

Proposed Text Change**§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 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 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 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

[Managed] Senior Residential Community:

A [Managed] **Senior Residential Community** shall consist of private residential units and **may include** [common supportive] facilities [and provide or make available] **intended to primarily support and enhance the lives of seniors including, but not limited to,** [services required by State of Connecticut statutes or regulations for an Assisted Living Services Agency (ALSA). The common supportive facilities shall include, but are not limited to: meal service offering 3 meals per day, laundry service, housekeeping, maintenance including routine chore services the resident is unable to perform, programs of social and recreational activities, personal transportation, 24 hour security and health and personal services in a group setting to persons of sixty two (62) years of age and older who require help or aid with activities of daily living.] **Senior Centers, service enriched residential opportunities, and/or other uses aimed at providing a continuum of care, hospice services, housing, recreation, education and socialization for seniors (i.e. Independent, Assisted, and Full Care Living Facilities).**

[A Managed Residential Community shall provide common facilities for use by the occupants including common rooms, laundry facilities, mailboxes, entertainment facilities, communal dining area(s) with kitchen and supportive food preparation areas, administrative offices, a convenience store for the residents of the facility, and areas for periodic medical examinations, limited treatment and therapy, or similar uses. Also, the building must have one (1) interior area capable of accommodating 100% of the tenant population at one time.]

In addition, services offered to residents shall include a common kitchen area on each floor equipped with conventional ovens or microwave ovens available for use by all residents. Also, appropriate exercise facilities, equipment and instruction must be available to all tenants.]

A Managed Residential Community shall offer nursing type services by a licensed ALSA in accordance with the State of Connecticut statutes or regulations. However, a Managed Residential Community is not a nursing home or convalescent facility as defined by the State of Connecticut statutes or regulations (See definition of Private Residential Unit.) Residents may include those having dementia and physical disabilities.]

[**Private Residential Unit:** Any room or group of rooms including a full bathroom and kitchenette devoted to the exclusive use or occupancy of up to two residents, (see §32-15.12.1) of a Managed Residential Community. Kitchenette facilities are not required for those units serving dementia residents. Since common kitchen and dining facilities are provided for all residents within the Managed Residential Community, a residential unit shall not be considered a dwelling unit even though it shall have a small kitchenette facility for occasional use by the resident(s). Each residential unit shall be equipped with an emergency call system.]

§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:

- ...11-2.3.1 [Elderly] Senior housing
- ...11-2.3.5 Group home for [Elderly] Seniors
- ...11-2.3.10 [Managed] 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. [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, 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.

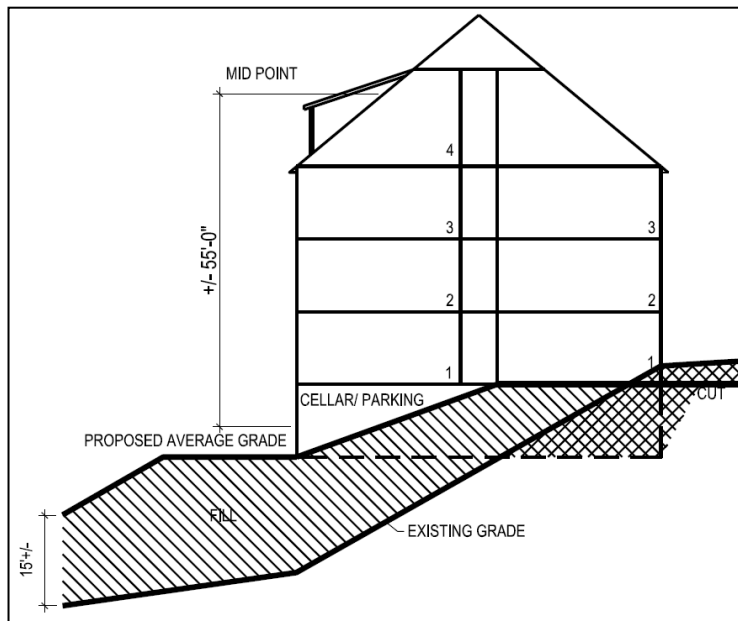
32-2.2 Permitted Uses

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 (§32-15), 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 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 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.

§32-15 [Managed] Senior Residential Community

32-15.1 Purpose

The purpose of this section is to allow a [Managed] Senior Residential Community which provides residential opportunities and services [including assistance with activities of daily living] in order to enable ~~[older persons]~~ primarily seniors to maintain a maximum level of independence,] to reflect the continuing concern of the [Commission] community for the special needs of seniors ~~[older persons]~~ and to provide for their safety, health and general welfare.

32-15.2 Permitted Uses

Construction and operation of a [Managed] Senior Residential Community, including the provision of [Private Residential] Dwelling Units, Independent Living Facilities, Assisted Living Facilities, Full Care Living Facilities, and Senior Center. all as defined herein and in §5.2.

32-15.3 Accessory Uses

Accessory buildings, structures and uses necessary to the operation of a [Managed] Senior Residential Community include maintenance, utility, gardens and other recreational facilities customary to, and supportive of, the needs of seniors. ~~[Accessory buildings and structures shall not exceed 300 square feet of floor area, shall not exceed one story or 16 feet in height and shall not be used or occupied as a rooming unit or a dwelling unit. The accessory buildings shall be in keeping with the architectural style of the main building(s) and shall not detract from neighboring residential properties.]~~

32-15.4 Location

A [Managed] 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.

32-15.5 Lot Area, Shape and Frontage

Each lot shall have a minimum lot area, shall be of such shape that a minimum square will fit in the lot, and shall have a minimum frontage on at least one arterial street, as follows:

ZONE	LOT AREA	LOT SHAPE	LOT FRONTAGE
AAA, AA, A, PRD	[6] 4 Acres Minimum	300' x 300'	200' on an arterial street
BCD, GBD, HDD, HSD, RBD, RORD, RPOD	2 Acres Minimum		200' on an arterial street

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

32-15.6 Affordable Units

[For every two affordable units built, one additional unit will be allowed up to a maximum of 5% of the total units otherwise allowed by these regulations. These units shall be permanently allocated to meet or be lower than the affordability levels for which persons and families pay 30% or less of their annual income where such income is less than or equal to the area median income for the municipality in which such housing is located, as determined by the U.S. Department of Housing and Urban Development. Rent shall include all utilities except phone and cable television. Therefore, if 10 affordable units are proposed, 5 extra units may be constructed. These are called bonus units.] **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).**

32-15.7 Density

32-15.7.1 The maximum allowable density shall not exceed 15 residential units per gross acre in any permitted zoning district (see §32-15.7.2). [Units shall not contain more than two (2) bedrooms. For the purposes of these regulations, libraries, dens, studios, studies, lofts and other similar spaces within private residential units shall be deemed to be bedrooms.]

32-15.7.2 **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.** [The total number of residential units shall not exceed 90 on a site of 8 acres or less, 105 units on a site 8 acres up to 9 acres, and 115 units on a site over 9 acres on any Managed Residential Community site, plus bonus units.]

[32-15.7.3 The total aggregate number of residential units permitted on all Managed Residential Community sites shall not exceed 300 units including bonus units, under these Managed Residential Community Regulations.]

32-15.8 Setbacks

32-15.8.1 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 §32-15.9, 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.** [following:

ZONE	FRONT	SIDE	REAR
AAA, AA, A, PRD, and any properties abutting a residential zone	100'	75'	75'
BCD, GBD, HDD, HSD, RBD, RORD, RPOD (except a structure must be setback 75' from any residential property line).	30'	30'	30'

Split zones — for lots located in both commercial and residential zones, setbacks in the residential portion shall adhere to the standards for residential zones in §32-15.8.2.(a)]

32-15.8.2 [Minimum setbacks from lot lines for parking spaces and loading areas shall conform to the following:

ZONE	FRONT	SIDE	REAR
AAA, AA, A, PRD, and any properties abutting a residential zone	50'	35'	35'
BCD, GBD, HDD, HSD, RBD, RORD, RPOD	30'	25'	25'

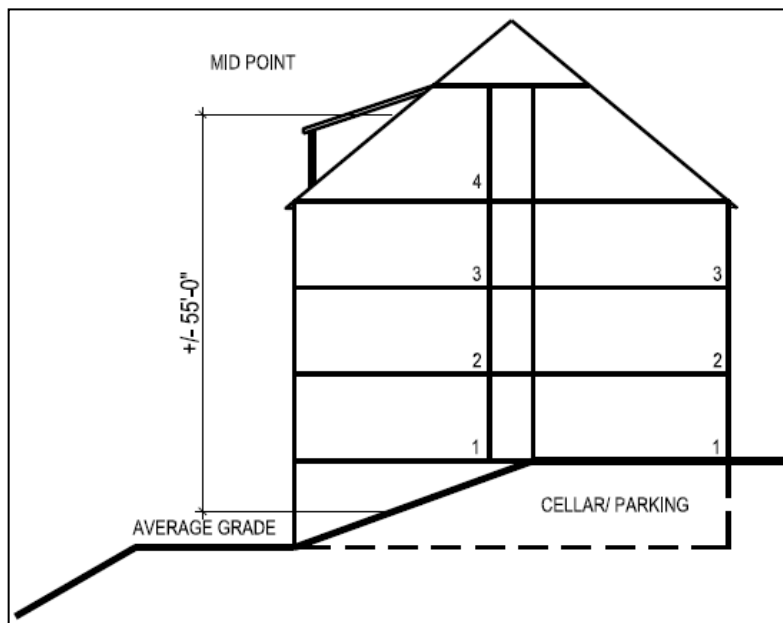
Split zones — for lots in both commercial and residential zones, setbacks in the residential portion shall adhere to the standards for residential zones in §32-15.8.2

32-15.8.3] No setbacks shall be required from Zoning District Boundary Lines crossing the interior of the lot.

32-15.9 Height

No building or other structure shall exceed a height of [2 1/2] 3 1/2 stories or [30] 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



32-15.10 FAR

No building or structure shall exceed a Floor Area Ratio (FAR) of [0.25 on the area of the lot.] 0.35 [FAR shall be allowed in BCD, GBD, HDD, HSD, RBD, RORD, and RPOD] of the gross lot area.

32-15.11 Coverage

The building coverage shall not exceed 15% and the total coverage shall not exceed [25% in a residential zone. The building coverage shall not exceed 20% and the total coverage shall not exceed] 30% [in a commercial zone] of the gross lot area.

32-15.12 Unit Sizes

The gross interior floor area of [private residential] dwelling units in a [Managed] Senior Residential Community shall not exceed an average of [be less than 350] 1,250 square feet. [Units cannot exceed 2 bedrooms. Non related persons may, but cannot be required, to share units.]

32-15.13 [Useable] Open Space

A minimum area of [useable] open space of 450 sq.ft shall be provided on the site for each private residential unit[as follows:

32-15.13.1 The land so set aside shall be graded, screened and landscaped, shall be of a passive recreation nature suited to the needs of the residents, and 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.

Useable Open Space must not have slope greater than 5% and shall be free of wetlands, ledge and rock outcroppings. Natural geologic features and specimen trees shall be preserved. Paved paths and site lighting for the benefit of residents shall be provided].

32-15.14 Signs

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

32-15.15 Parking and Loading

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

1. [Only] A minimum of one (1) off-street loading space shall be required for any [Managed] Senior Residential Community facility. The number and location of loading spaces shall be determined by the Planning and Zoning Commission [Said loading space shall be conveniently located near a service entrance to the facility]; and
2. [Handicapped parking and a drop-off area for residents and guests may be provided in the front of the building.] The Planning and Zoning Commission may require additional parking of up to 0.25 spaces per unit.

32-15.16 Landscaping, Screening and Buffer Areas

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

- 32-15.16.1 Refuse collection areas shall be provided, suitably screened, supplied with covered receptacles and conveniently located to serve the facility.
- 32-15.16.2 Ground mounted mechanical units or equipment shall not be located within any setback area or buffer area and shall be suitably screened.
- 32-15.16.3 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.

32-15.17 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.

- 32-15.17.1 No wall of any building shall exceed 50 feet in length in an unbroken plane without an offset of at least five (5) feet;
- 32-15.17.2 Rooftop mechanical equipment shall be adequately screened except for energy conservation systems such as solar energy panels;
- 32-15.17.3 All buildings shall have pitched roofs;
- 32-15.17.4 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** ~~[one half the sum of the height of such adjacent buildings except for connecting corridor links of at least 20 feet in length and at least 8 feet in width].~~

32-15.18 Utilities

- 32-15.18.1 All utilities and conduits within the lot shall be underground.
- 32-15.18.2 All buildings on the lot shall be connected to public sanitary sewers and served by a public water supply.
- 32-15.18.3 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.

32-15.19 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 32-15 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

[Managed] Senior Residential Community

Senior Housing

1.0 space per unit

Independent Living Facility

[0.75] 1.0 space per [for each private residential] unit

Assisted Living Facility
Full Care Living Facility

0.5 space per bed
0.5 space per bed

...public [elderly] senior housing

0.75 spaces for each dwelling unit for [elderly] senior persons

...[Elderly] Senior group home

1 space per bedroom or guest room

Appendix B Index

...[Elderly] Senior Conversion.....§11-2.4.12
...[Elderly] Senior Housing.....§32-2
...Group Home for [Elderly] Seniors.....§32-11