

Section 10.N – Workforce Housing Overlay Zone (WHOZ)

10.N.1 Purpose.

The Workforce Housing Overlay Zone (WHOZ) is intended to create additional housing opportunities within Simsbury while promoting the appropriate development of Simsbury's historic Town center and other areas of the community.

10.N.2 Nature of Zone.

1. The WHOZ exists in addition to the current (underlying) zone for the property.
2. The WHOZ enables a property owner to apply for approval of a housing development using the provisions of this Section instead of those for the underlying zone.
3. The provisions of the WHOZ are an option for the property owner and such owner would voluntarily choose to comply with these provisions when or if new housing as authorized herein is proposed.
4. In the event any conflict between the provisions of this Section and any other Section of the Regulations, the provisions of this Section shall control.

10.N.3 Process.

1. The overall process for development within a WHOZ district includes:
 - a. Establishment of the WHOZ district (a zone change application to the Commission) including a declaration of the proposed type of sub-district and plans and drawings depicting the proposed development,
 - b. Approval of a Special Permit and accompanying Site Plan by the Commission,
 - c. Filing of approved plans, and
 - d. Issuance of building permits by the Town of Simsbury
2. Pre-application meetings for any proposed development are strongly recommended.

10.N.4 Description of Sub-Districts.

Due to the diversity of desired development patterns in different parts of Simsbury, the Workforce Housing Overlay Zone consists of six (6) different sub-districts as reflected on the zoning map:

1. **Mixed Use** (WHOZ-MXD) –Simsbury Center and other areas with potential for development with mixed use developments and/or buildings.
2. **Mixed Housing** (WHOZ-MXH) –a development including a combination of housing types.
3. **Multi-Family** (WHOZ-MF) –existing mill buildings and other areas with potential for development with multi-family housing.
4. **Townhouse** (WHOZ-TH) –areas with potential for residential townhouse development (a residential building consisting of three or more attached units in which each unit shares a wall extending from foundation to roof with the adjacent unit(s) and has exterior walls on at least two sides).
5. **Duplex** (WHOZ-DX) –areas with potential for development with duplex housing units designed to be compatible with single-family units in adjacent residential neighborhoods.
6. **Single Family** (WHOZ-SF) –areas with potential for development with single-family units compatible with adjacent residential neighborhoods.

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10.N.5 Permitted Principal Uses.

The following uses are permitted in the various sub-districts subject to granting of a Special Permit by the Zoning Commission:

1. Mixed Use	<ul style="list-style-type: none"> a. Mixed use development and/or mixed use buildings as defined in Section 10.L.2 with a residential density at up to 20 units / acre of site area (not including any area designated as wetland, watercourse, slopes greater than 25 percent, or 100-year floodplain). b. Uses and structures accessory thereto.
2. Mixed Housing	<ul style="list-style-type: none"> a. Two or more housing types at maximum densities for each as provided herein. b. Uses and structures accessory thereto.
3. Multi-Family	<ul style="list-style-type: none"> a. Multi-family residential development at up to 20 units / acre of site area (not including any area designated as wetland, watercourse, slopes greater than 25 percent, or 100-year floodplain). b. Uses and structures accessory thereto.
4. Townhouse	<ul style="list-style-type: none"> a. Townhouse residential development at up to 10 units / acre of site area (not including any area designated as wetland, watercourse, slopes greater than 25 percent, or 100-year floodplain). b. Uses and structures accessory thereto.
5. Duplex	<ul style="list-style-type: none"> a. Duplex residential development (two-unit buildings) at up to 10 units / acre of site area (not including any area designated as wetland, watercourse, slopes greater than 25 percent, or 100-year floodplain). b. Uses and structures accessory thereto.
6. Single Family	<ul style="list-style-type: none"> a. Single family residential development at up to 6 units / acre of site area (not including any area designated as wetland, watercourse, slopes greater than 25 percent, or 100-year floodplain). b. Uses and structures accessory thereto.

10.N.6 Dimensional Standards.

The dimensional standards of the underlying zone shall continue to apply except that the Zoning Commission may, through granting of a separate Special Permit, modify any dimensional standard in order to:

1. Facilitate the creation of housing opportunities as provided in this Section.
2. Address on-site constraints or protect important resources.
3. Enhance the development and/or surrounding neighborhoods.
4. Be consistent with the setbacks of nearby buildings.

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10.N.7 Housing Affordability Requirements

3. At least twenty percent (20%) of all dwelling units constructed in a development approved under this Section of the Regulations shall be deed-restricted to be affordable to and occupied by households earning 80 percent or less of the area median income for Simsbury, as determined and reported by the United States Department of Housing and Urban Development (HUD).
4. When a calculation performed under this subsection results in a number that includes a fraction, the fraction shall be rounded up to the next higher whole number.
5. Each such affordable unit shall be subject to a housing restriction acceptable to the Town Attorney and the Commission, which shall be recorded on the Simsbury Land Records and shall, at a minimum, include the following:
 - a. An identification of the affordable housing units within the development.
 - b. A requirement that such affordable unit shall only be occupied by a household earning 80 percent or less of the area median income for Simsbury, as determined and reported by the United States Department of Housing and Urban Development (HUD).
 - c. A statement of whether the affordable units will, at the time of initial occupancy, be rented or owner-occupied.
 - d. A statement of the method for determining the rental rate or sale price or resale price of an affordable housing unit at any point in time.
 - e. A statement that the term of the deed restriction for each affordable unit shall be a minimum of thirty (30) years from the date of first occupancy of that affordable unit.
6. The applicant shall prepare and submit a final "Housing Affordability Plan" in accordance with CGS § 8-30g, section 8-30g-1 et seq. of the Regulations of Connecticut State Agencies and the "Housing Affordability Plan Requirements" as adopted by the policy of the Commission and as the same may be amended from time to time, including:
 - a. The name and address of the proposed administrator of the deed restricted affordable units.
 - b. Provision that the proposed administrator shall file an annual report to the Commission by January 31, in a form specified by the Commission, certifying compliance with the provisions of this Section.

10.N.8 Additional Provisions.

1. Unless otherwise approved by the Commission, all developments approved under this Section shall be served by public water and public sewer.
2. Unless otherwise approved by the Commission, any development approved under this Section shall provide for off-street parking as follows :
 - a. As provided in Section 6.2 of the Town Center Code, or
 - b. As provided in Section 10.E of the Simsbury Zoning Regulations.
3. Any developments proposed under this Section shall, unless modified by the Commission, construct or improve the sidewalks abutting the project site in order to enhance the pedestrian nature and character of the proposed development and the surrounding area.

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10.N.9 Building Design and Construction Guidelines

Since design of buildings and sites is an important part of integrating housing at permissible densities into the community, all development in the WHOZ shall be referred to the Design Review Board and it is expressly stated that the quality of the overall design of any development will be an important consideration as part of the granting of any Special Permit.

1. Overall Character

- a. Proposed development projects should enhance the general flavor of a historic New England community and, where appropriate, complement the scale and architecture of adjacent buildings.
- b. An overall design theme (including building placement, building massing, exterior treatments, signage and other design considerations) shall be established where harmony in textures, lines, and masses is provided and monotony is avoided.
- c. The illustrative WHOZ design guidelines on the following pages shall be used by applicants and the Commission as a general reference for desirable characteristics of buildings and sites.
- d. Within the Town Center area, the design and site development provisions of the Town Center Code shall also be used, when appropriate.
- e. The "Guidelines for Community Design" established by the Design Review Board shall also be used as a reference for desirable characteristics of buildings and sites.
- f. A desirable streetscape and attractive landscape transitions to adjoining properties shall be provided.
- g. Landscape treatment shall be provided to enhance architectural features, shield unsightly areas, provide shade, and relate to the natural environment and topography.

2. Building Placement

- a. Buildings shall be organized in a coordinated and functional manner that is compatible with site features and the desirable characteristics of adjoining areas.
- b. In general, new buildings shall be placed near to the public street and shall be oriented with the main façade parallel to the public street in order to strengthen the overall streetscape. The Commission may modify or waive this requirement when the applicant demonstrates that a greater setback or alternative orientation (such as the main façade perpendicular to the street) will enhance the overall effect of a historic New England community and/or allow for the creation of a public amenity (such as a wider sidewalk, a public seating area, etc.).
- c. Off-street parking and loading shall not be located between buildings and a public street unless approved by the Commission and any parking area visible from a public street or public sidewalk, shall be screened with landscaping, walls, fencing, or combination thereof.
- d. Buildings shall be designed and located on the site so as to retain the existing topography and desirable natural features of the land to the extent feasible.

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3. Building Mass

- a. Monolithic building forms shall be avoided through the use of variations in wall placement, color, texture and/or material and variations in the height of buildings or use of architectural features such as balconies, cornices, step-backs, or other articulating features.
- b. The height and scale of each building shall be compatible with its site and the existing or planned character of the area.
- c. Architectural features shall be evaluated based on the scale of the building(s), the quality of the design, and the relationship to surroundings.
- d. Facades and rooflines shall be articulated and/or varied to reduce the appearance of inappropriate bulk and provide architectural interest.

4. Exterior Materials and Colors

- a. Exterior building materials and their placement on a building shall be consistent with the overall look of a historic New England community.
- b. Building materials shall have durable quality and shall be selected for harmony or compatibility of the building with adjoining desirable materials.

5. Doorways and Windows

- a. In mixed use and multi-family developments, recessed doorways are preferred. Where a recessed doorway is not used, an awning or similar architectural overhang is encouraged. Adequate lighting for the doorway shall be incorporated into the design of the doorway.
- b. Windows should be taller than they are wide and windows on upper floors should not be larger than windows on lower floors.
- c. Windows should be inset from the exterior wall surface and shall have visually prominent sills, lintels, or other forms of architectural detailing to add visual relief to the wall.

6. Roofs and Mechanical Equipment

- a. Roof forms should be appropriate for a historic New England community and complement the principal building in terms of style, detailing, and materials.
- b. Roof overhangs (eaves and cornices) should be a minimum of two feet (2') or as appropriate to the proposed architecture.
- c. Any mechanical equipment shall be screened from public view using landscaping, walls, fencing, parapets or other architectural elements, or combination thereof.
- d. Utility and service equipment areas shall be screened from public view with materials compatible with the building.

Illustrative WHOZ Design Guidelines - Single Family Dwellings

Favorable Design Treatments



Unfavorable Design Treatments



Design Elements Which Are Encouraged / Required

- 1.5 to 2.5 story buildings
- Building comprised of distinct parts with smaller footprints
- Articulated forms and facades
- Rich architectural details (porches, eaves, shutters, columns, dormers, chimneys, trim, etc.)
- Classically proportioned facades
- Entrances face the street
- Pitched roofs
- Windows with vertical proportions
- Strong relationship to street / sidewalk
- Parking on-street or behind buildings

Discouraged Elements

- 1.0 story buildings
- Monolithic forms
- Flat facades
- Limited architectural detailing
- Plain facades
- Flatter roofs
- Windows with horizontal proportions
- Weak relationship to street / sidewalk
- Dominant garages / parking

Illustrative WHOZ Design Guidelines – Duplex / Townhouse Dwellings

Favorable Design Treatments

Duplex Dwellings



Townhouse Dwellings



Unfavorable Design Treatments



Design Elements Which Are Encouraged / Required

- 2.0 to 2.5 story buildings (or as appropriate to site context)
- Articulated forms and facades and materials
- Good architectural details (porches, eaves, shutters, columns, dormers, chimneys, trim, etc.)
- Well proportioned facades
- Good building materials
- Pitched roofs
- Windows with vertical proportions
- Strong relationship to street / sidewalk
- Parking on-street or behind buildings
- Single-family appearance for duplex buildings
- Entrances face the street

Discouraged Elements

- 1.0 story buildings
- Monolithic forms
- Overly repetitive forms
- Monotonous materials
- Flat facades
- Limited architectural detailing
- Plain facades
- Flatter roofs
- Windows with horizontal proportions
- Weak relationship to street / sidewalk
- Dominant garages / parking
- Entrances face parking areas

Illustrative WHOZ Design Guidelines – Multi-Family Dwellings and Mixed Use Buildings

Favorable Design Treatments

Multi-Family Dwellings



Mixed Use Buildings



Unfavorable Design Treatments



Design Elements Which Are Encouraged / Required

- 2.0 to 3.5 story buildings (or as appropriate to site context)
- Articulated forms and facades
- Good architectural details (lintels, dormers, trim, etc.)
- Classically proportioned facades
- Entrances face the street
- Adaptive re-use of historic buildings
- Pitched roofs / flat roofs, deep cornices
- Windows with vertical proportions
- Strong relationship to street / sidewalk
- Mixed use – strong glass presentation on first floor

Discouraged Elements

- 5.0+ story buildings
- Monolithic forms
- Flat facades
- Limited architectural detailing
- Plain facades
- Windows with horizontal proportions
- Weak relationship to street / sidewalk
- Dominant parking