

Housing Committee JOINT FAVORABLE REPORT

Bill No.: HB-5335

Title: AN ACT CONCERNING THE DEVELOPMENT OF MIDDLE HOUSING.

Vote Date: 3/7/2024

Vote Action: Joint Favorable

PH Date: 3/5/2024

File No.:

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SPONSORS OF BILL:

Housing Committee

REASONS FOR BILL:

This bill incentivizes municipalities to choose to adopt zoning regulations that allow for the as-of-right development in middle housing, if it is served by a public sewer and water system. Among municipalities that do adopt these regulations, one-quarter housing unit-equivalent points will be awarded for each dwelling unit developed in an as-of-right middle housing developed. Housing units that are deed-restricted to persons and families whose income is equal to or less than eighty percent of the median income may be awarded more points. Enacting this bill will allow for the incentivization of the development of middle housing, which will provide diverse, naturally occurring affordable housing options for both current and prospective Connecticut residents.

RESPONSE FROM ADMINISTRATION/AGENCY:

None Expressed.

NATURE AND SOURCES OF SUPPORT:

[Rep. Jason Rojas, House Majority Leader of the Connecticut General Assembly:](#)

Supports the bill stating that the proliferation of middle housing options (which consists of duplexes, triplexes, quadplexes, cottage clusters, and townhouses) increases access to housing for people of varying incomes and experiences. This bill would encourage the development of naturally affordable housing which will increase diversity in communities.

[Betsy Gara, Executive Director of Connecticut Council of Small Towns \(COST\):](#)

Supports the bill's efforts, but the language should be broadened to allow the award of points

for middle housing not developed as-of-right and to include other types of housing, such as mixed use and small-scale housing developments.

Sean Ghio, Policy Director of Partnership for Strong Communities, Supports with Amendments: While agreeing that middle housing will increase access to housing and lead to diverse communities, they note that the bill as written does not guarantee that market-rate middle housing will be affordable to lower income households or that a lower cost market rate home will be occupied by a lower income tenant. Hence, they ask the Committee to consider ways to connect incentives for higher-density development to some level of required affordability.

Samuel S. Gold, Executive Director of the Lower Connecticut River Valley Council of Government (RiverCOG): Confused since they feel as though municipalities may already be empowered to allow for middle housing as-of-right. Still, they do not oppose the provision that grants quarter of a point credit under section 8-30g. However, they point out that there is no requirement that new middle housing is linked to affordable housing development and hence, there cannot be an expectation that new middle housing will be an affordable option considering they can be developed as luxury units.

Francis Pickering, Executive Director of the Western Connecticut Council of Governments (WestCOG): Supports the bill stating that most units that qualify as affordable under 8-30g do so due to federal or state subsidies. Hence, the primary determinant to whether a municipality reaches the 10% threshold is federal or state policy, not local. This bill would enhance opportunities for municipalities that have limited access to federal or state housing assistance by recognizing and awarding local contributions, such as middle housing development.

Raphael L. Podolsky, Attorney and Policy Advocate, Connecticut Legal Services, Inc., Supports with Changes: Connecticut Legal Services supports the "concept" behind H.B. 5335, stating that it rewards "towns for adopting zoning rules that allow as-of-right development of middle housing." However, the bill would use "as its incentive extra 8-30g moratorium points for middle housing units, without regard to their affordability." Therefore, they oppose this portion of the legislation, considering that 8-30g's "moratorium provisions already provide incentivized moratorium points for such affordability."

NATURE AND SOURCES OF OPPOSITION:

Erin Boggs, Executive Director of Open Communities Alliance (OCA), Opposes with Suggested Changes: Opposes the bill stating that one of the cornerstones of the Affordable Housing Appeals Act is that it counts actual housing units occupied by lower income families in any given municipalities. This bill currently strays away from that concept as they move to count all types of housing that in theory may be more affordable but may actually be occupied by people with more resources. OCA requests the Committee to consider other ways to connect incentives for higher-density development to some level of required affordability.

Maria Weingarten, Founder of 169Strong, Opposes

Reported by: Haritha Subramanian

Date: 3/21/2024

