

Date: April 29, 2026

To: Liz Burdick, Director of Land Use, Town of Ledyard
Planning & Zoning Subcommittee members, Town of Ledyard

From: Kristin Clarke, Consultant

Subject: Required and Suggested Revisions to align Town of Ledyard Zoning Regulations with PA 25-01

In preparation for our meeting, I am providing you with a bulleted list of required and suggested revisions that will bring the Town of Ledyard's Zoning Regulations into alignment with the November Special Session House Bill 8002/Public Act 25-01 "An Act Concerning Housing Growth" (PA 25-01). I look forward to discussing these revisions with the subcommittee so that we can work together to finalize language to adopt by July 1, 2026.

Definitions (Suggested to adopt by July 1, 2026)

The Subcommittee should consider adding the following definitions to *Chapter 2: Definitions* of the Zoning Regulations. All definitions listed below are taken from PA 25-01. The Subcommittee should also consider adding a boxed section describing Affordable Housing similar to the boxed Agriculture section in the current regulations. See pages 8 and 9 of this memo for Affordable Housing definitions to consider.

- **Summary review** means able to be approved in accordance with the terms of a zoning regulation or regulations, including, but not limited to, requirements concerning setbacks, lot size and building frontage, applicable to a proposed development, and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with applicable zoning regulations and that public health and safety will not be substantially impacted,
Note: Use tables should be updated to reflect Summary Review (SPL/SR) for certain uses. Additional language may be needed for ZBA section
- **Transit community middle housing development** means a residential building containing not less than two dwelling units but not more than nine such units, including, but not limited to, townhouses duplexes, triplexes, perfect sixes and cottage clusters
Note: The Subcommittee may want to consider adding definitions/explanations for "perfect six" and "cottage cluster."
- **Developable land** means land, including any land owned by the state or a political subdivision of the state, including a municipality, that, as of January 1, 2026, can be

feasibly developed or redeveloped into a residential development or a mixed-use development, as defined in section 8-13m of the general statutes, provided the feasibility of such development or redevelopment is based on commercially reasonable assumptions. "Developable land" does not include:

- (A) Land already committed to a public use or purpose, whether publicly or privately owned;
- (B) open space, parks and recreation areas that are dedicated to the public or subject to a recorded conservation easement;
- (C) land that is subject to an enforceable restriction on or prohibition of development, provided any such restriction or prohibition is not imposed by any zoning regulations or ordinance adopted by a municipality;
- (D) wetlands or watercourses, as defined in chapter 440 of the general 595 statutes; and
- (E) areas of one-half or more acres of contiguous land that are unsuitable for development due to topographic features, such as steep slopes;

Note: I will request clarification from SECOG whether privately held land is or is not included in "developable land." The way the definition reads, it sounds like "only" municipal or state lands are included.

- **Priority housing development zone** means a zone adopted by a zoning commission pursuant to this section and sections 9 and 10 of this act as an overlay to one or more existing zones in an eligible location;
- **Middle Housing** means duplexes, triplexes, quadplexes, townhouses, and cottage clusters
- **Multifamily housing** means a building that contains or will contain three or more residential dwelling units;
- **Greyfield:** defined as a previously developed commercial retail or office property that is economically nonviable, underutilized, or obsolete, often featuring large, outdated asphalt areas. Greyfield's generally lack significant environmental contamination but suffer from disinvestment, such as vacant malls or struggling strip centers (Source: Partnership from Strong Communities)

Required Zoning Regulation Text Changes (Due by July 1, 2026)

Per PA 25-01, municipalities must update zoning regulations to address the following:

HB Sections 16, 17, & 41: Summary Review (as-of-right) of Certain Housing Developments

Note: This required regulation change will affect Chapter 6: Non-Residential Zoning District Regulations.

- Zoning regulations adopted or amended pursuant to section 8-2, as amended by this act,
 - shall allow for the development of a *transit community middle housing development*, as defined in section 11 of this act, or a *mixed-use development*, on any lot that is zoned for commercial or mixed-use development, subject only to *summary review*, as defined in section 8-2r, as amended by this act, and
 - may allow for the development of a transit community middle housing development on any lot that allows for residential use subject only to such summary review.
- Allows ¼ credit toward housing affordable threshold for each middle housing unit allowed in a transit community.
- Once a municipality experiences an award of ‘credit’ moratorium, adopted a transit community middle development a town cannot repeal or substantially modify a middle housing development.

HB Section 18: Various Zoning Changes Required

Subsection (d) of section 8-2 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2026*). Zoning regulations shall not:

- **Manufactured Homes**
Impose conditions substantially different from conditions and requirements imposed on
 - (A) single-family dwellings;
 - (B) lots containing single-family dwellings; or
 - (C) multifamily dwellings, lots containing multifamily dwellings, cluster developments or planned unit developments;

Note: On initial review, it appears that Ledyard’s Zoning Regulations meet this new requirement. The subcommittee may want to add language regarding tiny homes and modular homes to the regulations.
- **Minimum Floor Area**
Establish for any dwelling unit a minimum floor area that is greater than the minimum floor area set forth in the applicable building, housing or other code;
- **Maximum Number of Units in Municipality**
Place a fixed numerical or percentage cap on the number of dwelling units that constitute multifamily housing over four units, middle housing or mixed-use development that may be permitted in the municipality;
- **Minimum Parking for Residential Developments**

Require a minimum number of off-street motor vehicle parking spaces for any residential development except as provided in section 19 of this act; or
Note: Ledyard has already updated the zoning regulations to align with required changes to parking per PA 25-01.

- **Design Regulations**

Be applied to deny any land use application, including for any site plan approval, special permit, special exception or other zoning approval, on the basis of

- a district's character, unless such character is expressly articulated in such regulations by clear and explicit physical standards for site work and structures, or
- the immutable characteristics, source of income or income level of any applicant or end user, other than age or disability whenever age-restricted or disability-restricted housing may be permitted.

Note: The Town of Salem is considering adding design requirements to its Zoning Regulations for commercial and multi-family zoning districts. A preliminary presentation from the Town's Planner (Tyche) is attached for review.

HB Section 19 & 53 Minimum Parking Requirements

Note: The Town completed this update to the regulations earlier in 2026. The description below is included for informational purposes.

- Applications cannot be denied based upon parking.
- Regulations may require minimum parking for developments of more than 16 units¹ and subject to a parking needs assessment, paid for by the applicant, that addresses:
 - (1) available existing public and private parking that may be used by residents of the proposed development,
 - (2) public transportation options that may be used by residents of the proposed development that mitigate the need for off-street parking,
 - (3) projected future needs for off-street parking for such proposed development, and
 - (4) any relevant local traffic, parking or safety study.

Conditions may be imposed not exceeding;

1. One space per studio, one bedroom; two spaces for two or more bedrooms or
 2. as developed by a parking needs assessment be paid for by the applicant.
- Requirements of the assessment are identified in the statute.

Required Changes with Multi-Year Timelines

In addition to the text changes outlined above, PA 25-01 requires several housing related policy changes with longer timelines for adoption. They are explained below.

- **HB Sections 4-6, 41 & 51-53: Housing Growth Planning: Formerly ‘Affordable Housing Plan’ **Deadline: June 1, 2028****

Replaces the prior affordable housing plan requirements

Purpose: Creates new framework for a municipality to establish their own affordable housing plan OR opt into a regional COG made plan.

- Ledyard and SECOG must have a plan adopted by June 1, 2028
- Must be updated every five years.
- State to provide fair share housing allocation to each town by December 2026
- Plan to address location of housing based upon suitability and subject to summary review.

- **HB Section 35: Municipalities that must have a Fair Rent Commission **Deadline: January 1, 2028****

Fair rent commission and ordinance REQUIRED for municipality greater than 15,000 by January 1, 2028; accomplished by;

- establishing a local commission;
- opts into a joint commission (with another town);
- or opts into regional fair rent commission (must be established by COG)

Optional Tools

There are also several optional tools that Ledyard may want to consider adopting. These also have longer timelines for adoption, in part because some require information from State agencies and SECOG.

HB Section 21: Fees in Lieu of Parking (Effective January 1, 2026)

- New Section 8-2c
- Allows for payment of fee in lieu of parking for residential or mixed use development with 16 or more units when commission finds that providing such parking would be in excess or cannot be accommodated on the parcel of land.
- The regulations shall set forth the formula.
- Outlines how the regulation may be structured/applied in town.
- States how funds can be used, appropriated and managed; acquisition, development, expansion or capital repair of municipal buildings, and other items

HB Sections 8-10 and 41: Priority Development Housing Zones (PHDZ)

Purpose: Creates an overlay “housing growth zones” mechanism to promote as of right housing. **Allows for the possibility to obtain moratorium of 8-30g without building units.**

"Approved priority housing development zone" means a priority housing development zone for which a final letter of eligibility has been issued by the Commissioner of Housing pursuant to section 10 of this act;

- Subject to commissioner review and approval;
- Multi-family is as of right
- Minimum density is four units 1088 per acre for single-family detached housing; (B) six units per acre for duplex or townhouse housing; and (C) ten units per acre for multifamily 1090 housing.
- The minimum densities above are subject to site plan and subdivision review, cannot be subject to special permit or exception.
- Can create subzones
- A priority housing development zone **shall be not less than ten per cent of the total developable land within a municipality**
- Commission may waive, modify or eliminate dimension standards when the overlay is applied
- Allows mixed use within subzones; or separate uses in subzone
- May overlay a historic district; and an historic district may overlay a PHDZ (see text for caveats)

HB Section 12: Housing Growth Zones

Amends 'housing growth zone' to include any transit-oriented district established by HB Section 11 (discussed below).

HB Sections 11, 13 & 22: Zoning for Transit Oriented Development (Eff 1/1/26)

Provides funding opportunities. Any qualifying transit-oriented community shall be eligible to apply for funding from the housing growth program established pursuant to Section 15 of this act (see below).

- Process to establish district is defined; state approval required
- **Housing is as of right** with density based upon a sliding scale and property ownership (town owned)
- **Conversions** required to be as of right of any residential or commercial development into any development type defined in this subsection.
- **Deed restriction** (percent) required based upon sliding scale

Note: This tool may be appropriate for funding and Ledyard may qualify as a "transit adjacent community". I am working with SECOG to find out whether this is the case.

HB Section 15: Establishes a Housing Growth Program (by OPM)

Requires eligibility per housing zones and TOD zones.

Must be established by July 1, 2028 (by OPM) provide grants-in-aid to assist municipalities in paying costs related to the construction, improvement or expansion of public infrastructure, including, but not limited to, water lines, sewer lines, roads, bicycle and pedestrian infrastructure and transit infrastructure associated with the development of new dwelling units, as defined in section 47a-1 of the general statutes.

HB Section 27: Middle Housing Grant Programs

Funding source by compliance required to be eligible.

Establishes a grant program for housing authorities of communities less than 50,000 for assistance in land or building acquisition, predevelopment, construction and rehab of middle housing development.

HB Section 49 – DECD Greyfield Revitalization Program

Funding source by compliance required to be eligible. [Public Act 25-164](#)

This act, signed by the governor on July 8, 2025 **promotes** conversion of commercial buildings to residential by incentivizing through the eligibility of the DECD Greyfield funds. This act does NOT REQUIRE conversion. The incentive for a municipality to adopt this conversation is the eligibility to receive priority funding under the Greyfield revitalization program [PA 25-174](#).

(g): A municipality that adopts or has adopted zoning regulations pursuant to section 8-2 of the general statutes, as amended by this act, that allow for the conversion or partial conversion of any commercial building into a residential development pursuant to this section shall be given priority funding by the Commissioner of Economic and Community Development under the Greyfield revitalization program established pursuant to section 112 of public act 25-174.

Affordable Housing Definitions to Consider (source: PA 25-01)

Sec. 4. (NEW) (Effective January 1, 2026) As used in this section and sections 5 and 6 of this act:

(1) "**Municipal housing growth plan**" means a plan for the adoption of housing growth policies and the development of dwelling units in a municipality prepared and submitted by a municipality pursuant to section 5 of this act;

(2) "**Regional housing growth plan**" means a plan developed and adopted by a regional council of governments in coordination with the municipalities in the planning region of the council that (A) provides for the adoption of housing growth policies and the development of dwelling units in each municipality in the planning region, and (B) is prepared and submitted to the Secretary of the Office of Policy and Management pursuant to section 6 of this act;

(3) "**Affordable housing goal**" has the same meaning as provided in section 7 of this act;

(4) "**Affordable housing unit**" means a dwelling unit that is subject to a covenant or restriction contained in an instrument filed on the land records of the municipality in which such unit is located, provided such covenant or restriction requires such dwelling unit to be sold or rented at, or below, a price that will preserve the unit, for at least forty years after the initial occupation of the unit, as housing for which persons and families pay thirty per cent or less of their annual income where such person or family is considered a low-income household, very lowincome household or extremely low-income household;

(5) "**Developable land**" means land, including any land owned by the state or a political subdivision of the state, including a municipality, that, as of January 1, 2026, can be feasibly developed or redeveloped into a residential development or a mixed-use development, as defined in section 8-13m of the general statutes, provided the feasibility of such development or redevelopment is based on commercially reasonable assumptions. "Developable land" does not include: (A) Land already committed to a public use or purpose, whether publicly or privately owned; (B) open space, parks and recreation areas that are dedicated to the public or subject to a recorded conservation easement; (C) land that is subject to an enforceable restriction on or prohibition of development, provided any such restriction or prohibition is not imposed by any zoning regulations or ordinance adopted by a municipality; (D) wetlands or watercourses, as defined in chapter 440 of the general statutes; and (E) areas of one-half or more acres of contiguous land that are unsuitable for development due to topographic features, such as steep slopes;

(6) "**Dwelling unit**" has the same meaning as provided in section 47a1 of the general statutes;

"**Extremely low-income household**" means a person or family with an annual income less than or equal to thirty per cent of the median income;

"**Very low-income household**" means a person or family with an annual income less than or equal to fifty per cent of the median income;

"**Low-income household**" means a person or family with an annual income less than or equal to eighty per cent of the median income;

"**Median income**" means, after adjustments for family size, the lesser of the state median income or the area median income for the area in which the municipality containing the affordable housing development is located, as determined by the United States Department of Housing and Urban Development

(11) "**Housing growth program**" means the program established pursuant to section 15 of this act;

(12) "**Housing growth policies**" means (A) policies, practices, ordinances and regulations proposed or adopted by a municipality or regional council of governments that are designed to reduce or remove regulatory constraints on the construction, rehabilitation, repair or maintenance of affordable housing units, including, but not limited to, zoning regulation amendments, fee waivers, tax fixing agreements, tax abatements and expedited housing development project approval processes, or (B) municipal or regional actions intended to promote the development of affordable housing units, including, but not limited to, (i) seeking funding for the development of affordable housing units or sewer infrastructure, (ii) donating municipal land for such development, and (iii) entering into agreements with developers for developments that include affordable housing units;