

COMMUNITY AND ECONOMIC DEVELOPMENT CLINIC  
YALE LAW SCHOOL

**TO:** Hon. Chairman Cassano, Co-Chair  
Hon. Chairman McCarthy Vahey, Co-Chair  
Members of the Planning & Development Committee

**FROM:** Daniel Shackelford, Community & Economic Development Clinic

**DATE:** March 15, 2021

**RE:** H.B. 6107 SUPPORT  
H.B. 6611 SUPPORT  
H.B. 6613 SUPPORT  
S.B. 1026 SUPPORT WITH AMENDMENTS  
H.B. 6612 SUPPORT WITH AMENDMENTS

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Dear Chairman Cassano, Chairman McCarthy Vahey, and members of the Planning and Development Committee:

Thank you for the opportunity to testify today. My name is Daniel Shackelford and I am a member of Yale Law School's Community and Economic Development Clinic. Our clinic has worked closely with the Partnership of Strong Communities advocating for measures to increase Connecticut's housing supply and today I am here to urge you to support housing diversity in Connecticut.

The research that my colleagues and I have done with the Partnership for Strong Communities shows that there is a dire need to make housing more affordable in Connecticut. Distressingly, more than 200,000 Connecticut households spend more than half of their income on housing costs, and in 2018, Connecticut was second to last in per capita housing creation. The existing local regulatory environment of low housing growth has a negative impact on efforts to grow our state's economy, and Connecticut's communities suffer when housing choice and supply are restricted. Workers move where net discretionary income is higher, and Connecticut businesses should not have to grapple with choosing between higher wages or suffering from an inability to recruit and retain employees. Instead, we can cut worker cost of living by permitting the construction of more naturally low-cost homes, which would increase businesses' ability to recruit and retain employees. Put simply, we cannot successfully grow our economy without providing a variety of housing that workers and families need to succeed in life. Fortunately, Connecticut has the opportunity to become stronger and offer a range of housing options so that diverse groups of people can afford to live and thrive in our state.

First, I urge you to support **H.B. 6107**, which would promote the state's policy goal of encouraging all municipalities plan for multi-family housing that is affordable to low- and moderate-income families. The bill reiterates municipalities' obligation to affirmatively further the purposes of the federal Fair Housing Act, which prohibits discrimination based on race, color, national origin, ancestry, religion, sex, familial status, and disability. Connecticut is unfortunately one of the most racially and economically segregated states in the country, and exclusionary zoning practices have

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fostered this segregation for decades, hurting our residents, communities, and economy. This bill would also remove the highly subjective “character of the district” consideration, which has been used as the basis of discriminatory zoning decisions. Notably, all reasonable aspects of “character” are already fully covered in Section 8-2 which authorizes objective factors including historic preservation, environmental impact, scale, height, bulk, and location.

Second, the passage of **H.B. 6611** is essential to creating more equitable and desegregated housing across our state. This bill would establish baselines for affordable housing need, create tools for municipalities to create affordable housing within their communities, and provide state support for this process. A similar model of assessment has been in place in New Jersey and has contributed to the creation of tens of thousands of units of affordable housing. We know that Connecticut’s high housing costs are a driver of its economic stagnation and a fair share system in Connecticut communities would utilize thoughtful planning and zoning in order play a foundational role in launching a new wave of economic growth throughout the state.

Third, we are also in favor of **H.B. 6613**, which permits ADUs and small multifamily housing more broadly without undue restrictions, and consequently promotes the incremental growth of low-cost housing supply, bringing new residents to town centers and transit station areas. This is a simple no cost action that our state can take which would give private property owners and builders the ability to incrementally increase the supply of affordable housing throughout Connecticut. With this bill, Connecticut can emulate effective ADU legislation in states across the country and create thousands of new low-cost housing units to meet the needs of residents at all ages and income levels.

Fourth, **S.B. 1026** would ensure that commissioners and board members charged with enforcing land use and zoning law are trained to do so. Unlike several neighboring states, Connecticut does not offer a training curriculum, or require training, for commissioners. Because Planning & Zoning commissioners make decisions that have long term effects on their communities, the state should provide a training curriculum to ensure they are equipped with the educational resources needed to make important land use decisions. I support the testimony by the Partnership for Strong Communities and recommend that this bill be amended to increase the minimum hours of training to five hours annually and require that all members of planning and zoning commissions in Connecticut meet this minimum standard.

In sum, improving housing affordability in Connecticut is attainable, but our state needs more tools to have a healthy and affordable housing market. These strategic, well-researched changes to our land use laws will put Connecticut in a better position to provide more safe, affordable homes near jobs, education, and other resources – supporting a more equitable and economically strong society.

Finally, I also endorse testimony submitted by All Our Kin to amend **H.B. 6612** to include stronger protections for group child care homes, in addition to family child care. This bill has the potential to solve our state’s shortage of affordable and accessible child to the 50,000 kids in Connecticut who need it. While Connecticut law protects licensed family child care homes for up to six children from zoning restrictions imposed by localities, it does not extend those protections to group child care

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homes of up to twelve children. This lack of protection creates uncertainty for providers, often resulting in legal fees, which make it costly and difficult to open or maintain family child care businesses, and consequently limits access to the much-needed child care in the state. Additionally, landlords in Connecticut enjoy unfettered power to extort providers by refusing to allow child care businesses on their property. Providers may invest substantial time, money, and energy in receiving approval from the state, or may have even operated their business for years, only to find that they cannot proceed in the face of landlord disapproval and eviction. Not only does home-based child care provide a safe early learning environment for Connecticut's children, which has profound effects on outcomes later in life, but it also puts us one step closer towards adequately protecting our state's child care providers and the families that use their services.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Shackelford", written in a cursive style.

Daniel Shackelford