

SECTION 27- INCENTIVE HOUSING ZONE

27. INCENTIVE HOUSING ZONE (IHZ)

The Incentive Housing Zone (IHZ) is an overlay zone which is established by a Change of Zone by the Planning & Zoning Commission and development within the zone is allowed only by Special Permit to encourage responsible development and redevelopment of developed or partially developed parcels of land in West Haven. The IHZ zone is designed to further the goals of the State and City Plans of Conservation and Development to concentrate development in areas with available public utilities.

27.1 PURPOSE

- To provide an alternate form of development for currently developed, partially developed or under-utilized land and structures.
- To encourage development of general and incubator office, commercial, heavy commercial and industrial space.
- To encourage development of affordable housing within new developments.
- To prevent sprawl and traffic congestion by encouraging a more vibrant residential component to business or mixed use areas.
- To encourage development which supports a lifestyle in which residents can walk or use public transportation to reach jobs, services and recreational or cultural opportunities.
- To encourage transit oriented mixed use developments.

27.2 LOCATION CRITERIA

Any land or buildings to be zoned for IHZ shall have one or more of the following characteristics:

- a. An area near a train or bus transit station.
- b. An area of concentrated development such as a commercial center, existing residential or commercial district or a neighborhood development planned area.
- c. An area of underutilized buildings with existing infrastructure.
- d. An area with vacant or underutilized land.

27.3 DEVELOPMENT OBJECTIVES

- 27.3.1 To preserve and protect the City of West Haven natural environment by encouraging the permanent preservation of specific features and land including sites of ecological significance, environmentally sensitive lands, qualities of natural beauty, or sites of historical interest.
- 27.3.2 To preserve and protect wetlands, streams, rivers, aquifers and ponds as natural resources.
- 27.3.3 To avoid flooding, erosion and water pollution.
- 27.3.4 To promote more suitable siting of buildings and better overall site planning.
- 27.3.5 To ensure high quality site planning, architecture, and landscape design.
- 27.3.6 To provide for the revitalization of areas by creating mixed use developments with a variety of housing and business opportunities.
- 27.3.7 To create mixed use developments adjacent or near train or bus transit facilities.

27.4 DEFINITIONS

27.4.1 **INCENTIVE HOUSING ZONE:** An overlay zone that permits industrial, commercial (retail) and residential components which allows a tract of land of to be developed as a unified mixed use development.

27.4.2 **INCENTIVE HOUSING DEVELOPMENT:** A residential or mixed use development that is proposed of located within an approved incentive housing zone.

27.5 SPECIAL PERMIT REQUIRED

An Incentive Housing Development shall only be allowed by Special Permit following a public hearing.

27.6 APPLICATION STANDARDS

27.6.1 **Minimum Acreage.** The minimum tract shall be five (5)) acres.

27.6.2 **IHZ Zone Lot Area.** The IHZ Zone Lot Area shall be the tract gross land area minus one half (50%) of the sum of the Tidal Wetland or Inland Wetland waterbodies area plus the land area with a slope equal to or in excess of twenty per cent (20%). The area of private streets may be included.

27.7 SUPPLEMENTAL STANDARDS

27.7.1 **Slope Development Restrictions.** No construction of structures may occur on slopes of 15% or greater unless specifically allowed by the Commission following a written finding that such structures are:

1. Contextually harmonious with the overall development.
2. Respectful of the natural landforms of the area.

27.7.2 **Fee Simple Parcels Allowed.** The Commission may, at its discretion, allow separate and multiple fee simple parcels within the overall Incentive Housing Development tract if it is found that the design allows adequate circulation and parking for the several uses. In such case, or in the case of any other form(s) of ownership or portions of the overall Incentive Housing Development, the IHZ as a whole shall be considered in determining compliance with the requirements of these regulations.

27.7.3 **Parking and Loading Standards.** Notwithstanding the requirements of Article 5, Section 60, the Commission may, at its discretion, modify the parking, loading and access requirements applicable to a development in the Incentive Housing Zone, including, without limitation, reducing the number of parking and loading spaces to be required for the development, provided that the Commission finds that such modified standards will be adequate.

27.7.4. **Mixed Uses.** Notwithstanding any other provision of these regulations, mixed uses are permitted within a single development, lot and/or building in the IHZ

27.7.5 **Open Space** Land for parks, playgrounds, recreation areas, plazas or open spaces shall be provided in each Incentive Housing Development as deemed necessary the Commission.

27.7.6 **Density.** In no event will the density of any Incentive Housing Development be less that one and one half (1½) times the density of the underlying residential or mixed use zoning district. In any case, the minimum density for the following types of housing shall be:

- Single Family Detached Houses—6 Dwelling Units per acre
- Townhouses or Duplexes—10 Dwelling Units per acre
- Multi-Family Residences—40 Dwelling Units per acre

27.7.7 Design Criteria The following criteria are to be used to create pedestrian friendly street facades:

1. Ground floor facades that face public street shall have display windows, entry doors with awnings, fanlights, or other such features that emphasize a pedestrian scale.
2. Blank wall surfaces greater twenty (20) feet along the horizontal plane of the building are prohibited.
3. New building materials should be selected to convey a sense of quality, durability and permanence.
4. Recessed doorways are preferred, to break up the building façade, provide a welcoming space, and provide protection from the weather.
5. Façade colors shall be low-reflective, subtle, neutral or earth-tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
6. Full size brick is preferable to brick tile veneer.
7. A combination of materials is encouraged to create greater visual interest.
8. Flat roofs shall be screened from public view using parapet walls or other architectural elements.
9. Outdoor living space may be constructed on roofs, provided the floor and lower three feet of such space will not be visible from public view on abutting streets.
10. Mechanical equipment, metal chimneys, and elevator shafts on a roof shall be screened from public view using parapet walls or other architectural elements.

27.8 AFFORDABILITY PLAN For an Incentive Housing Development, at least twenty per cent (20%) of the dwelling units shall be conveyed subject to an incentive housing restriction requiring that at least thirty (30) years after the initial occupancy of the development, the dwelling units will be sold or rented at, or below, prices that will preserve the units as housing for which persons pay thirty per cent (30%) or less of their annual income, where the income is less than or equal to eighty per cent (80%) or less of the median income of the city. Said Affordability Plan shall be submitted to and approved by the Commission prior to approval of the Incentive Housing Development Plan.

27.9 PROCEDURES FOR ADOPTION OF IHZ OVERLAY ZONE

27.9.1 Application Review. An applicant for an IHZ Overlay Zone or an IHZ Master Plan may request a pre-application review with the Planning & Zoning Commission, or its authorized agents prior to the submission of an application. Although this process may enable a prospective applicant to obtain meaningful preliminary feedback, this informal review is not intended to include evaluation of application specifics. Any statements by members of the Commission are not binding and are not intended to indicate prejudgment in any way of an actual application, should one later be submitted. Similarly, silence by Commission members during an informal review should not be construed as assent or acceptance of what is presented. The Commission's official decision-making process only commences upon the submission of a formal application.

27.9.2 Establishment of IHZ Overlay Zone. Establishing an IHZ Overlay Zone requires approval by the Planning and Zoning Commission of a zoning map change application, in accordance with the procedures set forth in the General Statutes of the State of Connecticut and Section 86 of these Regulations for a zone change and public hearing.

27.9.3 IHZ Master Plan. The IHZ Master Plan is a condition precedent to a specific development in an IHZ Overlay Zone. The IHZ Master Plan shall establish the development criteria applicable to the project, e.g., without limitation, the proposed layout of the structures, the infrastructure and roadways within the zone, the mix of uses within the zone, density of residential development and design standards. The Master Plan shall be consistent with the building and development standards set forth below. The Master Plan will establish the dimensional characteristics of the IHZ Overlay Zone and its uses, and shall encompass the development of the entire IHZ tract.

The IHZ Master Plan application shall be prepared by appropriate certified professionals and shall consist of all of the materials as required by West Haven Zoning Regulations and the West Haven Land Use Application - Zoning Map Change (as the same may be amended from time to time) including:

1. existing land uses and zoning within 500 feet of the area to be rezoned
2. names of all property owners located within 500 feet of the boundary of the property to be rezoned as listed on the Town Assessor's records as of a date no more than 15 days before the application is filed

The IHZ Master Plan application shall also be accompanied by the following information:

1. A boundary survey of the land included within the proposed IHZ Overlay Zone conforming to a Class A2 Survey showing the general gradient of the site, existing structures, existing roads and rights-of-way, major topographic features, and limits of inland wetlands, watercourses and floodplains as mapped in the field by a qualified Soils Scientist and plotted by a Connecticut Licensed Land Surveyor;
2. A Preliminary Drainage Assessment prepared by a Professional Engineer registered by the State of Connecticut to the level necessary to show the general effect of the proposal on the physical environment of the site and surrounding adjacent lots within 500 feet, including but not necessarily limited to:
 - a. storm water run-off before and after development and how it is to be controlled.
 - b. the impact on existing or proposed improved drainage systems.
The watershed assessment shall be based on a 100-year storm event.
3. A Preliminary Traffic Impact Analysis showing the estimated impact of proposed traffic together with a capacity analysis of existing streets directly affected by the proposal and the improvements that will be constructed to alleviate any adverse impacts of the proposed traffic.
4. A Market Analysis of the local economy with an emphasis on commercial and residential housing structure and trends, an examination of the supply of real estate in appropriate sub-market categories, and an evaluation of the economic gaps to which the proposed development would apply.

TABLE 27.1 AREA AND BULK REQUIREMENTS IN INCENTIVE HOUSING ZONE

KEY	REQUIREMENT	IHZ
A.	Minimum Acreage (SF)	217,800 SF (5 Acres)
B.	Minimum <i>Community Open Space</i> as Percentage of Tract (%)	10%
C.	Minimum Sub Lot Area (SF)	9500
D.	Lot Width Minimum (Feet)	100
E.	Lot Depth (Feet)	80
F.	Front Yard (Feet)	20
G.	Side Yard (Feet)	20 *
H.	Rear Yard (Feet)	25
I.	Minimum Street Frontage (Feet)	100
J.	<i>Maximum Building Coverage (%)</i>	70
K.	Maximum Impervious Surface Coverage (%)	Entire Site 20
L.	Maximum Lot Coverage (%)	Entire Site 90
M.	Maximum Height	In Stories 6,12 ♣ In Feet 75,150♣

Note:

* Unit in Townhouse Row may have Zero (0) FT Side Yards between attached units.

There shall be no more than ten townhouses in one building.

♣ First figure by right, second by special permit

TABLE 27.2 USES PERMITTED IN AN INCENTIVE HOUSING ZONE

USE CATEGORY	SPECIAL PERMIT	SITE PLAN REVIEW
RESIDENTIAL USES		
Dwelling above Ground Floor		X
Home Occupation	X	
Two & Three Family Dwelling		X
Multi-Family Dwelling		X
Accessory Recreational Uses		X
INSTITUTIONAL & SUPPORTIVE USES		
Library, Museum or Cultural Center	X	
Park, Ball Field, Tennis Court, Golf Course		
Other Open Space/Recreational Facility		X
Open Space or Conservation Area		X
Municipal Fire or Police Station	X	
Utility or Drainage Easement		X
Government Office, Building	X	
Private Club, Hall or Similar Facility	X	
ACCESSORY USES		
Off-Street Surface Parking		X
Multi-level Structured Parking	X	
In-ground Swimming Pool	X	

INCENTIVE HOUSING ZONE

TRANSIENT LODGING

Hotel, Motel or Inn X

FOOD, DRINK & ENTERTAINMENT

Convention Center X
 Liquor, Package Store X
 Night Club, Tavern or Café X
 Restaurant
 With Outdoor Seating X
 With Drive-in Service X
 Grocery Store X
 Delicatessen X
 Banquet Hall X
 Amusement Center X
 Commercial Recreation Facility X

PERSONAL SERVICES

Bank/Credit Union X
 Barber/Beauty Shop X
 Child Care/Day Care Facility X
 Laundry or Dry Cleaning X
 Craft Shop (Woodworking, Tailor) X
 Pet Shop/Grooming Facility (Non-Boarding) X

COMMERCIAL USES

Small Appliance, TV Repair Shop, etc. X
 Neighborhood Shopping Center X
 Regional Shopping Center X
 Retail Store, Shop, Boutique X
 Business or Professional Office X
 Corporate Office/Headquarters X
 Theater X

HEALTH CARE

Hospital or Medical Office with
 In-Patient Care X
 Fitness and Wellness Center X
 Medical Office (Outpatient) X

TRANSPORTATION

Bus, Train or other Mass Transit Station X
 Public Street or Road X
 Private Street or Right of Way X