Land Use as a Resiliency Issue

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Agenda

01 Is Land Use a Resiliency Issue?
02 Legislative Agenda
03 Data & Research
04 Next Steps
The Problem
Zoning – the regulation of structures, uses, and lots – is a fundamentally environmental concern.
Environmental Impacts of Bad Land Use

- Sprawl into greenfields
- More driving
- Air pollution
- Water pollution

... all contributes to climate change and lack of *physical* resiliency
Environmental Impacts of Bad Land Use

Zoning laws with excessive minimum lot sizes and parking requirements make us use more land for housing - which gobbles up farmland and forest. Walkable, transit-oriented communities can get us out of our cars and reduce Connecticut’s carbon dioxide emissions. Unfortunately today, per capita emissions from transportation and housing are twice as high in Connecticut zip codes with restrictive zoning compared to those that allow denser development. Driving also emits pollutants that harm our health and cause diseases like asthma. As the condition of our environment diminishes, our health inevitably suffers. Why are we keeping land use laws that hurt us?
Residential Type by Acres in the Tri-State Region (Close to Rail Stations)

There are 556 thousand acres of residential land in locations within 1 mile to transit stations. Single family uses take over 522 thousand acres or 93% of such land, mostly in suburban areas.

Source: Based on the 2010 Decennial Census, American Community Survey (ACS) 5-year estimates (block group level), Environmental Protection Agency Smart Location Database, and the National Land Cover Database (NLCD). Urban Footprint block-level canvas, excluding Hudson River, East River, Long Island Sound, and New York Harbor.

Source: Regional Plan Association
Social Impacts of Bad Land Use

• Racial and economic segregation
• Fewer jobs and educational opportunities
• More food and physical insecurity

... all contributes to inequality & lack of household resiliency
Connecticut Community Confronts Legacy of Segregation

New movement is pushing to make it easier to build multiunit housing to diversify state's mostly white suburbs

By Joseph De Avila | Photographs by Desiree Rios for The Wall Street Journal

Updated Aug. 30, 2020 5:22 pm ET
About DesegregateCT

We are a coalition of organizations and people

We accept that land use laws are segregative, and change is needed.
Overall Goal

• Change statewide land use policy to make CT “inclusive by design” &:
  • Reduce segregation
  • Power the state’s economy
  • Protect the environment
3 Messages

EQUITY  ECONOMY  ENVIRONMENT
Because our land use laws hurt all of us. And because change is long overdue.

Our outdated land use laws make it too hard to build housing. They prevent people of all incomes and backgrounds from having safe, affordable homes near jobs, education, and other resources. Changing these laws is imperative if we ever want to eliminate segregation, grow the economy, or save the environment.

GREATER EQUITY

INCLUSIVE PROSPERITY

A CLEANER ENVIRONMENT
Legislative Agenda
Statewide reform must address 3 issues

<table>
<thead>
<tr>
<th>Housing Diversity</th>
<th>We don’t allow different housing types people need and want.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Supply</td>
<td>We aren’t producing housing fast enough - either for cities or for towns.</td>
</tr>
<tr>
<td>Process</td>
<td>Decisions are often arbitrary, costly, and emotion-driven.</td>
</tr>
</tbody>
</table>
Special Session 2020

Here are our **Top 10 Ideas** to achieve the following 3 goals:

- **Housing Supply**: Right now, we’re stuck with the expensive housing we already have. *We have to make it easier to convert existing development to create housing, or to build new housing.*

- **Housing Diversity**: We have too many freestanding single-family homes, which are expensive and, for many, undesirable. *We have to give people more opportunities to choose where and how they live.*

- **Process Improvement**: We’ve seen coded discrimination, abuses of the “process,” and high fees stop great housing from being built. *We need to make decisions fairer and better.*

*Our supporters* support these three broad goals.
Accessory Dwelling Units
Middle Housing
Transit-Oriented Development

REPORT

Fixing Greater Boston’s housing crisis starts with legalizing apartments near transit

Sarah Crump, Trevor Mattos, Jenny Schuetz, and Luc Schuster • Wednesday, October 14, 2020
Costly Parking Mandates
### 4.13.2 ROW BUILDING TYPE REGULATIONS

<table>
<thead>
<tr>
<th>Model Form-Based Code</th>
</tr>
</thead>
</table>

#### A. Building Siting

<table>
<thead>
<tr>
<th></th>
<th>MX-1</th>
<th>MX-2</th>
<th>NX-1</th>
<th>NX-2</th>
<th>N-S</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Minimum Side Setback (Minimum Space between Buildings)</td>
<td>9'</td>
<td>9'</td>
<td>7.5'</td>
<td>7.5'</td>
<td>7'</td>
</tr>
<tr>
<td>Minimum Rear Backset</td>
<td>10'</td>
<td>5'</td>
<td>12'</td>
<td>15'</td>
<td>15'</td>
</tr>
<tr>
<td>Maximum Lot Width</td>
<td>none</td>
<td>none</td>
<td>none</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>Maximum Building Width</td>
<td>none</td>
<td>none</td>
<td>none</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>Maximum Building Coverage</td>
<td>60%</td>
<td>70%</td>
<td>80%</td>
<td>80%</td>
<td>50%</td>
</tr>
<tr>
<td>Maximum Impervious Area</td>
<td>70%</td>
<td>80%</td>
<td>80%</td>
<td>80%</td>
<td>60%</td>
</tr>
<tr>
<td>Parking &amp; Detached Garage Location</td>
<td>rear yard</td>
<td>rear yard</td>
<td>rear yard</td>
<td>rear yard</td>
<td>rear yard</td>
</tr>
<tr>
<td>Permitted Vehicular Access</td>
<td>one driveway per lot or corner side or interior side yard shared driveways encouraged</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### B. Height

<table>
<thead>
<tr>
<th>Standard Name</th>
<th>MX-1</th>
<th>MX-2</th>
<th>NX-1</th>
<th>NX-2</th>
<th>N-S</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Overall Height</td>
<td>2 stories</td>
<td>2 stories</td>
<td>2 stories</td>
<td>2 stories</td>
<td>2 stories</td>
</tr>
<tr>
<td>Maximum Overall Height</td>
<td>4 stories</td>
<td>4.5 stories</td>
<td>3.5 stories</td>
<td>3.5 stories</td>
<td>2.5 stories</td>
</tr>
<tr>
<td>Minimum Height 1 Maximum Height</td>
<td>9'</td>
<td>14'</td>
<td>9'</td>
<td>12'</td>
<td>9'</td>
</tr>
</tbody>
</table>

#### 4.13.1 DESCRIPTION & INTENT

The Row Building is a set of multiple buildings, either all located on the same lot or on adjacent lots, which must have a separate entrance to the street and may contain one or more stacked dwelling units. This building type may be organized as townhouses or rowhouses, or can be utilized for live-work units when non-residential uses are permitted. Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garage accessed from the rear of the building. However, when the garage is located within the building, a minimum level of occupied space is required on the front facade to ensure that the street facade is active.

Figure 4.13-A: Illustrative Examples of Row Buildings from Hartford
Other Process Improvements:

- Standardize Procedures
- Train Land Use Commissioners
- Eliminate “Character”
- Cap Town Fees
Additional Environmental Issues:

- Sewer & Traffic Requirements
- 22a-19 Interventions
- 8-30g Expansions to Sewer/Traffic
- Large-Lot Zoning
Data & Research
How Does Your Town Fare?

Among 60 towns that require 1+ acres for a single-family home, 56 have above-average median income
*Towns with 1+ acre requirement are in purple
Red line represents state’s median household income of $70,136

Minimum parking spaces required
Per dwelling unit of multifamily housing

Minimum lot size for multifamily housing
Measured in acres

Maximum land multifamily housing can occupy
Lot coverage, measured as % of lot covered by building

Source: DecongestCT
Visualization: CTData Collaborative
Current Research Projects

- Accessory Dwelling Unit Data
- Other States’ Reforms
- GIS Mapping of Zoning Codes (never been done before)
  - 2,422 districts
  - 52 parameters
### Other States’ Reforms

<table>
<thead>
<tr>
<th>DeSegregateCT Top 10 Ideas</th>
<th>Oregon</th>
<th>Vermont</th>
<th>California</th>
<th>Nebraska</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Enable &quot;Accessory Apartments&quot;</td>
<td>ADUs as right for single-family zoning in cities over 2,500 and counties over 15,000</td>
<td>Establishes ADUs as a right for single-family dwellings, cannot exceed greater of 30% of habitable floor area or 900 sq ft, owner occupation requirement</td>
<td>Enables properties to have both an ADU and a JADU</td>
<td>By Jan 1, 2023, 50k shall adopt (but is not limited) --Specific goals for multi-family and --Goals for rental --Plans for use of housing, middle --Updates to city affordable housing Failing to meet dwelling zoning</td>
</tr>
<tr>
<td>2 Create &quot;Gentle Density&quot;</td>
<td>Converts areas zoned for single-family dwellings to all middle housing types in cities w/populations above 25,000 (Jun 2022), duplexes in cities between 10,000 and 25,000 (Jun 2021)</td>
<td>Bill effectively this allows for quad-plexes in areas that may previously have allowed duplexes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Zone 10% for New Housing Types</td>
<td>see above</td>
<td>See above</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Reduce Parking Requirements</td>
<td>Local gov's cannot require additional off-street parking for ADU construction</td>
<td></td>
<td>Eliminates parking requirements for ADUs if property is within 1/2 mile of public transit, enables driveways to replace lost parking due to ADU construction &lt;1/2 from pub transit</td>
<td></td>
</tr>
</tbody>
</table>
Data & Reports

CONNECTICUT

- **DesegregateCT Statewide Zoning Code Research**: Our initial glimpse into all of the zoning codes in Connecticut, including minimum lot sizes, minimum parking, maximum lot coverage, and accessory units.

- **Housing Data Profiles**: A town-by-town treasure trove of information on housing affordable from the Partnership for Strong Communities, updated for 2020.
Connecticut Land Use Laws

Our century-old laws can be changed to ensure opportunity for everyone.

A basic familiarity of our state’s land use laws can help to explain why we are where we are today. Local zoning powers are derived from the State Legislature. A century ago, the Legislature adopted the "Standard Zoning Enabling Act" (now Chapter 124 of the General Statutes) and the "Standard Planning Enabling Act" (now Chapter 126 of the General Statutes), which enable towns to zone and plan, under certain parameters. In addition, more recently Connecticut adopted an affordable housing bill (contained in Chapter 126a of the General Statutes), which has the effect of overriding some local zoning decisions.

While the laws were modified here and there over the last century, the basic structure of local zoning remains intact. Unfortunately, our state laws have allowed segregation to fester in communities across Connecticut. Given the consequences of this structure, it’s time to rethink what we might do to help change it to meet the challenges of today.

**Zoning Laws:** Chapter 124 of the Connecticut General Statutes contains the state’s zoning laws.

Broadly, Chapter 124 authorizes municipalities to write their own zoning codes. It identifies the criteria local zoning commissions may take into consideration when making decisions. It also outlines zoning procedures and provides for the membership of zoning authorities.
Next Steps
Housing development is a resiliency issue - during COVID-19 & beyond.
Coalition Launched To Move Forward With Housing Desegregation

by Christine Stuart | Jul 14, 2020 4:17pm

Lamont, legislators agree on July agenda housing segregation.

POLITICS by JACQUELINE RABE THOMAS and MARK PAZNIOKAS | JULY 14, 2020 | VIEW AS "CLEAN READ"

HARTFORD. CT — Legislation to change land use laws in Connecticut is...
Thank you!

www.desegregatect.org  @desegregatect  @sarabronin