration after initial occupancy is lowered to 20 years, if the set-aside development is either (1) built on land owned by a municipality or (2) conveyed by a municipality to a developer in order to build a set-aside development.

Shortening the required deed restriction duration allows HUE (housing unit equivalent) points to be awarded for units that are not currently eligible for them, potentially making it easier for a municipality to qualify for a moratorium. (Municipalities with an active moratorium are not subject to appeals taken under § 8-30g, see § 2 below for more information.)

Shortening the required duration also expands the proposed developments that fall under § 8-30g’s burden-shifting framework, which requires municipalities to defend their decisions to reject or condition affordable housing developments. (But presumably, most set-aside developments built on municipal land or formerly municipal land will be built without the developer using the appeals procedure.)

The definition of “set-aside development” is also used outside § 8-30g. To the extent other laws use the definition as it appears in § 8-30g, they are also affected by the bill. For example, the law on transit-oriented districts in a qualifying transit-oriented community, passed as part of PA 25-1, November Special Session, refers to set-aside developments, as defined in § 8-30g, for purposes of specifying which developments are allowed as of right in a district. Another law allows municipalities that have adopted a tax increment financing (TIF) district to use TIF revenue to pay for improvements outside the district to renovate or rehabilitate set-aside developments with expiring deed restrictions.

§ 2 — § 8-30G APPEALS STAYED WHEN MUNICIPALITY SEEKS MORATORIUM AND DISMISSED IF GRANTED

Requires courts to stay an § 8-30g appeals proceeding when a municipality applies for a moratorium; requires appeals proceedings to be dismissed if a moratorium is granted

The bill requires a court hearing an appeal made under § 8-30g (the affordable housing land use appeals procedure) to stay the proceeding if the defendant-municipality applies for a moratorium and asks for the stay (presumably, in good faith that they are eligible). And if the housing commissioner determines that a municipality is eligible for a moratorium, the bill requires the court to dismiss the stayed proceeding (the § 8-30g appeal).

Under existing law, a municipality is generally eligible for a four- or five-year moratorium (temporary suspension) from appeals taken under § 8-30g each time it shows it has added a certain amount of qualifying housing units to its housing stock, measured in HUE points. The number of points required depends on certain factors, like the municipality's size and whether it adopted certain zoning regulations or has qualified for a moratorium before.

§ 3 — EXTENDING § 8-30G MORATORIA TO ALIGN WITH HOUSING GROWTH PLAN SUBMISSION DEADLINES

Extends a municipality's moratorium on appeals taken under § 8-30g until the next applicable HGP deadline

Under the bill, if a municipality earns an § 8-30g moratorium (see § 2), it lasts until the next applicable housing growth plan (HGP) due date.

Existing law requires each municipality to either adopt its own HGP or opt to comply with a regional one (see *Background – Housing Growth Plans*). HGPs have staggered due dates by planning region, with the first plans due on June 1, 2028, and other plans due June 1, 2029.

Background — Housing Growth Plans

After the passage of the PA 25-1, November Special Session, the law requires each municipality to either adopt its own HGP or opt to comply with a regional housing growth plan developed by the local council of governments (COG) (CGS § 8-13aa et seq.). Broadly, HGPs outline

policies and practices that promote or enable housing development to meet the municipal affordable housing goal (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.

§§ 3 & 5 — ALLOCATING § 8-30G HUE POINTS FOR TRANSIT COMMUNITY MIDDLE HOUSING

Specifies that 0.25 HUE points are allocated to certain transit community middle housing developments when they are not eligible for other HUE points (§ 3); specifically allows units in these developments to earn additional HUE points for being deed-restricted affordable housing units (§ 5)

By law, if a municipality opts to allow transit community middle housing developments on any lots allowing residential use subject only to a summary review, it is eligible for HUE points for units built under that process (see CGS § 8-2s). “Transit community middle housing developments” are residential buildings with between two and nine units and generally include duplexes, triplexes, townhomes, cottage clusters, and perfect sixes. Existing law, unchanged by the bill, does not require any units in these developments to qualify as affordable housing.

It appears that current law requires each unit in a transit community middle housing development to be awarded a base value of 0.25 HUE points, to which additional points may be added, if a unit qualifies for them (like by being deed-restricted to maintain affordability). But in practice, it has been deemed unclear whether a unit in a transit community middle housing development is eligible for both the base value HUE points and any additional HUE points the unit may qualify for.

The bill includes two provisions addressing this ambiguity. The first modifies the municipal option law to clarify that units in a transit community middle housing development built under the municipal option process are eligible for a base value of 0.25 HUE points, to which additional HUE points may be added if the units qualify as affordable housing for families at or below 80% of the median income (§ 5). (The

number of HUE points depends on whether it is a rental or ownership unit.)

The other provision modifies § 8-30g to clarify that units in a transit community middle housing developments are eligible for 0.25 HUE points for being units built under the municipal option summary review process if they do not qualify for other HUE points (§ 3). However, the bill is missing a conforming change to § 8-30g necessary to align it with the HUE point allocation set in the municipal option law.

The bill also makes a conforming in § 8-30g on determining which units, under existing law, can be counted toward a moratorium.

§ 4 — MUNICIPAL REPORTS TO STATE ON AFFORDABLE HOUSING DEVELOPMENT APPLICATIONS

Requires municipalities to submit information quarterly on developments that would qualify for an appeal under § 8-30g; requires DOH to post the information on its website

The bill creates a new recordkeeping and reporting requirement for municipalities related to affordable housing applications. (By law, these are proposals submitted to a local land use commission for “assisted housing” or a “set-aside development,” as defined in law.)

Quarterly, municipalities must give the Department of Housing (DOH) information on affordable housing applications “submitted under” § 8-30g. Presumably, this means applications that would qualify for an appeal under the procedure (as determined locally), if not approved by the local commission.

Municipalities must give DOH information on the number of affordable housing applications received, and for each application, the:

1. developer’s name;
2. proposed number of set-aside units (presumably, units that will be preserved as affordable housing, whether in a set-aside or assisted housing development); and
3. proposed number of market-rate units.

DOH must post this information on its website quarterly.

§ 6 — AFFORDABLE HOUSING GOALS IN HOUSING GROWTH PLANNING LAW

Prohibits revision of affordable housing goals after OPM approves a regional HGP due to a municipality opting out of it (this provision appears to have no legal effect as affordable housing goals are set for each municipality individually and once OPM approves them, only a municipality making its own HGP can set a different goal)

The housing growth planning law makes COGs responsible for setting a recommended affordable housing goal (the number of deed-restricted units) for each municipality in their respective region, except those municipalities with relatively low property wealth and income per capita. By law, COGs' recommended goals are subject to the Office of Policy and Management (OPM) secretary's approval and serve as the default goals for regional and municipal HGPs. (COGs' recommended goals are based on OPM-set housing growth targets for the state and each planning region.)

The bill modifies a provision that allows municipalities to opt into a regional HGP within 30 days of receiving their affordable housing goal. It does so by specifying that once the OPM secretary approves a regional HGP, the affordable housing goal cannot be revised to reflect that one or more municipalities opted out of regional planning and into making a municipal HGP. This provision appears to have no legal effect because affordable housing goals are set and approved before the process of drafting HGPs begins. Additionally, affordable housing goals are set for each municipality individually and once OPM approves them, only a municipality making its own HGP can set a different goal.

§§ 7 & 8 — CLARIFYING CHANGE TO HOUSING GROWTH PLAN REVIEW PROCESS

Extends to the Council on Housing Development a requirement that regional or municipal HGPs may only be rejected if they do not conform to the law's requirements

By law, unchanged by the bill, regional and municipal HGPs must be submitted to the OPM secretary for approval. The secretary must accept or reject a plan within 120 days after receiving it. But he cannot reject plans that meet the HGP law's requirements.

If the secretary does not act within this timeframe, a plan must instead be submitted to the Council on Housing Development for approval. The bill clarifies that like the OPM secretary, the council may only reject a plan if it does not meet the HGP law's requirements.

§ 9 — ANNUAL REPORT ON FAIR HOUSING CHOICE AND RACIAL AND ECONOMIC INTEGRATION

Requires DOH to annually submit a report on fair housing choice and racial and economic integration in its housing programs

The bill requires DOH to begin submitting an annual report on fair housing choice and racial and economic integration in its programs. Under current law, the Connecticut Housing Finance Authority and the Connecticut Housing Authority (which is not active) are required to submit a report on these topics, as they relate to their programs.

Under existing law, this annual report must include, among other things (1) by income group and race, households served by the agency's housing construction, substantial rehabilitation, purchase, and rental assistance programs; and (2) efforts made to promote fair housing choice and racial and economic integration.

§ 10 — DOH COLLABORATION WITH LOCAL LAND USE AUTHORITY

Requires the DOH commissioner to work with the local planning and zoning authority to share information with the public about a proposed DOH project on state owned or controlled land

PA 25-1, November Special Session, § 48, authorized the DOH commissioner to develop housing projects on land the state owns or otherwise controls, sell or lease these projects, and provide for their management. Before the commissioner develops a housing project under this authority, she must report to the Council on Housing Development on how a suitable property was identified and what type of project is proposed, among other things.

The bill additionally requires the commissioner, before beginning development, to coordinate with the local planning and zoning authority (or, presumably, authorities if these powers are exercised by separate commissions) to share the report with the public and hold a

public hearing on the proposed project.

By law, unchanged by the bill, the state is not subject to local land use controls.

§§ 11-13 — HGP TAKES PRECEDENCE OVER OTHER LOCAL PLANS

Generally specifies that local POCDs and sewer plans can be disregarded when they unnecessarily limit an HGP; requires local POCDs to be consistent with HGPs

Currently, a municipal or regional HGP must address the plan's consistency with (1) the municipal plan of conservation and development (POCD) and (2) any applicable plans adopted by the local water pollution control (sewer) authorities.

By law, local POCDs are made by the municipal planning commission for a 10-year period. POCDs must address certain conservation and development concerns, including: (1) the municipality's need for affordable housing; (2) physical, social, economic, and governmental conditions and trends; (3) objectives for energy-efficient development patterns; (4) the protection of agriculture and water sources; and (5) sea level change. Local sewer plans are optional plans that, among other things, identify areas where sewer service is planned or should be avoided.

Considering Local Plans When Making HGP (§§ 11 & 12)

Under the bill, while an HGP must still address its consistency with local POCDs and sewer plans, the bill generally allows conflicting provisions in these plans to be disregarded if they impose unnecessary requirements. Specifically, the bill allows disregarding local POCDs and sewer plans if they require "adopting measures" in the HGP that are otherwise unnecessary. (Presumably, this means that the disregarded provisions constrain development that has been deemed prudent and feasible as part of the HGP process.)

For regional HGPs, a POCD or sewer plan can be disregarded only if the affected municipality agrees to it. The bill specifies that these municipalities may correspondingly opt to disregard their local POCD

or sewer plan. (It is unclear what this means.)

Municipal POCDs (§ 13)

The bill also changes the law on making municipal POCDs to specify that beginning with the date the first HGPs are due, any subsequently adopted local POCD must be consistent with the relevant HGP. The bill requires these local POCDs to be consistent with the submitted HGP, not the state-approved plan.

The bill also specifies that the local planning commission, when making the POCD, may choose to allow the HGP to take precedence over conflicting provisions in the POCD. (The permissive authorization in this provision is unclear given that the bill also requires the POCD to be consistent with the HGP.)

BACKGROUND

Related Bills

HB s5502, favorably reported by the Planning and Development Committee, makes changes to the law on mandatory summary review procedures for certain transit community middle housing developments and mixed-use developments.

The Housing, Insurance and Real Estate, and Planning and Development committees reported favorably several bills impacting § 8-30g, including: sSB 338 (prohibits the allocation of HUE points after § 8-30g litigation, under certain circumstances); sHB 5364 (redefines “set-aside development” to reduce required affordability periods and aligns HUE point allocations with them); sHB 5365 (modifies HUE point allocations, including for accessory apartments and certain deeply affordable housing); sHB 5376 (adds an additional ground for a local commission to defend its decision on an affordable housing application); and sHB 5395 (allocates HUE points to modular and prefabricated homes that do not otherwise qualify for points).

COMMITTEE ACTION

Housing Committee

Joint Favorable Substitute

Yea 17 Nay 2 (03/10/2026)