To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Thursday, December 8, 2016 RPC Meeting at 5:15pm in the SCRCOG Offices:
127 Washington Avenue, North Haven, CT 06473

AGENDA

1. Administration

1.1. Minutes of the November 10, 2016 RPC Meeting

2. Action Items


3. Other Business

3.1. Annual Dinner

3.2. Nominating Committee
MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, November 10, 2016 Meeting

Present: James Giulietti, Kevin DiAdamo, Charles Andres, Robert Roscow, Fran Lescovich, Eugene Livshits

1 Administration

1.1 Minutes of the July 14, 2016 RPC meeting.

Motion to accept the minutes as presented: Charles Andres. Second: Kevin DiAdamo. Vote: Unanimous.

1.2 Minutes of the October 13, 2016

The October 13th meeting did not have a quorum and the minutes were presented for informational purposes.

2 Statutory Referrals

2.1 Town of Stratford: Proposed Zoning Regulation Amendments to Section 5.3.16 regarding the adaptive reuse of hotels

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.


2.2 Town of Stratford: Proposed Zoning Regulation Amendments to add Section 8.5 – Waterfront Redevelopment District, WR

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.


2.3 Town of North Haven: Proposed Zoning Regulation Amendments pertaining to Section 5.1.3.16 – IL Upper Washington Avenue Multi-Use (ILUWMU) Developments

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.


2.4 Town of Bethany: Proposed Zoning Regulation Amendment to create Section 7.3.1 – Special Exception for lighted signs in the Business and Industrial Zone.

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


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.


2.6 **Town of East Haven: Proposed Zoning Regulation Amendments to Schedule A: Line #46 to allow veterinary hospital use in Commercial A Districts**

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


2.7 **City of Derby: Proposed Zoning Regulation Amendment to Section 195-17D –Industrial Zone 1, to allow Personal Services as an allowed use**

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


2.8 **City of New Haven: Proposed Zoning Regulation Amendments to Zoning Ordinance Text of Article I Definitions; Article III Residence Districts Section 16 RH-2 Districts: General High Density; Article V, Section 42.0 (Table 3: Use Table), Section 43.0 (Bulk and Yard regulations for business and industrial districts), and Section 45.0 (Regulations for parking, loading, and automotive and drive-in establishments)**

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 to add the Town of Wallingford Referral to RPC Agenda: Charles Andres. Second: Kevin DiAdamo. Vote: Unanimous.

2.9 **Town of Wallingford: Proposed Zoning Regulation Amendment pertaining to Section 4.9.E.9**

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


3 **Other Business**

3.1 **2017 Regional Planning Commission Meeting Schedule.**


Referral 2.1: Town of Wallingford

Subject:

Proposed Zoning Regulation Amendments pertaining to Section 4.25 – Housing Opportunity District – General.

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 submitted proposed zoning regulation amendments pertaining to Housing Opportunity Districts. The purpose is to promote and develop standards for affordable rental housing in the Town within private sector multi-family residential developments. The creation of a Housing Opportunity District – General (HOD-G) may be permitted in any R-6, R-11, CLB, YLB, DD, or RF zone, pending acceptance at a public hearing. This proposal adds language to indicate that the maximum building height of 30 feet may be increased by 1 ft. for every 1 additional foot of building setback, up to 40 total feet. The amendment also indicates that dwelling units shall be leased on a pro rata basis. The affordability of the units is set to 50 years. Additional standards and bulk requirements can be reviewed in the agenda packet.
APPLICATION: #504-16

DATE OF SUBMISSION: November 14, 2016

DATE OF RECEIPT: November 14, 2016

SCHEDULED MEETING: December 12, 2016

NAME & APPLICATION OF PROPOSED DEVELOPMENT: Zoning Amendment/J. Richello/Section 4.25 "Housing Opportunity District – General"

LOCATION: Section 4.25 "Housing Opportunity District – General"
APPLICATION NO. 504-16

APPLICATION FOR ZONING REGULATION CHANGE

NAME OF APPLICANT     Joseph Richello                  DATE       November 10, 2016

MAILING ADDRESS      PO Box 4149                      PHONE      (203) 537-0976

                                  Yalesville, Connecticut 06492

Section to be removed: _______________________________________________________

Proposed new section: 4.25 "Housing Opportunity District - General"

Please see attached proposed regulation language.

__________________________________________
(Attach additional sheet if necessary)

Applicant’s Signature

Company Name (If applicable)

For Official Use:

Date Application Submitted: 11/14/16

Filing Fee Paid: $550.00

2/99
PROPOSED AMENDMENT TO
WALLINGFORD ZONING REGULATIONS

NEW SECTION 4.25

"HOUSING OPPORTUNITY DISTRICT - GENERAL"

May 2016
§2.2 Definitions – SPECIFIC TERMS

Affordable Housing – Housing which, per the requirements of Section 8-30g(k)(3) of the Connecticut General Statutes, is subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty percent or less of their annual income, where such income is less than or equal to 80% of the area median income for the municipality in which such housing is located, as determined by the United States Department of Housing and Urban Development, and in accordance with an approved affordability plan that is deemed consistent with the requirements of Section 8-30g and any regulations adopted by the Commissioner of Housing for such affordability plan pursuant to Connecticut General Statute 8-30g.

§4.24 HOUSING OPPORTUNITY DISTRICT – GENERAL (HOD-G)

A. Purpose: To promote development of affordable rental housing in the Town within private sector multi-family residential developments and to establish standards for the development of such housing that will be binding on the applicant, its successors, and its assigns, so as to increase the diversity of Wallingford’s housing stock pursuant to C.G.S. §8-30(g)

B. The following uses are permitted subject to approval of a site plan in accordance with Sections 7.1 to 7.4 of these regulations.

1. Multi-family residential dwelling units in new or existing buildings, in which a minimum of 30% of the dwelling units are designated “affordable housing” units for a minimum of 50 years, in accordance with the definition in §2.2 of these Regulations.

2. In commercial or mixed-use zones, retail use on the first floor when there is a development in accordance with Section 4.24.B.1 (above) on the upper story/stories.

C. HOD-G Procedure:

1. An HOD-G shall be created on a parcel/parcels of land after a public hearing for a Zoning Map Amendment pursuant to Article X of these regulations. Before creating an HOD-G, the Planning and Zoning Commission shall make a finding that the proposed development does add to the diversity of housing stock in the Town and that the standards, criteria and conditions listed below have been met.

2. An HOD-G shall only be created in any R-6, R-11, CLB, YLB, DD, or RF zone.

3. Submission Requirements: Applications for an HOD-G zoning designation may be submitted prior to, or simultaneous with, the required Site Plan application for the specific development.
a. Applications for an HOD-G zoning designation shall be in writing and shall be accompanied by the following:
   i. Existing Site Conditions Map showing existing contours at a maximum interval of 5 feet, wetlands and watercourses, existing buildings and other structures, and large trees.
   ii. Conceptual Site Plan describing the proposed development's total number of residential units and their arrangement on the property; the proposed development's roads, traffic circulation, and off-street parking area(s); sewage disposal and water supply; zoning table with basic lot and bulk requirements/proposal, as well as proposed density calculations; and any other information as may be required by the Commission.

b. Applications for the required Site Plan approval shall include the following:
   i. Full Site Plan prepared in compliance with Sections 7.1 through 7.4, including showing proposed buildings and structures; streets, driveways and off-street parking; landscaping plan; utilities; site grading plan; zoning table with lot and bulk requirements; location map showing relationship of proposed development in relationship to existing streets; all other applicable requirements therein; and any other information as may be deemed necessary by the Commission.
   ii. Architectural Plans, including building elevations and floor plans.
   iii. Affordability Plan – In conjunction with an application for approval of a final site plan for a HOD-G development, the applicant shall submit an "Affordability Plan," which shall describe how the regulations regarding affordability will be administered. Specifically, the affordability plan shall include all applicable requirements in Part E of this Section, as well as at least the following: (A) Designation of the person, entity or agency that will be responsible for the duration of any affordability restrictions; for the administration of the affordability plan and its compliance with of this section and CGS §8-30(k)(3), including income limits and sale price or rental restrictions; (B) draft deeds/restrictive covenants and (for rental units) lease provisions that will govern the affordable dwelling units, and any other applicable administration/compliance documents, including any explanations which will be provided to the prospective buyer/renter of affordable unit; (C) procedures for verification and periodic confirmation of unit occupancy income; (D) a sample calculation of the maximum sales prices or rents of the intended affordable dwelling units; (E) a description of the projected sequence in which the affordable dwelling units will be built and offered for occupancy; (F) identification of the units which are to be designated affordable (with provisions for changes based on availability when applied to rented apartment units); and (G) an Affirmative Fair Housing Marketing Plan governing the sale or rental of all dwelling units and including notice procedures to the general public of the availability of affordable dwelling units.
D. Development Standards: The following standards and requirements shall apply to any development in the HOD-G:

1. An HOD-G shall be located on a parcel which has frontage on and direct access to any street classified as a collector, feeder, or thoroughfare as defined by §5.2.F.

2. Lot/Bulk Requirements:
   a. Minimum parcel size: two (2) times the required minimum lot area of the underlying zone as defined by §5.1A, or three (3) acres, whichever is greater.
   b. Minimum frontage: same as underlying zone in which the HOD-G is proposed.
   c. Minimum setbacks for an HOD-G shall be 2 times those required for the underlying zoning district in which the HOD-G is proposed.
   d. Maximum building height – 30 feet, except that for every 1 additional foot of building setback from the front setback line, the building height may be increased by 1 ft. up to a maximum building height of 40 ft.
   e. Maximum coverage (all buildings): 25% of the buildable area of the site.
   f. The maximum density for an HOD-G shall be 12 units per buildable acre.
   g. For the purposes of this section, buildable area shall be the total area of the parcel less: 100 percent of wetlands, watercourses, slopes over 25 percent, floodways, floodplain, and utility easements, and buildable acreage shall be the total acreage of this buildable area.

3. Open Space/Recreation Area – Where possible, the building(s) and parking layout shall be situated such that a portion of the lot is contiguous and has a meaningful shape, character and location to provide useable active or passive recreation. Such areas shall be as centrally located as possible.

4. Buffer – Within required setbacks from the parcel's boundaries, a landscaped buffer area and/or privacy fencing shall be provided pursuant to the following considerations and requirements:
   a. to protect property values by preserving existing vegetation or planting new materials;
   b. to provide privacy from visual intrusion, light, dirt, and noise; and
   c. to improve the appearance of development within the Town.
   d. In cases where topography, natural features, existing vegetation or compatible land uses do not make a larger buffer necessary, the minimum planted buffer shall be 50% of the required building setback for the underlying zone in which the HOD-G is proposed. Additional buffering may be required by the Commission to meet the purposes of this section. Existing development on abutting property shall not be deemed as automatically requiring additional buffering.
   e. Where lot size and shape or existing structures make it infeasible to comply with the buffering requirements, the Commission may approve planters, plant
boxes, pots containing trees, shrubs, and/or flowers, or fencing to comply with the intent of these regulations.

5. Architectural Design – The architectural design, scale, and mass of building and other structures, including, among other elements, the exterior building material, color, roof-line, and building elevation shall be residential in character and feature traditional New England designs so as to harmonize and be compatible with the community, to protect property values in the neighborhood, and to preserve and improve the appearance and beauty of the community.

6. Utilities –
   a. All utilities within the site shall be underground.
   b. The parcel shall be serviced by sanitary sewers and public water supply.

7. Parking – All parking areas, including but not limited to parking spaces, driveways, drive aisles, and landscaping requirements, shall be provided in conformity with the requirements of §6.11. No resident or tenant in an HOD-G development shall park a commercial truck or trailer overnight on the property.

8. Sidewalks – Sidewalks shall be constructed in accordance with town standards.

9. Landscaping – In addition to the required landscaped buffer, foundation plantings and landscaped parking areas per §6.14.E of these Regulations shall be require.

10. A school bus shelter shall be required at the main entrance.

11. Exterior Lighting – Exterior driveway and parking lighting shall be provided and maintained by the property owner for the safety of vehicular and pedestrian traffic. All exterior lighting shall be full cut-off type fixtures, with pole heights at the minimum necessary for pedestrian safety and convenience and not higher than 15 ft... The glare from light sources shall be shielded from roads and abutting properties.

12. Refuse Areas – A refuse collection area shall be provided in an enclosed area and conveniently and centrally located to all dwelling units. Designated collection area shall be screened, and appropriately landscaped.

13. Storm Drainage – All storm drainage facilities shall be designed and constructed in accordance with the Town standards and State requirements, subject to approval by the Town Engineer.

14. Fire Hydrants – Fire hydrants shall be installed and located as required by the Wallingford Fire Department.
15. Traffic Access – All driveways, drive aisles, parking areas, and driveway aprons shall be constructed in accordance with Town standards specified in the Zoning Regulations.

16. Signage – Signs shall comply with §6.9.D.2 of these regulations.

17. If a parcel was re-zoned to HOD-G is based initially on a conceptual site plan, development of such parcel shall, in addition to conformance to HOD-G standards, be built in substantial conformity with the road layout and architectural design presented on such conceptual plan.

E. The following requirements shall apply to an HOD-G:

1. Additions or modifications after approval will require approval of a Site Plan subject to the requirements of Article 7, as applicable, of these regulations. The Commission considers each HOD-G development based on the specific representations made in the application, and is concerned over both the architectural design of the building(s) and consistency between units. As such, the following policies shall apply:
   a. Accessory apartments are not permitted.
   b. Additions, including rooms, sun porches and garages, to individual units, are not permitted.
   c. Accessory buildings and swimming pools for the exclusive use of individual units are not permitted.
   d. Enlarged decks are not permitted, unless approved as a cohesive plan for the entire development
   e. Only decorative fencing shown on the site plan and approved by the Planning and Zoning Commission, is permitted.
   f. Playscapes for individual use are not permitted; any community playscape will have to be part of an approved Site Plan.

2. HOD-G dwelling units shall be of a construction quality and size that is comparable to market-rate dwelling units within the development. The final site plan and plan for administration of affordability rules shall identify the locations within the HOD-G development of the HOD-G dwelling units.

3. The HOD-G dwelling units shall be leased on a pro rata basis as leasing proceeds.

4. Calculation of the maximum eligible income and the maximum monthly payment for a HOD-G dwelling unit, so as to satisfy Connecticut General Statutes §8-30g, shall utilize the area median income data as published by the U. S. Department of Housing and Urban Development in effect on the day a lease is executed by the parties.

5. The maximum purchase price or monthly rental payment that the eligible purchaser/occupant(s) of a HOD-G dwelling unit shall pay shall not be greater than 30% of their income and shall be in accordance with CGS 8-30g(k). In the case of
rental units, such monthly rental payment shall include the cost of monthly rent, any common charges, repair/maintenance of the unit/grounds according to the lease, heat and utility costs for hot water and electricity but excluding telecommunications, television, and information technology services. In the case of ownership housing, the maximum purchase price shall include mortgage payments, real property taxes, homeowner’s insurance, common charges in the case of a common interest community; and heat and utility costs for hot water and electricity but excluding telecommunications, television, and information technology services.

6. Each lease/purchase contract for an HOD-G dwelling unit will contain substantially the following provision:
This unit is rented as an “affordable dwelling unit and is available only to persons or families whose income is at or below 80% or 60%, as applicable, of the area median income for Wallingford 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 Wallingford based in part on the conditions 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 in accordance with the approved Affordability Plan and reporting requirements.” The Affordability Plan shall be filed with the Planning and Zoning Department and the Town Clerk’s office prior to the sale/rental of any units.

7. At the same time that the market-rate dwelling units in a HOD-G development are first advertised to the general public, notice of availability of the HOD-G dwelling units shall be provided by advertising such availability in the real estate section of a newspaper of general circulation in the Town of Wallingford, by providing notice to the Wallingford Town Council, the Wallingford Town Clerk, and the Wallingford Planning and Zoning Commission, and through the procedures outlined in the Affirmative Fair Housing Marketing Plan.

8. For 1 of every 3 HOD-G dwelling units which becomes available for initial rental, preference shall be given to applicants who are otherwise qualified and are residents or employees in the Town of Wallingford, a child or parent of Wallingford residents, military veterans, or those who meet the criteria of "least likely to apply," as defined in Connecticut Regulations of State Agencies §8-37ee.

9. The 50 year affordability period shall commence with the initial occupancy date of the first HOD-G unit to be occupied, as stated in the lease.

10. In the case of rental housing under this section, any unit in the development shall not be sub-leased under any circumstances. In the case of ownership housing under this section, any unit in the development must be owner-occupied and may not be rented under any circumstances.
F. Age-Restricted Housing as an HOD-G Development
   1. “Age-Restricted Development” shall be housing in accordance with this Section in which all occupants shall be limited to persons 62 years of age or over, by deed restriction, covenant, rental contract, and/or other legal means as deemed appropriate.
   2. The maximum density for an Age-Restricted Development shall be 16 units per buildable acre.
   3. No more than 2 bedrooms per unit are permitted in an Age-Restricted Development.
   4. The minimum number of parking spaces required in an Age-Restricted Development shall be 1.25 spaces per dwelling unit. The number of handicap-accessible parking spaces shall be 1 for every 15 spaces or as required under Federal Americans with Disabilities Act, whichever is greater.
   5. In an Age-Restricted Development, a school bus shelter shall not be required; however, when an Age-Restricted Development is to be located on roads designated as thoroughfares, either a standard bus shelter and/or a drop-off/pick-up area shall be provided.
   6. An Age-Restricted Development shall make provisions for aging in place, to be demonstrated at the time of Site Plan application and approved by the Commission.

G. A violation of the regulations contained in this section shall not result in a forfeiture or reversion of title by the property owner, but the Wallingford Planning and Zoning Commission or its designated agent shall otherwise retain all enforcement powers granted by the Connecticut General Statutes, including the authority under §8-12 to issue notices of violation, to impose fines, and to seek injunctive relief.
Referral 2.2: Town of Wallingford

Subject:

Proposed Zoning Regulation Amendments pertaining to Section 4.5.D.3 – CA-6 Zone - Parking

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 submitted proposed zoning regulation amendments to Section 4.5.D.3 – CA-6 Zone - Parking. The application revises the minimum parking requirements in Commercial (CA) Districts within the Town. This impacts uses such as multi-family housing, age-restricted housing, offices, retail, hotels, and medical facilities. Opportunities are proposed to allow reductions in parking requirements by Special Permit. Options for developers include shared parking for different-peak uses, fees in-lieu of parking spaces, parking made available to the general public, or bicycle parking. It is discouraged for surface parking to be created in such a way that makes it visible from streets or public sidewalks, and parking garages shall be located underground or within the interior of the block. The proposed parking table would only supersede the existing parking requirements within the CA-6 Zoning District.
WALLINGFORD PLANNING AND ZONING COMMISSION
INTER TOWN/CITY/AGENCY REFERRAL
NOTICE OF PROPOSED DEVELOPMENT

APPLICATION:  #901-16

DATE OF SUBMISSION:  November 29, 2016

DATE OF RECEIPT:  December 12, 2016

SCHEDULED MEETING:  December 12, 2016

NAME & APPLICATION OF PROPOSED DEVELOPMENT:  Zoning Text Amendment/PZC/
Sec. 4.5.D.3 (CA-6 Zone – parking)

LOCATION:  Section 4.5.D.3 (CA-6 Zone – parking)
PROPOSED PARKING CHANGES – CA-6 ZONE

MODIFY AND ADD TO SECTION 4.5.D.3 AS FOLLOWS:

§4.5 COMMERCIAL (CA) DISTRICTS
D. The following accessory uses are permitted:

3. Off-street parking and loading in accordance with §6.11, except as noted below:

   a. The minimum required number of parking spaces shall be calculated using the chart below, and shall, in CA-6 zones only, supersede the chart in §6.11.C.

<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Minimum # of Parking Spaces to Be Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-family dwelling units</td>
<td></td>
</tr>
<tr>
<td>Up to 2 bedrooms</td>
<td>1.5/dwelling unit</td>
</tr>
<tr>
<td>3+ bedrooms</td>
<td>2.25/dwelling unit</td>
</tr>
<tr>
<td>Housing restricted to age 70 and over</td>
<td>1.25/dwelling unit</td>
</tr>
<tr>
<td></td>
<td>1 space per unit</td>
</tr>
<tr>
<td>Offices, financial institutions</td>
<td></td>
</tr>
<tr>
<td>Retail stores (including retail</td>
<td></td>
</tr>
<tr>
<td>Restaurants, personal service shops</td>
<td>1/400 sq. ft. GFA</td>
</tr>
<tr>
<td>Medical, dental offices,</td>
<td></td>
</tr>
<tr>
<td>clinics and laboratories,</td>
<td></td>
</tr>
<tr>
<td>Out-patient Surgical Centers</td>
<td>1/300 sq. ft. GFA</td>
</tr>
<tr>
<td>Restaurants (with or without provisions for a dance floor and/or live entertainment, Nightclubs, taverns, cafes, banquet halls, theaters, religious institutions, Assembly halls with or without fixed seats, 1/150 sq. ft. GFA, and 1/150 sq. ft. of GFA of outdoor patio/seating/dining area in excess of footage of indoor dining area</td>
<td></td>
</tr>
<tr>
<td>Hotels, motels</td>
<td>1/unit plus</td>
</tr>
<tr>
<td>see above for restaurant, tavern, banquet area, nightclub, and/or lounge area</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>2 spaces for the owner-occupant plus</td>
</tr>
<tr>
<td>see above for restaurant, tavern, banquet area, nightclub, and/or lounge area</td>
<td></td>
</tr>
<tr>
<td>Other uses not listed above</td>
<td>Parking facilities as determined by the Commission</td>
</tr>
<tr>
<td></td>
<td>b. Parking Requirements for Changes of Use within Existing Buildings — In a building or the portion(s) thereof that existed as of January 1, 2016, all uses permitted in the CA-6 zone shall be interchangeable and exempt from providing any</td>
</tr>
</tbody>
</table>
parking above that which existed as of January 1, 2016, as demonstrated by the most recently approved and implemented plan or as determined by the Commission. However, the number of existing parking spaces as of January 1, 2016 may not be reduced unless compliance with the current standards would still be achieved.

c. Additions to Existing GFA - When an addition to the GFA is proposed on a site that is not compliant with the current minimum required number of parking spaces, the entire site shall be brought into compliance with the current parking requirements; such compliance may include approval of a Special Permit by the Commission to utilize one or more of the provisions in section 4.5.D.3.d to reduce the total amount of parking which must be constructed.

d. In situations in which the layout, shape, size, and/or configuration of the existing lot and the existing/remaining building area is such that all parking design requirements can not be complied with, or if complied with would significantly reduce the number of parking spaces as currently designed/utilized/configured, the Commission may determine, by Special Permit, that certain existing non-conforming elements of the parking lot may be allowed to continue. The Commission may require demonstration by the applicant’s design professional as to the impact of full compliance with current regulations on the number of parking spaces which could be provided, and certification from an appropriate professional (i.e. engineer) that the continuance of the existing non-conformities proposed to remain will not create a public safety hazard.

e. Reductions in Parking Requirements - Subject to approval of a Special Permit, the Commission may allow for use of one or more of the following options, the extent of which is to be determined by the Commission. Under no circumstances shall the number of parking spaces be permitted to be reduced below the minimum number of parking spaces required for any dwelling units on the property.

In order to be eligible for a Special Permit to utilize any of the options for reduction in parking requirements as provided below, a proposal which involves/requires construction of a new parking lot, or modification, reconfiguration, and/or addition to an existing parking lot, must be designed to coordinate circulation and layout with any adjacent lots, particularly existing adjacent parking areas, to maximize efficiency of the parking area in terms of: number of spaces that can be created, access to public parking spaces by the
general public, traffic safety, and ease of circulation, as determined by the Commission. The applicant shall also, to the extent practicable as determined by the Commission, limit the number and location of solid waste and recycling receptacles, including providing for multiple tenants to share receptacles and/or the location of the receptacles.

In considering any applications for Special Permit under this section, the Commission may require submittal of parking studies, data, and/or any other documentation in regard to the request which the Commission deems appropriate.

1. Shared Parking for Different-Peak Uses - Subject to approval of a Special Permit by the Planning and Zoning Commission, the total parking requirements for the CA-6 zone may be modified to permit shared parking based on the Parking Credit Schedule Chart below. Multiply the minimum parking requirement for each individual use by the appropriate percentage for each of the five (5) designated time periods and then add the resulting sums for each vertical column. The column total having the highest total value is the minimum shared parking space requirement for that combination of land uses.

PARKING CREDIT SCHEDULE CHART

<table>
<thead>
<tr>
<th></th>
<th>Weekday Night Midnight To 7:00 a.m.</th>
<th>Weekday Day 7:00 a.m. To 5:00 p.m.</th>
<th>Weekday Evening 5:00 p.m. To Midnight</th>
<th>Weekend Day 6:00 a.m. To 6:00 p.m.</th>
<th>Weekend Evening 6:00 p.m. To Midnight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>100%</td>
<td>60</td>
<td>90</td>
<td>80</td>
<td>90</td>
</tr>
<tr>
<td>Office</td>
<td>5%</td>
<td>100</td>
<td>10</td>
<td>10</td>
<td>5</td>
</tr>
<tr>
<td>Retail</td>
<td>5%</td>
<td>80</td>
<td>90</td>
<td>100</td>
<td>70</td>
</tr>
<tr>
<td>Restaurant</td>
<td>10%</td>
<td>50</td>
<td>100</td>
<td>50</td>
<td>100</td>
</tr>
<tr>
<td>Entertainment/R</td>
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<td>Recreation</td>
<td>10%</td>
<td>40</td>
<td>60</td>
<td>80</td>
<td>100</td>
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</tbody>
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2. Fees In-Lieu of Parking Spaces - Subject to approval by the Commission of a Special Permit in accordance with §7.5 and the requirements below, and in accordance with Connecticut General Statutes, up to 10% of the minimum parking requirement for a proposal may be met by payment of a fee to the Town in lieu of the actual construction of the required spaces:

a. Dedicated Fund for Fees In Lieu of Parking: The payment shall be deposited in a fund established by the Town pursuant to and in accordance with Section 8-
2c of the Connecticut General Statutes (as may be amended), to be used solely for the acquisition, development, expansion or capital repair of municipal parking facilities, traffic or transportation related capital projects, the provision or operating expenses of transit facilities designed to reduce reliance on private automobiles and capital programs to facilitate carpooling or vanpooling. The proceeds of such fund shall not be used for operating expenses of any kind, except operating expenses of transit facilities, or be considered a part of the municipal general fund. Expenditures from such fund shall be authorized by the Town Council.

b. Considerations: Such Special Permit only be approved if the Commission finds that the number of minimum parking spaces required by these Regulations: (1) Would result in an excess of parking spaces for such use of land or in the area surrounding such use of land; or (2) could not be physically located on the parcel of land for which such use is proposed.

c. Payment: The amount of the fee in lieu of parking shall be $12,500 as determined by the Town Engineer and the Director of Public Works.

One hundred percent (100%) of the fee required by this regulation and approved by the Commission shall be made to the Town prior to the issuance of a building Permit for the project for which the fee was approved. Funds paid to the Town as a fee in lieu of parking shall not be refundable for any reason. Nothing herein shall be deemed to require the Town to undertake the acquisition, construction, expansion or development of any particular off-street public parking facility.

iii. Parking Made Available to the General Public — Subject to approval of a Special Permit by the Planning and Zoning Commission, each privately owned/developed parking space made permanently available to the general public may count as 1.5 spaces toward the minimum required number of parking spaces for the site. A space that is made permanently available to the general public for evenings (5 p.m. to 11 p.m.) shall count as 1.3 spaces toward the minimum required number of parking spaces for the site. The following requirements shall apply to this section:

a. There shall be no charge for the parking

b. Any parking time limitation shall allow for a minimum parking period of 6 hours

c. To be considered “permanently available to the general public”, one of the following shall occur:
a) a perpetual easement to the Town of Wallingford, approved by the Town of Wallingford, is filed on the land records; or b) an agreement is reached and executed between the Town and the property owner(s) in which the land is formally deeded to the Town.

iv. Bicycle Parking: Subject to approval by the Commission of an application for a Special Permit, a bicycle rack (or multiple racks) containing a number of bicycle spaces to be determined by the Commission may be provided to replace up to one (1) of the required parking spaces. In considering such Special Permit application, the Commission shall consider whether the provision of the bicycle parking spaces adequately eliminates the need for the auto parking space(s) that they are proposed to replace. Such bicycle racks shall be:
   a. Available to the general public via appropriate easement
   b. Easily and safely accessible to the general public
   c. Located on pavement or other hard surface that is adjacent to and accessible via a sidewalk or other safely accessible bicycle travel route
   d. At the same grade as the sidewalk or access route
   e. Within 50 ft. of a main entrance to the (or one of the) primary building(s)
   f. Be securely and permanently anchored
   g. Designed such that the frame of a bicycle and one wheel can be locked to the rack with a high security U-shaped shackle lock if both wheels are left on the bicycle, and a bicycle six feet long can be securely held with its frame supported

   e. Design Standards - Surface Parking:
   i. Parking shall not be located in front yards unless there is no possible alternative and only for renovation of existing buildings, and in such cases the Commission may require a greater amount of landscaping to reduce the impact of the parking on the streetscape. In such cases, parking shall be set back a minimum of five (5) feet from front property lines and all area between the parking and the front property line shall be landscaped in accordance with the front landscaping requirements in Section 6.14.C of these regulations.
   ii. Parking that is visible from streets or public sidewalks shall be screened with a combination of landscaping and wrought-iron fencing, brick walls, stone walls, or earthen berms, such that the screening is a minimum of three (3) feet higher than the level of the parking lot
and forms a substantially opaque screen, except where vehicular, pedestrian, or bicycle access ways are located.

iii. Landscaping around and within parking lots shall be designed with low-impact development techniques to allow storm water runoff to drain into the landscaped areas to supplement irrigation and to pre-treat the runoff.

iv. The use of permeable pavements or surface materials is encouraged to allow infiltration of storm-water runoff.

v. Solid waste and recycling receptacles shall be located and designed for ease of access of solid waste removal services to the site and shall be screened from view from any street or any other property, by way of fencing, walls, buildings, or landscaping.

g. Parking Garages:

i. Garages shall be located underground or within the interior of the block to minimize visibility from public streets, and design shall match proportions of neighboring buildings. Subject to approval of a Special Permit, the Commission may determine that, due to site constraints, a garage can only reasonably be located adjacent to the street; in such cases, setbacks may be increased by the Commission to allow for trees to be planted to provide visual softening of the upper levels of the structure, and the Commission may impose such other form, height, location, screening, or other requirements as it deems appropriate.

ii. The ground level of parking structures shall be separated from the public sidewalks with retail building space, unless a Special Permit for a suitable alternative is approved by the Commission. Landscaping in combination with architectural details on otherwise blank walls of a garage may be considered a suitable alternative where there is insufficient space for a building.

iii. Garage access points shall be clearly identified with architectural elements and signage.

iv. Garage access points shall be located to minimize the impact of vehicular turning movements on safe and efficient movement of pedestrians, cyclists, and other vehicles, and shall not be located within fifty (50) feet of any street intersection.

v. Signage and light fixtures within the parking structure shall not directly illuminate or produce disability glare on adjacent properties.