



Testimony in Support of SB 1024: An Act Concerning Zoning Authority, Certain Design Guidelines, Qualifications of Certain Land use Officials and Certain Sewage Disposal Systems

Patrick McMahon, CEO
Connecticut Main Street Center

Joint Committee on Planning and Development
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Dear Senator Cassano, Representative McCarthy Vahey, Senator Hwang, Representative Zullo and distinguished members of the Planning and Development Committee:

At Connecticut Main Street Center, we work to build the capacity of downtowns to be place-based, inclusive, sustainable, and prosperous centers that leverage the marriage between economic development and the preservation and adaption of the built environment. We also champion vibrant, unique downtowns as the foundation of the State's economic growth through strategically engaging and focusing efforts of diverse public and private entities.

One of our core values is inclusiveness. We believe downtowns are for everyone, that they thrive when diverse voices are represented. We've seen how restrictive zoning policies can limit people's choices, and conversely how lives and communities are improved through more inclusive zoning like "missing middle" housing, repurposing existing structures, and increased transit options. We're proud to join with other preservation organizations in supporting the policy goals of DesegregateCT which include growing housing supply; increasing housing diversity; and improving land use processes.

DesegregateCT has taken a data driven approach. It developed a Zoning Atlas that demonstrates that there is a lack of available zoning for multifamily zoning across the state. We applaud DesegregateCT, its wide-ranging coalition, and the many stakeholders across the state for elevating this important conversation on a sensitive topic and moving toward sensible, measured and practical solutions.

CMSC would like to submit for your consideration our support for key components of SB 1024 that relate directly to Main Streets and downtown development.

Main Street Middle Housing

For much of the nation's history, downtown and Main Street neighborhoods contained a variety of housing types, enabling people to live near areas of employment and activity. Over time, zoning codes limited or eliminated many housing choices, especially small, multifamily buildings. These forms of housing offer prices and formats that are attractive to both older and younger adults. While middle housing is admired in traditional historic neighborhoods antiquated zoning laws prevent its new construction in most Connecticut communities.

SB 1024 would allow small-scale multi-family housing "as of right" (that is, without onerous public hearing requirements) with towns choosing 50% of an area within ¼ mile (approximately a 5-minute walk) of main streets for 2-4 unit housing. There would be no minimum parking requirements and 10+ unit developments would require a 10% affordable set-aside. The town can choose a commercial corridor between ¼ and ¾ mile long. It could include the



historic downtown, a neighborhood mixed-use commercial district or another qualifying commercial corridor. Only towns with 7,500 people or more or with concentrated development would comply with the proposal.

The proposal leaves local control largely intact. The community can determine what types of middle housing will be allowed; such as: duplexes, triplexes, quadplexes, cottage clusters and townhouses. The community can determine where the middle housing is zoned with the 50% of the commercial corridor. When identifying where in the district middle housing will be allowed, communities can consider natural assets and attributes, transportation accessibility, synergies with existing housing and business clusters and other factors. Communities, if they chose, can establish architectural standards to ensure development projects work for the community. Communities can seek public input when developing the regulations to implement this legislation. Communities can encourage creative solutions to reduce parking demand including shared parking and improved pedestrian and bicycle access. Once the zoning regulations are established, developments will still undergo site plan review and need to meet health, building and fire codes, as well as any utility hook up requirements and environmental standards.

There are opportunities for significant new housing construction in our downtowns and neighborhood commercial districts on infill sites, on undeveloped land, as well as on former brownfields sites. There are also opportunities for adaptive reuse of existing structures, for instance, CMSC has worked with CHFA to develop our award-winning Come Home to Downtown program to utilize vacant upper floors of multi-story buildings for housing.

Zoning reforms can help unleash the economic potential of our downtowns. According to an economic analysis prepared for CMSC by Camoin Associates in 2017, our downtowns if built out over time and occupied to full capacity, would result in more than 187 million square feet of new and renovated commercial and residential space, \$40 billion in construction spending, and 200,000 construction jobs, translating to more than \$800 million in state income tax revenue. And those are just the construction impacts. The study found that 20,000 new businesses and 88,000 new housing units could be created, resulting in 215,000 permanent jobs, \$1 billion in annual sales and income taxes combined and \$283 million in annual property tax revenue.

The benefits of this zoning reform are numerous. According to AARP Livable Communities, “good codes can provide housing and mobility options, support economic development and jobs, and encourage the creation of commercial districts and neighborhoods that attract talent and equitably serve residents of all ages, races, physical abilities, incomes and family structures.” The provision of affordable housing also allows Connecticut families to free up resources for other critical needs like healthcare, daycare and educational expenses.

Missing middle housing types increase the density of a community, providing enough customers for business to thrive. Residents get the neighborhood form and character that they want, along with the amenities that make the neighborhood truly walkable. Research shows that [76%](#) of Americans are interested in more walkable lifestyles, and over half of the country considers walkable communities to be a high priority when choosing a place to live. Walkable neighborhoods offer a community, a sense of “place,” that people seek. When there are more feet on the street, mom and pop shops receive more customers and their businesses grow stronger. As people move to the walkable neighborhoods that are available, businesses follow suit. It is a virtuous cycle.



By unlocking restrictive zoning around our main streets, we will promote opportunities for seniors to age in place and bring more young families to Connecticut. For talent attraction and retention, [59%](#) of millennials are looking for “missing middle housing” in real estate markets.

Today, housing developers mostly build single-family housing because that is what zoning codes currently allow. According to the Home Builders and Remodelers Association of Connecticut, housing developers would build housing to meet the market demand for 2-4 unit housing if it were allowed. SB 1024 directs that development to Main Streets and transit locations where infrastructure already exists, and where market demand is most likely to be high, so that increases developer interest.

Transit Oriented Development

CMSC has been a proponent of Transit Oriented Development as a catalyst to the revitalization of our downtowns. As we have seen with developments already completed across the state, TOD can add significant housing supply near jobs and transit in walkable neighborhoods. The approach proposed in SB 1024, would require medium density zoning near transit, while affording municipalities the opportunity to determine where to site that density. Well-designed TOD will have a mix of housing, retail, restaurants and other amenities. Concentrating more dense development near transit stations limits sprawl and eliminates the costs of providing infrastructure and public services to outlying areas, promotes healthier living through walkable design and context, minimizes the impacts of traffic congestion and limits greenhouse gas emissions. Households located within walking distance of transit own fewer cars, drive less, and pay a smaller share of their income on transportation-related expenses. Homes and businesses can be built with less parking, reducing the cost of development, making development more feasible and increasing local tax revenue.

Model Codes

SB 1024 calls for the state to assemble a review team to develop model codes for buildings and streets by creating guidelines that towns can choose to freely use, adapt and mold to their circumstances. Development of model codes will be a great resource to communities that would otherwise need to spend town money to create such guidelines. Private sector developers will benefit as form-based codes can reduce the uncertainty and high costs associated with development that currently hamper the construction of new housing. The model code working group should include representation from rural, suburban and urban communities to ensure different contexts are considered. The model form-based building and street codes will help ensure quality design appropriate to the physical context of neighborhoods.

Elimination of “Character of the District” from Zoning Regulations

When we speak to the “character” of our downtowns and communities, we mean the physical site characteristics and architectural context of the district. CMSC endorses the bill’s provision to eliminate the “character of the district” from zoning regulations which has been used at times to thwart affordable housing developments. The statute already allows municipalities to consider objective factors that reflect character of the community, including consideration of historic preservation, environmental impact, density, scale, height, bulk, setback, location, use and similar standards.



Zoning Reform is just one Tool in the Revitalization Toolbox

In addition to inclusionary zoning reforms, we need more tools in the toolbox to have a healthy and affordable housing market in Connecticut, as well as vibrant downtowns and neighborhood commercial districts. There will need to be increased efforts to provide guidance and technical assistance to municipalities, community-based housing organizations, and local planning & zoning boards to encourage them to adopt inclusionary zoning laws, and other changes to facilitate the development of more affordable housing in their communities. State subsidies should promote investment in existing affordable housing as well as develop new affordable housing in high opportunity areas. There should also be a focus on rehabilitation of naturally occurring affordable housing. Collaboration between the public sector, private sector developers, and professional and financial services will be critical to the creation of a diverse housing stock.

Conclusion

For over a decade, Connecticut has been faced with stagnant job and GDP growth, slow population growth and an increasingly aging population. New approaches to reverse these trends must be explored. For the state to prosper overly restrictive and exclusionary zoning are barriers that must be eliminated.

CT Main Street Center can utilize our statewide network, our connections to experts in numerous fields, our robust communications presence and our Recovery and Resiliency webinar series to help educate communities, downtown organizations, the private sector and the general public on the importance of zoning reforms. We view these reforms as needed to restore the mixed-use vitality that historically made our Main Streets so vibrant. The proposed zoning reforms will encourage the economic revitalization that our downtowns and Main Streets need to thrive and for our state to prosper.

Thank you for your consideration of these proposals. Please contact me at 860-985-2083 if you have any questions or concerns.

Sincerely,

Patrick J. McMahon, CEO