To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Thursday, May 12, 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 April 14, 2016 RPC Meeting

2. Action Items


2.3. City of West Haven: Proposed Zoning Regulation Amendments to Sections 2.2 – Definitions, Table 36.1 – Area and Bulk Requirements, Section 36.2 – Description and Intent (WD) District, Section 60.13 – Number of Parking Spaces. Submitted by: City of West Haven. Received: April 27, 2016. Public Hearing: June 6, 2016.


3. Other Business

The agenda and attachments for this meeting are available on our website at www.scr cog.org. Please contact SCRCOG at (203) 234-7555 for a copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week’s notice.

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, April 14, 2016 Meeting

Present: David White, Christopher Traugh, Michael Calhoun, Fran Lescovich, Eugene Livshits

1 Administration

1.1 Minutes of the February 11, 2016 RPC meeting.

   Motion to accept the minutes as presented: Christopher Traugh. Second: Fran Lescovich.
   Vote: Unanimous.

2 Statutory Referrals

2.1 Town of Prospect: Proposed Zoning Regulation Amendments pertaining to Section 3.1 – Uses by District

   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 North Branford: Proposed Zoning Regulation Amendments pertaining to Section 6 – Definitions and Section 42.5.5 – Accessory Dwelling Units

   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 Woodbridge: Proposed Zoning Regulation Amendments pertaining to Section 3.11 – Active Adult Planning 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.


   Motion to add Town of Orange Referral to RPC Agenda: Michael Calhoun. Second: Christopher Traugh. Vote: Unanimous.

2.4 Town of Orange: Proposed Zoning Regulation Amendment pertaining to a Moratorium on TODD Development

   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

Motion to Adjourn: Michael Calhoun. Second: Christopher Traugh. Vote: Unanimous.
Referral 2.1: Town of Wallingford

Subject:
Proposed 2016 Update to the Wallingford Plan of Conservation and Development

Background:
The Town of Wallingford has completed an update of the Plan of Conservation and Development (POCD). The POCD addresses both the existing conditions and the long-term vision of the Town. The POCD is broken down into the following chapter: Demographic and Housing Market Trends, Economic Base and Attract Diverse Businesses, Natural Landscapes and Agriculture, Alignment of Town Services with Future Need, Transportation Option, Wallingford Town Center, Future Land Use Plan, Recommendations and Consistency. The POCD provides additional data about the Town in the Appendix including Community Survey Results. The Plan includes goals and recommended strategies in each chapter and a consolidated list of all goals and strategies within the Action Agenda. Additional information about each of the Chapters within the POCD will be provided during the RPC meeting.

The Plan can be reviewed through the following link:

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
Referral 2.2: Town of Orange

Subject:
Proposed Zoning Regulation Amendments pertaining to Farm Winery

Background:
A private applicant in the Town of Orange has proposed zoning regulation amendments to Section 383-14, Section 383-27, Section 383-143, and Section 383-173. A definition for Farm Winery is proposed to be added to Section 383-14 (Definitions). Farm Winery would be added as item (O) in Section 383-27 (Residential District, Special Uses).

The standards for Farm Wineries would be added as subsection 6 in Section 383-143 (Special Uses). The minimum lot area of a Farm Winery is 5 acres. The minimum setback of the building, sales area, and manufacturing/processing area from the street line and property line is 50 feet. The proposed operating hours are 11:00AM to 6:00PM Sunday through Thursday and 11:00AM to 9:00PM on Saturday and Sunday (The regulations appear to have two different operating hours for Sunday). Tasting rooms would be permitted, including service and bar areas of not more than a total of 1500 Square Feet. Kitchen area not exceeding 250 Square Feet is permitted only for the preparation of food items solely to be served in conjunction with wine tasting activities and special events. Offices are permitted to be used in conjunction with the operation and business of a Farm Winery. A single family residence or caretaker apartment within the tasting/manufacturing business is permitted (occupied by owner, winemaker or caretaker of the farm winery.

In Section 383-173, language is proposed to be added that would allow Farm Wineries to have one off-street parking space for each of the maximum number of employees required at any one time for planting, maintaining, and harvesting the vineyard and the production, manufacture, bottling, and business operation of the vineyard. A tasting room would be required to have the number of parking spaces necessary for restaurants or other food service establishments and retail sales areas (per Section 383-174).

The Town of Orange has a contiguous border with Milford, West Haven, New Haven, and Woodbridge.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
Mr. Carl Amento, Executive Director  
Council of Governments  
127 Washington Avenue  
4th Floor - West  
North Haven, CT 06473-1715  

PETITION TO AMEND THE ORANGE ZONING REGULATIONS -  
-Submitted by Stellato Realty L.L.C.-  
To amend the Orange Zoning Regulations to provide Special Standards for a “Farm Winery”.

Dear Mr. Amento:

In accordance with the Connecticut General Statutes, enclosed for your review is the above referenced Petition to Amend the Orange Zoning Regulations. Enclosed is a copy of the Petition and proposed language.

A public hearing on this matter is tentatively scheduled for June 7, 2016.

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

Very truly yours,

Paul Dinice  
Zoning Administrator & Enforcement Officer

enclosures (2)  
cc: TPZC Members  
V. Marino, Esq.  
J. Zeoli, First Selectman
ORANGE TOWN PLAN & ZONING COMMISSION

PETITION TO AMEND ZONING REGULATIONS AND/OR ZONING MAP
(public hearing required)

Applicant  Stellato Realty L.L.C.

Mailing Address  c/o Pellegrino Law Firm, P.C. ATTN: Brian M. Stone

475 Whitney Avenue, New Haven, CT  Zip  06511

Telephone  203-787-2225  Fax  203-787-6810

Property Owner  Stellato Realty L.L.C.

Mailing Address  c/o Cascade Fine Catering, 480 Sherman Avenue

Hamden, CT  Zip  06518

Telephone  203-281-1133  Fax

PETITION TO AMEND REGULATIONS?  X  ZONING MAP?

Stellato Realty L.L.C.

BY:______________________________
Signature of Property Owner

BY:______________________________
Signature of Applicant

Date  4/8/15  Date

FOR OFFICE USE ONLY:

Date Received______________________  Application Fee Paid______________________

Meeting Scheduled__________________  Action Taken____________________________

Applicant Notified__________________  Date of Publication______________________
CHECK LIST

PETITIONS TO AMEND THE TEXT OF THE ZONING REGULATIONS
The following information is required:

1. Fifteen (15) copies of this completed application form
   X

2. Fifteen (15) copies of the precise wording of the existing text
   X

3. Fifteen (15) copies of the proposed text
   X

PETITIONS TO AMEND THE ZONING MAP
The following information is required:

1. Fifteen (15) copies of this completed application form

2. Fifteen (15) copies of a map drawn to a scale of not less than 200 feet to the inch, covering that area of the proposed zone change and all area in the Town of Orange within 500 feet of the proposed change, displaying the existing and proposed zoning district boundary lines, the existing property lines and the names of the current property owners as indicated by the Town of Orange Assessor's records

3. Existing Zone_________________________ Proposed Zone_________________________

4. List of adjoining property owners (see page 3)

5. Narrative description of the subject property and its boundaries
PROPOSED REGULATIONS

Section 383-14 Definitions:

Add: FARM WINERY: ANY PLACE OR PREMISES, COMPRISING A MINIMUM OF FIVE (5) ACRES ON WHICH FRUIT IS GROWN AND WINE/WINE PRODUCTS (LIMITED TO WINE AND BRANDIES DISTILLED FROM GRAPE PRODUCTS AND OTHER FRUIT PRODUCTS, INCLUDING GRAPPA AND EAU-DE-VIE) ARE MANUFACTURED, STORED AND SOLD, MEETING THE PERMIT REQUIREMENTS OF CONNECTICUT GENERAL STATUTES §30-16 (AS AMENDED) AND APPLICABLE DEFINITIONS AND GUIDANCE OF TITLE 22 (AS AMENDED) OF THE CONNECTICUT GENERAL STATUTES.

Add to Section 383-27 new subparagraph:

O. Farm Winery

Add to Chapter 114:

SECTION 383-143.6 SPECIAL STANDARDS FOR FARM WINERIES

FARM WINERIES SHALL CONFORM TO THE FOLLOWING STANDARDS:

A. MINIMUM LOT AREA: 5 ACRES
B. MINIMUM SETBACK OF BUILDING, SALES AREA, AND MANUFACTURING /PROCESSING AREA FROM STREET LINE AND PROPERTY LINE: 50 FEET
C. IN ADDITION TO A FACILITIES FOR MANUFACTURING, STORAGE, AND SALES, FARM WINERIES MAY INCLUDE, (I) TASTING ROOMS, INCLUDING SERVING AND BAR AREAS, OF NOT MORE THAN A TOTAL OF 1500 SQUARE FEET; (II) A KITCHEN AREA NOT EXCEEDING 250 SQUARE FEET FOR THE PREPARATION OF FOOD ITEMS SOLELY TO BE SERVED IN CONJUNCTION WITH WINE TASTING ACTIVITIES AND SPECIAL EVENTS (III) OFFICES TO BE USED ONLY IN CONJUNCTION WITH THE OPERATION AND BUSINESS OF THE FARM WINERY.
D. A SINGLE FAMILY RESIDENCE OR CARETAKER APARTMENT WITHIN THE TASTING/MANUFACTURING BUILDING TO BE OCCUPIED BY THE OWNER, WINEMAKER OR CARETAKER OF THE FARM WINERY SHALL BE PERMITTED
E. HOURS OF OPERATION OF THE FARM WINERY TASTING ROOM SHALL BE LIMITED TO 11:00 A.M TO 6:00 P.M. SUNDAY THROUGH THURSDAY AND 11:00 A.M. TO 9:00 P.M. SATURDAY AND SUNDAY
F. RETAIL AND WHOLESALE SALE OF WINE BY THE GLASS AND BOTTLE TOGETHER WITH APPURTENANT SALE OF WINERY RELATED PRODUCTS AND SPECIALTY FOOD ITEMS SHALL BE PERMITTED.
G. ONE SPECIAL EVENT SHALL BE PERMITTED EACH CALENDAR MONTH PROVIDED NO MORE THAN 4 OF SUCH EVENTS SHALL BE HELD AFTER 6:00 P.M. IN ANY CALENDAR YEAR AND SUCH EVENTS SHALL BE LOCATED WITHIN THE TASTING ROOM AS SHOWN ON THE APPROVED SITE PLAN. ADDITIONAL EVENTS SHALL REQUIRE TEMPORARY SPECIAL PERMIT APPROVAL FROM THE PLAN AND ZONING COMMISSION.

SECTION 383-173 F. Whenever two or more classifications provided in § 383-174 shall apply to a use of land, buildings or other structures, the standard requiring the larger number of parking spaces shall
apply, but where separate parts of a building or structure are used for purposes requiring a different number of parking spaces, the number of required spaces shall be determined by adding the number of spaces required for each part. FARM Wineries SHALL HAVE 1 SPACE FOR EACH OF THE MAXIMUM NUMBER OF EMPLOYEES REQUIRED AT ANY ONE TIME FOR PLANTING, MAINTAINING AND HARVESTING THE VINEYARD AND THE PRODUCTION, MANUFACTURE, BOTTLING AND BUSINESS OPERATION OF THE VINEYARD. ANY TASTING ROOM, SHALL HAVE PARKING AS REQUIRED FOR RESTAURANTS OR OTHER FOOD SERVICE ESTABLISHMENTS AND RETAIL SALES AREA AS REQUIRED FOR RETAIL AREA IN SECTION 383-174. DRIVEWAY WIDTH FOR FARM WINERIES MAY BE 9 FEET FOR ONE WAY TRAFFIC AND 18 FEET FOR TWO WAY TRAFFIC AT ALL PARKING ANGLES.
Referral 2.3: City of West Haven

Subject:
Proposed Zoning Regulation Amendments to Sections 2.2 – Definitions, Table 36.1 – Area and Bulk Requirements, Section 36.2 – Description and Intent (WD) District, Section 60.13 – Number of Parking Spaces

Background:
The City of West Haven has proposed Zoning Regulation Amendments pertaining to the Waterfront Design District. The amendments include the definition of Open Space, which has the following provision being deleted: “…but does exclude courts or walkways. Materials such as, but not limited to, asphalt, stone (processed or unprocessed), concrete or cement shall not be construed as open space…”
The following has been added “…but does include landscaped courts, open hardscaped areas and walkways utilized for gathering or conservation access when part of a comprehensive development or redevelopment plan.”

The bulk required are proposed to be revised by decreasing the Max. Building Coverage from 40% to 35%, increasing the Max. Impervious Surface Coverage from 20% to 55%, increasing Max. Lot Coverage from 60% to 80%, and decreasing the Min. Open Space from 40% to 30%. Section 60.13 – Number of Parking Spaces has been amended to include a provision pertaining to Shared-Use Reduction.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
April 27, 2016

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

RE: Planning and Zoning Applications # ZR-16-190 and #ZM-16-191

Dear Mr. Livshits:

In accordance with Section 8-3b of the Connecticut General Statutes, the City of West Haven hereby refers to you the following applications that have been submitted for your review:

Text Change Application -- City of West Haven. Application # ZR-16-190

- The City of West Haven submits several proposed text change applications, affecting Section 2.2, Definitions, Table 36.1 Area and Bulk Requirements, Section 36.2, Description and Intent of the Waterfront Design (WD) District, and Section 60.13, Number of Parking Spaces, of the current City of West Haven Zoning Regulations.

Zone Change Application – City of West Haven, Application # ZM-16-191

- The City of West Haven proposes to change the zoning designation of multiple properties from the R3, R4 and OS Districts to the Waterfront Design (WD) District.

The West Haven Planning and Zoning Commission plans to hold a public hearing on these two municipal applications on Monday, June 6, 2016 at 7:00 PM in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT.

Please submit any comments on these proposed applications by the date of this public hearing. Thank you for your assistance. Please contact me if you have any questions on these applications.

Sincerely,

[Signature]

Joseph Riccio
Commissioner of Planning and Development
APPLICATION FOR CHANGE TO ZONING REGULATIONS

Article and Section of Zoning Regulations
Section 2.2 Definitions, Table 36.1 Area and Bulk Requirements, Section 36.2, Description and Intent of the Waterfront (WD) District, and Section 60.13 Number of Parking Spaces

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

See Attachment A

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

See Attachment A

Applicant Information
Name Edward M. O'Brien, Mayor
Firm City of West Haven
Street Address 355 Main Street
City West Haven State CT ZIP 06516

Dated: APRIL 22, 2016

Daytime Phone:
☐ Business ☐ Home 203-937-1510
☐ Fax ☐ Cell:
☐ E-mail cobrien@westhaven-ct.gov

Signature of APPLICANT

Counsel Information
Name VINCENT AMENDOLA, Esq.
Firm CITY OF WEST HAVEN
Street Address 355 MAIN STREET
City West Haven State CT ZIP 06516

Daytime Phone: 203-937-6300
☐ Business ☐ Home
☐ Fax ☐ Cell:
☐ E-mail vamendola@westhaven-ct.gov

Provide Text of Proposed Change

See Attachment A

Rev 4-30-11
2. WHAT SPECIAL CONDITION OR REASON MAKE PASSAGE OF THIS AMENDMENT NECESSARY?

Section 2.2 Definitions: OPEN SPACE:

The existing Open Space definition excludes walkways and paved areas dedicated to gathering or public parks. Paved walkways and paved areas are important to allow for handicap accessibility to open spaces, especially public access to the waterfront. The City is proposing a change in the Open Space definition so that such walkways may be calculated into the Open Space requirements when such areas are a clear part of a comprehensive development (or redevelopment) plan which demonstrates these areas to be essential to the appropriate functional use of the open space areas.

Table 36.1 Area and Bulk Requirements (WD Zone):

The dominant factor of impervious coverage is often the parking lot, which is driven by the defined use of the buildings. The current regulation allows for 40% Building Coverage and 20% Impervious Coverage. To allow for more flexibility in the design of future development in the WD District, the City is proposing that Building Coverage be reduced to a maximum of 35%, and that the maximum limit for Impervious Coverage (which does not include Building Coverage) be increased to 55%. Accordingly, an increase in the maximum for Lot Coverage (Building + Impervious Coverages) to 80% will allow for sufficient flexibility while still maintaining an upper limit on the total development of the lot. In evaluating this change — and in conjunction with the new definition for open space — the City believes an overall open space requirement of 30% is still important to the balanced use of property in this District. (This represents modest reduction in open space from the current requirement of 40%).

Lot Coverage and Open Space shall take precedence over Building Coverage and Impervious Coverage. While the adjustments to building coverage and impervious coverage allow for greater developer flexibility, the Open Space precedent ensures it is a key component to any future development within the Waterfront District.

The proposed changes provide greater flexibility to future developments that may have different parking needs based on multiple uses on a site. By increasing Lot Coverage to 80%, a development that does not require substantial parking can utilize the site for building area.

Similarly, a development with substantial parking requirements can strike a balance between parking and building coverages, while being limited only by the 80% Lot Coverage requirement.

Section 36.2 Description and Intent

The third bullet point under this Section recognizes that much of the WD District is located in a flood plain, and this section encourages the use of at grade parking with structures above or the use of garages accessed from a service alley. This section also discourages large expanses of surface parking and garages with individual street access. These provisions would contradict the Municipal Development Plan approved by the City in May 2015.
Section 60.13 Number of Parking Spaces:

Since the City has increasingly recognized the need to minimize overdevelopment of properties for expansive parking areas that are often underutilized, the shared-use parking provision modernizes the regulations to recognize multi-use developments and protects against overestimating parking needs by reflecting actual parking demands per use. An overestimation of parking can result in parking lots that contribute to heat island effects and create excess run-off as well. Shared-use parking reflects the actual parking patterns on sites with multiple uses whose parking needs peak at different periods of the day. Many municipalities have instituted similar provisions in their Zoning Codes for mixed-use zones, including downtown areas.

The proposed provision cites the Urban Land Institute’s Shared Parking Book to establish parking requirements for mixed-use sites. The analysis consists of establishing an unadjusted parking need for each use as if it were the sole use of the site based on a prescribed parking ratio. For example, restaurant uses typically generate the greatest demand for parking between the hours of 5pm-9pm. Conversely, parking demand for an office is steady during workday hours, but drops significantly after 5pm. By recognizing and designing to these patterns, developers can provide efficient parking that adequately serves the site during the peak hours of each of the development’s uses.

As an example, the matrix on the following page from the Urban Land Institute shows Time of Day vs. Use, and assigns an hourly coefficient representing the parking demand typically generated per use at a certain time of day.

The amended regulation requires the applicant to present a report to the Planning and Zoning Commission which calculates the anticipated peak parking demand for each of the proposed uses in the site plan, utilizing the methodology of the Urban Land Institute. This report will summarize the total parking demand for all uses on the property at different times of the day during the week, which will enable the Planning and Zoning Commission to determine whether a shared parking strategy is reasonable for the proposed site plan.
### WEEKDAY

<table>
<thead>
<tr>
<th></th>
<th>11am</th>
<th>Noon</th>
<th>1pm</th>
<th>2pm</th>
<th>3pm</th>
<th>4pm</th>
<th>5pm</th>
<th>6pm</th>
<th>7pm</th>
<th>8pm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shopping Center</td>
<td>85%</td>
<td>95%</td>
<td>100</td>
<td>95%</td>
<td>90%</td>
<td>90%</td>
<td>95%</td>
<td>95%</td>
<td>95%</td>
<td>80%</td>
</tr>
<tr>
<td>Employee</td>
<td>95%</td>
<td>100%</td>
<td>100</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>95%</td>
<td>95%</td>
<td>95%</td>
<td>90%</td>
</tr>
<tr>
<td>Fine/Casual Dining</td>
<td>40%</td>
<td>75%</td>
<td>75%</td>
<td>65%</td>
<td>40%</td>
<td>50%</td>
<td>75%</td>
<td>95%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Employee</td>
<td>90%</td>
<td>90%</td>
<td>90%</td>
<td>75%</td>
<td>75%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Fast-Food</td>
<td>85%</td>
<td>100%</td>
<td>100%</td>
<td>90%</td>
<td>60%</td>
<td>55%</td>
<td>60%</td>
<td>85%</td>
<td>80%</td>
<td>50%</td>
</tr>
<tr>
<td>Employee</td>
<td>100%</td>
<td>100%</td>
<td>95%</td>
<td>70%</td>
<td>60%</td>
<td>70%</td>
<td>90%</td>
<td>90%</td>
<td>90%</td>
<td>60%</td>
</tr>
</tbody>
</table>

### WEEKEND

<table>
<thead>
<tr>
<th></th>
<th>11am</th>
<th>Noon</th>
<th>1pm</th>
<th>2pm</th>
<th>3pm</th>
<th>4pm</th>
<th>5pm</th>
<th>6pm</th>
<th>7pm</th>
<th>8pm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shopping Center</td>
<td>65%</td>
<td>80%</td>
<td>90%</td>
<td>100</td>
<td>100</td>
<td>95%</td>
<td>90%</td>
<td>80%</td>
<td>75%</td>
<td>65%</td>
</tr>
<tr>
<td>Employee</td>
<td>95%</td>
<td>100%</td>
<td>100</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>95%</td>
<td>80%</td>
<td>80%</td>
<td>75%</td>
</tr>
<tr>
<td>Fine/Casual Dining</td>
<td>15%</td>
<td>50%</td>
<td>55%</td>
<td>45%</td>
<td>45%</td>
<td>45%</td>
<td>45%</td>
<td>60%</td>
<td>90%</td>
<td>95%</td>
</tr>
<tr>
<td>Employee</td>
<td>75%</td>
<td>75%</td>
<td>75%</td>
<td>75%</td>
<td>75%</td>
<td>75%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Fast-Food</td>
<td>85%</td>
<td>100%</td>
<td>100%</td>
<td>90%</td>
<td>60%</td>
<td>55%</td>
<td>60%</td>
<td>85%</td>
<td>80%</td>
<td>50%</td>
</tr>
<tr>
<td>Employee</td>
<td>100%</td>
<td>100%</td>
<td>95%</td>
<td>70%</td>
<td>60%</td>
<td>70%</td>
<td>90%</td>
<td>90%</td>
<td>90%</td>
<td>60%</td>
</tr>
</tbody>
</table>

3. WHAT OTHER CIRCUMSTANCES (i.e., PUBLIC HEALTH, SAFETY OR GENERAL WELFARE) WOULD JUSTIFY THE AMENDMENT?

Section 2.2 Definitions: OPEN SPACE:

Revising the Open Space definition to include paved surfaces, while still excluding parking, allows equitable open space to be provided by developments. Beyond increasing accessibility for the handicapped, paved pathways are more accessible and safer for strollers.

Section 36.2 Description and Intent

The third bullet point under this section would contradict the approved Municipal Development Plan for this area.
Section 60.13 Number of Parking Spaces:

Recognizing appropriate shared usage of parking lots will create more efficient parking designs that effectively accommodate shared-uses. It allows developers to limit the size of parking lots to an appropriate level, resulting in less storm water run-off and reducing the heat island effect. Enabling shared-use parking better reflects real world usage of parking lots that efficiently serve multiple defined uses.
6. PROVIDE TEXT OF PROPOSED CHANGE

SECTION 2.2 Definitions (Page 2-11)

OPEN SPACE: That part of a lot, including courts, walkways or yards, which

(a) is open and unobstructed from its lowest level to the sky;
(b) landscaped with vegetation and maintained for recreation or conservation purposes;
(c) does not include those portions of a lot that are utilized for off street parking, loading, driveway, or building purposes, but does include courts or walkways. Material such as, but not limited to, asphalt, stone (processed or unprocessed), concrete or cement shall not be construed as open space but does include landscaped courts, open hardscaped areas and walkways utilized for gathering or conservation access when part of a comprehensive development or redevelopment plan.

Amend Section 36.2 as follows:

Delete the following language after the third bullet point (remainder of this Section to remain intact):

- As much of the area is in a flood plain, use of at grade parking with structures above, or garages accessed from a service alley is encouraged. Large expanses of surface parking and garages with individual street access are discouraged.

TABLE 36.1 AREA AND BULK REQUIREMENTS IN DESIGN DISTRICTS (Page 36-4)

<table>
<thead>
<tr>
<th>KEY</th>
<th>REQUIREMENT</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Min. Tract Size (Acres)</td>
<td>15</td>
</tr>
<tr>
<td>B.</td>
<td>Min. Lot Size (Sq.Ft.)</td>
<td>20,000</td>
</tr>
<tr>
<td>C.</td>
<td>Min. Lot Area per Residential Unit (Sq.Ft.)</td>
<td>2,000</td>
</tr>
<tr>
<td>D.</td>
<td>Max. Number of Units per Building</td>
<td>8</td>
</tr>
<tr>
<td>E.</td>
<td>Min. Front Yard (Ft.)</td>
<td>12</td>
</tr>
<tr>
<td>F.</td>
<td>Min. Side Yard (Ft.)</td>
<td>12'-20'</td>
</tr>
<tr>
<td>G.</td>
<td>Min. Rear Yard (Ft.)</td>
<td>25</td>
</tr>
<tr>
<td>H.</td>
<td>Min. Street Frontage (ft.)</td>
<td>50</td>
</tr>
<tr>
<td>I.</td>
<td>Min. Inner Yard</td>
<td>10' Per Story</td>
</tr>
<tr>
<td>J.</td>
<td>Max. Building Coverage (%)</td>
<td>40%35%</td>
</tr>
<tr>
<td>K.</td>
<td>Max. Impervious Surface Coverage (%)</td>
<td>20%55%</td>
</tr>
<tr>
<td>L.</td>
<td>Max. Lot Coverage (%)</td>
<td>60%80%*</td>
</tr>
<tr>
<td>M.</td>
<td>Max. Height (Stories)</td>
<td>Commercial</td>
</tr>
<tr>
<td>N.</td>
<td>Max. Height (Ft.)</td>
<td>Commercial 45'</td>
</tr>
<tr>
<td>O.</td>
<td>Min. Open Space (%)</td>
<td>Commercial 30%*</td>
</tr>
<tr>
<td>P.</td>
<td>Off-Street Parking</td>
<td></td>
</tr>
</tbody>
</table>
*In no case shall a site plan be approved in which Maximum Lot Coverage exceeds 80% or Open Space is less than 30%.

**SECTION 60.13 NUMBER OF PARKING SPACES:**

Add a new Section 60.13.3 as follows:

60.13.3 Shared-Use Reduction. As part of a Site Plan application, an applicant of a mixed-use development or other new development that anticipates shared-use parking can request that the Planning and Zoning Commission approve a reduction of total parking required under Table 62.1. The applicant, at least ten (10) days before any public hearing on the Site Plan, shall submit a shared-use parking report based on the methodology of the Urban Land Institute’s *Shared Parking* (Second Edition or most current) or other best practices or procedures. The Planning and Zoning Commission, in making its determination to approve reduced parking based on shared parking arrangements, shall consider the following factors: operating hours, seasonal/daily peaks in parking demand, the site’s orientation, location of access driveways, accessibility to other nearby parking areas, pedestrian connections, distance to parking area, availability of parking spaces, cooperation of adjacent owners and consistency with the applicant’s traffic report and parking report and access to alternative modes of transportation (mass-transit, bicycling, walking, etc.).
Attachment A
(Revised 5/4/16)

1. Location of Property

<table>
<thead>
<tr>
<th>Street Address</th>
<th>Tax Map – Parcel</th>
<th>Area (Acre)</th>
<th>Present Zone</th>
<th>Proposed Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 Main Street</td>
<td>044-0110</td>
<td>0.15</td>
<td>R4</td>
<td>WD</td>
</tr>
<tr>
<td>32 Main Street</td>
<td>044-0111</td>
<td>0.15</td>
<td>R4</td>
<td>WD</td>
</tr>
<tr>
<td>38 Main Street</td>
<td>044-0112</td>
<td>0.14</td>
<td>R4</td>
<td>WD</td>
</tr>
<tr>
<td>40 Main Street</td>
<td>044-0113</td>
<td>0.14</td>
<td>R4</td>
<td>WD</td>
</tr>
<tr>
<td>48 Main Street</td>
<td>044-0114</td>
<td>0.12</td>
<td>R4</td>
<td>WD</td>
</tr>
<tr>
<td>52 Main Street</td>
<td>044-0115</td>
<td>0.13</td>
<td>R4</td>
<td>WD</td>
</tr>
<tr>
<td>32 Bayview Pl</td>
<td>044-0108 &amp; 0444-0109</td>
<td>0.21</td>
<td>R3</td>
<td>WD</td>
</tr>
<tr>
<td>20 Bayview Pl</td>
<td>044-0107</td>
<td>0.17</td>
<td>R3</td>
<td>WD</td>
</tr>
<tr>
<td>Main St &amp; Bayview Pl</td>
<td>044-0216</td>
<td>0.88</td>
<td>OS/WD</td>
<td>WD</td>
</tr>
</tbody>
</table>

Total Area = 2.09 Ac

2. What change or changing conditions make passage of this amendment necessary?

Redevelopment of the shoreline is vital to the success of the City as industries that once dominated the waterfront are abandoned. Zoning Districts such as the Waterfront District rely on access to arterial streets to attract development. Expanding the district to the south side of Main Street provides the opportunity for similar land uses on either side of Main Street near the shoreline.

The proposed Zone Changes are consistent with the Haven South Municipal Development Plan, adopted in May 2015. “The objective of this Municipal Plan (MDP) is to provide assistance and incentive to stabilize the area and provide opportunities for new development”, Page T-1.

Additionally, the proposed zone changes are consistent with the City’s current Plan of Conservation and Development, adopted in 2004. Elements of that Plan include the following statements/policies:

Among Major Plan Goals of the POCD, p.133, are the following:

- The promotion of economic development to attract and retain businesses.
- The promotion of future development efforts, which provide new housing, recreation, business and employment opportunities.
- The support of quality of life improvements

With regard to the West River Crossing District, page 138, the Plan states “The vision for this redevelopment area includes a revitalized district that consists of waterfront property that is redefined with attractive commercial, retail, and recreational areas. Corresponding infrastructure, streetscape, and landscape improvements would all positively contribute to the character of new development, while helping to stabilize adjacent residential neighborhoods. Overall, the utmost vision of this project is to create an attractive and vibrant gateway into (the) City from New Haven that can make positive physical and economic contributions to the City of West Haven.”
In determining the appropriateness of the zone changes to incorporate additional residential land to the South of Main Street, the City considered the following Coastal Resources Goals & Objectives of the POCD, page 45, which encourage the use of sufficient land area to fully support a comprehensive site plan:

- “Large retail and commercial development should be limited to those areas that can adequately support the parking and traffic circulation needs generated by such development, to areas that do not economically threaten other retail and commercial areas in close proximity, or threaten the stability and integrity of adjacent residential neighborhoods.” (Implementation of the Haven South Municipal Development Plan will not be a threat to other retail and commercial areas in close proximity or to the integrity of adjacent residential neighborhoods, and is, in fact, viewed as an asset to help stabilize the area.)

- “Commercial and industrial areas adjacent to residential areas and sensitive coastal resources should require lot sizes which are adequate for appropriate parking, loading, turning and landscaping buffers necessary to such development”. (Since the proposed zone change is designed to accommodate expanded parking in relation to the proper implementation of the Haven South Municipal Development Plan, this objective applies.)

Bayview Park is shown on the City’s currently published Zoning Map and GIS system as being within the WD (Waterfront Design) District. Upon review of earlier Zoning Maps dating to as recently as 2002, the property is shown as being within the OS (Open Space) District. There is no evidence of a previous zone change for the property and the WD Designation may have been a clerical error. To eliminate confusion or uncertainty, the Park property is being included in this current zone change application.

Aside from the Park property, there are no waterfront properties included within the area of this proposed zone change. The Park property is not currently used for water-dependent purposes, and the waterfront along this parcel is not directly accessible from the road currently. It is believed that incorporating the Park into the remaining Haven South development area will maximize its access for the public and provide expanded opportunities for waterfront passive recreation purposes and increase the potential for limited future water-dependent uses.

4. Property Owner Information

30 Main Street: Douglas Molloy  
120 Holcomb St  
West Haven, Ct 06516

32 Main Street: The Haven Group, LLC  
47 Highland Park Village  
Dallas, TX 75205

38 Main Street: The Haven Group, LLC  
47 Highland Park Village  
Dallas, TX 75205

40 Main Street: The Haven Group, LLC
47 Highland Park Village
Dallas, TX 75205

48 Main Street: The Haven Group, LLC
47 Highland Park Village
Dallas, TX 75205

52 Main Street: Hezekiah B. Duncan
52 Main Street
West Haven, CT 06516

32 Bayview Pl: The Haven Group, LLC
47 Highland Park Village
Dallas, TX 75205

20 Bayview Pl: Margaret Kluspes
20 Bayview Place
West Haven, CT 06516

Main Street & Bayview Pl: City of West Haven
355 Main Street
West Haven, CT 06516
Referral 2.4: City of New Haven

Subject:
Proposed Zoning Regulation Amendments pertaining to uses in the Light Industry District and certain other Business and Industrial Districts

Background:
The City of New Haven has proposed zoning regulation amendments to Article V, Section 42.0 (Use Table), Section 43.0 (Bulk and Yard Regulations for Business and Industrial Districts), and Section 45.0 (Regulations for Parking, Loading, Automotive, and Drive-in Establishments).

In Article V, Section 42.0, dwelling units in existing structures that meet the following criteria would be allowed, by special permit, in the IL District: (a) at least 5,000 s.f. in area, (b) no less than two stories in height, and (c) built prior to 1963. The density requirements are one unit per 1,000 s.f. of gross floor area. The changes to Section 43 would require mixed use buildings and residential buildings in the IL District to have a minimum of 50 s.f. per dwelling unit of useable open space on the same lot on which the building is located. Additionally, such buildings with six or more dwelling units must provide 5 s.f. of common amenity space per dwelling unit in addition to the useable open space.

The following uses, and corresponding number of parking spaces, have been added to the respective table in Section 45.0: Single Family Dwelling Unit (1 per dwelling unit), Assisted Living and Elderly Housing (.5 per dwelling unit), Custodial Care (per Section 19), and Live Work Loft (1 per unit).

The proposed amendments also allow Boat Rental or Charter, Boat Sightseeing by special permit in the BA (General Business) District.

The City of New Haven has a contiguous border with West Haven, Orange, Woodbridge, Hamden, North Haven, and East Haven. The IL District is within 500 feet of the North Haven, East Haven, and West Haven.

Communication:
In researching this proposal, I notified the adjacent municipalities in the South Central Region.
April 28, 2016

Honorable Tyisha Walker,
President
Board of Alders
City of New Haven
165 Church Street
New Haven, CT 06510

Mr. Michael Smart
City/Town Clerk
City of New Haven
200 Orange Street
New Haven, CT 06510

Re: PETITION TO AMEND THE ZONING ORDINANCE TEXT OF ARTICLE V, SECTION 42.0 (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).

Honorable Ms. Walker and Mr. Smart:

I am pleased to submit for your Honorable Board’s consideration a Petition for an Ordinance Amendment to the Zoning Ordinance Text and a proposed Ordinance for the Board of Aldermen amending the Zoning Ordinance Text of Article V Section 42.0 (Use Table) concerning uses in the IL (Light Industry) District and certain other Business and Industrial Districts.

The Economic Development Administration of the City of New Haven, and the residents, institutions elected officials and business owners in the Mill River District all shared in the development of the Mill River District Plan for the revitalization of this industrial area bordering both sides of the lower Mill River. The Mill River District as described in the Plan is generally bounded by I-91 on the west and north, by James Street on the east and by the harbor and I-95 to the south. It includes the Mill River Municipal Development Plan area, but goes beyond it. The City worked with the Economic Development Corporation of New Haven, the Livable City Initiative, the City Plan Department and the Transportation Department to evaluate the current use pattern of the area and to identify future opportunities for the many vacant and underutilized buildings within the district in the context of the regional and national economic changes.

As envisioned, the Mill River District Plan, when fully realized, will increase New Haven’s vitality and livability and provide significant new employment, as well as overall economic and fiscal benefit to the city. The plan makes use of the area’s location near residential areas as well as major highway corridors by proposing to increase goods and services offered, as well as suggesting improvements to the appearance of the district and the pedestrian environment.
Earlier in 2016, the Board approved significant changes to the IL zone use table to allow a broader range of uses to be permitted by right and by special permit, including general office use, food service and food manufacturing with a retail component, and other retail uses. The currently proposed text amendments to the IL District are intended to facilitate new residential use and conversion of existing buildings to residential use by special permit, while still controlling a limited number of commercial uses from being located in a building which is converted to residential use. The special permit application process will allow the City Plan Commission to carefully review each proposed residential use or conversion, while still providing the framework to permit this use without requiring a use variance or the proof of a specific hardship in the property.

The amendment would affect the IL zone wherever it is mapped, not just the Mill River District. Conversion to residential use offers the City the opportunity to foster the rehabilitation and re-use of older multi-story manufacturing buildings and to maximize economic benefits and tax revenue. In addition, a minor modification of the use table for the BA (General Business) district is proposed to permit boat rental as a use by Special Permit.

The proposed Zoning Ordinance Text Amendment makes sound land use and zoning sense and conforms to the recommendations of the Mill River District Plan as well as the recently revised Comprehensive Plan’s recommendations regarding IL districts and preservation of existing structures.

Very truly yours,

Karyn M. Gilvar, A.I.A.

cc: Matthew Nemerson Economic Development Administrator
    Serena Neal-Sanjurjo, Executive Director, Livable City Initiative.

Attachment A: Petition to amend the Zoning Ordinance Text for IL zone
Attachment B: Order to Amend the Zoning Ordinance Text
Attachment C: Zoning Ordinance Text: Existing and Proposed
Attachment D: List of Uses Prohibited in Any New Residential Conversion in the IL Zone
ATTACHMENT A

CITY OF NEW HAVEN
BOARD OF ALDERS

In re: Petition to amend the zoning ordinance text of Article V, Section 42.0 (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).

PETITION TO AMEND THE ZONING ORDINANCE TEXT OF ARTICLE V, SECTION 42.0 (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).

Pursuant to 1925 Special Act No. 490, § 5, Article VI § 19 Article VII,§ 3L and Article XIII § 2 of the Charter of the City of New Haven, and Section 64(d)(1) of the Zoning Ordinance, City of New Haven (the “Zoning Ordinance”), Petitioner, Karyn Gilvarg, Executive Director of the City Plan Department of the City of New Haven (“Petitioner”), hereby petitions the Board of Alders of the City of New Haven to amend the Zoning Ordinance Text for Article V, Section 42.0 (Use Table) concerning the IL District (Light Industry and certain other Business and Industrial Districts).

In support of this Petition, Petitioner represents as follows:

1. The City of New Haven (the “City”), working through its Economic Development Administration including the Livable City Initiative, the Departments of City Plan, Transportation and Business Development and the Economic Development

Attachment A: Petition IL Text Amendment 1
Corporation Inc., of New Haven has developed the “Mill River District Plan” by working with businesses, residents, and elected officials.

2. The Mill River District Plan has been approved and adopted by the City Plan Commission as an amendment to the Comprehensive Plan of Development of the City on January 15, 2014, City Plan Commission Report 1488-08.

3. The Mill River District Plan has been approved by the New Haven Development Commission on October 8, 2013.

4. The Mill River District Plan has been approved by the New Haven Redevelopment Agency on October 12, 2013.

3. The Mill River District Plan has been approved and adopted by the Board of Alders as an amendment to the Comprehensive Plan of Development of the City on August 6, 2014.

4. The City now seeks to implement some of the zoning recommendations in the Mill River District Plan concerning permitting additional uses in the IL (Light Industry) zone.

5. The Petitioner has submitted a separate and accompanying Order to amend the zoning ordinance text of Article V, Section 42.0 (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).

6. The proposed text change allows residential re-use of multi-story buildings in the IL (Light Industry) zone and permits boat rental as a use by Special Permit in the BA (General Business) zone.
7. As required by Article VII Section 3L and Article XIII Section 2 of the City of New Haven Charter, the proposed Zoning Ordinance Text amendments are in accordance with the Comprehensive Plan of Development for the City of New Haven as such amendments will encourage reuse of existing underutilized or vacant multi-story structures or lots and. As also required by, Article VII Section 3L and Article XIII 2, these amendments are designed to lessen congestion in the streets, secure safety, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentrations of population, provide adequate provisions for transportation and other public requirements, reflect the character of the applicable zoning districts and their peculiar suitability for the uses to be allowed in such districts, conserve the value of existing buildings, and encourage the most appropriate use of land in the City.

8. As required by of the City of New Haven Charter, the proposed amendments are uniform for each class of buildings or structures within the IL (Light Industry) and BA (General Business) Districts.

WHEREFORE, Petitioner requests that the Board of Alders approve the Ordinance Amendments to the Zoning Ordinance Text of Article V., Section 42.0 set forth in Schedule B and attached hereto.

Respectfully submitted

__________________________________________
Karyn M. Gilvarg
Executive Director, City Plan Department

Attachment A: Petition IL Text Amendment3
ATTACHMENT B

ORDINANCE RE: ZONING ORDINANCE AMENDMENT TO THE TEXT OF ARTICLE V, SECTION 42.0 (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).

WHEREAS, on ____________, 2016, pursuant to 1925 Special Act No. 490, § 5, Article VII § 3L and Article VI §19 the Charter of the City of New Haven, and Section 64(d)(1) of the Zoning Ordinance, City of New Haven (the “Zoning Ordinance”), the Executive Director of the City Plan Department filed with the New Haven City Clerk for transmission to the Board of Alders a Petition requesting that the Board of Alders Amend the Text of the Zoning Ordinance concerning Article V, Section 42 the Use Table concerning IL Districts (Light Industry) and certain other business and industrial zones; and

WHEREAS, on ____________, 2016, pursuant to Article VII, Section 3L and Article XIII § 2 of the City of New Haven Charter, the Board of Alders referred the Petition to the New Haven City Plan Commission for a public hearing;

WHEREAS, on ____________, 2016 the City Plan Commission, following their public hearing, rendered an advisory report to the Board of Alders after considering the factors set forth in Section 64(d)(2) of the Zoning Ordinance recommending approval of the Petition, City Plan Commission Report No. __________; and

WHEREAS, the ____________ Committee of the Board of Alders, following their public hearing on the matter, accepted the recommendation of the City Plan Commission and on ____________ recommended to the full Board with Favorable report that the Zoning Ordinance Text Amendment be adopted; and

Attachment B: Ordinance Re Text Amendment IL
WHEREAS, the Board of Alders finds that the Text Amendment to the Zoning Ordinance requested in the Petition is in accordance with the Comprehensive Plan of Development for the City of New Haven and with the Mill River District Plan as such amendments will encourage reuse of existing underutilized and vacant buildings and encourage new development, and will increase the types of residential uses permitted in existing IL (Light Industrial) Zoning Districts and to permit boat rental as a permitted use in the BA (General Business) Zoning Districts and;

WHEREAS, the Board of Alders further finds that the Text Amendments to the Zoning Ordinance requested in the Petition are designed to lessen congestion in the streets, secure safety, promote health and the general welfare, provide adequate light and air, prevent the overcrowding of land, avoid undue concentrations of population, provide adequate provisions for all forms of transportation and other public requirements, reflect the character of the applicable zoning district and its peculiar suitability for the uses to be allowed in such district, conserve the value of existing buildings, and encourage the most appropriate use of land in the City; and

WHEREAS, the Board of Alders further finds that the Text Amendment to the Zoning Ordinance requested in the Petition is uniform for each class of buildings or structures within the IL (Light Industry) district and any zoning district to which such amendments will apply; and

NOW THEREFORE BE IT ORDAINED by the Board of Alders of the City of New Haven that the Text Amendment to the Zoning Ordinance set forth in the Petition of the Executive Director of the City Plan Department, and shown in Attachment B are hereby approved and that the Zoning Ordinance Text shall be amended in the manner set forth Attachment B: Ordinance Re Text Amendment IL
in Schedule B attached hereto which schedule is incorporated by reference. This
Ordinance shall be effective on the day after the date of publication of this Ordinance
Text Amendment.

_______________________Signed       Date _________________
Attachment C:

Draft IL Residential Use Regulation Amendments  Deletions in *Italic*  Additions in **Bold**

**TABLE 3. USE TABLE**

<table>
<thead>
<tr>
<th>Use</th>
<th>BA</th>
<th>BA-1</th>
<th>BB</th>
<th>BC</th>
<th>BD-1</th>
<th>BD-2</th>
<th>BD-3</th>
<th>BE</th>
<th>IL</th>
<th>IM</th>
<th>IH</th>
<th>Parking</th>
<th>Loading</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Uses Of Same Type As Those Permitted In Residence Districts:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*For Adaptive Reuse of Structures Built Prior to 1963, Provided the First Floor Remains in Commercial Use: Irrespective of use, whether a dwelling or business, the building, bulk and yard regulations applicable to the appropriate Business or Industrial District shall govern.*

*Dwelling units in existing structures of a least 5,000sf in area and no less than two stories in height built prior to 1963, at a density of 1 unit per 1000sf of gross floor area and limited to gross floor areas as defined in the New Haven Zoning Ordinance.*

*Commercial Use in such structures or on such properties limited to those permitted in both the IL District by right or Special Permit and either in BA, BA-1 BD-2 or BD-3 Districts by right, Special Exception or Special Permit and excluding all uses listed in Sections M. (Automotive) and O. (Construction and Related Goods and Services).*

<table>
<thead>
<tr>
<th></th>
<th>NA</th>
<th>NA</th>
<th>NA</th>
<th>NA</th>
<th>NA</th>
<th>NA</th>
<th>NA</th>
<th>SP</th>
<th>NA</th>
<th>NA</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>l, m,</td>
<td>y</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Section 43. - Bulk and yard regulations for business and industrial districts.

(i) Additional requirements for the BD-3, BD-1 and IL Districts.

(1) Usable Open space /common amenity space.

a. In the BD-3 District, for all nonresidential buildings in excess of 10,000 square feet of gross floor area, a minimum of 25 square feet of usable open space per 1,000 square feet of gross floor area up to a maximum of 10,000 square feet of usable open space shall be provided on the same lot on which the nonresidential building is located. In the event that any point on such lot is located within a 1,000-foot radius of publicly accessible open space, then a minimum of 13 square feet of usable open space per 1,000 square feet of gross floor area shall be required on such lot up to a maximum of 10,000 square feet of usable open space.

b. In the BD-1, BD-3 and IL Districts, for all mixed use buildings and residential principal buildings both existing and proposed, a minimum of 50 square feet per dwelling unit of usable open space shall be provided on the same lot on which such building is located. In the event that any point on the lot upon which the mixed use building or the residential principal building is situated...
is located within a 1,000-foot radius of publicly accessible usable open space, then a minimum of 25 square feet of usable open space per dwelling unit shall be required.

c. In the BD-1, BD-3 and IL Districts, mixed use buildings and residential principal buildings both existing and proposed with six or more dwelling units shall provide 50 square feet of common amenity space per dwelling unit in addition to the usable open space required under subsection 43(i)(1)b above.

Section 45. - Regulations for parking, loading, automotive and drive-in establishments.

The following regulations shall apply to all business and industrial uses described in section 42 of this ordinance (excluding uses of types permitted in residence districts, which shall be subject to the requirements of the appropriate residence district, as indicated in subsection 42(a) above).

In any case where provisions of this section 45 are applicable, the plans submitted shall be sufficient in scope and character to determine that all relevant requirements of this section are adhered to.

In any case in which the zoning enforcement officer is uncertain as to the applicability of standards or the adequacy of facilities, such questions shall be referred to the department of traffic and parking for an opinion. Where further refinement of the provisions of this section 45 is necessary, reference shall be made to The Traffic Engineering Handbook, Institute of Traffic Engineers, in its latest edition, or to A Policy on Arterial Highways in Urban Areas, American Association of State Highway Officials, in its latest edition.

(a) Parking and loading.

(1) Off-street parking and off-street loading spaces shall be furnished in the following quantities for business and industrial uses in the case of expansion of existing uses and new uses which require more such parking and loading spaces than were required for the immediately prior use (except in the Business A-1, Business D, D-1, D-2 and D-3 Districts as provided in clause a.1. below). If existing parking and loading spaces for an existing use are needed for such existing use to meet the ratios and stated below, such parking or loading spaces may not be credited for any expansion of such use. Parking lots and parking structures containing less than 200 parking spaces shall be permitted as of right unless otherwise indicated in the Table of Use Regulations in section 42. Parking lots or parking structures capable of containing 200 or more parking spaces shall be allowed by special permit only in accordance with section 64(e) except that such parking lots and structures located entirely on parcels subject to a development agreement with the City of New Haven entered into prior to June 1, 2007, require only site plan approval. Special permit applications for parking lots and parking structures may be heard at the same time as any related applications for site plan review.
a. Quantity of parking spaces: The quantity furnished shall be in accordance with the following table. For the sake of clarity, the appropriate key letter in the first column below appears with each use in the Table of Use Regulations in section 42.

<table>
<thead>
<tr>
<th>Key Letter</th>
<th>General Description of Uses</th>
<th>Quantity of parking spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Motel or Hotel, tourist home</td>
<td>1 per unit</td>
</tr>
<tr>
<td>b</td>
<td>Other transient lodging</td>
<td>1 per 3 sleeping rooms</td>
</tr>
<tr>
<td>c</td>
<td>Retail sales and services:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>600—5,000 sq. ft. of sales service area</td>
<td>1 per 200 sq. ft. of total sales or service area</td>
</tr>
<tr>
<td></td>
<td>Over 5,000 sq. ft. of sales or service area</td>
<td>1 per 100 sq. ft. of total sales or service area</td>
</tr>
<tr>
<td>d</td>
<td>Reserved</td>
<td>Reserved</td>
</tr>
<tr>
<td>e</td>
<td>Other office</td>
<td>1 per 600 sq. ft. of net office floor area</td>
</tr>
<tr>
<td>f</td>
<td>Place of assembly, eating or drinking place, funeral home</td>
<td>1 per 4 seats (total capacity)</td>
</tr>
<tr>
<td>g</td>
<td>Amusement</td>
<td>1 per 4 persons present at such facilities when they are filled to capacity</td>
</tr>
<tr>
<td>h</td>
<td>Vocational, trade or business school</td>
<td>1 per 2 students present at one time</td>
</tr>
<tr>
<td>i</td>
<td>Industrial, heavy commercial, transportation, marine, miscellaneous services</td>
<td>1 per 2 employees on the largest shift</td>
</tr>
<tr>
<td>j</td>
<td>k</td>
<td>l</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Game room, as defined in section 42.2</td>
<td>Marina</td>
<td>Single Family Dwelling Unit</td>
</tr>
<tr>
<td>1 per 2 game machines</td>
<td>1 per slip</td>
<td>1 per dwelling unit</td>
</tr>
</tbody>
</table>
Referral 2.5: Town of Clinton

Subject:
Proposed Zoning Regulation Amendments pertaining to Dog Grooming Facilities

Background:
A private applicant has proposed Zoning Regulation Amendments pertaining to dog grooming facilities. Grooming facilities are defined as “any place, other than a commercial kennel, which is maintained as a business where dogs are groomed, as defined in CGS Section 22-327.” These facilities are allowed by Special Permit in the VZ, IDZ, B-1, B-2, B-3, B-4, I-1, I-2, and IP Districts and are prohibited in the M district and all residential districts.

Communication:
In researching this proposal, I notified the adjacent municipality in the South Central Region.
FORM FOR SUBMITTING REFERRALS
TO THE LOWER CONNECTICUT RIVER VALLEY
REGIONAL PLANNING COMMISSION

DATE OF SUBMISSION TO THE RIVERCOG: 5/4/2016
DATE OF PUBLIC HEARING: 6/6/2016
TOWN SUBMITTING REFERRAL: Clinton
ABUTTING MUNICIPALITIES OF THE RIVERCOG (IF ANY):
Westbrook
Killingworth

SUMMARY OF PROPOSAL:
    ZONING TEXT AMENDMENT: Amendment to separate dog grooming facilities from commercial kennels

    ZONING MAP AMENDMENT:
    SUBDIVISION:
    OTHER:

COMMENTS:

RECEIVED
MAY 04 2016
SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS
Clinton Land Use Commissions

Petition for Amendment to Regulations
Change of Zone Boundary/Zone Classification

☑ Amend Regulations ☐ Change of Zone Boundary Lines ☐ Change in Zoning Classification
☑ Zoning ☐ Subdivision ☐ Wetlands

Applicant: This information and attachments are to be submitted as 15 individual packets collated and stapled.

1. Applicant: Caitlan Nadolny
   Telephone #: 203-823-8223
   Mailing Address: 44 Meetinghouse Lane, Westbrook
   FAX #: 860-881-1064
   E-Mail Address: TheDiedDogGroomer@yahoo.com

2. Agent: 
   Telephone #: 
   Mailing Address: 
   FAX #: 
   E-Mail Address: 
   Cell #: 

3. Person to contact: 
   Daytime Telephone #: 

Property Information

4. Is the property located in any of the following:
   ☐ Water Company Watershed ☐ CAM Zone ☐ Flood Zone, note zone designation
   ☐ Within 500’ of Madison ☐ Within 500’ of Killingworth ☐ Within 500’ of Westbrook

5. The Clinton Planning and Zoning Commission is hereby required to call a public hearing on all Special Exception applications pursuant to the Zoning Regulations. The Commission may hold a public hearing on any Site Plan application pursuant to the Zoning Regulations. In accordance with the Clinton Zoning Regulations, at least 15 days prior to the public hearing and continuously thereafter until the public hearing, the applicant shall post a notice in accordance with the Clinton Zoning Regulations.

The Owner and applicant hereby grant the Clinton Planning and Zoning Commission, or authorized agents, Zoning Enforcement Officer and the Town Engineer, permission to enter upon the property proposed for Special Exception, Site Plan or Signage for the purpose of inspection and enforcement of the Zoning Regulations of the Town Of Clinton.

6. Signatures (All three are required):
   Applicant: Caitlan Nadolny Date: 4-14-16
   Agent: 
   Print Name: 
   Date: 

Date Received
RECEIVED
APR 13 2015
CLINTON
P&Z
transported to such farm operation and is necessary to convert into compost, mulch or other biomass products that can be used as soil enhancers. Organic mulches are leaves, grass clippings, peat moss, untreated wood, wood chips and woodchip mulch, bark chips, straw mulch/field hay/salt hay.

(Added 10/1/2014)

3.7.7 Financial Institutions: Establishments such as, but not limited to, banks and trust companies, credit agencies, lenders, investment companies, brokers and dealers of securities and commodities, security and commodity exchanges, and insurance agents.

(Amended 1/1/2012)

3.7.8 Floor Area: The sum of the gross horizontal areas of the several stories of a building or other structure measured from the exterior faces of the exterior walls or from the center line of party walls, excluding garages, terraces, bay windows, utility rooms for heating apparatus, earth floor cellars, attics, open porches, unheated enclosed porches and other horizontal areas not accessible by a permanent inside stairway.

3.7.9 Footprint: (Also known as a “Building Footprint”) The total horizontal projected surface of a building, measured from the outside of the exterior walls, together with the area of all attached covered or roofed areas, including canopies, arcades, porches, decks and covered storage areas, but excluding uncovered steps.

(Amended 1/1/2012)

3.7.10 Funeral Home: An establishment with facilities for the preparation of the dead for burial, for viewing the body and calling on the bereaved, for meditation and for funeral services. A funeral home may include accessory facilities such as offices, chapels, libraries and the like, but shall not include a crematory.

(Amended 1/1/2012)

3.8 "G"

3.8.1 Greenhouse: A structure whose roof and sides are made largely of glass and other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants, vegetables, flowers and similar materials are grown for personal enjoyment.

(Amended 1/1/2012)

3.8.2 Greenhouse, Commercial: A structure in which plants, vegetables, flowers and similar materials are grown for sale.

3.8.3 Grooming Facility: Any place, other than a commercial kennel, which is maintained as a business where dogs are groomed, as defined in CGS Section 22-327.

3.8.3.8.4 Guest Unit: A room providing sleeping accommodations within a bed and breakfast, hotel or motel, typically for double occupancy.

3.9 "H"

3.9.1 Home Occupation: Business or professional offices and home industries or service occupations which are carried on within the walls of a dwelling or existing
<table>
<thead>
<tr>
<th>Permitted Use</th>
<th>VZ</th>
<th>IDZ</th>
<th>B-1</th>
<th>B-2</th>
<th>B-3</th>
<th>B-4</th>
<th>M</th>
<th>I-1</th>
<th>I-2</th>
<th>IP</th>
</tr>
</thead>
<tbody>
<tr>
<td>24.2.37 Recreation facilities limited to athletic fields, tennis courts,</td>
<td>X</td>
<td>SE</td>
<td>SE</td>
<td>X</td>
<td>X</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
</tr>
<tr>
<td>golf courses, swimming pools, skateboard parks, other than the facilities of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the Town of Clinton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24.2.38 Nature preserves and wildlife sanctuaries</td>
<td>P</td>
<td>X</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>24.2.39 Bowling alleys and billiard or pool halls</td>
<td>X</td>
<td>SE</td>
<td>SE</td>
<td>X</td>
<td>SE</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>24.2.40 Commercial recreation facilities, not otherwise specified</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Amended 1/1/2015 &amp; 6/1/2015)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Indoor Type A, in which a change of use is proposed for an existing</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>SE</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>structure of any size.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Indoor Type A, with a footprint not to exceed 70,000 sq. ft.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>SE</td>
<td>SE</td>
</tr>
<tr>
<td>(c) Indoor Type B, with a footprint not to exceed 40,000 sq. ft.</td>
<td>X</td>
<td>SE</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
</tr>
<tr>
<td>(d) Outdoor</td>
<td>X</td>
<td>SE</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>SE</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>24.2.41 Grooming facility</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
<td>X</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
</tr>
<tr>
<td>24.2.42 (a) Riding academies and boarding stables</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>(b) Commercial kennels</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>24.2.43 Veterinary hospitals</td>
<td>SE</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>(a) With a ground floor area of less than or equal to 5,000 sq. ft.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Occupying less than or equal to 15,000 sq. ft. of floor area</td>
<td>n/a</td>
<td>X</td>
<td>X</td>
<td>SP</td>
<td>SP</td>
<td>SP</td>
<td>X</td>
<td>SP</td>
<td>SP</td>
<td>X</td>
</tr>
<tr>
<td>(b) Occupying more than 15,000 sq. ft. of floor area</td>
<td>n/a</td>
<td>X</td>
<td>X</td>
<td>SE</td>
<td>SE</td>
<td>X</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>X</td>
</tr>
<tr>
<td>24.2.44 The keeping and raising of one (1) horse, pony, sheep, cow, goat,</td>
<td>X</td>
<td>X</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>pig, burro, donkey, mule, llama or other similar animal for personal or</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>family purposes as a pet on any lot having a minimum lot area of forty</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>thousand square feet (40,000 sq. ft.); one additional animal may be</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>maintained on the lot for each additional forty thousand square feet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(40,000 sq. ft.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

P - Zoning Permit from ZEO Required
SP - Site Plan approval from PZC Required
n/a - Not applicable
SE - Special Exception approval from PZC Required
X - Prohibited in District
### Permitted Use

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>R-80</th>
<th>R-60</th>
<th>R-40</th>
<th>R-30</th>
<th>R-20</th>
<th>R-15</th>
<th>R-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>24.1.32</td>
<td>Restaurants and other food service establishments, where customers are served only when seated at tables or counters. Such uses may include a food take-out service incidental to the primary permitted use, but shall not include establishments where customers are served in motor vehicles including drive-up windows or primarily at food take-out counters.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>24.1.33</td>
<td>Restaurants and other food service establishments where customers are served primarily at food take-out counters.</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>24.1.34</td>
<td><strong>Vendors</strong> <em>(Added 7/3/2015)</em></td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>(a) Transient</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>(b) Stationary</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>(c) Events</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>24.1.35</td>
<td>(Reserved for Future Use)</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>24.1.36</td>
<td>Indoor theaters and assembly halls</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>24.1.37</td>
<td>Outdoor recreation facilities limited to athletic fields, tennis courts, golf courses, swimming pools, skateboard parks, other than the facilities of the Town of Clinton</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
</tr>
<tr>
<td>24.1.38</td>
<td>Nature preserves and wildlife sanctuaries</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>24.1.39</td>
<td>Bowling alleys and billiard or pool halls</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>24.1.40</td>
<td>Commercial recreation facilities, indoor or outdoor, not otherwise specified</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>24.1.41</td>
<td><strong>Grooming Facility</strong></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>24.1.42</td>
<td>(a) Riding academies and boarding stables</td>
<td>SP</td>
<td>SP</td>
<td>SE</td>
<td>SE</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>(b) Commercial kennels</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>SE</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>24.1.43</td>
<td>Veterinary hospitals</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>24.1.44</td>
<td>The keeping and raising of one (1) horse, pony, sheep, cow, goat, pig, burro, donkey, mule, llama or other similar animal for personal or family purposes as a pet.</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

**Key:**
- P - Zoning Permit from ZEO Required
- SP - Site Plan approval from PZC Required
- n/a - Not applicable
- X - Prohibited in District
- SE - Special Exception approval from PZC Required
Referral 2.6: Town of Clinton

Subject:
Proposed Zoning Regulation Amendments pertaining to Contractor’s Businesses and Storage Yards

Background:
The Town of Clinton has proposed Zoning Regulation Amendments pertaining to Section 10.52 (Contractor’s Businesses and Storage Yards). Outside storage areas must be enclosed by either a six-foot-high fence that is opaque or solid or a natural barrier composed of native species. The current regulations require a fourteen-foot-high fence that is opaque or solid. Outside storage areas must have the following setbacks.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Setback from Front Lot Line</th>
<th>Setback from all other Lot Lines</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-4</td>
<td>25 feet</td>
<td>15 feet</td>
</tr>
<tr>
<td>I-1</td>
<td>10 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>I-2</td>
<td>10 feet</td>
<td>5 feet</td>
</tr>
<tr>
<td>All Residential Districts</td>
<td>50 feet</td>
<td>50 feet</td>
</tr>
</tbody>
</table>

The current regulations require a 50-foot setback from all property lines.

Communication:
In researching this proposal, I notified the adjacent municipality in the South Central Region.
FORM FOR SUBMITTING REFERRALS

TO THE LOWER CONNECTICUT RIVER VALLEY

REGIONAL PLANNING COMMISSION

DATE OF SUBMISSION TO THE RIVERCOG: 5/4/2016
DATE OF PUBLIC HEARING: 6/6/2016
TOWN SUBMITTING REFERRAL: Clinton
ABUTTING MUNICIPALITIES OF THE RIVERCOG (IF ANY):
Killingworth
Westbrook
SUMMARY OF PROPOSAL:
ZONING TEXT AMENDMENT: Changes to Contractor's Businesses and Storage yards
ZONING MAP AMENDMENT:
SUBDIVISION:
OTHER:
COMMENTS:

RECEIVED
MAY 04 2016
SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS
(3) The storage trailer shall be located so that it does not take up parking spaces required for other uses on the site and does not obstruct emergency access or other essential circulation patterns.

(4) Any landscaping or natural vegetation disturbed by the placement of a storage trailer shall be restored immediately upon removal of the trailer.

(5) The ZEO may require that storage trailers be screened from the public right-of-way and adjacent properties and that appropriate landscaping, fencing or other screening be provided.

(6) The aggregate area covered by storage trailers shall not exceed ten percent (10%) of the total floor area of all buildings on the site.

(i) Incidental retail use in approved warehouses, provided that no more than 10% or 2,500 sq. ft., whichever is less, of the total floor area is used for the retail use.

(m) Outside storage areas, including the outside storage or display of merchandise, supplies, machinery and solid wastes, but not including areas used for parking of registered motor vehicles in daily use, shall not extend into the areas required for setbacks from a property line or Residential District boundary line. **This section does not apply to Contractor’s Businesses and Storage Yards with an approved Special Exception permit.**

(1) Any outside storage area shall be enclosed except for necessary access drive, by building and/or fences, walls, embankments or evergreen shrubs or trees so as to screen the storage area from view from any other lot or from any street. Outside storage areas shall be limited in extent on any lot as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Percentage of Lot Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-1, B-2, B-3, IP, VZ</td>
<td>10%</td>
</tr>
<tr>
<td>B-4, M</td>
<td>75%</td>
</tr>
<tr>
<td>I-1, I-2</td>
<td>25%</td>
</tr>
</tbody>
</table>

(2) In areas that have been approved for outside storage, there shall be no servicing of vehicles, machinery or other items stored outside, except in Marine Zones.

(n) **Outdoor Entertainment:** Outdoor entertainment, limited to musical concerts, performing arts recitals, exhibitions, fairs/festivals and arts and crafts shows, are permitted subject to the following:
10.52 Contractor’s Businesses and Storage Yards

10.52.1 Purpose: The purpose of these Regulations is to permit contractor’s businesses, office and storage yards for equipment and materials associated with this type of businesses in a way that ensures that this use is compatible with the surrounding area and protects the public health, safety and welfare of the community.

10.52.2 Standards and Requirements: A Special Exception may be granted provided that the following criteria is met in addition to the standards, criteria and conditions stated in Section 9:

(a) There shall be a fifty foot (50’) buffer from all residential districts and abutting residential properties and structure.

(b) There shall be adequate access provided to all portions of the facility for fire suppression equipment and personnel.

(c) The outside storage of materials shall conform to the following:

(1) Materials and equipment shall be located within a designated area shown on the site plan.

(2) The outside storage area shall be enclosed by either a fourteen-six foot (14'-6") high fence that is opaque or solid or a natural barrier composed of native species.

(3) The outside storage area shall have a fifty foot (50’) setback from all property lines the following setbacks:

(i) Zone Setback from Front Lot Line: Setback from all other lot lines:

<table>
<thead>
<tr>
<th>Zone</th>
<th>25’</th>
<th>15’</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-4</td>
<td>10’</td>
<td></td>
</tr>
<tr>
<td>I-1</td>
<td>10’</td>
<td>10’</td>
</tr>
<tr>
<td>I-2</td>
<td>10’</td>
<td>5’</td>
</tr>
</tbody>
</table>

(ii) There shall be a fifty foot (50’) setback from all residential districts.

(3)(4) There shall be no storage of any liquids or hazardous materials, except as approved under Section 10.53-58 of these Regulations.

(4)(5) All fuel storage tanks shall have self-containment capabilities in case of a spill or leak.
(d) All maintenance work on equipment shall be performed within a structure or on an impervious surface that is designed to retain any spillage of fluids and cleaned immediately upon completion of work on that particular piece of equipment.

(e) The processing and/or stockpiling of earth products, including but not limited to topsoil, gravel, sand, stone, rock and demolition debris shall not be allowed unless a Special Exception is obtained as per Section 10.53-58 of these Regulations.

(f) The transport of equipment in and out of the site shall be conducted between 7:00 a.m. and 8:00 p.m., Monday through Saturday, except during emergency circumstances.

(g) The subject site shall be kept in an orderly and safe condition at all times to provide for access of emergency equipment to all areas of the site.

(h) The facility shall have security lighting which will be in effect one hour after closing.

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

(a) The applicant shall submit the following information as a narrative attached to the application at the time of submission:

(1) List of the quantity and type of materials being stored.

(2) Spill incident procedures and reporting.

(3) Standard operating procedures or management procedures.

(4) List of on-site emergency equipment.

(5) How materials are stored, handled, transported and disposed.

(6)(2) Name and contact information for the on-site responsible party.

(7)(3) Time when equipment and/or motors will be running.

(b) The required site plan shall include a layout of the storage area showing all separation distances.

(c) A lighting plan shall be submitted with the application, showing the security lighting.
Referral 2.7: Town of Clinton

Subject:
Proposed Zoning Regulation Amendments pertaining to Common Interest Community Development

Background:
A private applicant in the Town of Clinton has proposed Zoning Regulation Amendments that would allow Common Interest Community Development (CICD), by special exception, in the Marine Zone. The regulations pertaining to CICD, as well as the special requirements proposed for CICD in the Marine Zone, can be reviewed in the background section of the agenda packet.

Communication:
In researching this proposal, I notified the adjacent municipality in the South Central Region.
FORM FOR SUBMITTING REFERRALS

TO THE LOWER CONNECTICUT RIVER VALLEY

REGIONAL PLANNING COMMISSION

DATE OF SUBMISSION TO THE RIVERCOG:  5/4/2016
DATE OF PUBLIC HEARING:  6/6/2016
TOWN SUBMITTING REFERRAL:  Clinton
ABUTTING MUNICIPALITIES OF THE RIVERCOG (IF ANY):
   Killingworth
   Westbrook
SUMMARY OF PROPOSAL:
   ZONING TEXT AMENDMENT:
      Amendment to allow CICD in the Marine Zone
   ZONING MAP AMENDMENT:
   SUBDIVISION:
   OTHER:

COMMENTS:
# Petition for Amendment to Regulations
Change of Zone Boundary/Zone Classification

<table>
<thead>
<tr>
<th></th>
<th>Amend Regulations</th>
<th>□ Change of Zone Boundary Lines</th>
<th>□ Change in Zoning Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Zoning</td>
<td>Subdivision</td>
<td></td>
</tr>
</tbody>
</table>

**Applicant:** This information and attachments are to be submitted as 15 individual packets collated and stapled.

<table>
<thead>
<tr>
<th></th>
<th><strong>Applicant:</strong></th>
<th><strong>Telephone #:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cedar Island Marina</td>
<td>860-669-8681</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Mailing Address:</strong></th>
<th><strong>FAX #:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>34 Riverside Dr</td>
<td>860-669-4157</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>E-Mail Address:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><a href="mailto:Cedarislandmarina@gmail.com">Cedarislandmarina@gmail.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Agent:</strong></th>
<th><strong>Telephone #:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ken Shapiro</td>
<td>860-669-8681</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Mailing Address:</strong></th>
<th><strong>FAX #:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>34 Riverside Dr</td>
<td>860-669-4157</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>E-Mail Address:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><a href="mailto:Cedarislandmarina@gmail.com">Cedarislandmarina@gmail.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Person to contact:</strong></th>
<th><strong>Daytime Telephone #:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ken Shapiro</td>
<td>203-415-6673</td>
</tr>
</tbody>
</table>

## Property Information

4. Is the property located in any of the following:
   - [ ] Water Company Watershed  
   - [ ] CAM Zone  
   - [ ] Flood Zone, note zone designation
   - [ ] Within 500' of Madison  
   - [ ] Within 500' of Killingworth  
   - [ ] Within 500' of Westbrook

5. The Clinton Planning and Zoning Commission or Clinton Inland Wetlands Commission is hereby required to call a public hearing on all petitions to amend the Zoning Regulations, Subdivision Regulations, Inland Wetlands & Watercourse Regulations, Zoning Map or Inland Wetlands Map, pursuant to Connecticut General Statutes. For petitions to amend the Zoning Map, at least 15 days prior to the public hearing and continuously thereafter until the public hearing, the applicant shall post a notice in accordance with the Clinton Zoning Regulations.

6. Signatures (Both are required):

   **Applicant:**
   
   **Print Name:** Ken Shapiro
   
   **Date:** 3/24/16

   **Agent:**
   
   **Print Name:** Ken Shapiro
   
   **Date:** 3/24/16

**RECEIVED**
MAR 24 2016
CLINTON P&Z
Permitted Use Proposed Change

Marine Zone (M)

Current Permitted Use:

| 24.2.5 | Common Interest Community Development | X |

Proposed Permitted Use:

| 24.2.5 | Common Interest Community Development | SE |

Description

After reviewing the audio files for the meeting where Alan proposed and the Commission rejected our proposed amendments of the CICD, we are reapplying and addressing the issue for rejection, which is that the POCD addresses residential development only in terms of "multi-family housing" and that the CICD fails to specify this. Since the marine zone is in the POCD, any residential development should address the "multi-family" component.

To rectify that concern, we added a section necessitating a minimum of 4 units per building. Now by proposed regulation, any marine zone residential development in the CICD would be "multi-family". This also would significantly make the development denser and address Christine's concern of a "residential sprawl". Also, we condensed all the specific marine parts into one section to make it easier to read and more fluent.

We will address this further in our presentation in addition to going into further detail, but it is incredibly important to note after listening to the audio of last meeting - the whole property does not have to be CICD. Therefore, CICD does not preclude a mixed use type development on a piece of property.
10.5 Common Interest Community Development (CICD)

10.5.1 **Purpose:** The purpose of these Regulations is to allow for the arrangement of multiple dwelling units (units) on larger properties in a way to focus development in one or more groupings or clusters of units, and protect open space and common areas so as to create a village atmosphere, while still remaining consistent with the Plan of Conservation and Development, and promoting the health, safety and welfare of the town of Clinton.

10.5.2 **Qualifications:** A Special Exceptions for a Common Interest Community Development (CICD) may be granted provided that:

(a) The minimum area of the tract of land to be considered for a CICD shall be no less than ten (10) acres.

(b) The tract must have a minimum frontage of twenty-five feet (25’) on an accepted Town road, State road, a road in an approved subdivision or to a road which is part of a proposed subdivision.

(c) The tract shall be served by public water or a community water system approved by the Department of Energy and Environmental Protection and the Department of Public Health.

10.5.3 **Standards:** A Special Exception for a Common Interest Community Development (CICD) may be granted provided that:

(a) **Area, Bulk and Height:**

(1) Any area to be developed within a CICD shall have a minimum area of forty thousand square feet (40,000 sq. ft.).

   (i) A limited common element, exclusive use area or other restriction on the use or portion of land created through the declaration of a common interest community and not as a division of land through the subdivision process or otherwise shall not be considered a “lot” for the purposes of this Section.

(2) Each area to be developed shall include a minimum square of one hundred ten feet by one hundred ten feet (110’ x 110’) within and upon which multiple units may be constructed.

(3) The maximum ground coverage shall not exceed eighty percent (80%).

(4) The maximum building height shall not exceed the maximum permitted in the underlying zoning district.
(5) Lots must remain under a unified ownership as part of a master common interest community, but may contain units that are separately and individually owned.

(6) **Setbacks:**

(i) Minimum setback from front lot line Ten feet (10')
(ii) Minimum setback from any lot line other than a front or rear lot line Fifteen feet (15')
(iii) Minimum setback from rear lot line Twenty feet (20')

(7) **Perimeter setback:** The setback for the underlying zoning district shall apply to each developed area within a tract.

(b) **Building Standards:**

(1) Each unit shall be served by a public water supply or a community water system approved by the Department of Energy and Environmental Protection and the Department of Public Health.

(2) Utilities serving the unit shall be buried underground as feasible.

(3) The minimum floor area for each unit shall be eight hundred fifty square feet (850 sq. ft.).

(c) **Parking:** The provisions of Section 29.11 do not apply. The applicant must demonstrate that parking is adequate for the proposed use.

(d) **Stormwater Management:** The CICD shall provide for the maintenance or reduction of pre-development level stormwater runoff from the site upon completion.

(e) **Landscaping:**

(1) To the greatest extent possible, mature trees shall be retained on-site. The Commission may require street trees (minimum three inch [3’] caliper) be planted on thirty foot (30') centers.

(2) Utility terminal boxes and connections placed above ground shall be adequately landscaped to screen them from view and shall be shown on initial and final residential plans. The Commission recognizes that the utility companies have the final decisions as to locations and therefore the locations shown on the plans are the suggested locations.
(3) Trees shall be planted adjacent to parking areas, if feasible.

(f) **Open Space**

(1) A minimum of thirty percent (30%) of the tract shall be preserved as open space, through deed or conservation easement.

(2) Wherever possible, open space shall be located so as to preserve existing woodlands, farmland, unique natural features, stonewalls and sites of historic, archeological or scenic value. Due to the unique and fragile coastal environment, the primary public good of open space within the Coastal Area Management Review Zone is anticipated to be for conservation.

(3) Open space shall be located to provide linkage with reserved open space on adjacent properties whenever possible.

(g) **Common Green Space:** Usable common green space is encouraged in addition to the required open space. Desirable features for green space include:

(1) Walking paths, open fields, picnic areas and other park-like features.

(2) Landscaped and outdoor furnished spaces including playground, exercise course, picnic, amphitheater, player table, court, field and reflective areas.

(3) Bicycle, walking and information paths and where they may be appropriate, viewing platforms.

(4) Garden plots, and public swimming pools.

(5) Community notice boards and commemorative monuments within the common green spaces listed above.

(h) **Street Standards:**

(1) All streets within the CICD shall be constructed in accordance with these Regulations, town ordinance and the Town of Clinton Construction and Development Standards.

(2) All internal roadways and driveways shall be private roads and shall be maintained by the owner or Home Owners Association.

(3) **Emergency Vehicle Access**
(i) All streets must provide adequate fire truck and emergency vehicle access.

(ii) Developers are encouraged to design roads and accesses that minimize the expanse of pavement through the employment of “natural” roadside surfaces that accommodate the turning radii and clearances necessary for the maneuvering of emergency vehicles.

(l) Examples of natural roadside surfaces include but are not limited to, grass over a road base, grass paver blocks, granite cobblestones and concrete brick pavers.

(i) **Sidewalks, Pedestrian and Bike Paths:** These may be provided as deemed necessary by the Commission and consistent with the proposed aesthetic concepts.

(1) Concrete, brick pavers, and pervious cinder walkways area examples of acceptable sidewalk construction. Asphalt is not an acceptable material for sidewalks but asphalt may be used for pedestrian and bike paths.

(2) Where appropriate pedestrian paths shall be lighted at night consistent with the principles of the International Dark Sky Association.

(j) All provisions of the Subdivision and Zoning Regulations which have not been modified or eliminated by this Section shall pertain to CIDC areas, together with the requirements of Section 9, Special Exceptions.

10.5.4 **Special Requirements for Marine Zone:** If the development is located in a Marine Zone, a plan must be submitted showing that the following additional requirements have been met:

(a) There shall be a minimum of four (4) individual dwelling units per building.

(b) **Public Waterfront Access (PWA):** the public will be allowed unimpeded access to the waterfront as deemed appropriate by the Commission either through a deed restriction satisfactory to Commission counsel or by donating a piece of property to either the Town of Clinton or a non-profit organization as approved by the Commission:

(1) Examples of access include but are not limited to:

   (i) **Public walkways, aesthetically consistent with the overall development:**
(ii) Common Green Space and waterfront areas (if available):
(iii) Existing beachfront areas. In areas where there is no
      beachfront access, a scenic waterfront viewing area will be
      provided for public use; and
(iv) Outdoor furniture and fixtures which encourage pedestrian
     and bicycle use, such as bicycle racks and benches.

(2) The PWA must provide the following:
(i) Adequate public parking availability; and
(ii) Maintained road access to the public parking area(s).
(iii) In the event of traffic congestion and/or limited parking
     availability, a shuttle service shall be considered.

(c) Water Dependent Uses:
(1) All prior water dependent uses shall be protected and access
    maintained consistent with the standards set forth in the Connecticut
    Coastal Management Act (CCMA).
(2) The proposal shall not foreclose the possibility of future water
    dependent uses.

d) Innovative Stormwater/Wastewater Design:
(1) Energy and environmentally responsible and energy efficient
    stormwater and/or wastewater facilities must be considered in the
    design of the proposal.
(2) If the stormwater and/or wastewater facilities are determined to be
    feasible, the Commission may require that they are implemented.

40-5.410.5.5 Requirements: A Special Exception for a CICD shall not be approved until the
Commission finds that the following requirements have been met:

(a) The proposed units are clustered in a manner that is in harmony with the
natural site so as to promote the preservation of natural resources, unique
natural and manmade site features, and scenic views.

(b) The proposed unit layout contributes to the convenience of residential living
and has a relationship to adjoining properties and neighborhoods that is
harmonious with their character and serves to protect their values.

(c) The purposes, qualifications and standards for a CICD have been met.
(d) The provisions for traffic, water, stormwater and usable open space are adequate, do not overburden the existing streets, water and stormwater drainage facilities on- and off-site and do not create water problems off-site.

(e) The site drainage and layout in terms of location of buildings and locations of residential uses provides for the safety of the residents.

(f) The development and design of the CICD will not have a significant adverse effect on surrounding properties or property values in the area.

(g) The proposed development will not have an adverse effect on the environment and, in particular, wetland and watercourse areas. In making this finding, the recommendations of the Inland Wetlands Commission regarding the development will be taken into account.

(h) Where appropriate, the applicant has providing for continuing maintenance of parking areas, stormwater drainage facilities, open space and other infrastructure or amenities not to be accepted by the Town of Clinton.

(i) The CICD is found to be consistent with the health, welfare and public safety needs of the community.

(j) Performance standards and soil erosion control measures have been met.

(k) The proposed development must demonstrate its proximity to state highways and/or locations of mass transit access and be serviced by a public water supply.

(l) Additional Findings Required for Proposals Located within the Marine Zone:
A Special Exception for a CICD located within the Marine Zone shall not be approved until the Commission finds that the following requirements have been met:

1. Appropriate Public Waterfront Access has been provided and the method of designating such access (e.g., deed restriction) is satisfactory to the Commission and its Counsel.

2. All prior water dependent uses have been protected and the proposal does not foreclose the possibility of any future water dependent uses.

3. Innovated stormwater/wastewater designs were considered and have been implemented to the satisfaction of the Commission if feasible.

10.5.6 Procedures: The applicant shall follow the procedures set forth in Section 4 of these Regulations, in addition to the following:
(a) If the tract is being subdivided into lots, the approval of a CICD is a two-part process. An applicant must obtain Special Exception approval under these Regulations and must receive approval of a subdivision under the requirements of the Subdivision Regulations. A tract need not be subdivided into separate lots.

(1) The applicant shall submit all the required applications concurrently.

(2) The Commission may hold a single, combined public hearing on the application(s) for Special Exception and the application for subdivision approval.

(3) In accordance with Connecticut General Statutes, the Commission must vote separately on the applications for Special Exception(s) and for subdivision.

(b) The following plans shall be submitted:

(1) Lighting Plan

(2) Landscaping Plan

(3) For developments located in the Marine (M) Zone, a traffic study which includes traffic management, circulation and minimization of traffic flow.

   (i) If shuttle services are to be provided, the traffic study shall also provide details on the operation of said service.

(c) The following materials shall be submitted:

(1) Parking analysis prepared by a Professional Engineer or Traffic Engineer which demonstrates that the parking provided is adequate for the use.

(2) Sample common interest community documents, easements and/or shared driveway agreement documents.

(3) Maintenance agreement documents.

(d) Public Waterfront Access plan which shows the following:

(1) Proposed public access
(2) Proposed public parking availability
(3) Proposed road access to the public parking areas(a)