



## Town of Manchester Comprehensive Zoning Update

Date: 12/9/25

### Recommendation 4: Update Residential Principal Use Regulations

**Purpose:** Improve clarity of residential use regulations, remove redundancy and inconsistencies between the use regulations and the Section 8.1 development standards, remove language that could be interpreted as more restrictive than intended, simplify the regulations for a single-family conversion to two-family or multi-family, and simplify the two-family residence regulations.

**Description:** This recommended amendment does the following:

- Amends Section 6.14.9 to establish a 40-year minimum for the required affordable housing component of historic mill conversions to multi-family and requires recording of the affordable units on the deed.
- Simplifies the Section 6.29.1 multi-family regulations by removing redundant limits on building area.
- Removes the height limit standard of 40 feet in Section 6.29.1 in favor of regulating height from the Section 8.1.1 development standards table. Increases the height limit of the PRD from 35 feet to 40 feet to match the height limit currently allowed for multi-family dwellings by Section 6.29.
- Removes the Section 6.31.3 height limit restriction for conversion of school buildings to residential.
- Removes language from Sections 6.35.1 and 6.36.1 requiring that the Commission shall find that the conversion will not impair the character of the neighborhood or jeopardize single-family property values. Such conversions require a Special Exemption and the Commission is required to consider the Special Exemption criteria provided by Section 18.10, which takes these factors into account.
- Removes the lot area requirement from Sections 6.36.2 and 6.36.3, and replaces with a new requirement in Section 6.36.1 that conversions meet the minimum lot area of the zone in which located.
- Simplifies the Section 6.30 two-family residence regulations by removing content that is redundant with the Section 8.1.1 Residential Bulk Standards.
- Removes the public water and sewer requirement for two-family residences located in the RA zone.
- Allows for reduced lot standards for two-family residences in the RA zone (as is allowed in other zones) for buildings where each dwelling unit is located on its own lot.
- Removes the Commission's discretion in modifying the lot area and frontage requirement for two-family residences in the PRD zone.
- Introduces new standards for two-family residences in the AA zone contingent upon adoption of the Recommendation 3 amendments.
- Prohibits the construction of outside stairs providing access above the first floor on the front or side of single-family homes.

**Geographic Extents:** All residential zones and commercial zones where residential uses are permitted.

**POCD Consistency:** A core value of the Manchester Next plan is to expand housing opportunities. These amendments would remove language that could be interpreted to be more restrictive of two-family and multi-family housing than what was intended.



## Context:

- Connecticut General Statutes Section 8-30g requires that affordable units be deed restricted for a minimum period of 40 years. Compliance with this standard would ensure that affordable units required in historic mill conversions to multi-family contribute to the Town's affordable housing inventory as defined by Section 8-30g.
- Zoning commissions do not have broad authority to waive or vary zoning regulations unless doing so in their legislative capacity when amending the regulations. Only ZBAs are granted such authority by statute and only if a hardship is demonstrated. This is reinforced by the findings of *MacKenzie v. Town of Monroe* (1989). Therefore, any language granting the Commission broad discretion to waive or vary the regulations has to be removed or narrowly and strictly defined and limited.

## Recommended Zoning Amendments (text to be removed in ~~strikethrough~~, text to be added in **red**)

1. Amend Section 6.14.9 Affordable Housing Requirement, Item A as follows to ensure affordable units remain as such for a minimum of 40 years, which is the minimum for such units to qualify as affordable housing under CGS § 8-30g:
  - A. 10% of the units in any proposed multi-family development shall be priced so that they are affordable to low- or moderate-income households. Unless otherwise approved by the Commission, the 10% shall be distributed proportionately across the overall unit type/mix of the project and shall be maintained as affordable for the life of the project. **Such units shall be preserved as affordable for a minimum of 40 years. Prior to the issuance of any Certificate of Occupancy for these units, the applicant shall record on the land records a deed covenant or other legally binding restriction, in form acceptable to the Commission and the Town Attorney, ensuring compliance with this affordability requirement.**
2. Amend Section 6.29.1 (of Residential, Multi-Family regulations) as follows and renumber items accordingly so as to simplify the regulations and remove excessive restrictions:

### 6.29.1 Planned Residential Development Zone

Within the Planned Residential Development Zone:

- A. ~~The total aggregate of gross floor area contained in a multi-family dwelling shall not exceed 30% of the multi-family dwelling site area for buildings two stories or more in height nor 15% of the multi-family dwelling site area for buildings less than two stories in height.~~
- B. The total number of multi-family dwelling units shall not exceed 10 per acre of the multi-family dwelling site excluding wetlands and slopes greater than 15%, except for multi-family elderly units, which shall be developed in accordance with Section 11.1.5.A.1.
- C. The minimum site area for multi-family dwellings shall be 20,000 square feet and the site shall have not less than a 50-foot frontage on an improved and town accepted street.
- D. ~~No multi-family dwelling shall have more than 3 habitable stories or exceed 40 feet in height. Further, the uppermost story shall have access from an interior stair arrangement which will not require occupants of the uppermost story to traverse more than two stories to gain access at grade level.~~



3. Amend Section 8.1.1 (of Residential Zone Bulk Standards) as follows (excerpt below) to increase building height in the PRD to 40 feet, which is currently allowed for multi-family dwellings in the zone:

#### 8.1.1 Development Standards

Zone	Max. Building Density (per acre)	Max. Building Height (ft) <sup>c</sup>	Max. Building Area of Lot (%)	Min. Lot Area (sf)	Min. Lot Frontage (ft)	Min. Building Line Dimension (ft)	Min. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard
PRD <sup>d</sup>	4.0	35 <del>40</del>	35	9,000 <sup>a</sup>	75 <sup>a</sup>	—	25	10	30 ft

4. Amend Section 6.31.3 (of the School Building Conversion to Residential regulations) as follows to remove limit on renovations to school buildings above the third floor or 40 feet in height (excerpt below):

#### 6.31.3 Site Development Criteria

Since prior building development will have determined the general layout of the site, the conversion and any future land development shall be consistent and in harmony with the established physical relationship of existing buildings to land area, taking into consideration the criteria set forth in the following provisions:

- A. Required lot/site area: Every lot to be utilized for this Special Exception conversion shall have a minimum lot area no less than 1.5 acres.
- B. ~~Height: Renovations to existing buildings shall not exceed 3 habitable stories or 40 feet.~~

5. Add new Section 6.39 Residential, Single-Family as follows and provide the following cross-reference before Section 6.30 where this section would be located if provided alphabetically (providing as Section 6.39 avoids the renumbering of subsequent sections) so as to prohibit the construction of an outside stairway providing access above the first floor an any side of a house facing a street:

#### Residential Single-Family (See Section 6.39)

#### 6.39 Residential, Single-Family

No outside stairway that provides direct access to floors above the first floor shall be constructed on the front of the house or on the side of the house if adjacent a street (if a corner lot).



6. Amend Section 6.35.1 (of Single-Family Conversion to Multi-Family regulations) as follows and renumber items as items A through D so as to simplify the regulations and remove inferences that the Commission has broad discretion to approve or deny outside of the criteria established for Special Exemption uses:

#### **6.35.1 Residence B and C Zones**

Within the Residence B and C Zones **a single-family house may be converted to house not more than 4 families in accordance with the following:**

- ~~A. A single family house may be converted to house not more than 4 families at the discretion of the Planning and Zoning Commission.~~
- ~~B. Before approval the Commission shall find that the house to be converted is no longer suitable for single family occupancy because of its size, and that a house converted to multi family occupancy will not impair the character of the neighborhood or jeopardize single family property values.~~
- ~~C. Conversions shall comply with the following requirements:~~
  - ~~1. A. No exterior structural change shall be made except for suitable egress for each family.~~
  - ~~2. No outside stairway shall be constructed on the front of the building. This restriction shall be applicable to sides of a building located on a corner lot that are street facing.~~
  - ~~3. B. No outside stairway providing access above the first floor shall be constructed on the side of the building. This restriction shall be applicable to sides of a building located on a corner lot that are not street facing. No outside stairway that provides direct access to floors above the first floor shall be constructed on the front of the house or on the side of the house if adjacent a street (if a corner lot).~~
- C. The house shall have public sanitary sewer and public water.**
- D. The lot shall meet the minimum lot size requirement of the zone in which located.**



7. Amend Section 6.36 Single-Family Conversion to Two-Family regulations as follows to simplify the regulations and remove inferences that the Commission has broad discretion to approve or deny outside of the criteria established for Special Exemption uses and provide reference to the Residence AA zone if such use is permitted through adoption of the Recommendation 3 amendments:

#### **6.36.1 General Standards**

A. A single-family house may be converted to house two families ~~at the discretion of the Planning and Zoning Commission in accordance with the following:~~

- A. ~~Before approval the Commission shall find that the house to be converted is no longer suitable for single-family occupancy because of its size and that a house converted to two-family occupancy will not impair the character of the neighborhood or jeopardize single family property values.~~
- B. A. ~~No exterior structural changes shall be made except for suitable egress for each family dwelling.~~
- C. ~~No outside stairway shall be constructed on the front of the building. This restriction shall be applicable to sides of a building located on a corner lot that are street facing.~~
- D. ~~No outside stairway providing access above the first floor shall be constructed on the side of the building. This restriction shall be applicable to sides of a building located on a corner lot that are not street facing.~~
- B. ~~No outside stairway that provides direct access to floors above the first floor shall be constructed on the front the house or on the side of the house adjacent a street (if a corner lot).~~
- C. ~~The lot shall meet the minimum lot size requirement of the zone in which located.~~

#### **6.36.1 Conversions in the Rural Residential Zone and Residence AA Zone**

Within the Rural Residential Zone: ~~and Residence AA Zone~~, if private sanitary sewer is used the sewer system shall be suitable for two-family use and shall be certified by the Director of Health.

- A. ~~The lot area shall be not less than 30,000 square feet.~~
- B. ~~If private sanitary sewer is used the sewer system shall be suitable for two-family use and shall be certified by the director of health.~~

#### **6.36.3 Conversions in the Residence A Zone**

Within the Residence A Zone: ~~the house shall have public sanitary sewer and public water.~~

- A. ~~The lot area shall be not less than 12,000 square feet.~~
- B. ~~The house shall have public sanitary sewer and public water.~~

This amendment is contingent upon adoption of the Recommendation 3 amendments.



8. Replace Section 6.30 Residential, Two-Family with the following to simplify and improve clarity of the regulations, reduce redundancy with Section 8.1.1, provide more consistent standards, and provide standards for two-family homes in the AA zone if such use is approved through adoption of the Recommendation 3 amendments.

## 6.30 Residential, Two-Family

### 6.30.1 Lot Standards

Two-family residences shall be subject to the lot standards of Section 8.1.1 when both dwelling units share a common lot. The lot may be divided along a common wall dividing the two units so that each dwelling unit is located on its own lot. In such cases, the lot standards of Section 6.30.2 shall apply in addition to those of Section 8.1.1.

### 6.30.2 Lot Standards for a Two-Family Residence Located on Two Lots

Two-family residences situated on two separate lots, where the shared lot line aligns with the common wall between the dwellings, shall comply with the standards of Section 8.1.1, except as otherwise provided below.

Standard	AA	RA	RB	RC	RM	PRD
Minimum lot area per dwelling unit	9,000 sf	6,000 sf	4,500 sf	3,600 sf	4,500 sf	4,500 sf
Minimum lot frontage per dwelling unit	60 ft	50 ft	37.5 ft	30 ft	Per district requirement	40 ft
Minimum building line dimension per dwelling unit	60 ft	50 ft	37.5 ft	30 ft	80 ft	Per district requirement
Minimum side yard	Per district requirement except that the lot line shared by the dwellings shall have no required setback.					
Minimum front yard	Per district requirement				25 ft	Per district requirement
Minimum rear yard	Per district requirement					

### 6.30.3 General Standards

- No outside stairway providing access to floors above the first floor shall be constructed on the front or side of the residence.
- Parking areas shall be paved.

### 6.30.4 Standards for Residences in Planned Residential Development Zone

Within the Planned Residential Development Zone, a two-family residence shall only be in the form of side-by-side dwellings with a common dividing wall. Each dwelling shall be on a separate subdivided lot intended for private ownership except for units in a senior housing development, which may also be approved as a common interest community.

This amendment is contingent upon adoption of the Recommendation 3 amendments.