

TOWN OF LISBON REGULATION AMENDMENT APPLICATION

CORRESPONDENCE WILL BE SENT TO APPLICANT OR DESIGNATED AGENT. ALSO SEE NOTES 1,2 AND 3 BELOW:

> APPLICANT: <u>PLANNING & ZONING COMMISSION</u> ADDRESS: <u>1 NEWENT ROAD, LISBON</u>	TELEPHONE: <u>860-376-3400</u> EMAIL: <u>LISBON.CT.COM</u>
> APPLICANT'S AGENT (IF ANY): <u>MICHAEL J. MURPHY, AICP</u> ADDRESS: <u>SOUTHERN CT. COUNCIL OF GOVERNMENTS</u>	TELEPHONE: <u>860-885-8697</u> EMAIL: <u>MMURPHY@SECCOG.ORG</u>
> OWNER/TRUSTEE: <u>N/A</u> ADDRESS: _____	TELEPHONE: _____ EMAIL: _____
> ENGINEER/SURVEYOR/ARCHITECT: <u>N/A</u> ADDRESS: _____	TELEPHONE: _____ EMAIL: _____

1. TO BE ACCEPTED BY THE PLANNING AND ZONING COMMISSION, THIS ENTIRE APPLICATION MUST BE COMPLETED, SIGNED BY THE PARTIES LISTED BELOW, AND SUBMITTED WITH THE REQUIRED FEE(S).

2. THE SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE COMMISSION, ITS STAFF, AND/OR ITS CONSULTANT(S) TO ENTER PROPERTY FOR THE PURPOSE OF INSPECTION IF PERTINENT TO THE APPLICATION.

3. I HEREBY, AGREE TO PAY ALL ADDITIONAL FEES AND/OR ADDRESS SUCH COSTS DEEMED NECESSARY BY TOWN STAFF UNDER THE LISBON LAND USE FEES ORDINANCE.

SIGNATURE OF APPLICANT/AGENT Michael J. Murphy PRINTED NAME OF APPLICANT/AGENT Michael J. Murphy, AICP

DATE: 8/25/20

SIGNATURE/RECORD OWNER N/A PRINTED NAME/RECORD OWNER _____

DATE: _____

REGULATIONS PROPOSED FOR AMENDMENT:

ZONING X SUBDIVISION _____

PROPOSED AMENDMENT(S) (Section, title, and text-attach sheets as necessary):
AMEND SECTION 4.1 TO AMEND SECTIONS 4.1.2; AMEND SECTIONS 4.2 AND 4.3, INCLUSIVE TO CLARIFY EXISTING LANGUAGE AND PROVIDE FOR ACCESSORY DWELLING UNITS AS A CONDITIONAL USE SUBJECT TO SITE PLAN REVIEW AND RECODIFY SPECIAL PERMIT USES. AMEND SECTION 10.2 TO ELIMINATE THOSE REFERENCES TO RESIDENTIAL CONVERSIONS AND REPLACE WITH ACCESSORY DWELLING UNITS AND PROVIDE NEW STANDARDS FOR THEIR DEVELOPMENT IN R ZONES. INCLUDE AMENDMENT TO SECTION 19.3 TO INCLUDE DEFINITION FOR UNIVERSAL DESIGN FEATURES

REASONS FOR EACH AMENDMENT REQUEST:
THE PROPOSED AMENDMENTS WILL ENCOURAGE AFFORDABLE HOUSING OPPORTUNITIES, PERMIT RESIDENTS TO AGE IN PLACE AND REMAIN IN THE COMMUNITY. AMENDMENTS WILL ALSO PROVIDE NEEDED HOUSING OPPORTUNITIES FOR DEMOGRAPHIC COHORTS IN MOST NEED OF AFFORDABLE HOUSING AND PROMOTE THE GOALS OF THE 2016 P.O.C.D.

APPLICATION SUBMITTAL DATE: AUGUST 25, 2020 FEE(S) PAID: N/A

OFFICIAL DAY OF RECEIPT: SEPTEMBER 1, 2020

P & Z COMMISSION ACTION: _____ DATE: _____

CHAIR'S SIGNATURE: _____

Adopted _____ Modified and Adopted _____ Denied _____

Planning and Zoning Commission
Zoning Regulation Revisions

Zoning Regulation Text Amendments Proposed for October 6, 2020 Public Hearing

Effective Date:

Adoption Date:

SECTION 4- R-40, R-60, and R-80 RESIDENTIAL DISTRICTS

- 4.1.2 Construction of a new two-family dwelling or conversion of an existing residence to accommodate two units, not to exceed one such dwelling per lot. The total minimum lot area per such dwelling in either case shall be not less than 175% of the required minimum lot area for single-family dwellings.
- 4.2 Permitted Uses Subject to Site Plan Review. The following uses are permitted in the R-40, R-60 and R-80 districts subject to the approval of a site plan by the Commission and issuance of a zoning permit by the ZEO.
 - 4.2.1 Accessory Dwelling Unit (ADU) in accordance with section 10.2.
- 4.3 Special Permits. The following uses are permitted by special permit in the R-40, R-60 and R-80 Districts, provided the dimensional requirements of Section 8 and the special conditions of Section 11 are met.
 - 4.3.1 Elderly housing projects. Redefine per elderly, convalescing, congregate care, etc. (See Section 10.3)
 - 4.3.2 Churches and schools, but not including correctional institutions and institutions/facilities for the mentally ill, intemperate, and/or substance abusers.
 - 4.3.3 Police stations, fire stations, or other municipal buildings.
 - 4.3.4 Home Occupations per Section 10.5.
 - 4.3.5 Excavation, removal and filling of earth materials pursuant to Section 10.4.
 - 4.3.6 Rear lots.
 - 4.3.7 Open Space Developments. (See Section 10.12)
 - 4.3.8 Commercial agricultural buildings.
 - 4.3.9 Year-round retail outlets for agricultural/horticultural products, where 75% of such products are grown on site.
 - 4.3.10 Seasonal Campgrounds.
 - 4.3.11 Wireless telecommunication facilities not permitted under Section 4.1 of these Regulations provided the requirements of Sections 10.17 and 10.18 of these Regulations are met.
 - 4.3.12 Non-motorized public parks and playgrounds developed by non-profit/not for profit entities and/or municipal organizations, excluding paint ball and/or similar activities.
 - 4.3.13 Golf Course Development.
 - 4.3.14 Bed and Breakfast establishments. (See Section 10.7)
 - 4.3.15 Cemeteries.

- 4.3.16 Farm Wineries, Farm Breweries and Farm Winery Cafes.
(Added April 2, 2002, Revised/Effective January 1, 2020)
- 4.3.17 Farm Animals Exhibit Area
- 4.3.18 Specialized Agricultural Building
- 4.3.19 Private Event Facility as a seasonal accessory use to a single-family owner-occupied use of property in a residential district in accordance with Section 10.26 of these Regulations.
Revised/Effective: October 1, 2017)
- 4.3.20 Farmers' Market (See Section 10.27). (Revised/Effective April 1, 2018)
- 4.3.21 Contractor's Home Enterprise per section 10.28

SECTION 10 - SUPPLEMENTARY REGULATIONS

10.2 Accessory Dwelling Units (ADU)

10.2.1 Applicability. Conditions listed below for development of accessory dwelling units (ADU) apply in the following zoning districts: R- 40, R- 60, R- 80

10.2. 2 Intent. The intent of this regulation is to encourage the provision of smaller affordable housing units for families and individuals, and to encourage the provision of housing units for small and multi-generational households as an accessory use.

10.2. 3 Development Standards. Accessory Dwelling Units are permitted as internal or external units within the principal dwelling unit or as a detached, freestanding unit, respectively, on valid lots of record subject to approval of a residential site plan by the commission and a zoning permit issued by the Zoning Enforcement Officer. The use is subject to the following conditions and standards:

- a. Each ADU created must be associated with a one-unit dwelling and there may be only one accessory dwelling unit permitted for each one-unit principal dwelling on site.
- b. The owner of the principal or main residence to which the ADU is associated must occupy at least one of the dwellings: however, both dwellings shall be owned by the owner of the property.
- c. New detached, freestanding ADU are permitted, provided they meet all dimensional requirements of Section 8 required of the principal dwelling unless otherwise permitted herein. Such new freestanding unit shall meet the required front yard setback and shall also be set back farther from the front property line than the façade of the existing principal dwelling unit. Architecture for free standing units shall complement the principal structure on site with respect to roof elements, building materials, modulation and fenestration but shall include proportionately smaller elements to promote architectural character. Building height for new freestanding units shall not exceed the requirements for accessory structures in these zones.
- d. The ADU must meet the minimum size requirements of the CT Basic Building Code, as amended from time to time, and clearly be the secondary residential use. Its maximum floor area shall not exceed 800 SF or 30% of the floor area of the principal residence site, whichever is more.
- e. Off-street parking shall be provided for all accessory apartments and the principal dwelling in accordance with Section 14. The existing curb cut and driveway location providing access shall be reviewed with the proposal. No additional curb cut shall be permitted unless deemed necessary by the commission.

f. Each ADU shall have its own independent bathroom and kitchen areas, which shall include standard cooking and plumbing facilities, and meet the requirements of the Public Health Code for potable water and sewage disposal. In addition, the ADU shall include at least one bedroom and dedicated, distinguishable, living space. Universal design features shall be utilized to provide accessible space to the extent practicable.

g. When located within the principal dwelling unit, any new entrance to the ADU should be located on the side, or in the rear, of the principal dwelling unit. Unless prohibited by the State Building Code, all stairways to upper stories should be enclosed within exterior walls. Notwithstanding subsection c above, and in cases where construction of the ADU is over an existing portion of the principal dwelling or its garage, such proposed height of new construction may complement existing architecture but shall not exceed the existing height of the principal dwelling.

h. In the case of garage or other accessory outbuilding conversions, freestanding or otherwise, larger building door infill areas shall be restored to match surrounding material and the base of the building to the extent possible. Windows shall be provided and be located within the door infill area which shall match materials of any historic windows on upper floors where applicable. They shall also be in a configuration that is compatible with the historic windows.

i. Existing accessory building(s) on site that are valid nonconforming structures may be converted to an ADU under the limits of this regulation provided all other requirements are met and such conversion is consistent with the provisions of sections 9.1, 9.3 and 9.5 regarding continued use, enlargement or alteration of a nonconforming lots and structures as the case may be.

SECTION 19- DEFINITIONS

19.3 Definitions.

UNIVERSAL DESIGN FEATURES: Such housing features that are incorporated into the site and/or building design to the extent practicable, including such items as lever door handles, minimum 36" wide interior/exterior doors, hallways, and stairs, deeper and shorter steps to allow for retrofitting ramps, non-slip flooring with level thresholds, grab bars at residential toilets, and showers and seat or walk in access to showers such as Connecticut Building Code compliant bath/shower for accessibility.