

STATE OF CONNECTICUT  
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

UPDATE OF  
"A Study of Zoning in Connecticut"

BY

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In "A Study of Zoning in Connecticut," the Suburban Action Institute compared the severity of zoning regulations in towns in Connecticut to social characteristics of those towns to determine if severe zoning regulations had a discriminatory effect on Black and Hispanic people.

### ZONING

In the original study, all 169 towns in Connecticut were divided into three categories of restrictiveness groups based on the regulations that determined the minimum single family lot size allowed, the minimum single family dwelling size, whether multifamily units were allowed as of right or with a special permit, the density required to multifamily units, whether bedroom restrictions were employed and whether mobile homes were allowed.

The original study classified towns as "Most Severely Restricted" that 1) prohibited multifamily dwellings, 2) allowed multifamily dwellings only by special permission of the zoning board and required maximum densities of less than 5 dwelling units/acre, and 3) required a minimum lot size of 20,000 sq. ft. or more as well as a minimum floor area of 1,000 sq. ft. or more.

This 1991 update examines only towns with populations of 10,000 or more based on the assumption that most towns with populations of less than 10,000 have below average black and Hispanic populations because these towns are further from the urban centers than the larger towns and hold fewer employment opportunities for immigrants from the cities. In the interest of time, these towns were chosen as the least likely candidates for zoning with a discriminatory effect.

Again, for the purposes of this update, only the towns in groups I and II of the 1978 study were examined. Group III consists of a mixture of urban centers with non-restrictive zoning regulations and towns with less than 5,000 population, having no zoning regulations at all. Of the towns with no zoning ordinances in 1978, none had populations exceeding 5,000 in 1991. Some of the towns with non-restrictive regulations may have changed them. It is unlikely that a town with mild zoning regulation in 1978 would accelerate to severe regulation in 13 years. East Hartford, Fairfield, Plainfield, Salisbury and Shelton, however, do merit examination for change in the zoning regulations since 1978.

**Existence of Various Zoning  
Provisions in Connecticut Jurisdictions**

**Code:**

- (1) SF Min. Lot Size 20,000 sq. ft.+
- (2) SF Min. Floor Area 1,000 sq. ft.+
- (3) MF prohibited
- (4) MF special requirements
- (5) MF min. density less than 5 du/acre (or more than 8,000 sq. ft./du)
- (6) Bedroom restrictions
- (7) MH prohibited

TABLE 1

Group I: Most Severely Restricted Towns

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>1991 Status</u>
Berlin	no	no	no	yes	no	<u>no</u>	<u>yes</u>	I
Bloomfield								
Darien	no	no	yes	-	-	no	yes	I
Enfield	<u>yes</u>	no	no	yes	yes	yes	yes	I
Monroe	yes	yes	no	<u>no</u>	<u>no</u>	<u>no</u>	yes	I
Montville	yes	no	no	yes	yes	no	no	I
Newtown	yes	no	yes	-	-	<u>no</u>	yes	I
S. Windsor	yes	yes	no	<u>yes</u>	<u>no</u>	<u>no</u>	no	I
Trumbull								
Waterford	no	no	yes	<u>yes</u>	<u>no</u>	<u>no</u>	no	I

Group II: Middle Range of Zoning Restriction

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>1991 Status</u>
Ansonia								
Avon								
Branford	no	no	no	yes	no	no	yes	
East Haven								
East Lyme	no	no	no	yes	no	<u>yes</u>	yes	
Farmington	no	no	no	yes	no	no	yes	
Glastonbury	no	<u>no</u>	no	yes	no	no	<u>yes</u>	
Greenwich								
Groton								
Guilford	<u>yes</u>	no	no	yes	<u>no</u>	no	<u>no</u>	
Hamden								
Ledyard	yes	no	no	yes	no	<u>no</u>	<u>yes</u>	
Madison	yes	no	no	yes	no	yes	yes	
Manchester	no	no	<u>yes</u>	-	-	no	yes	I
Mansfield								
Meriden	no	no	no	<u>no</u>	no	no	<u>yes</u>	

**TABLE I**  
**Group II: Middle Range of Zoning Restriction (Cont'd)**

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>1991</u> <u>Status</u>
Milford	no	no	no	yes	no	<u>yes</u>	<u>yes</u>	
Naugatuck	no	no	no	yes	no	no	yes	
Newington								
New Milford	no	no	no	yes	no	no	no	
Norwich								
North Haven								
Plainfield	no	no	no	<u>no</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	
Plainville	no	no	no	yes	no	no	yes	
Ridgefield	no	no	no	yes	no	yes	yes	
Rocky Hill	no	<u>no</u>	no	<u>no</u>	no	no	yes	
Seymour	no	no	no	yes	no	no	yes	
Simsbury	no	yes	<u>yes</u>	<u>-</u>	<u>-</u>	<u>no</u>	yes	I
Southington	no	no	no	yes	no	no	yes	
Stonington	no	no	no	<u>no</u>	<u>yes</u>	no	<u>no</u>	
Stratford	no	yes	no	yes	no	yes	yes	
Torrington	no	no	no	yes	no	no	<u>yes</u>	
Vernon	no	yes	no	yes	no	<u>yes</u>	no	
Wallingford	no	no	no	yes	no	no	yes	
Watertown	no	no	no	<u>no</u>	no	no	yes	
W. Hartford	no	no	no	<u>no</u>	no	no	yes	
Westport	no	<u>no</u>	no	<u>no</u>	no	yes	<u>no</u>	
Wethersfield	no	yes	no	yes	no	no	yes	
Wilton	yes	no	no	yes	<u>yes</u>	yes	yes	I
Windham								
Windsor	no	no	no	yes	yes	no	yes	I
Wolcott								

## **SOCIAL CHARACTERISTICS**

There are many reasons that towns employ restrictive zoning measures. Each town is unique, in its demographic and geographic make up as well as zoning rationale. For example, often a town must require larger lot sizes if each lot requires a well or septic system. One way to distinguish towns likely to be discriminating against Blacks and Hispanics as well as restricting development is to examine social characteristics data.

In the 1978 study, data was gathered on the racial, ethnic, and economic character of town populations, the amount of affordable and multifamily housing available, the amount of vacant land available and the employment opportunities in the area. In 1991, information similar to the data of 1978 was gathered. The organization is somewhat different, but the new information gives a general sense of the characters of these communities.

### **1. Racial and Ethnic Population Characteristics**

The number of blacks and Hispanics living in a town is indicative of whether the town uses its strict zoning regulations to discriminate. Some towns combine severe zoning regulations with affirmative programs to provide affordable housing. Bloomfield, for example, in 1978 ranked as one of the most restrictive towns, yet now has one of the highest Black population among Connecticut towns (37.3%).

TABLE 2

Racial and Ethnic Make Up of Connecticut Towns, 1989

	<u>Pop(Over 18)</u>	<u>% Black</u>	<u>% Hispanic</u>
Connecticut		8.3	6.5
<b><u>Group I:</u></b>			
Berlin	12,963	4.6	1.3
Bloomfield	15,775	37.3	2.5
Darien	13,743	0.42	1.6
Enfield	35,200	3.0	2.4
Monroe	12,283	1.6	1.8
Montville	12,621	2.7	2.4
Newtown	15,425	1.1	1.5
S. Windsor	16,650	2.4	1.5
Trumbull	24,849	1.2	1.5
Waterford	14,448	1.8	1.4
<b><u>Group II:</u></b>			
Ansonia	14,102	6.9	2.3
Avon	10,916	0.8	0.8
Branford	22,325	1.1	1.4
Cheshire	19,347	4.5	3.0
East Haven	20,867	0.9	1.8
East Lyme	11,991	4.3	2.5
Farmington	16,238	1.2	1.0
Glastonbury	21,417	0.8	1.6
Greenwich	46,670	2.0	4.2
Groton	34,107	6.2	3.1
Guilford	14,885	0.6	1.5
Hamden	42,347	8.0	1.7
Killingly	11,707	6.4	0.6
Ledyard	10,695	2.0	1.2
Madison	11,612	0.2	1.6
Manchester	40,500	3.2	1.2
Mansfield	18,701	3.3	2.7

**TABLE 2**  
**Racial and Ethnic Make Up of Connecticut Towns, 1989**

	<u>Pop(Over 18)</u>	<u>% Black</u>	<u>% Hispanic</u>
<b><u>Group II (Cont'd):</u></b>			
Meriden	45,368	3.7	11.0
Milford	39,139	1.5	2.0
Naugatuck	22,632	1.7	2.8
Newington	23,571	1.3	1.2
New Milford	17,311	1.4	1.7
North Haven	17,670	2.0	1.0
Norwich	28,406	4.3	2.3
Plainfield		0.4	1.2
Plainville	13,779	2.2	2.0
Ridgefield	15,776	0.6	1.5
Rocky Hill	13,636	2.6	1.8
Seymour	11,205	6.9	1.1
Simsbury	16,386	0.8	1.0
Southbury	12,783	0.7	0.8
Southington	29,392	0.9	1.2
Stonington	13,489	5.2	1.2
Stratford	39,402	6.8	3.1
Torrington	26,652	1.5	9.4
Vernon	23,028	1.9	1.6
Wallingford	31,416	0.9	3.0
Watertown	15,622	7.3	1.1
West Hartford	48,391	1.9	2.6
Westport	19,492	1.2	2.0
Wethersfield	21,043	1.0	1.4
Wilton	11,948	1.0	1.3
Windham	16,936	2.5	11.1
Windsor	21,378	15.7	2.9
Wolcott	10,527	1.5	1.0

Source: U.S. Census, 1990



## 2. Income

The 1978 study provided two sets of information on income levels: the percent of total increase 1960-1970 in income quintile 1 and 2 and the percent of families in income quintiles 1 and 2 in 1970. The study described the quintile system as a "division of the population of families receiving income in the State into five equal groups. The first quintile represented 20 per cent of all families and those earning the lowest income."

Using that definition, a rough breakdown into fifths was made using the "Distribution of Family Income in 1979 by Age of Head of Household Data." (The 1990 figures have not yet been released.) The income had been broken up by \$2,500 increments, showing with each how many families were earning that income level. We used a quintile breakdown of:

Q1	0	-	12,499
Q2	12,500	-	19,999

The income breakdown in \$2,500 increments roughly fit the quintile formula for quintiles 1 and 2.

There is, however, no information available on the change in quintile level from 1980-90 by town in Connecticut. What is available is a graph provided by the Office of Policy and Management on the Change in Income Distribution from 1980 to 1987. It shows that more income is becoming concentrated in the hands of the richest 4th and 5th of the State population. Applying this trend to the 1980 Census figures, it can be assumed that there will be even less income in the hands of the poorest 40% of the population in 1991 than in 1979.

TABLE 3

Percent of Families in Income Quintiles 1 and 2 in 1979

Group I:

Berlin	33.5
Darien	15.1
Enfield	31.6
Monroe	22.4
Montville	43.2
Newtown	24.5
S. Windsor	21.5
Trumbull	22.1
Waterford	39.1

Group II:

Ansonia	49.3
Avon	16.3
Branford	39.1
East Haven	45.6
East Lyme	33.8
Farmington	27.5
Glastonbury	22.8
Greenwich	21.9
Groton	55.4
Guilford	26.7
Hamden	38.1
Killingly	52.5
Ledyard	34.9
Madison	25.4
Manchester	40.0
Mansfield	41.4
Meriden	45.9
Milford	33.0
Naugatuck	46.5
Newington	31.2

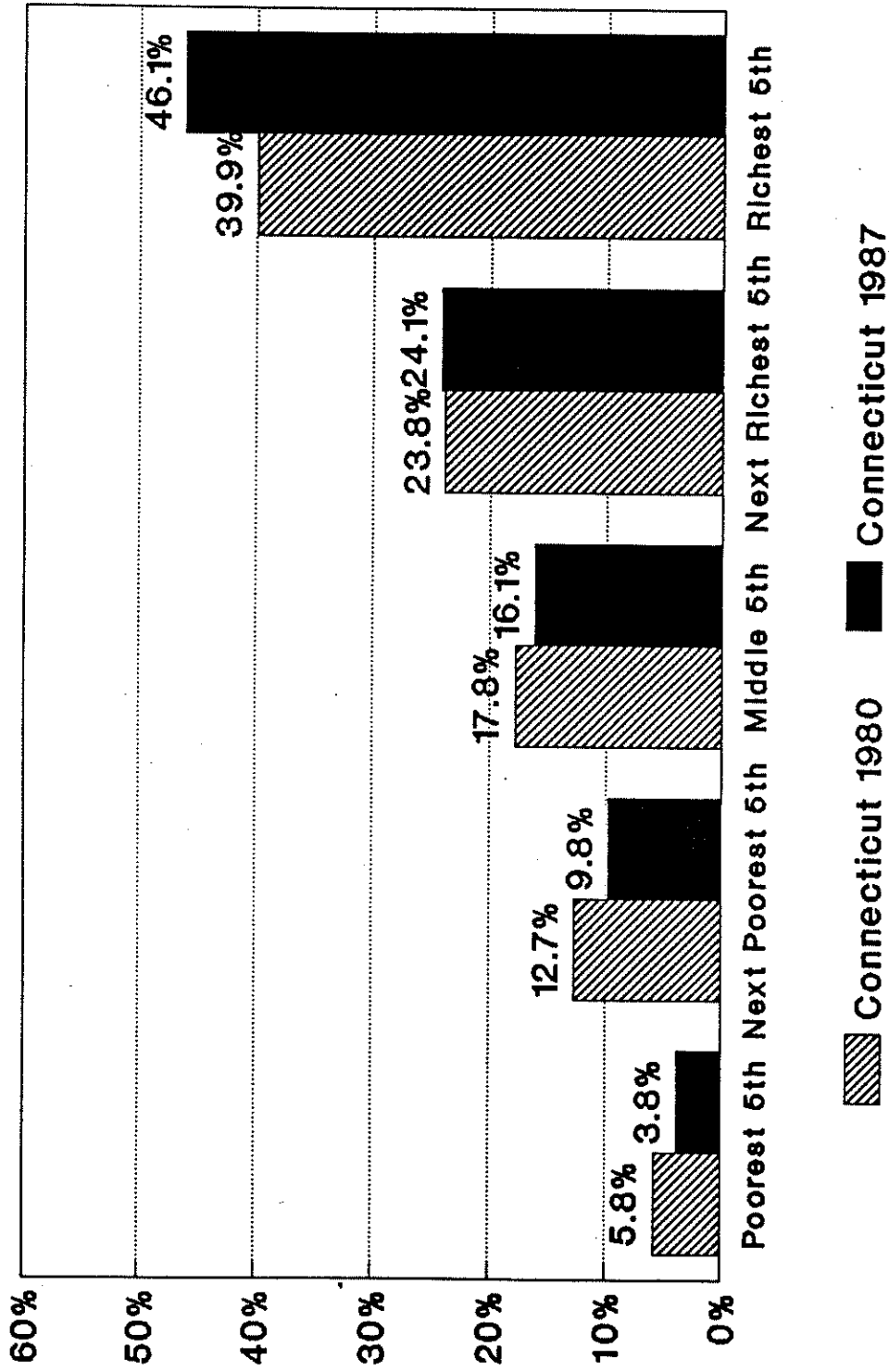
**TABLE 3**  
**Percent of Families in Income Quintiles 1 and 2 in 1979**

**Group II (Cont'd):**

New Milford	34.9
North Haven	29.8
Norwich	57.6
Plainville	40.4
Ridgefield	17.5
Rocky Hill	32.7
Seymour	41.0
Simsbury	16.0
Southbury	31.2
Southington	33.0
Stonington	43.0
Stratford	36.6
Torrington	48.4
Vernon	39.1
Wallingford	35.0
Watertown	37.6
West Hartford	27.5
Westport	15.7
Wethersfield	29.8
Wilton	10.6
Windham	58.3
Windsor	3.09
Wolcott	36.6

TABLE 4

# Income Distribution



### 3. Housing

Among towns, two affordability of housing varies.

It is important to notice that while median sales for the towns goes as far as 267.3% above the state median, only falls to 75% below the state median. Housing sales in the towns examined here are disproportionately high. If a dwelling unit is considered affordable for a family with an annual income of \$15,000, it must be available for sale at \$30,000. If severe zoning regulations raise the price of housing in these towns, it discriminates against the Black and Hispanic populations that traditionally dominate quintiles 1 and 2.

TABLE 5

Median Sale Price as Percentage of State Median Sale Price

Group I:

Berlin	120.3
Darien	267.3
Enfield	87.1
Monroe	141.9
Montville	79.0
Newtown	141.9
S. Windsor	101.2
Trumbull	146.5
Waterford	83.9

Group II:

Ansonia	89.7
Avon	140.3
Branford	85.8
East Haven	83.9
East Lyme	96.1
Farmington	109.7
Glastonbury	134.2
Greenwich	354.9
Groton	76.1
Guilford	129.0
Hamden	93.5
Killingly	67.7
Ledyard	95.3
Madison	155.6
Manchester	90.2
Mansfield	83.2
Meriden	82.5
Milford	98.7
Naugatuck	83.9
Newington	90.3
New Milford	106.5

**TABLE 5**  
**Median Sale Price as Percentage of State Median Sale Price**

**Group II (Cont'd):**

North Haven	112.9
Norwich	75.4
Plainville	83.8
Ridgefield	193.5
Rocky Hill	95.4
Seymour	90.3
Simsbury	141.9
Southbury	102.6
Southington	96.7
Stonington	93.5
Stratford	104.0
Torrington	80.6
Vernon	80.6
Wallingford	93.5
Watertown	94.7
West Hartford	125.8
Westport	265.2
Wethersfield	112.9
Wilton	251.3
Windham	75.5
Windsor	100.0
Wolcott	93.5

The 1990 U.S. Census indicates that, with some exceptions, towns in Connecticut have little affordable housing. Density seems to be independent from affordability, although Enfield, Ansonia, Killingly, Manchester, Meriden, Naugatuck, Norwich, Stonington, Torrington and Vernon all have both high densities and at least 3.0% affordable housing. Windham, which has a middle range density of 814.7 people/square mile has 15.9% affordability.

Density is important as it indicates how much room there is for further development of a town. It may be misleading, however, because the land in a town may be zoned for other purposes than residential.

While all multifamily units are not necessarily affordable, multifamily units are more efficient than single or double family units. The number of multifamily homes can indicate an increase in affordable housing. Many towns have zoning regulations which allow for higher densities to multi family developers if affordable housing is included in the development package. Many towns have joined the Housing Partnership, sponsored by the CT Department of Housing.



**TABLE 6****The Amount of Housing Units, % Affordable, % Multi-Family and Density**

	<u>No. Housing Units</u>	<u>% Affordable</u>	<u>% Multi-family of New Housing</u>	<u>Density (Pop/sq. mi)</u>
<b><u>Group I:</u></b>				
Berlin	6,204	0.13	0.0	634.8
Bloomfield	7,738	5.1	0.0	749.1
Darien	6,653	0.8	0.0	1,415.9
Enfield	16,614	4.5	56.8	1,362.0
Monroe	5,596	0.0	25.3	647.1
Montville	6,283	0.2	0.0	396.9
Newtown	7,194	0.1	0.0	359.9
S. Windsor	8,044	0.1	0.0	790.1
Trumbull	11,095	0.0	0.0	1,374.0
Waterford	7,357	0.0	26.0	547.0
<b><u>Group II:</u></b>				
Ansonia	7,503	11.2	0.0	3,052.5
Avon	5,709	0.0	0.0	602.7
Branford	13,056	0.3	0.0	1,255.5
East Haven	10,580	0.7	13.5	2,131.8
East Lyme	6,772	0.7	0.0	450.8
Farmington	8,654	2.3	0.0	734.8
Glastonbury	10,948	2.3	43.3	543.3
Greenwich	23,515	2.2	21.9	1,221.2
Groton	16,598	2.9	0.0	1,442.8
Guilford	7,765	2.3	21.0	421.0
Hamden	21,738	1.3	44.8	1,599.8
Killingly	6,480	3.9	0.0	327.6
Ledyard	5,250	0.1	0.0	391.1
Madison	6,511	0.0	0.0	428.0
Manchester	21,704	6.3	91.2	1,894.3
Mansfield	5,158	1.8	66.0	474.7
Meriden	24,826	7.6	19.6	2,505.6
Milford	20,149	1.1	0.0	2,213.02

**TABLE 6****The Amount of Housing Units, % Affordable, % Multi-Family and Density**

	<u>No. Housing Units</u>	<u>% Affordable</u>	<u>% Multi-family of New Housing</u>	<u>Density (Pop/sq. mi)</u>
<b><u>Group II (Cont'd):</u></b>				
Naugatuck	11,930	3.4	0.0	1,868.7
Newington	7,194	2.1	0.0	2,217.3
New Milford	9,295	0.6	23.4	383.7
North Haven	8,243	0.0	0.0	1,070.8
Norwich	16,472	8.2	45.7	1,319.9
Plainville	7,452	1.8	0.0	1,785.9
Ridgefield	7,999	0.0	0.0	607.7
Rocky Hill	7,107	2.2	0.0	1,230.4
Seymour	5,877	1.3	0.0	980.7
Simsbury	8,175	0.0	0.0	650.1
Southbury	6,826	0.0	75.7	405.1
Southington	14,250	2.0	0.0	1,070.5
Stonington	7,923	3.5	0.0	437.4
Stratford	20,152	2.2	0.0	2,809.8
Torrington	15,161	4.4	0.0	846.8
Vernon	12,748	7.9	36.6	1,683.5
Wallingford	15,936	2.0	35.0	1,046.4
Watertown	7,522	0.3	2.1	701.8
W. Hartford	25,021	1.7	0.0	2,735.3
Westport	9,841	0.8	0.0	1,220.3
Wethersfield	10,790	0.7	91.1	2,070.4
Wilton	5,824	0.0	0.0	593.4
Windham	8,727	15.9	0.0	814.7
Windsor	10,233	1.0	0.0	938.9
Wolcott	4,870	0.0	0.0	670.7

Source: U.S. Census 1990, CT Dept. of Housing

#### 4. Employment

The 1978 study included figures on employment growth between 1965 and 1976, reaching the conclusion that job growth was moving away from urban centers to the suburbs. Consequently, the Black and Hispanic population traditionally living in urban areas were deprived of the job opportunities afforded to suburban residents. In this update, the amount of people employed in each town will be examined, as well as the rate of unemployment. Since the goal is to open the suburbs to blacks and Hispanics, it is best to make sure that the least dense towns have job opportunities, as well as various land, available.

**TABLE 7**

	<b><u>No. Employed</u></b>	<b><u>Percent Unemployed</u></b>
Connecticut	1,662,500	5.6
<b><u>Group I:</u></b>		
Berlin	7,813	6.2
Bloomfield	11,803	4.0
Darien	9,396	2.7
Enfield	26,166	4.5
Monroe	8,516	4.3
Montville	8,025	6.7
Newtown	11,670	3.5
S. Windsor	13,019	3.9
Trumbull	16,451	4.6
Waterford	9,491	5.8
<b><u>Group II:</u></b>		
Ansonia	8,919	6.6
Avon	7,629	2.3
Branford	15,101	4.9
East Haven	14,586	6.3
East Lyme	7,491	6.2
Farmington	12,112	3.2
Glastonbury	15,439	3.2
Greenwich	30,926	2.7
Groton	16,497	4.7
Guilford	10,765	3.5
Hamden	27,893	4.0
Killingly	7,459	9.5
Ledyard	6,562	4.9
Madison	7,672	3.7
Manchester	28,446	4.4
Mansfield	8,669	2.9
Meriden	31,881	6.0

**TABLE 7**

	<u>No. Employed</u>	<u>Percent Unemployed</u>
<u>Group II (Cont'd):</u>		
Milford	27,814	5.0
Naugatuck	12,716	10.0
Newington	17,268	4.4
New Milford	13,319	4.8
North Haven	12,377	4.5
Norwich	17,477	7.4
Plainville	8,646	6.9
Ridgefield	13,125	2.3
Rocky Hill	9,301	4.6
Seymour	7,273	5.8
Simsbury	12,387	2.4
Southbury	4,795	5.3
Southington	17,947	6.6
Stonington	8,808	5.6
Stratford	24,576	5.4
Torrington	17,782	7.1
Vernon	16,783	5.2
Wallingford	22,633	5.2
Watertown	9,276	7.2
West Hartford	32,197	3.1
Westport	14,663	2.8
Wethersfield	14,552	3.7
Wilton	9,111	2.7
Windham	9,856	6.1
Windsor	15,838	3.9
Wolcott		

Source: Connecticut Labor Department.

## **5. Recommendation**

Different towns in Connecticut provide affordable housing to varying degrees. In order to determine if a town discriminates against the traditionally lower income Black and Hispanic populations by restricting housing availability. The higher income groups through zoning a match must be found of restrictive zoning, low Black and Hispanic and Low income populations, low affordable housing, low density and high employment.

There are some towns which meet these criteria.

TABLE 8

Towns		Restrictiveness	% Black	% Hispanic	% Quintiles 1 & 2	% Affordable	Density	# Employed	% Unemployed
DARIEN	I	0.4	1.6	15.1	0.8	1,415.9	9,396	2.7	
MONROE	I	1.6	1.8	22.4	0.0	647.1	8,516	4.3	
NEWTOWN	I	1.1	1.5	24.5	0.1	359.9	11,670	3.5	
TRUMBULL	I	1.2	1.5	22.1	0.0	1,374.0	16,451	4.6	
WATERFORD	I	1.8	1.4	39.1	0.0	547.0	9,491	5.8	
SIMSBURY	I	0.8	1.0	16.0	0.0	650.1	12,387	2.4	
WILTON	I	1.0	1.3	10.6	0.0	593.4	9,111	2.7	

With the possible exception of Waterford, which has 39.1% of 113 population in Q1 and 2 as well as an unemployment rate above the state's, the towns in Table 8 are the most likely to have discriminated against blacks and Hispanics through zoning regulations.

No one of the factors examined in this update can be considered the cause of racial and ethnic discrimination in housing. In my opinion, the towns should be investigated for affirmative development of affordable housing and active outreach into urban areas with high concentrations of Black and Hispanic populations. Enfield and Bloomfield, for example, have 4.5% and 5.1%, respectively, affordable housing although they are severely restricted. In Group II, Ansonia, Meriden, Norwich, Vernon and Windham provide affordable housing. A town's zoning regulations may be used to discriminate, however it is the discretionary powers of the zoning board that play the crucial role in the exclusion of Blacks and Hispanics.

Residents of towns fear for the security of their property values. Loosening zoning regulations may bring excluded groups into communities like Darien, Monroe, Newtown, Trumbull, Waterford, Simsbury and Wilton, but the affirmative requirement that towns provide low income housing would guarantee inclusion.