



Town of Westport
Planning and Zoning Commission
Town Hall, 110 Myrtle Avenue
Westport, CT 06880
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www.westportct.gov

LEGAL NOTICE OF DECISION

Notice is hereby given that at a meeting held on **June 25, 2020** the Westport Planning and Zoning Commission took the following action:

1. **ADOPTED AS MODIFIED: Text Amendment #777:** #PZ-20-00133 submitted by Richard Redniss to: Add a use subject to Special Permit approval to §32, Supplementary Use Regulations, proposed as §32-26, Adaptive Reuse and Redevelopment of Nonresidential Buildings to Housing. The text amendment will enable preservation and Adaptive Reuse of existing non-residential buildings to be converted to Multi-Family Dwelling use on properties both listed on the Historic Resources Inventory (HRI) and located in Residential A and B Districts. A copy of the adopted text amendment is available on-line at www.westportct.gov is on file in the Town Clerk's Office, is on file in the Planning and Zoning Office, and is attached to this notice.
Effective Date: 7/23/20
2. **GRANTED: 41 Richmondville Avenue:** Appl. #PZ-20-00132 submitted by Rick Redniss for a Special Permit/Site Plan for property owned by 41 Richmondville LLC for Adaptive Reuse and Redevelopment of Non-Residential Buildings to Housing for a building listed on the Historic Resources Inventory (HRI) located on property in the Residence A zone and Residence B zone, PID#C12046000, relying upon adoption by the Planning and Zoning Commission of Text Amendment #777.
Effective Date: 7/24/20
3. **GRANTED: 34 Hillspoint Road:** Special Permit/ Site Plan Appl# PZ-20-00316 submitted by Susan and Mitch Raboy for excavation and fill activities to create a more level rear yard, located in the Res. AA district, PID#E08012000.

A copy of the Legal Notice of Decision is available on-line at www.westportct.gov, on the Planning and Zoning Department "Pending Applications and Recent Approvals" page. Due to the closing of Town Hall to the public during the COVID-19 emergency, and pursuant to the Governor's Executive Order #71, the Legal Notice of Decision cannot be viewed at the Westport Town Clerk's Office or the Westport Planning and Zoning Office at this time.

Dated at Westport, Connecticut this 26TH day of June, 2020 Danielle Dobin, Chairman, Planning and Zoning Commission

Notes:

- Proposed new language is shown underlined.

Proposed Text Change

TO AMEND:

- §32 “Supplementary Use Regulations”, by adding NEW §32-26 “Adaptive Reuse and Redevelopment of Nonresidential Buildings to Housing” to read as follows:

32-26 Adaptive Reuse and Redevelopment of Nonresidential Buildings to Housing

32-26.1 Purpose

The purpose of this Regulation is to: a. preserve and adaptively reuse historic buildings listed on the Westport Historic Resource Inventory; b. eliminate nonresidential uses located within Residence A and Residence B split zoned districts; c. encourage the increase in the diversity of housing choices; d. mitigate peak period traffic generation; and e. promote the health, safety and general welfare of the community. Notwithstanding any other provision of these regulations, when a proposal is to eliminate and/or abandon a nonresidential use and to substitute with multi-family dwelling use, then the standards of this subsection shall apply.

32-26.2 Permitted Uses

Adaptive Reuse and/or Redevelopment of existing nonresidential buildings to Multi-Family Dwelling units, subject to a Special Permit and Site Plan approval in accordance with §43 and §44 of these Regulations except as otherwise provided herein.

32-26.3 Accessory Uses

Accessory buildings, structures and uses including facilities for recreation, maintenance, administration, off-street parking, storage and utilities serving the residential development may be permitted.

32-26.4 Density

The maximum number of dwelling units shall not exceed one (1) dwelling unit for each 1,600 square feet of gross floor area within the existing nonresidential building.

32-26.5 Floor Area

- The total floor area of all proposed uses shall not exceed the existing floor area prior to redevelopment. Mechanical areas and garage parking spaces are exempt from this floor area requirement. Exempt garages may also include storage space.

32-26.6 Setbacks

Nonconforming Historic Structures may be allowed to remain and be redeveloped provided that any new building footprint shall comply with the setback requirements of the underlying zoning district.

32-26.7 Height and Stories

To encourage compatibility with Historic Structures proposed to remain, redeveloped buildings may be allowed the same height and stories as the existing Historic Structures. Detached garage structures shall not exceed 1 story and 23 feet.

32-26.8 Coverage (See Definitions)

Building Coverage shall not exceed thirty (30%) percent and Total Coverage shall not exceed seventy (70%) percent.

32-26.9 Signs

Signs shall be permitted in accordance with §33 of the Supplementary Regulations except where an Historic Structure is to remain, a free-standing sign shall be a minimum of five (5) feet from any property line.

32-26.10 Parking

Off-street parking shall be provided in accordance with §34 of the Supplementary Regulations, except drive aisles shall not be less than twenty four (24) feet in width.

32-26.11 Landscaping, Screening and Buffer Areas

Where an Historic Structure is to remain on a site limited by easements for drainage, sanitary sewers, and/or utilities, and where existing landscaped areas are being increased by not less than 15% of the site area, a front landscaping buffer of not less than twenty-five (25) feet shall be maintained along site frontage(s) not occupied by a building. A comprehensive landscaping plan shall be approved by the Planning & Zoning Commission, where the Commission makes a finding that such design can be reasonably shown to moderate heat, noise, glare and accumulation of dust, to shade, to provide privacy from noise and visual intrusion and to prevent the erosion of the soil, excess run-off of drainage water and the consequent depletion of the ground water table and the pollution of water bodies, watercourses, wetlands, and aquifers and to guide the safe circulation of cars and people to parking lots.

32-26.11.1

Refuse collection areas shall be provided, screened, supplied with covered receptacles, and conveniently located to serve all dwelling units.

32-26.11.2

Mail boxes shall be provided, covered from the elements and conveniently located to serve all dwelling units.

32-26.12 Utilities

32-26.12.1

All utilities and conduits within the lot shall be underground.

32-26.12.2

All buildings shall be connected to a public water supply, suitable power supply and a public sanitary sewer line.

32-26.13 Architectural Design

Special Permit applications shall be referred to the Architectural Review Board for recommendations.

32-26.14 Affordability Requirement

Prior to a final ZCC for the development, the equivalent of 20% of the proposed units shall be provided as offsite affordable housing including an affordability plan to be reviewed and approved by the Commission. Such units shall be affordable to households whose income does not exceed 80% of the State Median Income as provided by CT General Statutes §8-30g. Fractional units shall be rounded up. When approving the equivalency, the Planning and Zoning Commission shall evaluate the number, location, and design of such units. If all conditions of the offsite affordable housing are not satisfied at the time a Final Zoning Certificate of Compliance (ZCC) is being sought, the Planning and Zoning Commission may require that some or all of the required affordable housing be provided onsite.