

**Proposed Text Change – Draft Revisions**

**§5 – Definitions**

**Affordable Housing:**

- assisted housing, which means housing which will receive financial assistance under any governmental program for the construction or substantial rehabilitation of low and moderate housing, or
- any housing to be occupied by persons receiving rental assistance under Chapter 319 of Section 1437F of Title 42 of the United States Code, or
- any housing currently financed or eligible for financing by Connecticut Housing Finance Authority mortgages or
- any housing subject to deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will [~~preserve~~] qualify the units as housing for [~~which~~] persons and families who are compliant with the standards and limitations of CGS 8-30(g) [pay thirty percent (30%) or less of income, where such income is less than or equal to eighty percent (80%) of the state median income for a family of four, as determined by the United States Department of Housing and Urban Development].

Assisted Living Facility: A group of private dwellings and/or shared living quarters with common rooms and facilities (i.e. kitchen, living rooms, etc.) primarily for Seniors in need of some medical care and/or professional assistance with performing typical activities of daily living.

Full Care Living Facility: A shared living facility primarily for Seniors in need of 24-hour professional care including, but not limited to, skilled nursing and hospice services.

Independent Living Facility: A group of private dwellings and/or shared living quarters with common rooms and facilities (i.e. kitchen, living rooms, etc.) primarily available to Seniors who are capable of independently performing typical every-day activities.

[Elderly] Senior: A [P]erson[s] sixty-two (62) years of age or older.

Senior Center: A facility that offers services and activities to promote the physical, mental and social well-being of Seniors

**Senior Residential Community:**

A Senior Residential Community shall consist of dwelling units and may include facilities intended to support and enhance the lives of Seniors including, but not limited to, service enriched residential opportunities, and/or other uses aimed at providing a continuum of care, hospice services, housing, recreation, Senior Centers, education and socialization for Seniors (i.e. Independent, Assisted, and Full Care Living Facilities).

**§11 Residence AAA District**

**11-2.3 Special Permit Uses Subject to Special Conditions**

The following uses are permitted subject to the conditions provided for in §32 and Special Permit and Site Plan Approval in accordance with §43, herein:

- í 11-2.3.1 [Elderly] Senior housing
- í 11-2.3.5 Group home for [Elderly] Seniors
- í 11-2.3.17 Senior Residential Community

**11-2.4 Permitted Accessory Buildings, Structure & Uses**

11-2.4.12D Conversion of an Affordable Accessory Apartment to an Accessory Apartment- At the end of the required 10-year period, if the owner of a dwelling with an affordable accessory apartment wishes to change its status to an accessory apartment or the apartment is for any reason no longer in compliance with the occupancy standards and requirements in this Section for such use, the owner of such dwelling may register it as a dwelling with a [n-elderly] Senior accessory apartment upon compliance with all the standards and requirements therefore in §11.2.4.12A and upon review and approval by the Planning and Zoning Commission or designee such owner shall then record a Release of the Declaration of Restrictions on the Land Records.

**§19A: Residential Affordable Housing Zone/Workforce (R-AHZ/W)**

**19A-16 Affordable Plan**

The applicant shall submit an “Affordability Plan,” in accordance with §8-30g concurrently with Special Permit and Site Plan application which shall describe how the regulations regarding affordability will be administered for both the workforce and affordable housing units. To the extent permissible under applicable State and Federal laws, [T]the Affordability Plan shall establish a priority system for the affordable and workforce housing units including, but not limited to, Westport municipal employees, [the-elderly] Seniors, and Westport residents.

**§20 – Municipal Housing Zone (MHZ)**

**20-4 Density**

**20-4.1 [Elderly] Senior Housing Requirement**

A minimum of one-quarter (1/4) of the total number of housing units in the MHZ shall be [elderly] Senior housing. [Elderly] Senior is defined in §5 of these regulations.

**§32-2 – [Elderly] Senior Housing – Municipal**

**32-2.1 Purpose**

The purpose of this section of the regulations is to promote the public health, safety and general welfare of the community by providing decent, safe and sanitary housing units for [elderly] Senior persons at reasonable rents in order to assure especially adapted housing facilities for [elderly] Senior persons in the public interest by allowing multiple-family housing for [elderly] Senior persons within the Town of Westport.

The rights, duties, privileges and obligations of these regulations shall be limited to the Westport Housing Authority, only, in order to provide “Housing for Elderly Persons” under §8-112a[A], et seq. of the Connecticut General Statutes. Such housing [for the-elderly] shall be permitted as a municipal use subject to Site Plan and Special Permit approval in accordance with §43, and to the following standards, conditions and safeguards.

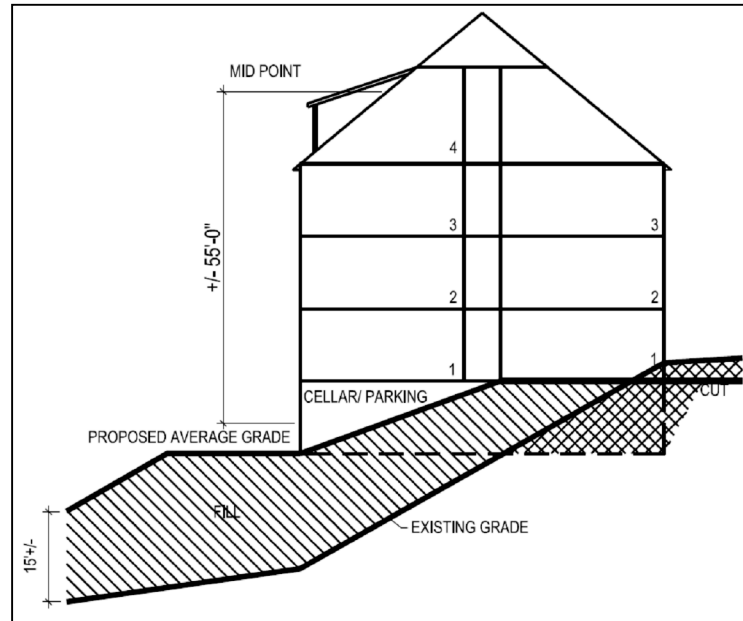
**32-2.2 Permitted Uses**

Construction of residential dwelling units for [the-elderly] Seniors under this Section shall be permitted for detached dwellings, semi-detached dwellings, and attached dwellings such as garden apartments and townhouses, but not for hotels, motels, rooming, boarding and lodging houses or tourist homes. Each dwelling unit shall have one (1) or two (2) bedrooms. No dwelling unit shall have more than two bedrooms. Libraries, dens, studios or other similar rooms in any dwelling unit shall be construed to be bedrooms.

## §32-8 – Excavation and Filling of Land

### 32-8.2 Excessive Fill Regulation

...32-8.2.1(d) For developments of Senior Residential Communities (§32-15A), excavation and fill calculations shall be based on proposed grading and may exceed the maximum regulations of fill material for residential and non-residential zones where the Planning and Zoning Commission deems it appropriate in conjunction with reduced building coverage and/or to accommodate sloping sites. (See illustration below)



## §32-11 Group Home for [the Elderly] Seniors

A single-family dwelling on at least a one (1) acre lot may be used as a group home for a limited number of unrelated [elderly] Senior persons as living quarters in a Residence District subject to a Special Permit and Site Plan approval in accordance with §43, herein, and the following conditions:

### 32-11.2 Occupancy

A group [elderly] Senior home shall include a resident occupied dwelling unit with guest rooms for not more than six (6) [elderly] Senior persons wholly within a single-family dwelling that is occupied by the principal owner or owned by a non-profit corporation. No such group home shall be occupied by more than eight (8) persons.

### 32-11.5 CAP

No more than 5 such group homes for [the elderly] Seniors shall be permitted within the Town of Westport.

## §32-15A Senior Residential Community

### 32-15A.1 Purpose

The purpose of this section is to allow a Senior Residential Community which provides residential opportunities and services in order to enable Seniors to maintain a maximum level of independence, to reflect the continuing concern of the community for the special needs of Seniors and to provide for their safety, health and general welfare.

### **32-15A.2 Permitted Uses**

Construction and operation of a Senior Residential Community, including the provision of Dwelling Units for Seniors, and may include Independent Living Facilities, Assisted Living Facilities, Full Care Living Facilities, and Senior Center, all as defined herein and in §5.2.

### **32-15A.3 Accessory Uses**

Accessory buildings, structures and uses necessary to the operation of a Senior Residential Community include maintenance, utility, gardens and other recreational facilities customary to, and supportive of, the needs of Seniors.

### **32-15A.4 Location**

A Senior Residential Community lot shall be located on Town-owned land and have frontage on an arterial street as classified by the Planning and Zoning Commission in accordance with the Town Plan of Development. All buildings shall be connected to public sanitary sewer and public water. These facilities shall not be located in Special Flood Hazard Areas A and V as shown on the FIRMs for Westport.

### **32-15A.5 Lot Area, Shape and Frontage**

There is no minimum lot shape. Each lot shall have a minimum lot area and shall have a minimum frontage on at least one arterial street, as follows:

<b>ZONE</b>	<b>LOT AREA</b>	<b>LOT FRONTAGE</b>
AAA, AA, A, PRD	4 Acres Minimum	200ø on an arterial street
BCD, GBD, HDD, HSD, RBD, RORD, RPOD	2 Acres Minimum	200ø on an arterial street

Split Zones: For lots located in both non-residential and residential zones, lot area and frontage shall be governed by the standards of the zone in which the greater portion of the lot lies.

### **32-15A.6 Affordable Units**

32-15A.6.1 Not less than sixty percent (60%) of any dwelling units shall be rented at, or below, prices which will preserve the units as housing for persons and families who are compliant with the standards and limitations of CGS 8-30(g).

32-15A.6.2 Affordable housing units cannot be clustered, but shall be reasonably dispersed throughout the development and shall contain, on average, the same number of bedrooms and the same quality of construction as the other units in the development. Amenities for the market rate and below market rate units shall be comparable. No affordable unit shall be smaller than 75% of a market rate unit containing the same number of bedrooms.

32-15A.6.3 The applicant shall submit an "Affordability Plan" concurrently with Special Permit and Site Plan application which shall describe how the regulations regarding affordability will be administered. To the extent permissible under applicable State and Federal laws, the Affordability Plan shall include what priority system will be available to Westport residents.

### **32-15A.7 Density**

32-15A.7.1 The maximum allowable density shall not exceed 15 residential units per gross acre in any permitted zoning district (see §32-15A.7.2).

32-15A.7.2 For the purposes of calculating density, every two (2) beds of an Assisted Living Facility and/or a Full Care Living Facility shall count as one (1) unit.

### **32-15A.8 Setbacks**

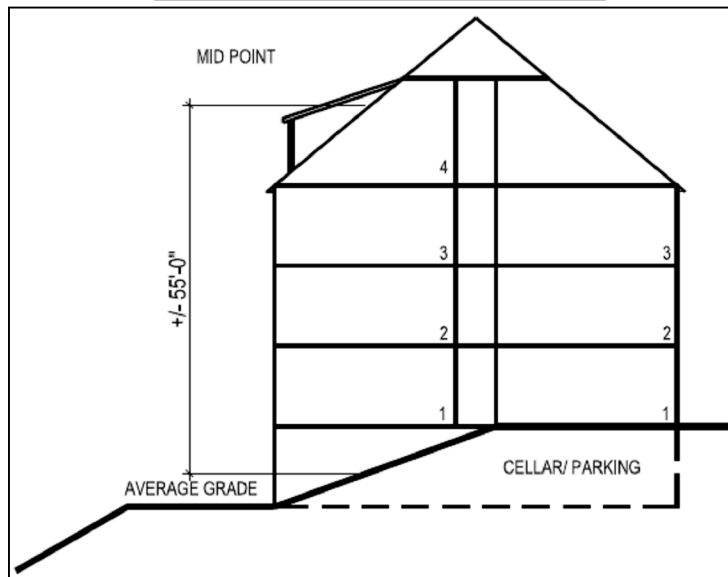
32-15A.8.1 Minimum setbacks from lot lines for principal and accessory buildings or structures shall conform to the standards of the underlying zone, except that, pursuant to §32-15A.9, where any building or structure has a height greater than allowed in the underlying zone, the minimum setbacks from an adjacent residential zone shall be doubled.

32-15A.8.2 No setbacks shall be required from Zoning District Boundary Lines crossing the interior of the lot.

### **32-15A.9 Height**

No building or other structure shall exceed a height of 3 ½ stories or 45 feet, whichever is less. However, the Planning and Zoning Commission may allow one additional story and additional feet to accommodate stepped buildings and sloping sites. (See illustration below)

Example Stepped Building Illustration



### **32-15A.10 FAR**

No building or structure shall exceed a Floor Area Ratio (FAR) of 0.35.

### **32-15A.11 Coverage**

The building coverage shall not exceed 15% and the total coverage shall not exceed 30%.

### **32-15A.12 Unit Sizes**

The gross interior floor area of dwelling units in a Senior Residential Community shall not exceed an average of 1,250 square feet.

### **32-15A.13 Open Space**

A minimum area of open space of 450 sq.ft shall be provided for each dwelling unit, as follows:

32-15A.13.1 The Planning and Zoning Commission may require land so set aside to be graded, screened, landscaped, and of a passive recreation nature suited to the needs of the residents, and such land may include open interior courtyards. Such recreation areas shall be designed to provide security and privacy and to prevent the emission of objectionable noise and light onto abutting properties.

### **32-15A.14 Signs**

Signs shall be permitted in accordance with §33 of the Supplementary Regulations.

### **32-15A.15 Parking and Loading**

Off-street parking and loading shall be provided in accordance with §34 of the Supplementary Regulations except that:

1. A minimum of one (1) off-street loading space shall be required for any Senior Residential Community facility. The number and location of loading spaces shall be determined by the Planning and Zoning Commission; and
2. The Planning and Zoning Commission may require additional parking of up to 0.25 spaces per unit.

### **32-15A.16 Landscaping, Screening and Buffer Areas**

Landscaping, screening and buffer area shall be provided in accordance with §35 of the Supplementary Regulations.

32-15A.16.1 Refuse collection areas shall be provided, suitably screened, supplied with covered receptacles and conveniently located to serve the facility.

32-15A.16.2 Ground mounted mechanical units or equipment shall not be located within any setback area or buffer area and shall be suitably screened.

32-15A.16.3 Exterior site lighting shall be adequate for public safety and resident security. Pole lights shall be limited to a height of 16 feet with downdirected fixtures. Spotlights on the building are prohibited.

### **32-15A.17 Architectural Design**

The architectural design, including the exterior building material, color, roof line and building elevations shall be residential in character and compatible in scale with the neighborhood so as to protect property values and preserve and improve the appearance and beauty of the community.

32-15A.17.1 No wall of any building shall exceed 50 feet in length in an unbroken plane without an off-set of at least five (5) feet;

32-15A.17.2 Rooftop mechanical equipment shall be adequately screened except for energy conservation systems such as solar energy panels;

32-15A.17.3 All buildings shall have pitched roofs;

32-15A.17.4 If more than one building is constructed on a single lot, they shall be so arranged that the minimum horizontal distance between the nearest walls or corners of any principal and/or accessory detached buildings shall not be less than fifteen (15) feet.

**32-15A.18 Utilities**

32-15A.18.1 All utilities and conduits within the lot shall be underground.

32-15A.18.2 All buildings on the lot shall be connected to public sanitary sewers and served by a public water supply.

32-15A.18.3 All storm drainage facilities and public sanitary sewers shall be designed and constructed in accordance with Town standards, subject to the approval of the Town Engineer.

**32-15A.19 Subdivision**

Notwithstanding the above, interior lots created by future subdivision(s) after initial zoning approval as a Senior Residential Community need not conform to the standards and limitations of these regulations with regard to setbacks, coverage, density, floor area, and/or parking, provided that the originally approved overall special permit area maintains conformity with the standards and limitations of Section 32-15A and all other applicable sections of these regulations referenced herein, as approved by the Planning and Zoning Commission.

**§34 – Off-Street Parking and Loading**

**...34-5 Parking Requirements Table**

**Senior Residential Community**

Senior Housing	1.0 space per unit
Independent Living Facility	1.0 space per unit
Assisted Living Facility	0.5 space per bed
Full Care Living Facility	0.5 space per bed

í public [elderly] Senior housing 0.75 spaces for each dwelling unit for [elderly] Senior persons

í [Elderly] Senior group home 1 space per bedroom or guest room

**Appendix B Index**

í [Elderly] Senior Conversion	í í í í í í í í	..§11-2.4.12
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