

## Preface to Municipal 8-30j Plans

In Connecticut today, many towns address affordable housing development on a case by case basis in relation to Chapter 126a, § 8 – 30g of the Connecticut General Statutes, the “Connecticut Affordable Housing Land Use Appeals Procedure.” Under 8-30g, Connecticut municipalities in which less than 10% of the housing stock is affordable (per the statute’s definition) are subject to appeals by developers to the Superior Court, where the burden of proof is on the municipality to prove that a project would be a threat to the public’s health, safety, or welfare. These developments are not required to follow local zoning regulations and they must restrict at least 30% of the units as affordable to low- and moderate-income households (earning 80% or 60% of AMI) for at least 40 years. Thirty-one towns and cities across Connecticut are exempt from 8-30g. One of these – the City of Middletown – is located within the Lower Connecticut River Valley.

Affordable housing development under 8-30g has significant limitations. First, the requirement to include units at 80% of AMI often does not capture the needs of residents who struggle with housing costs and in fact, can result in units that are more expensive than local market-rate prices. Second, 8-30g removes local control over the approval process and can result in projects that do not fit within a community’s infrastructure capacities, land development patterns, preservation and open space objectives, or the town’s Plan of Conservation and Development. Section 8-30g has led municipalities to focus on the creation of a specific quantity of “qualified” housing units to reach 10% so that they can become exempt from the statute. Rather, municipalities should strive toward a proactive approach to creating many types of affordable housing and target strategies that fit holistically with their size, scale, goals, and needs, now and into the future.

Acknowledging that communities in Connecticut require a more active tool and approach to creating new housing opportunities and expanding affordable housing options, the Legislature adopted CGS Section 8-30j in 2017. Section 8-30j requires every Connecticut municipality to prepare and adopt an affordable housing plan once every five years, the first of which must be adopted by June 2022, that will demonstrate how the community “intend[s] to increase the number of affordable housing developments in the municipality.” By planning for affordable housing, municipalities can better address affordable housing with thoughtful goals and actions that encourage developers to propose development consistent with the plan and to avoid contentious applications.

The 8-30j legislation did not specify what content should be included in these plans. As a result, the State partnered with Regional Plan Association to create *Planning for Affordability: Affordable Housing Plan and Process Guidebook* in 2020. The guidebook identified six elements that each municipal affordable housing plan should contain:

1. Community Values Statement
2. History of affordable housing in your town
3. Housing needs assessment
4. Land use and zoning assessment
5. Understanding your housing market
6. Plan principles, goals, and actions

Twelve participating municipalities in the Region have created and adopted municipal 8-30j plans as part of the Regional Housing Plan process. These plans present and explore the six elements from the guidebook and create housing strategies that fit their needs and align with their vision. These municipal 8-30j plans informed the regional recommendations by making clear potential areas for coordination and cooperation. The 8-30j plans for four municipalities that did not participate in the regional 8-30j plan process were also reviewed and incorporated into the analysis. Summaries of these plans are included for reference. Work on the Town of Haddam's 8-30j plan is ongoing as of the date of writing; therefore, no summary could be provided.