

ZONING FOR EQUITY: HOW TO RESHAPE ZONING IN YOUR TOWN



JUNE
2021



OPEN COMMUNITIES
ALLIANCE

Zoning
101



OPEN COMMUNITIES ALLIANCE

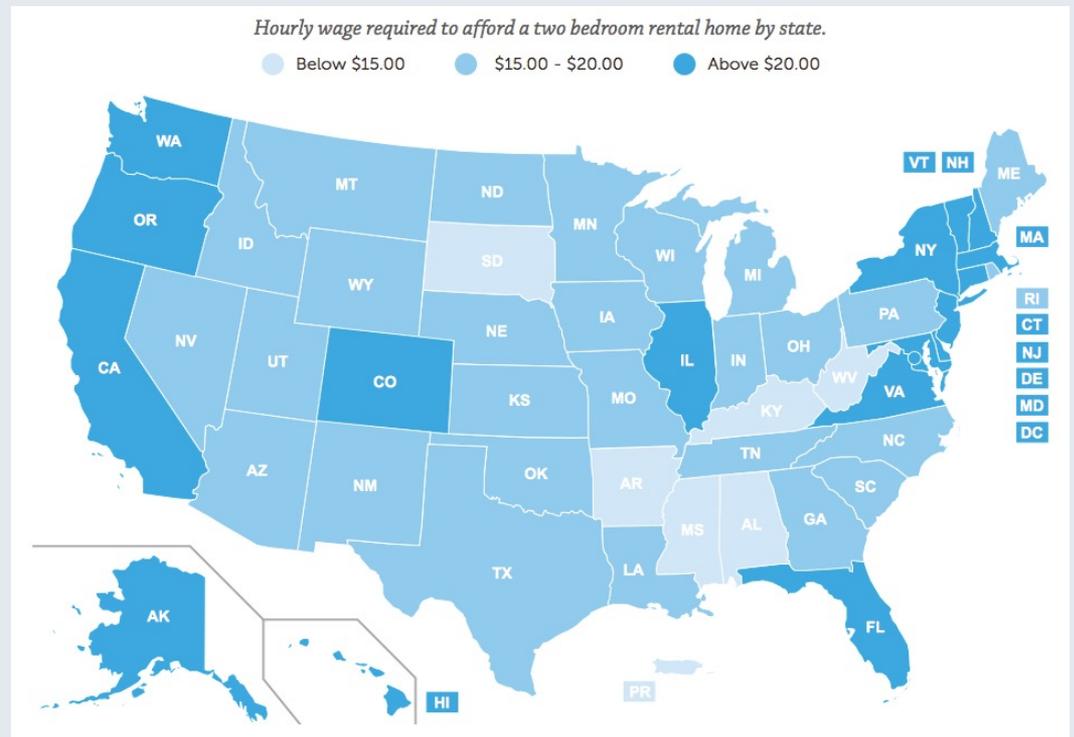
Embracing Diversity to Strengthen Connecticut

Open Communities Alliance is a Connecticut-based civil rights non-profit working with an urban-suburban interracial coalition to advocate for access to opportunity, particularly through promoting balanced affordable housing development, including in thriving communities.

Join the Coalition: https://www.ctoca.org/join_the_coalition

LINK TO AFFORDABLE HOUSING

- CT has the 9th highest housing wage in the nation – A family would have to work 99 hours a week at minimum wage to afford a two-bedroom apartment.
- Recent Open Communities Alliance study found we need 135,000 additional units of affordable housing over the next 10 years.

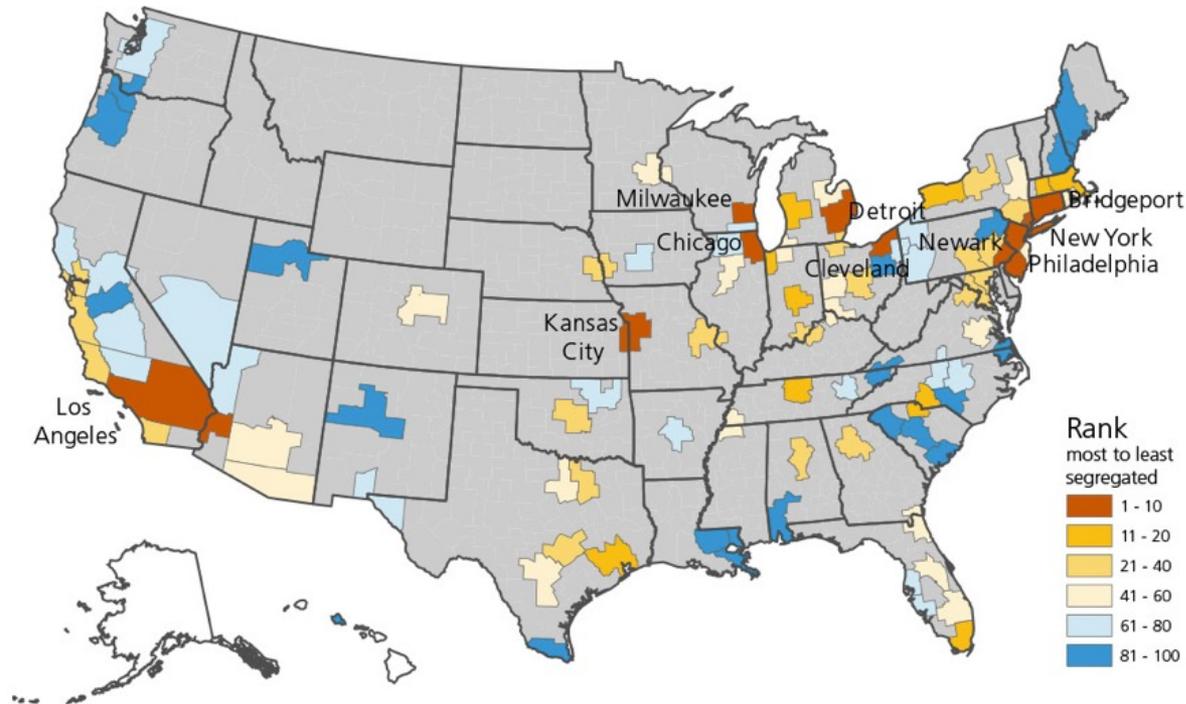


WHAT DO WE MEAN BY “AFFORDABLE HOUSING”?

Need: Low Income and Cost Burdened Households

	Households	Cost Burdened (paying more than than 30% of income on housing)	Severely Cost Burdened (paying more than 50% of income on housing)
Households	1,354,715	474,040	220,695

Comparing the Nation: Ranking of Segregation in 100 Largest U.S. Metro Areas, 2010



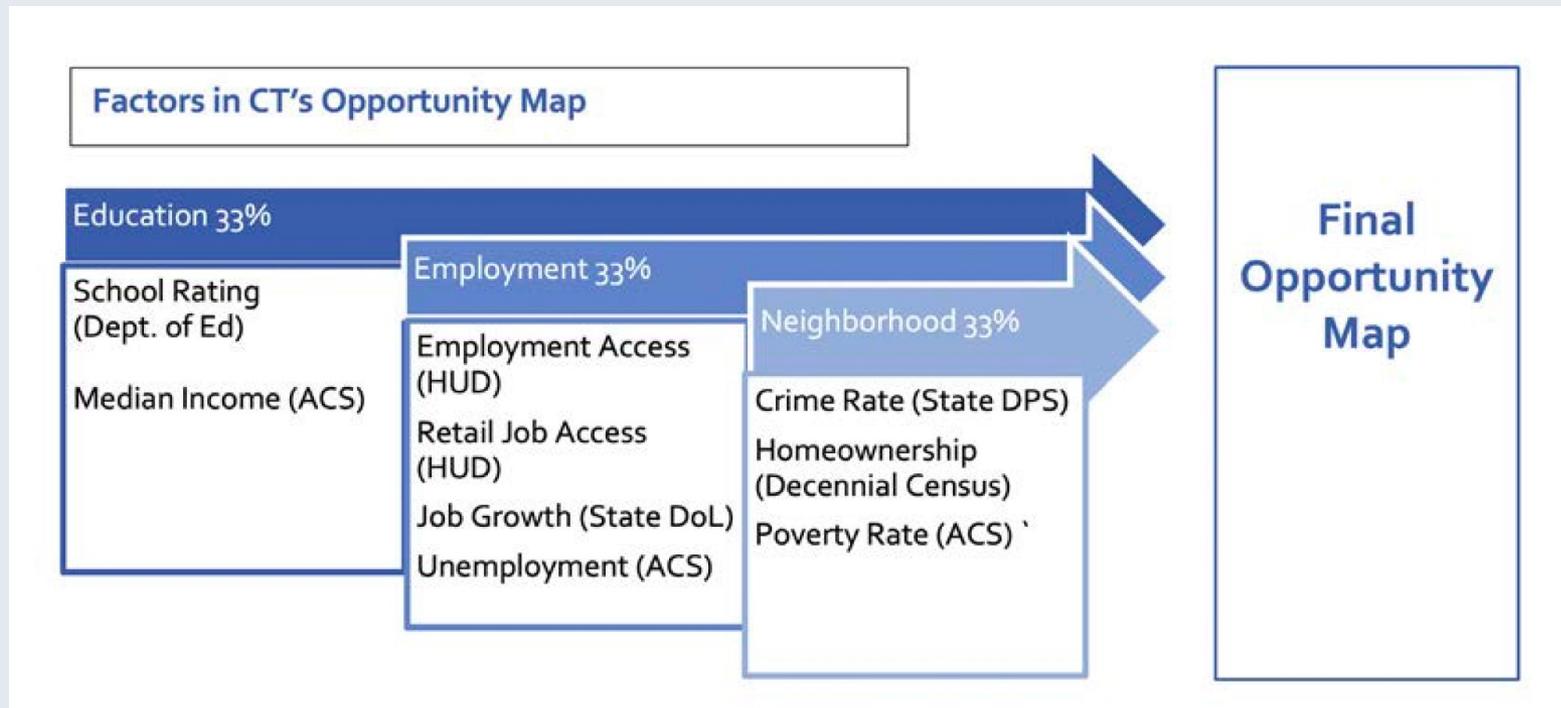
Source: Acs, Gregory, Rolf Pendall, Mark Treskon, and Amy Khare. 2017. *The Cost of Segregation: National Trends and the Case of Chicago: 1990–2010*. Washington, D.C.: Urban Institute.

Connecticut is one of the most segregated states in the country, and predominately white, higher opportunity towns can play a proactive role in turning that around through changes to their zoning.

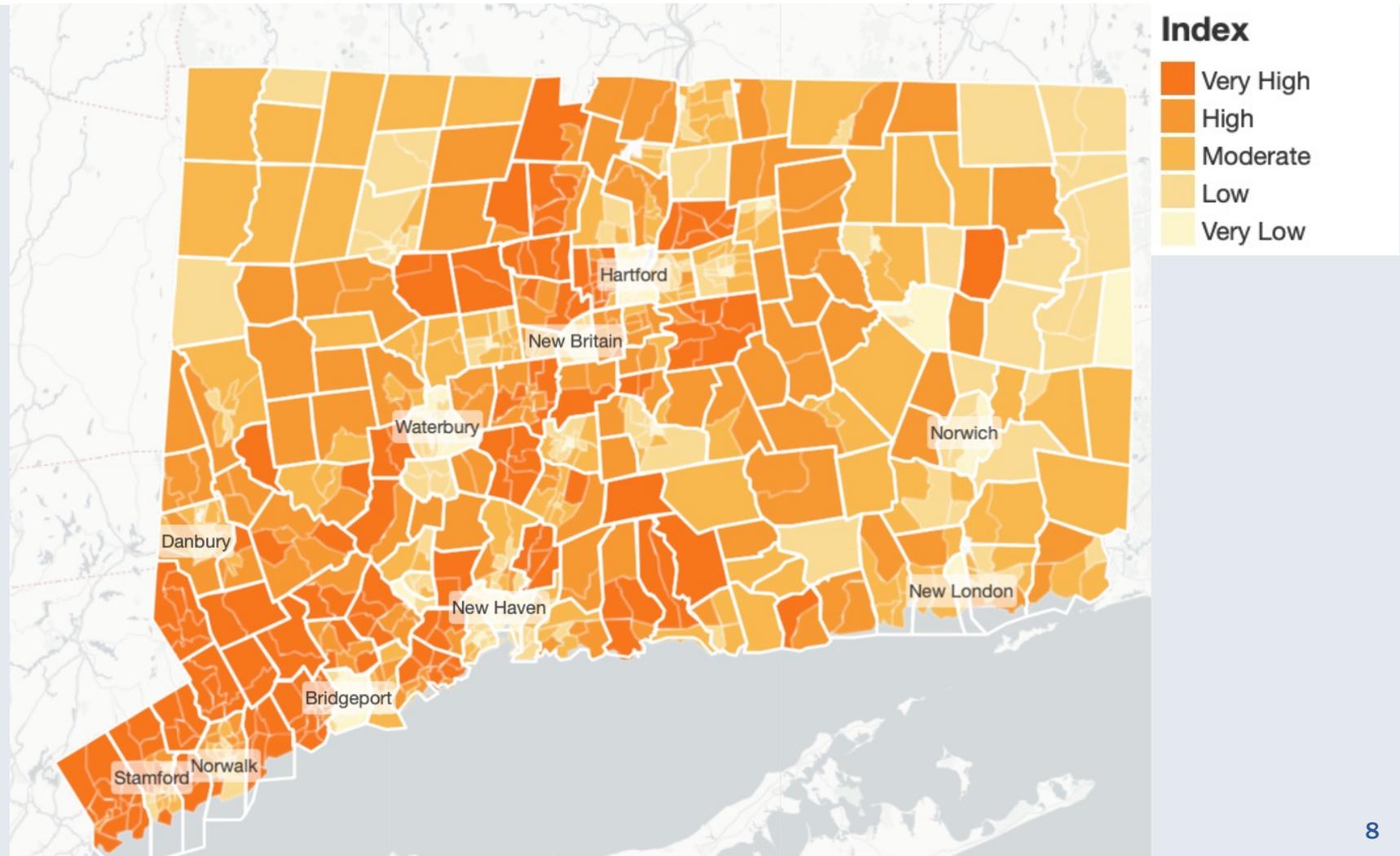
We can change this!

THE RESULT

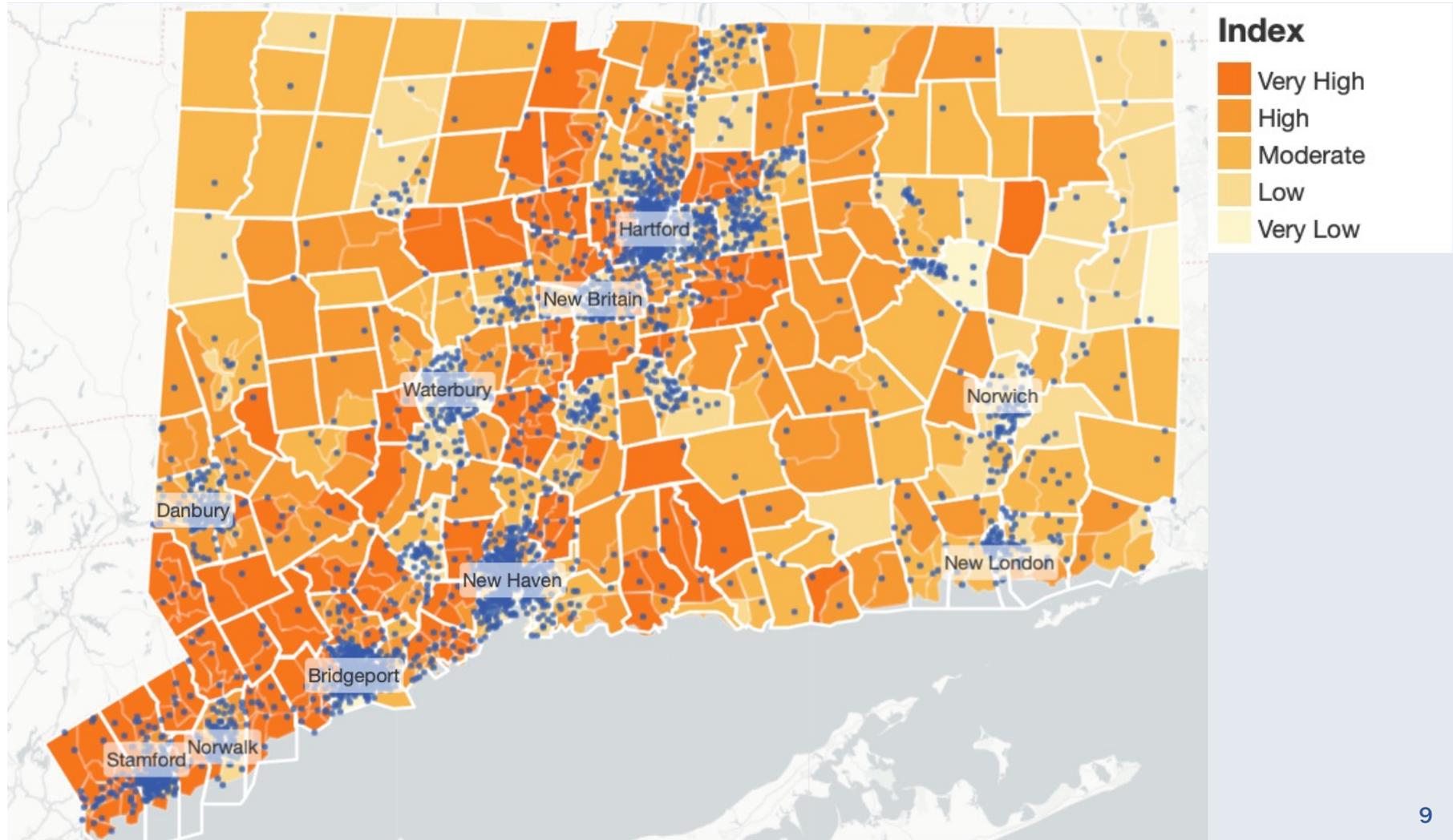
IMPACT ON OPPORTUNITY



CT OPPORTUNITY MAP 2021



OPPORTUNITY AND RACE



WHERE DO WE LIVE? OPPORTUNITY BY RACE AND ETHNICITY IN CT

% of People by Race & Ethnicity Living in Lower Opportunity Areas

Blacks:	74%
Latinos:	68%
Whites:	25%
Asians:	32%

**RACIAL
DISPARITIES
ACROSS
INDICATORS**

Educational Disparities

Unemployment Disparities

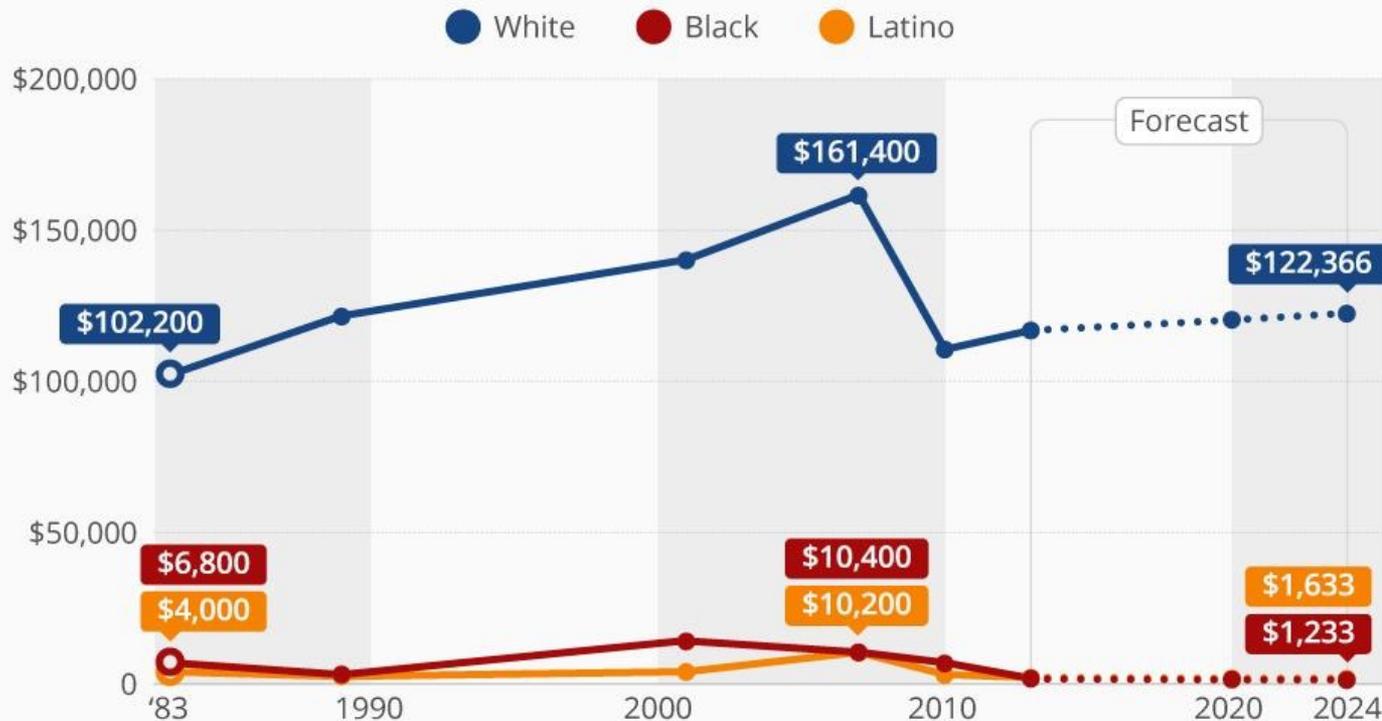
**Incarceration Disparities
(and, for neighborhoods, over-policing
outcomes)**

Health Disparities

INCOME & WEALTH DISPARITIES

Racial Wealth Inequality Is Rampant In The U.S.

Median household wealth by race/ethnicity in the United States (1983–2024)



- Historically, Blacks and Latinos earned on average half or less of what whites earned and had a 10% or less of the wealth.
- This wealth disparity is projected to widen to POC having only 1% of the wealth that whites have.

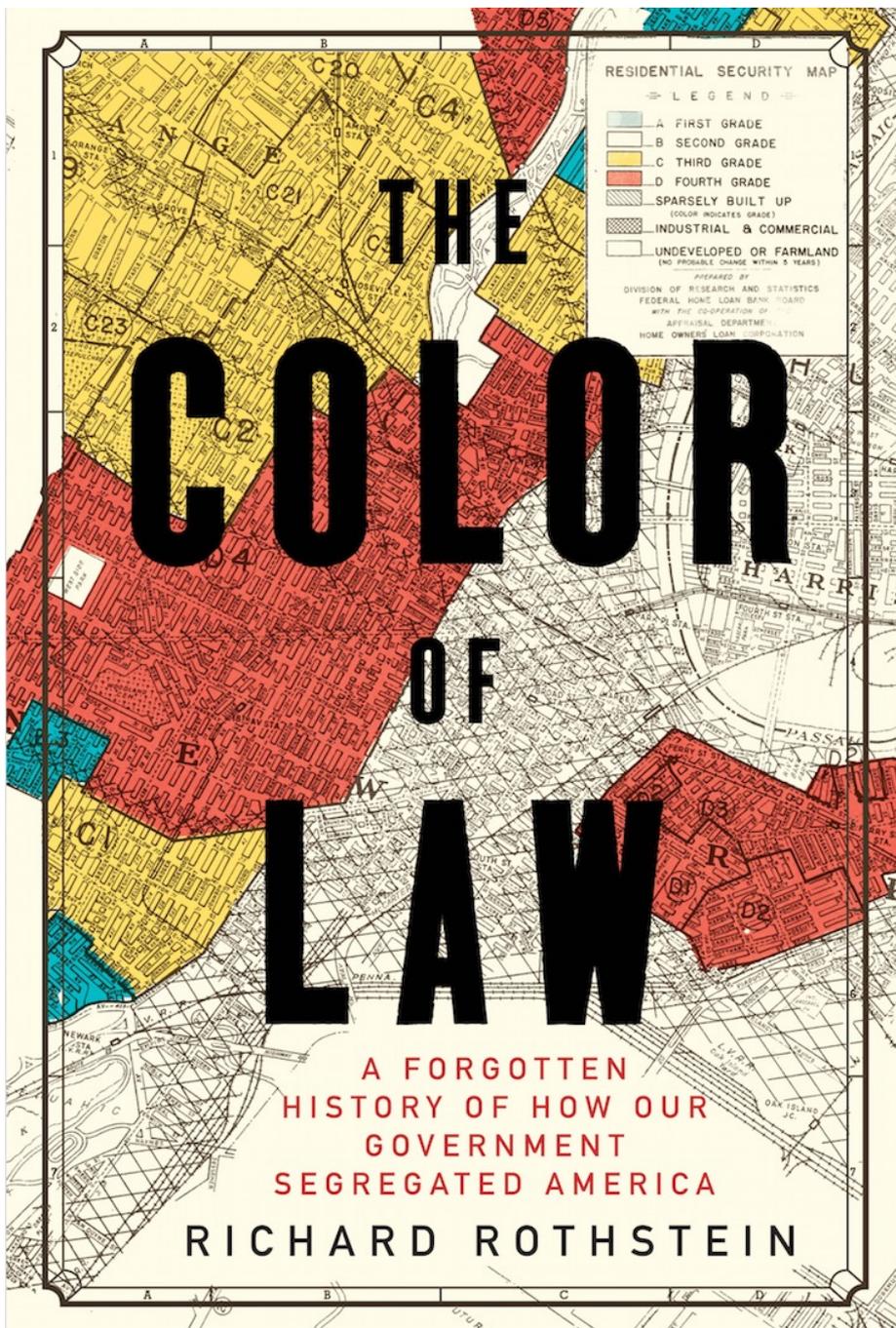
Forbes, September 2017, available at <https://www.forbes.com/sites/niall-mccarthy/2017/09/14/racial-wealth-inequality-in-the-u-s-is-rampant-infographic/#1baff41734e8>.



@StatistaCharts Source: Prosperity Now & Institute For Policy Studies

Forbes **statista**

HOW WE GOT HERE



The core argument of [The Color of Law] is that African Americans were unconstitutionally denied the means and the right to integration in middle-class neighborhoods, and because this denial was state-sponsored, the nation is obligated to remedy it.

- Richard Rothstein

ZONING 101

LAWS SUPPORTING EQUITABLE AFFORDABLE HOUSING DEVELOPMENT

- *Zoning Enabling Act, CGS Sec. 8-2 & Planning Mandates, CGS Sec. 8-23:* These laws require that towns "encourage the development of ... multifamily dwellings" to meet the regional affordable housing need and "promote housing choice and economic diversity, including housing for both low- and moderate-income households."
- Federal and state fair housing laws.
- State Constitution's anti-segregation clause, Article First, Sec. 20.
- Affordable Housing Appeals Act, Sec. 8-30g: 30-year-old law that gives developers of affordable housing a leg up in court if a town rejects their proposal.



CORE TERMS & CONCEPTS

■ Planning v. Zoning

- **Planning:** Overarching goals, strategies and vision for a town's development.
 - Should be articulated in the municipal *Plan of Conservation and Development*, completed by each town every 10 years
- **Zoning:** Regulations that govern what can and cannot be built, how it must be built, and where it can go in town. These are outlined in the municipal *zoning ordinance*.

Many towns have established Planning and Zoning Commissions combining both of these functions.



CORE TERMS & CONCEPTS

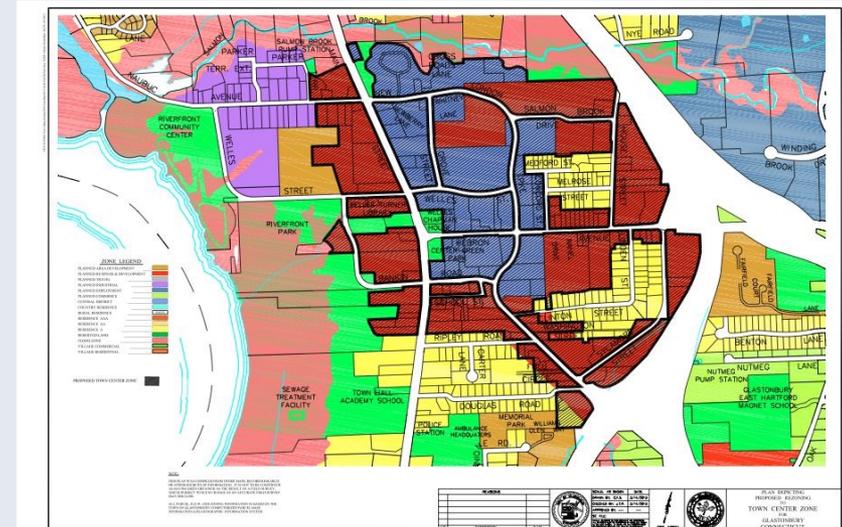
■ Types of Approvals

- **As of Right or By Right:** This is a use that is approved administratively by a town, often with a zone permit issued by a town department. A public hearing is not required. E.g. Most single-family homes in Connecticut.
- **Special Permit/Special Exception:** Zoning ordinances will spell out uses that while not allowed by right, are allowed if granted a Special Permit/Special Exception by the Planning and Zoning Commission. These must include a public hearing, usually a site plan, and, at least with regard to multifamily housing, can involve lots of additional rules. E.g. Adding a dentist office to a home.
- **Building Permit:** Not connected to the zoning process, but another point at which a developer must interact with the town. Building permits ensure that the construction of a permitted use meets basic building and aesthetic requirements.



CORE TERMS & CONCEPTS

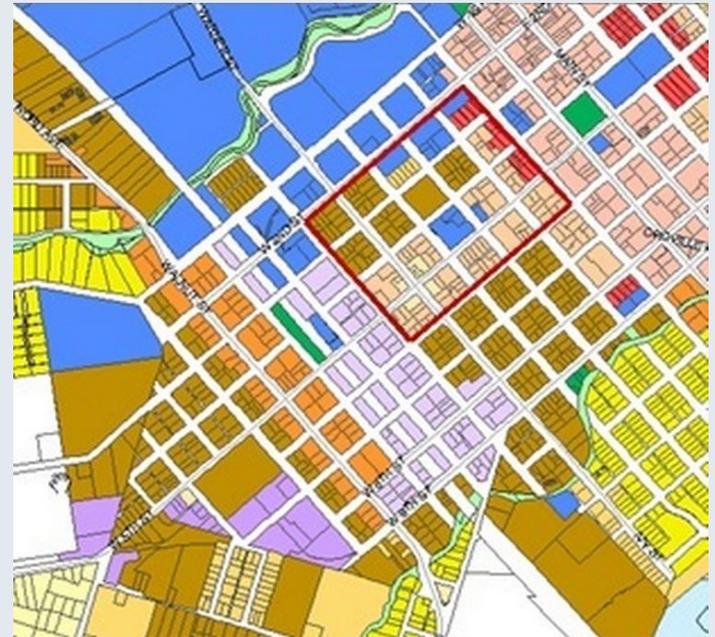
- **Zoning Districts:** Different parts of town designated by the Planning and Zoning Commission for different uses. Some examples include:
 - **Residential Zones:** Typically referred to as R-1, R-2, etc. The Zoning ordinance will describe what type of housing is permitted "as of right" or by Special Permit/Special Exception in the residential zone.
 - **Agricultural Zones**
 - **Open Space or Reserved Land:** Ostensibly for preserving land or natural resources.
 - **Commercial/Business Zone**
 - **Industrial Zone**
 - **Office Zone**
 - **Mixed use or Town Center:** Typically allows both residential and commercial uses.



CORE TERMS & CONCEPTS

■ Specialized Zones

- **Overlay zones:** Zones that can be superimposed on top of other zoning to permit specialized uses and usually require specialized approval by the Planning and Zoning Commission.
- **“Planned Development,” “Special” or “Floating” Zones:** Targeted zones that could include just one lot or several to promote a certain use. These usually require specialized approval by the Planning and Zoning Commission.



CORE TERMS & CONCEPTS

■ Acre v. Square Footage.

Number of Acres	Quarter Acre	Half Acre	One Acre	Two Acres
Square Feet	10,890	21,780	43,560	87,120
Equivalent to	4 Tennis Courts	8 Tennis Courts	.75 of a football field	1.5 football fields



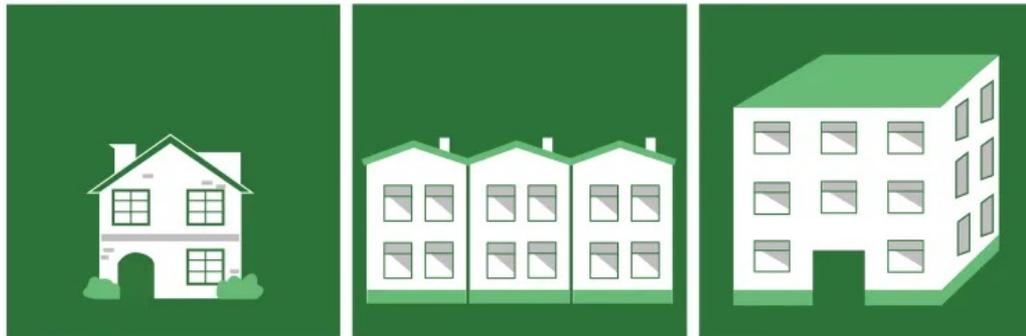
CORE TERMS & CONCEPTS

- **Single-Family Home:**

- Individual and separate residences for occupancy. Made more expensive the larger the size of the lot.

- **Multifamily Housing:**

- Lots of different forms. Duplexes, triplexes, quadraplexes, and more.
- The major government programs that help build housing, usually with a percentage of units deeply affordable need to have at least 30 units to make the numbers work.



CORE TERMS & CONCEPTS

- **Density.** Often expressed as Dwellings/Acre or du/ac.

Single Family Homes	Duplexes & Accessory Dwelling Units	Triplexes & Quadplexes	5-10 units	10-30 units	30+ units
Often 1 du/ac-.5 du/ac	2 du/ac	3-4 du/ac	5-10 du/ac	10-30 du/ac	30+ du/ac

- **Minimum Lot Size:** The smallest area of land allowed for the use within a zone. E.g. One unit for acre.
 - Different from Minimum Parcel Size, which is the total amount of land needed for an entire use (e.g. a housing development). E.g. A requirement for a housing development that the parcel be 5 acres, with a minimum lot size of two homes per acre.

WHAT SHOULD WE DO?

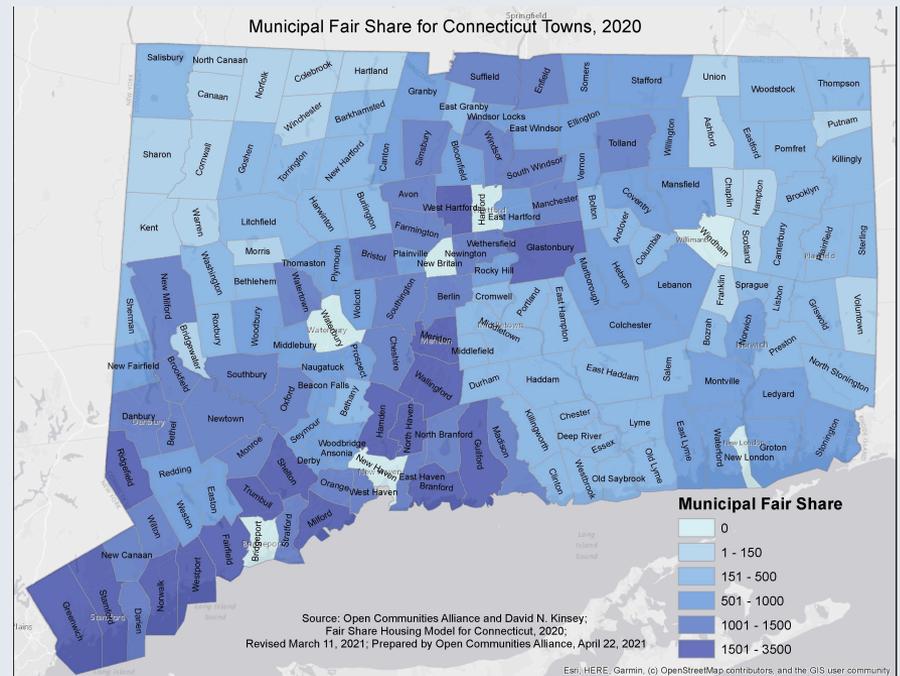
ACTION STEPS

- Self-reflection and education.
- Outreach and education at a community level.
- Systems change at a community level (reviewing town policies such as zoning and school culture).
- In communities with a dearth of affordable homes, actively work on a community level to bring more mixed income housing to town (actual development, changes to zoning).
- Systems change at the state level
 - Fair Share Planning and Zoning



FAIR SHARE PLANNING AND ZONING

- HB 6611 proposed this year. Passed Planning and Development Committee. Died in Judiciary Committee.
- Assess the number of affordable housing units the state needs.
- Fairly allocate that to each town considering town resources and past track record with affordable housing.
- Establish a planning and enforcement process to make sure the housing is produced.



Fair share can be both a new state policy AND a tool to set goals locally in absence of a state law.



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Check us out and join the coalition at: <http://www.ctoca.org>