



Town of Coventry

Land Use Office

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Planning • Zoning • Wetlands • Economic Development • Conservation
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TO: AD-HOC SENIOR AND AFFORDABLE HOUSING ALTERNATIVES STUDY COMMITTEE
FROM: Jana Roberson, AICP, Director of Planning and Development
DATE: July 24, 2024
RE: Zoning Regulations Impacting Housing

Definitions

Accessory Dwelling Unit: A dwelling unit that is both (i) located on the same lot as the principal dwelling unit, and (ii) used in a manner subordinate or incidental to the use of the principal dwelling unit.

Dwelling, Two-Family: A dwelling designed for use by two (2) families only.

Dwelling(s), Multi-Family: A dwelling (including an apartment house or condominium) or group of dwellings on one lot, containing dwelling units for three (3) or more families and having separate or joint entrances, services, and facilities.

Dwelling, Single-Family: A dwelling designed for use by one (1) family only.

Dwelling Unit: One (1) or more rooms in a residential building that are collectively arranged, designed, or intended for use by one (1) family, and that include lawful cooking space and lawful sanitary facilities reserved for the occupants thereof. The term 'dwelling unit' shall include an accessory dwelling unit (ADU). The term "dwelling unit" shall not be deemed to include hotel, motel, inn, boarding or rooming house, convalescent or nursing home, mobile home trailer, tourist home, or tent, except as these Regulations may otherwise specifically provide.

Family: One (1) person, or two (2) or more persons related by blood, adoption, marriage, civil union, or legal guardianship; living, sleeping, cooking, and eating as a single housekeeping unit on the same premises. The term "family" shall also be deemed to include (i) up to four (4) persons living and cooking together as a single housekeeping unit on the same premises, even though not all are related by blood, adoption, or marriage; and (ii) domestic servants. Roomers, boarders, and other paying guests shall not be deemed to be a part of any family as defined herein.

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Section 4.04.03 Lot Area

Increased Lot Size for Two-Family, Multi-Family and Farm Uses: Lots used for two-family or multi-family dwellings in the GR and VR zones must have 1.5 times the minimum lot area otherwise required by these Regulations. Lots used for two-family dwellings in other zones must have twice the minimum lot area otherwise required by these Regulations. Lots used for farms in the C/A Zone must have twice the minimum lot area otherwise required by these Regulations.

Section 4.06.06 In-Law Apartments

The Commission recognizes that many families need, on a temporary basis, to provide housing for members of their extended families. In-law apartments, as defined in section 2.02, may therefore be permitted as accessory uses to single-family dwellings and allowed by zoning permit, but only under the following conditions:

- a. The space devoted to the in-law apartment within a single-family dwelling must be interconnected by at least one (1) interior doorway to the remainder of the dwelling, so that a person could gain access to the in-law apartment from an exterior doorway serving the remainder of the house, and vice versa.
- b. The in-law apartment may only be occupied by parents, siblings, grandparents, great grandparents, children, grandchildren, great grandchildren, aunts, uncles, nieces, nephews, or first cousins of one or more persons who occupy the remainder of the dwelling.
- c. The Director of Health or his or her designee must issue a written determination that the in-law apartment does or would not violate any applicable provisions of the Public Health Code.
- d. A standard notice, approved by the Town Attorney, shall be filed on the land records of the Town stating that the property contains an in-law apartment and that it is not approved for use as a two-family dwelling.



Section 5.10.02 Trailers

Trailers are permitted in the Town of Coventry only under the following conditions:

- a. No trailer may be used for human habitation or commercial purposes when parked upon a public highway.
- b. Trailer occupancy for residential purposes is restricted to temporary living quarters on a lot owned by the occupant while a permanent dwelling is being constructed on the premises or for farm labor purposes, as provided in subsection 5.10.02.d Trailer occupancy for non-residential purposes is restricted to temporary field-office uses. A permit must be obtained from the Zoning Agent to allow the trailer to be used for any such residential or non-residential occupancy. The permit shall be valid for no more than one year, but may be extended for successive periods of six (6) months if construction is on-going at the time of such extension. No such permit may be issued unless and until the Town Sanitarian or Director of Health or his or her authorized agent certifies in writing that the water supply and sewage disposal system (which may be a portable chemical toilet) comply with applicable state and local regulations. The permit shall at all times be posted in a conspicuous place on the premises at which any trailer is operated.
- c. With the exception of a trailer that is clearly designed or intended for use as a temporary field office, each trailer shall be considered a temporary dwelling occupying a lot and shall be subject to the same lot area, yard, and setback requirements applicable to dwellings in the zone in which such trailer is located.
- d. Farm Labor Quarters: The Zoning Agent may issue a Certificate of Zoning Compliance to the owner or operator of a farm for occupancy of a trailer by one (1) or more farm laborer(s) employed on the premises. Such Certificate of Zoning Compliance shall be valid for three (3) years from the effective date thereof and shall be renewed provided that the property owner meets the following conditions:
 - 1. The farm shall be a bona-fide farming operation, and the owner or operator shall reside

- in a permanent dwelling on the farm.
- 2. The trailer shall be occupied only by persons who are employed full-time in farming work on the premises, and by the families of such persons.
- 3. There shall be not more than one (1) trailer for each twenty (20) acres of land under active cultivation during the period of the Certificate of Zoning Compliance.
- 4. The number, size, occupancy, and other characteristics of the trailer(s) allowable under this Section shall be such as to constitute an Accessory Use, as that term is defined in these Regulations, to the principal farming use.
- 5. Housing quarters must meet Public Health and Housing Code criteria as applicable.



Section 5.13 Designed Apartment/Condominium Developments

Section 5.13.01 Intent

The intent of this section is to provide an opportunity for the construction of a variety of housing types in Coventry to meet varying life styles, family sizes and income levels; to provide for apartment developments which are compatible with the character of the town and existing neighborhoods; to allow apartment developments on those tracts of land which, by reason of topography, favorable soil conditions, adequate road access and neighborhood character, are favorable to accommodating such clusters; and to encourage an aesthetically pleasing complex of multi-family units. Designed Apartment/Condominium Developments may be approved by special permit in the zones specified in Article VI, provided, however, that no such permit shall be issued for any such development in the drainage basin (watershed area) of Coventry Lake (Wangumbaug Lake).

Section 5.13.02 Minimum Area, Density, Coverage and Frontage

A minimum of 7.5 contiguous acres on a single lot, having at least 50 feet of frontage on a State highway or a Town road meeting current Town road specifications, shall be required for a designed apartment/condominium development. Each development shall have a maximum density of two (2) dwelling units per acre, except for senior housing which shall have a maximum density of four (4) dwelling units per acre when served by public sewer. No single building shall contain more than four (4) dwelling units. No dwelling unit in senior housing may contain more than three (3) bedrooms. Total land coverage, including all impervious surfaces, shall not exceed twenty-five percent.

Section 5.13.03 Caretaker Unit for Senior Housing

One dwelling unit in a senior housing development may be occupied without regard to the age of the occupants, if that unit is occupied by at least one person serving as maintenance manager or superintendent who is responsible for the maintenance and/or management of the senior housing project.

Section 5.13.04 Application Procedures.

Designed Apartment/Condominium Developments shall be subject to a modified special permit/site plan approval process. The applicant shall submit with the application such fees as may be required for a special permit. The applicant shall also submit such information as is required for a special permit pursuant to Section 7.03, except as provided herein. In lieu of

detailed design plans showing specific locations of buildings, structures, drainage and parking facilities and utilities, and open spaces, the applicant may provide a preliminary, conceptual site plan showing the potential, generalized locations of such features. The conceptual site plan shall be designed to assist the Commission in determining the appropriateness of issuing a special permit but shall not be deemed to be the final site plan. If a special permit is granted, the applicant shall file with the Commission within six months a detailed final site plan containing all of the information required by Section 7.02 and 7.03, plus appropriate fees and other data as may be required by the Commission. The final site plan shall substantially comply with the conceptual site plan submitted for the special permit approval. All final site plans shall be prepared, stamped, and signed by a registered and licensed engineer, land surveyor, and/or landscape architect, as appropriate. The Commission shall approve, or approve with modifications and conditions, the final site plan as provided in Section 7.02 and 7.03 of these Regulations. In considering the application for special permit, the Commission shall make specific findings on the following:

- a. That the proposed type, design and size of the complex is in harmony with the surrounding neighborhood and existing land uses, with particular emphasis on the potential impact on nearby historic structures and properties.
- b. That the proposed site is adequately screened from adjacent streets and properties, thereby providing for a transition from adjacent land uses of a different character. Any site which cannot be adequately screened shall be considered inappropriate for a designed apartment/condominium development.
- c. That the applicant has given full consideration to the aesthetic quality of the project, including architectural design, landscaping, and proper use of the land's natural features.
- d. That the proposal will not hinder nor discourage the appropriate development and use of adjoining lands and buildings.
- e. That the proposal incorporates a safe and suitable access, which will not create traffic hazards on existing town roads.
- f. That adequate provision has been made for sewage disposal, water supply, fire Protection and storm drainage systems.

Section 5.13.05 Additional Requirements.

- a. Underground utilities are required unless specifically waived by the Commission.
- b. All access drives shall, where feasible, be a minimum of 50 feet from side property lines and, except as noted below, shall be built to conform to standards for Town roads. Roadway widths shall be no less than 22 feet. Curbing and catch basin storm drainage shall not be required if the Commission finds that proposed alternatives will be equally effective. Where deemed necessary by the Commission, drainage easements shall be obtained by the applicant. Common driveways up to 18 feet in width shall be permitted.
- c. All buildings, structures, and parking areas shall be set back a minimum of 50 feet from all property lines.
- d. The minimum distance between structures should generally be at least five (5) feet greater than the height of the taller of the two adjacent structures. The Commission may allow a smaller distance if the applicant demonstrates that such smaller distance is compatible with the overall architectural design and site layout and that such design satisfies concerns regarding the health, safety and welfare of future residents.
- e. Proof of adequate water supplies and waste-disposal facilities, including reports by any local,

regional or state officials and agencies having regulatory permitting authority with regard to such facilities.

- f. A minimum of two (2) parking spaces per dwelling unit shall be provided.
- g. A fire control plan, based on recommendations and comments of the Coventry Fire Marshal, which may include fire suppression systems involving water storage tanks or other measures at the discretion of the Fire Marshal (Revised – Effective 06/08/15)
- h. Sidewalk and pedestrian walkways between buildings and Town or State roads, as may be required by the Commission.
- i. The applicant shall dedicate conservation easements to the Town for any areas within 20 feet of any watercourses and for all areas within 50 feet of the front, side and rear lot lines. The Commission may authorize the use of conservation easement areas to permit necessary driveways or emergency access entrances and exits. The Commission's approval of a plan showing driveways or emergency access entrances and exits within the conservation easement areas shall be deemed to constitute approval of such uses in the designated areas.
- j. To insure and protect the health, welfare and safety of the future residents and to protect the Town of Coventry from any potential obligation to correct health or safety hazards, the Commission may require a bond or other security for all improvements associated with the proposed development to the extent permitted under the Connecticut General Statutes. Such improvements shall include but not be limited to the following: roadway, drainage, public sewer, public water, parking areas, recreation facilities and landscaping. The required security shall be in an amount equal to 100% of the estimated cost of such improvements. The Commission shall set the amount of the security after consulting with the Town Engineer. The security shall be in a form acceptable to the Commission upon the advice of the Town Attorney. The Commission may allow the security to be renewed. The required security shall be reduced or released by the Commission upon completion of an entire system or improvement.
- k. The Commission shall require a maintenance bond or other security with respect to any such systems or structures that are to be dedicated or conveyed to the Town for a one-year period after the completion of the improvements. The Commission may partially release any such security upon partial completion of the improvements.
- l. The Commission may allow the development to be bonded in stages provided the first stage has a minimum of eight (8) dwelling units and provided that each stage can function as a separate entity.
- m. No zoning permit shall be issued on the development until the required security is posted and accepted by the Town Attorney.
- n. All outdoor lighting shall be screened from adjoining property.
- o. Best management practices and non-point-source stormwater management methodology are required in the project design. 95
- p. The proposed landscaping and screening shall be shown on the proposed plans.

Section 5.13.06 Issuance of Certificates of Use, Compliance and Occupancy.

No Certificate of Use, Compliance or Occupancy shall be issued until all the requirements of the Commission and these Regulations have been met, and as-built plans of the project have been filed with the town. A bond may serve in lieu of meeting these requirements, if approved by the Commission.

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Section 5.15 Accessory Dwelling Units

Section 5.15.01 Definitions

"Accessory Apartment" means a separate dwelling unit that (A) is located on the same lot as a principal dwelling unit of greater square footage, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any applicable building code, fire code and health and safety regulations.

"Affordable Accessory Apartment" means an accessory apartment that is subject to binding recorded deeds which contain covenants or restrictions that require such accessory apartment be sold or rented at, or below, prices that will preserve the unit as housing for which, for a period of not less than ten years, persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income.

Section 5.15.02

Accessory apartments shall be permitted in any residential zone. One accessory apartment is allowed as of right on each lot that contains a single-family dwelling.

Section 5.15.03

No accessory apartment shall be required to be an affordable accessory apartment.

Section 5.15.04

Accessory apartments may be attached to or located within a proposed or existing principal dwelling, or they may be detached from the proposed or existing principal dwelling and located on the same lot as such dwelling.

Section 5.15.05

The maximum net floor area for an accessory apartment shall be not less than thirty per cent of the net floor area of the principal dwelling, or one thousand square feet, whichever is less.

Section 5.15.06

The yard and lot coverage requirements for the accessory apartment shall be the same as those applicable to the principal dwelling.

Section 5.15.07

One parking space shall be required for any such accessory apartment.

Section 5.15.08

The applicant for an accessory apartment shall provide a floor plan to demonstrate that separate cooking, bathroom, restroom and sleeping facilities have been provided.

Section 5.15.09

For detached accessory apartments or accessory apartments that will increase the footprint of the structure, a site plan shall be provided to demonstrate compliance with all setback, bulk and lot coverage requirements.

Section 5.15.10

No accessory apartment may be rented for a period of less than six months.

Section 5.15.11

No additional curb cuts shall be permitted to serve either the principal dwelling or the accessory apartment.

Section 5.15.12

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Design and construction of the accessory apartment, to the extent applicable, shall be consistent with the exterior appearance and style (roof line, roof pitch, building materials, window style and spacing, etc.) of the principal dwelling.

Section 5.15.13

Notwithstanding anything in this Section 5.14 to the contrary, all applicable building code requirements or other requirements pertaining to the use of a well or private sewerage system shall apply to all accessory apartments.