

Explanatory Statement

Proposed Text Change to Amend §39A (Inclusionary Housing Overlay District IHZ)

Purpose/Benefits

To help enhance opportunities for additional residential developments along U.S. route 1, we are proposing to amend:

- §39A by adding a new standard for increased residential developments.

The changes also serve to address several goals and strategies highlighted in the Westport Plan of Conservation and Development, including:

1.4.3 Promote Good Design, A Community Design, p. 30

- Maintain an architectural review process to help preserve and enhance the character of Westport and maintain the overall “sense of place.”

2.9.4 Improve Business Areas Along Route 1 p.76

- Require all new or redeveloped sites along the Post Road to install sidewalks and provide landscaping in ways to enhance the Post Road.
- Seek ways to modify the Zoning Regulations to encourage appropriate improvements and/or redevelopment along the Post Road, p. 78
- Consider the potential for some properties on the Post Road to accommodate mixed-use buildings and/or mixed-use developments (containing housing) in order to increase the variety of housing choices in locations with access to shopping and public transportation.

3.10.1 Overview (“Westport’s wide variety of housing types from modest homes and historic structures to grand manor homes is one of its strongest features.”), p. 79.

4.10.2 Maintain Residential Character, p. 80

- Protecting residential neighborhoods from encroachment by inappropriate uses, and
- Managing residential development and redevelopment and other activities on residential properties to ensure they are appropriate for the site and/or given the impacts on neighbors.

5.10.4. Monitor Changing Housing Needs, p.85

- Seek ways to address changing housing needs while maintaining the character and integrity of Westport.

Summary of Proposed Text Changes

The following summarizes the proposed changes and their potential application on the accompanying Zone Map Change, Special Permit, and Site Plan application for 455 Post Road East.

§39A (Inclusionary Housing Overlay District IHZ)

§39A-21 (Increased Residential Development) To encourage opportunities for increased residential developments when total site coverage is reduced and underground parking is provided, consistent with existing bonuses in the IHZ (§39A-8.3).

§39A-21.a. to allow 17 units per gross acre throughout the site rather than having restricted density standards for each of the residential and non-residential portions of the property. Based on the demonstration site, 455 Post Road E, the existing regulations allow 30 units but restrict the number of units in each zone and force a less attractive design. The proposed text would allow the same 30 units throughout the site. This proposed text helps foster thoughtful design and provides necessary flexibility for residential developments.

§39A-21.b. to allow for residential patios to encroach up to 5' into the side or rear setbacks when adjacent to non-residential zoned properties. This helps to create additional outdoor spaces for residential developments where it does not impact adjacent residential neighbors.

§39A-21.c.- §39A-21.d. consistent with the existing IHZ zone, we are proposing a height of 3 stories and 35' and a building coverage of 25% throughout the site rather than different standards per zone. This helps to streamline the regulations and creates consistent design standards for residential developments. We are also proposing to exempt terraced landscaping, patios, and entryway canopies, up to 500 square feet, from building coverage since they are site features due to topography and underground parking. These changes create the necessary flexibility for sites with steep slopes where height and building coverage limitations do not foster better design.

§39A-21.e.- §39A-21.g. to increase housing opportunities we are proposing to exempt the required 30% non-residential requirements (39A-10.1.2) and Maximum building size limitations (§24-8.1).

We are also proposing to exempt the limitations of Excavation and Fill (§32-8.2 & §32-8.3) to allow flexibility of design to blend proposed grades without impacting adjacent neighbors or roadways, improve site lines, and to provide sidewalks on our Post Road frontage where variances would otherwise be required.

§39A-21.h to allow driveways to be no less than 22' in width in order to provide necessary flexibility of design for residential developments. The proposed change is also consistent with §6-6.1.2.e. and Diagram 5 in §34.

To allow a General Development Plan application for residential developments when seeking an IHZ Zone Change.

Demonstration Site

The demonstration site is 455 Post Road East (Parcel 1: D09/160/000 & Parcel 2: D09/161/000), consisting of a combined 1.77 acres of land fronting Post Road East and East Main Street. The site is currently improved with a 1-story building, detached building, shed, associated surface parking, and most recently occupied by the Connecticut Humane Society. The combined property is split-zoned located in the GBD and Residence A Zoning District.

With the implementation of the proposed Text Amendment the applicant will have the opportunity to redevelop the site into a residential building which would include up to 30 residential units, onsite affordable units, underground parking, and associated landscaping. The proposed development will enhance this stretch of the Post Road and provide much needed market rate and affordable homes.