



*Making Great Communities Happen*

## **Connecticut Chapter of the American Planning Association**

### **Testimony regarding HB 5273 AN ACT CONCERNING AS OF RIGHT MULTIFAMILY HOUSING ZONES**

CCAPA supports the intention behind HB 5273 to expand the availability of housing near transit but asks for a more effective process to meet those goals. Our research suggest that Connecticut will need an additional 70,000 units of housing by 2025. Building that housing adjacent to quality transit in walkable, mixed-use neighborhoods is the ideal approach for Connecticut to pursue for economic, social, and environmental benefits.

We are concerned that a strict mandate for as of-right multifamily housing near any fixed-route transit station would be ineffective and potentially discourage municipalities from developing transit in their communities. Our first concern is that a zoning mandate would be ineffective: whether or not a development product such as multifamily housing can be reasonably expected to be built in a location requires an evaluation of multiple regulations and conditions, including those regulated by zoning and wetlands commissions (use, density, lot coverage, building height, open space requirement, parking requirements, buffers around natural resources), permit and building fees, availability and cost of public infrastructure such as roadways and sewers. The Regional Plan Association's 2013 review of land use policies around each of the Metro North commuter rail stations found that half of station areas were zoned for higher-density development, but that parking requirements were calibrated to transit-oriented development in only eight of the 42 neighborhoods, reducing the likelihood of true, walkable transit-oriented development (TOD) from being built in the majority of neighborhoods zoned for TOD.

Passage of this bill would layer an additional regulatory requirement on to the existing system without providing any additional resources for implementation or enforcement. In lieu of a multifamily housing mandate, we would like to request support for implementation of the Affordable Housing Plan requirement enacted by statute in 2017 and greater State review of existing requirements to plan and zone for housing under CGS §8-2 and CGS §8-23. Public Act 17-170 requires that every municipality adopt an Affordable Housing Plan at least every five years, that "shall specify how the municipality intends to increase the number of affordable housing developments in the municipality." CGS §8-23

requires municipalities to adopt Plans of Conservation and Development every ten years that shall “identify areas where it is feasible and prudent to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and to promote such development patterns and land reuse,” among other requirements. CGS §8-2 requires local zoning to “encourage the development of housing opportunities, including opportunities for multifamily dwellings,” and to “promote housing choice and economic diversity.” Municipal compliance with these requirements is currently reviewed by state agencies only superficially or not at all.

A supportive regulatory environment for multifamily near transit must start with a Plan of Conservation and Development that sets forth development goals embraced by the community, and identifies realistic strategies for achieving them. Zoning regulations must then be calibrated to achieve those development goals with consideration of market forces and environmental constraints. The recent requirement for an Affordable Housing Plan could be an opportunity for municipalities to be guided through a public planning process that develops realistic, market-driven strategies for housing production, as the Towns of Salisbury and Fairfield have done with their local housing plans, but there is currently no commitment from the State to even track the adoption of Affordable Housing Plans, let alone support their production with technical assistance.

Resources:

Regional Plan Association, June 2013. *Halfway There: How to Create Land Use Policy That Makes the Most of Connecticut’s Transit Network*.

<http://library.rpa.org/pdf/RPA-Halfway-There.pdf>

*Town of Salisbury Affordable Housing Plan*, May 2018.

[http://www.ccapa.org/wp-content/uploads/2018/06/2018\\_Salisbury\\_CT\\_Affordable\\_Housing\\_Plan.pdf](http://www.ccapa.org/wp-content/uploads/2018/06/2018_Salisbury_CT_Affordable_Housing_Plan.pdf)

Town of Fairfield, February 2013. *Diversifying Fairfield’s Housing Portfolio: Taking Control Of Our Future*.

[http://www.ccapa.org/wp-content/uploads/2018/06/FairfieldC\\_AHC\\_Final\\_Report\\_103114.pdf](http://www.ccapa.org/wp-content/uploads/2018/06/FairfieldC_AHC_Final_Report_103114.pdf)

## **WHO WE ARE**

The Connecticut Chapter of the American Planning Association (CCAPA) has over 420 members who are governmental and consulting planners, land use attorneys, citizen planners, and other professionals engaged in planning and managing land use, economic development, housing, transportation, and conservation for local, regional, and State governments, private businesses and other entities. CCAPA has long been committed to

assisting the legislature and State agencies with developing and furthering responsible growth management principles. The American Planning Association is an independent, not-for-profit, national educational organization that provides leadership in the development of vital communities.

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