



Town of Montville, Connecticut

Department of Land Use & Development

Planning & Zoning
Inland Wetlands & Watercourses
Economic & Community Development

---DRAFT---

HB 8002 Overview

December 5, 2025

The following provides a brief synopsis of House Bill 8002. The text is summarized and some clauses purposely omitted for brevity, and therefore the full legal context is not present.

Definitions related to below:

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,

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

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;

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;

Multifamily housing means a building that contains or will contain three or more residential dwelling units;

----- Due by July 1, 2026: Regulations must address the following:

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

- 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.

2. 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:

Child Care:

- (1) Prohibit the operation in a residential zone of any family child care home or group child care home located in a residence, or require any special zoning permit or special zoning exception for such operation;

Recycling

- (2) (A) Prohibit the use of receptacles for the storage of items designated for recycling in accordance or require that such receptacles comply with provisions for bulk or lot area, or similar provisions, except provisions for side yards, rear yards and front yards; or
(B) unreasonably restrict access to or the size of such receptacles for businesses, given the nature of the business and the volume of items designated for recycling

Manufactured Homes

- (3) 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;

Non Conformities

- (4) (A) Prohibit the continuance of any nonconforming use, building or structure existing at the time of the adoption of such regulations;
- (B) require a special permit or special exception for any such continuance;
- (C) provide for the termination of any nonconforming use solely as a result of nonuse for a specified period of time without regard to the intent of the property owner to maintain that use; or
- (D) terminate or deem abandoned a nonconforming use, building or structure unless the property owner of such use, building or structure voluntarily discontinues such use, building or structure and such discontinuance is accompanied by an intent to not reestablish such use, building or structure. The demolition or deconstruction of a nonconforming use, building or structure shall not by itself be evidence of such property owner's intent to not reestablish such use, building or structure;

Temporary Health Care Structures

- (5) Prohibit the installation of temporary health care structures for use by mentally or physically impaired persons unless the municipality opts out in accordance with the provisions of subsection (j) of section 8-1bb;

Cottage food Operations

- (6) Prohibit the operation in a residential zone of any cottage food operation, as defined in section 21a-62b;

Minimum Floor Area

- (7) 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

- (8) 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

- (9) 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

Design Regulations

- (10) 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) 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
- (B) 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.

3. HB Section 19 & 53 Minimum Parking Requirements

- 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

----- Due By June 1, 2028 -----

4. **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.

- Montville 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**².

5. **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;

¹ Section 19 offers provisions to adopt not more than two conservation and traffic mitigation districts in which the municipality may require a minimum number of off-street motor vehicle parking spaces for a residential development that contains fewer than sixteen dwelling units.

² Seems to imply that if the town identifies locations of housing subject to summary review, other locations of housing can be subject to special permit.

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

----- **Optional Tools** -----

6. **HB Section 21: Fees in Lieu of Parking**

Optional Tool

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

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

Optional Tool: Allows for the possibility to obtain moratorium of 8-30g without building units.

Purpose: Creates an overlay "housing growth zones" mechanism to promote as of right housing.

"**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)

8. **HB Section 12: Housing Growth Zones**

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

9. **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 item 10 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

Further reading is necessary to determine process, restrictions etc. on establishing a transit oriented district.

This tool may be appropriate for funding and we appear to qualify because Montville has at least "one regular bus service station operating not less than five days a week" and which could serve a transit-oriented district along Route 32.

"Regular bus service station" means any fixed location where a bus regularly stops, not less than once every sixty minutes during peak operating hours, for the loading or unloading of passengers along a defined route operating on a fixed schedule. Such stops exist at Montville Commons and Town Hall.

Montville (per Route 32 service) is a "Qualifying bus transit community" which is a municipality that contains not less than one regular bus service station operating not less than five days a week within a transit-oriented district adopted by such municipality, provided such transit-oriented district is of reasonable size, as determined by the secretary, or the secretary's designee, in accordance with the provisions of subsection (e) of this section, and either (A) includes land of such municipality located within a one-half mile radius of any such station, or (B) is located within a reasonable distance, as determined by the secretary, or the secretary's designee, of any other transit service, a commercial corridor or the downtown area 1198 of such municipality;

10. **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.

11. **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.

12. **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 conversion 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.