



General Assembly

Substitute Bill No. 6890

January Session, 2023



AN ACT CONCERNING QUALIFYING TRANSIT-ORIENTED COMMUNITIES.

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

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) For the purposes of this
2 section:

3 (1) "Qualifying transit-oriented community" means any municipality
4 that is a qualifying rapid transit community, qualifying bus transit
5 community, qualifying transit adjacent community or that is deemed a
6 qualifying transit-oriented community pursuant to subsection (i) of this
7 section;

8 (2) "Rapid transit station" means any public transportation station
9 serving rail or rapid bus routes;

10 (3) "Regular bus service station" means any public transportation
11 station serving a bus route that operates on a fixed schedule;

12 (4) "Qualifying rapid transit community" means any municipality
13 that has not less than one rapid transit station or a planned rapid transit
14 station, contained within a transit-oriented district adopted by such
15 municipality, provided such transit-oriented district is of reasonable
16 size and (A) includes land of such municipality located within a one-

17 half-mile radius of any such station, or (B) is located within a reasonable
18 distance, as determined by the coordinator, of any other transit service,
19 a commercial corridor or downtown area of such municipality;

20 (5) "Qualifying bus transit community" means any municipality that
21 has not less than one regular bus service station that operates not less
22 than five days a week that is contained within a transit-oriented district
23 adopted by such municipality, provided such transit-oriented district is
24 of reasonable size and (A) includes land of such municipality located
25 within a one-half-mile radius of any such station, or (B) is located within
26 a reasonable distance, as determined by the coordinator, of any other
27 transit service, a commercial corridor or downtown area of such
28 municipality;

29 (6) "Qualifying transit adjacent community" means any municipality
30 without a transit station, but that borders a municipality that has not
31 less than one rapid transit station or regular bus service station, that
32 designates a transit-oriented district over or adjacent to a downtown
33 area;

34 (7) "Reasonable size" means a size determined by the coordinator to
35 be adequate to require greater density of development in an equitable
36 manner, as determined by the coordinator, considering the geographic
37 characteristics of any municipality that applies for discretionary
38 infrastructure funding pursuant to this section;

39 (8) "Transit-oriented district" means a collection of parcels of land in
40 a municipality designated by such municipality to adhere to zoning
41 criteria designed to encourage increased density of development,
42 including mixed-use development and concentration of discretionary
43 state investments;

44 (9) "Downtown area" means a central business district or other
45 commercial neighborhood area of a municipality that serves as a center
46 of socioeconomic interaction in the municipality, characterized by a
47 cohesive core of commercial and mixed-use buildings, often

48 interspersed with civic, religious and residential buildings and public
49 spaces, that are typically arranged along a main street and intersecting
50 side streets and served by public infrastructure;

51 (10) "Mixed-use" means developments for residential or commercial
52 use, including any single building developed for both residential and
53 commercial uses;

54 (11) "Coordinator" means the State Responsible Growth Coordinator
55 as established by section 2 of this act; and

56 (12) "Discretionary infrastructure funding" means any grant, loan or
57 other financial assistance program administered by the state under the
58 provisions of subsection (g) of section 32-763 of the general statutes,
59 section 4-66c, 4-66h or 32-765 of the general statutes or sections 8-13m to
60 8-13x, inclusive, of the general statutes or any grant, loan or financial
61 assistance program managed by the Secretary of the Office of Policy and
62 Management for the purpose of transit-oriented development as
63 defined in section 13b-79o of the general statutes.

64 (b) Any qualifying transit-oriented community shall be eligible for
65 discretionary infrastructure funding. To receive such funding, any such
66 community, or any municipality that is not a qualifying transit-oriented
67 community but has adopted a resolution pursuant to subsection (f) of
68 this section, shall submit an application for such funding to the
69 coordinator in a form developed by the coordinator. The coordinator
70 shall direct the state entity responsible for providing any discretionary
71 infrastructure funding to prioritize the provision of such funding to any
72 qualifying transit-oriented community pursuant to this section over the
73 provision of such funding to any municipality that is not a qualifying
74 transit-oriented community.

75 (c) Any transit-oriented district located in a qualifying rapid transit
76 district shall (1) allow a minimum net density of thirty homes per acre
77 in municipalities with a population exceeding sixty thousand or a
78 minimum net density of twenty homes per acre in municipalities with a

79 population of not more than sixty thousand, (2) include affordability
80 requirements in compliance with subsection (h) of this section, and (3)
81 not include excessive lot size or excessive parking requirements, as
82 determined by the coordinator.

83 (d) Any transit-oriented district located in a bus transit community
84 district shall (1) allow a minimum net density of twenty homes per acre
85 in municipalities with a population exceeding twenty-five thousand or
86 a minimum net density of fifteen homes per acre in municipalities with
87 a population of not more than twenty-five thousand, (2) include
88 affordability requirements in compliance with subsection (h) of this
89 section, and (3) not include excessive lot size or excessive parking
90 requirements, as determined by the coordinator.

91 (e) Any transit-oriented district located in a qualifying transit
92 adjacent community shall (1) allow a minimum net density of ten homes
93 per acre, (2) include affordability requirements in compliance with
94 subsection (h) of this section, and (3) not include excessive lot size or
95 excessive parking requirements, as determined by the coordinator.

96 (f) Any municipality that is not a qualifying transit-oriented
97 community may be eligible for discretionary infrastructure funding
98 pursuant to this section, if the municipality, acting through the zoning
99 commission of such municipality, adopts a resolution stating that such
100 commission intends to enact zoning regulations that enable the
101 municipality to qualify as a qualifying transit-oriented community.
102 Such commission shall enact such zoning regulations not more than
103 eighteen months after the adoption of such a resolution. If such
104 commission does not enact such regulations within eighteen months
105 after the adoption of such resolution, unless the coordinator grants an
106 extension to such commission in the coordinator's discretion, the
107 municipality shall return any discretionary infrastructure funding
108 received following the adoption of such resolution, and such
109 municipality shall not be eligible for discretionary infrastructure
110 funding until the zoning commission of such municipality enacts zoning
111 regulations that enable the municipality to qualify as a qualifying

112 transit-oriented community.

113 (g) In determining whether a transit-oriented district is of reasonable
114 size, the coordinator shall (1) consider municipal and regional housing
115 needs; (2) consider whether such district allows for a greater density of
116 development than the minimum densities required by this section; and
117 (3) not require the inclusion of the following lands in any such district:
118 (A) Special flood hazard areas, as defined by the Federal Emergency
119 Management Agency, (B) wetlands, as defined in section 22a-29 of the
120 general statutes, (C) land designated for use as a public park, (D) land
121 subject to conservation or preservation restrictions, as defined in section
122 47-42a of the general statutes, (E) coastal resources protected by the
123 Coastal Management Act, (F) areas necessary for the protection of
124 drinking water supplies, and (G) areas identified as likely to be
125 inundated during a thirty-year flood event by the Marine Sciences
126 Division of The University of Connecticut pursuant to the division's
127 responsibilities to conduct sea level change scenarios pursuant to
128 subsection (b) of section 25-68o of the general statutes.

129 (h) Each qualifying transit-oriented community shall require that any
130 proposed development that contains ten or more dwelling units be
131 subject to deed restriction requiring that, for not less than forty years
132 after the initial occupation of the proposed development, a percentage
133 of dwelling units shall be sold or rented at, or below, prices which will
134 preserve the units as housing for which persons and families pay thirty
135 per cent or less of their annual income, where such income is less than
136 or equal to eighty per cent of the area median income, provided the
137 percentage of such deed-restricted dwelling units shall apply to any
138 development described in subdivision (1) of this subsection regardless
139 of the number of total dwelling units in such development. The
140 percentage of deed-restricted dwelling units required under this
141 subsection shall be determined based upon sales market typologies as
142 described in the most recent Connecticut Housing Finance Authority
143 Housing Needs Assessment:

144 (1) Twenty per cent for any municipality designated High

145 Opportunity/Strong Market;

146 (2) Eighteen per cent for any municipality designated High
147 Opportunity/Weak Market;

148 (3) Twelve per cent for any municipality designated Low
149 Opportunity/Strong Market;

150 (4) Five per cent for any municipality designated Low
151 Opportunity/Weak Market; and

152 (5) Zero per cent for any municipality designated Low Development
153 Activity.

154 (i) The coordinator shall determine if a municipality is in compliance
155 with the provisions of this section. The coordinator may consult with
156 the Commissioner of Housing to determine such compliance. Any
157 municipality that is not a qualifying rapid transit community, qualifying
158 bus transit community or qualifying transit adjacent community may be
159 deemed a qualifying transit-oriented community if the coordinator
160 determines that such municipality has adopted a transit-oriented
161 district that contains any rapid transit station or regular bus service
162 station and is of a reasonable size on or before October 1, 2023.

163 (j) Each qualifying transit-oriented community shall be eligible for
164 additional funding administered by the coordinator if such community
165 implements specific additional bonus zoning criteria as may be
166 determined by the coordinator, including higher density development
167 levels than are required by subsections (c) to (e), inclusive, of this
168 section, greater affordability of housing units than is required by
169 subsection (h) of this section, the development of public land or public
170 housing, the implementation of programs to encourage homeownership
171 opportunities within such community and any additional criteria
172 determined by the coordinator.

173 Sec. 2. (NEW) (*Effective October 1, 2023*) (a) There shall be an Office of
174 Responsible Growth within the Intergovernmental Policy Division of

175 the Office of Policy and Management.

176 (b) The Office of Responsible Growth shall be responsible for the
177 following:

178 (1) Preparing the state plan of conservation and development
179 pursuant to chapters 297 and 297a of the general statutes;

180 (2) Reviewing state agency plans, projects and bonding requests for
181 consistency with the state plan of conservation and development;

182 (3) Coordinating the administration of the Connecticut
183 Environmental Policy Act, as set forth in sections 22a-1 to 22a-1h,
184 inclusive, of the general statutes;

185 (4) Facilitating interagency coordination in matters involving land
186 and water resources and infrastructure improvements;

187 (5) Providing staff support to the Connecticut Water Planning
188 Council;

189 (6) Coordinating the neighborhood revitalization zone program, as
190 provided in sections 7-600 to 7-602, inclusive, of the general statutes;

191 (7) Assisting the Chief Data Officer of the state with oversight of state-
192 wide geographic information system data and resources, and
193 participating in the geographic information system user-to-user
194 network to develop geographic information system data standards and
195 initiatives;

196 (8) Providing staff support to the Advisory Commission on
197 Intergovernmental Relations;

198 (9) Serving as the state liaison to the state's regional councils of
199 governments;

200 (10) Developing guidelines for transit-oriented districts,
201 collaborating with municipalities regarding the implementation of such

