

# Simsbury Zoning and Affordable Housing

## Introduction

The intent of “Affordable Housing” is to make good housing available to residents with limited incomes. Since this concept, by its nature, is not consistent with a market economy, CT Statutes provide the rules and constraints. The following paragraphs will set forth the current CT Statutes governing Affordable Housing. Then comes a discussion of the Simsbury Zoning Regulations that provide ways to meet the Affordable Housing needs. Finally, there will be a presentation of the current housing situation in general, and Simsbury Affordable Housing in particular.

## CT Statutes and Affordable Housing

CT Statutes provide incentives to encourage the development of affordable housing for residents. CT Statute determines what housing qualifies as affordable, and the Statutes determines who qualifies for affordable housing. Housing is deemed affordable if it is developed under a government program for affordable housing or if is deed-restricted, for 40 years, to buyers who qualify by (limited) income.

In encouraging the development of affordable housing, the 8-30g statute provides that, in a municipality where less than 10% of the housing units are affordable, a developer may appeal a local denial of an affordable housing development proposal to the Superior Court. An affordable housing development must include 30% of the units as affordably priced. In an 8-30g appeal, for a Town to sustain its application denial, the Town must prove that the proposed affordable housing development poses a clear public health and safety threat sufficient to deny the application.

There are two levels of qualified Buyers. The qualifying annual income standard is based upon the lower of the defined (Hartford) area income, or the CT state income. One income level is 80% of the standard. The other is 60% of the standard. Today, in central CT, the standard income is approximately \$100,000/yr. Using the rule that 30% of family income can be allocated to housing, affordable housing sale and rental prices may be calculated.

## Simsbury Zoning Regulations and Affordable Housing

Simsbury has responded to Affordable Housing needs over the past 30 years in its Zoning Regulations and the Simsbury POCD. Simsbury’s Zoning Regulations provisions are enabled, and sometimes mandated, by CT Statute and are formulated with advisory input from the Simsbury POCD.

Simsbury has two Zones in its Zoning Regulations to encourage the development of Affordable Housing that will qualify under CT Statute 8-30g. First is the Housing Opportunity Zone that was adopted through the developer’s appeal of the Meadowood Development proposal. Second is the Workforce Housing Zone that gives a developer increased density as an incentive to include Affordable Units that would qualify under the 8-30g statute.

In addition to the Housing Opportunity Zone and the Workforce Housing Zone, since the passage of the original CT 8-30g statute, Simsbury’s Zoning Commission, in its approval of many developments, has required the inclusion of Affordable Housing. Some developers have included deed-restricted affordable

units; others have included “affordable-priced” units that are not deed-restricted, and that do not count in accordance with the statutory definition.

There are three special zones that have been adopted within the last 12 years. These new zones are aimed at including more of the attractive elements of “new urbanism.” These features include more multi-family and mixed-use developments incorporating more walkable environments. These zones are the Planned Area Development, the Center Zone and the Hartford Zone. In the past several years, nearly 2,000 units of multifamily housing have been built.

Over the past few iterations, the POCD has identified accessory apartments as a valuable type of housing to be encouraged. The Simsbury Zoning Regulations permit, by special exception, accessory dwelling units in any residential zone.

### Simsbury’s Housing and Affordability

Currently the statutory tally of Simsbury’s Affordable Housing is 3.6%.

The Simsbury Housing Authority is dedicated to providing safe and affordable housing for limited income seniors and individuals with disabilities.