



## COMMISSION ON CONNECTICUT'S FUTURE AND DEVELOPMENT

### REPORT OF THE AFFORDABLE HOUSING PLANS WORKING GROUP

**DATE**

March 6, 2023

**REMARKS BY**

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# Complying with State Law

*Every town, today, has a legal obligation to comply with requirements of General Statutes § 8-2 as amended by P.A. 21-29:*

- Eliminate outright bans on multi-family
- Eliminate minimum floor area regulations that exceed building and housing codes
- Eliminate excessive parking requirements



# Complying with State Law

- Adopt Public Act 21-29 standards regarding Alternative Dwelling Units
- Eliminate numerical or percentage caps on multi-family units
- Eliminate regulations that use “preserving the town character” as a zoning criterion
- Eliminate excessive application fees



# Complying with State Law

Achieving 10 Percent of a town's housing stock on the Department of Housing's § 8-30g Ten Percent List allows the town a permanent exemption from § 8-30g, but does not meet a State of Connecticut goal, standard, quota, or policy for affordable housing.



# Complying with State Law

Second part of complying with existing state law is identification of regulations that:

- have the effect of excluding multi-family housing, such as onerous conditions and procedural requirements
- prevent or inhibit diversity and choice in housing
- maintain or promote racial or economic segregation
- are contrary to the “affirmatively furthering” purposes of the federal Fair Housing Act
- do not serve a legitimate purpose of zoning, and exist primarily or exclusively to make housing more expensive



# Report Section VII: the “Menu”:

- Increase density
- Review definition of “Buildable Land”
- Review town-wide balance of single-family vs. “middle housing” vs. multi-family
- Consider where housing can be rehabilitated
- Don’t limit your potential builders: allow for profit, non-profit, and government



# Report Section VII: the “Menu”:

- Specifically plan for most needed unit types: for people with disabilities; for household below 30-40 percent of median income; with 3 or 4 bedrooms
- Review design standards for necessity and added cost
- Review regulations for actual buildability and practicality
- Identify and eliminate unnecessary procedural filing requirements



# Report Section VII: the “Menu”:

- Review non-residential zones – which ones could accommodate housing or mixed use
- Specifically plan for “Middle Housing”; 2-3-4 unit structures, which usually can be developed without public sewer
- Promote transit –oriented development





# Report Section VII: the “Menu”:

- Consider “Financial Steps” that boost housing:
  - lower cost mortgage sources, such as CHFA and USDA
  - targeted property tax relief
  - confirm availability of Section 8 vouchers or RAP certificates
  - establish an affordable housing trust fund
  - donate or sell at a discount municipal land
  - make payments to “buy down” cost of existing units making
  - make housing information accessible to residents



# Report Section VII: the “Menu”:

- Consider what steps have immediate vs. longer-term impacts
- Inclusionary Zoning:
  - Works in some places, not all
  - Difficult to set up and administer
- Nonconforming uses: consider relief from strict rules
- Understand that “Zoning is not a promise”



# Report Section VII: the “Menu”:

- Recognize residency preferences as: generally illegal because they maintain segregation
- Review subdivision, wetlands, and sewer regulations
- Make local POCD’s consistent with § 8-30j plans
- Note: CHFA grants Low Income Housing Tax Credit points for developments consistent with § 8-30j plan
- Conduct value engineering
- Conduct the grid exercise-chart of what’s allowed by current regulations



# Legislative Recommendations

- Timetable for response to/implementation of this report
- Specify who adopts a housing plan
- Consider enacting this Report's recommendations and checklists as § 8-2 requirements
- Ask DOH to propose additional models for Affordability Plans (capital improvements, utility costs, mortgage rate for sale units, etc.)

