



American Planning Association
Connecticut Chapter

Making Great Communities Happen

What's the Side-Yard Setback For Grandma?

...and other questions about the 2017 CT Legislative Session

John Guskowski, AICP
Co-Chair & Gov't Relations Officer
Government Relations Committee
Connecticut Chapter of the American Planning Association
September 6, 2017



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The CCAPA GRC Team

- Co-Chairs: Amanda Kennedy & John Guskowski
- Committee Members
Jana Roberson, Alan Sylvestre, Chris Smith, Christine Nelson, Dan Tuba, Don Poland, Evan Seeman, Glenn Chalder, Jason Vincent, Rob Phillips, Phil Chester, Jose Giner, Kyle Shiel, Ken Livingston, Sam Gold, Marty Connor, Jamie Bratt, Jon Reiner, and Craig Minor
- Alan Deckman & John Bailey - TCORS



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CCAPA Focus Areas 2017

- Affordable Housing Appeals Act (CGS 8-30g)
- Community Septic System Regulation
- Brownfield Land Banks
- Statewide Housing Needs Assessment
- Entertainment Districts (Speaker's Bill)
- Regional Authorities & Responsibilities
- SB 922 - Temporary Health Care Structures





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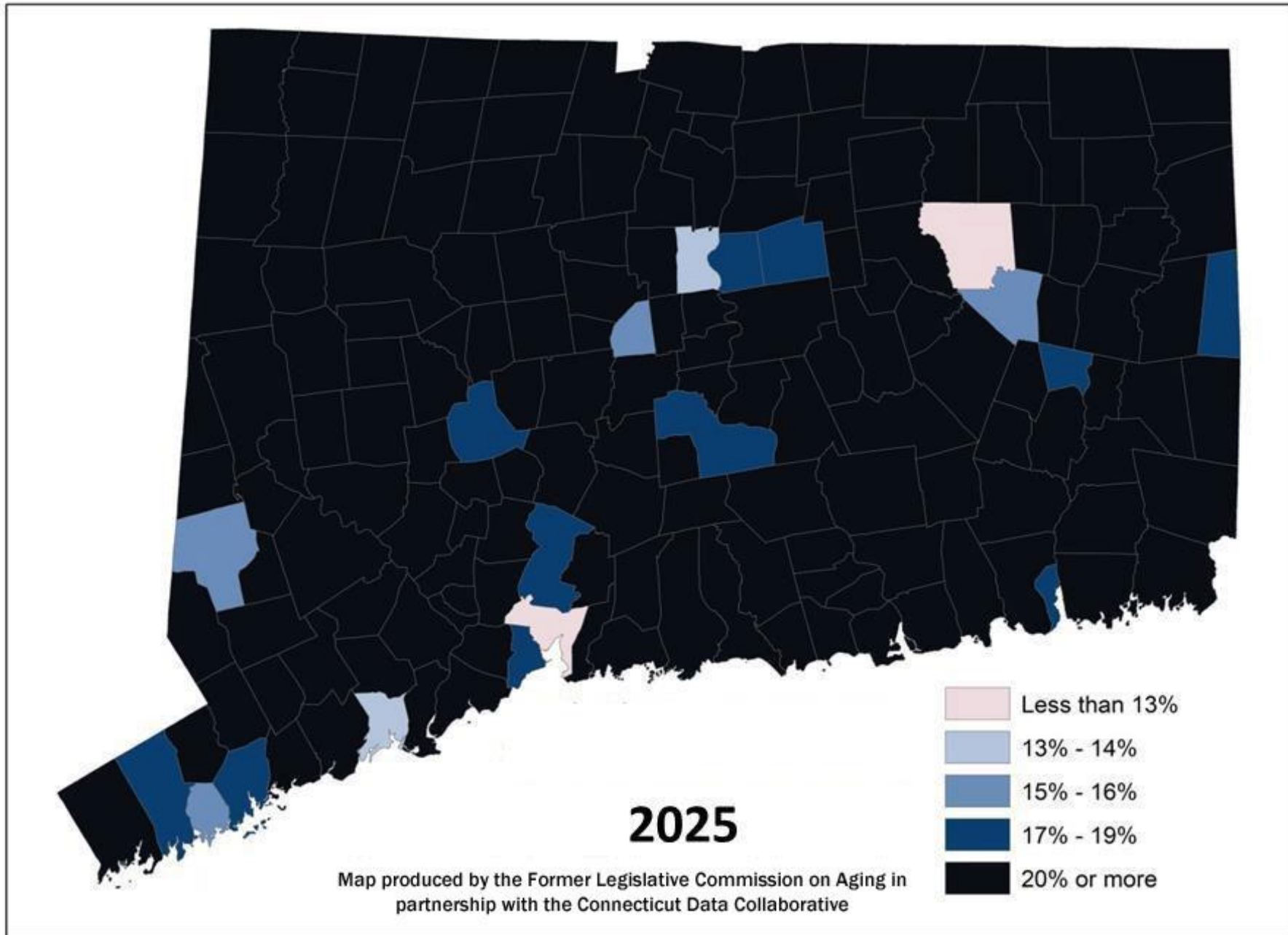
What ARE Temporary Health Care Structures?



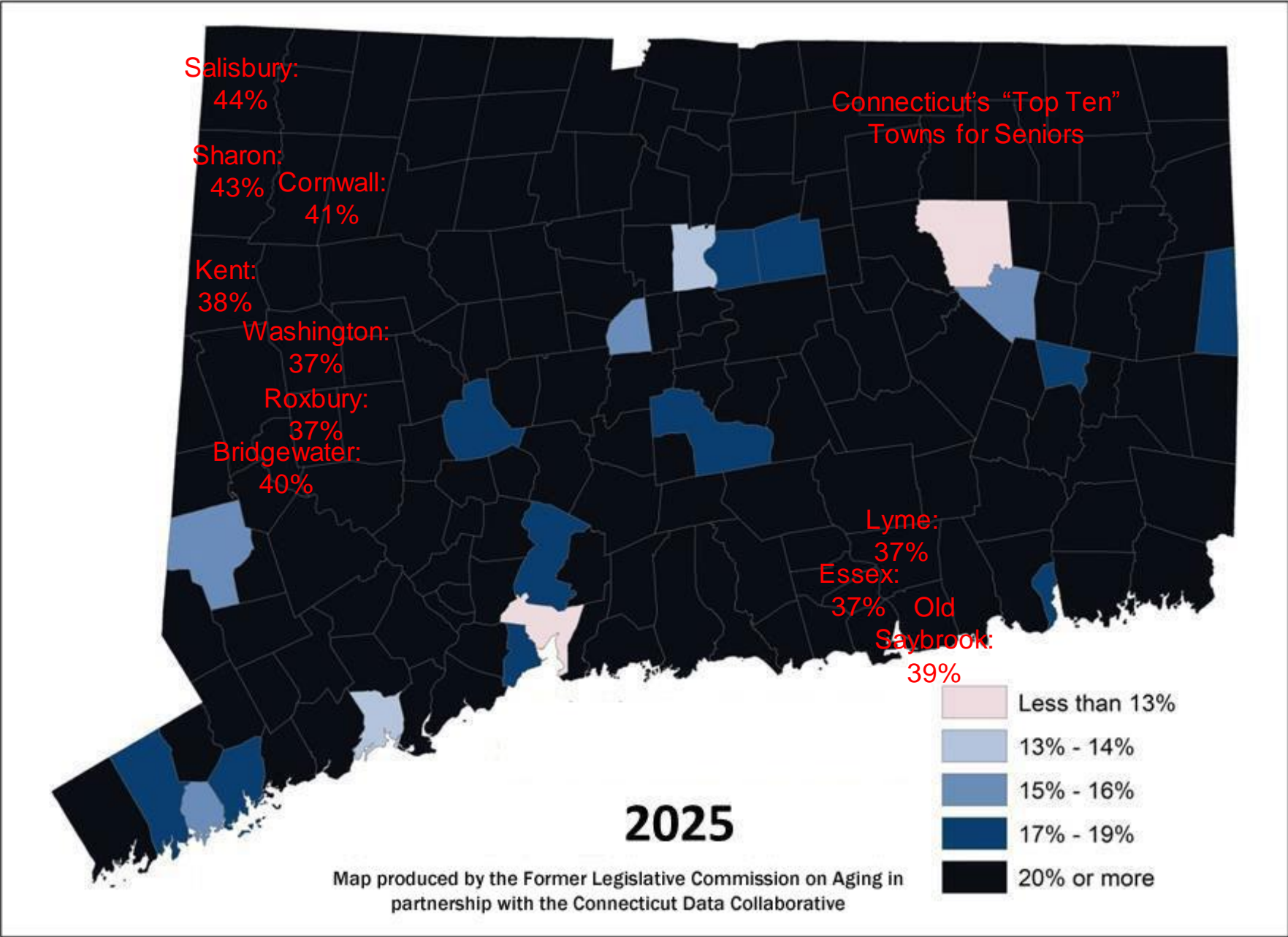
“A transportable residential structure that provides an environment in which a caregiver may provide care for a mentally or physically impaired person and that

- A. is primarily assembled at a location other than the site of installation,
- B. has one occupant who is the mentally or physically impaired person,
- C. is not larger than than five hundred gross square feet,
- D. is not placed on or attached to a permanent foundation, and
- E. complies with the applicable provisions of the State Building Code and Public Fire Code”

Percentage of People Age 65 and Older as Proportion of Total Population



Percentage of People Age 65 and Older as Proportion of Total Population





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What does this mean for housing?

Projection Year: 2025

Seniors are...

- The fastest growing share of households
- LEAST likely to move of all age groups
- MOST likely to own home
- High share of physical infirmities
- Likely to outlive their ability to drive by 7-10 years

In Southeastern CT...

- Seniors are 1/3 of households
- Half expect to be in current home for 10+ years
- 81% own home
- 14-22% will have physical limitations
- Towns with most seniors have least transit & services



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Housing Solutions for Seniors

- Multigenerational Housing
- Apartments/Condominiums
- Active Adult Communities
- Accessory Apartments
- Temporary Health Care Structures



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Housing Solutions for Seniors

- Multigenerational Housing
 - Multifamily or single-family with annex
 - Family support
 - Long lead time for construction
 - Limited inventory, especially rural & suburbs
 - Often restricted in single-family zones



Lennar: Next GenSM - The Home Within a Home[®]



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Housing Solutions for Seniors

- Accessory Apartments
 - Family support
 - Long lead time to construct
 - Limited existing inventory
 - Occupancy of space often limited to family members-- economic viability



Single-family home with in-law apartment, Bristol, CT (Zillow)



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Housing Solutions for Seniors

Apartments and Condominiums

- Not age-restricted
- Short lead time for rentals, longer for purchase
- Community support is inconsistent
- Few choices, especially in suburban/rural areas





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Housing Solutions for Seniors

- Active Adult Communities
 - Ownership opportunity
 - Handicapped-accessible
 - Community support
 - Long lead time for new construction
 - Expensive





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Housing Solutions for Seniors

- Temporary Health Care Structures
 - Live with support of family
 - Short lead time
 - Home can be leased or purchased
 - Home removed (returned or resold) when no longer needed





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SB 922/PA 17-155 - AAC Temporary Health Care Structures

- Sen. Cathy Osten (P&D 2016)
- Sought to Do “As Of Right” Zoning Over-Ride
- CCAPA Opposed, 2016
- Winter 2016 Task Force (CT-N)
- CCAPA, AARP, Osten, LCO
- Used Virginia, Minnesota, North Carolina, etc.
- Model Regs vs. Mandate
- Modified approach - Opt-Out





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Why Is This Needed or Useful?

- Easing local control over a broad common issue
 - Group Homes
 - Affordable Housing (8-30g)
- Long-Cycle review of demographics
 - Zoning follows PoCD
 - Often reacting to old trends
- Guardians of Community Character
- No Training Mandate for P&Z





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PA 17-155 Nitty Gritty

- As-of-right accessory use in any SFR Zone
- Unpaid caregiver- relative, guardian, agent
- Pre-requisite conditions, doctor's note
- Comply with current setbacks, FAR, coverage
- Permit required, short turnaround
- No hearing needed - administrative level
- Notify abutters
- Hook up to existing utilities (public/private)
- Only one per lot, renewal, removal timeframes



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PA 17-155 Nitty Gritty (Continued)



- 1)Vote of Legislative Body
- 2)Zoning/PZC Public Hearing
- 3)Stating on Record Reasons for Opt-Out
- 4)Publication of Notice



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Bills to know- PASSED

HB 7222 An Act Concerning the Department of Public Health's Various Revisions to the Public Health Statutes

- Increases the size of septic systems under the jurisdiction of CT DPH from 5,000 gallons to 7,500 gallons.
- Reduces barriers for cluster housing and multifamily development in areas without sewers by allowing (for example) up to 25 two-bedroom units (7,500 gallons wastewater) instead of the previous 16 two-bedroom units (4,800 gallons) without the need to go through DEEP review.



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Bills to know- PASSED

HB 6880 An Act Concerning the Affordable Housing Land Use Appeals Procedure

- Reduces threshold for obtaining moratoria.
- Makes it easier for large communities with first moratorium to obtain subsequent moratoria, and extends length of moratoria.
- Requires municipalities to adopt an affordable housing plan at least every five years.



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Bills to know- PASSED

HB 6880 An Act Concerning the Affordable Housing Land Use Appeals Procedure

- Reduces threshold for obtaining moratoria.
 - Increase the point values for: (until 2022)
 - 3-bedroom family units
 - Age-restricted units when at least 60% of units being submitted for moratorium are family
 - Family units in an approved incentive housing development.
 - Establishes point structure for units in affordable mobile home parks.
 - Reduces the point requirement from 75 to 50 pts (until 2022)
 - Maintains *greater of 2% housing inventory or clause*



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Bills to know- PASSED

HB 6880 An Act Concerning the Affordable Housing Land Use Appeals Procedure

- For larger communities (20,000+) who have achieved a first moratorium:
 - Reduces the threshold to obtain subsequent moratoria from greater of 1½% (from 2%) of housing inventory or HUE points
 - Extends subsequent moratorium length from four years to five.



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Questions, Comments, Snide Remarks

CCAPA Government Relations Committee

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