

Referral 2.1: City of Meriden

Subject:

Proposed Zoning Regulation Amendments pertaining to Places of Worship

Staff Recommendation:

The proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The City of Meriden has proposed zoning regulations amendments to permit “Places of worship” by right in commercial and industrial zoning districts. The specific districts are C-1, C-1-A, C-2, C-3, NCDD, M-1, M-3, M-4, RDD. Previously, “Places of worship” required a special exception permit in the C-1, C-1-A, C-2, C-3, NCDD Districts.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.

**PROPOSED ZONING REGULATION AMENDMENTS
FOR PLACES OF WORSHIP**

Submitted 11/10/2020

Chapter 213, Zoning, Article V. Commercial Districts Section 213-23, C-1 Central Commercial District B. (1) and 213-23 B. (2)

B. Permitted uses. No building or premises may be used, in whole or in part, for any use other than those listed below.

(1) Permitted uses by right:

Items (a) through (bb) omitted

(cc) Places of worship

(2) Uses permitted subject to issuance of a special exception permit by the Zoning Board of Appeals in accordance with the requirements of § 213-73:

Items (a) through (d) omitted

(e) ~~Places of worship~~, Schools, playgrounds and public buildings.

Chapter 213, Zoning, Article V. Commercial Districts, Section 213-24, C-1-A Central Commercial Annex District B. (1) and 213-24 B. (2)

B. Permitted uses. No building or premises may be used, in whole or in part, for any use other than those listed below.

(1) Permitted uses by right:

Items (a) through (y) omitted

(z) Places of worship

(2) Uses permitted subject to issuance of a special exception permit by the Zoning Board of Appeals in accordance with the requirements of § 213-73:

Items (a) through (d) omitted

(e) ~~Places of worship~~, Schools, playgrounds and public buildings.

Chapter 213, Zoning, Article V. Commercial Districts, Section 213-25, C-2 General Commercial and C-3 Highway Commercial Districts B. (1) and 213-25 B. (2)

B. Permitted uses. No building or premises may be used, in whole or in part, for any use other than those listed below.

(1) Permitted uses by right:

Items (a) through (z) omitted

(aa) Places of worship

(2) Uses permitted subject to issuance of a special exception permit by the Zoning Board of Appeals in accordance with the requirements of § 213-73:

Items (a) through (d) omitted

(e) ~~Places of worship~~, Schools, playgrounds and public buildings.

Chapter 213, Zoning, Article V. Commercial Districts, Section 213-26, C-4 Convenience or Neighborhood Commercial Districts B. (2)

(2) Uses permitted subject to issuance of a special exception permit by the Zoning Board of Appeals in accordance with the requirements of § 213-73:

(a) ~~Places of worship and public assembly, including parish houses, parochial schools, meeting rooms and recreation facilities customarily accessory to such uses.~~ **“Intentionally omitted”**

Chapter 213, Zoning, Article V. Commercial Districts, Section 213-28, Neighborhood commercial design district (NCDD) F. (1) and 213-28 F. (2)

F. Permitted uses. No building or premises in a NCDD shall be used, in whole or in part, for any purpose except those listed below.

(1) Uses permitted by right:

Items (a) through (r) omitted

(s) Places of worship and public assembly, including parish houses, parochial schools, meeting rooms and recreation facilities customarily accessory to such uses.

(2) Uses permitted subject to a special exception permit by the ZBA in accordance with the requirements of § 213-72:

(a) ~~Places of worship and public assembly, including parish houses, parochial schools, meeting rooms and recreation facilities customarily accessory to such uses.~~ **“Intentionally omitted”.**

Chapter 213, Zoning, Article VI. Industrial Districts, Section 213-29. M-1 Research, Development and Manufacturing District B. (1)

B. Permitted uses. No building or premises may be used, in whole or in part, for any use other than those listed below.

(1) Permitted uses by right:

Items (a) through (k) omitted

(l) Places of worship, provided that the same shall be located on a minimum ten-acre site.

Chapter 213, Zoning, Article VI. Industrial Districts, Section 213-31. M-3 Industrial District B. (1)

B. Permitted uses. No building or premises may be used, in whole or in part, for any use other than those listed below.

(1) Permitted uses by right:

Items (a) through (l) omitted

(m) Places of worship.

Chapter 213, Zoning, Article VI. Industrial Districts, Section 213-32. M-4 Planned Industrial District B. (1)

B. Permitted uses. No building or premises may be used, in whole or in part, for any use other than those listed below.

(1) Permitted uses by right:

Items (a) through (i) omitted

(j) Places of worship.

Chapter 213, Zoning, Article VII. Special Districts, Section 213-36. Regional development district (RDD) (C)(1)(a)

C. Uses.

(1) Permitted uses. No building or premises may be used, in whole or in part, for any purpose except those listed below.

(a) Permitted uses by right:

Items (1) through (6) omitted

(7) Places of worship.

Referral 2.2: Town of Hamden

Subject:

Proposed Zoning Regulation Amendments pertaining to Outdoor Cafes

Staff Recommendation:

The proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Hamden has proposed zoning regulations amendments to extend the special provision for expanded outdoor dining to December 31, 2021. The amendment also includes additional language to exempt outdoor eating areas from providing parking spaces other than those required for the restaurant. The existing section 638.1 ended on November 30, 2020, but indicates that the Commission may extend the time period. The Section was previously adopted in June, and went to effect on July 1st.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.



Date of Filing 11/16/20
Fee _____
Date Paid _____
Receipt # _____
Application # 20-978

**TOWN OF HAMDEN
APPLICATION TO AMEND THE ZONING REGULATIONS**

Pursuant to Sections 702 – 702.12 of the Hamden Zoning Regulations

APPLICANT Hamden Planning and Zoning Commission TELEPHONE 203-287-7070
(Name)
ADDRESS 2750 Dixwell Ave Hamden, CT 06518
(Street No and Name) (Town and State) (Zip Code)

EMAIL ADDRESS OF CONTACT PERSON: dkops@hamden.com

REGULATION TO BE: AMENDED ADDED or DELETED:
Article Number 6 Section 638.6a Group Use _____
638.1.e

CURRENT LANGUAGE See Attachment

PROPOSED LANGUAGE See Attachment

REASON FOR PETITION FOR CHANGE See Attachment

Have there been any previous petitions for same or similar amendments? YES NO

If YES, list name of applicant Planning and Zoning Commission

SIGNATURE OF
APPLICANT

Dennis W. King Town Planner
(Name)

TELEPHONE NO. 203-287-7070

MAILING ADDRESS

SAME AS ABOVE

(Street No. and Name)

(Town and State)

(Zip Code)

If you require additional space to complete any of your answers, please attach to this document.

CURRENT LANGUAGE

638.1 Outdoor Café

Outdoor cafes and eating areas, when accessory to a restaurant, are permitted subject to a Zoning Permit and the following conditions:

- a. COVID-19 Recovery Special Provisions: Based on the need to aid restaurants in their recovery from the impact of the COVID-19 as well as the need to protect public health through proper distancing between patrons, outdoor cafes may be expanded temporarily onto lawn and parking areas, provided that any dining area in parking lots is adequately protected from vehicles and that the site still has sufficient parking. This special provision for expanded outdoor dining will expire on November 30, 2020 unless otherwise extend by the Commission.
- b. The limitation on the size of the outdoor dining is eliminated.
- c. The outdoor eating area shall be largely open to the elements and shall not be permanently enclosed with a roof or walls;
- d. All food and beverages shall be served at the table;
- e. Outdoor eating areas shall be operated on a seasonal basis not to exceed six months in a calendar year and shall be exempt from providing parking spaces other than those required for the restaurant;
- f. The outdoor eating area shall be landscaped with planters, window boxes, planted pots and/or planted beds containing appropriate trees, shrubs and/or flowers to provide privacy and ambiance for diners;
- g. There shall be no live or recorded music played or projected outside the restaurant building without the prior issuance of a Zoning Permit.

PROPOSED LANGUAGE

638.1 Outdoor Café

Outdoor cafes and eating areas, when accessory to a restaurant, are permitted subject to a Zoning Permit and the following conditions:

- a. COVID-19 Recovery Special Provisions: Based on the need to aid restaurants in their recovery from the impact of the COVID-19 as well as the need to protect public health through proper distancing between patrons, outdoor cafes may be expanded temporarily onto lawn and parking areas, provided that any dining area in parking lots is adequately protected from vehicles and that the site still has sufficient parking. This special provision for expanded outdoor dining will expire on **December 31, 2021**.
- b. The limitation on the size of the outdoor dining is eliminated.
- c. The outdoor eating area shall be largely open to the elements and shall not be permanently enclosed with a roof or walls;
- d. All food and beverages shall be served at the table;
- e. **Outdoor eating areas shall be exempt from providing parking spaces other than those required for the restaurant;**
- f. The outdoor eating area shall be landscaped with planters, window boxes, planted pots and/or planted beds containing appropriate trees, shrubs and/or flowers to provide privacy and ambiance for diners;
- g. There shall be no live or recorded music played or projected outside the restaurant building without the prior issuance of a Zoning Permit.

REASON FOR PETITION FOR CHANGE

In response to the significant impact of the COVID-19 pandemic on the local business community and its employees, last June the Commission approved amendments to the zoning regulations governing outdoor cafes and temporary signage. Those changes appear to have been helpful to businesses and generated a total of only one complaint since they went into effect on July 1st.

Section 638.1, which applies to outdoor cafes, ends on November, 30, 2020, but indicates the Commission may extend the time period. The proposed amendment extends the expiration date to December 31, 2021 (Section 638.1.a). The second proposed change eliminates the clause limiting the operation of outdoor cafes to six month per calendar year (Section 638.1.e). Outdoor dining continues to be a major asset to the community – a welcome amenity -- and is currently critical to the survival of many restaurants during the pandemic. Our New England winter weather already limits operations to part of the year. It's time to eliminate the unnecessary restriction imposed by the regulations. It serves no useful purpose.

Referral 2.3: Town of North Branford

Subject:

Proposed Zoning Regulation Amendments pertaining to Farm Events in Residential Zones

Staff Recommendation:

The proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of North Branford has proposed zoning regulations amendments to permit “Farm/Outdoor Events” via Special Use Permit in the Residential (R-40 and R-80) Zoning Districts. The R-40 and R-80 Zones currently permit via Special Use Permit “Farm/Winery with related accessory and incidental uses...” and “Farm/Brewery with related accessory and incidental uses...”.

The proposed amendments would allow Farms having a minimum area of ten acres to host activities, uses, and events that are related to a Farms total offerings, but not necessarily incidental to agriculture. The following are some of the proposed Special Use Standards:

- Minimum of 350 feet from any off-site residence and 175 feet from any property boundary (Commission may require greater distances and/or screening from neighboring properties).
- Maximum attendees, number and type of events will be determined based on the details in the applicant’s General Event Operational Plan. (sites conditions, parking availability, impact of infrastructure and neighboring properties, public health and safety).
- Site plan approved by the Police and Fire Departments
- Parking for events must be provided on site.
- Adequate sanitary facilities
- Music/entertainment subject to state and municipal sound regulations.

Additional details pertaining to the standards can be reviewed in the Agenda Packet.

The proposal includes Special Bulk Standards for the event and the Permit Procedures (can be reviewed in the Agenda Packet). The outdoor event area is limited to a maximum 5 percent of the lot area with a minimum setback for of 175 feet from all property lines. The limitations also apply to the on-site parking areas.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.