

March 12, 2021

Esteemed Chairs Cassano and McCarthy Vahey,
Members of the Planning and Development Committee:

The Western Connecticut Council of Government (WestCOG) appreciates the opportunity to comment on:

- Senate Bill No. 1026, *An Act Concerning Training for Certain Planning and Zoning Officials*
- Senate Bill No. 1027, *An Act Concerning Accessory Dwelling Units and Zoning Regulations*
- House Bill 6107, *An Act Concerning the Reorganization of the Zoning Enabling Act and the Promotion of Municipal Compliance*

WestCOG does NOT oppose SB 1026 and SB 1027.

- SB 1026 would provide ongoing education for land use commissioners. This need was recognized in by the Land Use Education Council in its January 1, 1988 report to the General Assembly, a project that was initiated by Public Act 87-92 and that current WestCOG staff supported at the time.

WestCOG recommends that any such training include modules on relevant case law – especially Connecticut Supreme Court case law, environmental laws and regulations pertinent to land use commissions, and the economic development roles of commissions, including fiscal impact analysis of land use decisions, a key consideration in ensuring that land use promotes economic opportunity and stable public finances. WestCOG agrees that housing should be a component of the training; however, dedicating 50% of training time to housing, as SB 1026 proposes, is disproportionate.

- SB 1027 would allow accessory dwelling units (ADUs) by right within or physically attached to a single-family home, with the same regulatory requirements as the single-family home. In WestCOG's view, this is a fair and common-sense approach: an accessory dwelling unit built inside of home is a renovation of interior space; one that is attached is an addition. Under SB 1027, municipalities would continue to be able to ADUs in outbuildings in locations where it is appropriate. WestCOG supports this approach.

This is in marked contrast to SB 1024 and HB 6613 which would require municipalities to permit ADUs in outbuildings by right, regardless of the suitability of the site, and exempt ADUs from many of the vital guardrails (e.g., drinking water and environmental regulations, parking standards, building code requirements) that ensure single-family homes are safe, habitable, and do not adversely impact the community. (For these and other reasons, WestCOG opposes SB 1024 and HB 6613.)

WestCOG opposes in part HB 6107.

- WestCOG **opposes** extending zoning to address the relationship between home sellers and home buyers, and between landlords and tenants (Il. 44-46). These are areas that are governed by federal law (the Fair Housing Act) and should continue to be so without the added involvement or complication of local land use regulation. Furthermore, references to federal law should be eschewed in favor of statutory language, as federal law may change and renumbered in ways that may then have unintended consequences on the meaning and interpretation of state law.
- WestCOG does not oppose permitting a municipality to incorporate its affordable housing plan, as required under CGS §8-30j, into its local Plan of Conservation and Development (Il. 218-228). Affordable housing should be integrated into the comprehensive planning process and not treated separately.

Should you have questions, please do not hesitate to contact me.
Thank you for your consideration.

A handwritten signature in black ink that reads "Francis Pickering". The signature is written in a cursive style with a long horizontal stroke at the bottom.

Francis R. Pickering
Executive Director