



## TESTIMONY BEFORE THE PLANNING AND DEVELOPMENT COMMITTEE

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### TESTIMONY SUPPORTING

#### **H.B. 5132: AN ACT CONCERNING THE REORGANIZATION OF THE ZONING ENABLING ACT AND THE PROMOTION OF MUNICIPAL COMPLIANCE.**

Senator Cassano, Representative McCarthy Vahey, honorable ranking members and members of the committee, my name is Sean Ghio, and I am policy director at the Partnership for Strong Communities. We are a statewide nonprofit policy and advocacy organization dedicated to ending homelessness, expanding the creation of affordable housing, and building strong communities in Connecticut.

I respectfully request that the committee support H.B. 5132 with amendments. The proposed changes would promote the state's policy goal of encouraging all municipalities to plan for multi-family housing and housing affordable to low- and moderate-income families. Multi-family homes continue to be the best way for many Connecticut families to find homes that meet their budgets. This bill will:

- 1. Require municipalities comply with existing law's affordable housing plan requirement by January 1, 2022 and requires the convening of a working group to study municipal zoning and affordable housing planning requirements related to housing choice.**

CGS § 8-30j already requires that each municipality adopt an affordable housing plan at least once every five years. The plan must specify how the municipality intends to increase the supply of affordable housing in the municipality. As it stands, no guidelines are provided to municipalities on what to include in these plans and how to comply with the law. H.B. 5132 requires the convening of a working group of housing and municipal governing experts to study municipal zoning and affordable housing planning requirements related to housing choice, and provide recommendations concerning guidelines for municipal compliance.





## **2. Require municipalities to provide for the development of varied housing types, and to promote housing choice and economic diversity in housing.**

Multi-family homes have been zoned out of much of the state. Twenty-five municipalities do not permit multifamily housing at all while most of the remaining 134 towns permit it by special permit only with conditions and in locations that limit the likelihood that the housing could ever be built. There isn't one kind of housing that fits the needs of all Connecticut residents or our economy. More Connecticut households rent now than at any time in a generation. Renters now represent 35% of Connecticut households. In 2018, Connecticut ranked second-to-last of U.S. states in housing permit issuance rate. Connecticut has had a low rate of single-family housing creation for more than a decade. Meanwhile multi-family housing permits quickly recovered from the housing crisis. Until the housing collapse in 2008, single-family housing permits typically outpaced multi-family housing permits by a ratio of 3:1. Since 2009, the ratio of housing permits for single-family vs. multi-family housing is 1 for 1.

More Connecticut families are choosing to live in multi-family housing for a variety of reasons, but too many municipalities refuse to make room for these families. Fairfield County has led the state in housing permits over the last decade. However, more than 80% of the gain in housing units has been concentrated in only four municipalities: Stamford, Danbury, Norwalk, and Shelton. The nineteen remaining municipalities account for less than 20% of the growth in housing over that period. **The housing market has shifted to desire more variety in housing types – small-lot single-family homes, duplexes, small apartment buildings, and larger apartment buildings. The state is no longer providing the housing its existing and future residents need by zoning only for large lot single-detached homes.**

This mismatch between housing demand and housing types allowed by zoning has a direct impact on rental costs. Rent growth has far outpaced wage growth as more renters bid on the inadequate supply of rental homes. The hourly wage needed to rent a modest two-bedroom apartment in the Stamford area is now \$36.25 – 62% higher than the area's average renter wage of \$22.40. With a greater supply of rental housing, more residents who can't or don't want to own a single family home, will have options that allow them to stay in Connecticut – attracting and retaining residents and employees and furthering the state's economic growth.





Connecticut's inadequate housing supply has real consequences for our families, including longer commutes that keep us away from our families longer and generate more air pollution, higher rents that require us to spend more of our household budgets on housing rather than being spent on basic necessities like clothing, healthcare, or healthy food, and unnecessarily high home heating and cooling costs with resulting higher emissions because most of us live in buildings that are much older than the rest of the nation's housing.

H.B. 5132 requires zoning regulations to provide for, rather than encourage, a variety of housing development opportunities to meet local and regional needs. This includes opportunities for multi-family dwellings – the most likely means to grow the supply of housing for all incomes in Connecticut. To have the greatest impact on housing choice in communities across our state and to allow our state economy to grow, municipalities must permit the construction of a variety of housing types, including accessory dwelling units, duplexes, triplexes and apartment buildings.

### **3. Require municipalities to affirmatively further the purposes of the Federal Fair Housing Act.**

H.B. 5132 requires zoning regulations to affirmatively further the purposes of the federal Fair Housing Act. The federal Fair Housing Act prohibits discrimination on the basis of race, color, national origin, ancestry, religion, sex, familial status and disability. Connecticut is one of the most racially and economically segregated states in the country. Exclusionary zoning practices have fostered this segregation for decades, hurting our residents and communities.

### **4. Eliminate a requirement that regulations be made with reasonable consideration as to the “character” of a district.**

“Character of the community” should be removed as the term is undefined in CGS § 8-2 and can be used as the basis of discriminatory zoning decisions. This term is highly subjective and has been applied broadly to exclude affordable housing development. Statute should not contain a term that allows towns to reject affordable housing development without providing more support for its decisions. All reasonable aspects of “character” are fully covered by other sections of § 8-2, including considerations of historic preservation, environmental impact, density, scale, location, and the suitability of uses.





## **5. Reorganizes and makes technical changes to the Zoning Enabling Act.**

The Zoning Enabling Act, Connecticut General Statutes § 8-2, delegates land use authority to municipalities. The statute was enacted in 1959 and has been amended over 30 times since its passing. The result is a law that is confusing and difficult to interpret. The proposed changes would reorganize the statute to provide necessary clarity, making it more easily readable for land use commissions and the public.

### **Recommended Amendments**

We recommend removing the proposed language of Sec. 2 (a) (2) Lines 220 through 229 of H.B. 5132. This language describes a process to align submittal of a municipality's required plan of conservation and development under § 8-23 with the submittal of the required affordable housing plan. We feel this provision over complicates the language around the requirements to submit the affordable housing plan.

In Sec. 3 (3) (b) (3) of H.B. 5132, we recommend changing the deadline for a municipality to report on its compliance with § 8-30j to June 1, 2022 to align with the reporting deadline required in Sec. 3 (3) (b) (2).

We support the suggestion in testimony from the Northeastern Connecticut Council of Governments to amend Section 2 of H.B. 5132 to allow the option for towns to meet their housing plan obligation through participation in a regional housing plan.

Thank you for the opportunity to submit this testimony.

