

March 12, 2024

Esteemed Chairs Kavros Degraw and Rahman,
Members of the Planning and Development Committee:

The Western Connecticut Council of Governments (WestCOG) appreciates the opportunity to comment on Raised Bill 5473, *An Act Requiring the Majority Leaders' Roundtable Group on Affordable Housing to Study the Elimination of Municipal Design Review Processes*. WestCOG **opposes** this bill.

It is unclear what the genesis this bill is. As a member of the Majority Leaders' Roundtable, I can say that elimination of design review was not suggested in our discussions. Nor has it ever come up in the conversations about housing to which I have been party over the last fifteen years.

On the contrary, recent housing initiatives have emphasized the importance of design in creating places for people to live and work. Most visibly, Public Act 21-29 called for the development of "design guidelines" for buildings and streets, including "architectural and site design features, and the development of "design review standards." The ability to set and review designs is integral to form-based codes; without these tools, the diverse, human-scale downtowns, town centers, and main streets they produce are hard if not impossible to achieve and to maintain.

Under state law, municipalities may only exercise design review in historic and village districts. Together, these districts – which are locally created – cover a very small fraction of Connecticut, perhaps 1% or 2% of the state's land area. In other words, eliminating design review will do little to provide land for development. Instead, its primary impact would be to put the state's history at risk. Design review is central to historic preservation; it is why the places that residents and visitors cherish – our rich and storied New England town centers, with their greens, churches, stone walls, and colonial saltboxes – have not given way to strip malls and parking lots but stand to this day.

Design is common to the places that we gravitate to, whether historic or modern. In these places, buildings, architecture, landscapes, and streets work together, creating synergies that rarely obtain in places where no public consideration is given to design. The recurring attraction of people and capital to these places suggests not that we should retreat from the importance of design in growing our state but that we should capitalize on it. (As an example, on the next page I have included a concept for new design authority that could open doors for new types of housing.)

I urge your Committee not to advance this bill. Thank you for your consideration.



Francis R. Pickering
Executive Director

Density bonuses for design

The following is an example of how expanding current provisions for design review could allay concerns about “middle housing” integrating into existing neighborhoods.

Problem statement: Concern that multifamily development proposals will not architecturally complement existing neighborhoods can lead communities to limit where multifamily can be built. Enabling municipalities to use design standards to ensure that small multifamily housing (aka ‘middle housing’) integrates into neighborhoods could mitigate local concerns and provide a regulatory pathway to permit such housing.

State law enables municipalities to create a village district that can regulate design, but only in “areas of distinctive character, landscape or historic value that are specifically identified” in the local Plan of Conservation and Development. While the statute does work for these specific areas, it does not work, for instance, in a municipality that is interested in allowing, say, 2-, 3-, or 4-plexes in much or all of town but wants those buildings to fit in with existing neighborhoods. Outside of a village district a municipality has no ability to ensure that proposals blend in – and thus towns may not allow multifamily in neighborhoods.

Solution concept: State law could enable local zoning to grant density bonuses anywhere (i.e., not solely in village districts) to proposals that satisfy local design standards. Municipalities would determine the standards and the associated bonuses, should they wish to use this option.

Using this option, a municipality could decide to allow middle housing in a neighborhood that has historically been zoned for single-family homes, when the middle housing is indistinguishable from single-family homes. For instance, to maintain the appearance of a traditional single-family home, one design requirement might be for all units in a building to share the same front entrance door (or for the entrance doors for second and beyond units not to be visible from the road).

Note that state law provides for density bonuses for proposals that include affordable units. However, for economic reasons this generally is limited to large developments (and it does not explicitly allow for density bonuses based on meeting design standards) – so it is not ideal for the small multifamily housing that may be easier to integrate into existing neighborhoods.