



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE KIM FAWCETT

ASSISTANT MAJORITY LEADER
ONE HUNDRED THIRTY-THIRD ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING
ROOM 4033
HARTFORD, CT 06106-1591

CAPITOL: 860-240-8585
TOLL FREE: 1-800-842-8267
FAX: 860-240-0206
E-MAIL: Kim.Fawcett@cga.ct.gov

VICE CHAIRMAN

SELECT COMMITTEE ON CHILDREN

MEMBER

FINANCE, REVENUE & BONDING COMMITTEE
ENERGY AND TECHNOLOGY COMMITTEE

Testimony before the Planning and Development Committee
HB 5511, An Act Granting A Moratorium From The Affordable Housing Land Use
Appeal Process Upon Completion Of An Incentive Housing Development.
March 14, 2014

Good afternoon Representative Rojas, Senator Osten and members of the Planning and Development Committee. My name is Representative Kim Fawcett and I currently represent Fairfield's 133rd Assembly District. I am before you today to testify on HB 5511, *An Act Granting A Moratorium From The Affordable Housing Land Use Appeal Process Upon Completion Of An Incentive Housing Development*. While I am in favor of the concept, I would like to share some history and information that brought about the bill proposal this year.

In 2013 I had the opportunity to Chair an Affordable Housing Working Group. Our group brought together housing advocates, developers, and legislators from both parties and both chambers. Our original conversation was focused on finding a way to better align the state plan of conservation and development (championed by this committee just a few years ago) with current state affordable housing legislation (that was drafted almost 25 years ago). The two policy initiatives are actually working in conflict across the state.

The State Plan prioritizes density as Transit Oriented Development, essentially setting a goal to see Connecticut better protect its green space by retargeting our development energy into transit corridors. Meanwhile, the dated Affordable Housing statute encourages density anywhere in an effort to grow the states affordable housing stock. While this was a laudable achievement and goal many years ago, implementation of this dated policy is now working in direct conflict with the more modern State Plan of Conservation and Development.

HB 5511's aim is to synchronize the two policies so that we can achieve both policy goals of increased affordable housing stock and an emphasis on transit oriented development while protecting rural green space from development. The goal of our working group became finding a way to produce more units

of affordable housing across the state, by strengthening and fine-tuning the current affordable housing statute but doing it in a way that better aligns with the State Plan of Conservation and Development goals.

Our working group came to one realization and agreement very quickly and unanimously: the key to increasing the affordable housing stock while creating density near transit districts is found in the voluntary municipal creation of Incentive Housing Zones and through utilization of the already growing Home Connecticut Plan.

Incentive Housing Zones are defined in state statute by density, affordability and location but are freely created by a municipal Planning and Zoning Commission. The Home Connecticut Plan, if fully funded and un-capped, provides incentive money and grants to assist towns in the creation of these zones. The Incentive Housing Zones assure that both goals area achieved simultaneously.

Our group's conversation focused mostly on how we could better leverage the Home Connecticut Plan already in place and incentivize more towns to create the special zones and actually develop new, denser housing stock with in the zones.

First and foremost, and inadvertently left out of the HB5511 draft raised before you today, is the need to un-cap and fully fund the grants that the Home Connecticut Plan can use to incentivize a town into creating a special density zone, known in state statute as an Incentive Housing Zone (IHZ).

Second we explored, and did not all always agree on, ways to incentivize our towns that would not be solely reliant on state budget funding. This will guarantee that in times of budget shortfalls or cut backs, the state will continue to make progress on developing affordable housing stock. While several options were discussed, the one presented to you in HB 5511 reflects some recent dialogue. Again, as a starting point that needs continued conversation.

We are proposing that towns that 1)successfully create IHZ's, 2) successfully develop within those zones and 3) create a minimum number of affordable units be able to receive a temporary exemption from affordable housing applications outside the zone. This would place incredible power into the hands of local planning and zoning boards and allow them to more directly target the development of density (and affordability) within their municipality. The temporary exemption works as a powerful motivator for several reasons.

- 1) It puts in place an actionable incentive for towns that are struggling with the consequences of and perceived randomness of affordable housing applications, in communities that are not zoned for density.
- 2) Empowers the town to help prevent developers from misusing the current affordable housing law to undermine and manipulate local planning and zoning boards.
- 3) Will align the State Plan of Conservation and Development and long-term affordable housing goals.

I would urge that the randomness of "16" units is a good starting point but may not be the best approach to achieve this goal since each town has different sizes, populations, needs etc. A better

alternative would be found in language that grants these waivers to each community but also allows the state Department of Housing to determine how many units within the zone would trigger the two-year exemption period. This would allow the state housing professionals and the Home Connecticut Plan advocates to work with each community to customize their zones and affordability goals. It would better guarantee that more density occurs in regions where it is most needed.

I would welcome your questions and also the opportunity to work to redraft this bill so we can finally address a major development shortfall in Connecticut. Thank you