To: Regional Planning Commission  
From: Eugene Livshits, Senior Regional Planner  
Subject: Thursday, August 12, 2021 RPC Meeting at 5:15pm at SCRCOG, 127 Washington Ave, 4th Floor West, North Haven, CT 06473

NOTICE: The August 12, 2021 RPC meeting will be held in-person (Masked Required) at the SCRCOG Offices. A remote option is available via: https://us02web.zoom.us/j/86113308884

1. Administration

1.1. Minutes of the July 8, 2021 RPC Meeting

2. Action Items


2.4. City of Meriden: Proposed Zoning Regulation Amendments pertaining to Cannabis Retail and Hybrid Retail establishments, and a Retail Cannabis Overlay Zone. Submitted by: City of Meriden. Received: July 30, 2021. Public Hearing: August 17, 2021


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, July 8, 2021 Meeting

Present: Jeffrey Kohan (remote), Charles Andres, Kevin Curry (remote), Tricia Mase, Andrew Skolnick, William Long, Andy Cirioli, Eugene Livshits

The meeting was held in-person at the SCRCOG, 127 Washington Ave, 4th FL West, North Haven, CT with a remote option available via Zoom.

1 Administration

1.1 Minutes of the May 13, 2021 RPC meeting. Motion to accept the minutes as presented: Kevin Curry. Second: Andrew Skolnick. Vote: Unanimous.

2 Statutory Referrals

2.1 City of New Haven: Proposed Zoning Ordinance Amendments and Zoning Map amendment pertaining to the addition of an Inclusionary Zoning Policy, and Inclusionary Zoning Overlay Map

By resolution, the RPC has determined that the proposed zoning 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.

Motion: Andrew Skolnick. Second: Kevin Curry. Vote: Unanimous.

2.2 City of Meriden: Proposed Zoning Regulation Amendment to Section 213-56 (Signs)

By resolution, the RPC has determined that the proposed zoning regulation amendment does 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: Tricia Mase. Second: Andrew Skolnick. Vote: Unanimous. Recuse: Kevin Curry

2.3 Town of Wallingford: Proposed Zoning Regulation Amendment pertaining to out-patient small animal surgical facilities

By resolution, the RPC has determined that the proposed zoning regulation amendment does 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: Tricia Mase. Vote: Unanimous. Recuse: Jeffrey Kohan

3 Other Business

Motion to Adjourn: Andrew Skolnick. Second: Tricia Mase. Vote: Unanimous.
Referral 2.1: Town of Wallingford

Subject:

Proposed Zoning Regulation Amendment pertaining to Cannabis Establishments

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 Wallingford has proposed to add Section 6.34 – Cannabis Establishments to the Zoning Regulations.

The proposed section defines “Cannabis Establishment”, and prohibits the use in all zones within the Town.

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:

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

[X] Adoption or Amendment of ZONING REGULATIONS affecting the use of a zone located within 500 feet of a South Central Regional COG municipality (see attached proposed text amendment concerning "Responsible and Equitable Regulation of Adult-use Cannabis")

The change was originally requested:

[X] by municipal agency (PZC)
[ ] by petition

Public hearing has been scheduled for: 9-13-21

[X] 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

______________________________ (Authorizing Signature)
Kevin J. Pagini, Town Planner

Wallingford Town Hall
45 South Main Street
Wallingford, CT
Phone: (203) 294-2090 Fax: (203) 294-2095
July 19, 2021

Wallingford Planning & Zoning Commission  
Wallingford, CT 06492

ATTENTION: James Seichter, Chairman

Dear Commission Members:

The Town of Wallingford is entrusted through its Planning and Zoning Commission to determine what land uses should be allowed within the geographical boundaries of the Town. Public health and safety are prime concerns when making these determinations. Our planning and zoning regulations currently require all land uses to comply with local, state and federal law. The State of Connecticut recently legalized recreational marijuana. Public Act 21-1 makes the growing of, manufacture, packaging and sale of marijuana legal anywhere in the State of Connecticut. The Public Act requires municipalities to expressly prohibit marijuana establishments, as defined in the Public Act, as a land use. Failure to do so will result in the establishments being deemed permitted uses. Now it is not enough that it is illegal under Federal Law.

Health concerns about and objections to marijuana use by the public are now part of the record preceding the legislature’s enactment of the marijuana legalization public act. The American Medical Association, the Connecticut State Medical Society, the American Psychiatric Association, the National Institute on Drug Abuse, the World Health Organization, the Surgeon General of the United States, the Center for Disease Control and Prevention, and the Federal Department of Health all oppose legalization of marijuana. On March 2, 2021 the United States Senate Caucus on International Narcotics Control issued its report recommending that marijuana be the focus and subject of comprehensive testing to assure the American public that ingestion of marijuana is safe and not injurious to health.

Given these public health and safety concerns, it is advisable and necessary that we prohibit marijuana/cannabis establishments as a land use in our zoning regulations. Upon the completion of appropriate testing which determines the public health safety of marijuana, we can revisit this matter. Please support this effort to protect our community’s health and safety. The proposed cannabis prohibition is attached.

Sincerely,

William W. Dickinson, Jr.  
Mayor

Stephen Civitelli  
Health Director

jis
Attachment
Proposed new section -

Section 6.34 - Cannabis Establishments

A. Definitions:

1) **Cannabis Establishment** — means a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service, or transporter as defined in Public Act 21-1, entitled “Concerning Responsible and Equitable Regulation of Adult-use Cannabis”.

2) **Cannabis** — means marijuana, as defined in § 21a-240 of the Connecticut General Statutes.

B. Cannabis establishments are prohibited in all zones within the Town of Wallingford
Referral 2.2: Town of Southington

Subject:

Proposed Zoning Regulation Amendment pertaining to Recreational Cannabis/Marijuana

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 Southington has proposed to add Section 11-24 - Recreational Cannabis/Marijuana to the Zoning Regulations.

The proposed section establishes a purpose for the Section, which is prohibition of retail sale of recreational cannabis. The Section defines Retail Recreational Cannabis/Marijuana Establishment, and prohibits the use in all zones within the Town.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.
August 2, 2021

RPC Referral
South Central Regional COG
127 Washington St., 4th Fl
North Haven, CT 06473

RE: Proposed Zoning Regulation Amendment (ZA #611)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed revision to the Town of Southington Zoning Regulations to establish a new section “11-24 – Recreational Cannabis/Marijuana.

The Planning and Zoning Commission anticipates opening the public hearing on this item on August 17, 2021. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,

[Signature]
David Lavallee
Acting Town Planner
RPC Referral Submission Form
South Central CT Regional Planning Commission

1. General Information:

   Date Sent: 8/21/21

   Subject: ZA 611

   Applicant Name: Southington Planning & Zoning Commission

   Property Address (if applicable): N/A

   Town/City: Southington

   □ Referral is from a private individual
   □ Referral is from the Town/City Planning Department or the P & Z Commission

   Public Hearing Date: Opens 8/17

2. Statutory Responsibility:

   □ Application involves a subdivision of land within 500 feet of a town/city border
   □ Application involves a proposed change to a town/city zoning regulation
   □ If neither, applicant requests a voluntary RPC review for informational purposes
   □ Material is for informational purposes only; an RPC resolution is not necessary
   □ Other: 

3. Process:

   □ Material sent “Return Receipt Requested” (as required by law)
   □ Information on proposed change included
   □ Existing language included (if applicable)

4. Preferred contact regarding this RPC referral:

   Name: David Lavallee, Acting Town Planner
   Telephone Number: (860) 276-6245
   E-mail Address: Lavallee.DE@southington.org

   Comments:

Questions: (203) 234-7555
South Central Regional Council of Governments | http://www.screog.org
PETITION TO ENACT A ZONING REGULATION AMENDMENT OF TEXT

The undersigned respectfully petitions the Southington Planning and Zoning Commission to consider granting a change in the text of the Zoning Regulations.

Description of proposed amendment with all related subsection numbers. Show existing text in upper and lower case and show proposed additions in all upper case letters or underlined numbers. Proposed deletions should be enclosed within double parentheses.

see attached

Is any zoning district potentially impacted by this proposed amendment within 500 feet of a Town boundary?

Yes    No

Reason for desired amendment: To address the prohibition of retail sale of recreational cannabis/marijuana

Applicant:

Southington Planning Zoning Commission
Name
196 North Main St
mailing address
Southington, CT 06489

phone # 860-276-6248
email
Lavalle@Southington.org

Agent:

Davin Lavalle
Name
Acting Town Planner
mailing address
196 No Main St
phone # 860-276-6248
email
LavalleD@southington.org
11-24 – Recreational Cannabis/Marijuana

A. **Purpose**: To address the prohibition of retail sale of recreational cannabis/marijuana.

B. **Definitions** – For use in this section of the regulations:

1. Cannabis/Marijuana- as defined in Section 21a-240 of the Connecticut General Statutes;

2. Prohibited Uses – The following buildings, structures and uses are prohibited in all zoning districts and are defined as follows;

3. Retail Recreational Cannabis/Marijuana Establishment- means a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, cannabis food and beverage manufacturer, cannabis product manufacturer, cannabis product packager as defined in the June 2021 Connecticut Public Act Concerning Responsible and Equitable Regulations of Adult-Use Cannabis (Senate Bill No. 1201). **Such uses, buildings, and structures are prohibited in all zones.**
Referral 2.3: Town of Durham

Subject:

Proposed Zoning Regulation Amendment pertaining to Temporary and Limited Moratorium on Cannabis Establishments

Staff Recommendation:

The proposed zoning regulation amendments does 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 Durham has proposed a Temporary/Limited Moratorium on Cannabis Establishments. The moratorium is intended to provide the Town with time to consider the applicable zoning regulations pertaining to S.B. 1201, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (the “Act”).

The moratorium defines the following terms “Cannabis, Cannabis Establishment, Cultivator, Delivery Service, Dispensary Facility, Food and Beverage Manufacture, Hybrid Retailer, Micro-Cultivator, Person, Product Manufacturer, Product Packager, Retailer, and Transporter”.

During the moratorium Cannabis Establishments are prohibited in the Town.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.
Proposed Amendment to Article ___, Section ___

A. Temporary and Limited Moratorium on Cannabis Establishments

1. Statement of Purpose. This section has been adopted to provide the Commission with the time necessary to consider adoption of potential changes to the Zoning Regulations pursuant to Section 8-2 of the Connecticut General Statutes.

   The Connecticut General Assembly has passed, and the Governor has signed S.B. 1201, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (the “Act”), portions of which are effective on July 1, 2021. Said Act contains provisions allowing municipalities to prohibit or place certain restrictions on cannabis establishments with the exception of existing dispensary facilities and producers for medical marijuana as defined in Chapter 420f, C.G.S., Palliative Use of Marijuana—legislation passed in 2012 authorizing the use of medical marijuana. This temporary and limited term moratorium has been adopted to provide the Town with the time necessary to develop regulations for cannabis establishments that meet statutory responsibilities and promote the public’s general health, safety and welfare.

2. Definitions.

   a. Cannabis. Marijuana as defined in Section 21a-240, C.G.S.

   b. Cannabis Establishment. Producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager and or delivery service.

   c. Cultivator. A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.

   d. Delivery Service. A person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in Section 21a-408, C.G.S., or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to Chapter 368v, C.G.S. that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.

   e. Dispensary Facility. Means a place of business where cannabis may be dispensed, sold or distributed in accordance with Chapter 420f, C.G.S. and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under Chapter 420f, C.G.S. and any regulations adopted thereunder.
f. **Food and Beverage Manufacturer.** A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.

g. **Hybrid Retailer.** A person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.

h. **Micro-cultivator.** A person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the commissioner.

i. **Person.** An individual, partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof.

j. **Product Manufacturer.** A person, excluding a producer, that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type and who may sell or transfer cannabis and cannabis products to laboratories, research programs and cannabis establishments.

k. **Product Packager.** A person that is licensed to package and label cannabis and cannabis products.

l. **Retailer.** A person, excluding a dispensary facility that is licensed to purchase cannabis and cannabis products from producers, cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis and cannabis products to consumers and research programs.

m. **Transporter.** Means a person licensed to transport cannabis between cannabis establishments, laboratories and research programs.

3. **Applicability.** During this temporary and limited-term moratorium, cannabis establishments shall be prohibited in the Town of __________, and any and all applications submitted for the approval of any cannabis establishment shall be denied by the Planning and Zoning Commission or Zoning Enforcement Officer, as may be appropriate.

4. **Effective Date/Term.** This temporary and limited moratorium shall become effective on ________, 2021 and shall remain in effect until __________, 2022.
Referral 2.4: City of Meriden

Subject:

Proposed Zoning Regulation Amendments pertaining to Cannabis Retail and Hybrid Retail establishments, and a Retail Cannabis Overlay Zone.

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 amendments pertaining to Cannabis Retail and Hybrid Establishments. The proposed use would be permitted subject to the issuance of a provisional special exception in the C-2 General Commercial District and the C-3 – Highway Commercial District, which are within 500 feet of Wallingford.

The proposed standards include Ventilation and Odor Control, Visibility, Consumption and Distance Requirements. The distance requirements are 500 feet from any school building, playground, or residential zone. Retail Cannabis and Hybrid Establishments cannot be located in concentrated areas, and 2,500 feet from another retail cannabis or hybrid establishment.

The provisional special exception required a traffic and parking study, hours of operation schedule, odor control plan, signage plan, security plan, as well as other documentation.

The use would also be permitted via Special Permit in the TOD District, which is not within 500 feet of a municipality in the South Central Region. There is new proposed section under Provisional Special Exceptions.

Final Zoning approval will not be granted for more than 1 establishment per 25,000 residents of the City through June 30, 2024. The proposed amendments include the addition of the Retail Cannabis Overlay Zone in the Article VII – Special Districts.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.
PETITION FOR A ZONING REGULATION AMENDMENT

July 30, 2021

TO THE HONORABLE CITY COUNCIL OF THE CITY OF MERIDEN:

The City of Meriden Planning Department respectfully petitions the Meriden City Council acting as the Meriden Zoning Commission to AMEND the text of its Zoning regulation at:

- Chapter 213 Article V Commercial Districts, Section 213-25, C-2 General Commercial and C-3 Highway Commercial, Section D Permitted Uses – add Cannabis Retail and Hybrid Retail establishments;
- Chapter 213 Article V Section 213-27, Transit Oriented Development [TOD] District l (5) Table 213-1 TOD District Uses and 213-27 l (7) - Special Permit Use Requirements - add Cannabis Retail and Hybrid Retail establishments;
- Chapter 213 Article XI Site Plan Approval, Section 213-73.1 – Provisional Special Exceptions – add new section

Respectfully,

Paul Dickson
Director of Planning, Development and Enforcement
Chapter 213, Zoning, Article V, Commercial Districts, Section 213-25, C-2 General Commercial and C-3 Highway Commercial 213-25 B.

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

(Section (1) through (2) omitted for display purposes only)

*Add the following section…*

(3) Uses permitted subject to the issuance of a provisional special exception by the Planning Commission in accordance with the requirements of § 213-73.1:

(a) Cannabis Retail and Hybrid Retail establishments subject to the following additional requirements:

1. Ventilation and Odor Control: All Retail and Hybrid Retail cannabis establishments shall be ventilated in a manner to limit odors perceived at the exterior of the building.

2. Visibility: Retail and Hybrid Retail establishments may not display products for consumption in store windows or otherwise be visible from the public right of way. Window advertising signage is prohibited.

3. Consumption: Cannabis products may not be smoked, eaten, or otherwise consumed or ingested on the premises of any Retail or Hybrid Retail establishment.

4. Distance Requirements: All retail and Hybrid Retail establishments shall be located so that the establishment's front door is at least 500 feet from any school building, playground, or residential zone. Retail and Hybrid establishments shall not be located in concentrated areas to best serve the residents of Meriden and shall not be located within a distance of 2,500 feet measured in a straight line from the front door of the nearest cannabis retail or hybrid retail establishment.
Chapter 213, Zoning, Article V. Commercial Districts, Section 213-27, Transit Oriented Development [TOD] District I (5) Table 213-1 TOD District Uses and 213-27 I (7) Special Permit Uses

Add the following to the use table and add the following section (I)...

<table>
<thead>
<tr>
<th>Table 213-1</th>
<th>TOD District Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TOD Sub-Districts</td>
</tr>
<tr>
<td>Commercial Uses</td>
<td>Historic Comm.</td>
</tr>
<tr>
<td>Cannabis Retail and Hybrid Retail establishments</td>
<td>SP-I</td>
</tr>
</tbody>
</table>

(7) Special permit use requirements. The special permit uses listed in Table 213-1 shall be subject to the additional requirements consistent with the lettered notations in the table and the corresponding standards below.

(Items (a) through (k) omitted for display purposes only)

(I) Cannabis Retail and Hybrid Retail establishments

[1] Subject to Provisional Special Exception process outlined in Section 213-73.1

[2] Ventilation and Odor Control: All Retail and Hybrid Retail cannabis establishments shall be ventilated in a manner to limit odors perceived at the exterior of the building.

[3] Visibility: Retail and Hybrid Retail establishments may not display products for consumption in store windows or otherwise be visible from the public right of way. Window advertising signage is prohibited.

[4] Consumption: Cannabis products may not be smoked, eaten, or otherwise consumed or ingested on the premises of any Retail or Hybrid Retail establishment.

[5] Distance Requirements: All retail and Hybrid Retail establishments shall be located so that the establishment’s front door is at least 500 feet from any school building, playground, or residential zone. Retail and Hybrid establishments shall not be located in concentrated areas to best serve the residents of Meriden and shall not be located within a distance of 2,500 feet measured in a straight line from the front door of the nearest cannabis retail or hybrid retail establishment.

Cannabis Retail Amendment P. 2
Add the following section ...

Chapter 213, Zoning, Article XI, Site Plan Approval
Section 213-73.1 Provisional special exceptions

Purpose. The provisional special exceptions process is intended to ensure that the City of Meriden is compliant with zoning approvals for establishments licensed pursuant to Public Act 21-1. Section 213-73 A through J of the regulations are hereby incorporated into this section. In any conflict between sections 213-73 and 213-73.1, the provisions of 213-73.1 shall prevail.

A. Procedures

1 Application for Provisional Special Exception
   Applications shall be filed with the Planning Commission in accordance with requirements of § 213-73 I.
   In addition, the applicant shall submit the following documents:
   a. Traffic and parking study
   b. Hours of operation schedule
   c. Odor control plan
   d. Signage plan
   e. Security plan including interior floorplan
   f. Other documentation to demonstrate compliance with the special exception objectives in 213-73B

2 Application for Final Special Exception
   Applications will be filed with the Planning Department and may be granted only upon verification of the applicant's status as an approved provisional licensee by the State of Connecticut Department of Consumer Protection (DCP). Administrative final special exception certification will be provided in the following manner.
   a. The applicant shall provide a copy of their DCP provisional approval to the Planning Department. If the licensee is not the same as the special exception provisional applicant, they shall provide an authorization letter from the owner of the building to apply for final certification of the special exception.
   b. The application shall be reviewed for compliance with distance requirements for the respective use. No final certificates shall be granted if the proposed location does not comply with the distance requirements.
   c. The application shall be held for (7) days. At the end of this waiting period, the application shall be reviewed along with any other
applications received during this time. Applications shall be approved in chronological order that reflects their provisional approval date from the State of CT DCP.
d. Once applications granted final approval under this section meet the license cap outlined in Public Act 21-1, one (1) establishment per 25,000 residents of the City through June 30, 2024, no further Final Special Exception certifications may be approved.
PETITION FOR A ZONING REGULATION AMENDMENT

July 30, 2021

TO THE HONORABLE CITY COUNCIL OF THE CITY OF MERIDEN:

The City of Meriden Planning Department respectfully petitions the Meriden City Council acting as the Meriden Zoning Commission to AMEND the text of its Zoning regulation at:

- Article II Chapter 213 Zoning, Article VII Special Districts, Section 213-39.2 Retail Cannabis Overlay Zone – add new section

Respectfully,

[Signature]

Paul Dickson
Director of Planning, Development and Enforcement
Proposed Zoning Amendment - Retail Cannabis Overlay Zone
Submitted 7/30/21

Article II, Chapter 213 Zoning, Article VII Special Districts
§ 213-39.2 Retail Cannabis Overlay Zone

A. Purpose
Public Act 21-1 legalizes adult recreational marijuana in Connecticut. In order to promote, preserve, enhance and protect the public health, safety, and welfare of the City, the following standards intend to regulate the siting of Retail and Hybrid Retail cannabis establishments.

B. Permitted Uses:
The following are permitted uses by Special Exception from the Planning Commission
(1) Cannabis Retail and Hybrid Retail establishments that sell adult use cannabis to consumers and research programs, and qualified medical patients, respectively, that may include delivery service.

C. Requirements:
(a) Licenses: The total number of Retail and Hybrid Retail establishments is limited
Per PA 21-1. Final zoning approval will not be granted for more than one (1) establishment per 25,000 residents of the City through June 30, 2024.
(b) Ventilation and Odor Control: All Retail and Hybrid Retail cannabis establishments shall be ventilated in a manner to limit odors perceived at the exterior of the building.
(c) Distance Requirements: All retail and Hybrid Retail establishments shall be located so that the establishment’s front door is at least 500 feet from any school building, playground, or residential zone. Retail and Hybrid establishments shall not be located in concentrated areas to best serve the residents of Meriden and shall not be located within a distance of 2,500 feet measured in a straight line from the front door of the nearest establishment.
(d) Visibility: Retail and Hybrid Retail establishments may not display products for consumption in store windows or otherwise be visible from the public right of way. Signage shall be limited to typical signage indicating the business’s name and may include operating hours and postings required by the State of Connecticut. Window advertising signage is prohibited.
(e) Consumption: Cannabis products may not be smoked, eaten, or otherwise consumed or ingested on the premises of any Retail or Hybrid Retail establishment.

D. Planning procedures:
Purpose. The provisional special exceptions process is intended to ensure that the City of Meriden is compliant with zoning approvals for establishments licensed pursuant to Public Act 21-1. Section 213-73 A through J of the regulations are hereby incorporated into this section. In any conflict between sections 213-73 and this section, the provisions of §213-39.2 shall prevail.

1 Application for Provisional Special Exception.

Applications shall be filed with the Planning Commission in accordance with requirements of § 213-73 I.

In addition, the applicant shall submit the following documents:

a. Traffic and parking study
b. Hours of operation schedule
c. Odor control plan
d. Signage plan
e. Security plan including interior floorplan
f. Other documentation to demonstrate compliance with the special exception objectives in 213-73B

2 Application for Final Special Exception

Applications will be filed with the Planning Department and may be granted only upon verification of the applicant's status as an approved provisional licensee by the State of Connecticut Department of Consumer Protection (DCP). Administrative final special exception certification will be provided in the following manner.

a. The applicant shall provide a copy of their DCP provisional approval to the Planning Department. If the licensee is not the same as the special exception provisional applicant, they shall provide an authorization letter from the owner of the building to apply for final certification of the special exception.

b. The application shall be reviewed for compliance with distance requirements outlined is §213-39.2. No final certificates shall be granted if the proposed location does not comply with the distance requirements.

c. The application shall be held for (7) days. At the end of this waiting period, the application shall be reviewed along with any other applications received during this time. Applications shall be approved in chronological order that reflects their provisional approval date from the State of CT DCP.

d. Once applications granted final approval under this section meet the license cap outlined in Public Act 21-1, one (1) establishment per 25,000 residents of the City through June 30, 2024, no further Final Special Exception certifications may be approved.
Referral 2.5: Town of Woodbridge

Subject:

Proposed Zoning Regulation Amendments pertaining to Opportunity Housing

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 Woodbridge has proposed zoning amendments to add Section 3.4 – Opportunity Housing. In addition, the requirement for the maximum floor area has been revised to “net floor area of not less than 30% of the net floor area of the principal dwelling, or 1,00 sf., whichever is less.

Opportunity Housing is permitted in all residential districts, and the Section defines the following terms “Affordable, Deed-restricted, Median income, multi-family dwelling, opportunity housing, and rental assistance”.

Two-family when served by public water and public sewer is permitted in the GBA, T3-D, T3-C, T3-BB, B, A, and by Special Exception in A (public water supply watershed area).

Two-family when not served by public water and sewer is permitted via the site plan in all zoning districts listed above, except for Zone A (PWSW) where it is permitted via Special Exception.

Multi-family dwellings (3 or more units) are permitted via Special Exception is all zoning districts, except for A (PWSW) where it is not permitted. Multi-Family opportunity housing developments are required to be served by public water and sewer. The proposed regulations establish Maximum Density Requirements, Maximum Building Coverage, Total Impervious, Height, and Minimum Setbacks.

A Multi-family opportunity housing development is required to have at least 20% of the units as affordable with half designated for households earning 60% or less of the median income, and the other half would be for households earning 80% or less of the median income. The income, sales, and rental price calculations should be in compliance with CGS 8-30g.

There are several additional requirements including affordability standards, stormwater management, building/site design established by the proposed regulations. Additional provision includes the establishment of a Housing Affordability Plan, and an Affirmative Fair Housing Marketing Plan.

Communication:

In researching this proposal, I notified the adjacent municipalities in the South Central Region.
August 3, 2021

South Central Regional Council of Governments
Regional Planner, Eugene Livshits
127 Washington Avenue
North Haven, CT 06473-1715

Re: Proposed Amendment to Zoning Regulations
    Section: 3.3.CC, Section 3.4 Opportunity Housing, and Table 3.1, Allowed Uses by Zone

Dear Mr. Livshits,

Pursuant to Section 8.3b of the Connecticut General Statutes, this letter is to serve as notification that the Woodbridge Town Plan and Zoning Commission will hold a public hearing in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, at 6:30 pm on Monday, August 23, 2021 with respect to the attached Zoning Regulation Amendments proposed by the Woodbridge Town Plan and Zoning Commission, to Section: 3.3.CC, Section 3.4 Opportunity Housing, and Table 3.1, Allowed Uses by Zone previously adopted by the Commission with an effective date of September 7, 2021. The changes propose the expansion of the size of accessory dwelling units and housing opportunities in the GBA Zone of the Town of Woodbridge. The Public Hearing will be the first order of business at the August 23, 2021 Special meeting of the Commission.

Comments on the proposed zoning regulation amendments are welcome to be made at the hearing or submitted in writing for receipt into the hearing record.

Very truly yours,

Kristine Sullivan, Woodbridge Land Use Agencies
Proposed amendments to the Zoning Regulations for Public Hearing on August 23, 2021

Amendments to the Zoning Regulations for the Town of Woodbridge Section 3.3.CC Residential

Strike through means deletion of existing text
Red is addition of new text

   A single-family dwelling may be converted to allow the incorporation of one Accessory Dwelling Unit in any zone permitting a single-family residence subject to a Zoning Permit and the following conditions:
   a. An Accessory Dwelling Unit shall have a minimum floor area of 350 square feet and a maximum floor net floor area of not less than thirty per cent of the net floor area of the principal dwelling, or one thousand square feet, whichever is less; or 600 square feet, and a maximum of two bedrooms;
   b. One of the occupants of the dwelling shall be the owner of record;
   c. No Accessory Dwelling Unit shall be located in a garage or basement unless one wall opens to grade;
   d. An Accessory Dwelling Unit shall be self-contained, with separate entrance, cooking, sanitary, and sleeping facilities for the exclusive use of the occupant;
   e. No exterior change shall be made to the existing front of the principal dwelling except for dormers or windows;
   f. Expansion of a principal dwelling shall be permitted to accommodate an Accessory Dwelling Unit via dormer(s) or an addition beyond the existing foundation;
   g. No Accessory building shall be used or created for the purpose of accommodating an Accessory Dwelling Unit;
   h. The principal dwelling and Accessory Dwelling Unit shall conform to all requirements of the applicable building, health, fire, sanitary, and zoning codes; and
   i. In no event shall there be more than two (2) dwelling units on any parcel in a Residential District
Zoning Regulations

Section 3.4 OPPORTUNITY HOUSING

A. Purpose

The purpose of this Section is to enable multiple-unit residential uses and structures within certain residential zoning districts in Woodbridge, as provided herein and as authorized by governing provisions in the Connecticut General Statutes, in order to promote housing choice and economic diversity in housing and provide for the development of housing opportunities while balancing statutory obligations such as:

- Protection of public health and safety,
- Consistency with soil types, terrain, infrastructure capacity, and
- Protection of public water supply watersheds.

The allowed multiple-unit structures must comply with all bulk and dimensional requirements for the proposed development as specified in this Section 3.4 and developments with three or more units must include affordable housing units as specified in Section 3.4.E of this regulation.

B. Applicable Districts

Opportunity Housing shall be an allowed use in Residential Districts as specified herein.

C. Definitions

As used in this section:

1. “Affordable” means a dwelling unit sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty per cent or less of their annual income, where such income is less than or equal to a prescribed percentage of the median income.

2. "Deed-restricted" and "deed restrictions" means the restrictions are contained in a deed and shall apply for at least forty (40) years after initial occupancy.

3. "Median income" has the same meaning as provided in Connecticut General Statutes Section 8-30g(a)(7).

4. “Multi-family dwelling” means a dwelling unit in an Opportunity Housing development of three or more residential units that meets the requirements set forth in Section 3.4.E.
5. "Opportunity Housing" means a residential development that meets the requirements set forth in this Section 3.4.

6. "PWSW" means a public water supply watershed area.

7. "Rental assistance" means rental assistance, whether tenant-based or project-based, provided pursuant to 42 U.S.C. § 1437f and corresponding federal regulations or Connecticut General Statutes Sections 8-345 and 8-346 and corresponding provisions of the Regulations of Connecticut State Agencies, or successor rental assistance programs.

D. **Two-Units Per Parcel**

The following types of uses and structures containing two residential units in one building may be allowed as indicated in Table 3.4.D and subject to compliance with all bulk and dimensional requirements for a single-family structure (such as those in Table 4.1):

<table>
<thead>
<tr>
<th>USE</th>
<th>ZONE</th>
<th>GBA</th>
<th>T3-D</th>
<th>T3-C</th>
<th>T3-BB</th>
<th>B</th>
<th>A</th>
<th>A (PWSW)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two-Family (including two-family with at least one unit deed-restricted at 60% of median income) when served by public water and public sewer.</td>
<td></td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>SE</td>
</tr>
<tr>
<td>Two-Family (including two-family with at least one unit deed-restricted at 60% of median income) when NOT served by public water and public sewer.</td>
<td></td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>SE</td>
</tr>
</tbody>
</table>

**TABLE LEGEND**

<table>
<thead>
<tr>
<th>P</th>
<th>Permitted by Zoning Permit (Staff)</th>
</tr>
</thead>
<tbody>
<tr>
<td>S</td>
<td>Permitted by Site Plan Approval (TPZ)</td>
</tr>
<tr>
<td>SE</td>
<td>Permitted by Special Exception (TPZ)</td>
</tr>
</tbody>
</table>
E. Multi-Family Development (Three Or More Units Per Parcel)

1. Basic Provisions —
   a. The following types of uses and structures containing three or more units in one building and/or on one property may be allowed as indicated in Table 3.4.E-1 and subject to compliance with all bulk, dimensional, and other requirements as specified in this Section 3.4.E:

<table>
<thead>
<tr>
<th>USE</th>
<th>ZONE</th>
<th>GBA</th>
<th>T3-D</th>
<th>T3-C</th>
<th>T3-BB</th>
<th>B</th>
<th>A</th>
<th>A (PW/SW)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-family dwelling(s) in accordance with Section 3.4.E</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

   **TABLE LEGEND**
   - **SE**: Permitted by Special Exception (TPZ)
   - **X**: Not permitted

   b. Any multi-family Opportunity Housing development proposed under this Section 3.4.E shall be served by public water and public sewer.

2. Bulk Regulations —
   a. Unless otherwise provided in this Section, any multi-family Opportunity Housing development shall be governed by the bulk regulation as set forth in the following Table 3.4.E-2 (and not by the General Bulk Regulations set forth in Table 4.1 of these Regulations):

   **TABLE 3.4.E-2 – Opportunity Housing Bulk Regulations**

<table>
<thead>
<tr>
<th>MAXIMUM BUILDING MASSING</th>
<th>ZONE</th>
<th>GBA</th>
<th>T3-D</th>
<th>T3-C</th>
<th>T3-BB</th>
<th>B</th>
<th>A</th>
<th>A (PW/SW)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Maximum Density (units per acre)</td>
<td>15.0</td>
<td>15.0</td>
<td>15.0</td>
<td>15.0</td>
<td>15.0</td>
<td>15.0</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>B. Maximum Building Coverage</td>
<td>33.3%</td>
<td>50%</td>
<td>40%</td>
<td>30%</td>
<td>30%</td>
<td>15%</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>C. Maximum Lot Coverage (total impervious)</td>
<td>50%</td>
<td>75%</td>
<td>60%</td>
<td>45%</td>
<td>45%</td>
<td>22.5%</td>
<td>n/a</td>
<td></td>
</tr>
</tbody>
</table>

   **MINIMUM SETBACKS**
   - D. Minimum Principal Building Setbacks (front / side / rear): Same as the underlying zoning district
   - E. Minimum Accessory Building Setbacks (front / side / rear): Same as the underlying zoning district
   - F. Parking Area Setbacks – Front: 60 on Amity Rd 10' on other roadways | 10 | 10 | 20 | 30 | 50 | n/a |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th>5</th>
<th>4</th>
<th>6</th>
<th>10</th>
<th>15</th>
<th>25</th>
<th>n/a</th>
</tr>
</thead>
<tbody>
<tr>
<td>G. Parking Area Setbacks – Side / Rear</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>MAXIMUM BUILDING HEIGHT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H. Maximum Number Of Stories (Excluding Cellar &amp; Basement)</td>
<td>3</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
<td>2.5</td>
<td>n/a</td>
<td></td>
</tr>
</tbody>
</table>
3. **Affordability Requirements** –

a. At a minimum, twenty percent (20%) of the units in a multi-family Opportunity Housing development, shall be deed restricted for at least forty (40) years as affordable units and at least half of those units shall be deed-restricted for sale or rental to a household earning (60%) of the median income or less and any other required affordable units shall be deed-restricted for sale or rental to a household earning eighty percent (80%) of median income or less utilizing the maximum household income, and maximum sale price or rental calculated in compliance with Connecticut General Statutes Section 8-30g and corresponding state regulations.

b. This percentage requirement for affordable units shall be considered satisfied if the required number of units are:
   - Leased to households receiving rental assistance,
   - Developments receiving project-based rental assistance, or
   - "Assisted housing" as defined in Connecticut General Statutes Section 8-30g(a)(3).

c. For purposes of this Section 3.4, any calculation of the minimum number of affordable units required which results in a fractional remainder shall be rounded up to the next highest whole number. [Example: if the calculation requiring a minimum percentage of affordable units results in a product of 2.2 units, the minimum number of units required shall be rounded up to 3 units.]

d. The required affordable units in a multi-family Opportunity Housing development shall be deed restricted for at least forty (40) years for sale or rental to a household earning the specified percentage of the median income or less, utilizing the maximum sale price or rental calculated in compliance with governing Statutes and corresponding state regulations.

e. The Commission may require the filing of an affordability easement or restriction in favor of the Town with regard to the required affordable units (either individually or collectively) to help ensure the long-term retention of the affordable units.

4. **Stormwater Management** - Any multi-family Opportunity Housing development proposed under this Section 3.4 shall be designed and constructed in accordance with Section 5.7 of these Regulations in terms of stormwater management.

5. **Building / Site Design** – Except as may be modified by the Commission by separate Special Exception based on overall excellence in design:

a. Any building within a multi-family Opportunity Housing development shall not have a flat roof but may have a gable, hip, or gambrel roof.

b. On any long side of a multi-family Opportunity Housing building containing residential units, walls shall have more than one (1) plane.

c. In a multi-family Opportunity Housing development, the affordable units, including any units leased to households receiving rental assistance, shall be comparable in size, number of
bedrooms, exterior design, construction (including insulation, HVAC equipment, appliances, finishes, etc.), and quality of materials to the market-rate units.

d. Any refuse area(s) and/or outdoor storage area(s) shall be visually screened from the street and adjacent properties by fencing and/or landscaping.

6. **Project Sequencing / Location** - For a multi-family Opportunity Housing development proposed pursuant to Section 3.4.E, the following information shall be provided as part of the application:

   a. A description of the sequence in which the affordable dwelling units will be built and offered for occupancy demonstrating that the Opportunity Housing development will comply at all times (permitting, construction, marketing, occupancy, etc.) and for all phases with the minimum affordability percentage required, and

   b. The specific location of such units within the proposed development so that the affordability restrictions can be administered and monitored, as necessary.

F. **Housing Affordability Plan Requirement**

1. Any person applying for a multi-family Opportunity Housing development shall submit with its application, for approval by the Commission, a Housing Affordability Plan, which shall include at least the following:

   a. Designation of the person, entity, or agency that:
      - Is qualified, experienced, and capable of administering the Housing Affordability Plan for the duration of any affordability restrictions,
      - Will be responsible, for the administration of the Housing Affordability Plan and its compliance with the income limits and sale price or rental restrictions, and
      - Will be responsible for submitting annual reports to the Commission verifying that the affordable units are occupied by eligible households and that the rental rate or sale price was in accordance with the sale price or rental restrictions.

   b. The methodology for ascertaining income to determine eligibility.

   c. The methodology for calculating the maximum sales prices or rents of the intended affordable dwelling units.

   d. Deeds, restrictive covenants, lease provisions or other conditions that will govern the affordable dwelling units.

2. In the event that a standard Housing Affordability Plan (as contemplated by CGS Section 8-30g(b)(1)) has been prepared by or accepted by the Town, the Commission may require utilization of such standard plan provided it is in accordance with State and Federal law.

3. In the event that a list of independent third-party administrators has been prepared by or accepted by the Town, the Commission may require utilization of a third-party administrator from that list.
G. Affirmative Fair Housing Marketing Plan Requirement

1. Any person applying for a multi-family Opportunity Housing development shall submit with its application, for approval by the Commission, an Affirmative Fair Housing Marketing Plan governing the sale or rental of all dwelling units, consistent with the requirements of Connecticut General Statutes Section 8-37ee and with the corresponding Regulations of Connecticut State Agencies.

2. For units to be leased to households receiving rental assistance, the Affirmative Fair Housing Marketing Plan shall be reasonably calculated to lease units to such households, including, but not limited to, advance notice to and consultation with the Connecticut Department of Housing and any Connecticut public housing agency as defined in 42 U.S.C. § 1437a(b)(6), within thirty (30) miles from any boundary of the Town of Woodbridge, including any of their contractors,

3. In no event shall a deed-restricted affordable unit be leased to, sold to, or occupied by an ineligible household or be leased or rented at an incorrect maximum price.

H. Filing Of Documents

1. Final deeds, restrictive covenants, lease provisions, and/or other relevant documents shall be:
   a. Submitted to the Zoning Enforcement Officer prior to the issuance of any Zoning Permit authorizing construction, and
   b. Reviewed by the Town Attorney and approved by the Commission,
   c. Executed to comply with this Section prior to the issuance of any Certificate of Zoning Compliance authorizing occupancy of the structure, and
   d. Filed with the Town Clerk.

J. Limitation On Variance

1. As provided in CGS Section 8-6, uses permitted by this Section 3.4 shall not be permitted by variance in districts in which such uses are not otherwise allowed.
Table 3.1 – Allowed Use By Zone

*(only changed section of Table 3.1 shown below)*

<table>
<thead>
<tr>
<th>REFERENCE</th>
<th>USE</th>
<th>ZONING DISTRICTS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>A</td>
</tr>
<tr>
<td>3.3.CC 1</td>
<td>Single Family</td>
<td>P</td>
</tr>
<tr>
<td>3.3.CC 1 / 3.4.C</td>
<td>Two-Family (when IN a public water supply watershed)</td>
<td>SE</td>
</tr>
<tr>
<td>3.3.CC 1 / 3.4.C</td>
<td>Two-Family (when NOT IN a public water supply watershed)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• When served by public water and public sewer</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>• When NOT served by public water and public sewer</td>
<td>S</td>
</tr>
<tr>
<td>3.3.CC 2</td>
<td>Accessory Dwelling Units in Single –Family Home</td>
<td>P</td>
</tr>
<tr>
<td>3.3.DD</td>
<td>Affordable Housing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Accessory Dwelling Unit as part of Mixed Use (Max. 4 Dwelling units),</td>
<td></td>
</tr>
<tr>
<td>3.4.D</td>
<td>Multi-Family Dwellings in accordance with Section 3.4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• When IN a public water supply watershed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• When NOT IN a public water supply watershed</td>
<td>SE</td>
</tr>
<tr>
<td>3.3.EE</td>
<td>Congregate Communities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Active Adult Community (SS+)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Active Adult Community (SS+) mixed –use</td>
<td></td>
</tr>
<tr>
<td></td>
<td>20% of first floor shall contain shopfront facades,</td>
<td></td>
</tr>
</tbody>
</table>

KEY: | P-Zoning Permit Only | S-Site Plan Application | SE-Special Exception Application | AR-Allowed-by-right (no permit req’d) | Blank Space – Not Allowed |

A - Residential District A  B - Residential District B  T - Transect Districts  GB - General Business  GBA-Overlay Includes Residential  SD-Special District  P - Park District  Dev 1 - Development 1  Dev 2 - Development 2  BI - Business + Industrial
Table 3.2 - Delete Required Floor Area for Primary Dwelling Units

CC. Residential
1. Primary Dwelling Units:
   a. Maximum Number of Primary Dwellings Per Lot. Except as may be permitted by Section 3.4 of these Regulations, not more than one building containing a Dwelling Unit or Units is permitted on a Lot.

<table>
<thead>
<tr>
<th>Table 3.2 Reserved</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

   A single-family dwelling may be converted to allow the incorporation of one Accessory Dwelling Unit in any zone permitting a single-family residence subject to a Zoning Permit and the following conditions:
   a. An Accessory Dwelling Unit shall have a minimum floor area of 350 square feet and a maximum floor area of 600 square feet, and a maximum of two bedrooms;

<table>
<thead>
<tr>
<th>Table 3.3 Required Floor Area for Accessory Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit Type</td>
</tr>
<tr>
<td>-----------</td>
</tr>
<tr>
<td>1 room</td>
</tr>
<tr>
<td>2 rooms (1 BR)</td>
</tr>
<tr>
<td>3 rooms (1 BR)</td>
</tr>
</tbody>
</table>

b. One of the occupants of the dwelling shall be the owner of record;
c. No Accessory Dwelling Unit shall be located in a garage or basement unless one wall opens to grade;
d. An Accessory Dwelling Unit shall be self-contained, with separate entrance, cooking, sanitary, and sleeping facilities for the exclusive use of the occupant;
e. No exterior change shall be made to the existing front of the principal dwelling except for dormers or windows;
f. Expansion of a principal dwelling shall be permitted to accommodate an Accessory Dwelling Unit via dormer(s) or an addition beyond the existing foundation;
g. No accessory building shall be used or created for the purpose of accommodating an Accessory Dwelling Unit;
h. The principal dwelling and Accessory Dwelling Unit shall conform to all requirements of the applicable building, health, fire, sanitary, and zoning codes; and
i. Except as may be permitted by Section 3.4 of these Regulations, there shall not be more than two (2) dwelling units on any parcel in a Residential District.
**4.1 BULK REGULATIONS**

**A. GENERAL BULK REGULATIONS.** The accompanying table, entitled “Table 4.1: Table of General Bulk Regulations,” is referred to herein as “Bulk Table.” All buildings hereafter erected or altered shall comply with requirements accompanying this table for the zone in which such building will be located. *Exception: Where any conflict arises between the provisions of these Regulations and any other law, ordinance, regulation, or permit, the provision that imposes the highest standard or establishes the greatest restriction upon the use of the land, form of buildings, structures, or site shall control. Where any conflict arises between the bulk table of this Section 4.1 and the provisions of Section 3.4 of these Regulations (“Opportunity Housing”), the provisions of Section 3.4 shall control.*

<table>
<thead>
<tr>
<th>Bulk Description</th>
<th>A</th>
<th>B</th>
<th>T1</th>
<th>T2</th>
<th>T3-C</th>
<th>T3-D</th>
<th>T3-BB</th>
<th>BI</th>
<th>GB</th>
<th>GBA (overlay)</th>
<th>Dev 1</th>
<th>Dev 2</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>