

§24B GENERAL BUSINESS DISTRICT/RESIDENTIAL (GBD/R) 04-16-17

24B-1 Purpose

The purpose of the General Business District/Residential is to:

- (a) grow the vitality of downtown Westport by including a residential population;
- (b) mitigate traffic impacts to improve public safety on local streets and intersections;
- (c) mitigate traffic generation & parking demand during peak periods on local streets;
- (d) encourage residential and office uses;
- (e) encourage visual and physical access to and along the waterfront;
- (f) improve streetscape and landscape attractiveness.

The General Business District/Residential (GBD/R) shall be limited to areas that are served by a public water supply, suitable power supply and public sanitary sewers; where areas have frontage on a State Highway and on the Saugatuck River, are zoned General Business District as of the effective date of this regulation, and are within “Westport Center” as set forth in the Current Plan of Conservation and Development.

24B-2 Permitted Uses

In the General Business District/Residential (GBD/R), no land, building or structure shall be used and no building shall be hereafter erected, altered, or added to, unless otherwise provided in these regulations, except for one (1) or more of the following uses:

24B-2.1 Special Permit Uses

The following uses are permitted subject to Special Permit and Site Plan Review in accordance with §43 & 44, herein.

- (a) Residential Units (apartments, condos and/or co-ops) not to exceed 3 bedrooms and averaging more than 2,100 square feet of interior floor area.
- (b) Surface parking lots, parking below building, and above ground parking garages.
- (c) Business, professional, insurance, real estate and other offices, (excluding healthcare professional and medical).

24B 2.2 Accessory Buildings, Structures and Uses

Uses customarily accessory to a permitted principal use subject to the provisions of §32-7, herein.

24B-2.2.1 Boat docks.

24B-2.2.2 Boardwalks and other Riverfront Amenities.

24B 2.3 Prohibited Uses

The following uses, in addition to those listed in §32-7, herein, shall be prohibited: healthcare professionals and medical, gasoline filling stations, automobile service establishments, motor vehicle repair garages, any lot, establishment, agency or dealer for new, rental or used motor vehicles, automobiles, motor cycles, trucks, mobile homes, trailers, campers, farm or other heavy equipment, hotels, motels, motor inns, and drive-in restaurants.

24B-3 Lot Area (See §5-2)

Each lot shall have a minimum area of two (2) acres (87,120 square feet) and shall be of such shape that a square with two hundred (200) feet on each side will fit on the lot.

24B-4 Setbacks (See §31-4 through §31-8, also.)

No principal building, structure or use shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary Line, fifteen (15) feet from any side lot line or twenty-five (25) feet from any rear lot line. No accessory building or structure shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary, and fifteen (15) feet from the side and rear lot lines. There shall be a building separation of twenty (20) feet for residential building heights of thirty-five (35) feet or less, and a building separation of twenty-five (25) feet for residential building heights over thirty-five (35) feet.

24B-5 Height

No building or other structure shall exceed a height of twenty-five (25) feet. The Planning and Zoning Commission may, provided the applicant demonstrates to the satisfaction of the Commission, present or future public benefits, allow an additional twenty-two (22) feet in height for residential buildings to the top of a flat roof, or highest ridge of a pitched roof on sites located within the 100-year floodplain that require the building to be elevated, subject to Fire Department review and approval.

The provisions of this section shall not apply to roof-top mechanical equipment and elevator rooms provided:

- 1) All roof-top mechanical equipment shall be screened; and
- 2) All roof-top mechanical equipment and associated screening shall be set back ten (10) feet from the nearest parapet wall or, if no parapet wall, the nearest edge of roof; and
- 3) The structure shall not extend more than five (5) feet above the ridge of the roof or top of flat roof on which it is located.

24B-6 Coverage

24B-6.1 Building Coverage

The building coverage shall not exceed 30% of the area of the Lot within the GBD/R.

24B-7 Building Area

No building shall exceed a footprint of 20,000 square feet.

24B-8 Floor Area

24B-8.1 FAR (see definitions)

The total floor area of all proposed uses shall not exceed a Floor Area Ratio (FAR) of 0.75 provided the total of all non-residential floor area shall not be less than 0.20 FAR and shall not exceed 0.25 FAR. Floor area utilized for parking and loading spaces shall be excluded from the FAR.

24B-8.2 Residential Unit Sizes:

The average interior floor area per dwelling unit shall be more than 2,100 square feet.

24B-9 Residential Density

The maximum allowable density shall not exceed twenty (20) bedrooms per gross acre. The maximum number of units per acre shall not exceed ten (10).

24B-10 Architectural Design

The architectural design, scale and mass of buildings and other structures, including, among other elements, the exterior building material, color, roof-line and building elevations shall be of such character as to harmonize and be compatible with the other buildings in the Saugatuck River area so as to preserve and improve the appearance and beauty of the community. New construction or reconstruction shall adhere to the design purposes of this district.

- (a) Buildings designed to achieve appropriate scale and appearance shall be encouraged.
- (b) Public pedestrian access to the water and a Riverwalk along the water, shall be provided on all sites adjacent to the water.
- (c) Buildings shall be designed and located on the site so as to retain the existing topography and natural features of the land to the greatest extent possible, while balancing the needs of FEMA and Flood Compliance.
- (d) Roof top mechanical equipment, other than solar energy panels, shall be concealed from all sides.

24B-11 Public Waterfront Access (PWA)

All special permit applications shall include Public Waterfront Access as defined in §5 and further detailed in §31-10.7.4.

24B-12 Signs

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

24B-13 Parking and Loading

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

24B-14 Landscaping, Screening and Buffer Areas

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

24B-15 Affordability Requirement and Plan

In conjunction with residential units proposed as part of a GBD/R development, 20% of all proposed units shall be required to be affordable in accordance with CT General Statutes §8-30g. Fractional units at 0.5 and above shall be, rounded up. An affordability plan must be submitted at the time of application in accordance with same. These units must be affordable to households whose income does not exceed 80% of the state or area median income, whichever is lower. The state and area median income figures are from the United States Census and are periodically updated by the U.S. Department of Housing and Urban Development (HUD). Any C.G.S. §8-30g application in the General Business District/Residential must provide all affordable units on-site, and may not utilize the method of compliance set forth below.

Said requirement may be satisfied by the dedication of off-site deed restricted affordable units, said units to be located within the Town of Westport.

- (a) The location and design of such units shall be subject to approval by the Planning and Zoning Commission.
- (b) The Affordability Plan required to be submitted, under this section shall provide for enforceable deed covenants by which the off-site affordable units are guaranteed to have ongoing repairs and maintenance and replacement of capital improvements comparable to the on-site market rate units for the term of the deed restricted affordability requirement. Approval of the form and content of such deeded covenants shall at be at the sole discretion of the Commission.

The Affordability Plan shall also include provisions for administration of and compliance with this section; notice procedures to the general public of the availability of affordable units; procedures for verification and periodic confirmation of unit occupancy income; and compliance with affordability requirements.

- (c) The Commission shall condition the issuance of a Zoning Certificate of Compliance for the residential project upon the dedication of the off-site deed restricted affordable units.

24B-16 Development Cap

No more than two (2) General Business District/Residential developments shall be permitted within the Town of Westport.