

§20 Municipal Housing Zone (MHZ) *Revised 05-31-11*

20-1 Purpose

The purpose of the MHZ is to provide an alternative zone to assist the Town of Westport to provide affordable housing by allowing the Westport Housing Authority and the Town of Westport to develop single family, two family and multi-family housing on land owned by Westport Housing Authority and/or the Town of Westport. This section of these regulations will help to promote the public health, safety and general welfare of the community by providing decent, safe, and sanitary affordable housing units for those in need of affordable cost housing for rental or purchase.

The affordable housing to be provided will be affordable housing defined as assisted housing, which means housing which will receive financial assistance under any governmental program for the construction or substantial rehabilitation of low and moderate housing and any housing occupied by persons receiving rental assistance under Chapter 319 of Section 1437F of Title 42 of the United States Code, or currently financed by Connecticut Housing Finance Authority mortgages or subject to deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty percent (30%) or less of income, where such income is less than or equal to eighty percent (80%) of the median income. Median income means, after adjustments for family size, the lesser of the state median income or the area median income for the area in which the municipality containing the affordable housing development is located, as determined by the United States Department of Housing and Urban Development.

20-2 Permitted Uses

20-2.1 Special Permit Uses

The following uses are permitted subject to Special Permit and Site Plan approval in accordance with §43, herein. Affordable Housing for the purposes of this zone means "affordable housing" defined in §20-1 above on the date when the application is filed under this section of the Zoning Regulations. Affordable Housing will remain in perpetuity.

- 20-2.1.1 One-family dwelling, two-family dwellings and/or multi-family dwellings in principal buildings subject to the conditions herein.

20-2.2 Accessory Building, Structures and Uses

- 20-2.2.1 Outdoor recreational uses except pools and tennis courts.
- 20-2.2.2 Manager's office and/or community center
- 20-2.2.3 Other building, structures and uses not listed above, customarily accessory to a permitted principal use, provided that:
 - (a) Each such accessory building or structure shall not exceed 300 sq ft of gross floor area.
 - (b) No such accessory building or structure shall exceed the allowable height.
 - (c) No such accessory building or structure shall be occupied or used as a rooming unit or a dwelling unit.

20-3 Lot Size, Location and Frontage

A development within a MHZ zone shall consist of a minimum of four (4) acres of land on one or more lots inclusive of all land area and public and private rights-of-way that serve land in the MHZ, and shall have a minimum of 100 feet on an arterial street or railroad right-of-way.

20-4 Density

20-4.1 Senior Housing Requirement

A minimum of one-quarter (1/4) of the total number of housing units in the development shall be Senior housing. Senior is defined in §5 of these regulations.

20-4.2 Affordable Housing Requirement

100% of housing units on the lot shall be Affordable Housing as defined in §20-1 above.

20-4.3 Density, Units per Acre

The number of housing units shall not exceed six (6) dwelling units or twelve (12) bedrooms per gross acre within the development. Bedrooms shall be consistent with §32-12.2.3 of these regulations. The number of bedrooms in each new dwelling unit shall not exceed four (4), provided that not more than five percent (5%) of the total number of units may have four (4) bedrooms.

20-4.4 Unit Types

A minimum of one third (1/3) of the units shall be studios or one (1) bedroom units. Studios are counted as one (1) bedroom units.

20-4.5 Building Size

The maximum building size shall be 5000 square feet. of floor area.

20-5 Height

Building height shall not exceed two (2) stories and a height of twenty-six feet (26). Accessory buildings shall not exceed sixteen (16) feet and one (1) story in height.

20-6 Coverage

The building coverage shall not exceed twenty percent (20%) and the total coverage shall not exceed fifty percent (50%) of any lot within the MHZ.

20-7 Building Setbacks

Setbacks for new buildings and other new structures shall be determined by the onsite and adjacent offsite physical site characteristics, including topography, vegetation, and location of surrounding homes, structures, and uses and shall include a minimum: fifty foot (50') setback from any residential zone property line, except railroad rights-of-way, or front lot line, where a thirty foot (30') setback will apply; thirty feet (30') to any multi-family or non-residentially zoned property; or ten feet (10') to any street line that is internal to the development. Existing non-conforming structures may be redeveloped with new units provided they do not encroach closer to the adjacent residential lot line, except for existing at grade patios which may be allowed at the discretion of the Planning and Zoning Commission.

20-8 Building Spacing

Groups of buildings on a single lot shall be arranged so that the minimum horizontal distance between the nearest walls or corners of any principal and/or accessory detached buildings shall not be less than one third (1/3) the sum of the heights of any two adjacent buildings.

20-9 Architectural Design

The architectural design, scale and mass of buildings and other structures, including the exterior building material, color, roof-line and building elevations shall be residential in character as to harmonize and be compatible with the neighborhood.

20-9.1 The architectural design, scale and mass of buildings and other structures requiring a Special Permit, including the exterior building material, color, roof-line and building elevations shall be residential in character so as to harmonize and be compatible with the neighborhood, to protect property values in the neighborhood and to preserve and improve the appearance and beauty of the community.

20-9.2 Pitched roofed buildings shall be required.

20-9.3 Roof-top mechanical equipment shall be prohibited; except for energy conservation systems such as solar energy panels.

20-9.4 Dwelling unit facades need to be designed to avoid a barracks or dormitory appearance. Staggered or offset unit facades and/or varied unit facade materials shall be utilized.

20-9.5 Buildings should 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.

20-10 Signs

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

20-11 Parking and Circulation

The number, location, size, and orientation of parking spaces, rights-of-way, service drives, aisle widths, roadway alignments and grades, signage and other design characteristics shall be subject to review and approval by the Planning and Zoning Commission. The Commission shall be guided in its review by the multi-family dwelling unit standards in §34-5 that include a 0.5 space per unit reduction in residential parking except in the case of Senior or Supportive Housing. Where applicable, the continued use of existing conditions, including the use of tandem parking spaces, may be allowed. Handicapped parking will be designed in accordance with the Connecticut Basic Building Code. All parking areas shall be convenient to building entrances and dwellings. Driveways shall be arranged in a safe manner and afford satisfactory access to fire fighting and emergency vehicles.

Any internal roads or driveways shall have sight line distances of at least 150 feet where they intersect a public street outside the MHZ Zone. At the discretion of the Commission, vehicles may be permitted to back up into a right-of-way and the unobstructed visibility requirements of §34-11.2.3 may be reduced to 75 feet. New parking areas to be planted with shade trees in accordance with §35. Parking spaces for new residences must be fifty feet (50') from adjacent single family residential districts, except for railroad and highway rights-of way. Parking adjacent to town roadways, railroad rights-of-way, and service drives that are within the MHZ District may be allowed. Parking spaces within the right-of-way internal to an MHZ zone may be allowed provided they are located on dead-end portions of the right-of-way. Drive aisle widths

for Typical Dead-End Bays, as described in §34, may be reduced to not less than 20 feet at the discretion of the Commission. When reviewing the traffic impact per §44-2.5, the Commission shall use the closest offsite collector, or arterial roads to calculate the ten percent (10%) increase in traffic.

20-12 Usable Open Space

There shall be at least 450 square feet of usable space for each unit in a development. Land so set aside shall be properly laid out; graded, screened and landscaped and shall include recreation facilities suited to the needs of the residents and may include land adjacent to each unit for use by its occupant.

20-13 Landscape, Screening, Sidewalks and Buffer Areas

Landscaping, screening and buffer areas shall conform with §35 of these regulations. During all seasons of the year, complete screening of multi-family buildings from adjacent residential districts is required. Sidewalks will be provided as deemed necessary by the Planning and Zoning Commission. Exterior lighting shall be provided and maintained by the property owner for the safety of vehicular and pedestrian traffic. All new exterior lighting shall be low-level, except for required street and driveway lights. The glare from light sources shall be shielded from roads and abutting properties. Refuse collection areas shall be provided and conveniently located for all buildings. The collection area shall be screened and supplied with covered receptacles. Mail boxes shall be provided and conveniently located for all units. The mail boxes shall be covered from the elements.

20-14 Utilities

- 20-14.1 Public water and sewer must be available for the property, and all units must be connected to the sewer and water lines.
- 20-14.2 No Zoning Certificate of Compliance shall be issued for any dwelling units unless and until such unit has been connected to a public water supply, suitable power supply and a public sanitary sewer line.
- 20-14.3 Storm-drainage facilities shall be provided and shall be designed to achieve a zero impact run-off based on a 25-yr. storm flow and may, at the discretion of the Commission, mitigate only the net increase in runoff, subject to the approval of the Town Engineer. Street culverts and bridges shall be designed for a 100-yr. storm flow, if required by the Town Engineer.