

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

**RPC
Representatives**

Bethany:
Vacant

Branford:
Charles Andres

East Haven:
Sal Brancati

Guilford:
Matthew Yorzinski

Hamden:
Robert Roscow

Madison:
Joel Miller

Meriden:
Kevin Curry

Milford:
Jim Quish

New Haven:
Elias Estabrook

North Branford:
Trish Mase

North Haven:
James Giulietti

Orange:
Ralph Aschettino

Wallingford:
Jeffrey Kohan

West Haven:
Kathleen Hendricks

Woodbridge:
Andrew Skolnick

To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Thursday, October 10, 2019 RPC Meeting at 5:15pm at SCRCOG, 127 Washington Ave, 4th Floor West, North Haven, CT 06473

AGENDA

1. Administration

- 1.1. Minutes of the August 08, 2019 RPC Meeting **1**
- 1.2. Summary of the September 12, 2019 RPC Meeting **2**

2. Action Items

- 2.1. Town of Madison: Proposed Zoning Regulation Amendments pertaining to Manufacturing of and Sale of Beer, Wine, Cider, Spirits, and Farm Distilleries, Farm Breweries, Farm Wineries, and Section 3.12. Submitted by: Town of Madison. Received: September 16, 2019. Public Hearing: October 17, 2019 **3**
- 2.2. City of Meriden: Proposed Zoning Regulation Amendments pertaining to Breweries, Brewpubs and Brewpub Restaurants. Submitted by: City of Meriden. Received: September 25, 2019. Public Hearing: November 19, 2019 **8**
- 2.3. Town of Orange: Proposed Zoning Regulation Amendments to Section 383-23(c). Submitted by: Town of Orange. Received: September 9, 2019. Public Hearing: October 15, 2019 **25**
- 2.4. Town of East Haven: Proposed Zoning Regulations Update. Submitted by: Town of East Haven. Received: September 6, 2019. Public Hearing: November 6, 2019 **28**

3. Other Business

The agenda and attachments for this meeting are available on our website at www.scrkog.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.

La Agenda y Adjuntos para esta reunión están disponibles en nuestro sitio web en www.scrkog.org. Favor en contactar con SCRCOG al (203) 234-7555 para obtener una copia de la Agenda en un idioma distinto al Inglés. Ayudas/servicios auxiliares e intérpretes para personas de Dominio Limitado del Inglés serán proporcionados con dos semanas de aviso.

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Minutes for Thursday, August 08, 2019 Meeting at 5:15 pm at SCRCOG, 127 Washington Avenue, 4th Floor West, North Haven, CT 06473

Present: Jeffrey Kohan, Charles Andres, James Giulietti, Ralph Aschettino, Trish Mase, Andrew Skolnick, Ernest Pagan, Eugene Livshits

1 Administration

1.1 Minutes of the April 11, 2019 RPC meeting.

Motion to accept the minutes as presented: Andrew Skolnick. Second: James Giulietti. Vote: Unanimous.

2 Statutory Referrals

2.1 Town of Hamden: Proposed Plan of Conservation and Development Update

By resolution, the RPC has determined that the proposed Plan of Conservation and Development for the Town of Hamden appears to be consistent with the policies and goals identified in both the State and Regional Plans of Conservation and Development.

Motion: Charles Andres. Second: Ralph Aschettino. Vote: Unanimous.

2.2 Town of North Branford: Proposed Plan of Conservation and Development Update

By resolution, the RPC has determined that the proposed Plan of Conservation and Development for the Town of North Branford appears to be consistent with the policies and goals identified in both the State and Regional Plans of Conservation and Development.

Motion: Ralph Aschettino. Second: Andrew Skolnick. Vote: Unanimous.

2.3 Town of North Haven: Proposed Zoning Regulation Amendments pertaining to residential apartments above commercial uses in the CB-20 Zoning Districts

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: Charles Andres. Second: Andrew Skolnick. Vote: Unanimous. Recuse: James Giulietti

3 Other Business

Motion to Adjourn: Ralph Aschettino. Second: Charles Andres. Vote: Unanimous.

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Summary of the Thursday, September 12, 2019 Meeting at 5:15 pm at SCRCOG, 127 Washington Avenue, 4th Floor West, North Haven, CT 06473

Present: Jeffrey Kohan, Charles Andres, Sal Brancati, Andrew Skolnick, Kevin Curry, James Giulietti, Elias Estabrook, Eugene Livshits

The Regional Planning Commission Meeting on September 12, 2019 did not have a quorum. The referrals were reviewed by consensus of the members present.

1 Administration

1.1 Minutes of the August 8, 2019 RPC meeting.

The approval of minutes from the August 8, 2019 meeting will be presented during the October 10, 2019 RPC Meeting.

2 Statutory Referrals

2.1 City of West Haven: Proposed Zoning Regulation Amendments to add Section 21 – Village District Regulations

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC recommends 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 City of Milford: Proposed Zoning Regulation Amendments pertaining to Electronic Digital Billboard Signs

The referral was previously reviewed during the November 8, 2018 RPC meeting, and the members did not have any additional comments.

2.3 Town of East Haven: Proposed Zoning Regulation Amendments to add Section 37A – Affordable Housing Development District

Although there was not an official quorum at the meeting, by consensus of the members present, the RPC recommends that due to the scope of development allowed by the proposed regulations there may be potential for inter-municipal impacts caused by drainage and traffic.

2.4 Town of Seymour: Proposed Zoning Regulation Amendments to add Section 18A – Affordable Housing Zone

The referral was discussed and it was determined that comments from the Regional Planning Commission were not required due to the potential location being more than 500 feet from a municipality in the South Central Region.

3 Other Business

Referral 2.1: Town of Madison

Subject:

Proposed Zoning Regulation Amendments pertaining to Manufacturing of and Sale of Beer, Wine, Cider, Spirits, and Farm Distilleries, Farm Breweries, Farm Wineries, and Section 3.12

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 Madison proposed Zoning Regulation Amendments pertaining to Manufacturing of and Sale of Beer, Wine, Cider, Spirits, and Farm Distilleries, Farm Breweries, Farm Wineries, and Section 3.12.

The amendment to Section 7.1.3 permits the use in the light industrial district “ Manufacturing of beer, wine, cider, spirits or similar beverages may include the provision for sale of such product, including the provision for on-premises consumption as may be permitted by the applicable regulations of the Connecticut Liquor Control Act.

Section 6 has been amended to allow the use by Special Exception Review in the C District, Downtown Districts, and the Rural Shopping District. Section 3 has been amended to allow the use in residence districts, subject to Section 3.11 - Special Use Regulations for Farms in a Residence District. New Section 3.11 (E) has been proposed with specific standards for the use. Location must be on a Farm with a minimum of five acres; Events are subject to review and approval of the Planning and Zoning Commission, outlined in the existing Section 3.11 (b).

The amendments to Section 3.12 – Special Use Regulations for Small , single Gamily Cluster Development include revisions to the definition, Location Criteria, Maximum Unit Size, Maximum Building Height and Maximum number of attached units. The specific details can be reviewed in the agenda packet.

Communication:

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



TOWN OF MADISON
CONNECTICUT
LAND USE OFFICE

RECEIVED

SEP 16 2019

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

8 CAMPUS DRIVE
MADISON, CONNECTICUT 06443-2563
(203) 245-5632
FAX (203) 245-5613

September 12, 2019

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

RPC Referral
South Central Regional Council of Governments
127 Washington Avenue
4th Floor – West
North Haven, CT 06473-1715

RE: 19-19. Regulation Amendments. Petitioner: Madison Planning & Zoning Commission. Petition for Regulation Amendment to amend Section 7.1.3 and add Sections 6.1.2.2(x), 6.2.2.2(p) and 6.3.2.2(m) to allow, by Special Exception Review, the manufacturing and sale of beer, wine, cider, sprits or similar beverages. Additionally, amend Section 3.4(i) and add new Section 3.11(E) to allow, by Special Exception Review, Farm Breweries, Farm Distilleries, and Farm Wineries. Separately, amend Section 3.12, Special Use Regulations for Small, Single-Family Cluster Developments.

To Whom It May Concern:

Pursuant to the Connecticut General Statutes, you are hereby notified of the pendency of the above referenced application before the Madison Planning and Zoning Commission. A copy of the application is enclosed.

This application will be before our Planning and Zoning Commission on Thursday, October 17, 2019, at 7:30 P.M., Room A, Madison Town Hall, 8 Campus Drive, Madison, Connecticut.

We look forward to your comments after your review.

Sincerely,

Mary R. Haburay
Land Use Assistant

Enclosure: Application #19-19

Proposed Regulation Amendments Pertaining to:
The Manufacturing and Sale of Beer, Wine, Cider & Spirits; and
Farm Breweries, Farm Distilleries, and Farm Wineries.

Drafted September 5, 2019

1. Amend Section 7, Light Industrial District, as follows:

Amend Section 7.1.3 The manufacturing, processing or packing of foods, ~~non-alcoholic~~ beverages, toilet supplies, pharmaceuticals, perfumes and similar products. Manufacturing of beer, wine, cider, spirits or similar beverages may include the provision for sale of such product, including the provision for on-premises consumption as may be permitted by the applicable regulations of the Connecticut Liquor Control Act.

2. Amend Section 6, Commercial Districts, as follows:

Add a new Use that requires Special Exception Review in the C District, Downtown Districts, and Rural Shopping District. Add Sections 6.1.2.2(x), 6.2.2.2(p), and 6.3.2.2(m) Manufacturing and sale of beer, wine, cider, spirits or similar beverages, including the provision for on-premises consumption as may be permitted by the applicable regulations of the Connecticut Liquor Control Act.

3. Amend Section 3, Residence Districts, as follows:

Amend Section 3.4(i) Non-Agriculturally Related Uses, Farm Stores, ~~and~~ Farmstays, Farm Breweries, Farm Distilleries, and Farm Wineries all subject to the criteria set forth in Section 3.11.

Add new Section 3.11(E) pertaining to Farm Breweries, Farm Distilleries, and Farm Wineries. Current Section E, Signage, shall become Section F. Current Section F, Buildings and Structures, shall become Section G.

E. Farm Breweries, Farm Distilleries, and Farm Wineries are subject to the following limitations and criteria:

1. Farm Breweries, Farm Distilleries, and Farm Wineries may be located on a Farm meeting the minimum five (5) acre requirement.
2. Events held in conjunction with a Farm Brewery, Farm Distillery, or Farm Winery operation shall be subject to review and approval by the Planning & Zoning Commission as outlined under Section 3.11(b).

3.12 SPECIAL USE REGULATIONS FOR SMALL, SINGLE-FAMILY CLUSTER DEVELOPMENTS – Approved by Planning & Zoning Commission on August 16, 2018. Effective August 24, 2018. Proposed amendments drafted September 5, 2019.

- A. **Definition:** A grouping of small, attached and/or detached single-family dwelling units developed with a coherent plan for the entire site.
- B. **Purpose:** To address the need for smaller and more diverse housing choices, while ensuring compatibility with surrounding traditional single-family residential development.
- C. **Location Criteria:** Such developments shall only be permitted within five-hundred (500) feet of the 'D', 'DW', 'DC', 'C', and 'T' Districts on sites not less than ~~60,000~~80,000 square feet in size. Sites shall have at least 100 feet frontage on a public highway.
- D. **Maximum Density:** One (1) dwelling unit per 10,000 square feet of **Buildable Land** or substantial fraction thereof.
- E. **Maximum Lot Coverage:** Fifteen percent (15%) of **Buildable Land**.
- F. **Maximum Unit Size:** Maximum **Floor Area** per unit shall be ~~2,250~~1,850 square feet. ~~The maximum first floor area shall be 1,200 square feet.~~ The area of a garage shall be excluded from the floor area calculation, but shall be included in the lot coverage calculation. For adaptive reuse of existing buildings, the maximum floor area limitation shall not apply provided the floor area of any such existing building is expanded by not more than 15%.
- G. **Maximum Building Height (Stories):** No building within the development may exceed two and a half (2.5) stories in height, ~~and no more than 50% of the units within the development shall be two (2) stories in height — the remaining shall be a maximum of one and a half (1.5) stories in height.~~
- H. **Maximum Average and Total Building Height (Feet):** No building within the development may exceed ~~thirty (30) twenty-five (25)~~ feet of **Average Building Height** or ~~thirty-seven and a half (37.5)~~ feet of **Total Building Height**. Adaptive reuse of existing buildings that exceed the Maximum Average and/or Total Building Height shall be allowed provided the heights are not further increased.
- ~~I.~~ **Maximum Number of Attached Units:** No more than two (2) units may be attached together, ~~and no more than 50% of the units within a development may be attached — the remaining shall be detached. This limitation shall not apply to adaptive reuse of existing buildings provided the floor area of any such building is expanded by not more than 15%.~~
- ~~J.~~ **Garages:** A maximum of one (1) single vehicle garage space shall be permitted for each unit ~~within the development.~~
- ~~K.~~ **Parking areas** adjacent to any residentially zoned property shall be screened with fencing and/or landscaping to minimize the visual impact of the parking area.
- ~~L.~~ **Site Layout:** Dwelling units within the development should be oriented to promote a sense of community, and common open space areas shall be provided for use by the residents. Pedestrian connections shall link all buildings within the development to the street, common open space areas, and parking areas. Paved surface areas shall be minimized to preserve green space within the development, and parking areas should be located so their visual presence is minimized.
- ~~M.~~ **Landscaping:** The development shall be suitably landscaped with particular emphasis on areas abutting neighboring residential property. A comprehensive landscaping plan shall be included as part of the application submittal. Where possible, existing mature trees shall be maintained and incorporated into the landscaping plan.
- ~~N.~~ **Architectural Review:** To allow for a degree of flexibility in architectural design, consistent with traditional single-family residential development, only preliminary architectural elevations shall be required as part of the application submittal. Preliminary elevations shall sufficiently detail architectural style and materials for each unit type and building type.

Individual dwelling units shall be generally consistent in architectural style and materials, but shall vary in detail to avoid repetition and duplication within the development. Prior to issuance of a building permit, final elevations and materials for each dwelling unit shall be reviewed and approved by the Director of Planning & Economic Development through submittal of an Application for Certificate of Zoning Compliance. The Director may approve the application or refer it to the Advisory Committee on Community Appearance (ACCA) for a recommendation to ensure consistency with the Special Exception Permit approval.

~~O.N.~~ **Historically Significant Site Features:** Where feasible, historically significant site features such as buildings, structures, and stone walls shall be preserved and be incorporated into the development plan. A narrative shall be provided with the application to describe how the applicant intends to address this provision. The Commission may seek input from the Town of Madison Historic District Commission and the Madison Historical Society to determine the historical significance of site features.

Referral 2.2: City of Meriden

Subject:

Proposed Zoning Regulation Amendments pertaining to Breweries, Brewpubs and Brewpub Restaurants

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 several amendments pertaining to Breweries, Brewpubs and Brewpub Restaurants. A definition for the terms “Brewery”, “Brewpub” and “Brewpub Restaurant” has been added.

Brewpub and Brewpub Restaurant would be permitted by right in the C-1 Commercial District, C-1-A Central Commercial Annex District, C-2 General Commercial District, C-3 Highway Commercial District and the NCDD District. The use is permitted by Special Exception in the C-4 District.

Breweries, Brewpubs and Brewpub Restaurants are permitted in the City of Meriden TOD Sub-Districts. Breweries and Brewpubs are permitted in the M-1 District, M-2 District, M-3 District, M-4 District. The distance requirements has been reduced to zero for the proposed uses.

Communication:

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

PETITION FOR A ZONING REGULATION AMENDMENT

September 25, 2019

TO THE HONORABLE CITY COUNCIL OF THE CITY OF MERIDEN:

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 Section 213-7, Definitions: add definitions for Brewery, Brewpub, and Brewpub-restaurant;
- Article II Sections 213-23.B (1) (g) to allow Brewpubs and Brewpub-restaurants in a C-1 Central Commercial District;
- Article II Section 213-24.B (1) (f) to allow Brewpubs and Brewpub-restaurants in a C-1-A Central Commercial Annex District;
- Article II Section 213-25.B (1) (g) to allow Brewpubs and Brewpub-restaurants in C-2 General Commercial and C-3 Highway Commercial districts;
- Article II Section 213-26.B (2) (c) to allow Brewpubs and Brewpub-restaurants in a C-4 Convenience or Neighborhood Commercial District;
- Article II Section 213-28.F (1) (e) to allow Brewpubs and Brewpub-restaurants in an NCDD Neighborhood Commercial Design District;
- Article II Section 213-27, Table 213-1 TOD District Uses add Breweries, Brewpubs and Brewpub-restaurants in TOD;
- Article II Section 213-29.B (1) (k) to allow Breweries and Brewpubs in an M-1 Research, Development and Manufacturing District;
- Article II Section 213-30.B (1) (j) to allow Brewery and Brewpub in an M-2 Industrial District;
- Article II Section 213-31.B (1) (l) to allow Brewery and Brewpub in an M-3 Industrial District;
- Article II Section 213-32.B (1) (i) to allow Breweries and Brewpubs in an M-4 Planned Industrial District;
- Article II Section 213-51 Sale of alcoholic liquor at Article II Sections 213-51.A, 213-51.A (7), 213-51.A (8) and 213-51.D to allow sale and consumption of alcoholic liquor at breweries, brewpubs, brewpub-restaurants.

Respectfully,



Renata Bertotti, AICP
Director of Planning, Development and Enforcement



2019 SEP 25 PM 1:08

CITY CLERK
MERIDEN, CONN.



ADULT BOOKSTORE — See "sexually oriented business."**[Added 11-21-1994¹]**

ADULT ENTERTAINMENT — Any establishment featuring nude, topless or sexually oriented entertainment, including, but not limited to, dance halls, massage parlors, restaurants, taverns or clubs.**[Added 11-21-1994]**

ALLEY — A dedicated public thoroughfare, other than a street, which affords a secondary means of access to the rear or side of abutting property and which is 20 feet or more in right-of-way width.

AQUIFER PROTECTION AREA, LEVEL A — An underground drinking water supply protection area shown on the Zoning Map, defined in Connecticut General Statutes § 22a-354h, approved by the Commissioner of DEP, and protected within Meriden by the City Aquifer Protection Agency (APA) regulations and the state. Within this area, certain land use activities that may affect groundwater are regulated independent of zoning; check the APA regulations on file with the City.**[Added 9-21-2009]**

AUTOMOBILE RENTAL FACILITY — Any building and/or lot used exclusively for the renting and/or leasing of automobiles, provided that no repair or service work is performed on the premises.**[Added 3-5-1990]**

AUTOMOBILE WASH — Any building and/or lot or portion thereof used for washing and/or cleaning of automobiles.**[Added 3-5-1990]**

AWNING — A roof-like covering of metal, canvas or duck attached to a metal frame and attached or supported entirely from a building.

BAR — An establishment where the main use is to serve spirituous liquors to be consumed on the premises. Food may or may not be served. Usually a counter and stools are present.**[Added 3-4-2019]**

BASEMENT — A story in a building, the structural ceiling level of which is four feet or more above the average level of finished grade, where such grade abuts the exterior wall of such building, and the floor level of which is below finished grade at any point on the periphery of the building.

BOARDINGHOUSE — A dwelling, other than a hotel or motel, where lodging or lodging and meals for three or more persons is provided for compensation.

BREWERY – A facility where beer is manufactured, stored, bottled and sold at wholesale or at retail in sealed containers for consumption off premises or offered for on the premises tastings in accordance with §213-51.

¹ . Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

BREW PUB – A facility where beer is manufactured, stored, bottled, sold at wholesale or at retail in sealed bottles or other sealed containers for consumption off premises or sold to be consumed on the premises in a room that is ancillary to the production of beer, with or without the sale of food, and in accordance with §213-51.

BREW PUB-RESTAURANT – A restaurant where beer is manufactured, stored, bottled, and sold to be consumed on the premises in accordance with §213-51.

BUILDING — Any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, animal or chattel. This term shall not include mobile homes or trailers.

BUILDING LINE — A line established by this chapter which determines the minimum horizontal distance that a building or structure must be located from a lot line.

BUILDING, ACCESSORY — A building to which the use is subordinate and incidental to the main or principal use of a lot occupied by a main or principal building.

BUILDING, MAIN — A building in which is conducted the principal use of the lot and/or the building site on which it is situated.

BUILDING, RESIDENTIAL — A building designed or used exclusively for dwelling purposes.

BUILDING, SECONDARY — A detached nonaccessory building of 600 square feet or less gross floor area, located within a shopping center development or regional shopping mall with a primary use and larger building. **[Added 6-7-1999]**

BUILDING SITE — A lot or parcel of land in single or joint ownership which is occupied or can be occupied by a building, together with such open spaces as are required by the terms of this chapter, and having its principal frontage on a public street, road or highway.

CELLAR — Any space in a building, the structural ceiling level of which is less than four feet above the average finished grade where such grade abuts that exterior wall of such building which fronts on any street.

CLUB, COMMERCIAL — A business enterprise conducting leisure-time activity, including tennis, swimming, ice skating, racquetball, health and exercise facilities and similar uses, which makes facilities available to members, customers or clients on a seasonal or hourly basis and which may include incidental sale of snacks, incidental sales or rental of sports equipment and clothing, and nursery facilities. Members of a commercial club do not have a voice in the management of the club.

CLUB, MEMBERSHIP — An unincorporated association of persons for common social purpose or an association incorporated under the Membership Association Law and

§ 213-23. C-1 Central Commercial District.

- A. The purpose of this district shall be to provide for and encourage a variety of retail businesses, business and professional offices, service businesses, entertainment and cultural establishments and limited light industry and related activities, such as parking and pedestrian spaces, all designed to serve the City and the region and to encourage the concentration of retail and service uses to achieve continuity of frontage devoted to such purposes which will strengthen and complement one another; further, it is a purpose of this district to protect the major public investment made and to be made toward revitalization of the central business area, a vital part of the City's tax base, by conserving the value of land and buildings.
- B. Permitted uses. No building or premises may be used, in whole or in part, for any use other than those listed below.

(1) Permitted uses by right:

- (a) Retail stores.
- (b) Banks, including drive-in windows.
- (c) Service businesses, such as barbershops, beauty parlors, furniture repair, tailors and dry-cleaning stores, launderette, custom dressmaker, jewelry repair, shoe repair, travel agent, appliance repair, photographer and duplicating business.
- (d) Business, professional, service or governmental offices.
- (e) Newspaper printing and job printing.
- (f) Manufacturing, assembling, converting, altering, finishing, cleaning or any other processing of products where goods so produced or processed are to be sold at retail, exclusively on the premises, provided that only an area fully concealed from any street and equal to not more than 20% of the area devoted to retail sales may be used for this purpose.
- (g) Brewpub, Brewpub-restaurant, Restaurant and/or catering establishments.
- (h) Libraries, art galleries and museums.
- (i) Art and craft studios and studios for teaching performing arts.
- (j) Private transportation and auto rental services.
- (k) Multiple-family dwellings.
- (l) Hotels, motels and conference facilities.

§ 213-24. C-1-A Central Commercial Annex District. [Adopted 3-5-2001]

- A. Purpose. The purpose of this district shall be to provide for and encourage a variety of retail businesses, business and professional offices, service businesses, entertainment and cultural establishments and limited light industry and related activities, such as parking and pedestrian spaces, all designed to serve the City and the region. It is a purpose of this district to protect the major public investment made and to be made toward revitalization of the area, a vital part of the City's tax base, by restoring and conserving the value of land and buildings. Further, this district is to be recognized as the transition zone between all zones and the Central Commercial District.
- B. Permitted uses. No building or premises may be used, in whole or in part, for any use other than those listed below.
- (1) Permitted uses by right:
- (a) Retail stores.
 - (b) Banks, including drive-in windows.
 - (c) Service businesses, such as barbershops, beauty parlors, furniture repair, tailors and dry-cleaning stores, launderette, custom dressmaker, jewelry repair, shoe repair, travel agent, appliance repair, photographer and duplicating business.
 - (d) Business, professional, service or governmental offices.
 - (e) Job printing.
 - (f) Brewpub, Brewpub-restaurant, Restaurant and/or catering establishments.
 - (g) Libraries, art galleries and museums.
 - (h) Art and craft studios and studios for teaching performing arts.
 - (i) Private transportation and auto rental services.
 - (j) Hotels, motels and conference facilities.
 - (k) Theaters.
 - (l) Public and private utility substations.
 - (m) Living quarters in commercial buildings for the exclusive housing of the merchant and family, provided that there

§ 213-24

§ 213-24

are separate entrances for the residential part of the building.

- (n) Mortuaries.

§ 213-25. C-2 General Commercial and C-3 Highway Commercial Districts.

- A. The purpose of these districts shall be to provide for a wide range of commercial uses in areas with good access, particularly along major arterials, and to accommodate uses that benefit from large numbers of motorists, that need larger parcels of land developed less intensively than would be appropriate in central or neighborhood businesses, and that may involve characteristics, such as trucking and noise, that are objectionable to residential areas and certain nonresidential areas. New residential development is excluded from these districts except by special exception. The C-3 District is intended to accommodate these same activities at a lower intensity in a more open environment.
- B. Permitted uses. No building or premises may be used, in whole or in part, for any use other than those listed below.
- (1) Permitted uses by right:
- (a) Retail stores.
 - (b) Banks, including drive-in windows.
 - (c) Service businesses, such as barbershops, beauty parlors, furniture repair, tailors and dry-cleaning stores, launderette, custom dressmaker, jewelry repair, shoe repair, travel agent, appliance repair, photographer and duplicating business.
 - (d) Business, professional or governmental offices.
 - (e) Newspaper printing and job printing.
 - (f) Manufacturing, assembling, converting, altering, finishing, cleaning or any other processing of products where goods so produced or processed are to be sold at retail on the premises.
 - (g) Brewpub, Brewpub-restaurant, Restaurant and/or catering establishments.
 - (h) Libraries, art galleries and museums.
 - (i) Art and craft studios and studios for teaching performing arts.
 - (j) Private transportation and auto rental services.
 - (k) Hotels, motels and conference facilities.
 - (l) Theaters, open or enclosed.
 - (m) Public and private utility substations.
 - (n) Mortuaries.

(q) Notwithstanding the general restriction on temporary sales as stated in § 213-15 of the Code of the City of Meriden, temporary sales are permitted by nonprofit clubs, nonprofit organizations, as defined and licensed by the State of Connecticut, and which were not created for the purpose of selling goods, property or wares. No such temporary sales shall be carried on for longer than a thirty-day period in any given six months. All such temporary sales must be approved by the Zoning Enforcement Officer as to safety issues and compliance with this chapter. **[Added 4-7-2008]**

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

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

(b) Buildings with mixed uses, subject to the provisions of § 213-23B(2)(k).

(c) Brewpubs, Brewpub-restaurants, and Restaurants (not fast-food restaurants). **[Added 2-2-1987]**

(d) Child-care provider — Class III, subject to the requirements of § 213-19B(2)(j). **[Added 7-5-1988; amended 2-3-1992]**

C. Accessory uses.

(1) Uses customarily accessory to permitted uses if constructed concurrently with or subsequent to the main building.

(2) Signs, as regulated in § 213-56.

(3) Off-street parking in accordance with § 213-55.

(4) Outdoor dining area per standards and procedures of § 213-23C(4). **[Amended 6-7-2004]**

D. Lot and bulk requirements. Lot and bulk requirements are found in § 213-12B.

Chairman of the Planning Commission may waive the requirement for a certificate of approval for a change of use if they determine that the change will not affect the required parking and will have no effect on the building facade or streetscape. The Planning Commission may also require a certificate of appropriateness if it determines that the proposed change in use will affect the exterior of a building within the NCDD. In anticipation of this determination, an applicant may apply for a certificate of appropriateness in conjunction with the certificate of approval application.

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

(1) Uses permitted by right:

- (a) Retail stores.
- (b) Bakeries.
- (c) Service businesses such as barbershops, beauty parlors, furniture repair, tailors and dry cleaning stores, laundrettes, dressmakers, jewelry repair, shoe repair, travel agent, appliance repair, photographer's studio, duplicating business, and real estate offices.
- (d) Banks, including drive in windows.
- (e) Brewpubs, Brewpub-restaurants and Restaurants.
- (f) Single-, two- and three-family dwellings.
- (g) Libraries, art galleries and museums.
- (h) Child-care provider — Class I.
- (i) Public facilities.
- (j) Professional and business offices (minimum size of office 300 square feet per office).
- (k) Arts and crafts studios and studios for teaching performing arts.
- (l) Theaters.
- (m) Bus and taxi stands.
- (n) News and magazine stands.
- (o) Veterinarians.
- (p) Mortuary.

Table 213-1
 TOD District Uses
 [Amended 9-19-2016]

Sec 213-27 TOD

	TOD Sub-Districts				
	Historic-Comm.	Park	Hanover	Civic	Gateway
Residential Uses¹					
Elderly living and/or care facilities	SP-a	SP-a	SP-a	SP-a	SP-a
Home occupations/ professional office in dwelling	L-e	L-e	L-a	L-a	L-a
Multiple-family dwellings with 3 to 100 units per site	P	P	P	P	P
Multiple-family dwellings with more than 100 units per site	SP-b	SP-b	SP-b	SP-b	SP-b
Single-family detached dwellings	L-b			L-b	L-b
TOD mixed-income dwellings with 3 to 100 units per site	P	P	P	P	P
TOD mixed-income dwellings with more than 100 units per site	SP-c	SP-c	SP-c	SP-c	SP-c
2-family and duplex dwellings	L-c			L-c	L-c
Commercial Uses					
Bars/nightclubs	SP-d	SP-d	SP-d		SP-d
Brewery, Brewpub and Brewpub Restaurant	P	P	P	P	P
Day care, Classes I, II and III	P	P	P	P	P
Drive-through facility for permitted uses other than fast-food restaurant	SP-e	SP-e	SP-e	SP-e	SP-e
Farmer's market	P	P	P	P	P
Fast-food restaurant	SP-f	SP-f	SP-f	SP-f	SP-f
Health care services/medical offices	P	P	P	P	P
Hookah lounge	SP-k		SP-k		SP-k
Hotel/conference hotel/conference center hotel	P	P	P	P	P
Indoor arts, recreation and entertainment, less than 40,000 square feet of gross leasable floor area	P	P	P	P	P
Indoor arts, recreation and entertainment, equal to or greater than 40,000 square feet of gross leasable floor area	SP-g	SP-g	SP-g	SP-g	SP-g
Outdoor dining	P	P	L-d	L-d	L-d
Package stores	SP-h	SP-h	SP-h		SP-h

§ 213-29. M-1 Research, Development and Manufacturing District.

- A. The purpose of this district shall be to provide areas for a wide range of office, industrial and research activity at a low density that conforms to a high level of performance standards, that can be located in proximity to residential, institutional and commercial areas without objectionable influence, and that can serve as a buffer in some cases between more objectionable industrial activities and residential and/or certain commercial areas.
- B. Permitted uses. No building or premises may be used, in whole or in part, for any purpose except those listed below.
- (1) Permitted uses by right.
- (a) Manufacturing, production and fabrication.
 - (b) Offices.
 - (c) Warehouses and distribution facilities.
 - (d) Research and development facilities.
 - (e) Veterinarian.
 - (f) Newspaper printing and job printing.
 - (g) Conference center hotel, provided that the same shall be located on a minimum ten-acre site. **[Added 11-19-1984]**
 - (h) Child-care provider — Class I. **[Added 7-5-1988; amended 2-3-1992]**
 - (i) Child-care provider — Class II, subject to the requirements of § 213-16B(1)(d). **[Added 2-3-1992]**
 - (j) Conference hotel. [Added 10-1-2001]**
 - (k) Breweries and Brewpubs.**
- (2) Uses permitted subject to issuance of a special exception permit by the Zoning Board of Appeals in accordance with the requirements of § 213-73.
- (a) Heliports, subject to the conditions of § 213-23B(2)(m).
 - (b) Mobile homes and mobile home parks, subject to the provisions of § 213-19B(2)(c).

§ 213-30. M-2 Industrial District.

A. The purpose of this district shall be to provide areas for a wide range of office, industrial and research activity at a higher density than that of the M-1 District and to require conformance to a high level of performance standards.

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

(1) Permitted uses by right:

(a) Manufacturing, production and fabrication.

(b) Offices.

(c) Warehouses and distribution facilities, except petroleum and other highly flammable products.

(d) Research and development.

(e) Veterinarians.

(f) Newspaper printing and job printing.

(g) Industrial laundry for large bulk laundry and commercial/ industrial establishment's laundry. **[Added 9-2-1986]**

(h) Child-care provider — Class I. **[Added 7-5-1988; amended 2-3-1992]**

(i) Child-care provider — Class II, subject to the requirements of § 213-16B(1)(d). **[Added 2-3-1992]**

~~(i)~~ **(j) Brewery and Brewpub.**

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

(a) Heliports, subject to the conditions of § 213-23B(2)(m).

(b) Mobile homes and mobile home parks, subject to the provisions of § 213-19B(2)(c).

(c) Factory outlets for the purpose of merchandising products that are manufactured on the premises along with the sale of accessory and related items, subject to the following conditions: **[Added 10-21-1985]**

[1] Said outlets shall be located in a factory structure.

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§ 213-31. M-3 Industrial District.

- A. The purpose of this district shall be to provide opportunities for industrial and related activities which meet the high performance standards of the M-1 and M-2 Districts but which may be more intensive than M-1 or M-2 and which may involve greater dependence upon trucks and are potentially noisier or otherwise more objectionable as neighbors to residential or institutional uses.
- B. Permitted uses. No building or premises may be used, in whole or in part, for any purpose except those listed below.

(1) Permitted uses by right:

- (a) Manufacturing, production and fabrication.
- (b) Offices.
- (c) Warehouses and distribution facilities, including petroleum and other highly flammable products, which shall require a special exception permit in accordance with § 213-73 and the following conditions:
 - [1] No such use is within 500 feet of a residence district or a place of public assembly.
 - [2] The City of Meriden Fire Department shall approve all safety measures.
- (d) Research and development.
- (e) Veterinarians.
- (f) Newspaper printing and job printing.
- (g) Industrial laundry for large bulk laundry and commercial/ industrial establishment's laundry. **[Added 9-2-1986]**
- (h) Retail stores, banks, and service business, provided that not more than 20% of the gross floor area of any building shall be used for such purposes. **[Added 4-6-1987]**
- (i) Recreation center. **[Added 4-6-1987]**
- (j) Child-care provider — Class I. **[Added 7-5-1988; amended 2-3-1992]**
- ~~(k)~~ **(l)** Child-care provider — Class II, subject to the requirements of § 213-16B(1)(d). **[Added 2-3-1992]**

~~(k)~~ **(l) Brewery and Brewpub.**

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~~(h)~~(i) **Breweries and Brewpubs**

- (2) Uses permitted subject to issuance of a special permit by the Planning Commission.
- (a) Any use permitted in the Central Commercial C-1 District, not mentioned in § 213-32B(1) above, provided that the City Council also approves and that the Planning Commission shall find other uses will not tend to depreciate the value of the property in the neighborhood or be otherwise detrimental or aggravating to the neighborhood or its residents or alter the neighborhood's essential characteristics.
 - (b) Heliports, subject to the conditions of § 213-23B(2)(m).
 - (c) Child-care provider — Class III, subject to the requirements of § 213-19B(2)(j). **[Added 7-5-1988; amended 2-3-1992]**

C. Accessory uses.

- (1) Cafeterias, restaurants and similar facilities, when for the convenience of occupants and employees of the permitted use.
- (2) Recreational facilities, both indoor and outdoor, such as recreation buildings, swimming pools, golf courses and facilities for group activities.
- (3) Facilities for housing employees, visitors and others for training purposes.
- (4) Maintenance and machine shops, sources of energy, keeping of animals for research purposes, antennas and other similar equipment, garages for vehicles used in connection with the activity of the permitted use on the lot and security fences.
- (5) Drive-in facilities subordinate and related to a permitted use.
- (6) Signs, as regulated in § 213-56.
- (7) Off-street parking and loading, in accordance with the requirements of § 213-55.

:2

§ 213-32

§ 213-32

- D. Lot and bulk requirements. Lot and bulk requirements are found in § 213-12B, except as follows:
- (1) Not less than 20% of the gross land area shall be preserved in its natural state and/or landscaped or suitably planted.

§ 213-51. Sale of alcoholic liquor. [Amended 11-19-1984; 3-2-1987; 11-21-1994; 6-7-2004; 5-21-2012; 3-13-2014; 3-4-2019]

- A. The sale of alcoholic liquor at retail under any valid class of permit, as defined in § 30-15, as amended, of the Connecticut General Statutes, issued by the Liquor Control Commission of the State of Connecticut for consumption either on the premises or off the premises, shall be permitted under the applicable governing provisions of the zoning regulations only in the following districts, as established by § 213-8 of this chapter:
- (1) C-1 Central Commercial District.
 - (2) C-2 General Commercial District.
 - (3) C-3 Highway Commercial District.
 - (4) C-4 Convenience or Neighborhood Commercial District
 - (5) R-4 Multiple-Family/Professional Office District.
 - (6) M-1 Research, Development and Manufacturing District, under a hotel or restaurant permit issued by the Liquor Control Commission of the State of Connecticut.
 - (7) M-2 Industrial District.
 - (8) M-3 Industrial District.
 - (9) M-4 Planned Industrial District.
 - (10) NCDD Neighborhood Commercial Design District.
 - (11) RDD Regional Development District.
 - (12) TOD-HC TOD Historic Commercial.
 - (13) TOD-P TOD Park.
 - (14) TOD-H TOD Hanover (on primary and secondary streets).
 - (15) TOD-C TOD Civic (on primary and secondary streets).
 - (16) TOD-G TOD Gateway (on primary and secondary streets).
- B. No building or premises shall be used for the sale of alcoholic liquor at retail for consumption off the premises under any class of permit, as defined in § 30-15, as amended, of the Connecticut General Statutes, which may be issued by the Liquor Control Commission of the State of Connecticut, if the main front entrance to the permit premises shall be located within a 1,500-foot radius, measured in a straight line, from the main front entrance of any other permit premises used for the sale of alcoholic liquor at retail for consumption off the premises under any class of permit issued by the Liquor Control Commission

of the State of Connecticut. The above distance requirement is not applicable to any building or premises located in a shopping center development (§ 213-7B) of at least 50,000 square feet of gross floor area located on a lot of a minimum area of four acres.

- C. No building or premises shall be used for the sale of alcoholic liquor at retail for consumption on the premises under any class of permit, as defined in § 30-15, as amended, of the Connecticut General Statutes, which may be issued by the Liquor Control Commission of the State of Connecticut, if the main front entrance to the permit premises shall be located within a 1,500-foot radius, measured in a straight line, from the main front entrance of any other permit premises used for the sale of alcoholic liquor at retail for consumption on the premises under any class of permit issued by the Liquor Control Commission of the State of Connecticut. The above distance requirement is not applicable to any building or premises located in a shopping center development (§ 213-7B) of at least 50,000 square feet of gross floor area located on a lot of a minimum area of four acres.
- D. The distance set forth in Subsection C above will be reduced to zero for, breweries, brewpubs, brewpub-restaurants, -restaurants and hotels.
- E. Within the TOD area that liquor is permitted, the distance set forth in Subsection C above will be reduced to zero for bars or nightclubs that obtain a special permit from the Planning Commission.
- F. Notwithstanding the distance restrictions set forth above in this section, any permittee using a permit premises for the sale of alcoholic liquor under any class of permit issued by the Liquor Control Commission of the State of Connecticut shall be allowed to move such permit premises within a radius of 750 feet of the old permit premises, provided that said new location is within a district in which the sale of alcoholic liquor at retail is permitted under this chapter, and provided, further, that said removal shall be in accordance with the Liquor Control Act and the rules and regulations of the Liquor Control Commission and, more particularly, the need for said removal is a result of hardship or caused by reason of the commencement of an eviction action against such permittee from the particular permit premises for which the original permit was issued. All other provisions of this chapter shall be applicable except the distance restrictions set forth within this section.

- G. The provisions of this section shall not be deemed to be retroactive, except that any permit premises being used for the sale of alcoholic liquor under any class of permit issued by the Liquor Control Commission of the State of Connecticut prior to the effective date of this chapter, which use is not in conformity with the provisions of this chapter and which shall be voluntarily discontinued for a period of more than 60 days, may not be resumed unless such use shall thereafter conform to this chapter.
- H. The words "alcoholic liquor" are meant to conform to the definition of "alcoholic liquor" as set forth in the Connecticut State Liquor Control Act, as set forth in Chapter 545 of the Connecticut General Statutes (§ 30-1).
- I. The distance restrictions contained in this section shall not apply to the sale of alcoholic liquor at retail under a club permit as defined in § 30-15, as amended, of the Connecticut General Statutes, issued by the Liquor Control Commission of the State of Connecticut for consumption on the premises, and such clubs may be permitted as a special exception only in the following districts, as established by § 213-8: 1) C-1 Central Commercial District; 2) C-2 General Commercial District; 3) C-3 Highway Commercial District; 4) M-4 Planned Industrial District; 5) R-4 Multiple-Family/Professional Office District; and may be permitted by a special permit from the Planning Commission in the following districts: TOD Sub-Districts that permit liquor.

Referral 2.3: Town of Orange

Subject:

Proposed Zoning Regulation Amendments to Section 383-23 (C)

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 Orange has proposed zoning regulation amendments to Section 383-23 (C) pertaining to keeping of chickens, similar poultry, rabbits or similar animals.

The amendments would allow for a maximum of 20 chickens, similar poultry, rabbits or similar animals on parcels smaller than 3 acres under certain standards. Roosters and livestock are prohibited, the animals must be kept in an enclosure at least 25 feet from any property line and 50 feet from any street line.

Communication:

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



Town of Orange, Connecticut

Zoning Department

TOWN HALL
617 ORANGE CENTER ROAD
ORANGE, CONNECTICUT 06477-2499

PHONE: (203) 891-4743
FAX: (203) 891-2185
www.orange-ct.gov

September 5, 2019
CERTIFIED MAIL
camento@scrcog.org

Mr. Carl Amento, Executive Director
Council of Governments
127 Washington Avenue
4th Floor - West
North Haven, CT 06473-1715


PETITION TO AMEND THE ORANGE ZONING REGULATIONS -
-Upon the initiative of the Orange Town Plan & Zoning Commission

To amend the Orange Zoning Regulations to prohibit roosters & increase the enclosure setback from 20' to 25', increase the street setback from 20' to 50'.

Dear Mr. Amento:

In accordance with the Connecticut General Statutes, enclosed for your review is the above referenced Petition. The tentative Public Hearing date on this matter is October 15, 2019. A Copy of the Existing Regulation & Proposed Amendment is attached. An electronic copy was sent to you in a PDF file via email.

If you have any questions, please contact me at 203-891-4743.

Very truly yours,

Paul Dinice,
Zoning Administrator
& Enforcement Officer

enclosures
cc: TPZC Members
V. Marino, Esq.
J. Zeoli, First Selectman

**proposed regulations prohibiting roosters & increasing the enclosure setback from 20' to 25', increasing street setback to 50'. 9/4/19*

Existing Language for Section 383-23

Permitted Uses

C.

Farms, nurseries, truck gardens, the keeping of livestock and poultry and forestry, provided that any such use shall consist of three acres or more, exclusive of any required lot area for a dwelling, and provided further that any greenhouses incidental thereto and any buildings in which livestock or poultry are kept are located not less than 50 feet from any property or street line, except that an aggregate of not more than 20 chickens, similar poultry, rabbits or similar animals may be kept on a smaller land area if kept in a building or enclosure located not less than 20 feet from any property or street line. Such permitted use does not include the public sale and/or processing of produce, nursery and greenhouse stock and other agricultural products, which may be authorized as a special use under § 383-27A.

Proposed Language for Section 383-23

Permitted Uses

C.

Farms, nurseries, truck gardens, the keeping of livestock and poultry and forestry, provided that any such use shall consist of three acres or more, exclusive of any required lot area for a dwelling, and provided further that any greenhouses incidental thereto and any buildings in which livestock or poultry are kept are located not less than 50 feet from any property or street line.

- (1) On smaller parcels which do not qualify as a farm, the keeping of no more than 20 chickens, similar poultry, rabbits or similar animals may be kept, provided that:
 - (a) The keeping of roosters and livestock is prohibited.
 - (b) They must be kept in an enclosure not less than 25 feet from any rear or other property line, and 50 feet from any street line.
 - (c) Such permitted use does not include the public sale and/or processing of produce, nursery and greenhouse stock and other agricultural products, which may be authorized as a special use under § 383-27A.

Referral 2.4: Town of East Haven

Subject:

Proposed Zoning Regulations Update to Several Sections

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 East Haven has proposed updates to various sections within the town's zoning regulations.

Section 4 has been amended to add definitions for Assembly Halls, Boarding and Room House, Child Care (Family), Child Care (Group), Commercial recreational Facilities, Convenience Retail Gas Station, and Motor Vehicle Repair Facilities.

Section 23 has been amended to add the following Village District Overlay, Development Improvement District, and Residential Enterprise District. There have been several amendments to Schedule A – Permitted Uses, including the addition of Boarding Horses, Public Park and Recreational Facilities, Public and Private (non-profit) Nature Preserves, Sale of Alcoholic Beverages, Auto Car Washing Facilities, Motor Vehicle Repair Facilities, and Convenience Store Gasoline Stations.

Addition of Section 25.8.6 – Landscaping within Parking Lots and Section 25.15 - Special Regulations for Residential Enterprise District. Regulations have been proposed pertaining to Section 30B – Development Improvement District, and 30C – Village Districts. In the Section 33.11 - Site Plan, Standards and Objectives additional requirements have been added pertaining to Market Analysis and Fiscal Impact.

Section 37 – Affordable Housing has been amended to include additional language pertaining to applicable zoning districts, design and construction standards and the application requirements.

There have been revisions to Section 42 – Offstreet Parking and Loading, including the addition of parking requirements for 2 or more dwelling units: 1 Bedroom (1.5 spaces per unit), 2 bedroom (2.5 spaces per unit), 3 bedroom (3.25 spaces per unit), 4 or more bedroom (4 spaces per unit with an additional .75 spaces for each bedroom above 4).

The specific details per each of the amendments to the various sections of the Town of East Haven Zoning Regulations can be reviewed in the agenda packet.

Communication:

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

SECTION 4: DEFINITIONS

4.1 GENERAL: The paragraphs which follow define and explain certain words and phrases used in these Regulations. Other words used in these Regulations shall have the meanings commonly attributed to them. Doubts as to the precise meaning of words in these Regulations shall be determined by the Commission by resolution, giving due consideration to the expressed purpose and intent of these Regulations. Words in the present tense or in a particular gender are meant to include the future; a singular number includes the plural and a gender includes the other gender and, in all instances, vise-versa.

4.14.2 ASSEMBLY HALLS: A building or outdoor area designed and used for gatherings (50) or more people on a regular periodic basis for the purpose of entertainment, celebration, speaking engagements, business meetings, conferences and other similar uses not including places of worship, governmental facilities, and other uses otherwise regulated by the zoning regulations.

4.2—APARTMENT, ACCESSORY: A portion of a dwelling and considered to be a separate dwelling unit and subject to the requirements of “Schedule B”, Standards of these regulations.

4.3 BOARDING AND ROOMING HOUSE: A residential building used for the letting of roomers, boarders, or tenants for compensation with the sharing of certain facilities such as kitchen, storage areas, living rooms, and/or bathrooms.

4.34.4 BUILDING: A structure having a roof, supported by columns or walls which are affixed to a lot or lots for the housing, or enclosure of persons, animals or chattels

4.44.5 BUILDING, ACCESSORY: A building or structure located on the same lot as a principal building and devoted or intended to be devoted to an accessory use. Any portion of a principal building devoted to, or intended to be devoted to an accessory use is not an accessory building.

4.54.6 BUILDING LOT COVERAGE: The portion of the lot area, expressed as a percentage, that is covered by the maximum cross-sectional area enclosed by and including the outside walls of a building or buildings or other structures on a lot, together with the area of all porches, handicapped ramps, decks, balconies and similar structural projections.

4.64.7 BUILDING HEIGHT: is measured from average existing ground level within 10 feet of the structure to the highest point of the structure; including the top of any parapet, wall and/or ridge top and/or cupola or ornamental feature and/or mechanical device. Where a precipitous drop of 10 feet or more in the ground level occurs within 10 feet of the building or structure, the average ground level at that location shall be measured at the lowest point of visible foundation or slab.

4.8 CHILD CARE (CENTER/NURSERY SCHOOL): ~~A residential dwelling or a portion~~

~~thereof,~~ Licensed by the State Department of Health under section 19a-77(a)(1) of the Connecticut General Statutes which offers or provides a program of supplementary care to more than twelve unrelated children outside their own homes on a regular basis for a part of the twenty four hours in one or more days of the week. Such a center does not encompass those services which are administered by a public or private school, recreation services of a church related activity; or a community or municipal program or informal arrangement among neighbors, friends and/or relatives in their own homes.

4.8.1 CHILD CARE (FAMILY): As defined by Section 19a-77(a)(3) of the CGS, A private family home caring for not more than six children, including the provider's own children not in school full time, where the children are cared for not less than three or more than twelve hours during a twenty-four-hour period and where care is given on a regularly recurring basis except that care may be provided in excess of twelve hours but not more than seventy-two consecutive hours to accommodate a need for extended care or intermittent short term overnight care. During the regular school year, a maximum of three additional children who are in school full time, including the provider's own children, shall be permitted, except that if the provider has more than three children who are in school full time, all the provider's children shall be permitted.

4.7.4.8.2 CHILD CARE (GROUP): As defined by Section 19a-17(a)(2) of the CGS, a facility which offers or provided a program of supplementary care (A) to not less than seven or more than twelve related or unrelated children on a regular basis, or (B) that meets the definition of a family child care home except that it operates in a facility other than a private home.

~~4.7.4~~ **COMMERCIAL RECREATIONAL FACILITIES:** Any establishment which provides any form of commercial recreational activities for a price or fee, including indoor games, arcades, sports or any other leisure activities.

4.7.24.8.3 CONVENIENCE RETAIL GASOLINE STATION: A facility which includes gasoline pumps for the retail sale of gasoline and a retail building for the sale of convenience retail items such as food, beverages and other items.

4.9 COMMERCIAL RECREATIONAL FACILITIES: Any establishment which provides any form of commercial recreational activities for a price or fee, including indoor games, arcades, sports or any other leisure activities.

4.10 CONVENIENCE RETAIL GASOLINE STATION: A facility which includes gasoline pumps for the retail sale of gasoline and a retail building for the sale of convenience retail items such as food, beverages and other items.

4.8.4.11 COMMISSION: The term "Commission" shall mean the Planning and Zoning Commission of the Town of East Haven.

4.194.22 FLOOR AREA, MAXIMUM: In computing the total floor area of all buildings and other structures on any lot to determine compliance with maximum floor area provisions, measurements of floor area shall be taken to the outside surfaces of exterior walls enclosing the floor area; and shall also include all roofed-over floor areas [e.g. covered porches, car ports].

4.23 FRONTAGE: The distance measured along a continuous property line that is also a street line.

~~**4.20 GARAGE, PRIVATE:** An accessory building used only for the permitted storage of motor vehicles and/or as an accessory use for the occupant's private use. Detached garages shall not exceed fifteen [15] feet in height.~~

4.214.24 HOME OCCUPATION: A business or occupation conducted within a residence by the occupant of the residence as an accessory use which can be conducted consistent with the use such as an office with limited on-premise visitors, business conducted primarily using the internet, and other similar visits conducive to a residential environment.

4.26 JUNK YARD: The term JUNK YARD shall be construed to include any junk yard, motor vehicle junk business and motor vehicle junk yard as defined in the General Statutes of the State of Connecticut. The term shall also include any place of storage or deposit, whether in connection with a business or not, for one or more used motor vehicles which are either no longer intended or in condition for legal use on the public highways and shall also include any place of storage, or deposit of used parts of motor vehicles and/or other metals, iron, glass, paper, cordage and all other waste materials which, on any lot, have an aggregate bulk equal to one motor vehicle.

4.234.27 KENNEL: The term kennel shall include the term "Commercial Kennel" as defined. As the boarding, breeding, sale and day care of small domestic companion pets, including dogs, cats, parrots, fish, and other species commonly kept as pets.

4.244.28 LOT: A "lot" is defined as one of the following:

4.24.14.28.1 A parcel of land which conforms to the area, shape and frontage requirements of these Regulations.

4.24.24.28.2 A building lot shown on a subdivision map approved by the Commission and filed in the office of the Town Clerk for the Town of East Haven.

4.24.34.28.3 A parcel of land which is owned separately from any adjoining parcel or parcels as evidenced by fee conveyance recorded in the land records of the Town of East Haven.

4.29 LOT, CORNER: A corner lot is a lot connected by two intersecting streets, whether public or private and where the interior angle of said intersection is less than 135 degrees. A lot fronting on a curved street shall be considered a corner lot if the central angle of the curve is less than 135 degrees

4.254.30 MOTOR VEHICLE REPAIR FACILITIES: A business or establishment which performs on-site automotive and small truck repair, including repairing, painting and upholstering, establishments for motor vehicle washing with no gasoline or fuel sales.

4.264.31 NONCONFORMITY: See section 44 of these regulations.

4.26.14.31.1 : Non-Conforming Use, Building and/or Lot: See Section 44.11 of these Regulations

4.274.32 SPECIAL TERMS: The following sub-paragraphs define and explain “special terms” used in the *Flood Plain District* and the *Farm River Floodplain District* provisions of these Regulations

4.27.14.32.1 Addition to an Existing Building or Structure: means any walled and/or roofed expansion to the perimeter of a building or structure at, or below, grade, to which the addition is connected.

4.27.24.32.2 Base Flood Elevation: means the particular elevation of the Base Flood, as specified on the *Flood Insurance Rate Maps {F.I.R.M.}* for the Town of East Haven.

4.27.34.32.3 Basement: means that portion of a building or structure having its floor below ground level {sub grade} on three or more sides.

4.27.44.32.4 Development: means any man-made change to improved real estate; including, but not limited to: buildings or other structures, dredging, filling, grading, paving, excavating or drilling operations, or the permanent storage of goods and/or materials.

4.284.33 OFF STREET PARKING or LOADING SPACES: See Section 42.2 of these Regulations.

4.294.34 OUTSIDE STORAGE: See Section 25.7 of these Regulations.

4.304.35 PROPERTY LINE, REAR: is any property line which is parallel to, or within forty-five {45} degrees of being parallel to a street line, except for a lot line that is, itself a street line, and except that in the case of a corner lot, only one lot line shall be considered a rear property line.

		X	X	X	X	X	X
<u>4437</u>	Restaurants and other food service establishments including "drive-in" restaurants	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> XR	<u>CA-2</u> XR	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> S
		<u>CD</u> XR	<u>LI-1</u> XR	<u>LI-2</u> XR	<u>LI-3</u> XR	<u>S-1</u> XR	<u>DRA-1</u> X
<u>4538</u>	Restaurants and other food service establishments where customers are served only when seated at tables or counters and at least ¾ of the customers seats are located within an enclosed building. Such uses may include a food take-out service incidental to the primary permitted use, but shall not include establishments where customers are served in motor vehicles or served primarily at food take-out counters or drive-thru windows.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> SR	<u>CB-2</u> SR	<u>CC</u> SR
		<u>CD</u> XR	<u>LI-1</u> S	<u>LI-2</u> S	<u>LI-3</u> S	<u>S-1</u> S	<u>DRA-1</u> X
<u>46</u>	- <u>The sale of alcoholic beverages to be consumed within the premises or on-site, including those establishments which require one of the following permits issued by the State of Connecticut Liquor Control Commission: restaurant permit, café permit, club permit, hotel permit, and resort permit.</u>	<u>R-1</u> E	<u>R-2</u> E	<u>R-3</u> E	<u>R-4</u> E	<u>R-5</u> E	<u>RA-1</u> E
		<u>RA-2</u> E	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> X	<u>CB-2</u> X	<u>CC</u> X
		<u>CD</u> XR	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> XR	<u>DRA-1</u> X
<u>47</u>	- <u>Automobile- Car washing facilities including the washing of trucks, detailing and polishing.</u>	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> E	<u>CB-2</u> E	<u>CC</u> E
		<u>CD</u> X	<u>LI-1</u> E	<u>LI-2</u> E	<u>LI-3</u> E	<u>S-1</u> X	<u>DRA-1</u> X
<u>3948</u>	Motor vehicle service stations having a limited repairer's license issued by the State of Connecticut, provided that no pump for the retail selling of gasoline on any lot shall be located within less than 1500 feet of a pump for the retail selling of gasoline on any other lot.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> SR	<u>CB-2</u> SR	<u>CC</u> SR
		<u>CD</u> S	<u>LI-1</u> S	<u>LI-2</u> S	<u>LI-3</u> S	<u>S-1</u> XR	<u>DRA-1</u> X
<u>4449</u>	Motor vehicle repair garages including automobile, truck, trailer and farm equipment repairing when clearly accessory and subsidiary to a permitted use on the same premises.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> SR	<u>CB-2</u> SR	<u>CC</u> SR
		<u>CD</u> X	<u>LI-1</u> S	<u>LI-2</u> S	<u>LI-3</u> S	<u>S-1</u> X	<u>DRA-1</u> X
<u>50</u>	- <u>Motor vehicle repair facilities, including automobile, truck, trailer, and farm equipment.</u>	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X

	<u>repairing, painting and upholstering, the sale of new or used automobiles, trucks, trailers or farm equipment, radio or telephone installations, vehicle detailing, or the rental of automobiles and/or trucks.</u>	<u>RA-2</u> X	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> E	<u>CB-2</u> E	<u>CC</u> E
		<u>CD</u> X	<u>LI-1</u> E	<u>LI-2</u> E	<u>LI-3</u> E	<u>S-1</u> X	<u>DRA-1</u> X
<u>4251</u>	Hotels and Motels, and restaurants, recreation facilities and cabanas when accessory and subordinate thereto.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> S
		<u>CD</u> X	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> E	<u>DRA-1</u> X
<u>4352</u>	Bowling alleys and billiard or pool halls.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> E	<u>CA-2</u> E	<u>CB-1</u> E	<u>CB-2</u> E	<u>CC</u> E
		<u>CD</u> X	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> X	<u>DRA-1</u> S
<u>4453</u>	Marinas, docks, wharves, slip basins and landings for pleasure boats including the storage, repair and servicing of pleasure boats.	<u>R-1</u> XR	<u>R-2</u> XR	<u>R-3</u> XR	<u>R-4</u> XR	<u>R-5</u> XR	<u>RA-1</u> XR
		<u>RA-2</u> XR	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> S
		<u>CD</u> X	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> E	<u>DRA-1</u> X
<u>4554</u>	Sale of pleasure boats and marine equipment, engines, supplies and provisions for pleasure boats	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> S
		<u>CD</u> S	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> E	<u>DRA-1</u> X
<u>4655</u>	Veterinary Hospitals	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> S
		<u>CD</u> X	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> X	<u>DRA-1</u> X
<u>4756</u>	Medical and dental clinics, medical laboratories, rehabilitation facilities, licensed by the State of Connecticut.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> S
		<u>CD</u>	<u>LI-1</u>	<u>LI-2</u>	<u>LI-3</u>	<u>S-1</u>	<u>DRA-1</u>

		S	S	S	S	X	X
<u>4857</u>	Printing & Publishing establishments occupying not more than 5,000 sq. ft. of floor area	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> XR
		<u>CD</u> S	<u>LI-1</u> XR	<u>LI-2</u> XR	<u>LI-3</u> XR	<u>S-1</u> X	<u>DRA-1</u> X
<u>4958</u>	Printing and publishing establishments	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> SR	<u>CA-2</u> SR	<u>CB-1</u> SR	<u>CB-2</u> SR	<u>CC</u> S
		<u>CD</u> XR	<u>LI-1</u> S	<u>LI-2</u> S	<u>LI-3</u> S	<u>S-1</u> X	<u>DRA-1</u> X
<u>5059</u>	Warehousing and wholesale business	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> XR	<u>CA-2</u> XR	<u>CB-1</u> XR	<u>CB-2</u> XR	<u>CC</u> S
		<u>CD</u> XR	<u>LI-1</u> S	<u>LI-2</u> S	<u>LI-3</u> S	<u>S-1</u> X	<u>DRA-1</u> X
<u>50A60</u> <u>A</u>	Mini-warehouse facilities offering individual storage areas on a rental basis and excluding storage areas for motor vehicles.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> S
		<u>CD</u> X	<u>LI-1</u> S	<u>LI-2</u> S	<u>LI-3</u> X	<u>S-1</u> X	<u>DRA-1</u> X
<u>5461</u>	Storage of a reasonable quantity of retail merchandise and supplies necessary for the operation of a permitted use being conducted on the same lot.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> SR
		<u>CD</u> S	<u>LI-1</u> SR	<u>LI-2</u> SR	<u>LI-3</u> SR	<u>S-1</u> X	<u>DRA-1</u> X
<u>5262</u>	Commercial storage, sale and distribution of fuel.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> X	<u>CB-2</u> X	<u>CC</u> S
		<u>CD</u> X	<u>LI-1</u> S	<u>LI-2</u> S	<u>LI-3</u> SR	<u>S-1</u> X	<u>DRA-1</u> X
<u>63</u>	- <u>Convenience Store Gasoline Stations provided that none of the gasoline pumps be located within less than 1500 feet of a pump for the</u>	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X

	<u>retail selling of gasoline on any other lot.</u>	<u>RA-2</u> X	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> SR	<u>CB-2</u> SR	<u>CC</u> SR
		<u>CD</u> S	<u>LI-1</u> E	<u>LI-2</u> E	<u>LI-3</u> E	<u>S-1</u> X	<u>DRA-1</u> X
<u>5364</u>	Bulk storage of cement and petroleum products; concrete making plants.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> X	<u>CB-2</u> X	<u>CC</u> S
		<u>CD</u> X	<u>LI-1</u> S	<u>LI-2</u> E	<u>LI-3</u> X	<u>S-1</u> X	<u>DRA-1</u> X
<u>5465</u>	Freight and materials, trucking businesses & terminals; bus terminals.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> X	<u>CB-2</u> X	<u>CC</u> S
		<u>CD</u> X	<u>LI-1</u> S	<u>LI-2</u> E	<u>LI-3</u> X	<u>S-1</u> X	<u>DRA-1</u> X
<u>5566</u>	Freight and materials, trucking businesses when accessory and subordinate to a permitted use on the same premises.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> X	<u>CB-2</u> X	<u>CC</u> SR
		<u>CD</u> X	<u>LI-1</u> SR	<u>LI-2</u> SR	<u>LI-3</u> S	<u>S-1</u> X	<u>DRA-1</u> X
<u>5667</u>	Building contractors, business and storage yards.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> X	<u>CB-2</u> X	<u>CC</u> S
		<u>CD</u> X	<u>LI-1</u> S	<u>LI-2</u> E	<u>LI-3</u> X	<u>S-1</u> X	<u>DRA-1</u> X
<u>5768</u>	Lumber and building materials related businesses.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> X	<u>CB-2</u> X	<u>CC</u> S
		<u>CD</u> X	<u>LI-1</u> S	<u>LI-2</u> E	<u>LI-3</u> X	<u>S-1</u> X	<u>DRA-1</u> X
<u>5869</u>	Painting, woodworking, sheet metal, blacksmith, welding, tire recapping and machine shops when occupying not more than 5,000 sq. ft. of floor area.	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> X	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> SR
		<u>CD</u> X	<u>LI-1</u> SR	<u>LI-2</u> SR	<u>LI-3</u> SR	<u>S-1</u> X	<u>DRA-1</u> X

145	Churches and places of worship, parish halls, schools, colleges, universities, educational, religious, philanthropic and charitable institutions	<u>R-1</u> XR	<u>R-2</u> XR	<u>R-3</u> XR	<u>R-4</u> XR	<u>R-5</u> XR	<u>RA-1</u> XR
		<u>RA-2</u> XR	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> X	<u>CB-2</u> X	<u>CC</u> X
		<u>CD</u> XR	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> XR	<u>DRA-1</u> X
156	Day Nurseries/ Day Care	<u>R-1</u> P	<u>R-2</u> P	<u>R-3</u> P	<u>R-4</u> P	<u>R-5</u> P	<u>RA-1</u> E
		<u>RA-2</u> E	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> S
		<u>CD</u> X	<u>LI-1</u> E	<u>LI-2</u> E	<u>LI-3</u> E	<u>S-1</u> P	<u>DRA-1</u> E
167	The following uses when not conducted as a business or for profit: membership clubs; lodges and community houses; provided that there is no sale or use of alcoholic liquors on the premises	<u>R-1</u> E	<u>R-2</u> E	<u>R-3</u> E	<u>R-4</u> E	<u>R-5</u> E	<u>RA-1</u> E
		<u>RA-2</u> E	<u>CA-1</u> SR	<u>CA-2</u> SR	<u>CB-1</u> SR	<u>CB-2</u> SR	<u>CC</u> S
		<u>CD</u> S	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> E	<u>DRA-1</u> E
178	Membership clubs, lodges and community houses	<u>R-1</u> XR	<u>R-2</u> XR	<u>R-3</u> XR	<u>R-4</u> XR	<u>R-5</u> XR	<u>RA-1</u> XR
		<u>RA-2</u> XR	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> XR
		<u>CD</u> XR	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> XR	<u>DRA-1</u> X
189	<u>Public Park and recreation facilities; and private non-profit outdoor recreation facilities which are not conducted as a business or for profit</u>	<u>R-1</u> E	<u>R-2</u> E	<u>R-3</u> E	<u>R-4</u> E	<u>R-5</u> E	<u>RA-1</u> E
		<u>RA-2</u> E	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> S
		<u>CD</u> E	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> E	<u>DRA-1</u> E
20	<u>Public and private non-profit nature preserves, wildlife sanctuary and unimproved open areas.</u>	<u>R-1</u> S	<u>R-2</u> S	<u>R-3</u> S	<u>R-4</u> S	<u>R-5</u> S	<u>RA-1</u> S
		<u>RA-2</u> E	<u>CA-1</u> E	<u>CA-2</u> E	<u>CB-1</u> E	<u>CB-2</u> E	<u>CC</u> E
		<u>CD</u> E	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> E	<u>DRA-1</u> X

<u>2120</u>	A golf, tennis, swimming or similar club whether operated as a business for profit or not; including customary accessory services and eating facilities incidental to the conduct of a club but not including a golf driving range or miniature golf.	<u>R-1</u> E	<u>R-2</u> E	<u>R-3</u> E	<u>R-4</u> E	<u>R-5</u> E	<u>RA-1</u> E
		<u>RA-2</u> E	<u>CA-1</u> S	<u>CA-2</u> S	<u>CB-1</u> S	<u>CB-2</u> S	<u>CC</u> X
		<u>CD</u> X	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> X	<u>DRA-1</u> X
<u>224</u>	A summer day camp provided that there is no furnishing of rooms except for accommodations for employees of the camp	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> E	<u>R-4</u> E	<u>R-5</u> E	<u>RA-1</u> X
		<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> X	<u>CB-2</u> X	<u>CC</u> X
		<u>CD</u> X	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> E	<u>DRA-1</u> X
<u>232</u>	Commercial kennels subject to the following conditions:	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> E	<u>RA-1</u> X
[a]	The use shall be located on a lot of not less than five [5] acres	<u>RA-2</u> X	<u>CA-1</u> E	<u>CA-2</u> E	<u>CB-1</u> E	<u>CB-2</u> E	<u>CC</u> E
[b]	Commercial kennels may be permitted by Special Exception in the CA-1, CA-2, CB-1, CB-2, CC, CD, LI-1, LI-2 and, LI-3, as an accessory to animal hospitals and veterinary clinics on parcels smaller than five acres.	<u>CD</u> E	<u>LI-1</u> E	<u>LI-2</u> E	<u>LI-3</u> E	<u>S-1</u> X	<u>DRA-1</u> X
	No dogs shall be kept in any building or enclosure located within less than 150 feet of any property or street line						
[c]	<u>Any building in which livestock are kept shall be located less than 50 feet from any property or street line.</u>						
<u>24</u>	<u>Livery, boarding stables, and riding schools, subject to the following conditions:</u>	<u>R-1</u> X	<u>R-2</u> X	<u>R-3</u> X	<u>R-4</u> X	<u>R-5</u> E	<u>RA-1</u> X
[a]	<u>The use shall be located on a lot of not less than five [5] acres.</u>	<u>RA-2</u> X	<u>CA-1</u> E	<u>CA-2</u> E	<u>CB-1</u> E	<u>CB-2</u> E	<u>CC</u> E
[b]	<u>No dogs shall be kept in any building or enclosure located within less than 150 feet of any property or street line.</u>	<u>CD</u> E	<u>LI-1</u> E	<u>LI-2</u> E	<u>LI-3</u> E	<u>S-1</u> X	<u>DRA-1</u> X
[c]	<u>Any building in which livestock are kept shall be located not less than 50 feet from any property or street line.</u>						
<u>253</u>	Private hospitals, convalescent homes and sanitarium, licensed by the State of CT., subject to the following conditions:	<u>R-1</u> E	<u>R-2</u> E	<u>R-3</u> E	<u>R-4</u> E	<u>R-5</u> E	<u>RA-1</u> E
		<u>RA-2</u>	<u>CA-1</u>	<u>CA-2</u>	<u>CB-1</u>	<u>CB-2</u>	<u>CC</u>

SCHEDULE A: PERMITTED USES**USES**

1A	{a}	Farms, trucks, gardens, forestry and the keeping of livestock and poultry, provided that no livestock or poultry shall be kept on a lot of less than two (2) acres and any building, paddock or fenced in area, in which livestock or poultry are kept is located not less than 50 feet from any property or street line, except that an aggregate of not more than 20 chickens, similar poultry, rabbits, or similar small animals may be kept on a smaller lot if kept in a building or enclosure located not less than 20 feet from any property or street line.	<u>R-1</u> P	<u>R-2</u> P	<u>R-3</u> P	<u>R-4</u> P	<u>R-5</u> P	<u>RA-1</u> P
			<u>RA-2</u> P	<u>CA-1</u> P	<u>CA-2</u> P	<u>CB-1</u> P	<u>CB-2</u> P	<u>CC</u> P
			<u>CD</u> P	<u>LI-1</u> P	<u>LI-2</u> P	<u>LI-3</u> P	<u>S-1</u> P	<u>DRA-1</u> P
1BA	{b}	The keeping and raising on ONE horse, pony, sheep calf, goat, burro, mule, or donkey for personal or family purposes as a pet, on any lot having a minimum area of 40,000 square feet or, a fraction thereof, all subject to the following conditions.	<u>R-1</u> P	<u>R-2</u> P	<u>R-3</u> P	<u>R-4</u> P	<u>R-5</u> P	<u>RA-1</u> P
			<u>RA-2</u> P	<u>CA-1</u> P	<u>CA-2</u> P	<u>CB-1</u> P	<u>CB-2</u> P	<u>CC</u> P
		I. Any such animal, so maintained, shall be kept in a building or stable, which shall be detached from the main building on such lot, and which shall be located at least 50 feet from any property or street line; and 100 feet from any well from which water is taken for human consumption.	<u>CD</u> P	<u>LI-1</u> P	<u>LI-2</u> P	<u>LI-3</u> P	<u>S-1</u> P	<u>DRA-1</u> P
		II. Stable manure shall be kept in a covered, water tight pit or chamber and shall be removed at least once weekly from May 1st to October 1st, and during the other months at intervals sufficiently frequent to maintain a sanitary condition, satisfactory to the East Shore Health Department.						
1C	-	<u>Boarding of Horses, may be permitted for commercial purposes, subject to the following requirements.</u>	<u>R-1</u> E	<u>R-2</u> E	<u>R-3</u> E	<u>R-4</u> E	<u>R-5</u> E	<u>RA-1</u> X
	[a]	<u>The minimum parcel size shall be 5 acres.</u>	<u>RA-2</u> X	<u>CA-1</u> X	<u>CA-2</u> X	<u>CB-1</u> X	<u>CB-2</u> X	<u>CC</u> X
	[b]	<u>There shall be a maximum of one horse or other large farm animal, such as cattle, sheep, or goats, kept per acre of property. This shall include all animals kept on the subject property, including animals owned by the owner.</u>	<u>CD</u> X	<u>LI-1</u> X	<u>LI-2</u> X	<u>LI-3</u> X	<u>S-1</u> X	<u>DRA-1</u> X
	[c]	No building pen or run used for such purposes shall be located closer than 50 feet to any property line.						
	[d]	A fence, adequate to contain the subject animals, and suitable to the surroundings, shall be required.						
	[e]	The areas where the animals are kept shall be kept clean and sanitary, and there shall be no odors emanating from these areas that are detectable from adjacent properties.						

- c. No mechanized construction equipment shall be stored on any residential premises.
- d. No part of a lot located in a Residence District shall be used for access to any use that is not permitted in such District.

25.14 MOTOR VEHICLES IN RESIDENCE ZONES:

~~25.11.1~~25.14.1 Except as may be otherwise provided for in these Regulations, not more than one [1] registered, commercial vehicle, having a gross vehicle weight of 6,000 pounds [as provided for by the rating in accordance with the standards of the Connecticut Department of Motor Vehicles for a gross weight of a vehicle] and excluding tow and flatbed trucks shall be stored or parked consistently on any residential lot, and:

~~25.11.2~~25.14.2 That the aforesaid registered, commercial vehicle shall be owned by the resident or owner of the lot upon which said vehicle is being parked or stored.

25.14.3 Except as may be otherwise provided for in these ~~Regulations, Regulations, no not more than one~~ unregistered motor vehicles shall be parked, stored or located on any residential lot, ~~and provided that said vehicle is not stored in any front yard, or in a required setback area of the lot and that the vehicle is covered by an approved cover made and intended for vehicle storage or protection.~~

25.15 SPECIAL REGULATIONS FOR RESIDENTIAL ENTERPRISE DISTRICT (RE)

1. There shall be no business-related activities outside of the principal building.
2. There shall be no business-related activity in accessory buildings except storage.
3. Retail on-site sales shall be prohibited.
4. Services which require clients or customers to physically visit the place of business are not permitted.
5. No parking facilities shall be installed in the front yard, other than a conventional residential driveway.
6. All parking areas for business shall be setback a minimum of ten (10) feet from the right-of-way lines and property lines.
7. Shared parking vehicular access to the street for more than one lot shall be required, if the Commission determines that is feasible. This can be accomplished in one of the following ways as appropriate to the situation:
 - a. A driveway that would provide acces to two or more adjacent properties can be constructed, with the proper easements granted.

- b. An easement can be granted along an existing driveway on the subject property and/or other areas of the subject lot to permit current or future access to the rear of an adjacent property.
 - c. An easement can be provided along the boundary of the subject property at half the required driveway width for eventual use on which would serve to minimize the number of access points to the public road.
- 8. All parking areas shall be visually screened from the public right-of-way, through landscaping. Landscaping shall consist of native plantings with a minimum height of 30'.
- 9. The use of existing residential dwellings is preferred. Any new building construction shall be in conformance with required setbacks in Schedule B.
- 10. All new construction shall be compatible with neighboring residential structures, both in design, scale, and ornamental features.
- 11. A maximum of one dwelling unit shall be permitted in a structure also used for business purposes.
- 12. The shipment of materials supplies, and goods shall be limited to the occasional deliver/pick up by automobile or small two axel truck.

25.8.6 LANDSCAPING WITHIN PARKING LOTS: In addition to the requirements above, for parking facilities *exceeding 25 spaces*, interior landscaping shall be provided as follows:

25.8.6.1 Within the interior of the parking facility, landscaped areas shall be provided and located in such a manner as to break up the expanse of pavement throughout the lot.

25.8.6.2 Each interior landscape area shall be of a minimum area to ensure that the plantings therein will survive and thrive.

25.8.6.3 There shall be at least (1) deciduous tree situated within each area dedicated to landscaping and said landscape areas shall be protected and bordered by concrete curbing.

25.8.6.4 All parking areas with more than fifty (50) parking spaces shall contain landscaped strips separating aisles of parking spaces every three aisles. The strip shall have a minimum width of 8' and properly landscaped. The commission may require a walkway within these strips if the determine it necessary for pedestrian safety.

25.8.6.5 There shall be a landscaped area at the ends of each aisle with a minimum size of 20 square feet, with a deciduous tree or a species which is suitable in a parking lot environment.

25.9 COURTS and WINDOWS: In addition to the setback requirements specified in Section 25.4, the windows of rooms used for human occupancy in a dwelling containing two [2] or more dwelling units shall open onto yards, setback areas, courts or other open spaces. The least horizontal dimension of any court between opposing walls shall be not less than twice the average height of such opposing walls. In the case of a court formed by walls on three sides and open on the fourth side, this distance between the open and the opposite wall shall not exceed the distance between the other two walls, unless such latter distance is greater than 50 feet. On any lot, no window in one dwelling unit shall face a window of another dwelling unit at a distance of less than 25 feet. On any lot, no dwelling shall be nearer to another dwelling than the average height of such dwelling.

25.10 SETBACKS FROM WATER BODIES, WATER COURSES and WETLANDS: If any building, structure, driveway, outside storage area, patio or terrace is to be located and/or land is to be filled, developed or otherwise put to any use, other than its natural state, within

conservation function which should not be disrupted until after a determination that such areas can be used for human occupancy without danger to the public health, safety and property values. Plan review for all development in these districts will be essential with regard to safe access in emergencies, flood potentials, protective works and potential increases in flood danger to other property.

- 23.24 FARM RIVER FLOODPLAIN OVERLAY DISTRICT:** This district is in addition to, and overlaps one or more district for the purpose of defining that section of Town along and adjacent to the Farm River that lies in an area of special flood hazard where special precautions should be exercised and protective measures should be considered. Accordingly, in addition to the provisions and requirements of the applicable underlying district, all activities and uses within the Overlay District must also comply with all of the provisions of **Section 29**, as well as those of the Flood Damage Prevention and Control Ordinance of the Town of East Haven.
- 23.25 VILLAGE DISTRICT OVERLAY:** The purpose of the Village District is to preserve the character of the downtown and surrounding area, and to guide improvements in keeping with this character. The Village District is an overlay district, in which the uses of the underlying district are permitted, with a design review process to advise the Commission on aesthetic concerns. Guiding principles of this review.
- 23.26 DEVELOPMENT IMPROVEMENT DISTRICT:** The purpose of this zone is to permit and facilitate the development of comprehensively planned commercial – mixed use developments in accordance with the Plan of Conservation and Development. This is to be provided through flexibility in the design to create an environment which enhances the community environment to accommodate current and future social and economic forces of enhanced community character. The Development Improvement District shall be considered a floating zone which may be established by approval of the Planning and Zoning Commission within areas designated on the Zoning Map as an Eligible Development Improvement Area.
- 23.27 RESIDENTIAL ENTERPRISE DISTRICT:** This district is intended for properties within selected residential areas which would enable the use of these properties for low impact business used which would be compatible with proximate residential properties. These properties are located adjacent to commercial or industrial areas or located along certain section of the state highways.

30A.14.3 Violations: Failure to comply with any of the terms, conditions, restrictions or requirements of the Final Development Plans or any other documents and/or provisions in Connection with an approved Principle Use Application shall constitute a violation whereby the Commission is empowered to revoke such approval. Notice of such action shall be sent to the applicant within five (5) days of such action by the Commission. During the construction period, the Planning and Zoning Administrator shall periodically review progress and report his findings to the Commission. If it is determined that there are significant areas of noncompliance with representations, plans, schedules, or other matters, the Commission is empowered to suspend further construction until necessary compliance is achieved.

SECTION 30B DEVELOPMENT IMPROVEMENT DISTRICTS

30B.1 PURPOSE: The purpose of this zone is to permit and facilitate the development of comprehensively planned commercial-mixed use developments in accordance with the Plan of Conservation and Development by providing flexibility in the design to create a community environment which accommodates current and future economic forces and enhanced community character.

30B.2 APPLICABILITY: The Planned Development Improvement District shall be considered a floating zone. Properties in East Haven identified within one of the Development Improvement District areas may be considered for rezoning to this zone only if in conformance with the following conditions.

30A.2.1 The Development Improvement Districts shall be as indicated on the Town Zoning Map. The regulations of the underlying district shall be applied unless an application submitted in accordance with the requirements of Development Improvement District as approved by the Planning and Zoning Commission.

30A.2.2 Developments applied for and approved in accordance with the requirements of this section shall conform with the requirements of this section but are not required to conform to the requirements of the underlying district, including the bulk, setback and parking requirements.

30B.3 PERMITTED USES:

30A.3.1 All uses permitted within the underlying district in accordance with Schedules A and B of the East Haven zoning regulations.

30A.3.2 Commercial, industrial and residential use in conformance with the intent of the regulations and the plan of Conservation of Development as determined by the commission. Properties may be considered for development and use in accordance with the following standards and requirements of the Development Improvement District:

- a. Minimum parcel size two (2) acres. A parcel in existence at the date of approval of this section which is two acres or larger may not be divided or diminished in size to be considered for development in accordance within the Planned Development Improvement District.
- b. Available public water and sewer service.
- c. Comprehensive development plan for the entire subject area.
- d. Conformance with the Plan of Conservation and Development.

30A.3.3 All proposed development in accordance with the Development District shall be in accordance with a Conceptual Site Plan, approved by the Planning and Zoning Commission.

30B.4 SITE DESIGN: The commission shall consider the following factors in their review of the application for zone change- Concept Plan Approval. It is understood that not all these factors are relevant to all situations.

30A.4.1 BUILDING DESIGN AND PLACEMENT:

- a. Architectural styles like recently constructed high quality commercial and mixed-use developments planned and/or constructed within Southern Connecticut with an emphasis on a traditional New England styles and scale look as much as appropriate. Applicants should use decorative details on the exterior of the building appropriate to the architectural style that is being emulated. Buildings should have minimum details of window sills and frames and door frames. Other details such as quoins and lintels are encouraged.
- b. All rooftop utilities or other equipment shall be concealed from view of pedestrians, car traffic and residential units which may be located on higher floors, unless the Commission determines that it is not feasible due to reasons such as topography and site layout. Mansard roof or gabled roofs are preferred with flat roofs only being permitted where the proposed structure is taller than adjacent structures. Flat roofs should have a parapet and cornice appropriate to the architectural style of the building. More ornamental architectural details such as dentils, corbels, and an ornamental frieze are encouraged.
- c. The building shall be oriented towards the public street in the placement of entrances, store windows, façade treatment and other relevant factors.

30A.4.2 PEDESTRIAN CIRCULATION: The design of these areas should include a complete pedestrian circulation system, which emphasizes internal pedestrian circulation including:

- a. The area should be pedestrian linkages to neighboring properties and the surrounding neighborhood to the overall benefit of the neighborhood.
- b. There should be convenient internal circulation integrated with the external pedestrian linkages.
- c. Sidewalks along the road frontage should be installed and/or improved to contemporary standards.
- d. There should be adequate facilities for bicycles, including bicycle lanes, paths and storage racks, as appropriate.
- e. The plan shall include public gathering areas suitable for sitting, meeting etc. The area shall be equipped with benches or charis, pedestrian scaled lighting, and adequate trash receptacles. For larger developments, features such as public art are encouraged to be included.

30A.4.3 VEHICULAR CIRCULATION AND PARKING: The overall parking proposed shall be sufficient to accommodate the carious uses proposed within the site plan, as to location, time of use, and other factors as determined by the Commission, based upon the analysis submitted as part of the application. The project is not required to conform to the parking requirements as called for in Section 42, but should comply with the following:

- a. The use of joint parking and access is strongly encouraged.
- b. The impact upon traffic congestion should be minimized.
- c. Wherever feasible, measures which coordinate vehicular access with adjacent properties should be planned and implemented.
- d. The parking areas should be visually screened form the public street, adjacent properties and off-site residential areas. The screening shall be using plantings, decorative rock or masonry walls, or other treatments determined to be appropriate by the Commission.

30A.4.4 OVERALL SITE DESIGN:

- a. All areas of the site not covered by buildings, parking areas and driveways shall be suitably landscaped in a manner to create a beneficial component of the Town and the neighborhood. The design shall include necessary maintenance considerations such as watering, level of upkeep and the suitability of the landscaping species to thrive in the specific environment.
- b. Decorative paving materials for walkways and plazas and other non-vehicular surfaces should be utilized in the appropriate situations.
- c. Where suitable, the development should contain attractive entry features.

30A.4.5 SIGNAGE:

- a. Signage shall be consistent with an overall theme approved by the Commission, based upon the size of the proposed development, type of uses proposed, layout of the proposed structures, in a manner consistent with the intent of this regulation.
- b. The use of colors and materials shall be consistent with the overall theme with a minimal use of bright coloring.
- c. Internally illuminated signs are not permitted. External light may be used in a manner which does not create additional glare or nuisance.
- d. The signs shall be designed in scale with the proposed buildings and neighboring areas. They should only be large enough to identify the location of businesses or components of the development.
- e. The signage as approved by the Commission shall be incorporated within the approved conceptual plan.

30A.4.6 PHASING: The Conceptual Plan may be proposed in phases, subject to approval of the commission.

30B.5 PROCEDURAL REQUIREMENTS:

30A.5.1 INFORMAL CONSIDERATION: It is recommended that prior to the submission of a formal application for approval of an application for Conceptual Plan Approval, the applicant reviews it with the Commission and its staff in preliminary and informal manner.

30A.5.2 APPLICATION: A petition for a change of zone for Conceptual Site Plan approval within the Planned Development Improvement District shall be submitted to the Commission in accordance to the requirements for application for site plan and special exception approval of Article III, and shall be accompanied by the following:

- a. Statement indication the proposed uses of the area, special design considerations and features, architectural guidelines and themes, and how the proposal is consistent with the purpose of the Planned development Improvement District.
- b. Conceptual Plan which shows the general intent of the proposal. The following information shall be presented in enough detail to allow the Commission to determine if the plan is in the spirit of the Zone's intent, in addition to the information required under Article III:
 - i. Location and size of property, including a boundary map and a map showing the project site in the context of the surrounding area.
 - ii. General building and parking layout.
 - iii. Parking analysis to determine the projected parking demand of each use by time, the proximity of the parking to each use, the need for all day parking for specific uses, and times of peak parking demand for each proposed use, and relevant other issues.
 - iv. Proposed size, area, bulk, height, building envelope and square footage of the proposed buildings and uses.
 - v. Concept plan for uses to be proposed which may not necessarily include specific tenants.
 - vi. General vehicular and pedestrian circulation showing all proposed public and private drives, walking paths, sidewalks, and means of traffic calming and/or pedestrian safety.
 - vii. Proposed public areas such as parks, laen areas and recreational facilities.
 - viii. Landscaping and lighting plans showing areas of existing mature trees, all existing and proposed surface water resources, proposed landscaping treatments, proposed open space and recreational areas, and detail of proposed pedestrian-scaled lighting fixtures to be used.
 - ix. General streetscape and architectural design or theme, with exterior elevations, perspective drawings and descriptive information regarding building materials and exterior finishes.

- x. Tentative construction timeline and phasing plan.
- xi. Existing and proposed utility plan.
- xii. Traffic impact analysis, which describes the potential impact of the proposed used on public roads, and if needed, includes recommended improvements to such roads; and the adequacy and efficiency of the proposed internal circulation system. The Commission may request that the traffic impact be analyzed as to individual components of the overall plan.
- xiii. Economic and fiscal impact of proposed development, including the potential impact upon municipal finances and the potential impact upon the economy of the Town.
- xiv. Market study which analyzes the short and long-term potential demand for the proposed uses for the purpose to enable the Commission to determine of the project is potentially feasible.
- xv. Overall neighborhood impact analysis and conformance with the Plan of Conservation and Development.
- xvi. Other Information which may be required by the Commission.
- xvii. Phasing plan if necessary.

30A.5.3 REVIEW OF CONCEPT PLAN: Upon the determination that the application is complete and its acceptance, the application shall be reviewed by the Commission.

- a. After the application submission has been deemed to be complete and accepted, it shall be reviewed at a public hearing in accordance with Article III.
- b. After the public hearing, the Commission may disapprove or give approval to the Concept Plan or approval subject to modifications. Approval of the Concept Plan shall not constitute final approval and shall simply authorize the submission of Site plans setting forth in the detail the specifics of the proposed development and showing any modifications specified by the Commission.
- c. The approved Concept Plan, along with approved conditions and requirements shall be the governing tool for the zoning of the Planned Development Improvement projects.
- d. Property owners may apply for changes to the approved concept plan. If the Commission determines that the proposed changes are minor, in that they do not have a significant impact upon the overall character, impact function or circulation of the development, the Commission may approve the minor changes through a site plan amendment. However, if the Commission determines that the proposed changes are significant for any reason, they shall require that an application for a change of the conceptual plan be submitted and considered in accordance to the procedure of Section 58.
- e. A Site plan for at least the first of the approved phases of the development shall begin within two years of the date of the approval of the conceptual site plan

and zone map change. If no work has commenced within two years of the approval of the site plan, as evidenced by the issuance of a building permit for at least one of the principal structures on the site, the Commission shall have the discretion to revoke the approval of the zone map amendment and the conceptual site plan.

- f. After the public hearing the Commission may disprove or give approval to the Concept Plan or approval subject to modifications. Approval of the Concept Plan shall not constitute final approval of the Village Center Mixed Use District and shall simply authorize the submission of Site plans setting forth in detail the specifics of the proposed development and showing any modifications specified by the Commission.

30A.5.4 SITE PLAN:

- a. A site plan and application shall be submitted to the commission as required by Article III of the Zoning Regulations.
- b. Criteria for Approval of Site Plan- The Commission may approve the Site plan only after the commission finds that the Site Plan is consistent with the approved Concept Plan and any other applicable sections of the East Haven Zoning regulations.

30B.6 REGULATORY REQUIRMENTS:

- a. The approved Concept Plan, along with approved conditions and requirements shall be the governing tool for the coning of the Planned Development Improvement District.
- b. Property owners may apply for changes to the approved concept plan. If the Commission determines that the proposed changes are minor, in that they do not have a significant impact upon the overall character, impact functions, or circulation of the development, the Commission may approve the minor changes through a Site Plan amendment. However, if the Commission determines that the proposed changes are significant for any reason, they shall require that an application for a change of the conceptual plan be submitted and considered in accordance to the procedures of the Section and Article III of the East Haven Zoning Regulations.
- c. A Site Plan for at least one of the approved phases of this development shall be filed within two years of the date of the approval of the conceptual site plan zone map changes. If no work has commenced within two years of the approval of the site plan, as evidenced by the issuance of a building permit for at least on the the principal structures on the site, the Commission shall have the discretion to revoke the approval of the zone map amendment and the conceptual site

plan, and rezone the property to its original zoning district.

SECTION 30C VILLAGE DISTRICTS

30C.1 PURPOSE: The purpose of the Village District is to preserve the character of the downtown and surrounding area, and to guide improvements in keeping with this character. Downtown East Haven is the heart of this community, with a concentration of civic and religious institutions, retail uses and the Town Green. Together with the surrounding areas it is the core of the community.

In order to nurture the physical qualities that support this sense of place, the Village District established a design review process to advise the Commission on aesthetic concerns. Guiding principles of this review process are:

- a. To protect distinctive architectural character, historic structures and attractive landscaping elements and encourage compatible design in new development.
- b. To create an architectural design context that promotes the history, landmarks, and character of the area and creates a marketable appeal.
- c. To guide an improve the relationship and compatibility of structures, landscaping, signs, roadways, parking lots and drives, street hardware, lighting and similar features using guidance on matters such as color, material, scale, height, proportion, orientation, roof treatments and setbacks.
- d. To promote activity nodes and context through the organization, placement, scale, and design of buildings.
- e. To maintain and improve public views and amenities.
- f. To enhance the image and pedestrian use of the Village District through use of consistent standards for the design, treatment, and layout of roadways, sidewalks, and streetscape features.

30C.2 PERMITTED USES: The village District is an overlay district as designated on the Town Zoning Map. All uses permitted in the Underlying district(s) are permitted within the Village District in accordance with the relevant sections of the Zoning Regulations.

30C.3 AUTHORITY: This regulation is adopted pursuant to Public Act 98-116, as amended, in Act Concerning Village Districts, and is authorized by Section B-2 of the Connecticut General Statutes.

30C.4 APPLICABILITY: These regulations shall apply to any building or property which requires the approval of a site plan or special exception in accordance with the East Haven zoning regulations, including new construction, and substantial reconstruction and rehabilitation of buildings and structures, the installation or change in driveways, parking, or other pavement including design and materials, the change of installation of signs and other elements which have an impact upon the visual characteristics of the property as viewed from public spaces or adjacent properties within the district.

30C.5 The following design guidelines for the Village District are intended to guide the applicant when preparing an application in the Village District. The Commission shall evaluate each application for conformity with the following guidelines in determination of the approval of each application.

30C.5.1 OVERALL DESIGN GUIDELINES:

1. Maintain privacy between commercial and single-family residential uses. Minimize adverse impacts on adjacent properties.
2. Locate all utilities underground.
3. Emphasize curb cuts and internal circulation routes with landscaping or appropriate lighting and without the need of excessive signs.
4. Provide safe and accessible access to the site and building which blends in with the architecture and landscape of the site.
5. Minimize conflicts between pedestrians and vehicles with consistent treatments of sidewalks, driveways and parking lots.
6. Provide for snow storage or removal areas that do not damage landscaped areas. Encourage art in public spaces and along pedestrian walkways.
7. Create a strong architectural setting by locating as much of the parking as possible in the rear of the site. Additional parking may be located on the side of the building.
8. Screen parking areas from public view by using landscaping, berms, fencing, or elements of the building.
9. Locate no more than 20 parking spaces in a row without providing for a landscaped divider.
10. Where appropriate, provide for a landscaped buffer between the parking area and the building.
11. Pave and grade parking and site to prevent storm water from crossing public sidewalks.
12. Shared parking is encouraged where site conditions and uses permit. Plan street trees along the frontage of the site to establish a canopy.
13. Utilize plant materials that provide year-round interest in color, texture, shape or form.

14. Avoid blocking sight lines at curb cuts and intersections.
15. Include walks as public amenities and include benches, decorative paving, walls, or other features to promote pedestrian use and gathering.
16. Install Bike racks and trash receptacles, as both are encouraged throughout the Village District.

30C.5.2 ARCHITECTURE: The following guidelines shall be incorporated in all new buildings and renovated structures within the Village District.

1. Create visual variety by avoiding large, long, or monolithic building facades without defining architectural features.
2. Incorporate existing architectural features into new structures.
3. Create visual points of interest and pedestrian amenities particularly on large tracts of land.
4. Preserve historic structures, historic character and reflect historic massing and scale where applicable.
5. Incorporate rooflines which enhance visual interest and diversity using pitched roofs, color and material. Provide a balance of massing between the building and roof.
6. The following roofing materials are encouraged: slate, wood shingles, shakes, and standing seam metal. Asphalt shingles are acceptable and should be neutral to dark in color.
7. Provide prominent building entrances oriented to the street and include features that encourage pedestrian use.
8. Utilize architectural treatments to minimize the appearance of large buildings. Provide breaks in the frontage of such buildings by incorporating appropriate features that reduce the buildings bulk.
9. Create variety in the Village District by encouraging buildings that complement one another in form, color, or architectural detail.
10. Ensure that proportions between building height, length, and width are consistent with contemporary design standards.
11. Conceal all views of roof-mounted mechanical equipment and other appurtenances by incorporating these features into the building design, not by artificial screening methods.
12. Because the Village District possesses an assortment of architectural styles, these standards do not offer any architectural style or genre. Rather, they describe basic design elements and relationships that should be adhered to in order to maintain and

enhance the architectural fabric that currently exists.

13. Preferred building materials are brick, stone, and wood. Weel executed cast stone is acceptable if detailed and finished to be compatible with surrounding buildings. Corrugated, split block, and “cider block: exteriors visible by the public are not appropriate.
14. Materials should be used according to their logic and use of assembly and with appropriate detailing and expression. Cladding materials, such as wood siding, should not be used as a monolithic treatment, but rather broken up by appropriate trim and detailing.
15. Any new or exterior alterations should have significant trim details to be compatible with surrounding architecture. Renovation should not significantly reduce the level of architectural detail, and new construction should be detailed at a level compatible with the immediate area.
16. Trim details such as rake boards, corner boards and fascia trim should be of a material and dimension appropriate to the overall treatment of the façade.
17. Windows and doors should be balanced in their placement on buildings facades. Though literal symmetry is not necessary, a general balance among façade elements is desirable.
18. Buildings should have many windows and doors ar street level to encourage pedestrian traffic and commercial activity. Frequent entries contribute to a lively pedestrian space.
19. All exterior walls should have windows, especially if they face the street or any other public space.
20. Principal building entries should be oriented toward and visible from the street. Screen all ground-mounted equipment (e.g. “heating, ventilating, and air conditioning,” electrical, gas) using evergreen plantings or architectural detailing.
21. Conceal garage doors and loading areas from view of the surrounding streets.

30C.5.3 LANDSCAPING: Landscaping shall be designed to meet the following standards to the extent practicable:

1. Outdoor areas for public enjoyment are encouraged.
2. New Development in the Village District shall include landscaping, including lawns, plantings and walkways.
3. The use if indigenous plant material and native characteristic species is encouraged. Berms may also be required by the Commission where necessary to preserve and protect residential

uses or residential zones.

4. Landscaping shall be provided in all front, side and rear setbacks.
5. A front yard landscape buffer may be required by the Commission where necessary to preserve and protect residential property values and privacy of residential developments.
6. An Appropriate landscaped buffer shall be provided along the side and rear yards where commercial uses about residential uses or residential zones.
7. Canopy trees should be deciduous shade trees planted at least three (3) inches in caliper with a mature height of at least 35 feet. Trees planted under utility lines should be carefully selected so that their mature height does not interfere with the lines. Trees should be deciduous shade or ornamental trees planted at two (2) inches in caliper with a mature height of at least 12 feet.
8. Evergreens should be coniferous species planted at six (6) to eight (8) feet in height. Shrubs should be either deciduous species planted at two and one-half (2 1/2) feet in height with a mature height of at least six (6) feet or coniferous species planted at two and one-half (2 1/2) feet in spread. The Mature height of all plant material should be respected in selection and design.
9. Parking areas should be provided with landscaping, to provide a buffer to adjacent properties and break up large expanses of paving.
10. The Commission may require additional landscaping or more mature plantings when circumstances require, for noise and light abatement to prevent the depreciation of adjoining residential properties.

30C.5.4 EXTERIOR SITE LIGHTING:

1. Avoid relative brightness differences with adjacent dissimilar land uses. Conceal the lighting source from the public view.
2. Coordinate lighting fixtures with architecture it serves.
3. Avoid glare leaking onto adjacent properties.
4. The height of the lighting on a pole should be consistent with that of other public and private lighting.

30C.5.5 SIGNS: All signage shall conform to the standards of the underlying zoning district at a minimum in addition to the following.:

1. Avoid visual competition with other signs in the area.

2. Minimize the number of building and directional signs to avoid repetition. Integrate signage architecturally into the building façade.
3. Avoid repetitious signage information on the same building frontage regardless of the sign area allowed in the zoning regulations.
4. Construct freestanding monument signs at a low height whenever site conditions allow for visibility. Avoid top heavy, pole-mounted freestanding signs.
5. Do not use advertising and business slogans but identify the business and street address.
6. For buildings with more than one (1) occupant, a unified sign plan is required. The site should have an identifier sign that is generally freestanding and located at the main entrance. Signs for each occupant may be placed on the building but need to be coordinated with each occupant.
7. The color of the signs complements either the body or trim color of the structure being served.
8. The signs should be of appropriate scale to the site and building being designed.
9. Directional signs shall be used only when necessary. These signs shall mark entrance and direct traffic. Maximum area: three (3) square feet.
10. Temporary outdoor signs used to announce grand opening or temporary sales activities shall be consistent with the requirements contained within the zoning regulations.

30C.5.6 PUBLIC AMENITIES:

1. New buildings in the Village District are encouraged to incorporate public spaces to enhance the pedestrian environment, reinforce the open space network and provide for a balance of public and private space. All open space elements should enhance a pedestrian oriented environment that has the appearance of stability, quality and safety. To this end, the following elements are encouraged.
2. Orient public space to receive the maximum direct sunlight possible, using trees, overhangs and umbrellas to provide shade in the warmest months.
3. The design of planters, landscaping, walls and other street elements should allow visibility into and out of the open space.
4. Public spaces can feature art works; street furniture and landscaping that invite customers or enhance the building's

setting. Examples of desired features include walking surfaces of attractive pavers, site furniture, art work, or amenities such as fountains, seating, and kiosks.

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33.11.11 Legal Documents: The applicant shall either obtain all necessary legal documents or rights such as easements, rights-of-way, covenants, deed restrictions, etc. or otherwise provide sufficient written evidence to demonstrate the acquisition of such necessary legal documents or rights appear to have a reasonable probability of success.

33.11.12 Final Landscape Plan: Prior to the approval of any *Special Exception* or *Site Development Plan*; the applicant shall prepare and submit a detailed landscape plan for final approval. The detailed landscape plan ~~shall show~~ shall show the location, layout, type, size, number and species of all plantings within all landscape areas; the type and dimensions of all fencing, walls and other screening; and the proposed methods and specifications for planting. Final approval for said landscape plan must be secured prior to the issuance of a **zoning permit**.

33.11.13 Other: The Commission, upon written request by the applicant, may by resolution, waive or modify the required submission of all or any part of the information required under this **section** if the Commission finds that the information is not necessary in order to decide on the application. The Commission may also request the submission of such other additional information that it deems necessary in order to assist in a decision on the application.

33.11.14 Market Analysis: The applicant shall submit an assessment of the projected demand for the proposed use. Such analysis shall include such factors as a discussion of other similar uses, potential future demand, the economic feasibility of the proposed use(s) and other relevant factors.

33.11.15 Fiscal Impact: The applicant shall prepare and submit an analysis of the potential impact of the proposed buildings/uses on municipal expenses, both direct and indirect to be required by the proposed use.

33.12 SITE PLAN STANDARDS and OBJECTIVES: In reviewing a *Site Plan*, the Commission shall take into consideration the *public health, safety* and *general welfare* and, as a condition of approval, may require such modifications of the proposed plans as it deems necessary to comply with the specific area, bulk, parking, landscaping, sign and document standards contained herein as well as all other applicable requirements of these Regulations and to assure the accomplishments of the following general objectives:

33.121 Public Safety: That all buildings, structures, uses, equipment or materials are directly accessible for fire, police, and ambulance services. Said plans shall comply with the Town's Fire Ordinances and State Fire Codes. Said plans shall comply with all Town Building Ordinances and the Building Code; with specific regard to handicapped ramps, depressed curbs, parking and elevator provisions and subject to the approval of the Building Official.

⁶ NOTE: That population lose is over 75% of college graduates.

⁷ Conservation & Development Policies: A Plan for Connecticut: Office of Policy and Management, Hartford; 2013-2018, page 11

⁸ IBID: page 11

⁹ Policy Guide on Housing: American Planning Association; 2006; page 2

¹⁰ Plan of Conservation & Development: Town of East Haven, 2007; page 27

¹¹ NOTE: Some of the recommendations were taken from the Housing section of the POCD

SECTION 37: AFFORDABLE HOUSING:

37.1 Purpose: The planning & Zoning Commission hereby recognizes that there is a need to increase affordable housing in the town, to provide housing for our senior and workforce populations, and housing that is attractive to and affordable by young adults. However, it is important that all housing, including affordable housing, be developed in a manner which is consistent with the character and history of the Town, and is guided in a manner which is beneficial to all residents of the town. The Affordable housing regulations were established to encourage development of affordable housing to achieve the following:

1. Encourage property owners and developers to seek out opportunities to provide affordable housing and increase the availability of affordable housing in the Town.
2. Establish a procedure of the approval, construction and completion of enough affordable housing units to qualify for a moratorium under the provision of General Statutes 8-30(g), and will provide such assistance as may be needed to achieve this goal.
3. Ensure that applications submitted under General Statutes 8-30(g) result in safe, desirable communities, such applications shall be reviewed by the Commission, subject to the provisions of this Section.

37.2 Definitions:

1. As used in this Section, the term "Affordable Housing Application" shall be as set forth in Connecticut General Statutes § 8-30(g).
2. As used in this section, the term "affordable Housing Development" shall be set forth in Connecticut General Statutes § 8-30(g).
3. As used in this Section, the term "Set-Aside Development" shall be as set forth in Connecticut General Statutes § 8-30(g), as amended, meaning "a development in which not less than thirty percent of the dwelling units will be conveyed by deeds containing covenants or restrictions which shall require that, for at least forty years after the initial

occupation of the proposed development, such dwelling units shall be sold or rented at or below, prices which will preserve the units as housing for which persons and families pay thirty percent or less of their annual income, where such income is less than or equal to eighty percent of the median income. In a set-aside development, of the dwelling units equal to not less than fifteen percent of all dwelling units in the development shall be sold or rented to persons and families whose income is less than or equal to sixty percent of the median income and the remainder of the dwelling units conveyed by deeds containing covenants or restrictions shall be sold or rented to persons and families whose income is less than or equal to eighty percent of the median income and sixty percent of median income, as required by § 8-30(g).

4. As used in this Section, the term "Affordable Unit" shall mean a dwelling unit in a Set-Aside Development which is designated to be conveyed subject to deed restrictions concerning the sales or rental price of the unit.
5. As used in this Section, the term "Market Rate Unit" shall mean a dwelling unit in a Set Aside Development which is designated to be conveyed no subject to any deed restrictions concerning the sales or rental price of the unit.
6. As used in this Section, the term "Median Income" shall be as set forth in Connecticut General Statutes § 8-30(g), as amended, meaning "after adjustments for family size, the lesser of the state median income or the area median income for the region in which the Town is located, as determined by the United States Department of Housing and Urban Development.
7. This Section may refer to terms which are defined in Connecticut General Statutes § 8-30(g); such terms shall have the meaning ascribed to them by said statute.

37.4 Applicable Zoning Districts: Affordable Housing developments shall be permitted by Special Exception only in the following zoning districts:

<u>R-1</u>	<u>RA-2</u>	<u>CB-2</u>
<u>R-2</u>	<u>CA-1</u>	<u>CC</u>
<u>R-3</u>	<u>CA-2</u>	<u>CD</u>
<u>RA-1</u>	<u>CB-1</u>	<u>DRA-1</u>

37.4 Affordable Housing Development Design and Construction Standards: In order to further substantial public interests in health and safety, and to ensure that the legal requirements provided by Connecticut General Statutes § 8-30(g) are met, the Commission has determined that in addition to any other requirement of these Regulations, Affordable Housing Developments shall comply with the following design and construction standards:

37.4.1 Size of Units: In a Set-Aside Development, Affordable units and Market rate Units shall be of comparable size and workmanship. For purposes of this section, the term comparable size shall mean that:

- a. The gross square footage of each Affordable Unit shall be no less than 75% of the average size of all Market Rate units.

- b. The number of bedrooms in each affordable unit shall be no less than the average number of bedrooms provided in all Market Rate Units, rounded up to the nearest whole number, minus one (1) bedroom.
- c. No more than two (2) units which are designated as Affordable Units may be located adjacent to each other on the same street, road, driveway, or cul-de-sac.
- d. Affordable Units and Market Rate Units shall be constructed at a ratio of 2 market Rate Units for each Affordable Unit. Affordable units for persons earning 80% of the median income shall be constructed alternately with those for persons earning 60% of the Median income. No building permits may be issued for Market Rate Units, or for structures containing more than one Market Rate Unit, if the ratio of building permits issued for Market Rate Units would exceed the ratio stated in the Section.

37.5 Application Requirements: All applications for an affordable housing set -aside development shall include the following:

37.5.1 Conceptual Site Plan: The Conceptual site plan shall be submitted for review by the Commission, and should contain the following information:

- a. Conceptual Site Plan at a scale on 1 inch equals 100 feet.
- b. Boundaries of the parcel.
- c. General topography highlighting areas including, inland wetlands and watercourses, flood hazard areas, heavily wooded areas and other significant natural or man-made features of the land.
- d. Proposed location of all units and structures used.
- e. Proposed roads, driveways, and parking areas.
- f. Sample floor plans for each proposed unit style, including a designation of the principal use for each room.
- g. A community lighting plan, addressing street lighting on public and private roads, off- street lighting and lighting to be affixed to buildings.

37.5.2 Narrative: A narrative shall be submitted to accompany the Conceptual Site Plan describing:

- a. Proposed total number of residential units.
- b. Proposed total number of affordable units and the affordability levels of the affordable units.
- c. The proposed size and/or number of bedrooms of the market rate units, and the different levels of affordable units.
- d. Proposed method, demand and capacity of water supply and systems.
- e. Proposed method, demand and capacity of sanitary waste disposal and systems.
- f. Proposed completion sequence.

37.5.3 Traffic Impact Study: The applicant shall submit a traffic impact study with sufficient information to assess the impact upon surrounding streets and impact upon surrounding neighborhoods.

37.5.4 Affordability Plan: The Affordability Plan shall meet the criteria stated in section 6-30(g) of the Connecticut General Statutes.

37.5.5 Neighborhood Environmental Impact Analysis: The analysis shall include sufficient information and data to analyze the impact of environmental resources, compatibility with neighboring properties and impact on the overall community.

STANDARD PARKING SCHEDULE (amended 11/5/2014):

<u>USE CLASSIFICATION</u>	<u>MINIMUM SPACES REQUIRED</u>
DWELLING WITH 1 or 2 DWELLING UNITS:	2 ½ spaces per each dwelling unit.
<u>ONE BEDROOM DWELLINGS</u> with MORE THAN 2 DWELLING - UNITS	<u>12 ½ spaces per each dwelling unit.</u>
<u>TWO BEDROOM DWELLINGS</u> with MORE THAN 2 DWELLING UNITS	<u>2 ½ spaces per each dwelling unit.</u>
<u>THREE BEDROOM DWELLINGS</u> with MORE THAN 2 DWELLING UNITS	<u>3 ¼ spaces per each dwelling unit</u>
<u>FOUR OR MORE BEDROOM</u> <u>DWELLINGS with MORE THAN 2</u> <u>DWELLING UNITS</u>	<u>4 spaces per each dwelling unit<,plus</u> <u>an additional ¾ spaces for each</u> <u>bedroom above four bedrooms</u>
PROFESSIONAL or BUSINESS OFFICE in a DWELLING	As per site plan approval or 1 space per each 4 200 sq. ft. of gross floor
ROOMS to RENT in a DWELLING UNIT	1 space per bedroom or rooming unit.
COMMUNITY RESIDENCE	1 space per bedroom or rooming unit.
CHURCHES, PLACES of WORSHIP, THEATERS, ASSEMBLY HALLS or STADIUM	1 space for each 3 seats or 6 feet of pews or benches.
UNDERTAKERS or FUNERAL HOMES	20 spaces per chapel or viewing room.
MEMBERSHIP CLUBS, LODGES, COMMUNITY CENTERS	1 space for <u>ach 3 occupants, based</u> <u>upon the maximum occupancy as</u> <u>determined by the Fire Marshal.</u> 2
HOSPITALS, CONVALESCENT HOMES, SANITARIUMS, OLD AGE HOMES, REST HOMES	1 space per each 3 beds for patients or guests plus 1 per employee on the largest daily work shift.
CHILD DAY CARE, FAMILY DAY CARE and GROUP DAY HOMES	1 space for each employee plus 1 space for every 6 4 children or adults
RETAIL and SERVICE ESTABLISHMENTS; BANKS and Other FINANCIAL INSTITUTIONS	2 spaces per 175 1 space per 250 sq. feet of gross floor area.
MEDICAL and DENTAL OFFICES	2 spaces per 175 5 spaces per 1,000 sq. feet of gross floor area.
OTHER PROFESSIONAL & BUSINESS OFFICES	1 space per 150 square feet of floor area.
HAIRDRESSING & BARBER SHOP	1 space per employee plus 2 spaces per work station. 250 sq. ft. of floor area.

“SPECIAL RETAIL ESTABLISHMENT”, including furniture, appliance, specialty lighting, carpet stores and similar low traffic volume uses	1 space per 250 sq. feet of gross floor area used for the display of goods, plus 1 space per 500 sq. ft. of storage, warehousing, shipping & receiving.
RESTAURANT & FOOD SERVICE ESTABLISHMENTS (excluding any patron bar area)	2 space per 75 sq. ft. of patron floor area. <u>1 space per 2 seats</u>
PATRON BAR and COCKTAIL LOUNGE AREA	1 space per 25 sq. ft. of patron floor area.

MOTOR VEHICLE SERVICE STATIONS, REPAIR GARAGES, CAR WASHING FACILITIES	10, plus 5 spaces per garage bay in excess of 2 bays (5 per bay) plus one space for every vehicle for sale for sale on the property and one space per employee.
HOTELS & MOTELS	1 <u>2</u> space per guest room plus 1 space per employee.
<u>COMMERCIAL RECREATION INCLUDING, BOWLING ALLEYS</u>	5 spaces per alley. <u>1 space per each 3 occupants, based upon the maximum occupancy as determined by the Fire Marshal.</u>
<u>FLEA MARKET</u>	1 space per 50 feet of display area, plus 1 space per each employee, plus 1 space per vendor.
MANUFACTURING, PROCESSING or ASSEMBLING PLANTS, RESEARCH LABS, CENTRAL OFFICE BUILDINGS WAREHOUSE, WHOLESALE BUSINESSES, CONTRACTOR or LUMBER YARDS, TERMINALS and DISTRIBUTORS	12 space per 400 square feet of gross floor area or 1 space per each employee on the largest shift, whichever is greater.
AUTOMOTIVE RETAIL SALES FACILITY	Number of spaces to be determined by lot size. P&Z Commission will determine number of vehicles that can be parked for sale. 1 space per vehicle for sale, plus 1 space per employee is required plus 5 customer spaces.
<u>BUSINESS ADMINISTRATIVE OFFICES</u>	<u>1 space per 40 sq. ft.</u>

OTHER USES NOT COVERED ABOVE	The Commission shall determine the number of required spaces to preserve the intent of this section .
HANDICAPPED PARKING	All above parking requirements also must meet State guidelines for Handicapped Paring at their facilities.

42.3 LOADING SPACE STANDARDS: Each hospital, hotel, motel, retail store building, undertaker's or funeral home establishments, restaurant, tavern, bar, nightclub, social club, catering facility, furniture or appliance store, warehouse, wholesale business, trucking terminal, contractor's business, lumber yard, research laboratory and any establishment dedicated to the manufacturing, processing, assembling and/or sale of goods, having a ground floor area in excess of 4,000 square feet, shall have one off-street loading space for each 40,000 square feet of "gross floor area" or a fraction thereof, excluding basements, and located on the same lot with the building.

42.4 CLASSIFICATION of USES: Whenever two or more classifications of "uses" apply to a site, building or other structures, the standard requiring the larger number of parking spaces shall apply; but where separate parts of a building or structure are used for purposes [uses] requiring a different number of parking spaces, the number of required spaces shall be determined by adding the number of spaces required for each part.

42.5 JOINT USE of SPACES: Except where the required parking must be located on the same lot with the building; joint parking areas and loading spaces may be established by the owners of separate lots in order to provide the total number of off-street parking and loading spaces required. The applicant shall supply evidence, acceptable to the Commission, as to the permanency of jointly-provided parking spaces.

42.6 MODIFICATION of STANDARDS: The Commission may, in connection with the approval of a *site plan*, or the granting of a *special exception* authorize a lesser number of off-street parking and/or loading spaces by special exception than is specified in **sections 42.2 and 42.3** or authorize such spaces to be located on a lot other than the lot where the use is located, if the Commission determines that one or more of the following standards and conditions are met:

42.7.1 The number of spaces provided on the *site plan* are sufficient in number to accommodate the vehicles of all persons using and visiting the particular use, or occupancy of land, buildings or other structures specified in the "*statement of use*" or on the application for a *zoning permit*. The applicant shall submit an analysis of times and day of peak usage of each individual use which will be utilized in determination of the Commission to permit a reduced number of parking spaces.

42.7.2 The Commission may reduce the required number of parking spaces if a public parking area located within 250' of the proposed use and the public parking lot has sufficient parking available. ~~re is suffieient and suitable reserved area on the lot to provide for the required number of spaces in the future should the need arise, and if~~

~~the Commission requires the additional parking area to be developed.~~

42.7.3 That spaces located on another lot are conveniently accessible to persons normally using or visiting the use, and that traffic congestion and on-street parking and loading will not result from the use of the off-site parking area.

42.7.4 The authorization and approval shall be applicable only to the proposed use or occupancy of the site, buildings and other structures specified in the **statement of use** and/or **zoning permit**. Said approval shall immediately become null and void upon any change in the use or occupancy to another use or occupancy without Commission approval as a **site plan modification**.

~~**42.7.4.2.5** The Commission finds that the required number of spaces is sufficient based upon an analysis of peak hour demand for parking spaces for the collective proposed uses, or that the proposed use(s) would require fewer parking spaces than required herein due to special use characteristics.~~

42.7 DESIGN and CONSTRUCTION STANDARDS: All off-street parking, loading spaces, curbing, landscape islands and wheel stops shall be suitably drained and maintained so as to cause no nuisance or danger to pedestrian traffic, dust, storm water, icing conditions and/or accumulated snow or from storm water flow or drainage onto any public street or adjacent property. The entire parking area, including all parking spaces and maneuvering lanes or aisles shall be surfaced with bituminous concrete or Portland cement concrete in accordance with these Regulations and the specifications approved by the Town Engineer. In all commercial and industrial districts and in any other district mandated by the Commission, curbing shall be constructed of a type of approved concrete cement and/or granite.All off-street parking and loading spaces shall be *designed* and *constructed* in accordance to the following standards:

47.72.12 Dimensions:

42.7.1.1 Each *parking space* shall constitute an area of such shape as to contain a rectangle of not less than nine [9] feet by twenty [20] feet, with vertical clearance, access and slope as to accommodate one [1] automobile. When the end of such space is adjacent to, and capable of overhanging a *concrete curbed*, landscaped area or island, the length of the space may be reduced to eighteen [18] feet by allowing the concrete curb to function as a "*wheel stop*".

42.7.2 Each loading space shall constitute an area with such shape, vertical clearance, access and slope as to accommodate trucks of the type, size and width that are servicing the lot or the particular use. In no instance, shall a loading space be less than 14 feet in width, 35 feet in length and with a vertical clearance of 15 feet.

~~Each **loading space** shall constitute an area with such shape, vertical clearance, access and slope as to accommodate trucks of the type, size and width that are servicing the lot or the particular use. In no instance, shall a loading space be less than 14 feet in width, 35 feet in length and with a vertical clearance of 15 feet.~~

42.7.3 Access: Each parking space shall be provided with adequate area for aisles and access lanes, so that an automobile having an overall length of 18 feet can approach the space and execute any necessary backing and turning movements without a need to utilize any part of a public street right-of-way; and can exit onto a street in a “front forward” direction. This “front forward” exit requirement shall not apply to parking spaces provided in conjunction with a conventional dwelling containing one or two dwelling units, or an office in a dwelling unit.

42.7.4 No off-street loading space, including any truck loading bay, ramp or dock, shall be designed or arranged in a manner that a truck must use any part of a public street right-of-way in order to back into such loading area and thereby hinder public traffic.

42.7.5 Points of entry or egress driveways onto a public street right-of-way shall be located so as to minimize hazards to pedestrian and vehicular traffic in any street.

42.7.6 Off street parking facilities shall be designed in accordance with the following *minimum requirements* except in instances necessary to satisfy the *Connecticut Building Code* for *handicapped spaces*:

<i>Parking Pattern</i>	<i>Aisle Width</i>	<i>Stall Width</i>	<i>Stall Length</i>	<i>Total Width</i> (One row of stalls + aisles)	<i>Total Width</i> (Two rows of stalls + aisles)
0 degrees (parallel)	12 feet (one-way), 20 feet (two way)	9 feet	23 feet	21 feet (one-way), 29 feet (two way)	30 feet (one-way), 38 feet (two way)
30 to 53 degrees	12 feet (<u>one way</u>)	9 feet	20 feet	32.5 feet	53 feet
54 to 74 degrees	15 feet (<u>one way</u>)	9 feet	20 feet	37 feet	59 feet
75 to 90 degrees	22 feet	9 feet	20 feet	42 feet	62 feet
<i>Note: Aisle width may need to be increased in instances where fire and/or safety apparatus is required to utilize access/maneuvering aisle.</i>					

42.7.7 IMPROVEMENT: All off-street parking, loading spaces, curbing, landscape islands and wheel stops shall be suitably drained and maintained so as to cause no nuisance or danger to pedestrian traffic, dust, storm water, icing conditions and/or accumulated snow or from storm water flow or drainage onto any public street or adjacent property. The entire parking area, including all parking spaces and maneuvering lanes or aisles shall be surfaced with bituminous concrete or Portland cement concrete in accordance with these Regulations and the specifications approved by the Town Engineer. In all commercial and industrial districts and in any other district mandated by the Commission, curbing shall be constructed of a type of approved concrete cement and/or granite.

42.7.8 LAYOUT: All off-street parking and loading areas shall be provided with spaces of suitable angle, width and length and with access aisles of sufficient width and suitable alignment to such spaces as to allow a safe and convenient use of each parking space

42.7.9 A “parking bay” shall consist of two [2] parallel rows of parking stalls, separated by an aisle for access and maneuvering into said stalls. All proposed uses and any proposed change of use shall provide sufficient handicapped parking as is required by the Connecticut State Building Code Provision shall be made for safe and convenient use of all parking spaces, and for the circulation within parking areas in the following manner:

42.7.9.1 by providing suitable circulation driveways that give proper access to the parking aisles and the parking spaces therein.

42.7.9.2 by providing safe pedestrian circulation within the parking area

42.7.9.3 by providing for channelized traffic flow within the parking area, including provisions for curbed, raised and landscaped linear islands separating any two [2] parking bays from any other parking bay.....and

42.7.9.4 by providing suitable markings, curbs, end islands, fences or other devices that encourage proper and efficient use of each parking space, providing that not more than 15 parking spaces shall be permitted in any continuous row without being interrupted by a curbed, raised and landscaped island having a minimum width of seven [7] feet.

42.7.9.5 No loading space shall be arranged in such a manner as to **obstruct** and/or **interfere** with the use of any required parking spaces or traffic circulation lane within the parking area.

42.7.9.6 No area of a parking lot with six or more spaces shall be located within six feet of the public right-of-way. The strip of land between the parking lot and public right-of-way shall be suitably landscaped with grass and at least one shrub with a minimum height of 24’ planted at least once every five feet. Such area shall be properly maintained by the property owner.

42.8 DRIVEWAYS:

42.8.1 INDUSTRIAL, COMMERCIAL, MULTI-FAMILY, RESIDENTIAL, AND OTHER NON-RESIDENTIAL USES: There shall be no more than ~~onetwo~~ [12] driveways entering any lot with 250' of frontage on any one ~~from any one~~ street, except that there may be one [1] additional driveway for each additional 250 feet of lot frontage in excess of ~~250'300~~ feet. Separate one-way driveways for entrance and exit shall count as one driveway. Driveways designed to accommodate one-way traffic shall not be less than 16 feet in width and not less than 26 feet in width if designed for two way traffic, and all width measurements shall be taken at the street line. Where the driveway pavement intersects with the street pavement, it shall be provided with a minimum inside radius of 16 feet unless a larger radius is required by the Town, it's Engineer or the State. Driveways shall not exceed 30 feet in width at the street line unless a greater width is required by Town Ordinance or by the State of Connecticut.

47.8.2 ONEAND TWO-FAMILY RESIDENTIAL USES: No more than one driveway shall be permitted for each lot, with a maximum width of 20 feet. All driveways shall be paver or use a suitable pervious service which is designed to avoid mud and rapid deterioration. No parking shall be permitted on any unpaved surface such as lawns.

~~**42.71** LOCATION, Loading Spaces:~~ ~~No off street loading spaces or their access aisles shall be located in the area required for setback from a street line or a Residence District boundary line; or within 10 feet of any side line.~~

~~**LANDSCAPING:** Except for parking spaces provided in connection with one, two and three family dwelling units and except for permitted driveway entrances, parking spaces and sidewalks, the area required for setback from a street or side property line shall be suitably landscaped with trees and/or shrubs, lawn, washed decorative gravel, decorative mulch or other appropriate ground cover. When parking spaces and/or access drives are located within 20 feet of a street line, said areas shall be separated from such street line by appropriate landscaping and/or berming in such a manner as to soften the visual impact of said areas.~~

42.842.9 WAIVER OF IMMEDIATE INSTALLATION of MINIMUM PARING SPACES: With respect to the installation of the minimum number of parking spaces required by this **section**, the Commission may consider a written request from the applicant or property owner to waive the immediate installation of not more than *twenty five percent* of the required number of parking spaces under the following conditions:

42.98.1The submitted parking plan shall show the layout for the *full parking requirement* and clearly identify those spaces for which the waiver of immediate installation is being requested.

42.9.2That the Commission find the reduced number of parking spaces proposed to