



General Assembly

February Session, 2024

***Raised Bill No. 5391***

LCO No. 65



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:  
(PD)

***AN ACT ESTABLISHING THE HOUSING DENSITY RATING PROGRAM.***

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

- 1 Section 1. (NEW) (*Effective October 1, 2024*) (a) As used in this section:
- 2 (1) "Housing density points" means the points assigned to a  
3 municipality by the coordinator based upon such municipality's  
4 adoption of policies intended to increase housing density as set forth in  
5 subsection (c) of this section;
- 6 (2) "Housing density rating" means the tier level assigned to a  
7 municipality by the coordinator pursuant to this section;
- 8 (3) "As of right" means able to be approved in accordance with the  
9 terms of a zoning regulation or regulations and without requiring that  
10 a public hearing be held, a variance, special permit or special exception  
11 be granted or some other discretionary zoning action be taken, other  
12 than a determination that a site plan is in conformance with applicable  
13 zoning regulations;

14 (4) "Coordinator" means the State Responsible Growth Coordinator  
15 within the Office of Policy and Management;

16 (5) "Duplex" means a residential building that contains or will contain  
17 two dwelling units;

18 (6) "Dwelling unit" means any house or building, or portion thereof,  
19 that is occupied, designed to be occupied, or rented, leased or hired out  
20 to be occupied, exclusively as a home or residence of one or more  
21 persons;

22 (7) "Multifamily housing" means a building that contains or will  
23 contain three or more dwelling units;

24 (8) "Municipality" means any city, town or borough;

25 (9) "Residential property" means any real property zoned for or used  
26 for residential purposes;

27 (10) "Tier I municipality" means a municipality to which the  
28 coordinator has assigned fewer than five housing density points;

29 (11) "Tier II municipality" means a municipality (A) to which the  
30 coordinator has assigned not fewer than five nor more than nine  
31 housing density points, or (B) that the coordinator determines has  
32 issued building permits at an annual rate of not less than three but less  
33 than five such permits per one thousand residents of such municipality  
34 for not fewer than three of the previous seven years;

35 (12) "Tier III municipality" means a municipality (A) to which the  
36 coordinator has assigned not fewer than ten nor more than twenty-one  
37 housing density points, or (B) that the coordinator determines has  
38 issued building permits at an annual rate of not less than five such  
39 permits per one thousand residents of such municipality, but less than  
40 eight such permits per one thousand residents of such municipality, for  
41 not fewer than three of the previous seven years;

42 (13) "Tier IV municipality" means a municipality (A) to which the

43 coordinator has assigned not fewer than twenty-two housing density  
44 points, or (B) that the coordinator determines has issued building  
45 permits at an annual rate of not less than eight such permits per one  
46 thousand residents of such municipality for not fewer than three of the  
47 previous seven years;

48 (14) "Transit-oriented district" means a collection of parcels of land in  
49 a municipality designated by such municipality to comply with zoning  
50 criteria designed to encourage increased density of development,  
51 including increased mixed-use development and increased  
52 concentration of discretionary state investments; and

53 (15) "Triplex" means a residential building that contains or will  
54 contain three dwelling units.

55 (b) There is established a housing density rating program within the  
56 Office of Policy and Management, which shall be administered by the  
57 coordinator. Under the program, the coordinator shall determine the  
58 housing density rating of each municipality and award funding or other  
59 incentives to any municipality that qualifies for such funding or  
60 incentives under this section.

61 (c) For the purposes of this section, housing density points awarded  
62 to each municipality shall be determined by the coordinator as set forth  
63 in this subsection. For any municipality that adopts zoning regulations  
64 that:

65 (1) Require not more than one parking space for each studio or one-  
66 bedroom dwelling unit and not more than two parking spaces for each  
67 dwelling unit with two or more bedrooms pursuant to subdivision (9)  
68 of subsection (d) of section 8-2 of the general statutes, one point shall be  
69 awarded;

70 (2) Exempt any residential property from any minimum parking  
71 requirement, three points shall be awarded;

72 (3) Allow accessory apartments pursuant to section 8-2o of the

73 general statutes, one point shall be awarded;

74 (4) Allow not fewer than three accessory apartments per residential  
75 property pursuant to section 8-20 of the general statutes, three points  
76 shall be awarded;

77 (5) For residential lots served by any public sewerage and water  
78 system, require a minimum lot size of (A) seven thousand five hundred  
79 square feet, one point shall be awarded; (B) five thousand square feet,  
80 three points shall be awarded; (C) two thousand five hundred square  
81 feet, four points shall be awarded; or (D) one thousand four hundred  
82 square feet, five points shall be awarded;

83 (6) For residential lots not served by any public sewerage and water  
84 system, require a minimum lot size of not more than one acre, two  
85 points shall be awarded;

86 (7) Allow the development of duplexes and triplexes as of right and  
87 without imposing any standards or restrictions not applicable to single-  
88 family homes (A) in at least fifty per cent of any zone that permits single-  
89 family homes as of right, two points shall be awarded; or (B) for the  
90 entirety of any zone that permits single-family homes as of right, four  
91 points shall be awarded;

92 (8) Allow the development of residential buildings containing four or  
93 more dwelling units as of right (A) in at least fifty per cent of the area of  
94 the municipality served by any public sewerage and water system and  
95 where single-family homes are allowed, two points shall be awarded; or  
96 (B) in any area of the municipality served by any public sewerage and  
97 water system and where single-family homes are allowed, four points  
98 shall be awarded;

99 (9) Allow the development of multifamily housing in one or more  
100 commercial zones, provided such multifamily housing developments  
101 shall be treated in the same manner as a commercial property in such  
102 zone, one point shall be awarded;

103 (10) Allow the construction, as of right, of certain development  
104 projects in accordance with building plans that have been preapproved  
105 by the coordinator at the coordinator's discretion, one point shall be  
106 awarded;

107 (11) Allow for greater density of residential development on single  
108 lots where the proposed developments are set-aside developments, as  
109 defined in section 8-30g of the general statutes, one point shall be  
110 awarded;

111 (12) Require no minimum building coverage area or floor area ratio  
112 requirements that are not required by the Public Health Code, two  
113 points shall be awarded;

114 (13) Allow the owner of any dwelling unit to rent individual rooms  
115 within such dwelling unit to one or more tenants, one point shall be  
116 awarded, provided a municipality may prohibit the number of tenants  
117 in a dwelling unit from exceeding one person per bedroom;

118 (14) Establish a consolidated project approval process whereby the  
119 developer of a residential development project may submit one  
120 application to a board, commission, council, committee or other agency  
121 of the municipality, as designated by the municipality, and such board,  
122 commission, council, committee or other agency shall transmit such  
123 application to any other board, commission, council, committee or other  
124 agency of the municipality for any required approvals, one point shall  
125 be awarded;

126 (15) Allow for the approval of any residential development project  
127 without requiring a public hearing on such project if the zoning  
128 enforcement officer of the municipality determines such project  
129 conforms with all applicable zoning regulations, one point shall be  
130 awarded;

131 (16) Allow for greater density of residential development in a  
132 subdivision if the subdivision plan restricts not less than fifty per cent  
133 of the area within such subdivision as open space, farm land or forest

134 land, as such terms are defined in section 12-107b of the general statutes,  
135 one point shall be awarded; and

136 (17) Adopt a transit-oriented district, three points shall be awarded.

137 (d) Not later than July 1, 2025, and annually thereafter, each  
138 municipality shall submit a report to the coordinator documenting any  
139 zoning regulations adopted by such municipality that the municipality  
140 believes may be eligible for housing density points. Any municipality  
141 that fails to submit an annual report pursuant to this subsection shall be  
142 deemed a tier I municipality by the coordinator until July first of the  
143 following year.

144 (e) Not later than July 1, 2026, and annually thereafter, the  
145 coordinator, in consultation with the Commissioner of Housing and  
146 each municipality that submits a report pursuant to subsection (d) of  
147 this section, shall determine the number of housing density points  
148 awarded for each municipality in the state and create a report that lists  
149 each municipality as a tier I municipality, tier II municipality, tier III  
150 municipality or tier IV municipality according to the number of housing  
151 density points so awarded. The housing density ratings determined and  
152 reported by the coordinator pursuant to this subsection shall remain in  
153 effect until July first of the following year. On and after July 1, 2026, such  
154 report shall be published on the Internet web site of the Office of Policy  
155 and Management on July first of each year.

156 (f) On and after October 1, 2026, notwithstanding any provision of the  
157 general statutes, any special act or any local code or ordinance, any tier  
158 I municipality shall (1) allow the development of any multifamily  
159 housing project in any area served by any public sewerage or water  
160 system as of right, (2) not impose a minimum lot size of greater than one  
161 acre in any area not served by any public sewerage or water system, (3)  
162 not impose a minimum lot size of greater than seven thousand five  
163 hundred square feet in any area served by any public sewerage or water  
164 system, (4) notwithstanding any action a municipality has taken to opt  
165 out of the requirements of section 8-2o of the general statutes, allow

166 accessory apartments pursuant to section 8-2o of the general statutes,  
167 and (5) not require more than one parking space for each studio or one-  
168 bedroom dwelling unit or more than two parking spaces for each  
169 dwelling unit with two or more bedrooms pursuant to subdivision (9)  
170 of subsection (d) of section 8-2 of the general statutes. The requirements  
171 imposed on tier I municipalities pursuant to this subsection shall remain  
172 in effect until the coordinator determines that such municipality has  
173 ceased to be a tier I municipality in the coordinator's annual  
174 determination of housing density points pursuant to subsection (e) of  
175 this section.

176 (g) (1) On and after October 1, 2026, notwithstanding any provision  
177 of section 8-30g of the general statutes to the contrary, for any tier III  
178 municipality, the number of housing unit-equivalent points awarded  
179 for units described in subparagraphs (A) to (G), inclusive, of subdivision  
180 (6) of subsection (l) of section 8-30g of the general statutes shall be  
181 doubled.

182 (2) On and after October 1, 2026, the coordinator shall, within  
183 available appropriations available to the Office of Policy and  
184 Management and in the coordinator's discretion, provide funding to any  
185 tier III municipality for any community development project or  
186 economic development project located in such municipality upon the  
187 request of such municipality.

188 (3) Any tier III municipality that subsequently becomes a tier I or tier  
189 II municipality shall be ineligible for the incentives provided by  
190 subdivision (1) or (2) of this subsection unless the coordinator  
191 designates such municipality as a tier III municipality in the  
192 coordinator's annual determination of housing density points pursuant  
193 to subsection (e) of this section.

194 (h) (1) On and after October 1, 2026, notwithstanding any provision  
195 of section 8-30g of the general statutes to the contrary, any tier IV  
196 municipality shall be exempt from the affordable housing appeals  
197 procedure set out in said section.

198 (2) On and after October 1, 2026, the coordinator shall, within  
199 available appropriations available to the Office of Policy and  
200 Management and in the coordinator's discretion, provide funding to any  
201 tier IV municipality for any community development project or  
202 economic development project located in such municipality upon the  
203 request of such municipality. The coordinator shall prioritize the  
204 provision of any funding pursuant to this subdivision over the  
205 provision of funding to any tier III municipality pursuant to subdivision  
206 (2) of subsection (g) of this section.

207 (3) On and after October 1, 2026, any tier IV municipality may submit  
208 an annual report to the coordinator that documents the net gain in  
209 residents, if any, in such municipality in the most recent twelve-month  
210 period. Not later than three months from the submission of such report,  
211 the coordinator shall, within available appropriations available to the  
212 Office of Policy and Management and in the coordinator's discretion,  
213 award a grant to the municipality equivalent to one thousand dollars for  
214 each new resident documented by such tier IV municipality in the  
215 previous twelve-month period in such report.

216 (4) Any tier IV municipality that subsequently becomes a tier I, tier II  
217 or tier III municipality shall be ineligible for the incentives provided by  
218 subdivisions (1) to (3), inclusive, of this subsection unless the  
219 coordinator designates such municipality as a tier IV municipality in the  
220 coordinator's annual determination of housing density points pursuant  
221 to subsection (e) of this section.

222 (i) The Secretary of the Office of Policy and Management shall adopt  
223 regulations in accordance with the provisions of chapter 54 of the  
224 general statutes to carry out the purposes of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	New section



***Statement of Purpose:***

To establish the housing density rating program to encourage municipalities to adopt zoning regulations that allow for the development of greater housing density.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*