



March 12, 2021

Hon. Members of the Planning and Development Committee

**Re: Senate Bill 1024; AN ACT CONCERNING ZONING AUTHORITY, CERTAIN DESIGN GUIDELINES, QUALIFICATIONS OF CERTAIN LAND USE OFFICIALS AND CERTAIN SEWAGE DISPOSAL SYSTEMS.**

Dear Chairs and Members of the Planning and Development Committee:

On behalf of the **Connecticut Association of Zoning Enforcement Officials** (CAZEO), we are writing to you to express our support for the concepts raised in Senate Bill 1024.

CAZEO was formed in 1979 to bring professionalism and integrity to the Land Use process and we strive to hold our members to such standards. As an organization, we support any effort to increase housing attainability and equity throughout the state of Connecticut.

Senate Bill 1024 has many parts, CAZEO would like to submit for your consideration our support for key components of this Bill which include;

**Affordable Housing, ADU's, Middle Housing and Multi-family Housing**

Members of our Executive Committee have been working with the Desegregate Connecticut coalition regarding updating and modernizing the Zoning Enabling Act to make Connecticut more inclusive. The changes to CGS 8-2 will help remove regulatory barriers that have created obstacles to housing attainment.

Critics will argue that some of the proposed changes to CGS 8-2 will remove or limit the regulatory powers granted to Municipalities in the realm of zoning and land use. This is false. The changes to as-of-right uses for multi-family housing only seek to create a level playing field between all Municipalities in our State. CAZEO feels strongly that none of the language proposed seeks to modify the enabling legislation which gives Towns the power to create local zoning.

As many members of this committee know, the re-organization of CGS 8-2 is long overdue. We feel that the modifications to as-of-right housing options is a reasonable and balanced approach. No longer will such developments be subject to special permitting processes which enable commissions to make discretionary decisions using non-tangible or subjective criteria. CAZEO is in support of these changes as they provide a solution to exclusionary zoning practices.

The promotion of as-of-right middle housing will also encourage housing diversity. Many communities do not realize that their Zoning Regulations contain exclusionary measures including lengthy public hearings processes, costly development fees, and subjective application requirements all of which add an extreme financial burden to the applicant. A cost which is eventually born by the future tenants of

these developments. This bill takes affirmative steps to address these exclusionary practices. These changes will also assist seniors as they look to age in place, or young adults who want to stay in the community they grew up in but otherwise would not have the financial means or access to do so.

### **CGS 8-3e1-2 - Certification Requirements for Zoning Enforcement Officials**

We applaud the change to require Zoning Enforcement Officials to be trained and certified by our organization. Training and continuing education is something our organization is very focused on. Nearly all communities in Connecticut require that any individual employed as a Zoning Enforcement Official possess the certification of Certified Zoning Enforcement Officer. Because this designation is important, we recently developed a continuing education program to allow our members stay current with land use policies, laws, or general principles that help them better serve their community. We believe this requirement will result in better trained Zoning Enforcement Officials that will exhibit a consistent approach to land use issues further improving the regulatory environment in our State. CAZEO also has an Ethics policy which all members are required to abide by.

### **Model Zoning Code Working Group**

CAZEO supports the formation of a working group to create model regulations. We ask that our organization be represented within this group for a number of reasons. First, as Municipal staff, we are responsible for making sure any of these changes are implemented. We are also responsible for supporting various land use Commissions and educating them on any changes to their statutory authority. We feel this perspective and, the role our members play in the land use process provides us a strong ability to contribute to the success of this working group. The role our members play as support staff to Planning and Zoning Commission's ensure that we will be able to assess how these regulations will "hit the ground" in all communities, big or small. Furthermore, with representation on this Working Group we will be able to educate our members on any outcomes of this Group, further increasing local implementation and buy-in.

### **Commissioner Training**

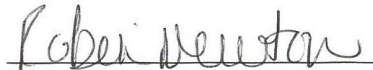
We are equally supportive of training requirements for planning and zoning commissioners. We believe implementing a training requirement will be effective in providing commissioners the resources and information they need to make clear and enforceable decisions. In Connecticut's towns and cities, our planning and zoning commissioners are elected or appointed volunteers. Many do not have technical training on issues relating to land use law. With 6 hours of training annually, we can ensure that officials have a broader base of knowledge and are better equipped to serve their towns. In doing so, we would follow the lead set by seven other states, including New York, to help commissioners better understand these complex land use policies. Training land use Commissioners will also help avoid unnecessary lawsuits that cost towns thousands of dollars every year. As of January 2021, there were 159 active lawsuits against zoning boards. All of those lawsuits must be funded by taxpayer dollars. By ensuring better preparation and education of our volunteer commissioners, we can avoid costly mistakes that lead to drawn-out litigation and bad case law. We would be very pleased to be one of the training

providers, as the proposed bill suggests. Our organization already teaches many of the topics outlined in the drafted bill.

We would ask the committee to consider waiving continuing education for any commissioner that is already Certified Zoning Enforcement Officer with CAZEO. There are members of our Organization that serve on local land use commissions in the communities where they live. This exemption is being provided for certified planners (AICP) and the same consideration should be given to those that are certified zoning enforcement officials (CZEO). We would also suggest you consider revising the training requirement from annually to every two years. Given that many boards only meet when they have business, smaller communities with land use Boards that do not meet as frequently may have a challenge coordinating this training. The two-year cycle is consistent with other continuing education requirements in the land use profession include the AICP and CZEO designations.

In closing, CAZEO asks that members of the Planning and Development Committee, please consider these points when deliberating **Senate Bill 1024**.

Thank you for your attention to this matter on behalf of the entire CAZEO Executive Committee



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