

§19B RESIDENTIAL-RENTAL HOUSING OPPORTUNITY / WORKFORCE ZONE (R-RHOW) *Revised 10-09-16*

19B-1 Purpose

The purpose of the Residential-Rental Housing Opportunity/Workforce Zone (“R-RHOW”) is to:

- (a) Increase the availability of affordable and attainable rental workforce dwellings in Westport where existing and adequate public facilities and services are present.
- (b) Encourage the construction of rental workforce dwellings that is within the economic means of moderate and low income households, and is in a mixed-income development.
- (c) Promote housing choice and economic diversity, including rental housing for low and moderate income households, within the Town of Westport.
- (d) Efficiently utilize existing infrastructure and promote neighborhood planning by providing, where infrastructure support is available, a diversity of housing, densities, sizes, and prices.

Workforce housing which fully satisfies the intent, requirements and purposes of Section 8-30g of the Connecticut General Statutes, must be part of any housing proposal submitted for approval within this Zone District.

19B-2 Permitted Uses:

The following uses shall be permitted subject to site plan approval by the Commission in accordance with the standards set forth herein:

- (a) Multi-family residential dwellings, related accessory buildings, amenities, structures and uses.
- (b) Commercial, including retail, and professional and medical office, with related amenities. Commercial uses shall not exceed 6,000 square feet in total. Any commercial use shall be located in a building housing residential dwellings.

19B-3 Site Requirements:

No parcel of land shall be rezoned to R-RHOW unless it satisfies the following:

- (a) has a minimum lot size of 1.5 acres;
- (b) has a minimum of 400 feet of frontage on the north side of the Boston Post Road;
- (c) is within 400 feet of the intersection of Morningside Drive and the Boston Post Road;
- (d) is within 650 feet of the intersection of Turkey Hill Road and the Boston Post Road;
- (e) has access to existing public water and public sewer; and
- (f) does not exceed four stories of livable floor area, not including below grade living area.

19B-4 Bulk, area, dimensional, and open space requirements:

The following requirements shall be deemed to be the minimum or maximum requirements in every instance of an application:

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| (a) | Minimum lot area | 1.5 acres |
| (b) | Minimum lot width | 400 feet |
| (c) | Minimum front setback | 30 feet |
| (d) | Minimum side setback | 15 feet |
| (e) | Minimum rear setback | 30 feet |
| (f) | Maximum building height | 60 feet or 4 stories |
| (g) | Maximum impervious coverage: | 80% of gross lot area |

19B-5 Other standards:

19B-5.1 Private roads:

When private roads are proposed, they shall be designed and constructed in accordance with the standards of the Town of Westport for municipal roads.

19B-5.2 Parking (Residential):

Notwithstanding the requirements of §34, parking shall be designed to provide safe circulation, at least 25% of provided parking shall be covered, and the following minimum parking shall be provided:

- | | | |
|-----|----------------------|---------------------|
| (a) | studio dwelling | 1.50 parking spaces |
| (b) | one bedroom dwelling | 1.50 parking spaces |
| (c) | two bedroom dwelling | 2.25 parking spaces |

19B-5.3 Parking (Commercial):

Notwithstanding the requirements of §34, adequate parking shall be provided.

19B-5.4 Density: The maximum number of multi-family dwellings shall not exceed 50 per acre.

19B-6 Site Plan Documents Required to be Submitted

Those documents provided by §44-1 of these Regulations are required to be submitted with an application filed pursuant to this §19B, except as otherwise provided in this §19B.

19B-7 Traffic Study:

Upon request of the Commission, a traffic study shall be prepared and submitted to the Commission with regard to the existing and proposed traffic conditions and circumstances. An application for site plan submitted pursuant to this §19B, not be subject to §44-2.5.

19B-8 Application Requirements:

- 19B-8.1 Petition to re-zone, if required, as provided by these Zoning Regulations.

- 19B-8.2 Application for site plan, with only those documents provided by §44-1 of these Zoning Regulations being required as part of the application, except as otherwise provided in this §19B.

- 19B-8.3 An application for site plan submitted pursuant to this §19B is not subject to §32-8, §32-12 and §32-18.

- 19B-8.4 An application for site plan submitted pursuant to this §19B is not subject to §44-2, although the Commission may refer the application for comment to any of the agencies referenced in §44-2.1.

- 19B-8.5 An application for site plan approval submitted pursuant to this §19B is not subject to §44-2.6. However, any RHOD shall obtain necessary approvals from the Water Pollution Control Authority prior to obtaining any related certificate of occupancy.

- 19B-8.6 An application for site plan approval submitted pursuant to §19B is not subject to §44-2.7.

- 19B-8.7 An application for site plan approval submitted pursuant to §19B is not subject to §35, 37, §44-1.4.5, §44-3, §44-5.4 and §44-5.5. However, appropriate landscaping and lighting, and appropriate sediment and erosion control measures, shall be provided.

- 19B-8.8 An application for site plan approval submitted pursuant to §19B shall provide for no net increase in peak storm water flows or volume from existing conditions at the subject property.

- 19B-8.9 An application for site plan approval submitted pursuant to §19B shall not be subject to the multi-family housing restrictions of §4-5, or any other regulatory restriction on, or prohibition of, multi-family housing.

19B-9

Definitions:

- (a) A "Rental Housing Opportunity Development" ("RHOD") is a housing development in which not less than thirty percent (30%) of the dwelling units will be held or conveyed by deeds containing covenants or restrictions which shall require, for a period of at least forty (40) years, that such dwelling units be rented at, or below, prices which will preserve the units as affordable housing as defined in §8-30g of the Connecticut General Statutes, as amended.

- (b) "Rental Workforce Dwelling" means a dwelling unit within a Rental Housing Opportunity Development that is subject to long-term price restrictions that comply with §8-30g of the Connecticut General Statutes, as amended.

19B-10 Requirements For Workforce Homes:

- 19B-10.1 The following requirements shall apply to Rental Workforce Dwellings:
- (a) Rental Workforce Dwellings shall be of a construction quality that is comparable to market-rate units within the development.
 - (b) Rental Workforce Dwellings shall be dispersed throughout the development and built on a pro rata basis as construction proceeds.
 - (c) In conjunction with an application for approval of a site plan for an RHOD development, the applicant shall submit an "Affordability Plan," as required by §8-30g of the Connecticut General Statutes, which shall describe how the regulations regarding affordability will be administered. The Plan shall include provisions for administration of and compliance with this section; notice procedures to the general public of the availability of affordable units; identification of the method for designating affordable units; procedures for verification and periodic confirmation of unit occupancy income; and compliance with affordability requirements.
 - (e) A violation of the regulations contained in this section shall not result in a forfeiture or reversion of title, but the Planning and Zoning Commission of the Town of Westport or its designated agent shall otherwise retain all enforcement powers granted by the Connecticut General Statutes, including §8-12.

19B-11 Sunset Provision:

No application(s) may be submitted to the Commission pursuant to the provisions of this §19B of the Regulations after November 8, 2016, However, any application submitted to the Commission pursuant to the provisions of this §19B prior to November 8, 2016, which is subsequently approved by the Commission, shall be subject to the provisions of this §19B after November 8, 2016. Any request to modify, extend or revise such approval, even after November 8, 2016, shall be subject to the provisions of this §19B of the Regulations.