



**Hartford Foundation for Public Giving testimony in support of
House Bill 6107, An Act Concerning the Reorganization of the Zoning Enabling Act and the
Promotion of Municipal Compliance**

**House Bill 6611, An Act Concerning Needs Assessment and Other Policies Regarding
Affordable Housing and Development**

**House Bill 6613, An Act Concerning Accessory Apartments, Middle Housing and
Multifamily Housing**

**Senate Bill 1024, An Act Concerning Zoning Authority, Certain Design Guidelines,
Qualifications of Certain Land Use Officials and Certain Sewage Disposal Systems**

Senate Bill 1026, An Act Concerning Training for Certain Planning and Zoning Officials

Planning and Development Committee

March 15, 2021

Good afternoon Senator Cassano, Representative McCarthy Vahey, Senator Hwang, Representative Zullo and distinguished members of the Planning and Development Committee. The Hartford Foundation for Public Giving is grateful for this opportunity to submit written testimony in support of several bills to expand access to quality, affordable housing in higher opportunity neighborhoods.

The Hartford Foundation for Public Giving is the community foundation for the 29-town Greater Hartford region. As a community foundation, we manage approximately \$1 billion in assets, in 2020, the Foundation distributed a record-breaking \$52 million in grants to promote equitable opportunity for all residents in our region. Made possible by the gifts of generous individuals, families and organizations, the Foundation has awarded grants of more than \$837 million since its founding in 1925.

As part of our efforts to dismantle structural racism and improve social and economic mobility for Black and Latinx residents of Greater Hartford, the Hartford Foundation seeks to increase the number of Hartford residents living in higher opportunity neighborhoods. Higher opportunity neighborhoods are defined by a variety of factors, including low unemployment, better performing schools, lower crime and greater availability of quality, affordable housing stock.

The Hartford Foundation seeks to increase the numbers of Hartford residents living in higher opportunity neighborhoods both by increasing the opportunities in Hartford neighborhoods and by increasing the ability of Hartford residents to choose to move to other higher opportunity areas throughout the Greater Hartford region. In order to support these outcomes, the Foundation invests in efforts designed to increase the stability, availability, and quality of affordable housing in the Greater Hartford region; align and leverage additional investment in Hartford neighborhoods, and increase social strength and connectedness of Hartford neighborhoods. COVID has reinforced the need for all of us to live in safe, stable homes, in safe, stable neighborhoods, in safe, stable communities.

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Public commitment must address the interplay of basic human needs, including access to food, mental and physical health care services, housing and other needs, and provide adequate support to the nonprofit organizations providing these services.

Connecticut is one of the most racially and economically segregated states in the country with 74 percent of Black residents and 68 percent of Latinx residents living in census tracts assessed as low opportunity areas. Exclusionary zoning practices have fostered this segregation for decades which has devastating consequences on residents, communities, and our state's economy.

We know that the vast majority of deed restricted affordable housing, as well as naturally occurring affordable housing (such as multi-family homes and apartment buildings) are concentrated in urban areas such as Hartford. This segregation of housing results in concentration of poverty, primarily impacting Black and Latinx communities. The Hartford Foundation offers its support for efforts to generate diverse housing, including more affordable housing, in higher opportunity areas throughout the state, providing residents with more choices about where they wish to live.

Hartford residents that wish to move to neighboring communities, do not often get that choice. In 2019 the Hartford Foundation provided a grant to support residents in Clay Arsenal Apartments, Barber Gardens, and Infill in Hartford, who wanted to move to areas of opportunity. All three complexes had their contracts with the U.S. Department of Housing and Urban Development terminated due to conditions that threatened residents' health and safety. The Foundation awarded grants to the Center for Leadership and Justice and Open Communities Alliance who worked with tenants to provide leadership training, legal assistance, and technical advice to navigate the complex housing situation and relocation process. Of the 150 Clay Arsenal families who were relocated, 61 percent wanted to move to Hartford suburbs such as West Hartford, Glastonbury, and Windsor. However, the timing of the relocation process and lack of affordable housing options in communities outside of Hartford meant that most families relocated to housing in the same, or similar, neighborhoods.

The state has enabled municipalities to regulate certain land use through zoning. These bills provide some much-needed clarity around the importance of creating more lower-cost housing options throughout the state and expand individual's rights to determine how to use their property. These proposals represent positive steps forward in the effort to increase the economic, ethnic and racial diversity of our communities by promoting the development of affordable housing stock in a variety of municipalities.

The Hartford Foundation offers its support for House Bill 6107, An Act Concerning the Reorganization of the Zoning Enabling Act and the Promotion of Municipal Compliance. This proposal would strengthen and clarify the Zoning Enabling Act to provide guidance to municipalities as they prepare their required Affordable Housing Plans. This effort includes amending Connecticut General Statutes 8-2 to require zoning regulations to affirm the intended purposes of the Fair Housing Act, which prohibits discrimination based on race, color, national origin, ancestry, religion, sex, familial status and disability. The Foundation endorses the bill's provision to eliminate the unnecessary and often abused phrase "character of the district" from zoning regulations. The statute already allows municipalities to consider objective factors that reflect character of the community, including consideration of historic preservation, environmental impact, scale, height, bulk, setback, location, use and similar standards. The



phrase has too often been used to prevent housing diversity when evidence of these objective factors is lacking. We believe the bill's proposal to modify the word "character" to focus on physical site characteristics and architectural context is a very important change.

The Foundation also supports the bill's call for municipalities to comply with the existing state law's affordable housing planning requirement by January 1, 2023 as well as the requirement to include Accessory Dwelling Units (ADUs) and 2-4 family housing without the need for special permits, variances, or any discretionary action from municipal zoning boards. While many towns in our region already allow ADUs, they are often restricted in size, shape, and as to who can live there. This bill moves the state forward by legalizing ADUs and making them rentable - a benefit for property owners in need of extra income and for low and middle-income renters, including young adults, in search of diverse and independent housing. ADUs can play a role in creating more affordable housing options for older disabled people who may need to live close by family members or caregivers.

The Foundation endorses House Bill 6611, An Act Concerning Needs Assessment and Other Policies Regarding Affordable Housing and Development. Recognizing the need for a more comprehensive and long-term plan to address affordable housing needs, 6611 calls for an assessment of the statewide need for affordable housing and sets an allocation of such need to planning regions and municipalities. To ensure that all Connecticut municipalities play a role in the state's efforts, the bill calls for the creation of goals around the development of affordable housing for each municipality. To achieve these, the bill creates a schedule and establishes a system for enforcing such goals. The bill also puts the onus on the state to provide necessary support to meet housing needs that extend beyond the collective capabilities of local municipalities.

House Bill 6611 offers a new, more equitable approach to zoning that is consistent with the Foundation's efforts to support increased housing choice and mobility for residents. The Foundation has seen how the current system of allowing each municipality to control its own zoning has severely limited families' access to housing in higher opportunity neighborhoods.

The Hartford Foundation also offers its support for House Bill 6613, An Act Concerning Accessory Apartments, Middle Housing and Multifamily Housing. This proposal would allow municipalities to permit ADUs and small multifamily housing more broadly and without undue restrictions. If approved, this bill would promote the incremental growth of the state's lower cost housing supply, bringing new residents to town centers and transit station areas while continuing to allow municipalities to control the physical and site characteristics of their community through their zoning ordinance.

The Foundation also supports **Senate Bill 1024, An Act Concerning Zoning Authority, Certain Design Guidelines, Qualifications of Certain Land Use Officials and Certain Sewage Disposal Systems.** Like House Bills 6107 and 6613, this bill includes a proposal to support the creation of accessory dwelling units (ADUs).

Like House Bill 6107, this proposal also includes necessary language to prohibit local planning and zoning commissions from denying an application for a housing project on the basis of "immutable characteristics," source of income, or the income levels of the people who will be living there.



The bill also seeks to codify existing Connecticut Supreme Court law by preventing towns from establishing minimum unit sizes beyond what is required by the public health code. Minimum unit sizes have an exclusionary effect because they drive up housing costs.

There are many other important provisions in this bill that are worth noting, including changes to allow small-scale multi-family housing “as of right” (that is, without onerous public hearing requirements) in 50 percent of the areas within a 5-minute walk of main streets and a 10-minute walk of certain transit nodes. These provisions would empower towns to review their zoning codes to determine where they wish to allow this housing, and what it would look like. The Foundation also supports the bill’s effort to limit costly parking mandates to enable communities in our region to prioritize people over cars.

These proposed reforms represent a first step in a very complicated unravelling of a zoning process that makes inclusive development expensive and onerous.

The Foundation endorses an amended version of **Senate Bill 1026, An Act Concerning Training for Certain Planning and Zoning Officials**. We would ask the committee to amend the bill to specifically require training for members of planning commissions, zoning commissions, combined planning and zoning commissions and zoning boards of appeals. Planning and Zoning commissions make decisions that have long term effects on their communities. This proposal would allow Connecticut to join neighboring states that provide a training curriculum to ensure they are provided with the educational resources needed to make important land use decisions. All new commissioners should be required to meet the minimum standard of five hours of training per year, two hours of which must relate to multifamily housing and one hour must relate to fair housing.

The Foundation looks forward to continuing its work with policymakers, nonprofits and residents to develop effective long-term policies to ensure that all Connecticut families have access to quality, affordable housing in higher opportunity neighborhoods. Thank you for the opportunity to provide testimony.

If you have any questions, please feel free to contact our staff at policy@hfpg.org or 860-548-1888.