



# GUIDE



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## **A Guide to Zoning for Fair and Open Communities**

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*A Guide to Zoning for Fair and Open Communities*  
2013, Connecticut Fair Housing Center

The Connecticut Fair Housing Center, Inc. (CFHC) is a statewide non-profit organization working to make sure that all who seek housing have an equal opportunity to rent, purchase, finance or insure the property they choose. CFHC identifies and strives to eliminate barriers to fair housing in Connecticut. Because the state's low-income residents are particularly affected by discriminatory housing practices, CFHC's resources are devoted primarily to assisting them.

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# 1. Introduction

**This guide explains how reforms to local zoning laws can promote diversity and undo segregation in Connecticut's cities and towns. It shows how zoning can create impediments to fair housing choice, and it presents alternative zoning options that promote fair and open communities.**

People strive for a life rich in opportunities, for a satisfying quality of life. For most of us, a satisfying quality of life includes safe neighborhoods, quality schools, helpful social networks and varied employment opportunities. So the community in which we live plays a significant role in determining whether we are content with and in our lives.

Connecticut is one of the most racially segregated states in the country. Two out of three minorities live in just 15 of the state's 169 towns. And Connecticut's people of color frequently live in communities lacking in many of the resources that can contribute to a successful and satisfying life. According to a 2009 study commissioned by the Connecticut Fair Housing Center (the "Center"), eight in ten of the state's Blacks and Hispanics live in areas of "lower opportunity," without thriving schools, safe streets, and the social networks that can lead to jobs.

We can help address Connecticut's "opportunity gap" by making sure that our towns allow for all kinds of housing, particularly the affordable housing that is often needed by people of color who want to move to a higher-opportunity community. We know that moving from a lower opportunity community to higher opportunity areas reduces racial disparities. When children move out of poverty-concentrated areas, large reductions in the education achievement gap follow. When children move out of a communities with high crime rates, their stress levels drop and their brain development improves.

Connecticut's white residents benefit if they live in a racially diverse community. White students in diverse learning environments develop better critical thinking and problem-solving skills than their counterparts in racially homogenous schools. Research shows that white students who attend integrated schools perform better in math at each grade level. And white students who are exposed to diversity are more likely to understand issues of social justice.

By 2020, 28 percent of Connecticut's working age population will be people of color. Our children's employers will be hiring applicants who have the ability to understand the various perspectives held by people of different races and ethnicities. Most American businesses already operate and compete in a global environment, serving and working with people of all kinds. For future employees, cross-cultural competence will be a necessity.

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## Why Zoning Matters

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### **Zoning changes lives.**

Zoning determines where housing can be built, the type of housing that is allowed, and the form it takes. Regulations can directly or indirectly affect the cost of developing housing, making it harder or easier to accommodate affordable housing.

Unfortunately, zoning often has been used to keep people of color out of communities. Minorities in the United States are disproportionately low-income. They have fewer financial resources to devote to rent or mortgage payments. Zoning ordinances in suburban communities frequently include provisions that effectively bar the construction of affordable housing. Studies have shown that "anti-density zoning," which calls for large lot sizes for houses, has limited the supply of housing, increased housing prices and reduced the local supply of multifamily units. Other studies have found evidence that anti-Black motivations are driving zoning practices in some communities.

Connecticut includes some of the most severe, restrictive local zoning laws in the nation. Ninety-six percent of Connecticut towns have no provisions for affordable housing in their municipal zoning ordinances. Twenty-five towns do not even permit the building of multifamily housing, one of the most cost-effective ways of creating affordable housing.

# WELCOMING OR NOT?

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**INCLUSIONARY ZONING** is a zoning ordinance that promotes the creation of affordable housing.

Inclusionary zoning requires developers to make a percentage of housing units in new residential developments available to low- and moderate-income households. In return, developers receive non-monetary compensation in the form of density bonuses, zoning variances, and/or expedited permits that reduce construction costs.

By linking the production of affordable housing to private market development, inclusionary zoning expands the supply of affordable housing while dispersing the affordable units throughout a municipality or region. The effect is to broaden opportunity and foster mixed-income communities.

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**EXCLUSIONARY ZONING** is a zoning ordinance that prevents certain types of people from living in a community.

Exclusionary zoning policies limit the amount and pace of residential development, thereby rendering housing in a local jurisdiction unaffordable for low-income residents.

Exclusionary zoning ordinances often prohibit the construction of multifamily housing by creating minimum lot size and maximum density requirements for housing developments.

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**COMMUNITIES CAN PROMOTE DIVERSITY AND INTEGRATION WITH ZONING REFORMS THAT REDUCE OR ELIMINATE EXCLUSIONARY ZONING AND PROMOTE INCLUSIONARY ZONING.**

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# 2. Housing

## **Policies that de-concentrate poverty reverse trends toward segregation.**

Affordable housing built outside of urban lower opportunity areas helps to de-concentrate or “disperse” poverty. It also encourages mixed-income housing, which in turn promotes “smart growth.” Smart growth describes communities with housing and transportation provided near jobs, shops and schools in order to support local economies and protect the environment.

## **Exclusionary Zoning as an Inappropriate Use of Government Power**

Appropriate zoning can advance the public welfare by, for example, preserving open space or protecting wetlands. However, when zoning is used to bar some kinds of housing and exclude certain groups of people, the free market of supply and demand is no longer at work, and affordable housing for which there is great demand never is built.

## **The Importance of Affirmatively Furthering Fair Housing**

Cities, towns, housing providers, and the state government have a legal obligation to “affirmatively further fair housing” (a term coined and used by the federal government) by actively promoting fair housing and reducing segregation—and not just in a particular city or town, but on a regional basis as well.

Nearly every housing program in Connecticut is under a federal or state obligation to affirmatively further fair housing. The requirement is contained within the Fair Housing Act (FHA) of 1968, which was passed in response to the damage caused by housing discrimination and segregated communities. States, cities, towns and other recipients of federal housing grants must identify barriers to fair housing and take steps to overcome them.

For many municipalities, zoning is one such barrier. Courts have determined that zoning decisions having a disproportionate effect on people of color violate the FHA. This guide includes strategies that fair housing officers, planning departments, other municipal officials and local residents can employ to avoid FHA violations by using zoning to affirmatively further fair housing.

## **The Affordable Housing Appeals Act**

**In 1990, the Connecticut legislature passed the AFFORDABLE HOUSING APPEALS ACT, also known as “8-30g” (the Act’s designation in the Connecticut General Statutes). Under the Act, if less than 10% of the housing in a town is “affordable housing,” then certain developers whose housing development plans have been rejected by the town have the right to sue the town. Once in court, the town must prove that its rejection of the proposed development was for legitimate reasons.**

# WHAT WE KNOW ABOUT AFFORDABLE HOUSING

**PROPERTY VALUES.** Repeated studies show that affordable housing has no negative impact on surrounding property values. In fact, it can enhance nearby property values.

**CRIME.** There is no evidence that affordable housing brings crime to a neighborhood. Whether a development will be an asset or a detriment to a community depends much more on management practices: careful tenant screening, prudent security measures and regular upkeep, among others.

**NEIGHBORS.** Most reports indicate that community residents are quite happy with their new “affordable housing” neighbors – suggesting that diverse communities can reduce prejudice and promote tolerance.

**PUBLIC SPENDING.** The development of affordable housing generally requires no spending of public dollars. Instead, reforms to government regulations open the housing market for private developers, who in turn provide the community with affordable housing.

**HOUSING QUALITY.** Affordable housing must comply with the same building regulations and design standards as market-rate housing. It isn’t cheap materials or construction that make affordable housing “affordable.” The housing is affordable because it does not have to comply with restrictive zoning regulations that artificially increase the cost of production.

**CONGESTION.** Affordable housing residents own fewer cars and drive less than others in the neighborhood.

**CHILDREN.** Rental units constitute the bulk of affordable housing. Rental apartments have fewer children per unit on average than owner-occupied, single-family housing.

**TAXES.** The tax rate for multifamily complexes is higher than the rate for single-family homes.

# 3. Zoning

## Sources of Zoning Regulatory Power

The right of states to make laws governing safety, health, welfare, and morals comes from the Tenth Amendment of the United States Constitution. The amendment states, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the States respectively, or to the people.” In the case of *Euclid v. Ambler*, the Supreme Court ruled that a state could regulate land development through zoning ordinances in order to promote the general public interest. So, the municipal agencies, boards, and commissions that play a role in regulating local land use derive their authority from the state. Beyond limitations set by the state, local zoning authority is subject to the decisions of Connecticut courts.

## How Local Zoning Works

There are five authorities that influence how land can be used in a municipality. They are:

**The Zoning Commission.** A town’s Zoning Commission is responsible for making and implementing laws governing how land is used. It also hears petitions for special building permits. Because zoning ordinances typically allow multifamily and affordable housing only if the developer first obtains a special permit, this is the point at which most Zoning Commissions interact with affordable housing proposals—and where the proposals are most frequently stopped.

Denials of requests for special permits can be appealed to the Zoning Board of Appeals. Some towns have combined the obligations of the Zoning Commission with the duties of the Planning Commission to create a Planning and Zoning Commission. In those towns, the single commission is responsible for both zoning oversight and conservation and development planning.

**The Zoning Board of Appeals.** The Zoning Board of Appeals hears petitions of decisions of the Zoning Commission, including petitions of denials of requests for special permits. In some cases, Zoning Commissions delegate the power to decide special permit requests to the Zoning Board of Appeals. The Zoning Board of Appeals also has the power to grant a variance (an exception that authorizes a land use not normally permitted) when strict application of the zoning laws would create an “undue hardship.”

**The Zoning Enforcement Officer.** The Zoning Enforcement Officer is charged by the Zoning Commission with overseeing the enforcement of the town’s zoning laws.

**The Wetlands Commission.** The Wetlands Commission is a local body responsible for regulating any proposed activities within an inland wetland or waterway. Affordable housing proposals can be blocked when wetland concerns are raised.

**The Sewer Commission.** The Sewer Commission, now often referred to as the “water pollution control authority,” is charged with formulating and

updating a town plan for water control. When a housing development is proposed, the Sewer Commission must determine whether there is adequate sewer capacity for the new residences. Affordable housing proposals may face challenges in obtaining permission to connect to these sewer systems—which can bring development to a halt.

## Basic Zoning Terms

**Density.** Density is the maximum average number of houses per acre that may be built within a particular designated area. Zoning Commissions regulate density through ordinances that establish limits on the number of units per acre.

The density allowed in a given region has a direct influence on the feasibility of building affordable housing. The lower the number of allowed units per acre, the more expensive that housing will be to build. If minimum density is low, affordable housing developer would need to acquire larger plots of land to build more units.

**Minimum Lot Size.** Zoning ordinances may also set a minimum size for parcels of land. Large minimum lot sizes translate into increased costs for developers, who must acquire additional land in order to comply with the regulations.

**Minimum Floor Area.** Minimum floor areas establish that a building cannot be smaller than a certain size. This is one of the principal methods used by zoning commissions to regulate the size of buildings. If the minimum floor area is set at a high level, floor area regulations can block affordable housing development. High floor area specifications encourage the construction of large housing units that are too expensive for low- and moderate-income households.

## Plan of Conservation and Development

Local Planning and Zoning Commissions are required by state law to have a “Plan of Conservation and Development” (POCD) for the community. The POCD includes recommendations for the most desirable use of the lands in various parts of a municipality. The POCD must:

- Consist of policies, goals and standards for the physical and economic development of the municipality.
- Be designed to efficiently promote the development of the municipality and the general welfare and prosperity of its people.

Although it is not legally binding, the POCD serves as a blueprint for town improvements.



# 4. Zoning Reform

**Targeted zoning reforms can promote diversity and fair housing.**

The examples described below are a good starting point.

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## Inclusionary Zoning

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### **Incorporate Inclusionary Zoning in the Town's Plan of Conservation and Development**

Eighteen Connecticut towns do not mention affordable housing at all in their Plan of Conservation and Development (POCD). The plans of many other towns contain only brief mention of affordable housing and contain no strategy for encouraging its development. By incorporating inclusionary zoning policies into its POCD, a town can affirmatively further fair housing and make clear that it welcomes affordable housing developments.

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## Lot Size and Density

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### **Promote Smaller Lot Sizes and Higher Density**

Most zoning ordinances mandate a minimum lot size for the development of residential housing. Waiving minimum lot size requirements, as well as minimizing other rules that increase development costs, promotes smaller and more affordable lots—and more affordable housing. By allowing more homes to be built on the land, higher density developments use land more efficiently. Higher density development also encourages affordability, since greater efficiencies in infrastructure lead to cost-savings. Zoning codes that prohibit this type of development can be changed.

Note that zoning reforms such as waiving minimum lot size do not mean that towns must build high-rise apartment buildings. Reforms allow for the building of row houses (like the brownstones for which Manhattan is famous) or the creation of affordable housing in unused schools or factories, among other affordable housing alternatives.

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## Unit Size

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### **Decrease Minimum Floor Requirements**

Zoning ordinances typically establish a minimum size for the housing itself. Reducing unit size and lot coverage requirements allows developers to build smaller and more affordable units. Allowing developers to build two or more units per lot, either attached or detached, means that housing units can be constructed at higher density without needing more land—thus reducing land costs. Such changes mean that the town can create affordable housing in existing buildings: for example, using the floors above retail space in a downtown area (which creates a walkable “smart growth” living environment).

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## Sewers

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### **Keep Sewer System Issues Separate from Affordable Housing Policies**

A town's Water and Sewer Authority can block the development of affordable housing by allocating only enough sewer capacity to support low-density housing. In addition, some rural communities insist on “high-capacity” septic systems, which also can make housing unaffordable.

Placing affordable housing in the unused upper stories of commercial buildings in town centers is just one way to avoid these problems.

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## Parking

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### **Set Lower Parking**

Reducing the requirements for parking spaces per unit reduces overall costs, which means more housing units per site and more affordable housing.



# 5. Community

**There are a number of steps that community members who are concerned about their towns' zoning policies can take.**

1. Monitor applications for affordable housing submitted to the local Zoning Commission. This information is available on the town website or at town hall.
2. Testify at zoning hearings when affordable housing proposals are on the agenda.
3. Advocate for zoning reforms such as changes in the number of acres required for a new house.
4. Talk to local zoning officials and other municipal officials about promoting diversity.
5. Get your friends and neighbors to do the same.
6. At your next local elections, make sure that diversity, affordable housing and inclusionary zoning are part of the debate.
7. Counter fears and bad information with facts. The fear most commonly voiced is that inclusionary housing will lower the value of nearby homes. Many studies have shown that to be untrue. If and when an affordable housing proposal is under consideration, town officials and residents can respond to neighborhood opposition by publicizing these findings.
8. Compare your town's zoning ordinance with those of other Connecticut towns at the website of the "Connecticut Zoning Initiative," a partnership of the Center and the Cities and Suburbs Project at Trinity College. Go to <http://commons.trincoll.edu/cssp/zoning/>.
9. Identify land in your town that would be good for mixed-income housing development with an affordable housing component. Pass the information on to town officials, to the Connecticut Statewide LISC (Local Initiatives Support Corporation) Program (at 860-525-4822) and to the Connecticut Housing Coalition's Community Developers Network (at 860-563-2943).
10. Join the Zoning Commission or Zoning Board of Appeals.

# 6. Beyond Zoning

Beyond zoning reform, other strategies can be employed to promote fair and open communities. When local officials and residents actively promote diversity, municipalities send the clear message that everyone is welcome—and that the town take seriously its responsibility to promote fair housing.

### **Start conversations about race, diversity, integration and segregation.**

Initiate small group discussions with community members, friends and neighbors focusing on the role of race in our society, perceptions of race, or reactions to articles or literature that raise the issue of race. Once a core group is formed, it can consider starting discussions on a town-wide basis.

### **Welcome all newcomers.**

Form committees to welcome people of color who move into your neighborhoods. Be ready with useful information about schools, grocery stores, public transportation, houses of worship and childcare.

### **Speak up if you see racism in action.**

Be vocal in opposing discriminatory views and practices, especially with community members, friends and family who respect your opinion. Don't criticize, but help educate others about issues and about your own experiences. For ideas, support and more, contact:

- **Stand Against Racism**, a program of YWCA USA
  - In the Greater Hartford area, go to [www.ywcahartford.org/againstracism.php](http://www.ywcahartford.org/againstracism.php) (or contact YWCA Hartford Region at 860-525-1163).
  - In Fairfield County, go to [www.ywcagreenwich.org/eliminating-racism/ywca-and-racial-justice](http://www.ywcagreenwich.org/eliminating-racism/ywca-and-racial-justice) (or contact Greenwich YWCA at 203-869-6501).
  - Contact YWCA USA at (202) 467-0801.
- **The National Conference for Community and Justice (NCCJ)** is a Connecticut-based human relations organization dedicated to fighting bias, bigotry, and racism in America. Learn about NCCJ's programs at [www.nccjctwma.org](http://www.nccjctwma.org) or by calling (860) 683-1039.

**Work to include pro-diversity and anti-racism education in your school's curriculum.** Many tools are available to educators. The Southern Poverty Law Center's Teaching Tolerance program offers teaching kits at [www.splcenter.org/teachingtolerance/tt-index.html](http://www.splcenter.org/teachingtolerance/tt-index.html), as does the Massachusetts-based anti-prejudice organization Facing History and Ourselves at <http://www.facinghistory.org/educator-resources-0> (or call 617-232-1595).

**Form a coalition to work for diversity and against racism.** This is often done when a response to racist actions in a community is needed. Sharing information and resources as well as working together with other local organizations and initiatives will strengthen efforts to fight racism and promote diversity. To learn how one community came together to battle racism, go to [http://www.takeactionminnesota.org/hmong\\_organizing\\_program/107](http://www.takeactionminnesota.org/hmong_organizing_program/107).

## Resources to Help Start a Conversation on Race

- **COMMUNITY DIALOGUE GUIDE: CONDUCTING A DISCUSSION ON RACE**, presented by the U.S. Department of Justice's Community Relations Service, available at <http://www.justice.gov/archive/crs/pubs/dialogueguide.pdf>.
- **TALKING ABOUT RACE RESOURCE NOTEBOOK**, from the Kirwan Institute, available at <http://www.intergroupresources.com/rc/TAR%20notebook.pdf>.
- **TALKING RACE** (among many resources at the Southern Poverty Law Center Center's "Teaching Tolerance Initiative"), available at [www.tolerance.org/magazine/number-36-fall-2009/feature/talking-race](http://www.tolerance.org/magazine/number-36-fall-2009/feature/talking-race) (or contact the Center at 334-956-8200).

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*“Common sense is seeing things as they are; and doing things as they ought to be.”*  
—Harriet Beecher Stowe

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## Appendix A: Glossary of Terms

**Affirmatively Furthering Fair Housing.** The federal requirement that state and local jurisdictions and municipalities receiving federal funding develop and implement effective strategies to overcome barriers to fair housing choice.

**Affordable Housing.** The common definition of an affordable home is one where the resident uses no more than 30 percent of his or her income to pay the rent or mortgage.

**Density.** The maximum number of dwelling units permitted on a zoning lot.

**Density Bonus.** Local governments allow a developer to build at a higher density than the zoning allows in exchange for the developer including some affordable residences.

**Development.** A development includes the construction of a new building or other structure on a lot, the relocation of an existing building to another lot, or the establishment of a new open use on a tract of land.

**Dwelling.** A building or portion of a building arranged or designed to provide living facilities for one or more families.

**Exclusionary Zoning.** The use of zoning ordinances to exclude certain types of people from a community.

**Incentive Zoning.** The granting to a developer of a bonus, such as additional floor area, in exchange for the provision of affordable housing or a public amenity.

**Inclusionary Zoning.** A planning/zoning ordinance that requires a certain share of new construction to be affordable by people with low to moderate incomes; also known as “inclusionary housing.”

**Lot.** A plot of land developed or to be developed; also known as a “zoning lot.”

**Mixed-Use.** A zone where more than one type of development is permitted (i.e. allowing residential, commercial, and/or office uses within the same building or within the same zone).

**Multifamily Residential.** A zone which allows for multiple separate housing units for residential inhabitants which are contained within one building or several buildings within one complex.

**Open Space.** A portion of a lot that is set aside for public or private use and will not be developed. The space may be used for passive or active recreation, or it may be reserved to protect or buffer natural areas.

**Rezoning.** A rezoning (or “remapping”) occurs when the zoning designation for an area is changed to facilitate policy initiatives, such as preserving neighborhoods, stimulating economic development, or promoting housing affordability.

**Single Family Residential.** A zone which allows for buildings containing one dwelling unit located on a single lot.

**Smart Growth.** The development of communities with housing and transportation near jobs, shops and schools, in order to reduce transportation and other costs, support local economies and protect the environment. A “smart growth community” generally offers a range of housing choices in walkable neighborhoods with access to public transportation, parks and civic spaces.

**Special Permit.** A discretionary action which allows a use that is not otherwise allowed if certain specified standards or safeguards are met; also known as a “special exception.”

**Subdivision.** The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose of building development.

**Two-Family Residential.** A zone which allows for buildings containing two dwelling units on a single lot.

**Variance.** A modification of the density, bulk or area requirements of the zoning ordinance.

**Voucher.** A housing voucher program provides “tenant-based” rental assistance so that a tenant with a “voucher” can move from one private housing unit to another. The rental assistance payment goes directly to the private landlord.

**Zoning.** The division of a city or town into areas (“zones”) regulating the type of the development allowable in each zone. Common zoning regulations can include those for the: 1) use of the land or building on the land; 2) shape of a building; 3) location of a building on a lot; 4) landscaping requirements; 5) signage regulations; and 6) parking regulations.

**Zoning Ordinance.** Written regulations and laws that define how property in specific geographic zones can be used. Zoning ordinances specify whether zones can be used for residential or commercial purposes. They may also regulate lot size, placement, density, and the height of structures. Zoning ordinances are lengthy documents describing not only the acceptable use for specified areas of land, but also the procedures for handling violations (including any penalties) and for granting variances.

## Appendix B: Zoning and the Fair Housing Act

The **1968 Fair Housing Act (FHA)** declares that it is unlawful “to refuse to sell or rent...or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status or national origin...” Connecticut state law also prohibits discrimination on the basis of marital status, sexual orientation, age, source of income, and gender identity or expression.

Accordingly, discriminatory zoning laws and practices fall within the range of conduct that is prohibited by the FHA.

Violations of the FHA are found when the alleged discriminator either (1) treated people differently based on membership in a protected class or (2) employed a neutral action that nonetheless has an improper discriminatory effect. The former is often referred to as “differential treatment,” while the latter is commonly known as “disparate impact.”

In the context of zoning, any ordinances that discriminate against members of the protected classes are illegal. It is not necessary to prove that a hostile motive was behind the underlying discriminatory law or practice.

Zoning ordinances, practices, or procedures that do not specifically target members of the protected classes may still violate the FHA, if they have a “disparate impact” on that population. This impact can be proven by showing either “adverse impact to a particular minority group” or “harm to the community generally by the perpetuation of segregation.”

A key factor that courts look to in analyzing such claims is the strength of the discriminatory effect.

The FHA also directs recipients of federal and state funding under federal Community Planning and Development programs to affirmatively further fair housing. Virtually every community in Connecticut is a recipient of such funding and thus must not only abide by the nondiscrimination provisions embedded in the FHA, but also must take proactive steps to counteract the vestiges of discrimination and segregation in our state. The failure to comply with the requirements of the FHA has resulted in court decisions reversing the actions of local planning and zoning commissions, the loss of federal funding, and other monetary penalties.

HUD has published a Fair Housing Planning Guide in which it states that grantees affirmatively further fair housing by:

1. Conducting an analysis to identify impediments to fair housing choice within the jurisdiction.
2. Taking appropriate actions to overcome the effects of any impediments identified through the analysis.
3. Maintaining records reflecting the analysis and actions taken in this regard.

## Appendix C: Summary of Fair Housing Laws

Protected Classes	Federal or Connecticut Law	Property not covered	Remedy
Race	<b>Federal:</b> 42 U.S.C. §1982 (Civil Rights Act of 1866)	None	Federal court
	<b>State:</b> Con.Gen.Stat. 46a-58a	None	State court or CHRO
Race, Color, National Origin, Ancestry, Sex, Religion	<b>Federal:</b> 42 U.S.C. §3604	<b>Federal:</b> Owner occupied buildings with 4 units or less; single family homes	Federal court or HUD
	<b>State:</b> Con.Gen.Stat. 46a-64c	<b>State:</b> Owner occupied buildings with 2 units or less; owner occupied rooming house	State court or CHRO
Familial Status or the Presence of Children	<b>Federal:</b> 42 U.S.C. §3604	<b>Federal:</b> Owner occupied buildings with 4 units or less; single family homes	Federal court or HUD
	<b>State:</b> Con.Gen.Stat. 46a-64c	<b>State:</b> Owner occupied 4 units or less; elderly housing	State court or CHRO
Disability	<b>Federal:</b> 42 U.S.C. §3604	<b>Federal:</b> Owner occupied buildings with 4 units or less; single family homes	Federal Court or HUD
	<b>Federal:</b> 29 U.S.C. §794	<b>Federal:</b> All housing not receiving federal money	Federal court
	<b>State:</b> Con.Gen.Stat. 46a-64c	<b>State:</b> Owner occupied buildings with 2 units or less; owner occupied rooming house	State court or CHRO
Marital Status (except an unmarried unrelated man and woman)	<b>State:</b> Con.Gen.Stat. 46a-64c	<b>State:</b> Owner occupied buildings with 2 units or less; owner occupied rooming house	State court or CHRO
Sexual Orientation	<b>State:</b> Con.Gen.Stat. 46a-81e	<b>State:</b> Owner occupied buildings with 4 units or less	State court or CHRO
Age (except minors)	<b>State:</b> Con.Gen.Stat. 46a-64c	<b>State:</b> Owner occupied buildings with 2 units or less; owner occupied rooming house; elderly housing	State court or CHRO
Lawful Source of Income	<b>State:</b> Con.Gen.Stat. 46a-64c	<b>State:</b> Owner occupied buildings with 2 units or less; owner occupied rooming house	State court or CHRO
Gender Identity or Expression	<b>State:</b> Con.Gen.Stat. 46a-64c	<b>State:</b> Owner occupied buildings with 2 units or less; owner occupied rooming house	State court or CHRO

- It is illegal to refuse to rent or sell property, to discriminate in the terms or conditions of a rental or sale (for example, to charge different amounts), to steer, to discriminate in mortgage lending or other related practices, or to otherwise make housing unavailable because someone is a member of a protected class.
- All persons involved in any real estate transaction must make reasonable accommodations for persons with mental or physical handicaps.
- It is illegal (with some exceptions) to advertise in a discriminatory manner.

## Appendix D: Resources

**State of Connecticut Compendium of Planning and Zoning Statutes**, available at [www.ct.gov/opm/lib/opm/IGP/PZ/PlanningandZoningStatutes.doc](http://www.ct.gov/opm/lib/opm/IGP/PZ/PlanningandZoningStatutes.doc).

**State of Connecticut Ordinances and Charters by Town**, available at [www.jud.ct.gov/lawlib/ordinances.htm](http://www.jud.ct.gov/lawlib/ordinances.htm).

**Connecticut Zoning Initiative** (a comparison of all local zoning ordinances in Connecticut), available at <http://commons.trincoll.edu/cssp/zoning/>.

**Links to Connecticut town and city websites**, at [www.ct.gov/ctportal/cwp/view.asp?a=843&q=257266](http://www.ct.gov/ctportal/cwp/view.asp?a=843&q=257266).

**The Connecticut Conference of Municipalities**, at [www.ccm-ct.org](http://www.ccm-ct.org) and (203) 498-3000.

**The Connecticut State Library**, at [www.cslib.org](http://www.cslib.org) and (860) 757-6500.

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### Reading

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#### ZONING

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