

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

**RPC
Representatives**

Bethany:
Michael Calhoun

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Vacant

Hamden:
Ryszard Szczypek

Madison:
Christopher Traugh
(Chair)

Meriden:
David White

Milford:
Benjamin Gettinger

New Haven:
Kevin DiAdamo
(Vice Chair)

North Branford:
Douglas Combs

North Haven:
James Giulietti

Orange:
Paul Kaplan

Wallingford:
Vacant

West Haven:
Christopher Suggs

Woodbridge:
Peggy Rubens-Duhl

AGENDA

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Agenda for Thursday, June 12, 2014 RPC Meeting, 5:15pm @ SCRCOG
Offices: 127 Washington Avenue, North Haven, CT 06473

1. Administration

- 1.1. Minutes of the April 10, 2014 RPC Meeting 1

2. June Action Items

- 2.1. Town of Stratford: Proposed Zoning Regulation Amendments to modify the adopted moratorium on Medical Marijuana Facilities to include Methadone Clinics. Submitted by: Town of Stratford. Received: May 08, 2014. Public Hearing: June 24, 2014. 2
- 2.2. Town of Woodbridge: Proposed Zoning Regulation Amendments to Section 3.14.1 – removal of limitation on gross floor area of gas station buildings that can be used to sell convenience items. Submitted by: Private Applicant. Received: May 23, 2014. Public Hearing: June 02, 2014. 7
- 2.3. Town of Guilford: Proposed Zoning Regulation Amendments pertaining to adult entertainment and adult oriented businesses. Submitted by: Town of Guilford. Received: May 30, 2014. Public Hearing: TBD. 10
- 2.4. Town of North Branford: Proposed Zoning Regulation Amendments to allow multiple dwelling units in the upper floor area of a commercial building located in a B-1 Zone as a special use permit. Submitted by: Town of North Branford. Received: June 02, 2014. Public Hearing: June 19, 2014. 13
- 2.5. Town of Clinton: Proposed Zoning Regulation Amendments. Submitted by: Town of Clinton. Received: June 02, 2014. Public Hearing: July 07, 2014. 24
- 2.6. Town of North Haven: Proposed Zoning Regulation Amendments to add Section 5.1.3.16 – IL Upper Washington Avenue Multi-Use Development Zone. Submitted by: Private Applicant. Received: June 3, 2014. Public Hearing: July 7, 2014. 47
- 2.7. Town of Wallingford: Proposed Zoning Regulation Amendments pertaining to Mobile Food Vendors. Submitted by: Town of Wallingford. Received: June 4, 2014. Public Hearing: TBD. 55

3. Other Business

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, April 10, 2014 Meeting

Present: Kevin DiAdamo, Douglas Combs, Benjamin Gettinger, Christopher Traugh, Christopher Suggs, Michael Calhoun, James Giulietti, David White, Eugene Livshits

1 Administration

1.1 Minutes of the March 13, 2014 RPC meeting.

Motion to accept the minutes as presented: Michael Calhoun. Second: Christopher Traugh. Vote: Unanimous. Abstain: Benjamin Gettinger.

2 Statutory Referrals

2.1 City of Shelton: Proposed Zoning Regulation Amendments pertaining to Medical Marijuana Dispensaries and Production Facilities

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: Christopher Traugh. Second: Christopher Suggs. Vote: Unanimous.

2.2 Town of Clinton: Proposed Zoning Regulation Amendments to Sections 4, 26 and 31.

By resolution, the RPC has determined that the Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Motion: David White. Second: Christopher Suggs. Vote: Unanimous.

Motion to Adjourn: Christopher Traugh. Second: Christopher Suggs. Vote: Unanimous.

Referral 2.1: Town of Stratford

Subject: Proposed Zoning Regulation Amendment to modify the adopted moratorium on Medical Marijuana Facilities to include Methadone Clinics

Staff Recommendation:

The Proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Stratford has proposed a zoning regulation amendment to modify a moratorium on Medical Marijuana Facilities. The adopted moratorium became effective on February 5, 2014. The modified moratorium would include Methadone clinics, which would allow the Commission to determine how the clinics impact health, safety and welfare of the Town. The expiration date of the moratorium would not be altered and remain as February 5, 2015.

Communication:

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

May 6, 2014

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

Re: Text Amendment, Moratorium on Medical
Marijuana and Methadone Facilities

Attention: Carl Amento Exec. Director

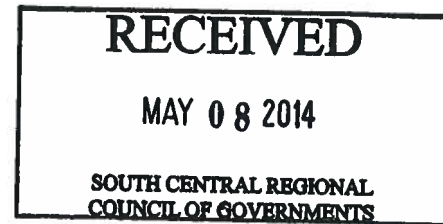
The following is referred to your Agency:

In accordance with the C.G.S. I have attached a copy of a proposed zoning text amendment for review and comment by your agency.

The applicant is the Stratford Zoning Commission. The Zoning Commission recently adopted a moratorium on medical marijuana facilities effective February 5, 2014 and the Commission is actively working on establishing permanent regulations in the near future. During those discussions, the Commission realized that methadone clinics are not properly identified in the zoning regulations and may be located in undesirable locations if not properly regulated. Therefore, the Commission is proposing to modify our current moratorium on medical marijuana facilities to include methadone facilities to determine how those establishments may impact the health, safety and welfare of the Town of Stratford. The expiration date of the moratorium shall remain the same, which is February 5, 2015.

This application has been scheduled for a public hearing of the Zoning Commission on Tuesday evening, June 24, 2014 at 7:00 P.M. in the Council Chamber, Town Hall.

In addition to the proposed amendment, I have attached the currant moratorium on medical marijuana facilities.





Regards,

A handwritten signature in black ink, which appears to read "Gary Lorentson", is written over the printed name.

GARY LORENTSON
Planning & Zoning Administrator
ZONING COMMISSION

GL/ej

ADOPTED: JANUARY 28, 2014
EFFECTIVE: FEBRUARY 5, 2014

ADOPTED ZONING REGULATION AMENDMENT
CONCERNING
A MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES
AND PRODUCERS

3.30 Medical Marijuana Dispensaries and Producers

For a period of twelve (12) months commencing from the effective date [February 5, 2014] of this section no applications will be accepted, considered or approved and no zoning permits will be issued to permit the establishment of Medical Marijuana Dispensaries and/or Producers within any zoning district within the Town of Stratford. For the purposes of this section Dispensary, Licensed Dispensary, Producer and Licensed Producer are defined in Public Act #12-55. The expiration date of the Moratorium shall be [February 5, 2015] unless extended, amended or repealed by the Zoning Commission.

RECEIVED FOR RECORD
SUSAN H. DAWSON
2014 JAN 29 AM 10:34
STRATFORD TOWN CLERK
(2)

PROPOSED: APRIL 29, 2014

ADOPTED:

EFFECTIVE:

ADOPTED ZONING REGULATION AMENDMENT
CONCERNING
A MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES
AND PRODUCERS AND PROPOSED MORATORIUM ON METHADONE
DISPENSARIES AND/OR CLINICS

3.30 Medical Marijuana Dispensaries and Producers; Methadone Clinics

For a period of twelve (12) months commencing from the effective date of February 5, 2014 of this section no applications will be accepted, considered or approved and no zoning permits will be issued to permit the establishment of (a) Medical Marijuana Dispensaries and/or Producers; or (b) Methadone Dispensaries and/or Clinics within any zoning district within the Town of Stratford. For the purposes of this section Dispensary, Licensed Dispensary, Producer and Licensed Producer are defined in Public Act #12-55, Methadone Dispensary and/or Clinics shall mean any location utilized or proposed to be utilized to dispense Methadone and/or other varieties of synthetic opioids pursuant to a program for Methadone Maintenance Treatment of other treatment of opiate dependency. The expiration date of the Moratorium shall be [February 5, 2015] unless extended, amended or repealed by the Zoning Commission.

Referral 2.2: Town of Woodbridge

Subject:

Proposed Zoning Regulation Amendment to Section 3.14.1 – removal of limitation on gross floor area of gas station buildings that can be used to sell convenience items

Staff Recommendation:

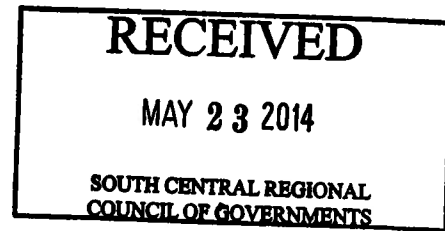
The Proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

A private applicant in the Town of Woodbridge has proposed a Zoning Regulation Amendment which deletes the requirement which limits the gross floor area in a gas station to sell convenience items. The existing regulations allow a maximum of 33% of the gross floor area of a gas station building to sell items such as snack foods, non-alcoholic beverages, dairy products, baked goods, tobacco products, newspapers and health and beauty aids. Gasoline stations are permitted in the BI (Business and Industrial District) and GB (General Business District). The BI and GB districts are within 500 feet of the City of New Haven.

Communication:

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



May 6, 2014

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

Re: Proposed Amendments to Zoning Regulations
Section 3.14.1 ~ Removal of limitation on gross floor area of a gas station
building that can be used to sell convenience items.

Dear Mr. Livshits,

Pursuant to Section 8.3b of the Connecticut General Statutes, this letter is to serve as notification that the Woodbridge Town Plan and Zoning Commission will hold a public hearing in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, on Monday, June 2, 2014 with respect to the attached Zoning Regulation Amendment to Section 3.14.1 of the Zoning Regulations for the Town of Woodbridge regarding gasoline stations. The zoning amendment have been proposed by the KFP Limited Partnership. Public Hearings will be the first order of business at the June 2, 2014 meeting.

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

Very truly yours,

Kristine Sullivan, Woodbridge Land Use Agencies

3.14 Gasoline Stations

3.14.1 The business and use of a gasoline station shall be limited to the retail sale of motor fuels (including but not limited to): gasoline and diesel fuel, lubricants and other motor vehicle and marine supplies and parts. In addition ~~and, provided not more than 33% of the gross floor area of the building is so used~~, the sale of snack foods, non-alcoholic beverages, dairy products, baked goods, tobacco products, newspapers and health and beauty aids , may also be permitted. Services shall be limited to lubricating and servicing of motor vehicles and boats (not to exceed 32 feet in length) which includes minor repairs and the replacement of tires and other accessories but expressly excludes major repairs, body work hull work and painting, and the accessory parking and the storage of motor vehicles and boats hereinafter limited.

- The proposed amendment would delete the size limitation of the convenience store aspect of the gasoline station.

Referral 2.3: Town of Guilford

Subject:

Proposed Zoning Regulation Amendments pertaining to adult entertainment and adult oriented businesses

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Guilford has proposed Zoning Regulation Amendments which establish distance requirements for Adult Entertainment and Adult Oriented Businesses of 500 feet in the I-1 and I-2 Zoning Districts. The distance requirement is 1,000 feet if the use is located in a building in any other zone. The distance requirements are applicable to residential property lines, residential districts, historic districts, places of worship, schools, day care facilities, elderly housing facilities, the library and the community center. The proposed regulations prohibit the uses in all districts outside of the I-1 and I-2 Zones.

Communication:

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



THE OLD STONE HOUSE

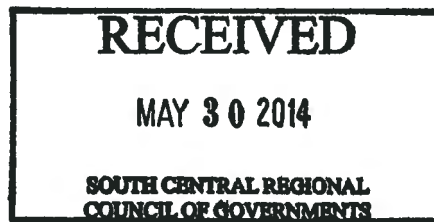
TOWN OF GUILFORD

PLANNING AND ZONING COMMISSION
50 BOSTON STREET
GUILFORD, CONNECTICUT 06437
SETTLED IN 1639

E-MAIL: planning.zoning@ci.guilford.ct.us
WEBSITE: www.ci.guilford.ct.us

TELEPHONE: (203) 453-8039
FAX: (203) 453-8034

Proposed Regulations For your
review.



From the effective date of this regulation, buildings and structures used for adult entertainment and adult-oriented businesses shall be prohibited in I-1 and I-2 zones within 500 feet of a residential property line, residential district, historic district, place of worship, school, day care facility, elderly housing facility, library, community center.

In all zones other than I-1 and I-2, structures or buildings used for adult entertainment or adult-oriented businesses shall be prohibited within 1000 feet of a residential property line, residential district, historic district, place of worship, school, day care facility, elderly housing facility, library, community center.

From the effective date of this regulation, structures or buildings used for adult entertainment or adult-oriented businesses shall also be expressly prohibited in the following zones:

R-1	Residential R-1 District
R-2	Residential R-2 District
R-3	Residential R-3 District
R-4	Residential R-4 District
R-5	Residential R-5 District
R-6	Residential R-6 District
R-7	Residential R-7 District
R-8	Residential R-8 District
RS-1	Summer Cottage District
C-1	Commercial District 1
C-2	Commercial District 2
C-4	General Commercial District 4
C-4W	Commercial District 4 West
C-2M	Commercial District 2 -- Marine
C-D	Commercial Design District
CSV	Church Street Village District
PV	Post Road Village Zone District
PV-2	Post Road Village Zone District 2
TS	Transition and Service Zone District
TS-2	Transition and Service Zone District 2
SC	Shopping Center Zone District
SCW	Service Center West District
MR-1	Marine Recreation District

Powers of Zoning Enforcement Officer:

Notwithstanding other limitations enumerated in the Guilford Town Code, the Zoning Enforcement Officer(s) of the Town of Guilford shall be empowered to issue citations and levy fines related to "adult entertainment" and "adult-oriented businesses" without additional authorization from the Planning and Zoning Commission.

Notwithstanding other limitations enumerated in the Guilford Town Code, the Zoning Enforcement Officer(s) of the Town of Guilford shall be empowered to issue

Referral 2.4: Town of North Branford

Subject:

Proposed Zoning Regulation Amendments to allow multiple dwelling units in the upper floor area of a commercial building located in a B-1 Zone as a special use permit

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of North Branford has proposed zoning regulation amendments pertaining to the B-1 (General Business) Zone. The amendment would allow multiple dwelling units (each unit having one bedroom) on the upper floor of a commercial building as a special permit. The rationale, which is based on a town market demand study, is included in the Agenda Packet. The specific items being amended include the Permitted Uses Chart and the addition of B-1 to Section 42.5.1 “Multiple Dwellings....” listed under Section 42.4.5 – Special Standards.

Communication:

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

RECEIVED

JUN 02 2014

RPC Referral Form

South Central CT Regional Planning Commission

Please mail to:

Re: RPC Referral
South Central Regional COG
127 Washington Avenue, 4th Floor West
North Haven, CT 06473

1.) General Information:

Date Sent: _____

Subject: North Branford P&Z Zoning Regulation Amendment

Applicant Name: P&Z

Property Address (if applicable): 909 Foxon Rd.

Town/City: North Branford CT 06471

☐

Referral is from a private individual

☒

Referral is from the Town/City Planning Department or the P & Z Commission

Public Hearing Date: June 19, 2014

2.) Statutory Responsibility:

☐

Application involves a subdivision of land within 500 feet of a town/city border

☒

Application involves a proposed change to a town/city zoning regulation

☐

If neither, applicant requests a voluntary RPC review for informational purposes

☐

Material is for informational purposes only; an RPC resolution is not necessary

☐

Other: _____

3.) Process:

☐

Material sent "Return Receipt Requested" (as required by law)

☒

Information on proposed change included

☐

Existing language included (if applicable)

4.) Preferred contact regarding this RPC referral:

Name: Kurt Weiss

Telephone Number: 203 484-6009

E-mail Address: townengineer@townofnorthbranfordct.com

Comments: _____

Questions: (203) 234-7555

South Central Regional Council of Governments | <http://www.scrkog.org>

PZ Application #2013/14-13
Petition of North Branford Planning & Zoning Commission

Public Hearing June 19, 2014

Proposed Zoning Regulation Amendment: To allow multiple dwelling units (each unit having one bedroom) in the upper floor area of a commercial building located in a **Business B-1 Zone as a Special Use Permit.**

Reason: The current town-wide market demand study (*Market Analysis of Development Potential, Old Town Hall Site, North Branford, CT dated February 2014*) indicates that “rental housing presents the strongest evidence of market support. ... A mixed-use development within a single building with housing provides a level of financial support to a commercial component.” In new developments, “the housing component may in fact be a requirement if a credit anchor tenant for the commercial is not secured. Under this scenario, rental housing offers the strongest market opportunity due to confirmed market depth and relative ease in structuring a mixed-use development.”

- ***Amend from “X” to “U” under B-1*** of the Permitted Uses Chart of Section 23.1, Schedule A, Line A-2. Multiple dwellings consisting of two (2) or more dwelling units, (apartments) (See also R-40P District, Sec. 31).
- ***Amend by adding B-1 to Section 42.5.1 Multiple Dwellings in B-1, B-2, B-3 and MBP Districts that is listed under Section 42.4.5 Special Standards.***

5-16-2014

Proposed Zoning Regulation Amendment: To allow multiple dwelling units (each unit having one bedroom) in the upper floor area of a commercial building located in a Business B-1 Zone as a Special Use Permit.

Reason: The current town-wide market demand study (*Market Analysis of Development Potential, Old Town Hall Site, North Branford, CT dated February 2014*) indicates that "rental housing presents the strongest evidence of market support. ... A mixed-use development within a single building with housing provides a level of financial support to a commercial component." In new developments, "the housing component may in fact be a requirement if a credit anchor tenant for the commercial is not secured. Under this scenario, rental housing offers the strongest market opportunity due to confirmed market depth and relative ease in structuring a mixed-use development."

- *Amend from "X" to "U" under B-1 of the Permitted Uses Chart of Section 23.1, Schedule A, Line A-2. Multiple dwellings consisting of two (2) or more dwelling units, (apartments) (See also R-40P District, Sec. 31).*
- *Amend by adding B-1 to Section 42.5.1 Multiple Dwellings in B-1, B-2, B-3 and MBP Districts that is listed under Section 42.4.5 Special Standards.*

5-09-2014

**ZONING REGULATIONS
TOWN OF NORTH BRANFORD, CONNECTICUT**

DISTRICT - MAP CODE

PERMITTED USES	R-80	R-40	RGA	B-1	B-2	B-3	I-1	I-2	I-3	MBP	****SED
PART A - RESIDENTIAL AND RELATED USES											
A-1. A single detached dwelling for one (1) family and not more than one (1) such dwelling.	P	P	P	X	U	P	X	X		X	X
A-2. Multiple dwellings consisting of two (2) or more dwelling units. (apartments) (See also R-40P District, Sec. 31).	X	X	S	X U	U	U	X	X	X	U	X
A-3. A professional or business office in a dwelling unit.	PA	PA	PA	P	P	P	P	P	P	X	X
A-4. Customary home occupation in a dwelling unit, including home industries and services occupations.	PA	PA	PA	P	P	P	P	P	P	X	X
A-5. The letting of rooms and/or the furnishing of board in a dwelling unit to a total of not more than three (3) persons.	PA	PA	PA	PA	PA	PA	PA	PA	PA	X	X
A-6. Farms, truck gardens, forestry, the keeping of livestock and poultry and nurseries (including greenhouses incidental thereto).	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
A-6.1. Stands for the display and sale of farm, truck garden, forestry and nursery produce grown on the premises.	S	S	S	S	S	S	X	S	S	S	X
+++ A-6.2 Farm/Winery with related accessory and incidental uses to farm winery.	U	U	X	X	X	X	X	X	X	X	X
A-7. Commercial kennels, livery and boarding stables and riding schools.	U	U	X	X	X	X	X	X	X	X	X
*A-8. Open space Subdivisions.	X	U	X	X	X	X	X	X	X	X	X
*A-9. Multiple Dwelling Cluster Developments.	X	U	X	X	X	X	X	X	X	X	X
****+/+ A-9.1. Planned Adult Residential Cluster Developments.	U	U	X	X	X	X	X	X	X	X	X
++ A-10. Elderly Developments (**Continuing Care Facilities for the Elderly.)	U	U	X	U	U	U	U	U	U	X	X
*** A-11. Accessory Dwelling Unit.	U	U	X	X	X	X	X	X	X	X	X

Schedule A - Page 1 of 8

* Amended:	6/15/81	**** Effective:	1/20/95	++ Effective:	11/14/05
** Effective:	5/5/89	***** Effective:	1/22/99	+++ Effective:	11/05/12
*** Effective:	10/1/90	+ Effective:	3/28/02 Repealed		

42.4.2 Lot: The lot on which the use is to be established shall be of sufficient size and adequate dimensions to permit conduct of the use and provisions of buildings, other structures and facilities in a manner that will not impair the reasonable use, enjoyment and value of adjacent property or the neighborhood.

42.4.3 Neighborhood: The use of land, buildings and other structures, the location, bulk and appearance of buildings and other structures and the development of the lot, including but not limited to the landscaping, lighting and parking and loading areas, shall be of a character as to harmonize with the neighborhood, to accomplish transition in character between areas of unlike character, to protect property values and to preserve and enhance the appearance and beauty of the community.

42.4.4 Other: The use shall conform to all other provisions of these Regulations, including but not limited to the SITE DEVELOPMENT PLAN standards of Section 41 concerning Plan of Development, access, Existing Streets, Emergency Services, Drainage, Wetlands, and Water Courses, Excavation, Grading, Removal and Filling, Lighting and Landscaping.

42.4.5 Special Standards: The following SPECIAL STANDARDS are also applicable to particular SPECIAL USES:

B-1,
42.5.1* Multiple Dwellings in B-2, B-3 and MBP Districts:

A. All dwelling units shall be restricted to upper floor areas only.*
This restriction does not apply to the MBP District.**

B. All dwelling units shall be served by municipal sewers and public water. The Commission may, at its discretion, permit onsite well and water supply only when approved by the East Shore District Health department, Department of Public Utility Control and Department of Health Services.

C. There shall be no more than five (5) such dwelling units in any building and each dwelling unit shall be restricted to one bedroom.

D. In the MBP District only, the lot shall contain not less than 20,000 square feet for each dwelling unit. Lots in the B-2 and B-3 districts shall contain not less than 20,000 square feet for each dwelling unit.

E. All dwelling units shall have access and egress separate from the access and egress for any other use in the building.

* Amended: 9/01/93

** Effective: 3/01/02

F. Each such dwelling unit shall be provided with either a usable balcony or porch or a designated landscaped ground level yard for outdoor recreation having an area of not less than 500 square feet. Upon written request, the Commission may waive this requirement.

G. No outside clothes line or the hanging of clothes shall be permitted.

H. Parking spaces shall comply with the parking standards of Sections 53.3 and 53.4. Visitor and/or additional parking shall be provided as deemed appropriate by the Planning and Zoning Commission.**

42.5.2 Hospitals and Convalescent Homes: Hospitals, convalescent homes, nursing homes and sanatoria (Line B-8 of Schedule A) shall conform to the following Special Standards:

- A. In Residence R-80 Districts, the use shall be located on a lot having a minimum area of 10 acres, and there shall be no more than one (1) patient bed for each 10,000 square feet of lot area; in all other districts, the use shall be located on a lot having a minimum area of five (5) acres, and there shall be no more than one (1) patient bed for each 5,000 square feet of lot area.
- B. In Residence Districts, no building or other structure established in connection with such use shall extend within less than 100 feet of any property line other than a street line.
- C. The use shall be served by public water supply.

42.5.3 Kennels and Stables: Commercial kennels, livery and boarding stables and riding schools (Line A-7 of Schedule A) shall conform to the following Special Standards:

- A. The use shall be located on a lot of not less than five (5) acres.
- B. Any building, enclosures, feed yards or runs for animals shall be located not less than 150 feet from any property or street line or any natural water course.
- C. Adequate provision shall be made for off-street parking of the automobiles and other motor vehicles or all persons using or visiting the use.

** Effective: 3/01/02



**MARKET ANALYSIS OF DEVELOPMENT
POTENTIAL
Old Town Hall Site
North Branford, CT**

Prepared Under Contract to:

TOWN OF NORTH BRANFORD

By:

AMS CONSULTING, LLC.
Real Estate & Market Consultants
Lafayette Square
350 Fairfield Avenue
Bridgeport, Connecticut 06604

IN COOPERATION WITH

YALE URBAN DESIGN GROUP
1203 Chapel St.
New Haven, Connecticut 06520

February 2014

More locally, it is observed that there are very few options for market rental in North Branford outside of condo and single family. Only two apartments were identified: the 97 unit Marshfield Apartments located just east of the Subject Site and 100-unit Totoket Woods in Northford. With respect to Marshfield, it is noted that nearly one-third of its apartments were constructed in the mid-1960s, with the balance in the 1990s. Based on initial inquiry of vacancies at Marshfield, it would appear they are close to full occupancy.

Along with limited rental housing options in town, North Branford would be viewed favorably for rental based on positive ratings as a community, proximity to major job centers, and easy access to nearby amenities that include state parks and shoreline venues. In short, rental housing appears to offer what other sectors are short of within North Branford: low supply, latent, unmet demand, locational advantages and a relatively healthy real estate sector.

Economic Development Potential for Housing

Of all the markets explored for the Old Town Hall site, housing - specifically rental housing - presented the strongest evidence of market support.

While a housing scenario separate from commercial could be considered, the most plausible, if not the most appropriate scenario for housing on site would involve mixed-use development within a single building with the housing providing a level of financial support to a commercial component. A housing component may in fact be a requirement if a credit anchor tenant for the commercial is not secured. Under this scenario, rental housing offers the strongest market opportunity due to confirmed market depth and relative ease in structuring a mixed-use development (mixed use involving condos can be problematic).

Given tight supply and broad range of rental housing needs, a housing program could focus on one market or a number of target markets including mixed-income, empty nesters, seniors, workforce housing HHs, dual working couples, young professionals and recent graduates. Housing capacity and depth of market would largely be defined by the target market, but market depth of 25 to 75 units could be envisioned.

Summary of Development Potential for Old Town Hall Site

Of the three market sectors analyzed, the most conservative development approach likely to be associated with office given its low presence in town, though select options for small-scale medical office possible. Scale of Retail/Service will be largely be defined by success in obtaining anchor tenant; if no anchor tenant, retail size will fall towards lower end of development potential. Rental housing is the healthiest sector and seeing strongest development interest regionally and nationally.

Market Sector	Development Potential
Office	10,000-15,000 sf
Retail-Services-Food	15,000-30,000 sf
Housing (Rental)	25-75 units

Household Trends

Household	N. Branford	New Haven County
2000 Total Households	5,128	819,040
2010 Total Households	5,441	884,502
Annual Percentage Growth	0.59%	0.48%
2012 Total Households (est.)	5,459	884,500
2017 Total Households (proj.)	5,501	886,102
2012-2017 Annual Rate	0.15%	0.10%

Source: 2010 Census, ESRI Business Systems

- Three out of four household types in North Branford are families, a much higher ratio than that of the county, but consistent with a semi-rural community.
- 22% of the households in North Branford are single HHs (29% in region), a market base most likely to consider rental.

Household Types

Households Types	N. Branford	New Hav. Ct.
2010 Total Households	5,459	884,500
Family Households	74.2%	64.5%
Non-Family Households	25.8%	35.5%
...Single Households	21.9%	28.9%

Source: 2010 Census, ESRI Business Systems

Income

- HH Income data for North Branford is positive for development, particularly in terms of retail. Median household income for the town stood at \$77,014 in 2012 – considered upper middle income for the area. This compares to \$58,898 for the County. Less positive has been income growth for both town and region at rates below inflation averaging annual growth rates of 1.9% and 1.6%, respectively, over the last decade.

Income Trends

Median HH Income	N. Branford	New Haven County
2000	\$62,777	\$48,884
2012 (est.)	\$77,014	\$58,898
Annual Avg % Growth	1.9%	1.6%

Source: 2010 Census, ESRI Business Systems

Housing Characteristics

- North Branford's housing inventory of 5,629 units expanded by 7% last decade, representing a net gain of 387 units. This growth rate is slightly better than the county overall, which saw housing supply rise by 6%.
- Housing growth last decade was largely tied to growth in ownership housing which jumped from 84% to 86% as a share of occupied housing.
- Tenure base in North Branford is overwhelmingly owner occupied at 86%, with 14% rental occupied. 3% of the housing in North Branford was vacant in 2010 of which one-third (1.3%) was attributable to rental housing – Indicative of tight rental market.
- As would be expected in a town with high owner-occupancy, the predominant structure type for housing in North Branford is the single family home accounting for 80% of housing in town. It is further noted that higher density housing of 5 units or more accounts for 11% of town's housing stock with close to half linked to housing at Evergreen Woods Life Care community.

Tenure & Vacancy

HH's	North Branford		New Haven City	
	2000	2010	2000	2010
Own-Occp	84.8%	86.0%	69.1%	68.4%
Own-Units	4,929	4,677	201,817	212,169
Rent-Occp	15.7%	14.0%	86.9%	86.6%
Rent Units	808	764	117,728	122,888
Tot Occp Units	5,181	5,441	319,040	334,502
Vacancy	2.2%	8.8%	6.4%	7.6%

Source: 2010 Census, ESRI Business Systems

Housing Characteristics

Structure Type - 2010	% Share of Total Housing	
	N. Branford	New Haven County
1 Detached	80.7%	54.8%
1-Attached	2.8%	5.8%
2-unit	2.8%	9.2%
3/4 unit	2.4%	10.8%
5+ units	11.8%	19.9%
Total Housing Units - 2010	5,629	862,004

Source: ACS Housing Surveys, ESRI Business Systems

Referral 2.5: Town of Clinton

Subject: Proposed Zoning Regulation Amendments

Staff Recommendation: The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Clinton has proposed zoning regulation amendments pertaining to the IDZ (Interchange Development) Zone. Section 20 regulates the IDZ Zone, which is a new zone that aims to “permit and encourage variety, flexibility, and commercial viability in the area of Route 81, north of the I-95 Exit 63 Interchange, to Walnut Hill Road.” The zone is not within 500 feet of the South Central Region.

In Section 23, the table of Zoning Districts has been deleted, the bulk requirements are now only listed in Section 24 and 25. There is no longer a differentiation between minimum lot with public water and without. The minimum lot requirement without public water has been deleted and essentially the minimum lot area for parcels in the R-30, R-20, R-15 and R-10 Districts without public water has been reduced. There is another provision in Subsection 25.2.3 where under certain conditions the minimum lot area in those districts can be increased. The Flood Plain Conservation District has been deleted, but there is a Section in the regulations pertaining to a Flood Hazard Zone. Shopping Cart Management has been added to Section 23.4, Performance Standards.

Section 24, Permitted Use, has been revised to include the IDZ Zone. A new use, Hotel, is permitted by special exception in the IDZ Zone. Hotels are prohibited in all other zones. A Hotel is now defined in Section 3, Definitions. Philanthropic, Educational, and Religious uses (formerly Section 24.2.50) have been broken out into four subcategories (the fourth being Cemeteries) to further clarify the permitted uses in each zone.

Communication:

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

From: Jullie Pudem [<mailto:jpudem@clintonct.org>]

Sent: Monday, June 02, 2014 10:25 AM

To: ldudek@townofkillingworth.com; jangelini@westbrookct.us; Town Clerk (keelers@madisonct.org); Eugene Livshits; JH Torrance Downes (tdownes@rivercog.org); Carol Szymanski (Carol.Szymanski@ct.gov); roberts@halloransage.com; TownClerk

Subject: AR 14-030: Proposed Amendment to the Zoning Regulations & Zoning Map

Please be advised that the above referenced amendment to the Zoning Regulations and Zoning Map (please see the attached amendments) will be heard at a public hearing commencing on Monday, July 7, 2014 at 7:00 p.m. in the Green Room of the Andrews Memorial Town Hall.

Please forward any comments that you may have to:

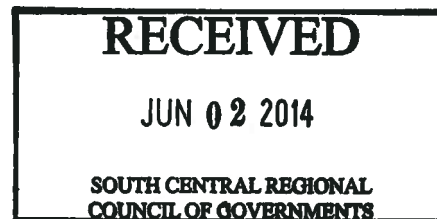
Planning & Zoning Commission
54 East Main Street
Clinton, CT 06413

If you have any questions, please contact this office at (860) 669-6133, Monday through Friday, or at zoningwetlands@clintonct.org.

Sincerely,

Jullie Pudem

Land Use Technician
Planning & Zoning
54 East Main Street
Clinton, CT 06413
(860) 669-6133 Fax: (860) 664-4469



3.9 "H"

3.9.1 Home Occupation: Business or professional offices and home industries or service occupations which are carried on within the walls of a dwelling or existing accessory building, which use is clearly incidental and secondary to the use of the building for dwelling purposes and does not change the character or appearance thereof or have an adverse impact on surrounding properties. Such use shall be in conformance with the standards established in Section 26 of these Regulations.

3.9.2 Hospital: An institution providing health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

~~3.9.2~~ 3.9.3 Hotel: A building occupied or used as a more or less temporary abiding place of twenty (20) or more individuals with or without board and/or in which there are ten (10) or more sleeping rooms, accessed by interior corridors, where individuals pay, without public subsidy, for temporary accommodations.

3.10 "I"

3.10.1 Impervious Surface: Any material which reduces and prevents absorption of stormwater into the ground as when it was previously undeveloped land.

(Amended 1/1/2012)

3.10.2 Improvements: See "Work".

3.10.3 Inland Wetlands: "Land, including submerged land, not regulated pursuant to Section 22a-28 to 22a-35, inclusive, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and flood plain, by the National Cooperative Soils Survey, as may be amended from time to time, of the Soil Conservation Service of the United States Department of Agriculture;" (CGS Section 22a-38(15)).

3.10.4 Intermediate Care Facility: A facility which provides, on a regular basis, health-related care and services to individuals who do not require the degree of care and treatment which a hospital or skilled nursing facility is designated to provide, but who, because of their mental or physical condition, require care and services (above room and board) which can be made available to them only through institutional facilities such as these.

3.11 "J"

3.12 "K"

Section 20

Interchange Development Zone

- 20.1 **Purpose:** The purpose of the Interchange Development Zone (IDZ) is to permit and encourage variety, flexibility, and commercial viability in the area of Route 81, north of the I-95 exit 63 interchange, to Walnut Hill Road.
- 20.1.1 This Zone is meant to allow development appropriate to the area and its surroundings that provides enhancements to infrastructure, and integrates with and protects nearby neighborhoods.
- 20.1.2 This Zone should foster high-quality commercial development with careful attention to the appearance of buildings and the surrounding site and, should include professional landscaping.
- 20.1.3 Site Access will be an integral part of site planning, with interior service drives and limited curb cuts to facilitate traffic flow and safety.
- 20.1.4 Consideration of connectivity to other parts of Town, especially the train station and downtown, are important aspects of this Zone.
- 20.1.5 In recognition of the fact that it is generally site appearance and performance that determine whether a use is desirable or undesirable, permitted uses will be those that are able to meet all of the standards detailed below and in other applicable sections of these Regulations.
- 20.2 **Definitions:** For the purposes of this Section, the following terms shall have the stated definitions:
- 20.2.1 **Articulation:** Facades shall incorporate different materials, colors, wall plane projections or recesses to prevent uninterrupted lengths of facades.
- 20.2.2 **Commercial Center:** Such shopping centers are a group of retail stores planned and designed for the site and utilized as a common facility on one lot. Shopping centers include a mix of retail, restaurants, financial institutions, and personal service establishments with common parking and loading areas.
- 20.2.3 **Enhanced Open Space:** Buffering and screening are provided from nearby residential properties; the quality and access of beneficial open space and on-site recreation opportunities, and the extent of the conservation of natural features on-site.
- 20.2.4 **Pedestrian Amenities:** Amenities that serve as informal gathering places for socializing, resting, and enjoyment of a particular area which contribute to a

walkable center. Typical amenities include extra wide sidewalks, street trees, sitting spaces, weather protection (awnings and canopies), pedestrian scale lighting, bus stop seating, sidewalk dining, etc.

20.2.5 Pedestrian-Friendly/Pedestrian-Oriented: Development which is designed with an emphasis primarily on the sidewalk and pedestrian access to and within the site and buildings, rather than on auto access and parking areas. The main entrance is oriented to the street sidewalk. There are generally windows or display cases along building facades which face the street.

20.2.6 Pedestrian Scaled: Site and building design elements that are dimensionally related to pedestrians, such as: small building spaces with individual entrances (e.g., as is typical of downtowns and main street developments); larger buildings which have articulation and detailing to break up large masses; narrower streets with tree canopies; smaller parking areas or parking areas broken up into small components with landscaping; and pedestrian amenities, such as sidewalks, plazas, outdoor seating, shorter light poles (usually 10-14'), weather protection (e.g., awnings or canopies), and similar features. These features are all generally smaller in scale than those which are primarily intended to accommodate automobile traffic.

20.2.7 Strip Commercial Centers: Strip commercial centers are typically developed, owned and maintained as a unit and have large parking lots in front, with many/most of the stores arranged in a straight row and an automobile-centric design. Proliferation results in a pattern of development wherein commercial development is strung along arterial thoroughfare.

20.3 General Concepts:

20.3.1 Site Planning: Sites developed under this Zone are intended to be carefully planned, both within the site's own boundaries and in relation to surrounding properties and the entire Interchange Development Zone. It is the express intention of these Regulations to result in developments that do not resemble typical Strip Commercial Centers. All developments shall be pedestrian scaled and pedestrian friendly/pedestrian-oriented. Uses should be consistent with those of a Commercial Center.

20.3.2 Environmental Concerns: The environmental resources in the vicinity of the Interchange Zone are sensitive and important. All developed sites should seek to demonstrate conformance to the principles of Enhanced Open Space, including protection of wetlands and water quality, specifically in relation to the Aquifer Protection Area designation, providing public access to the Indian River (if applicable), and protecting the surrounding residential properties. Alternative wastewater treatments and demonstration of conformance to environmentally appropriate design elements, such as energy efficiency and ecologically sensitive infrastructure and landscaping is highly encouraged.

- (a) For sites within the Aquifer Protection Area, designs must comply with state requirements, CGS § 22a-345i-1 to 22a-345i-10, and Section 4.33 of the Town of Clinton Zoning Regulations and the Town of Clinton Aquifer Protection Regulations.
- 20.3.3 **Building Design:** All buildings must be designed by registered architects and must conform to Section 20.9 of these Regulations. High quality architectural design is required to enhance the visual and civic quality of the site and the overall experience for employees and customers.
- 20.3.4 **Site Access:** Access management is required on all sites to reduce the number of driveway cuts onto Route 81 and mitigate the deterioration of traffic flow generally caused by driveways on arterial streets. Site access techniques will include shared driveways (or provisions for future shared driveways for the first site in an area), interior service drives, and other approaches included in these Regulations. Pedestrian access routes must be appropriately designed between developments within this Zone and abutting parcels and streets, with consideration to streetscape continuity and avoidance of adverse impacts on nearby neighborhoods as well as to improve traffic and access in the surrounding area.
- 20.3.5 **Mitigation of Neighborhood Impacts:** Mitigation measures should address any material adverse impacts from development within this Zone on nearby neighborhoods during and after construction on traffic, parking, noise, lighting, blocked views, and other impacts.
- 20.4 **Permitted Uses:** Permitted uses are commercial, institutional, cultural, and municipal that reflect the purpose of this Zone through careful attention to the appearance and siting of buildings and/or site amenities, and that meet all of the performance standards enumerated Section 24.2 of the Town of Clinton Zoning Regulations.
 - 20.4.1 Residential Uses are allowed in up to 20% of the total building area. A residential use bonus of 15% for a total of 35% of the total building area may be permitted under Section 20.7 of these Regulations.
- 20.5 **Prohibited Uses:** See Section 24.2 of the Town of Clinton Zoning Regulations for a complete list of permissive uses. Uses not listed are prohibited.
 - 20.5.1 Gasoline service stations; automotive, boat, recreational vehicle, truck, and similar sales, service, and repair garages. Public display of any vehicle for sale is strictly prohibited. "Boat" shall not include non-motorized boats up to 16 feet in length (e.g. canoes, kayaks).
 - 20.5.2 Establishments where the principal use is a "drive-up" offering goods/services directly to customers waiting in motor vehicles; this does not include drive-up

windows for pharmacies, financial institutions, and other uses where a drive-up window is accessory;

20.5.3 Arcades, except as a minor accessory use (not to exceed 5% of the gross floor area);

20.5.4 Adult-oriented businesses (including but not limited to adult bookstores, adult theatres, massage parlors, and similar establishments);

20.5.5 Mini-warehouses/self-storage facilities;

20.5.6 Tattoo establishments;

20.5.7 Liquor Stores;

20.5.8 Massage Parlors;

20.5.9 Medical Marijuana Facilities

20.5.10 Firearms sales, except as a minor accessory use (not to exceed 5% of the gross floor area); and

20.5.11 Any use similar in purpose, use, or service to the above prohibited uses, regardless of its name or title.

20.6 Public Amenity Bonus and Incentives

20.6.1 Purpose: In the interest of promoting Enhanced Open Space, public amenities, environmental responsibility, and innovative site design and structural development on land within this Zone, the Commission, in its discretion, may approve any combination of incentives listed within this Section. Approvals under this Section must comply with the intent of the Town Plan of Conservation and Development, all other regulations required by the Town and State, and must be in the interest of public health, safety, and welfare.

(a) The Commission may grant the following incentives for compliance with the purpose of this Section:

- (1) A reduction in the required side and rear setbacks up to 25 feet. Setbacks from residentially zoned areas are not eligible for such a decrease.
- (2) A 15% increase in residential development than otherwise required under these Regulations.

- (3) An increase in one building story for a maximum of 60 feet/four stories in building height.
- (b) Such public amenities include, but are not limited to: improvements to wetland access pathways; art installations or other decorative items like fountains; way finding maps of Clinton tourist attractions, such as shopping and restaurants; public seating and other outdoor furniture; construction of an observation deck for viewing of environmentally or visually significant resources; as well as a reduction in impervious surfaces.
- (c) Other structural designs that are encouraged and may be eligible for the outlined incentives are:
 - (1) Structured parking: Structured parking allows less impervious surface while maintaining sufficient spaces per the required use.
 - (2) Innovative Stormwater/Wastewater Design: Energy and environmentally responsible and energy efficient stormwater and/or wastewater facilities may also be eligible based on their relevance to the environmental concerns of the area, their use of new technology, and efficiency.
- (d) In the case of a hotel development, the inclusions of certain guest amenities are encouraged and may be eligible for the outlined incentives. Such amenities may include, but are not limited to: On-site restaurant or dining facility; exercise or fitness center; indoor swimming pool; day spa; conference meeting rooms; business center; suites with multiple sleeping quarters and efficiency kitchen facilities; valet parking; concierge service; and shuttles to area attractions.

20.7 Setback Reductions and Building Height Bonus

20.7.1 The Commission may grant a reduction to the setback requirements as regulated under Section 20.7.

- (a) The Commission may grant decreases to the minimum side and rear setback requirements for sustainable design concepts outlined in Section 20.7, not to be less than 25 feet.

20.7.2 A bonus of an additional story, up to 75 feet in building height, may be granted based on compliance with Section 20.7 of these Regulations.

20.8 Design Standards: Design Standards within this Section relate to building materials and architectural features that seek to imitate the states of buildings seen in other areas of Clinton, most notably those buildings in the Village Zone.

- 20.8.1 Sites, buildings, signs, and landscaping shall be designed in accordance with the criteria and standards contained in Section 32 "Design Review."
- (a) Buildings constructed with a visible metal exterior are not permitted (excluding metal roofs).
 - (b) Building elevations visible from the public street must be designed to not look like the back of a building; such architectural elements may include windows, articulation, and other features.
- 20.8.2 Site designs shall include existing trees and hedgerows, which must be preserved to the maximum extent possible.
- (a) Any trees within the public right-of-way must be evaluated by the Town's Tree Warden.
 - (b) Likewise, landscaping plans shall include street trees and other landscaping elements.
 - (c) Existing healthy trees of eighteen inch (18") caliper and greater shall be incorporated as well as significant stands (ten or more trees) of related species, or consistent scrub-shrub groupings occurring in front, side, or rear yards, shall be preserved unless the applicant can prove infeasibility.
 - (1) Such circumstances will be evaluated by the Town's Tree Warden.
 - (2) Welling and mounding are recommended techniques when grade changes are required.
- 20.8.3 Driveway lighting in close proximity to Route 81 shall incorporate uniform fixtures and poles in order to obtain a uniform lighting appearance along Route 81.
- 20.8.4 All business, servicing, or processing, shall be conducted within completely enclosed buildings, with the following exceptions:
- (a) Off-street parking/loading;
 - (b) Seasonal outdoor dining;
 - (c) Outdoor amenities normally conducted as accessory uses to a hotel or residential development, such as swimming pool and patio;
 - (d) Outside display of merchandise for sale on the interior part of a pedestrian environment such as in a village-style shopping center, or a courtyard area with kiosks or market carts, where outside merchandise display is an integral part of the theme and thus enhances the appearance of the site; and

- (e) Drive-up windows for financial institutions, pharmacies, and other businesses is an appropriate accessory use.
- 20.8.5 Outside dining and display areas shall not restrict sidewalks intended for pedestrian passage and access.
 - (a) Outside dining and display areas must be shown on the site plan and approved by the Commission.
- 20.8.6 For the purpose of this Section, garden shops that are contained within walls shall be permitted even though the enclosure does not have a partial or complete roof.
 - (a) The applicant may propose, and the Commission may accept, a ventilated wall similar in appearance to the rest of the building. A fence is not a wall.
- 20.8.7 Areas reserved for open space and land set aside to meet coverage requirements shall be distributed throughout the site in such a manner that the land is visible (from public streets) and/or useable (e.g., for pedestrian circulation, outdoor entertainment, and cultural events, or arts/crafts shows).
- 20.8.8 Outdoor storage is prohibited. Outdoor storage does not include approved trash receptacles per Section 20.13 of these Regulations.
- 20.8.9 Loading docks/receiving areas shall not be visible from public streets or from residential zones.
 - (a) All loading docks shall be designed as an integral part of the building, shall be suitably screened, and shall not detract from the appearance of the building and site.
- 20.8.10 Satellite dishes, HVAC equipment, and rooftop mechanical equipment, with the exception of solar panels, shall be set back from building edges, screened, and/or located so that the equipment is not visible from the public way.
- 20.9 Specific Site Appearance Requirements for Retail Establishments: The following additional objectives and standards apply to all retail establishments. Items designated as “objectives” are not mandatory, but are stated in order to provide insight regarding the Town’s design objectives. Items designated as “standards” are mandatory. All design details are subject to Commission approval.
 - 20.9.1 Facades and Exterior Walls:
 - (a) Objective:

- (1) The intent is to encourage a more pedestrian scale that residents will be able to identify with their community.
- (2) Building setback from the street, setbacks from adjacent buildings, and orientation of the axis of buildings should be consistent with and recognize the rhythm, spacing, and orientation of other adjacent buildings.
- (3) Buildings should have architectural features and patterns that provide visual interest at the scale of the pedestrian, reduce structures that are incompatible with pedestrian scale development, and recognize local character.
- (4) Features such as benches, niches, plantings, and pavers, may be used to create pedestrian interest are encouraged, the location of such features is subject to Commission approval.

(b) Standards:

- (1) Facades greater than 100 feet in length shall incorporate articulations like, wall plane projections or recesses having a depth of at least 3% of the length of the façade and extending at least 20% of the length of the façade.
 - (i) No uninterrupted length of any façade shall exceed 100 feet.
- (2) Ground-floor facades that face public streets and interior walkways shall have colonnades display windows, entry areas, awnings, or other architectural features along no less than 60% of their length.
- (3) Building facades must include a repeating pattern of at least two of these elements or other architectural features: color change, texture change, material change, or expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset or reveal.
 - (i) At least 1 of these elements shall repeat horizontally.
 - (ii) All elements shall repeat at intervals of no more than 30 feet.

20.9.2 Roofs:

(a) Objective:

- (1) Variations in roof lines should be used to add interest to, and reduce the massive scale of, large buildings.

- (2) Roof features should complement the adjoining neighborhoods.
- (b) Standards: Roofs shall have no less than two of the following features:
 - (1) Overhanging eaves, extending no less than three feet past the supporting walls;
 - (2) Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to one foot of vertical rise for every one foot of horizontal run;
 - (3) Three or more roof slope planes.

20.9.3 Materials and Colors

- (a) Objective:
 - (1) Exterior building materials and colors comprise a significant part of the visual impact of a building. Therefore, they should be aesthetically pleasing and, where appropriate, compatible with material and colors used in adjoining neighborhoods.
- (b) Standards:
 - (1) Predominant exterior building materials shall be high quality materials. These include, but are not limited to:
 - (i) Brick;
 - (ii) Wood;
 - (iii) Fieldstone;
 - (iv) Other native stone;
 - (v) Textured concrete masonry units;
 - (vi) Stucco; and
 - (vii) Glass
 - (2) Predominant exterior building materials shall not include the following:
 - (i) Smooth-faced concrete block;
 - (ii) Tilt-up concrete panels;
 - (iii) Pre-fabricated steel panels; or,
 - (iv) Fiberglass or metal (excluding metal roofs).
 - (3) Façade colors shall be low reflectance, subtle, neutral, or earth tone colors.

- (i) The use of high intensity colors or fluorescent colors is prohibited.
- (ii) Neon tubing, LED, or similar lighting is an unacceptable feature for building trim and is prohibited.

20.9.4 Back and Side Facades

(a) Objective:

- (1) All facades of a building should contribute to the pedestrian scale of the building and encourage site integration by featuring characteristics similar to the front façade.

(b) Standards:

- (1) All building facades shall comply with the requirements of section 20.10.1.

20.10 Site Access and Parking

20.10.1 Site Access:

- (a) Regulation of vehicular access is necessary to maintain the efficient and smooth flow of traffic, to protect the functional level and maximize the traffic capacity of Route 81.
- (b) In addition, parking and loading facilities must be designed and operated as to reduce hazards to pedestrians and protect adjacent property from nuisances caused by noise, fumes, and headlight glare.

20.10.2 Streets:

- (a) All streets shall conform to all applicable Town Design and Construction Standards and Regulations.

20.10.3 Off-street Parking: It is the intent of these Regulations to create off-street parking that is creative and to achieve attractive, innovative parking layouts that will accent and highlight buildings and features of the Zone.

- (a) The provisions of Section 29.11 do not apply to developments located within this zone.
- (b) The view of large parking areas from public streets shall be minimized through the use of perimeter landscaping and berms.

- (c) Off-street parking shall be distributed around buildings in order to ensure pedestrian oriented/pedestrian friendly sites where pedestrians and the building architecture, rather than the automobile and the parking lot are the primary focus.
- (d) Not more than one-third (33%) of the parking shall be located between the principal building and the public street or primary interior roadway.
- (e) Corner lots shall have not more than one-third (33%) of parking located between the principal building and Route 81.
 - (1) The secondary frontage street shall have not more than 25% of the parking located between the buildings and the secondary street.
- (f) The following parking lot or parking structure arrangements are considered to meet these parking requirements and are encouraged:
 - (1) Parking primarily or entirely surrounded by the buildings (courtyard effect);
 - (2) Large parking areas that are screened from Route 81 by the principal building(s).
 - (3) Parking distributed around three sides of the principal building(s), provided that not more than 33% of the parking is located between the building(s) and Route 81.
- (g) Front yard setbacks may be used for parking or circulation.

20.10.4 Landscaping Amount:

- (a) Parking lots located between a building and Route 81 (without any other intervening building) shall provide at least 22 square feet per parking space as landscaped area.
- (b) This landscaped area may include islands between bays of parking (see 20.11.5(b) of this section for definition), planted peninsula islands including peninsulas along the perimeter of the parking area, other free-standing landscaped areas (with a minimum dimension of at least eight feet in its narrowest dimension), and any other area approved by the Commission. Not more than two peninsulas may be located back-to-back.
 - (1) The purpose of the peninsulas is to break up the parking lot. In addition, all front parking areas shall also be landscaped around the perimeter and utilize berming to minimize the view of the parked cars from Route 81 and to highlight the buildings.

- (c) All other parking areas shall meet the landscaping requirements Section 29.

20.10.5 Landscaping Design

- (a) Parking area design should take into account natural features whenever possible, grading of the site, visibility of the site from adjacent public streets, and the even distribution of landscaping throughout the parking area.
- (b) Parking areas may be divided into individual bays (a bay is an aisle with a row of parking spaces of each side of the aisle).
 - (1) Each bay must be separated from other bays by a landscaped island of at least four feet in width the entire length of the bay.
 - (2) Terminal islands shall separate the bay from any driveways or access ways.
 - (3) Parking areas are to be divided by landscaped islands at least two parking spaces deep at every row of parking.
 - (4) Landscaped islands shall occur at least every 10 parking spaces.
 - (5) It is not necessary that such islands align with each other from bay to bay.
- (c) Incentives listed in Section 20.7 of these regulations may be available for the construction of structured parking facilities.

20.10.6 Loading Docks/Receiving Areas:

- (a) Loading docks/receiving areas shall not be visible from public roads or residential zones.
 - (1) Sufficient on-site vehicular maneuvering area must be provided; trucks going to, or coming from, loading docks shall not require maneuvering movements within the public highway.
 - (2) The number of loading spaces shall be sufficient to accommodate the anticipated loading requirements of building users, which requirements shall be in accordance with industry practice, but not to exceed said requirement.
- (b) No trash loading, removal or compaction, truck deliveries or pickups, or other such operations shall be permitted between the hours of 10:00 pm and 7:00 am unless the applicant submits evidence that sound barriers between

all areas for such operations effectively reduce noise emission to a level of 45 db, as measured at the lot line of any adjoining property.

20.11 Pedestrian/Bicyclist Circulation

20.11.1 Sidewalks are required along site frontage.

20.11.2 All Route 81 sidewalks shall be constructed to Town and State specifications.

20.11.3 Wetland access or access paths/boardwalks or pedestrian access ways located within a site are encouraged, provided that such alternative sidewalks interconnect to existing or future walkways on abutting properties, and their inclusion in a development may result in eligibility for incentives noted in Section 20.7.

20.11.4 The applicant is required to provide site interior walkways that link street/drive walks within the site and is encouraged to provide connecting access to existing or future multimodal trail systems.

20.12 Trash Storage and Collection

20.12.1 Trash Storage and Collection areas, when visible from adjoining properties and/or public streets, shall be screened, recessed, or enclosed.

(a) While screens and recesses can effectively mitigate visual impacts, the selection of inappropriate screening materials can exacerbate the problem. Screening materials shall match the overall site design.

(b) Appropriate locations for Trash Storage and Collection areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 40 feet apart, or on those sides of buildings that do not have customer entrances. For a site designed with a "cluster" or "village" concept, Trash Storage and Collection areas should be common areas not visible to the public, separated from the rest of the complex by appropriate screening, as described in Subsection (a).

20.12.2 Areas for truck parking, trash collection or compaction, or other such trash-related uses shall not be visible from abutting streets or adjacent residential zones.

20.13 Materials Required for Formal Submission of all Applications to the Commission or Board:

The applicant shall follow the procedures set forth in Section 4 of these Regulations, in addition to the following:

20.13.1 Staff report of Pre-Application Conference discussions and plan changes, where applicable.

- 20.13.2 Report from the Tree Warden with respect to compliance with Section 20.9.3 of these Regulations.
- 20.13.3 A Shopping Cart Management Plan, when applicable.
- 20.13.4 A streetscape rendering encompassing the view of the site from any public road and one hundred feet (100') to either side of the site.
- 20.13.5 A traffic study.
- 20.13.6 A Site Access Plan.
- 20.13.7 A statement describing which incentives are sought under Section 20.7 of these Regulations and their extent.
 - (a) In deciding whether to grant the Public Amenity Bonus and incentives the Commission must **find** that the requested incentives will better conform with the Town Plan of Conservation and Development and the purposes of this Section.

Section 23

Districts

- 23.1 Establishment of Districts: For the purpose of these Regulations the town of Clinton is hereby divided into ~~the following classes of districts.~~ Sections 24 and 25 list the uses and bulk lot requirements.

Zoning Districts	Map Codes	Minimum Lot Area with Public Water	Minimum Lot Area Without Public Water
Residence R-120 District	R-120	120,000 sq. ft.	120,000 sq. ft.
Residence R-80 District	R-80	80,000 sq. ft.	80,000 sq. ft.
Residence R-60 District	R-60	60,000 sq. ft.	60,000 sq. ft.
Residence R-40 District	R-40	40,000 sq. ft.	40,000 sq. ft.
Residence R-30 District	R-30	30,000 sq. ft.	40,000 sq. ft.
Residence R-20 District	R-20	20,000 sq. ft.	30,000 sq. ft.
Residence R-15 District	R-15	15,000 sq. ft.	20,000 sq. ft.
Residence R-10 District	R-10	10,000 sq. ft.	20,000 sq. ft.
 Village VZ District	 VZ	 10,000 sq. ft.	 10,000 sq. ft.
 Business B-1 District	 B-1	 200,000 sq. ft.	 200,000 sq. ft.
Business B-2 District	B-2	10,000 sq. ft.	10,000 sq. ft.
Business B-3 District	B-3	10,000 sq. ft.	10,000 sq. ft.
Business B-4 District	B-4	20,000 sq. ft.	20,000 sq. ft.
 Marine M District	 M	 10,000 sq. ft.	 10,000 sq. ft.
 Industrial I-1 District	 I-1	 20,000 sq. ft.	 20,000 sq. ft.
Industrial I-2 District	I-2	40,000 sq. ft.	40,000 sq. ft.
Industrial Park IP District	IP	80,000 sq. ft.	80,000 sq. ft.
 Flood Plain — Conservation District	 FPC		

- 23.1.1 Districts that allow a minimum lot size of thirty thousand square feet (30,000 sq. ft.) or less per lot may require a larger lot size under certain conditions as indicated in Subsection 25.2.3 or 3.14.1.

- ~~23.1.2 Flood Plain — Conservation District: The Flood Plain Conservation District is a class of district established in accordance with Section 17.~~

- 23.2 Zoning Map: The boundaries of these districts are hereby established as shown on a map entitled "Zoning Map of the Town of Clinton, Connecticut" adopted June 10, 1965, effective

June 15, 1965, including any subsequent amendments thereto, which map is hereby declared to be part of these Regulations and is herein after referred to as "Zoning Map".

~~23.1.3~~23.2.1 **Interpretation of the Map:** Where a question arises as to exact boundaries of a district, the boundary shall be determined by the ~~Clinton Planning and Zoning Commission~~.

~~23.2~~23.3 **Zoning Schedule:** The schedules entitled "~~Schedule of District Requirements~~" "~~Schedule of Uses by District~~" and "~~Lot Requirements by District~~", including any subsequent amendments thereto, is hereby declared to be a part of these Regulations and is hereinafter referred to as the "Schedule".

~~23.2.1~~23.3.1 Uses listed in the Schedule are permitted or prohibited in accordance with the following designation and procedure. **Uses not listed are prohibited.**

(a) "P" means a use permitted in the district as a matter of right after approval of a Zoning Permit from the ~~Zoning Enforcement Officer~~ZEO.

(b) "X" means a use prohibited in the district.

~~(c)~~ "E" means a use permitted in the district, subject to securing of a Special Exception from the Zoning Board of Appeals in accordance with Section 11.

~~(d)~~(c) "SP" means a use permitted in the district, subject to approval of a Site Plan by the ~~Clinton Planning and Zoning Commission~~ in accordance with Section ~~98~~.

~~(e)~~(d) "SE" means a use permitted in the district, subject to approval of a Special Exception ~~from by~~ the ~~Planning and Zoning Commission~~ in accordance with the provisions of Sections 9 and 10.

~~(f)~~ "SxP" means a use permitted in the district, subject to the securing of a Special Permit from the ~~Planning and Zoning Commission~~ in accordance with the provisions of Section 12.

~~23.2.2~~23.3.2 **Prohibited Uses:** No land, building or other structure in any district shall be for a use not specified as permitted in ~~this Section~~these Regulations.

~~23.3~~23.4 **Performance Standards:** Land, buildings and other structures may be used subject to the following performance standards:

~~23.3.1~~23.4.1 **Dust, Dirt, Fly Ash and Smoke:** No offensive dust, dirt, fly ash or smoke shall be emitted into the air.

~~23.3.2~~23.4.2 **Odors, Gases and Fumes:** No offensive odors or noxious, toxic or corrosive fumes or gases shall be emitted into the air.

~~23.3.3~~23.4.3 **Noise:** No noise that is objectionable due to volume, intermittence, beat frequency or shrillness shall be transmitted outside the property where it originates.

~~23.3.4~~23.4.4 **Wastes:** No discharge of hazardous wastes shall be permitted. No offensive washes shall be discharged into any stream or storm drain. Proper provision shall be made for storage and disposal of all hazardous materials, rubbish, garbage and trash.

~~23.3.5~~23.4.5 **Vibration:** No vibration shall be transmitted outside the property where it originates.

~~23.3.6~~23.4.6 **Danger:** No material which is dangerous due to explosion, extreme fire hazard or radioactivity shall be used, stored or manufactured except in accordance with the applicable codes and regulations of the Town of Clinton, State of Connecticut and the United States of America.

~~23.3.7~~23.4.7 **Drainage:** Surface or roof drainage, discharge from pipes or pumps, and diversion of runoff by means of grading, excavating or filling, which create a structural or health hazard or any other nuisance to the owners or occupants of adjacent premises, or to the public by reason of discharge into, onto or across any adjacent building, premises or public thoroughfare shall be abated by the owner of the improperly drainage area.

- (a) Appropriate stormwater control structures or measures shall be utilized to protect surrounding properties from adverse impacts due to stormwater runoff.

23.4.8 **Lighting:** No lighting shall be of such intensity or direction as to create glare on adjacent properties or adjacent streets and highways.

23.4.9 **Shopping Cart Management:** As shopping carts can become an unattractive facet of retail operation when not active managed and the outside storage of said carts and parking lots with shopping carts strewn around can detract from even the most attractive building design the following standards have been developed:

- (a) Any retail business that uses shopping carts outside of the building shall have a Commission-approved Shopping Cart Management Plan.
- (b) Shopping carts cannot be stored outside overnight.
- (c) Shopping carts used at grocery stores shall be returned by employees to the interior of the store after use by the customer.

~~(a)~~(d) Failure to maintain the standards of the Management Plan will be subject to enforcement as a zoning violation.

~~23.3.8~~23.4.10 Determination of Compliance: In the event of doubt as to whether the proposed use will conform to the above performance standards, the ZEO shall disapprove the application for a Zoning Permit. The applicant for a Zoning Permit may apply to the Zoning Board of Appeals for a determination as to compliance with the performance standards.

~~23.4~~23.5 Off-Street Parking and Loading: ~~Off-street p~~arking and loading spaces shall be provided off the street for any use of land, buildings and other structures in accordance with Section 29, unless otherwise noted.

~~23.5~~23.6 Excavation and Grading: There shall be no excavation and removal from any lot, and no grading or dumping on any lot, of any earth, loam, topsoil, sand, gravel, clay or stone, except as provided in Section 10.

~~23.6~~23.7 Signs: All signs shall conform to the requirements of Section 28.

25.11 Lot Requirement Standards by District: Non-Residential:

(Amended 11/1/2012)

Lot and Building Standards		VZ	IDZ	B-1	B-2	B-3	B-4	M	I-1	I-2	IP
25.11.1	Minimum lot area (in sq. ft.)	10,000	<u>200,000</u>	200,000	10,000	10,000	20,000	10,000	20,000	40,000	80,000
25.11.2	Reserved for Future Use										
25.11.3	Minimum lot area for a dwelling (in sq. ft.)	n/a	<u>n/a</u>	n/a	10,000	10,000	n/a	n/a	n/a	n/a	n/a
25.11.4	Minimum square on the lot (in sq. ft.) See Section 25.2.1	70 X 70	<u>300</u> <u>X</u> <u>300</u>	300 X 300	60 X 60	60 X 60	80 X 80	60 X 60	80 X 80	100 X 100	100 X 100
25.11.5	Minimum lot frontage at the street line (in feet)	70	<u>300</u>	300	60	60	80	60	80	100	100
25.11.6	Minimum setback from the front lot line (in feet)	15	<u>15 or 1/2 the building height</u>	50	25	25	25	25	25	50	50
25.11.7	Maximum setback from front lot line (in feet)	30	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
25.11.8	Minimum setback from any lot line other than a front or rear lot line (in feet)	10	<u>50</u>	50	10	10	10	10	15	25	25
25.11.9	(Space intentionally left blank)										
25.11.10	Minimum setback from rear lot line (in feet)	10	<u>50</u>	50	10	10	10	10	15	25	25
25.11.11	Minimum setback from Residence or Village Zone District boundary line (in feet)	n/a	<u>100</u>	100	50	50	50	50	50	50	100
25.11.12	Maximum number of stories for a building	3	<u>34 or 6*</u>	3	3	3	3	3	--	--	--
25.11.13	Maximum height for a building structure (in feet)	35	<u>60 or 9045*</u>	40	40	35	40	30	35	50	50
25.11.14	Maximum ground coverage as percent of lot area as defined in Section 3	60%	<u>80%</u>	80%	60%	90%	80%	90%	75%	75%	75%
25.11.15	Maximum floor area as percent of lot area including all stories (Section 3).	50%	<u>n/a</u>	40%	40%	200%	100%	100%	200%	100%	50%
25.11.16	Minimum floor area for one-story dwelling (in sq. ft.)	1,000	<u>n/a</u>	n/a	900	900	n/a	n/a	n/a	n/a	n/a
25.11.17	Minimum total floor area on all floors for split-level dwelling (in sq. ft.)	1,000	<u>n/a</u>	n/a	1,000	1,000	n/a	n/a	n/a	n/a	n/a

<u>Lot and Building Standards</u>		<u>VZ</u>	<u>IDZ</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>	<u>M</u>	<u>I-1</u>	<u>I-2</u>	<u>IP</u>
25.11.18	Minimum floor area for two-story dwelling (in sq. ft.)										
(a)	Ground floor	1,000	n/a	n/a	750	750	n/a	n/a	n/a	n/a	n/a
(b)	Total floor area	1,500	n/a	n/a	1,000	1,000	n/a	n/a	n/a	n/a	n/a
25.11.19	Minimum floor area for each family in two-family dwelling (in sq. ft.)	n/a	n/a	n/a	500	500	n/a	n/a	n/a	n/a	n/a
25.11.20	Maximum floor area on ground floor for any one building (in sq. ft.)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
25.11.21	Maximum footprint of any single building, excluding shopping centers and neighborhood shopping centers and municipal facilities (in sq. ft.)	10,000	n/a	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000

*See Section 20 for Public Amenity Bonus and Incentives

Referral 2.6: Town of North Haven

Subject: Proposed Zoning Regulation Amendments to add Section 5.1.3.16 – IL Upper Washington Avenue Multi-Use Development Zone

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

A private applicant in the Town of North Haven has proposed Zoning Regulation Amendments to add Section 5.1.3.16 - IL Upper Washington Avenue Multi-Use Developments. The developments would be permitted in the IL-30 District, along Washington Avenue, north of the I-91 interchange (east of the rail line). The developments would be a mixture of multi-family residential development and non-residential development. The bulk standards for the developments are in the background material of the Agenda Packet. This includes a min. lot area of 160,000 square feet, max. building coverage of 35%, and max. height of 44 feet. There is a maximum requirement of 40 residential dwellings on any one parcel. The total number of residential dwellings in IL Upper Washington Avenue Multi-Use Zone is limited to 150. There is a requirement for a connection to municipal sewer and a public water supply. The non-residential uses should be compatible with the residential uses. The following uses are not permitted: nightclubs, retail package liquor stores, automotive service stations and testing facilities, automotive sales, public garages, theaters, and adult oriented establishments. The first floor of buildings will be non-residential uses.

There is a requirement for a minimum of one parking space per bedroom for each residential unit; non-residential parking is calculated in accordance with the existing regulations. Developments are allowed to utilize a shared parking calculation based on mixed-use capacity. There is a sharing factor of 1.4 for residential/office mix and 1.2 for residential/all other permitted uses. A report from a qualified traffic consultant is required to support a proposed shared parking plan. There has to be access to the development from an existing or proposed public street, with one being Washington Avenue. The development will need to have at least a 25 foot wide buffer strip along all the side and rear lot lines if it is adjacent to any industrial

zoned property or property used for industrial uses. Prior to receiving permits for the development, the plans need to be approved by Special Permit. The proposed regulations include an affordable housing component and a specific provision to allow for adaptive reuse.

The IL-30 District is adjacent to the Town of Wallingford, but would not be developable considering it appears to be the railroad tracks. There do not appear to be any developable IL-30 parcels within 500 feet of a community in the South Central Region.

Communication:

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



TOWN OF NORTH HAVEN

MEMORIAL TOWN HALL / 18 CHURCH STREET

NORTH HAVEN, CONNECTICUT 06473



REPLY TO: PLANNING & ZONING COMMISSION

Tel. (203) 239-5321
Fax (203) 234-2130

June 2, 2014

Mr. Eugene Livshits,
Regional Land Use Planner
South Central Regional Council of Governments
North Haven, Ct. 06473



Re: Proposed Amendment to the North Haven Zoning Regulations
Add Section 5.1.3.16 – to allow an IL Upper Washington Avenue Multi-Use
Development Zone

Dear Mr. Livshits:

In accordance with Connecticut General State Statutes, enclosed please find a copy of the above referenced proposed amendment to the North Haven Zoning Regulations.

A Public Hearing for this application is scheduled for 7 July 2014.

Very truly yours,


Alan A. Fredricksen
Land Use Administrator
AAF/pdp

cc: First Selectman
V. Carlson, Chairman, Planning & Zoning Commission

Enclosures

5-8-14 Date of Receipt
8150 + 60 Fee and date paid

P14-11 File Number
Approval date

TOWN OF NORTH HAVEN
PLANNING AND ZONING COMMISSION
APPLICATION FORM
(Only one item per form)

(ADDRESS OF BUILDING OR BLOCK MAP, BLOCK & LOT NUMBER)

ZONE

TOTAL SQUARE FOOTAGE

THIS APPLICATION IS FOR AND **MUST** INCLUDE THE FOLLOWING:

Site plan approval (Submit 14* copies of the site plan) ▶ 1 original and 14 copies of the application
Certified A-2 Survey
2 copies of Bond Estimate Form
Cite the regulation that permits proposed use

* 14 PLANS @ 24" x 36"

TITLE OF PLAN:

Date and most current revision date of plan:

CAM site plan review (Submit 14* copies)

X Amend zoning regulations 5,1,3 Section to be amended (Submit 8 copies of proposed amendment)

Proposed zone change (Submit 14* copies of location map)

Special Permit Cite regulation that authorized the special permit

Fill permit (Submit 14* copies)

Excavation permit (Submit 14* copies)

Permit to grade or regrade the property (Submit 14* copies of a certified plan showing existing grades and proposed grades)

ANSWER ALL QUESTIONS THAT ARE APPLICABLE OR WRITE N/A:

Does the property for which this application is submitted:

Y Lie within 500' of an adjoining municipality or will traffic or water drainage impact an adjoining municipality

N/A Lie within the Coastal Area Management boundary

N/A Contain any wetlands and/or watercourses

N/A Lie within the Aquifer Protection Zone

N/A Lie within the Channel Encroachment Zone

N/A Lie within the floodplain or floodway

N/A Lie within 50' of the Quinnipiac River or Muddy River

RECEIVED

MAY 08 2014

TOWN of NORTH HAVEN
LAND USE AND DEVELOPMENT

N/A

ENGINEER'S NAME

Bernard Pellegrino, Esq.

Print Applicant's Name

475 Whitney Ave., New Haven, CT 06511

Applicant's Address

(203) 787-2225 (203) 777-2096

Applicant's Phone Number

Fax Number

Applicant's Signature

N/A

ENGINEER'S PHONE NUMBER

FAX NUMBER

N/A

Print Owner's Name

Owner's Address

Owner's Phone Number

Owner's Signature

PROPOSED AMENDMENT CREATING

§5.1.3.16 IL Upper Washington Avenue Multi-Use (ILUWMU) Developments: Multi-Use Developments shall be permitted in the IL-30 District along Washington Avenue, north of the I-91 interchange and east of the New York, New Haven and Hartford Railroad Line. The purpose of such developments shall be to provide multi-family residential development of a density to meet the rising demand for that type of housing in the Town, while at the same time promoting non-residential uses that are compatible with the residential use and provide amenities for the residents and other members of the North Haven community. It is also envisioned that such developments would help promote the re-development of this section of Washington Avenue.

5.1.3.16.1 Requirements Applicable to ILUWMU Developments:

Minimum Lot Area, Sq. Feet	160,000
Minimum Lot Width, Feet	150
Minimum Front Yard, Feet	35
Minimum Side Yard, Feet	15
Minimum Rear Yard, Feet	25
Maximum Building Coverage	35%
Maximum Height, Feet	44
Minimum Floor Area per Residential Dwelling Unit, Sq. Feet	450
Maximum Floor Area per Residential Dwelling Unit, Sq. Feet	1,300
Maximum Number of Bedrooms per Residential Dwelling Unit	2

5.1.3.16.2 For the purpose of computing maximum building coverage, the entire area of the lot shall be used.

5.1.3.16.3 In no case shall more than 40 residential dwelling units be built on any one parcel of land approved for an ILUWMU development. The total number of residential dwelling units permitted in the IL-30 District along Washington Avenue north of the I-91 interchange shall be limited to 150 residential dwelling units.

5.1.3.16.4 Each ILUWMU development shall be connected to the municipal sanitary sewer system and serviced by a public water supply. All residential dwelling units shall be serviced by an automatic fire sprinkler system.

5.1.3.16.5 Each ILUWMU development shall contain other non-residential uses as permitted in the IL-30 District which are compatible and complimentary to the residential use. Basic neighborhood stores and services and retail stores, of the types enumerated in Sections 5.5.1.10, 5.5.1.12, and 5.5.1.14 of the Regulations, are encouraged. The following uses, however, shall be specifically excluded: Nightclubs, retail package liquor stores, automotive service stations and testing facilities, automotive sales, public garages, theaters, and adult oriented

establishments. The first floor level of all buildings located in any ILUWMU development shall be dedicated to non-residential/commercial uses.

- 5.1.3.16.6 There shall be no less than 1 parking space per bedroom for each residential dwelling unit. Non-residential parking shall be calculated in accordance with Section 8.5.1 of these regulations. The Planning and Zoning Commission may require additional parking in its discretion. An ILUWMU development shall be permitted to utilize a shared parking calculation based on its mixed use capacity. A sharing factor of 1.4 for residential/office mix and 1.2 for residential/all other commercial uses mix shall be utilized to compute the required parking for the entire development. A report from a qualified traffic consultant shall be required to support the shared parking plan for any ILUWMU development. The Planning and Zoning Commission may hire a traffic consultant to obtain technical advice concerning a proposed ILUWMU development at the expense of the applicant.
- 5.1.3.16.7 Access to an ILUWMU development shall be from an existing or proposed public street, one of which must be Washington Avenue. Two-way drives shall be not less than 24 feet in width. Driveways shall be flared where they meet the street pavement by curves having radii of not less than 15 feet, or such other radii as may be required by the State DOT, tangent to the driveway and to the curb or to the outer edge of the shoulder of a road having no curb.
- 5.1.3.16.8 The construction of the project and structure of the buildings shall comply with all applicable Town and State of Connecticut Codes and Regulations.
- 5.1.3.16.9 A buffer strip of not less than 25 feet wide shall be maintained along all side and rear lot lines, where such lines are adjacent to any industrial zoned property or any property used for industrial purposes. The buffer strip shall be suitably landscaped and permanently maintained with dense evergreen planting of a type, height, and spacing as approved by the Planning and Zoning Commission as ample enough to screen the ILUWMU development from adjacent industrial properties/uses during all seasons of the year. Within these buffer strips, existing tree and shrub growth may be preserved and augmented at the Planning and Zoning Commission's discretion. The Planning and Zoning Commission may also require the installation and maintenance of a fence at any property line in its discretion and may hire a landscape consultant to evaluate the proposed buffer(s) at the expense of the applicant.
- 5.1.3.16.10 No permit for any ILUWMU development as permitted under this subsection shall be issued until the plans therefore shall have been approved by Special Permit by the Planning and Zoning Commission after a public hearing upon due notice pursuant to Section 8-3 of the Connecticut General statutes. The applicant shall submit to the Commission plans for the entire project, showing the layout of buildings, proposed driveways and their relationship to traffic on public streets, walks, sanitary sewers, storm drainage and other utilities, parking spaces, accessory buildings, playgrounds and other recreation areas, and all other

pertinent features including a landscaping plan showing the location, size and type, of all landscaping elements, a lighting plan, together with plans, elevations, and other pertinent drawings of all buildings, indicating all uses proposed, the dimensions and floor areas of all buildings and yards and of all residential dwelling units and commercial spaces, and any other information deemed necessary by the Commission or staff to determine conformity with the intent of the Regulations.

- 5.1.3.16.11 The Commission shall approve an application to permit an ILUWMU development if it finds that the proposed use and related buildings and structures will conform to the following standards: (A) The location, type, character, and size of the use and of any related buildings and structures is in harmony with the development of the Town and will not hinder or discourage the development and use of adjacent lots or impair their value; (B) The location of the use and any related buildings and structures provides adequate access for fire protection purposes; (C) The streets serving the proposed use are adequate to support traffic and the entrance into and egress from the ILUWMU development does not result in undue traffic hazard or congestion; (D) The lot on which the ILUWMU development is to be constructed is of sufficient size and dimensions to permit conduct of the proposed residential and commercial uses and construction and maintenance of buildings, structures, and facilities, including sanitary facilities, in a manner that will not be detrimental to the neighborhood or adjacent lots; and (E) The architectural design and style of all buildings and other structures to be erected on the lot will not conflict with the architectural design and style of adjacent properties.
- 5.1.3.16.12 ILUWMU developments specifically approved by the Planning and Zoning Commission after a Public Hearing, shall be permitted subject to conditions and safeguards as the Commission deems appropriate, including such conditions necessary for the protection of the public health, safety, and welfare with consideration being given to the site and adjacent uses and neighbors, to the proposed site planning and landscaping including buffers, to its accessibility of public transportation, to the close proximity of churches, medical facilities and other commercial, educational, and recreational activities.
- 5.1.3.16.13 **AFFORDABLE HOUSING IN ILUWMU DEVELOPMENTS.**
A minimum of ten percent (10%) of the residential dwelling units in any ILUWMU development must be deed restricted as affordable units in accordance with the provisions of Connecticut General Statutes Section 8-30g. A residential dwelling unit that is restricted in price so as to be affordable to households earning no more than eighty percent (80%) of the area median household income as calculated by the U.S. Department of Housing and Urban Development (HUD). The deed restrictions shall be for a minimum of forty (40) years. All Affordable housing dwelling units shall be constructed of a similar quality as market rate dwelling units within the ILUWMU. In conjunction with an application for Site Plan approval, the applicant shall submit an "Affordability Plan" for the

ILUWMU development. The Affordability Plan shall describe how the regulations governing the affordability of the Affordable units will be administered. The Affordability Plan shall include provisions regarding notice of availability of the Affordable residential dwelling units, procedures, procedures for verification and periodic confirmation of household income, and compliance with other affordability requirements.

5.1.3.16.14 Unless otherwise specified above, conformance with all requirements of the IL-30 District and all other applicable provisions of the Zoning Regulations is required.

5.1.3.16.15 ADAPTIVE REUSE TO ILUWMU DEVELOPMENTS. In recognition of the environmental and historical benefits of preserving existing buildings located on site in the IL-30 District, an existing building contained therein may be converted to use as an ILUWMU Development in accordance with this Regulation subject to the following allowances and conditions:

The bulk standards contained in Section 5.1.3.16.1 shall apply, however the following reductions shall be permitted:

Minimum Lot Area, Sq. Feet	40,000
Minimum Lot Width, Feet	100

The Commission may reduce the width of the buffer strips required in Section 5.1.3.9 based on the location of an existing building to the side and rear lot lines and the extent that buffering in said locations is required in particular areas to protect the residents of an ILUWMU development from existing neighboring buildings and uses, if any.

The Commission may reduce the percentage of Affordable units and the total amount of square footage of non-residential/commercial uses required on the first floor in an Adaptive Reuse ILUWMU development based on the total number of residential dwelling units proposed and the impact of the affordability and non-residential use requirement upon the viability of achieving the environmental and historical benefits of preserving the existing buildings for adaptive reuse as an ILUWMU development.

The Commission shall make a determination that the existing building and its environs and surrounding uses will be suitable for ILUWMU conversion and the conversion will not adversely impact the character of the neighboring environs.

sharepoint/durante/ILUWMU.amendment.revised.5.5.14

Referral 2.7: Town of Wallingford

Subject:

Proposed Zoning Regulation Amendments pertaining to Mobile Food Vendors

Staff Recommendation:

The Proposed Zoning Regulation Amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Wallingford has added the following terms to Section 2.2 (Definitions): Mobile Food Vendor and Temporary. Mobile Food Vendors are permitted by right in the following residential zones: R, RU, CLB, and YL B Districts if the certain conditions are met. The conditions are that it will not be located/parked on a property for more than ten consecutive days and will not be parked on a property for more than twenty days in any 365 day period.

Mobile Food Vendors are permitted by right in the following commercial zones: CA, CB, I-20, I-40, IX, I-5, DD, RF-40 and T-30 Districts if certain conditions are met. The conditions are that it will not be located/parked on a property for more than twenty days in any 365 day period or is not located on the same property for more than four hours in any twenty four hour period.

In the commercial zones listed above, excluding the T-30 District, there are additional conditions listed under a zoning permit for Mobile Food Vendor is required. The specific conditions can be reviewed in the background materials of the Agenda Packet.

Communication:

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

City of Wallingford
Department of Planning and Zoning
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of pages in this transmission (including
cover sheet): 6

Sent by: Wallingford P&Z
(name of individual)

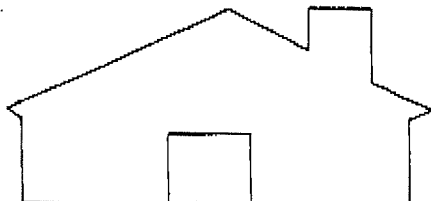
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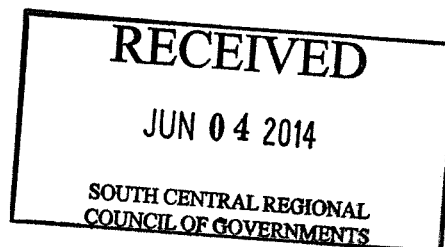
Institution: SCRCOG

Dept: Attn:

Individual: Eugene L



Comments:



**WALLINGFORD PLANNING AND ZONING COMMISSION
INTER TOWN/CITY AGENCY REFERRAL
NOTICE OF PROPOSED DEVELOPMENT
REGULATION AMENDMENT**

APPLICATION: #903-14

DATE OF SUBMISSION:

DATE OF RECEIPT: May 12, 2014

SCHEDULED MEETING: June 9, 2014

**NAME & APPLICATION OF PROPOSED DEVELOPMENT: Planning & Zoning
Commission/Mobile Food Vendors/Townwide**

LOCATION:

Proposed Zoning Regulation Amendment #903-14
Mobile Food Vendors

5/28/14

Add to Section 2.2 (Definitions):

- **Mobile Food Vendor** – Any vehicle- or conveyance-mounted unit, used to store, prepare, display, or serve food and/or beverages intended for individual portion service and/or available for immediate consumption, sited in a temporary location, and open to the general public.
- **Temporary** – Lasting for only a limited period of time, as further defined in these Regulations

Permitted By Right – Residential Zones

- Add Sections: 4.1.G (R District), 4.2.H (RU District), 4.4.(A).G (CLB District), 4.4.(B).G (YLB District) as follows:

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

- I. **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

Permitted By Right – Commercial Zones

- Add Sections: 4.5.G (CA District), 4.6.H (CB District), 4.8.H (I-20 and I-40), 4.9.H (IX District), 4.10.J (I-5 District), 4.11.G (DD District), 4.16.G (RF-40 District), 4.22.G (T-30 District) as follows:

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

- I. **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 24-hour period

Requires Zoning Permit – Commercial Zones

- Add Sections: 4.5.F.2 (CA District), 4.6.G.2 (CB District), 4.8.G.2 (I-20 and I-40 Districts), 4.9.G.2 (IX District), 4.10.F.2 (I-5 District), 4.11.F.2 (DD District), 4.16.G.1 (RF-40 District) as follows:

The following uses are permitted subject to a Zoning Permit:

- I. **Mobile Food Vendor**, subject to the following:
 - a. Must be removed from the permitted location for at least four (4) hours in any 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 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 Section 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.*