

HIGHLIGHTED TEXT IS THE PROPOSED AMENDMENT

DEFINITIONS

16.01."A" ACTIVE ADULT HOUSING

A managed residential community consisting of single-family **attached and** detached residential structures the occupancy of which is limited, as permitted by state and federal fair housing laws, to those aged 55 and over. (Added effective 9/1/03)

PLANNING AND ZONING CODE – SECTION 44 (SPECIAL EXCEPTIONS)

44.08.43 ACTIVE ADULT HOUSING

A. PURPOSE:

Active adult housing is intended to provide housing of a type and density suitable to the needs of those 55 and over. This provision recognized housing for those age 55 and over as having less impact than other higher density housing options, and therefore meriting separate consideration.

The burden of complying with the Fair Housing Act, as amended and regulations promulgated there from shall be on the association of homeowners of such development.

B. PROCEDURE:

Upon formal application to the Planning and Zoning Commission and a public hearing thereon, the Commission may grant special exception approval for an Active Adult Housing development. In addition to considering compliance with the applicable special exception criteria in Section 44.04 of the Zoning Code and the standards contained herein, the Commission shall also consider the potential impacts of the proposed development on municipal services and the fiscal resources of the City. (Amended effective 4/30/04)

C. REQUIREMENTS:

Applications for approval of Active Adult developments shall include a master concept plan at scale no less than 1"-100' displaying the overall site, landscape, buffers, lighting, open space, sidewalks, building placement, pedestrian paths and trails, detailed site plans as required by Section 55 of these regulations and architectural renderings of the building and the overall community. In addition, applicants shall provide a

professional market analysis demonstrating the need and feasibility of the project. Additionally, a narrative report shall be submitted which documents the probable impact of the proposed development on municipal services and the fiscal resources of the City. (Amended effective 4/30/04)

D. STANDARDS:

1. The tract to be developed shall be zoned RPZ, R-15, or R-30, shall be not less than 10 acres, and shall have a minimum of 100 feet of frontage on a public street.
 - a. Waiver Provision for lots between 8-10 acres. Upon a separate and affirmative vote of the Planning and Zoning Commission the Commission may waive the above 10 acre requirement and allow the tract to be developed to be a minimum of 8 acres providing the following conditions are met:
 1. There is sufficient area to provide additional buffers where needed.
 2. The configuration of the tract allows for an orderly and functional layout for buildings, parking, and access.
 3. The Commission in its sole and legislative discretion determines the parcel is more suited to Active Adult than traditional single family home development.
(Amended effective 11/1/05)
2. Residences are limited to single family detached **or attached** structures and shall include a basement and/or attic for storage.
3. The proposed active adult housing development shall be a Common Interest Ownership Community as defined in Chapter 828 of the Connecticut General Statutes.
4. The site shall be served by public sewer and public water supply, both of which shall be capable of handling the demand, including hydrants sufficient for fire fighting as determined by the Fire Marshall, required by the development. All utilities, (electric, cable, phone) shall be underground.
5. The maximum number of units per acre is four. In computing the number of acres for the purpose of this section, 75% of the area designed as inland wetlands and 75% of the area of slopes in excess of 25% shall be excluded.

6. The minimum living area of each dwelling unit, inclusive of bathrooms and exclusive of hallways, shall be 900 square feet. The maximum number of bedrooms per residence is two.
7. Height, yard, and lot coverage requirements shall be as required in the underlying zone, except accessory buildings shall not exceed a height of 20 feet and total impervious coverage shall not exceed 40%.
8. The minimum distance between sidewalls of **attached and detached** residences shall be 20 feet. Where the distance between units is less than 24 feet, adjacent walls shall be angled to prevent parallel sidewalls. The minimum distance between rear walls of units shall be 40 feet.
9. To provide a buffer between active adult developments and surrounding properties, no structure shall be located within 50 feet of the overall perimeter boundary. The buffer area shall adhere to the standards in the Subdivision Regulations and the first 30 feet shall be planted with a mixture of trees and shrubs. (Amended effective 3/31/06) **If a previously approved Active Adult development is expanded and the original 50 feet perimeter buffer is maintained, the expansion parcel perimeter buffer can be eliminated. The side yard setback however, shall be planted with a mixture of trees and shrubs.**
10. Thirty-three percent (33%) of the tract proposed for development shall be preserved as open space of which 50% of said open space shall be outside of areas designated as buffer area, inland wetlands or slopes in excess of 25%. The Commission may require the provision of a walking trail system within the proposed development. Unpaved walking trails may be counted as open space.
(Amended effective 3/31/06)
11. One hundred percent (100%) of the total dwelling units to be constructed in an Active Adult Community shall be designated as Active Adult Housing units. Occupancy of Active Adult Housing unit shall be limited to three (3) individuals and as follows:
 - a. At least one individual must be aged fifty five years or older;
 - b. Any and all spouses, companions or relatives of an occupant must be 21 years or order;

- c. Any occupant pursuant to (b). above who has ownership interest in the dwelling who survives the individual in (a) above;
 - d. Any occupant pursuant to (b) above who has an ownership interest in the dwelling and the individual in (a) above has entered into a long term continuing care facility;
 - e. Remaining parties pursuant to (c) (d) above who remarry or cohabitate must meet all occupancy requirements,
 - f. A personal care attendant who is in service to a resident 55 years of age or older to attend to that resident's medical and/or health care needs,
 - g. The management entity shall verify annually to the Zoning Enforcement Officer that the facility is in compliance with the occupancy requirements of this section.
12. Dwelling units designated, as Active Adult Housing shall have deed restrictions limiting occupancy as required above.
- 13. There shall be at least three (3) parking spaces per detached dwelling units and two (2) parking spaces for attached dwelling units.** At least one of these spaces shall be provided within an attached garage. A minimum of 25% of the **detached** units shall have a two-car garage. The Commission reserves the right to require guest parking. All **detached dwelling unit** driveways shall have a minimum of 25 feet in length. **All attached dwelling unit driveways shall have a minimum of 20 feet in length.**
14. A cash performance bond shall be filed prior to securing building permits. The developer may propose a phasing plan and post bond in accordance with said phasing plan.
- 15. Attached dwelling units shall not exceed 35% of total units.**

E. DESIGN CONSIDERATIONS: The design considerations of Section 44.08.35, as appropriate to Active Adult developments, shall be considered by the applicant's design team. (Section added effective 9/1/03)