

AFFORDABLE HOUSING IN BOZRAH AND EXPLANATION OF C.G.S. §8-30g

- Municipalities are subject to Section 8-30g of the Connecticut General Statutes when less than 10% of the municipal housing stock meets the statute’s definition of *affordable*¹. The statute is complex and gets amended almost annually.
- According to the Connecticut Department of Housing, Bozrah contains 36 affordable housing units (below), under §8-30g. If Bozrah were to achieve the goal of 10%, 70 additional (106 total) affordable housing units would be needed.

2017 Affordable Housing Totals – CT DOH

Town	Total Housing Units (2010 Census)	Government-assisted	Tenant Rental Assistance	Single-family CHFA/ USDA Mortgages	Deed-restricted Units	Total Assisted Units	Percent Affordable
Bozrah	1,059	0	4	32	0	36	3.40%

- In municipalities subject to §8-30g, appeals of zoning denials of *affordable housing developments* follow an alternative appeals procedure. Developments do not need to meet zoning requirements and appeals of denials are often sustained. To win an appeal, the Commission has the burden of proof to show that:

- The decision was necessary to protect substantial public health and safety interests that clearly outweigh the need for affordable housing and cannot be protected by making reasonable changes to the application; OR
- The development is (a) not receiving government funds and (b) located in an industrial zone that does not permit residential uses.

- Municipalities subject to §8-30g can achieve a moratorium; however this is difficult and does not offer complete protection against the statute. A moratorium is achieved by adding new affordable units, measured in a figure called Housing Unit Equivalent (HUE) points, equaling the greater of:

- 2% of the housing stock as of the last Census; OR
- 50 HUE points.

- Moratoria do not protect against:

- Affordable housing applications for assisted housing in which 95% of the dwelling units are restricted to persons and families whose income is less than or equal to 60% of median income; OR
- Other affordable housing applications for assisted housing containing 40 or fewer dwelling units.

HUE Points Calculation (+ means bonus)	
Set-aside unit (own/rent)	0.25
Elderly unit (80% area med. Income)	0.50
Owned family unit (80% area med. Income)	1.00
Owned family unit (60% area med. Income)	1.50
Owned family unit (40% area med. Income)	2.00
Rented family unit (80% area med. Income)	1.50
Rented family unit (60% area med. Income)	2.00
Rented family unit (40% area med. Income)	2.50
Restricted fam. units in incentive hsng. dev.	+0.25
Restricted fam. units w/ 3+ bedrooms	+0.25
Restricted elderly units (if 60%+ are family)	+0.50

- Public Act 17-170 created C.G.S. 8-30j, which requires municipalities to complete an affordable housing plan every five years. This plan will specify how the municipality intends to increase the number of affordable housing developments in the municipality.

- There are no *teeth* in the statute, but drafting a plan would be a good exercise of the Commission.

¹Affordable housing means **assisted housing** (Housing that receives government assistance to construct or rehabilitate low- and moderate-income housing, or housing occupied by individuals receiving rental assistance.) OR **set-aside development** (A development in which, for at least 40 years after initial occupancy, at least 30% of the units are deed restricted. Specifically, at least: (1) 15% of the units must be deed restricted to households earning 60% or less of the area median income (AMI) or state median income (SMI), whichever is less, and (2) 15% of the units must be deed restricted to households earning 80% or less of the AMI or SMI, whichever is less.).