MANSFIELD
CONNECTICUT

PZC Regulatory Review Committee
February 26, 2020, 5:00 PM

Conference Room A| Audrey P. Beck Municipal Building
4 So. Eagleville Road, Mansfield, CT

Page

SPECIAL MEETING AGENDA

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF MINUTES

A. February 21, 2020 Regular Meeting Minutes 2 - 6

2-21-2020 Draft Minutes with attachments

3. REVISIONS TO ZONING AND SUBDIVISION REGULATIONS

A. Potential Short Term Amendments (In Advance of Rewrite) 7 - 20

Potential amendments include but are not limited to: multi-family housing, affordable housing, stormwater management, efficiency units, home occupations, accessory structures, parking, signage, historic villages and administration/enforcement/procedures. Additional drafts may be provided prior to or at the meeting.

Short-Term Amendments-Stormwater

Short-Term Amendments-Family Friendly Housing Overview

Short-Term Amendments-Draft-02 21 2020

Short Term Amendments-Initial proposal-02 07 2020

4. COMMUNICATIONS

5. FUTURE MEETINGS

6. ADJOURNMENT

DRAFT MINUTES

Members Present: P. Aho, V. Ward, L. Cooley, K. Rawn

Staff Present: L. Painter, J. Kaufman

CALL TO ORDER AND ROLL CALL

Aho called the meeting to order at 9:03 a.m.

MINUTES

Ward MOVED, Rawn seconded approval of the December 6, 2019 and February 7, 2020 minutes as presented. Motion PASSED unanimously.

REVISIONS TO ZONING AND SUBDIVISION REGULATIONS

Short Term Amendments

Painter reviewed the initial draft of short-term amendments related to efficiency dwelling units (accessory dwelling units), home occupations, accessory structures, parking, and historic villages. Members suggested the following changes:

- Limiting the size of accessory dwelling units to 50% of the livable floor area of the principal dwelling or 1,000 square feet, whichever is less.
- Adding language on water/wastewater to regulations on accessory dwelling units.
- Allowing children under the age of 18 to live in an accessory dwelling unit in addition to a maximum of 2 adults.
- Adding a definition of transient overnight accommodations to the home occupation session

Members also discussed additional short-term amendments based on staff recommendations, including amendments related to family-friendly housing requirements; reviewing density bonus provisions for affordable housing including whether the current bonuses provide benefit and considering the addition of bonuses for units at 80% of median income; and revisions to the stormwater requirements to address long-term maintenance.

After reviewing a summary of the differences between purpose-built student housing and family-friendly multi-family housing, members indicated that amendments to address family-friendly housing needs were their top priority on the list of short-term amendments and expressed a desire to move forward quickly with drafting proposed amendments for consideration by the Commission.

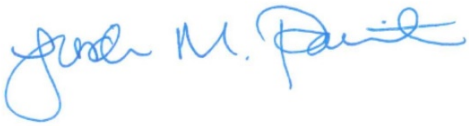
FUTURE MEETINGS

Painter will work to schedule a special meeting for the week of February 24th to review initial drafts of short term amendments related to family-friendly housing.

ADJOURNMENT

The meeting adjourned at approximately 10:37 a.m.

Respectfully Submitted:



Linda M. Painter, AICP
Director of Planning and Development

FAMILY FRIENDLY HOUSING

During the February 18, 2020 PZC meeting, members raised several questions during a pre-application meeting with regard to how the prospective developer would make the project appealing to families, including questions on unit size/breakdown, amenities, and potential for restricting some portion of the units to non-students.

In response to the concerns raised, staff has started researching how other communities are addressing differences between conventional multi-family and purpose built student housing. Preliminary research indicates the following characteristics of purpose built student housing that differ from conventional multi-family units:

- Smaller units and larger common areas designed to promote socialization/spend more time outside of their home as opposed to the privacy desired by residents in conventional multi-family units.
- Less storage space as most students are leaving many of their belongings at home and only bringing what they need for school
- Smaller kitchens
- 1:1 ratio of bedrooms to bathrooms
- Lease by bedroom instead of bathroom
- Bedrooms with individual door locks
- Lease terms aligned with academic year
- Combination of traditional and student-friendly amenities: Study rooms, swimming pools, game rooms, exercise rooms, barbeque areas

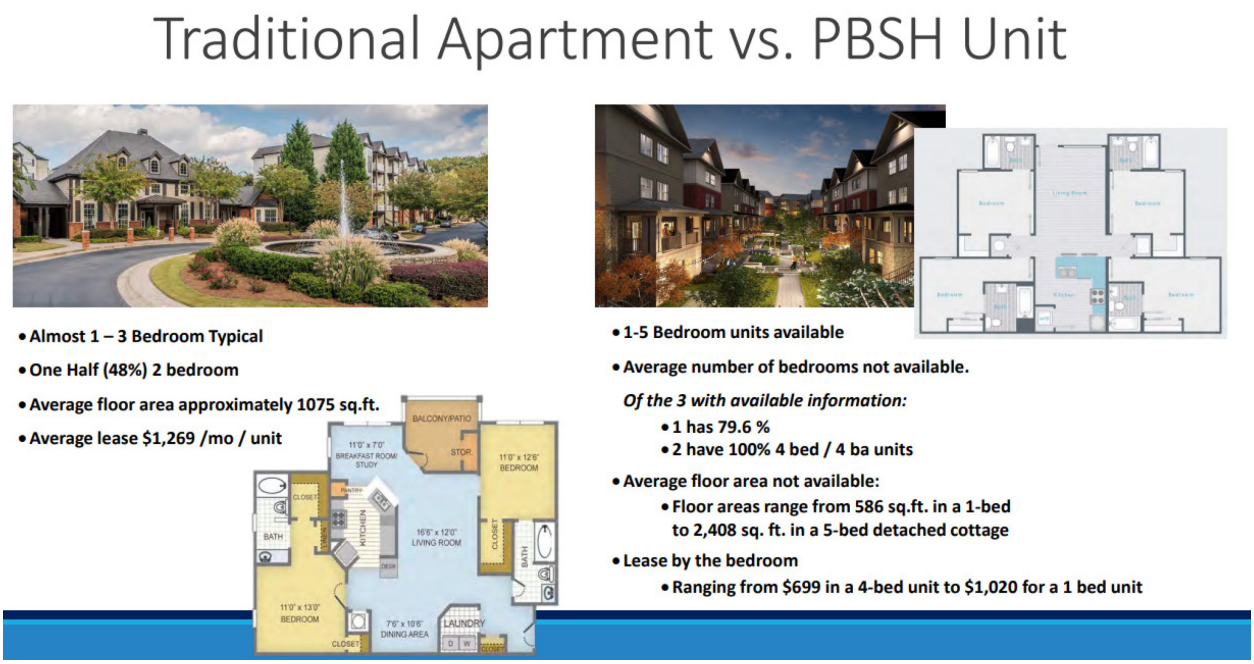
These differences present concerns with future of such developments should the student population/demand decrease in the future, as the floorplans and amenities are not necessarily appealing to a broader demographic. While Mansfield has limited the size of multi-family units (number of bedrooms) in certain districts by virtue of our family definition, that definition alone will not ensure a diverse population or units that are appealing to students, families and professionals.

Family-Sized, Family-Friendly Housing

In 2014, the Seattle Planning Commission produced "Family-Sized Housing: An Essential Ingredient to Attract and Retain Families with Children in Seattle." This white paper identified elements specific to supporting housing for families as well as specific recommendations. This report addressed elements of family-friendly housing at both the micro (project) and macro (neighborhood/community) scales. One of the most significant recommendations related to unit design was that the City adopt a formal definition of family-sized housing and family-friendly buildings. An excerpt of that recommendation is attached for review. In summary, it identifies the need for units with multiple bedrooms that also include private gathering spaces such as dining rooms, studies as well as access to outdoor play and recreation space where children can be easily supervised. For a development to be considered family-friendly, a critical mass of units would need to be family sized. Affordability of family-sized units would also need to be considered.

Traditional Apartments vs. Purpose Built Student Housing

The below comparison of traditional apartments versus purpose built student housing units was taken from a powerpoint presentation at the Georgia Planning Association Fall Conference (2018): The Student Housing Conundrum: Balancing Need with Community Implications. As shown in the floorplans, traditional units typically have more common gathering spaces within the unit such as dining areas and studies in addition to a living room, whereas the purpose built student units are design with a sole common living space in conjunction with a small kitchen.



Action #1:

Adopt a formal definition of family-sized housing and family-friendly buildings.

A definition of family-sized, family-friendly housing is a basic step needed to promote the production and availability of more housing suitable for families with children. Such a definition can facilitate the development of policies, legislation, and programs; and provide a starting point for crafting design guidelines for designing family-friendly housing. The definition should identify the minimum characteristics of family-sized, family-friendly housing:

a **Family-sized, family-friendly housing UNITS contain two or more bedrooms** and include additional features critical for families, i.e., spaces where family members can gather for meals and other activities, and where children can play and engage in other activities such as homework; easy access to outdoor play and recreation space;[10] and sufficient storage space. Ideally, these housing units should be located in family-friendly buildings/developments.

Note: Given that the average size of families with children in Seattle is small, 2 bedrooms make sense as a *minimum* for defining "family-sized" housing in Seattle.[11] At the same time, *it is imperative that Seattle address the dearth of affordable 3+ bedroom units*; accordingly, the Commission's recommendations put a special emphasis on increasing the supply of 3+ bedroom units.

b **Family-friendly BUILDINGS or COMPLEXES** provide access to outdoor recreation space suitable for children where adults can appropriately supervise and easily view children (such as a private outdoor space, or a yard or patio directly connected to the unit); and/or common outdoor space within the development.[12] Family-friendly buildings and complexes are also safe for children, both within each unit, and in common spaces. Family-friendly, multi-unit buildings and complexes include a critical mass of family-sized units (e.g., at least 50 percent of units).

Family-friendly NEIGHBORHOODS

Identifying a set of minimum criteria or specific mix of ingredients that need to be present for a neighborhood to be considered "family-friendly" is worthwhile, although beyond the scope of this white paper. That said, it will be important for the City to consider the current or potential level of family-friendliness in an area to appropriately target many of the strategies the Commission recommends to increase the availability of family-sized housing. The safety of the neighborhood and presence of a quality, public neighborhood school within walking distance, and the presence of other families are among most important ingredients.

The most family-friendly neighborhood locations additionally include access to frequent transit, parks and community facilities, childcare services, libraries, bicycle paths, "complete streets," and grocery stores, and other family-oriented retail.

STORMWATER

The following amendments are proposed to:

- *Update requirements related to deicing materials in aquifer areas as the current language promotes the use of sand, which conflicts with other stormwater management provisions that encourage the use of low impact development practices such as natural infiltration.*
- *Establish maintenance requirements for stormwater systems*

PROPOSED CHANGES TO ARTICLE 6, PROHIBITED USES, PERFORMANCE STANDARDS, AND BONDING

Proposed Amendments to Article 6, Section B.4.m (Aquifer Areas)

Revise Section B.4.m.5 as follows:

5. All ~~commercial, industrial or multi-family~~ developments ~~and other land uses with cumulatively more than 1/2 acre of impervious surface shall incorporate best management practices for storm water controls in accordance with State Department of Environmental Protection Best Management Guidelines, and shall prohibit or restrict the use of salts and chemicals for ice removal in order to minimize the risks of ground water contamination. A~~ required to submit a storm water management plan ~~detailing proposed provisions shall be submitted for Commission approval~~pursuant to Article 6, Section B.4.t shall include identify specific methods that will be used for snow and ice removal. Such methods shall be designed to minimize potential for ground water contamination from salts and other deicing chemicals. Refer to the CT DEEP Best Management Practices for Disposal of Snow Accumulations from Roadways and Parking Lots (https://www.ct.gov/deep/cwp/view.asp?a=2721&q=325692&deepNav_GID=1654%20) and the 2018 Pass the Salt: Efficient Snow and Ice Management publication prepared by Axiomatic (https://www.uvm.edu/seagrant/sites/default/files/uploads/Santoso_GreenSnowProHandouts_sm.pdf) for additional guidance on Best Management Practices.

Proposed Amendments to Article 6, Section B.4.t (Stormwater Management)

Add new Section B.4.t.5 as follows and renumber existing Section 5 (Conflicts) to Section 6:

5. Stormwater Management Plan Implementation.

a. Developers, Construction Site Operators, Contractors and sub-Contractors shall implement the approved SWM in accordance with all applicable stormwater discharge permits issued by the Connecticut Department of Energy and Environmental Protection (CTDEEP) in Mansfield.

b. Prior to issuance of a Zoning Permit, the owner of any property for which a SWM has been prepared and approved in accordance with the requirements of this Section shall execute a Stormwater Management/BMP Facilities Maintenance Agreement with the Town and record said Agreement on the Land Records. Such Agreement shall at minimum:

1. Be applicable to the property owner as well as any successors and assigns;
2. Assign responsibility for maintenance of stormwater management/BMP facilities constructed in accordance with the SWM to the property owner;
3. Require regular inspection of the stormwater management/BMP facilities to ensure the safe and proper functioning of such facilities.
4. Require submission of an annual inspection report that identifies inspection activities and results. If deficiencies are identified, the inspection report shall also include a schedule and plan to correct such deficiencies.
5. Authorize agents of the Town to enter the property and inspect stormwater management/BMP facilities whenever the Town deems necessary for compliance with the approved SWM. The Town shall provide the property owner with copies of inspection findings and if necessary, directive to commence with repairs.
6. Authorize the Town to correct identified deficiencies if the property owner fails to maintain the stormwater management/BMP facilities in good working condition as acceptable to the Town and charge the costs of such repairs to the property owner.
7. Acknowledge that the Town is not responsible to routinely repair or maintain the stormwater management/BMP facilities;
8. Require the property owner to perform the work necessary to keep the facilities in good working order, including following any maintenance schedule approved as part of the SWM.
9. Require reimbursement of the Town within 30 days of receipt for all costs incurred by the Town pursuant to the Agreement; and
10. Hold the Town harmless from any liability should the stormwater management/BMP facilities fail to operate properly.

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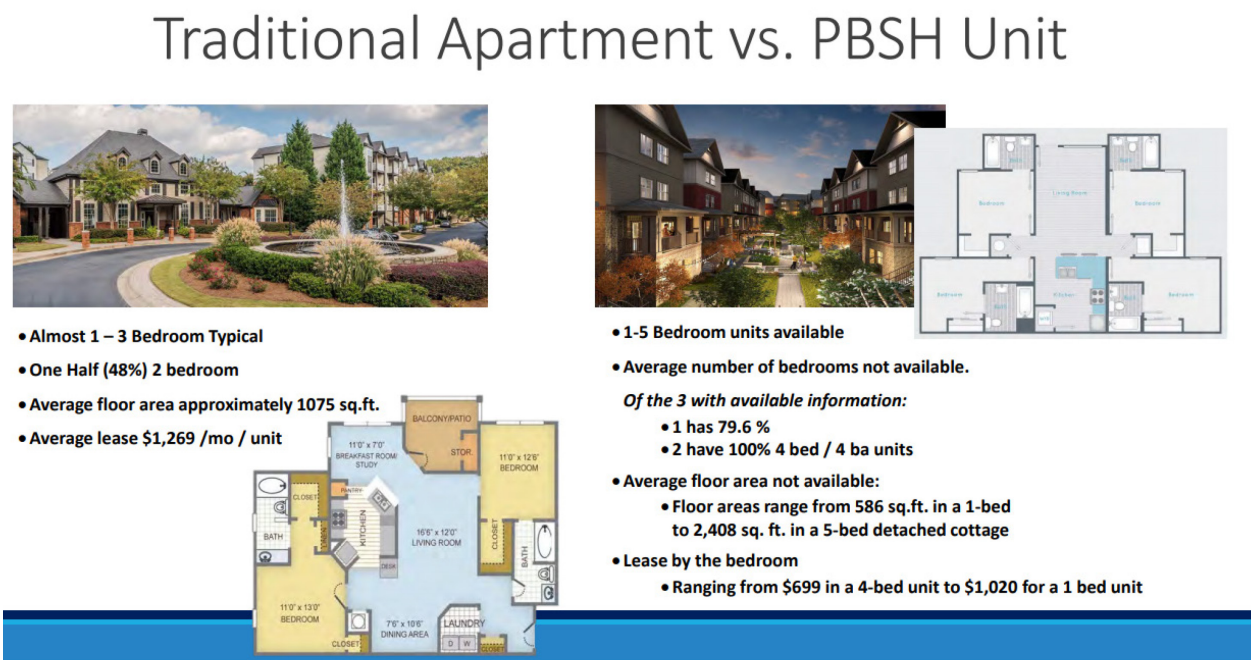

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The most family-friendly neighborhood locations additionally include access to frequent transit, parks and community facilities, childcare services, libraries, bicycle paths, "complete streets," and grocery stores, and other family-oriented retail.

EFFIENCY DWELLING UNITS

The following amendments are proposed to:

- *Update terminology to current usage (changing "efficiency unit" to "accessory dwelling unit")*
- *Facilitate the addition of accessory dwelling units on owner-occupied properties by changing the review process from special permit to a zoning permit and allowing accessory dwelling units to be located in detached structures*
- *Adding specific design standards to ensure compatibility with residential neighborhoods.*
- *Strengthening owner-occupancy requirements by requiring owners to record a declaration of restrictions on the land records that cannot be modified without the consent of the Planning and Zoning Commission.*

Proposed Changes to Article 4, Rules and Definitions

Add definition for Accessory Dwelling Unit as follows and renumber subsequent definitions accordingly.

23. **Dwelling Unit, Accessory (ADU).** A dwelling unit that is associated with and incidental to a single-family dwelling on the same lot which serves as the lot's principal use.

Proposed Changes to Article 7, Section E (Uses Permitted in the R-20 Zone)

Revise Section E.2 as follows:

2. One single-family dwelling with one accessory dwelling unit per 30,000 square foot lot, provided municipal water and/or sewer service is utilized or one single-family dwelling with one accessory dwelling unit per 40,000 square foot lot if municipal services are not available, provided the requirements of Article X, Section L are met;

Proposed Changes to Article 7, Section F (Uses Permitted in the R-90 Zone)

Revise Section F.2 as follows:

2. One single-family dwelling with one accessory dwelling unit, provided the requirements of Article X, Section L are met;

Proposed Changes to Article 7, Section G (Uses Permitted in the RAR-90 Zone)

Revise Section G.3 as follows:

3. One single-family dwelling with one accessory dwelling unit, provided the requirements of Article X, Section L are met;

Proposed Changes to Article 8, Dimensional Requirements/Floor Area Requirements

Revise Section C.1.c as follows:

“See specific provisions for DMR, ARH, PVRA, and SC-SDD zones and for multi-family housing, conversions, accessory dwelling units and efficiency units allowed in other zones.

Proposed Changes to Article 10, Section L (Efficiency Units)

Delete existing section in its entirety and replace with the following:

1. **Unit Types and Design Standards.** Accessory Dwelling Units shall comply with the following requirements:
    a. *Accessory Dwelling Unit Types.* An accessory dwelling unit may be created only through the following methods:
        - Converting existing living area within a principal dwelling, such as basement or attic space.
        - Adding floor area (i.e. addition).
        - Constructing a new principal dwelling with an internal or detached accessory dwelling unit.
        - Converting or adding onto an existing accessory structure on a lot, such as a garage or other outbuilding.
        - Constructing a new accessory dwelling unit within a separate detached structure.

    b. *Prohibition on Use of Recreational Vehicles as ADU.* Recreational vehicles, travel trailers and any other wheeled or transportable structure shall not be used as an accessory dwelling unit.

    c. *Maximum Size.* The ADU shall not exceed 35% of the livable floor area of the principal dwelling.

    d. *Floorplan.* The ADU shall include a distinct kitchen or kitchen area containing a sink, refrigerator, stove or stovetop, oven, cabinets, and adequate counter space for food preparation and serving; and a bathroom containing toilet, sink and shower or bathtub.

    e. *Entrances.*
        - The ADU must have an entrance separate and distinct from any entrance used to access portions of the building that are not part of the ADU.
        - No new entrances for an accessory dwelling unit may be added to the front façade of a principal dwelling.

    f. *Nonconforming Structures.* Accessory dwelling units may be located in existing principal or accessory structures that are nonconforming to height and/or setback requirements provided the structure is not altered in any manner that would increase the degree of noncompliance.

    g. Parking
        - A minimum of three off-street parking spaces shall be provided to serve the single-family dwelling and accessory dwelling unit.

- Unobstructed access from the street to each required parking space shall be provided and no parking space shall be located on lawn areas.

h. *Utilities.* Accessory dwelling units may be connected to the water, wastewater, electric, gas, and other utilities of the principal dwelling or may have separate services.

2. Owner Occupancy Required.

a. *Declaration of Restrictions.* The property owner shall file a declaration of restrictions on the land records stating:

- Either the principal dwelling unit or accessory dwelling unit shall be occupied as a primary residence by a record owner of the property at least six months per calendar year. "Owner" shall be as defined in Article 7, Section G.2.a.
- Occupancy of the accessory dwelling unit is limited to two persons.
- The accessory dwelling unit shall not be sold separately from the principal dwelling unit, nor shall the lot be subdivided to provide a separate lot for the accessory dwelling unit.
- These restrictions shall run with the land and are binding upon any successor owner of the property.
- These restrictions shall not be modified or removed without the consent of the Town of Mansfield.

b. *Modification of Restrictions.* No deed restriction shall be modified unless approved by the PZC.

c. *Release of Restrictions*. Upon verification that an accessory dwelling unit established pursuant to this Section has been removed, the Zoning Enforcement Officer shall record appropriate documentation to release the encumbrance. Any fees associated with such release shall be borne by the property owner.

d. *Biannual Certification.* The property owner shall submit a notarized statement every two years, starting on the first of January of the following even-numbered year, certifying that:

- One of the units is the primary residence of the owner;
- The owner meets the requirements of an owner-occupant as required by this section; and
- The accessory dwelling unit continues to comply with all applicable requirements.

3. **Application Requirements.** The following documentation shall be submitted with applications for an ADU:

a. A draft declaration of deed restrictions pursuant to Section 10.L.2 in a form acceptable to the Town Attorney.

b. Any other documents needed to determine compliance with the Regulations.

c. A Zoning Permit shall not be issued until the declaration has been approved by the Zoning Enforcement Officer and Town Attorney and recorded on the land records by the property owner.

4. **Violations.** In addition to penalties for violation identified in Chapter 11 of these Regulations and Chapters 134 and 189 of the Mansfield Code of Ordinances, the Certificate of Compliance for an Accessory Dwelling Unit may be revoked for non-compliance with these Regulations or if there are two or more noise and/or nuisance violations associated with the property on which such unit is located within a 12 month period. Special Permit approval shall be required for reinstatement of any Accessory Dwelling Unit permit that has been revoked.

HOME OCCUPATIONS

The following amendments are proposed to:

- *Codify a previous interpretation that applied home occupancy requirements to Airbnb uses as well as bed and breakfast operations*
- *Extend the period for which a home occupation permit is granted by changing the renewal deadline from January 1 of even numbered years to January 1 of years ending in 0 or 5.*

Proposed Changes to Article 10, Section N.1 (Home Occupations-Permitted Uses)

Revise Section N.1 as follows:

1. Permitted Uses

A home occupation may include, but not be limited to, the following uses for the zones indicated:

a. R-20 and R-90 residential zones: Art studios, barber shops, beauty salons limited to one operator, dressmaking, teaching, transient overnight accommodations provided no more than 3 bedrooms are utilized for guests, office of a recognized profession, such as physician, lawyer, engineer, architect, real estate or insurance agent, contractor or tradesman and similar such uses, but specifically excluding the sale of any goods on the premises.

b. All other zones: All the uses permitted in 1.a. above and in addition, the sale of antiques, the sale of handcrafted items produced on the premises, the assembly, repair and sale of small retail goods, home baking and limited food preparation/catering operations, and the limited storage or parking of vehicles, equipment and/or materials associated with a contractor, tradesman or other home occupation use.

Proposed Changes to Article 10, Section N.3 (Home Occupations-Permit)

Revise Section N.3 as follows:

3. Permit

a. A Home Occupation Permit, issued by the Zoning Agent, shall be valid for a period ending January 1 of the next year ending in a zero or five and may, upon application by the holder of such permit, be renewed for additional periods of five years each, provided the requirements and intent of this Section are continually met. Such permit shall not be transferable.

* * * * * * *

d. A Home Occupation Permit shall not be renewed and an outstanding Permit may be revoked if, in the opinion of the Zoning Agent and the Commission:

   1. The use has clearly altered the residential character of the premises and neighborhood through the generation of traffic or noise substantially in excess of that normally generated by a residential dwelling unit;

   2. Changes in the lot or the occupied building have been made altering the residential character of same, or

   3. Other conditions prohibited in subsection N.2 above have been created.

e. Any uncertainty regarding the issuance or renewal of a Home Occupation Permit shall be resolved by the Mansfield Planning and Zoning Commission.

f. The granting of a permit for a home occupation shall not constitute the establishment of a legal non-conforming use.

g. Prohibited Uses - A home occupation shall not be construed to include restaurants, or other eating and drinking places, kennel, animal hospital, automotive repairs, small engine repair, or any other use which in the opinion of the Zoning Agent or the Commission would create conditions prohibited in Section N.2 above.

ACCESSORY STRUCTURES

The following amendments are proposed to:

- *Authorize 10 foot side and rear yard setbacks for all small accessory structures (current regulations limit use of this setback to storage sheds)*
- *Exempt one-story sheds that are 200 square feet or smaller from zoning permit requirements, consistent with the current building permit exemption for such structures established in the state building code.*
- *Exempt swimming pools that are accessory to one-family dwellings and are no more than 24 inches deep from zoning permit requirements. This exemption would be consistent with the current building permit exemption for such structures established in the state building code.*

Proposed Changes to Article 8, Section B.1.d (General Provisions-Storage Sheds)

Revise Section 1.d as follows:

d. **Accessory Structures** - Accessory structures shall meet applicable setbacks from front lot lines but setbacks from side or rear lot lines may be reduced to ten feet provided the structure does not exceed 10 feet in height or 200 square feet in area. The setback reduction shall not apply to:

- Accessory structures for which more specific setback requirements are established elsewhere in these Regulations.
- Accessory structures for which a larger setback was required by the PZC as part of a Site Plan or Special Permit approval.
- Subdivision lots and associated building area envelopes approved after February 20, 2002. On a subdivision lot approved after February 20, 2002, the Commission may grant an exception for a storage shed that is not within an approved building area envelope, provided the standards cited above in this subsection are met, the shed is within a Commission-approved development area envelope, and the shed location is consistent with subdivision standards regarding the protection of significant natural and manmade features and/or scenic views and vistas. See Article VIII, Section B.5 and applicable provisions of Mansfield's Subdivision Regulations.

Proposed Changes to Article 10, Section C.1 (Zoning Permits-Applicability)[1]

Revise Section 1.b as follows:

b. A Zoning Permit is not required for:

- Repairs or alterations to existing buildings or structures, provided the repairs or alterations are for maintenance purposes and will not alter the square footage of the subject building or structure, and provided the repairs or alterations will not conflict with any associated Planning and Zoning Commission or Zoning Board of Appeals actions.
- One-story storage sheds that are 200 square feet or smaller in size. Such sheds shall comply with the setback provisions of Article 8.
- Aboveground swimming pools accessory to single-family dwellings provided said pool is no deeper than 24 inches. Such pools shall comply with the setback provisions of Article 8.

[1] If a consolidation/rewrite of administrative procedures is undertaken concurrently, these changes would be wrapped into those amendments.

PARKING

The following amendment is proposed to make the Town's accessible parking space requirements consistent with state requirements.

Proposed Changes to Article 10, Section D.11 (Required Off-Street Parking and Loading-Accessible Parking Spaces)

Revise Section D.11 as follows:

11. **Accessible Parking Spaces** - All proposed commercial, industrial, governmental and multi-family residential land uses shall provide accessible parking spaces for persons with disabilities. At minimum, said spaces shall conform with Section 14-253a(h) of the State Statutes and the State Building Code in number, location and design. However, additional handicap spaces may, depending on the number of entrances and the nature of the population served, be required by the Commission.

HISTORIC VILLAGES[2]

The proposed amendments would retain the historic village design guidelines for any project requiring site plan/special permit approval, but eliminate the need for PZC review for alterations to properties that only require a Zoning Permit.

Proposed Changes to Article 10, Section J (Special Provisions for Plan of Conservation and Development Designated Historic Village Areas)

Revise the first paragraph of Section J.2, Special Historic Village Area Review Criteria, as follows:

All exterior construction within the ten (10) historic village areas noted above in Section 1, including but not limited to new primary or accessory structures, building additions, swimming pools, signs and site work or site improvements, that require site plan or special permit approval pursuant to Article V, Sections A or B of these regulations shall comply with the following provisions:

[2] This item was not included in the list discussed at the February 7, 2020 Regulatory Review Committee, but has been previously discussed as part of the overall rewrite.

MEMO

To: Regulatory Review Committee

CC: Jennifer Kaufman, AICP, Senior Planner; Jillene Woodmansee, Planning Specialist/ZEO

From: Linda Painter, AICP, Director

Date: February 7, 2020

Subject: Short-Term Zoning Regulation Amendments

As staff works with the Committee and selected consultant to identify priorities for Phase 1 of the Zoning Rewrite, staff has identified some amendments that we would like to see addressed in the short-term given questions and issues that frequently arise during the permitting and enforcement process. In some cases, we already have draft language that could be adjusted for inclusion in the existing regulations. For others, staff would prioritize drafting language for review at the Committee's next meeting. This list is what staff has identified to-date; additional items could be added as needed.

SUGGESTED CHANGES RELATED TO PERMITTING/ENFORCEMENT FAQ

Efficiency Units

We have had countless requests over the last few years as well as two requests in the last month regarding the potential for establishing efficiency units in detached structures. The most recent requests were both related to helping residents age in place. As part of work done on the zoning rewrite, there is draft language that would:

- Change the term from efficiency unit to Accessory Dwelling Unit (ADU)
- Change the review process from Special Permit to Zoning Permit
- Allow ADU's in detached structures
- Establish specific design standards for ADU's to compensate for the change from special permit to zoning permit review

Home Occupations

- As this is an even-numbered year, we are once again in the process of renewing home occupation permits. One of the ideas raised as part of the zoning rewrite process was changing the renewal period for home businesses from every even-numbered year to years ending in a 0 or 5.
- Staff also recommends changing the term "bed and breakfast" operations to "transient overnight accommodations" which includes both B&B as well as Airbnb operations. This change would formally codify the interpretation under which we currently operate.

- Recent review of the permit section of the regulations indicates that some renumbering may be needed; there appear to be some sections listed under revocation that are broader in nature and should not be shown as a subset of revocation.

Accessory Structures

- Article 8, Section B.1.d provides an exception to principal building setbacks for storage sheds provided they do not exceed certain size requirements and are not used as a garage or to house humans or motor vehicles. As this exception is limited to sheds, other accessory structures of similar size (pergolas, gazebos, pavilions) as well as 1-car garages are required to meet principal building setbacks. Staff would recommend that this provision be revised to be more general in nature.

- The Connecticut Building Code currently exempts swimming pools accessory to one-family dwellings that are no more than 24" deep and one-story accessory structures that are 200 square feet or smaller from obtaining a building permit. However, our regulations still require zoning permits for such structures. Staff recommends that the RRC consider exempting these structures from the need to obtain a zoning permit. The structures would still be subject to setback requirements; enforcement of setbacks would be handled through enforcement if setbacks are violated instead of through the permitting process.

Administration and Enforcement

- When the Town retained CME to provide Zoning Agent services, one of the recommendations from Mike D'Amato was that we replace the term Certificate of Compliance with Certificate of Completion to clarify that the Certification was being issued based on conformance of construction with approved plans.

- The current organization of Article 11 is confusing; additionally, the procedures for Site Plan Review and Special Permit are currently located in Article 5 and the procedures for Amendments to the Zoning Map and Regulations are located in Article 13. As part of the short-term amendments, staff would like to explore the possibility of replacing these three articles with a different breakdown/organization based on the framework for the new regulations that we will be reviewing with the consultant team. Current options include:

    - Combining all administration, enforcement and procedures into one chapter

    - Combining procedures (zoning permits, site plans, special permits, variances, reg/map amendments) in one article and general administration (ZEO, enforcement, etc. in a separate article)

Parking

Article 10, Section D.11 specifies that the required cross-hatch area be located on the right-hand side of each accessible space. This requirement is not consistent with state or federal requirements, which offer more flexibility. Staff recommends that this section be amended to require that accessible spaces conform to state statutes and regulations with regard to number, design and location.

Signs

While the entire section needs significant work, one minor fix recommended by staff is clarification regarding public/governmental signs.