To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Thursday, July 8, 2021 RPC Meeting at 5:15pm at SCRCOG, 127 Washington Ave, 4th Floor West, North Haven, CT 06473

NOTICE: The July 8, 2021 RPC meeting will be held in-person at the SCRCOG Office. A remote option is available through the following link: https://us02web.zoom.us/j/86113308884

1. Administration

1.1. Minutes of the May 13, 2021 RPC Meeting

1.2. Summary of the June 10, 2021 RPC Meeting

2. Action Items


3. Other Business

The agenda and attachments for this meeting are available on our website at www.scrcog.org. Please contact SCRCOG at (203) 234-7555 for a copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week’s notice.

MEETING MINUTES

To: Regional Planning Commission  
From: Eugene Livshits, Senior Regional Planner  
Subject: Minutes for Thursday, March 11, 2021 Meeting  

Present: Charles Andres, Kevin Curry, Tricia Mase, Jeffrey Kohan, Andrew Skolnick, Theresa Ranciato-Viele, Robert Satti, Ted Stevens, Eugene Livshits

As permitted by Governor Lamont’s Executive Orders, regarding the COVID-19 Pandemic, the meeting was held remotely with no in-person attendance

1 Administration

1.1 Minutes of the March 11, 2021 RPC meeting.

Motion to accept the minutes as presented: Andrew Skolnick. Second: Kevin Curry. Vote: Unanimous.

2 Statutory Referrals

2.1 City of Milford: Proposed Zoning Regulation Amendments to Article III. Section 3.10 – Limited Industrial District: LI; Article XI - Definitions

By resolution, the RPC has determined that 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.


2.2 Town of Wallingford: Proposed Zoning Regulation Amendments pertaining to Winery Food Truck Regulations.

By resolution, the RPC has determined that 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.

Motion: Kevin Curry. Second: Theresa Ranciato-Viele. Vote: Unanimous. Recuse: Jeffrey Kohan

3 Other Business

Motion to Adjourn: Kevin Curry. Second: Theresa Ranciato-Viele. Vote: Unanimous.
MEETING MINUTES

To: Regional Planning Commission  
From: Eugene Livshits, Senior Regional Planner  
Subject: Minutes for Thursday, June 10, 2021 Meeting

Present: Kevin Curry, Andrew Skolnick, Bob Harrison, Andy Cirioli, Eugene Livshits

As permitted by Governor Lamont’s Executive Orders, regarding the COVID-19 Pandemic, the meeting was held remotely with no in-person attendance.

The Regional Planning Commission Meeting on June 10, 2021 did not have a quorum. The referrals were reviewed by consensus of the members present.

1 Administration

1.1 Minutes of the May 13, 2021 RPC meeting.

The approval of minutes from the May 13, 2021 meeting will be presented during the July 8, 2021 RPC Meeting.

2 Statutory Referrals

2.1 City of New Haven: Proposed Zoning Ordinance Amendment to permit Accessory Dwelling Units and a plus 1 Density Increase in RM1, RM2, RS1 and RS2 Zoning Districts and to reduce Minimum Lot Size to 4000 SF

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC recommended that 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.

2.2 Town of North Branford: Proposed Zoning Regulation Amendments to establish a new Section 42A.9 – Special Permit Use in R-40 Zoning Districts to permit a Multiple Dwelling Community

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC recommended that 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.
Referral 2.1: City of New Haven

Subject:

Proposed Zoning Ordinance Amendments and Zoning Map amendment pertaining to the addition of an Inclusionary Zoning Policy, and Inclusionary Zoning Overlay Map

Staff Recommendation:

The proposed zoning ordinance and map 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 New Haven has proposed to add an Inclusionary Zoning Policy and Overlay Map to its regulations. The amendments include the addition or modification of several definitions relevant to inclusionary zoning, which can be reviewed in the Agenda Packet. The proposed amendments link the creation of affordable housing to private market development, which create opportunities for mixed-income communities. The inclusionary zoning policy has the potential to increase housing choice in high-opportunity sections of the City.

The overlay map identifies areas where the inclusionary zoning policy can be implemented. The City Plan Commission intends to update the map every 3 years, which is comprised of the Core Market Areas, and the Strong Market Areas. The set-aside affordable housing provisions would be applicable to new construction, and rehab, conversion, or renovation of existing buildings valued greater than 50% of the existing assessed value, that meet any of the conditions identified in the proposed amendments. The conditions include the following:

- Mandatory Market-Driven Inclusionary Developments. Properties or developments with a Residential component that are proposing 10 or more dwelling units (within IZO)
- Large-Scale Inclusionary Developments. Properties or developments proposing 75 dwelling units or more (outside IZO).
- Voluntary Inclusionary Developments. Properties or developments with a Residential component of (i) less than 75 dwelling units outside the IZO and (ii) less than 10 dwelling units within the IZO (certain zoning bonuses).
- Applicable Developments within an existing PDD or a PDU are subject to this policy. A new PDD or PDU may not create an exemption from this policy.

The following exemptions are included projects undertaken by the New Haven Housing Authority, Senior Living Facilities, Student Housing, or Rooming, Boarding or Lodging Houses, and rezoning as a result of a Master Plan Update/Amendment or Market Analysis update.

The proposed policy has the following requirements form Inclusionary Housing Set-Aside: Core Market (IZO), 10% percent of the total dwelling units set-aside as affordable housing priced at 50% of AMI. 5% of the of the total number of dwelling units would be prioritized for persons/families with Housing Choice (Section 8) vouchers. Additional requirements can be
reviewed in the Agenda Packet. Strong Market (IZO), 5% of the total number units are required to be set-aside as affordable housing for low-income households. City-Wide inclusionary set aside (outside IZO), 5% of the total number units are required to be set-aside as affordable housing for low-income households. Voluntary Inclusionary Set-Aside, has several proposed conditions based on the amount of units and whether the location is within or outside the IZO. The Inclusionary Zoning Policy applies to all rental units. The affordable units must be evenly distributed throughout the development, mix of unit types, comparable finished and access to market rate units. There are additional provisions established pertaining to incentivizing the affordable housing units, and for certain projects to be eligible for payment in lieu of developing affordable housing units. Additional standards proposed include performance and compliance, violations, defaults and remedies.

**Communication:**

In researching this proposal, I notified the adjacent municipalities in the South Central Region.
May 27, 2021

Honorable Tyisha Walker-Myers, President
Board of Alders of the City of New Haven
165 Church Street
New Haven, CT 06510

RE: PETITION FOR AN ORDINANCE TEXT and MAP AMENDMENT TO THE NEW HAVEN ZONING ORDINANCE TO REQUIRE AND INCENTIVIZE THE INCLUSION OF AFFORDABLE HOUSING UNITS IN MARKET RATE DEVELOPMENT

Dear President Walker-Myers;

The City Plan Department of the City of New Haven is pleased to present you and the honorable members of the Board of Alders with this Petition/Application to create a text and map amendment to the zoning ordinance. If approved, the text amendment will require the inclusion of affordable housing units in medium and large market rate residential developments in the Core Market Area in the city center as well and in the Strong Market areas at the edges of the city center. The policy will also incentivize development outside the Core and Strong Market areas to opt in to providing affordable housing. This policy will require and enable the inclusion of affordable housing in market rate developments that currently do not have any requirements for affordable housing. Developers who specialize in affordable housing may avail also themselves of the incentives and provide additional levels of affordable housing based on other available subsidies.

This Inclusionary Zoning Policy goes well beyond many similar policies in other cities around the country as it is targeted specifically to the Area Medium Income (AMI) levels that reflects the levels of greatest need in the City of New Haven at 50% AMI and below. It also includes a deeply affordable component at 30% AMI levels achieved through prioritizing voucher recipients.

I would like to thank you and the Alders in the Inclusionary Zoning working group for providing valuable feedback on the initial drafts of this policy. It is with great pleasure that I offer this zoning update for consideration, and our department looks forward to presenting this Application to you and the Board of Alders.

Very truly yours,

Aicha Woods, Executive Director

[Type here]
SCHEDULE A
Draft Inclusionary Zoning Policy

Article 1, § 1 – Definitions [To be modified and/or added to Section 1 in alphabetical order].

“AFFORDABLE HOUSING” or “AFFORDABLE UNIT” means residential housing, which is restricted for occupancy by households that have a combined total annual income for all members that does not exceed a designated area median income (AMI) as defined by HUD. This term refers to the broad classification, and should not be confused with more specific terms that define different income divisions.

AREA MEDIAN INCOME means the median income by household size for New Haven County, as adopted by HUD.

AVERAGE GROSS FLOOR AREA PER DWELLING UNIT means the gross floor area of the principal building or buildings divided by the total number of housing units in the inclusionary development.

ELDERLY HOUSING UNIT means a dwelling unit specifically designed for the needs of an elderly person or persons, and conforming to the requirements of state and/or federal programs providing for housing for the elderly and deed restricted as such. Elder Housing Units may be in the context of Senior Living Facilities or independent from a larger facility.

FLOOR AREA RATIO or “FAR” means the ratio of the gross floor area of the principal building or principal buildings on a lot to the total lot area.

“HUD” means the United States Department of Housing and Urban Development.

“INCLUSIONARY DEVELOPMENT” means a development containing both affordable and market rate units.

“IZO” – means Inclusionary Zoning Overlay District.

LARGE-SCALE INCLUSIONARY DEVELOPMENT means a development anywhere in the City that proposes seventy-five (75) or more Residential dwelling units, which is required to be an Inclusionary Development under the Inclusionary Zoning policy.

LOW-INCOME HOUSEHOLD means a household in which the combined total annual income for all members of a household does not exceed fifty percent (50%) of the area median income. These income limits are adjusted by household size based on multipliers used by HUD to adjust area median income by household size.

MARKET-RATE UNITS means housing not restricted to low-income households that may sell or rent at any price that the market may bear.

RESTRICTED UNIT means a dwelling unit, whether a rental unit or ownership unit, that is subject to affordability controls.

SENIOR LIVING FACILITIES means assisted living facilities, independent living facilities, or group housing for the elderly specifically designed for the needs of an elderly person or persons, and conforming to the requirements of state and/or federal programs providing for housing for the elderly and deed restricted as such.
STUDENT HOUSING means a subtype of the multi-family residential dwelling units and is characterized as housing principally serving undergraduate or graduate college students. Student Housing is leased by room or bed rather than entire dwelling unit and may be on- or off-campus. Student housing is sometimes, but not always, rented for less than 1-year terms or follows an academic calendar schedule.

Article VI. – Other Districts. § 50. – Inclusionary Zoning Overlay Zone. [Move § 50 to Article VI; Delete “Reserved” and replace with the following language in its entirety.]

§ 50(a). – Purpose, Overlay Area, & Effective Date

(1) Purpose. The purpose of this ordinance is to create mixed-income housing through new construction, conversion or renovation that assists the City in promoting the creation of Inclusionary Developments and Affordable Housing as the City grows and attracts new market-rate residential development. By linking the production of affordable housing to private market development, this inclusionary zoning policy aims to expand the supply of affordable housing. The effect is to foster mixed-income communities and create housing choice in high-opportunity areas. This policy will support the provision of safe and affordable housing options in areas of opportunity, especially for communities that have been historically marginalized, including low-income and communities of color.

(2) Mapped area. The boundaries of the IZO and its tiered areas are established on the map entitled “INCLUSIONARY ZONING: Overlay District and Markets for Payment in Lieu of Creating Affordable Housing.” The City Plan Commission will prepare updates to this map every 3 years (together with the in-lieu fee schedule) to properly represent current housing markets. The map is available in the New Haven Affordable Housing Manual and is on file and available for public inspection with the City Plan Department and the Livable City Initiative (as staff to the Affordable Housing Commission). The IZO is comprised of two sub-districts:

A. Core Market. The Core Market represents locations where the majority of new market-rate development is occurring today, rents are highest, and where the majority of new market rate development is anticipated.

B. Strong Market. The Strong Market represents areas that have potential to support new market-rate development today and in the immediate future.

(3) The Effective Date of this Section will be upon the creation of the Affordable Housing Trust Fund or the published notice of this Section’s passage, whichever is later. [We will need to assess the City’s administrative and financial ability to take payment in-lieu and adjust the Effective Date accordingly.]

§ 50(b). - Set-Aside of Affordable Housing.

(1) Applicability (herein referred to as “Applicable Developments”). This Section applies to all new construction and any rehabilitation, conversion, or renovation of existing buildings that is valued...
PETITION FOR AN ORDINANCE TEXT and MAP AMENDMENT TO THE NEW HAVEN ZONING ORDINANCE TO REQUIRE AND INCENTIVIZE THE INCLUSION OF AFFORDABLE HOUSING UNITS IN MARKET RATE DEVELOPMENT

greater than 50% of the existing assessed value of the property and meets any of the below:

A. Mandatory Market-Driven Inclusionary Developments. After the Effective Date of this Section, compliance with this Section is required for all properties or developments with a Residential component that are proposing ten (10) or more dwelling units that are located within the IZO.

B. Large-Scale Inclusionary Developments. After the Effective Date of this Section, compliance with this Section is required for all properties or developments proposing 75 dwelling units or more (herein referred to as “Large-Scale Residential Developments”), outside of the IZO.

C. Voluntary Inclusionary Developments. After the Effective Date of this Section, compliance with this Section is optional for all properties or developments with a Residential component of (i) less than 75 dwelling units outside the IZO and (ii) less than 10 dwelling units within the IZO that opt to construct Affordable Housing, consistent with this Section in exchange for certain zoning bonuses as outlined in herein.

D. Applicable Developments within an existing PDD or a PDU are subject to this policy. A new PDD or PDU may not create an exemption from this policy.

(2) Exemptions.
A. Any project which is to be undertaken by the New Haven Housing Authority.
B. Any project that proposes Senior Living Facilities, Student Housing, or Rooming, Boarding or Lodging Houses.
C. Rezoning initiated by the City as a result of a Master Plan Update or Amendment or Market Analysis Updates.

(3) Inclusionary Housing Set-Aside
A. In the Core Market of the IZO, Applicable Developments must set aside not less than ten percent (10%) of the total number of dwelling units as Affordable Housing priced at 50% of AMI as defined by HUD. The IZO applicable developments shall prioritize an additional five percent (5%) of the total number of dwelling units for persons or families with Housing Choice (Section 8) vouchers. If tenants with Housing Choice vouchers are not able to be placed and proper documentation is approved by the City, a unit with Housing Choice priority may be rented at no more than 80% of AMI until vacancies recur, at which time Housing Choice tenants will be re-prioritized.

B. In the Strong Market of the IZO, Applicable Developments must set aside not less than five percent (5%) of the total number of dwelling units as Affordable Housing for Low-Income Households.

C. City-Wide Inclusionary Housing Set-Aside. Outside of the IZO, Large-Scale Inclusionary Developments must set aside not less than five percent (5%) of the total number of dwelling units as Affordable Housing for Low-Income Households.

D. Voluntary Inclusionary Set-Aside.
   i. Outside of the IZO, a development of less than seventy-five (75) dwelling units,
may set aside five percent (5%) of the total number of dwelling units as Affordable Housing for Low-Income Households on a voluntary basis. A development that opts in will be required to comply with the provisions of this Section.

ii. Within the IZO, any project involving 10 dwelling units or less may opt into this policy based on the number of units required in A. and B. above, as applicable. If the calculation results in a partial unit, it is rounded up to the nearest whole unit for the purposes of calculating the units to be provided on site. If the calculation results in less than .5 units, then one affordable unit will be required to opt into this policy and receive the incentives. For a payment in-lieu of constructing the unit, the developer pays the in-lieu fee based on the share of total units required under A. and B. above, as applicable. If the calculation results in a partial unit, the in-lieu fee is calculated based on the partial unit (e.g. if the unit calculation requires .5 dwelling units, the developer pays 50% of the established in-lieu fee).

E. This Inclusionary Housing Set-Aside applies to rental units. All affordable units must be constructed and maintained in a manner consistent with market rate units provided as part of the Inclusionary Development.

F. The set-aside units must be priced using the AMI levels specified in this section, and the units will be income-restricted by deed for a minimum of 99 years. The deed restriction will be recorded on the New Haven Land Records in advance of final Certificate of Occupancy.

G. Rounding. When any calculation of the mandatory set aside results in a fractional income-restricted unit, the fraction is rounded to the nearest whole unit. If the calculation results in less than .5 units total (which would be rounded to zero under this subsection), then one affordable unit will be required.

H. Affordable Unit requirements.

i. Affordable Units must be evenly distributed throughout the Inclusionary Development, including across project phases.

ii. Affordable Units must be a mix of unit types and sizes that matches the overall mix of unit types and sizes in the Inclusionary Development.

iii. Affordable Units must have comparable finishes and access to amenities to Market Rate Units in the Inclusionary Development.

I. A payment may be made in lieu of on-site construction, in accordance with Subsection 59(c) below.

(4) Approving Authority. All Applicable Developments must be reviewed and approved by the City Plan Commission as part of Site Plan Review or Detailed Site Plan Review in accordance with Section 64 and Section 50(e) below.

§ 50(c). – Incentives for the Development of Affordable Housing Units.

A. All applicable Inclusionary Developments, whether mandatory or voluntary, are eligible for the following incentives, the purpose of which is to offset the cost burden of constructing and
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maintaining affordable units.

1. **FAR Bonus.** The Inclusionary Development is entitled to a bonus in FAR of up to 25% over the permitted FAR in the underlying zone in which the property is located, but may be otherwise limited by height restrictions and other bulk area requirements of the underlying zone.

2. **Waived Parking Minimums.** The Inclusionary Development does not have a minimum amount of automobile parking required for Residential uses but may elect to include parking as part of the development. Sections 29 and 45 of the Zoning Ordinance, as they relate to parking for Residential uses, are waived; however, notwithstanding the foregoing, the Inclusionary Development must comply with bicycle parking requirements. As part of its review, the City Plan Commission may require additional bicycle parking as a condition of approval. Where (i) the Inclusionary Development is mixed-use with a commercial component or (ii) parking is provided voluntarily, the Inclusionary Development must also include loading spaces in accordance with Section 45(a)(1)b. and must provide a Traffic Impact Study as part of the site plan review application in accordance with Section ________ of the New Haven Zoning Ordinance. [We will be proposing a separate and simultaneous zoning amendment to the City Plan Commission criteria with regard to a Traffic Impact Study.]

3. **Density Bonus.** Irrespective of density limitations in the underlying zone, the Inclusionary Development is entitled to a density of six hundred (600) square feet for the average gross floor area per dwelling unit. This reduction is applicable to all structures, regardless of age and lot size, whether conforming or nonconforming, so long as they are permissible under applicable building codes.

4. **In addition to Zoning Incentives, Tax Abatement benefits shall be addressed under...**

§ 50(d). – Payment In Lieu of Developing Affordable Housing Units

For projects meeting Section 50(b)(1) A. and B., the property owner/developer may pay a fee in lieu of building on-site affordable units for some or all the obligation in accordance with the following:

A. A developer may provide a payment in lieu of constructing the affordable housing obligation into the City of New Haven’s [Affordable Housing Trust Fund]. A developer may build a portion of the required Affordable Units and provide a payment in lieu of the remainder of the required Affordable Units. However, the policy of this Section favors construction of on-site affordable units.

B. **Payment in-lieu fee.** The amount of the payment-in-lieu figure is based upon a tiered payment-in-lieu system that will be reassessed every 3 years from the effective date of this Section’s adoption. The fees and any assessed premium is available in the New Haven Affordable Housing Manual and is on file with City Plan Department and the Livable City Initiative.

C. **Condition of Approval.** In advance of Site Plan Review by the City Plan Commission, the developer must supply the Affordable Housing Agreement, deed restriction, and Payment in Lieu of Agreement to the Director of the Livable City Initiative. [These documents are currently under development.]
§ 50(e). – Performance and compliance.
A. Inclusionary housing units and developments containing one or more affordable housing unit(s) must meet all applicable requirements under the laws of the State of Connecticut.
B. All Inclusionary Zoning applications will be formalized with an Affordable Housing Agreement. The Affordable Housing Agreement is required for all Applicable Projects. The Affordable Housing Agreement must be to the satisfaction of the Director of the Livable City Initiative before the project’s Site Plan Review or Detailed Site Plan Review application is reviewed by the City Plan Department.
C. All Inclusionary Developments will comply with tenant screening processes for available affordable units as described in the New Haven Affordable Housing Manual on file with City Plan Department and the Livable City Initiative.
D. All Inclusionary Developments will be required to certify compliance, including certification of incomes of tenants in affordable units, annually and submit a Compliance Report to the Director of the Livable City Initiative. Information on income certification processes and tenant eligibility is provided in the New Haven Affordable Housing Manual and is on file with City Plan Department and the Livable City Initiative. [Note: addition of this clause will require development of an Compliance Report document]
E. [Additional CPC review criteria.]

§ 50(f). – Violation, default and remedies

Upon a violation of any of the provisions of the affordable housing agreement, the Zoning Enforcement Officer will give written notice to the developer or property owner specifying the nature of the violation and require corrective action within a reasonable period of time. If the developer or property owner does not reply or correct the violation within the time specified, they will, for each and every violation, be fined up to a maximum of $250 a day that such violation continues after such notice.

§ 50(g). - Severability.

If any Section, Subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion is deemed a separate, distinct and independent provision, and such holding does not affect the validity of the remaining portions thereof.
Referral 2.2: City of Meriden

Subject:

Proposed Zoning Regulation Amendment to Section 213-56 (Signs)

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:

A private applicant has proposed to amend Section 213-56 (E) (e). The specific amendment is applicable to the spacing requirements for digital billboards. The existing regulations have a distance requirement for conventional billboards of 750 feet from other conventional or digital billboards, and 1,500 feet between digital billboards.

The proposed amendment reduces the distance requirement between digital billboards to 750 feet. The applicable zoning district is adjacent to the Town of Wallingford.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.
June 10, 2021

Honorable City Council for the City of Meriden
142 East Main Street
Meriden, Connecticut 06450

re: Petition for Zoning Regulation Amendment
OUTFRONT MEDIA, LLC

Dear Sir/Madam:

This office represents Outfront Media, LLC, currently party to a lease related to installation of a digital billboard at 639 Research Parkway, Meriden.

Attached please find our Petition for an amendment to §213-56(E)(e) of your Zoning Regulations, concerning distancing between billboards. If additional information is necessary, I will make myself available at your convenience.

Thank you for your attention to this matter.

Very truly yours,

[Signature]

Attorney Jim Loughlin, for the firm
LOUGHLIN LAW, PC
atts.
PETITION FOR A ZONING REGULATION AMENDMENT

June 10, 2021

TO THE HONORABLE CITY COUNCIL OF THE CITY OF MERIDEN:

Outfront Media, LLC respectfully petitions the Meriden City Council acting as the Meriden Zoning Commission to repeal the text of its Zoning Regulation at Article VIII, §213-56 Signs – Subsection E Nonaccessory signs and billboards – Subparagraph (e) Spacing, and replace it with the proposal set forth on the attachment hereto entitled, "Proposed Zoning Regulation Amendment – Article VIII, §213-56(E)(e)."

Very truly yours,

By: Attorney Jim Loughlin, for the firm LOUGHLIN LAW, P.C. Its attorneys

atts.
   i. §213-56(E)(e)
   ii. §213-56
PROPOSED

(e) Spacing:
Billboards shall be spaced at a horizontal distance of not less than 750 feet from other billboards on the same side of the limited access highway.

EXISTING

(e) Spacing:

[1] Conventional billboards shall be spaced at a horizontal distance of not less than 750 feet from other conventional or digital billboards on the same side of the limited access highway.

[2] Digital billboards shall be spaced at a horizontal distance of not less than 1,500 feet from any other digital billboard on the same side of the limited access highway.

REDLINE

(e) Spacing:

[1] Conventional billboards shall be spaced at a horizontal distance of not less than 750 feet from other conventional or digital billboards on the same side of the limited access highway.

[2] Digital billboards shall be spaced at a horizontal distance of not less than 1,500 feet from any other digital billboard on the same side of the limited access highway.
§ 213-56. Signs.\textsuperscript{39}

A. Purpose; protection of physical appearance. The purpose of this section is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor signs of all types.

B. Applicability. The provisions of this section shall govern the construction, alteration, repair and maintenance of all outdoor sign structures.

C. Standards and guidelines. In implementing this section, the following standards and guidelines shall be followed:

(1) Signs shall be a subordinate part of the streetscape, rather than the dominant features, so as to add interest in building facades without overpowering them.

(2) Projecting signs, except as outlined herein, shall be prohibited.

(3) Roof signs above the lowest point of the roofline, with the exception of a mansard roof, are prohibited.

(4) Standard, approved methods of constant illumination shall be permitted on ground signs and wall signs; provided, however, that they shall concentrate the illumination upon the area of the sign so as to prevent direct glare upon the street or adjacent property.

(5) Flashing and animated signs are prohibited, except for clocks and customary time-and-temperature devices.

(6) Except for holiday seasons or grand openings (for a period not to exceed 30 days), as approved by the Building Official (BO), no sign or part thereof shall consist of pennants, ribbons, streamers, spinners or other similar moving, fluttering or revolving devices.

(7) A sign shall not be suspended from an awning.

(8) All ground and freestanding signs shall be constructed to withstand wind pressure applied to the projected exposed area, allowing for wind from any direction of 30 pounds per square foot.

(9) To the extent possible, adjacent signs on the same or adjoining buildings shall be placed within the same horizontal band.

(10) Adjacent signs shall be of the same height from the ground.

(11) All ground signs shall comply with the building line requirements of the zone in which located, except as noted in § 213-56I. [Amended 6-2-1986]

(12) All ground signs shall be located within the property line, and the location of illumination of such shall not block the view of or

\textsuperscript{39}Editor's Note: See Diagram 11, Signs, at the end of this chapter.

213:274
otherwise interfere with official traffic signs and signals or of other permitted signs, except as noted in § 213-56I. [Amended 6-2-1986]

(13) Wall signs shall not cover, wholly or partially, any wall opening, including doors, fire escapes and windows, nor project beyond the ends of the wall to which they are attached. All such signs must be safely and adequately attached to such building wall by means satisfactory to the Building Official.

D. Permits.

(1) Required permit. It shall be unlawful for any person to erect, alter, redesign, relocate, reconstruct, repair or cause to be erected, altered, redesigned, relocated or reconstructed within the corporate limits of the City any sign or signs, except as herein exempted, without first having obtained and having in force a permit therefor from the Building Official.

(2) Maintenance; construction. All signs shall be properly secured, supported and braced, shall be kept in sound structural condition and shall be well maintained at all times.

(3) Application; fee. Application for a sign permit shall be made on a form provided by the Building Official, which application shall include necessary sketches and supporting information indicating the location of the sign and the size, colors, type of lettering or other graphic representation and materials to be used, electrical or gas equipment and details of its attachment and hanging. In addition, such sign application shall be accompanied by a fee in accordance with the City of Meriden Fee Schedule and the written consent of the owner or lessee of the property upon which such sign or signs is/are to be erected and maintained.

(4) Appeal from permit denial. Any person feeling himself or herself aggrieved by the decision of the Building Official may appeal to the Zoning Board of Appeals within 15 days of such denial.

(5) Issuance of sign construction permit. Upon approval of the application by the Building Official and after any conditions for approval established by the Building Official are satisfied, the Building Official shall issue a permit for construction of such sign.

E. Nonaccessory signs and billboards. [Amended 8-20-1984; 7-7-1986; 9-16-2013]

(1) Nonaccessory signs and billboards are prohibited in all residential districts.

(2) Billboards.
§ 213-56 MERIDEN CODE § 213-56

(a) Statement of purpose: Billboards are elements of the urban landscape identifying businesses, relaying messages and advertising. In order to promote, preserve, enhance and protect the public health, safety and welfare of the City, these standards/regulations intend to diminish the distraction hazards to traffic, minimize visual blight and ensure urban design fundamentals to preserve Meriden's landscape. The following standards/regulations control billboard location, size, height, spacing, luminance and frequency of image change.

(b) Definitions:

BILLBOARD — A sign, including any support structures, displaying a message not related to the use of the property on which it is located.

CONVENTIONAL BILLBOARD — A billboard displaying a static message or copy which cannot be changed mechanically (for example, a tri-vision billboard) or electronically.

DIGITAL BILLBOARD — A billboard utilizing digital message technology capable of changing the static message or copy electronically, but not displaying any movement, or the appearance or optical illusion of movement, or any flashing, scintillating or varying of light intensity during the static display periods.

BILLBOARD OVERLAY DISTRICT — Billboards must be oriented to limited access highways and are further restricted to the Billboard Overlay District as shown on the City's Zoning Map.

(c) Development standards:

[1] Maximum height: 35 feet.* The vertical distance from the grade of the closest lane of the limited access highway to the top of the highest component of the billboard.

*In no case shall the top be higher than 45 feet above grade at the base of the billboard.


[3] Clearance: nine feet. Billboards shall have a minimum clearance of nine feet between the lowest component of the billboard and the land grade.

(d) Location and orientation:

[1] Billboard Overlay District: Conventional and digital billboards are restricted to the Billboard Overlay District.

[2] Lot (size, frontage and use): Billboards are considered principal uses and therefore per § 213-13, Number of

213:276
principal uses per lot, it is the only use allowed on the lot. A building lot for a nonaccessory sign or billboard must have the lot area required for the underlying zone and have 75 feet of frontage on the limited access highway to which the billboard is oriented.

[3] Orientation: All billboards consisting of back-to-back or parallel design shall be no greater than eight feet apart. All billboards shall be oriented with faces at an angle no greater than $35^\circ$ perpendicular to the limited access highway. All such signs must be oriented to a limited access highway and not to face a residential zoning district.

(e) Spacing:

[1] Conventional billboards shall be spaced at a horizontal distance of not less than 750 feet from other conventional or digital billboards on the same side of the limited access highway.

[2] Digital billboards shall be spaced at a horizontal distance of not less than 1,500 feet from any other digital billboard on the same side of the limited access highway.

(f) Digital billboards:

[1] Display time: Messages and/or imagery must be displayed in a static manner for a minimum of seven seconds.

[2] Transition time: Transition time from one message or copy to another must be direct and immediate without special effects and not exceed one second.

[3] Brightness:

[a] No digital billboard may operate at brightness levels of more than 0.3 footcandle above ambient light for the following distances from the sign face based on the size of the sign:

<table>
<thead>
<tr>
<th>Distance (feet)</th>
<th>Sign Size (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>242</td>
</tr>
<tr>
<td>150</td>
<td>378</td>
</tr>
<tr>
<td>200</td>
<td>672</td>
</tr>
</tbody>
</table>

[b] The brightness measurement shall be made with the light meter or similar device positioned at a ninety-degree angle to the orientation of the digital billboard.
§ 213-56 MERIDEN CODE § 213-56

[4] Malfunction: Digital billboards must be designed and equipped to freeze the sign face in position if malfunction occurs. Such billboard must also be equipped with a means to immediately discontinue operation in case of malfunction. The billboard owner must immediately turn off the display when ordered by the City.

(g) Miscellaneous:

[1] Content: Billboards shall not use the word "stop," "danger" or any other word, phrase or symbol or character in a manner that might be misconstrued to be a public safety warning or traffic sign.

[2] Landscaping: Every billboard shall be suitably landscaped covering the area between the billboard and property lines. This landscaped area shall be properly maintained.

[3] Maintenance:

[a] All billboards shall be maintained in good repair and in safe condition. The owner of the premises on which the billboard is located shall be directly responsible for keeping such billboard and premises in a safe and neat condition.

[b] All parts, including the backs, of billboards shall be painted a dark or neutral color and shall be well-maintained.

(h) Process:

[1] All billboards must obtain a certificate of approval (per § 213-72 of the Zoning Regulations) from the Planning Commission prior to receiving a building permit.

[2] A certificate of approval is also required for a conversion of an existing billboard into a digital billboard. The converted digital billboard must comply with all standards/requirements of this chapter.

(i) Nonconforming:

[1] Billboards lawfully existing at the time of adoption of this chapter which do not conform to the requirements of this chapter may continue to exist but are prohibited from being enlarged, relocated, or converted to digital billboards, except in compliance with this chapter.

[2] Maintenance and repair, including restoration, improvement, and changing of billboard messages is allowed. Following damage or destruction, a nonconforming billboard, if reinstated with a
nonconformity as allowed under the terms of this chapter, shall be restored to its condition that preceded damage or destruction.

[3] A nonconforming billboard which is damaged or destroyed by any cause or means to the extent that the cost of restoration exceeds 1/2 of its replacement cost, and for which no building permit for reconstruction or replacement of the nonconforming billboard is applied for within 180 days of the date the billboard is damaged or destroyed, shall not be reconstructed except in conformity with the requirements of this chapter.

[4] A nonconforming billboard shall be deemed to be abandoned in accordance with the provisions of § 213-56G and may not therefore be used except in conformity with the requirements of this chapter.

F. Unsafe and unlawful signs. If the Building Official shall find that any sign regulated herein is unsafe or insecure or has been erected in violation of the provisions of this section, he or she shall give written notice to the permittee thereof. If the permittee fails to move, alter or repair the sign so as to comply with the standards herein set forth within 14 days after such notice, such sign may be removed or altered to comply by the Building Official or his or her authorized agent at the expense of the permittee or owner of the property on which it is located. The Building Official shall refuse to issue a permit to any permittee or owner who refuses to pay costs so assessed. The Building Official, upon direction and authorization of the Chief of Police or the Director of Public Works, may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.

G. Abandoned signs. No sign which has been abandoned for a period of six months shall thereafter be permitted to be used without being processed as a new sign. The term "abandoned" as used herein shall mean the voluntary discontinuance and maintenance of the sign when accompanied by an intent not to reestablish the use of the sign. Any one of the following shall constitute prima facie evidence of intent to abandon:

(1) Any positive act indicating such intent.

(2) Failure to take all necessary steps to resume the business for which the sign is used with reasonable dispatch, including advertising of the business and/or property for sale or for lease; in the case of billboards, advertising the availability of the billboard for lease.

(3) Discontinuance of the business for which the sign is used for nine consecutive months or for a total of 18 months during any three-year period.
(4) In the case of billboards only, discontinuance of the use for 90 consecutive days or for a total of six months during any one-year period.

H. Illuminated signs. A sign illuminated by electricity or equipped in any way with electric devices or appliances shall conform with respect to wiring and appliances to the regulations of the National Electrical Code.

I. Ground or freestanding signs.

(1) Only one freestanding sign of any type may be erected on any premises, except that:

(a) Premises which have more than 450 feet of frontage along the public way, other than an alley, may have not more than one additional detached sign for each additional 450 feet of frontage.

(b) Premises with frontage along two thoroughfares may have two freestanding signs. In the event that a second freestanding sign is permitted by the application of § 213-56(2), this section shall not be construed to permit any additional freestanding signs.

(c) Signs of less than two square feet in effective area which direct on-premises vehicular or pedestrian movement and bear no other identification or advertising matter are not subject to the limitations of this section.

(2) Freestanding signs may have a sign area not to exceed an aggregate of 40 square feet.

(3) In a unified shopping center in single ownership or control, a freestanding sign may be erected and can be no larger than 100 square feet. The smallest dimension of the sign shall be not less than five feet.

(4) Freestanding signs to be located on poles, kiosks, stanchions or similar supports shall not be more than the height of the building or not higher than 25 feet.

(5) Freestanding signs shall be kept entirely within the property line of the lot and shall be screened from the view of adjoining residential zones on the street frontage.

(6) Freestanding detached on-premises signs may be floodlighted, provided that no glare is perceived in any adjoining property.

(7) Directory signs; professional offices and medical clinics. A freestanding directory sign to identify the occupants of a medical clinic or professional office building shall be permitted where such
uses are permitted. It may be erected with two poles as long as all other requirements of this section are satisfied.

(8) The Planning Commission may grant permission for identification/directory signs in the case of an industrial or office park having an excess of 20 acres and capable of supporting three principal buildings and three tenants. The following signs may be installed within the public right-of-way, provided that they are located a minimum of 15 feet from the curbline and do not unreasonably or dangerously obstruct or interfere with the visibility of drivers of vehicles: [Added 6-2-1986]

(a) Signs for the purpose of identifying the park, located at the park entrance(s) and not exceeding 40 square feet in area. Signs may display the name of the park, the name, address and telephone number of the developer and an applicable logo, but shall contain no other form of advertising.

(b) Signs for the purpose of directing traffic to businesses, streets or other locations within the park, not exceeding three square feet each or 40 square feet altogether when attached to a common background.

(c) Said signs shall be the maintenance responsibility of the applicant and can be removed at any time by the City.

(9) Identification/directory signs for the purpose of directing traffic for lodging and tourist attractions. These signs may be installed within the public right-of-way, provided that they are located a minimum of five feet from the curbline and do not unreasonably or dangerously obstruct or interfere with the visibility of drivers of vehicles: [Added 4-4-1988]

(a) Signs for the purpose of identifying these facilities may display just the name or logo of the facility and shall contain no other form of advertising.

(b) Such signs shall not exceed three square feet each or 40 square feet altogether when attached to a common background. Only one freestanding directional sign is allowed on a one-thousand-foot stretch of street or ramp. Therefore, the second and any sign thereafter must be a combination sign (maximum 40 square feet).

(c) Said signs shall be the maintenance responsibility of the applicant and can be removed at any time by the City.

(d) The Planning Commission has complete authority over the architectural features, color features and height of the sign.

J. Marquee signs. Signs shall not be permitted on any marquee, other than signs built into and forming a part of the structure of the marquee.
§ 213-56 MERIDEN CODE

Such signs shall not exceed a height of three feet, a total area of 21 square feet on any one side of the marquee and shall not extend beyond the edge of the marquee. In addition to the foregoing, only that portion of the marquee containing such sign shall be illuminated.

K. Wall signs. Wall signs shall be attached to the face of the building in a place parallel to such face but shall not extend or project more than 12 inches over the sidewalk, street or highway and shall not extend higher than the parapet in the case of a one-story building, and in the case of other buildings, they shall not extend above the sill of the windows of the second story nor extend more than 15 feet above the outside grade.

(1) No wall sign or combination of signs in any single frontage in a commercial district and manufacturing district shall exceed an area equal to two times the linear length of the structure on such frontage.

(2) Where there are two or more occupants occupying a portion of the first-floor frontage of a given structure, each such occupant shall be entitled to a sign equivalent in size to that portion of the frontage so occupied. Where multiple occupants share a common sign, the maximum sign area shall be limited as if there was a single occupant.

(3) Where an establishment for which a sign is permitted has a rear entrance on a public way or frontage on two or more streets, such as a corner, a sign shall be permitted on each frontage, up to the maximum area permitted for that frontage. (Examples of permitted sign size: a store with a twenty-foot frontage will be permitted up to a total of 40 square feet in signs. If the structure has 70 feet of frontage and is occupied by four stores, a total of 140 square feet of sign area would be permitted. Where an establishment is in a corner structure, with two twenty-foot frontages, up to 40 square feet of signage would be permitted on each frontage.) All such signs must be safely and adequately attached to such building wall by means satisfactory to the Building Official. If illuminated at night, all light sources shall be shielded from the view of adjacent lots and streets in residential zones.

(4) One identification sign at each entrance to the lot, with an area of not more than three square feet, and internal directional signs, each with an area of not more than two square feet, shall also be permitted.

L. Hanging signs. Each commercial or industrial establishment shall be permitted one hanging sign, which shall project not more than 60 inches over a public walkway and shall not exceed 25 square feet in area. The construction and method of securing such signs to the structure shall be approved by the Building Official. All such overhanging signs shall be approved by the Director of Public Works. The bottom of such sign shall be at least eight feet above the sidewalk.
and shall not extend into any area which is designated for service or emergency vehicle use.

M. Temporary signs. The erection, installation or maintenance of temporary signs is hereby prohibited, except as follows:

(1) No permit shall be required for the maintenance of a temporary sign or signs by a municipal, charitable, political or nonprofit organization for a period not to exceed 30 days.

(2) A temporary sign announcing anticipated occupancy of a site or building shall be permitted for a period not to exceed six months. Such sign shall not exceed 32 square feet if it is freestanding and shall not exceed the maximum permitted for a permanent sign if it is affixed to a building.

(3) Temporary signs announcing special sales or events shall be permitted in commercial and industrial districts for a period not to exceed 15 days. Any such temporary signs must conform to the size and location requirements applicable to permanent signs.

N. Exemptions. The provisions and regulations of this section shall not apply to the signs enumerated in Subsection N(1) through (5); provided, however, that such signs shall be subject to the requirements on unsafe and unlawful signs and abandoned signs.

(1) Bulletin boards. Bulletin boards or signs not over 16 square feet in area for public, charitable or religious institutions where the same are located on the premises of said institutions.

(2) Construction signs. A sign not exceeding 16 square feet in area, denoting the architect, engineer and contractor, when placed upon public property where work is under construction.

(3) Directional signs, etc. Directional signs, name or number plates and professional signs, not more than two square feet in area.

(4) Memorial signs and tablets. Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or similar material and affixed directly to the front face of the building and parallel to such front face.

(5) Signs not over four square feet in residential zones, indicating the name of a building or apartment, a valid nonresidential use or a "for sale" or "for lease" sign.

O. Nonconforming signs.

(1) Signs existing at the time of the enactment of this chapter and not conforming to its provisions but which were constructed in compliance with previous regulations shall be regarded as nonconforming signs.

(2) No nonconforming sign shall be altered by increasing its overall dimensions. If damaged to the extent of 50%, no nonconforming sign shall be reconstructed, provided that nothing contained herein shall prevent customary maintenance, repainting or posting of such signs or structures, or copy changes. Any nonconforming sign removed for any reason may be repaired or replaced within six months of such removal, provided that such repairs, rebuilding or replacement do not extend nor expand the previously existing nonconforming use.

§ 213-57. Soil erosion and sediment control. [Added 2-3-1986]

A. Purpose: to minimize soil erosion and sedimentation that occur as a result of the construction of residential, industrial and commercial development.

B. Activities requiring a certified sediment and erosion control plan. A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than 1/2 acre. (The Commission or its agent may require temporary and permanent soil erosion and sediment control measures for development plans disturbing less than 1/2 acre.) No development, grading of the land or stripping of vegetation shall be permitted on slopes of 20% or steeper (shown on the Meriden City Slope Map, prepared August 2009, on file at the Planning office) unless part of an approved development, excavation or filling plan with an erosion and sediment control plan, including any land that may be further divided or density increased. [Amended 12-21-2009]

C. Exemptions.

(1) A single-family dwelling that is not part of a subdivision of land shall be exempt from this chapter.

(2) Any application for development for which the disturbed area is 1/2 acre or less may be exempt from this chapter. (The Commission or its agent may require temporary and permanent soil erosion and sediment control measures for development plans disturbing less than 1/2 acre.)

(3) Agricultural uses such as crop and tree farming and greenhouses or nursery operations.

D. Erosion and sediment control plan.

(1) To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and to reduce the danger from stormwater runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended.
Referral 2.2: Town of Wallingford

Subject:

Proposed Zoning Regulation Amendments pertaining to out-patient small animal surgical facilities.

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:

A private applicant has submitted a proposal to permit via site plan approval out-patient small animal surgical facilities in the Industrial Expansion (IX) District. The IX District is adjacent to the City of Meriden. The parking requirement for the proposed use is 1 space for each 250 square feet of GFA.

Communication:

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

Town Hall, 45 South Main Street, Wallingford, CT 06492

TO:    [X] Eugene Livshits - South Central Regional Council of Governments


       [ ] Keith Rosenfeld - Naugatuck Valley Council of Governments

FROM:  Kevin J. Pagini, Town Planner

Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed application is referred to the Regional Agency to review and report on:

[ ] Proposed subdivision located within 500 feet of another South Central Municipality

[X] Adoption or Amendment of ZONING REGULATIONS affecting the use of a zoning located within 500 feet of a South Central Regional COG municipality (see attached proposed text amendment including small animal surgical centers)

The change was originally requested:

[ ] by municipal agency (PZC)

[X] by petition

Public hearing has been scheduled for: 8-16-21

[ ] Legal Notice

[ ] Map of proposed subdivision

[ ] Supporting statements, site map

[X] Text of proposed amendment

Other: See current Zoning Regulations and Zoning Map on Town Web Site under Planning and Zoning Department.

www.wallingford.ct.us

__________________________
Kevin J. Pagini, Town Planner

Wallingford Town Hall
45 South Main Street
Wallingford, CT
Phone: (203) 294-2090 Fax: (203) 294-2095
June 11, 2021

Mr. James Seichter, Chair
Planning & Zoning Commission
TOWN OF WALLINGFORD
45 South Main Street
Wallingford, Connecticut 06492

re: Small Animal Surgical Service of CT, LLC
924 North Main Street Extension
Application for Zoning Regulation Change

Dear Mr. Chairman:

This office represents SMALL ANIMAL SURGICAL SERVICE OF CT, LLC and its principals Christine and David White, who are currently under contract for purchase of the real property above. Their intended use for the property is an Outpatient Small Animal Surgical Facility, a use not currently provided for in your zoning regulation. Enclosed please find the zone regulation change application above.

As is customary, your staff has been very helpful. Reviewing the zoning regulations, you will see Outpatient Medical Treatment Facility is a permitted use in the IX Zone, under §4.9.B(10)(page 75). We propose the White’s intended use is akin to this one. Their specialty includes orthopedic and soft tissue surgeries—joints, knees, hips, patellas; tumors, lobectomies, livers, kidneys; and the like. (Other types of surgeries may occur, but only if necessary and attendant to the foregoing procedures.) Until now, the Whites have traveled to facilities to carry out surgeries. They are looking forward to settling into their new, fixed location at the corner of North Main Street Extension and Barnes Road.

The business will provide only outpatient surgeries, distinguishing it from animal hospitals and kennels. It will have less than ten employees and will be the sole occupant in the building. Although services will be outpatient only, and employees will be less than ten, the building’s two stories will be necessary to house the entire practice. Two surgery rooms are needed, as will an examining area, reception, kennels for restraining the small animals, a prep area, a cleaning area, x-ray, a library, a conference room, a lab, and a break room. All these needs won’t fit on the first floor.
June 11, 2021
Page 2

In addition, the Whites are thrilled with the historic structure and its location. They have no plans for expanding the footprint or any part of the building. The parking lot and driveways, likewise, will remain unchanged.

Thank you for your attention to this matter. If additional information or materials are necessary, I will make myself available at your convenience.

Very truly yours,

Attorney Jim Loughlin, for the firm LOUGHLIN LAW, PC

encls.
APPLICATION FOR ZONING REGULATION CHANGE

NAME OF APPLICANT: SMALL ANIMAL SURGICAL SERVICE OF CT, LLC
DATE: June 10, 2021

MAILING ADDRESS: 1460 Tuttle Avenue, Wallingford, CT 06492
PHONE: 203/265-3030

E-MAIL ADDRESS: 

Section to be removed: s4.9.B(10) INDUSTRIAL EXPANSION (IX) DISTRICT and
Proposed new section:

Please see attached.

(Attach additional sheet if necessary)

RECEIVED
JUN 11 2021
WALLINGFORD PLANING & ZONING

BY: Christine White

Applicant's Signature

SMALL ANIMAL SURGICAL SERVICE OF CT, LLC
Company Name (If applicable)

For Official Use Only:

Date Application Submitted: 6/11/21
Filing Fee Paid: $550
§6:11 OFF-STREET PARKING AND LOADING FACILITIES

C. .... (p190, top)  
not less than 1 space for each 400 square feet of GFA

Out-patient Surgical Centers and 1 space for each 250 square feet of GFA 12/19/92
Out-patient Small Animal Surgical Facilities

Other uses not listed above Parking facilities as determined By the Commission

D. Common Parking - The Commission may reduce the parking requirements by a maximum of 50 percent for churches and other places of worship, places of public assembly, theaters, non-profit clubs, bowling alleys, cafes, taverns, restaurants, night clubs, and other similar uses where such uses will be generating a demand for parking during periods when other uses are not in operation subject to the following conditions:

1. The applicant shall demonstrate that there is no substantial conflict in the operating hours of the two buildings or uses for which joint parking facilities are proposed and that additional parking on the street will not occur.

2. The Commission may require such documentation, as necessary, to assure that parking to be used jointly and not located on the applicant's property, does not reduce the non-applicant's required parking and shall be legally available for use by the applicant.

E. Joint use of Space - Required parking spaces or required loading spaces, open or enclosed, may be provided in spaces designated to serve jointly two or more establishments whether or not located on the same lot, provided that the number of maximum required spaces in such joint facilities shall not be less than the total required each such establishment at the required time, and that the parking area, or a major portion thereof, shall be located within 500 feet of the use it serves.

F. Truck Loading Space - Each hospital, retail store, institution, restaurants, warehouse, hotel, motel, wholesale business, research laboratory, manufacturing, processing or assembling facility, distribution facility, or contractor's business, shall provide off-street loading space on the same lot as the principal building or structure, in accordance with the following minimum standards:

a. 0 to 3,999 s.f. of GFA 0 loading space
b. 4,000-24,999 s.f. of GFA 1 loading space
c. 25,000-49,000 s.f. of GFA 2 loading spaces
d. Each additional 25,000 s.f. of GFA 1 additional loading space

1. The Commission may require off-street loading spaces for other uses not listed above. They shall be guided by the nature of the use.

2. Each loading space shall be provided with adequate area for approach, turning and exit of the vehicle for which it was designed without need to use any part of a public right-of-way. No off-street loading space shall be designed or arranged in a manner that requires vehicles to use any part of a public street right-of-way to back into such space, nor shall it be designed in such a way as to necessitate backing into a public street right-of-way.

3. No loading space or access thereto shall encroach on any part of an access drive or parking aisle. 10/02/94
§4.9 INDUSTRIAL EXPANSION (IX) DISTRICT

A. Purpose - To provide suitable locations for industrial and office uses on or near major streets.

B. The following uses are permitted subject to Site Plan Approval in accordance with Article VII:

1. Public utility facilities, buildings and storage yards.
2. Offices
3. Printing and publishing.
4. Research operations, manufacturing, compounding, packaging and assembling materials and products and non-retail dry-cleaning facilities, not using perchloroethylene in the cleaning process, in facilities of at least 25,000 square feet.
5. Storage and warehousing except self-storage and as specified in §4.8.B.8. and §4.8.B.9.g
6. Agriculture, farming, forestry, truck or nursery gardening, including greenhouses; keeping of livestock and poultry.
7. Hotel, conference center or combination thereof containing not fewer than 150 sleeping rooms, provided that lot area of such facility shall not be less than 5 acres and be equal to the area requirement contained in §4.5.B.8.
8. Governmental buildings, facilities and uses.
9. Deleted 02/15/17
10. Outpatient Medical Treatment Facility
11. Nonresidential Elder Care Centers
12. Deleted 05/15/99
13. Outpatient Small Animal Surgical Facility