



**Town of Westport**  
Town Hall, 110 Myrtle Avenue  
Westport, CT 06880

[www.westportct.gov](http://www.westportct.gov)

**TO:** To Whom It May Concern  
**FROM:** PLANNING AND ZONING COMMISSION  
**DATE:** February 24, 2026  
**SUBJECT:** Explanatory Statement for Text Amendment #865/P&Z Appl. #PZ-26-\_\_\_\_\_,  
Modification to Accessory Dwelling Unit (ADU) Regulation regarding  
Coverage Exemption and Building Area

### **Proposal**

The proposed text amendment seeks to modify §11-2.4.8A, Accessory Dwelling Unit (ADU) regulations, to remove the coverage exemption for lots up to 1 ½ acres.

The change also adds language clarifying that for an ADU constructed above a detached garage, the Building Area of the detached garage may exceed the Maximum Building Area set forth above, so long as the ADU does not exceed the Maximum Building Area.

Staff has recently encountered proposals to construct new ADUs on very small lots which does not preserve the neighborhood scale.

### **Benefits**

- **Preservation of Neighborhood Scale and Character:**  
Removing the coverage exemption on smaller lots helps ensure that ADUs remain subordinate to the principal dwelling and do not visually or functionally dominate the site. This is particularly important in established neighborhoods with smaller lot sizes, where excessive building coverage can alter neighborhood character.
- **Consistency and Predictability in Application of Regulations:**  
Eliminating the exemption creates clearer, more uniform standards across lot sizes, improving predictability for applicants and staff and reducing the need for interpretations or case-by-case determinations.
- **Mitigation of Overdevelopment on Constrained Lots:**  
Very small lots often have limited buildable area due to setbacks, existing structures, wetlands, or other constraints. Applying building coverage limits to ADUs on these lots helps prevent overdevelopment and ensures adequate open space, light, and air.
- **Alignment with Infrastructure Capacity:**  
Increased building coverage on small lots may intensify demand on parking,

drainage, and other site infrastructure. Applying coverage limits helps ensure that ADU development remains proportional to site capacity.

- **Reduction in Visual Bulk and Massing Impacts:**  
When combined with prior amendments addressing height, separation, and roof form, the proposed change further mitigates cumulative massing impacts that can result from detached ADUs, especially on undersized parcels.
- **Clarification of Garage-Based ADU Standards:**  
Explicitly allowing a detached garage to exceed the maximum building area when an ADU is located above it—while maintaining the maximum building area for the ADU itself—provides flexibility for functional garage design without increasing residential density or intensity beyond what is intended.
- **Protection Against Unintended Regulatory Outcomes:**  
The amendment addresses regulatory gaps that have allowed proposals to technically comply with dimensional standards while producing outcomes inconsistent with the overall intent of the ADU regulations.

The 2017 Plan of Conservation and Development promotes housing diversity in Chapter 4, “*Maintain and Enhance Community Character*” which states:

*“Maintain the preponderance of single-family home, increase housing diversity as to size of units and promote housing affordability.”* Pg. 85

## Background

- In 2021, the Planning and Zoning Commission adopted Text Amendment #791, pursuant to Res. #PZ-21-00164, which modified §11-2.4, *Permitted Accessory Building, Structures and Uses*, to allow Accessory Dwelling Units (ADUs) in detached structures with associated zoning standards subject to obtaining an administrative zoning permit. The amendment removed existing limitations on accessory buildings and structures exceeding 300 SF in size, exceeding one-story in height and no more than two water use fixtures to encourage ADU’s. The amendment also modified §11-2.4.12A, Accessory Apartment contained in the principal building, to increase allowable floor area from 800 SF to 1,500 SF or 25%, whichever is less, and to remove the requirement for Annual Certification.
- Text Amendment #798 modified §11-2.4.8A later in 2021 for clarification purposes by adding a definition for Accessory Dwelling Unit, modified §11-2.4.8 to restore zoning standards for allowable size and height for Accessory Buildings and Structures that are not Accessory Dwelling Units. The changes included the addition of language that states an accessory building or structure shall not exceed 300 square feet of gross floor area and shall not exceed one (1) story and a height of sixteen (16) feet; except for barns identified in §11-2.4.7. Lastly, the amendment added a new section number §11-2.4.8A to distinguish standards applicable to an Accessory Dwelling Unit.

- In July 2022, a Request for Interpretation was discussed by the Planning and Zoning Commission regarding Building Height for an ADU. This was preceded by the Planning and Zoning staff receiving a Zoning Permit application for an Accessory Dwelling Unit with a roof slope greater than 6:12 having a height of 26 feet. The applicant also proposed dormers on both sides of the accessory structure, ultimately creating a flat roof. The Commission weighed in on the importance of defining a dormer as it pertains to this section of the regulations, how big the dormer could be and what roof slope would be best for the dormer.
- In 2023, the Planning and Zoning Commission adopted Text Amendment #825, pursuant to Res. #PZ-23-00184, which modified §11-2.4.8A(a), to increase the building area from 650 SF to 850 SF for lots under an acre and a half; modified §11-2.4.8A(c), to clarify that only the main roof line must comply to the maximum roof heights for both types of slopes; replaced language following §11-2.4.8Ac, clarified under what circumstances a Special Permit must be sought from the Planning and Zoning Commission.
- Text Amendment #853 was adopted in June 2025, introducing a minimum 10-foot separation between the accessory dwelling unit (ADU) and the principal structure—excluding a covered pedestrian connection— which serves to mitigate visual bulk and reduce massing impacts on the lot, thereby enhancing spatial articulation and preserving neighborhood scale.