

RPC Representatives:

- BETHANY  
*Vacant*
- BRANFORD  
Charles Andres (Executive Committee)
- EAST HAVEN  
*Vacant*
- GUILFORD  
Sean Cosgrove
- HAMDEN  
Hannah Leckman
- MADISON  
Carol Snow (Vice Chair)
- MERIDEN  
Kevin Curry (Executive Committee)
- MILFORD  
Robert Satti (Chair)
- NEW HAVEN  
*Vacant*
- NORTH BRANFORD  
*Vacant*
- NORTH HAVEN  
Paul Weymann
- ORANGE  
Tom Torrenti
- WALLINGFORD  
Jeffrey Kohan (Secretary)
- WEST HAVEN  
Christopher Suggs
- WOODBRIIDGE  
Robert Wiznia

## South Central Connecticut Regional Planning Commission

**TO:** Regional Planning Commission

**FROM:** Ian McElwee, Regional Planner

**RE:** RPC Meeting

<b>DATE</b>	June 11 <sup>th</sup> , 2026	<b>LOCATION</b>	Microsoft Teams	<b>DIAL-IN</b>	+1 929-346-7262
<b>TIME</b>	5:15 p.m.	<b>VIDEO ID</b>	252 796 364 184 03	<b>DIAL-IN ID</b>	863 3106 7935
		<b>VIDEO PASSWORD</b>	x8MH9PJ6	<b>DIAL-IN PASSWORD</b>	428 733 548#
Notice: This is a virtual meeting with remote access via Microsoft Teams.					

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3	Other Business	
3.1	Regional Program Updates	

Agenda and attachments for this meeting are available on our website at [www.scrkog.org](http://www.scrkog.org). Please contact SCRCOG at (203) 234-7555 for copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two weeks' notice.

"Necesidades especiales: a las personas con discapacidad auditiva se les proveerá con medios auditivos y/o intérpretes de signos. Igualmente intérpretes para personas que hablan poco inglés, pero será preciso avisar con dos semanas de antelación. Se puede solicitar la agenda en otro idioma que no sea inglés comunicándose con SCRCOG".

**SOUTH CENTRAL CONNECTICUT**  
**Regional Planning Commission**

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**MEETING MINUTES**

**DRAFT – Not yet approved by the Commission.**

The meeting of the Regional Planning Commission (RPC) was held on Thursday, May 14<sup>th</sup> at 5:15 p.m. via Zoom.

**Presiding:** Robert Satti, Chair

**Voting Members Present:** Paul Weymann, Robert Wiznia, Charles Andres, Carol Snow, Jeffrey Kohan

**Non-Voting Members Present:** Kaelie Moran, New Haven City Plan

**Staff Present:** Ian McElwee

**1. Administration**

1.1 Minutes of the April 9<sup>th</sup>, 2026 Meeting

Motion: Wiznia. Second: Snow

Vote Passed: Unanimously

**2. Action Items**

2.1 Town of Wallingford. Proposed Zoning Text Amendment on various changes related to PA 25-1. Received: April 10, 2026. Public Hearing: May 11, 2026.

McElwee explained that the zoning text amendment would align the Town’s regulations with recent requirements from the state in Public Act 25-1. He stated that the changes are centered around on-site parking minimums, manufactured mobile homes, and the filing of protest petitions. He assured the commission that because the new regulation text would be consistent among all municipalities in the state, there is no inherent inter-municipal impact or impact to the health of the Long Island Sound. He finished by stating that more of these changes will be coming in the next few months.

Motion: Snow. Second: Wiznia.

Abstain: Kohan.

Vote Passed: Unanimously

**SOUTH CENTRAL CONNECTICUT**  
**Regional Planning Commission**

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2.2 City of Milford. Proposed Zoning Text Amendment on accessory dwelling units. Received: April 17, 2026. Public Hearing: May 2026.

McElwee explained that in January 2026, the commission heard a referral from the City of Milford that would allow detached garages on properties in R-30 and R-A zones with a minimum lot size of 30,000 square feet to be converted to accessory dwelling units by-right. He explained that this referral is expanding the allowance to R-18 districts and properties with detached garages that have minimum lot sizes of 18,000 square feet. He summarized that he believes this is being done to allow for greater ADU conversions and creating more housing opportunities in the City. He said that this would not have any inter-municipal impact and would in fact have a positive impact to the health of the Long Island Sound.

Motion: Kohan. Second: Weymann.

Abstain: Satti.

Vote Passed: Unanimously

2.3 Town of Guilford. Proposed Zoning Text Amendment around building permit authorizations. Received: April 21, 2026. Public Hearing: June 3, 2026.

McElwee explained that this is purely a regulatory change that would allow new buildings or major renovations that require a zoning permit to be issued such permits at the same time as a building permit or a certificate of occupancy. He stated that the Town is looking to streamline the process in their new permitting software and to reduce the number of applications and steps an applicant has to take on projects. He said that this regulatory change would not have any inter-municipal or Long Island Sound impacts.

Motion: Andres. Second: Kohan.

Vote Passed: Unanimously

2.4 City of West Haven. Proposed Zoning Text Amendment on various changes. Received: April 22, 2026. Public Hearing: June 9, 2026.

McElwee explained that the City of West Haven is currently working on a comprehensive clean-up of their zoning regulations and that this is the second phase of the process that is addressing a number of inaccuracies, redundancies, and other needed changes. He stated that some of these changes include text on site plan reviews, marijuana facilities, planned

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**Regional Planning Commission**

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residential districts, outdoor sales, and smoke shops. He said that some changes are being done to provide clarity for applicants while others are being done to comply with different state statutes. He said that the changes would not cause any inter-municipal impact or impact to the health of the Long Island Sound.

Motion: Weymann. Second: Wiznia.

Vote Passed: Unanimously

**2.5 Town of Woodbridge. Proposed Zoning Text Amendment on changes due to PA 25-1. Received: May 11, 2026. Public Hearing: June 1, 2026.**

McElwee explained that the Town of Woodbridge used Tyche Planning & Policy group to update their zoning regulations to conform with state legislation passed in 2025. Tyche reviewed and updated relevant sections of Woodbridge's zoning regulations, including information on middle housing development, lighting, and design standards for housing developments to better streamline the housing development process and to meet minimum standards required by all Connecticut municipalities. McElwee explained that because most of the changes are required for all municipalities and any non-required changes are design based, there will not be any inter-municipal impact or impact to the Long Island Sound.

Motion: Snow. Second: Andres.

Abstain: Wiznia.

Vote Passed: Unanimously

### **3. Other Business**

McElwee provided COG updates, including that the organization recently hired a Regional Solid Waste & Recycling Specialist and that they are continuing to work towards hiring a Regional Housing Planner. He discussed that at the June meeting, there will likely be a number of referrals all to do with PA 25-1 and asked if he could alter the discussion and approval process to minimize the amount of time required to go through each one. Satti asked if there were plans to hold an in-person commission meeting later in the year and McElwee said that this would likely happen in August.

Adjourn: Kohan.



PLANNING & ZONING DEPARTMENT  
OFFICE OF THE TOWN PLANNER

50 Boston Street  
Guilford, Connecticut 06437

April 24, 2026

Laura Francis, Executive Director  
SCRCOG  
127 Washington Avenue  
4th Floor West  
North Haven, CT 06473

Re: Town of Guilford Plan of Conservation and Development 2026

Dear Ms. Francis:

The Guilford Planning & Zoning Commission has developed a draft update of the Plan of Conservation and Development (POCD). In accordance with the statutes that guide development and adoption of POCDs, "at least sixty-five days prior to the public hearing on adoption, the Commission shall submit a copy to the regional council of governments for review and comment." Such comments shall include a finding on the consistency of the plan with the regional plan of conservation and development, the State plan of conservation and development, and the plans of conservation and development of other municipalities in the area of operation of the regional council of governments. We look forward to working with SCRCOG on its review, and answering any questions that SCRCOG may have about the plan or the planning process.

Regards,

Anne Hartjen, PLA, ASLA  
Town Planner  
Town of Guilford  
(203) 453 8032

## **Referral 2.1. Town of Guilford**

**Subject:** Town of Guilford. Proposed Plan of Conservation & Development. Received: April 24, 2026.

### **Staff Recommendation:**

Guilford's POCD offers a ten-year look at the opportunities for the Town to preserve, enhance, and promote its built, economic, environmental, and cultural assets. It addresses topics such as mobility, the environment, housing, and government services and looks at how they can work together. Through ambitious goal setting and realistic actions, Guilford's POCD lays out a promising future for a thriving and sustainable community.

Guilford's POCD aligns with the Regional POCD as well as other regional planning efforts. It considers how active and public transportation can connect communities and ensure safe and accessible movements for all, a key takeaway in many regional transportation plans. Sustainability and resiliency are key in this POCD and mirror many of the actions developed in the New Haven Comprehensive Climate Action Plan. Solutions to building more housing are included in this plan and the focus of our Regional Affordable Housing Strategy and upcoming Housing Growth plan work. SCRCOG looks forward to working with the Town as they implement this plan when projects align with regional priorities.

### **Background:**

The Town of Guilford has submitted a proposed draft Plan of Conservation and Development that looks from now through 2035. The proposed POCD is organized into seven sections: Overview, Introduction, Early Guilford, Guilford Past and Present, Guilford's Next Ten Years, Priorities and Goals, and Priority Strategies and Actions. The goals and strategies are further separated into five distinct sections: Live, Grow, Connect, Conserve, and Sustain, and the actions are grouped between short-, medium-, and long-term achievements.

The Town of Guilford developed a robust plan that interweaves different elements to planning, town growth, and community support that will work to improve the lives of everyone who lives, works, and spends time in the Town. The following are notes and comments that correspond to the chapters outlined in their POCD.

1. Overview and Introduction
  - a. Identifies the five themes: live, grow, connect, conserve, and sustain, and acknowledges that these themes came out of the robust public engagement process.
  - b. Highlights the various municipal and regional plans that the Town drew from for this POCD update, including several SCRCOG led plans.
2. Guilford Past & Present
  - a. Demographic changes over the last ten years are fairly consistent with regional trends; older populations have reached a higher percentage of total population while middle age and younger populations have seen overall decreases.
  - b. Housing stock and prices have risen overall; this has led to a key idea of the new POCD to address recommendations of the affordable housing parcel study and to develop a housing growth plan for the Town.

- c. The largest percentage of land use in Town is residential at 42%, while the largest landowner in Town is the Regional Water Authority.
  - d. Most development and zoning districts are concentrated in the southern part of the Town. This development pattern is consistent with coastal communities.
  - e. Guilford has seen significant improvements and advances in infrastructure, transportation, and mobility in the last ten years. While utility expansion efforts have been modest, recreation and town facility improvements have been robust, and the Town has focused on micro-transit by supporting the Xtra Mile service.
  - f. The Town remains committed to protecting and preserving open space and agricultural resources. They recognize the importance of these land uses in the history, character, and health of the Town and broader region.
3. Guilford's Next Ten Years
- a. Past concerns about significant population decline and full buildout no longer dominate discussions; however, traffic, affordability, and fiscal needs across Town continue to arise in planning conversations.
  - b. Future land use should continue to focus on the southern part of Town, particularly in the Town Center, around the train station, and along Route 1.
4. Guilford's Priorities and Goals
- a. Live
    - i. The Town will focus on diverse housing choices through robust municipal and regional housing growth planning.
    - ii. The Town will continue to review and monitor housing regulations and developments to ensure that backlogs and barriers are minimized.
    - iii. They will continue to maintain and support municipal facilities and recreational properties through investments and upgrades.
    - iv. The Town will work to ensure that waterfront access, both inland and coastal access, is maintained and made fully accessible.
  - b. Grow
    - i. The Town Center/Town Green district will be the focus of development for the Town and act as the hub for the community.
    - ii. Agricultural businesses in Town, mostly focused in the northern areas, will be supported through land use and business incentives.
    - iii. Developments along the Route 1 corridor will be done in such a way that Greyfield redevelopment is preferred and different business uses compliment each other and the needs of the Town.
    - iv. Infrastructure investments will support and be tied to changing economic, housing, and environmental needs.
  - c. Connect
    - i. The Town recognizes how important communication and the sharing of municipal resources is between the Town and its residents. Through the development of a strategic plan and improving existing resources, the Town hopes to foster collaboration and information sharing between all.
    - ii. The Town will work to protect, maintain, and enhance all modal networks in town, including pedestrian sidewalks, bike lanes, trails, and roadways. The Town will also work to ensure that all areas are properly connected for all users.
  - d. Conserve
    - i. The Town will aim to preserve and promote historic structures, districts, and landscapes, along with scenic and coastal resources and assets.
    - ii. Ensuring that the water quality of the inland waterways as well as the coastal areas are protected and improved is important to the Town. They

- will work to implement improvement projects like riparian buffer support and ensure zoning regulations support water protection efforts.
- iii. The Town will aim to continue and enhance water quality and open space educational efforts for all residents so that new opportunities are understood and supported.
- e. Sustain
  - i. The Town aims to support and build on previous climate resiliency efforts, ensuring that the Town and the wider region is prepared to protect against climate change and expand on energy resilience and efficiency opportunities.
  - ii. The Town will ensure that sustainable and efficient waste management practices are adopted and enforced.

Consistency with the Regional Plan of Conservation and Development:

The draft POCD update is consistent with the Regional Plan of Conservation and Development (RPOCD). The plan focuses on a wholistic approach to addressing the concerns of residents, the current and future needs and issues the Town will and could experience, and strives to find unique and accessible solutions to ensure the Town remains safe, affordable, and functional for all.

**Communication:**

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



**SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS**

*Planning for Our Region's Future*

**South Central Regional Planning Commission (RPC): Referral Submission Form**

SCRCOG is required to be given notice by certified mail, return receipt requested **thirty days before the public hearing** for Zoning Amendments (Regulations, Map) and Subdivision Applications (see below for applicability). **Notice can be sent by email, instead of certified mail**, per the requirement of the Connecticut General Statutes(CGS) 8-3b, 8-26b. Amendments/Update to the Municipal Plan of Conservation and Development are required to be submitted to SCRCOG at least 65 days before the public hearing, per CGS 8-23.

<b>Municipality:</b> Southington	<b>Date Sent:</b> 5/11/2026	<b>Public Hearing Date:</b> 6/16/2026
<b>Subject:</b> ZA #622 Updates per PA 25-1		
<b>Referral is From (Select one):</b>	<input type="checkbox"/> Private Applicant - Applicant Name:	
	<input checked="" type="checkbox"/> Town/City Planning Department or the Planning and Zoning Commission	
<b>Preferred Municipal Contact for this Referral:</b>		
<b>Name:</b> David Lavallee	<b>Phone Number:</b> 860-276-6203	<b>Email:</b> david.lavallee@southingtonct.gov

<b>Statutory Responsibility (Select Below):</b>	
<input checked="" type="checkbox"/>	Application involves a proposed Zoning Regulation Amendment that affects the use of a zone within 500 feet of a municipality in the South Central Region
<input type="checkbox"/>	Application involves a proposed Zoning Map Amendment that affects the use of a zone within 500 feet of a municipality in the South Central Region
<input type="checkbox"/>	Application involves a Subdivision of Land, which will abut or include land in two or more Municipalities
<input type="checkbox"/>	Application involves an Amendment and/or Update to a Municipal Plan of Conservation and Development (POCD)
<input type="checkbox"/>	Applicant requests a voluntary RPC review for informational purposes only; an RPC resolution is not necessary

<b>Process (Select Below): The communication should be addressed to SCRCOG, Re: RPC Referral</b>	
<input type="checkbox"/>	Material sent via "Certified Mail - Return Receipt Requested" to SCRCOG, 127 Washington Avenue, 4th Floor West, North Haven, CT 06473
<input checked="" type="checkbox"/>	Material sent via Email to: <a href="mailto:rpc@scrcog.org">rpc@scrcog.org</a>
<input type="checkbox"/>	This application has been previously submitted for RPC Review. If checked, on what date:

**For any questions, please email [rpc@scrcog.org](mailto:rpc@scrcog.org).**

127 Washington Avenue, 4th Floor West, North Haven, CT 06473

[www.scrcog.org](http://www.scrcog.org) T (203) 234-7555 F (203) 234-9850 [rpc@scrcog.org](mailto:rpc@scrcog.org)

**Referral 2.2.** Town of Southington

**Subject:** Town of Southington. Proposed Zoning Text Amendment related to PA 25-1 compliance. Received: May 11, 2026. Public Hearing: June 16, 2026.

**Staff Recommendation:**

The proposed zoning text amendment does not appear to cause any negative inter-municipal impact to the Towns in the South Central Region nor will there be a negative impact on the habitat or ecosystem to the Long Island Sound.

**Background:**

The Town of Southington is amending their zoning regulations to comply with PA 25-1 and the various zoning changes that are required under the act. These changes include language around middle housing, off-street parking requirements, summary review, and protest petitions. New language and allowances in zoning use tables will align with state requirements that all municipalities must meet. Because of this, there will not be any inter-municipal impact nor an impact to the health of the Long Island Sound.

**Communication:**

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

# PLANNING AND ZONING DEPARTMENT

196 NORTH MAIN STREET – MUNICIPAL CENTER  
SOUTHINGTON, CONNECTICUT 06489

Phone: (860)276-6248

Certified Mail #9589 0710 5270 0762 2589 44

May 11, 2026

RPC Referral  
SCRCOG  
127 Washington St, 4<sup>th</sup> floor West  
North Haven, CT 06473

RE: Proposed Zoning Regulation Amendment of text (ZA #622)

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of an application proposing changes to the Quick Start Guide, Legend, Sections 1.B, 1.C, 1.E, 2.A, 2.B, 2.E, 4.D, 4.G, 4.H, 4.I, 5.B, 5.D, 5.J, 6.B, 8.C and 10.D of the Zoning Regulations concerning a comprehensive regulation update reflecting changes to all Business Districts to ensure mandated statutory compliance with State Statute PA 25-1 concerning Housing Growth.

The Planning and Zoning Commission anticipates opening the public hearing on this item on June 16, 2026. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6203.

Respectfully,



David J. Lavallee  
Acting Director of Planning and Community Development

# PLANNING AND ZONING DEPARTMENT

MUNICIPAL CENTER, 196 NORTH MAIN STREET  
SOUTHINGTON, CONNECTICUT 06489  
PHONE (860) 276-6248



FEE: Sec fee schedule

Date: 5/11/26

Z.A. # 622

## PETITION TO ENACT A ZONING REGULATION AMENDMENT OF TEXT

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

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

**Comprehensive regulation update reflecting changes to all Business Districts to ensure mandated statutory compliance with State Statute PA 25-1 concerning Housing Growth. Proposed regulations attached; changes are highlighted and in bold, struck language in green.**

Sections: Quick Start Guide, Legend, 1.B, 1.C, 1.E, 2.A, 2.B, 2.E, 4.D, 4.G, 4.H, 4.I, 5.B, 5.D, 5.J, 6.B, 8.C, 10.D

Is any zoning district potentially impacted by this proposed amendment within 500 feet of a Town boundary?  
X yes \_\_\_\_\_ no

Reason for desired amendment: Statutory compliance mandated by State of CT

Applicant:	Agent:
<u>Town of Southington</u>	<u>Town of Southington</u>
Name	Name
<u>David J. Lavallee</u>	<u>Same as Applicant</u>
mailing address	mailing address
<u>196 North Main Street, Southington CT 06489</u>	
phone # <u>860-276-6203</u>	phone #
email <u>David.lavallee@southingtonct.gov</u>	email

applicant signature: 



**SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS**

*Planning for Our Region's Future*

**South Central Regional Planning Commission (RPC): Referral Submission Form**

SCRCOG is required to be given notice by certified mail, return receipt requested **thirty days before the public hearing** for Zoning Amendments (Regulations, Map) and Subdivision Applications (see below for applicability). **Notice can be sent by email, instead of certified mail**, per the requirement of the Connecticut General Statutes(CGS) 8-3b, 8-26b. Amendments/Update to the Municipal Plan of Conservation and Development are required to be submitted to SCRCOG at least 65 days before the public hearing, per CGS 8-23.

<b>Municipality:</b> Meriden	<b>Date Sent:</b> 5/8/26	<b>Public Hearing Date:</b> 6/15/26
<b>Subject:</b> Zoning Regulation Amendment - PA 25-1 Housing Bill Compliance		
<b>Referral is From (Select one):</b>	<input type="checkbox"/> Private Applicant – Applicant Name:	
	<input checked="" type="checkbox"/> Town/City Planning Department or the Planning and Zoning Commission	
<b>Preferred Municipal Contact for this Referral:</b>		
<b>Name:</b> Megan Pilla, Planning Director	<b>Phone Number:</b> 203-630-4085	<b>Email:</b> mpilla@meridenct.gov

<b>Statutory Responsibility (Select Below):</b>	
<input checked="" type="checkbox"/>	Application involves a proposed Zoning Regulation Amendment that affects the use of a zone within 500 feet of a municipality in the South Central Region
<input type="checkbox"/>	Application involves a proposed Zoning Map Amendment that affects the use of a zone within 500 feet of a municipality in the South Central Region
<input type="checkbox"/>	Application involves a Subdivision of Land, which will abut or include land in two or more Municipalities
<input type="checkbox"/>	Application involves an Amendment and/or Update to a Municipal Plan of Conservation and Development (POCD)
<input checked="" type="checkbox"/>	Applicant requests a voluntary RPC review for informational purposes only; an RPC resolution is not necessary

<b>Process (Select Below): The communication should be addressed to SCRCOG, Re: RPC Referral</b>	
<input type="checkbox"/>	Material sent via “Certified Mail - Return Receipt Requested” to SCRCOG, 127 Washington Avenue, 4th Floor West, North Haven, CT 06473
<input checked="" type="checkbox"/>	Material sent via Email to: <a href="mailto:rpc@scrcog.org">rpc@scrcog.org</a>
<input type="checkbox"/>	This application has been previously submitted for RPC Review. If checked, on what date:

**For any questions, please email [rpc@scrcog.org](mailto:rpc@scrcog.org).**

127 Washington Avenue, 4th Floor West, North Haven, CT 06473

[www.scrcog.org](http://www.scrcog.org) T (203) 234-7555 F (203) 234-9850 [rpc@scrcog.org](mailto:rpc@scrcog.org)

### **Referral 2.3. City of Meriden**

**Subject:** City of Meriden. Proposed Zoning Text Amendment related to PA 25-1 compliance.  
Received: May 8, 2026. Public Hearing: June 15, 2026.

#### **Staff Recommendation:**

The proposed zoning text amendment does not appear to cause any negative inter-municipal impact to the Towns in the South Central Region nor will there be a negative impact on the habitat or ecosystem to the Long Island Sound.

#### **Background:**

The City of Meriden is updating their zoning regulations to comply with the requirements laid out in PA 25-1. The regulations would change to allow ADUs in TOD-zones, middle housing as defined by the state in a number of appropriate districts, and would remove off-street parking minimum requirements. Additionally, the City is taking an opportunity to remove the “central commercial annex district” language that hasn’t existed since 2015, language around manufactured and mobile homes, minimum requirements for filing protest petitions, and language eliminating requirements for minimum dwelling unit sizes. All of these changes are required or optional based on PA 25-1 and a text correction based on expired districts; therefore, there will not be any inter-municipal impact or an impact to the health of the Long Island Sound.

#### **Communication:**

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



**City of Meriden, Connecticut**  
**DEPARTMENT OF PLANNING, DEVELOPMENT & ENFORCEMENT**  
**PLANNING & ZONING DIVISION**

142 East Main Street, City Hall

Meriden, CT 06450-5605

Telephone (203) 630-4081 • Fax (203) 630-4093

Megan Pilla, PLA, AICP  
Planning Director  
mpilla@meridenct.gov

**TO:** Required Referrals

**FROM:** Megan Pilla, Director of Planning, Development & Enforcement

**DATE:** May 7, 2026

**RE:** Zoning Regulation Amendments

***Required Amendments***

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The primary purpose of the proposed amendments is compliance with CT Public Act 25-1, the housing bill that passed in special session last year, which requires the following updates by July 1, 2026:

1. Zoning regulations must allow one Accessory Dwelling Unit (ADU) as of right on any TOD-zones property which has been owned by the same property owner for at least 3 years.
  - a. Includes adding a definition for Accessory Dwelling Unit (ADU) which matches the State definition.
  - b. ***Affected sections: 213-7.B, 213-27.G(1), 213-27.I(6)(e)***
2. Zoning regulations must allow “middle housing” development (single residential buildings with 2-9 dwelling units) or mixed-use development on any lot in commercial or mixed-use zones subject only to summary review.
  - a. Includes adding a definition for “middle housing” that matches the State definition, and updating the definition of “multi-family dwelling” to 10 units or more.
  - b. Affected zones: R-4, C-1, C-2, C-3, C-4, TOD, NCDD, M-4, PDD, Adaptive Reuse Overlay
    - i. M-4 zone is affected because it has a provision that allows by special permit any use allowed in the C-1 zone. I recommend eliminating this provision so that M-4 remains an industrial district and cannot be interpreted to qualify as a mixed-use district.
  - c. ***Affected sections: 213-7.B, 213-21.B(1), 213-23.B(1), 213-25.B(1), 213-26.B(1), 213-27.I(5), 213-27.I(6)(c), 213-28.F(1), 213-32.B(2)(a), 213-39.C(1), 213-39.1.C, 213 Attachment 2 (Summary Table of Permitted Uses by Zoning District)***

3. Zoning regulations must NOT require a minimum amount of parking for any residential development with 16 or fewer dwelling units. Minimum parking requirements can still be applied to residential developments with more than 16 units, but the applicant must be allowed to submit a parking needs assessment and the requirement cannot exceed the number of spaces recommended by that assessment, or 1 space per studio/1-bedroom unit and 2 spaces per 2+-bedroom units, whichever is less.
  - a. ***Affected sections: 213-18.B(2)(f)[3], 213-22.G(3), 213-27.J(1)(d)(1), 213-28.F(3)(c), 213-38.C(7), 213-55.K(1) and (4)***

### ***Recommended Additional Updates***

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While these required updates are being considered, staff recommends a few other updates at the same time. These are not substantive changes, rather they are intended to “clean up” some parts of the regulations. These include:

1. Elimination of section **213-24 C-1-A** Central Commercial Annex District – this zone has not existed on the map since 2015.
  - a. ***Affected sections: Table of Contents, 213-8 (list of all zoning districts)***
2. Elimination of special criteria in section **213-19.B(2)(c)** and elimination of all references thereto – current law prohibits zoning regulations from imposing any requirements on manufactured or mobile homes, including mobile home parks, beyond the requirements for other housing types in the same zone.
  - a. ***Affected sections: 213-20.B(2)(c), 213-21.B(2)(c), 213-23.B(2)(l), 213-25.B(2)(i), 213-29.B(2)(b), 213-30.B(2)(b), 213-31.B(2)(e)***
3. Elimination of all instances of minimum dwelling unit size requirements, which zoning is prohibited from requiring.
  - a. ***Affected sections: 213-27.K(4), 213-38.1.F(1), 213-39.1.D(15)(b)***
4. Elimination of section **213-69.D** – this section gives the Zoning Enforcement Officer authority to issue temporary certificates of occupancy for buildings, which can legally only be done by a Building Official.
5. Modifications to section **213-78** which outlines the procedure for initiating a petition to amend the zoning regulations – this section currently directs that petitions must be filed in the City Clerk’s Office with a fee of \$100. It is more appropriate and efficient for these petitions to be filed with the Planning Department, and I recommend striking the fee from the regulations and instead including it on the Planning Department’s fee schedule.



**SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS**  
*Planning for Our Region's Future*

**South Central Regional Planning Commission (RPC): Referral Submission Form**

SCRCOG is required to be given notice by certified mail, return receipt requested **thirty days before the public hearing** for Zoning Amendments (Regulations, Map) and Subdivision Applications (see below for applicability). **Notice can be sent by email, instead of certified mail**, per the requirement of the Connecticut General Statutes(CGS) 8-3b, 8-26b. Amendments/Update to the Municipal Plan of Conservation and Development are required to be submitted to SCRCOG at least 65 days before the public hearing, per CGS 8-23.

<b>Municipality:</b> MADISON	<b>Date Sent:</b> 5/13/26	<b>Public Hearing Date:</b> 6/18/26
<b>Subject: Middle Housing: Text Amendment</b>		
<b>Referral is From (Select one):</b>	<input type="checkbox"/> Private Applicant – Applicant Name:	
	<input checked="" type="checkbox"/> Town/City Planning Department or the Planning and Zoning Commission	
<b>Preferred Municipal Contact for this Referral:</b>		
<b>Name:</b> ERIN MANNIX	<b>Phone Number:</b> 203-245-5633	<b>Email:</b> MANNIXE@MADISONCT.ORG

<b>Statutory Responsibility (Select Below):</b>	
<input checked="" type="checkbox"/>	Application involves a proposed Zoning Regulation Amendment that affects the use of a zone within 500 feet of a municipality in the South Central Region
<input type="checkbox"/>	Application involves a proposed Zoning Map Amendment that affects the use of a zone within 500 feet of a municipality in the South Central Region
<input type="checkbox"/>	Application involves a Subdivision of Land, which will abut or include land in two or more Municipalities
<input type="checkbox"/>	Application involves an Amendment and/or Update to a Municipal Plan of Conservation and Development (POCD)
<input type="checkbox"/>	Applicant requests a voluntary RPC review for informational purposes only; an RPC resolution is not necessary

<b>Process (Select Below): The communication should be addressed to SCRCOG, Re: RPC Referral</b>	
<input type="checkbox"/>	Material sent via "Certified Mail - Return Receipt Requested" to SCRCOG, 127 Washington Avenue, 4th Floor West, North Haven, CT 06473
<input checked="" type="checkbox"/>	Material sent via Email to: <a href="mailto:rpc@scrcog.org">rpc@scrcog.org</a>
<input type="checkbox"/>	This application has been previously submitted for RPC Review. If checked, on what date:

**For any questions, please email [rpc@scrcog.org](mailto:rpc@scrcog.org).**

## **Referral 2.4.** Town of Madison

**Subject:** Town of Madison. Proposed Zoning Text Amendment related to PA 25-1 compliance.  
**Received:** May 13, 2026. **Public Hearing:** June 18, 2026.

### **Staff Recommendation:**

The proposed zoning text amendment does not appear to cause any negative inter-municipal impact to the Towns in the South Central Region nor will there be a negative impact on the habitat or ecosystem to the Long Island Sound.

### **Background:**

The Town of Madison is amending their zoning regulations to comply with CGS PA 25-1 and the zoning changes required by July 1, 2026. These changes will align with stated language in the act for residential or mixed-use developments of 2-9 units in commercial or mixed use districts, allowing applications to be heard by summary review, and eliminating off-street parking requirements for residential projects of less than 16 units. The proposed amendment document that a consultant prepared for the Town, they also include diagrams and renderings of various housing types to provide the public with a better understanding of the variety of housing opportunities that can be implemented depending on site and infrastructure constraints. As the changes being made are part of the requirements set by the state, there will not be any inter-municipal impacts nor an impact to the health of the Long Island Sound.

### **Communication:**

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

# TYCHE

## PLANNING & POLICY GROUP

### MEMORANDUM

TO: Madison Planning & Zoning Commission  
Cc: Erin Mannix, AICP, CZEO, Town Planner

FROM: Michael D'Amato, AICP, CZEO

DATE: May 5, 2026

SUBJECT: **Regulation Amendments pertaining to Special Session Act 25-1 (HB.8002)**

#### Background Summary

Following the adoption of Special Session Public Act 25-1, Tyche reviewed the Town of Madison's Zoning Regulations and has prepared draft amendments intended to bring the current regulations into conformance with the requirements of the Act. As part of this effort, Tyche evaluated the statutory changes and drafted new regulatory language governing "Transit Community Middle Housing Developments" and "Mixed-Use Developments" as outlined in the Act, which is effective July 1, 2026.

The primary directives which come from the Act, and which have necessitated these changes are:

- *Must allow residential or mixed-use developments of 2-9 units "on any lot zoned for commercial or mixed use"*
- *Must review such applications by "Summary Review" (review without discretion) and cannot require a Special Permit, Variance etc. or hold a public hearing.*
- *For developments containing less than 16 units, Towns cannot require a minimum number of parking spaces or deny an application for what they believe to be a lack of parking. (Exceptions do apply)*

It is also important to note that, unlike certain legislation adopted in recent years that permitted municipalities to "opt out" of specific provisions, the requirements of this Act are mandatory and do not provide for any such exemption. Accordingly, its provisions apply to all municipalities.

#### Overview of Proposed Amendments

Attached is a proposed new Article H, §9.5, entitled "Middle Housing," which is intended to implement the Act's requirements. This new section includes applicable design standards and application submission requirements. The Public Act mandates the review procedure for these types of applications as "Summary Review." That term will also need to be added to the definitions section for consistency as shown below. Although Summary Review is similar in certain respects to the review for a site plan application, it is a distinct statutory process. Most notably, the Summary Review process does not allow the Commission the flexibility to hold a public hearing. For that reason, a separate review procedure was drafted rather than relying on the Town's existing provisions.

#### Proposed Amendment to Article C- Definitions

***Summary Review:** A non-discretionary administrative review conducted by the Commission, without a public hearing, to determine whether an application complies with the objective standards of these Regulations. Summary Review shall only require a determination that a site plan conforms to applicable zoning regulations and that public health and safety will not be substantially impacted and shall not require the issuance of a Special Permit, Exception or Variance.*

# ARTICLE C - DEFINITIONS

## 3.0: Definitions (Formerly §19)

[Proposed Amendment-Summary Review 6.18.26]

**A. INTENT AND GENERAL RULES OF CONSTRUCTION.** Except as defined below, the words used in these Regulations shall have the meaning commonly attributed to them. In the interests of clarity and brevity, the following terms shall, unless otherwise stated, have the meaning herein indicated for all purposes of these Regulations. Words used in the present tense shall include the future tense. When the context so requires, words in the masculine, feminine or neuter gender shall include any gender and words in the singular or plural shall include both singular and plural numbers. The word “person” includes a partnership, corporation or LLC.

**ACCESSORY BUILDING:** see BUILDING, ACCESSORY

**ACCESSORY USE:** see USE, ACCESSORY

**AGRICULTURALLY RELATED USES:** Events of limited duration on a Farm that are incidental to agricultural uses, including corn mazes, pick-your-own, educational programs and demonstrations for children and/or adults, farm kitchen cooking demonstrations, farm-to-table dinners with limited and seasonal menu items, hay and tractor rides, farm tours, and other similar uses.

**AGRICULTURE OR FARMING:** the cultivation of land for the growing of vegetables, grains, grasses, trees, herbs, fruits, horticulture or commercial floriculture; the raising of livestock, fish, birds, bees; the production of edible farm products; but not including kennels or livery stables.

**ARBOR:** Pergola

**ATTIC:** the space under a roof. (see “Non-Story”, “Story, Full” and “Story, Half”)

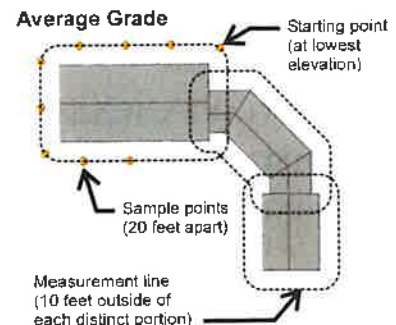
**AUTOMOTIVE REPAIR SHOP:** a facility for the repair and maintenance of mechanical parts of automobiles, motorcycles, light trucks or similar vehicles.

**AUTOMOTIVE SERVICE STATION:** a facility for the retail sale of automotive fuels, oils, and accessories, that may also offer automobile repair services and/or may also be a Connecticut licensed emission station. Such facility may include an outlet for the sale of food, non-alcoholic beverages, tobacco and dry goods for off-premises consumption as an Accessory Use.

**AVERAGE BUILDING HEIGHT:** see BUILDING HEIGHT, AVERAGE

**AVERAGE GRADE:** the Average Grade shall be an elevation determined by averaging the ground elevations at points situated every 20 feet along an imaginary line located ten (10) feet outside of the wall of the Building or Structure or Distinct Portion and the starting location for such measurement points shall be the lowest elevation along the measurement line.

- Where such elevation points would be on property of others, the ground elevations shall be taken at the property line.
- Where such elevation points would be inside another Distinct Portion of such Building, the elevation used shall be an average of the grades on the line on each side of such Distinct Portion.
- Such ground elevations shall be of finished grade except that in a flood zone, the original grade elevations shall be used.



**AWNING:** a roof-like cover made of canvas or plastic-coated polyester or similar material which projects from a wall or roof of a Structure (typically over a window, walk or door).

**AWNING, MINOR:** Minor Awning; an Awning covering up to 24 square feet of horizontal area.

**AWNING, MAJOR:** Major Awning; an Awning covering 24 square feet or more of horizontal area.

**BALCONY:** an outdoor platform, not supported by posts or columns, projecting from the wall of a Building and accessible from the building by a door or window.

**BASEMENT:** that part of a Distinct Portion of a Building located partially or wholly below ground level and where:

- Within a Flood Zone, the difference in elevation between the average of finished ground elevations along the walls and the floor elevation above is more than five feet (5'), or
- Outside of a flood zone, the difference in elevation between Average Grade and the floor elevation above is more than five feet (5'). (see also "Cellar")

*Amended effective 5/17/10*

**BED AND BREAKFAST:** a Building or group of Buildings, a portion of which is occupied by the owner thereof as a permanent residence, designed or used for the short term rental (up to thirty (30) consecutive days) of not more than twelve guestrooms to transients and is capable of including as an Accessory Use, the serving of breakfast exclusively to overnight guests of the facility.

**BEDROOM:** a room which provides a) a habitable or potentially habitable space per the Connecticut Building Code, which has the potential to be utilized as a sleeping area on a consistent basis; and b) entry from a common area not through a room already deemed a bedroom.

**BOARDING SCHOOL:** an educational institution providing residential living accommodations for some or all of its pupils, teachers, and administrative staff. *Amended effective 11/13/13*

**BREEZEWAY:** a roofed Structure, open to the air, built and/or used for the purpose of connecting a Building with other Buildings or Structures.

**BUILDABLE LAND:** all land that is not inland or tidal wetlands or watercourses as defined in Secs. 22a-29 and 22a-38 C.G.S., or slopes with an incline of 25% or greater. *Amended effective 5/17/10*

**BUILDING:** any Structure having a roof and intended for the shelter, housing or enclosure of persons, animals or materials. The connection of two (2) or more Buildings by means of a Porch, Breezeway, passageway, carport, or other above-ground Structure, except a wall or Fence or at-grade Structure, shall be deemed to make them one Building. The placement of two (2) or more Buildings within fifteen (15) feet of each other shall be deemed to make them one Building.

**BUILDING, ACCESSORY:** Accessory Building; a Building, other than the Principal Building, and subordinate to the Principal Building on a Lot and used for purposes customarily incidental to those of the Principal Building.

**BUILDING, DISTINCT PORTION:** a portion of a Building, defined by its footprint, walls or other feature(s), which is visually discrete from other portions of the same Building due to size, height, shape, form, bulk, or other measures of volume, dimension, spatial relationship, or location.

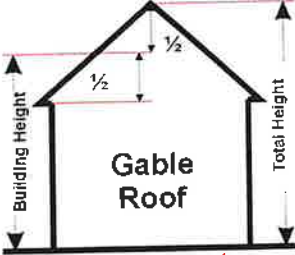
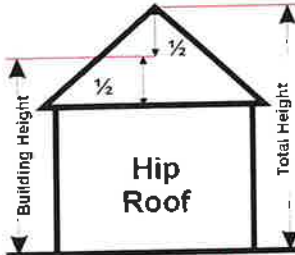
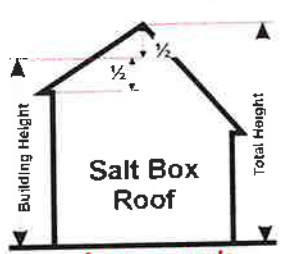
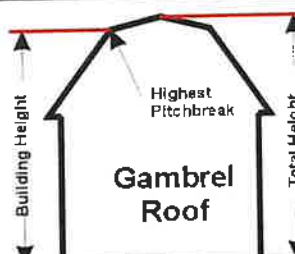
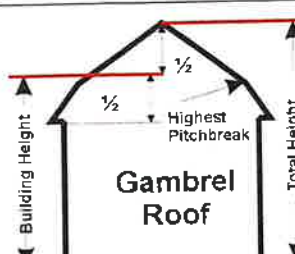
**BUILDING, PRINCIPAL:** Principal Building; the Building or Buildings in which the Principal Use on the Lot is carried on.

**BUILDING AREA:** Building Coverage.

**BUILDING COVERAGE:** see COVERAGE, BUILDING

**BUILDING HEIGHT, AVERAGE:** Average building Height; measured separately for each Distinct Portion of the Building or other Structure:

*(See illustrations.)*

Roof Type	Basic Rule	Rule When Dormer(s) or Distinct Portion(s) occupy more than 50% of the width of the façade below
 <p>The diagram shows a gable roof with a horizontal line representing the average grade. A vertical line from the average grade to the peak is labeled with a 1/2. The height from the average grade to the eaves is also labeled with a 1/2. The total height from the average grade to the peak is labeled 'Total Height'. The height from the average grade to the eaves is labeled 'Building Height'.</p>	<p><b>GABLE ROOF</b></p> <p>The vertical height from Average Grade to the highest midpoint elevation of a roof (from its highest ridge to its lowest corresponding eave).</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave) of any roof, Dormer, or Distinct Portion.</p>
 <p>The diagram shows a hip roof with a horizontal line representing the average grade. A vertical line from the average grade to the highest ridge is labeled with a 1/2. The height from the average grade to the eaves is also labeled with a 1/2. The total height from the average grade to the ridge is labeled 'Total Height'. The height from the average grade to the eaves is labeled 'Building Height'.</p>	<p><b>HIP ROOF</b></p> <p>The vertical height from Average Grade to the highest midpoint elevation of a roof (from its highest ridge to its lowest corresponding eave).</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave) of any roof, Dormer, or Distinct Portion.</p>
 <p>The diagram shows a salt box roof with a horizontal line representing the average grade. A vertical line from the average grade to the highest ridge is labeled with a 1/2. The height from the average grade to the eaves is also labeled with a 1/2. The total height from the average grade to the ridge is labeled 'Total Height'. The height from the average grade to the eaves is labeled 'Building Height'.</p>	<p><b>SALT BOX ROOF</b></p> <p>The vertical height from Average Grade to the highest midpoint elevation of a roof (from its highest eave to its corresponding ridge).</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave) of any roof, Dormer, or Distinct Portion.</p>
 <p>The diagram shows a gambrel roof with a horizontal line representing the average grade. A vertical line from the average grade to the highest pitchbreak is labeled 'Highest Pitchbreak'. The total height from the average grade to the highest pitchbreak is labeled 'Total Height'. The height from the average grade to the eaves is labeled 'Building Height'.</p>	<p><b>GAMBREL ROOF</b></p> <p>When the highest Pitchbreak is <u>above</u> the midpoint elevation (between the ridge and the lowest corresponding eave), the vertical height from Average Grade to the highest Pitchbreak.</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave or Pitchbreak) of any roof, Dormer, or Distinct Portion</p>
 <p>The diagram shows a gambrel roof with a horizontal line representing the average grade. A vertical line from the average grade to the highest pitchbreak is labeled 'Highest Pitchbreak'. The total height from the average grade to the highest pitchbreak is labeled 'Total Height'. The height from the average grade to the eaves is labeled 'Building Height'.</p>	<p><b>GAMBREL ROOF</b></p> <p>When the highest Pitchbreak is <u>at or below</u> the midpoint elevation (between the ridge and the lowest corresponding eave), the vertical height from Average Grade to the highest midpoint elevation (between</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave or Pitchbreak) of any roof, Dormer, or Distinct Portion</p>

<p>Diagram of a Shed Roof. The vertical height is measured from the Average grade to the highest midpoint elevation of the roof. The diagram shows a gabled roof with a horizontal line at the ridge and a vertical line at the eave. The height from the average grade to the ridge is labeled as <math>\frac{1}{2}</math> of the total height. The total height is labeled as Total Height. The average grade is labeled as Average grade.</p>	<p><b>SHED ROOF</b></p> <p>The vertical height from Average Grade to the highest midpoint elevation of a roof (from its highest ridge to its lowest corresponding eave).</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave) of any roof, Dormer, or Distinct Portion.</p>
<p>Diagram of a Flat Roof. The vertical height is measured from the Average grade to the highest elevation of the roof, including the top of any parapet. The diagram shows a flat roof with a parapet. The height from the average grade to the top of the parapet is labeled as Total Height. The average grade is labeled as Average grade.</p>	<p><b>FLAT ROOF</b></p> <p>The vertical height from Average Grade to the highest elevation of any such roof, including the top of any parapet.</p>	<p>n/a</p>
<p>Diagram of a Mansard Roof. The vertical height is measured from the Average grade to the highest elevation of any such roof, including the top of any parapet. The diagram shows a mansard roof with a flat top and sloped sides. The height from the average grade to the top of the roof is labeled as Total Height. The average grade is labeled as Average grade.</p>	<p><b>MANSARD ROOF</b></p> <p>The vertical height from Average Grade to the highest elevation of any such roof, including the top of any parapet.</p>	<p>n/a</p>
<p>Diagram of a Dome Roof. The vertical height is measured from the Average grade to the highest elevation of any such roof, including the top of any parapet. The diagram shows a dome roof. The height from the average grade to the top of the dome is labeled as Total Height. The average grade is labeled as Average grade.</p>	<p><b>DOMES ROOF</b></p> <p>The vertical height from Average Grade to the highest elevation of any such roof, including the top of any parapet.</p>	<p>n/a</p>
<p>Diagram of an A-Frame Roof. The vertical height is measured from the Average grade to the highest midpoint elevation of a roof (from its highest ridge to its lowest corresponding eave). The diagram shows a triangular roof with a horizontal line at the ridge and a vertical line at the eave. The height from the average grade to the ridge is labeled as <math>\frac{1}{2}</math> of the total height. The total height is labeled as Total Height. The average grade is labeled as Average grade.</p>	<p><b>A-FRAME ROOF</b></p> <p>The vertical height from Average Grade to the highest midpoint elevation of a roof (from its highest ridge to its lowest corresponding eave).</p>	<p>The vertical height from Average Grade to the highest midpoint elevation (between a ridge and the corresponding eave) of any roof, Dormer, or Distinct Portion.</p>

**BUILDING HEIGHT, TOTAL:** Total Building Height; the vertical distance from the Average Grade for a Distinct Portion of a Building or other Structure to the highest point of the roof for that Distinct Portion of the Building or Structure, including the top of any parapet.

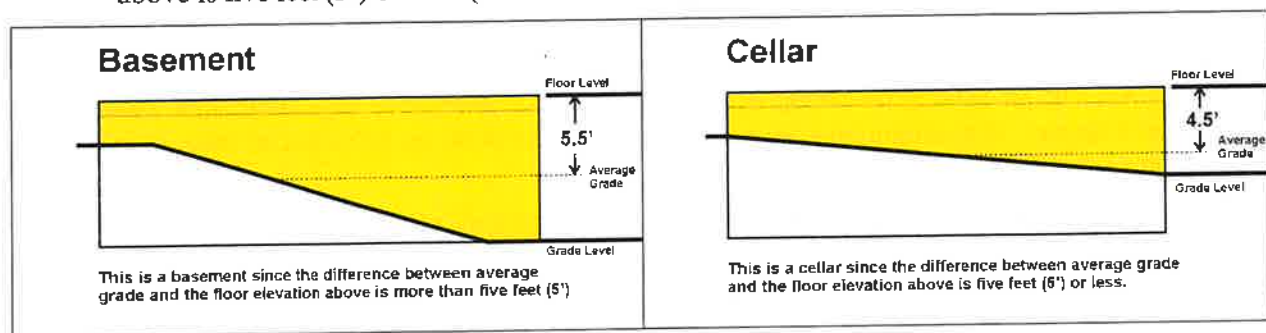
**BUILDING LINE:** a line parallel to a Street at a distance equal to the Minimum Front Yard or where required to achieve the minimum Lot Width when such Lot Width is not met at the Minimum Front Yard.

**BULK:** the size and shape of Buildings, Structures, and Uses of land and the physical relationships of their exterior walls or limits of Use to Lot Lines, the exterior wall of other Buildings, Structures or Uses, and the Open Spaces required by these Regulations. Bulk includes regulations dealing with Floor Area Ratio, Floor Area, Building Height, Lot area, Lot Coverage, Lot Lines, Minimum Dimension Square, or other similar regulations of volume, dimension, spatial relationship, or location.

**CAR WASH:** a facility for washing motor vehicles.

**CELLAR:** that part of a Distinct Portion of a Building wholly or partially below ground level and where:

- Within a Flood Zone, the difference in elevation between the average of finished ground elevations along the walls and the floor elevation above is five feet (5') or less, or
- Outside of a flood zone, the difference in elevation between Average Grade and the floor elevation above is five feet (5') or less. (see also "Basement", "Crawl Space")



*Amended effective 5/17/10*

**CLOSED PORCH:** see PORCH, CLOSED

**CLUB:** land, buildings and facilities owned or operated by a non-profit entity for a recreational, social, patriotic, political, benevolent or athletic purpose, but not for pecuniary gain, nor to render a service which is customarily carried on as a business. A Club shall cater only to its members or guests accompanying them. No permit shall be issued for the establishment of a club unless the applicant provides an affidavit specifying, to the satisfaction of the Commission, the manner in which the use of the club will be restricted to members and guests accompanying members.

**COMMISSION:** the Planning and Zoning Commission of the Town of Madison.

**COMMUNITY ASSOCIATION:** an incorporated or unincorporated group of individuals comprising a homeowners' association, a merchants' association, a neighborhood association, or other group of individuals having a shared interest in one or more parcels of land pursuant to, or as acknowledged by, a written agreement, deed, declaration, or other instrument recorded on the Land Records of the Town of Madison.

**COVERAGE:** Building Coverage.

**COVERAGE, BUILDING:** Building Coverage; the aggregate of all the areas identified in Table 1.1 as "counts to Building Coverage". When expressed as a percentage, the aggregate of all the areas identified in Section 2.8 as "counts to Building Coverage" divided by the area of the Lot.

**COVERED PATIO:** see PATIO, COVERED

**CRAWLSPACE:** Cellar. (See also "Basement".)

**CRITICAL COASTAL RESOURCE AREAS:** tidal wetlands (measured from the upland boundary of tidal wetland), coastal bluffs and escarpments (measures from the crest of the bluff), beaches and dunes (measured from the landward boundary of the frontal or primary dune), rocky shore fronts, and tidal or coastal waters (measured from the high tide line determined by locating a visible line of oil, scum, crushed shell, debris, vegetation or any combination of these indicating the highest point reached by water. The high tide line should be calculated to include spring high tides and other unusually high tides exclusive of storm surges). See C.G.S. §22a-93 or successive statutes for definitions of these resources.

**CUSTOMARY HOME OCCUPATION:** a Retail Service, Personal Service, Professional Service, or Business Service when conducted as an Accessory Use to a dwelling, or the production of articles that require the skillful use of the hands and are not mass-produced, but not including the home or personal office of one whose principal place of business or employment for the same occupation is not in the home.

*Approved 1/6/11*

*Effective 3/1/11*

**DAY OF RECEIPT:** the day of the next regularly scheduled meeting of the Commission immediately following the day of submission to the Land Use Office, or thirty-five days after such submission, whichever is sooner. This definition is intended to be consistent with the definition of "date of receipt" in Conn. Gen. Stat. § 8-7d(c), as it may be amended.

**DAYCARE CENTER:** a Use which offers or provides a program of supplementary care for compensation to more than twelve (12) related or unrelated children, or any number of adults, outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week. "Day Care Center" does not include services which are: (1) administered by a public or private school system which is in compliance with Connecticut General Statutes Section 10-188; (2) recreation operations such as, but not limited to, boys' and girls' clubs, church-related activities, scouting, camping or community-youth programs; (3) informal arrangements among neighbors or relatives in their own homes. "Day Care Center" includes "Child Day Care Center" as defined in Section 19a-77 of the Connecticut General Statutes but does not include a "Family Child Care Home" or "Group Child Care Home" as defined in said Section.

**DECK:** a raised outdoor platform without a roof, supported by posts or columns.

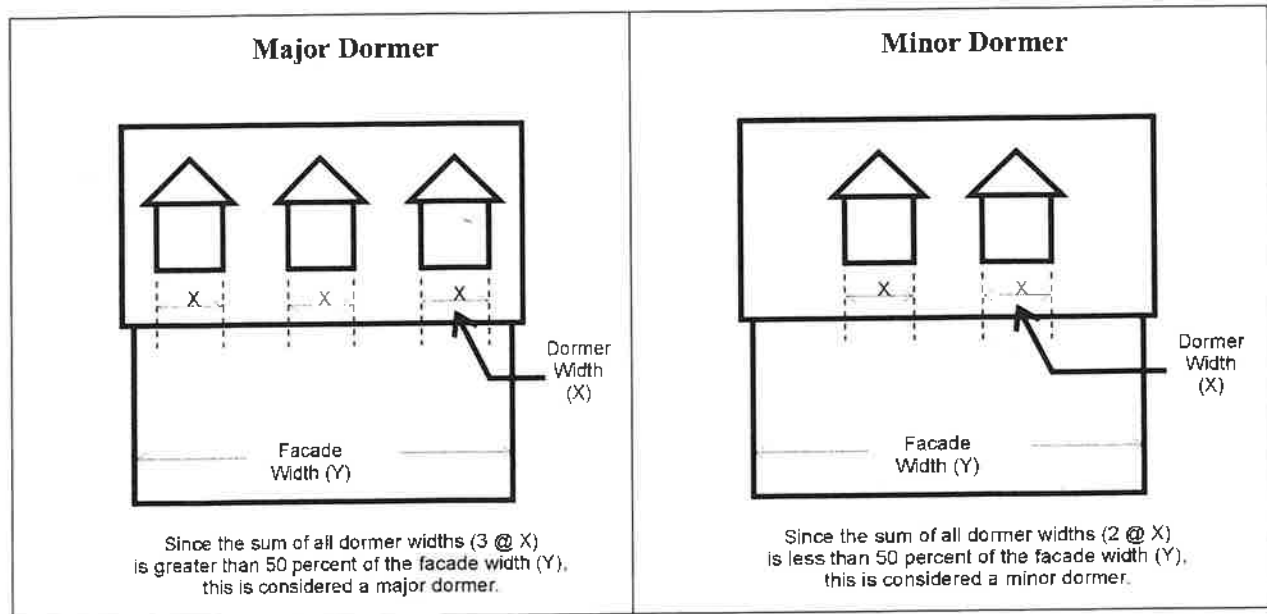
**DENSITY-AVERAGED LOT:** see LOT, DENSITY-AVERAGED

**DISTINCT PORTION:** see BUILDING, DISTINCT PORTION

**DORMER:** a projection from a sloping roof creating useable Floor Area below or containing a window or a ventilating louver.

**DORMER, MAJOR:** Major Dormer; one or more Dormers that occupy 50 percent or more of the width of the facade below as measured by the walls.

**DORMER, MINOR:** Minor Dormer; one or more Dormers that occupy less than 50 percent of the width of the facade below as measured by the walls



**DWELLING UNIT:** a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking, and sanitation.

**EDUCATIONAL INSTITUTION:** a facility for the provision of instruction of academic subjects to adults or children, not including a facility whose main function is the enjoyment of physical activities with or without instruction or whose primary function is as a recreational facility.

**FAMILY:** any number of individuals related by blood, marriage, or civil union living together as a single housekeeping unit; a group of not more than six persons, whether or not related by blood, adoption, marriage, or civil union may be considered a family for purposes of establishing a permitted use of a Dwelling Unit.

**FAMILY UNIT:** Dwelling Unit.

**FARM:** A parcel or contiguous parcels of land of 5 or more acres under single and/or affiliated ownership and/or leasehold and used principally for agricultural purposes as defined by Connecticut General Statutes Section 1-1(q). Classification as PA-490 Farmland, provided such property is 5 or more acres, shall sufficiently demonstrate status as a Farm.

**FARM STORE:** A permanent structure located on a farm and used for the year-round sale of agricultural products, services and activities.

**FARMSTAY:** A form of temporary overnight accommodation for paying guests on a working farm where guests are immersed in the farming experience and given the opportunity to participate in farm activities.

**FENCE:** a vertical Structure of any material or combination of materials, other than trees or other living plant material, erected to create a barrier or enclose, separate, screen or buffer areas of land.

**FINISHED TERRACE:** see TERRACE, FINISHED

**FLOOR AREA:** the area of a floor or story in a Building, measured to the outside of the exterior walls identified in Table 1.1 as "counts to Floor Area".

**FLOOR AREA, GROSS:** Gross Floor Area; the aggregate floor area of all the floors in a Building identified in Table 1.1 as "counts to Floor Area".

**FLOOR AREA RATIO (FAR):** the Gross Floor Area of all Buildings on the Lot or Parcel divided by the total area of the Lot or Parcel.

**FRONTAGE:** a continuous property line that is also a dividing line between a Lot and a public or private roadway.

**FRONT LOT:** see LOT, FRONT

**FRONT LOT LINE:** see LOT LINE, FRONT

**FRONT YARD:** see YARD, FRONT

**FIRE STATION:** Premises which house firefighting equipment and related facilities and emergency apparatus for serving the public.

**FULL-SERVICE RESTAURANT:** see RESTAURANT, FULL SERVICE

**FULL STORY:** see STORY, FULL

**GAZEBO:** A freestanding, roofed Structure, permanently attached to the ground, providing a shady resting place in a garden or lawn area.

**GOVERNMENTAL BUILDING or GOVERNMENTAL USE:** any facility owned or leased by the United States of America, the State of Connecticut or any agency of the foregoing, and utilized for governmental or quasi-governmental purposes.

**GROSS FLOOR AREA:** see FLOOR AREA, GROSS

**HALF STORY:** see STORY, HALF

**HOTEL:** a Building, or part thereof, with a common entrance and no exterior room access, designed and used primarily for temporary accommodation for transients, and which may include, as Accessory Uses, the serving of food and drink and the provision of rooms for public assembly.

**HUMAN OCCUPANCY:** see OCCUPANCY, HUMAN

**ILLUMINATED SIGN:** see SIGN, ILLUMINATED

**LANDSCAPED TERRACE:** see TERRACE, LANDSCAPED

**LIVING AREA:** in a residential dwelling, that portion of the Gross Floor Area which has ceilings, walls, and floors finished in a manner which is intended to allow human occupancy and which conforms to the Building Code.

**LOT:** a plot or Parcel of land, identified as a separate tract in a deed recorded in the Madison Land Records or on a subdivision plan approved by the Commission.

**LOT, DENSITY-AVERAGED:** Density-Averaged Lot; a Lot that was created as part of a "density averaged subdivision". A density-averaged subdivision is one in which the area of some Lots was permitted to be less than the minimum Lot area otherwise required in the relevant zoning district, but the average size of all of the Lots in the Subdivision did not exceed the minimum Lot area. For example, in a zone requiring a one-acre minimum Lot size, a ten-acre Parcel could not accommodate more than ten one-acre lots. In a Density-averaged Subdivision in the same zoning district, the maximum number of Lots on a ten-acre Parcel would still be ten, but some Lots could be smaller than one acre while others would have to be larger to satisfy the overall density requirement. Density-averaged Subdivisions were permitted under the Madison Zoning Regulations between April 24, 1965, and November 6, 1986.

**LOT, FRONT:** Front Lot; a Lot which has Frontage of at least 25 feet and where the Minimum Lot Width is obtained within 150 feet of the public or private roadway.

**LOT, MINIMUM WIDTH OF:** Minimum Width of Lot; the distance between Side Lot Lines on opposite sides of a Lot or, on corner Lots, the distance between a Side Lot Line and the Front Lot Line that is opposite or most nearly opposite to it. Lot width shall be measured in a direction parallel to the Front Lot Line.

When the Front Lot Line is curved, the measurement of Lot width shall be parallel to a straight line passing through the two points at which the Front Lot Lines touch the Side Lot Lines.

**LOT, REAR:** Rear Lot; a Lot other than a Front Lot.

**LOT LINE, FRONT:** Front Lot Line; all dividing lines between a Street and the Lot that abut both the Street and the Lot.

**LOT LINE, REAR:** Rear Lot Line; any lot line or portion of a lot line that is parallel to, or within 45 degrees of being parallel to, the Front Lot Line shall be considered a Rear Lot Line.

**LOT LINE, SIDE:** Side Lot Line; any Lot Line that is not a Front Lot Line or a Rear Lot Line.

**MACHINERY REPAIR SHOP:** a facility that provides repairs for household machines such as vacuum cleaners, sewing machines, lawn mowers, snow throwers, chain saws, and the like, or ordinary business machines such as computers, copy machines, fax machines, and the like and where the activity is contained within a building and does not produce noise, vibrations, illumination, odor, or particulate that would cause a nuisance to nearby property.

**MAJOR AWNING:** see AWNING, MAJOR

**MAJOR DORMER:** see DORMER, MAJOR

**MEDICAL MARIJUANA DISPENSARY FACILITY:** A place of business where medical marijuana may be dispensed and sold at retail to qualifying patients and primary caregivers and for which the Department of Consumer Protection has issued a dispensary facility permit under Public Act 12-55 and Sections 21a-408 to 21a-408q, inclusive, of the Connecticut General Statutes.

**MEDICAL MARIJUANA PRODUCTION FACILITY:** A secure, indoor facility where the production of medical marijuana occurs and is operated by a person to whom the Department of Consumer Protection has issued a production facility permit under Public Act 12-55 and Sections 21a-408 to 21a-408q, inclusive, of the Connecticut General Statutes.

**MEDICAL OFFICE:** see OFFICE, MEDICAL

**MEDICAL OUTPATIENT CLINIC:** see OUTPATIENT CLINIC, MEDICAL

**MINIMUM FRONT YARD:** see YARD, MINIMUM FRONT

**MINIMUM LOT WIDTH:** see LOT, MINIMUM WIDTH OF

**MINIMUM REAR YARD:** see YARD, MINIMUM REAR

**MINIMUM SIDE YARD:** see YARD, MINIMUM SIDE

**MINOR AWNING:** see AWNING, MINOR

**MINOR DORMER:** see DORMER, MINOR

**MOTEL:** a Building, or Buildings, with separate outside entrances for each room or suite of rooms, designed and used primarily for temporary accommodation for transients, and which may include, as Accessory Uses, the serving of food and drink and the provision of rooms for public assembly.

**MUNICIPAL BUILDING or MUNICIPAL USE:** any facility owned or leased by the Town of Madison, or any agency thereof, and utilized for governmental or quasi-governmental purposes.

**NON-AGRICULTURALLY RELATED USES:** Activities, uses and events that are part of a Farm's total offerings, but are not necessarily incidental to Agriculture. Examples of such activities include petting zoos, harvest festivals, weddings, banquets, and similar gatherings where the majority of the food served at the event is made with ingredients grown or raised by the host farmer(s). The purpose of this use is to allow Farms the opportunity to showcase their farm and crops, introduce the general public to the Farm,

demonstrate their farming practices, and host community-oriented events that provide marketing opportunities to the Farm and help diversify farmers' incomes in a way that is low-impact on the land and neighboring property owners.

**NON-CONFORMING BUILDING:** a Building which does not conform to all the applicable provisions of these Regulations.

**NON-CONFORMING LOT:** a Lot which does not conform to all the applicable provisions of these Regulations.

**NON-CONFORMING USE:** a Use of land, Building or Premises which is not a Use permitted by these Regulations for the district in which such land, Building or Premises is situated.

**NON-PROFIT CORPORATION:** a corporation, partnership, or other entity lawfully having tax-exempt status under state or federal law.

**NON-STORY:** see STORY, NON-STORY

**NURSERY SCHOOL:** see DAY CARE CENTER.

**OCCUPANCY, HUMAN:** Human Occupancy; Living Area.

**OFFICE, BUSINESS OR PROFESSIONAL, OR FINANCIAL INSTITUTION:** Business or Professional Office, or Financial Institution; a non-retail, facility which involves the transaction or provision of a financial, professional or business service, the operation of a service organization, or a combination thereof.

**OFFICE, MEDICAL:** Medical Office; the non-retail premises of one or more health-care providers for the treatment and/or examination of patients solely on an out-patient basis.

**OPEN PATIO:** see PATIO, OPEN

**OPEN PORCH:** see PORCH, OPEN

**OUTPATIENT CLINIC, MEDICAL:** Medical Outpatient Clinic: a facility which provides medical services to patients who present non-life-threatening problems but who need or want the convenience of immediate medical attention. An Outpatient Medical Clinic is characterized by having limited facilities and personnel. Such a facility may be open 24 hours a day.

**OUTPATIENT CLINIC, VETERINARY:** Veterinary Outpatient Clinic; a facility where small animals or pets are given medical or surgical treatment.

**PARCEL:** any tract of land, including a Lot.

**PARK:** a tract of land reserved for active or passive recreational purposes and open to the public.

**PASSENGER STATION:** facilities and/or waiting stations for passengers for trains, buses or other forms of public transportation, including accessory service therein, but not including switching, storage, freight yards, or sidings.

**PATIO:** an outdoor area surfaced with concrete, brick, or similar material placed directly on the ground.

**PATIO, OPEN:** Open Patio; a Patio with no roof or other covering.

**PATIO, ROOFED:** Roofed Patio; a Patio with a fixed roof.

**PATIO, COVERED:** Covered Patio; a Patio with a covering other than a fixed roof, such as an Awning.

**PERGOLA:** a vertical Structure without a solid roof or solid walls, more than 30" in depth, usually constructed of wood, typically used for decoration, to provide support for plants, create shade, or to frame a view; may be free-standing or attached.

**PITCHBREAK:** the intersection of two slopes of a gambrel roof, other than at the ridge.

**PLAYGROUND:** an outdoor area developed for children's active play and recreation, and which includes equipment for children such as swings, slides, playscapes and the like, and/or sports courts and/or playing fields.

**PORCH:** an outdoor area adjacent to a Building or other Structure, typically with a raised platform and with a fixed roof or another platform above, includes a roofed exterior landing.

**PORCH, CLOSED:** Closed Porch; a Porch with screened-in or glassed-in openings.

**PORCH, OPEN:** Open Porch; a Porch that is open to the air without screened-in or glassed-in openings.

**PREMISES:** a Lot or Parcel and all Buildings, Structures, or Uses located thereon.

**PRINCIPAL BUILDING:** see BUILDING, PRINCIPAL

**PRINCIPAL USE:** see USE, PRINCIPAL

**PUBLIC RECREATION FACILITY:** Premises designed and equipped for the conduct of sports and leisure-time activities which are open to the general public, such as picnic grounds, or playing fields or courts.

**PUBLIC UTILITY:** a Building, Structure, or facility relating to the furnishing of utility services such as a communication, electricity, gas, water or sewer company that provides such service.

**REAR LOT:** see LOT, REAR

**REAR LOT LINE:** see LOT LINE, REAR

**REAR YARD:** see YARD, REAR

**RESEARCH AND DEVELOPMENT FACILITY:** a facility devoted to scientific research and development of manufactured products, processed products, compounded products and any investigative activities of a scientific nature. It may also include a combination of research activities and manufacturing activities provided that: (a) the manufacturing is the direct outcome of the research activity conducted therein; and (b) the manufacturing activity does not constitute more than twenty five percent (25%) of the total Use conducted on the premises, measured by floor space allocation, operating expenditures and personnel; and (c) the manufacturing activity is contained within a building and does not produce noise, vibrations, illumination or particulate that is materially perceptible to adjacent land users.

**RESTAURANT, FULL SERVICE:** Full-Service Restaurant; an establishment for the retail sale of prepared food to the general public for consumption on the premises, with food service primarily to customers seated at tables or at counters, and no more than 45% of the floor area is devoted to food preparation or other space not accessible to the public.

**RESTAURANT, TAKE-OUT:** Take-Out Restaurant; an establishment for the retail sale of prepared food to the general public where most customers order and are served their food at a counter or in a motor vehicle in packages prepared to leave the premises or to be taken to a table to be consumed, and where customers pay for food before consuming it.

**RETAIL SALES ESTABLISHMENT:** a facility whose primary purpose is to offer commodities or goods directly to the consumer for purchase.

**ROOFED PATIO:** see PATIO, ROOFED

**SCHOOL:** Premises or part thereof that are designed, constructed, or used for education or instruction in any branch of knowledge, including, but not limited to, art, dance, martial arts, and the like, but excluding Educational Institution.

**SERVICE - RETAIL, PERSONAL, PROFESSIONAL, OR BUSINESS:** those facilities primarily involved with the provision of personal care or other service, as opposed to product, either on or off the Premises, directly to the ultimate consumer, which may be a person or a business, as walk-in trade or by appointment. Examples of such services include, but are not limited to, beauty salon or barber shop, tailor, laundry, photography studio, shoe repair shop, lawyer, engineer, accountant, landscaper, plumber, or the like.

**SIDE LOT LINE:** see LOT LINE, SIDE

**SIDE YARD:** see YARD, SIDE

**SIGN:** any Structure, or part thereof, or any device attached to a Building or Structure or painted or represented thereon which displays or includes letters, words, symbols, trademarks or any other graphic representation which is in the nature of an announcement, direction, advertisement or other device used to attract the attention of the public for commercial purposes or otherwise; similarly, any natural object, such as a tree, stone, or the earth itself, which is painted or arranged so as to represent or display any of the aforesaid graphic representations; any Building feature, including roof or other special illumination, special colors or effects, or Building or roof lines which serve to identify the Use or occupancy of any Building or site through a recognized motif or symbol, when visible from any street or from any Lot other than the Lot on which the Sign is located and either (1) located out of doors or (2) located indoors and intended to be viewed from outside. The term Sign, however, shall not include any flag, pennant or insignia of any governmental unit or non-profit organization, the Town of Madison, or the State of Connecticut.

**SIGN, TEMPORARY:** Temporary Sign; any Sign which is not permanently affixed to the Building or to the ground.

**SIGN, ILLUMINATED:** Illuminated Sign; any Sign lighted from within or without by artificial light.

**STORY, FULL:** Full Story; that part of a Distinct Portion of a Building below a floor or roof next above except that the following shall not be considered a story:

- an Attic which is a non-Story,
- a Half-Story, or
- a Cellar provided the first-floor elevation is no more than three (3) feet above the mean finished grade (measured at the wall) along any wall facing a street.

**STORY, HALF:** Half Story; that portion of a Distinct Portion of a Building below a roof next above where the area with a height of seven feet (7') or greater between the top of the floor or the joists and the bottom of the rafters is twenty-five percent (25%) or more of the Floor Area of the floor below but:

- such area under the roof is fifty percent (50%) or less of the Floor Area of the floor below, and
- such area under the roof and any and all Dormers is sixty percent (60%) or less of the Floor Area of the floor below.

**STORY, NON-STORY:** Non-Story; an Attic where the area with a height of seven feet (7') or greater between the top of the floor or the joists and the bottom of the rafters is less than twenty-five percent (25%) of the Floor Area of the floor below. (see "Story, Full" and "Story, Half")

**STREET:** a public or private roadway, or a right of way giving access to the Lot.

**STRUCTURE:** anything constructed or erected and the use of which requires more or less permanent location on ground or water areas or attachment to something having permanent location on ground or water areas. A combination of materials forming an edifice or a building of any kind, or any production or piece of work artificially built up or composed of parts and joined together in some definite manner, including, but not limited to, signs, fences or walls, a wharf or dock, above-ground tanks, pools, detached solar panels or satellite dishes, vending machines, donation collection bins, and dumpsters. A Structure will not include the following: flagpoles; small accessory or ornamental features such as a bird bath, well casing, etc.; tents; wheeled vehicles which move from place to place; utility mains, lines, and underground facilities;

doghouses, playscapes, tree houses, and other yard or play equipment provided no building permit is required.

**SUBDIVISION:** the definition of the term "Subdivision" as used in these Regulations shall be the same as that term is defined in the Madison Subdivision Regulations.

**[SUMMARY REVIEW:** A non-discretionary administrative review conducted by the Commission, without a public hearing, to determine whether an application complies with the objective standards of these Regulations. Summary Review shall only require a determination that a site plan conforms to applicable zoning regulations and that public health and safety will not be substantially impacted and shall not require the issuance of a Special Permit, Exception or Variance.]

**TAKE-OUT RESTAURANT:** see RESTAURANT, TAKE-OUT

**TEMPORARY SIGN:** see SIGN, TEMPORARY

**TERRACE:** an exterior level area, typically defined by retaining walls or other features, which is a landscaping feature.

**TERRACE, LANDSCAPED:** Landscaped Terrace; a Terrace with a lawn, mulch or similar surface.

**TERRACE, FINISHED:** Finished Terrace; a Terrace with a concrete, brick, or similar surface.

**TRADEMARK BUILDING:** a Building which identifies the owner or occupant by its architectural style and/or color and/or materials.

**THEATER:** a facility for stage and/or motion picture performances (but excluding drive in theaters).

**TOTAL BUILDING HEIGHT:** see BUILDING HEIGHT, TOTAL

**TRAILER:** any vehicle which is, or can be, used for sleeping, living or working quarters and which is, has been, or can be mounted on wheels, including those units which can be, have been or are mounted on a pickup or truck chassis.

**TRELLIS:** a vertical Structure without a solid roof or solid walls, 30" or less in depth, typically used to support climbing plants, usually constructed of wood or metal lattice.

**USE:** any purpose for which a Building or Premises may be designed, arranged, intended, maintained, or occupied, or, any activity, occupation, business, or operation actually carried on in a Building or on a Lot or Parcel.

**USE, ACCESSORY:** Accessory Use; any Use which is clearly subordinate, and customarily incidental, to the Principal Use on the same Lot.

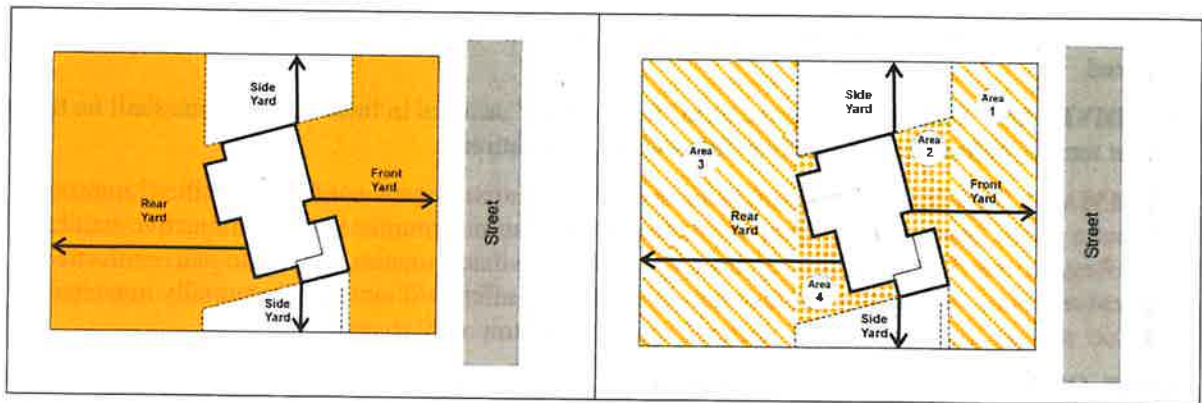
**USE, PRINCIPAL:** Principal Use; the primary purpose or function for which a Lot is Used.

**USE, WATER DEPENDENT:** Water Dependent Use; those uses and facilities that a) require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland or b) provide general public access to marine and tidal waters.

**VETERINARY OUTPATIENT CLINIC:** see OUTPATIENT CLINIC, VETERINARY

**WATER DEPENDENT USE:** see USE, WATER DEPENDENT

**YARD:** an area on the same Lot with a Principal Building which lies between the Principal Building and a Lot Line.



**YARD, FRONT:** Front Yard; a Yard between the Principal Building and a Front Lot Line (a Lot shall have one Front Yard for each street frontage) defined as follows:

- the area extending across the full width of the Lot between a Front Lot Line and a line parallel to that Front Lot Line which touches the most forward wall or corner of the Principal Building shown as the hatched "Area 1" above, and
- the area between the Principal Building and a Front Lot Line between the side walls extended of the Principal Building shown as the dotted "Area 2" above.

**YARD, REAR:** Rear Yard; a Yard between the Principal Building and the Rear Lot Line defined as follows:

- the area extending across the full width of the Lot between the Rear Lot Line and a line parallel to the Rear Lot Line which touches the most rearward wall or corner of the Principal Building shown as the hatched "Area 3" above, and
- the area between the Principal Building and the Rear Lot Line between the side walls extended of the Principal Building shown as the dotted "Area 4" above.

**YARD, SIDE:** Side Yard; a Yard located between the Front Yard and the Rear Yard and also between the Principal Building and the Side Lot Line. Any Yard, not a Front Yard or a Rear Yard shall be deemed a Side Yard.

**YARD, MINIMUM FRONT:** Minimum Front Yard; the minimum required distance from the Front Lot Line to a Building, Structure, or Use.

**YARD, MINIMUM REAR:** Minimum Rear Yard; the minimum required distance from the Rear Lot Line to a Building, Structure, or Use.

**YARD, MINIMUM SIDE:** Minimum Side Yard; the minimum required distance from the Side Lot Line to a Building, Structure, or Use

## 9.5: MIDDLE HOUSING (NEW)

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### A. Intent.

1. The intent of this Section is to establish the review process, construction standards, and site design requirements for Middle Housing developments as defined herein when located in certain zones.

### B. Applicability.

1. This section shall apply to developments that include between two and nine residential units contained within one or more buildings when proposed in one of the following zones as shown on the official Zoning Map.

<b>Zones</b>	
Commercial	C
Downtown	D
Downtown Commercial	DC
Downtown Water Restriction	DW
Rural Shopping	RS
Transition	T

2. Middle Housing as defined herein shall include the following developments as outlined in November Special Session Public Act 25-1:
  - a. Transit Community Middle Housing Development: a residential building containing not less than two dwelling units but not more than nine such units, including, but not limited to, townhouses, duplexes, triplexes, perfect sixes and cottage clusters.
  - b. Mixed-Use Development: a development containing two or more residential units and one or more commercial, public, institutional, retail, office or industrial uses, as defined by CGS§8-13m.

### C. Procedure.

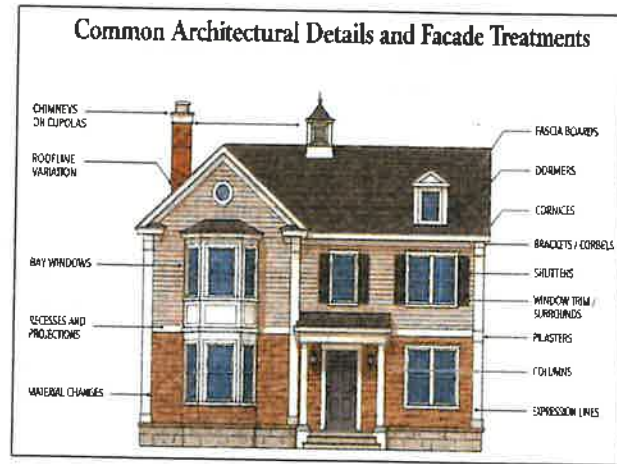
1. Applications for Middle Housing shall be submitted and reviewed in accordance with the following:
  - a. All applications shall be submitted in a manner as determined by the Commission and shall include:
    - i. A completed application form
    - ii. A site plan depicting property lines, existing and proposed structures, parking, lighting, utilities, applicable setbacks, landscaping etc. as more particularly described by §17.4B and §17.5
    - iii. An Erosion & Sedimentation Control Plan, as outlined in §10.2C, and which meets the most recent standards adopted by CT DEEP.
    - iv. Building elevations demonstrating compliance with the design requirements established herein.
    - v. Floorplan(s) depicting all interior space, prepared by a licensed architect.
    - vi. A stormwater management plan which complies with the Stormwater Quality Manual adopted by DEEP (2024) and the standards of §11.2
2. The Commission's evaluation of a Middle Housing application shall be through the Summary Review process. Accordingly, while such developments shall be permitted without the need to obtain a Special Permit, Variance or conduct a Public Hearing, it remains the applicant's responsibility to demonstrate that all standards established herein have been met.
3. If, upon review, the Commission determines that an application would have a substantial adverse impact on public health or safety, and that such impact cannot be adequately mitigated through modifications to the application, the Commission may deny the application.
4. Any application for property located within the Downtown Village District (DVD) shall provide design elements consistent with Section 8.4.

### D. Building Materials and Design.

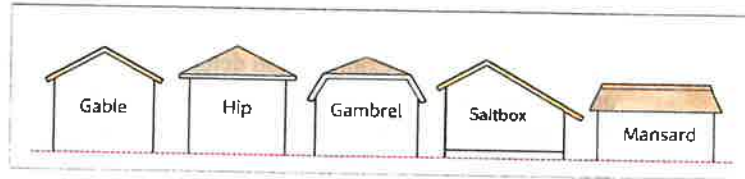
1. Primary Materials. At least 80% of each façade shall be constructed of primary materials. For facades over 1000 square feet, more than one material shall be used to fulfill the 80 percent requirement.
  - a. Permitted primary building materials include: high quality, durable, natural materials,
  - b. such as stone, brick; wood lap siding; lapped, shingled, or panel fiber cement board siding; glass or modern materials with the same visual characteristics, in their traditional applications (e.g., wood, stone, brick, glass, metal, etc.) shall be used as primary building materials.
  - c. Masonry veneers shall be full depth at the corners so as to not appear as surface veneers.
  - d. Each building façade shall be designed to incorporate a minimum of 20% transparency.
2. Roof Materials. Acceptable roof materials include 300 pounds or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile.
3. Building Elements. All buildings shall include or be retrofitted to include building elements, features and treatments as shown in the examples provided for each Building Type detailed in Section 9.5F. Such design is expected to incorporate one or more of the following elements:



- a. Facade Treatments: Modulation, Expression lines, Recesses and projections, material changes, roofline variation.
- b. Architectural details: Fascia boards, bay windows, chimneys, cupolas, shutters, pilasters, cornices, dormers, window trims/surrounds, columns.



5. Roof Types. Gable, hip, gambrel, saltbox and mansard roof types are permitted. Flat roofs are permitted, provided they incorporate architectural features that create visual interest and avoid a blank or monolithic appearance, such as variation in roofline, changes in building height, integrated cornices, overhangs, or similar elements. Roof edge treatments shall be integrated into the overall building design and be consistent with the building's massing, proportions, and architectural composition.

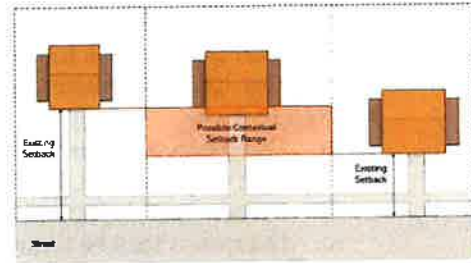


6. Unit Configuration.
  - a. Each unit shall contain independent living facilities, including provisions for living, sleeping, eating, cooking, and sanitation.
  - b. To the extent allowed by any applicable Building or Fire Codes, each unit shall contain operable windows.
7. Utility and Mechanical Appurtenances.
  - a. All roof- and ground-mounted mechanical equipment (including HVAC, plumbing, and exhaust systems) shall be fully screened so as not to be visible from any public right-of-way or adjacent properties. Screening shall be integrated into the building design or provided through fencing, walls, or landscaping, and shall be durable, opaque, compatible with the principal structure, and maintained to ensure effective year-round coverage at a height sufficient to fully conceal the equipment.

**E. Site Layout and Design**

1. Parking.
  - a. Parking spaces should be provided at a ratio of 1 space per unit.
  - b. Parking shall not be located in the front or side yard.
  - c. Only one driveway access/curb cut per parcel shall be allowed.
2. Building Orientation and Layout.

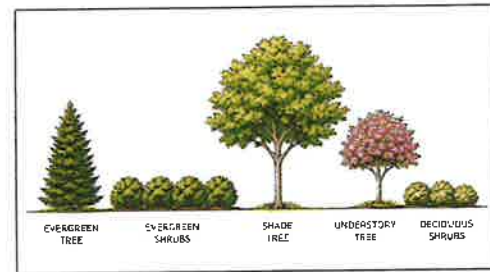
- a. In lieu of the required Front setback requirements, when a new building is proposed to be located in between two or more existing buildings, the contextual setback as outlined shall be used instead to ensure the established development patterns are maintained.
- b. Buildings shall be oriented towards the public streets or to interior green space.
- c. Where multiple buildings are being proposed, taller buildings shall be located to the rear of the property



3. Landscape Design.

- a. Each building shall include foundation plantings of at least 4 shrubs per 20 lineal feet of building length. Plantings shall include a mix of 60 percent evergreens and 40 percent flowering shrubs. All shrubs shall be at least 3-gallon in size at time of planting.
- b. One street tree shall be provided for every 30ft of street frontage. Such trees may be deciduous or evergreen. Deciduous trees shall be at least 2 inches caliper at time of planting and evergreen trees shall be at least 8 feet in height at time of planting.
- c. All unpaved ground areas shall be landscaped with grass or groundcover. Gravel, pea-stone, or mulch shall not be permitted except within tree or shrub planting beds.
- d. A planted landscape buffer, not less than 15ft in width shall be provided when such development is adjacent to a commercial use. Buffers shall include a mix of native coniferous and deciduous trees and shrubs, including:

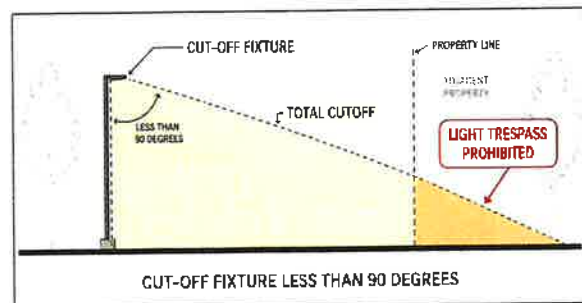
- i. At least 1 medium or large shade tree and one understory tree every linear 40'.
- ii. A continuous double row of shrubs is required between shade trees:  
Composition must include a double row of individual shrubs with a minimum width of 18-24" at planting and 36" at maturity, spaced no more than 36" on center; a minimum height of 24" in one year and maximum height of 48"



- iii. Additional screening may be provided through the use of vinyl or wood fencing, not to exceed 6ft in height.

4. Lighting.

- a. Full cut-off fixtures which are shielded and have a cutoff angle of less than ninety degrees shall be provided. Floodlights are prohibited.
  - i. Each building shall have at least (1) decorative light at each entrance door.
  - ii. Parking areas shall be illuminated using fixtures mounted on poles no higher than 15ft.



5. Open Space and Resident Amenities.
  - a. At least 500SF of greenspace shall be provided on the lot for each unit proposed. Such shall include some form of outdoor seating, which is shaded or otherwise protected and play space for children and pets.
6. Refuse Areas.
  - a. Dumpsters and refuse areas shall be provided behind the principal building and screened with wood or vinyl fencing at least six feet in height.
  - b. Refuse areas shall be secured and not be located within a required setback.
  - c. Dumpsters shall be located on a concrete pad.

## F. Building Design Examples

### Building Type: Duplex



### Building Type: Triplex



### Building Type: Multiplex



### Building Type: Cottage Unit



### Building Type: Commercial Conversion (Before)



### Building Type: Commercial Conversion (After)



**G. Dimensional Requirements.**



**Table 9.5F (2): Standards for Commercial to Residential Conversions**

		<b>C</b>	<b>D</b>	<b>DC</b>	<b>DW</b>	<b>RS</b>	<b>T</b>
<b>1</b>	<b>Multiple Principal Buildings</b>	<i>Permitted. Total units not to exceed 9</i>	<i>Permitted. Total units not to exceed 9</i>	<i>Permitted. Total units not to exceed 9</i>	<i>Permitted. Total units not to exceed 9</i>	<i>Permitted. Total units not to exceed 9</i>	<i>Permitted. Total units not to exceed 9</i>
<b>2</b>	<b>Front Build-to-Zone</b>	<i>Within 5ft of required or established setback. Min 15' deep from yard.</i>	<i>Within 10ft of required or established setback. Min 10' deep from yard.</i>	<i>Within 10ft of required or established setback. Min 10' deep from yard.</i>	<i>Within 5ft of required or established setback. Min 0' deep from yard.</i>	<i>Within 10ft of required or established setback. Min 40' deep from yard.</i>	<i>Within 5ft of required or established setback. Min 15' deep from yard.</i>
<b>3</b>	<b>Minimum Front Setback</b>	20ft	10ft	10ft	0ft	50ft	20ft
<b>4</b>	<b>Minimum Side Setback</b>	20ft	10ft; Total 30ft	10ft; Total 30ft	0ft; Total 20ft	20ft	30ft if abutting non-residential district and 40ft if abutting residential district
<b>5</b>	<b>Minimum Rear Setback</b>	30ft	15ft	15ft	15ft	50ft	30ft
<b>6</b>	<b>Building Width</b>	<i>Minimum: 30ft Maximum: 50ft</i>	<i>Minimum: 30ft Maximum: 50ft</i>	<i>Minimum: 30ft Maximum: 50ft</i>	<i>Minimum: 30ft Maximum: 50ft</i>	<i>Minimum: 30ft Maximum: 60ft</i>	<i>Minimum: 25ft Maximum: 40ft</i>
<b>7</b>	<b>Max Building Coverage</b>	25%	25%	25%	25%	20%	10%
<b>8</b>	<b>Max Impervious Coverage</b>	60%	60%	60%	60%	45%	35%
<b>9</b>	<b>Accessory Building Maximum</b>	400SF	400SF	400SF	400SF	400SF	400SF
<b>10</b>	<b>Porling &amp; Detached Garage Location</b>	Rear Yard	Rear Yard	Rear Yard	Rear Yard	Rear Yard	Rear Yard
<b>11</b>	<b>Permitted Vehicular Access</b>	One Access Drive	One Access Drive	One Access Drive	One Access Drive	One Access Drive	One Access Drive
<b>12</b>	<b>Minimum Overall Height</b>	2 stories 25ft	2 stories 25ft	2 stories 25ft	2 stories 25ft	1 1/2 stories 20ft	1 1/2 stories 20ft
<b>13</b>	<b>Maximum Overall Height</b>	2 1/2 stories 30ft	2 1/2 stories 30ft	2 1/2 stories 30ft	2 1/2 stories 30ft	2 1/2 stories 30ft	2 1/2 stories 30ft
<b>14</b>	<b>Required Building Separation</b>	<i>Principal: 15ft Accessory: 10ft</i>	<i>Principal: 15ft Accessory: 10ft</i>	<i>Principal: 15ft Accessory: 10ft</i>	<i>Principal: 15ft Accessory: 10ft</i>	<i>Principal: 15ft Accessory: 10ft</i>	<i>Principal: 15ft Accessory: 10ft</i>
<b>15</b>	<b>Maximum Bedroom Count or Unit Size</b>	<i>Max of 2 bedrooms unit and maximum unit size 2,250SF*</i>	<i>Max of 2 bedrooms unit and maximum unit size 2,250SF*</i>	<i>Max of 2 bedrooms unit and maximum unit size 2,250SF*</i>	<i>Max of 2 bedrooms unit and maximum unit size 2,250SF*</i>	<i>Max of 2 bedrooms unit and maximum unit size 2,350SF*</i>	<i>Max of 2 bedrooms unit and maximum unit size 2,250SF*</i>

#### **H. Alternative Compliance**

Middle Housing developments shall be approved in accordance with subsection C above. However, in situations where incorporation of the building design standards required herein are infeasible or would create an unreasonable burden which would jeopardize the establishment of an otherwise compliant middle housing development, the applicant may request partial deviation from such standards by Special Exception. The Commission may approve such Special Permit request provided one or more of the following criteria have been established:

1. The adjustment from the requirement(s) is consistent with all relevant purpose and intent statements of these zoning regulations and with the general purpose and intent of the plan of conservation and development; and
2. The adjustment will not have a substantial or undue adverse effect upon adjacent property, or the public health, safety, and general welfare.
3. The subject property contains a lawfully established existing building built prior to the effective date of this regulation.
4. The application demonstrates significant compliance with design standards above and the reason for the request is not financial.
5. When the type of relief requested pertains to the required roof type, such application for relief is accompanied by a statement from a professional engineer or licensed architect which documents current constraints and confirms that full compliance would require removal or full replacement of primary structural components and outlines the proposed mitigation to be provided.
6. When the type of relief requested pertains to the required location of on-site parking, such application for relief is accompanied by a plan which details how such parking is to be continuously screened from the roadway.
7. The application proposes providing at least one deed-restricted Affordable Housing Unit.

**TOWN OF WALLINGFORD**

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

**TO:**  Brendon Duckett - South Central Regional Council of Governments  
 Vicki Harris - Lower Connecticut River Valley Council of Governments  
 Patricia Bruder - Naugatuck Valley Council of Governments

**FROM:** Kevin J. Pagini, Town Planner

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

Please see attached

[ ]

The change was originally requested:


by municipal agency (PZC)  
 by petition

**Public hearing has been scheduled for:** June 08, 2026

Legal Notice  
 Map of proposed subdivision  
 Site map  
 Text of proposed amendment

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

[www.wallingford.ct.us](http://www.wallingford.ct.us)

  
\_\_\_\_\_  
Kevin J. Pagini, Town Planner

(Authorizing Signature)

5/4/2026  
Date

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

## **Referral 2.5.** Town of Wallingford

**Subject:** Town of Wallingford. Proposed Zoning Text Amendment related to PA 25-1 compliance. Received: May 12, 2026. Public Hearing: June 8, 2026.

### **Staff Recommendation:**

The proposed zoning text amendment does not appear to cause any negative inter-municipal impact to the Towns in the South Central Region nor will there be a negative impact on the habitat or ecosystem to the Long Island Sound.

### **Background:**

The Town of Wallingford is looking to further amend their zoning regulations per the requirements set forth by PA 25-1. While they previously amended their zoning regulations with some of the requirements that need to be in place by July 1<sup>st</sup>, this referral would further meet requirements by adding language around summary review and would remove two sections and add a section on middle housing. Further changes represented in other sections of the regulations will add or remove certain language to refer back to the new section on middle housing. These changes will keep the Town in compliance with the State, and doing such will not cause any inter-municipal impact or impact to the health of the Long Island Sound.

### **Communication:**

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



Town of Wallingford, Connecticut

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5/12/2026

Proposed Changes – Compliance with Public Act 25-01

Add to Section 2.2:

Summary Review - means able to be approved in accordance with CT Public Act 25-01 and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with Sections §7.3 and §7.4 of the Town of Wallingford Zoning regulations and that public health and safety will not be substantially impacted

Deletion of the entirety of Section 6.22 – Multi-Family Conversions and §4.7 Downtown Apartment Overlay District as Section §6.38 covers all parts of these sections and allows for the same uses

§4.7 DOWNTOWN APARTMENT (DA) DISTRICT 6/18/89

- A. Purpose - An overlay district to permit and encourage multi-family dwelling units (11/17/07) in existing and new buildings within designated areas of the Downtown.
B. The following uses are permitted subject to approval of a Special Permit in accordance with §7.5:
1. Residential dwelling units in new or existing buildings provided that:
a. Each lot shall contain a minimum of twenty-five, thousand (25,000) square feet.
b. Minimum lot area per dwelling shall be based upon the following:

Table with 2 columns: Units/Acre, Units of 1 room (35), Units of 2 rooms (30)



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- \_\_\_\_\_ Units of 3 rooms \_\_\_\_\_ 20
- \_\_\_\_\_ Units of 4 rooms \_\_\_\_\_ 15
- \_\_\_\_\_ Units of 5 or more \_\_\_\_\_ 10
- \_\_\_\_\_ rooms \_\_\_\_\_ 11/2/87

\_\_\_\_\_ c. \_\_\_\_\_ The required floor area per dwelling unit shall be:

	<b>Minimum Floor</b>
<b>Unit</b>	<b>Area (Sq. Ft.)</b>
_____ 1 room _____	300
_____ 3 rooms (1 bedroom) _____	500
_____ 4 rooms (2 bedrooms) _____	575

6/18/05

- \_\_\_\_\_ d. \_\_\_\_\_ The lot shall be served by sanitary sewers and public water supply.
- \_\_\_\_\_ e. \_\_\_\_\_ Bulk requirements in accordance with §5.1. B.
- \_\_\_\_\_ f. \_\_\_\_\_ Parking in accordance with §6.11.
- \_\_\_\_\_ g. \_\_\_\_\_ Landscaping in accordance with §6.14 except that all parking areas within twenty (20) feet of abutting properties or a street shall be surrounded with a minimum five (5) foot buffer area per §6.14. D.4.

**§6.22 MULTI-FAMILY CONVERSIONS** \_\_\_\_\_ 1/30/90

Purpose—To encourage greater densities in residential neighborhoods located in the general vicinity of the Central Business District while maintaining the existing character of the neighborhoods. In addition, it is the purpose of this section to encourage increased off-site parking, fewer curb cuts and improve landscaping standards within the neighborhoods.

\_\_\_\_\_ Existing legal, multi-family dwellings in R-6 and R-11 zones may be permitted additional dwelling units subject to Site Plan Approval in accordance with Article VII and all of the following conditions:

- A. \_\_\_\_\_ The dwelling shall be served by public water and sewer.
- B. \_\_\_\_\_ All dwelling units (11/17/07) shall have a minimum of three-hundred (300) sq.ft.



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- ~~C. Total number of units (11/17/07) per dwelling shall not exceed the number of stories per dwelling and only one (1) dwelling unit (11/17/07) will be permitted in each story except that basement and cellar dwelling units (11/17/07) will not be permitted. 1/19/92~~
- ~~D. Only one (1) curb cut will be permitted per dwelling.~~
- ~~E. All non-sidewalk municipal right-of-way areas shall be landscaped.~~
- ~~F. No accessory building shall be used or constructed as a dwelling unit.~~
- ~~G. Parking as per §6.11 except that no front yard parking is permitted.~~
- ~~H. Landscaping as per §6.14. In addition, landscaping that meets the following requirements will be allowed:~~
- ~~1. Any portion of the property line in the rear yard that does not have a six (6)-foot landscaped buffer will require screening. On corner lots, required on-site parking areas will be screened from the street. Such screening will consist of fences, walls or shrubs of at least three (3) feet in height.~~
  - ~~2. The requirements as described in §6.22.H.1 can be waived by the Commission for any side yard where a shared parking arrangement for two (2) adjacent properties is proposed. Agreement should be filed on the land records with the Town Clerk.~~
  - ~~3. Extent of rear yard landscaping shall comprise of at least twenty-five percent (25%) of the rear yard area.~~
- ~~I. The entire dwelling shall conform to all requirements of the applicable building, health, fire, sanitary, and zoning codes.~~

**§6.38 MIDDLE HOUSING**

- A. Purpose - to permit and encourage middle housing developments, cottage style housing, and creative multi-family development ideas in existing and new buildings within



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designated zoning districts and encourage affordable housing developments by easing of bulk/building and lot requirements.

**B. The Commission shall approve by summary review, a middle housing application, provided it complies with the requirements herein and that public health and safety will not be substantially impacted.**

C. Definitions:

***As of right or "as-of-right"*** – means able to be approved in accordance with the terms of a zoning regulation or regulations and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with applicable zoning regulations;

***Summary Review*** - means able to be approved in accordance with the terms of a zoning regulation or regulations and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with applicable zoning regulations and that public health and safety will not be substantially impacted

***New Construction*** – the process of creating new buildings or infrastructure from the ground up. Does not include additions or expansions to existing buildings.

Middle Housing includes the following:

***Cottage cluster***- means a grouping of at least four detached housing units, or live work units, that are located around a common open area;

***Live work unit*** - means a building or a space within a building used for both commercial and residential purposes by an individual residing within such building or space; would only be allowed in Commercial, Industrial and Route 5 Zoning Districts

***Duplexes, triplexes, quadplexes.***

***Mixed-use development***- means a development containing both residential and nonresidential uses in any single building; and

***Townhouse*** - means a residential building constructed in a grouping of three or more attached units, each of which shares at least one common wall with an adjacent unit and has exterior walls on at least two sides

D. Middle Housing is permitted subject to Site Plan Approval in accordance with §7.4 in the R-6, R-11, R-15 zoning districts and subject to the following:



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- a. ~~Minimum lot size of the applicable zoning district for new construction only~~
- a. Buildings and additions shall reflect the residential architectural features of the surrounding area and zoning district
- b. The lot shall be served by sanitary sewers and public water supply.
- c. Bulk requirements in accordance with §5.1.B.
- d. Parking in accordance with §6.11.
- e. Landscaping in accordance with §6.14
- f. **Basement and cellar dwelling units shall not be permitted**

E. Middle Housing is permitted subject to Site Plan Approval in accordance with §7.4 in the I-40, I-20, CA-12, CA-40, CB-12, and CB-40, **DD-40, T-30, RF-40, CLB, and YLB** zoning districts and subject to the following:

- a. ~~Minimum lot size of the applicable zoning district for new construction only~~
- a. Buildings and additions shall reflect the residential architectural features of the surrounding area and zoning district
- b. The lot shall be served by sanitary sewers and public water supply.
- c. Bulk requirements in accordance with §5.1.B.
- d. Parking in accordance with §6.11.
- e. Landscaping in accordance with §6.14
- f. **Basement and cellar dwelling units shall not be permitted**

F. ~~Middle Housing is permitted subject to a Special Permit in accordance with §7.5 in the RF-40 zoning district and subject to the following:~~

- ~~a. Residential units shall be located on second floor or above only.~~
- ~~b. The lot shall be served by sanitary sewers and public water supply.~~
- ~~c. Bulk requirements in accordance with §5.1.B.~~
- ~~d. Parking in accordance with §6.11.~~
- ~~e. Landscaping in accordance with §6.14~~

G. Middle Housing that incorporates an affordable component is permitted subject to Site Plan approval in accordance with §7.4 in the R-6, R-11, R-15, RF-40, I-40, I-20, CA-12, CA-40, CB-12, and CB-40, **DD-40, T-30, CLB, and YLB** zoning districts and subject to the following:

- 1. Affordable Residential dwelling units, consistent with all other requirements of Section 8-30g of the General Statutes of the State of Connecticut, which comprise



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a minimum of 20% of the total dwelling units on site, whether existing or newly constructed, as a development at 60% and/or 80% AMI (Area Median Income) or State Median Income, whichever is lesser, in new or existing buildings provided that:

- a. The application materials required to be submitted shall adhere to all other requirements set forth in Section 8-30g of the General Statutes of the State of Connecticut
- b. Buildings and additions should reflect the residential architectural features of the surrounding area and zoning district
- c. The lot shall be served by sanitary sewers and public water supply.
- d. Parking in accordance with §6.11
- e. Landscaping in accordance with §6.14
- f. **Basement and cellar dwelling units shall not be permitted**

2. Bonuses for affordable developments are as follows:

- a. The Commission may approve bulk standard/lot and building requirements to be reduced or enlarged by up to 20%, as site conditions allow, based upon the specific project and scope for affordable housing developments.
- b. The Commission may approve further bulk requirement bonuses for projects that exceed the 20% minimum requirement for affordable units, up to a maximum of 50%, as site conditions allow, based upon the specific project and scope, on a per application basis.

The following chart details the maximum allowances the Commission may grant for percent reduction or enlargement of bulk standard/lot and building requirements on a tiered basis:

Percent Affordable Units	Percent Reduction/Enlargement*
25%	25%
30%	30%
35%	35%
40%	40%



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45%  
50%

45%  
50%

\*Maximum height allowed is capped at 40% above the maximum for the applicable zone

c. The Commission may also increase the maximum building height allowance up to 40% to accommodate substructure parking for affordable housing developments that meet the minimum 20% of the total dwelling unit requirement. For the purposes of this section, if a foundation of a structure is built below the average finished grade of the adjacent street frontage of the lot, then the height shall be measured from the average finished grade of the surrounding street frontage.



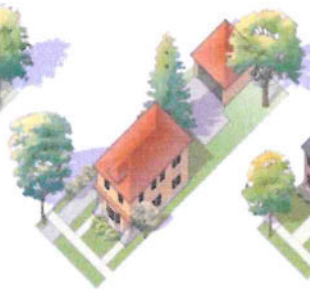
**Middle Housing Examples:**



**1. COTTAGE COURT**



**2. SIDE-BY-SIDE DUPLEX**



**3. STACKED DUPLEX**



**4. FOURPLEX**



**5. SIXPLEX**



**6. EIGHTPLEX**



**7. COURTYARD**



**8. TOWNHOUSE**



**9. LIVE/WORK**

©OPTICOS DESIGN, INC.



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**Cottage Cluster Example:**



05/17/25



## §4.4 (A)CENTRAL LIMITED BUSINESS DISTRICT (CLB)

1/20/91

Purpose - To allow for the limited and controlled use of land for professional offices and multi-family dwelling units (11/17/07) while maintaining the residential character of the structures and properties within the district.

- A. The following uses are permitted:
1. Any use permitted in §4.1. B 10/18/01
- B. The following uses are permitted subject to Site Plan Approval and the following conditions except as per §4.4. (A)C.4: 3/17/91
- a. The residential character of existing buildings and additions must be maintained as per §4.4. E.
  - b. The gross floor area of any dwelling unit (11/17/07) must be a minimum of three-hundred (300) square feet.
  - c. No exterior change shall be made to the existing front of any existing principal dwelling. Additions into side yard areas will be permitted.
    1. Professional, business, medical and dental offices, funeral homes, credit unions and multi-family dwelling units (11/17/07) located in existing structures. 9/17/05
    2. Bed and Breakfast Inns subject to the following conditions:
      - a. The structure shall be owner occupied or have an innkeeper on premise. All applications under this section shall include a listing of all the rooms in the house and which rooms shall be used as guest bedrooms and which shall be used as the owner's/innkeeper's bedroom(s). The maximum occupancy shall be sixteen (16) guests. 3/17/12;  
10/16/09



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- b. The residential and historic character and existing architectural detail of the structure shall not be changed.
- c. Additions to the structures to accommodate the bed and breakfast activity shall be limited to not more than twenty percent (20%) of the total floor area of the dwelling. After the initial application is approved and the use is established, any subsequent physical addition to the structure or further expansion of the use within the existing structure beyond the rooms designated as guest bedrooms in the original application, shall require a new application under this section to approve the increased use.
- d. The applicant shall present evidence that the proposed use would be in conformance with the requirements of the Wallingford Health Department as to public sewerage and public water supply.
- e. Off-street parking shall be provided in accordance with §6.11. All such off-street parking shall be substantially screened with a landscape screen at least six (6) feet wide, planted with a mixture of evergreens and deciduous trees and shrubs, which shall be maintained in proper order.
- f. Signs shall be permitted in accordance with §6.9.
- g. Meals may be served only to the occupants of the dwelling and overnight guests at the bed and breakfast.
- h. Additional emergency exits required by the Fire Marshal and/or the Building Inspector shall be designed for the side and/or rear yard and shall be made to appear to be part of the original structure.
- i. Rear yard landscaping shall comprise at least twenty-five percent (25%) of the rear yard area.

10/18/01

- 3. Additions to any existing structure for any use listed in §4.4(A) B.1. 3/14/98

**4. Middle Housing per Section §6.38**

- C. The following permitted uses require approval of a Special Permit in accordance with §7.5:
  - 1. A municipal building, telephone exchange, transformer substation, sewer or water pumping stations, with no outside service yards or outside storage of supplies.



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2. Educational or religious use by a non-profit corporation or governmental unit, excluding correctional institutions. 10/2/94; 6/16/23
3. Uses in this zoning district generating one-hundred (100) peak-hour vehicle trips or more using the standard set forth in the most recent addition of the Trip Generation, ITE, or a more accurate source, if available, subject to the following: 4/16/94; 8/10/86; 10/18/03
  - a. Submission of a traffic impact analysis containing present roadway conditions, existing roadway capacity, existing and projected traffic volumes (ADT, Peak a.m. and Peak p.m.), existing and projected volume rations, existing and projected levels of service, existing and proposed sight lines, site generated traffic and traffic distributions, and traffic accident experience.
  - b. A traffic impact analysis with be required: 5/17/96
    1. For an addition to an existing use, which use is now under the provisions of this section, and,
    2. when an addition to ban existing use brings that use under the provisions of this section.
  - c. No traffic impact analysis or Special Permit will be required for an addition to an existing Special Permit use of the addition generates twenty-five (25) peak hour vehicle trips or less. This provision shall be permitted to be used one (1) time over the life of the use on a specific site.
  - d. In all cases in which the Commission feels that a peer review of the applicant's traffic impact analysis is warranted, the applicant shall be required to reimburse the Town for the cost of the peer review. This payment shall be made to the Town prior to the decision by the Commission on the application.
4. Multi-family dwelling (11/17/07) conversions on any property where a legal non-conforming use exists at the time of application regardless of the legal non-conforming uses. 3/17/91
5. Adaptive Re-use to Multi-Family as per §6.16. 9/19/92
6. Excavation and filling of land as per §6.10. 9/19/92
7. **Deleted** 11/17/07

D. The following accessory uses are permitted:

1. Accessory uses customarily incidental to a permitted use.
2. Signs in accordance with §6.9. O.3.
3. Off-street parking in accordance with §6.11. Parking must be located to the rear of the building.



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4. Landscaping and buffer areas in accordance with §6.14.
  5. Accessory buildings as per §6.2. B. 9/19/92
- E. Architectural Design - The scale and mass of buildings and other structures, including, among other elements, the exterior building material, color, roof-line and building elevations shall be of such character as to harmonize and be compatible with other buildings in the district, and to preserve and improve the appearance and beauty of the community.
- F. The following uses require a Special Exception from the ZBA:
1. Child Day Care Centers.
  2. Group Day Care Homes.
  3. Nursery Schools.
- G. The following uses are permitted and do not require any zoning approval:
1. Mobile Food Vendor provided all of the following conditions are met:
    - a. Will not be located/parked on a property for more than ten (10) consecutive days;  
AND,
    - b. will not be located/parked on a property for more than twenty (20) days in any  
365-day period. 6/14/14

## §4.4(B) YALESVILLE LIMITED BUSINESS DISTRICT (YLB)

1/20/91

Purpose - To allow for the limited and controlled use of land for professional offices and multi-family dwelling units (11/17/07) while maintaining the residential character of the structures and properties within the district.

- A. The following uses are permitted subject to approval of a Zoning Permit in accordance with §8.3.:
1. Any use permitted in §4.1. B. 10/18/01
- B. The following uses are permitted subject to Site Plan Approval in accordance with Article VII and the following conditions, except as per §4.4(B)C.5: 3/17/91
- a. The existing architectural features of all residential structures and additions should be retained as per §4.4.E. 07/12/24
  - b. Conversions of existing commercial structures and additions should reflect the architectural features of the district as per §4.16.E. 07/12/24
  - c. The gross floor area of any dwelling unit (11/17/07) must be a minimum of



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three-hundred (300) square feet.

1. Professional, business, medical and dental offices, funeral homes and multi-family dwelling units (11/17/07) located in existing structures, except as required by §C.5 below. 3/15/92
2. Bed and Breakfast Establishments subject to the following conditions:
  - a. The structure shall be owner occupied and the site plan approval shall become void if the structure shall cease to be owner occupied. All applications under this section shall include a listing of all the rooms in the house and which rooms shall be used as guest bedrooms and which shall be used as the owner's bedroom(s). The maximum number of rooms shall be used as guest bedrooms shall be a total of five (5).
  - b. The residential and historic character and existing architectural detail of the structure shall not be changed.
  - c. Additions to the structure to accommodate the bed and breakfast activity shall be limited to not more than twenty percent (20%) of the total floor area of the dwelling. After the initial application is approved and the use is established, any subsequent physical addition to the structure or further expansion of the use within the existing structure, beyond the rooms designated as guest bedrooms in the original application, shall require a new application under this section to approve the increased use.
  - d. The applicant shall present evidence that the proposed use would be in conformance with the requirements of the Wallingford Health Department as to public sewerage and public water supply.
  - e. Off-street parking shall be provided in accordance with §6.11. All such off-street parking shall be substantially screened with a landscape screen at least six (6) feet wide, planted with a mixture of evergreens and deciduous trees and shrubs, which shall be maintained in property order.
  - f. Signs shall be permitted in accordance with §6.9.
  - g. Meals may be served only to the occupants of the dwelling and overnight guests at the bed and breakfast.
  - h. Additional emergency exits required by the Fire Marshal and/or the Building Inspector shall be designed for the side and/or rear yard and shall be made to appear to be part of the original structure.
  - i. Rear yard landscaping shall comprise at least twenty-five percent (25%) of the rear yard area. 10/18/01
3. CA uses listed in §4.5 subject to the following:



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- a. They are located in a structure or that portion of a structure which contains a legally established CA use at the time of adoption
  - b. The CA use of the structure or the portion of a structure has never been abandoned.
  - c. The GFA of the structure dedicated to a CA use may expand by twenty-five percent (25%) of that which existed at the time of adoption of these regulations.
  - d. Any substantial improvement of a structure shall require that the structure comply with the provisions of §4.4. E.
  - e. Any structure or portion of a structure containing a professional or business office on the effective date of these regulations shall not be changed to another CA use.
4. Building additions which do not exceed fifty percent (50%) of the existing GFA for professional, business, medical and dental office, funeral homes and apartments.  
3/15/92

**5. Middle Housing per Section §6.38**

- C. The following permitted uses require approval of a Special Permit in accordance with §7.5:
1. A municipal building, transformer substation, sewer or water pumping station, with no outside service yards or outside storage of supplies. 07/12/24
  2. Educations or religious use by a non-profit corporation or governmental unit, excluding correctional institutions 10/2/95; 6/16/23
  3. uses in this zoning district generating one-hundred (100) peak hour vehicle trips or more using the standards set forth in the most recent edition of Trip Generation, ITE, or a more accurate source if available, subject to the following:  
4/16/94; 8/10/96; 10/18
    - a. Submission of a traffic impact analysis containing present roadway conditions, existing roadway capacity, existing and projected traffic volumes (ADT, Peak a.m. and Peak p.m.), existing and projected volume capacity rations, existing and projected levels of service, existing and proposed sight lines, site generated traffic and traffic distributions, and traffic accident experience.
    - b. A traffic impact analysis will be required: 5/17/88
      1. For an addition to an existing use, which use is now under the provisions of this section, and, when an addition to an existing use brings that use under the provisions of this section.
      2. The traffic impact analysis shall cover the entire use, not merely the addition.
      - c. No traffic impact analysis or Special Permit will be required for an addition



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to an existing Special Permit use if the addition general twenty-five (25) peak hour vehicle trips or less. This provision shall be permitted to be used one (1) time over the life of the use on a specific site.

- d. In all cases in which the Commission feels that a peer review of the applicant's traffic impact analysis is warranted, the applicant shall be required to reimburse the Town for the cost of the peer review. This payment shall be made to the Town prior to the decision by the Commission on the application.
4. New office and multi-family dwelling units (11/17/07) subject to:  
*3/17/91 & 07/12/24*
    - a. Lot size must be at least twenty-two, thousand, five-hundred (22,500) sq.ft.
    - b. Building must be set back one-hundred, twenty-five (125) feet from the street line. *10/23/91*
  5. Multi-family dwelling unit (11/17/07) conversions on any property where a legal non-conforming use exists at the time of application regardless of whether or not such conversion results in a reduction or elimination of the legal non-conforming uses. *3/17/91*
  6. Building additions which exceed fifty percent (50%) of the existing GFA for professional, business, medical and dental offices, funeral homes and multi-family dwelling units (11/17/07). *3/15/92*
  7. Adaptive Re-use to Multi-Family as per §6.16 *9/19/92*
  8. Excavation and filling of land as per §6.10. *9/19/92*
  9. **Deleted** *11/17/07*
- D. The following accessory uses are permitted:
1. Accessory uses customarily incidental to a permitted use.
  2. Signs in accordance with §6.9.O.3 *07/12/24*
  3. Off-street parking in accordance with §6.11. *8/17/18*
  4. Landscaping and buffer area in accordance with §6.14.
  5. Accessory buildings as per §6.2. B. *9/19/92*
- E. Architectural design - The scale and mass of buildings and other structures, including among other elements, the exterior building material, color roof line, and building elevations shall utilize existing architectural features as to harmonize and be compatible with other buildings in the district, and to



preserve and improve the appearance and beauty of the community.

07/12/24

F. The following uses require a Special Exception form the Zoning Board of Appeals in accordance with §9.1:

1. Child Day Care Centers.
2. Group Day Care Homes.
3. Nursery Schools.

4. Customary home occupations, including professional and service occupations subject to the following conditions 4/18/09

- a. Such occupation shall be conducted by resident occupants of the residential building except that no more than two (2) persons not a resident of the building, may be employed.
- b. No more than five hundred (500) square feet, or the first floor of the building, whichever is smaller, shall be used for such purposes.
- c. The livable floor area for the residents shall remain at least as large as that required of residences.
- d. No more than four (4) students or pupils at any one time shall be permitted in addition to the resident person and/or employee conducting the use.
- e. The residential character of the building shall not be changed.
- f. The occupation shall be conducted entirely within the residential unit.
- g. Off-street parking shall be provided in accordance with §6.11.
- h. Signs shall be permitted in accordance with §6.9.
- i. No retail sales shall be permitted.

G. The following uses are permitted and do not require any zoning approval:

1. Mobile Food Vendor provided all of the following conditions are met:
  - a. Will not be located/parked on property for more than ten (10) consecutive days, AND,
  - b. will not be located/parked on a property for more than twenty (20) days in any 365-day period.

6/14/14

## §4.5 COMMERCIAL (CA) DISTRICTS



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- A. Purpose - To allow general commercial and office development in designated areas located on or near major streets.
- B. The following uses are permitted subject to Site Plan Approval in accordance with Article VII:
1. Educations or religious use by a non-profit corporation or governmental unit, excluding correctional institutions. 10/2/94; 6/16/23
  2. Boarding and rooming houses.
  3. Offices and financial institutions.
  4. Restaurants and other food service facilities with or without a liquor permit.
  5. Funeral homes.
  6. Self-service clothes cleaning establishments.
  7. Theaters for indoor picture projection or dramatic or musical productions.
  8. Hotels and motels with not less than six (6) units, provided that the lot are is equal to not less than two thousand (2,000) square feet for each sleeping accommodation.
  9. Stores and shops where goods are sold and services are rendered primarily at retail, including: 10/2/94
    - a. Bakery, catering establishments or confectionery store.
    - b. Barber shops, beauty parlors, manicurists, sun tanning salons, massage therapists, and similar personal services.
    - c. Book or stationary store.
    - d. Laundry, cleaning and dyeing agencies.
    - e. Clothing, tailoring, dressmaking.
    - f. Drugs, toilet articles, dry goods and notions.
    - g. Florist shop, garden and farm supplies or equipment.
    - h. Furniture, interior decorating, hardware, radios, electrical or household appliances, sporting goods.
    - i. Gift, antique or art or jewelry store.
    - j. Groceries, fruit, vegetables or meats.
    - k. Rental equipment if stored indoors.
    - l. Retail package store, the sale of wine, beer or spirituous liquors.
    - m. Shoes and shoe repairing.
    - n. Dog and cat grooming.
    - o. Printing and publishing establishments in which the floor area shall not exceed two thousand (2,000) square feet.
  10. Clubs.



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11. Cafes and taverns subject to: 11/13/04
  - a. Permanent outdoor patios shall be surrounded by a five (5)-foot tall white, vinyl fence with the finished side facing out.
  - b. Square footage within the patio shall be included as café/tavern square footage for parking purposes.
12. Temporary construction offices.
13. Museums or art galleries
14. Governmental buildings, facilities and uses.
15. Public utility buildings and facilities.
16. Dance studios. 5/17/88
17. Veterinary hospitals for small animals, provided that the animals housed overnight are kept in a building, and that it does not provide boarding.  
10/11/89
18. Adult uses as per §6.20. 9/19/92
19. Business and Trade Schools. 9/14/96
20. Middle Housing as per §6.38 5/17/25
- C. The following permitted uses require approval of a Special Permit in accordance with §7.5:
  1. Billiard and pool parlors, bowling alleys, skating rinks, and other indoor places of public recreations operated as a business. 10/2/94
  - ~~2. Residential dwelling units subject to the following:
    - a. Shall not be located on the first floor unless the entire first floor is being legally used for residential purposes at the time of application.  
~~5/19/91; 3/19/05~~~~
  3. Temporary mobile office.
  4. Uses in this zoning district generating one hundred (100) hour vehicle trips or more using the standards set forth in the most recent edition of Trip Generation, ITE, or a more accurate source, if available, subject to the following:  
4/16/94; 8/10/96; 10/18/03
    - a. Submission of a traffic impact analysis containing present roadway conditions, existing roadway capacity, existing projected traffic volumes (ADT, Peak a.m. and Peak p.m.), existing and projected volume capacity rations, existing and projected levels of service, existing and proposed sight lines, site generated traffic and traffic distributions, and traffic accident experience.
    - b. A traffic impact analysis will be required:  
5/17/88
      1. For an addition to an existing use, which use is now under the provisions of the section, and



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2. when an addition to an existing use brings that use under the provisions of this section.
  3. The traffic impact analysis shall cover the entire use, not merely the addition.
  - c. No traffic impact analysis or Special Permit will be required for an addition to an existing Special Permit use if the addition generates twenty-five (25) peak hour vehicle trips or less.
  - d. In all cases in which the Commission feels that a peer review of the applicant's traffic impact analysis is warranted, the applicant shall be required to reimburse the Town for the cost of the peer review. This payment shall be made to the Town prior to the decision by the Commission on the applications.
5. Adaptive Re-use to Multi-family as per §6.16. 9/19/92
  6. Excavation and filling of land as per §6.10. 9/19/92
  7. **Deleted** 11/17/07
- D. The following uses are permitted:
1. Automatic amusement devices.
  2. Signs in accordance with §6.9.
  3. Off-street parking and loading in accordance with §6.11 except as noted below:  
1/13/17  
**Remainder of Section deleted** 8/17/18
  4. Accessory buildings as per §6.2. B.  
9/19/92
  5. Outside storage as per §6.12.  
9/19/92
  6. Satellite receiving dishes of two (2) feet or less in diameter not located within a required front yard for a principal structure.  
11/19/95
- E. The following uses require a Special Exception from the ZBA:
1. Child day care centers.
  2. Group day homes.
  3. Nursery schools.
  4. Satellite receiving dishes or dish-type antennae in excess of two (2) feet in diameter subject to the following conditions:
    - a. Shall not be located between any street line and the building to which it is accessory.
    - b. If roof mounted, shall not exceed a height of fifteen (15) feet.



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- c. Shall be property screened and/or landscaped. 11/19/95

F. The following uses are permitted subject to approval of a Zoning Permit:

1. Structure or roof top mounted antennas, subject to the requirements and procedures listed in §6.25. 5/18/97
2. Mobile Food Vendor, subject to the following:
  - a. Must be removed from the permitted location for at least four (4) hours in any twenty-four (24)-hour period.
  - b. Must be located on private property, and provide written permission from the owner of said property.
  - c. Must be located within permitted parking area, not within any required landscaped area.
  - d. If vendor occupies parking spaces, those spaces must be in excess of the current uses on the site. Should such use(s) on the site change so as to require said spaces so as to comply with parking requirements, the mobile food vendor shall no longer be permitted to occupy said spaces.
  - e. Must also have available two (2) parking spaces in addition to those required for other uses on the site. Should such use(s) on the site change so as to require said spaces so as to comply with parking requirements, the mobile food vendor shall no longer be permitted to utilize said spaces.
  - f. Must be mounted on wheels or other method of moveable design and must be readily moveable. If the operation is not immediately mobile, it shall be considered a "building" and be required to comply with applicable regulations for buildings.
  - g. Must be self-contained; connections to external utilities shall not be permitted.
  - h. Shall not have any signage beyond that which is affixed to the food service unit; temporary signage per §6.9 shall not be permitted for a mobile food vendor.
  - i. No storage or locations of any materials, seating, or other items associated with the mobile food vendor shall be permitted to be kept or located outside of the food service unit.
  - j. Shall obtain any necessary approval under the Health Code, Ordinance, or any other state or local requirements. 6/14/14

G. The following uses are permitted and do not require any zoning approval:

1. Mobile Food Vendor provided any of the following conditions are met:



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- a. Will not be located/parked on any property for more than twenty (20) days in any 365-day period; OR
- b. Is not located on the same property for more than four (4) hours in any twenty-four (24)-hour period. 6/14/14

## §4.11 DESIGN (DD) DISTRICT

- A. Purpose - To allow for a variety of commercial uses while requiring additional landscaping to recognize the areas proximity to residential developments. 4/14/86
  
- B. The following uses are permitted subject to Site Plan Approval in accordance with Article VII:
  1. Business or professional offices and financial institutions.
  2. Restaurants, cafes and taverns provided they are not drive-in restaurants subject to:  
10/2/94; 11/13/04
    - a. Permanent outdoor patios at restaurants, cafes and taverns shall be surrounded by a five (5)-foot tall white vinyl fence with the finished side facing out.
    - a. Square footage within the patio shall be included as restaurant/café/tavern square footage for parking purposes.
  3. Public utility buildings and facilities. 10/2/94
  4. Stores and shops where goods are sold and services are rendered, primarily at retail.
  5. Barber shops, beauty parlors, manicurists, massage therapists, sun tanning parlors, and similar personal services. 10/2/94
  6. Government buildings, facilities and uses. 10/2/94
  7. Business schools.
  8. Rooming and boarding houses.
  9. Billiard and pool parlors, bowling alleys, skating rinks, and other indoor places of public recreation operated as a business. 10/2/94
  10. Funeral homes.
  11. Printing and publishing establishments in which the floor area shall not exceed two-thousand (2,000) square feet. 10/2/94
  12. RV storage. 11/22/90
  
  13. Veterinary hospitals for small animals, provided that the animals housed overnight are kept in a building, and that it does not provide boarding. 5/16/92



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14. Educational or religious use by a non-profit corporation. 6/14/08; 6/16/23
15. Middle Housing per Section §6.38

C. The following permitted uses require approval of a Special Permit in accordance with §7.5:

1. Child day care centers.
2. Group day care homes.
3. Satellite receiving dishes or dish-type antennae in excess of two (2) feet in diameter subject to the following conditions:
  - a. Shall not be located between any street line and the building to which it is accessory.
  - b. If roof-mounted, shall not exceed a height of fifteen (15) feet.
  - c. Shall be properly screened and/or landscaped. 11/19/95
4. Uses in this zoning district generating one-hundred (100) peak-hour vehicle trips or more using the standards set forth in the most recent edition of Trip Generation, ITE, or a more accurate source, if available, subject to the following:

4/16/94; 8/10/96; 10/18/03

  - a. Submission of a traffic impact analysis containing present roadway conditions, existing roadway capacity, existing and projected traffic volumes (ADT, Peak a.m. and Peak p.m.), existing and projected volume capacity ratios, existing and projected levels of service, existing and proposed sight lines, site generated traffic distributions, and traffic accident experience.
  - b. A traffic impact analysis will be required: 5/17/88
    1. For an addition to an existing use, which use is now under the provisions of this section, and
    2. when an addition to an existing use brings that use under the provisions of this section.
    3. The traffic impact analysis shall cover the entire use, not merely the addition.
  - c. No traffic impact analysis or Special Permit will be required for an addition to an existing Special Permit use if the addition generates twenty-five (25) peak-hour vehicle trips or less. This provision shall be permitted to be used one (1) time over the life of the use on a specific site.
  - d. In all cases in which the Commission feels that a peer review of the applicant's traffic impact analysis is warranted, the applicant shall be required to reimburse the Town for the cost of the peer review. This payment shall be made to the Town prior to the decision by



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the Commission on the application.

5. Theaters for dramatic or musical productions (but not including theaters for indoor picture projection) and may include ancillary use as convention and/or conference facility. 10/2/88
6. Adaptive Re-use to Multi-family as per §6.16. 9/19/92
7. Excavation and filling of land as per §6.10. 9/19/92
8. Golf driving ranges, miniature golf courses, archery ranges, and other places of outdoor recreation operated as a business. 10/2/94
9. **Deleted** 11/17/07

D. The following accessory uses are permitted:

1. Uses and structures customarily accessory to the permitted uses.
2. Signs in accordance with the requirements of §6.9.
3. In addition to the parking and loading requirements of §6.11, no parking or loading shall be permitted within ten (10) feet of any side or rear property line or within twenty-five (25) feet of the front property line. Landscaped areas of at least ten (10) feet in width shall be provided along the side and rear property lines and of at least twenty-five (25) feet in width along the front property line, all in accordance with §6.14.
4. Accessory buildings as per §6.2.B. 9/19/92
5. Outside storage as per §6.12. 9/19/92
6. Satellite receiving dishes of two (2) feet or less in diameter not located within a required front yard of a principal structure. 11/19/95

- B. Distance Between Uses - There shall be a minimum open space distance of at least fifty (50) feet between any proposed or existing non-residential building or non-residential parking lot within this district and the nearest existing or proposed residential building within this district. At least ten (10) feet of this open space shall be suitably landscaped in accordance with §6.14.

F. The following uses are permitted subject to a Zoning Permit:

1. Structure or roof-top mounted antennas, subject to the requirements and procedures listed in §6.25. 5/18/97
2. Mobile Food Vendor, subject to the following: 6/14/14
  - a. Must be removed from the permitted location for at least four (4) hours in any twenty-four (24) hour period.
  - b. Must be located on private property, and provide written permission from the owner of said property.



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- c. Must be located within permitted parking area, not within any required landscaped areas.
  - d. If vendor occupies parking spaces, those spaces must be in excess of the other current uses on the site. Should such use(s) on the site change so as to require said spaces so as to comply with parking requirements, the mobile food vendor shall no longer be permitted to occupy said spaces.
  - e. Must also have available two (2) parking spaces in addition to those required for the other current uses on the site. Should such use(s) on the site change so as to require said spaces so as to comply with parking requirements, the mobile food vendor shall not longer be permitted to utilize said space.
  - f. Must be mounted on wheels or other method of moveable design, and must be readily moveable. If the operation is not immediately mobile, it shall be considered a “building” and be required to comply with applicable regulations for buildings.
  - g. Must be self-contained; connections to external utilities shall not be permitted.
  - h. Shall not have any signage beyond that which is affixed to the food service unit; temporary signage per §6.9.C shall not be permitted for a mobile food vendor.
  - i. No storage or location of any materials, seating, or other items associated with the mobile food vendor shall be permitted to be kept or located outside of the food service unit.
  - j. Shall obtain any necessary approvals under Health Code, Ordinance, or any other state or local requirements.
- G. The following uses are permitted and do not require any zoning approval:
- 1. Mobile Food Vendor, provided any of the following conditions are met:
    - a. Will not be located/parked on a property for more than twenty (20) days in any 365-day period; OR
    - b. is not located on the same property for more than four (4) hours in any twenty-four (24) hour period.

6/14/14



## §4.16 ROUTE 5 DISTRICT (RF-40)

8/10/96

- A. Purpose - To allow for a mixture of uses which are compatible with the district's position as a primary area for commerce, while controlling future uses in order to avoid unacceptable burdens on the infrastructure and quality of life within the district and adjacent areas.
- B. The following uses are permitted subject to Site Plan Approval in accordance with Article VII:
1. **Use Group A**
    - a. Educational or religious use by a non-profit corporation or governmental unit, excluding correctional institutions. 6/16/23
    - b. Boarding or rooming houses.
    - c. Funeral homes.
    - d. Self-service clothes cleaning establishments.
    - e. Hotels and motels with not less than six (6) units.
    - f. Museums or art galleries.
    - g. Governmental buildings, facilities and uses.
    - h. Public utility buildings and facilities.
    - i. Dance studios.
    - j. Veterinary hospitals for small animals, provided that the animals house overnight are kept in a building.
    - k. Wholesale trade.
    - l. Mini-Warehousing and Self-Storage. 7/14/2023
    - m. Building material yards and contractor's equipment storage, provided that all material is kept in a building or within an enclosure of suitable height to screen the operation from the street and any nearby residence district.
    - n. Business schools.
    - o. Manufacturing, compounding, processing, packaging and assembling materials and products.
    - p. **Deleted** 5/15/99
    - q. Middle Housing as per Section 6.38 5/17/25
  2. **Use Group B**
    - a. Offices and financial institutions.
    - b. Restaurants and other food service facilities with or without a liquor permit.



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- c. Stores and shops where goods are sold and services are rendered primarily at retail.
  - d. Clubs.
  - e. Cafes and taverns subject to: 11/13/04
    - 1. Permanent outdoor patios shall be surrounded by a five (5)-foot tall white vinyl fence with the finished side facing out.
    - 2. Square footage within the patio shall be included as café/tavern square footage for parking purposes.
  - f. Billiard and pool parlors, bowling alleys, skating rinks, health and/or sports clubs and other indoor places of public recreation operated as a business.
  - g. Theaters for indoor picture projections or dramatic or musical productions.
  - h. Outpatient medical treatment facility.
- C. The following uses require approval of a Special Permit in accordance with §7.5:
- 1. **Use Group A**
    - a. Temporary mobile office.
    - b. Group A uses in this zoning district generation one-hundred (100) peak-hour vehicle trips or more using the standards set forth in the most recent edition of Trip Generation, ITE, or a more accurate source, if available, subject to the following 4/16/94; 10/18/03
      - 1. Submission of a traffic impact analysis containing present roadway conditions, existing roadway capacity, existing and projected traffic volumes (ADT, Peak a.m. and Peak p.m.), existing and projected volume capacity ratios, existing and projected levels of service, existing and proposed sight lines, site generated traffic and traffic distributions, and traffic accident experience.
      - 2. A traffic impact analysis will be required: 5/17/88
        - a. For an addition to an existing use, which use is now under the provisions of this section, and
        - b. when an addition to an existing use brings that use under the provisions of this section.
        - c. The traffic impact analysis shall cover the entire use, not merely the addition.
      - 3. A traffic impact analysis will not be required for an addition to an existing Special Permit use if the addition generates twenty-five (25) peak-hour vehicle trips or less. This provision shall be permitted to be used one (1) time over the life of the use on a specific site.



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4. In all cases in which the Commission feels that a peer review of the applicant's traffic analysis is warranted, the applicant shall be required to reimburse the Town for the cost of the peer review. This payment shall be made to the Town prior to the decision by the Commission on the application.
  - c. Excavation and filling of land as per §6.10.
  - d. Golf driving ranges, miniature golf courses, archery ranges, and other places of outdoor recreation operated as a business.
  - e. **Deleted** 11/17/07
  - f. Motor vehicle repair garages, including welding and tire recapping, provided that all mechanical and repair operations are carried on in a building or within an enclosure of suitable height to screen the operation from the street and any nearby residence district. 9/17/05
  - g. Automobile, truck, farm, motorcycle and related equipment dealerships. 9/17/05
  - h. Vehicle fueling/charging and/or service stations, including auto detailing, car washes, oil change facilities, and similar facilities. Location of dispensing appliance shall be subject to the determination of the Commission per the Special Permit applications; however, under no circumstances shall any gasoline dispensing appliance be located within twenty-five (25) feet of any street or property line. 9/17/05; 7/29/19
  - i. Adaptive re-use to multi-family as per §6.16. 3/15/97
  - j. ~~Middle Housing as per Section 6.38~~ ~~05/17/25~~
2. **Use Group B**
- a. Group B uses in this zoning district generating one-hundred (100) peak-hour vehicle trips or more using the standards set forth in the most recent edition of Trip Generation, ITE, or a more accurate source, if available, subject to the following 4/16/94; 10/18/03
    1. Submission of a traffic impact analysis containing existing and projecting traffic volumes (ADT, Peak a.m. and Peak p.m.), existing and projected



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levels of services, existing and proposes sight lines, site generated traffic and traffic distributions, and traffic accident experience.

2. A traffic impact analysis will be required: *5/17/88*
  - a. For an addition to an existing use, which use is now under the provisions of this section, and
  - b. when an addition to an existing use brings that use under the provisions of this section.
  - c. The traffic impact analysis shall cover the entire use, not merely the addition.
  - d. Gasoline service station, with or without automobile repair  
*4/17/98; 2/9/04; 9/17/05*
3. A traffic impact analysis will not be required for an addition to an existing Special Permit use if the addition generates twenty-five (25) peak-hour vehicle trips or less. The provisions shall be permitted to be used one (1) time over the life of the use on a specific site.
4. In all cases in which the Commission feels that a peer review of the applicants traffic impact analysis is warranted, the applicant shall be required to reimburse the Town for the cost of the peer review. This payment shall be made to the Town prior to the decision by the Commission on the applications.

D. The following accessory uses shall be permitted:

1. Automatic amusement devices.
2. Signs in accordance with §6.9.
3. Off-street parking and loading in accordance with §6.11.
4. Accessory buildings as per §6.2.B.
5. Outside storage as per §6.12.
6. Tents for the sale of merchandise subject to:
  - a. Shall be limited to twenty-one (21) consecutive days, two (2) times a year.
  - b. Shall be set back a minimum of fifty (50) feet from the street line.
  - c. Shall be situated on the property so as not to reduce the amount of on-site parking below the amount required by these regulations for the existing use(s) and the tent(s).

E. Special Requirements:

1. Landscaping - In addition to the landscaping requirements contained in §6.14, the following additional requirements shall apply in the RF-40 District.



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- a. Front landscaped area:
    1. There shall be a front landscaped area equal to the required front yard contained in §5.1.C abutting the front property line(s).
    2. The front landscaped area shall contain a minimum of six (6) inches of shade tree diameter per fifty (5) feet.
    3. There shall be a least one (1) shade tree in each fifty (50) linear feet of lot frontage.
  - b. Landscaped parking area:
    1. All uses required to provide thirty (30) or more off-street parking spaces shall provide at least twenty (20) square feet of interior landscaping within the paved portion of the parking area per parking space.
    2. Each separate landscaped area shall contain a minimum of four-hundred (400) square feet and one (1) shade tree.
  - c. Trees:
    1. All trees used to meet the requirements of §6.14 and this section must be able to reach a mature height of thirty-five (35) feet.
    2. All trees shall be a mix of hardy, native species which provide canopy.
2. Sidewalks:
- a. A concrete sidewalk at least four (4) feet in width and built to Town specifications shall be provided through the entire parking lot opposite the main entrance to each retail business with a size of at least forty-thousand (40,000) square feet.
  - b. A concrete sidewalk at least four (4) feet in width shall be provided along all street frontage.
  - c. Sidewalks shall be located within the street R.O.W. along all Town roads, and within the front landscaped area along Route 5.
3. Access:
- a. No additional access shall be permitted to North Main Street south of Route 68.
  - b. Not more than one (1) driveway to Route 5 shall be permitted.
4. Internal Property Connection:
- a. To improve traffic circulation and safety on Route 5 and adjacent roads, the Commission may require that access easements for present and/or future driveway connections of up to two (2) adjacent properties be provided on all sites.
  - b. Each access easement and driveway shall be twenty-four (24) feet wide and shall be located on each site so that when interconnection occurs, parking, loading and/or driveways will not be negatively impacted by the interconnection.
  - c. Driveways shall be built up to the property boundary when required by the



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Commission, and an access easement covering the area of the driveway shall be recorded as a covenant in the Wallingford Land Records and shall run with the land.

- d. When an adjoining property is developed, the developer of said property shall be required to connect to up to two (2) adjoining internal access driveways and shall be required to file access easements on each.
- e. For each access easement required, the minimum landscaping contained in §5.1.C shall be reduced by three percent (3%). No more than two (2) three percent (3%) reductions shall be permitted per site.

5. Building Coverage:

For the purpose of ascertaining building coverage within the RF-40 Zone of structures containing uses as set out in §4.16.B.2, the roof area of walkway canopies in existence on August 10, 1996 shall not be included.

5/17/98

F. The following uses require a Special Exception from the ZBA:

5/18/97

1. Child day care centers.
2. Group day care homes.
3. Nursery schools.
4. Satellite receiving dishes or dish-type antennae in excess of two (2) feet in diameter subject to the following conditions:
  - a. Shall not be located between any street line and the building to which it is accessory.
  - b. If roof mounted, shall not exceed a height of fifteen (15) feet.
  - c. Shall be properly screened and/or landscaped.

G. The following uses are permitted and do not require any zoning approval:

1. Mobile Food Vendor, provided any of the following conditions are met:
  - a. Will not be located/parked on a property for more than twenty (20) days in any 365-day period; OR
  - b. is not located on the same property for more than four (4) hours in any twenty-four (24) hour period.

6/14/14

H. The following uses are permitted subject to a Zoning Permit:

1. Mobile Food Vendor, subject to the following:
  - a. Must be removed from the permitted location at least four (4) hours in any twenty-four (24-hour period.

6/14/14



- b. Must be located on private property and provide written permission from the owner of said property.
- c. Must be located within permitted parking area, not within any required landscaped areas.
- d. If vendor occupies parking spaces, those spaces must be in excess of the other current uses on the site. Should such use(s) on the site change so as to require said spaces so as to comply with parking requirements, the mobile food vendor shall no longer be permitted to occupy said spaces.
- e. Must also have available two (2) parking spaces in addition to those required for the other current uses on the site. Should such use(s) on the site change so as to require said spaces so as to comply with parking requirements, the mobile food vendor shall no longer be permitted to utilize said spaces.
- f. Must be mounted on wheels or other method of moveable design, and must be readily moveable. If the operation is not immediately mobile, it shall be considered a “building” and be required to comply with applicable regulations for buildings.
- g. Must be self-contained; connections to external utilities shall not be permitted.
- h. Shall not have any signage beyond that which is affixed to the food service unit; temporary signage per §6.9.C shall not be permitted for a mobile food vendor.
- i. No storage or location of any materials, seating, or other items associated with the mobile food vendor shall be permitted to be kept or located outside of the food service unit.
- j. shall obtain any necessary approvals under Health Code, Ordinance, or any other state or local requirements.

## §4.22 TRACY ZONE (T-30)

- A. Purpose - To allow general commercial and office development in designated areas located on or near major streets.
- B. The following uses are permitted subject to approval of a Zoning Permit in accordance with 8.3:
  1. Any use permitted in §4.1B.
  2. Two (2) and three (3) family homes subject to:
    - a. All parking shall be located in side or rear yards.
  3. Structure or roof-top mounted antennas, subject to the requirements and procedures listed in §6.25.
- C. The following uses are permitted subject to Site Plan approval in accordance with Article VII:



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1. Educational or religious uses by a non-profit corporation or governmental unit, excluding correctional institutions. 6/16/23
2. Boarding and rooming houses.
3. Offices and financial institutions.
4. Restaurants and other food service facilities with or without a liquor permit.
5. Self-service, clothes-cleaning establishments.
6. Stores and shops where goods are sold and services are rendered primarily at retail.
7. Clubs.
8. Cafes and taverns subject to:
  - a. Permanent outdoor patios shall be surrounded by a five (5)-foot tall white vinyl fence with the finished side facing out.
  - b. Square footage within the patio shall be included as café/tavern square footage for parking purposes.
9. Temporary construction offices.
10. Museums or art galleries.
11. Governmental buildings, facilities and uses.
12. Public utilities buildings and facilities.
13. Dance studios.
14. Veterinary hospitals for small animals, provided that the animals housed overnight are kept in a building and that it does not provide boarding.
15. Business and trade schools.
16. Wholesale trade carried on entirely within a building or enclosure of suitable height to screen the operation from the street and any nearby residence district.
17. Health and/or sports clubs, billiard and pool parlors, dance halls, bowling alleys, and similar places of public recreation operated as a business.
18. Mini-Warehousing and Self-Storage. 7/14/2023
19. Retail lumber, fuel and building material yards and contractor's equipment storage, provided that all material is kept in a building or within an enclosure of suitable height to screen the operation from the street and any nearby residence district, but excluding the bulk storage of cement and concrete mixing and excluding tanks for petroleum products having a capacity greater than ten-thousand (10,000) gallons.
20. Manufacturing, compounding, processing, packaging and assembling materials and products.
21. Saw and planing mills and woodworking shops.
22. Machine and blacksmithing shops.
23. Outpatient medical treatment facility.
24. **Middle Housing per Section §6.38**



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- D. The following permitted uses require the approval of a Special Permit in accordance with §7.5:
1. Motor vehicle repair garages, including welding and tire recapping, provided that all mechanical and repair operations are carried on in a building or within an enclosure of suitable height to screen the operation from the street and any nearby residence district.
  2. Vehicle fueling/charging and/or service stations, including auto detailing, car washes, oil change facilities, and similar facilities. Location of dispensing appliance shall be subject to the determination of the Commission per the Special Permit application; however, under no circumstances shall any gasoline dispensing appliance be located within twenty-five (25) feet of any street or property line 7/29/19
  3. Automobile, truck, farm, motorcycle and related equipment dealerships.
  4. Temporary mobile office.
  5. Uses in this zoning district generating one-hundred (100) peak-hour vehicle trips or more using the standards set forth in the most recent edition of Trip Generation, ITE or a more accurate source, if available, subject to the following:
    - a. Submission of a traffic impact analysis containing present roadway conditions, existing roadway capacity, existing and projected traffic volumes (ADT, Peak a.m. and Peak p.m.), existing and proposed sight lines, site generated traffic and traffic distributions, and traffic accident experience.
    - b. A traffic impact analysis will be required:
      1. for an addition to an existing use, which use is now under the provisions of this section, and
      2. when an addition to an existing use brings that use under the provisions of this section.
      3. The traffic impact analysis shall cover the entire use, not merely the addition.
    - c. No traffic impact analysis or Special Permit will be required for an addition to an existing Special Permit use if the addition generates twenty-five (25) peak hours vehicle trips or less. These provisions shall be permitted to be used one (1) time over the life of the use on a specific site.
    - d. In all cases in which the Commission feels that a peer review of the applicant's traffic impact analysis is warranted, the applicant shall be required to reimburse the Town for the cost of the peer review. This payment shall be made to the Town prior to the decision by the Commission on the application.
  6. Adaptive re-use to multi-family as per §6.16.
  7. Excavation and filling of land as per §6.10.



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8. Golf driving ranges, miniature golf courses, archery ranges, and other places of outdoor public entertainment operated as a business.

9. ~~Multi-family dwelling units in existing or new buildings, subject to the following:~~

~~9/19/09~~

~~a. Each lot shall contain a minimum of twenty-five, thousand (25,000) square feet.~~

~~b. Minimum lot area per dwelling unit shall be based upon the following:~~

<del>UNIT SIZE</del>	<del>UNITS/ACRE</del>
<del>One (1) bedroom units</del>	<del>20</del>
<del>Two (2) bedroom units</del>	<del>15</del>
<del>Three (3) bedroom units</del>	<del>10</del>

~~c. The required floor area per dwelling unit shall be:~~

<del>UNIT SIZE</del>	<del>MINIMUM FLOOR AREA (SQ.FT.)</del>
<del>1 bedroom</del>	<del>500</del>
<del>2 bedroom</del>	<del>575</del>
<del>3 bedroom</del>	<del>650</del>

~~d. The lot shall be served by sanitary sewers and public water supply.~~

~~e. Bulk requirements shall be in accordance with §5.1.B.~~

~~f. Parking shall be in accordance with §6.11.~~

~~g. Landscaping shall be in accordance with §6.14 except that all parking areas within twenty (20) feet of abutting properties or a street shall be surrounded with a minimum of five (5) foot buffer area as per §6.14.D.4.~~



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~~h. Lots abutting the Quinnipiac River shall maintain a minimum fifty (50) foot Greenbelt in accordance with §6.4.B.~~

- E. The following uses are permitted:
1. Automatic amusement devices.
  2. Signs in accordance with §6.9.
  3. Off-street parking and loading in accordance with §6.11.
  4. Accessory buildings as per §6.2.B.
  5. Outside storage as per §6.12.
- F. The following uses require a Special Exception from the ZBA:
1. Child day care centers.
  2. Group day homes.
  3. Nursery schools.
- G. The following uses are permitted and do not require any zoning approval:
1. Mobile Food Vendor, provided any of the following conditions are met:
    - a. Will not be located/parked on a property for more than twenty (20) days in any 365-day period; OR
    - b. is not located on the same property for more than four (4) hours in any twenty-four (24) hour period.

6/14/14

## **Referral 2.6.** Town of Killingworth

**Subject:** Town of Killingworth. Proposed Zoning Text Amendment related to PA 25-1 compliance. Received: May 20, 2026. Public Hearing: June 26, 2026.

### **Staff Recommendation:**

The proposed zoning text amendment does not appear to cause any negative inter-municipal impact to the Towns in the South Central Region nor will there be a negative impact on the habitat or ecosystem to the Long Island Sound.

### **Background:**

The Town of Killingworth is updating their zoning regulations to comply with the various requirements set forth in PA 25-1. According to their proposed regulation changes, language around commercial cluster developments will include mixed use and multi-family buildings, language is being added on various multi-family housing options, there is language on summary review being added along with transit community middle housing developments, and language is being removed around minimum dwelling unit sizes. All of these additions and removals are being done in order to comply with the housing act's requirements and an effective date of July 1st. Additional minor text changes are being proposed to ensure that setbacks and size requirements for properties align with regulations and best practices. As these changes are being completed to ensure that the Town is in compliance with state regulations that apply to all municipalities, there is no negative inter-municipal impact or impact to the health of the Long Island Sound.

### **Communication:**

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

## Definitions 500-4

### COMMERCIAL CLUSTER DEVELOPMENT

Commercial development in which ~~three~~ **two** or more ~~new~~ commercial buildings **including mixed use and multi-family buildings** are sited in a group, with varying setbacks and landscaping between structures and the roadway. ~~The site design, architecture, scale, and massing of buildings shall provide the aesthetic qualities associated with rural New England towns, enhance the historic nature of the central area of Town, harmonize and remain compatible within the Commercial District, and preserve the rural appearance of the area.~~

**[Amended 07-01-2026]**

### Community Residential Home

**A dwelling unit or group of dwelling units, on one or more lots that need not be contiguous, licensed to provide a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care supportive staff as may be necessary to meet the physical, emotional, and social needs of an aged person, a physically disabled or handicapped person, a developmentally disabled person, an undangerous mentally ill person, or other disabled person requiring such a supported living environment.**

**[Added 07-01-2026]**

### Cottage Cluster.

**A grouping of at least four detached housing units, or live work units, per acre that are located around a common open area;**

**[Added 07-01-2026]**

### Dwelling, Multi-family

**Property which contains multiple separate living units in 1 building or within a complex of buildings. Units may be rentals or individually owned.**

**[Added 07-01-2026]**

**Dwelling, Three-family: A single structure containing three separate dwelling units on each lot, each having both a kitchen and a bathroom and used for occupancy by three families living independently of each other.**

**[Added 07-01-2026]**

**Microbrewery, microwinery.**

**An establishment, distinct from restaurants and brew pubs, that manufactures no more than 1,000 barrels of beer or wine per year with approval from the State of Connecticut Liquor Control Commission and may include such activities as both wholesale and retail sales of sealed products brewed on site, tasting rooms, tours, events and educational classes, provided said activities are specifically authorized by special exception**

**[Added 07-01-2026]**

**Perfect Six**

**A three-story residential building with a central entrance containing two dwelling units per story**

**[Added 07-01-2026]**

**Religious Facilities**

**A structure or place in which worship, ceremonies, rituals, and education pertaining to a particular system of beliefs are held. Religious Facilities shall be non profit.**

**[Added 07-01-2026]**

**Summary Review**

**Able to be approved in accordance with the terms of a zoning regulation or regulations, including, but not limited to, requirements concerning setbacks, lot size and building frontage, applicable to a proposed development, and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with applicable zoning regulations and that public health and safety will not be substantially impacted.**

**[Added 07-01-2026]**

**Transit Community Middle Housing Developments**

**A residential building containing not less than two dwelling units but not more than nine such units, including, but not limited to, townhomes, duplexes, triplexes, perfect sixes and cottage clusters.**

**[Added 07-01-2026]**

## Article XII Commercial Districts

§ 500-69 Uses permitted.

§ 500-70 Landscaping.

§ 500-71 Buffer strips in commercial zones.

§ 500-72 Required characteristics.

§ 500-73 Summary Review Requirements

§ 500-69 Uses permitted.

In a commercial district, there shall be permitted **the following uses under the procedures indicated:**

**A. 1** General principal uses requiring a zoning **administrative** permit. **(Article XXVII) The following general principal uses within an existing building are allowed upon issuance of a zoning permit, provided that the use will occupy less than 1000 square feet of floor area. For any use listed in this section, regardless of floor area, the Zoning Enforcement Officer may refer the application for review and approval by the Commission as a site plan review application.**

[Amended 5-21-2013; 11-1-2016; **07-01-2026**]

**(1)**

Professional and other business offices and financial institutions **including drive-up service.**

**(2)**

Retail service establishments and retail stores not requiring a site plan review or special exception pursuant to Subsection A2 or B of this section.

**(3)**

**Barbershops, beauty parlors, laundromats, cleaning or laundry agencies, or like uses.**

~~**(3)**~~ **(4).**

Bakeries, **and** confectionery stores, **and other like uses.**

(5).

**Bed-and-breakfast**

~~(4)~~ (6).

**Child day-care center, whether or not operated for profit, but not including a camp operated for profit.**

(7).

**Dance studios, establishments for musical or theatrical instruction, physical culture, or other like uses.**

(8).

Post office, ~~and~~ postal services, **and other like uses, excluding distribution centers.**

**A2.** Principal uses requiring site plan approval.

Principal uses within an existing building **where the use will occupy more than 1000 square feet of floor area are** subject to approval of a site plan by the Commission. An application for site plan review for the following principal uses within an existing building shall be prepared and submitted, **together with the information specified in Article XXVI, Section 500-150, 151, and 152.** ~~in the same manner as provided in Article XXVI for special exception applications.~~

[Added 5-21-2013; amended 11-1-2016; **amended 07-01-2026**]

~~(1)~~

~~Bed-and-breakfast in a family dwelling unit in which the resident owner grants or offers to grant for hire no more than four individual sleeping accommodations, with or without meals, intended primarily for the accommodation of transients for a period of less than 14 days, to persons who are not members of the family of the resident owner.~~

~~(2)~~

Barbershops, beauty parlors, laundromats, ~~and~~ cleaning or laundry agencies, **or like uses.**

(3)

Dance studios, ~~and~~ establishments for musical or theatrical instruction, ~~and~~ physical culture, or like uses.

(4)

Religious facilities.

(5)

Child day-care center, whether or not operated for profit, but not including a camp operated for profit.

(6)

Professional and other business offices and financial institutions including drive-up service.

(7)

Post office, postal services, and other like uses, excluding distribution centers.

(8)

Retail service establishments and retail stores not requiring a special exception pursuant to Subsection B of this section.

B.

Principal uses requiring site plan approval from the Commission.

The following principal uses in new buildings require a site plan approval by the Commission. The Commission may require a public hearing.

(1.) Religious Facilities

(2.) Child day-care center, whether or not operated for profit, but not including a camp operated for profit.

## C

**Principal uses requiring Summary Review approval from the Commission.**

**The following principal uses in new or existing buildings require a summary review approval by the Commission.**

**[Added 07-01-2026]**

### **(1.)**

**Transit Community Middle Housing Development**

## **(D)**

**Special** Principal uses requiring a **S**pecial **E**xception.

The following **special** principal uses **and in existing or new** buildings ~~and new buildings; alteration of existing buildings~~, and all new construction for the general principal uses described in Subsections **A** and **A2** **are permitted** only when specifically authorized in the particular instance by a special exception granted by the Commission under Article XXVI.

**The site design, architecture, scale, and massing of buildings shall provide the aesthetic qualities associated with rural New England towns, enhance the historic nature of the central area of Town, harmonize and remain compatible within the Commercial District, and reserve the rural appearance of the area.**

[Amended 2-1-2009; 2-21-2012; 5-21-2013; 7-15-2014; 11-1-2016; **07-01-2026**]

### **(1)**

Subject to the provisions of Article **XVIII**, retail stores for the sale of packaged alcoholic beverages for off-premises consumption.

### **(2)**

Hotels, provided that the lot area is equivalent to not less than 4,000 square feet for each guest sleeping room.

(3)

Automobile service stations and car wash enterprises, provided that no part of the lot so used is within 2,500 feet of any part of another lot so used; public garages; automobile, trailer, mobile home, boat and farm equipment sales rooms or outdoors sales areas; public parking areas; and garages for commercial vehicles.

(4)

Theaters for indoor motion-picture projection or dramatic or musical productions **or like uses.**

(5)

Billiard parlors, bowling alleys, indoor skating rinks and similar **indoor or outdoor** commercial places of recreation.

(6)

Restaurants, bars, ~~and food service shops.~~ **or like uses.**

(7)

Medical clinic or veterinary clinic.

~~(8)~~

~~Churches, parish houses, convents and similar religious buildings.~~

~~(9)~~

~~Child day-care center, whether or not operated for profit, but not including a camp operated for profit.~~

~~(10)~~ **(8).**

Mixed uses in ~~Large~~ Commercial Districts. A mixture of permitted commercial uses and residential dwelling units may be permitted in the ~~Large~~ Commercial Districts, provided that:

(a)

The number of residential units is ~~limited to 10.~~ **to be determined by compliance with the Public Health Code.**

~~(b)~~

No residential units shall be allowed on the basement level or first floors of a mixed use building.

~~(b)~~

~~Dwelling units shall have a minimum floor area of 500 square feet that complies with state building code.~~

~~(e)~~

~~No residential dwelling unit shall have more than two bedrooms.~~

~~(f)~~

~~There shall be no public access to individual dwelling units from the exterior of the building. Individual residential units shall enter and exit to an interior common space rather than directly to the outside, except for exits as required by the building or fire codes.~~

(c)

A common area for residential occupants ~~such as a lobby or mailbox station may be~~ is permitted ~~on the ground floor, provided the gross square footage does not exceed 500 square feet.~~

(d)

~~Studio and one-bedroom apartments shall be assigned one parking space, two-bedroom apartments shall be assigned two parking spaces.~~ **Buildings shall have the required minimum parking spaces. EV infrastructure shall be built out as required by state statute.**

**(9)**

**Funeral facilities (excluding crematoriums).**

**(10)**

~~Undertaker's establishment.~~

Medical marijuana dispensaries subject to the conditions prescribed in or pursuant to Article XXXVII.

(11)

~~Microbrewery, microwinery. An establishment, distinct from restaurants and brew pubs, that manufactures no more than 1,000 barrels of beer or wine per year with approval from the State of Connecticut Liquor Control Commission and may include such activities as both wholesale and retail sales of sealed products brewed on site, tasting rooms, tours, events and educational classes, provided said activities are specifically authorized by special exception.~~

(12)

**Multi-family may be located in Commercial Districts provided that:**

~~(a.)~~

~~Dwellings shall have minimum square footage that complies with State Building Code.~~

**(a.)**

**Common basements may be used for laundry and individual storage units, but not for human habitation. Basements of individually owned units may be finished as allowed by state building code.**

**(b.)**

**Maximum number of units &/or bedrooms to be determined by compliance with the Public Health Code.**

**(c.)**

**Site may contain multiple buildings. All buildings to have maximum height of 35'.**

**(d.)**

**Buildings shall have the required minimum parking spaces. EV infrastructure shall be built out as required by state statute.**

**(3)**

**Self-storage facilities**

**D.**

Accessory uses.

Accessory uses are clearly incidental and subordinate to the principal use and are located on the same lot with an approved principal use or building.

**1.**The following accessory uses are allowed **with a zoning permit in accordance with Article XXVII**

[Amended 7-15-2014; **07-01-2026**]

**(1)**

Signs. Any sign in conformance with the requirements prescribed therefor in Article **XVII**, Signs, of these regulations.

**(2)**

Vehicles. The parking or storage of up to five commercial vehicles accessory to a use described in Subsection **A**, A2 or B provided:

**(a)**

No such vehicle is used as a storage building and that the parking or storage of such vehicles shall conform to all of the setback requirements for buildings and other structures;

**(b)**

Such vehicles are regularly used for transportation, ~~and~~

~~**(c)**~~

~~Such vehicles are usually parked indoors, or parking or storage of such vehicles are specifically authorized in the particular instance by a special exception granted by the Commission for a use described in Subsection **B**.~~

**(3)**

Tanks. Petroleum, kerosene, or propane tanks aboveground not exceeding 1,000 gallons<sup>s</sup> capacity. **Underground propane tanks shall not exceed 1,000 gallon capacity.**

(4)

Mechanical equipment. Mechanical equipment, storage areas, service areas, trash receptacles, and similar accessory structures and uses shall be concealed within the roof or enclosed within a structure. Where this is not possible, mechanical elements shall be located so that they are not visible from public streets or adjacent residential areas. Mechanical equipment located at ground level shall be adequately screened and landscaped.

(5)

**Accessory storage buildings**

**A site plan is required showing conformance with current zoning requirements. Health department &/or fire marshal approval may be required.**

**2. The following accessory uses are allowed with site plan approval by the Commission. The Commission may require a public hearing.**

(1)

Caretaker's apartment. The dwelling or living quarters of a guard, caretaker, or superintendent within the main commercial building in the Commercial District. The number of bedrooms is limited to two when the area of the lot upon which the principal use is located is two or more acres and is limited to one when the area of the lot upon which the principal use is located on less than two acres.

(2)

Processing of trees, logs, or branches **as an** accessory **use** to an approved nursery or garden center for the purpose of producing wood chips or mulch to be stored and sold on the site. Such processing shall be limited to a period of **no more than** four weeks during January, February, or March and to designated areas on the premises and shall be subject to site plan approval as specified in Subsection A2. The duration of a permit for processing shall be for a period of one year. ~~Permits are renewable.~~ **Applicants must apply for a new permit each year.** The Commission shall take into consideration the past performance of the applicant in considering ~~the renewal of~~ any **new** permit. **[Amended 07-01-2026 to clarify but not alter the substance of the section.]**

(3)

Drive-through windows. Drive-through service at restaurants shall be allowed in commercial districts by special exception and where the following standards are met:

[Added 10-20-2020; **07-01-2026**]

(a)

The drive-through area of service shall be limited to a separate traffic lane which is separately designated for use by drive-through service patrons. ~~and where adequate provision has been made for pedestrians to park and safely reach the window for on-foot service~~ **Adequate provision shall be made for pedestrians to park and safely reach the front door of any building, or any window for on-foot service, or, for drive-through service,** without crossing through ~~adjacent~~ lanes of moving traffic or stacking lanes for drive-through service in order to pass from the parking lot to the building or on-foot service window

(b)

The drive-through service lane shall be at least 10 feet in width.

(c)

The drive-through service lane shall be located in an area where it will not unduly interfere with the orderly flow of traffic generated by non-drive-through patrons.

(d)

Adequate queueing for vehicles approaching the drive-through service facility shall be provided. **A traffic study may be required.**

**E.**

Commercial cluster development. Commercial development in which ~~three or more~~ **two or more new commercial buildings including mixed use and multi-family buildings** are sited in a group, with varying setbacks and landscaping between structures and the roadway, only when specifically authorized in the particular instance by a special exception granted by the Commission under Article **XXVI** and provided the maximum building coverage for the lot is not exceeded.

[Added 5-21-2013; amended 11-1-2016; **07-01-2026**]

### § 500-70 Landscaping.

All lots used in a commercial district shall provide a strip of land not less than six feet wide, adjacent to and extending for the length of the street line, which strip shall be kept in lawn and shrubs or otherwise suitably landscaped. Such strip may be transversed by not more than two driveways, and one additional driveway for each 200 feet of frontage of the lot in excess of 300 feet.

### § 500-71 Buffer strips in commercial zones.

In a commercial district, where any lot or part thereof adjoins any residence district without separation by a roadway, there shall be a landscaped strip 15 feet wide, seeded to grass and properly planted to trees and shrubs to ensure a proper break and screen between the commercial and residence districts. Plans showing the work to be done with assurances of completion and future maintenance shall be filed with and approved by the Zoning Enforcement Officer before such lot or portions thereof may be used for commercial purposes. Such strip may be in either district, but the ownership of such strip must be and remain in the same person, persons, firm or corporation as the premises, or portion thereof, devoted to such business use. Failure to maintain such strip in good condition shall constitute a violation of these regulations by the owner of such lot or portion thereof.

### § 500-72 Required characteristics. ~~{1}~~

The lot and the buildings involved in any general or special use in a commercial district shall conform to the following characteristics:

**{Amended 07-01-2026}**

#### A.

Minimum lot area: one acre.

#### B.

Minimum lot rectangle: 150 feet by 150 feet.

#### C.

Front setback: ~~60~~ **50** feet. **Setback on state road may be further if required by State DOT.** For a commercial cluster development, the front setback for individual buildings is 20 ~~to 80~~ feet from the access road.

**D.**

Side setbacks, each: ~~40~~ **10 feet if adjacent to a commercial zone and 30 feet if adjacent to a residential zone.**

**E.**

Rear setback: ~~40~~ **10 feet if adjacent to a commercial zone and 30 feet if adjacent to a residential zone**

**F.**

Maximum building coverage: 25%.

**G.**

Maximum building height: 35 feet. In the Large Business Zone, the Commission may, at its discretion, to accomplish the purposes of § 500-187G, allow a maximum building height of 45 feet, provided that the **distance between the floor of the lowest habitable story to the maximum ceiling height of the highest story** ~~base floor-to-ceiling height of space~~ used for human occupancy does not exceed three **stories or floors** ~~and~~ 35 feet, whichever is the least.

**H.**

Impervious surfaces coverage: 40%.

[Added 8-2-2011] *Editor's Note: See also Appendix 1.*

**§ 500-73 Summary Review Requirements**

**All developments requesting approval by Summary Review shall meet the following requirements.**

**{Added 07-01-2026}**

**In addition to site plan requirements listed elsewhere in these regulations, all site plan applications shall include: building(s), parking locations including driveways & interior roads, lighting locations, septic system(s) and wells. A separate landscaping plan; A separate lighting plan; the interior layout of buildings and individual units. List of exterior materials to be used.**

**(A)**

**It shall consist of a single building of 2-9 residential units.**

**(B)**

**Existing buildings to be redeveloped to include all requirements.**

**(C)**

**Building design shall have the following characteristics**

**(1) Exterior of Building**

**(a) Roofs including but not limited to gambrel, hip, dormer, saltbox design. Flat roofs are prohibited. Tarpaper roofing material is prohibited.**

**(b) Roofs to have dormer windows, gables, or other similar details. Overhangs of at least 16” are required.**

**(c) Exterior walls to have a horizontal break, measured at the foundation, at a minimum of one horizontal break for every 20’ of wall length, and having a depth of at least 2’.**

**(d) Exterior walls shall not be concrete (painted or non-painted) except for exposed foundations not to exceed 2’ in height. Other prohibited exterior materials include EFI, plywood, stucco, Texture 1-11 or panelized surfaces.**

**(e) Each unit shall have at least one architectural window, including but not limited to bay, box or bow.**

**(f) There shall be open air, covered or screened porches for each unit. Porches must be at least 4’x10’and fit the design of the building.**

**(2) Parking**

**(a) Open parking lots to be located to rear of the lot**

**(b) Open parking lot lighting to have dark sky compliant fixtures mounted on poles not to exceed 12’.**

**(c) Private individual driveways and/or garages attached to units do not need to be located to the rear of principal building. Detached garages may be located along side of property or to rear.**

**(e) All parking areas and interior road/driveways to be paved with bituminous concrete or concrete. No gravel or dirt parking areas.**

**(3) Lighting**

**(a) Dark Sky lighting compliant fixtures are required for all exterior lighting.**

**(b) There shall be a minimum of one (1) decorative light at each entrance doorway, including garages and at least 1 post light, a maximum of 12' high between the building and any occupant parking lot and between the building and any adjacent street.**

**(4) Landscaping**

**(a) All landscaping plants, trees, shrubs, flowers and grasses to be guaranteed for a minimum of 1 yr.**

**(b) No pine straw to be used for ground cover or mulch.**

**(c) All unpaved ground areas to be landscaped with grass or groundcover. Mulch or pea-stone to be used in planting beds, landscaped islands or around trees only.**

**(d) Foundation plantings to be evenly spaced, covering at minimum of 50% of foundations visible from public view. Plantings to be 2 & 5 gal. size with even amount of flowering shrubs and evergreens. All plantings to be non-invasive.**



**SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS**

*Planning for Our Region's Future*

**South Central Regional Planning Commission (RPC): Referral Submission Form**

SCRCOG is required to be given notice by certified mail, return receipt requested **thirty days before the public hearing** for Zoning Amendments (Regulations, Map) and Subdivision Applications (see below for applicability). **Notice can be sent by email, instead of certified mail**, per the requirement of the Connecticut General Statutes(CGS) 8-3b, 8-26b. Amendments/Update to the Municipal Plan of Conservation and Development are required to be submitted to SCRCOG at least 65 days before the public hearing, per CGS 8-23.

<b>Municipality:</b> Meriden	<b>Date Sent:</b> 5/8/26	<b>Public Hearing Date:</b> 6/15/26
<b>Subject:</b> Zoning Regulation Amendment - PA 25-1 Housing Bill Compliance		
<b>Referral is From (Select one):</b>	<input type="checkbox"/> Private Applicant – Applicant Name:	
	<input checked="" type="checkbox"/> Town/City Planning Department or the Planning and Zoning Commission	
<b>Preferred Municipal Contact for this Referral:</b>		
<b>Name:</b> Megan Pilla, Planning Director	<b>Phone Number:</b> 203-630-4085	<b>Email:</b> mpilla@meridenct.gov

<b>Statutory Responsibility (Select Below):</b>	
<input checked="" type="checkbox"/>	Application involves a proposed Zoning Regulation Amendment that affects the use of a zone within 500 feet of a municipality in the South Central Region
<input type="checkbox"/>	Application involves a proposed Zoning Map Amendment that affects the use of a zone within 500 feet of a municipality in the South Central Region
<input type="checkbox"/>	Application involves a Subdivision of Land, which will abut or include land in two or more Municipalities
<input type="checkbox"/>	Application involves an Amendment and/or Update to a Municipal Plan of Conservation and Development (POCD)
<input checked="" type="checkbox"/>	Applicant requests a voluntary RPC review for informational purposes only; an RPC resolution is not necessary

<b>Process (Select Below): The communication should be addressed to SCRCOG, Re: RPC Referral</b>	
<input type="checkbox"/>	Material sent via “Certified Mail - Return Receipt Requested” to SCRCOG, 127 Washington Avenue, 4th Floor West, North Haven, CT 06473
<input checked="" type="checkbox"/>	Material sent via Email to: <a href="mailto:rpc@scrcog.org">rpc@scrcog.org</a>
<input type="checkbox"/>	This application has been previously submitted for RPC Review. If checked, on what date:

**For any questions, please email [rpc@scrcog.org](mailto:rpc@scrcog.org).**

127 Washington Avenue, 4th Floor West, North Haven, CT 06473

[www.scrcog.org](http://www.scrcog.org) T (203) 234-7555 F (203) 234-9850 [rpc@scrcog.org](mailto:rpc@scrcog.org)

## **Referral 2.7. Town of Hamden**

**Subject:** Town of Hamden. Proposed Zoning Text Amendment related to PA 25-1 compliance.  
Received: June 1, 2026. Public Hearing: June 23, 2026.

### **Staff Recommendation:**

The proposed zoning text amendment does not appear to cause any negative inter-municipal impact to the Towns in the South Central Region nor will there be a negative impact on the habitat or ecosystem to the Long Island Sound.

### **Background:**

The Town of Hamden is looking to update their zoning regulations to comply with the requirements set forth in PA 25-1. Major changes being made to the regulations include allowing middle housing both in certain residential and commercial districts as required by law and the removal of provisions around required off-street parking. Minor changes include formatting updates to keep the regulation text and tables consistent along with some diagrams of housing types to provide residents and developers with context as to what is allowed in different areas. As these changes are all being made to comply with state legislation, there will not be any inter-municipal impact or an impact to the health of the Long Island Sound.

### **Communication:**

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

## Section 380 Manufacturing Zone

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The Commission shall designate areas as Special Districts that, by their intrinsic size, function, or configuration cannot conform to the requirements of any Transect Zone or combination of zones. Conditions of development for new Special Districts shall be determined by amendment to these regulations and shall be consistent with the most recently adopted Plan of Conservation and Development as it may be amended from time to time.

### 380.1 MANUFACTURING ZONE

#### Purpose

The purpose of the Manufacturing Zone is to provide for a broad range of industrial and manufacturing uses in an open setting that will not have environmentally objectionable influences on adjoining residential and transect zones.

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Section 610 Site Plan and Special Permit Uses

Table 6.1 Allowed Uses by Zone																
Section	USES	R1	R2	R3	R4	R5	T1	T2	T3	T3.5	T4	T5	M	NC	TG	
	Accessory Building	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Accessory Use, Drive-Through Food- Service										SP	SP		SP		
	Accessory Use, Drive-Through Service, Other									SP	SP	S		SP		
	Accessory Use	S	S	S	S	S		S	S	S	S	S	S	S	S	
622	Adult Oriented Establishment <sup>c</sup>												SP <sup>d</sup>			
678	<b>Adult-Use Cannabis</b>															
	Cannabis Establishment (See Definition)													SP		
	Cannabis Retail Establishment								SP	SP	SP	SP				
	Hybrid Retail Establishment											SP	SP			
624	<b>Agriculture</b>															
	Commercial Farm	S	S	S				S							SP	
	Community Garden	S	S	S	S	S		S	S	S	S	S		SP	S	
	Truck Garden	P	P	P	P	P		P	P <sup>e</sup>						P	
626	<b>Animals</b>															
	Animal Day Care													S		
	Animal Training Facility													S		
	Grooming <sup>g</sup>								S <sup>g</sup>	S	S	S	S	SP		
	Keeping of Animals	P	P	P	P	P		S								
	Keeping of Hens	P	P	P	P	P			P	P						
	Keeping of Falconry Raptors <sup>l</sup>	P	P	P	P	P			P	P						
	Kennel	SP	SP						SP	SP				S		
	Stable	SP	SP						SP							

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**Section 610 Site Plan and Special Permit Uses**

	Veterinary Hospital	SP	SP	SP	SP	SP		SP	SP	SP	S		S	SP	
<b>Business &amp; Personal Service</b>															
	≤1,500 sf gross leasable space					SP			SP <sup>6</sup>	P	P	P		SP	
	>1,500 sf to ≤10,000 sf gross leasable space <sup>6</sup>					SP			SP <sup>6</sup>	SP	S	S		S	
	>10,000 sf gross leasable space										SP	S		SP	
<b>628</b>	Cemetery	SP	SP	SP	SP	SP		SP	SP	SP	SP				
<b>630</b>	Civic Club, Lodge or Assoc. (non-profit)								SP <sup>6</sup>	SP	S	S		SP	
<b>632 Community Residence</b>															
	Mentally Ill Adults - Group Home	P	P	P	P	P		P	P	P	P				
	Mentally Retarded Persons - Group Home	P	P	P	P	P		P	P	P	P				
	Sober House & Drug Treatment Facility	P	P	P	P	P		P	P	P	P				
<b>634</b>	Conference Center Development										SP	SP	SP	SP	
<b>636 Daycare</b>															
	Adult Day Care	SP	SP	SP	SP	SP		SP	SP	SP	SP	S	SP	SP	
	Child Care Center	SP	SP	SP	SP	SP		SP	SP	SP	SP	S	SP	SP	
	Family Child Care Home , Group Child Care Home	P	P	P	P	P		P	P	P	P	P			
<b>638 Food Service</b>															
	Catering Facility & Food Processing Establishment									S	S	S	S		
	Outdoor Cafe									P <sup>N</sup>	P <sup>N</sup>	P <sup>N</sup>		SP <sup>N</sup>	
	Restaurant									S	S	S		S	
	Take-out Food Service										S	S			

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**Section 610 Site Plan and Special Permit Uses**

	Vehicle Storage: Accessory Use		P	P	P	P										
	Natural Resources Removal <sup>b</sup>	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
<b>Office Building (Including Medical)</b>																
	≤ 1,500 sf gross leasable space								SP <sup>g</sup>	SP	P	P			P	
	>1,500 sf to ≤10,000 sf gross leasable space <sup>d</sup>								SP <sup>g</sup>	SP	S	S			S	
	>10,000 sf to ≤20,000 sf gross leasable space										SP	S			S	
	>20,000 sf gross leasable space										SP	S			SP	
	Open Space Development	SP	SP	SP	SP				SP		SP					
	Place of Public Assembly								SP	SP	SP	SP	SP	SP	SP	P
658	Place of Worship	SP	SP	SP	SP	SP			SP	SP	SP	SP	SP	SP	SP	
660	Preservation of Historic Structure	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
662 <sup>k</sup>	Public Use and Public Utility	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
656	Parking Garage										SP	S	SP	SP	SP	
	Public Parking Lot <sup>e</sup>								SP <sup>g</sup>	SP <sup>eg</sup>	SP	S	SP	SP	SP	
<b>Recreation and Fitness, Commercial</b>																
	≤10,000 sf gross leasable space										SP	SP	S	S	SP	
	>10,000 sf gross leasable space										SP	S	SP	SP		
<b>Residential</b>																
620	Single-Family, Accessory Dwelling Unit	P	P	P	P	P		P	P	P	P	P				
	Accessory Dwelling Unit, Other	P	P	P	P	P		P	P	SP	P	P			P	
	Single-Family	P	P	P	P	P		P	P	P	P					
	Two-Family					P		P	P	P						
	Three-Family					P		P	P	P						
652	<b>Multi-Family Dwellings</b>								SP	SP	SP	SP			SP	
	Adaptive Re-use		SP	SP	SP	SP			SP	SP	SP	SP			SP	

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**Section 610 Site Plan and Special Permit Uses**

	Managed Residential Care Community <sup>f</sup>		SP	SP	SP	SP			SP	SP <sup>i</sup>	SP	SP		SP
	New Construction				SP	SP				SP	SP	SP		SP
	Middle Housing Development								SR	SR	SR	SR		SR
	Mixed-Use Development								SR	SR	SR	SR		SR
<b>Refuse Disposal</b>														
664	Resource Recovery, Transfer Station, Volume Reduction Facility													SP
	Research, Development and Medical Lab									SP	S	S		
<b>666 Retail and Financial Services</b>														
	≤1,500 sf gross leasable space								SP <sup>g</sup>	P	P	P	▼	SP
	>1,500 sf to ≤5,000 sf gross leasable space								SP <sup>g</sup>	S/SP <sup>i</sup>	S	S	▼	SP
	>5,000 sf to ≤10,000 sf gross leasable space <sup>g</sup>								SP <sup>g</sup>	S/SP <sup>i</sup>	S	S	▼	SP
	>10,000 sf to ≤20,000 sf gross leasable space								SP	SP	S	▼	SP	
656	>20,000 to 250,000 sf gross leasable space									SP <sup>dh</sup>	SP <sup>d</sup>	▼		
	Farmers Market	S	S	S	S	S	S	S	S	S	S	S	S	S
	Sale of Alcohol, Package Store <sup>g</sup>								SP <sup>g</sup>	SP	SP	S	SP	
	Sale of Fire Arms												SP	
<b>668 Schools</b>														
	Business School ≤50 students at peak <sup>g</sup>									SP <sup>g</sup>	S	S	▼	S
	Business School >50 students at peak <sup>g</sup>									SP <sup>g</sup>	SP	SP	▼	S
	College and University	SP	SP	SP	SP	SP			SP	SP	SP	SP		SP
	Dormitories		SP	SP	SP	SP			SP	SP	SP	SP		SP
	Elementary and Secondary School	SP	SP	SP	SP	SP			SP	SP	SP	SP		SP SP
	Regional Educational Service center	SP	SP	SP	SP	SP			SP	SP	SP	SP		SP SP
	Spas, Meditation, and Wellness Centers <sup>m</sup>								SP <sup>m</sup>	SP <sup>m</sup>	SP <sup>m</sup>			

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**Section 610 Site Plan and Special Permit Uses**

Storage																	
	Warehouse and Wholesale w/indoor storage												SP		S		
654	Outdoor Storage – Accessory Use												SP		SP		
654	Outdoor Storage – Primary Use														SP		
672	Telecommunications Facility	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
676	Wind Energy Conservation System <sup>f</sup>	SP	SP	SP	SP	SP		SP	SP	SP <sup>f</sup>	SP	SP	SP	SP	SP		

**Section 652 Multi-Family Dwellings**

*Section 652 Multi-Family Dwellings*

**Applicability:** This section shall apply to the following:

- a. Multi-family dwellings consisting of 10 or more units in the T3.5, T4, T5, and NC zones.
- b. All multi-family developments regardless of unit count in the R4 and R5 zones.

All multifamily developments, as provided for in this for in this Section of the Hamden Zoning Regulations, shall conform to the following requirements.

**652.1 GENERAL REQUIREMENTS**

- a. All multi-family developments shall be designated and developed to integrate and enhance the surrounding neighborhoods, provide a residential environment that creates a sense of community, and provide affordable housing.

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**Deleted:** Multi-family dwellings are permitted in the R-4, R-5, T3.5, T4 and T5 Zones.

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**Table 6.3 Allowed Locations for Multi-Family Housing\***

T3.5, T-4, T-5	R-4, T-4 & T-5	R-5, T-4 & T-5	NC
Whitney Avenue	Dixwell Avenue	Whitney Avenue	Newhall Street
Washington Avenue	Old Dixwell Avenue	Dixwell Avenue	
	Arch Street	Old Dixwell Avenue	
		Arch Street	
		Evergreen Avenue	
		State Street	
		School Street	
		Mix Avenue	
		South side of Mather Street extending from Dixwell Avenue to Waite Street	
		South side of Connolly Parkway extending from Dixwell Avenue to the Northeast Corner of 55 Connolly Parkway	

\*Multi-family dwellings shall be located on and have vehicular access only to these streets.

**Section 652 Multi-Family Dwellings**

- b. The minimum lot requirements for size, frontage, depth, area per dwelling unit, and useable open space shall be as follows:

Lot Requirements	Zone				
	R-4	R-5	T3.5	T-4	T-5
Lot Size	40,000 sf	20,000 sf	per Table 3.4		
Continuous Frontage on streets listed in Table 6.3	160 ft	120 ft			
Lot Area per Dwelling Unit	6,500 sf	3,250 sf			
Useable Open Space per Dwelling Unit	1,000 sf	750 sf	500	250	250

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- c. *Held for future use.*
- d. There shall be no parking in any required yard.
- e. Sanitary sewers and a public water supply shall serve the lot.
- f. The size and the appearance of any proposed multi-family building or development shall be compatible and harmonious with the residential character and appearance of buildings in the immediate vicinity of the proposal and shall not be detrimental to the appropriated and orderly development of any adjacent lot or building.
- g. *Unused*
- h. Where townhouses are used, they shall be placed along the frontage of all public streets, to enhance the streetscape. Common access drives may be used where necessary for safety due to traffic conditions on the public street. Each unit shall have use of direct access to private open space in the form of a patio, balcony, or yard with a minimum area of 100 square feet. <sup>11</sup>
- i. In the case of multifamily buildings that are not townhouses, private open space of at least 45 square feet shall be provided as follows: **T3.5 Zone:** A patio or yard, for the ground floor; **R-4, R-5, and T-4 Zone:** A patio or yard, for the ground floor and balconies for the second floor. **T-5 Zone:** A patio or yard, for the ground floor and balconies for the second and third floor.
- j. Open space shall be of such size, shape, topography, general character, and location as to be used. The community open space shall be accessible to all residents of the multi-family development and be in location (s) central convenient to the development, in the opinion of the Commission. The community open space shall contain active and passive recreational facilities suitable and appropriate for the residents of the development. The community open space shall be the focus of central point of the multi-family development. Common mailboxes shall be located within the usable community open space. Community swimming pools shall not be included to meet the minimum usable community open space. In instances where the topography, shape of the parcel or similar factor makes

## Section 652 Multi-Family Dwellings

provisions of the usable open space infeasible or impractical, the Commission may accept other amenities as substitutes.

- k. All multi-family developments shall be designed to be oriented towards and enhance the streetscape. The priority shall be enhancement of the streetscape of existing public streets within the Town but, where applicable, the development shall also include a design that creates a well-designed pedestrian-oriented streetscape for internal private streetscape for internal Private Street. Such orientation shall include the following elements:
  - i. Unused
  - ii. Parking lots shall not have prominent frontage along the public street, except for entrances and driveways to such parking lots.
  - iii. The character of the architecture along the street shall be consistent with the of the nearby neighborhood, in terms of size, scales, and design features.
  - iv. Garage door entrances shall not face the public street unless otherwise approved by the commission.
  - v. Where internal or private streets, driveways, access ways or other methods of internal access are utilized, the garages shall be placed and oriented such that they do not visually dominate the private streets, driveways, or access ways that are designed to be primary pedestrian entrance to dwelling units.
- l. All multi-family developments shall contain a comprehensive walkway system to provide safe pedestrian circulation separate from vehicular travel ways. In areas where the Commission determines that the street system does not conform to a convenient pattern of pedestrian circulation, particularly in the vicinity of parks, playgrounds, schools, trails or other public or semi-public places, the Commission may require off-site pedestrian connections.
- m. Not all of any building shall exceed 100 feet in length in an unbroken place, without an offset of at least five feet. All walks 30' or more in length shall have varied surface material that will avoid the creation of a monotonous appearance.
- n. All multi-family developments of 25 units or greater shall have a common room for use by the residents for recreational and social activities. Such room shall be centrally located and shall have a minimum area of 500 square feet per unit, whichever is greater.
- o. Common areas, including usable open space, club houses, common rooms and pools must be constructed during the initial phase of any multi-phase project, and must be completed prior to the issuance of a Certified Zoning Compliance.

### 652.2 ADAPTIVE RE-USE TO MULTI-FAMILY DWELLINGS

Applicability: This section shall apply to the following:

- a. Conversions of existing buildings to multi-family dwellings consisting of 10 or more units in the T3.5, T4, T5, and NC zones.
- b. Conversions of existing buildings to multi-family dwellings consisting of any number of units in the R-1, R-2, R-3, R-4, R-5, T-1, and T-2 zones.

#### 652.2.1 General Requirements:

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**Deleted:** <#> efficiency one-bedroom units shall have a minimum floor of 600 square feet. ¶  
All two-bedroom units shall contain a minimum floor area of 900 square feet and three-bedroom units have a minimum floor area of 1,200 square feet, four-bedroom units shall have a minimum floor area of 1,400 square feet, and five-bedroom units shall have a minimum floor area of 1,550 square feet.¶

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**Deleted:** Any existing building in any zone may be converted to a multi-family dwelling subject to the following conditions: ¶

**Section 652 Multi-Family Dwellings**

- a. ~~The Commission shall make a~~ determination that the existing building its environs will be suitable for multi-family conversion and that conversion will not adversely impact the existing neighborhood character.
- b. The maximum permitted number of dwelling units on the lot shall be determined by dividing the GFA of the existing building by one or more of the following factors:

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Table 6.5 Density Computation	
Type of Dwelling Unit	Computation Factor
Efficiency/ 1 BR	600
2 BR	900
3 BR	1,200
4 BR	1,400
5 BR	1,550

- c. If the maximum permitted number of dwelling units is not achieved within the existing building, an addition may be permitted provided that:
  - i. The maximum permitted number and type of dwelling units does not exceed 'b' above.
  - ii. The addition does not exceed 50 % of the GF of the existing building.
  - iii. The addition conforms to all other regulations for the zone in which it is located.
  - iv. The addition conforms architecturally and in scale to the existing building.
- d. The existing building and addition, if any, shall be served by public sewer and public water supply.
- e. There shall be a minimum of 100 square feet of usable community open space per dwelling unit. The Commission may permit the provision of less than 100 square feet of useable community open space per dwelling unit if it determines that the configuration of the site makes the provision of the full amount of community open space not feasible, and if the nature of the unites proposed is conducive to the provision of a smaller amount of community open space.
- f. All adaptive re-use to multi-family structures that contain five units or more shall include affordable housing units, as provided by **Section 652.3**.
- g. Where feasible, there should be no parking in any required yard.
- h. Where feasible, adaptive re-use to multi-family developments shall be oriented towards and enhance the streetscape. The property shall be the enhancement of the streetscape, of existing public streets within the Town, but the development should also include an orientation toward the internal streets within the development, if internal streets are created. Such orientation shall include the following elements:
  - i. Parking lots shall not be placed alongside the public except for entrances and driveways to such parking lots.
  - ii. The character of the architecture along the street shall be consistent with that of the nearby neighborhood, in terms of size, scale, and design features.
  - iii. Garage door entrances shall not face the public street unless otherwise approved by the Commission.

Article VI Special Provisions

Section 679 Transit Community Middle Housing Development (new)

679.1 Intent:

- a. The intent of this Section is to establish the review process, construction standards, and site design requirements for Middle Housing developments as defined herein when located in certain zones.

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679.2 Applicability

- a. This section shall apply to developments which include between two and nine residential units contained within one or more buildings when proposed in one of the following zones as shown on the official Zoning Map.

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Zones	
Transect Zones Sub-Urban	T3, T3.5
Transect Zone General Urban	T4
Transect Zone Urban Center	T5
Newhall Center	NC

- b. Middle Housing as defined herein shall include the following developments as outlined in November Special Session Public Act 25-1:

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- i. Transit Community Middle Housing Development: a residential building containing not less than two dwelling units but not more than nine such units, including, but not limited to, townhouses, duplexes, triplexes, perfect sixes and cottage clusters
- ii. Mixed-Use Development: a development containing both residential and nonresidential uses in any single building.

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679.3 Review Process

- a. Applications for Middle Housing shall be submitted and reviewed in accordance with the following:

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- i. All applications shall be submitted in a manner as determined by the Commission and shall include:
  1. A completed application form, as prescribed by the Commission
  2. A site plan depicting property lines, existing and proposed structures, parking, lighting, utilities, applicable setbacks, landscaping etc. as more particularly described by §720.4
  3. An Erosion & Sedimentation Control Plan, as outlined in §520.9, and which meets the most recent standards adopted by the CT DEEP.
  4. Building elevations demonstrating compliance with the design requirements established herein.
  5. Floorplan(s) depicting all interior space, prepared by a licensed architect.
  6. A stormwater management plan which complies with the Stormwater Quality Manual adopted by DEEP (2024) and the standards of §520.11

**Article VI Special Provisions**

- B. The Commission’s evaluation of a Middle Housing application shall be through the Summary Review process. Accordingly, while such developments shall be permitted without the need to obtain a Special Permit, Variance or conduct a Public Hearing, it remains the applicant’s responsibility to demonstrate that all standards established herein, and in addition, the standards established by §720 have been met.
- C. If, upon review, the Commission determines that an application would have a substantial adverse impact on public health or safety, and that such impact cannot be adequately mitigated through modifications to the application, the Commission may deny the application.

**679.4 Middle Housing: Building Type Standards**

**Table 6.8 Building Siting Criteria: Duplex + Triplex**

	Zone T3, T3.5	Zone T4	Zone T5	Zone NC
<b>1 Multiple Principal Buildings</b>	Permitted provided total unit count does not exceed 9 Units			
<b>2 Minimum Front Lot Line Coverage</b>	40%	60%	80%	
<b>3 Occupation of Corner</b>	required			Not required
<b>4 Front Setback (ft.)*</b>	24 min	<b>Min: 6 Max: 20</b>	<b>Min: 0 Max: 20</b>	<b>Min: 6 Max: 25</b>
<b>5 Corner Build-to Zone (ft)</b>	Within 10 feet of secondary frontage	Within 6 feet of secondary frontage	Within 6 feet of secondary frontage	n/a
<b>6 Minimum Side Setback (ft)</b>	12	<b>Min: 6 Max: 20</b>	<b>Min: 0 Max: 20</b>	12
<b>7 Minimum Rear Setback (ft)</b>	12	5	5	25
<b>8 Minimum Lot Width (ft)</b>	75ft	-	-	80
<b>10 Maximum Building Coverage</b>	25%	40%	60%	-
<b>11 Maximum Impervious Area</b>	35%	80%	80%	50%
<b>12 Parking &amp; Detached Garage Location</b>	rear yard			
<b>13 Permitted Vehicular Access</b>	one driveway per lot; shared driveways encouraged			
<b>14 Minimum Number of Stories</b>	2	2	2	2
<b>15 Maximum Overall Height</b>	35	35	60	35
<b>16 Accessory Building Location</b>	Rear yard			

\* **Note:** See §679.5.2.b for alternative setback configurations

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**Article VI Special Provisions**

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**Building Type: Duplex (2 units)**



**Building Type: Triplex (3 units)**



**Mixed Use**



Article VI Special Provisions

**Table 6.9 Building Siting Criteria: Multiplex**

	Zone T3, T3.5	Zone T4	Zone T5	Zone NC
<b>1 Multiple Principal Buildings</b>	Permitted provided total unit count does not exceed 9 Units			
<b>2 Minimum Front Lot Line Coverage</b>	40%	60%	80%	
<b>3 Occupation of Corner</b>	required			Not required
<b>4 Front Setback (ft.)*</b>	24 min	Min: 6 Max: 20	Min: 0 Max: 20	Min: 6 Max: 25
<b>5 Corner Build-to Zone (ft)</b>	Within 10 feet of secondary frontage	Within 6 feet of secondary frontage	Within 6 feet of secondary frontage	n/a
<b>6 Minimum Side Setback (ft)</b>	12	Min: 6 Max: 20	Min: 0 Max: 20	12
<b>7 Minimum Rear Setback (ft)</b>	12	5	5	25
<b>8 Minimum Lot Width (ft)</b>	75ft	-	-	80
<b>10 Maximum Building Coverage</b>	25%	40%	60%	-
<b>11 Maximum Impervious Area</b>	35%	80%	80%	50%
<b>12 Parking &amp; Detached Garage Location</b>	rear yard			
<b>13 Permitted Vehicular Access</b>	one driveway per lot; shared driveways encouraged			
<b>14 Minimum Number of Stories</b>	2	2	3	2
<b>15 Maximum Overall Height</b>	35	35	60	35
<b>16 Accessory Building Location</b>	Rear yard			

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\* **Note:** See §679.5.2.b for alternative setback configurations

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**Building Type: Fourplex (4 units)**



**Building Type: Multiplex (5-9 units)**



**Mixed Use**



Article VI Special Provisions

**Table 6.10 Building Siting Criteria: Cottage Cluster**

	Zone T3, T3.5	Zone T4	Zone T5	Zone NC
<b>1 Multiple Principal Buildings</b>	Permitted provided total unit count does not exceed 9 Units			
<b>2 Minimum Front Lot Line Coverage</b>	40%	60%	80%	
<b>3 Occupation of Corner</b>	required			Not required
<b>4 Front Setback (ft.)*</b>	24 min	Min: 6 Max: 20	Min: 0 Max: 20	Min: 6 Max: 25
<b>5 Corner Build-to Zone (ft)</b>	Within 10 feet of secondary frontage	Within 6 feet of secondary frontage	Within 6 feet of secondary frontage	n/a
<b>6 Minimum Side Setback (ft)</b>	12	Min: 6 Max: 20	Min: 0 Max: 20	12
<b>7 Minimum Rear Setback (ft)</b>	12	5	5	25
<b>8 Minimum Lot Width (ft)</b>	75ft	-	-	80
<b>10 Maximum Building Coverage</b>	25%	40%	60%	-
<b>11 Separation Between Structures (ft)</b>	20	Min: 8 Max: 15	Min: 6 Max: 20	Min: 6 Max: 20
<b>12 Maximum Impervious Area</b>	35%	80%	80%	50%
<b>13 Parking &amp; Detached Garage Location</b>	rear yard			
<b>14 Permitted Vehicular Access</b>	one driveway per lot; shared driveways encouraged			
<b>15 Maximum Overall Height</b>	35			
<b>16 Accessory Building Location</b>	Rear yard			

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\* **Note:** See §679.5.2.b for alternative setback configurations

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**Building Type: Cottage Cluster**



**Example Unit Configuration**



**Article VI Special Provisions**

**Table 6.11 Building Siting Criteria: Commercial Conversion**

	Zone T3, T3.5	Zone T4	Zone T5	Zone NC
<b>1 Multiple Principal Buildings</b>	Permitted provided total unit count does not exceed 9 Units			
<b>4 Front Setback (ft.)*</b>	24 min	<b>Min: 6 Max: 20</b>	<b>Min: 0 Max: 20</b>	<b>Min: 6 Max: 25</b>
<b>5 Corner Build-to Zone (ft)*</b>	Within 10 feet of secondary frontage	Within 6 feet of secondary frontage	Within 6 feet of secondary frontage	n/a
<b>6 Minimum Side Setback (ft)*</b>	12	<b>Min: 6 Max: 20</b>	<b>Min: 0 Max: 20</b>	12
<b>7 Minimum Rear Setback (ft)*</b>	12	5	5	25
<b>10 Maximum Building Coverage*</b>	25%	40%	60%	-
<b>11 Separation Between Structures (ft)*</b>	20	<b>Min: 8 Max: 15</b>	<b>Min: 6 Max: 20</b>	<b>Min: 6 Max: 20</b>
<b>12 Maximum Impervious Area*</b>	35%	80%	80%	50%
<b>13 Parking &amp; Detached Garage Location</b>	rear yard			
<b>14 Permitted Vehicular Access</b>	one driveway per lot; shared driveways encouraged			
<b>15 Maximum Overall Height*</b>	35	35	60	35
<b>16 Accessory Building Location</b>	Rear yard			

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*\* Note: Minimum requirements shall only apply to any new construction or building additions and shall not apply to existing buildings lawfully existing at the time of conversion.*

**Building Type: Commercial Conversion**

BEFORE	AFTER
	
	
	

Article VI Special Provisions

679.5 Building Materials and Design

679.5.1 Building Materials and Design

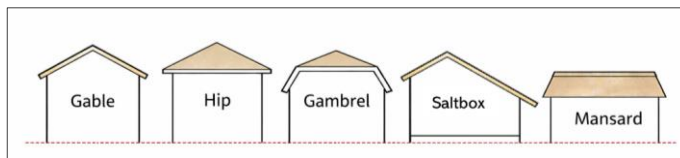
- a. **Primary Materials.** 80 percent of each façade shall be constructed of primary materials. For facades over 1000 square feet, more than one material shall be used to fulfill the 80 percent requirement.
  - i. Permitted primary building materials include: high quality, durable, natural materials, such as stone, brick; wood lap siding; lapped, shingled, or panel fiber cement board siding; glass.



- b. **Roof Materials.** Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile
- c. **Building Elements.** All buildings shall include or be retrofitted to include building elements, features and treatments as shown in the examples provided for each Building Type above. Such design is expected to incorporate:
  - i. Fascia boards;
  - ii. Bay windows;
  - iii. Modulation;
  - iv. Chimneys or cupolas;
  - v. Shutters;
  - vi. Pilasters;
  - vii. Expression lines;

- d. **Roof Types.** For Middle Housing developments, the following roof types are permitted.

- i. Gable
- ii. Hip
- iii. Gambrel
- iv. Saltbox
- v. Mansard



- e. **Unit Configuration.**
  - i. Each unit shall contain fully independent living facilities including provisions for living, sleeping, eating, cooking sanitation, laundry and storage of personal items.
  - ii. To the extent allowed by any applicable Building or Fire Codes, each unit shall contain operable windows.

679.5.2 Site Layout and Design

- a. **Parking**
  - i. Parking spaces shall be provided according to Table 3.1 (Transect Districts) or Table 5.5 (Special Districts).

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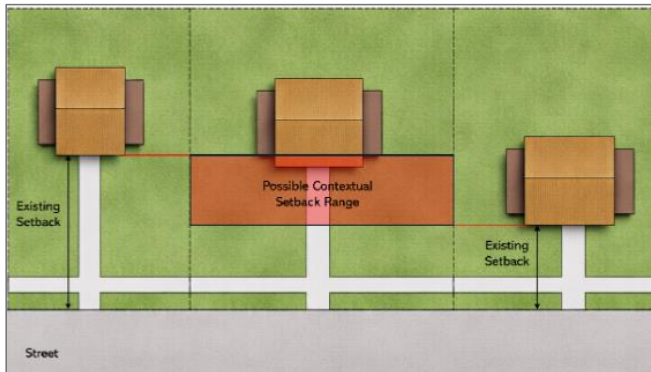
## Article VI Special Provisions

- ii. Parking shall not be located in a front or side yard.
- iii. Parking spaces shall not be located adjacent to the primary building.
- iv. A planted landscape buffer of not less than 5 ft in width shall be provided along the parking area adjacent to residential properties. Screening shall be provided by plantings or through the use of vinyl or wood fencing, not to exceed 6ft in height. The screening shall provide effective screening to adjacent residential properties from vehicles and headlight glare.

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### b. Orientation

- i. Contextual Setback. In lieu of the required Front Build to Zone requirements, when a new building is proposed to be located in between two or more existing buildings, the contextual setback as outlined in the figure shall be utilized to ensure the established development patterns are maintained.
- ii. Buildings should be oriented toward the public street or to interior greenspace for a Cottage Cluster development.

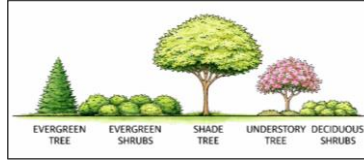


### c. Landscape Design

- i. Foundation Plantings. Each building shall include foundation plantings of at least 4 shrubs per 20 lineal feet of building length. Plantings shall include a mix of 60 percent evergreens and 40 percent flowering shrubs. All shrubs shall be at least 3-gallon in size at time of planting.
- ii. Trees. One street tree shall be provided for every 30' of street frontage. Such trees may be deciduous or evergreen. Deciduous trees shall be at least 2 inches caliper at time of planting and evergreen trees shall be at least 8 feet in height at time of planting. All trees shall be guaranteed for one (1) year after planting.
- iii. Ground Areas. All unpaved ground areas shall be landscaped with grass or groundcovers. Gravel, pea-stone, or mulch shall not be permitted except within tree or shrub planting beds.
- iv. Landscape Buffer. A planted landscape buffer, not less than 15ft in width shall be provided when such development is adjacent to a commercial use. Buffers shall include a mix of native coniferous and deciduous trees and shrubs, including:

**Article VI Special Provisions**

- 1. Trees. At least 1 medium or large shade tree and one understory tree every linear 40'.
- 2. Continuous double row of shrubs required between shade trees: Composition must include a double row of individual shrubs with a minimum width of 18-24" at planting and 36" at maturity, spaced no more than 36" on center; a minimum height of 24" in one year and maximum height of 48"
- 3. Additional screening may be provided through the use of vinyl or wood fencing, not to exceed 6ft in height.



**d. Lighting**

- i. Full cut-off fixtures which are shielded and meet the standards established by the International Dark Sky Association shall be provided. Floodlights are prohibited
  - 1. Each building shall have at least one (1) decorative light at each entrance doorway.
  - 2. Parking areas shall be illuminated using fixtures mounted on poles no higher than 15 feet.

**e. Open Space and Resident Amenities**

- i. At least 500SF of open space shall be provided on the lot for each unit proposed. Such space shall be provided as defined by these regulations. Some form of outdoor seating which is shaded or otherwise protected and play space for children and pets shall be provided.

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**679.5.3 Additional Standards**

- a. **Alternative Compliance.** Middle Housing developments shall be approved in accordance with Section 679.3 above. An application shall be approved when it meets all the standards established herein. However, in situations where incorporation of the building design standards established by subsection 679.5.1 above are infeasible or would create an unreasonable burden which would jeopardize the establishment of an otherwise compliant middle housing development, the applicant may request partial deviation from such standards by Special Permit which may be issued by the Commission provided the following criteria have been established: (relief should be for alternative compliance, not a waiver)
  - i. The subject property contains a lawfully established existing building built prior to the effective date of this regulation.
  - ii. When the type of relief requested pertains to the required roof type, such application for relief is accompanied by a statement from a professional engineer or licensed architect which documents the constraints, confirms that full compliance would require removal or full replacement of primary structural components and outlines the proposed mitigation to be provided.

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## Article VIII Definitions and Abbreviations

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### Section 830 Defined Terms

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Middle Housing Development: In accordance with Special Session Public Act 25-1, a residential building containing not less than two dwelling units but not more than nine dwelling units, including, but not limited to townhouses, duplexes, triplexes, perfect sixes, and cottage clusters.

Mixed-Use Development: In accordance with Special Session Public Act 25-1, a development which includes both commercial uses and not less than two dwelling units but not more than nine dwelling units.

## Hamden Parking Regulations – Notes 4/10/26

Following are sections of the Town of Hamden Zoning Regulations dealing with off-street parking requirements that need to be adjusted following the passage of Special Session Public Act 25-1.

### Section 350 DENSITY AND PARKING CALCULATIONS

#### 350.1 Specific to zones T2, T3, T3.5, M, TG, NC

a. Density on a lot shall be determined by the actual parking provided within the lot as applied to the uses permitted in Table 6.1, as well as landscaping, open space, building coverage and pervious surface regulations.

#### 350.2 Specific to zones T4, T5, M, TG, NC

a. Maximum density on a parcel shall be determined by the availability of effective parking in conjunction with Table 3.4 as it may apply. Such parking shall be provided:

- i. Within the lot;
- ii. Along the parking lane corresponding to the lot frontage, or;
- iii. By purchase or lease for 25 years from a parking lot within 300 feet;
- iv. In a public parking garage or lot available within 300 feet of the property line.

b. Parking requirements shall be adjusted according to the shared parking factor of Table 3.2 to determine the effective parking.

c. Based on the effective parking available, the density of the projected use shall be determined according to Table 3.1 and Table 3.2.

d. At the discretion of the Commission, the effective parking may be further reduced by up to 30% within a Transit-Oriented Development (TOD).

e. Liner buildings that are less than 30 feet deep and no more than two stories shall be exempt from parking requirements.

#### 350.3 Specific to zones T2, T3, T3.5, T4, T5

Parking calculations: Table 3.1 summarizes the parking requirement for each use by Transect Zone. This table also enables the calculation of allowable building square footage and the number of dwelling units allowed on each site given the parking available. To use the shared parking factor, first calculate the parking required for each separate use. Then divide the smaller number of parking spaces by the sharing factor and add the result to the larger number of spaces required to find the actual number of spaces required. In the case of the two uses requiring the same number of parking spaces, apply the shared parking factor to either one.

**Commented [JG1]:** This entire subsection seems to address MAXIMUM parking provision, not minimum. As such, it probably does not need to be changed.

Table 3.1 Required Parking in Transect Zones (See Table 5.5 for how uses are categorized by function)			
Function	T2 & T3, T3.5	T4	T5
Residential	2.0 / dwelling unit	1.5 / dwelling unit	1.0 / dwelling unit
Lodging	1.0 / dwelling unit	1.0 / dwelling unit	1.0 / dwelling unit
Office	3.0 / 1,000 sq. ft. gross leasable space	3.0 / 1,000 sq. ft.	2.0 / 1,000 sq. ft.
Medical Office	5.0 / 1,000 sq. ft. gross leasable space	4.0 / 1,000 sq. ft.	4.0 / 1,000 sq. ft.

Table 3.1 Required Parking in Transect Zones (See Table 5.5 for how uses are categorized by function)			
Function	T2 & T3, T3.5	T4	T5
Retail	4.0 / 1,000 sq. ft. gross leasable space	4.0 / 1,000 sq. ft.	3.0 / 1,000 sq. ft.
Civic	To be determined by the Commission <sup>a</sup>		
Other	To be determined by the Commission <sup>a</sup>		

<sup>a</sup> The Commission may use Table 5.5 as a guide when determining required parking

**Example 1:** T4 Zone, Mixed-use building with 20,000 s.f. of office and 100 dwelling units.

Office:  
20,000 s.f. x 3 spaces / 1,000 s.f.  
= 60 spaces

Residential:  
100 dwelling units x 1.5 spaces / dwelling  
= 150 spaces

Total without applying shared parking factor  
60 + 150 = 210 required spaces

Apply shared parking factor:  
60 required spaces / 1.4 sharing factor  
= 43 actual spaces

43 + 150 = 193 required spaces

Bicycle Parking Stalls:  
193 actual spaces x 1 stall / 10 actual spaces  
(round following the standard convention)  
TOTAL = 19 bicycle stalls

Need to Re-Do example calculations based on the parking limits for >16 unit developments

No minimum requirement for <16 units. 1 space per studio/1BR unit; 2 spaces per 2 or more BR units for >16 units OR per submitted Parking Needs Assessment

**Example 2:** T4 Zone, Mixed-use building with 10,000 s.f. of office and 20 dwelling units.

Office:  
10,000 s.f. x 3 spaces / 1,000 s.f.  
= 30 spaces

Residential:  
20 dwelling units x 1.5 spaces / dwelling  
= 30 spaces

Sub-Total:  
30 spaces + 30 spaces  
= 60 required spaces

TOTAL:  
30 required spaces / 1.4 sharing factor  
= 21 actual spaces

30 required spaces + 21 required spaces = 51

Bicycle Parking Stalls:  
51 actual spaces x 1 stall / 10 actual spaces  
(round following the standard convention)  
TOTAL = 5 bicycle stalls

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Note: For projects meeting the requirements of a Transit Oriented Development, do not use the shared parking factor. Calculate total parking required and then reduce the amount by 30%.

**Section 591 – Required Parking**

**Table 5.5 – Required Parking Spaces for Residential Zones & Special Districts**

Table 5.5 Required Parking Spaces for Residential Zones & Special Districts <sup>a b c d</sup> (Parking Requirements for T-Zones are located on Table 3.1)		
Building &/or Property Uses(s)	Function	Parking Requirement
Hospital	OTHER: CIVIL SUPPORT	1 space for each 2 employees plus 1 space for each 4 beds
Nursing Home	OTHER: CIVIL SUPPORT	1 space for each 2 employees plus 1 space for each 4 beds
Medical Office	OFFICE	5 spaces per 1,000 sf of gross floor area
Rehabilitation Facility - Out-Patient	OFFICE	1 space for each 2 employees plus 1 space for each 4 beds
Heliport	CIVIC	As determined by Commission
Home Occupation	RESIDENTIAL	As determined by Commission
Library & Museum	CIVIC	1 space for each 3 legal occupants, as defined by the Fire Marshall, plus 3 spaces for special vehicles
<b>Lodging</b>		
Bed & Breakfast	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with a Bed & Breakfast, as determined by the Commission, plus 2 for owner occupied unit
Hotel / Motel*	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with a Hotel / Motel*, as determined by the Commission, plus one per employee on maximum size shift
Inn	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with an Inn, as determined by the Commission, plus 1 per employee on maximum size shift
Rooming & Boarding House	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with a Rooming & Boarding House, as determined by the Commission
<b>Manufacturing</b>		
Accessory Use	OTHER	1 space for each 2 employees during the largest daily work shift or 1 space for each 500 sf of gross floor area, whichever is greater
Primary Use	OTHER	1 space for each 2 employees during the largest daily work shift or 1 space for each 500 sf of gross floor area, whichever is greater; Parking area for office area computed separately
<b>Motor Vehicle Uses</b>		
Gas Station, Service & Repair, Rental	RETAIL	4 spaces per 1,000 gross leasable floor square feet of area <sup>e</sup>
Car Sales (new & used)	RETAIL	1 space for each 5 cars offered for sale
Vehicle Storage	OTHER	As determined by the Commission
Accessory Use	OTHER	As determined by the Commission
Natural Resource Removal**	OTHER	As determined by the Commission
<b>Office Building</b>		
Office Space	OFFICE	3 spaces per 1,000 sf of gross floor area
Open Space Development	RESIDENTIAL	Calculate based upon dwelling unit composition
Commercial Recreation & Fitness	CIVIC	1 space for every 3 legal occupants
Place of Public Assemble &/or Worship	CIVIC	1 space for every 3 legal occupants
Public Use & Public Utility	CIVIC	As determined by the Commission
Public Parking Lot & Public Garage	CIVIC	As determined by the Commission
<b>Residential</b>		
Single-Family Accessory Dwelling Unit	RESIDENTIAL	1 space per dwelling unit
Accessory Dwelling Unit, Other	RESIDENTIAL	1.5 space per dwelling unit
Multi-Family Dwelling (adaptive re-use or new construction)	RESIDENTIAL	1-1/2 spaces per dwelling unit for efficiency and 1 BR units; 2 spaces for 2 or more BR's

No minimum requirement for <16 units. 1 space per studio/1BR unit; 2 spaces per 2 or more BR units for >16 units OR per submitted Parking Needs Assessment

**Table 5.5 Required Parking Spaces for Residential Zones & Special Districts<sup>a b c d</sup>  
(Parking Requirements for T-Zones are located on Table 3.1)**

<b>Building &amp;/or Property Uses(s)</b>	<b>Function</b>	<b>Parking Requirement</b>
Managed Residential Care Community	RESIDENTIAL	1 space for each employee during largest daily work shift; 1 space per 2-2BR dwelling units; plus 1 space per 3-single or efficiency dwelling units
Single-Family Dwelling	RESIDENTIAL	2 spaces
Two-Family Dwelling	RESIDENTIAL	4 spaces
Three-Family Dwelling	RESIDENTIAL	6 spaces
<b>Refuse Disposal</b>		
Resource Recovery, Transfer Station, Volume Reduction Facility	OTHER	As determined by the Commission
Research, Development & Medical Laboratory	OTHER	1 space per 500 sf gross leasable floor area
Retail and Financial Institutions *	RETAIL	4 spaces per 1,000 sf of gross leasable floor area
<b>Schools</b>		
Business School	OTHER	1 space for each employee plus 1 space for each 2 non-residential students plus 1 space for each 4 resident students
College & University	OTHER	1 space for each employee during the largest daily work shift, plus 1 space for each 2 non-residential students plus 1 space for each 4 resident students
Athletic Arenas, On-campus	OTHER	Indoor Athletic Arenas, with a seating capacity of 3,000 to 7,000 owned and operated by a College or University and located on a campus of said institution shall, provide 1 off-street parking space for every 3 seats.  The Commission, may, at its discretion, allow for up to one-third of the parking spaces required under this regulation to be unpaved, environmentally sensitive parking spaces. Said spaces shall be designed and constructed to specifications acceptable to the Commission.
Dormitories	LODGING	As Determined by the Commission
Elementary & Secondary School	OTHER	As Determined by the Commission
<b>Storage</b>		
Warehouse, wholesale w/ indoor storage	OTHER	As Determined by the Commission
Outdoor Storage	OTHER	As determined by the Commission
Accessory Use	OTHER	As determined by the Commission
Primary Use	OTHER	As determined by the Commission
Student Housing	RESIDENTIAL	1 space per student
Telecommunications Facility	CIVIC	As determined by the Commission
Wind Energy Conservation System	OTHER	As determined by the Commission

No minimum requirement

<sup>a</sup> The shared parking factor from Article III may be applied to parcels with more than one use.  
<sup>b</sup> Parking is not allowed within the front yard setback for student housing.  
<sup>c</sup> Stacking of parking spaces for single-family homes is permitted.  
<sup>d</sup> At the Commission's discretion, stacking of parking spaces may be permitted for small non-residential uses.  
<sup>e</sup> Amended, July 27, 2010. Effective, August 15, 2010.  
<sup>f</sup> Adopted July 25, 2017. Effective August 17, 2017

**Table 3.1 Required Parking in Transect Zones**  
**(See Table 5.5 for how uses categorized by function)**

<b>Function</b>	<b>T2 &amp; T3, T3.5</b>	<b>T4</b>	<b>T5</b>
Residential*	1.0/1 Bedroom or 1.5/2 Bedroom or above	1.0/1 Bedroom or 1.5/2 Bedroom or above	1.0/1 Bedroom or 1.5/2 Bedroom or above
Lodging	1.0/Room	1.0/Room	1.0/Room
Office	3.0/1,000 sq. ft. gross leasable space	3.0/ 1,000 sq. ft.	2.0/1,000 sq. ft.
Medical Office	4.0/ 1,000 sq. ft. gross leasable space	4.0/1,000 sq. ft.	4.0/1,000 sq. ft.

\*No minimum parking requirement for developments that have <16 units. For developments of >16 units, the minimum parking requirements shall be calculated based upon this table OR per a submitted Parking Needs Assessment.

Table 5.5 Required Parking Spaces for Residential Zones & Special Districts <sup>a b c d</sup> (Parking Requirements for T-Zones are located on Table 3.1)		
Building &/or Property Uses(s)	Function	Parking Requirement
Hospital	OTHER: CIVIL SUPPORT	1 space for each 2 employees plus 1 space for each 4 beds
Nursing Home	OTHER: CIVIL SUPPORT	1 space for each 2 employees plus 1 space for each 4 beds
Medical Office	OFFICE	5 spaces per 1,000 sf of gross floor area
Rehabilitation Facility - Out-Patient	OFFICE	1 space for each 2 employees plus 1 space for each 4 beds
Heliport	CIVIC	As determined by Commission
Home Occupation	RESIDENTIAL	As determined by Commission
Library & Museum	CIVIC	1 space for each 3 legal occupants, as defined by the Fire Marshall, plus 3 spaces for special vehicles
<b>Lodging</b>		
Bed & Breakfast	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with a Bed & Breakfast, as determined by the Commission, plus 2 for owner occupied unit
Hotel / Motel*	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with a Hotel / Motel*, as determined by the Commission, plus one per employee on maximum size shift
Inn	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with an Inn, as determined by the Commission, plus 1 per employee on maximum size shift
Rooming & Boarding House	LODGING	1 space for each room offered for rent plus additional spaces required for other uses associated with a Rooming & Boarding House, as determined by the Commission
<b>Manufacturing</b>		
Accessory Use	OTHER	1 space for each 2 employees during the largest daily work shift or 1 space for each 500 sf of gross floor area, whichever is greater
Primary Use	OTHER	1 space for each 2 employees during the largest daily work shift or 1 space for each 500 sf of gross floor area, whichever is greater; Parking area for office area computed separately
<b>Motor Vehicle Uses</b>		
Gas Station, Service & Repair, Rental	RETAIL	4 spaces per 1,000 gross leasable floor square feet of area <sup>e</sup>
Car Sales (new & used)	RETAIL	1 space for each 5 cars offered for sale
Vehicle Storage	OTHER	As determined by the Commission
Accessory Use	OTHER	As determined by the Commission
Natural Resource Removal**	OTHER	As determined by the Commission
<b>Office Building</b>		
Office Space	OFFICE	3 spaces per 1,000 sf of gross floor area
Open Space Development	RESIDENTIAL	Calculate based upon dwelling unit composition
Commercial Recreation & Fitness	CIVIC	1 space for every 3 legal occupants
Place of Public Assemble &/or Worship	CIVIC	1 space for every 3 legal occupants
Public Use & Public Utility	CIVIC	As determined by the Commission
Public Parking Lot & Public Garage	CIVIC	As determined by the Commission
<b>Residential</b>		
Single-Family Accessory Dwelling Unit	RESIDENTIAL	<u>No minimum requirement</u>
Accessory Dwelling Unit, Other	RESIDENTIAL	
Multi-Family Dwelling (adaptive re-use or new construction) <sup>e</sup>	RESIDENTIAL	1-1/2 spaces per dwelling unit for efficiency and 1 BR units; 2 spaces for 2 or more BR's

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**Table 5.5 Required Parking Spaces for Residential Zones & Special Districts<sup>a,b,c,d</sup>  
(Parking Requirements for T-Zones are located on Table 3.1)**

Building &/or Property Uses(s)	Function	Parking Requirement
Managed Residential Care Community	RESIDENTIAL	1 space for each employee during largest daily work shift; 1 space per 2-2BR dwelling units; plus 1 space per 3-single or efficiency dwelling units
Single-Family Dwelling	RESIDENTIAL	<u>No minimum requirement</u>
Two-Family Dwelling	RESIDENTIAL	
Three-Family Dwelling	RESIDENTIAL	
<b>Refuse Disposal</b>		
Resource Recovery, Transfer Station, Volume Reduction Facility	OTHER	As determined by the Commission
Research, Development & Medical Laboratory	OTHER	1 space per 500 sf gross leasable floor area
Retail and Financial Institutions <sup>e</sup>	RETAIL	4 spaces per 1,000 sf of gross leasable floor area
<b>Schools</b>		
Business School	OTHER	1 space for each employee plus 1 space for each 2 non-residential students plus 1 space for each 4 resident students
College & University	OTHER	1 space for each employee during the largest daily work shift, plus 1 space for each 2 non-residential students plus 1 space for each 4 resident students
Athletic Arenas, On-campus	OTHER	Indoor Athletic Arenas, with a seating capacity of 3,000 to 7,000 owned and operated by a College or University and located on a campus of said institution shall, provide 1 off-street parking space for every 3 seats.  The Commission, may, at its discretion, allow for up to one-third of the parking spaces required under this regulation to be unpaved, environmentally sensitive parking spaces. Said spaces shall be designed and constructed to specifications acceptable to the Commission.
Dormitories	LODGING	As Determined by the Commission
Elementary & Secondary School	OTHER	As Determined by the Commission
<b>Storage</b>		
Warehouse, wholesale w/ indoor storage	OTHER	As Determined by the Commission
Outdoor Storage	OTHER	As determined by the Commission
Accessory Use	OTHER	As determined by the Commission
Primary Use	OTHER	As determined by the Commission
Student Housing	RESIDENTIAL	1 space per student
Telecommunications Facility	CIVIC	As determined by the Commission
Wind Energy Conservation System	OTHER	As determined by the Commission

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<sup>a</sup> The shared parking factor from Article III may be applied to parcels with more than one use.

<sup>b</sup> Parking is not allowed within the front yard setback for student housing.

<sup>c</sup> Stacking of parking spaces for single-family homes is permitted.

<sup>d</sup> At the Commission's discretion, stacking of parking spaces may be permitted for small non-residential uses.

<sup>e</sup> Amended, July 27, 2010. Effective, August 15, 2010.

<sup>f</sup> Adopted July 25, 2017. Effective August 17, 2017

<sup>g</sup> OR per submitted Parking Needs Assessment

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**Referral 2.8.** Town of Orange.

**Subject:** Town of Orange. Proposed Zoning Text Amendment related to PA 25-1 compliance.  
Received: June 2, 2026. Public Hearing: July 7, 2026.

**Staff Recommendation:**

The proposed zoning text amendment does not appear to cause any negative inter-municipal impact to the Towns in the South Central Region nor will there be a negative impact on the habitat or ecosystem to the Long Island Sound.

**Background:**

The Town of Orange is looking to amend their zoning regulations to comply with PA 25-1 around a number of housing related changes. Major changes being proposed for the regulations are around allowing transit community middle housing developments and mixed-use developments through summary reviews, the removal of off-street parking requirements for certain housing related developments, minimum unit size requirements, and the establishment of conservation and traffic mitigation districts. Additional changes are being proposed to the zoning regulations that deal with cottage food operations, family child care homes, and group child care homes; these changes ensure that the Town aligns with zoning requirements that were set forth by previous legislation. As all of these changes are being made to be consistent with legislative requirements that apply to all municipalities, there will not be any negative inter-municipal impact or an impact to the health of the Long Island Sound.

**Communication:**

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

## Chapter 383

### ZONING

[HISTORY: Adopted by the Town Plan and Zoning Commission of the Town of Orange 8-25-1971, as last amended 6-21-2000. Subsequent amendments noted where applicable.]

#### GENERAL REFERENCES

Adult-oriented establishments â€” See Ch. 160.  
Building construction â€” See Ch. 183.  
Citations â€” See Ch. 195.  
Flood damage prevention â€” See Ch. 223.  
Land use applications â€” See Ch. 270.  
Inland wetlands and water courses regulations â€” See Ch. 381.  
Subdivision regulations â€” See Ch. 382.

#### ARTICLE I

##### General Provisions and Administration

##### § 383-13. Nonconformity.

- A. Intent: It is the intent of these Regulations that nonconformities are not to be expanded, that they should be changed to conformity as quickly as the fair interest of the owners permit and that the existence of any existing nonconformity shall not of itself be considered grounds for the approval of a variance for any other property.
- B. Definitions: A nonconforming use, building or other structure, or lot, is one which existed lawfully, whether by variance or otherwise, on the date these Regulations or any amendment hereto became effective, and which fails to conform to one or more of the provisions of these Regulations or such amendment hereto. ~~No nonconforming use, building or other structure, or lot shall be deemed to have existed on the effective date of these Regulations, or any amendment thereto, unless:—~~
- ~~(1) It was actually in being on a continuous basis on such date; and~~
- ~~(2) If such nonconformity is a use, such use had not been discontinued within the meaning of Subsection E.—~~
- C. Approved applications and certificates: Unless otherwise specifically provided in these Regulations, nothing in these Regulations shall require any change in the use of any land, building or other structure, or part thereof, or in the area, location, bulk or construction of any building or other structure for which an application for a certificate of zoning compliance shall have been lawfully approved and any required certificate of zoning compliance shall have been lawfully issued even though such use, building or structure does not conform to one or more provisions of these Regulations or any amendment hereto.
- D. Change in plans: Subject to the time limitations of Subsection D(1), nothing in these Regulations shall be deemed to require any change in the proposed use of any land, building or other structure or the area, location, bulk or construction of any building or other structure

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for which an application for a certificate of zoning compliance has been lawfully approved and any required building permit shall have been lawfully issued even though such proposed use, building or other structure does not conform to one or more provisions of these Regulations or any amendment hereto.

~~(1) Time limit: An approved application for a certificate of zoning compliance authorizing a proposed use, building or other structure that does not conform to one or more provisions of these Regulations or any amendment hereto, as described in this Subsection D, shall become null and void unless the use authorized thereby shall have been established within one year from the effective date of such Regulations or any amendment thereto when such use does not involve the establishment of a building or other structure for which an application for a certificate of zoning compliance must be approved or the use, building or other structure authorized thereby shall be established and completed within two years from the effective date of such Regulations or any amendment thereto. The Commission may grant extensions of such period each for an additional period not to exceed one year after public hearing for good cause demonstrated to the satisfaction of the Commission.~~

~~(2) Previous regulations: The provision of Subsection D and D(1) shall apply to building permits and certificates of occupancy issued under the Zoning Regulations in effect prior to these Regulations.~~

- E. Discontinuance: No nonconforming use of land which shall have been discontinued with an intention by the property owner to abandon said use and voluntarily discontinues such use for a continuous period of 90 days or for a total of six months during any one-year period shall thereafter be resumed or replaced by any other nonconforming use; no nonconforming use of land and buildings or structures in combination which shall have been discontinued with an intent by the property owner to abandon said use and voluntarily discontinues such use for a continuous period of six months or for a total of 18 months during any three-year period shall thereafter be resumed or replaced by any other nonconforming use. No nonconforming use of land, buildings or other structures which shall have been discontinued with intent by the property owner to abandon said use and voluntarily discontinues such use shall thereafter be resumed or replaced by any other nonconforming use. The demolition or deconstruction of a nonconforming use, building or structure shall not by itself be evidence of such property owner's intent to not reestablish such use, building or structure.
- F. Repair: Nothing in this section shall be deemed to prohibit work on any nonconforming building or other structure when required by law to protect the public health or safety, provided that such work does not increase the nonconformity. Nothing in this section shall be deemed to prohibit work on ordinary repair and maintenance of a nonconforming building or other structure or replacement of existing materials with similar materials.
- G. Enlargement: No nonconforming use of land shall be enlarged, extended or altered, and no building or other structure or part thereof devoted to a nonconforming use shall be enlarged, extended, reconstructed or structurally altered, except where the result of such changes is to reduce or eliminate the nonconformity. No nonconforming use of a building or other structure shall be extended to occupy land outside such building or other structure or space in another building or other structure. No nonconforming building or structure shall be enlarged, extended, reconstructed or structurally altered, if the result would be an increase in

nonconformity.

- H. Moving: No nonconforming use of land shall be moved to another part of a lot or outside the lot, and no nonconforming use of a building or other structure shall be moved or extended to any part of the building or other structure not manifestly arranged and designed for such use at the time the use became nonconforming, and no building or other structure containing a nonconforming use shall be moved, unless the result of any such move is to end the nonconformity. No nonconforming building or structure shall be moved unless the result of such moving is to reduce or eliminate its nonconformity.
- I. Change: No nonconforming use of land, buildings or other structures shall be changed to any use which is substantially different in nature and purpose from the former nonconforming use except such uses that are permitted uses in the district in which they are to be located. No nonconforming use of land, buildings or other structures if once changed to conform or to more nearly conform to these Regulations shall thereafter be changed so as to be less conforming again. No nonconforming building or structure if once changed to conform or more nearly conform to these Regulations shall thereafter be changed so as to be nonconforming or less conforming again.
- J. Casualty: If any nonconforming building or other structure or any building or structure containing a nonconforming use shall be destroyed by fire or other casualty to an extent of more than 75% of its assessed valuation on the last completed tax assessment list of the Town of Orange, such building or other structure shall not be reconstructed or repaired and such use shall not be resumed unless the building, structure and use are made to conform in all respects to these Regulations. Where the destruction is 75% or less of its assessed valuation, as above determined, the building or other structure may be reconstructed or repaired and any nonconforming use resumed, provided that such reconstruction is started within a period of six months from such casualty and is diligently prosecuted to completion. In the event of failure to start such reconstruction or repair within a period of six months from such casualty and to complete the same within one year from such casualty, or within such additional periods, not exceeding six months each, as the Commission with due cause may grant upon written application made to it, the right under this paragraph to reconstruct or repair such building or other structure and the right to resume such nonconforming use shall be lost and terminated.
- K. Lots: A parcel of land, which existed on the effective date of these Regulations, and which fails to meet the area, shape or frontage or any applicable requirements of these Regulations pertaining to lots, may be used as a lot, and a building or other structure may be constructed, reconstructed, enlarged, extended, moved or structurally altered thereon, provided that all of the following requirements are met:
  - (1) The use, building or other structure shall conform to all other requirements of these Regulations;
  - (2) If used for a dwelling, the lot shall contain a minimum area of 10,000 square feet; and
  - (3) If the parcel fails to meet the area requirements of these Regulations, the owner of the parcel shall not also be the owner of contiguous land which in combination with such parcel that fails to conform would make a parcel that conforms or more nearly conforms

to the area requirements of these Regulations pertaining to lots.

- L. Title: No change of title, possession or right of possession shall be deemed to affect right to continue a nonconforming use, building or other structure.
- M. Performance standards: Any use, building or other structure which does not conform to one or more of the performance standards of Article XVII shall not be changed to increase such nonconformity but may be changed to decrease or eliminate such nonconformity. Any such nonconformity so reduced or eliminated shall not be resumed.
- N. Signs: Signs of a size or type not permitted in the district in which they are situated, or which are improperly located or illuminated, or which are nonconforming in any other way, shall be considered nonconforming structures under this section, and any increase in size, illumination or flashing of such signs shall be deemed to be a prohibited enlargement or extension constituting an increase in nonconformity.
- O. Off-street parking and loading: Any lot, use, building or other structure which does not conform to one or more of the parking and loading provisions of Article XVIII shall continue to conform to such provisions to the extent that it conforms on the effective date of such section. Any use of land, buildings or other structures which does not conform to one or more of the provisions of Article XVIII shall not be changed to a use which would need additional off-street parking or loading spaces to comply with the provisions of Article XVIII unless such spaces are provided as required for the new use under Article XVIII and unless all other applicable requirements of these Regulations are met.

**§ 383-14. Definitions.** [Amended 2-17-2004; 6-21-2011; 10-4-2011; 4-2-2013; 3-20-2018; 2-5-2019; 5-7-2019; 6-7-2022; 9-20-2022; 7-1-2025; 12-2-2025]

- A. General: The paragraphs which follow define and explain certain words used in these Regulations. Other words used in these Regulations shall have the meaning commonly attributed to them. Doubts as to the precise meaning of words in these Regulations shall be determined by giving due consideration to the expressed purpose and intent of these Regulations.
- B. As used in this chapter, the following terms shall have the meanings indicated:

**BUILDING** — Any structure having a roof.

**CANNABIS ESTABLISHMENT** — A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter.

**COMMISSION** — The Town Plan and Zoning Commission of the Town of Orange, Connecticut.

**COMMUNITY TRAVEL CENTER** — A retail establishment, with more than 5,000 square feet but less than 9,000 square feet of gross floor area, providing the sale of gasoline, convenience goods, and food and beverage prepared on-site for "carry-out" or on-premise consumption. A community travel center shall provide indoor and outdoor dining/seating areas and electric vehicle charging stations, A community travel center may also include a drive-through and other outdoor amenities.

COTTAGE FOOD OPERATION - Any person who produces cottage food products only in the home kitchen of such person's private residential dwelling and only for sale directly to the consumer and who does not operate as a food service establishment pursuant to section 19a-36 of the General Statutes or regulations adopted pursuant to section 21a-101 of the General Statutes, or a food retailer, distributor or manufacturer as defined in subsection (b) of section 21a-92 and section 21a-151 of the General Statutes.

**COVERAGE BY BUILDINGS AND STRUCTURES** — The aggregate ground coverage by buildings and other structures is measured from the outermost edge of the building or structure, projected to nadir but excluding any architectural projections that may be permitted to extend into the area required for setback from a street line, property line, or Residence District boundary line and also excluding buildings and structures that are completely below the finished grade of the lot.

**DETACHED GARAGE** — A structure detached and separated from, and having no common wall with, the primary dwelling. A garage is permitted only to service the primary dwelling. It must not exceed 675 square feet. A larger ground coverage is permitted subject to approval of a special use in accordance with the provisions of § 383-261(3)(a) and Article XIV. The garage must not exceed 15 feet in height. The garage must not be located within any easements on the property. The garage must be used by a resident of the property for the storage of vehicles, property maintenance equipment, and/or recreational equipment. The garage must contain functioning rolling door(s), or folding door(s), or swinging door(s) which can accommodate an automobile. The door(s) shall have a minimum dimension of seven feet in width. The exterior finish, roof, roof lines, and roof pitch of all structures exceeding 300 square feet shall match as closely as possible the exterior finish of the primary dwelling. With the exception of a bathroom, the garage must not contain any finished livable floor area.

**DWELLING** — A building containing one or more dwelling units.

**DWELLING, MULTIPLE UNIT** — A building used for occupancy by two or more families living independently of each other and containing two or more dwelling units. A detached residential building containing two or more dwelling units, including what is commonly known as an apartment building, but not including group, row, or townhouses.

**DWELLING, SINGLE-FAMILY ATTACHED** — One of two or more residential buildings having a common or party wall separating dwelling units. A building containing dwelling units, each of which has primary ground floor access to the outside and which are attached to each other by party walls without openings. The term is intended primarily for such dwelling types as townhouses and duplexes.

**DWELLING UNIT** — A building or part of a building designed for occupancy, or so occupied, by one family. Accommodations occupied for transient lodging, including but not limited to in a hotel, motel or a recreational campground, shall not be considered to be a dwelling unit.

**DWELLING UNIT, AFFORDABLE** — See Article XII.

**DWELLING UNIT, SENIOR INDEPENDENT LIVING** — A dwelling unit, including single-family attached and multiple family dwelling units which are permanently deed restricted in accordance with § 383-96.27, for use by occupants aged 62 and older.

**ELDERLY ASSISTED LIVING RESIDENTIAL FACILITY** — A residential facility for assisted

living as contemplated by Section 19-13-D105 of the Regulations of Connecticut State Agencies and the facility shall be managed by an Assisted Living Service Agency as defined in Section 19a-490(I) of the Connecticut General Statutes under a license issued by the Connecticut Department of Public Health under Section 19a-491 of the Connecticut General Statutes, as such statutes and regulations may be amended from time to time. Such facility shall be limited to those persons 62 years of age or older; or persons younger than 62 years of age with a physical or mental impairment which substantially limits one or more major life activities.

**ELDERLY ASSISTED LIVING RESIDENTIAL FACILITY** — A residential facility for assisted living as contemplated by Section 19-13-D105 of the Regulations of Connecticut State Agencies and the facility shall be managed by an Assisted Living Service Agency as defined in Section 19a-490(I) of the Connecticut General Statutes under a license issued by the Connecticut Department of Public Health under Section 19a-491 of the Connecticut General Statutes, as such statutes and regulations may be amended from time to time. Such facility will be limited to those persons 62 years of age or older.

**ELECTRIC VEHICLE** — A vehicle powered solely by a battery and electric motor that produces no tailpipe emissions. Electric vehicles do not include hybrid electric vehicles or plug-in hybrid electric vehicles powered by a combination of a battery and fuel with an electric motor and internal combustion engine.

**ELECTRIC VEHICLE SHOWROOM** — An establishment providing for the display and/or sale of electric vehicles (EV) of one or more manufacturers, not including hybrid or plug-in hybrid electric vehicles. An EV showroom may also provide electric vehicle charging stations, service and maintenance for electric vehicles, and indoor and outdoor display of electric vehicles, but shall not include inventory or storage of vehicles for sale.

**FAMILY** — A person or a group of related persons, plus guests and domestic servants thereof, or a group of not more than six persons who need not be so related, who are living as a single housekeeping unit maintaining a common household. A roomer or boarder to whom rooms are let and/or board is furnished as permitted by these Regulations shall not be considered a member of a family for the purpose of this definition.

**FAMILY CHILD CARE HOME** - Consists of a private family home providing care (A) for (i) not more than six children, including the provider's own children not in school full time, without the presence or assistance of an assistant or substitute staff member approved by the Commissioner of Early Childhood, pursuant to section 19a-87b of the Connecticut General Statutes, present and assisting the provider, or (ii) not more than nine children, including the provider's own children, with the presence and assistance of such approved assistant or substitute staff member, and (B) 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, for providers described in subparagraph (A)(i) of this subdivision, a maximum of three additional children who are in school full time, including such provider's own children, shall be permitted, except that if such provider has more than three children who are such provider's own children and in school full time, all of such provider's own children shall be permitted. During the summer months when regular school is not in session, for providers described in subparagraph (A)(i) of this subdivision, a maximum of three additional children who are otherwise enrolled in school full time shall be permitted if there

is such an approved assistant or substitute staff member present and assisting such provider, except that (i) if such provider has more than three such additional children who are such provider's own children, all of such provider's own children shall be permitted, and (ii) such approved assistant or substitute staff member shall not be required if all of such additional children are such provider's own children.

FARM WINERY — Any place or premises, comprising a minimum of 10 acres on which fruit is grown and wine/wine products (limited to wine and brandies distilled from grape products and other fruit products, including grappa and eau-de-vie) are manufactured, stored and sold, meeting the permit requirements of Connecticut General Statutes § 30-16 (as amended) and applicable definitions and guidance of Title 22 (as amended) of the Connecticut General Statutes.

#### FLOOR AREA, DWELLING OR DWELLING UNIT

- (1) In determining compliance with minimum floor area requirements for dwellings and dwelling units, only finished livable floor area having a ceiling height of at least seven feet four inches shall be counted, except that in a half-story not more than 400 square feet of floor area may be counted, provided it has a ceiling height of at least five feet. The following shall not be included in the computation of finished livable floor area:
  - (a) Garages;
  - (b) Outside vestibules; bay windows;
  - (c) Any basement rooms, the full walls of which are not above ground level;
  - (d) Utility rooms for heating apparatus;
  - (e) Attics;
  - (f) Terraces; open porches; enclosed porches not heated by a central heating system for the dwelling; and
  - (g) Hallways and other space designed for common use by occupants of two or more dwelling units.
- (2) Measurements of floor area for any dwelling or dwelling unit shall be taken from the inside surfaces of exterior walls or partitions enclosing the floor area. Any floor, other than a ground floor, must have access thereto by a permanent inside stairway to be included in computing floor area.

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.

FUN HOUSES, HAUNTED HOUSES AND OTHER SIMILAR ATTRACTIONS — Any indoor or outdoor structure, facility, attraction and/or use, for the gathering of persons for the purpose of entertainment or amusement with the following design: The structure and/or use would include a maze, series of rooms, passageways, or labyrinth; where participants would "walk past" various devices, scenes, and theatrical productions, that would frighten, bewilder and/or amuse. This use is permitted only in the Residential RES District. Said uses shall not occur more than two calendar days per year at any location. Such uses require the approval of the Orange Fire Marshal,

Zoning Enforcement Officer, and any other applicable municipal departments as determined by the Z.E.O.

GROUP CHILD CARE HOME - Offers or provides 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 under General Statutes § 19a-77, except that it operates in a facility other than a private family home.

HALF-STORY — That portion of a building between the surface of a sloping roof and the floor next below, in which the points of intersections of the bottom of the rafters with the interior surfaces of the walls are not less than four feet above the floor level, and which contains a floor area no greater than 50% of the area of the floor next below; not less than 50% of the half-story floor area shall have a ceiling height of at least seven feet four inches. For buildings with flat roofs, a half-story is the upper most story which contains a floor area no greater than 50% of the area of the floor next below.

HEIGHT — In measuring the height of a building or other structure to determine compliance with the maximum height provisions, measurement shall be taken from the ground elevation datum consisting of the average elevation of the finished grade of the lot within 10 feet of, and around, the perimeter of the building or structure to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip, and gambrel roofs. A separate ground elevation datum is applicable to each building or structure on a lot. When any two buildings having different ground elevation datum are interconnected, such as by common areas, other floor area or other architectural features or structures, the ground elevation datum applicable to the interconnection is the same as the building having the lower ground elevation datum.

IMPERVIOUS SURFACE — Any material that substantially reduces or prevents the infiltration of storm water into previously undeveloped land. Impervious surface shall include graveled driveways and parking areas. A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

JUNK YARD — Includes any junkyard, motor vehicle junk business and motor vehicle junkyard 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 old metals, iron, glass, paper, cordage and other waste materials which on any lot have an aggregate bulk equal to one automobile.

KENNEL — Shall have the same meaning as defined in the General Statutes of the State of Connecticut and shall include commercial kennel as defined in such Statutes.

LOT — A parcel of land which is either:

- (1) Owned separately from any contiguous parcel as evidenced by fee conveyance recorded in the land records of the Town of Orange; or

- (2) Is a building lot shown on a subdivision map, approved by the Commission and filed in the office of the Orange Town Clerk.

LOT AREA AND SHAPE — In determining compliance with minimum lot area and shape requirements of these Regulations, land subject to conservation easements, sight easements and easements for drainage facilities, sanitary sewer facilities, public utility distribution lines and underground public utilities may be included, but no right-of-way for a street or highway, easement of vehicular access, private right-of-way for vehicles or easement for above ground public utility transmission lines may be included for compliance with minimum lot area and shape. The following are also applicable in determining compliance:

- (1) Area consisting of wetlands and watercourses, including ponds and lakes:
  - (a) Shall not be used for compliance with more than 10% of the minimum lot area requirement specified in the district.
  - (b) Shall not be used for compliance with more than 10% of the required minimum shape consisting of a square with the minimum dimension specified in the district.
  - (c) In a residence district shall be excluded from lot area in determining eligible square footage of all building and other structures on the lot and eligible ground coverage by buildings and other structures on the lot.
- (2) Area consisting of slopes in excess of 25% grade, greater than 1,000 square feet, at predevelopment conditions:
  - (a) Shall not be used for compliance with the minimum Lot area requirement specified in the district.
  - (b) Shall not be used for compliance with the required minimum shape consisting of a square with the minimum dimension specified in the district; and
  - (c) In a residence district shall be excluded from lot area in determining eligible square footage of all building and other structures on the lot and eligible ground coverage by buildings and other structures on the lot.
- (3) Land in two or more zoning districts may be used to satisfy a minimum lot area requirement provided that the requirement of the district requiring the largest lot area is met, but no land in a Residence District shall be used to satisfy a minimum lot area requirement or minimum lot shape requirement in any other district.

LOT, CORNER — A lot having lot lines formed by the intersection of two streets, whether public or private, and where the interior angle of such intersection is less than 135°. A lot fronting on a curved street shall also be considered a corner lot if the central angle of the curve is less than 135°.

MIXED-USE DEVELOPMENT – A development containing both residential and nonresidential uses in any single building.

MIXED USE RESIDENTIAL DEVELOPMENT — A development on one site consisting of residential dwelling units in combination with either retail use or office use, or in combination with both retail and office use.

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NONCONFORMING USE, BUILDING, STRUCTURE OR LOT — See § 383-13B.

OPEN SPACE, USABLE — Space on a lot or parcel that is:

- (1) Unoccupied by principal or accessory buildings above the finished grade;
- (2) Unobstructed to the sky;
- (3) Not devoted to service driveways, service areas, off-street parking at finished grade or loading areas;
- (4) Devoted to landscaping, active or passive recreation and other like uses;
- (5) Made available in the same proportion to all occupants of the building or buildings on the lot or parcel;
- (6) Not classified as wetland; and
- (7) Does not exceed a 35% slope.

OUTSIDE STORAGE — The outside storage or display of merchandise, supplies, machinery and materials and/or the outside manufacturing, processing or assembling of goods, but excluding areas for parking of registered motor vehicles in daily use.

PROFESSIONAL SCHOOL — An accredited school that awards advanced academic degrees (i.e., master's degree, MBA, Ph.D.) with the general requirement that students must have earned a previous undergraduate (bachelor's) degree.

PROPERTY LINE, REAR — Any property line which is parallel to or within 45° 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.

PROPRIETARY COMMERCIAL OR TECHNICAL SCHOOL — A for-profit school providing post-secondary training in business, technical or commercial skills, including, but not limited to, information technology, computer repair, office administration, medical billing and coding.

RESIDENTIAL DEVELOPMENT, MIXED USE — A development on one site consisting of residential development as ordered by Article XII, Planned Residential Development (PRD) Regulations, and either retail or office use as limited by Article XII, PRD Regulations.

RESTAURANT, INDOOR — Restaurants and other food and beverage service establishments where customers are served only when seated at tables or counters and all of the customer seats are located within an enclosed building. Such uses may include a food take-out service, by a special permit, incidental to the primary intended use, but shall not include the following:

- (1) Establishments where customers are served primarily at food take-out counters;
- (2) Establishments where customers are served at drive-through windows or by restaurant "car hop" employees outside of the enclosed structure; and
- (3) Establishments where customers are served in a manner intended for consumption of food at outside picnic or dining areas.

SHORT-TERM RENTAL — The use of a dwelling unit, in whole or in part, for transient lodging,

for compensation, for less than 30 days.

SIGN — See § 383-185.

SMOKE SHOP — A retail establishment where twenty percent (20%) or more of the floor area is dedicated to the sale of tobacco and related products containing tobacco, nicotine, cannabis (THC/CBD), flavorings, including E-Cigarettes, and paraphernalia and/or contains areas for the consumption of smokeable products. Cigar stores, lounge and/or bars are not meant to be included in this definition. For purposes of this definition, related products include, but are not limited products sold at Vape Shops.

SOIL EROSION AND SEDIMENT CONTROL PLAN — See § 383-204, including related definitions.

STORY — That portion of a building between the surface of any floor and the surface of the floor, ceiling, or roof next above. When not used for human occupancy, penthouses enclosing mechanical equipment on the roof of a building and attics are not considered a story. When the ceiling of a basement is less than five feet above the ground elevation datum for the building, the basement is not considered a story; provided, however, that in a BOP District a basement used primarily for parking of motor vehicles may have a ceiling that exceeds such five feet of height over as much as 25% of the basement floor area and is not considered a story.

STREET — Any public way duly accepted by the Town of Orange, any state highway, except limited access state highway, or any street shown on a subdivision map approved by the Commission and filed in the office of the Orange Town Clerk.

STREET LINE — The right-of-way easement or taking of any street or of any easement of vehicular access or private right-of-way 25 feet or more in width.

STREET WIDTH — The distance between the street lines.

STRUCTURE — Anything constructed or erected which has a permanent location on the ground, or anything attached to something having a permanent location on the ground. The term "structure" shall include outdoor swimming pools, tool sheds, storage sheds, bath houses, wood piles in excess of 125 cubic feet, barns, garages and carports which are not permanently affixed to the ground. The term shall not include fences or walls six feet or less in height, necessary retaining walls, flagpoles or utility poles.

TOBACCO — Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, cigarettes, cigars, chewing or pipe tobacco, snuff, electronic cigarettes, electronic cigars, electronic pipes, electronic nicotine delivery systems or any other product or device that relies on vaporization or aerosolization; tobacco product also includes any component, part or accessory used in the consumption of a tobacco product such as filters, rolling papers, pipes, e-cigarettes, e-cigars, e-pipes, vape pens, e-hookahs and liquids used in the electronic smoking devices, whether or not they contain nicotine. Tobacco product shall not include drugs, devices or combination products approved by the United States Food and Drug Administration as a tobacco cessation product that is marketed and sold exclusively for the approved purpose.

TOBACCO STORES — See "Smoke Shop" definition.

TRAILERS — Includes any vehicle or contrivance which is used, or designed for use, for human habitation and which is or may be mounted on wheels and which is or may be propelled, either by its own power or by another power-driven vehicle, and whether resting on wheels, jacks or a foundation, the term "trailer" shall include mobile home, camper and camp trailers used, or designed for use, for human habitation. The following additional provision shall apply to trailers:

- (1) On any lot, one trailer may either be parked or stored in a garage or other building accessory to a permitted use on the lot or parked or stored so as not to extend within less than 25 feet of any property line or within the area required for setback of accessory buildings from any street line. The owner of the trailer shall also be the owner or occupant of a dwelling or other permitted use on the lot.
- (2) A trailer may be used as an office in connection with and for the duration of a construction project on the lot where the trailer is located, provided that such trailer is located so as to meet all of the setback requirements for buildings and other structures and is removed within 30 days after completing the project. In no event shall a trailer used in accordance with this subsection be located on a lot for more than 90 days except upon the granting of a special use permit or unless such temporary use is part of an approved site plan.

TRANSIT COMMUNITY MIDDLE HOUSING DEVELOPMENT – A residential building containing no less than two dwelling units but not more than nine such units, including, but not limited to, townhouses, duplexes, triplexes, perfect sixes and cottage clusters.

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VAPE SHOP — A retail establishment where twenty percent (20%) or more of the floor area is dedicated to the sale of Vaporizers and their related products, including, but not limited to, nicotine, cannabis (THC/CBD), flavorings, and paraphernalia and/or contains areas for the consumption of Vaporizer products. Cigar stores, lounge and/or bars are not meant to be included in this definition. For purposes of this definition, related products include, but are not limited to products sold at Smoke Shops.

VAPORIZER — A device designed for the purpose of inhaling and exhaling vapor containing nicotine, cannabis (THC/CBD), and/or flavorings. Vaporizers include, but are not limited to, E-cigarettes, vapes, vape pens, dab pens, dab rigs, tanks, mods, pod-mods, hookah pens and electronic nicotine delivery systems (ENDS).

VETERINARY CLINIC — An establishment providing outpatient care for animals under the direct supervision of a licensed veterinarian. The care provided cannot include overnight stays or any radiographic use. The establishment cannot have outdoor enclosures for animals or store any medical gas in pressurized containers.

VETERINARY HOSPITAL — An establishment providing outpatient and inpatient care for animals under the direct supervision of a licensed veterinarian. Care provided can include overnight stays, the use of gas inhalation anesthesia and radiographic use. Veterinary hospitals cannot operate as a routine boarding facility.

WATER COURSES — Consists of water courses as defined in Chapter 381, Inland Wetlands and Water Courses Regulations, of the Town of Orange, as may be amended from time to time.

WETLANDS — Consists of wetlands as defined in Chapter 381, Inland Wetlands and Water Courses Regulations, of the Town of Orange, as may be amended from time to time.

ARTICLE III  
**Residence District**

§ 383-26. **Permitted uses.** [Amended 9-5-2006; 1-17-2012; 10-15-2019; 12-7-2021; 5-23-2023; 12-2-2025]

- A. A single detached dwelling for one family and not more than one such dwelling per lot.
- B. Leasing rooms. The leasing of rooms and/or furnishing of board in a Dwelling Unit to a total of not more than four unrelated persons, which shall not include Short-Term Rental (which is prohibited by these regulations).
- B. Leasing of rooms shall be subject to the following conditions:
  - (1) The person or persons letting the rooms and/or furnishing board shall be the owner of the Dwelling Unit and/or have a membership interest in the entity that owns the dwelling unit.
  - (2) When rooms are let, the Dwelling Unit shall contain a minimum floor area of 200 square feet times the number of persons to whom the rooms are let.
  - (3) The letting of rooms shall not include the provision of cooking facilities for such rooms but may include sharing of the cooking facilities of the dwelling.
  - (4) No accessory building shall be used for letting of rooms or furnishing of board.
  - (5) No room shall be let for a period of 30 calendar days or less.
- 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, as defined in § 383-26C, 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.
- D. The keeping and raising of one horse or pony for personal or family purposes as a pet, on any lot having a minimum area of one acre, and one additional horse or pony may be maintained on said lot for each additional acre contained in said lot, all subject to the

following conditions:

- (1) Any horse or pony 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 distant from any property line and 100 feet distant from any well from which water is taken for human consumption.
- (2) Stable manure shall be kept in a covered water-tight pit or chamber and shall be removed at least once a week during the period from May 1 to October 1 and during other months at intervals sufficiently frequent to maintain a sanitary condition satisfactory to the Director of Health.

E. (Reserved)

F. Conversion of dwellings existing on January 1, 1937, so as to contain not more than two dwelling units, subject to the following provisions:

- (1) Each Dwelling Unit shall contain ~~not less than 900 square feet of a~~ floor area that is not less the minimum floor area set forth in the State Building Code, as may be amended.
- (2) The dwelling shall be located on a lot having a minimum area of 40,000 square feet, if serviced by city water; 60,000 square feet if serviced by well. As used herein the term "city water" means water service provided by the Regional Water Authority of South Central Connecticut or its successors.
- (3) Separate cooking facilities and a separate bathroom shall be provided within each Dwelling Unit.
- (4) There shall be no structural alteration of the dwelling except to provide means of egress from each Dwelling Unit, and in making changes in the exterior of the dwelling, the appearance and character of a single family dwelling shall be preserved.

G. Buildings, uses and facilities of the Town of Orange.

H. Signs, as provided in Article XIX.

I. Accessory uses customary with and incidental to any aforesaid permitted use, subject to the following additional standards and conditions:

- (1) The accessory use shall be located on the same lot with the permitted use to which it is accessory.
- (2) Uses accessory to a dwelling may include off-street parking spaces, swimming pools and pool houses, tennis and similar court games facilities, boat houses, landings and docks, greenhouses, shelter for horses and ponies, poultry and household pets and storage facilities for personal goods, and solar and other renewable forms of energy and energy conservation structures and buildings for such uses, but only when such uses are for the personal and family use of the occupants of the dwelling and their guests.
- (3) Buildings and structures for uses accessory to a dwelling or other permitted use but having no common wall with or otherwise detached from the dwelling or any building

for such use shall not exceed a height of 15 feet nor an aggregate ground coverage of 300 square feet, provided however, that:

- (a) A larger ground coverage, and a height in excess of 15 feet, is permitted subject to approval of a special use in accordance with the provisions of Article XIV; and
- (b) The ground coverage limitation shall not apply to a one or two car garage accessory to a dwelling and having a coverage of 675 square feet or less nor to unroofed swimming pools accessory to a dwelling.

(4) Off-street parking.

- (a) Off-street parking accessory to a dwelling may include only one vehicle:

- [1] Having a State of Connecticut commercial plate registration;
- [2] Having a commercial regulation in any other state; or
- [3] With advertisement and/or marketing of a service or business on its exterior.

- (b) Any such vehicle identified in § 383-26I(4)(a) must be owned and operated by a resident of the dwelling any may not exceed 7,500 pounds curb weight. Otherwise the parking or storage of vehicles so registered, and without limitation as to weight, is permitted on a lot in a Residence District only when accessory to the following:

- [1] An agricultural and farming use that is located on a lot of five acres or more;
- [2] A use or facility operated by or for the Town of Orange or Regional School District No. 5;
- [3] A special use, including commercial nurseries, when specifically authorized in connection with the use; and
- [4] A temporary special use authorized under Article XX.

- (c) The aforesaid provisions do not apply to vehicles actually in use for bona fide construction, cultivation, maintenance or delivery work on a lot in a Residence District.

(5) No part of a lot located in a Residence District shall be used for access to a use not permitted in such district.

(6) No part of a solar and other renewable forms of energy and energy conservation structure shall be located in front of the primary structure or in any area between a street line and the primary structure.

J. A home occupation or home office which meets all of the following provisions shall be permitted as an accessory use subject to the issuance of a certificate of zoning compliance permit by the Zoning Enforcement Officer in accordance with §§ 383-2 through 383-11 of the Orange Zoning Regulations. It shall also conform to the following additional standards and conditions:

- (1) No person other than a resident of the dwelling unit shall be engaged or employed in

the home occupation or home office.

- (2) The delivery of goods or materials to the premises other than documents, office supplies, paper products, shall not be permitted. Delivery of goods for sale, assembly or repair is prohibited.
  - (3) The sale of goods or materials from the premises shall not be permitted except by telephone, mail, e-mail or internet.
  - (4) There shall be no display of products or signs on or about the premises.
  - (5) The home occupation or home office shall not involve the use of equipment other than that normally used for household, domestic or general office purposes, such as a telephone, personal computer or fax machine.
  - (6) The home occupation or home office shall not be noticeable from the exterior of the dwelling or change the exterior appearance or the residential character of the dwelling.
  - (7) There shall be no outside storage of any goods, materials, equipment or supplies.
  - (8) The home occupation or home office shall not create any electrical, radio, television or similar interference.
  - (9) Visits by clients, patrons and/or associates shall not exceed that normally and reasonably occurring for a residence.
  - (10) No vehicular traffic shall be generated by the home occupation or home office in greater volume than would normally and reasonably be expected in a residential neighborhood.
  - (11) The aggregate floor area devoted to the home occupation or home office shall not exceed 15% of the floor area of the dwelling unit and shall not exceed 400 square feet.
  - (12) The home occupation or home office shall not be located within any accessory building.
  - (13) Parking areas for home occupation or home office or the general public shall not be permitted within the required front yard, unless located in the driveway.
  - (14) No more than one home office shall be permitted within any dwelling unit.
  - (15) The following uses, by their inherent nature and intensity, shall not be considered home occupations or home offices and shall not be permitted as such in the Residence (RES) Zone: barber shops, beauty parlors, animal hospitals, dance studios, mortuaries, restaurants, metal working, and automobile, boat or other vehicle repair or painting, general construction, landscaping, medical profession.
- K. Temporary use of a dwelling as a model home or model home with a sales office in newly constructed residential developments, with sales offices limited to activity related to the marketing, sales and closing of homes located within the subdivision, subject to the following conditions:
- (1) It shall be permitted by site plan approval, in accordance with the requirements of Article XIII.
  - (2) The Commission may permit the model home for a period not to exceed one year. Upon

request, the Commission may grant one extension of such approval.

- (3) Application for a temporary permit for model home/sales office shall not be made until the subdivision or site plan have been approved by the Commission.
- (4) The model home/sales office shall be located where the amount of traffic shall not have negative impacts upon existing residential neighborhoods.
- (5) There shall be adequate off-street and/or on-street parking to serve the model home/sales office.
- (6) The use of the model home/sales office shall cease upon termination of the temporary permit, and the structure shall be converted to use as a residential dwelling, with all necessary modifications.

L. Family child care home or a group child care home.

M. Cottage food operation.

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#### ARTICLE IV Local Shopping Center (LSC) District

##### § 383-33. Permitted uses.

- A. Stores and other buildings and structures where goods are sold or service is rendered primarily at retail.
- B. Business and professional offices; banks and other financial institutions; medical and dental clinics.
- C. Clothes and fabric cleaning and laundry service consisting of on-premises facilities for service at retail, including self-service, or agencies for off-premises cleaners and laundries.
- D. Indoor restaurants and other food and beverage service establishments where customers are served only when seated at tables or counters and all of the seats are located within an enclosed building, unless approved under § 383-34B. [Amended 5-5-2009]
- E. Printing and publishing establishments occupying not more than 5,000 square feet of floor area.
- F. Manufacture, processing or assembling of goods for sale only on the premises and at retail.
- G. The following uses when conducted by a non-profit corporation and not as a business or for profit: churches and places of worship; parish halls; schools; colleges; universities; educational, religious, philanthropic and charitable institutions; membership clubs; lodges; community houses.
- H. Buildings, uses and facilities of the Town of Orange.
- I. Off-street parking facilities.
- J. Signs as provided in Article XIX.

- K. Public utility substations and telephone equipment buildings provided that there is no outside service yard or outside storage of supplies.
- L. Water supply reservoirs, wells, towers, pump stations, storage facilities and treatment facilities.
- M. Buildings, uses and facilities of the State of Connecticut or federal government.
- N. Veterinary clinics.
- O. Accessory uses customary with and incidental to any aforesaid permitted uses.

**§ 383-33a. Uses Subject to Summary Review Approval.**

**A. Transit Community Middle Housing Developments.**

**B. Mixed-use Developments**

**§ 383-34. Special uses.**

- A. Drive-through service windows for indoor banks and restaurants and other food and beverage establishments provided the service windows are incidental to the primary permitted use.
- B. Indoor restaurants and other food and beverage service establishments where customers order and receive their order at a service counter and where the food and/or beverage is intended to be consumed primarily while seated at tables or counters within the establishment. [Added 5-5-2009]
- C. A food take-out service incidental to the primary intended use, but shall not include the following: [Added 5-5-2009]
  - (1) Establishments where customers are served primarily at food take-out counters.
  - (2) Establishments where customers are served in motor vehicles by restaurant "car hop" employees outside of the enclosed structure.
  - (3) Establishments where customers are served in a manner intended for consumption of food at outside picnic or dining areas.

**§ 383-35. Prohibited uses.**

- A. Dwellings, except Transit Community Middle Housing Developments and Mixed-use Developments.
- B. Printing and publishing except as permitted under § 383-33E.
- C. Warehousing and wholesale businesses; building contractor's businesses and storage yards; lumber and building materials businesses; freight and materials trucking terminals and businesses; bus terminals; commercial storage, sale and distribution of fuel.
- D. Research laboratories, manufacture, processing or assembling of goods except as permitted under § 383-33F.

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- E. Motor vehicle service stations; motor vehicle repair garages including automobile, truck, trailer and farm equipment repairing, painting and upholstering; establishments for motor vehicle washing; establishments for the sale of new or used automobiles, trucks, trailers or farm equipment or the rental thereof.
- F. Hotels and motels; undertakers' establishments; veterinary hospitals; bowling alleys; billiard or pool halls; theaters and assembly halls.
- G. Painting, plumbing, electrical, sheet metal, carpentry, woodworking, blacksmith, welding and machine shops.
- H. Adult use establishments as defined in Article XV.
- I. Car washes, including manual and automated washes.

ARTICLE V  
**Commercial C-1 District**

**§ 383-41. Permitted uses.**

- A. Stores and other buildings and structures where goods are sold or service is rendered primarily at retail.
- B. Business and professional offices; banks and other financial institutions; medical and dental clinics.
- C. Clothes and fabric cleaning laundry service consisting of on-premises facilities for service at retail, including self-service at retail, including self-service, or agencies for off-premises cleaners and laundries.
- D. Indoor restaurants and other food and beverage service establishments where customers are served only when seated at tables or counters and all of the seats are located within an enclosed building, unless approved under § 383-42D. [Amended 3-7-2006]
- E. Indoor theaters and assembly halls.
- F. Hotels and motels, provided all facilities are connected to the Town sanitary sewerage system.
- G. Motor vehicle service stations and motor vehicle repair garages including automobile, truck, trailer and farm equipment repairing; painting and upholstering. Establishments for the sale of new or used trailers or farm equipment or rental thereof, provided, however, that the sale or rental of such trailers or farm equipment is the primary use of the premises and is not conducted as an accessory use to another use of said premises. Such use may include gasoline pumps and/or the sale of gasoline by special permit.
- H. Undertaker's establishments.
- I. Veterinary hospitals.
- J. Printing and publishing establishments occupying not more than 5,000 square feet of floor area.

- K. Bowling alleys; billiard or pool halls.
- L. Manufacture, processing or assembling of goods for sale only on the premises and at retail.
- M. Painting, plumbing, electrical, sheet metal, carpentry, woodworking, blacksmith, welding, and machine shops occupying not more than 5,000 square feet of floor area.
- N. Churches and places of worship; parish halls; schools; colleges; universities; educational, religious, philanthropic and charitable institutions; membership clubs, lodges, community houses.
- O. Buildings, uses and facilities of the Town of Orange.
- P. Off-street parking facilities.
- Q. Signs as provided in Article XIX.
- R. Public utility substations and telephone equipment buildings provided that there is no outside service yard or outside storage of supplies.
- S. Water supply reservoirs, wells, towers, pump stations, storage facilities and treatment facilities.
- T. Buildings, uses and facilities of the State of Connecticut or federal government.
- U. Accessory uses customary with and incidental to any aforesaid permitted uses.

**§ 383-41a. Uses Subject to Summary Review Approval**

**C. Transit Community Middle Housing Developments.**

**D. Mixed-use Developments.**

**§ 383-42. Special uses.**

- A. Drive-through service windows for indoor banks and restaurants and other food and beverage establishments, provided the service windows are incidental to the primary permitted use, and freestanding drive-through bank automated teller machines. As used herein "freestanding drive-through automated teller machines" means automated teller machines which are not accessory to a banking facility on premises. [Amended 4-21-2009]
- B. Planned residential development uses in accordance with Article XII. [Amended 10-4-2000]
- C. Convenience marts, gasoline pumps and/or the sale of gasoline.
- D. Indoor restaurants and other food and beverage service establishments where customers order and receive their order at a service counter and where the food and/or beverage is intended to be consumed primarily while seated at tables or counters within the establishment. [Added 3-7-2006]
- E. A food take-out service incidental to the primary intended use, but shall not include the following: [Added 3-7-2006]

- (1) Establishments where customers are served primarily at food take-out counters.
  - (2) <sup>1</sup>Establishments where customers are served in a manner intended for consumption of food at outside picnic or dining areas.
- F. Outdoor restaurant seating in accordance with § 383-143.4. [Added 6-15-2010; amended 9-6-2011]
  - G. Carhop restaurant service where food is brought and served in motor vehicles parked in a specially designed and designated area. [Added 11-16-2010]
  - H. Cannabis establishments, as defined by SB 1201, § 1, as may be amended from time to time. [Added 9-20-2022]
  - I. Light industrial uses in accordance with § 383-143.9 when located on a parcel abutting the Light Industrial No. 1 Zone, provided further that: [Added 6-20-2023]
    - (1) Minimum lot size is at least 10 acres.
    - (2) The subject property has frontage on three streets.

**§ 383-43. Prohibited uses.**

- A. Printing and publishing except as permitted under § 383-41J.
- B. Warehousing and wholesale businesses; building contractors' businesses and storage yards; lumber and building materials businesses; freight and materials trucking terminals and businesses; bus terminals; commercial storage, sale and distribution of fuel, except as permitted under § 383-42I. [Amended 6-20-2023]
- C. Research laboratories, manufacture, processing or assembling of goods except as permitted under § 383-41L and § 383-42I. [Amended 6-20-2023]
- D. Adult use establishments as defined in Article XV.
- E. Car washes, including manual and automated washes.
- F. Establishments for the sale and/or rental of new or used automobiles and/or trucks.

ARTICLE VI  
**Commercial C-2 District**

**§ 383-49. Permitted uses.**

- A. Stores and other buildings and structures where goods are sold or service is rendered primarily at retail.
- B. Business and professional offices; banks and other financial institutions; medical and dental clinics.
- C. Clothes and fabric cleaning and laundry service consisting of on-premises facilities for

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<sup>1</sup> Editor's Note: Former Subsection E(2), regarding restaurant establishments with carhop service, was repealed 11-16-2010. This ordinance also redesignated former Subsection E(3) as Subsection E(2). See now Subsection G.

service at retail, including self-service, or agencies for off-premises cleaners and laundries.

- D. Indoor restaurants and other food and beverage service establishments where customers are served only when seated at tables or counters and all of the seats are located within an enclosed building, unless approved under § 383-50E. [Amended 3-7-2006]
- E. Indoor theaters and assembly halls.
- F. Hotels and motels, provided all facilities are connected to the Town sanitary sewerage system.
- G. Undertaker's establishments.
- H. Veterinary hospitals.
- I. Printing and publishing establishments occupying not more than 5,000 square feet of floor area.
- J. Bowling alleys; billiard or pool halls.
- K. Manufacture, processing or assembling of goods for sale only on the premises and at retail.
- L. Churches and places of worship; parish halls; schools; colleges; universities; educational, religious, philanthropic and charitable institutions; membership clubs; lodges; community houses.
- M. Buildings, uses and facilities of the Town of Orange.
- N. Off-street parking facilities.
- O. Signs as provided in Article XIX.
- P. Public utility substations and telephone equipment buildings provided that there is no outside service yard or outside storage of supplies.
- Q. Water supply reservoirs, wells, towers, pump stations, storage facilities and treatment facilities.
- R. Buildings, uses and facilities of the State of Connecticut or federal government.
- S. <sup>2</sup>Accessory uses customary with and incidental to any aforesaid permitted uses.

**§ 383-49a. Uses Subject to Summary Review Approval.**

**A. Transit Community Middle Housing Developments.**

**B. Mixed-use Developments**

**§ 383-50. Special uses.**

- A. Drive-through service windows for indoor banks and restaurants and other food and beverage

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2. Editor's Note: Former Subsection S, allowing adult use establishments as a permitted use, was repealed 5-28-2003. See now § 383-50C. This ordinance also redesignated former Subsection T as S.

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establishments provided the service windows are incidental to the primary permitted use.

- B. Planned residential development uses in accordance with Article XII. [Amended 10-4-2000]
- C. Adult use establishments in accordance with Article XV. [Added 5-28-2003]
- D. Sale of gasoline as an accessory use in conjunction with retail stores containing over 100,000 square feet. [Added 7-6-2004]
- E. Indoor restaurants and other food and beverage service establishments where customers order and receive their order at a service counter and where the food and/or beverage is intended to be consumed primarily while seated at tables or counters within the establishment. [Added 3-7-2006]
- F. A food take-out service incidental to the primary intended use, but shall not include the following: [Added 3-7-2006]
  - (1) Establishments where customers are served primarily at food take-out counters.
  - (2) <sup>3</sup>Establishments where customers are served in a manner intended for consumption of food at outside picnic or dining areas.
- G. Outdoor restaurant seating in accordance with § 383-143.4. [Added 6-15-2010; amended 9-6-2011]
- H. Carhop restaurant service where food is brought and served in motor vehicles parked in a specially designed and designated area. [Added 11-16-2010]

**§ 383-51. Prohibited uses.**

- A. Motor vehicle service stations; motor vehicle repair garages including automobile, truck, trailer and farm equipment repairing; painting and upholstering; establishments for motor vehicle washing; establishments for the sale of new or used automobiles, trucks, trailers or farm equipment or the rental thereof.
- B. Painting, plumbing, electrical, sheet metal, carpentry, woodworking, blacksmith, welding and machine shops.
- C. Printing and publishing except as permitted under § 383-49I.
- D. Warehousing and wholesale businesses; building contractors' businesses and storage yards; lumber and building materials businesses; freight and materials trucking terminals and businesses; bus terminals; commercial storage, sale and distribution of fuel.
- E. Research laboratories, manufacture, processing or assembling of goods except as permitted under § 383-49K.
- F. Car washes, including manual and automated washes.

ARTICLE X

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3. Editor's Note: Former Subsection F(2), regarding restaurant establishments with carhop service, was repealed 11-16-2010. This ordinance also redesignated former Subsection F(3) as Subsection F(2). See now Subsection H.

### Business Office Park District

#### § 383-80. Permitted uses.

- A. Buildings, each having a ground coverage of not less than 20,000 square feet, containing administrative, business and professional offices, including banks and other financial institutions, and research facilities for development and testing of products, management systems and services, provided, however, that when any building contains the office or research facility of two or more separate firms or organizations, the access to floor area occupied by each firm or organization shall be by means of doors and corridors serving the building generally and there shall be no separate access from such floor area to the outdoors.
- B. Public utility substations and telephone equipment buildings provided that there is no outside service yard or outside storage of supplies.
- C. Buildings and facilities of the Town of Orange, State of Connecticut and federal government, excluding corporate or proprietary uses unless otherwise permitted above.
- D. Signs as provided in Article XIX.
- E. Accessory uses customary with and incidental to any aforesaid permitted use, provided that such accessory uses are located on the same lot with the use to which they are accessory; such uses may include but are not limited to off-street parking and loading spaces, and technical schools as well as training facilities, copying and printing facilities, eating, recreation and auditorium facilities primarily for persons employed in the building and not open to the general public.

#### § 383-80a. Uses Subject to Summary Review Approval.

##### A. Transit Community Middle Housing Developments.

##### B. Mixed-use Developments

#### § 383-81. Special uses.

- A. Commercial entertainment/amusement facilities.
- B. Hotels and motels provided that: [Amended 8-16-2005]
  - (1) The hotel/motel use is located on a lot of not less than five acres;
  - (2) The hotel/motel use contains not less than 100 sleeping rooms for transient lodging, where a "sleeping room" shall mean a transient lodging unit which consists of a bedroom, may include common areas and kitchen facilities, and is designed for independent occupancy;
  - (3) Maximum height of structures shall not exceed four stories or 60 feet, whichever is less;
  - (4) The hotel/motel shall provide function space consisting of conference facilities and/or banquet rooms at the rate of not less than 15.0 square feet per sleeping room, with a minimum requirement of 2,000 square feet. Said space is in addition to floor area

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required for supporting office space, storage, kitchen area and similar support uses. All function space shall be located within the principal hotel/motel structure.

- (5) In addition to self-serve food services customarily provided for the convenience of its patrons, a hotel/motel proposal under this subsection may also include a restaurant facility as accessory and subordinate to the hotel/motel and subject to a special permit approval. Such facility may be located within the hotel/motel structure or in a detached structure and said restaurant shall be a full-service facility where patrons are served by wait staff and only when seated at tables. Such use may include a bar area and limited take-out, incidental to the primary permitted use, but shall specifically exclude drive-through service and establishments where customers are served primarily at take-out counters.

**§ 383-82. Prohibited uses.**

- A. Dwellings, ~~except Transit Middle Housing Developments and Mixed-use developments.~~
- B. Retail stores; restaurants; motor vehicle service stations and repair garages; veterinary hospitals; undertakers' establishments; manufacture, processing or assembling of goods; warehousing and wholesale businesses.

ARTICLE XIV  
**Special Uses**

**§ 383-140. Special standards for conversion of single-family dwellings to accommodate elderly housing.**

A single-family dwelling unit may be converted to allow the incorporation of one additional dwelling unit in any Residence District subject to special permit and site plan approval in accordance with Article XIV, herein, and the following conditions: For the purposes of this section the term "incorporation" shall mean either completely within an existing principal building or added to an existing principal building, provided that both dwelling units shall be attached by a common wall, floor or ceiling and not simply by an attached breezeway or porch; and shall be contained within one building. All means of ingress and egress from the front of the structure must be limited to existing doorways.

- A. Qualifications: No single-family dwelling shall qualify under these Regulations unless it is located on a lot having a minimum area of 30,000 square feet, and unless such unit shall have been on the Assessor's list as of October 1, 2008. [Amended 5-5-2009]
- B. Occupancy: The dwelling in question shall be owner-occupied during the duration of the special permit.
- C. Elderly: At least one dwelling unit shall be occupied by a person 55 years of age or older.
- D. Signatures: All applications for a special permit under these Regulations shall contain the signature(s) of the owner(s).
- E. Floor area: Each dwelling unit created shall contain ~~not more than 900 square feet of~~ floor

area that is at least the minimum floor area set forth in the State Housing Code, as may be amended. [Amended effective 11-19-2002]

- F. Certificate: Prior to the issuance of a special permit, a certificate in the form of an affidavit to certify that the owner is in residence and that one of the occupants of the particular dwelling unit is elderly shall be presented to the Commission. Thereafter, the applicant shall submit such notarized affidavit to the Zoning Enforcement Officer by January 31st of each year as a requirement for the continuance of the special permit.

ARTICLE XVIII  
**Off-Street Parking and Loading**  
[Amended 2-18-2003; 11-6-2006; 2-2-2016<sup>4</sup>]

**§ 383-174. Number of spaces required.** [Amended 6-7-2022; 1-7-2022]

Unless otherwise authorized in accordance with § 383-175 or any other section of these regulations, the following number of parking spaces shall be provided:

**A. If Uses Not Listed Below**

- 1. Other uses not listed in this § 383-174      Off-street parking spaces as approved by resolution of the Commission as sufficient to preserve the purpose and intent of this article

**B. Residential-Type Uses**

**Minimum Parking Requirement**

- 1. ~~Structures containing one dwelling unit~~ Residential development that contains sixteen (16) or less dwelling units      ~~2.0 spaces~~ No minimum parking requirement.
- 2. ~~Structures containing two dwelling units~~ Residential development that contains more than sixteen (16) dwelling units      The lesser of
  - (1) One space for each efficiency, studio and 1-bedroom units and two spaces for 2- and 3-bedroom units
  - or
  - (2) The number of spaces recommended for the development by a parking needs assessment submitted and that conforms with the requirements of XXX.~~2.0 spaces per dwelling unit~~
- 3. ~~Structures containing three or more dwelling units (when not~~      ~~1.5 spaces per dwelling unit~~

4. Editor's Note: These regulations provided an effective date of 2-17-2016.

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~~part of a Planned Residential Development)~~

~~4. Multiple dwelling units (in a Planned Residential Development) 2.0 spaces per dwelling unit~~

~~35. Rooms to rent in a dwelling unit 1.0 space per two beds offered for rent~~

**C. Institutional-Type Uses Minimum Parking Requirement**

1. Churches and places of worship 1.0 space for each four legal occupants
2. Educational facilities including vocational, trade, business schools, colleges and similar types of secondary or post-secondary educational facilities 1.0 space for each nonresident student plus 1.0 space per each four resident students plus 1.0 space for each two employees
3. Hospitals; and healthcare facilities with inpatient beds 1.0 space for each three beds for patients and 1.0 space per each 1.5 employees during the largest daily work shift period

**D. Public Assembly-Type Uses Minimum Parking Requirement**

1. Theaters, including movie theaters and assembly halls, or stadium 1.0 space for each four legal occupants
2. Places of amusement, including bowling alleys, recreational facilities, arcades and similar 1.0 space for each three legal occupants. The Commission may, by special permit, allow a lesser number of parking spaces than required above, if it finds that the applicant has demonstrated that the peak demand for parking would not require this number of spaces, or that adequate off-street parking exists elsewhere that can be utilized by the visitors or patrons

**E. Retail/Service Type Uses Minimum Parking Requirement**

1. Shopping centers and retail stores up to and including 10,000 square feet of gross leasable area 4.50 spaces per 1,000 square feet of gross leasable area
2. Shopping centers and retail stores of 10,001 to 25,000 square feet of gross leasable area 4.00 spaces per 1,000 square feet of gross leasable area but not less than 45 spaces
3. Shopping centers and retail stores of 25,001 square feet or more of gross leasable area 3.75 spaces per 1,000 square feet of gross leasable area but not less than 100 spaces
4. Garden center: stand-alone, with a permanent roof, or when comprising 20% or more of the ground floor area of the retail establishment it is attached to and part of 4.00 spaces per 1,000 square feet of gross leasable area.

5. Garden center: without a permanent roof and when comprising less than 20% of the ground floor area of the retail establishment it is attached to and part of	No additional spaces required
6. Motor vehicle service stations and repair garages	4.0 spaces for each service bay
7. Funeral parlor	1.0 space for each three legal occupants
8. Electric vehicle showroom	2.0 spaces per 1,000 square feet of showroom, plus 4 spaces for each service bay
9. Community travel center	4.0 spaces per 1,000 square feet for retail area, plus 8 spaces per 1,000 square feet of restaurant area
10. Self-storage facility	1.0 spaces per 10,000 square feet of gross floor area and 1.0 loading space for each 100,000 square feet or portion thereof
<b>F. Office-Type Uses</b>	
<b>Minimum Parking Requirement</b>	
1. Business and professional offices	4.0 spaces per 1,000 square feet of gross floor area
2. Financial institutions and similar institutions	4.0 spaces per 1,000 square feet of gross floor area
3. Medical and dental clinics	5.0 spaces per 1,000 square feet of gross floor area
<b>G. Hospitality-Type Uses</b>	
<b>Minimum Parking Requirement</b>	
1. Restaurants and other food or beverage service establishments	10 spaces per 1,000 square feet of gross floor area
2. Hotels and motels	1.0 space for each sleeping room plus 1.0 space per employee on the largest shift plus any spaces as required for restaurant and/or banquet or conference facilities
<b>H. Industrial Uses</b>	
<b>Minimum Parking Requirement</b>	
1. Establishments for the manufacture, processing or assembling of goods	2.0 spaces per 1,000 square feet of gross floor area
2. Warehouses, wholesale businesses, truck terminals	4.0 spaces per each 1,000 square feet of office space plus 3.0 spaces per loading bay
<b>I. Other Uses</b>	
<b>Minimum Parking Requirement</b>	
2. Day-care facilities	1.0 space per employee plus 1.0 space per eight licensed client capacity

**§ 383-175. Potential reduction of parking requirement.**

The Commission may authorize a reduction in the number of parking spaces as follows:

- A. Permanent parking exemption. The Commission, after due notice and public hearings as required for adoption or amendment of these regulations, may delineate areas which shall be

exempt from the required provisions of off-street parking spaces under § 383-174. Such delineation shall be shown on the Zoning Map and be made only after the Commission determines that the Town of Orange, or a combination of the Town and property owners, will provide sufficient and permanent off-street parking spaces to carry out the purpose and intent of this article.

- B. Permanent parking reduction for one property. The Commission may, by special permit, reduce the cumulative number of required parking spaces for one property provided the Commission finds one or more of the following based on information provided by the applicant:
  - (1) Peak parking demands among uses occur at different hours of the day and this offset results in a lower net peak parking demand;
  - (2) Synergistic relationships among uses allow patrons to park once while accessing multiple locations or allow for multiple purpose trips to occur within the development(s); or
  - (3) The uses are likely to generate transit, bicycle or pedestrian trips and accommodations have been made to support these alternative forms of transportation.
- C. Permanent parking reduction for multiple properties. The Commission may, by special permit, reduce the cumulative number of required parking spaces for two or more properties provided that a functional and interconnected parking arrangement is provided within and between the properties, that an agreement for joint access and parking, in perpetuity, acceptable to the Commission is filed on the land records, and further provided the Commission finds one or more of the following based on information provided by the applicant:
  - (1) Peak parking demands among uses occur at different hours of the day and this offset results in a lower net peak parking demand;
  - (2) Synergistic relationships among uses allow patrons to park once while accessing multiple locations or allow for multiple purpose trips to occur within the development(s); or
  - (3) The uses are likely to generate transit, bicycle or pedestrian trips and accommodations have been made to support these alternative forms of transportation.
- D. Permanent mixed-use development reduction. In a development with mixed-use buildings designed and built in a walkable and pedestrian friendly configuration, the Commission may consider the following shared parking factors in reviewing a special permit application requesting a reduction of the number of parking spaces (the shared parking factor is applied to the sum of the individual parking requirements):

	Shared Parking Factor			
	Residential	Lodging	Office	Retail
Residential	100%	—	—	—
Lodging	90%	100%	—	—

Office	70%	60%	100%	—
Retail	80%	75%	80%	100%

- E. Permanent compact space parking reduction. In parking lots in excess of 50 spaces in the OP, BOP, LI-1, LI-2, or LI-4-Zone, the Commission may, by special permit, allow the installation of compact spaces, not to exceed 10% of the total number of spaces installed, at eight feet by 16 feet. These spaces shall be clearly designated as compact car parking. This reduction may only be considered for single-tenant buildings where there is reasonable assurance of private control of these areas.
- F. Temporary change of use exemption. In the event that no new buildings or structures are being established and the land area, structures or permitted uses are simply being changed from one permitted use to another permitted use allowed under these regulations, no additional parking spaces shall be required, provided that:
- (1) The number of spaces that presently exist on the property is at least 90% of the cumulative parking requirement for the new use(s) and the other existing use(s) on the property; and
  - (2) No "grandfathering" or other exception shall be provided relative to any future use of such premises.
- G. Temporary parking installation reduction. The Commission may, by special permit, waive the immediate installation of up to 25% of the required parking spaces where sufficient evidence has been presented, in the judgment of the Commission, to show that the reduced parking facilities will adequately serve the proposed use. The special permit shall be applicable only to the particular use or occupancy of land, buildings, or other structures specified in the application, and such special permit and certificate of zoning compliance issued for the use shall become null and void in the event that such use or occupancy is changed to another use or occupancy. Before approval of a waiver by the Commission, the applicant shall show upon the site development plan the complete layout for the full parking requirements and the design of the complete stormwater management system designed to handle the deferred parking pavement. The owner shall file the plan approved by the Commission in the Office of the Town Clerk, stipulating that:
- (1) The complete stormwater management system shall be installed at the time of initial development; and
  - (2) The owner, or the successor and assigns of the owner, will install as many of the waived parking spaces as the Commission deems necessary within six months of the Commission's request, when, in the opinion of the Commission, such installation is needed.

**§ 383-180. Parking Needs Assessment.**

A. A parking needs assessment submitted shall be paid for by the proposed developer and shall include an analysis of (1) available existing public and private parking that may be used by residents of the proposed development, (2) public transportation options that may be used by

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residents of the proposed development that mitigate the need for off-street parking, (3) projected future needs for off-street parking for such proposed development, and (4) any relevant local traffic parking or safety study.

**§ 383-181. Conservation and Traffic Mitigation Districts.**

A. Establishment. To promote residential development in a safe and responsible manner, pursuant to Section 19(d) of Public Act 25-01, as the same may be amended, the planning and zoning commission may adopt not more than two (2) conservation and traffic mitigation districts (“CTMDs”) in which the Town may require a minimum of off-street motor vehicle parking spaces for a residential development that contains fewer than sixteen (16) dwelling units provided the following criteria is met:

- (1) No such district shall be larger than four percent (4%) of the Town’s land area;
- (2) The Town shall submit a property description of any such district adopted by the Town Planning and Zoning Commission to the Secretary of the Office of Policy and Management upon adoption of such district;
- (3) Any such zones may be contiguous; and
- (4) The Town shall allow the proposed developer of such development to submit to the zoning enforcement officer and/or planning and zoning commission a parking needs assessment that conforms with the requirements of Section 383-180.

B. Parking Needs Assessment. If a parking needs assessment is submitted by any propose developer of a residential development that contains fewer than sixteen (16) dwelling units, the zoning enforcement officer and/or the planning and zoning commission shall condition the approval of such development on the construction of off-street parking spaces not exceeding (i) one (1) such space for each efficiency, studio, or one-bedroom dwelling unit and two (2) such spaces for each dwelling unit with two (2) or more bedrooms, or (ii) the number of such spaces recommended for the development by the parking needs assessment submitted pursuant to this section, whichever results in the least required number of off-street parking spaces.

C. Delineation of boundaries. There is hereby established one CTMD in the Town. The CTMD shall be composed of all parcels of property located on the westbound and eastbound sides of the Boston Post Road and located in either the Commercial C-1 District, Commercial C-2 District or Local Shopping Center LSC District as specified in § 383-15 and as shown on the Zoning Map.

**§ 383-182. through § 383-183. (Reserved)**

ARTICLE XXV  
Assisted Housing District  
[Added 9-1-2020]

**§ 383-227. Building standards.**

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- A. The minimum floor area for units shall be ~~650 square feet for a one-bedroom unit, 800 square feet for a two-bedroom unit, and 1,200 square feet for a three-bedroom unit~~ the minimum floor area set forth in the State Housing Code, as may be amended.
- B. Residential buildings shall be separated by at least 25 feet from any other residential building.
- C. Utilities shall be buried underground unless this requirement is impractical due to site conditions.
- D. For this article, building height shall be determined for compliance as the distance between the lowest existing elevation of a finished floor elevation to the top of the roof peak.
- E. The longest side of a residential building shall not exceed 160 feet.

**Referral 2.9.** Town of Branford.

**Subject:** Town of Branford. Proposed Zoning Text Amendment related to PA 25-1 compliance.  
Received: June 4, 2026. Public Hearing: July 9, 2026.

**Staff Recommendation:**

The proposed zoning text amendment does not appear to cause any negative inter-municipal impact to the Towns in the South Central Region nor will there be a negative impact on the habitat or ecosystem to the Long Island Sound.

**Background:**

The Town of Branford is looking to amend their zoning regulations to comply with PA 25-1 requirements set forth by the state. Specifically, the Town is amending the text to remove various off-street parking minimum requirements for housing developments and to add text supporting the middle housing needs of the Town. By completing these changes, the Town will be in compliance with the state and allow for further housing developments to take place with less barriers than before. As these changes are required by all municipalities and the results will allow for greater internal housing developments, there will not be any inter-municipal impacts nor impacts to the health of the Long Island Sound.

**Communication:**

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



**SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS**  
*Planning for Our Region's Future*

**South Central Regional Planning Commission (RPC): Referral Submission Form**

SCRCOG is required to be given notice by certified mail, return receipt requested **thirty days before the public hearing** for Zoning Amendments (Regulations, Map) and Subdivision Applications (see below for applicability). **Notice can be sent by email, instead of certified mail**, per the requirement of the Connecticut General Statutes(CGS) 8-3b, 8-26b. Amendments/Update to the Municipal Plan of Conservation and Development are required to be submitted to SCRCOG at least 65 days before the public hearing, per CGS 8-23.

<b>Municipality:</b> Town of Branford	<b>Date Sent:</b> 6-4-26	<b>Public Hearing Date:</b> 7-9-26
<b>Subject:</b> Proposed Regulation Updates to ensure Housing Compliance		
<b>Referral is From (Select one):</b>	<input type="checkbox"/> Private Applicant – Applicant Name:	
	<input checked="" type="checkbox"/> Town/City Planning Department or the Planning and Zoning Commission	
<b>Preferred Municipal Contact for this Referral:</b>		
<b>Name:</b> Michelle Martin	<b>Phone Number:</b> 203-488-1255	<b>Email:</b> mmartin@branford.ct.gov

<b>Statutory Responsibility (Select Below):</b>	
<input checked="" type="checkbox"/>	Application involves a proposed Zoning Regulation Amendment that affects the use of a zone within 500 feet of a municipality in the South Central Region
<input type="checkbox"/>	Application involves a proposed Zoning Map Amendment that affects the use of a zone within 500 feet of a municipality in the South Central Region
<input type="checkbox"/>	Application involves a Subdivision of Land, which will abut or include land in two or more Municipalities
<input type="checkbox"/>	Application involves an Amendment and/or Update to a Municipal Plan of Conservation and Development (POCD)
<input type="checkbox"/>	Applicant requests a voluntary RPC review for informational purposes only; an RPC resolution is not necessary

<b>Process (Select Below): The communication should be addressed to SCRCOG, Re: RPC Referral</b>	
<input type="checkbox"/>	Material sent via "Certified Mail - Return Receipt Requested" to SCRCOG, 127 Washington Avenue, 4th Floor West, North Haven, CT 06473
<input checked="" type="checkbox"/>	Material sent via Email to: <a href="mailto:rpc@scrcog.org">rpc@scrcog.org</a>
<input type="checkbox"/>	This application has been previously submitted for RPC Review. If checked, on what date:

For any questions, please email [rpc@scrcog.org](mailto:rpc@scrcog.org).

**Record No: ZAMD-  
26-1**

**Primary Location**

No location

**Applicant**

No applicant

Zoning Regulation or  
Widescale Map  
Amendment

**Owner**

No owner information

Status: Active

Submitted On: 6/3/2026

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**Type of Amendment and Brief Description**

**Type of Application\***

Zoning Regulation Amendment

**Provide a description of the proposed regulation amendment(s):\***

Zoning regulation amendments to comply with state statute changes that take effect July 1, 2026 regarding parking requirements and middle housing.

**Statement - Reason for the proposed change and to what extent it would engage the general health, safety and welfare of the Town of Branford.\***

To comply with House Bill 8002 changes which take effect on July 1, 2026.

Note: You will need to upload the proposed regulation amendment(s) as an attachment to this application prior to submission.

**Staff Description for Agenda and Decision Notice** 

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**Contact**

**Primary Contact**

**Role**

Jaymie Frederick

—

**Primary Phone** 

**Primary Email** 

## Important Notice

The Town of Branford is using OpenGov.com to provide for efficient processing and communication related to permit applications.

**The Town of Branford never issues requests and will not accept fees/payments via wire transfer, ACH, credit/debit card over the phone or by email or third party websites.**

**We accept cash/check in person, checks by mail, or credit/debit card ONLY via our online OpenGov portal.**

**Email communication will only come from noreply@opengov.com or an email ending in @branford-ct.gov**

**We request that you share this information with other parties subject to the application, particularly property owners.**

I understand that information and payments are only processed within a website ending in opengov.com.\*



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## Certifications

The undersigned states that information submitted with this application is true and correct to the best of his/her knowledge; acknowledges that any approval based on erroneous or incomplete information shall be null and void and that approval of the plan is contingent upon compliance with all requirements of said regulations.\*



Signature\*

Jaymie Frederick  
Jun 3, 2026

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## Step 1- Planning and Zoning Staff Initial Review



This section documents the Planning and Zoning staff's internal review of the application for completeness and identifies any required departmental reviews. It tracks the dates of staff determinations, interdepartmental comments, and whether a public hearing is required before the application may proceed.

Commission is Applicant



Mailing Notices Required



Application Completeness Review Date

—

Application Completeness Review Determination

—

Date of Receipt- Next scheduled meeting

—



### Required notices

DEEP (35 days prior)



DEEP Notice

06/03/2026

SCRCOG (30 days prior)  


SCRCOG Notice 

—

RWA Notice of Application  

RWA Notice 

—

Filed In Town Clerk's Office (at least 10 days prior to Public Hearing) 

—



## PUBLIC HEARING

Public Hearing Scheduled to Open 

07/09/2026

Public Hearing Closed 

—



## Departmental Comments

Engineering 

Inland Wetlands 

Fire 

Police 


Health 

Building 

Town Attorney 

---

## Notice of Decision

Date of Notice of Decision 

—

Date Approval Expires 

—

Decision 

—

Description of Amendments 

Findings 

Conditions 

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# Coastal Management Overlay District



This section evaluates whether the project is located within the Coastal Management Overlay District and identifies any coastal resources or water-dependent uses on or near the property. It requires the applicant to describe potential adverse impacts on these resources, the project's effect on future coastal uses, and proposed mitigation measures. This ensures that the Planning and Zoning Commission can assess compliance with state coastal management policies and protect sensitive coastal areas.

## Attachments



### Proposed Regulation Amendment(s)

REQUIRED

PROPOSED REG UPDATES for JULY 2026 - HB8002.pdf  
Uploaded by Jaymie Frederick on Jun 3, 2026 at 6:30 PM

## Record Activity

Jaymie Frederick started a draft Record	06/03/2026 at 6:27 pm
Jaymie Frederick added file PROPOSED REG UPDATES for JULY 2026 - HB8002.pdf	06/03/2026 at 6:30 pm
Jaymie Frederick submitted Record ZAMD-26-1	06/03/2026 at 6:32 pm
OpenGov system altered approval step Step 1- Planning and Zoning Staff Initial Review, changed status from Inactive to Active on Record ZAMD-26-1	06/03/2026 at 6:32 pm
OpenGov system assigned approval step Step 1- Planning and Zoning Staff Initial Review to Michelle Martin on Record ZAMD-26-1	06/03/2026 at 6:32 pm
Jaymie Frederick changed form field entry Public Hearing Scheduled to Open from "" to "07/09/2026" on Record ZAMD-26-1	06/03/2026 at 6:33 pm
Jaymie Frederick changed form field entry DEEP Notice from "" to "06/03/2026" on Record ZAMD-26-1	06/03/2026 at 6:33 pm

Jaymie Frederick changed form field entry DEEP (35 days prior) from "" to "true" on Record ZAMD-26-1	06/03/2026 at 6:33 pm
Jaymie Frederick removed approval step Step 1b- Inland Wetlands and Natural Resources Review from Record ZAMD-26-1	06/03/2026 at 6:33 pm
Jaymie Frederick added approval step SCRCOG Notification to Record ZAMD-26-1	06/03/2026 at 6:34 pm
Jaymie Frederick assigned approval step DEEP Notification to Dan Robinson on Record ZAMD-26-1	06/03/2026 at 6:34 pm
Jaymie Frederick changed form field entry SCRCOG (30 days prior) from "" to "true" on Record ZAMD-26-1	06/03/2026 at 6:35 pm
Jaymie Frederick removed approval step SCRCOG Notification from Record ZAMD-26-1	06/03/2026 at 6:35 pm
Jaymie Frederick added approval step Public Hearing Notices to Record ZAMD-26-1	06/03/2026 at 6:36 pm
Jaymie Frederick added approval step Public Hearing to Record ZAMD-26-1	06/03/2026 at 6:36 pm

## Timeline

Label	Activated	Completed	Assignee	Due Date	Status
✔ Step 1- Planning and Zoning Staff Initial Review	6/3/2026, 6:32:22 PM	-	Michelle Martin	-	Active
✔ DEEP Notification	-	-	Dan Robinson	-	Inactive
✔ SCRCOG Notification	-	-	-	-	Inactive
✔ SCRCOG Notification	-	-	Michelle Martin	-	Inactive
✔ Public Hearing Notices	-	-	Michelle Martin	-	Inactive

Label	Activated	Completed	Assignee	Due Date	Status
<input checked="" type="checkbox"/> Step 1b- Inland Wetlands and Natural Resources Review	-	-	-	-	Inactive
<input checked="" type="checkbox"/> Step 3- Final Planning and Zoning Staff Review	-	-	-	-	Inactive
<input checked="" type="checkbox"/> Public Hearing	-	-	-	-	Inactive
<input checked="" type="checkbox"/> Step 5- Notice of Decision	-	-	-	-	Inactive
<input type="checkbox"/> Step 5a- Notice of Decision Document	-	-	-	-	Inactive
<input checked="" type="checkbox"/> Final Language Filed in Town Clerk Office	-	-	-	-	Inactive