

DIVISION 6. RESIDENTIAL-PLANNED HOUSING DESIGN-SMALL UNIT ZONE .⁶**Sec. 6-62. RESIDENTIAL-PLANNED HOUSING DESIGN-SMALL UNIT ZONE (R-PHD-SU); PURPOSES.**

- (a) The intent of this Article concerning residential development is to encourage attractive, safe, decent and sanitary housing for all Town residents or employees, present and future, without regard to race, color, creed, national origin or economic status.
- (b) The intent of this Article, in addition to the above, is to permit under specific conditions indicated herein, a type of residential development that will serve the housing needs of those Town residents and employees who seek small residential units at reasonable cost.
- (c) The Planning and Zoning Commission, upon application in the manner prescribed herein, after a public hearing, may permit residential development that conforms to the standards and requirements described herein when all of the following purposes are to be accomplished:
 - (1) To implement the letter and intent of the Town Plan of Development;
 - (2) To maintain and reinforce the Town's predominantly residential character;
 - (3) To conserve and preserve land to assure that its development will best maintain and enhance the appearance, character and natural beauty of an area;
 - (4) To provide attractive, decent and suitable housing at reasonable cost for those who live or work in Town;
 - (5) To permit the construction of residential units that may be subsidized by public and/or private funds.

Sec. 6-63. LOCATION OF ZONE.

An R-PHD-SU Zone may be located only in those areas shown on the Town's Plan of Development for Planned Housing Design as adopted by the Commission and approved by the Representative Town Meeting.

Sec. 6-64. TYPE AND NUMBER OF UNITS.

- (a) The Commission may vary the floor area requirements for each type of unit in order to better accomplish one (1) or more of the purposes specified under Section 6-62. In any event the requirements of Section 6-65 shall apply.
- (b) The Commission shall determine the number and type of rooms in each dwelling unit, to assure that alcoves, dining areas and similar spaces are not actually additional bedrooms.

⁶ State law reference: As to authority to create residential zones, see C.G.S. §8-2.

(c) Type and number of units are as follows:

Type of Unit Permitted	Average Floor Area Permitted for each Type of Unit	Minimum Lot Area Required for each Type of Unit	
1 Room-Efficiency	450 sq. ft.	1800 sq. ft.	(6/77)
1 Bedroom Unit	650 sq. ft.	1800 sq. ft.	
2 Bedroom Unit	850 sq. ft.	3000 sq. ft.	

Sec. 6-65. MAXIMUM BUILDING AREA.

The total building area of all buildings used primarily for dwelling purposes shall occupy no more than twenty percent (20%) of the gross lot area. In no event shall any building or structure have a horizontal dimension greater than two hundred (200) feet or exceed twelve thousand (12,000) sq. ft. at ground level.

Sec. 6-66. BUILDING HEIGHT.

(a) The maximum height of any building used primarily for dwelling purposes shall be no more than four (4) stories or forty (40) feet.

Sec. 6-67. FLOOR AREA RATIO.

The total floor area used for dwelling purposes shall not exceed one-half (1/2) the gross lot area. Floor area used for dwelling purposes is all the enclosed space capable of habitation, including service areas such as hallways, stairs, closets and storage space, but for the purposes of this Article shall not include areas below grade.

Sec. 6-68. YARD REQUIREMENTS.

Front, side and rear yards shall be not less than ten (10) feet per story, but in no event less than twenty (20) feet, except that all buildings and structures shall be at least fifty (50) feet distant from the property line of land zoned for single family residential development. When the R-PHD-SU Zone abuts the R-6 Zone, the abutting yard shall be not less than twenty (20) feet.

Sec. 6-69. DISTANCE BETWEEN BUILDING AND/OR STRUCTURES.

No building and/or structure in a R-PHD-SU Zone shall be closer than fifty (50) feet to another building and/or structure in the R-PHD-SU Zone.

Sec. 6-70. USE REGULATIONS.

- (a) The principal permitted use shall be:
 - (1) Multi-family dwellings only.
- (b) Parking requirements are as specified in Sec. 6-155.

Sec. 6-71. APPLICATION FOR ZONE APPROVAL.

- (a) Application to the Commission for a zone map change to limit development in conformance with the requirements indicated herein of a specific area shown on the amended Plan of Development shall include the following:
 - (1) The purpose to be accomplished and method(s) of effectuation;
 - (2) Architectural drawings, including building elevation, site and landscape plans as required by Section 6-13 to 6-16.1 inclusive;
 - (3) Such additional information and assurance as the Commission may deem necessary to make a reasonable decision on the application.

Section 6-71.1 APPLICATION FOR AFFORDABLE HOUSING UNITS (See Note Below)

It is a priority of the 1998 Plan of Conservation and Development to increase affordable entry level housing. In order to address this priority and encourage the construction of affordable housing units in the town, the following modifications to the R-PHD-SU zoning regulations shall be permitted. These modifications shall only apply to affordable housing applications submitted pursuant to Sec. 8-30g of the Connecticut General Statutes as amended.

A. Type and Number of Units

Type of Unit Permitted	Minimum Lot Area Required For Each Type of Unit
1 Room Efficiency	1,350 square feet
1 Bedroom Unit	1,350 square feet
2 Bedroom Unit	2,250 square feet

B. Floor Area Ratio

The total floor area used for dwelling purposes shall not exceed 62.5% of the gross lot area.

C. Yard Requirements

Front, side and rear yards shall be not less than 7.5 feet per story, but in no event less than twenty (20) feet.

* Note: This amendment was approved pursuant to the State of Connecticut Superior Court Memorandum of Decision dated January 28, 2002 in the matter of Smith-Groh Inc (aka Pemberwick Commons) vs. Planning and Zoning Commission. (Adopted: 10/1/02, Effective Date: 10/9/02)

Sec. 6-72. ZONE APPROVAL PROCEDURE.

- (a) Upon the filing of such an application the Commission shall:
- (1) Hold a public hearing within sixty (60) days preceded by the same notice required for hearings on zoning applications; and,
 - (2) Within sixty (60) days after conclusion of such public hearing on the proposed Planned Housing Design-SU Zone Plan, the Commission may approve or disapprove the application and final Planned Housing Design-SU Plan. Any approval is based upon findings by the Commission that the purposes specified herein will be met and that the Plan will not be detrimental to the health, safety, property values and residential character of the neighborhood nor materially adversely affect single family residential areas.

Sec. 6-73. ISSUANCE OF BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY.

No building permit or certificate of occupancy shall be issued by the Building Official, nor shall the Town accept any street, should the Planned Housing Design-SU be changed in any way without the approval of the Commission. (4/24/2013)

Sec. 6-74. LIMITATION OF TIME.

Failure to comply with any time limit established by the Commission as a condition for its approval shall render the zone change null and void. The zone district existing on the tract prior to the establishment of the PHD-SU Zone shall then be in effect. Such time limit may be extended upon application to the Commission provided the Commission shall find the extension to be in the public interest.