

Planning and Development Committee

JOINT FAVORABLE REPORT

Bill No.: SB-985

Title: AN ACT INCENTIVIZING HOUSING PRODUCTION.

Vote Date: 3/24/2023

Vote Action: Joint Favorable Substitute

PH Date: 3/10/2023

File No.:

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SPONSORS OF BILL:

Planning and Development Committee

The Governor, Ned Lamont, Pursuant to Joint Rule 9

REASONS FOR BILL:

The purpose of the bill is to implement the Governor's budget recommendations regarding growing housing production in the state. The state of Connecticut faces a housing cost crisis, largely due to small supply of housing stock and high demand. The budgeting provisions in this bill aim to increase supply through investment, improved data collection, and management.

RESPONSE FROM ADMINISTRATION/AGENCY:

Office of the Governor, Governor Ned Lamont: The Governor's office submitted this legislation to reduce housing costs for Connecticut residents. The proposed methodology is to increase supply through providing \$300M in each year of the biennium through the GO capital budget. The Municipal Redevelopment Authority (MRDA) will also receive new bonding to support housing growth. The bill also recommends improving data reporting on housing starts.

GENERAL COMMENT:

Town of Berlin, Department of Economic Development, Economic Development Director Christopher D. Edge: The intention of this bill to incentivize housing through "housing growth zones" is good but must be done in coordination with municipal leaders. "As of right" language should be removed.

Lower Connecticut River Valley Council of Governments (RiverCOG), Executive Director Samuel S. Gold: The Connecticut Municipal Redevelopment Authority (CMRA) would partner with cities and towns to pursue transit-oriented development (TOD). CMRA should work with municipalities to follow their local planning and zoning regulations, approvals from local commissions should be required, and households making 50% or less of median income should be subsidized.

Connecticut Conference of Municipalities (CCM), Chief Strategy Officer Donna Hamzy Carroccia: CCM is generally supportive of this bill but does not support any proposal that may limit municipalities' ability to receive discretionary funds.

Town of Bethel Public Works, Director Eric M. Swenson: TOD needs to include mixed-use development and there needs to be appropriate infrastructure. The bill would cost more to local governments and result in little additional affordable housing.

NATURE AND SOURCES OF SUPPORT:

League of Women Voters (LWV of Connecticut), Legislative Specialist, Jennifer Dayton: The LWV supports long-term capital planning for affordable housing and reporting on housing production by municipalities. The LWV's goals are to expand community choice, attract new residents and employers to the state, retain young people, and to incentivize public-private partnerships to create more affordable housing. The LWV believes the provisions in this bill will further these goals.

Connecticut Council of Small Towns (COST), Executive Director Betsy Gara: COST supports efforts to incentivize and facilitate the production of more affordable housing. However, they are concerned about language including "as-of-right middle housing." They are also concerned with what they interpret as proposals to remove discretionary funding.

Partnership for Strong Communities, Senior Policy Advisor Sean Ghio: Cost of housing in Connecticut is too high and supply is too low. Mixed-income transit-oriented housing is needed to reduce the racial and economic segregation prevalent throughout the state.

Connecticut Chapter of the American Planning Association, Government Relations Officer John Guskowski, President Emmeline Harrigan: The proposed funding in each year of the biennium will create more housing opportunities and spur economic development. They are also happy with the extra support proposed for MRDA.

DESEGREGATE CONNECTICUT, Director Pete Harrison: This bill will complement other TOD proposals with additional investment in walkable, mixed-use communities. However, they believe the bill needs to clearly call for increased density around transit and include local bus service. Additional incentives, such as paying communities per home, are also required. The population requirement of 70,000 for eligibility should also be removed.

Elm City Communities/Housing Authority of the City of New Haven, President Karen DuBois-Walton: Connecticut has an extreme housing shortage, requiring more building. The incentives for housing production outlined in this bill are good, but don't go far enough. Local zoning and building codes prevent multi-family housing development. Towns that build density need to be rewarded by the state, such as through the Housing Growth Fund.

Connecticut Voices for Children, Legislative Coordinator Eli Sabin: "Housing Growth Zones" will be rewarded with access to funding through CMRA. Connecticut faces a severe housing shortage, and this bill should go further to provide funding directly to municipalities based on the number of new housing units constructed. Additional funding could be added for affordable, transit-oriented, or other desirably designed housing.

Home Builders & Remodelers Association of Connecticut, Inc., CEO Jim Perras: CT has some of the worst housing production numbers in the country. Legislation is required to increase supply in the face of soaring demand. However, they caution against statewide mandatory inclusionary provisions.

Town of Guildford, CT, Larry Rizzolo: This bill incentivizes TOD with "carrots rather than sticks." Fully funding MRDA will lead to growth zones and build the housing stock. These opportunities should not be restricted to urban communities.

Laura Copland, Eileen O'Donnell, Dr. Carol Rizzolo, and David and Marge Schneider all write in support of this bill to provide suitable housing for the young, elderly, and/or disabled.

NATURE AND SOURCES OF OPPOSITION:

Town of Darien Planning and Zoning Commission, Chairman Stephen P. Olvany, First Selectman Monica M. McNally: Opposes the bill and urges the legislature to support local control over zoning.

CT 169 Strong, President Alexis Harrison: Supports aspects of the bill with modification. "One of the most concerning parts of this bill is that the development of Transit Oriented Development (TOD) housing, other than middle market housing ("as of right") would only require approval by the municipal Zoning Board of Appeals and only have one public hearing. Lines (86-101) should be removed from the provision." Ms. Harrison also offers concerns for parking availability and the consequences for wetlands.

CT 169 Strong, Officer Tara Restieri: Supports aspects of the bill with modification. States, "One of the most concerning parts of this bill is that the development of Transit Oriented Development (TOD) housing, other than middle market housing ("as of right") would only require approval by the municipal Zoning Board of Appeals and only have one public hearing. Lines (86-101) should be removed from the provision... Remove lines (105-107) It is incorrect to think that every TOD is within walking or biking to schools, hospitals, medical care, and grocery stores... I am opposed to the penalty (111-120) "stick" whereby local municipalities cannot apply for funding until they change local zoning regulations...The bill does not include ENOUGH affordability. 10% INCLUSIONARY ONLY IF 10 OR MORE UNITS – Not enough affordability is attached to the project. Lines (107-110) overrides municipal inclusionary policies with 12-20% affordable."

CT 169 Strong, Co-Founder, Maria Weingarten:" – States, "The Governors bill is a great opportunity for collaboration, but I urge that the following MUST be removed or amended: 1) Remove "as of right" development and allow special permits instead. 2) Remove Zoning Board of Appeals as the designated authority to approve projects and restore approvals by planning and zoning, sewer, water, wetlands, historical preservation or conservation

commission or board. 3) Remove provision that there is no requirement for off-street parking – unrealistic 4) Amend: Improve the % affordable required in projects."

John Hair: States that the bill is moving in the right direction but needs changes. States the bill should "keep" the "opt in" and collaborative section, state funding availability to non-distressed municipalities, no mandate for a set amount of units/acre density, lines 121-145 requiring towns to report development to the state, and lines 146-158 for the state to study state-owned land that could be used for TOD and affordable development. Mr. Hair states to "remove" lines 86-87, 86-101, 105-107, 107-110, 110. He also calls for removal of "the provision that requires no approval from P&Z, sewer water, wetlands, historical preservation or conservation commission or board."

Christina D.: Echoing the other comments from CT169 Strong, she states, "The Governors bill is a great opportunity for collaboration, but I urge that the following MUST be removed or amended: 1) Remove "as of right" development and allow special permits instead. 2) Remove Zoning Board of Appeals as the designated authority to approve projects and restore approvals by planning and zoning, sewer, water, wetlands, historical preservation or conservation commission or board. 3) Remove provision that there is no requirement for off-street parking – unrealistic 4) Amend: Improve the % affordable required in projects. This bill must be opposed because local planning and zoning will and should always have jurisdiction because that is how our government works."

Lou Caruso: States, "This is another bad housing-related bill that will eliminate a town's ability to control its planning and zoning. The bill is a companion to H.B. 6633 that imposes a blanket "fair share" calculation for each town's required affordable housing options, and then force the towns to pay for this housing--resulting in higher taxes. Ultimately, this bill will redirect state funding for affordable housing to change the nature of the 169 towns in Connecticut, and not for the better."

Robert Catino: Asks that lines 86-87 and lines 86-101, concerning "as-of-right" middle housing be removed. Asks that lines 107-110 concerning off-street parking be removed. Requests more affordability. Asks that line 110 on promoting residential diversity be removed.

Linda Holden

Wilton, CT, Peter Wrampe

Nora Maloney

Stamford, CT, Nancy Meckel

Testimony is the email of talking points from CT169 Strong, outlined in above testimony.

Connecticut Realtors, General Counsel James Heckman: While CTR supports increasing housing production in Connecticut but requests the removal of the requirement for 10% set aside for deed-restricted housing units.

Connecticut Republican Assembly, President Anne Manusky: Local control is needed.

Connecticut Business & Industry Association, Public Policy Associate Peter Myers: The lack of affordable housing contributes to the state workforce crisis. The bill has many good aspects that they support but worry about local control of zoning.

CT Association of Conservation and Inland Wetlands Commissions, Inc. (CACIWC),

President Alan Siniscalchi: States, "we are strongly opposed to Section 2 (c)(2) (lines 83-101), which would exclude our member Conservation and Inland Wetlands Commissions from the opportunity to review, hold hearings on, or approve proposals submitted under the provisions of the act. Exclusion of the existing oversight of these commissions could result in severe adverse impacts or destruction of wetlands and other important habitats in communities throughout Connecticut."

Wilton, CT, Theodora Pinou: Completely opposes any law that encourages development of wetlands. Inland Wetlands regulations and Conservation Commissions should not be ignored for housing.

Alexander Carles: Opposes "significant over-development of Multifamily only units." States this will lead to congestion and overcrowding. Also states the bill does not contain enough affordability, that the bill is "a gift to developers." States, "Zoning should prevent mini-cities with high rises in the TOD area." States that the bill does not consider infrastructure capacity or strain on other services such as schools.

Timothy Clark: States the language of the bills is confusing in terms of diversity. He states that the Connecticut Fair Housing Law already covers diversity and decisions need to be left to local planning and zoning boards.

Wilton, CT, Kevin Cleary: States that the bill "would allow applications to be handled by the Zoning Board of Appeals within 30 days and bypass the Planning & Zoning and Inlands Wetlands Commissions approval process. By bypassing Planning & Zoning and Inland Wetlands, it bypasses any input by the Conversa on Commission, Architectural Review Board, and Historical Districts. This would overrun Zoning Board of Appeals and overall good for our community."

William Cunningham: Strongly opposes the bill, stating it imposes a very short timeline, wants the removal of line 110 promoting residential diversity, doesn't have enough affordability, wants the removal of the no-off street parking required section, takes approvals away from local P&Z boards, and wants the removal of the "as-of-right" middle housing language.

Kim Healy: Ask that the "as of right" provision be removed and off-street parking included. States that, "towns like Wilton are not laid out to accommodate walkers or services by train. Leave approvals by planning and zoning, sewer, water, wetlands, historical preservation or conservation commission or board as they are as these members know our towns the best as they are elected or appointed locally and responsive to the people they serve."

Fell Herdeg: States, "The bill would usurp local P&Z, wetlands, conservation and historic reviews. Further, there is no off-street parking required, and mandates "as of right" projects. The bill needs to be reworked by collaborating with stakeholders and local land use experts."

New Canaan, CT, Eva Kaufman: States, "We do want to see more diversity in our town but not at the cost of overdevelopment. New England is known for its quaint little towns and Connecticut should not compromise the character of the remaining few destination towns that remain within driving distance from New York." States that this legislation only benefits developers.

Anderson Kenny: States opposition because the bill "incentivize developers with quick solutions who do not necessarily have the long-term interest of the communities that they are impacting or the downstream effects." States that Connecticut towns are unique, and development should align with community values.

Wilton, CT, Amanda Patania: States that, "Adding extra cars due to housing at these areas may put children and new drivers at risk as currently, drivers speed on these roads even while school speed limits are posted. The amount of high-density housing being proposed and taking our town Planning and Zoning out of the process is unsustainable for Wilton. It will put pressure on our schools and emergency services which we would be unable to cater to"

New Canaan, CT, Patricia Thatcher: States that, "The only beneficiary will be the developer himself. He only needs to designate 10% as affordable units and he can build anywhere in the half mile zone without regard for regulation that has been in place for generations."

Ronald and Julie Sorcek: State that the bill, "proposes a short time limit for consideration of development applications. It does not really address providing affordable housing within the proposed bill. It also takes away the rights of towns to limit off-street parking."

Nick Postovoit

Cheshire, CT, Michael Rapetski

Leslie Razook

Ridgefield, CT, Linda Lavelle

Jeff Martorelli

Laine Johnson

Craig Hoffman

Michael Goldstein

Robert Applegate

Jeanne Basile

Mary Beeman

Eugene Brissie

William Drouin

Reuel Dorman

Evan Kasack

Plantsville, CT, Richard Mayhew

David Landau

Toby Meisel

Mike Nintean

Kenneth Pascal

John Pepper

Melanie Young

William Wilson

Anthony Vitale

Paul Peshka
Killingly, CT, Jeffrey Chartier
Kathryn Chester
Riverside, CT, Jeffrey Cincotta
Anonymous

All write in opposition to the bill.

Reported by: Breanne Clifton

Date: 3/27/2023