

CONNECTICUT ZONING AND DISCRIMINATION 2021



Report on the discriminatory effects of zoning laws
in Connecticut by the Commission on Human Rights
and Opportunities

EXECUTIVE SUMMARY

Connecticut is one of the most racially segregated states in the nation. There are many reasons for this, including centuries of government and private policies and practices that intentionally limited housing opportunities for Black, Indigenous, People of Color (BIPOC) to certain areas of the state. Historically, White Americans have held power and privilege to the exclusion of others. While some of the most extreme policies and practices producing that exclusion have been outlawed, segregation persists today.

One of the tools of segregation is zoning policy. In Connecticut, each municipality is empowered to create and enforce its own zoning rules and regulations within certain parameters. People in towns that want to exclude certain groups from living within their borders can use these rules and regulations to prevent those groups from being able to afford to live there. These artificial and discriminatory barriers to fair housing use tools like restrictions on dwelling types, lot size requirements, floor size requirements, parking mandates, and more to prevent affordable housing from being built or operated.

While historically overlooked, the lack of affordable housing has been recognized within the state. Government programs such as affordable housing development subsidies and tenant-based vouchers can help provide individuals with housing options they could not otherwise afford. There are statutory requirements for towns to expand affordable housing and appeal procedures developers can use if their development proposals are rejected. While these systems are useful, we are far from developing an adequate framework to eliminate discriminatory zoning laws and resolving segregation in our state.

The effects of segregation go far beyond the home in which people live. Where you live affects what services you can access, what jobs you can take, and what schools your children can attend. Housing segregation perpetuates educational segregation. In

Connecticut, school funding is tied directly to the town's tax base. Schools in low-income communities are therefore deprived of resources to devote to their students who then fall behind their peers in wealthier towns. This perpetuates a cycle that denies whole communities equal opportunities.

Segregation born of zoning policies has had a particularly deadly effect during the COVID-19 pandemic. As the world went into lockdown in their homes during 2020, the effects of where you live took on a whole new importance. The existing disparities in our society were heightened and laid bare like never before. The pandemic has proven that the effects of segregation cannot only be measured in municipal demographics or statistics of income inequality, but in lives lost.

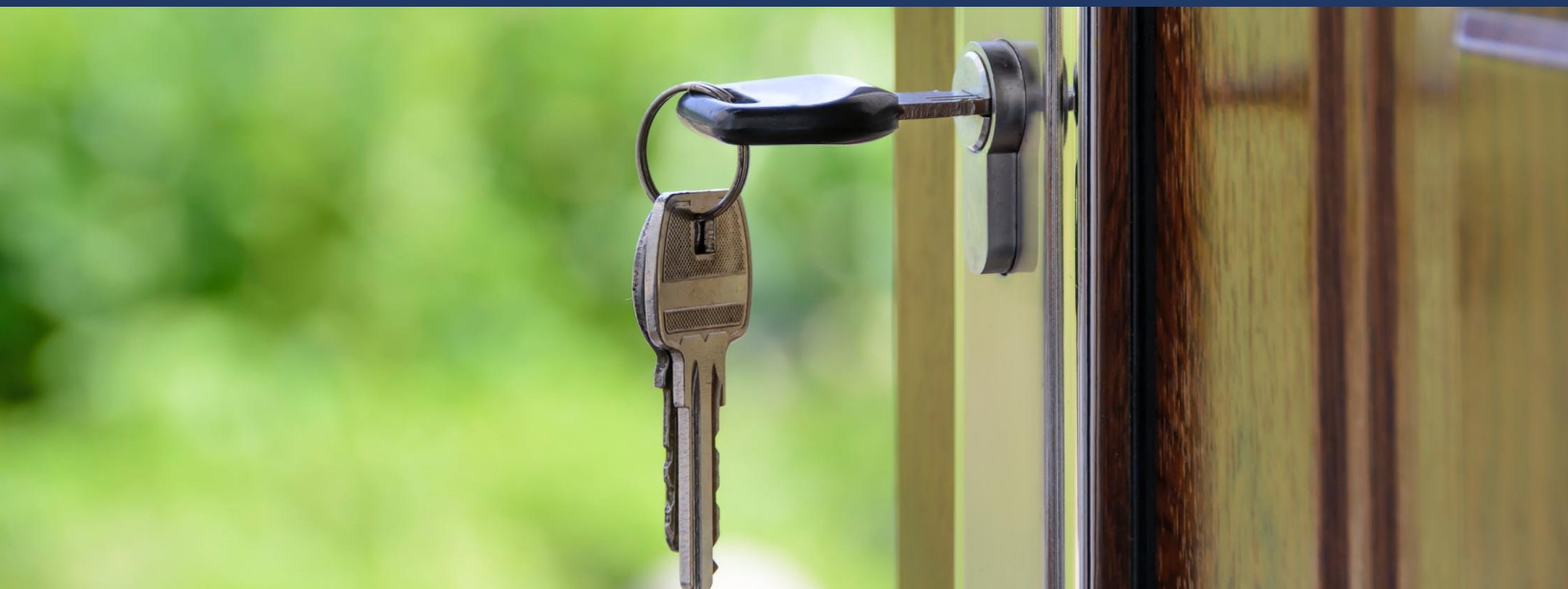
While this report primarily deals with zoning regulations and the resulting segregation, we would be remiss not to state that even if all the laws that caused segregation were undone or improved as to encourage integration, some people will want to stay where they are. The government can create policies that make migration easier, but relocation is not always preferable or possible. There are many reasons people may want to stay in their neighborhood, even if that neighborhood is currently over-policed and under-resourced. Often, people prefer to live around friends, family, places of worship, and community activities. Children become comfortable with their schools and classmates, and people find employment close to home. We cannot ignore the need to invest in cities, even if they are segregated, to improve the lives of people who live there. While doing this we must also be cognizant of not encouraging gentrification, where those same people are pushed out of their homes. This is a complicated problem with no easy solution. Rather than finding one solution as a "solve everything" approach, we will need to find multifaceted solutions which allow people to find affordable housing all over the state and invest in communities where Black and Latinx people are currently living.

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INTRODUCTION

The Commission on Human Rights and Opportunities is Connecticut's civil rights enforcement agency.* Its mission is to eliminate discrimination through civil and human rights law enforcement and to establish equal opportunity and justice for all persons within the state through advocacy and education. The Commission investigates and prosecutes discriminatory

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* While the Commission has attempted to be as inclusive as possible in the terminology used throughout this report, some terms used to reference particular populations have been carried over from the underlying statistical data to maintain consistency and accuracy. Otherwise, the term BIPOC (Black, Indigenous, People of Color) will be used to refer to non-White people generally, and specific terms (Black, Latinx, etc.) will be used when referring to specific racial and ethnic groups.

The term "Latinx" (La-TEEN-ex) is used as an alternative to "Latino" because it is gender neutral and inclusive of gender as a spectrum as opposed to a dichotomy. Latinx has been [increasingly prevalent](#) in recent years. Some critique the term because the "x" does not flow naturally in the Spanish language. This criticism is valid. While the term "Latine" has slowly started to circulate as a more organic, alternative gender-neutral term, very few are familiar with it as of the date of this report. Given that, this report will use the gender-neutral and more widely known term, Latinx.

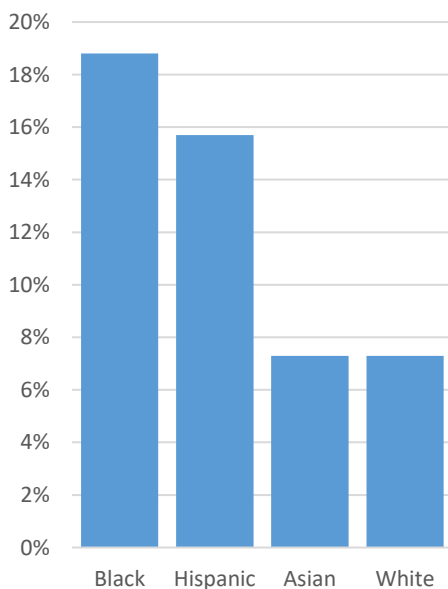
acts in employment, places of public accommodation, credit transactions, and housing. The purpose of this report is to address the systemic barriers faced by people in Connecticut seeking housing security and how these barriers perpetuate racial segregation both in and beyond housing. It argues that the evils of racial segregation cannot be eradicated without meaningful reform to residential housing policy.

Meaningful reform must begin with an understanding of the qualitatively distinct struggle of individuals who live at the intersection of overlapping systems of privilege and oppression.¹ This report focuses on how exclusionary zoning and other housing policies disadvantage low-

income people. Black and Latinx people are over-represented in low-income communities. In 2019, the share of Black people who were low-income was 1.8 times greater than their share in the general U.S. population.² They represented only 13.2% of the total U.S. population but accounted for about 23.8% of the low-income population.³ Moreover, the median income in 2019 was \$45,438 for Black households and \$56,113 for Latinx households. In contrast, the median income was \$76,057 for White⁴ households. To put this in perspective, the federal poverty line in 2019 was \$25,750 for a household of four.⁵

In addition to being overrepresented in the low-income population, Black and Latinx people are more likely to be single female heads of household,⁶ live in neighborhoods with resource-poor schools,⁷ and have limited access to quality healthcare.⁸ Because of these intersections, low-income Black and Latinx people are affected not just by policies that disadvantage these communities based on race and income,

U.S. Poverty Rates by Race, 2019



but also by policies that exclude based on familial status, disability, and gender. Accordingly, this report mentions other protected classes because an examination of discrimination based on income and race is incomplete without exploring how various levels of oppression work to perpetuate systemic discrimination.

While this is a nationwide issue, statistics show that Connecticut is one of the most racially segregated states in the country. More than two-thirds of Black and Latinx residents in Connecticut live in only 15 of Connecticut's 169 cities and towns.⁹ Richard Rothstein provides a detailed history of segregation in the United States in his book *The Color of Law* and short film *Segregated by Design*.¹⁰ Rothstein argues that people often assume that segregation happened organically or by accident, based on private prejudices. This theory is known as de facto segregation. History shows that racially segregated patterns were created by what is called de jure segregation – intentional actions and policies by the federal, state, or local governments that enforce segregation. Examples of de jure segregation policies include: the creation of segregated public housing authority projects; subsidizing federally backed suburban housing developments with restrictive deeds that excluded Black people; refusing to federally insure loans to Black homebuyers; redlining; and blockbusting. The aim of these de jure segregation policies was to keep Black people out of White residential neighborhoods. There was also a goal to move Black people away from downtown business districts which were predominantly utilized by White commuters, shoppers, and business people.

In addition to de jure segregation policies, when Black families did attempt to move into a White suburban neighborhood, the state and local

De jure segregation:

Intentional actions and policies by the government that enforce segregation.

De facto segregation:

Segregation that happens organically or by accident based on private prejudices.

Fair Housing Act of 1968

Prohibited
discrimination in
the sale, rental, or
advertising of
housing in the U.S.

governments allowed White people to terrorize and harass Black families to drive them out of the neighborhood. Law enforcement often stood by or encouraged the terrorization.¹¹ Today, Black incomes are 60% of White incomes but Black wealth is only 10% of White wealth.¹² Most middle class families in the United States gained their wealth from the equity they have in their homes.¹³ That means the wealth gap between Black and White Americans is largely due to de jure policies and actions as they relate to housing segregation. The wealth accumulated by White Americans enabled them the privilege to send their children to college, secure elder care services, and leave inheritances to their children and grandchildren. In 1968, the federal Fair Housing Act was passed, outlawing most de jure segregation policies and practices. However, the political will has not existed to affirmatively eradicate or remedy the segregation created largely by the government. In fact, it has allowed exclusionary zoning policies to perpetuate the status quo. Doing so has a discriminatory impact on BIPOC.

This important history teaches us that any type of meaningful reform in achieving housing security for everyone must be rooted in systemic change. As Archbishop Desmond Tutu once said: "There comes a point where we need to stop just pulling people out of the river. We need to go upstream and find out why they are falling in." Problematizing the issue of housing insecurity in the context of historical systemic oppression highlights the system failures that must be addressed through policy reform. This history demonstrates that while policies that are reactive and individual-centered may help independent folks in the short-term, they do little to change the oppressive systems that make such individual adjustments necessary in the first instance. Reform in this area requires solutions that are comprehensive, equitable, and just. The goal is accessible and affirmative

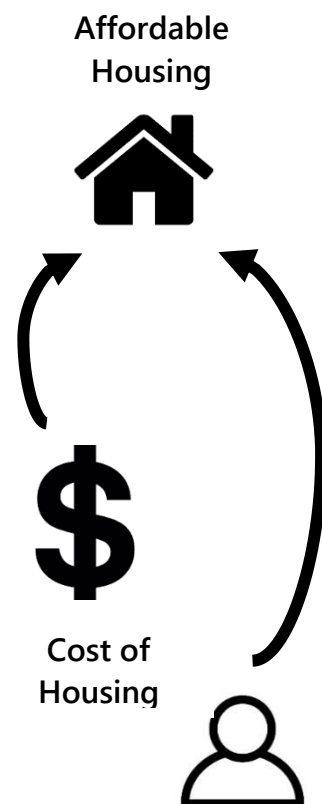
housing security for all, not the mere absence of housing *in*security. For, as Martin Luther King Jr. said, “true peace is not merely the absence of tension; it is the presence of justice.”

Similar to prior Commission reports, in this report we intend to provide an update on housing segregation and the current population of Connecticut; an overview of exclusionary zoning policies; the lack of affordable housing; the intersectionality of housing segregation and its impact on education and health equity; and a summary of recent, relevant court cases.

AFFORDABLE HOUSING

“Affordable housing” is a broad term that covers several different types of housing situations. Generally speaking, housing is affordable when no more than 30% of a household’s gross income is spent on rent/mortgage payments and utilities.¹⁴ This definition has two key components – the cost of the housing itself and the ability of the tenant to pay those costs. Affordable housing can happen naturally when there are low housing costs and/or higher income tenants. Towns can have a stock of affordable housing without any government intervention when either of those components is present.

In many towns, however, that is not the case. Either housing costs are too high so that low-income families are unable to live there or the income of the family is too low so that they cannot afford housing on their own. This is where government intervention comes in to create affordable housing.



Government Based Affordable Housing Interventions

Housing based:

lowers the cost to build or operate housing

Tenant based:

subsidizes the cost of rent or mortgages for individuals

Intervention generally comes in two forms focusing on either of those components. One focuses on lowering initial housing costs through subsidies for the housing unit or development itself. These programs work by financing the creation or rehabilitation of housing designated for low and moderate-income tenants. By subsidizing the building of housing, those costs are covered by the government and the monthly rent or mortgages will remain low enough to qualify as affordable. Examples of this kind of intervention include the Low-Income Housing Tax Credit (LIHTC)¹⁵ and the USDA Rural Affordable Housing programs¹⁶ at the federal level, and the Competitive Housing Assistance for Multifamily Properties (CHAMP) program¹⁷ and Community Development Block Grants¹⁸ at the state level.

Another kind of housing-based subsidy focuses on reducing the operational costs of housing. These programs provide continuing financial assistance to housing developments to offset the costs of tenancy. They are generally only available to housing developments that specifically designate a percentage of their units for low-income tenants based on the median income for the area. For example, Project-Based Vouchers under the federal Housing Choice Voucher Program (commonly referred to as Section 8) fund housing developments to keep rent low for families making below 50% of the median income for the county or metropolitan area.¹⁹

The other kind of intervention is tenant-based. Instead of providing funds to housing developers or managers, funding is provided to low-income tenants to cover a portion of their housing costs. This, in theory, allows the tenant to find housing in the location of their choice. Recipients must fund a portion of their rent themselves with the subsidy covering the

rest up to a cap. At the federal level this includes the Tenant-Based Section 8 Voucher program²⁰ and the Rental Assistance Program on the state level.²¹

In Connecticut, the definition of “affordable housing” is tied to these interventions. The **Affordable Housing Appeals Act**, more frequently referred to “8-30g” after its Connecticut General Statutory cite, defines affordable housing as either assisted housing or a set-aside development. Assisted housing is housing that receives government subsidies for the construction or substantial rehabilitation of low and moderate-income housing or housing occupied by persons receiving tenant-based subsidies.²² In other words, it is housing that receives either housing or tenant-based subsidies as described above. A set-aside development is a housing development in which at least 30% of the units have restrictions lasting at least forty years that make it so housing costs will be less than 30% of the area’s median income.²³ These developments often qualify for housing-based subsidies.

When a developer wants to build affordable housing in a town, an application must first be submitted to the municipal planning commission. The municipality is empowered to consider these applications and reject them. If less than 10% of the municipality’s housing stock qualifies as affordable housing, the developer can appeal a rejection of their proposal to court.²⁴

While this process allows for developers to push for affordable housing in towns that may want to exclude lower-income residents, in practice this is not a particularly effective method of driving inclusive communities. A major problem is that this mechanism relies on developers engaging in costly litigation in order to override the municipal planning

8-30g Appeals:



If less than 10% of a town’s housing qualifies as affordable, then developers can appeal the town’s rejection of their affordable housing development proposal

commission's rejection. Few developers opt to engage in that expense when they can avoid those costs by building elsewhere. This is borne out in litigation statistics. From 2010 to 2020, only 69 cases have been brought on the basis of C.G.S. § 8-30g.²⁵

**Towns with the
least affordable
housing stock:**

Sherman	0.44%
Weston	0.22%
Warren	0.12%

The infrequent use of this process is troubling. According to the 2020 Affordable Housing Appeals List published by the Connecticut Department of Housing, only 18% of Connecticut municipalities have over 10% affordable housing stock.²⁶ The town with the lowest percentage of affordable housing is Warren, CT, with just 0.12% of affordable housing stock. Warren is 94% White, 3% Hispanic, 1% Black, 1% Asian, and 1% identifying as two or more races.²⁷

*Aerial shot of Hartford, 2009.
Photo by Sage Ross.*



SOCIAL AND ECONOMIC DEVELOPMENT OF TOWNS

To get a snapshot of Connecticut by examining a mix of large cities, suburban towns, and rural towns, we examined the ten largest cities in Connecticut, five towns and cities that were adjacent to the largest cities,²⁸ and five rural cities²⁹ scattered around the state. Many other reports have provided a more detailed statistical analysis of the data provided in this report.³⁰ This report is not intended to provide that analysis; rather it is provided to give a snapshot of our state to examine and analyze obvious trends and what improvements our laws might make to diversify the state and make resources more widely and equitably available.

10 Largest Cities

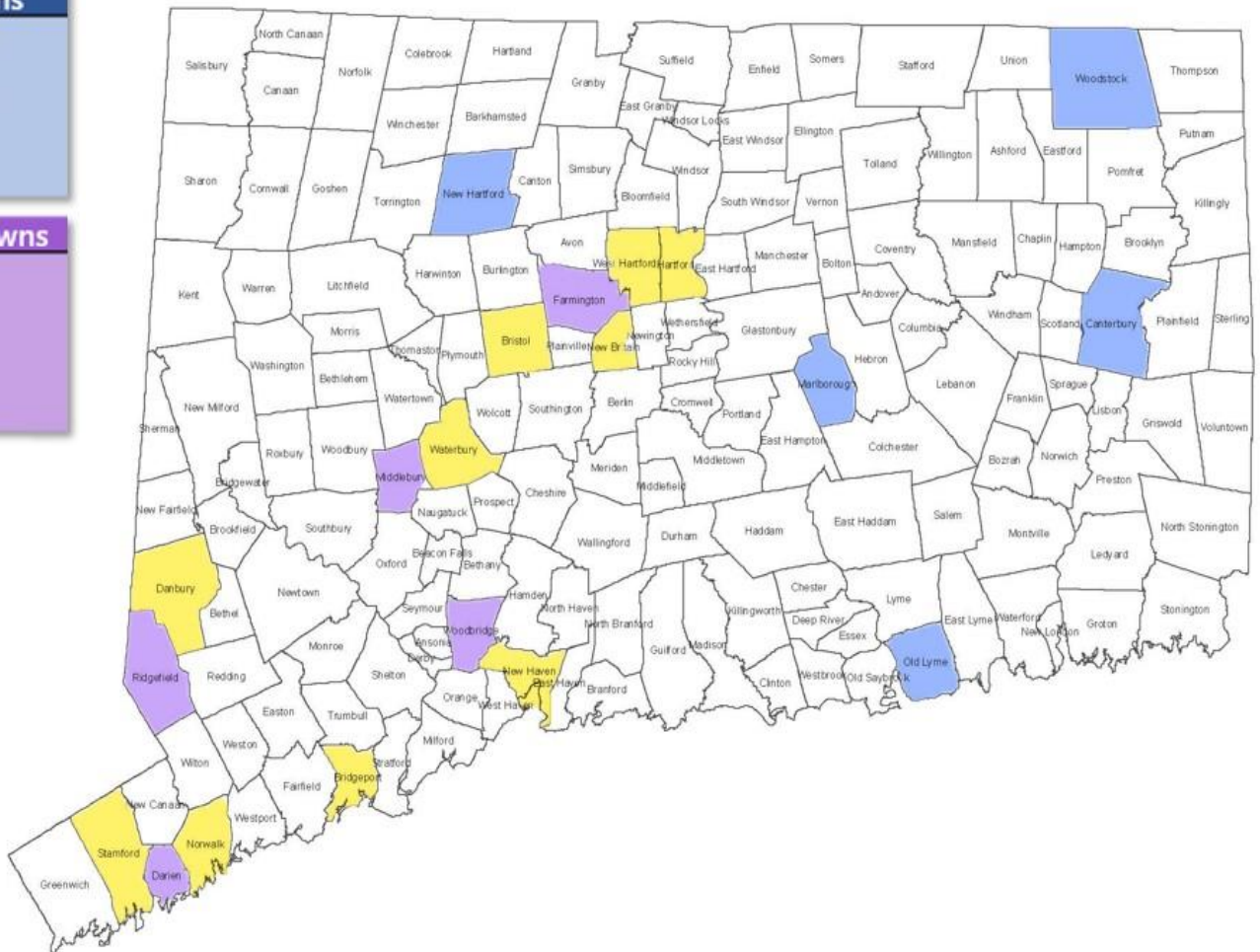
Bridgeport
Stamford
New Haven
Hartford
Waterbury
Norwalk
Danbury
New Britain
West Hartford
Bristol

Rural Towns

New Hartford
Woodstock
Marlborough
Canterbury
Old Lyme

Adjacent Towns

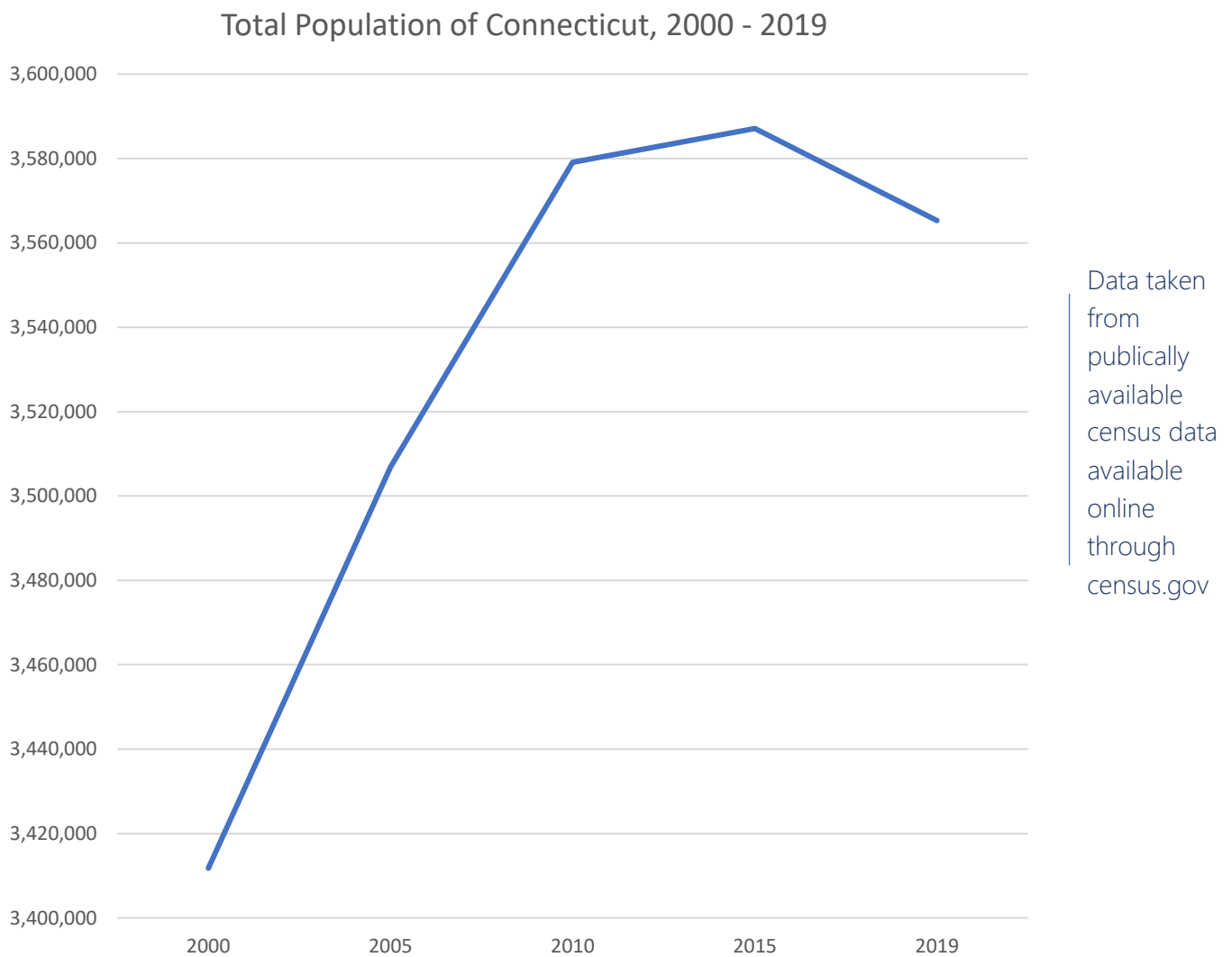
Middlebury
Darien
Ridgefield
Woodbridge
Farmington



Population characteristics include a general description of the total population, its growth and decline in various areas of the state, the characteristics of racial populations and female heads of household, and distribution of households below the poverty level.

Connecticut's Overall Population

After a period of steady population growth in Connecticut, the last five to six years have seen a consistent decrease in population.³¹



The data below represents the population increase/decrease in the selected cities in the last nine years.³²

MUNICIPALITY	2010	2019	% CHANGE
Bridgeport	144,246	144,399	0.1%
Stamford	122,633	129,638	5.4%
New Haven	129,884	130,250	0.3%
Hartford	124,765	122,105	-2.2%
Waterbury	110,309	107,568	-2.5%
Norwalk	85,612	88,816	3.6%
Danbury	80,893	84,694	4.5%
New Britain	73,203	72,495	-1.0%
West Hartford	63,296	62,965	-0.5%
Bristol	60,499	59,947	-0.9%
New Hartford	6,962	6,656	-4.6%
Woodstock	7,964	7,858	-1.3%
Marlborough	6,390	6,335	-0.9%
Canterbury	5,132	5,079	-1.0%
Old Lyme	7,608	7,306	-4.1%
Middlebury	7,612	7,798	2.4%
Darien	20,716	21,728	4.7%
Ridgefield	24,645	24,959	1.3%
Woodbridge	8,977	8,750	-2.6%
Farmington	25,350	25,497	0.6%

Bethlehem, CT in 1836
Painting by John
Warner Barber



As of 2010, the average population per square mile in Connecticut was 738.1 and the total land area in square miles was 4,842.36.

MUNICIPALITY	POP./SQ. MI., 2010	LAND AREA IN SQ. MI.
Bridgeport	9029.0	15.97
Stamford	3258.4	37.64
New Haven	6947.9	18.68
Hartford	7178.8	17.38
Waterbury	3869.9	28.52
Norwalk	3744.7	22.86
Danbury	1913.0	41.89
New Britain	5466.0	13.39
West Hartford	2897.3	21.84
Bristol	2289.8	26.41
New Hartford	188.2	37.04
Woodstock	131.3	60.65
Marlborough	274.2	23.35
Canterbury	128.5	39.95
Old Lyme	330.3	23.02
Middlebury	426.7	17.75
Darien	1638.2	12.66
Ridgefield	713.8	34.52
Woodbridge	477.9	18.81
Farmington	904.5	28.02

Race

As of 2019, the census projected that individuals living in Connecticut identify as follows: 65.9% White Non-Hispanic, 16.9% Hispanic, 12.2% African American, 5% another race, 5% Asian, 2.5% two or more races, and 0.1% Native Hawaiian/Pacific Islander.³³ Overall the larger cities tend to be more racially and ethnically diverse. Where diversity exists in other

towns and cities, that diversity rarely extends to Black or Latinx people. Population percent by race in our selected cities are noted below.

Municipality	White, Non-Hispanic Alone	Black Or African American Alone	American Indian And Alaska Native Alone	Asian Alone	Native Hawaiian And Other Pacific Islander Alone	Two or More Races	Hispanic or Latine
Bridgeport	20.1	35.1	0.4	3.4	0	4.9	40.8
Stamford	49.3	14.1	0.3	8.6	0	3.2	27.2
New Haven	49.3	32.6	0.4	5	0	4.4	31.2
Hartford	14.8	37.7	0.4	2.7	0.1	6.4	44.3
Waterbury	37.8	21.7	0.2	2.4	0	4.5	37.4
Norwalk	50.8	14.7	0.4	5.5	0.1	3	27.7
Danbury	49.8	10.4	0.3	6.3	0.1	3.7	30
New Britain	40	12.8	0.2	2.8	0	4.6	43.3
West Hartford	72.9	6	0.2	7.9	0	2.8	11.2
Bristol	73.6	5.4	0.5	1.5	0	2.8	17.3
New Hartford	97.2	0	0.3	0	0	0.7	1.6
Woodstock	98	0	0	0.3	0	1.2	0.5
Marlborough	91.9	1.6	0.2	0.6	0	0.3	5.7
Canterbury	96.4	0.7	0	1.2	0	1	1.1
Old Lyme	91.3	1.5	0	0.9	0.4	1.2	4.6
Middlebury	89.6	0.4	0.2	4.7	0	1.7	4.5
Darien	87.7	0.9	0	5.6	0.1	2.1	4.1
Ridgefield	87.8	1	0.1	4	0	2.8	4.8
Woodbridge	74.5	3.2	1.1	15.7	0	1.5	5.7
Farmington	81.5	2.2	0.3	12.31	0	2	6.5

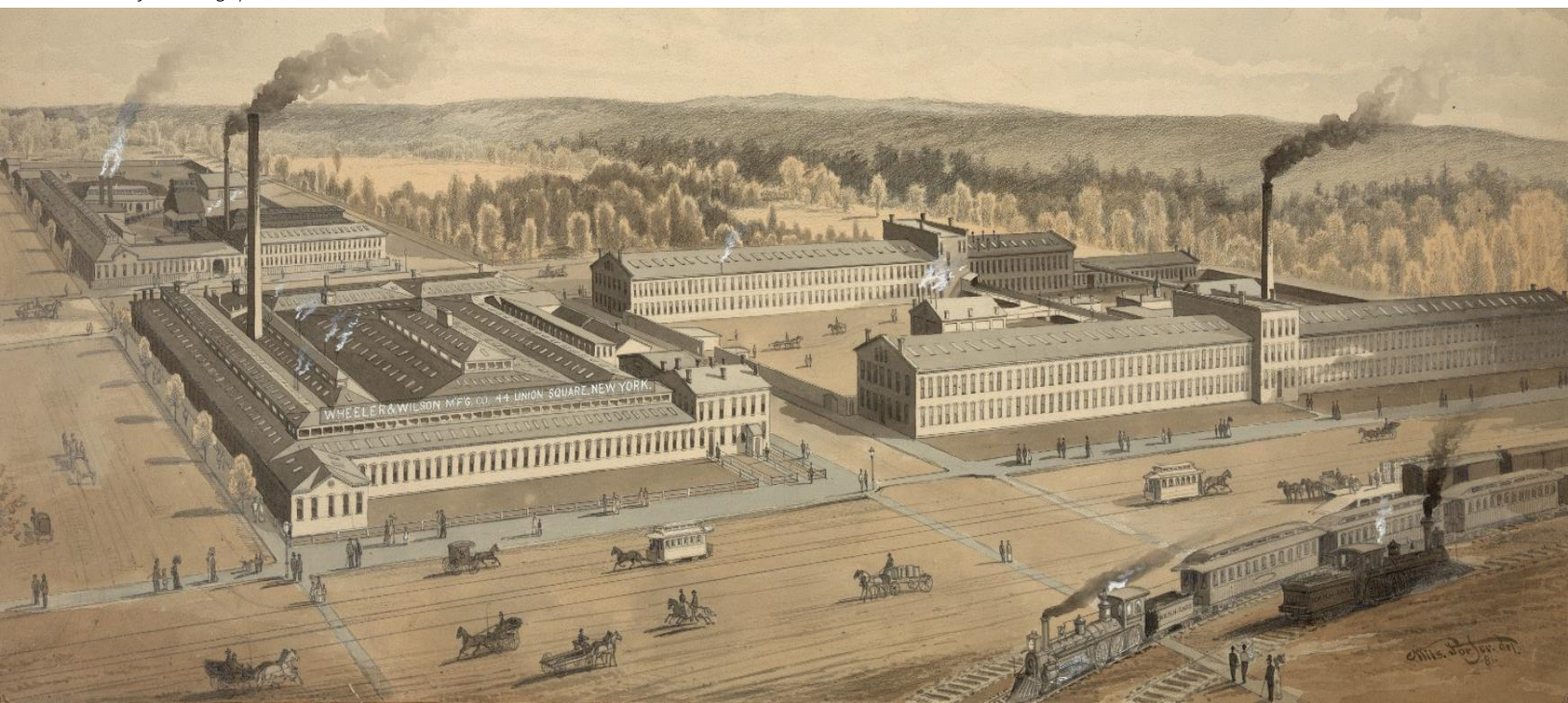
Female Heads of Household

There are 1,371,087 total households (occupied homes)³⁴ in Connecticut. Almost 13% (176,973) of these are single female led households.³⁵ Female led households are predominantly located in the larger cities. In addition to being overrepresented in the low-income population, Black and Latinx people are more likely to be single female heads of household,³⁶ live in neighborhoods with resource-poor schools,³⁷ and have limited access to quality healthcare.³⁸ Because of these intersections, low-income Black and Latinx people are affected not just by policies that disadvantage these communities based on

race and income, but also by policies that exclude based on familial status, disability, and gender.

Municipality	Total Number of Households	Single Female Led Households	%
Bridgeport	51,255	12,425	24.24%
Stamford	47,357	5,765	12.17%
New Haven	48,877	10,949	22.40%
Hartford	45,124	13,527	29.98%
Waterbury	42,761	9,541	22.31%
Norwalk	33,217	4,309	12.97%
Danbury	28,907	3,400	11.76%
New Britain	28,158	5,818	24.31%
West Hartford	25,258	2,598	10.28%
Bristol	25,320	3,230	12.76%
New Hartford ³⁹	592	70	11.82%
Woodstock	560	47	8.39%
Marlborough	*	*	*
Canterbury	*	*	*
Old Lyme	*	*	*
Middlebury	*	*	*
Darien	6,698	447	6.67%
Ridgefield	3,046	224	7.35%
Woodbridge	*	*	*
Farmington	*	*	*

Artist rendition of the Wheeler &
Wilson Factory in Bridgeport, CT, 1881



Income Levels

As of July 2019, 10% of households in the state were living in poverty, predominantly in our largest cities.⁴⁰ In contrast, the median household income in all of Connecticut for 2015 through 2019 was \$78,444.⁴¹

Overall, income levels are vastly lower in the larger cities. The exceptions to that

Municipality	% of Households Living in Poverty	Median Income (2015-19) ⁴²
Bridgeport	21.8%	\$ 46,662
Stamford	9.2%	\$ 93,059
New Haven	26.5%	\$ 42,222
Hartford	28.1%	\$ 36,278
Waterbury	23.4%	\$ 42,401
Norwalk	10.1%	\$ 85,769
Danbury	11.5%	\$ 73,297
New Britain	27.1%	\$ 46,499
West Hartford	6.4%	\$ 104,281
Bristol	10.1%	\$ 67,507
New Hartford	2.1%	\$ 106,765
Woodstock	5.7%	\$ 86,821
Marlborough	2.5%	\$ 112,557
Canterbury	2.7%	\$ 91,973
Old Lyme	3.7%	\$ 96,567
Middlebury	4.0%	\$ 121,122
Darien	4.0%	\$ 232,523
Ridgefield	2.0%	\$ 163,945
Woodbridge	3.5%	\$ 157,610
Farmington	8.4%	\$ 93,053

are cities that have more White people. Even in rural towns, incomes are higher in direct correlation to the percent of White residents, despite a decrease in employment opportunities in rural areas.

Income inequality is not only an issue across town lines, but within them as well. A recent study looking at income inequality on a town-by-town basis found that income inequality rose in 119 of Connecticut's 169 towns

between the years of 2006 and 2017.⁴³ Towns with the most people identifying as White saw the largest increases in income inequality while those with the fewest saw the lowest increases or even decreases. This suggests that increases in income during this time period went predominantly to White residents while BIPOC residents have seen income stagnation.

Housing Data⁴⁴

Close to 60% of Connecticut's housing stock consists of single-family detached units, whereas only roughly 8% are 3-4 units.

Municipality	Single	1 Unit	2 Units	3-4 Units	5-9 Units	10-19 Units	20-49 Units	50+ Units	Mobile	Other
Bridgeport	25.6%	5.7%	18.6%	20.7%	7.4%	6.6%	6.0%	9.5%	0.0%	0.0%
Stamford	37.8%	7.2%	8.1%	8.9%	5.5%	3.6%	5.6%	23.2%	0.0%	0.0%
New Haven	19.3%	4.2%	18.1%	24.1%	8.8%	5.8%	7.1%	12.6%	0.0%	0.0%
Hartford	14.8%	4.1%	14.2%	22.8%	13.8%	7.4%	9.7%	13.2%	0.0%	0.0%
Waterbury	36.8%	3.2%	11.5%	20.1%	6.8%	3.3%	3.3%	7.2%	0.2%	0.0%
Norwalk	47.9%	4.8%	11.0%	8.2%	7.4%	7.1%	5.6%	7.5%	0.5%	0.0%
Danbury	42.2%	11.0%	10.7%	11.6%	6.7%	5.9%	4.8%	6.1%	0.0%	0.0%
New Britain	31.5%	3.0%	16.9%	19.9%	10.8%	5.0%	5.0%	7.8%	0.1%	0.0%
West Hartford	66.6%	3.6%	4.7%	5.8%	2.6%	3.0%	6.4%	6.7%	0.3%	0.3%
Bristol	55.0%	4.9%	10.9%	9.9%	6.3%	4.3%	4.0%	4.3%	0.5%	0.1%
New Hartford	88.1%	1.9%	0.6%	4.8%	4.0%	0.4%	0.0%	0.0%	0.0%	0.0%
Woodstock	88.0%	3.2%	1.7%	1.9%	2.2%	1.0%	0.0%	0.0%	2.0%	0.0%
Marlborough	89.0%	3.0%	1.5%	3.1%	1.0%	0.0%	1.7%	0.0%	0.9%	0.0%
Canterbury	92.5%	0.6%	1.0%	1.5%	2.1%	0.0%	1.7%	0.3%	0.3%	0.0%
Old Lyme	88.1%	1.0%	4.7%	3.5%	0.3%	1.3%	0.0%	0.0%	1.0%	0.0%
Middlebury	90.3%	2.9%	0.3%	1.8%	2.3%	0.0%	0.0%	2.0%	0.3%	0.0%
Darien	88.5%	3.0%	2.5%	2.1%	1.5%	0.5%	0.9%	1.0%	0.0%	0.0%
Ridgefield	80.6%	3.5%	1.5%	5.2%	3.1%	2.4%	0.6%	2.5%	0.6%	0.0%
Woodbridge	92.1%	0.4%	1.4%	2.5%	0.0%	0.0%	0.0%	3.9%	0.3%	0.0%
Farmington	61.2%	11.7%	3.4%	7.6%	5.1%	2.8%	1.8%	6.5%	0.1%	0.0%

There is much more multi-family housing stock in the larger cities where there are more Black and Latinx residents and more poverty. In Connecticut, 60% of the housing stock is owner-occupied.

Municipality	Owner Occupied	Studio/				4 BDR and More
		Municipality	1 BDR	2 BDR	3 BDR	
Bridgeport	36.0%	Bridgeport	22%	37%	30%	11%
Stamford	49.0%	Stamford	24%	29%	28%	20%
New Haven	24.0%	New Haven	28%	38%	24%	10%
Hartford	20.0%	Hartford	31%	34%	27%	8%
Waterbury	37.0%	Waterbury	17%	38%	35%	10%
Norwalk	56.0%	Norwalk	18%	32%	31%	20%
Danbury	53.0%	Danbury	16%	34%	32%	18%
New Britain	37.0%	New Britain	20%	36%	35%	9%
West Hartford	67.0%	West Hartford	13%	24%	38%	26%
Bristol	59.0%	Bristol	15%	32%	40%	14%
New Hartford	79.3%	New Hartford	9%	25%	40%	26%
Woodstock	75.9%	Woodstock	10%	23%	48%	20%
Marlborough	88.3%	Marlborough	3%	17%	48%	32%
Canterbury	79.9%	Canterbury	8%	17%	54%	21%
Old Lyme	51.8%	Old Lyme	7%	25%	28%	30%
Middlebury	89.0%	Middlebury	4%	12%	49%	34%
Darien	81.3%	Darien	6%	6%	22%	66%
Ridgefield	79.1%	Ridgefield	9%	16%	24%	51%
Woodbridge	81.0%	Woodbridge	7%	9%	36%	47%
Farmington	68.6%	Farmington	13%	26%	34%	28%

Home ownership is much less common in larger cities where there are more Black and Latinx residents and more poverty. Fifteen percent of the state's housing stock is studio/one bedroom, 27% 2 bedroom, 36% 3 bedroom and 22% four plus bedrooms.

Larger housing units are primarily available outside larger cities where there are more White, high and moderate-income residents. This makes it difficult for low-income residents to comfortably house larger families or multigenerational families.

Only ten percent of rental units in Connecticut rent for less than \$500 per month, whereas 25% of rental units rent for more than \$1,500 per month. The median rent in Connecticut is \$1,156.

Municipality	<\$500	\$500-\$999	\$1,000-\$1,499	\$1,500+	Median Gross Rent
Bridgeport	12%	22%	42%	21%	\$ 1,157
Stamford	7%	8%	20%	63%	\$ 1,761
New Haven	13%	21%	41%	24%	\$ 1,179
Hartford	15%	38%	37%	8%	\$ 959
Waterbury	14%	39%	35%	8%	\$ 959
Norwalk	8%	11%	24%	53%	\$ 1,597
Danbury	7%	12%	33%	45%	\$ 1,451
New Britain	12%	39%	41%	5%	\$ 978
West Hartford	6%	19%	40%	30%	\$ 1,297
Bristol	13%	37%	34%	12%	\$ 984
New Hartford	50%	37%	3%	10%	\$ 980
Woodstock	14%	23%	28%	13%	\$ 1,030
Marlborough	17%	0%	49%	28%	\$ 1,132
Canterbury	19%	23%	32%	14%	\$ 1,266
Old Lyme	9%	12%	48%	27%	\$ 1,237
Middlebury	13%	32%	12%	22%	\$ 874
Darien	3%	6%	13%	73%	\$ 2,801
Ridgefield	4%	16%	22%	53%	\$ 1,639
Woodbridge	0%	35%	35%	10%	\$ 1,220
Farmington	11%	11%	33%	35%	\$ 1,354

Overall rent is higher outside of the larger cities where there are fewer BIPOC residents and less poverty. Rent also appears to be higher in towns closer to New York's border.

In Connecticut, there are 172,277 assisted housing units, which are defined as units that receive government funding for the construction or rehabilitation of low/moderate income housing and any housing occupied by a person receiving government rental assistance.⁴⁵ Larger cities and towns have more assisted housing.

Most Assisted Housing Units
Hartford
New Haven
Bridgeport

Least Assisted Housing Units
Warren
Union
Goshen

Municipality	# of Assisted Housing Units
Bridgeport	11631
Stamford	7827
New Haven	17615
Hartford	20382
Waterbury	10442
Norwalk	4657
Danbury	3711
New Britain	5731
West Hartford	2,091
Bristol	3894
New Hartford	10
Woodstock	24
Marlborough	24
Canterbury	76
Old Lyme	63
Middlebury	76
Darien	136
Ridgefield	217
Woodbridge	30
Farmington	26

The statistics surrounding population and housing in our state make it clear that if we want more racial and ethnic diversity in our cities and towns, we need a diversity of housing choices. We need to have the capacity to create more multifamily, single family, and large family units in all towns and cities. We will also need more housing-based and tenant-based subsidies to provide access to housing in all towns, suburbs, and cities throughout the state.

The data is also clear that increased housing options will help promote increased wealth in our state.

Home ownership is one of the most reliable mechanisms for transferring wealth between generations. More affordable housing options will allow more residents to purchase homes which will in turn build wealth for those families. Professor Richard Florida has noted that “a mounting body of research suggests that housing inequality may well be the biggest contributor to our economic divides.”⁴⁶ By addressing housing inequality by providing more affordable housing options in our state, we will also be addressing economic inequality and the racial wealth gap.



MECHANICS OF ZONING: HOW ZONING REGULATIONS PERPETUATE SEGREGATION

Exclusionary Zoning

Zoning regulations and policies that prevent affordable housing units from being built or operated within the municipality.

Disparate Impact

When a policy that is neutral on its face has a statistically significant impact on different groups.

Zoning regulations or ordinances are rules that define how property/land can or cannot be used. Zoning ordinances regulate the purpose of the land; for example, whether an area can be used for residential, recreational, or commercial purposes. Zoning regulations also regulate the size, placement, density, and type of buildings that can be built on land, as well as the relation and number of occupants who can live in a housing unit. As a result, zoning regulations in non-urban areas often exclude residential housing that would be affordable for lower-income residents. This is often referred to as “**exclusionary zoning**.” Municipalities drafted these wealth-based ordinances in an effort to control the make-up of their neighborhoods. Because these facially neutral regulations are primarily based on wealth, they have remained legal while other restrictive tools such as redlining and racially restrictive covenants have been outlawed. Despite the regulations’ facially neutral language, exclusionary zoning has a disparate impact on BIPOC residents and has caused Connecticut to remain one of the most segregated states in the country. In 2015, the Supreme Court of the United States held that disparate-impact claims were cognizable under the Fair Housing Act.⁴⁷

Examples of exclusionary zoning provisions are:

Type of dwelling (single family, multiple, etc.)

Many zoning ordinances restrict the type of residential dwellings permitted to single-family detached units. This effectively excludes any type of multi-family dwellings, such as apartment buildings, townhouses, apartments, two or three family homes, accessory dwelling units, and mobile homes. Because



multi-family dwellings are often more affordable, excluding multi-family dwelling units generally blocks low and moderate-income households. This has a disparate impact on Black and Latinx and female-led households. There are even municipalities in Connecticut that do not allow multi-family housing at all.

Lot size and parking mandates

Requiring large minimum lot sizes for both single and multi-family dwellings increases the financial cost of building, buying, and maintaining a residential dwelling. While a city may require less than a quarter of an acre for a single family home, a neighboring town can require an entire acre. Some municipalities in Connecticut require more than an acre for any multi-family housing. This makes building multi-family units in those municipalities so costly, it is a deterrent to build at all. Similarly, zoning laws often require minimum off-street parking requirements. For example, some municipalities in Connecticut require two or more off-street parking spaces per dwelling unit. This also adds additional costs to multi-family housing, since developers and property owners must ensure there is enough land available for the required parking spaces, as well as additional resources to pave and maintain the required parking spaces. Additional ordinances that have the same effect as a large lot requirement include specific sized front, side and/or rear yards, mandatory setbacks, and frontage requirements.



Floor requirements, occupancy limitations, and restrictions

The larger the required size of the dwelling unit or floor space for specific dwellings and/or rooms, the more expensive it is to construct and maintain a dwelling unit. In addition, many municipalities have excessively restrictive occupancy standards. Even if the occupancy standards are based on a



Village of Belle Terre v. Boraas (1974)

U.S. Supreme Court decision that allowed zoning boards to define what is or is not a family through regulation.

seemingly legitimate concern that is applicable to everyone, they can have a disproportionate impact on families with children, non-traditional household families, and multigenerational families. This can be seen in a variety of ways, such as requiring an excessive square footage of floor space per occupant, requiring a certain number of bedrooms per occupant, or prohibiting habitable floor space/rooms to be used as a sleeping room (such as a bonus room or office). Because of the high cost and lack of affordable housing in Connecticut, households may not meet the traditional or municipal definitions of “family.” Multigenerational families and non-traditional families may decide to live together to share in excessive housing costs. Unfortunately, because they do not fit the municipality’s definition of “family,” the household members can be subject to zoning violations and legal efforts to remove them from a dwelling. Conversely, while “unrelated persons” may be prohibited from residing together in a residential dwelling unit, because they do not meet the definition of family, the same zoning codes may allow live-in domestic servants.⁴⁸

Additional provisions that perpetuate exclusionary zoning



Regulations that require unnecessary and expensive design requirements increase the cost of building and maintaining dwellings. Often, these are items better left to the discretion of the households who can choose to add such improvements. Examples of excessive design requirements are required garages, brickwork, high fences or walls, thatched roofs, or extensive landscaping.

Municipalities often claim infrastructure or public safety concerns such as sewage capacity, excessive traffic, lack of sidewalks, public safety resources, and/or fears of overcrowding. The process to obtain approval for

affordable housing and/or multi-family housing often requires a public hearing and approval by zoning officials. These hearings are frequently confrontational, lengthy, and costly, where proponents for the construction or conversion of housing to multi-family or affordable units are forced to defend themselves while residents and local officials block affordable housing by raising unfounded concerns often based in fear of the unknown or implicit bias. This is especially concerning given that zoning and planning public hearings tend to be disproportionately attended by people who are White, male, older homeowners, as compared to the voting populations of those towns.⁴⁹

Public Hearings for Zoning

Compared to voting populations, a 2018 study found that those who are able to attend and provide comment at zoning meetings tend to be disproportionately White, male, older, and homeowners.

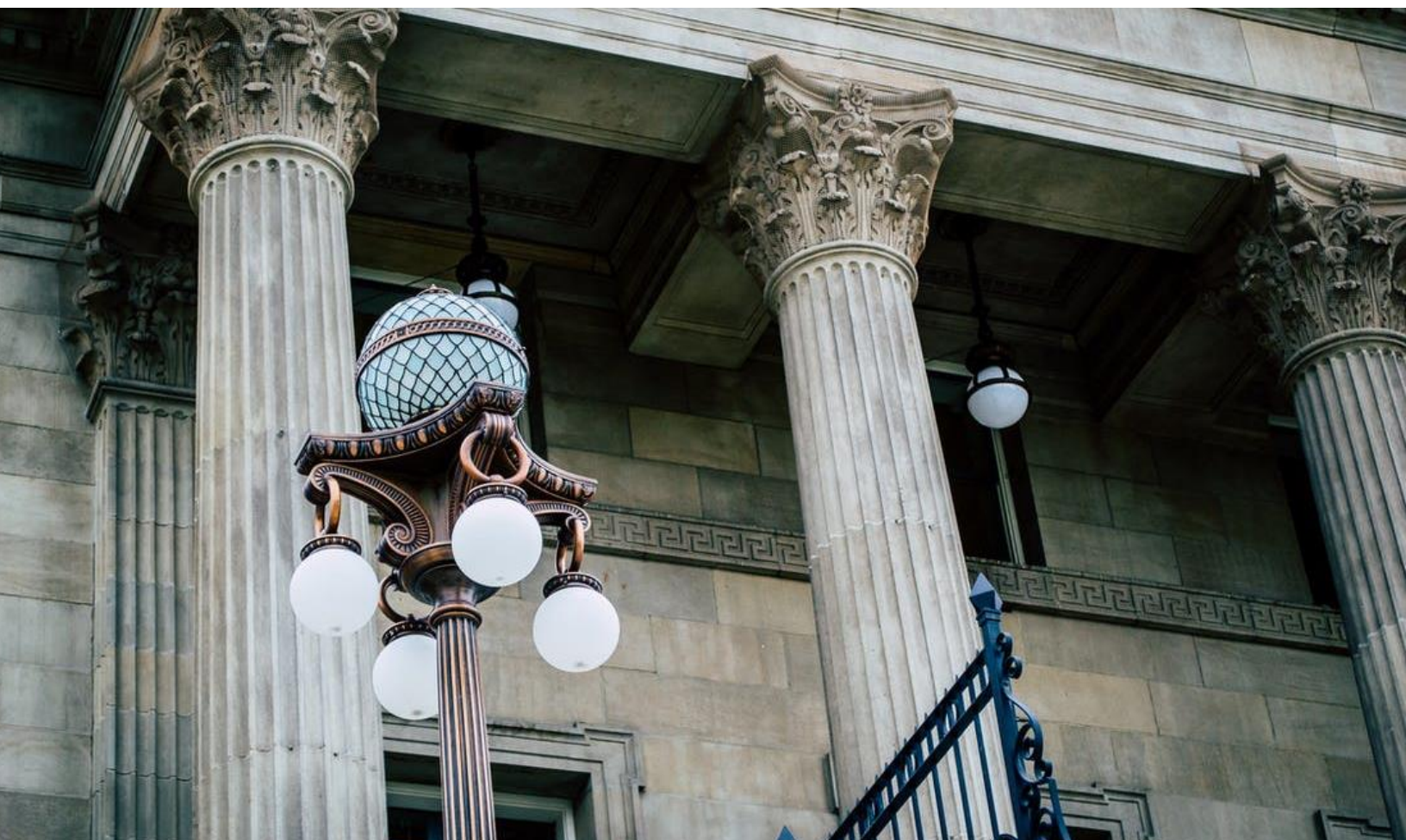
While we have provided a few examples of exclusionary ordinances, the list is not exhaustive. Connecticut General Statutes (C.G.S.) § 8-2 enables the zoning commissions of each city, town, or borough the authority to create their own regulations. C.G.S. § 8-2(a) includes language that municipalities should “encourage the development of housing opportunities, including opportunities for multi-family dwelling....” as well as a suggestion to “promote housing choice and economic diversity in housing, including housing for both low-and moderate income households...” However, it is clear based on current data that Connecticut continues to be segregated and affordable housing development has been on a sharp decline.⁵⁰ In 1988, the Connecticut Supreme Court found that East Hampton’s minimum floor area requirements were not rationally related to any legitimate purpose of zoning as set out in C.G.S. § 8-2 and therefore found that the regulation denied the developer plaintiffs’ “due process of law under both the United States and Connecticut constitutions.”⁵¹ The Court noted “[w]hen a minimum floor requirement has no rational relation to public health...the conclusion that the requirements

Builders Ser. Corp. v. Planning & Zoning Commission (1988)

CT Supreme Court decision that floor requirements may be a form of economic discrimination.

are a form of economic discrimination, even if unintended, causes grave concern.”⁵²

Soon afterwards, in 1990, the Connecticut General Assembly passed the “**Affordable Housing Land Use Appeal Procedure**” (C.G.S. § 8-30g). This allowed a person or developer the right to appeal an affordable housing application that was denied or approved with restrictions that would have a substantial adverse impact on the development. This then shifted the burden to the municipality to prove that its stated reasons for denying an affordable unit proposal were substantiated, and outweighed the need for affordable housing. However, the time and cost associated with litigating denied applications often deterred developers from utilizing 8-30g. By 2017, the legislature amended and weakened the statute, resulting in municipalities receiving more exemptions from affordable housing requirements.⁵³



RECENT CASE LAW

It is illegal to use zoning regulations to discriminate against people. The Federal Fair Housing Act, section 3604(a) makes it illegal to use zoning regulations to exclude members of a protected class, such as race, color, or national origin, from a town or neighborhood. See, Tsombanidis v. City of West Haven, 180 F. Supp.2d 262, 284-85 (D. Conn. 2001) citing City of Emonds v. Oxford House, Inc., 514 U.S. 725 (1995). Similarly, the state's fair housing statute, C.G.S. § 46a-64c(a), makes it illegal to make a dwelling unavailable on the basis of an individual's protected classes. See, AvalonBay Communities, Inc. v. Town of Orange, 256 Conn. 557, 589 (2001). Illegal zoning regulations are legally actionable under theories of disparate treatment, disparate impact, or under a theory of perpetuation of segregation. See, Huntington Branch, N.A.A.C.P. v. Town of Huntington, 844 F.2d 926, 934-35 (2d Cir. 1988), aff'd in part, 488 U.S. 15 (1988). "[F]ederal and state . . . fair housing laws do supersede . . . municipal and state, zoning ordinances and laws." Commission on Human Rights and Opportunities ex rel. Carol Ward, Complainant v. Black Point Beach Club Ass'n., et al., Respondents, 2002 WL 34249752, at *6.

Zoning regulations should be evaluated for evidence of discrimination. We can look to statistical evidence and the historical background enacting the legislation to determine the illegality of zoning regulations. See, Village of Arlington Heights v. Metropolitan Housing Development Corp., 429 U.S. 252, 265-68, (1977); Pacific Shores Properties, LLC v. City of Newport Beach, 730 F.3d 1142, 1158-59 (9th Cir. 2013); Resident Advisory Bd. v. Rizzo, 564 F.2d 126, 145 (3d Cir. 1977). The Supreme

C.G.S. § 46a-64c

Connecticut's fair housing statute prohibiting, among other things, discriminatory housing practices on the basis of race, sex, religion, disability status, source of income, and more.

Court has explained, “Sometimes a clear pattern, unexplainable on grounds other than race, emerges from the effect of the state action” and supports a finding of discriminatory intent. Arlington Heights, 429 U.S. at 266.

Connecticut is a racially segregated state in part due to the impact of discriminatory zoning regulations. Racially motivated exclusionary zoning cases are commonly called “NIMBY” cases. NIMBY is an acronym for “Not In My Back Yard,” and refers to circumstances where local residents oppose affordable multi-family housing in their neighborhoods because they oppose tenants or residents of color moving into the community. Courts have allowed claims to go forward where the plaintiff claimed that the defendant purposely zoned parcels of land to prevent people of color of low or moderate income from moving in. See, e.g., MHANY Management Inc. v. County of Nassau, 843 F. Supp. 2d 287 (E.D. N.Y. 2012), aff’d in part, 819 F.3d 581 (2d Cir. 2016); MHANY Management Inc. v. Incorporated Village of Garden City, 985 F. Supp. 2d 390 (E.D. N.Y. 2013), subsequent determination, 4 F. Supp. 3d 549 (E.D. N.Y. 2014), aff’d, 819 F.3d 581 (2d Cir. 2016); Avenue 6E Investments, LLC v. City of Yuma, Ariz., 818 F.3d 493 (9th Cir. 2016). A court in Connecticut noted the same in a case where the zoning decision limited the types of units being built; “[T]his court is concerned with a mix of units that designates only the one bedroom units as “affordable”- such a mix might well be considered to be a violation of the Fair Housing Act, 42 USC § 3601 et. seq.; see also, General Statutes §§ 46a-64c; 8-2g(b).” Greene v. Ridgefield Planning & Zoning Comm’n, No. CV 90-0442131S, 1993 WL 7560, at *1.

President Biden on the role of government in housing discrimination:

“While many of the Federal Government’s housing policies and programs expanded homeownership across the country, many knowingly excluded Black people and other persons of color, and promoted and reinforced housing segregation.”

EDUCATIONAL SEGREGATION

Connecticut remains one of the most economically and residentially segregated states in the nation. Since schools reflect the neighborhoods they serve, Connecticut's schools are similarly segregated. And while the demographics of the underlying school neighborhoods have much to do with local schools' diversity (or lack thereof), school districting policies like the development of school attendance zones also play a role in determining the school's make up.

A full understanding of Connecticut's educational segregation problem cannot be reached absent a discussion of the state Supreme Court's holding in Sheff v. O'Neill, 238 Conn. 1 (1996). In 1989, the plaintiffs in Sheff, a group of aggrieved public school students, alleged that public schooling in Hartford was separate and unequal. When the lawsuit was initiated only 11% of Hartford students were enrolled in an integrated school system.⁵⁴ Finding that the Hartford schools had failed to provide students with a substantially equal educational opportunity in violation of the state constitution, the Court recognized that "the state had created local school districts, which it identified as the most important factor contributing to the concentration of racial and ethnic minorities in Hartford."⁵⁵ Since Sheff, a series of agreements between the state and the plaintiffs have advanced integration in Hartford schools. The first agreements contained race-based quotas for integrated schools as outlined by the Court. To qualify as an integrated school under Sheff, no more than 75% of the school population could be Black or Latinx, and no less than 25% of the school could be White or Asian.⁵⁶ Yet, these race-based classifications drew criticism as the City opened and invested in new magnet schools to attract

Chief Justice Peters in Sheff v. O'Neill

"The state has an affirmative constitutional obligation to provide all public schoolchildren with a substantially equal educational opportunity."

School integration under Sheff

A school is integrated when no more than 60% of students are of low economic status and no less than 30% of students are of high economic status.

the enrollment of wealthier, predominantly White students from surrounding suburbs to satisfy the quotas. Spots in these magnet schools were held open for White suburban students to the exclusion of Black and Latinx city students, arguably creating a two-tier education system of well-funded, integrated magnet schools on the one hand, and poorly funded, segregated neighborhood schools on the other. It is in part for these reasons that the most recent iteration of Sheff's settlement now measures school quotas based on socioeconomic status rather than race and ethnicity. Under this new definition, an integrated school is comprised of no more than 60% of students who are of low economic status and no less than 30% of students who are of high economic status.⁵⁷

In addition to highlighting the causal relationship between residential, economic, and school segregation, Sheff demonstrates that little can be done to improve school segregation absent substantial reform efforts by municipalities. Local boards of education are responsible for creating school attendance zones—the geographical areas that correspond to each school throughout the district. Which neighborhoods feed into which schools is completely within the control of local boards of education.



Boards can choose to map attendance zones (also referred to as “gerrymandering”⁵⁸) that reinforce the underlying residential segregation, create zones that exacerbate the underlying segregation, or establish zones that ameliorate the underlying segregation in the school setting. Many advocates argue that school districts nationwide draw school attendance zones to perpetuate the underlying residential segregation.⁵⁹

While municipalities largely control school districting, options also exist for state level intervention. For example, the legislature could regionalize school districts to reduce the inter-district disparities. This would be especially helpful in metro areas with low-income cities and surrounding wealthier suburbs, as the composite income level and population of a given region would balance the starkly different income levels and demographics of each independent district. By weakening the link between residential address and corresponding school district, regionalization may encourage families to settle in districts within a region that were historically underfunded but are more diverse. This could address the problem of White, wealthy people concentrating in historically high-resourced school districts to the exclusion of BIPOC, and may help to neutralize housing prices in these areas. Connecticut also has a racial imbalance law⁶⁰ that authorizes the State Board of Education to investigate and hold accountable schools with a school population at least 25% more or less diverse than the underlying community. Yet, despite the viability of this law and regionalization in addressing pieces of educational segregation, like the Sheff remedies, neither of these avenues fully address the root problem of residential segregation.

**C.G.S. § 10-226b.
Existence of Racial
Imbalance**

“A school is racially imbalanced when the proportion of racial minorities in all of the grades of a public school... substantially exceeds or falls substantially short of the proportion of such public school pupils in all of the same grades of the school district in which said school is situated taken together.”

Unfortunately, school districting is not the only facet of education segregation inextricably linked to residency. Public schools are funded by a combination of local property taxes and state and federal tax dollars.⁶¹ Because local property taxes comprise the largest source of funding for public schools⁶², there is a direct link between a neighborhood's property values and the resources provided to neighborhood schools. A district with less expensive properties yields lower property taxes, resulting in a reduced amount of local school funding. Conversely, schools in neighborhoods with higher property values receive proportionally more school funding from the higher property tax base. In short, reliance on property taxes for school funding means that wealthier communities have more resource-rich schools.

The State's heavy dependence on property taxes as a form of educational funding has not gone without controversy. Since the seminal case of Horton v. Meskill, 172 Conn. 615 (1977), where our State Supreme Court ordered the legislature to remedy unequal public school funding,⁶³ the legislature has been working toward a more equitable funding model. In so doing, Connecticut has developed the **Education Cost Sharing (ECS)** formula. The newest iteration of the ECS formula was adopted by the legislature in October of 2017 and began being implemented in fiscal year 2019.⁶⁴ The formula will be phased in over a period of 10 years with the goal of reaching equitable district funding by 2028.⁶⁵ The ECS formula considers myriad factors, one of which is a measure of the city/town's wealth to determine how much a city/town must raise from its property taxes to pay education costs, and how much state funding is needed to help offset these costs.⁶⁶

**Education Cost
Sharing under C.G.S.
10-262(f)(26)**

ECS Grants are, by statute, calculated based on a town's property tax base and the income of its residents. The property tax base is measured per student and per person. Income is measured on a per capita and a median household basis.

Yet, like with the Sheff remedies, while the ECS formula attempts to compensate for the problems caused by residential segregation, here inequitable property tax bases, it does not address the residential segregation itself caused by a lack of affordable housing and exclusionary zoning. High residential housing prices and restrictive zoning exclude low-income students from accessing resource-rich, high performing schools. The housing cost gap measures the difference in median housing costs (rental or mortgage payments) between neighborhoods with the highest-scoring elementary schools with the lowest-scoring elementary schools.⁶⁷ As of 2012, The Bridgeport-Stamford-Norwalk and Hartford-West Hartford-East Hartford metropolitan areas were in the nation's top ten largest metropolitan areas with the most severe housing cost gaps.⁶⁸ On average, housing costs 2.4 times as much, or nearly \$11,000 more per year, near a high-scoring public school than near a low-scoring public school. Median home values were approximately \$205,000 higher in neighborhoods near high scoring schools.⁶⁹ The size of homes and availability of rental units also differed greatly in high-scoring school neighborhoods as compared with low-scoring school communities. The median home near top-scoring schools had 1.5 additional rooms and the share of rental units was about 30% lower than homes in low-scoring school neighborhoods.⁷⁰ Exclusionary zoning policies that require minimum lot sizes, impose density restrictions, and discourage affordable housing development contribute to the housing cost gap. More restrictive zoning is associated with a nearly 40% increase in the housing cost gap.⁷¹

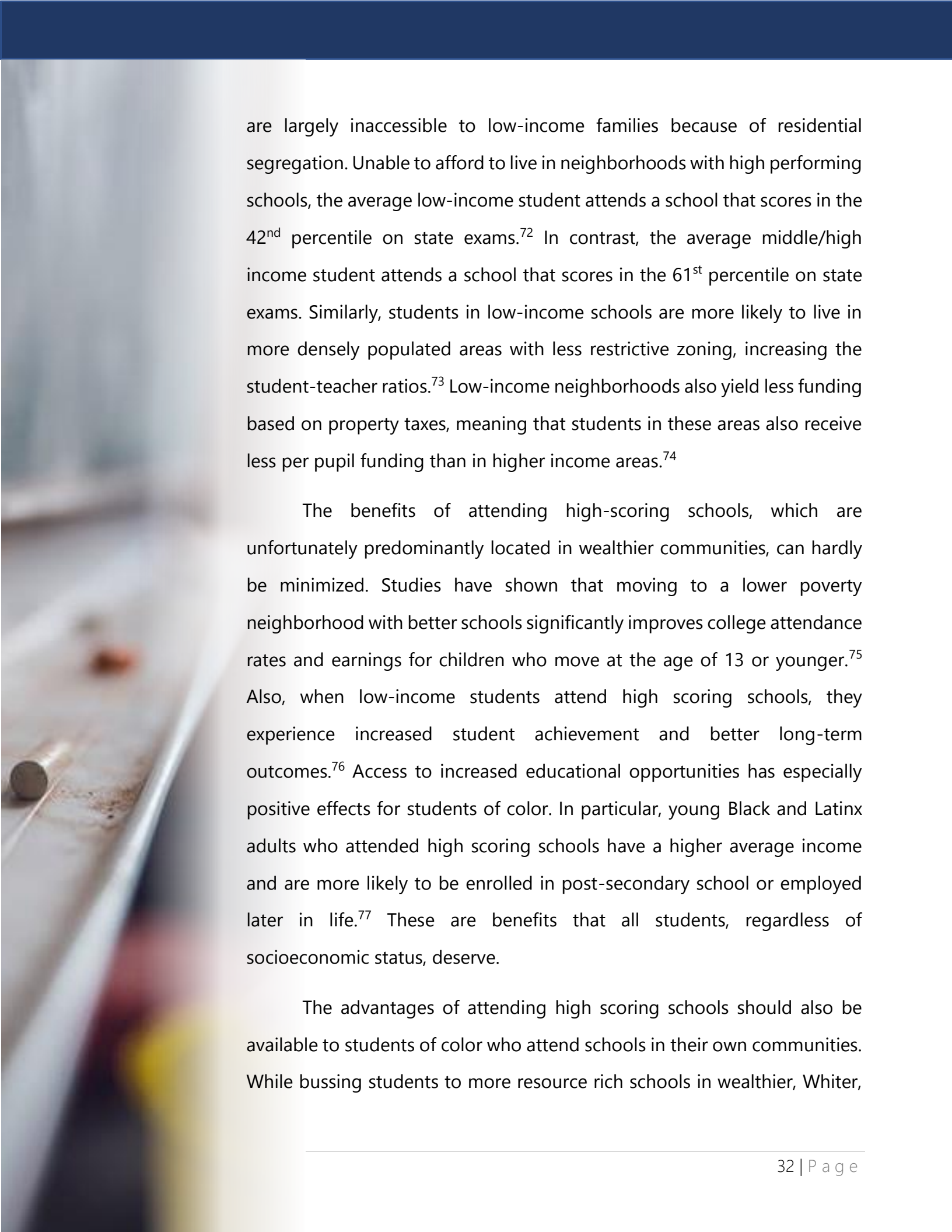
CT Towns with the highest school test scores and their average income:

New Canaan	\$174,677
Kent	\$64,464
Old Greenwich	\$138,180

CT Towns with the lowest test scores and their average income:

New Britain	\$43,611
East Windsor	\$75,056
New London	\$37,331

Better-funded public schools have the resources to provide more educational opportunities to students. Yet, these higher performing schools



are largely inaccessible to low-income families because of residential segregation. Unable to afford to live in neighborhoods with high performing schools, the average low-income student attends a school that scores in the 42nd percentile on state exams.⁷² In contrast, the average middle/high income student attends a school that scores in the 61st percentile on state exams. Similarly, students in low-income schools are more likely to live in more densely populated areas with less restrictive zoning, increasing the student-teacher ratios.⁷³ Low-income neighborhoods also yield less funding based on property taxes, meaning that students in these areas also receive less per pupil funding than in higher income areas.⁷⁴

The benefits of attending high-scoring schools, which are unfortunately predominantly located in wealthier communities, can hardly be minimized. Studies have shown that moving to a lower poverty neighborhood with better schools significantly improves college attendance rates and earnings for children who move at the age of 13 or younger.⁷⁵ Also, when low-income students attend high scoring schools, they experience increased student achievement and better long-term outcomes.⁷⁶ Access to increased educational opportunities has especially positive effects for students of color. In particular, young Black and Latinx adults who attended high scoring schools have a higher average income and are more likely to be enrolled in post-secondary school or employed later in life.⁷⁷ These are benefits that all students, regardless of socioeconomic status, deserve.

The advantages of attending high scoring schools should also be available to students of color who attend schools in their own communities. While bussing students to more resource rich schools in wealthier, Whiter,

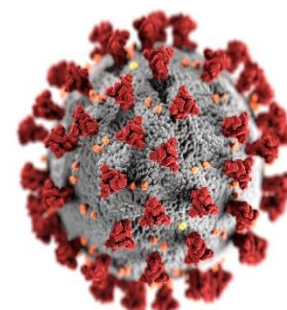
communities has shown that students of color have better outcomes as a result, this is largely because students of color are being offered support and opportunities there that are not available in their neighborhood schools due to lack of funding. Accordingly, these students would likely reap the same, if not increased, benefits were they to attend better-funded schools in their own neighborhoods. Meaningful reform therefore must include collaborative efforts between the state and municipalities to reinvest in schools located in low-income BIPOC neighborhoods. The quality of a student's education should not be determined by their zip code. While Connecticut has developed measures to lessen the burden of residential segregation in the school setting through the Sheff remedies and revised ECS formula, it falls short in meaningfully addressing the root cause of educational segregation—residential segregation itself.

The quality of a student's education should not be determined by their zip code.

THE EFFECTS OF SEGREGATION IN THE TIME OF COVID

Health Disparities

The COVID-19 global pandemic has laid bare the deep racial inequities in our country's housing, health, and education systems. Black and Latinx communities that have been systematically disenfranchised and divested of resources predictably face harsher COVID-19 outcomes.⁷⁸ Black and Latinx residents in Connecticut more often live in densely populated urban areas and in multigenerational and multi-family dwellings where social distancing can prove difficult. In a country where Black and Latinx people are more likely to have chronic underlying health conditions due to long existing health disparities,⁷⁹ the pandemic has only made more obvious the devastating consequences of leaving such disparities unaddressed.



The COVID-19 pandemic resulted in a lockdown order from Governor Lamont in March of 2020. As of the time of this report, Connecticut has not fully reopened.

Working from Home

[Researchers](#) have found that 51% of Black, 53% of non-White Hispanic, and 51% of Indigenous workers hold a job that must be done in-person. For White workers, that number is 41% while 42% of Asian workers have in-person jobs.

Recent state data makes clear that Black and Latinx people are significantly more impacted by COVID-19 than non-Hispanic White people in Connecticut.⁸⁰ After adjusting for age, Black and Latinx Connecticut residents have been nearly 2.5 times and two times, respectively, more likely than White residents to die in connection with COVID-19.⁸¹ Black and Latinx residents of the United States have been three times as likely to become infected and nearly twice as likely to die from the virus as compared to White residents.⁸² In Connecticut, data shows that Black and Latinx residents are also being vaccinated at significantly lower rates than non-Hispanic White residents, due in part to inequitable access and information.⁸³ With a focus solely on age, the State's vaccination rollout disadvantaged Black and Latinx residents.⁸⁴ When communities are divested of resources and restrictive zoning perpetuates segregation and poverty in those communities, it follows that a disproportionate number of residents from those communities hold jobs that have been deemed "essential" in the pandemic. Grocery, factory, public transportation, delivery, and healthcare workers have been more likely to be exposed to COVID-19 while also less likely to receive paid sick days.⁸⁵ Restrictive zoning regulations that create and then exacerbate racial and ethnic segregation in our state thus contribute to these disparate health outcomes.

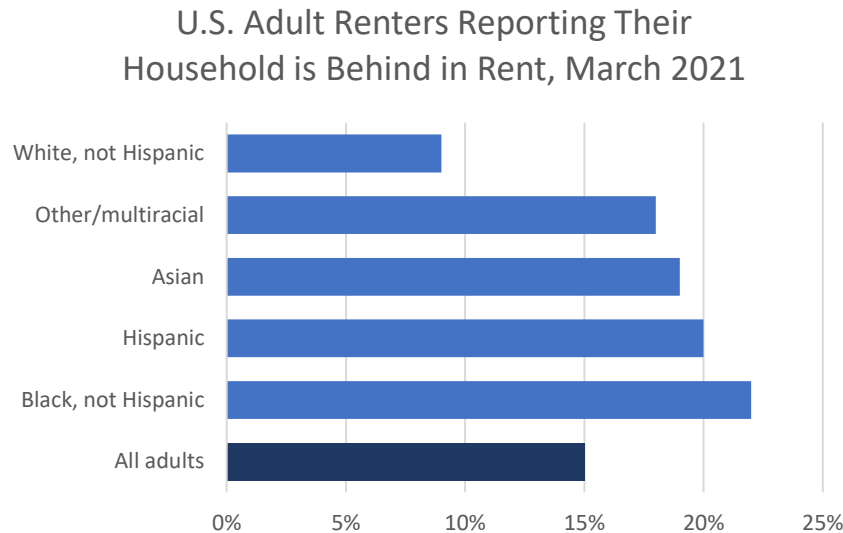
The pandemic has demonstrated that systemic racism infects every segment of our society and physical bodies. Health disparities are profound. According to the CDC, the inequities can be attributed to factors such as healthcare access and utilization, occupation, and education.⁸⁶ The disproportionate impact of the virus on Black and Latinx communities is the result of longstanding structural racism in our systems of zoning, lending, medicine, climate, education, and criminal justice. It is imperative that Latinx

and Black communities be provided with COVID-19 resources, assistance, and affordable and accessible health care, testing, and vaccination.

Related Economic Impact on Black and Latinx Communities

While Black and Latinx residents are disproportionately affected by COVID-19, they are also affected by its economic devastation. In Connecticut, Black and Latinx residents are more likely to live in larger cities, as compared to suburban and rural towns, and the percentage of owner-occupied housing stock is significantly lower in those same larger cities. Many are facing eviction, having lost critical income and already tenuous job security. While both the state and the federal government have instituted various temporary measures to halt evictions during the pandemic, most measures only delay rental payments.⁸⁷ Passing proposals to assist renters with back payments will be critical to address these inequities.⁸⁸

Without back rent, which can amount to an impossibly large sum for a family out of work due to the pandemic, eviction still looms. Because restrictive zoning laws have blocked affordable housing and disproportionately trapped Black and Latinx residents in poverty, the impending eviction crisis in turn will disproportionately affect those



Source: Center on Budget and Policy Priorities, <https://www.cbpp.org>

communities. The trauma families facing eviction experience in the days leading up to each extension of moratoriums only adds to the overall trauma of the pandemic, disproportionately felt by Black and Latinx families.

According to a November report by the Washington, D.C.-based National Low Income Housing Coalition and the Innovation for Justice Program, close to 10% of Connecticut households may be at risk of eviction due to the pandemic.⁸⁹ The evictions would trigger “a wave [of] unsustainable downstream costs” that would “further strain the budgets of public health and social service systems,” the report states. Due to restrictive zoning, the impact is being disproportionately felt in Black and Latinx households.



The CHRO has seen an increase in housing discrimination complaints on a multitude of protected class bases connected to the COVID-19 pandemic. In addition to the timely processing of complaints, the CHRO and HUD have run a series of webinars which can be found on our website: <https://portal.ct.gov/CHRO/Covid-19-Resources>.

RECOMMENDATIONS

In order to promote the development of affordable housing in Connecticut and reduce racial discrimination, the Commission on Human Rights and Opportunities makes the following policy recommendations:

1. Allow housing vouchers to be used in any town in CT as opposed to requiring they first be used within a particular municipality.
2. In order to increase affordable housing, eliminate zoning bans on multifamily housing and accessory dwelling units.
3. Eliminate excessive requirements for lot size, setback, height, parking, and density.
4. Regionalize education funding to distribute education resources more equitably.

5. Require affordable housing developers to consider the affordability of transportation when applying for development.
6. Require racial equity be considered in the development of municipal affordable housing plans.
7. Reinvest in existing low income communities.
8. When building new developments in communities, require a mix of housing types (ie: single family, town house, garden apartments) so as to attract a diverse mix of income levels.
9. Create a scheme where each town is responsible for a fair share of affordable housing that includes housing for families in addition to affordable housing reserved for older people and people with disabilities.
10. Invest in education and transportation in areas where affordable housing exists and will be built to reduce intra-municipal segregation.
11. Award grants and tax credits to cities that change zoning laws to bolster more equitable access to affordable housing.

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2013 – 3,594,841

2014 – 3,594,524

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2018 – 3,571,520

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