

# Unlocking Zoning's Potential to Improve Vermont's Housing Stock

Sara C. Bronin





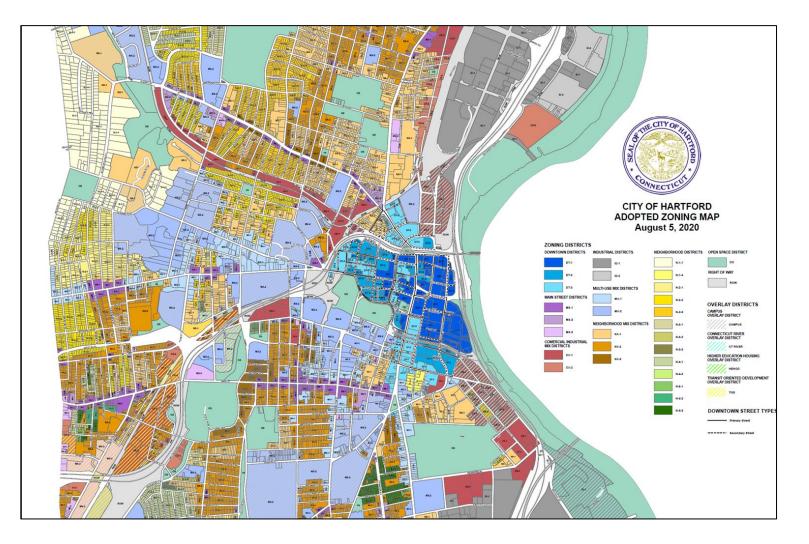




# What is Zoning?

### Zoning Is:

The local-government regulation of land uses, structures and lots.



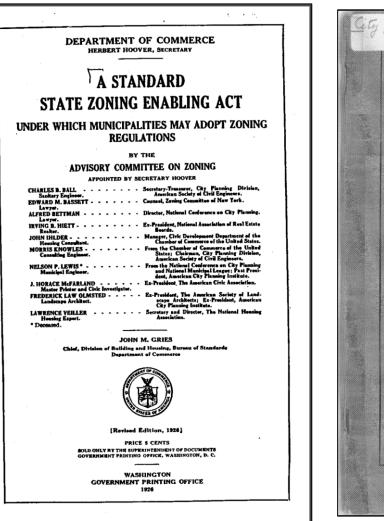
## Zoning Can:

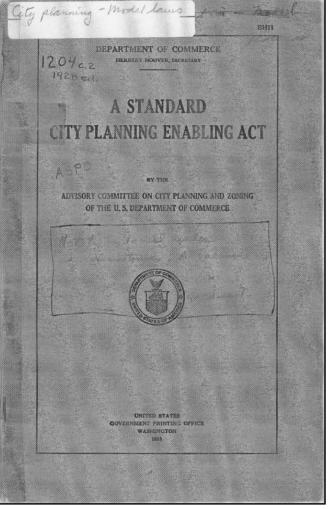
- Regulate specific details
  of construction
  - Minimum lot size
  - Number of minimum parking spaces
  - Height
  - Setbacks

		DT-1 NOTE 1	DT-2 NOTE 2	DT-3 NOTE 1							
A. B	Building Siting. Refer to Figure 4.4-B Dow	ntown General Building: Building Siti	ng and 4.18.1 Building Siting.								
0	Multiple Principal Buildings	not permitted	not permitted	not permitted							
2	Minimum Primary Lot Line Coverage	90% <u>NOTE 3</u>	90% <u>NOTE 3</u>	80% <u>NOTE 3</u>							
3	Occupation of Corner	required	required	required							
4	Primary Build-to Zone	at or maximum 15' behind the Building Line									
6	Secondary Build-to Zone	at or maximum 15' behind the Building Line									
6	Minimum Side Setback NOTE 9	abutting adjacent building or minimum 7.5'									
1	Minimum Rear Setback NOTE 9	10'									
8	Minimum Lot Width Maximum Building Width	none none									
9	Building Coverage Maximum Impervious Area Additional Semi-Pervious Area	90% no limitation 10%	85% no limitation 10%	90% no limitation 10%							
10	Permitted Parking & Loading Locations	rear yard or internal to building (refer to 4.4.2.C. Uses: Building Entrance to Parking requirement)									
0	Permitted Vehicular Access	one driveway permitted off each abutting secondary street; if no secondary street exists, the zoning administrator will determine the appropriate primary street access; circular drop-off drives permitted in DT-2 only									
B. H	leight. Refer to Figure 4.4-C Downtown Gene	eral Building: Height & Use Requirem	ents and 4.18.2 Height.								
12	Minimum Overall Height	3 stories and 40'	2 stories and 40'	2 stories and 40'							
B	Maximum Overall Height	38 stories; stepback required above 8 stories NOTE 4, NOTE 7	16 stories; stepback required above 8 stories NOTE 4, NOTE 7	8 stories; 5 stories on lower Main Street NOTE 5, NOTE 7							
1	<b>Ground Story:</b> (Measured floor-to-floor) Minimum Height Maximum Height	13′ 30′ <u>Note 6</u>	9' 18'	9' 14'							
15	<b>Upper Stories:</b> (Measured floor-to-floor) Minimum Height Maximum Height	9' 14'	9' 14'	9′ 14′							

### Zoning Comes From:

- "Standard Zoning Enabling Acts" of the 1920s
- Usually not updated in +/- 50 years





## Why is Zoning Important?

### Fair housing. Transportation. Infrastructure.

### Climate threats. Nature access. Food supply.

### Economic opportunity. Educational opportunity.

## How Do We Zone Now?

## And How Does Zoning Impact Our Lives?

### DESEGREGATE CONNECTICUT

ABOUT PLATFORM EVENTS NEWS RESOURCES

TAKE ACTION

### Why Act?

#### Because our land use laws hurt all of us. And because change is long overdue.

Our outdated land use laws make it too hard to build housing. They prevent people of all incomes and backgrounds from having safe, affordable homes near jobs, education, and other resources. Changing these laws is imperative if we ever want to eliminate segregation, grow the economy, or save the environment.

#### **GREATER EQUITY**

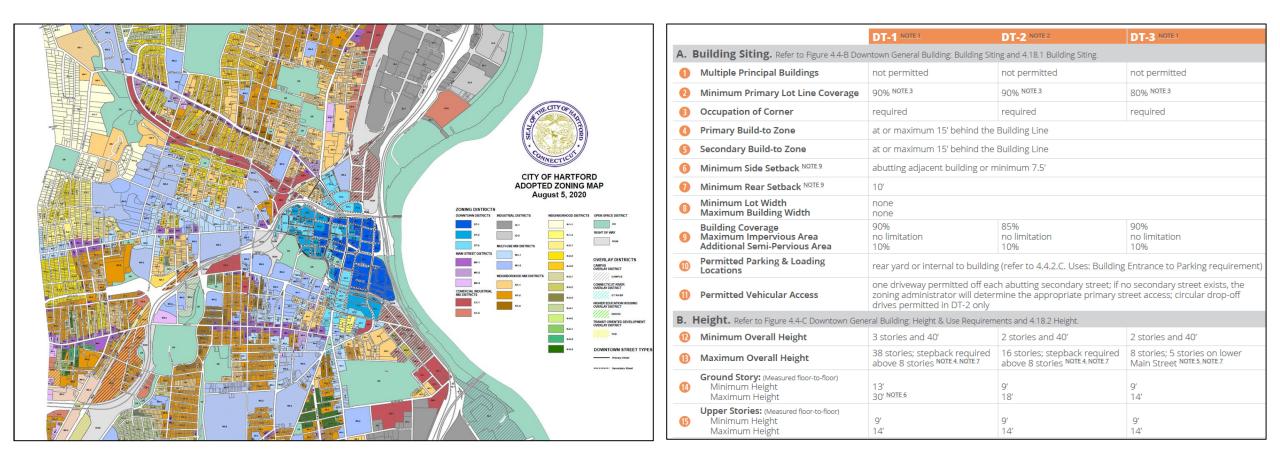
#### **INCLUSIVE PROSPERITY**

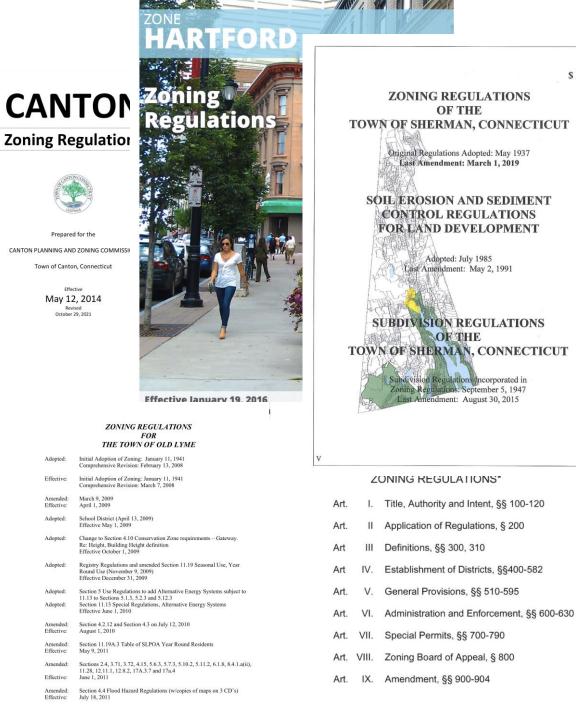
#### A CLEANER ENVIRONMENT











#### **TOWN OF LEDYARD**

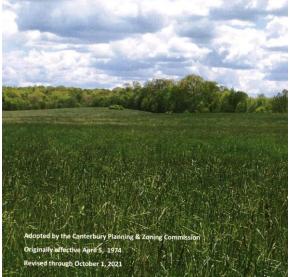
\$ 15.00

REG THE REG

#### **ZONING REGULATIONS**

APPROVED - DECEMBER 13, 2018 EFFECTIVE - FEBRUARY 1, 2019 REVISED – March 9, 2020

TOWN OF CANTERBURY ZONING REGULATIONS



Town Of Canaan, Connecticut (Falls Village)

### ZONING REGULATIONS



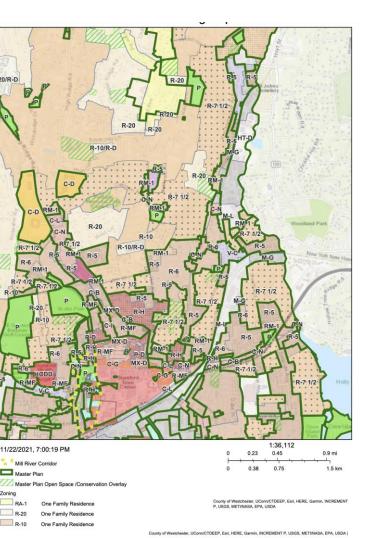
#### **NEW FAIRFIELD**

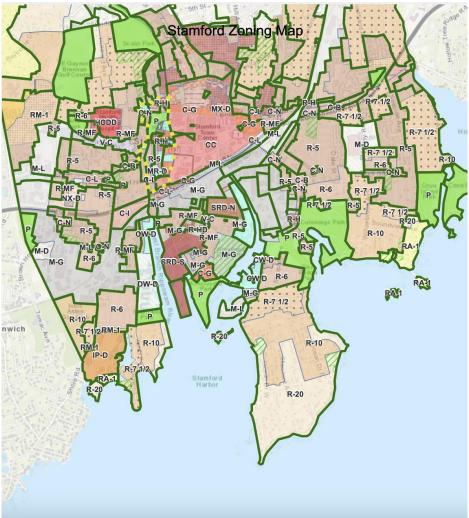


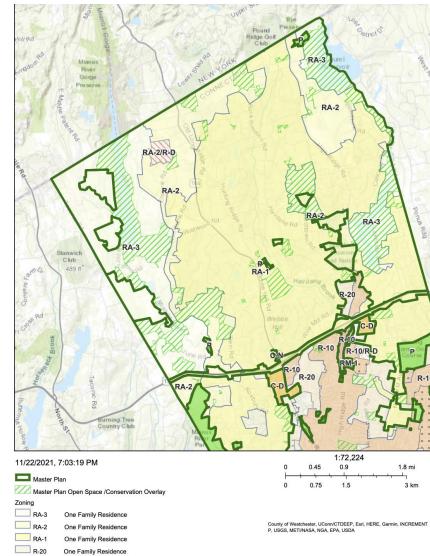
### ZONING REGULATIONS

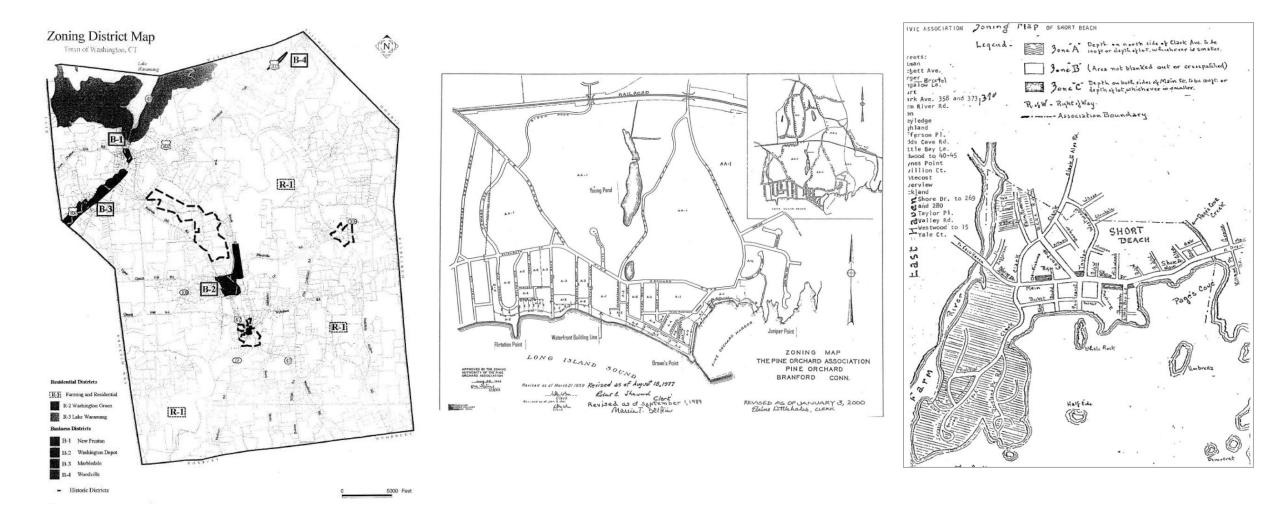
April 4, 2016

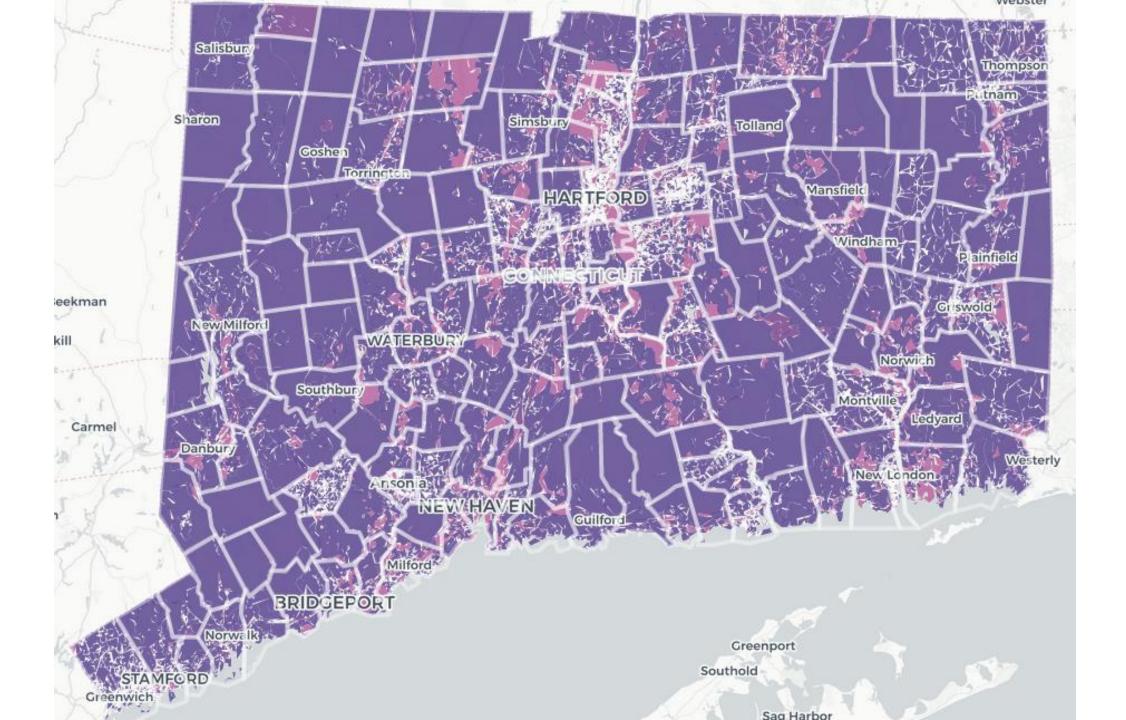
	А	В	С	D	Е		F	G		Н		I	J		К	L	М		
1	II. Ŧ	II. <del>.</del>	III.A =	III.A =	III.B	ŦΙ	II.B ÷	III.B 🦷	7	IV.A.1	$\overline{\pi}$	IV.A.2 =	IV.A.3	Ŧ I	V.B.1	IV.B.2 =	IV.B.3	Ŧ	N
	Jurisdiction (unique name)	County	Abbreviated District Name	Full District Name	District Mapped	I	District Mapped But Extinct	Overlay		Type of Zoning District		Elderly Housing District	Affordable Housing District		1-Family Treatment	2-Family Treatment	3-Family Treatment		4- Ti
379	Wappingers Fall	Dutchess	Historic Distric	Historic District	Yes	- 1	No -	Yes		Mixed with Residential	Ŧ	No –	No	- (	Overlay 👻	Overlay -	Overlay	-	0
380	Fishkill (Village)	Dutchess	R-10	One Family Residence	Yes	-	No -	No		Primarily Residential	-	No 👻	No	-	Allowed/Conc -	Prohibited -	Prohibited	-	Pi
381	Fishkill (Village)	Dutchess	R-7.5	One or Two Family Residence	Yes	- 1	No -	No		Primarily Residential	Ŧ	No -	No	- /	Allowed/Conc -	Allowed/Conc -	Prohibited	-	Pi
382	Fishkill (Village)	Dutchess	R-50	Three or More Family Residence	Yes	- 1	No -	No		Primarily Residential	-	No -	No	- /	Allowed/Conc 🔻	Prohibited -	Allowed/Cone	c 👻	AI
383	Fishkill (Village)	Dutchess	VC-BD	Village Center Business	Yes	- 1	No -	No		Mixed with Residential	Ŧ	No 👻	No	- /	Allowed/Conc 👻	Allowed/Conc -	Allowed/Cone	c 👻	AI
384	Fishkill (Village)	Dutchess	РВ	Planned Business	Yes	-	No -	No		Mixed with Residential	-	No -	No	- /	Allowed/Conc 👻	Allowed/Conc -	Allowed/Cone	c 👻	AI
385	Fishkill (Village)	Dutchess	GB-1	General Business 1	Yes	-	No -	No		Mixed with Residential	Ŧ	No -	No	- /	Allowed/Conc 🔻	Allowed/Conc -	Allowed/Cond	c -	AI
386	Fishkill (Village)	Dutchess	GB-2	General Business 2	Yes	- 1	No 👻	No	•	Nonresidential	-	No 👻	No	₹ F	Prohibited -	Prohibited -	Prohibited	-	PI
387	Fishkill (Village)	Dutchess	PI	Planned Industry	Yes	- 1	No –	No	•	Nonresidential	-	No 👻	No	₹ F	Prohibited -	Prohibited	Prohibited	*	Pi
388	Fishkill (Village)	Dutchess	LC	Land Conservation	Yes	- 1	No –	No	•	Nonresidential	-	No 👻	No	₹ F	Prohibited •	Prohibited •	Prohibited	-	PI
389	Fishkill (Village)	Dutchess	Historic Prese	Historic Preservation	Yes	-	No -	Yes		Mixed with Residential	Ŧ	No -	No	- (	Overlay -	Overlay -	Overlay	-	0
390	Amenia	Dutchess	RA	Rural Agricultural	Yes	- I	No	No		Primarily Residential	-	No -	No	- /	Allowed/Conc 🔻	Public Hearin 🔻	Public Hearin	<b>1</b> -	PI Y
	+ = 3	Jurisdictic	on Informatio	n 👻 🖪 Zoning Information 👻	Discrepancie	es	-										Q	4	:











## Scope of Study

- 169 towns → 180 "zoning" jurisdictions
- 2,622 "zoning" districts
- 32,378 pages of zoning text





#### **Connecticut Zoning Atlas**

This interactive map shows how outdated zoning laws make it hard to build diverse, affordable housing.

Use checkboxes below to filter zones in the map. Click a town to see what % of its territory satisfies selected criteria.

#### Type of Zoning District

First you

select

options:

Here,

we've

chosen 1-

family

housing.

Primarily Residential (satisfies criteria)
 Mixed with Residential (satisfies criteria)
 Nonresidential Zone (satisfies criteria)
 Any Zone Not Satisfying Criteria

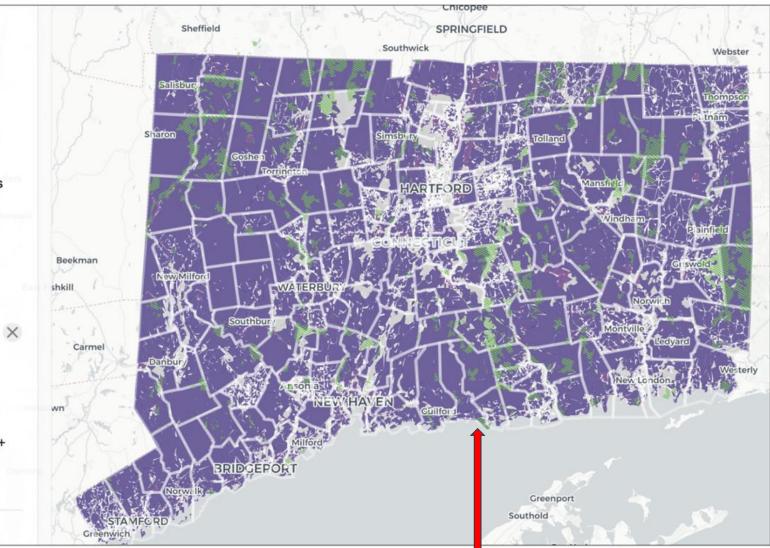
**Permitted Residential Uses** 

I-Family Housing
 Allowed As of Right
 Allowed Only After Public Hearing

Minimum Lot Size, acres ☑ None ☑ .01-.46 ☑ .47-.91 ☑ .92-1.83 ☑ 1.84+

No Minimum Unit Size Requirement Not Restricted to Elderly Only

2-Family Housing



Then land meeting the criteria shows up in purple.

# The Atlas Shows if a CT Town:



CT data

×

#### **Connecticut Zoning Atlas**

This interactive map shows how outdated zoning laws make it hard to build diverse, affordable housing.

Use checkboxes below to filter zones in the map. Click a town to see what % of its territory satisfies selected criteria.

Type of Zoning District

Primarily Residential (satisfies criteria)
 Mixed with Residential (satisfies criteria)
 Nonresidential Zone (satisfies criteria)
 Any Zone Not Satisfying Criteria

Permitted Residential Uses

1-Family Housing
 2-Family Housing
 3-Family Housing
 ✓ 4+ Family Housing
 ✓ Allowed As of Right
 ✓ Allowed Only After Public Hearing

Minimum Lot Size, acres ☑ None ☑ .01-.46 ☑ .47-.91 ☑ .92-1.83 ☑ 1.84+

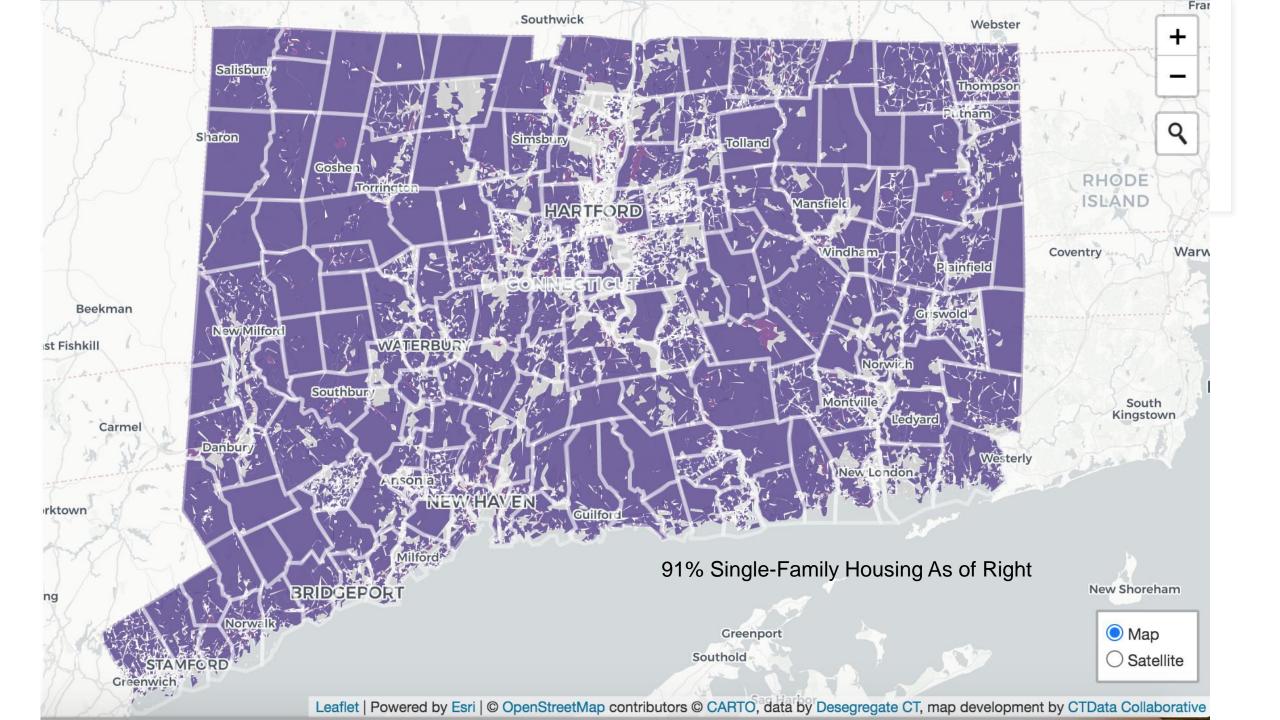
No Minimum Unit Size Requirement Not Restricted to Elderly Only

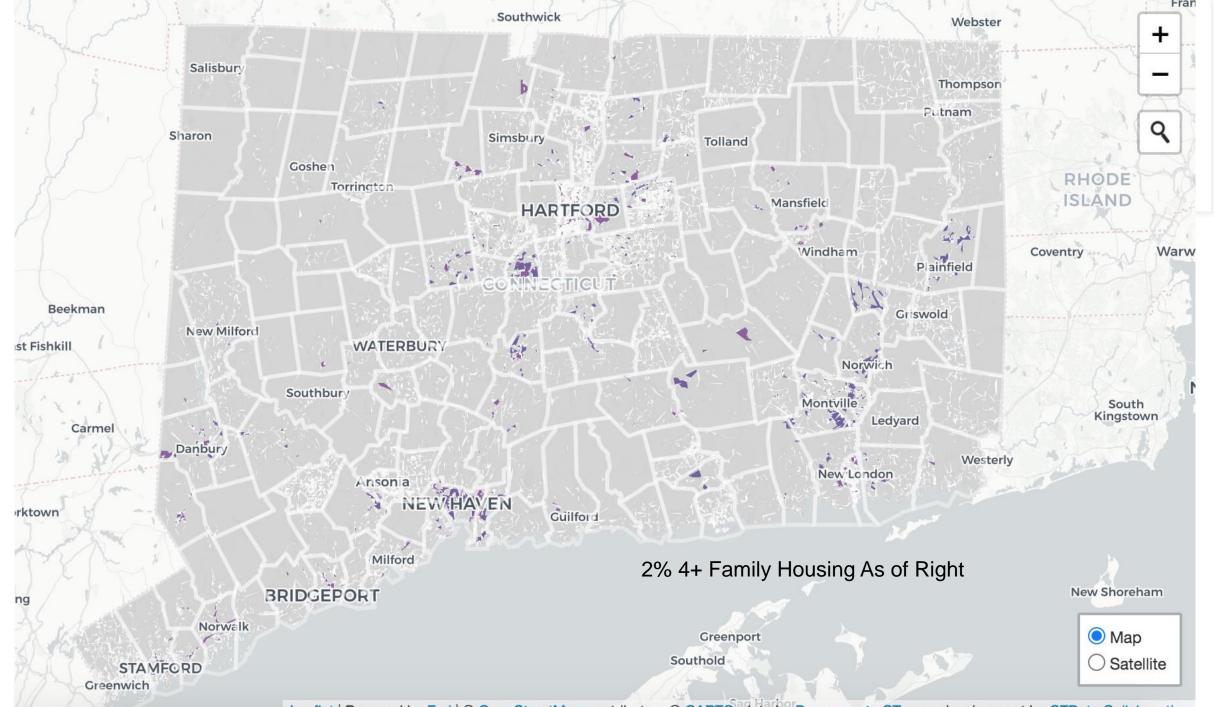
Accessory Dwelling Units

**Overlays** 

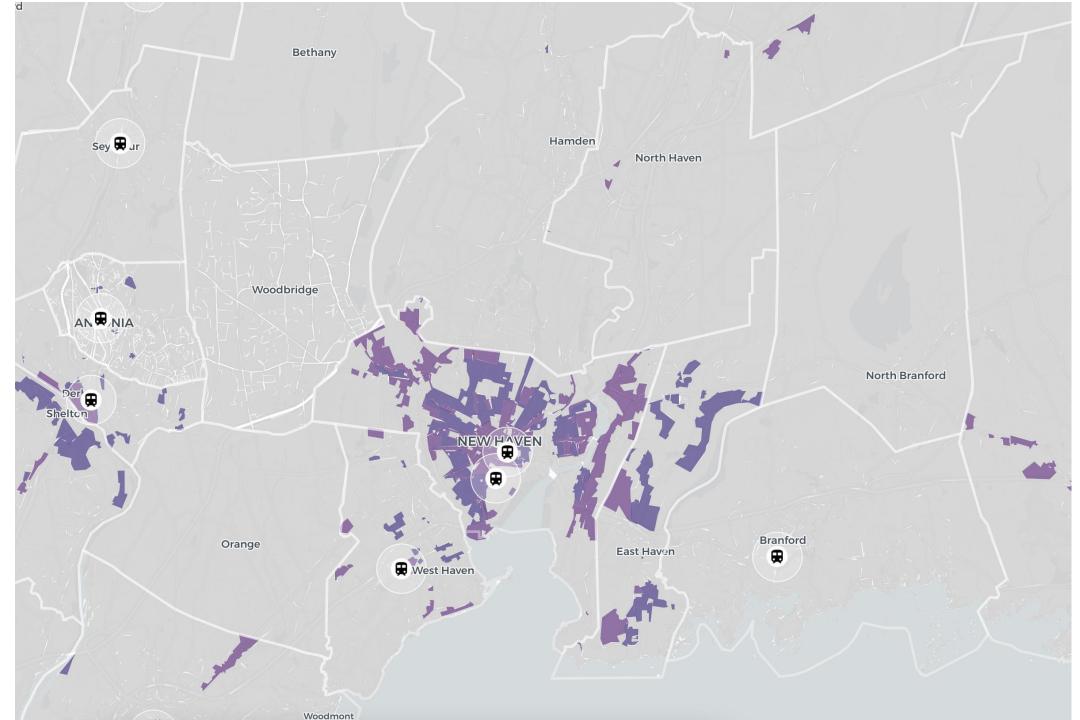
 Waterways
 ✓ Federal/State Public Lands
 ✓ Rail, CTfastrak, and Ferries Circles represent 0.5-mile radius

- Zones primarily for <u>single-family housing</u>
- Allows <u>accessory apartments</u>
- Zones for <u>multi-family housing</u> around shops, or any train/CTfastrak station
  - Walkable, mixed-use neighborhoods are good for the environment, health, and economic growth.
- Requires <u>large minimum lot sizes</u>





Leaflet | Powered by Esri | © OpenStreetMap contributors © CARTO, data by Desegregate CT, map development by CTData Collaborative



4+ family housing

### Accessory apartments + lots of features

Public hearings

Minimum lot size - specific #s

Maximum density - units/acre

Minimum unit area - specific #s

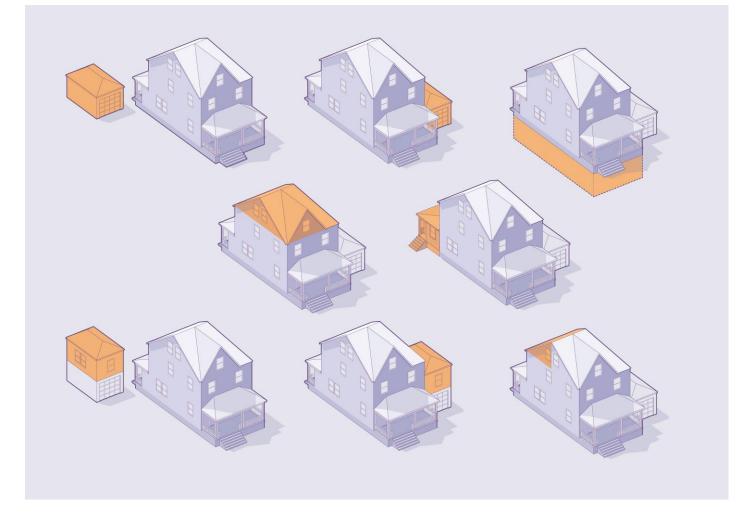
Minimum parking requirements - specific #s

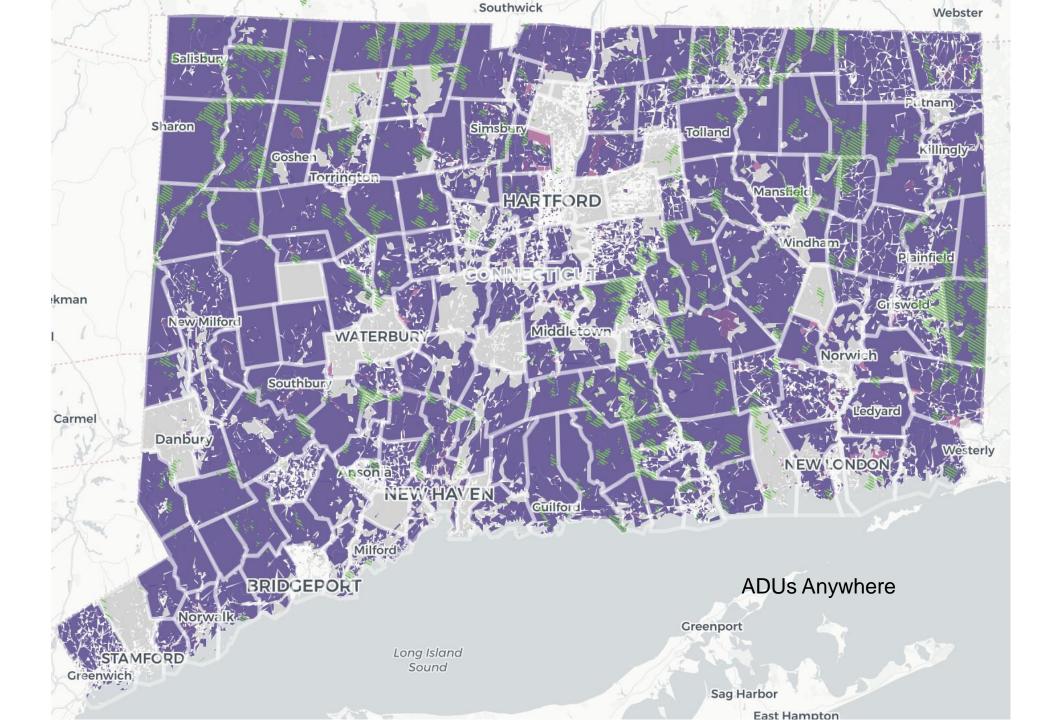
Affordable housing code definitions & availability

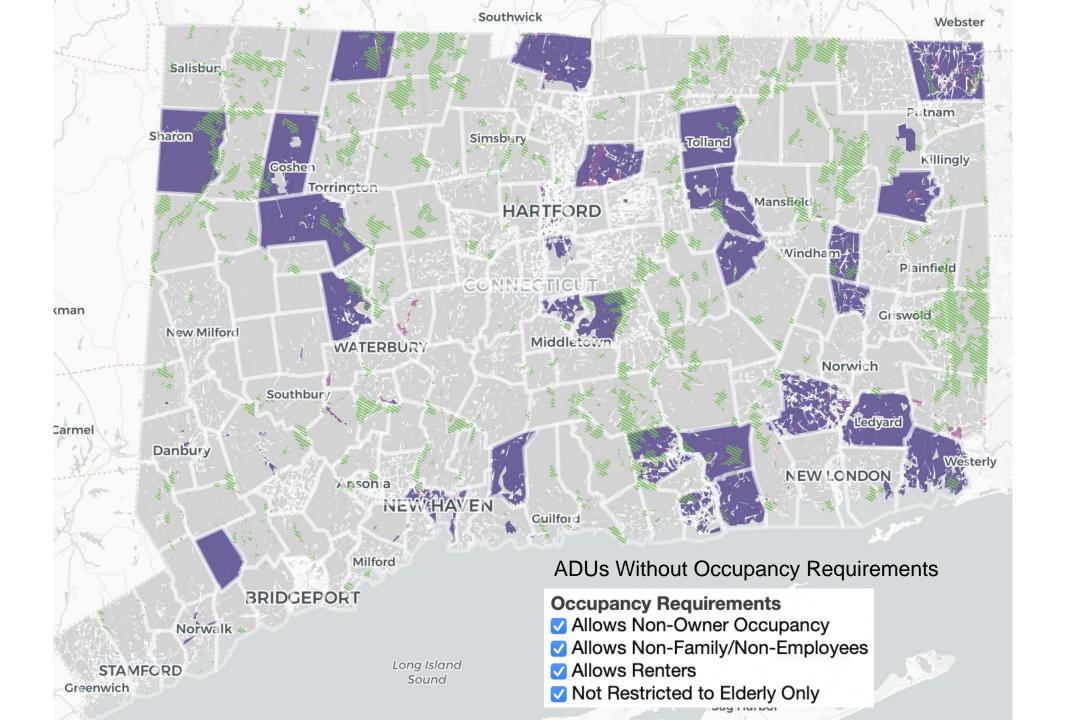
Maximum # of bedrooms & # of units

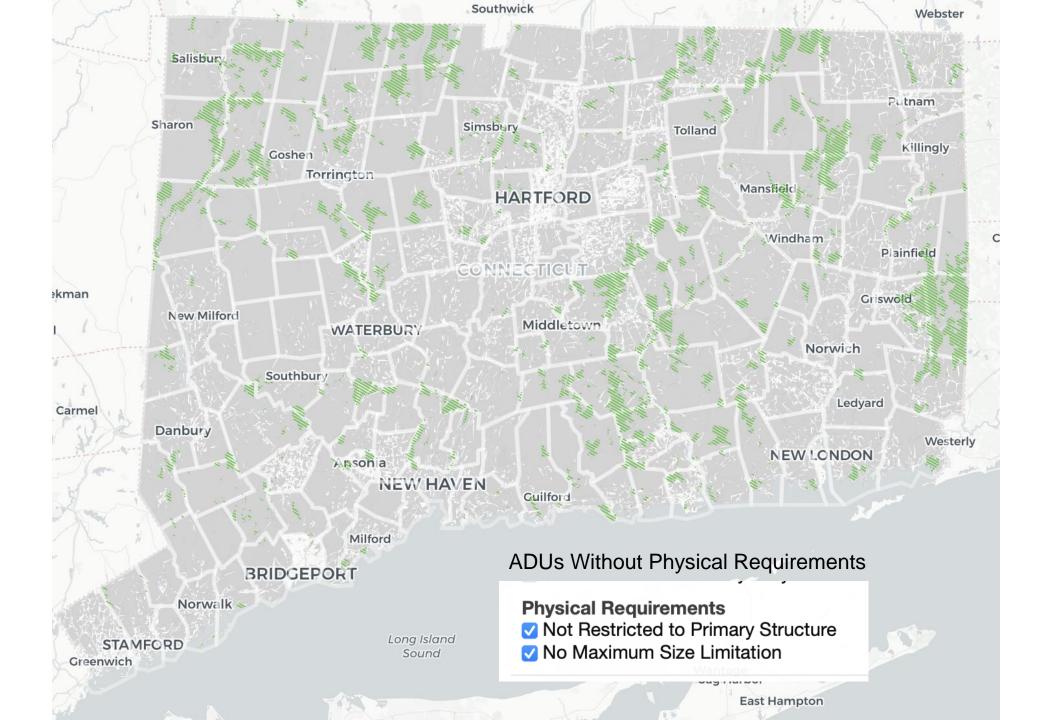
### Accessory apartments

Small, independent units built on the same lot as a larger unit.









#### What are Accessory Apartments?



Accessory apartments are small, independent living units that are either attached to or detached from a single-family home.

#### Naturally Affordable • Environmentally Sustainable • Fits Right In to the Neighborhood

#### Connecticut recently legalized accessory apartments! Get the facts:



- What benefits do towns get from new accessory apartments?
- Reduced per-unit infrastructure expenses because units are nestled within existing housing.
   An increase in permitting and tax revenues.
- Do building codes apply to new units?
- Yes! And towns can create design standards to guide their development.

- How do accessory apartments benefit homeowners?
- They increase property values up to 50%!
- They can provide rental income.
- Who can live in an accessory apartment ?
  Anyone! They're great for students, people with disabilities, multi-generational families, and seniors.
- Have other states legalized them?
- Yes! Vermont and New York have as well as California and Oregon.
- California saw an 11-fold increase in accessory apartment permits within 4 years of legalization.
- Are accessory apartments good for the environment?
- Yes! They are built where housing already exists, so there's no extra sprawl – and their small size means they use less electricity and water.



"Being able to add a unit where a parent or child is living next door would make a big difference." – Donna T. Morrison, Realtor

#### 3 WAYS TO SHARE YOUR SUPPORT!

1. Email town officials 2. Speak up at local publ hearings!



\*These units fit the needs of the community members, and have a big effect on future generations.\* - Alexis Meehan, Regional Planner





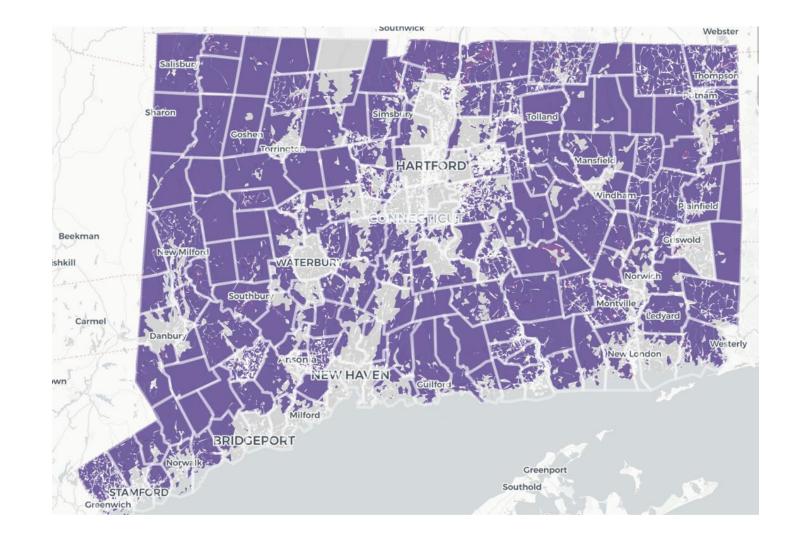
DESEGREGATE CONNECTICUT

# Minimum lot size

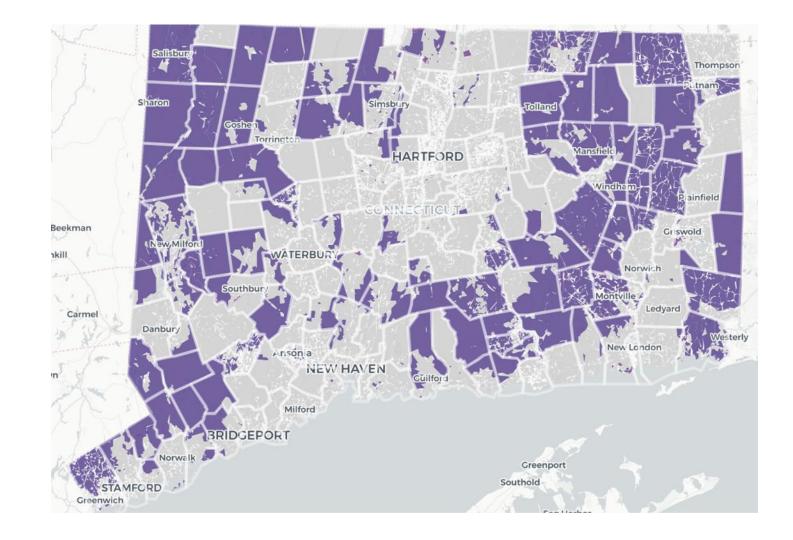
The larger the required lot, the fewer homes can be built.



**81%** of residential land requires 0.92 acres per single-family home



**49%** of residential land requires 1.84 acres per singlefamily home



## **ISSUE BRIEF:** SMALL LOTS IN **SMART PLACES:** A RIGHT-SIZED SOLUTION FOR CT



## Revealing Our Research on Revealing Our Research on Mini...



Smaller lots can enable more equitable, sustainable communitie

Let's Advocate for More Sensible Lot Sizes

Connecticut could foster more affordable, interconnected, and

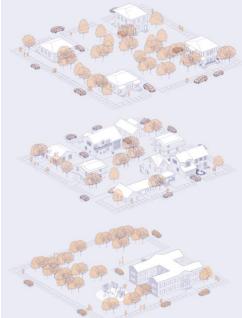


Do we have one-size-fits-all large-lot zoning?

What should I advocate for Reducing lot-size mandates to 1/8 acre or les anywhere there is sewer and water infrastruc Making subdivision easier around transit stat



DESEGREGATE CONNECTICUT Find out more at: www.desegregatect.org/lots



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# sustainable communities by reducing one-size-fits-all minimum lo



YES. 81% of residential land requires 1 as shown in purple in the map above.

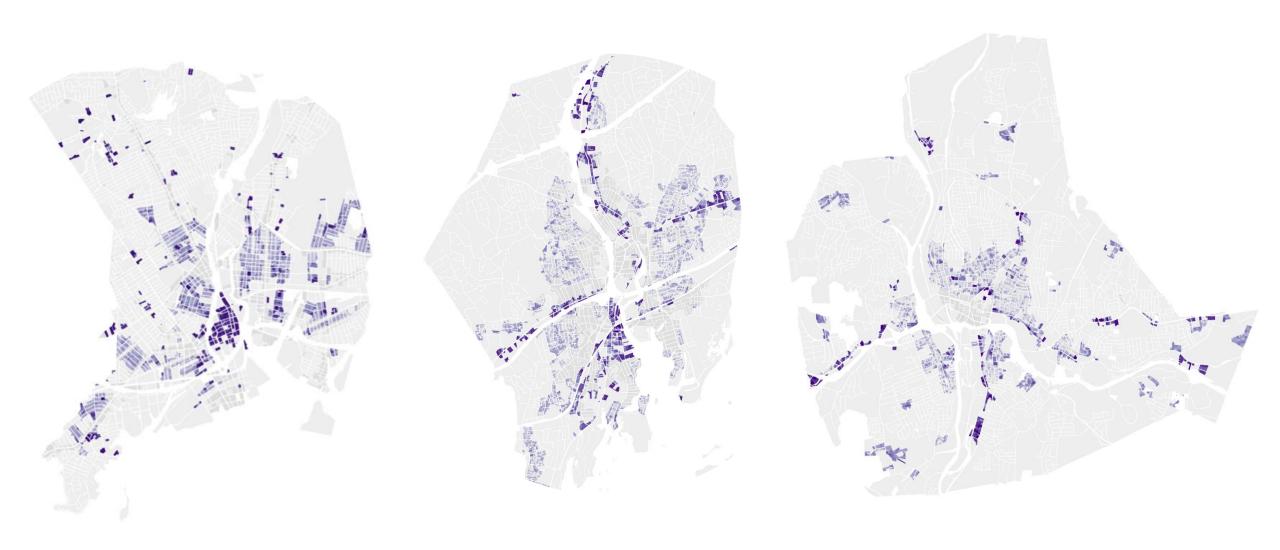


ey correlate with people with high nd to a lesser extent to the percentage of W ey rob a town of new sources of revenue e residents and busine hich have shrunk by about 13.3 acres per o er the last 25 years.





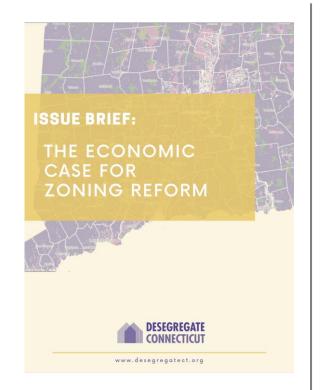
## "Zoning by a thousand cuts."



Bridgeport

Norwalk

Waterbury





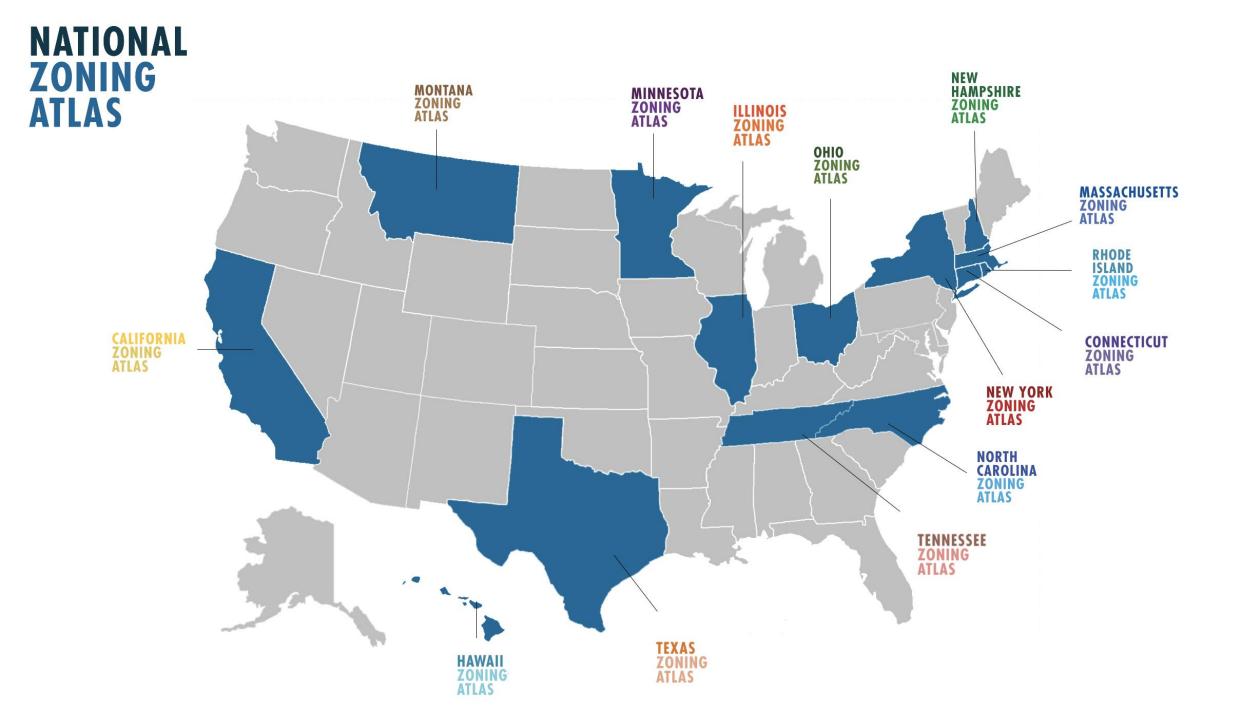


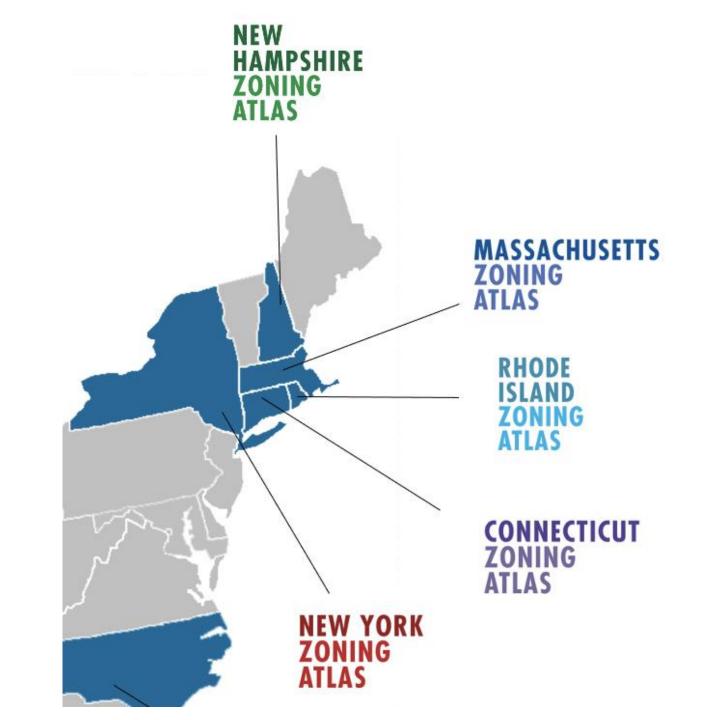




# What Can Vermont Do?







The National Zoning Atlas is translating and standardizing zoning information into a unified public interface.

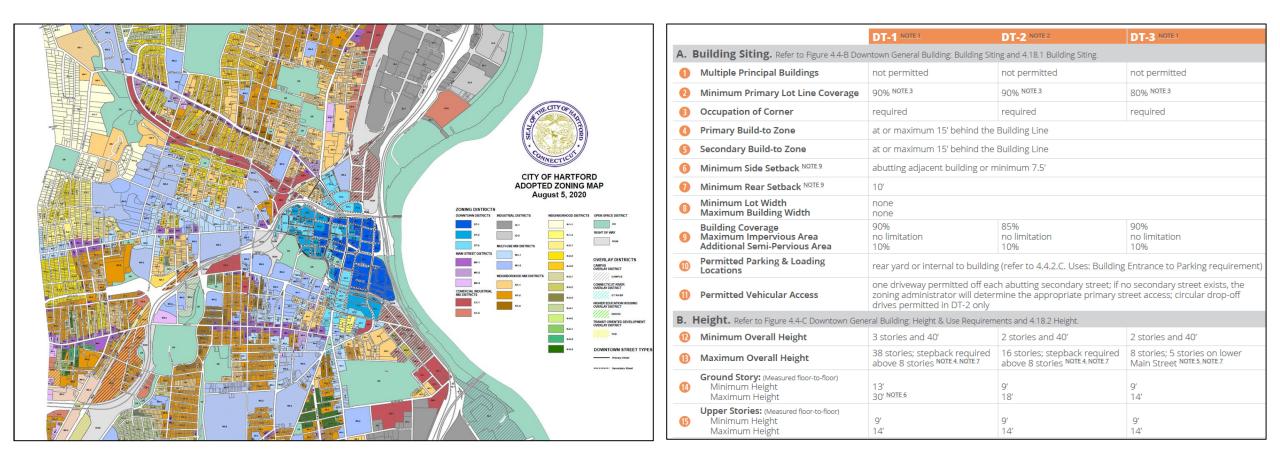
# HOW TO MAKE A ZONING ATLAS:

### A METHODOLOGY FOR TRANSLATING & STANDARDIZING DISTRICT-SPECIFIC REGULATIONS

by Sara C. Bronin & Ilya Ilyankou

first published December 2021 revised March 2022 last revised (new author added) April 2022

NATIONAL ZONING ATLAS



## A. CLASSIFYING ZONING DISTRICTS

- 1. Type of Zoning District
- 2. Affordable Housing District
- 3. Elderly Housing District

## **B. CATALOGUING USES**

- 1. Principal Use: 1-Family
- 2. Principal Use: 2-Family
- 3. Principal Use: 3-Family
- 4. Principal Use: 4+-Family
- 5. Principal Use: Affordable Housing
- 6. Accessory Dwelling Units
- 7. Planned Residential Development

## C. CATALOGUING LOTS

- 1. Minimum Lot Size
- 2. Maximum Density
- 3. Minimum Setbacks
- 4. Maximum Lot Coverage
- 5. Parking Requirements
- 6. Connectivity Requirements

## **D. CATALOGUING STRUCTURES**

- 1. Maximum Height
- 2. Floor-to-Area Ratio
- 3. Unit Size
- 4. Maximum Bedrooms
- 5. Maximum Units

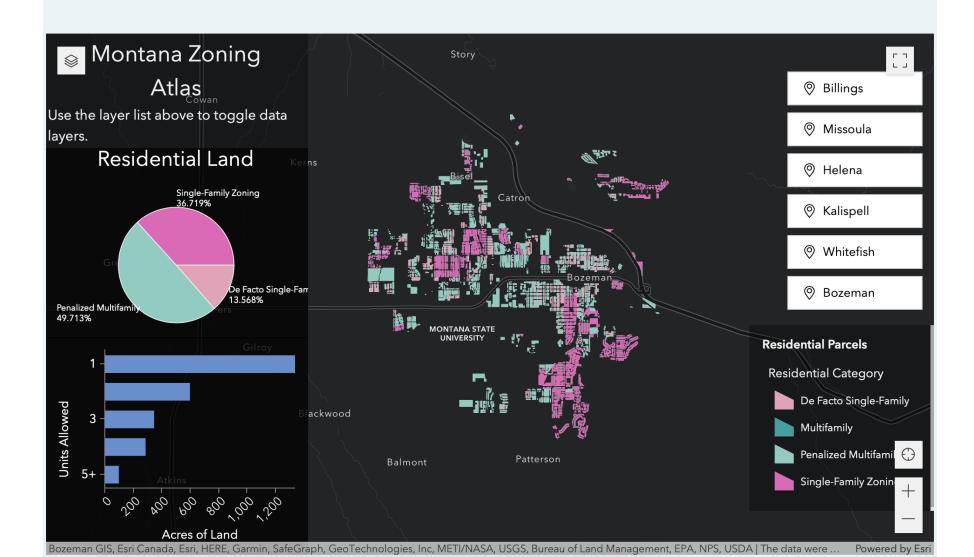
#### NEW YORK ZONING ATLAS

This statewide atlas, initiated in 2022, is being built out using the methodology in the how-to guide. The current institutional team members include Cornell University, the Regional Plan Association, the New York State Department of Homes and Community Renewal, the University of Buffalo, and Fordham University School of Law. The team has about 300 jurisdictions in progress but needs additional team members to fully cover the state. Please contact us if you represent an institution that would like to join this effort.



### MONTANA ZONING ATLAS

This statewide atlas, initiated in 2022, is being built out using the methodology in the how-to guide. The Frontier Institute - a nonpartisan, nonprofit organization - has already analyzed six cities and is building out that analysis and adding the rest of Montana with support from the Mercatus Center at George Mason University.



Fair housing. Transportation. Infrastructure. Climate threats. Nature access. Food supply. Economic opportunity. Educational opportunity.

# Will Vermont join the National Zoning Atlas?

## Scope of Study

- 279 local governments
- ~ 4,000 zoning districts
- ~ 50,000 pages of zoning text
- ... But I bet a lot don't have zoning!

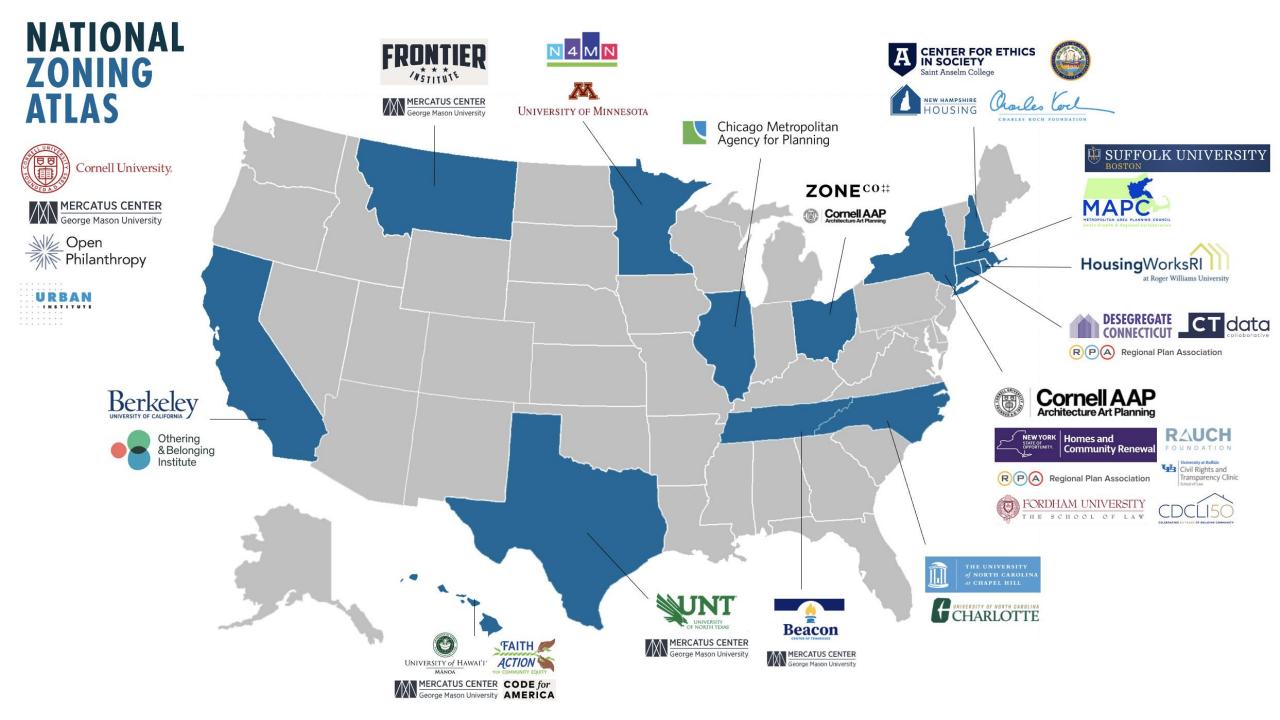


# WANT TO MAKE YOUR OWN ATLAS?

Great. Start here! The first thing you'll need to do is assemble your team - both the folks who will be putting the atlas together, and those who will fund their efforts. Then you'll need to develop a game plan by scoping out the project as part of our how-to guide. Once you officially launch your atlas research effort, let us know, and we'll welcome you to our growing research collaborative, offer you advice and support, and provide you with a brand package. As we grow project teams, we're also rapidly developing processes to make data collection and harmonization easier. Join us to keep up with the latest.

## **Resources for State Teams**

- Four staff members in the NZA office
- A common How-To Methodology
- A community of researchers & collaborators



# Thank you. @sarabronin







