



General Assembly

***Amendment***

***November Special Session, 2025***

**LCO No. 11011**



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Offered by:  
SEN. GORDON, 35<sup>th</sup> Dist.

To: House Bill No. 8002

File No.

Cal. No.

***"AN ACT CONCERNING HOUSING GROWTH."***

1 Strike section 41 in its entirety and insert the following in lieu thereof:

2 "Sec. 41. Subsections (a) to (l), inclusive, of section 8-30g of the general  
3 statutes are repealed and the following is substituted in lieu thereof  
4 (*Effective January 1, 2026*):

5 (a) As used in this section and section 8-30j:

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

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

12 (3) "Assisted housing" means housing which is receiving, or will  
13 receive, financial assistance under any governmental program for the  
14 construction or substantial rehabilitation of low and moderate income

15 housing, and any housing occupied by persons receiving rental  
16 assistance under chapter 319uu or Section 1437f of Title 42 of the United  
17 States Code;

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

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

23 (6) "Set-aside development" means a development in which not less  
24 than thirty per cent of the dwelling units will be conveyed by deeds  
25 containing covenants or restrictions which shall require that, for at least  
26 forty years after the initial occupation of the proposed development,  
27 such dwelling units shall be sold or rented at, or below, prices which  
28 will preserve the units as housing for which persons and families pay  
29 thirty per cent or less of their annual income, where such income is less  
30 than or equal to eighty per cent of the median income. In a set-aside  
31 development, of the dwelling units conveyed by deeds containing  
32 covenants or restrictions, a number of dwelling units equal to not less  
33 than fifteen per cent of all dwelling units in the development shall be  
34 sold or rented to persons and families whose income is less than or equal  
35 to sixty per cent of the median income and the remainder of the dwelling  
36 units conveyed by deeds containing covenants or restrictions shall be  
37 sold or rented to persons and families whose income is less than or equal  
38 to eighty per cent of the median income;

39 (7) "Median income" means, after adjustments for family size, the  
40 lesser of the state median income or the area median income for the area  
41 in which the municipality containing the affordable housing  
42 development is located, as determined by the United States Department  
43 of Housing and Urban Development; [and]

44 (8) "Commissioner" means the Commissioner of Housing; and

45 (9) "Housing affordability" means housing, including unrestricted

46 housing, that is affordable for individuals or households at or below a  
47 level described as asset limited, income constrained, employed by the  
48 United Way of Connecticut, but otherwise does not meet the definition  
49 of an affordable housing development pursuant to this section.

50 (b) (1) Any person filing an affordable housing application with a  
51 commission shall submit, as part of the application, an affordability plan  
52 which shall include at least the following: (A) Designation of the person,  
53 entity or agency that will be responsible for the duration of any  
54 affordability restrictions, for the administration of the affordability plan  
55 and its compliance with the income limits and sale price or rental  
56 restrictions of this chapter; (B) an affirmative fair housing marketing  
57 plan governing the sale or rental of all dwelling units; (C) a sample  
58 calculation of the maximum sales prices or rents of the intended  
59 affordable dwelling units; (D) a description of the projected sequence in  
60 which, within a set-aside development, the affordable dwelling units  
61 will be built and offered for occupancy and the general location of such  
62 units within the proposed development; and (E) draft zoning  
63 regulations, conditions of approvals, deeds, restrictive covenants or  
64 lease provisions that will govern the affordable dwelling units.

65 (2) The commissioner shall, within available appropriations, adopt  
66 regulations pursuant to chapter 54 regarding the affordability plan.  
67 Such regulations may include additional criteria for preparing an  
68 affordability plan and shall include: (A) A formula for determining rent  
69 levels and sale prices, including establishing maximum allowable down  
70 payments to be used in the calculation of maximum allowable sales  
71 prices; (B) a clarification of the costs that are to be included when  
72 calculating maximum allowed rents and sale prices; (C) a clarification  
73 as to how family size and bedroom counts are to be equated in  
74 establishing maximum rental and sale prices for the affordable units;  
75 and (D) a listing of the considerations to be included in the computation  
76 of income under this section.

77 (c) Any commission, by regulation, may require that an affordable  
78 housing application seeking a change of zone include the submission of

79 a conceptual site plan describing the proposed development's total  
80 number of residential units and their arrangement on the property and  
81 the proposed development's roads and traffic circulation, sewage  
82 disposal and water supply.

83 (d) For any affordable dwelling unit that is rented as part of a set-  
84 aside development, if the maximum monthly housing cost, as calculated  
85 in accordance with subdivision (6) of subsection (a) of this section,  
86 would exceed one hundred per cent of the Section 8 fair market rent as  
87 determined by the United States Department of Housing and Urban  
88 Development, in the case of units set aside for persons and families  
89 whose income is less than or equal to sixty per cent of the median  
90 income, then such maximum monthly housing cost shall not exceed one  
91 hundred per cent of said Section 8 fair market rent. If the maximum  
92 monthly housing cost, as calculated in accordance with subdivision (6)  
93 of subsection (a) of this section, would exceed one hundred twenty per  
94 cent of the Section 8 fair market rent, as determined by the United States  
95 Department of Housing and Urban Development, in the case of units set  
96 aside for persons and families whose income is less than or equal to  
97 eighty per cent of the median income, then such maximum monthly  
98 housing cost shall not exceed one hundred twenty per cent of such  
99 Section 8 fair market rent.

100 (e) For any affordable dwelling unit that is rented in order to comply  
101 with the requirements of a set-aside development, no person shall  
102 impose on a prospective tenant who is receiving governmental rental  
103 assistance a maximum percentage-of-income-for-housing requirement  
104 that is more restrictive than the requirement, if any, imposed by such  
105 governmental assistance program.

106 (f) Except as provided in subsections (k) and (l) of this section, any  
107 person whose affordable housing application is denied, or is approved  
108 with restrictions which have a substantial adverse impact on the  
109 viability of the affordable housing development or the degree of  
110 affordability of the affordable dwelling units in a set-aside  
111 development, may appeal such decision pursuant to the procedures of

112 this section. Such appeal shall be filed within the time period for filing  
113 appeals as set forth in section 8-8, 8-9, 8-28 or 8-30a, as applicable, and  
114 shall be made returnable to the superior court for the judicial district  
115 where the real property which is the subject of the application is located.  
116 Affordable housing appeals, including pretrial motions, shall be heard  
117 by a judge assigned by the Chief Court Administrator to hear such  
118 appeals. To the extent practicable, efforts shall be made to assign such  
119 cases to a small number of judges, sitting in geographically diverse parts  
120 of the state, so that a consistent body of expertise can be developed.  
121 Unless otherwise ordered by the Chief Court Administrator, such  
122 appeals, including pretrial motions, shall be heard by such assigned  
123 judges in the judicial district in which such judge is sitting. Appeals  
124 taken pursuant to this subsection shall be privileged cases to be heard  
125 by the court as soon after the return day as is practicable. Except as  
126 otherwise provided in this section, appeals involving an affordable  
127 housing application shall proceed in conformance with the provisions  
128 of section 8-8, 8-9, 8-28 or 8-30a, as applicable.

129 (g) Upon an appeal taken under subsection (f) of this section, the  
130 burden shall be on the commission to prove, based upon the evidence  
131 in the record compiled before such commission, that the decision from  
132 which such appeal is taken and the reasons cited for such decision are  
133 supported by sufficient evidence in the record. The commission shall  
134 also have the burden to prove, based upon the evidence in the record  
135 compiled before such commission, that (1) (A) the decision is necessary  
136 to protect substantial public interests in health, safety or other matters  
137 which the commission may legally consider; (B) such public interests  
138 clearly outweigh the need for affordable housing; and (C) such public  
139 interests cannot be protected by reasonable changes to the affordable  
140 housing development, or (2) (A) the application which was the subject  
141 of the decision from which such appeal was taken would locate  
142 affordable housing in an area which is zoned for industrial use and  
143 which does not permit residential uses; and (B) the development is not  
144 assisted housing. If the commission does not satisfy its burden of proof  
145 under this subsection, the court shall wholly or partly revise, modify,

146 remand or reverse the decision from which the appeal was taken in a  
147 manner consistent with the evidence in the record before it.

148 (h) Following a decision by a commission to reject an affordable  
149 housing application or to approve an application with restrictions which  
150 have a substantial adverse impact on the viability of the affordable  
151 housing development or the degree of affordability of the affordable  
152 dwelling units, the applicant may, within the period for filing an appeal  
153 of such decision, submit to the commission a proposed modification of  
154 its proposal responding to some or all of the objections or restrictions  
155 articulated by the commission, which shall be treated as an amendment  
156 to the original proposal. The day of receipt of such a modification shall  
157 be determined in the same manner as the day of receipt is determined  
158 for an original application. The filing of such a proposed modification  
159 shall stay the period for filing an appeal from the decision of the  
160 commission on the original application. The commission shall hold a  
161 public hearing on the proposed modification if it held a public hearing  
162 on the original application and may hold a public hearing on the  
163 proposed modification if it did not hold a public hearing on the original  
164 application. The commission shall render a decision on the proposed  
165 modification not later than sixty-five days after the receipt of such  
166 proposed modification, provided, if, in connection with a modification  
167 submitted under this subsection, the applicant applies for a permit for  
168 an activity regulated pursuant to sections 22a-36 to 22a-45, inclusive,  
169 and the time for a decision by the commission on such modification  
170 under this subsection would lapse prior to the thirty-fifth day after a  
171 decision by an inland wetlands and watercourses agency, the time  
172 period for decision by the commission on the modification under this  
173 subsection shall be extended to thirty-five days after the decision of such  
174 agency. The commission shall issue notice of its decision as provided by  
175 law. Failure of the commission to render a decision within said sixty-  
176 five days or subsequent extension period permitted by this subsection  
177 shall constitute a rejection of the proposed modification. Within the time  
178 period for filing an appeal on the proposed modification as set forth in  
179 section 8-8, 8-9, 8-28 or 8-30a, as applicable, the applicant may appeal

180 the commission's decision on the original application and the proposed  
181 modification in the manner set forth in this section. Nothing in this  
182 subsection shall be construed to limit the right of an applicant to appeal  
183 the original decision of the commission in the manner set forth in this  
184 section without submitting a proposed modification or to limit the  
185 issues which may be raised in any appeal under this section.

186 (i) Nothing in this section shall be deemed to preclude any right of  
187 appeal under the provisions of section 8-8, 8-9, 8-28 or 8-30a.

188 (j) A commission or its designated authority shall have, with respect  
189 to compliance of an affordable housing development with the  
190 provisions of this chapter, the same powers and remedies provided to  
191 commissions by section 8-12.

192 (k) The affordable housing appeals procedure established under this  
193 section shall not be available if the real property which is the subject of  
194 the application is located in a municipality in which at least ten per cent  
195 of all dwelling units in the municipality are (1) assisted housing, (2)  
196 currently financed by Connecticut Housing Finance Authority  
197 mortgages, (3) subject to binding recorded deeds containing covenants  
198 or restrictions which require that such dwelling units be sold or rented  
199 at, or below, prices which will preserve the units as housing for which  
200 persons and families pay thirty per cent or less of income, where such  
201 income is less than or equal to eighty per cent of the median income, (4)  
202 mobile manufactured homes located in mobile manufactured home  
203 parks or legally approved accessory apartments, which homes or  
204 apartments are subject to binding recorded deeds containing covenants  
205 or restrictions which require that such dwelling units be sold or rented  
206 at, or below, prices which will preserve the units as housing for which,  
207 for a period of not less than ten years, persons and families pay thirty  
208 per cent or less of income, where such income is less than or equal to  
209 eighty per cent of the median income, or (5) mobile manufactured  
210 homes located in resident-owned mobile manufactured home parks. For  
211 the purposes of calculating the total number of dwelling units in a  
212 municipality, accessory apartments built or permitted after January 1,

213 2022, but that are not described in subdivision (4) of this subsection,  
214 shall not be counted toward such total number. The municipalities  
215 meeting the criteria set forth in this subsection shall be listed in the  
216 report submitted under section 8-37qqq. As used in this subsection,  
217 "accessory apartment" has the same meaning as provided in section 8-  
218 1a, and "resident-owned mobile manufactured home park" means a  
219 mobile manufactured home park consisting of mobile manufactured  
220 homes located on land that is deed restricted, and, at the time of issuance  
221 of a loan for the purchase of such land, such loan required seventy-five  
222 per cent of the units to be leased to persons with incomes equal to or less  
223 than eighty per cent of the median income, and either (A) forty per cent  
224 of said seventy-five per cent to be leased to persons with incomes equal  
225 to or less than sixty per cent of the median income, or (B) twenty per  
226 cent of said seventy-five per cent to be leased to persons with incomes  
227 equal to or less than fifty per cent of the median income.

228 (l) (1) Except as provided in subdivision (2) of this subsection, the  
229 affordable housing appeals procedure established under this section  
230 shall not be applicable to an affordable housing application filed with a  
231 commission during a moratorium, which shall commence after (A) a  
232 certification of affordable housing project completion issued by the  
233 commissioner is published in the Connecticut Law Journal, or (B) notice  
234 of a provisional approval is published pursuant to subdivision (4) of this  
235 subsection. Any such moratorium shall be for a period of four years,  
236 except that for any municipality that has (i) twenty thousand or more  
237 dwelling units, as reported in the most recent United States decennial  
238 census, and (ii) previously qualified for a moratorium in accordance  
239 with this section, any subsequent moratorium shall be for a period of  
240 five years. Any moratorium that is in effect on October 1, 2002, is  
241 extended by one year.

242 (2) Such moratorium shall not apply to (A) affordable housing  
243 applications for assisted housing in which ninety-five per cent of the  
244 dwelling units are restricted to persons and families whose income is  
245 less than or equal to sixty per cent of the median income, (B) other



246 affordable housing applications for assisted housing containing forty or  
247 fewer dwelling units, or (C) affordable housing applications which were  
248 filed with a commission pursuant to this section prior to the date upon  
249 which the moratorium takes effect.

250 (3) Eligible units completed before a moratorium has begun, but that  
251 were not counted toward establishing eligibility for such moratorium,  
252 may be counted toward establishing eligibility for a subsequent  
253 moratorium. Eligible units completed after a moratorium has begun  
254 may be counted toward establishing eligibility for a subsequent  
255 moratorium.

256 (4) (A) The commissioner shall issue a certificate of affordable  
257 housing project completion for the purposes of this subsection upon  
258 finding that there has been completed within the municipality one or  
259 more affordable housing developments which create housing unit-  
260 equivalent points equal to (i) the greater of two per cent of all dwelling  
261 units in the municipality, as reported in the most recent United States  
262 decennial census, or seventy-five housing unit-equivalent points, or (ii)  
263 for any municipality that has (I) adopted an affordable housing plan in  
264 accordance with section 8-30j, (II) twenty thousand or more dwelling  
265 units, as reported in the most recent United States decennial census, and  
266 (III) previously qualified for a moratorium in accordance with this  
267 section, one and one-half per cent of all dwelling units in the  
268 municipality, as reported in the most recent United States decennial  
269 census.

270 (B) A municipality may apply for a certificate of affordable housing  
271 project completion pursuant to this subsection by applying in writing to  
272 the commissioner, and including documentation showing that the  
273 municipality has accumulated the required number of points within the  
274 applicable time period. Such documentation shall include the location  
275 of each dwelling unit being counted, the number of points each dwelling  
276 unit has been assigned, and the reason, pursuant to this subsection, for  
277 assigning such points to such dwelling unit. Upon receipt of such  
278 application, the commissioner shall promptly cause a notice of the filing

279 of the application to be published in the Connecticut Law Journal,  
280 stating that public comment on such application shall be accepted by the  
281 commissioner for a period of thirty days after the publication of such  
282 notice. Not later than ninety days after the receipt of such application,  
283 the commissioner shall either approve or reject such application. Such  
284 approval or rejection shall be accompanied by a written statement of the  
285 reasons for approval or rejection, pursuant to the provisions of this  
286 subsection. If the application is approved, the commissioner shall  
287 promptly cause a certificate of affordable housing project completion to  
288 be published in the Connecticut Law Journal. If the commissioner fails  
289 to either approve or reject the application within such ninety-day  
290 period, such application shall be deemed provisionally approved, and  
291 the municipality may cause notice of such provisional approval to be  
292 published in a conspicuous manner in a daily newspaper having general  
293 circulation in the municipality, in which case, such moratorium shall  
294 take effect upon such publication. The municipality shall send a copy of  
295 such notice to the commissioner. Such provisional approval shall  
296 remain in effect unless the commissioner subsequently acts upon and  
297 rejects the application, in which case the moratorium shall terminate  
298 upon notice to the municipality by the commissioner.

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

304 (6) For the purposes of this subsection, housing unit-equivalent  
305 points shall be determined by the commissioner as follows: (A) No  
306 points shall be awarded for [a] an affordable housing unit unless its  
307 occupancy is restricted to persons and families whose income is equal  
308 to or less than eighty per cent of the median income, except that (i)  
309 unrestricted units in a set-aside development shall be awarded one-  
310 quarter point each; and (ii) dwelling units in middle housing developed  
311 as of right pursuant to section 8-2s shall be awarded one-quarter point

312 each. (B) Family units restricted to persons and families whose income  
313 is equal to or less than eighty per cent of the median income shall be  
314 awarded one point if an ownership unit and one and one-half points if  
315 a rental unit. (C) Family units restricted to persons and families whose  
316 income is equal to or less than sixty per cent of the median income shall  
317 be awarded one and one-half points if an ownership unit and two points  
318 if a rental unit. (D) Family units restricted to persons and families whose  
319 income is equal to or less than forty per cent of the median income shall  
320 be awarded two points if an ownership unit and two and one-half points  
321 if a rental unit. (E) Elderly units restricted to persons and families whose  
322 income is equal to or less than eighty per cent of the median income shall  
323 be awarded one-half point. (F) A set-aside development containing  
324 family units [which] that are rental units shall be awarded additional  
325 points equal to twenty-two per cent of the total points awarded to such  
326 development, provided the application for such development was filed  
327 with the commission prior to July 6, 1995. (G) A mobile manufactured  
328 home in a resident-owned mobile manufactured home park shall be  
329 awarded points as follows: One and one-half points when occupied by  
330 persons and families with an income equal to or less than eighty per cent  
331 of the median income; two points when occupied by persons and  
332 families with an income equal to or less than sixty per cent of the median  
333 income; and one-fourth point for the remaining units. (H) Any unit that  
334 meets the definition of housing affordability provided in subsection (a)  
335 of this section shall be awarded one point.

336 (7) Points shall be awarded only for dwelling units which (A) were  
337 newly-constructed units in an affordable housing development, as that  
338 term was defined at the time of the affordable housing application, for  
339 which a certificate of occupancy was issued after July 1, 1990, (B) were  
340 newly subjected after July 1, 1990, to deeds containing covenants or  
341 restrictions which require that, for at least the duration required by  
342 subsection (a) of this section for set-aside developments on the date  
343 when such covenants or restrictions took effect, such dwelling units  
344 shall be sold or rented at, or below, prices which will preserve the units  
345 as affordable housing for persons or families whose income does not

346 exceed eighty per cent of the median income, [or] (C) are located in a  
 347 resident-owned mobile manufactured home park, or (D) meet the  
 348 definition of housing affordability units.

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

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

357 (10) The affordable housing appeals procedure shall be applicable to  
 358 affordable housing applications filed with a commission after a three-  
 359 year moratorium expires, except (A) as otherwise provided in  
 360 subsection (k) of this section, or (B) when sufficient unit-equivalent  
 361 points have been created within the municipality during one  
 362 moratorium to qualify for a subsequent moratorium.

363 (11) The commissioner shall, within available appropriations, adopt  
 364 regulations in accordance with chapter 54 to carry out the purposes of  
 365 this subsection. Such regulations shall specify the procedure to be  
 366 followed by a municipality to obtain a moratorium, and shall include  
 367 the manner in which a municipality is to document the units to be  
 368 counted toward a moratorium. A municipality may apply for a  
 369 moratorium in accordance with the provisions of this subsection prior  
 370 to, as well as after, such regulations are adopted."

This act shall take effect as follows and shall amend the following sections:		
Sec. 41	January 1, 2026	8-30g(a) to (l)