

SB 416 -- Redline

PD Joint Favorable to File No. 394 -- AN ACT CONCERNING THE CONVERSION OF COMMERCIAL REAL PROPERTY FOR RESIDENTIAL USE.

Deletions ~~struck~~ · Insertions underlined

Senate General Assembly ~~Raised~~File-Bill No.

~~416~~394 February Session, 2024 ~~LCQ~~Senate Bill No.

~~1461~~416 ~~Referred~~Senate, to April 10, 2024 The Committee on ~~PLANNING~~Planning ~~AND~~and ~~DEVELOPMENT~~Development ~~Introduced~~reported by through SEN.

~~(PD)RAHMAN AN of ACT the CONCERNING 4th THE Dist., CONVERSION Chairperson OF of COMMERCIAL the REAL Committee PROPERTY on FOR the RESIDENTIAL part USE, of the Senate, that the bill ought to pass.~~

AN ACT CONCERNING THE CONVERSION OF COMMERCIAL REAL PROPERTY FOR RESIDENTIAL USE.

and ~~LCQ~~SB416 1461/ 1~~File of 2~~ Bill No.

~~416~~394 ~~(5) 1 "Residential SB416 development" File means No. a structure or structures, or a portion of a structure, that contains one or more dwelling units.~~

394 (5) "Residential development" means a structure or structures, or a portion of a structure, that contains one or more dwelling units.

Section 1 October 1, 2024 New section PD Joint Favorable ~~LCQ~~SB416 1461/ 2~~File of No. -2~~

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394 The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose.

In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge.

Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note State Impact:

None Municipal Impact:

See Below Explanation The bill requires municipalities that exercise their zoning powers under the statutes to allow developers to convert commercial buildings into residential developments as of right. This may result in a grand list increase or decrease.

Any impact to municipalities is dependent on how these buildings are valued before and after a conversion from commercial to residential.

The Out Years State Impact:

None Municipal Impact:

None SB416 / File No.

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394 OLR Bill Analysis SB 416 AN ACT CONCERNING THE CONVERSION OF COMMERCIAL REAL PROPERTY FOR RESIDENTIAL USE.

SUMMARY This bill requires municipalities that exercise their zoning powers under state statute (rather than a special act) to allow developers to convert commercial buildings fully or partially into residential developments as of right (see BACKGROUND) under their zoning regulations.

It prohibits municipalities from requiring the developer to correct any nonconforming use, structure, or lot (see BACKGROUND).

However, the bill does not exempt converted buildings from any applicable building, fire safety, or fire prevention codes.

Under the bill, the applicable zoning commission must decide on a conversion application within 65 days after receiving it.

The applicant may consent to one or more extensions of up to 65 days, or may withdraw its application.

Under the bill, commercial buildings are buildings that are primarily designed or used for nonresidential purposes (e.g., hotels, retail space, and offices), but do not include industrial buildings (e.g., warehouses, factories, storage facilities, or other buildings that generally exclude the public).

EFFECTIVE DATE:

October 1, 2024 BACKGROUND As-of-Right Development Bylaw, an as-of-right approval means the municipality must approve a proposal if it complies with normal zoning regulations.

It cannot SB416 / File No.

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394 require(1)apublichearing,(2)aspecialpermitorexception (seebelow), or (3) any other discretionary zoning action, other than a determination a site plan conforms with applicable zoning regulations.

Special Permit or Exception "Special permit" and "special exemption" are synonymous and the designated land use agency may grant one under the Zoning Enabling Act (CGS Sec. 8-2) or special act, as applicable.

They allow people to use a property in a way explicitly allowed by the zoning regulations but subject to conditions not applicable to other uses in the same district.

Nonconforming Use and Lots A nonconforming use is a property use that was lawful at the time a zoning restriction prohibiting or limiting the use is adopted.

(The term may also be used to refer to lots and structures that do not comply with zoning regulations.)

For example, if a municipality adopts zoning regulations that permit only dwellings and schools in a particular zone, a restaurant that already operates in that zone would become a nonconforming use.

By law, regulations cannot prohibit the continuance of any nonconforming use, building, or structure existing at the time of the adoption of the regulations (CGS Sec. 8-2(a)).

COMMITTEE ACTION Planning and Development Committee Joint Favorable Yea 13 May 8 (03/22/2024) SB416 / File No.

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