

Memorandum

To: Members, Planning and Zoning Commission

From: Mary Young, Deputy Planning and Zoning Director

Date: February 10, 2011

Re: **Text Amendment #625/App. #11-001, To create regulations to provide for future development of a Senior Residential Community on Town-owned properties; To replace references to “Elderly” with “Senior” throughout the Zoning Regulations, as requested by the Planning and Zoning Commission; and an unrelated amendment to remove references to language regarding priority systems that give Westport residents preferential status when seeking available Affordable and Workforce Housing units, as requested by the Town Attorney’s Office**

Statutory Time Lines:

Application Submission Date: 1/5/11

Application Receipt Date: 1/6/11

Public Hearing Opened (*within 65 days of Receipt Date*): Scheduled to open on 2/17/11

Public Hearing Closed (+35 days): 3/24/11

Decision Required (*65 day s from close of public hearing*):

Summary

Have all documents been submitted as required in accordance with §42?	Yes
Does the application appear to meet all applicable zoning requirements?	Yes
Has the application received all necessary prior approvals?	Prior approvals are not required. The application was referred to the Architectural Review Board. See attached minutes from the 1/25/11 ARB meeting.
Other comments?	The text amendment is intended to create zoning regulations to facilitate future submission of a Special Permit/Site Plan application to develop Town-owned property for a Senior Residential Community, as recommended in the Positive §8-24 Report for Baron’s South dated 11/5/10. Members of the Planning and Zoning Commission should consider whether the amendment is consistent with the Zoning Regulations, Zoning Map, and the 2007 Town Plan of Conservation and Development pursuant to C.G.S. §8-2, Regulations. Commission members should also determine if the Explanatory Statement and any testimony offered at the public hearing is persuasive in concluding the amendment will benefit the Town pursuant to §42 of the Westport Zoning Regulations.

Description of Application

Applicant	First Selectman
Requested Action	Text Amendment approval
Purpose	To modify §5, §32-8, §32-15, and §34-5, to create opportunities for future development of a Senior Residential Community on Town-owned property that meets the Lot Area, Shape, and Frontage requirements in §32-15. The amendment also seeks to replace all references to “Elderly” with “Senior,” as recommended by the Planning and Zoning Commission. Additionally, existing language describing the methods for prioritizing available Affordable and Workforce Housing units is modified as requested by the Town Attorney’s Office, <i>see discussion in the Analysis section herein.</i>
Location	Variable, <i>see attached list and map showing Town-owned properties eligible for §32-15 as proposed.</i>
2007 Town Plan of Conservation and Development	<p>The following goals are listed in Chapter 5, Protect and Manage Residential Neighborhoods:</p> <p><i>“Protecting residential neighborhoods is a fundamental philosophy of the Plan. To implement this policy:</i></p> <ul style="list-style-type: none"> • <i>Residential neighborhoods will continue to be protected from the intrusion of commercial activities.</i> • <i>Boundaries between residential neighborhoods and non-residential zoning districts shall remain clear.</i> • <i>Transitions from residential neighborhoods to non-residential zoning districts should be logical and have appropriate buffering, as necessary.</i> • <i>Regulations protecting residential districts and zoning standards must be maintained, strengthened, improved where needed, and enforced.</i> • <i>Special Permit uses in residential zones must be reviewed to ensure that they are still suitable for neighborhoods, especially since so little undeveloped property remains.</i> • <i>Review Special Permit criteria and enforce the Special Permit standards to meet the regulations. Pg. 5-2</i> <p>The following goals are listed in Chapter 6, Create a Range of Housing Opportunities and Choices:</p> <ul style="list-style-type: none"> • <i>“Require all housing construction in Westport either provide affordable housing units or pay into an affordable housing trust fund.” Pg. 6-4</i>

2007 Town Plan of Conservation and Development, *continued*

- *“It is a goal of this Plan to seek ways to expand the variety of housing choices and options of Westport in order to help meet the needs of existing and future residents while maintaining the character and integrity of the town.” Pg.6-1*
- *“Westport should continue efforts to help seniors who may not want or need large single-family houses to remain in Westport and to provide opportunities for others. Since single-family detached housing may not meet the needs of all people, the Plan recommends that Westport explore ways to diversify the housing portfolio of the community.” Pg. 6-2*
- *“Future planning must recognize the relationship between adding to housing supply and the effect on traffic congestion, increased demand for services and manpower, increased enrollment in the schools, over-crowding at the beaches and other municipal facilities and the impact on the overall quality of life for residents of Westport.” Pg. 6-2*
- *“Promote housing affordability. As Westport works toward providing more housing choices, it will do so in ways that are appropriate for the community and that protect the public health and safety. In addition, Westport will consider ways of integrating affordable, workforce, and market rate housing in future projects in partnerships with public and private organizations.” Pg. 6-3*

The following goals are listed in Chapter 9, Address Community Facility Needs:

- *“Create a vigorous program for obtaining and retaining land for municipal requirements, recreational purposes, and open space buffering to assure that future needs will be met as available land diminishes.” Pg. 9-1*
- *“Expand Utilization of Existing Sites:*
 - *Be cautious about disposing of existing facilities since such facilities may be desirable for future community needs.*
 - *Acquire land adjacent to existing facilities when it would provide a reasonable opportunity or flexibility to address community needs.*
 - *Consider modifying the zoning regulations to allow municipal facilities to have greater coverage (building and impervious) through a Special Permit.” Pg. 9-7*

Zoning History	See attached <i>History of §32-15, Managed Residential Community</i> , prepared by Michelle Perillie, dated 11/19/10
Applicable Regulations	§5; §11-2.3, §11-2.4, §19A-16, §20-4.1, §32-2, §32-2.1, §32-2.2, §32-8.2.1(d), §32-11, §32-11.2, §32-11.5, §32-15, §32-15.1, §32-15.2, §32-15.3, §32-15.4, §32-15.5, §32-15.6, §32-15.7.1, §32-15.7.2, §32-15.7.3, §32-15.8.1, §32-15.8.2, §32-15.8.3, §32-15.9, §32-15.10, §32-15.11, §32-15.12, §32-15.13, §32-15.13.1, §32-15.15, §32-15.17.4, §32-15.19, §34-5, §42, and Appendix B.

Background

§32-15, *Managed Residential Community*, was established in 1998 when Text Amendment #469 was adopted by the Planning and Zoning Commission. Amendment #469 also contained development standards for a Managed Residential Community and it created location requirements allowing a Managed Residential Community to be in a residential and/or non-residential zoning district, based upon the minimum Lot Area, Lot Shape and Frontage requirements listed in §32-15.5, and subject to Special Permit/Site Plan approval from the Planning and Zoning Commission. The purpose for allowing a Managed Residential Community is found in §32-15.1:

“To provide services including assistance with activities of daily living in order to enable older persons to maintain a maximum level of independence, to reflect the continuing concern of the Commission for the special needs of older persons and to provide for their safety, health and general welfare.”

The Planning and Zoning Commission authored Text Amendment #469. The attached Zoning History prepared by Michelle Perillie dated 11/19/10, identifies six (6) similar amendments prepared by others were also reviewed by the Commission, but were either withdrawn or denied by the Commission in the late 1990’s. A Site Plan application was proposed in 1999 by Hall Brook Foundation to develop a Managed Residential Facility to be operated by Marriott at 47 Long Lots Road, and simultaneously replace the existing buildings housing their psychiatric hospital. The applicant subsequently withdrew the Managed Residential Facility component before the hospital renovations were approved pursuant to Res. #99-024. No applications have been received to develop a Managed Residential Facility on privately owned property since, and no facility has been approved to date pursuant to §32-15.

There remains a community need in 2011 for affordable senior housing and continuing care facilities. The waiting list for below market rate dwelling units outweighs the available supply in Westport, the current demand for beds in a skilled nursing facility exceeds the available supply in Westport, and future needs are projected to rise according to the Department of Human Services.

The Planning and Zoning Commission cited these growing community needs when issuing a Positive §8-24 Report in 2010 regarding a plan to substantially improve property at 60 Compo Road South, known as the Baron’s South property, to locate a senior living community that includes below market rate housing opportunities for seniors, and a healthcare component consisting of medical and extended care services which could include independent living and a skilled nursing facility.

The following recommendation from the Planning and Zoning Commission contained in the 2010 Positive §8-24 Report describes the approval process necessary to create opportunities for a senior living community on Town-owned property. The process includes a Text Amendment application consistent with Amendment #625 now pending before the Planning and Zoning Commission:

“Regulatory and other approvals will be required to develop Baron’s South including, but not limited to, the following:

- 1. Text Amendment approval from the Planning and Zoning Commission to create regulations allowing the combined uses, density, and height as suggested in the project narrative, pursuant to §42 of the Westport Zoning Regulations. Map Amendment approval may additionally be required to modify the Official Building Zone Map, depending on how the new zoning regulations are constructed;*
- 2. Approval from the Planning and Zoning Commission pursuant to C.G.S. §8-24 for leasing of public property, (such approvals are not part of this report);*
- 3. Development approvals from Town Departments and agencies other than the Planning and Zoning Commission, as necessary pursuant to §44-2 of the Zoning Regulations, prior to final development approval by the Commission;*
- 4. Development approvals from State Departments and agencies including, but not limited to, the State of Connecticut Department of Transportation (ConnDOT) and the State Traffic Commission (STC) if the site development access is onto Compo Road South (Rte. 136), and if the project contains over 100,000 SF of new floor area or 200 or more parking spaces; as well as the State of Connecticut Department of Social Services responsible for issuing a Certificate of Need (CON) for a Skilled Nursing Facility if proposed;*
- 5. Review by the Historic District Commission for any demolition of any buildings older than 50 years;*
- 6. Review by the Architectural Review Board for construction of any new buildings proposed as part of a Special Permit/Site Plan application; and*
- 7. Coastal Site Plan and Special Permit approval from the Planning and Zoning Commission pursuant to §31 and §43 of the Zoning Regulations for construction of the senior living community pursuant to any adopted zoning regulations.”*

Referral of Text Amendment #625

Comments from local land use and public safety departments as well as comments from regional planning agencies were requested, consistent with departmental referral policies and the Connecticut General Statutes. All comments received to date are listed herein and/or are attached.

On a case-by-case basis, comments on text amendments are solicited from the Historic District Commission (HDC) and the Architectural Review Board (ARB). In this case, the HDC deferred offering comments until a site development plan is submitted at which time site specific comments will be made. The ARB reviewed the application at their 1/25/11 meeting, and unanimously recommended approval. A copy of their meeting minutes is attached. The minutes conclude with the following statement:

“The intent of the proposed text change #625 for providing senior housing, an assisted living community and skilled and hospice care is recommended for approval with the understanding that the applicants will take into advisement ARB comments and concerns, that the ARB will review the RFP prior to its issuance and that the ARB will be involved in the reviews of replies to the RFP.”

Proposal

Text Amendment #625 proposes amending the Supplementary Use Regulations contained in §32 of the Westport Zoning Regulations, to add “*Senior Residential Community*” (and corresponding location requirements and development standards), to the list of uses allowed in residential and non-residential districts subject to Special Permit and Site Plan approval from the Planning and Zoning Commission.

§32-15, “*Managed Residential Community*” is renamed “*Senior Residential Community*” and the Purpose section is modified to more accurately reflect the current housing and healthcare needs of Westport residents as documented by the First Selectman and the Director of the Human Services Department during the 2010 §8-24 review for Baron’s South, (the §8-24 file is incorporated into the pending application to provide additional background information). Development standards are modified to correspond with the proposed use, and to provide flexibility in building and site design when warranted by specific site constraints and when deemed appropriate by the Planning and Zoning Commission. Development standards contained in §32-8, *Excavation and Fill*, are also modified to provide the same flexibility in building and site design when warranted by specific site constraints and when deemed appropriate by the Planning and Zoning Commission.

New language is added to §32-15 to qualify only Town-owned properties may be considered for development of a Senior Residential Community. Additional location requirements are included in §32-15 that modify the lot area, shape, and frontage requirements, and further reduce the number of eligible properties, see discussion in the Considerations section herein, and the attached map and list of Town-owned properties eligible for §32-15, *Senior Residential Community*.

New terms are added and existing terms are modified in §5, *Definitions*, to describe some of the residential components that may be in a Senior Residential Community including an Independent Living Facility, an Assisted Living Facility, and a Full-Care Living Facility.

§34-5 is modified to provide parking standards for a Senior Residential Community.

Companion amendments are also proposed to replace existing references in the Zoning Regulations to “*Elderly*” with “*Senior*,” as recommended by the Planning and Zoning Commission in their 2010 Positive §8-24 Report for Baron’s South. Additionally, a request from the Town Attorney’s Office is incorporated that removes existing references in the Zoning Regulations to a priority system that gives Westport residents preferential status when seeking available Affordable and Workforce Housing units, see attached comments from the Assistant Town Attorney dated 1/28/11.

Analysis

The following is a discussion of the changes proposed in Text Amendment #625 and their consistency with the Westport Zoning Regulations, and the *2007 Town Plan of Conservation and Development*.

Senior vs. Elderly

Text Amendment #625 proposes replacing references in the Zoning Regulations to “*Elderly*” with “*Senior*,” consistent with the recommendations by the Planning and Zoning Commission contained in the Positive §8-24 Report for Baron’s South dated 11/5/10, which state:

“The population for the senior living community should be clarified, as ‘Senior’ is not a defined term in the Westport Zoning Regulations. §5-2 defines ‘Elderly’ as age 62 years or over. When and if a text amendment is submitted to modify the Zoning Regulations the term ‘Senior’ should be substituted for ‘Elderly,’ and the age modified if necessary.”

Existing references to “*Elderly*” are found in the following sections of the Zoning Regulations: §5; §11-2.3; §11-2.4; §20-4.1; §32-2; §32-2.1; §32-2.2; §32-11; §32-11.2; §32-11.5; §32-15; §32-15.1; §32-15.2; §32-15.3; §32-15.4; §32-15.12; §32-15.15, §34-5, §42, and Appendix B.

SUMMARY: The replacement language may be considered consistent with the Zoning Regulations.

Priority System

Text Amendment #625 contains a change unrelated to developing Town-owned properties for a Senior Residential Community, but the change is incorporated based upon a request received from the Town Attorney's Office dated 1/28/11 to remove existing references in the Zoning Regulations to a priority system that gives Westport residents preferential status when seeking available Affordable and Workforce Housing units. There is no priority system proposed as part of §32-15, *Senior Residential Community*, however testimony from some residents received during the 2010 §8-24 review for Baron's South, identified such a system might be desirable. Subsequent research conducted by the Town Attorney's Office suggests such a system is not recommended, is subject to legal challenge, and the applicant was requested to include as part of Text Amendment #625 elimination of existing language that allows for such a system.

Existing references to the aforementioned priority systems are found in §19A-16 of the Zoning Regulations.

SUMMARY: Proposed removal of references to a priority system that gives preferential status to Westport residents may be considered consistent with the request from the Town Attorney's Office, and consistent with the Westport Zoning Regulations.

§5. Definitions

New terms are added to describe some of the residential components that may be in a Senior Residential Community including an "Independent Living Facility," an "Assisted Living Facility," and a "Full-Care Living Facility." The terms distinguish the types of facilities based upon the level of care residents require, from a potential no-care scenario to a potential 24-hour-care scenario.

A new term is also added to describe the "Senior Center" facility that already exists in Town and that provides services and activities to promote the physical, mental and social well-being of seniors.

The existing term "Managed Residential Community" is renamed "Senior Residential Community" and the definition is modified to describe a development that shall consist of private residential dwelling units including below market rate housing opportunities for seniors, and may also include a healthcare component consisting of medical and extended care services intended primarily to support and enhance the lives of seniors.

The term Private Residential Unit is removed as it is no longer needed based upon changes to §32-15.

The existing term "Affordable Housing" is simplified to remove references to the income formulas contained in the Connecticut State Statutes and instead cites compliance to C.G.S. §8-30(g) is required.

References to those terms to be added, modified, and/or removed are found in existing sections of the Zoning Regulations including:

- §5, Definitions;
- §18, Res C District;
- §19, Residential Affordable Housing Zone;
- §19A, Residential Affordable Housing Zone/Workforce;
- §20, Municipal Housing Zone;
- §24A, General Business District/Saugatuck;
- §32-1, Supportive Housing;
- §32-2, Elderly Housing Municipal;
- §32-3, Hospitals and Other Medical Institutions;
- §32-12, Inclusionary Two-Family and Multi-Family Dwellings;
- §32-15 Managed Residential Communities;
- §32-17 Affordable and Middle Income Housing on Town-Owned Property; and
- §39A, Inclusionary Housing Overly District.

SUMMARY: The modifications to §5, Definitions, to add, modify, and remove specific terms is consistent with the proposal to create opportunities for a Senior Residential Community on Town-owned property, and may be considered consistent with existing sections contained in the Zoning Regulations.

RECOMMENDATION: A leftover reference to “private residential unit” should be removed, consistent with the proposal to remove all references. If the amendment is adopted the word “private” should be removed from the first line in the proposed definition for “Senior Residential Community” found in §5.

§32-15. Managed Residential Community

The existing section title is renamed “Senior Residential Community.” There are no existing developments approved pursuant to §32-15; therefore no conflicts in administering the zoning regulations are anticipated by changing the title or the standards within the section.

SUMMARY: The section title change may be considered consistent with the Zoning Regulations.

§32-15.1. Purpose

As stated previously, the Purpose section is modified to more accurately reflect the current housing and healthcare needs of Westport residents as documented by the First Selectman and the Director of the Human Services Department during the 2010 §8-24 review for Baron’s South. A Senior Residential Community is identified as providing seniors with the maximum level of independence thereby allowing residents to age in place, and allowing residents who require little or no care to live alongside residents who may require increasing levels of care.

SUMMARY: This text modification may be considered consistent with the goals contained in the *2007 Town Plan of Conservation and Development* to create a range of housing opportunities and choices, and to find ways to help seniors stay in Westport.

The text may also be considered consistent with the Zoning Regulations that promote future development of needed residential housing alternatives to the single-family homes currently offered at market rates, including: §11-2.4.12A Accessory Apartments; §11-2.4.12B Affordable Accessory Apartments; §11-2.4.13, Pre-1959 Apartments; §15, Planned Residential Development; §16, Mobile Home Park District; §17, Open Space Residential District; §18, Res C District; §19, Residential Affordable Housing Zone; §19A, Residential Affordable Housing Zone/Workforce; §20, Municipal Housing Zone; §24A, General Business District Saugatuck; §30, Historic Design District; §32-1, Supportive Housing; §32-2, Elderly Housing Municipal; §32-11 Group Home for Elderly; §32-12, Inclusionary Two-Family and Multi-Family Dwellings; §32-13 Group Home for Youth; §32A-13 Residential Facility for School Based Education Program; §32-14, Conversion of School Buildings to Housing; §32-17, Affordable and Middle Income Housing on Town-Owned Property; and §39A, Inclusionary Housing Overlay District.

§32-15.2. Permitted Uses

As stated previously, new terms are added as defined in §5 to identify the principal residential uses allowed include an Independent Living Facility, an Assisted Living Facility, and/or a Full-Care Living Facility, as well as a Senior Center use to compliment the residential uses.

SUMMARY: This text modification may be considered consistent with existing sections contained within the Zoning Regulations that allow for residential alternatives to single-family homes as listed above, and allow for health-related facilities including §32-3, Hospitals and Other Medical Institutions; and Assisted Living Facilities pursuant to the existing §32-15, Managed Residential Facilities.

§32-15.3, Accessory Uses

The existing section is modified to clarify gardens and other recreational facilities are permitted accessory uses to a Senior Residential Community. Height and bulk requirements unique to accessory buildings and structures are removed. The same standards that regulate the allowable size of buildings containing principal uses are proposed to regulate the size of buildings containing accessory uses. These standards are found in §32-15.8-Setbacks; §32-15.9-Height; §32-15.10-FAR; and §32-15.11-Coverage. The existing height and bulk requirements allow accessory buildings and structures on a Managed Residential Community to be no larger than one-story and 16-feet in height, and 300 square feet in size. These standards are the same as applied to accessory buildings and structures located on a single-family residential lot. The Planning and Zoning Commission may find it appropriate to allow larger accessory buildings and structures on sites containing a Senior Residential Community as proposed, as the buildings are intended to support the needs of more residents, and all buildings and structures in a Senior Residential Community shall be screened from view of surrounding residential properties pursuant to §32-15.16, Landscaping, Screening, and Buffer Areas.

SUMMARY: The section change eliminates the special height and bulk requirements for accessory buildings and structures and it varies from existing standards contained in the Zoning Regulations, but the Planning and Zoning Commission may find it appropriate to adopt it as submitted, and allow for a new standard permitting larger accessory buildings to support the principal uses. Any adverse visual impacts should be mitigated by the requirements contained in §32-15.16, Landscaping, Screening, and Buffer Areas.

§32-15.4, Location

The existing section is modified to limit development of a Senior Residential Community to Town-owned properties. This will prevent a developer of privately owned property from seeking approvals for a Managed Residential Community as currently allowed pursuant to §32-15. This result may have little or no impact because as stated previously, the Planning and Zoning Commission has not reviewed a proposal for a Managed Residential Community since the adoption of the §32-15 in 1998.

The following requirements remain unchanged: Properties shall have frontage on an Arterial street, buildings shall be connected to public utilities, and may not be located in a Special Flood Hazard Area.

SUMMARY: Drafting requirements to limit development to Town-owned property may be considered consistent with other sections in the Zoning Regulations that allow certain residential uses only on Town-owned property and/or property owned by the Westport Housing Authority, including: §20, Municipal Housing Zone; §32-2, Elderly Housing Municipal; §32-14, Conversion of School Buildings to Housing; and §32-17, Affordable and Middle Income Housing on Town-Owned Property.

§32-15.5, Lot Area, Shape and Frontage

The existing section is modified to require properties shall be a minimum 4-acres in size to be eligible for a Senior Residential Community if located in the Res AAA, Res AA, Res A, and PRD zoning districts. The existing 2-acres minimum lot size requirement is maintained for properties located in the BCD, GBD, HDD, HSD, RBD, RORD, and RPOD non-residential zoning districts. See the attached map and list of Town-owned properties eligible for §32-15, *Senior Residential Community*. Thirteen Town-owned properties qualify including one, 2+-acres site (Luciano Park) and twelve, 4+ acres sites. The proposed 4-acre minimum lot size requirement represents a reduction from the 6-acres previously required for a Managed Residential Community in a residential or PRD zoning district. Good site design and efficient use of the land will allow a Senior Residential Community to locate on a 2+-acre or a 4+-acre property. Screening, buffering, and other mitigation is provided in §32-15.16; requiring another 2 acres for a total of 6 appears arbitrary and unnecessary. Additionally, the reduced lot area requirements may encourage green strategies, may reduce land coverage, and may promote energy conservation consistent with the goals contained in the *2007 Town Plan of Conservation and Development*.

The proposed lot area requirement may be considered consistent with other sections of the Zoning Regulations adopted by the Planning and Zoning Commission since §32-15, Managed Residential Community was adopted in 1998, including:

- Modifications approved to §18, Res C district allowed redevelopment and adaptive residential reuse of buildings on 2-acre lots in non-residential zoning districts, and with no minimum lot area requirement in residential districts provided an approved non-residential use exists on site;
- §20, Municipal Housing Zone (MHZ), requires a 4-acre minimum lot size;
- §24A, General Business District/Saugatuck (GBD/S), requires 40,000 SF minimum lot size;
- §32-1, Supportive Housing, requires twice the minimum lot area of the underlying zone;
- §32-12, Inclusionary Two-Family and Multi-Family Dwellings, no minimum lot size or shape requirements;
- §32-17, Affordable and Middle Income Housing on Town-Owned Property, requires 3,000 SF minimum lot size; and
- §39A, Inclusionary Housing Overlay District (IHZ), no minimum lot size or shape requirements.

The existing lot shape requirements are removed from §32-15.5.

SUMMARY: The proposed 4-acre minimum lot size requirement in the Res AAA, AA, A, and PRD zoning districts may be considered consistent with existing sections in the Zoning Regulations that allow multi-family residential development. The proposed removal of the lot shape requirements is also consistent with other sections in the Zoning Regulations that allow multi-family development.

RECOMMENDATION: Staff recommends adding language to §32-15.5, if adopted, identifying there is no lot shape requirements, consistent with the same language found in §32-12, and §39A.

§32-15.6, Affordable Units

The existing section is modified to require affordable units. Currently no affordable units are required in a Managed Residential Community. Instead density bonuses are offered at a 2:1 ratio for any affordable unit. The section is modified to require not less than 60% of units of all units in a Senior Residential Community shall comply with affordable housing requirements pursuant to Connecticut General Statutes §8-30(g). The remaining 40% may also be below market rate, but it is not required. Allowing for a mix of affordable and non-affordable units is intended to meet a broader range of income levels and to attract developers of a future Senior Residential Community who might otherwise find more restrictive standards to be cost prohibitive.

Existing requirements in the Zoning Regulations for affordable housing in multi-family developments range from 0 units to 100%. §15, Planned Residential Development requires none. §32-12, Inclusionary Two-Family and Multi-Family Dwellings, requires 20%; §32-17, Affordable and Middle Income Housing on Town-Owned Property, requires 50%; and §20, Municipal Housing Zone, requires 100%.

SUMMARY: The text modification that requires an affordable housing component is consistent with the Purpose statement listed in §32-15.1, and may be considered consistent with existing requirements for affordable housing in multi-family development in the Zoning Regulations.

§32-15.7, Density

The allowable density for a Managed Residential Community is 15 residential units per acre in any zoning district. This density will be maintained in a Senior Residential Community for the residential units located in an Independent Living Facility as defined in §5. Any two (2) beds in a Senior Residential Community located in an Assisted Living Facility or Full Care Living Facility as defined in §5 are considered one (1) unit.

SUMMARY: The density requirements may be considered consistent with the existing standards in §32-15.

§32-15.8, Setbacks

The existing setback regulations applied to a Managed Residential Community require different standards depending on whether the site is in a residential or non-residential zoning district. Enhanced setback requirements are applied to buildings in a residential zoning district. Setback requirements comparable to the underlying zone are applied to buildings in a non-residential zoning district.

§32-15.8 is modified to require all buildings in a Senior Residential Community shall comply with the setback standards of the underlying zone in any zoning district. In cases where buildings are taller than allowed in the underlying zoning district setback standards of the underlying zone shall be doubled to help mitigate potential impacts to neighboring properties.

SUMMARY: Requiring setbacks for buildings in a Senior Residential Community comparable to other buildings allowed in the same zoning district may be considered consistent with the Zoning Regulations. Based upon recent building trends it should no longer be assumed all facility buildings are larger than the single-family homes that may be adjacent, and consideration should be given to no longer requiring facility buildings to be setback further from property boundaries. The scale and appearance of neighboring buildings can be preserved with good design. Greater setback requirements do not guarantee better results. Greater setbacks can also have the unintended result of creating longer driveways and more lot coverage contrary to the green strategies and sustainable initiatives promoted in the *2007 Town Plan of Conservation and Development*.

Other sections in the Zoning Regulations grant discretion to the Planning and Zoning Commission to approve taller buildings when site conditions warrant, but setback requirements are maintained. The proposed language that requires setbacks shall be doubled in the case of taller buildings offers added protection to neighboring properties and may be considered consistent with, and more desirable than existing sections in the Zoning Regulations.

§32-15.9, Height

The existing height requirements allow 2 ½ story and 30' tall buildings in a Managed Residential Community. With a permitted density of 15 units per acre, and no limit on the number of buildings allowed on any one site, the regulations create the potential for an undesirable scenario involving a development containing multiple buildings spread out across a single site in an effort to maximize the density allowed to increase financial returns. A more desirable and environmentally sensitive approach is to promote vertical development. Promoting building height will also encourage underground parking and potentially reduce environmental as well as visual impacts that can result from large parking lots located in front of a building within view of the street.

The proposed building height requirements in a Senior Residential Community are intended to encourage buildings to go up, not out, by allowing 3 ½ story and 45' tall buildings. Standards for allowable coverage are reduced in §32-15.11 to further encourage desirable, and more energy efficient development. Additional height requirements are proposed and supplemental discretion is authorized allowing the Planning and Zoning Commission to approve taller buildings in cases involving "topographically-challenged" sites, to accommodate "stepped" buildings and to encourage site design that works with the existing slopes on a site.

Members of the Architectural Review Board (ARB), at their 1/25/11 meeting, observed the Planning and Zoning Commission may need guidance to know when it is appropriate to use their discretion to approve taller buildings pursuant to §32-15.9. ARB review will occur for any future Senior Residential Community project as ARB's jurisdiction includes review of all projects requiring Special Permit approval from the Planning and Zoning Commission. ARB members unanimously recommend approval of the amendment and suggested any future Request for Proposals for a Senior Residential Community might include requirements for additional "green" applications and/or LEED certification requirements.

SUMMARY: The section change may be considered consistent with the goals and sustainable initiatives found in the *2007 Town Plan of Conservation and Development*. The Zoning Regulations already include provisions granting discretion to the Planning and Zoning Commission to approve taller buildings in cases of sloping sites and/or floodplain conditions. For instance §24A-5 grants an additional 5-foot height allowance for buildings in a General Business District/Saugatuck (GBD/S) development in cases of sloping sites and/or floodplain conditions. §15-6 grants another story to buildings located in a Planned Residential Development (PRD) on properties where the topography permits direct entry in at least two floor levels.

§32-15.10, FAR

The existing Floor Area Ratio (FAR) standards for a Managed Residential Community require 0.25 FAR for facilities in a non-residential zoning district; there is no standard for residential zoning districts.

The section is modified to require an FAR in both residential and non-residential zoning districts for a Senior Residential Community. The section will be more restrictive than currently exists as imposing an FAR in residential districts will further control allowable building size. A 0.35 FAR is proposed which is greater than 0.25, but is comparable to the FAR allowed for multi-family development in other sections of the Zoning Regulations, including §18, Res C District, that allows a 0.3 FAR; §24A, General Business District/Saugatuck, that allows a 0.5 FAR; §32-12, Inclusionary Two-Family and Multi-Family Dwellings, that allows 0.35 FAR; and §39A, Inclusionary Housing Overlay District, that allows 0.5 FAR.

SUMMARY: The proposed FAR standards may be considered consistent with the Zoning Regulations.

§32-15.11, Coverage

The existing coverage requirements for a Managed Residential Community allow:

- 15% Building Coverage and 25% Total Coverage in a residential district; and
- 20% Building Coverage and 30% Total Coverage in a non-residential district.

The proposed coverage requirements for a Senior Residential Community apply a single standard to both residential and non-residential zoning districts and allow:

- 15% Building Coverage and 30% Total Coverage.

The proposed standards, in comparison to the existing standards, provide a slight decrease in allowable Building Coverage for properties in non-residential districts, and a slight increase in allowable Total Coverage for properties in residential districts.

The proposed coverage standards are intended to encourage vertical development which may result in more environmentally sensitive and energy efficient buildings as discussed previously herein.

The proposed standards are much more restrictive in comparison to other sections in the Zoning Regulations that allow multi-family development.

§15 Planned Residential Development; §16 Mobile Home Park District; & §20 Municipal Housing Zone allow: 20% Building Coverage and 50% Total Coverage.

§17, Open Space Residential District allows 25% Building Coverage and 50% Total Coverage.

§18, Res C District and §19, Residential Affordable Housing Zone allows 25% Building Coverage and 60% Total Coverage.

§32-15.11, also proposes calculating coverage based on gross lot area. This would allow inclusion of any areas containing steep slopes or wetlands in coverage computations. The purpose for this change is to allow for reasonably-sized buildings and structures on sites that may contain significant areas of steep slopes and/or wetlands.

SUMMARY: The proposed 15% Building Coverage and 30% Total Coverage standards for a Senior Residential Community may be considered consistent with, and in some cases more restrictive than, existing sections in the Zoning Regulations. The coverage requirements and the height requirements in §32-15.9 are intended to achieve a balance by providing for building height increases while simultaneously providing for coverage decreases. The proposed standards may be considered consistent with other sections in the Zoning Regulations that allow for greater building height if on-site coverage is simultaneously reduced, see §19A, Residential Affordable Housing Zone/Workforce.

The proposed coverage calculations based on gross lot area vary from the manner coverage is calculated for other uses which include reductions for steep slopes and wetlands. Using the gross lot area is consistent with the current method listed in the Zoning Regulations to calculate floor area. If the Planning and Zoning Commission finds merit in adopting the standard as submitted than such a finding should be added to any resolution of approval clarifying it may be beneficial on sites containing areas of steep slopes or wetlands to provide for development of a Senior Residential Community

Alternatively, if the Planning and Zoning Commission finds adopting the standard as proposed is inconsistent with the Zoning Regulations, than more coverage should be allowed for sites containing a Senior Residential Community to account for potential deductions of steep slopes and/or wetlands. For instance §32-15.11 might be adopted as modified by the Commission to allow 25% Building Coverage and 50% or 60% Total Coverage, consistent with existing sections in the Zoning Regulations.

The Planning and Zoning Commission might also modify the regulation to allow minor coverage exemptions consistent with other sections in the Zoning Regulations including §24A, General Business District/Saugatuck (GBD/S), and §32-12, Inclusionary Two-Family and Multi-Family Dwellings. Coverage exemptions at the discretion of the Planning and Zoning Commission could be provided for porches, decks, balconies and other similar open structural projections provided that such open structural projections will benefit public access, safety, or convenience or will further the intent to preserve and/or enhance the historic character or appearance of the surrounding area. Such a modification could be adopted without requiring a new legal notice, as only discretion is granted to the Planning and Zoning Commission that will be evaluated on a case by case basis during development review in the future.

§32-15.12, Unit Sizes

The existing standards for a Managed Residential Facility require a minimum unit size of 350 SF and a maximum unit size of 2-bedrooms. The proposed unit size standards for a Senior Residential Community is based upon square footage, not bedrooms, and requires units not to exceed an average of 1,250 SF. The proposed standards provide for a variety of housing alternatives. There could conceivably be a mixture of one-bedroom, two-bedroom, and three-bedroom units so long as the 1,250 SF average unit size is maintained within a Senior Residential Community.

SUMMARY: The proposed unit sizes may be considered consistent with existing sections in the Zoning Regulations that allow 1,250 SF average unit sizes such as §39A, Inclusionary Housing Overlay District.

§32-15.13, Open Space

The existing standards for a Managed Residential Facility require a minimum of 450 SF shall be provided for each residential unit. This standard is maintained for a Senior Residential Community. Language requiring what form the open space shall be provided is removed. Existing language requires improvements to land designated as open space rather than allowing the area to remain in its' natural state. The existing language requires the open space area, "shall be graded, screened, and landscaped..." and further requires it may not contain areas of steep slopes or wetlands. This existing requirement appears counterintuitive to the intent to provide and preserve open space in its' natural state.

SUMMARY: The Open Space standards may be considered consistent with other sections of the Zoning Regulations that allow multi-family development and that also require a minimum 450 SF of open space per unit, including §17, Open Space Residential District; §19A, Residential Affordable Housing Zone/Workforce; and §20, Municipal Housing Zone.

RECOMMENDATION: A leftover reference to “private residential unit” should be removed, consistent with the proposal to remove all references. If the amendment is adopted the word “private” should be removed from the first line in §32-15.13, Open Space.

§32-15.14, Signs

No changes proposed. No review required.

§32-15.15, Parking and Loading

This section identifies parking standards for residential units in a Managed Residential Community are listed in §34 of the Supplementary Use Regulations. This reference is maintained when describing where to find information on parking standards for units in a Senior Residential Community, see discussion on proposed changes to §34 herein.

This section currently requires only one (1) loading space for a Managed Residential Community. This section is modified to require a minimum of one (1) loading space for a Senior Residential Community, and to authorize the Planning and Zoning Commission to require more loading spaces if deemed necessary. A Senior Residential Community may consist of multiple components including an Independent Living Facility, an Assisted Living Facility, and a Full Care Living Facility. Each facility may have individual loading demands that should be supported on site. Therefore it may be appropriate to authorize the Commission to require more than one (1) loading space for a future Senior Residential Community that may contain more than one type of facility.

Language is also proposed allowing the Planning and Zoning Commission to require additional parking per unit in a Senior Residential Community in addition to the minimum requirements listed in §34. This is an added safeguard to provide for adequate parking on site.

SUMMARY: The proposed parking and loading standards may be considered consistent with other sections in the Zoning Regulations. §34-10 requires more than one (1) loading space for a site containing buildings with a combined floor area that exceeds 25,000 SF. A Senior Residential Community may consist of multiple facilities including an Independent Living Facility, an Assisted Living Facility, and a Full Care Living Facility. Each facility may have individual loading demands that should be supported on site.

§32-15.16, Landscaping, Screening, and Buffer Areas

No changes proposed. No review required.

§32-15.17, Architectural Design

Existing architectural standards for a Managed Residential Community will be maintained for a Senior Residential Community including requiring pitched-roof buildings, and requiring screening of any rooftop mechanical equipment. §32-15.17 requires building to be “*residential in character and compatible in scale with the surrounding neighborhood so as to protect property values and preserve and improve the appearance and beauty of the community.*”

Existing building spacing standards require a separation that is equal to one-half the sum of the heights of the adjacent buildings. The architectural design standards are modified to require groups of buildings on a single lot be arranged so that the minimum horizontal distance between the nearest walls or corners of any principal and/or accessory buildings shall not be less than fifteen (15) feet. The proposed standard will allow for buildings to be grouped together reducing impervious area on site consistent with energy conservation and sustainable initiatives listed in the *2007 Town Plan of Conservation and Development*.

As previously stated, the Architectural Review Board (ARB) unanimously recommended approval of Text Amendment #625. Future development of a Senior Residential Community on a specific site will require review by ARB prior to review by the Planning and Zoning Commission, as a Senior Residential Community is a Special Permit use.

SUMMARY: The modified building spacing requirements may be considered consistent with existing sections in the Zoning Regulations, and in some cases is more restrictive than existing sections. The proposed 15-foot separation requirement for a Senior Residential Community is consistent with the standards in §19A, Residential Affordable Housing Zone/Workforce that also require a 15-foot building separation. A less restrictive standard is allowed for buildings in a §39A Inclusionary Housing Overlay District that must maintain a 10-foot separation. The proposed language may also be considered consistent with the *2007 Town Plan of Conservation and Development* which encourages the reduction of land coverage to conserve energy.

RECOMMENDATION: Further reducing proposed building separation requirements for buildings in a Senior Residential Community may be beneficial as it will provide more flexibility in site design. The Planning and Zoning Commission may modify the proposal to allow for a ten-foot (10') separation or to require the average building separation shall be not less than fifteen-feet (15'), consistent the standards found in §19A, Residential Affordable Housing Zone/Workforce.

§32-15.18, Utilities

No changes proposed. No review required.

§32-15.19, Subdivision

A new section is proposed to address potential subdivision of Town-owned properties that are eligible for a Senior Residential Community. The regulations are intended to grant flexibility in financing a Senior Residential Community, and provide for zoning standards should subdivision of Town-owned property occur. For instance in the case of Baron's South, if the 22+ acre site were subdivided into five (5) lots as demonstrated on the attached Proposed Senior Housing Plan for the Baron's Site dated 1/4/11, than the lot could continue to be considered a single lot for purposes of zoning compliance. The proposed language recognizes it is unnecessary for instance to require the additional buffers that setbacks provide between property boundaries between lots that may contain a Senior Residential Community and a Senior Center.

SUMMARY: The proposed standards in cases of subdivision allowing multiple lots to be considered as one for zoning purposes may be considered consistent with existing sections in the Zoning Regulations. §44-7 allows the same provisions in cases of two-lot divisions of land with mixed-use developments. Financial lenders sometimes require the residential component of a development to be located on a parcel separate from the non-residential development on the same site. The standards in §44-7 have been applied to date to multiple sites in Westport without any adverse impacts to adjacent properties.

§34-5, Parking Requirements Table

§32-15, Managed Residential Community, by reference to §34-5, currently requires 0.75 spaces per unit. The proposed parking standards for a Senior Residential Community require more parking. Proposed parking standards include: 1.0 parking space for each unit in an Independent Living Facility; 0.5 spaces for each bed in an Assisted Living Facility; and 0.5 spaces for each bed in a Full Care Facility.

The proposed parking standards for the Assisted Living Facility and Full Care Facility exceed the requirement found in §34-5 for Hospitals and Convalescent Homes that require 1.0 parking space for each three (3) beds. The proposed parking standards for a Senior Residential Community are more conservative in comparison to existing standards for comparable uses found in the Zoning Regulations; however the text is proposed to address concerns about providing adequate parking that were raised during discussion of conceptual development of a Senior Residential Development at Barons' South.

Requiring more parking than may be necessary is contrary to some of the goals listed in the *2007 Town Plan of Conservation and Development* that promote reducing land coverage. Potential environmental and visual impacts may result from requiring more parking which can be offset if underground parking is designed in lieu of a parking lot located adjacent to the street in front of a building. Allowing the building height as proposed in §32-15.9 will help encourage underground parking.

SUMMARY: The proposed modifications to parking standards that provide for a Senior Residential Community may be considered consistent with, and more restrictive than, existing parking standards applied to comparable land uses listed in §34-5 of the Zoning Regulations.

§32-8.2, Excessive Fill Regulations

A new section is proposed to allow more excavation and fill than is currently permitted associated with a Senior Residential Community on Town-owned property. §32-8 currently limits grade changes to no more than ten-feet (10'). A grade change greater than ten-feet (10') may be required to accommodate development of a Senior Residential Community on sloping sites such as Baron's South especially if an underground parking lot is proposed. §32-8.2.1(d) allows the limits on excavation and fill activities to be exceeded in cases of a Senior Residential Community, on a sloping site, subject to the discretion of the Planning and Zoning Commission, and in conjunction with reduced building coverage.

The regulation if adopted will avoid the need to allocate Town resources in the future if necessary seeking variances from the Zoning Board of Appeals in unique circumstances involving sloped sites. The regulation if adopted will also allow measurement of building height from proposed grade rather than existing grade. This will avoid the need to allocate Town resources in the future if necessary seeking a separate Excavation and Fill approval from the Planning and Zoning Commission to establish a proposed grade from which building height may be measured.

SUMMARY: The change proposed in §32-8.2 may be considered appropriate although not identical to existing sections in the Zoning Regulations. Exemptions and special provisions are already contained in §32-8 for certain activities. Other sections in the Zoning Regulations were previously adopted to reduce the regulatory burden associated with seeking additional land use approvals. §29A, Business Center District/Historic, was created in part to relax the zoning standards for buildings located in Westport Center that cannot otherwise be modified without a variance due to their pre-existing size and location. If the Planning and Zoning Commission finds merit in adopting the excavation and fill standards for development of a Senior Residential Community on Town-owned property than such a finding should be added to any resolution of approval.

Considerations

Location Requirements

Whereas the proposed text amendment is not site specific future locations where §32-15, *Senior Residential Community*, may be applied should generally be considered. The existing location requirements for a Managed Residential Community are modified to require a Senior Residential Community shall be located on a Town-owned property. The existing lot area and lot shape standards are modified to provide for an appropriate scale and relationship between a future Senior Residential Community and an existing residential and/or non-residential neighbor as discussed in the Analysis section herein.

The list of potential development sites for a Senior Residential Community is based upon the criteria listed below. A list of eligible properties that conform to the criteria is attached, as well as a map showing their locations. The map is difficult to read due to its' size. A larger version of the map is available in the Amendment file and will be presented to the Planning and Zoning Commission at the public hearing.

Using the Town's Geographic Information Systems (GIS), and supplemental manual map analysis, thirteen (13) Town-owned properties were found to qualify for §32-15, *Senior Residential Community*, as proposed. Some of the thirteen (13) properties are unlikely to be developed in the future due to the presence of sensitive environmental or historical resources such as "Silent Grove" off Cross Highway due to the significant wetland area at, or the West Parish Meeting House off Greens Farms Road, a historical archeological site.

Some of the thirteen (13) properties are already developed and are supporting the current needs of the Town, including: Schools such as Coleytown Middle and Elementary, Greens Farms Elementary, and King’s Highway and Saugatuck Elementary Schools, Bedford Middle and Staples High School; Municipal Facilities such as Town Hall, and the Library/Police Station property; Recreational Facilities such as the golf course at Longshore off Compo Road South, or the playing fields at the “Town Farm” off Compo Road North; and Commuter Parking adjacent to Luciano Park and the Saugatuck train station.

Residents’ needs are subject to change; therefore the existing use of some of the thirteen (13) eligible properties may be re-evaluated in the future, and development of a Senior Residential Community may be deemed appropriate. The “Hillspoint School” at 90 Hillspoint Road for instance, is Town-owned property currently leased to a non-profit day care service provider. This lease is subject to periodic review and renewal, allowing for re-evaluation by the Town based upon its’ needs in the future.

Baron’s South is Town-owned property at 60 Compo Road South. The property is centrally located in Westport. It is 22+ acres in size, it has 200+ feet of frontage on Compo Road South (Rte. 136), and is primarily located within the Res A zoning district with a small area on the west side located in the Restricted Professional Office District (RPOD), and a small area on the north side located in the General Business District (GBD). The Westport Center for Senior Activities is located on Baron’s South as well as multiple residential building some of which are used for rental housing and others for storage. The Baron’s South property meets the location criteria proposed in §32-15 and it is the property used to demonstrate how the regulations if adopted may be applied and may allow for development of a Senior Residential Community.

Proposed location criteria in §32-15 to qualify property as eligible for a Senior Residential Community:

1. Shall be Town-owned property;
2. Shall have a minimum lot area of 4-acres in the Res AAA, AA, A, and PRD zoning districts, and a minimum lot area of 2-acres in the BCD, GBD, HDD, HSD, RBD, RORD, and RPOD zoning districts; and
3. Shall have 200’ lot frontage on an Arterial Street as listed in the Road Classifications Table on Pg. 8-2 of the *2007 Town Plan of Conservation and Development*, reproduced below:

Four Lane Arterials	Post Road (Route I)	Sherwood Island Connector
Arterials	Route 33	Kings Highway North
	Route 57	Long Lots Road
	Route 136	Lyons Plains Road
	Avery Place	Main Street
	Compo Road (N and S)	Myrtle Avenue
	Cross Highway	North Avenue
	Ferry Lane (not E or W)	Riverside Avenue
	Green's Farm Road	Roseville Road
	Hillspoint Road	Saugatuck Avenue
	Jesup Road	Turkey Hill Rd (N and S)

Other Requirements

The Planning and Zoning Commission acting in their legislative capacity has the authority to adopt, deny, or modify the amendment. The Commission may approve changes to one section without obligation to also approve another section. If any significant text changes are recommended by the Commission it is advisable to re-legal notice these changes and to continue the public hearing prior to rendering a decision. If the Planning and Zoning Commission adopts the amendment, an effective date must be established. If adopted, staff recommends an effective date within 30 days of approval.

The Planning and Zoning Commission should consider the following before rendering any decision as required by the Westport Zoning Regulations and the Connecticut General Statutes. §42-3.3 of the Westport Zoning Regulations describes the process for submission of a text amendment. Words to be deleted shall be bracketed and struck out and additions shall be underlined. The application as submitted conforms to this requirement.

§42-3.5 requires submission of an Explanatory Statement describing the need for the amendment and identifying any benefits to the Town, see attached from the First Selectman dated 1/10/11. This statement describes there is an urgent community need to increase the available inventory of below market rate housing, as well as a need to enhance the types of housing choices offered to Westport residents, especially seniors. Additionally, there is a growing need for skilled nursing beds that can serve residents' needs such as short term rehabilitation, long-term care, advanced dementia, chronic care, and hospice care.

The existing affordable housing inventory in Westport equals 233 units, according to the most recently available data. This represents approximately 2.31% of the total housing inventory (10,065 single and multi-family dwelling units) as listed in the 2000 U.S. Census, see attached spreadsheet entitled Affordable Housing Appeals List/Governmentally Assisted Units (Period 7/09-6/10) (published 2/1/11), and Maximum Sale Price of Affordable Units under §8-30g, dated 5/20/10. Affordable Housing is defined in §8-30g of the Connecticut General Statutes as housing that is affordable to those earning 80% of the state median income or area median income, whichever is less, adjusted for family size. The maximum income for a family of four (4) to meet this criteria is \$68,960. For more information on affordable housing and the income guidelines for Westport, see attached memorandum Affordable Housing as Defined in State Statutes §8-39a & §8-30g, dated 9/28/10.

Criteria for review pursuant to the Connecticut General Statutes

§8-2 of the Connecticut General Statutes requires consideration by the Planning and Zoning Commission that any regulations shall be made in accordance with a comprehensive plan (zoning regulations and zoning map) and in adopting such regulations the Commission shall consider the Plan of Conservation and Development. The amendment appears to be consistent with the comprehensive plan, and with the following goals and strategies listed in the 2007 Plan of Conservation and Development:

- *“It is a goal of this Plan to seek ways to expand the variety of housing choices and options of Westport in order to help meet the needs of existing and future residents while maintaining the character and integrity of the town.” Pg.6-1*
- *“Westport should continue efforts to help seniors who may not want or need large single-family houses to remain in Westport and to provide opportunities for others. Since single-family detached housing may not meet the needs of all people, the Plan recommends that Westport explore ways to diversify the housing portfolio of the community.” Pg. 6-2*
- *“Require all housing construction in Westport either provide affordable housing units or pay into an affordable housing trust fund.” Pg. 6-4*
- *Consider modifying the zoning regulations to allow municipal facilities to have greater coverage (building and impervious) through a Special Permit.” Pg. 9-7*
- *“Evaluate the zoning regulations for ways to reduce land coverage and building size to conserve energy.” Pg. 11-5*

Notice to the Public

A legal notice appeared in the Westport News and was posted in the Town Clerk's Office along with copies of the proposed text, as required pursuant to Connecticut General Statutes §8-7d. A copy of the legal notice was also mailed to those persons on the Notice Registry pursuant to state statutes. A copy of the proposed text was also sent to the Chairman of the RTM Planning and Zoning Committee as well as the RTM Moderator. The text is additionally posted on the Town website, www.westportct.gov. Additionally, a press release was sent to the local newspapers.

Department Comments

Building Official:	<p>“The creation of senior living in Town is a great idea. Most people as they age want to stay at home however, sometimes that is not practical. Having an option to remain in Westport, close to family and friends, will make again more comfortable. The building codes will ensure this type of occupancy is stricter than single family dwellings, making it safer for older persons.”</p> <p><i>2/9/11</i></p>
Conservation Department:	See attached dated 2/1/11
Fire Department:	<p>“I have reviewed the proposal for Text Amendment #625. The Fire Department does not have a problem with this as we do not have jurisdiction with this matter. The Fire Department concerns would begin with site plans to verify the site for required emergency access. The structure(s) on the site would be required to be designed and built to meet the requirements of the Connecticut Building and Fire Safety Codes in effect at the time.”</p> <p><i>2/1/11</i></p>
Health District:	Referral sent
Parks and Recreation Dept.:	Referral sent
Police Department:	“I support the proposed amendment.” <i>2/3/11</i>
Public Works Department:	“This office has no comments.” <i>2/3/11</i>
Town Attorney’s Office:	See attached dated 1/28/11
Architectural Review Board:	Reviewed at their 1/25/11 meeting, see attached minutes
South Western Regional Planning Agency (SWRPA):	<p>“This forward looking proposal should serve as a model for other South Western communities to meet senior affordable housing and health care needs. Adverse inter-municipal impacts are not likely based upon the proposed text change.”</p> <p><i>Reviewed at their 2/7/11 meeting</i></p>
Greater Bridgeport Regional Planning Agency (GBRPA):	Scheduled for review at their 2/23/11 meeting, (January meeting cancelled due to weather).
State of CT Department of Environmental Protection, Office of Long Island Sound Programs (DEP OLIS):	“No comments.” <i>1/25/11</i>

Attached

Positive §8-24 Report from the Planning and Zoning Commission dated 11/5/10

Zoning History of §32-15 prepared by M. Perillie, dated 11/19/10

Memorandum from the Assistant Town Attorney, dated 1/28/11

1/25/11 ARB Meeting Minutes

Comments from the Conservation Director dated 2/1/11

Text Amendment #625, dated 2/7/11, with formatting as required by §42

Text Amendment #625, dated 2/7/11, "clean version" showing text without formatting

Explanatory Statement, dated 1/10/11

Proposed Senior Housing Plan for the Baron's Site dated 1/4/11

Letter from Jack Klinge, President of the Friends of the Center for Senior Activities and Chair of the RTM Long Range Planning Committee, dated 2/7/11

Map of Town-Owned Eligible for Senior Residential Community, prepared by the Dept. of Public Works, dated 2/9/11

List of Town-Owned Properties Eligible for Senior Residential Community, prepared by the Dept. of Public Works, dated 2/9/11

Available in the file

Memorandum prepared by Michelle Perillie, Affordable Housing as Defined in State Statutes §8-39a & §8-30g, revised 9/28/10

Memorandum prepared by Michelle Perillie, Maximum Allowable Multi-Family Dwellings under §4-5, revised 10/7/09