



General Assembly

Substitute Bill No. 5396

February Session, 2026



AN ACT CONCERNING AFFORDABLE HOUSING DEVELOPMENT ON CERTAIN LAND OWNED BY A RELIGIOUS ORGANIZATION.

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

1 Section 1. (NEW) (*Effective October 1, 2026*) (a) As used in this section:

2 (1) "Religious organization affordable housing development" means
3 a development proposed by a religious institution or jointly proposed
4 by a religious institution and any other developer that is located on real
5 property owned by such religious organization where not less than
6 twenty per cent of the proposed dwelling units are subject to affordable
7 housing deed restrictions;

8 (2) "Dwelling unit" has the same meaning as provided in section 47a-
9 1 of the general statutes;

10 (3) "Religious organization" has the same meaning as provided in
11 section 49-31k of the general statutes;

12 (4) "Affordable housing deed restriction" means a deed restriction
13 contained in an instrument filed on the land records of the municipality
14 in which the development is located that requires, for not less than forty
15 years after the initial occupation of the development, that certain
16 dwelling units in the development be sold or rented at, or below, a cost
17 in rent or mortgage payments equivalent to not more than thirty per

18 cent of the annual income of individuals and families earning sixty per
19 cent of the median income of the state or the area median income as
20 determined by the United States Department of Housing and Urban
21 Development, whichever is less; and

22 (5) "Summary review" has the same meaning as provided in section
23 8-2r of the general statutes.

24 (b) Notwithstanding the provisions of any zoning regulations
25 adopted pursuant to section 8-2 of the general statutes or any special act,
26 except as provided in subsection (c) of this section, any proposed
27 religious organization housing development shall be allowed subject
28 only to summary review.

29 (c) Any zoning regulations adopted pursuant to section 8-2 of the
30 general statutes or any special act may require that a religious
31 organization housing development have:

32 (1) A gross density of (A) thirty or fewer dwelling units per acre if
33 less than twenty-five per cent of the dwelling units in such development
34 are subject to an affordable housing deed restriction, or (B) fifty or fewer
35 dwelling units per acre if twenty-five per cent or greater of the dwelling
36 units in such development are subject to an affordable housing deed
37 restriction;

38 (2) A height not greater than the maximum allowable height for a
39 residential development in the municipality;

40 (3) Side and rear setbacks of not less than fifteen feet; and

41 (4) Notwithstanding the provisions of section 8-3n of the general
42 statutes, off-street motor vehicle parking if the development is greater
43 than one-half mile from any public transit station, provided such
44 parking requirements shall not exceed one parking space per dwelling
45 unit.

46 (d) The provisions of subsection (b) of this section shall not apply to
47 any real property:

- 48 (1) Owned by a religious organization for fewer than three years;
 - 49 (2) Located in a special flood hazard area designated on a flood
50 insurance rate map published by the National Flood Insurance Program;
 - 51 (3) Located within a radius of three thousand two hundred feet of any
52 facility that extracts or refines oil or natural gas;
 - 53 (4) Lacking adequate access to water or sewerage infrastructure; or
 - 54 (5) Used as a cemetery.
- 55 (e) The provisions of subsection (b) of this section shall not apply to
56 any development that would require the demolition of any property
57 listed in the (1) National Register of Historic Places, or (2) State Register
58 of Historic Places, provided such demolition may occur for property
59 listed in said state register if such demolition has been approved, in
60 writing, by the State Historic Preservation Officer.
- 61 (f) The summary review process specified in subsection (b) of this
62 section shall require that a decision on any application be rendered not
63 later than ninety days after receipt of such application by the planning
64 commission, zoning commission or combined planning and zoning
65 commission, except an applicant may consent to one or more extensions
66 of not more than an additional ninety days or may withdraw such
67 application.
- 68 (g) The provisions of this section shall not be construed to make any
69 portion of real property used for a religious organization affordable
70 housing development exempt from taxation pursuant to section 12-81
71 of the general statutes unless such development meets the requirements
72 of said section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	New section

Statement of Legislative Commissioners:

In Subdiv. (c)(1), "if twenty per cent" was changed to "if less than twenty-five per cent", for accuracy.

PD *Joint Favorable Subst.*