

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

**RPC
Representatives**

Bethany:
Michael Calhoun

Branford:
Charles Andres

East Haven:
Vacant

Guilford:
Vacant

Hamden:
Ryszard Szczepk

Madison:
Christopher Traugh

Meriden:
David White

Milford:
Benjamin Gettinger

New Haven:
Kevin DiAdamo
(Chair)

North Branford:
Douglas Combs
(Vice-Chair)

North Haven:
James Giuliatti
(Secretary)

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, July 10, 2014 RPC Meeting, 5:15pm @ SCRCOG Offices: 127 Washington Avenue, North Haven, CT 06473

1. Administration

1.1. Minutes of the June 12, 2014 RPC Meeting **1**

2. July Action Items

2.1. Town of Berlin: Proposed Zoning Regulation Amendments. Submitted by: Town of Berlin. Received: June 5, 2014. Public Hearing: July 24, 2014. **3**

2.2. Town Wallingford: Proposed Zoning Regulation Amendment to Section 4.2.F.3. Submitted by: Private Applicant. Received: June 9, 2014. Public Hearing: July 14, 2014. **9**

2.3. Town of Stratford: Proposed Zoning Regulation Amendments pertaining to Regulations Relating to the Location of Places for Medical Marijuana and Production Facilities. Submitted by: Town of Stratford. Received: June 11, 2014. Public Hearing: August 26, 2014. **13**

2.4. Town of Bethany: Proposed Zoning Regulation Amendment to repeal Section 9A (Housing Opportunity Development). Submitted by: Town of Bethany. Received: June 17, 2014. Public Hearing: August 6, 2014. **20**

2.5. Town of Madison: Proposed Zoning Regulation Amendment pertaining to the moratorium on Medical Marijuana Dispensaries and Producers. Submitted by: Town of Madison. Received: June 18, 2014. Public Hearing: July 17, 2014. **26**

2.6. Town of Southington: Proposed Zoning Regulation Amendments pertaining to internally illuminated signs and temporary A-Frame signs. Submitted by: Town of Southington. Received: June 18, 2014. Public Hearing: July 15, 2014. **30**

2.7. Town of Southington: Proposed Zoning Regulation Amendments to Sections 12-01.F and J. Submitted by: Private Applicant. Received: June 24, 2014. Public Hearing: July 15, 2014. **37**

2.8. City of West Haven: Proposed Zoning Regulation Amendments to Table 39.2, Summary Table of Uses in Commercial, Mixed Use, Industrial, and Other Districts. Submitted by: City of West Haven. Received: June 25, 2014. Public Hearing: July 8, 2014. **42**

3. Other Business

3.1 David Fink will discuss the HomeCT Program. Discussion will begin at 6:00 PM.

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, June 12, 2014 Meeting

Present: Kevin DiAdamo, Douglas Combs, Christopher Traugh, Peggy Rubens-Duhl, Christopher Suggs, Michael Calhoun, James Giulietti, David White, Charles Andres, Eugene Livshits

1 Administration

1.1 Minutes of the April 10, 2014 RPC meeting.

Motion to accept the minutes as presented: Christopher Traugh. Second: Michael Calhoun. Vote: Unanimous. Abstain: Peggy Rubens-Duhl.

2 Statutory Referrals

2.1 Town of Stratford: Proposed Zoning Regulation Amendments to modify the adopted moratorium on Medical Marijuana Facilities to include Methadone Clinics

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: Peggy Rubens-Duhl. Second: Christopher Traugh. Vote: Unanimous.

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

The referral was withdrawn from the Regional Planning Commission Agenda as the public hearing for the item had closed.

2.3 Town of Guilford: Proposed Zoning Regulation Amendments to Sections 4, 26 and 31.

The referral was withdrawn from the Regional Planning Commission Agenda as the item was being revised by the Town of Guilford.

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

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. Abstain: Douglas Combs

SOUTH CENTRAL CONNECTICUT
Regional Planning Commission

2.5 Town of Clinton: Proposed Zoning Regulation Amendments to Section 23

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.

2.6 Town of North Haven: Proposed Zoning Regulation Amendments to add Section 5.1.3.16 – IL Upper Washington Avenue Multi-Use Development Zone

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. Abstain: James Giulietti

2.7 Town of Wallingford: Proposed Zoning Regulation Amendments pertaining to Mobile Food Vendors

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: Peggy Rubens-Duhl. Second: Christopher Suggs. Vote: Unanimous.

Motion to Adjourn: Peggy Rubens-Duhl. Second: Christopher Suggs. Vote: Unanimous.

Referral 2.1: Town of Berlin

Subject:

Proposed Zoning Regulation Amendments pertaining to Housing for Elderly Persons

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 Berlin Housing Authority has proposed zoning text amendment to Section XI.Q – Housing for Elderly Persons. The amendments add the term “apartments” to “garden apartments” and “townhouses” as permitted uses. Dwelling units with two bedrooms are proposed to be permitted as long as it is not more than 50 percent of Elderly Housing Units. In addition a provision has been added which states that rooms with closets shall be construed to be bedrooms. The minimum lot area for each two bedroom unit would be a minimum of 3,800 square feet. The rear and side setback have been increased to 20 feet from 15 feet, the height has been increased to 40 feet from 20 feet and off-street parking has been increased from .5 to 1.25 spaces for each dwelling unit.

Communication:

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



TOWN OF BERLIN

Housing Authority

TOWN OF BERLIN

250 KENSINGTON RD • KENSINGTON, CONNECTICUT 06037-2621
(860) 828-4500 • FAX (860) 828-7574

2014 MAY -8 A 9 05

May 6, 2014

Mr. Bruce Moore
Chairman
Berlin Planning and Zoning Commission.
240 Kensington Road
Berlin, Connecticut 06037

RECEIVED

JUN 05 2014

SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS

RE: The Berlin Housing Authority Affordable Senior Development
143 Percival Avenue
Berlin, Connecticut 06037

Dear Bruce,

This letter is our formal request for a "text amendment" of "Section Q for Elderly Housing Persons" in part of the Town of Berlin Zoning Regulations.

See attachment:

"Proposed Zoning regulation Changes."

Section Q for Elderly Persons

Dated May 6, 2014.

Thank you,

Joe Bajorski

Chairman Berlin Housing Authority



"We are pledged to the letter and spirit of United States Government policy for the achievement of equal housing opportunity throughout the nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtain housing because of race, color, religion, sex, handicap, familial status, marital status or national origin."

TOWN OF BERLIN

2014 MAY -8 A 9 05

Proposed Zoning Regulations Changes

DATE: May 6, 2014

PROJECT: BERLIN HOUSING AUTHORITY
Berlin, Connecticut

Section Q Housing for Elderly persons.

The purpose of this section is to promote the public health, safety and general welfare of the community by providing decent, safe and sanitary housing units for elderly persons as defined in the G.S. 8-113a(m) at reasonable rents, to insure housing facilities specially adapted for elderly persons as a public using in the public interest, and to allow housing for elderly persons within the town in accordance with the appropriate standards, conditions and safeguards as hereinafter set forth in this section. In order to afford under G.S 8-12a et seq. (chapter 128, part VI) housing for elderly where permitted as in municipal use shall be subject to site plan and special permit approvals by the commission in accordance with the requirements of sections XII and XIII, subject to the following standards, conditions, and safeguards set forth below.

Permitted uses. Construction of residential dwelling units for the elderly under this section shall be permitted for detached dwellings, semidetached dwelling and attached dwellings such as *apartments*, garden apartments and townhouses, but not for hotels, motels,

rooming houses, boarding houses, and lodging houses or tourist homes. No elderly housing unit shall have more than ~~one~~ **two** bedrooms and not more than ~~20~~ **50** percent of elderly housing units shall be 2 bedroom units. ~~The balance of 80 percent of the elderly housing units, shall be efficiency apartments. Libraries, dens, dining rooms, studios or other similar separate rooms in any dwelling unit shall be construed to be bedroom.~~ **Rooms with closets shall be construed to be bedrooms.**

Accessory Uses. Necessary accessory buildings, structures, and uses inclining community buildings, facilities for maintenance, administration, off street parking, storage facilities, and those facilities necessary to operate the utility systems serving the development may be permitted.

Location. All residential buildings shall be connected to public sewer, and public water. All sites shall have access to an improved public road.

Site area. Each site shall have a minimum lot area of four acres. For each efficiency unit, the lot area shall be not less than 2,800 square feet, for each one-bedroom unit the lot area shall be not less than 3,200 square feet, ***for each two bedroom unit the lot area shall be not less than 3,800 square feet.*** And for each accessory building the lot area shall not be less than 5000 square feet.

Setbacks. Setbacks for buildings and other structures shall be at least 50 feet from front and rear. Property lines. Rear and side yards shall be not less than ~~15~~ **20** feet.

TOWN OF BERLIN

2019 MAY -8 A 9:05

Height. The maximum building height shall be ~~20~~ **40** feet or ~~1.5~~ **3** stories, whichever is less.

Our Building height is currently 35' measured from the finished first floor.

Under Definitions,

HEIGHT: Structure height, the vertical distance from the mean *average* ground level (finished grade) of the highest structure face to the highest point on the structure, *excluding architectural screening elements for mechanical equipment, chimneys, and decorative cupolas.*

Dwelling Unit Design. Each dwelling unit shall be designed and constructed to provide necessary features that contribute to the safety, convenience and aid to the residents.

Recreation Area. Suitably equipped and adequately maintained recreation and open space shall be provided. A minimum of 150 square feet of usable open space shall be provided per dwelling unit. Recreation areas shall be well designed to impart a sense of containment, or security and to provide group privacy.

Landscaping and screening. All buildings, structures and off-street parking areas shall be adequately screened from adjoining streets and properties with suitable landscaping, and or walls or fencing.

Off Street Parking. There shall be provided at least ~~0.5~~ **1.25** parking spaces for each dwelling unit.

- a) Walks, ramps and driveways shall be designed to prevent slipping or stumbling. Handrails and ample places for rest shall be provided. Gradients of walks shall not exceed five percent. .
- b) All parking areas and active recreation areas shall not be less than 10 feet from any building or 30 feet from any front lot line and ten feet from any rear and side lot lines. Open parking areas, including access ways and driveways, shall be paved with hard-tip surface upon a suitable sub-grade in accordance with town standards. The pavement area shall be adequately drained so as to prevent excessive accumulation of water, snow and ice.
- c) There shall be provided a safe and convenient system of drives, service access roads, and walks, designed with such items as handrails and ramps. Such facilities shall be adequately lighted.

Refuse Areas. Refuse ***and recycling*** areas shall be established and conveniently located for all units. The collection areas shall be screened and supplied with covered receptacles.

cc: George Catrambone, Mathew White.

~~Word~~ Proposed verbiage to be omitted
Word Proposed verbiage to be added

TOWN OF BERLIN
2014 MAY -8 A 9 05

Referral 2.2: Town of Wallingford

Subject:

Proposed Zoning Regulation Amendment pertaining to keeping of dwarf/pygmy goats in RU zones

Staff Recommendation:

The proposed zoning regulation amendment needs further clarification as to what would be considered an adequate shelter and physical structure, specifically the reasoning for including leash/chain (under physical structure).

Background:

A private applicant in the Town of Wallingford has proposed a Zoning Amendment to Section 4.2.F.3. The amendment would allow the keeping of up to 4 goats (dwarf/pygmy) as pets or yard maintenance purposes. There is also a provision to keep 4 “kids” up to 8 weeks in age. The property must be a minimum of 40,000 square feet. Additional conditions include adequate shelter from weather and predators, minimum 20 foot distance from any property line, and 150 feet from the street line. The goats must be contained by a physical structure. This would only be allowed in the RU Zone.

Communication:

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

City of Wallingford
Department of Planning and Zoning
1 Hall - Room G40
South Main Street
Wallingford, CT 06492

<: 203-294-2095

Office Phone: 203-294-2090

of pages in this transmission (including
cover sheet): 3

Sent by: Wallingford Pa3
(Name of individual)

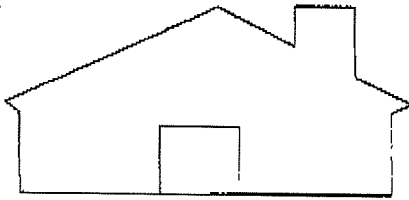
Date/Time Sent: _____

Sent to Fax# (203) 234-9850

Institution: SCRCOG

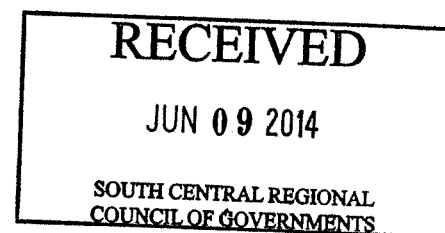
Dept: Attn:

Individual: Eugene L.



Comments:

*Eugene -
The Original has been sent Via USPS.*



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

APPLICATION: #501-14

DATE OF SUBMISSION: June 6, 2014

DATE OF RECEIPT: June 9, 2014

SCHEDULED MEETING: July 14, 2014

**NAME & APPLICATION OF PROPOSED DEVELOPMENT: Zoning Regulation
Amendment(keeping of dwarf/pygmy goats in RU zones)/J. Cavallaro/Section 4.2.F.3**

LOCATION: Rural Residential Zones (townwide)

RECEIVED

JUN 06 2014

WALLINGFORD
PLANNING & ZONING

APPLICATION NO.:

501-14

APPLICATION FOR ZONING REGULATION CHANGE

NAME OF APPLICANT: Julia CavallaroDATE: 6/6/14MAILING ADDRESS: 271 Pond Hill RdPHONE: (860) 882-4300Wallingford, Ct 06492

Section to be removed: _____

Proposed new section: 4.2.F.3 The Keeping of up to 4 (pygmy or dwarf breeds) goats, for use as pets and/or yard maintenance purposes.Subject to: 1. must be kept on a property a minimum of 40,000 sq.ft.2. an additional 4 kids up to 8 weeks in age are permitted. 3. Theremust be adequate shelter from weather and predators aminimum of 20 ft from any property line and 150 ft from the street line.4. Goats must be contained by physical structure (fence, leash/chain) to subject property.

(Attach additional sheet if necessary)

Julia Cavallaro
Applicant's Signature_____
Company Name (If applicable)

For Official Use Only: _____

Date Application Submitted: 6-6-14Filing Fee Paid: \$550-

Referral 2.3: Town of Stratford

Subject:

Proposed Zoning Regulation Amendments pertaining to Regulations Relating to the Location of Places for Medical Marijuana and Production Facilities

Staff Recommendation:

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

Background:

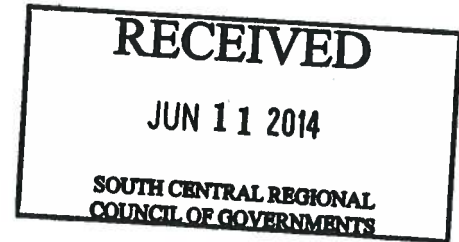
The Town of Stratford has proposed Zoning Regulation Amendments to Section 15 with a new Section pertaining to the location of places for medical marijuana and production facilities. The new Section which addresses the location includes definitions of the applicable terms, separation, sign, off-street parking and security requirements. The use would be permitted subject to Special Case approval in the LBB, CA, CF, CNC, MA and MB (dispensary facilities) and MA, MB (production facilities).

Communication:

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

June 10, 2014

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



Attention: Carl Amento Exec. Director

The following is referred to your Agency:

The Stratford Zoning Commission proposes to amend Section 15 of the Zoning Regulations by creating a New Section entitled "Regulations Relating to the Location of Places for Medical Marijuana and Production Facilities" as described in the attached regulations and narrative.

This application will be heard at a public hearing of the Zoning Commission to be held Tuesday evening, August 26, 2014 at 7:00 P.M. in the Council Chamber, Town Hall.

Regards,



GARY LORENTSON
Planning & Zoning Administrator
ZONING COMMISSION

GL/ej

**PROPOSED CHANGES TO
SECTION 15 OF THE ZONING REGULATIONS**

- 1) Renumber existing Section 15- Regulations Relating To The Location of Places for the Sale of Ale, Beer, Wine and Liquor to Section 15A and renumber sub-sections from 15.1 to 15A.1 etc. Any existing references in the Zoning Regulations referring to Section 15 shall be changed to Section 15A.
- 2) Add a new Section 15B entitled "Regulations Relating to the Location of Places for Medical Marijuana and Production Facilities.

NARRATIVE

In May 2012, Public Act # 12-55 went into effect that allows the palliative use of marijuana for medical purposes. Following that, the Department of Consumer Protection adopted regulations for the establishment of dispensaries and producers of medical marijuana. In January 2014, the Stratford Zoning Commission adopted a temporary moratorium concerning medical marijuana dispensaries and producers and has been working since then on crafting zoning regulations that define how and where these establishments may be located to best protect the health, safety and welfare of the citizens and businesses of the Town of Stratford. The Commission believes that the proposed regulations are consistent with the intent of Public Act # 12-55 while providing the necessary safeguards for Stratford residents and businesses.

Proposed: May 27, 2014

Hearing: August 26, 2014

Section 15B Regulations Relating to the Location of Places for Medical Marijuana and Production Facilities

Section 15B.1 Purpose

The palliative use of marijuana for medicinal purposes has been authorized by the Connecticut General Statutes and is regulated by the State Department of Consumer Protection. It is the intent of these zoning regulations to accommodate the production and dispensing of such medical marijuana, with appropriate Limitations to acceptable locations, conditions and standards applicable within the Town of Stratford. The purpose of this Paragraph is to regulate the location and operation of medical marijuana dispensary facilities and production facilities in such a manner as to minimize any adverse impacts of such facilities, and to protect and preserve Stratford's residential neighborhoods, commercial districts, property values and quality of life. Such limitations are in addition to all applicable requirements, criteria and standards set forth for the use in the State Statutes. In determining whether or not an application would comply with the stated purpose of this section, the Commission shall take into consideration the proximity of the premises to residential areas, churches, temples or other places used primarily for religious worship, schools, playgrounds, parks, public or private recreation areas, child day care facilities or any place primarily frequented by minors. This review is necessary to determine the effect that an approval may have on the immediate or general neighborhood or the community.

Section 15B.2 Definitions

For purposes of this Paragraph of the Regulations, the terms "Dispensary Facility" and "Production facility" shall mean as described in the Statutes, which currently define them as follows:

- A. "Dispensary facility"** means a place of business where medical marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit under Public Act 12-155 and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies.
- B. "Production facility"** means a secure, indoor facility where the production of medical marijuana occurs and that is operated by a person to whom the Connecticut Department of Consumer Protection has issued a production facility permit under Public Act 12-155 and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies.

Section 15B.3 Applicability

- A. Medical marijuana dispensary facilities shall be permitted only in the following zoning districts, subject to Special Case approval in accordance with Section 20 of these regulations, and the requirements of this section:

LBB, CA, CF as allowed under Section 7.5.1.4.2, CNC, MA and MB.

- B. Medical marijuana production facilities shall be permitted only in the following zoning district, subject to Special Case approval in accordance with Section 20 of these regulations, and the requirements of this section:

MA, MB

Section 15B.4 Separation Requirements

Uses identified in this section shall be subject to the following separation requirements:

- A. No medical marijuana dispensary or production facility shall be permitted on a site that is less than 1,000 feet from any other site containing a medical marijuana dispensary or production facility measured by taking the nearest straight line between the respective lot boundaries of each site.
- B. No medical marijuana dispensary or production facility shall be permitted within the same building structure or portion thereof that is used for residential purposes.

Section 15B.5 Signage

Exterior signage shall be restricted to a single sign no larger than 24" X 36". No graphics of any kind will be allowed, and the text will be limited to the street address of the facility and/or any such other information as may be mandated by the State of Connecticut.

Section 15B.6 Off-Street Parking Requirements

Required off-street parking shall be in compliance with Section 12 of these Regulations.

Section 15B.7 Security Requirements:

All medical marijuana dispensary facilities and production facilities shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana, utilizing commercial grade equipment meeting at least the minimum requirements of Sec. 21a-408-62 of the State of Connecticut Regulations.

Section 15B.8 Conditional Approval

- A. A Special Case application shall be approved with the condition that the applicant obtains the appropriate Dispensary or Production Facility permit issued by the State of Connecticut Department of Consumer Protection (or other State agency as regulatory changes occur).
- B. The conditional approval shall become automatically finalized upon the receipt by Zoning Commission of a copy of the appropriate permit (s) issued by the Department of Consumer Protection.
- C. If the applicant fails to provide the Zoning Commission with a copy of the required permit(s) from the Department of Consumer Protection within six (6) months of the date of the Commission's conditional approval, such conditional approval shall automatically expire without further action by the Commission.

A six (6) month extension of such conditional approval shall be granted to the applicant upon written notification to the Zoning Commission that an application for a Department of Consumer Protection permit has been filed, indicating the expected decision date of the Department of Consumer Protection on said permit.

Referral 2.4: Town of Bethany

Subject: Proposed Zoning Regulation Amendment to repeal Section 9A (Housing Opportunity Development)

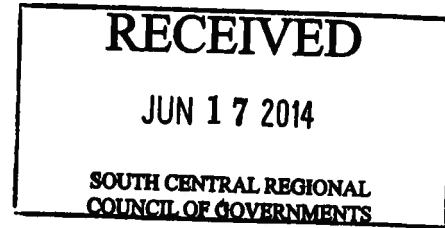
Staff Recommendation: The Proposed Zoning Regulation Amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Bethany has proposed to repeal Section 9A-Housing Opportunity District. The Section has been included in the Agenda Packet.

Communication:

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



June 17, 2014

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

Attention: Mr. Carl J. Amento, Executive Director

Dear Mr. Amento:

Pursuant to Section 8.3.b. of the Connecticut General Statutes, this letter is to serve as notification that the Bethany Planning and Zoning Commission will hold a public hearing in the Commission Room of the Bethany Town Hall, 40 Peck Road on Wednesday, August 6, 2014, beginning at 7:15 p.m. pertaining to the following amendment to the Zoning Regulations proposed by the Bethany Planning and Zoning Commission:

- Repeal Section 9A – Housing Opportunity Development of the Bethany Zoning Regulations. (see attached)

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

Respectfully submitted,

Antonia R. Marek, Clerk
For the Planning and Zoning Commission

cc: E. Livshits

Attachment

SECTION 9A – Housing Opportunity Development

9A.1 Statement of Purpose:

- A. It is in the interest of the health and welfare of the residents of the Town of Bethany to provide a range or variety of housing opportunities for its senior citizens while maintaining Bethany's rural character. The following regulations are designed to permit development of housing for the elderly which provides for:
 - 1. The special physical needs of senior citizens in convenient locations with safe access, especially for emergency vehicles; and
 - 2. Site design and housing density compatible with Bethany's rural residential character; and
 - 3. On-site utilities which are adequate for long term use, including water supply and sewage disposal.
- A. Where applicable, these regulations are intended to comply with the requirements of the Connecticut General Statutes for the simultaneous provision of both elderly and affordable housing to Town residents.
- B. Where the term "affordable housing" appears in these Regulations, it shall be defined according to Section 8-30g(a) of the Connecticut General Statutes, as amended.

9A.2 Permitting Procedure

- A. All elderly housing developments shall be subject to site plan approval in accordance with Section 10 of the Bethany Zoning Regulations.
- B. Common interest communities, comprised of individual associations with no more than 16 units and governed by a master association with no more than 52 units, shall be a permitted use.
- C. These regulations are designed to encourage the development of housing opportunities for elderly residents of the Town and its planning region, consistent with soil types, terrain and infrastructure capacity.

9A.3 Residential Eligibility Requirements

Only households in which at least one person is over 55 years of age shall be eligible to purchase and occupy a senior housing unit.

9A.4 Building and Site Requirements

No property shall be considered for development as a Senior Housing Opportunity District unless it meets the following requirements:

- A. Property located at Meyers Road, comprised of two individual lots, totaling not less than 31 acres or more than 33 acres under common ownership at the time of application.
- B. Housing shall be attached single-family buildings containing not more than two (2) dwelling units, each of which has primary ground floor access to the outside and which are attached to each other by party walls without openings.
- C. The average number of dwelling units per acre of buildable land shall not exceed three (3).
- D. Each dwelling unit shall have not more than two (2) bedrooms.
- E. The architectural design, scale and mass of buildings and other structures, including among other elements the exterior building materials, roof lines and building

elevations, shall be residential in character so as to harmonize and be compatible with the neighborhood.

- F. Pitched-roof buildings with clapboard façade appearance shall be encouraged. Maximum building height shall be 35 feet with a maximum of 2.5 stories.
- G. No building shall extend in a continuous plane for more than 50 feet without a horizontal offset of at least two feet.
- H. Buildings shall be designed and located on the site so as to retain the existing topography and natural features of the lot.
- I. Buildings shall be located not less than 50 feet from the front, side and rear property lines.
- J. All dwelling units shall be constructed to comply with current ADA requirements.
- K. The shortest distance between any two residential buildings shall be not less than 15 feet.
- L. Minimum setbacks for structures from internal roadways shall be 20 feet.

9A.5 Requirements for Water, Sanitary and Utility Services and Other Construction Improvements

- A. All dwelling units shall be served by a subsurface sewage disposal system and water system approved by the Town Health Officer.
- B. Water storage supply for the purpose of fire suppression shall be provided subject to the approval of the Fire Marshal with advisory referral to the Volunteer Fire Department of the Town of Bethany. Said supply shall also include all necessary easements and shall meet all requirements for access, supply quantity and use.
- C. All electric, telephone, cable and other utility wires shall be installed underground where practical. The applicant shall provide adequate test hole information to determine the feasibility of underground utility wire installation.
- D. The applicant's engineer shall submit a comprehensive storm drainage site analysis and improvement plan showing no increase in the rate of runoff as well as an erosion and sedimentation control plan in accordance with all applicable sections of the Bethany Zoning Regulations.

9A.6 Parking and Safety Standards

- A. Parking shall be sufficient to accommodate the needs of the occupants. At least one parking space must be provided for each bedroom.
- B. Access drive design and construction shall be in conformance with design and construction requirements of the Town, providing the right of way remains at least 50 feet wide.

9A.7 Affordable Housing Requirements

The purpose of the Senior Housing Opportunity District is to facilitate a residential development containing both market-rate and price-restricted units that comply with Section 8-30g of the General Statutes. Such price-restricted are referred to herein as HOD Homes. The following requirements shall apply to HOD Homes:

- A. HOD Homes shall be of a construction quality that is comparable to market rate homes with the development. The final site plan and plan for administration of affordability rules shall identify the locations within the HOD Development of the HOD Homes.
- B. The HOD Homes shall be built on a *pro rata* basis as construction proceeds.

- C. Calculation of the maximum monthly payment for a HOD Home, so as to satisfy Connecticut General Statute Section 8-30g, shall utilize the median income data as published by the U.S. Department of Housing and Urban Development in effect on the day a purchase and sales agreement is executed by the parties.
- D. The maximum monthly payment that the owner of a HOD Home shall pay shall not be greater than the amount that will preserve such unit as “affordable housing” as that term is defined in Connecticut General Statute Section 8-30g, and shall include periodic mortgage payments, based on a commercially reasonable down payment for affordable housing buyers and prevailing interest rates at the time of sale; taxes; insurance; association fees; heat; and utility costs, including hot water and electricity, but excluding telephone and cable television.
- E. HOD Homes shall be occupied only as an owner’s principal residence. Renting of leasing of HOD Homes shall be prohibited.
- F. At the same time that the market-rate homes in a Housing Opportunity Development are first advertised to the general public, notice of availability of the HOD Homes shall be provided by advertising such availability in the real estate section of a newspaper of general circulation in the Town of Bethany, by providing notice to the Bethany Town Clerk and the Bethany Planning and Zoning Commission, and through the procedures outlined in the affirmative fair housing marketing plan.
- G. For one of every three HOD Homes which becomes available for initial sale, preference shall be given to applicants who are otherwise qualified and are employees of the Town of Bethany, Bethany Board of Education, or those who meet the criteria of “least likely to apply” as defined in Connecticut Agencies Regulations Section 8-37ee.
- H. Each deed for an HOD Home will contain substantially the following provision:
 This unit is sold as an “affordable” home as defined in Connecticut General Statute Section 8-30g, and is available only to persons or families whose income is at or below eighty percent (80%) or sixty percent (60%) as applicable, of the area median income for Bethany or the statewide median income, whichever is less, as determined by the U.S. Department of Housing and Urban Development. This development has been approved by agencies of the Town of Bethany based in part on the condition that a defined percentage of homes will be preserved as affordable housing homes. The restrictions related to affordability are required by law to be strictly enforced.
- I. The forty (40) year affordability period shall be calculated separately for each HOD Home in a Housing Opportunity Development, and the period shall begin on the date, as defined at closing, of occupancy of the home.
- J. In conjunction with an application for approval of a final site plan for a Housing Opportunity Development, the applicant shall submit an “Affordability Plan”, which shall describe how the regulations regarding affordability will be administered. The Plan shall include provisions for administration of and compliance with the provision of this section, notice procedures to the general public of the availability of affordable homes, identification of those homes which are to be designated affordable, procedures for verification of unit income, and compliance with affordability requirements. Such Plan shall also include drafts of documents that will

- be used in the administration of the affordability restrictions and any explanations which will be provided to the prospective owners concerning such restrictions.
- K. The applicant shall also submit an affirmative fair housing marketing plan to govern the sales of all HOD Homes at the time of final site plan approval.
 - L. A violation of the Regulations contained in this Section shall not result in a forfeiture or reversion of title, but the Bethany Planning and Zoning Commission or its designated agent shall otherwise retain all enforcement powers granted by the Connecticut General Statutes, including the authority under Section 8-12 to issue notices of violation, to impose fines, and to seek injunctive relief.

Referral 2.5: Town of Madison

Subject: Proposed Zoning Regulation Amendment pertaining to the moratorium on Medical Marijuana Dispensaries and Producers

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 Madison has proposed a Zoning Regulation Amendment to extend the moratorium on Medical Marijuana Dispensaries and Producers for 9 months. The existing moratorium is set to expire on July 11, 2014 and the extension will make it effective until April 24, 2015.

Communication:

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

RPC Referral Submission 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: June 18, 2014

Subject: Medical Marijuana Moratorium Extension

Applicant Name: Town of Madison Planning & Zoning Commission

Property Address (if applicable): _____

Town/City: Madison, CT

☐ Referral is from a private individual

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

Public Hearing Date: July 17, 2014

RECEIVED

JUN 18 2014

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

2.) Statutory Responsibility:

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

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

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

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

☐ Other: _____

3.) Process:

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

☒ Information on proposed change included

☒ Existing language included (if applicable)

4.) Preferred contact regarding this RPC referral:

Name: David Anderson, Town Planner

Telephone Number: 203-245-5633

E-mail Address: andersond@madisonct.org

Comments: _____

Questions: (203) 234-7555

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



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

TOWN OF MADISON
CONNECTICUT
LAND USE OFFICE

June 18, 2014

Eugene Livshits
Regional Planner
South Central Regional Council of Governments
127 Washington Avenue, 4th Floor West
North Haven, CT 06473

**RE: Regional Planning Commission Referral
Medical Marijuana Moratorium**

Dear Eugene,

The Madison Planning & Zoning Commission is holding a public hearing on July 17, 2014 regarding a nine-month extension for an existing moratorium. The current moratorium expires on July 11, 2014. The new moratorium language, as outlined below, will replace the existing language.

Section 2, General Requirements, Paragraph 2.20.3 Medical Marijuana Dispensaries and Producers:

The Madison Planning & Zoning Commission shall not accept or consider any application to permit the establishment of Medical Marijuana Producers and Dispensary Facilities for a period of nine (9) months commencing from the effective date of July 25, 2014. The reason for this moratorium is to allow the Planning & Zoning Commission to evaluate any impacts of the recently permitted producers and dispensary facilities throughout Connecticut and to draft and/or adopt municipal regulations regarding the production and distribution of medical marijuana within the Town of Madison. The expiration date of said Moratorium will be April 24, 2015.

Please contact me with any questions.

Sincerely,

David Anderson
Madison Town Planner

footprint, or uncovered decks. *(Approved 12/17/92; effective 4/1/93; amended 10/16/08; effective 11/10/08)*

- 2.18** No building permit shall be issued for any new construction, addition, or exterior alteration located

2.18.1 within any of the areas in which the use is permitted only by Special Exception; or

2.18.2 in any Commercial Districts in §6.

until the applicant shall have obtained a Special Exception Permit or Site Plan approval pursuant to the provisions of §4.2 through 4.8 or §29 respectively. *(Effective 10/14/86; modified effective 10/30/87)*

- 2.19** No addition or alteration of parking areas, or major alteration including removal of or addition to landscaping and/or buffer zone(s) shall be permitted in any of the Commercial Districts under Section 6 until such changes shall have been reviewed by the Advisory Committee on Community Appearance and approved by the Planning and Zoning Commission as required under §6.7 of these Regulations. *(Effective 10/30/87)*

MORATORIUM

- 2.20.1** The Madison Planning and Zoning Commission shall not accept or consider any application to permit assisted living, life care, congregate housing or similar type facilities for a period of six (6) months from the effective date of this section in order to allow the Commission to consider and evaluate the requirements for said use as may be consistent with the need to protect the public health, safety, convenience and property values, and then to enact specific regulations for said use. This prohibition shall specifically except age restricted housing where medical care and other supportive services for the elderly are not provided.

Approved January 18, 2001; Effective February 1, 2001; Expired August 31, 2001

- 2.20.2** The Madison Planning and Zoning Commission shall not accept or consider any applications to amend §4.1 of the Zoning Regulations to add new site specific special exception uses for a period of six (6) months from the effective date of this section in order to allow the Commission to consider and evaluate requirements for said site specific uses as may be consistent with the need to protect the public health, safety, convenience and property values, and then to enact specific regulations to govern said uses.

Approved January 16, 2003; Effective January 23, 2003; Extended for 6 months, July 17, 2003

Jan. 15, 2004 – Extended for one year to January 23, 2005

December 16, 2004 - Extended for twelve (12) months to January 23, 2006

- 2.20.3** The Madison Planning and Zoning Commission shall not accept or consider any application to permit the establishment of Medical Marijuana Producers and Dispensary Facilities for a period of nine (9) months commencing from the effective date of October 11, 2013. The reason for this moratorium is to allow the Planning & Zoning Commission to review the "State of Connecticut Regulation of the Department of Consumer Protection concerning Palliative Use of Marijuana" and the associated application process for producers and dispensary facilities and to draft and/or adopt municipal regulations regarding the production and distribution of medical marijuana within the Town of Madison. The expiration date of said Moratorium will be July 11, 2014 unless extended by the Planning & Zoning Commission.

Approved October 3, 2013; Effective October 11, 2013.

Existing Language

Referral 2.6: Town of Southington

Subject:

Proposed Zoning Regulation Amendments pertaining to internally illuminated signs and temporary A-Frame signs

Staff Recommendation:

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

Background:

The Town of Southington has proposed Zoning Regulation Amendments pertaining to internally illuminated signs and temporary A-Frame signs. The amendment pertaining to internally illuminated signs is a six month moratorium to allow the Southington Planning and Zoning Commission to revise the existing sign regulations. During the six months, internally illuminated signs are not permitted in any zone. A definition for SIGN, portable (a.k.a “A-Frame Sign”) has been added and new section 13-14 with conditions related to Temporary A-Frame Signs has also been added. The section replaces an existing Section pertaining to Temporary A-Frame Signs which has expired.

Communication:

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

PLANNING AND ZONING DEPARTMENT

MUNICIPAL CENTER - 196 NORTH MAIN STREET
SOUTHINGTON, CONNECTICUT 06489

Phone: (860) 276-6248 - Fax: (860) 628-3511

Certified Mail: via email

June 23, 2014

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



RE: Proposed Zoning Regulation Amendments – Sec. 13-00.A (ZA #578) and Sec. 2-19 S and 13-14 (ZA #579)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text revision proposing to amend Sections 13-00.A (proposing a 6 month moratorium on Internally Illuminated signs) and Sections 2-19 S and 13-14 (temporary A-Frame signs) of the Town of Southington Zoning Regulations.

The Planning and Zoning Commission anticipates opening the public hearing on this item on July 15, 2014. The complete file is available for review in the Planning Department, the Town Clerk's office and on the web page. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,

A handwritten signature in black ink, appearing to be "R. Phillips", written over a horizontal line.

Robert A. Phillips, AICP
Director of Planning and Community Development

enclosures

RPC Referral Submission 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: 6/23/14

Subject: ZA # 578 and ZA # 579

Applicant Name: Town of Southington Planning + Zoning Comm

Property Address (if applicable): _____

Town/City: Southington

☐

Referral is from a private individual

☒

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

Public Hearing Date: 7/15/14

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:

☒

email
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: Robert A. Phillips, AICP

Telephone Number: 860-276-6248

E-mail Address: phillipsR@southington.org

Comments: _____

Questions: (203) 234-7555

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

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

2A # 578

Section 13-00.A – Internally Illuminated Signs – Such signs shall not be permitted in any zone until the Planning and Zoning Commission revises existing signage regulations or for a period of six months following the effective date of this moratorium, whichever is sooner.

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

2-19 S

SEDIMENT - Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

SHED - A structure, either free standing or attached to a larger structure, designed exclusively for the keeping and/or storage of items accessory to the principal use. Sheds shall be constructed of wood, metal or vinyl, and shall not exceed a height of one and one-half story. Sheds are not to be used for human habitation, the operation of a business, the sheltering of motor vehicles, or for the housing of animals.

SHOPPING CENTER, REGIONAL - An area originally planned and developed as a single unit, having a total ground floor building area of not less than 90,000 square feet, with immediate adjoining off-street parking facilities for not less than 300 automobiles.

SHOPPING CENTER, NEIGHBORHOOD - A complex of shopping facilities of less than 90,000 square feet catering to the shopping needs of the residents of the neighborhood.

SIGN - Any device for visual communication which is used for the purpose of bringing the subject thereof to the attention of the public. Furthermore, the word "sign" shall include any billboard, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of an announcement, direction advertisement or attraction.

SIGN, portable (a.k.a "A-Frame Sign") – A street graphic not permanently attached to the ground or a building or designed to be permanently attached to the ground or building. Does not include "wire-frame" temporary signs. Design standards shall be substantially similar to the material example available in the Planning Department with preference given to chalkboard, dry-erase, or wood.

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

[13-14 Temporary A-Frame Signs]

- a. *Shall be located in the Renaissance Zone or Plantsville Center or the Business Zone on the internal sidewalks*
- b. *Only one sign per property (to advertise a business). Properties with multiple businesses can have one sign per business*
- c. *Sign must be registered with ZEO prior to display with location sign is to be displayed indicated*
- d. *Must be taken in at night and during storm events*
- e. *Must be displayed perpendicular to the sidewalk*
- f. *There must be not less than a 4' unobstructed walkway at all times*
- g. *Fines for non-compliance may be levied per Town Ordinance*
- h. *Shall not have any illumination*
- i. *Shall not obstruct sight lines*
- j. *Signs shall not be larger than 24" x 48"*
- k. *Permit may be revoked for violation*
- l. *Use is for special sale, event or business promotion*
- m. *May be displayed up to 6 times for a 14 day period with a minimum of 14 days in between on an annual basis*
- n. *Administration fee in an amount to be determined by the Planning and Zoning Commission is due at time of registration*
- o. *This regulation as it pertains to A-frame signs along public roadway shall be for a pilot period for 6 months from date of enactment of the regulation. Without further action by the Commision, this subsection shall expire.]*

(section has expired)

13 -14 Temporary A-Frame Signs

Definition - Sign, portable (a.k.a. "A-Frame Sign") – A street graphic not permanently attached to the ground or a building or designed to be permanently attached to the ground or building. Does not include "wire-frame" temporary signs. Design standards shall be substantially similar to the material example available in the Planning Department with preference given to chalkboard, dry-erase, or wood.

- A. May be located in the Downtown Renaissance Area or Plantsville Center (CB and R-O zones) on internal sidewalks or town-owned walkways provided items C through K are met below.**
- B. May be located in the Business Zone on internal sidewalks only.**
- C. Only one sign per property (to advertise a business). Properties with multiple businesses can have one sign per business.**
- D. Shall not be larger than twenty-four (24) x forty-eight (48) inches and maintained in good working condition.**
- E. Shall be taken in at night and during storm events.**

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

- F. Shall be displayed perpendicular to the sidewalk.***
- G. Shall not obstruct greater than five (5) feet of walkway at all times.***
- H. Shall not be greater than ten (10) feet in distance to main entrance or that which is used by patrons on a regular basis.***
- I. Shall not be illuminated in any way.***
- J. Shall not obstruct any vehicular or pedestrian sight lines.***
- K. Shall only be used for special sale, event or business promotion.***
- L. Fines for non-compliance may be levied per Town Ordinance.***

Referral 2.7: Town of Southington

Subject:

Proposed Zoning Regulation Amendments to Sections 12-01.F and J

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 Southington has proposed Zoning Regulation Amendments pertaining to parking for business office and financial institutions and medical or dental offices excluding home occupations.

For business offices and financial institutions, the parking requirement is proposed to be 1 space for each 300 square feet of net floor area. Existing regulations require 1 space for 200 square feet of net floor area. The proposed parking requirement for medical or dental offices is 1 space for 200 square feet of net floor area; the existing requirement is 150 square feet of net floor area.

Communication:

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

PLANNING AND ZONING DEPARTMENT

MUNICIPAL CENTER - 196 NORTH MAIN STREET
SOUTHINGTON, CONNECTICUT 06489

Phone: (860) 276-6248 - Fax: (860) 628-3511

Certified Mail: via email

June 24, 2014

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

RECEIVED

JUN 24 2014

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

RE: Proposed Zoning Regulation Amendment – Sections 12-01.1 F and J

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text revision to amend Sections 12-01.1 F and J of the Town of Southington Zoning Regulations.

The Planning and Zoning Commission anticipates opening the public hearing on this item on July 15, 2014. The complete file is available for review in the Planning Department, the Town Clerk's office and on the web page. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,


Robert A. Phillips, AICP
Director of Planning and Community Development

enclosures

I:\Planning and Zoning\regs folder\revisions\ZA #580\referral letter.doc

Please mail to:

RPC Referral Submission Form

South Central CT Regional Planning Commission

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

1.) General Information:

Date Sent: 6/24/14

Subject: ZA # 580

Applicant Name: The Casle Corporation

Property Address (if applicable): _____

Town/City: Southington

☐

Referral is from a private individual

☐

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

Public Hearing Date: 7/15/14

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 via email "~~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: Robert A Phillips, AICP

Telephone Number: 860-276-6248

E-mail Address: Phillipsr@southington.org

Comments: _____

Questions: (203) 234-7555

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

pd
6/24/14
260° ok # 884

PLANNING AND ZONING DEPARTMENT

P.O. BOX 610 SOUTHTON, CONNECTICUT 06489 (860) 276-6248



FEE: See fee schedule

Z.A. # 580

PETITION TO ENACT A ZONING REGULATION AMENDMENT OF TEXT

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

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

Section 12-01.1 (F)

For business offices and financial institutions, 1 parking space for each ~~200~~ 300 square feet of net floor area.

Section 12-01.1 (J)

For medical or dental offices, excluding home occupations, 1 parking space for each ~~150~~ 200 square feet of net floor area

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

Reason for desired amendment: To better align parking regulations/requirements with current ITE standards

Date: 6/24/2014

Signature of petitioner:

Print name:

LARDA, P.C. Land Planners for The CABLE Corporation

Mailing address:

104 West Street 200 Fishers Drive
Simsbury, CT 06070 Avon, CT 06001

Telephone:

860 651 4971 860 674 9000

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

12-01.1 NUMBER OF PARKING SPACES REQUIRED

- F. For business offices and financial institutions, 1 parking space for each ~~[200]~~ **300** square feet of net floor area. Net floor area means the gross floor area of a building minus areas used for vents, shafts, attics, basements used for storage only, hallways, stairways, foyers and other similar common areas. The applicant shall provide pertinent floor area usage calculations on the site plan and building plans.
- J. For medical or dental offices, excluding home occupations, 1 parking space for each ~~[150]~~ **200** square feet of net floor area. Net floor area means the gross floor area of a building minus areas used for vents, shafts, attics, basements used for storage only, hallways, stairways, foyers and other similar common areas. The applicant shall provide pertinent floor area usage calculations on the site plan and building plans.

Referral 2.8: City of West Haven

Subject:

Proposed Zoning Regulation Amendments to Table 39.2, Summary Table of Uses in Commercial, Mixed Use, Industrial, and Other Districts

Staff Recommendation:

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

Background:

The City of West Haven has proposed Zoning Regulation Amendments to allow the use “Regional Shopping Center” in the Waterfront Design District (WD) as of right. The use was previously prohibited in the WD District.

A regional shopper center is defined as “an area originally planned and developed as a single unit, having a total ground floor building area of not less than 50,000 square feet with immediate adjoining off-street parking facilities for not less than 200 automobiles.”

Communication:

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

RPC Referral Submission 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: 6/25/14

Subject: Zone Text Amendment

Applicant Name: City of West Haven

Property Address (if applicable): _____

Town/City: West Haven CT

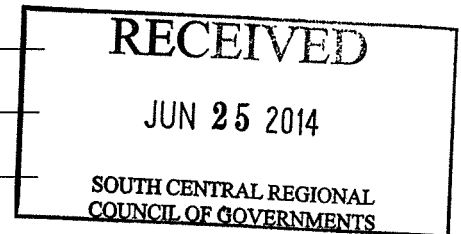
☐

Referral is from a private individual

☒

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

Public Hearing Date: 7/8/14



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: Rob Librandi

Telephone Number: (203) 937-3580

E-mail Address: rlibrandi@westhaven-ct.gov

Comments: Text Amendment of table 39.2 Section E

To allow a Regional Shopping Center in the (WD) zone Waterfront Design District as of right

Questions: (203) 234-7555

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

revised to: As of Right use

WEST HAVEN, CONNECTICUT ZONING REGULATION

TABLE 39.2 SUMMARY TABLE OF USES IN COMMERCIAL, MIXED USE, INDUSTRIAL & OTHER DISTRICTS

KEY	USE CATEGORY	Commercial		Mixed Use								1 Industrial		Other		
		NB	RB	RPD	RCPD	CBD	CD	SCR	SRR	WD	TOD	LM	IPD	OS	PF	PRD
A.	USES AS PERMITTED IN RESIDENCE DISTRICTS															
	<i>Single Family Dwellings:</i>															
	Detached	R	R	R	R	R	SP	X	R	SP	R	X	X	X	X	X
	Attached	SP	SP	SP	SP	R	SP	X	R	SP	R	X	X	X	X	X
	Dwellings Above Ground Floor Only	SP	R	X	X	R	X	X	X	X	X	X	X	X	X	X
	<i>Accessory Apartments</i> in Single Family Detached Dwelling	SU	SU	X	X	X	X	X	X	X	X	X	X	X	X	X
	<i>Home Occupation</i>	X	X	R	R	R	R	X	SU	SP	R	X	X	X	X	X
	<i>Two and three family dwellings</i>	X	X	X	R	R	R	X	R	SP	R	X	X	X	X	X
B.	<i>Multi-family dwellings</i>	X	X	X	SP	SP	X	X	R	SP	R	X	X	X	X	X
	Congregate Housing, Assisted Living	SP	SP	SP	SP	SP	SP	X	SP	X	X	X	X	X	X	X
	TRANSIENT LODGING															
	Bed & Breakfast or Tourist Home	X	X	X	X	SP	X	SP	SP	SP	SP	X	X	X	X	X
	<i>Rooming, Boarding, Lodging House</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	Hotels, Motels, Boatels or Inns	X	R	X	X	R	X	R	R	R	SP	X	X	X	X	R
	FOOD, DRINK & ENTERTAINMENT															
	Banquet Hall	SP	R	X	R	R	R	R	SP	R	SP	X	X	X	X	R
C.	Convention Center	SP	SP	SP	SP	R	SP	SP	SP	R	SP	X	X	X	X	R
	Liquor, Package Store, Grocery Beer	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	X	X	X
	Nightclubs, Taverns, Cafes or Bars	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	X	X	X
	Restaurant	R	R	R	R	R	R	R	R	R	R	R	R	X	X	R
	With Outdoor Seating ≤25% Total Seating	R	R	R	R	R	R	R	R	R	R	R	R	X	X	X
	With Drive-In or Drive-Thru Service	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	X	X	X
	PERSONAL SERVICES															
	Bank or Credit Union	R	R	R	R	R	R	R	R	R	R	R	R	X	X	R
D.	Barber and Beauty Shops	R	R	R	R	R	R	R	R	R	R	X	X	X	X	X
	Child Care Facilities	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	R
	Craft Shops (i.e. potter, woodworking, tailor)	R	R	R	R	R	R	R	R	R	R	X	X	X	X	X
	Flea Markets	SP	SP	SP	SP	X	SP	X	X	SP	X	SP	SP	X	X	X
	Funeral Parlors	R	R	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Laundry or Dry Cleaning Establishment	SP	SP	SP	SP	SP	SP	SP	X	SP	SP	SP	SP	X	X	X
	Massage Parlor	SP	SP	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Nail Salon *	SP	SP	X	X	SP	X	X	X	X	X	X	X	X	X	X
	<i>Pawn or Swap Shop</i> , Second hand, used, pre-owned goods dealer	X	SP	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Consignment Shop for Clothing, Furniture and Sporting Goods	SP	SP	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Pet Shop/Grooming Facility (non-boarding)	SP	SP	SP	SP	SP	SP	SP	SP	X	SP	X	X	X	X	X
	COMMERCIAL															
	Neighborhood Shopping Area	X	R	X	R	R	R	R	R	R	X	X	X	X	X	X
	Regional Shopping Center	X	R	X	R	R	X	X	X	R	R	X	X	X	X	X
	Retail Store, Shop or Boutique	R	R	X	R	R	R	R	R	R	R	R	R	X	X	X
	Small Appliance, TV, Repair Shops, etc.	R	R	X	R	R	R	R	R	R	R	R	R	X	X	X
	Temporary Vending Stand or Cart	A	A	X	A	A	A	A	A	A	A	A	A	A	A	X
F.	EDUCATION															
	Public or Private Elementary or Secondary School,	SP	SP	SP	SP	SP	SP	SP	X	X	X	SP	X	X	SP	X
	University or College including related facility (dorm, sports complex, etc.)	SP	SP	SP	SP	SP	SP	SP	X	X	X	SP	X	X	SP	R
	Trade School	X	X	X	X	R	X	X	X	X	X	SP	SP	X	X	X

Existing Regulation

WEST HAVEN, CONNECTICUT ZONING REGULATION

TABLE 39.2 SUMMARY TABLE OF USES IN COMMERCIAL, MIXED USE, INDUSTRIAL & OTHER DISTRICTS

KEY	USE CATEGORY	Commercial		Mixed Use								Industrial		Other		
		RD	RD	RPD	RPD	CRD	G	SGR	SR	IND	TOD	LM	IND	OS	PL	PRD
A.	USES AS PERMITTED IN RESIDENCE DISTRICTS															
	Single Family Dwellings:															
	Detached	R	R	R	R	R	SP	X	R	SP	R	X	X	X	X	X
	Attached	SP	SP	SP	SP	R	SP	X	R	SP	R	X	X	X	X	X
	Dwellings Above Ground Floor Only	SP	R	X	X	R	X	X	X	X	X	X	X	X	X	X
	Accessory Apartments in Single Family Detached Dwelling	SU	SU	X	X	X	X	X	X	X	X	X	X	X	X	X
	Home Occupation	X	X	R	R	R	R	X	SU	SP	R	X	X	X	X	X
B.	Transient Lodging															
	Bed & Breakfast or Tourist Home	X	X	X	X	SP	X	SP	SP	SP	SP	X	X	X	X	X
	Rooming, Boarding, Lodging House	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	Hotels, Motels, Boatels or Inns	X	R	X	X	R	X	R	R	R	SP	X	X	X	X	R
C.	FOOD, DRINK & ENTERTAINMENT															
	Banquet Hall	SP	R	X	R	R	R	R	SP	R	SP	X	X	X	X	R
	Convention Center	SP	SP	SP	SP	R	SP	SP	SP	R	SP	X	X	X	X	R
	Liquor, Package Store, Grocery Beer	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	X	X	X
	Nightclubs, Taverns, Cafes or Bars	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	X	X	X
	Restaurant	R	R	R	R	R	R	R	R	R	R	R	R	X	X	R
D.	PERSONAL SERVICES															
	Bank or Credit Union	R	R	R	R	R	R	R	R	R	R	R	R	X	X	R
	Barber and Beauty Shops	R	R	R	R	R	R	R	R	R	R	X	X	X	X	X
	Child Care Facilities	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X	R
	Craft Shops (i.e. potter, woodworking, tailor)	R	R	R	R	R	R	R	R	R	R	X	X	X	X	X
	Flea Markets	SP	SP	SP	SP	X	SP	X	X	SP	X	SP	SP	X	X	X
	Funeral Parlor	R	R	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Laundry or Dry Cleaning Establishment	SP	SP	SP	SP	SP	SP	SP	X	SP	SP	SP	SP	X	X	X
	Massage Parlor	SP	SP	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Nail Salon *	SP	SP	X	X	SP	X	X	X	X	X	X	X	X	X	X
	Pawn or Swap Shop, Second hand, used, pre-owned goods dealer	X	SP	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
	Consignment Shop for Clothing, Furniture and Sporting Goods	SP	SP	SP	SP	X	SP	SP	X	X	X	X	X	X	X	X
E.	COMMERCIAL															
	Neighborhood Shopping Area	X	R	X	R	R	R	R	R	R	X	X	X	X	X	X
	Regional Shopping Center	X	R	X	R	R	X	X	X	X	R	X	X	X	X	X
	Retail Store, Shop or Boutique	R	R	X	R	R	R	R	R	R	R	R	R	X	X	X
	Small Appliance, TV, Repair Shops, etc.	R	R	X	R	R	R	R	R	R	R	R	R	X	X	X
	Temporary Vending Stand or Cart	A	A	X	A	A	A	A	A	A	A	A	A	A	A	X
F.	EDUCATION															
	Public Elementary or Secondary School,	SP	SP	SP	SP	SP	SP	SP	X	X	X	SP	X	X	SP	X
	University or College including related facility (dorm, sports complex, etc.)	SP	SP	SP	SP	SP	SP	SP	X	X	X	SP	X	X	SP	R
	Trade School	X	X	X	X	R	X	X	X	X	X	SP	SP	X	X	X



CITY OF WEST HAVEN, CONNECTICUT

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APPLICATION FOR CHANGE TO ZONING REGULATIONS

1. Article and Section of Zoning Regulations

Table 39.2; Summary Table of Uses in Commerical, Mixed Use, Industrial & Other Districts. Section E of the regulations.

2. What special condition or reason makes passage of this amendment necessary?

Applicant intends to include a Regional Shopping Center in the Water Design District as a matter of right considering the District is proximal to I-95 and the improvements and traffic upgrades thereto.

3. What other circumstances (i.e., public health, safety or general welfare) would justify the amendment?

This change will allow revitalization of an area that once contained many industrial/manufacturing facilities that are no longer in operation there.

4. Applicant Information

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Firm Planning & Development Dept.

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City West Haven State CT ZIP 06516

Dated: June 12, 2014

Daytime Phone:

☒ Business ☐ Home 203-937-3580

☐ Fax: ☐ Cell:

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Signature of APPLICANT
Joseph Riccio

5. Counsel Information

Name Vincent N. Amendola, Jr.

Firm City of West Haven, Corp. Counsel ☒ Business ☐ Home

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6. Provide Text of Proposed Change

To amend Table 39.2, Section E of the regulations, to permit a Regional Shopping Center in a Waterfront Design District as of right, which presently is not permitted.

Rev 4-30-11

2014 JUN 12 PM 1:33
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