

*Amendment to the Town of Trumbull Zoning Regulations
Article II, Section 2.6 Assisted Living Facility Zone (Industrial)*

Applicant: 48 Monroe Turnpike, LLC

VERSION: October 17, 2018

*The proposed text amendment request is to modify ARTICLE II, Section 2.6 Assisted Living Facility Zone (Industrial) to: allow independent living units within an assisted living facility, require increased parking provisions for same, modify the lot coverage from 40% to 60%, and clarify the measurement of building height. The text of section 2.6 Assisted Living Facility Zone is provided below with deletions represented in ~~[brackets with a strike-through]~~ and additions represented in **bold, red underline**.*

ARTICLE II

2.6 Assisted Living Facility Zone (Industrial)

2.6.1 Purpose and Intent

- A. The purpose and intent of this Regulation is to authorize assisted living facilities in areas zoned for industrial use, herein referred to as ALF (Industrial) in accordance with the purpose and intent established in Section 2.5.1., except that:
- 1. In an ALF (Industrial) each living unit shall have a minimum of 250 sq. ft. per bed.**
 - 2. ALF (Industrial) zones may additionally include independent living units integrally located within the same building. Occupants of such units shall have the option to select the assisted living services outlined in Section 2.5.1.B. or to independently prepare meals within a private residential unit containing a kitchen.**
- B. An ALF (Industrial) shall be subject to all provisions set forth in Section 2.5 with regard to utility and road requirements (Section 2.5.5), landscaping (Section 2.5.6), and Design Review (Section 2.5.7).
- C. An application for an ALF (Industrial) shall be made in accordance with the provisions of Section 2.5.9 and subject to the provisions of Section 2.5.10 (Standards for Zone Change Approval), Section 2.5.11 (Standards for Design), and Section 2.5.12 (Continuous Nature of Standards).

2.6.2 Site of Zone

Each ALF (Industrial) shall require a minimum of 4 contiguous acres.

2.6.3 Location of Zone

An ALF (Industrial) shall be located in an area zoned for industrial use, which area shall have at least 150 ft. of road frontage and has either additional road frontage or access to a state highway. 100

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2.6.4 Bulk (Building Standards)

Minimum building lines and limits on heights and bulk of buildings:

Minimum road access 150'

Setbacks from property lines 50', except that a minimum of 35' on no more than one property line; the setback must be a minimum of 50' when the property line abuts a residential property

Maximum lot coverage [~~40%~~] **60%**

Maximum height 45' **as measured from the floor level of the first story** or 3 stories, whichever is greater

Vents, skylights, elevator enclosures and other mechanical rooftop apparatus shall not exceed 30% of roof areas and shall not extend more than 15' above the roof.

2.6.5 Provision for Vehicles

A minimum of one-half (0.5) spaces per [dwelling] **assisted living** unit shall be provided. **A minimum of one and one-quarter (1.25) spaces per independent living unit shall be provided.**

Amendment to the Town of Trumbull Zoning Regulations
Article II, Section 4.1 Industrial Zone I-L (Light Industry – 5 acres)

Applicant: 48 Monroe Turnpike, LLC

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The proposed text amendment request is to modify ARTICLE II, Section 4.1.5.d. to: Reduce the setback from a building to a street from 100 feet to 50 feet and clarify the measurement of building height. The text of section 4.1.5 Bulk (Building Standards) is provided below with deletions represented in ~~[brackets with a strike through]~~ and additions represented in **bold, red underline**.

ARTICLE II

SECTION 4: INDUSTRIAL ZONES

4.1 Industrial Zone I-L (Light Industry - 5 acres)

...4.1.1 through 4.1.4 not provided...

4.1.5 Bulk (Building Standards)

- a. No parcel of land shall be used for industrial purposes unless it shall consist of at least five (5) acres. The average greater dimension shall not exceed three (3) times the average smaller dimension;
- b. Maximum Building Coverage shall not exceed 33-1/3% of parcel area;
- c. Total Lot Coverage shall not exceed 80%.
- d. No building shall be located ~~[less than 100 feet from a street,]~~ less than 100 feet from a residential zone boundary, nor less than 50 feet from any other property line~~]; provided, however, that the Commission may allow a building to be no less than 50 feet from a street where buffering is provided by means of landscaped berm at least 4 feet high. Such berm shall curve within the setback so as to replicate natural features and avoid the appearance of dike].~~
- e. Except as provided in Section 4.3.8, no building shall exceed forty (40') feet in height **as measured from the floor level of the first story**. Vents, skylights, elevator enclosures and other mechanical rooftops apparatus shall not exceed 30% of roof area and shall not extend more than 15 feet above the roof;
- f. Security or reception buildings may be located no less than ten (10) feet from the street line and shall not exceed 15 feet in height.

Amendment to the Town of Trumbull Zoning Regulations
Article II, Section 7.6 Multi-Family Overlay Zones

Applicant: 48 Monroe Turnpike, LLC

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*The proposed text amendment request is to modify ARTICLE II, Section 7.6 Multi-Family Overlay Zones to: create requirements for Active Adult Age Restricted Dwelling Units; allow developments exclusively comprised of such units to have direct access from a state highway; and establish a town-wide cap on the number of such units allowed separate from the cap for other MFO dwelling units. The text amendment further seeks to clarify the measurement of building height and allow additional building coverage for accessory structures and uses without increasing the limit on total site coverage. The text of section 7.6 Multi-Family Overlay Zones is provided below with deletions represented in ~~brackets with a strike through~~ and additions represented in **bold, red underline**.*

ARTICLE II

7.6 Multi-Family Overlay Zones

7.6.1 Purpose and Intent

The purpose of the Multi-Family Overlay Zone (MFO) is to create residential development in areas no longer necessary for office or industrial development, yet have the necessary infrastructure to support multi-family use without additional burden on municipal infrastructure. One goal of the MFO is to facilitate economic redevelopment by returning former industrial sites to the market by means of conversion to a viable residential use.

It is further the intent of this regulation to provide rental housing opportunities in an aesthetically pleasing community for individuals and households, including singles, couples, empty-nesters, and others, who, for reasons of cost or lifestyle, choose not to reside in a single family house. Dwelling units shall be rented to one "family" as that term is defined in these regulations. Any development pursuant to this regulation should not be designated to serve as undergraduate student housing.

It is further the intent of this regulation to provide separate housing opportunities for active adults over fifty-five years of age. For the purposes of this section, dwelling units within an Age Restricted Active Adult development shall comply with Section 7.6.7 below.

7.6.2 Location Criteria for Multi-Family Overlay Zone

An MFO Zone may be located only on properties that meet all of the following criteria:

- a. Currently zone IL or IL-2
- b. Not less than 10 acres; and
- c. No direct access from a state highway **except for developments comprised of age restricted active adult dwelling units pursuant to Section 7.6.7 below.**

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A site rezoned by the Commission to MFO shall be developed in accordance with regulations set forth in Sections 7.6.4 & 7.6.5 below.

7.6.3 Uses Permitted by Special Permit

Multi-family residential development of not more than 220 units and associated clubhouse and amenity and/or active recreational space, subject to the criteria set forth in Section 7.6.4 below.

7.6.4 Development Standards

Notwithstanding other provisions of the Zoning Regulations, the following parameters and controls shall govern the development of a site in the MFO Zone.

1. Density. The maximum number of dwelling units shall be 20 units per acre. The maximum number of age restricted active adult dwelling units that may be developed pursuant to this MFO shall be 300, including those approved prior to October 1, 2018. The maximum number of other dwelling units that may be developed pursuant to this MFO shall be ~~[600]~~ 401, including those approved prior to October 1, 2018. The maximum number of all dwelling units that may be approved pursuant to the MFO Zone within the entire town shall be 701, including those approved prior to October 1, 2018~~[, provided that no more than 220 units may be approved by the Commission within any 42-month period].~~
2. Height and Stories. The maximum height of any principal building shall not exceed 65 feet as measured from the floor level of the first story or five (5) stories.
3. Setbacks. The minimum yard requirements shall be 50 feet for front, side, and rear yards. In no event shall any building be closer to a public street than 1.25 times the building height, nor shall any building be located less than one hundred (100) feet from the Merritt Parkway right of way.
4. Coverage. Building coverage of all buildings shall not exceed 20% of the lot area for principal structures and 5% for accessory structures, and the maximum lot coverage shall not exceed 60% of the lot area. Accessory structures shall be for uses ancillary and customary to the principal use including, but not limited to: resident storage, club house, pool, management offices, maintenance, etc.
5. Parking. Parking for residential units shall be provided at 2.0 spaces per two bedroom unit and 1.8 spaces per one bedroom unit. Guest parking shall be provided at 1.0 space per 20 units. Lighted pedestrian walking

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paths or sidewalks should be provided between parking areas and residential buildings.

6. **Recreational Space.** Any development within the MFO Zone shall provide not less than 100 square feet per unit of useable amenity area or active recreation areas for the benefit and enjoyment of residents. Amenity and active recreational areas may include, but not be limited to, swimming pools, recreational facilities and buildings, and tennis courts. The site plan shall indicate the proposed manner or development of these uses including, for example, barbecues, fireplaces, picnic tables, play equipment and landscape walkways. The recreational facilities shall be dispersed in such a way as to ensure the health, safety, and convenience of the residents for whose use it is intended.

7. **Landscaping of Overall Site and Parking Lots.**

The area of the lot devoted to pervious landscaping or remaining in its existing natural state shall be no less than 40 percent. The minimum front landscape and perimeter buffer shall be 20 feet and designed in accordance with Article IV, Section 4.6.4 and 4.6.5. All developments will have at least 20 square feet of interior landscaping for each parking space within the paved portion of the parking lot.

Land that is not covered with impervious surfaces, such as buildings, drives, parking areas, and walkways shall be suitably landscaped or retained in its natural state, with supplemental plantings as designated by the Commission. Landscaping shall be provided which shall be approved by the Tree Warden. Applicants shall provide a copy of the Landscaping Plan in sufficient time for the Town Tree Warden to make comments and recommendations. The recommended plan shall be presented to the Planning and Zoning Office prior to the scheduled Public Hearing.

The purpose of said landscaping shall be to enhance the appearance and natural beauty of the town and to protect and increase property values through preservation of existing vegetation and establishment of new screening and landscaping material, to moderate heat, noise, glare, and accumulation of dust, to shade, to provide privacy from noise and visual intrusion, to prevent the erosion of soil, excess water run-off of drainage water, to guide the safe circulation of traffic. All plantings shall be installed according to accepted horticultural methods. Said plan may include height and spacing arrangement as shall best be in keeping with the intent of these regulations. A bond, which shall insure completion of landscaping requirements, shall be submitted in a form satisfactory to the Commission.

8. **Utility and Road Requirements**

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- A. There shall be a storm drainage system which shall collect, carry off, and dispose of surface water run-off and shall be constructed to conform to all applicable Town ordinances and regulation, specifically including Article I, Section 5.3 of these Regulations.
- B. All utility facilities shall be placed underground.
- C. The dimensions and construction of parking areas shall conform to all applicable Town ordinances and regulations.
- D. There shall be a public water supply and municipal sewer system serving the facility.

9. **Building and Unit Design**

All new development in the MFO shall be one or two bedroom units. One bedroom units shall have a minimum size of 700 square feet. Two bedroom units shall have a minimum size of 950 sq. ft. Unit mix should target young professionals and empty nesters. Interior fit outs should include high quality finishes like granite countertops, upgraded appliances, and upscale lighting fixtures.

All new development in this zone shall be compatible with or exceed the quality of the surrounding development in terms of materials, building siting, architecture and landscaping. Staggered or off-set unit facades and/or varied unit façade materials should be utilized. The exterior building material, color, roof-line and building elevations shall be residential in character. A combination of materials may be used but the entire building should be of the same architectural style. Concrete blocks shall not be visible on any other façade of a building.

Pitched roofs are preferred. All rooftop utilities or other equipment, other than solar energy panels, shall be concealed from view of pedestrians, car traffic and residential units which may be located on higher floors.

10. **Signage**

- A. Two (2) Identification Signs for the development not exceeding a combined 65 square feet of Sign Area shall be permitted. These shall be Ground Signs and shall not have a Sign Face exceeding five (5) feet in height, nor a total height exceeding ten (10) feet.
- B. Two (2) Wall Signs not exceeding 25 square feet of Sign Area each may be located on a building or buildings within the development, provided that no building shall have both signs. Such Wall Sign may be located on the building surface, including on any cave or gable, or

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may be placed on , above, or below a canopy that extends out from the building surface. In no case, however, shall a Wall Sign extend above the height of the building. Such Wall Sign may be internally illuminated.

- C. On-site public safety, directional, building identification or other signage related to accessory uses (such as those for amenity or recreational areas or building/use rules) shall be exempt from any signage regulations provided that no individual sign shall exceed 12 square feet.
- D. One (1) Temporary Sign not exceeding thirty (30) square feet advertising the availability of dwelling units for rent shall be permitted. Such sign shall be displayed for no more than twelve (12) months, which time period may be extended by the Commission for an additional twelve (12) months. Such Temporary Sign shall be removed no more than thirty (30) days following the completion of the initial rental of all dwelling units.
- E. Signage shall be approved in accordance with Article XIII, Section 5, provided that the location of signage may be approved in connection with the overall special permit issuance.

11. Standards for Design

The Commission may approve a site plan filed in connection with an MFO zone change if it complies with the requirements of these Regulations, and conforms to the following design standards:

- A. Driveways: All drives shall be asphalt, pea stone, brick, and/or stone.
- B. Walkways and Stoops: All walks and stoops shall be brick, flagstone, stone, wood, or concrete.
- C. Finish Grading: The building shall be backfilled to expose a minimum amount of foundation unless the foundation is faced with brick or stone above the grade. A minimum of 4" (four inches) of compacted loam shall be placed throughout the entire disturbed construction area, except those areas reserved for landscape trees, shrubs, or ground covers, which shall be seeded or sodded in conformance with the CT Guidelines for Soil Erosion and Sediment Control as amended.
- D. Pools and Tennis Courts: All pools and tennis courts visible from a public road shall be heavily screened with plantings, and shall not be located within 75' of the state highway. "Above ground" swimming pools are not permitted.

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- E. Mailboxes, trash containment areas: Mailboxes, trash containment areas, and other indications of modern occupancy shall be effectively located and/or shielded to deemphasize their presence.
- F. Siding: Acceptable exterior surface treatments are red or white cedar clapboard, red or white cedar shingles, brick facing, field stone, vertical cedar, redwood siding, high grade vinyl siding at least .040" in nominal thickness. Unacceptable materials include, but not limited to, particle board, composition board, "Dryfit", cement block, prefabricated metal, asbestos shingle, pine, plastic, aluminum or unapproved vinyl siding.
- G. Notwithstanding Article III, Section 3, accessory buildings for storage and maintenance purposes shall be allowed.

7.6.5 Procedural Requirements

1. Application for Zone Change Approval

An application for a zone change to MFO shall include:

- A. A completed zone change application as provided for by the Commission.
- B. A written statement describing how the proposal complies with the purposes set forth in Section 7.6.1 of these regulations.
- C. A site plan prepared and certified by a registered landscape architect, a licensed architect, and a registered civil engineer, which shall:
 - (1) Define the location of the areas to be used for residential and conservation or recreational purposes.
 - (2) Set forth the proposed density of the dwelling units.
 - (3) Show all roads and utilities.
 - (4) Show present and proposed topography.
 - (5) Show conceptual landscaping plan for the site.
 - (6) Applicants shall provide a copy of the Landscaping Plan in sufficient time for the Town Tree Warden to make comments and recommendations. The recommended plan shall be presented to the Planning and Zoning Office prior to the scheduled Public Hearing.
- D. Preliminary building plans illustrating:
 - (1) A typical floor plan.
 - (2) Typical elevations.
 - (3) Design Standards (as required in Section 7.6.4.9 & 11 of this Section).

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2. Standards for Zone Change Approval

The Commission may approve a petition for a change of the existing zone to MFO if it conforms to the purposes set forth in Section 7.6.1 of this Article and to all other applicable provisions of these Regulations and the property adjacent to the MFO will not be adversely affected.

3. Special Permit Approval

Simultaneously with or subsequent to the application for zone Change to MFO, the applicant shall obtain Special Permit approval for the intended development in accordance with the Article XV of these Regulations.

7.6.6 Applicability of Other Regulations

With respect to any standard or guideline established by this Section, the terms of this MFO regulation shall supersede, or in the event of any conflict prevail over, any other provision established by these Regulations.

7.6.7 Age Restricted Active Adult Dwelling Unit Requirements

1. **Age restricted active adult dwelling units shall only be occupied by:**

- A. **Persons who are 55 years of age or older.**
- B. **A spouse of an occupant who is 55 years of age or older.**
- C. **An occupant pursuant to b. above who survived his or her spouse.**
- D. **An occupant pursuant to b. above whose spouse has entered a long-term continuing care facility.**
- E. **Up to two children 19 years of age or older may reside with their parent(s), provided such parent(s) comply(ies) with this section.**

2. **Age restricted active adult dwelling units are further restricted as follows:**

- A. **In 1.C. and 1.D. above, remaining spouses who remarry or cohabitate must meet occupancy requirements. The term "spouse" shall include a "party to a civil union," as defined in C.G.S. § 46b-38aa et seq.**
- B. **There shall be no permanent resident under the age of 19 years. Visitors under the age of 19 years may stay for a maximum period of eight (8) weeks during any calendar year.**
- C. **In no event may a dwelling unit be occupied by more than four residents, not including overnight quests or care-givers.**

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3. Developments comprised of age restricted active adult dwelling units shall comply with the "housing for older persons" requirements of 42 U.S.C. § 3607 (including any amendments thereto after the effective date of this regulation) and the regulations adopted thereunder. The burden of complying with said law and regulations shall be on the owner or user of the property affected by this regulation.