

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

**RPC
Representatives**

Bethany:
Michael Calhoun
(Secretary)

Branford:
Charles Andres

East Haven:
Sal Brancati

Guilford:
Walter Corbiere

Hamden:
Robert Roscow

Madison:
Joel Miller

Meriden:
David White
(Vice-Chair)

Milford:
Scott Marlow

New Haven:
Kevin DiAdamo

North Branford:
Frances Lescovich

North Haven:
James Giulietti
(Chair)

Orange:
Ralph Aschettino

Wallingford:
Jeffrey Kohan

West Haven:
Kathleen Hendricks

Woodbridge:
Andrew Skolnick

To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Thursday, January 11, 2018 RPC Meeting at 5:40pm at The Graduate Club, 155 Elm Street, New Haven, CT 06511

AGENDA

1. Administration

1.1. Minutes of the December 14, 2017 RPC Meeting **1**

2. Action Items

2.1. Town of Woodbridge: Proposed Zoning Regulation Amendments to Section 3.1.2.1(2) regarding multiple-family dwellings in the GB District. Submitted by: Town of Woodbridge. Received: December 6, 2017. Public Hearing: January 2, 2018. **3**

2.2. Town of Orange: Proposed Zoning Regulation Amendments to Chapter 383 – Article XII Planned Residential Development (PRD) Regulations. Submitted by: Private Applicant. Received: December 28, 2017. Public Hearing: February 6, 2018. **7**

2.3. City of West Haven: Proposed Zoning Regulation Amendment to Section 39.2 regarding multi-family dwellings in the Neighborhood Business (NB) and Residential Planned Development (RPD) Districts. Submitted by: Private Applicant. Received: December 22, 2017. Public Hearing: January 23, 2018. **40**

3. Other Business

3.1. Election of Officers and Executive Committee

The agenda and attachments for this meeting are available on our website at www.scrkog.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.

La Agenda y Adjuntos para esta reunión están disponibles en nuestro sitio web en www.scrkog.org. Favor en contactar con SCRCOG al (203) 234-7555 para obtener una copia de la Agenda en un idioma distinto al Inglés. Ayudas/servicios auxiliares e intérpretes para personas de Dominio Limitado del Inglés serán proporcionados con dos semanas de aviso.

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

DRAFT - Not yet approved by the Commission

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Regional Planner
Subject: Minutes for Thursday, December 14, 2017 Meeting at 5:15 pm at SCRCOG, 127 Washington Avenue, 4th FL West, North Haven, CT.

Present: David White, Michael Calhoun, Charles Andres, Robert Roscow, Jeffrey Kohan, Kathleen Hendricks, Eugene Livshits

1 Administration

1.1 Minutes of the November 9, 2017 RPC meeting.

Motion to accept the minutes as presented: Robert Roscow. Second: Michael Calhoun.
Vote: Unanimous.

2 Statutory Referrals

2.1 Town of North Branford: Proposed Zoning Regulation Amendments to allow residential units above businesses in all Business Zones (B-1, B-2, and B-3)

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: Charles Andres. Second: Robert Roscow. Vote: Unanimous.

2.2 City of New Haven: Proposed Zoning Ordinance Text Amendment regarding a Moratorium on the conversion, demolition, or rehabilitation of boarding-room units into non-residential uses

By resolution, the RPC has determined that the proposed zoning ordinance text 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.

Motion: Robert Roscow. Second: Kathleen Hendricks. Vote: Unanimous.

2.3 City of Milford: Proposed Zoning Regulation Amendments to Section 5.2.1 regarding outdoor lighting on residential dwellings

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: Michael Calhoun. Second: Robert Roscow. Vote: Unanimous.

2.4 Town of Woodbridge: Proposed Zoning Regulation Amendments to Section 3.1.2.1(2)

**SOUTH CENTRAL CONNECTICUT
Regional Planning Commission**

The proposed zoning regulation amendments were tabled to the January 11, 2018 Regional Planning Commission meeting. It was determined that additional information was needed pertaining to the GB-A Zone.

3 Other Business

- 3.1 An update pertaining to the Regional POCD was provided to the RPC. There was a discussion pertaining to the draft document. The following specific topics were discussed Future Land Use Map (methodology), and incorporation of local TOD Master Plans.

- 3.2 There was discussion pertaining to the Regional Planning Commission Annual Dinner. The guest speaker will be Rebecca Augur, Milone and MacBroom and the presentation will be pertaining to the Regional Plan of Conservation and Development Update. The Graduate Club in New Haven was confirmed as the venue for the RPC Annual Dinner.

Motion to Adjourn: Charles Andres. Second: Kathleen Hendricks. Vote: Unanimous.

Referral 2.1: Town of Woodbridge

Subject:

Proposed Zoning Regulation Amendments to Section 3.1.2.1(2) regarding multiple-family dwellings in the GB District

Staff Recommendation:

The proposed zoning regulation amendments do not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

The Town of Woodbridge submitted proposed zoning regulation amendments to Section 3.1.2.1(2) of Item # 12 in the Use Table.

The current regulation allows multiple family dwellings no larger than 1,250 sq.ft. in the GB district. The amendment changes the regulation to allow multiple family dwellings by Special Exception only in the GB-A Zone. The zone is designated within the red outline in the GB District, please see the enclosed map. The GB-A appears to be a new overlay zoning designation within the Town of Woodbridge. The current amendment delineates the new zone within the GB District, but does not define the new zone.

New conditions include dwelling units being no greater than 650 sq.ft. each with 1 parking space per bedroom, and a maximum of 8 dwelling units per acre. The units must be accessory to a legal non-residential use. Parking and dumpsters must be located behind the primary structure, and there must be separate entrances and exits for residential and non-residential portions of the building.

The GB Zone in Woodbridge is adjacent to the BA Zone (General Business) in New Haven.

Communication:

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

RECEIVED

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**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

December 5, 2017

South Central Regional Council of Governments
Attn: Carl Amento
127 Washington Avenue
North Haven, CT 06473-1715

Re: Zoning Regulation Revisions

Dear Mr. Amento,

Pursuant to Section 8.3b of the Connecticut General Statutes, this letter is to serve as notification that the Woodbridge Town Plan and Zoning Commission will hold a public hearing in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, on Tuesday, January 2, 2018 at 7:30 p.m. with respect to modifications and clarifications of Section 3.1.2.1(2) of item #12 of the Zoning Regulations for the Town of Woodbridge per the text and GB-A map accompanying this letter.

The proposed changes are being made by the Town Plan and Zoning Commission.

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

Very truly yours,

Kristine Sullivan, Staff

Certified Mail Return Receipt Requested # 7015 3430 0000 4589 5851

Proposed modification by the Woodbridge Town Plan and Zoning Commission of the Zoning Regulations for the Town of Woodbridge to:

- a. Modify “Residential Uses to GB District (See Section 3.2.2.1(2) of Item # 12) that “allows multiple family dwellings no larger than 1,250 sq.ft. each in the GB District” to read as follows:

Multiple-family dwellings, when accessory to a legal non-residential use, shall be permitted by Special Exception in the GB District only in the locations depicted within the Red Line Map GB-A and the following conditions:

- a. Dwelling Units (du) shall be no greater than 650 sq. ft. each, with a minimum of 1 parking space per bedroom;
- b. Maximum of 8 du’s per acre;
- c. All parking and dumpsters shall be located behind primary structure;
- d. Separate entrances and exits shall be provided for the residential and non-residential portions of the building.

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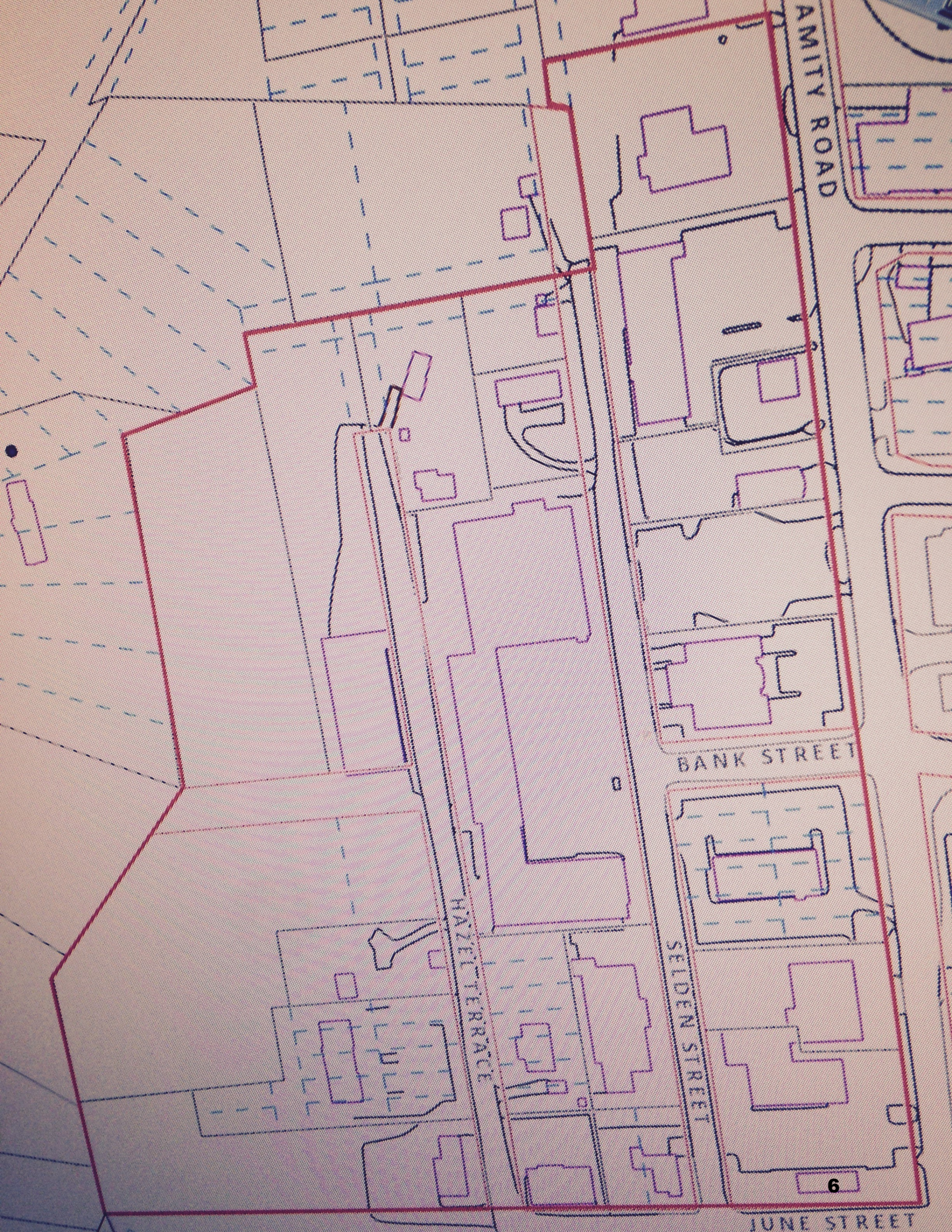
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Referral 2.2: Town of Orange

Subject:

Proposed Zoning Regulation Amendments to Chapter 383 – Article XII Planned Residential Development (PRD) Regulations

Background:

The Town of Orange submitted proposed zoning regulation amendments to Chapter 383 – Article XII Planned Residential Development (PRD) Regulations. Previously, PRD sites existed to promote the development of affordable housing, under the issuance of a Special Permit. Special Use may be granted if the site was located in a Residential or Commercial zone, and was a minimum of 2 acres. The regulation amendment contains a revised list of streets on which PRDs must have frontage. The proposed amendment removes the minimum acreage, and prohibits PRDs from Commercial zones. In addition to the existing option of creating a minimum of 30% set aside/assisted units through deed restriction, a parcel can now be considered for a PRD if 100% of the dwellings are deed restricted for occupants age 62 and older. Affordability set-asides are not required for the “Over 62 Developments.”

Under the design standards section, maximum impervious surface coverage has been increased from 60% to 75%, with building coverage not exceeding 25% of the total parcel area. For non-Over 62 Developments, the required amount of usable open space is reduced from 400 square feet per dwelling to 250 square feet per dwelling. Over 62 Developments require 50 square feet per dwelling of either usable open space or indoor meeting space (or a combination of both). Other revisions can be found in the agenda packet.

Applicable Residential zones in the Town of Orange are within 500 feet of the City of Milford’s R-18 and CDD-5 Zones.

Communication:

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



Town of Orange, Connecticut

Zoning Department

TOWN HALL
617 ORANGE CENTER ROAD
ORANGE, CONNECTICUT 06477-2499

December 26, 2017
CERTIFIED MAIL
camento@scrcog.org

PHONE: (203) 891-4743
FAX: (203) 891-2185
www.orange-ct.gov

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DEC 28 2017

**SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS**

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 Richard Meisenheimer.

To Amend the Orange Zoning Regulations relative to PRD Development.

Dear Mr. Amento:

In accordance with the Connecticut General Statutes, enclosed for your review is the above referenced Petition. Included is a 'red line' copy and final draft copy of the proposed Changes. The tentative Public Hearing date on this matter is February 6, 2018. A copy of these application materials was also sent to you in a PDF file via email.

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

Very truly yours,

Paul Dinice,
Zoning Administrator
& Enforcement Officer

enclosures

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 Mr. Richard Meisenheimer

Mailing Address c/o Attorney Kevin J. Curseaden, PO Box 31,

3 Lafayette Street, Milford, Zip 06460

Telephone 203.874.9500 Fax 203.882.7247

Email kjcurseaden@ccmlawct.com


Property Owner Same as above

Mailing Address Same as above

Zip

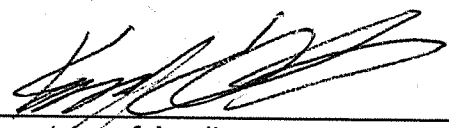
Telephone Fax

PETITION TO AMEND REGULATIONS? X ZONING MAP?



Signature of Property Owner
Richard Meisenheimer
By: Kevin J. Curseaden, Esq.,
His Representative, Duly Authorized

December 22, 2017
Date



Signature of Applicant
Richard Meisenheimer
By: Kevin J. Curseaden, Esq.,
His Representative, Duly Authorized

December 22, 2017
Date

FOR OFFICE USE ONLY:

Date Received

Application Fee Paid

Meeting Scheduled

Action Taken

Applicant Notified

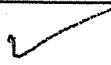
Date of Publication

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



PETITONS 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 Text Change

Town of Orange, CT
 Monday ~~Thursday~~,
 October ~~December~~ 4-3022, 2017

Chapter 383. Zoning

Article XII. Planned Residential Development (PRD) Regulations

§ 383-97. Purpose.

The purpose of the planned residential development (PRD) regulations is to encourage the provision of affordable- ~~set aside~~ housing by providing opportunities for a diversity of housing types and sizes, especially for the elderly and young families, consistent with soil types, terrain, infrastructure capacity and available services. A minimum of 30% of housing dwellings must be deed restricted as affordable- ~~set aside~~ or assisted housing units ~~as defined herein~~ for a minimum period of 40 years, or 100% of the dwellings must be deed restricted for occupants age 62 years or older (hereinafter "Over 62 Development").

§ 383-98. Qualifying standards.

Parcels of land will be considered for a planned residential development special use approval only if they comply with the following qualifying standards:

- A. Zoning district: The parcel shall be located in whole or in part in a zoning district which permits PRD development as a special use. Any new PRD development is prohibited in all Commercial (C), Business Office Park (BOP) Districts and Light Industrial (LI) Districts.

B. ~~Site size~~:

- (1) ~~The minimum site size for a planned residential development is as follows:~~

(a) ~~Residential district: two acres.~~

(b)(a) ~~Commercial districts: two acres.~~

- (2) ~~The maximum site size: five acres.~~

- C.B. Street location: The PRD site must be located on, or have a minimum thirty-foot-wide direct access to, one of the following specified streets within the designated zoning districts as shown on the Town Zoning Map Supplemental Exhibit:

(1) ~~Residential district~~:

- (a) (1) Peck Lane south of the Boston Post Road.
 (2) Old Lambert Road south of the Boston Post Road.
 (3) Turkey Hill Road.
 (4) Smith Farm Road.
 (5) Lindy Street.
 (b) _____

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(2) Commercial 1 and Commercial 2 Districts:

(a) The Boston Post Road restricted to the south side from South Lambert Road to Bull Hill Lane.

(b) Silverbrook Road.

- D. C. Sanitary sewers and public water: APRD will only be considered for a special use approval if the proposed units will be connected to public sanitary sewers on parcels less than 20 acres and if the proposed units will be connected to the public drinking water system.

Sites in excess of 20 acres may be serviced by on site sanitary waste disposal systems.

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§ 383-99. Allowed PRD uses.

- A. ~~In the residential district and in the Commercial C-1 and C-2 Districts, a~~ PRD development must qualify as either: i. an Over 62 Development as defined herein; or as a "set-aside development" or as "assisted housing" as defined in Connecticut General Statutes §8-30g) as defined in Connecticut Public Act 00-206.
- B. ~~Residential district:~~ Single-family attached or detached dwellings as restricted by this article, and multiple-unit residential dwellings as restricted by this article.
- C. ~~Commercial districts:~~
- (1) ~~Existing~~ Multiple-unit residential dwellings as restricted by this article, and multiple-unit dwellings in a mixed use residential development as restricted by this article.
 - (2) ~~In mixed use residential development, housing must equal at least 60% percent of the combined square footage.~~

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§ 383-100. Limitations on ~~parcel size and number of~~ PRD units to be authorized.

In order to allow for the orderly provision of municipal services and so as not to overburden the infrastructure capacity of the town, and so as not to have an undue concentration of housing units, the following limitations will apply:

- The maximum number of residential units to be approved on any one site is limited by the floor area ratio standards and the dwelling unit size standards. The Plan and Zoning Commission may approve fewer units on individual specific sites consistent with its findings relative to the approval standards contained in § 383-108.
- ~~There will be a maximum of 350 housing units authorized in accordance with this article and prior PRD regulations from January 1992 until December 31, 2005.~~
- ~~A maximum of five acres on any one parcel in any district may be utilized for housing units under this article and there shall be a three hundred foot separation between parcels containing PRD units. This separation distance is in addition to all other buffer, landscaping and yard requirements.~~
- No more than 50 units may be built on any one qualifying site.

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§ 383-101. Planning and design standards.

A. Height, area and bulk:

(1) ~~Residential district:~~

- (a) (1) No building shall exceed a height of 40 feet, or three stories.
- (2) Impervious surface coverage shall not exceed ~~60~~75% of the site area.
- (3) Building coverage may not exceed 25% of the total parcel area.
- (b) (4) The maximum building floor area to site area ratio (FAR) shall not exceed 0.60.
- (c) ~~The maximum building floor area to site area ratio (FAR) shall not exceed 30%.~~ (4)

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Town of Orange, CT

(2) ~~Commercial districts:~~

(a) ~~No building shall exceed a height of 40 feet, or three stories.~~

(b) ~~Impervious surface coverage shall not exceed 75% of the site area.~~

(c) ~~The maximum building floor area to site area ratio (FAR) shall not exceed 50%.~~

(3) ~~Floor area ratios, mixed use residential developments: Mixed use housing proposals will calculate allowable office or retail square footage by applying the office or commercial FAR to only the portion of~~

a parcel not devoted to housing. This will be done in the following manner:

- (a) Calculate the land area needed to accommodate the number of proposed housing units and the building footprint.
- (b) Calculate the amount of required open space for the proposed dwelling units.
- (c) Calculate the required amount of residential parking area.
- (d) Add the square footage for the building(s) footprint(s), the open space square footage and the parking area square footage.
- (e) Subtract four from the site square footage.
- (f) Apply the appropriate office or retail FAR from the district regulations to the remaining site area to yield the allowable retail or office square footage.

B Building setbacks:

(1) Buffer areas:

- (a) Residential dwelling units may not be located within 200-50 feet of a nonresidential building or nonresidential parking lot, except that housing is allowed above retail or office use as restricted by these regulations.
- (b) Residential dwelling units may not be located within 100 feet of a nonresidential building located in a shopping complex of 75,000 square feet or more.
- (c) Residential dwelling units may not be located within the property boundaries of a shopping complex of 75,000 square feet or more.

(2) Front yard, rear yard and side yard requirements: The PRD must maintain meet the minimum yard requirements for the district in which it is located or the requirements of this article, whichever are greater. At a minimum, the PRD must provide a 25 feet front and rear yard setbacks and 15 feet side yard setbacks. twenty-five-foot landscaped buffer at each property line. The buffer area could be part of the front, side or rear yard requirement.

§ 383-102. Building standards.

A The minimum floor area for units shall be 650 square feet for a single-bedroom unit, 800 square feet for a two-bedroom unit, and 1,000 square feet for a three-bedroom unit.

A .

B With the exception of an Over 62 Development, Aa minimum of 66% of the dwelling units shall consist of efficiency-e efficiency and one-bedroom units. The balance may be two- or three-bedroom units.

C Dwelling units in mixed use buildings must be served by a separate outside entrance and a separate parking area.

BC Residential buildings shall be separated by at least 35 feet from any other residential building on the same site. If, however, any facing walls contain a window or door, such distance shall be increased by one foot for each two feet of height of the higher facing wall above the lowest adjacent ground elevation thereto. Any walls which are facing at an angle of 30° or less shall be considered facing walls. Enclosed stairwells and similar architectural appurtenances shall be considered as part of the wall and shall maintain the required setback.

ED Freestanding residential buildings in mixed use developments must be adequately separated from the nonresidential use on the site in terms of access and parking. The Plan and Zoning Commission will determine the adequacy of the layout.

FE Deed restricted affordable units shall be substantially similar to non-price-restricted units in terms of building design, materials and finish quality.

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~~G.F.~~ Utilities shall be buried underground unless this requirement is waived by the Plan and Zoning Commission due to site conditions.

~~H.G.~~ Building height shall be determined for compliance with this article as the distance between the lowest existing elevation of a finished floor elevation to the top of the roof peak.

~~H.H.~~ The longest side of a residential building shall not exceed 160 feet. Facade treatments shall be varied by materials or changes in fenestration.

§ 383-103. Parking requirements.

A. Number of spaces:

Multi-unit dwellings	2.0 spaces per unit
Restricted age 62 or older units	1.5 spaces per unit
Congregate or assisted elderly units as defined in CT General Statutes	0.75 spaces per unit

B. One additional parking space must be provided for each 100 square feet of recreational building floor area.

C. The Plan and Zoning Commission may reduce the required parking if it is determined by the Commission that lesser parking will adequately serve a proposed use.

~~D.~~ Any open parking areas, excluding garage driveway pads, must be set back a minimum of 15 feet from all sides of dwellings.

~~E.D.~~ Parking which serves more than one unit may not have as its only egress backing out onto a public street.

~~F.E.~~ Adequate, unobstructed space shall be provided for snow clearance of parking spaces. Provision shall be made for adequate storage of cleared snow.

~~G.F.~~ All parking areas shall comply with the landscaping provisions of these regulations. In addition, parking areas will be screened from the street and adjoining neighbors by a landscaped treatment of at least four feet in height.

~~H.~~ Driveways shall not constitute parking spaces in determining conformance to parking standards.

§ 383-104. Landscaping and open space requirements.

A. All PRD areas shall contain a buffer strip at least 25 ~~10~~ feet wide planted to substantially screen the perimeter buildings and parking in the planned residential area from neighboring residential areas and 25 feet wide from non-residential zoned areas. A buffer may consist of a solid planting screen, or any combination of plantings, walls, berms or fences which create a solid visual barrier. The Plan and Zoning Commission may substitute a buffer with appropriate fencing of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining residentially zoned properties.

B. A preliminary landscape plan must be submitted with the initial residential plan and a final landscape and planting plan submitted with the final residential plan.

C. To the greatest extent possible, all mature trees should be retained on the site. Street trees (minimum three-inch caliper) shall be planted on thirty-foot (30') centers. The street trees shall be planted outside the right-of-way.

D. Utility terminal boxes and connections placed aboveground shall be adequately landscaped to screen them from view and shall be shown on the initial and final residential plans.

E. Existing mature vegetation on the site shall be retained in areas not disturbed by construction. In areas

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Town of Orange, CT

disturbed by construction, or in areas where existing vegetation is sparse, new plant material (trees, shrubs) shall be provided as follows:

- (1) Shade trees, evergreen trees and flowering trees shall be planted in, or adjacent to, parking areas. At least one tree shall be planted for each three spaces, or fraction thereof, in locations approved by the Plan and Zoning Commission.

- (2) Trees and shrubs shall be planted around foundations and between structures in a manner approved by the Plan and Zoning Commission.
- F. All landscaped areas shall be served by underground water sprinklers, unless this requirement is waived by the Plan and Zoning Commission.
- G. Usable openspace:
- (1) For non – Over 62 Development, At least 49250 square feet per dwelling of usable open space shall be provided in all districts.
- (1)(2) Over 62 Development shall provide passive outdoor space and/or indoor meeting or congregating space at a minimum ratio of 50 square feet per unit, or any combination thereof.
- (2)(3) Usable open space must include at least one contiguous area with the smallest dimension being at least 65 feet.
- H. Properties along the Post Road will comply with the design themes of the Post Road Design District in the Town Plan of Development.

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§ 383-105. Affordable housing and Over 62 Development definition and eligibility.

Each PRD shall constitute an Over 62 Development as defined herein, or a "set-aside development" or "assisted housing" as defined in Connecticut Public Act 00-206 C.G.S. §8-30g.

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- A. Individuals and Families eligible for affordable housing units will have an income, at the time of execution of a contract of sale or lease agreement, that does not exceed 80% of the lesser of the median family income for the New Haven/Meriden Metropolitan Statistical Area (MSA) or the median income for the State of Connecticut as established on an annual basis by the U.S. Department of Housing and Urban Development (HUD).
- B. At least half of the affordable dwelling units shall be set aside for individuals or families with incomes no more than 60% of the median income as determined in accordance with Connecticut Public Act 00-206.
- GB. In determining whether an applicant for an affordable housing unit meets the qualifying criteria, the same factors and methods of calculations used by the United States Department of Housing and Urban Development in determining the area median household income shall be used.
- C. An "affordable housing unit" is a dwelling which, if for sale, is offered at a purchase price, or, if for rent, is offered at a contract rent, excluding utilities, that is affordable to households whose income, after adjustment for family size, is at or below 80% of the lesser of the median income of the New Haven/Meriden MSA or the median income of the State of Connecticut as determined by the United States Department of Housing and Urban Development.
- D. The unit will be considered affordable to households meeting the income criteria if the household will not have to spend more than 30% of their monthly income for housing.
- EA. The unit will be considered affordable to households meeting the income criteria if the household will not have to spend more than 30% of their monthly income for housing.
- E. 100% of the dwellings must be deed restricted for occupants age 62 years or older. An Over 62 Development shall have one member of the household 62 years old or older at the time of occupancy, in accordance with the federal Fair Housing Statutes and Guidelines. Occupancy is subject to the following exceptions:
- (1) A single household member may be under age 62 if he/she is the surviving spouse of a previously qualifying occupant.

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(2) A single household member may be under age 62 if he/she is a divorced party of a previously qualifying occupant.

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(3) A household member may be under age 62 if he/she is the non-spousal primary caregiver to a qualifying occupant.

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(4) No children under age 21 years of age may be permitted to reside in any dwelling except by hardship exception granted by the Board of Directors of the subject development. Such exception shall only be granted for children of existing occupants and may be permitted for visits up to six (6) weeks per calendar year.

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§ 383-106. Procedure for considering planned residential development proposals.

- A. All PRD's shall be considered special uses subject to requirements and procedures of this article and Article XIV of the Orange Zoning Regulations.
- B. A PRD shall be approved only in conjunction with the approval of an initial residential plan (IRP) and a final residential plan (FRP) for the entire parcel by the Plan and Zoning Commission.
- C. The Plan and Zoning Commission shall charge a fee, as may be amended from time to time, to cover review costs of PRD submissions.
- D. The initial and final residential plans must be developed by either a professional engineer, architect, registered landscape architect, registered land surveyor or a professional planner, or any combination of such professionals, each to limit himself/herself to his/her particular area of expertise.

§ 383-107. Initial residential plan (IRP) submission.

A. An initial residential plan (IRP) shall be submitted to the Plan and Zoning Commission. A complete application shall include:

- (1) A map showing topography of ten-foot intervals and depicting all wetland areas, watercourses and slopes above 25%.
- (2) A listing of all property owners, by tax parcel number, within 500 feet of the project boundaries.
- (3) Information on land areas adjacent to the proposed PRD to indicate the relationship between the existing and proposed utilization of surrounding properties, including land uses, zoning, densities, height of structures, circulation systems, public facilities, and unique natural features.
- (4) A summary table indicating compliance with the qualifying, planning and design standards. The table shall show proposed phasing, if any, the number and type of buildings and units, the number of parking spaces required and provided, square feet and percent of lot area covered by pavement and buildings, lot area, frontage and landscape requirements and amount of open space required and provided.
- (5) Provisions for deed restricted age 62 or older units.
- (6) Provisions for deed restricted or affordable housing units.
- (7) The existing and proposed vehicular circulation system including parking and loading areas and points of access to residential and nonresidential uses.
- (8) The existing and proposed pedestrian circulation system including its interrelationships with the vehicular circulation system, open space system, and other areas of common use.

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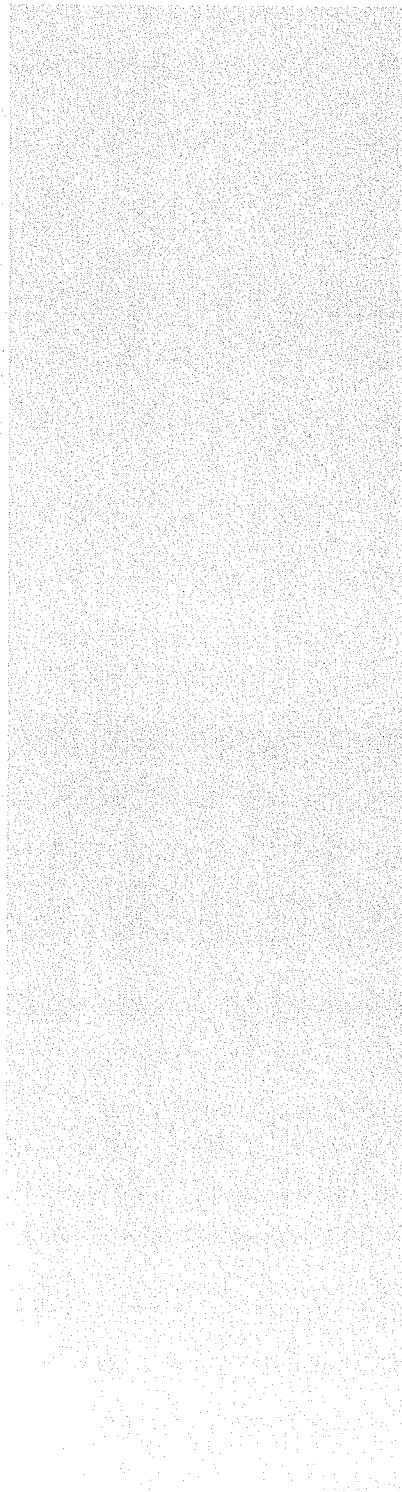
A written report by a qualified professional evaluating the impact of the PRD on the transportation system, including the amount of traffic projected within and for the proposed development and the adequacy of the surrounding streets and traffic controls to accommodate existing traffic, projected traffic from the proposed development, and projected traffic from other approved developments in the area.

- (10) A general landscape plan including the proposed treatment of the interior and the treatment of the perimeter of the PRD including materials and techniques to be used such as living screens, berms and fences.
- (11) Examples of proposed product types for the proposed buildings including building layouts and elevations of all buildings (front, back and both sides) showing proposed textures, materials and colors. Identical buildings will not require multiple elevations.
- (12) Provision for usable open space as required by the regulations.
- (13) Proposed development schedule with projected completion date(s).
- (14) Proposed number of units by bedroom count, i.e., the number of efficiency units, the number of one-bedroom units, etc.
- (15) Preliminary grading and drainage information of the same nature and to the same extent required for a subdivision.
- (16) Identification of any historic structures or features on the site.
- (17) An affordability plan containing at least the following:
 - (a) Name of the entity or person responsible for the compliance with the affordability restrictions,
 - (b) An affirmative fair housing marketing plan governing the sale or rental of the units;

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- (c) The building schedule and location of the affordable units;
- (d) A sample calculation of rental rates and sale prices for the affordable units;



- (e) Proposed restrictive covenants and lease restrictions;
- (f) Such other information as may be required by the Commission or by the Commissioner of the Connecticut Department of Economic and Community Development.

B Public hearing: After receipt of a completed PRD application, completed initial residential plan and required application fees, the Plan and Zoning Commission shall hold a public hearing and take action to approve, approve with modification, or disapprove the initial residential plan.

§ 383-108. Findings required for approval of initial or final residential plans.

A In order to approve an initial or final residential plan, the Plan and Zoning Commission shall first make the following findings:

- (1) The purposes of the PRD regulations have been met.
- (2) The qualifying PRD standards and the planning and design PRD standards have been met.

Provisions for traffic, water, sewerage, stormwater and usable open space are adequate, do not overburden existing streets, water, sewer and stormwater drainage facilities on- or off-site and do not create water problems off-site.

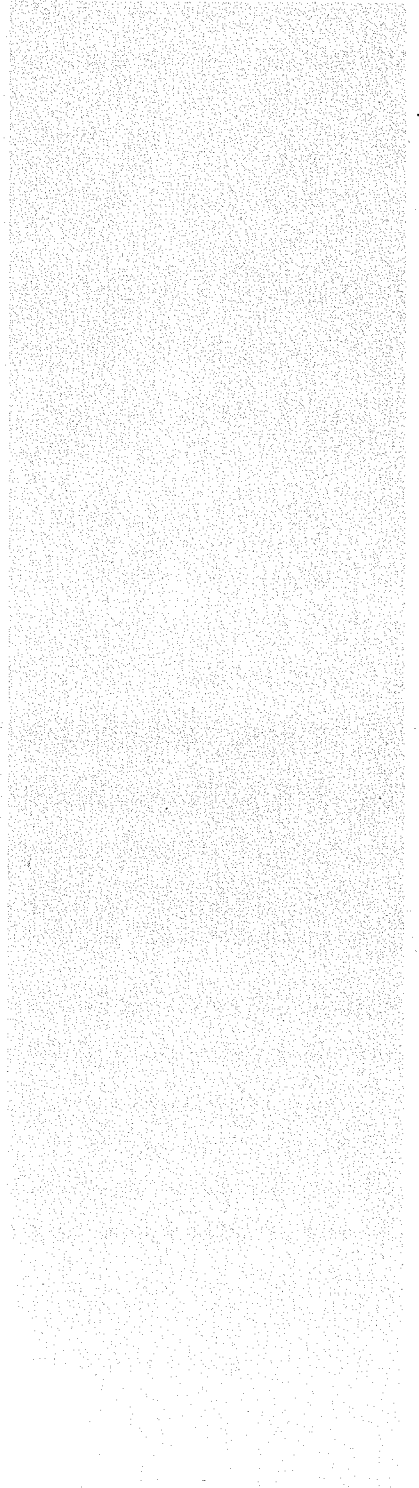
- (3) The site design and layout in terms of location of buildings and locations of residential and nonresidential uses provides for the safety of the residents of the residential units.
- (4) The PRD will not require upgrading of the street system of the Town of Orange. If the Plan and Zoning Commission, in its discretion, elects to permit the necessary upgrading of the street system, the applicant will pay for any required upgrading. In order for the Plan and Zoning Commission to make the necessary analysis, the applicant may be required to provide information, plans and data at the applicant's expense.
- (5) The proposed housing design will not require upgrading of the existing on-site or off-site public sewer, water or drainage systems. The IRP provides for the maintenance or reduction of pre-development level drainage runoff from the site upon completion. If the Plan and Zoning Commission, in its discretion, elects to permit the necessary upgrading of the on-site or off-site public sewer, water or drainage systems, the applicant will pay for any required upgrading. In order for the Plan and Zoning Commission to make the necessary analysis, the applicant may be required to provide information, plans and data at the applicant's expense.
- (6) The development and design of the PRD will not have a significant adverse effect on surrounding properties or property values in the area.
- (7) The proposed development will not have a significant adverse effect on the environment and, in particular, wetland and watercourse areas. In making this finding, the recommendations of the Inland Wetlands and Water Courses Commission regarding the development will be taken into account.
- (8) Where appropriate, the applicant has provided for continuing maintenance of parking areas, stormwater drainage facilities, open space and other infrastructure or amenities not to be accepted by the Town of Orange.
- (9) The special use general conditions as contained in § 383-136 have been examined with respect to the PRD by the Plan and Zoning Commission and found to be consistent with the health, welfare and public safety needs of the community.
- (10) Performance standards of Article XVIII and soil and erosion control measures of Article XXI have been met.

B Recording and effective date: An approved initial residential plan shall be endorsed by the Plan and Zoning

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Commission and recorded in the office of the Orange Town Clerk within 90 days of the date of approval,



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unless extended by the Commission for good cause shown.

§ 383-109. Final residential plan (FRP) submission.

- A. Before development can begin, a final development plan must be approved by the Plan and Zoning Commission in accordance with the provisions of Article XIII of these regulations and Chapter 382, Subdivision Regulations, if applicable.
- B. Application for a final residential plan may be for all or only a portion of the approved initial residential plan. If the site is to be developed in phases, each phase shall require a final residential plan. The final residential plan shall conform substantially to the approved initial residential plan. The Plan and Zoning Commission will be the sole judge as to substantial conformance.
- C. The final residential plan shall include the following:
 - (1) Site plans meeting the standards of Article XIII of these Regulations and the standards required by the initial residential plan.
 - (2) Final subdivision plan submission in accordance with Chapter 382, Subdivision Regulations, if applicable.
 - (3) Detailed landscape plans for common areas, usable open space, parking and perimeter areas including proposed grading, plant materials and method(s) of maintenance.
 - (4) The deed restriction provisions for the Over age 62 Development or older units and/or the affordable housing units as specified in these regulations.
 - (5) All required legal documents referred to in these regulations.
- D. The Plan and Zoning Commission may hold a public hearing on the final residential plan if in its estimation the plan differs significantly from the initial residential plan. Otherwise, the final residential plan shall be processed in the same manner as a site plan approval under Article XIII of these Regulations, but subject, however, to this article, and shall be filed after approval in accordance with the requirements of this article.

§ 383-110. Planned residential development completion time requirements.

- A. The final residential plan must be submitted within ~~three~~ (3) years from the date of the initial residential plan approval. Otherwise, the initial residential plan is null and void. The Plan and Zoning Commission may approve an extension of up to one year.
- B. The applicant shall post a performance bond in accordance with these Regulations for completion of all improvements in accordance with the final residential plan, except residential units, at the time of approval of the final residential plan.
- C. If less than 40% of the dwelling units in any approved phase of a PRD have received certificates of occupancy within 24 months of the approval of such final residential plan, the PRD shall ~~may~~ be reviewed by the Plan and Zoning Commission to determine the developer's intent to proceed.
- D. The Plan and Zoning Commission may, for good cause, allow for extensions of up to ~~one~~ three (3) years for completion of buildings, structures, or other improvements.
- E. If the Plan and Zoning Commission determines that the developer does not intend to proceed with the PRD, the Plan and Zoning Commission may revoke such final residential plan approval.
- F. Notice of intent to revoke shall be given to the developer, or his successors in interest, by certified mail sent at least 10 days prior to the date of the meeting at which such action is proposed.
- G. Revocation of the FRP approval, or any phase thereof, shall terminate PRD approval as to such FRP, subject to the right to complete all structures commenced in accordance with the FRP. Hereafter, all completed

structures shall constitute pre-existing, nonconforming uses in accordance with these Regulations.

- H In accordance with Connecticut General Statutes, the Plan and Zoning Commission shall state on the certificate of approval for the final residential plan the five-year expiration for completion of all work in connection with the final residential plan.
- I A certificate of zoning compliance for units in the final plan for which application is made which are not subject to the contract and covenant restricting them as affordable and/or age 62 or older housing shall be issued only after the completion and issuance of a certificate of zoning compliance for a pro rata number of units of restricted affordable and/or age 62 or older housing. The pro rata allocation shall be based on the proportion of the number of affordable and/or age 62 or older housing units to the total units approved in the whole application.

§ 383-111. Requirements for maintenance of common land and facilities.

In order to ensure the long-term maintenance of common land and facilities and to prevent maintenance expenditures by the town, the following shall be required:

- A PRD projects shall be approved subject to the submission of a legal instrument setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas, common parking areas, and other communally owned facilities. No such instrument shall be acceptable until approved by the Town Attorney as to legal form and effect.
- B Any homeowners' association (HOA) created shall be organized as a not-for-profit corporation with automatic membership in the HOA when property is purchased in the PRD. This shall be specified in the covenants which run with the land and which bind all subsequent owners. Covenants for maintenance assessments shall also run with the land. Included in the maintenance covenants shall be procedures for changing them at stated intervals. Deeds shall specify the rights and responsibilities of property owners to the HOA. The HOA shall also be responsible for liability insurance, local taxes, and the maintenance of all commonly held facilities through the use of a pro rata share formula for all property owners.

§ 383-112. Street standards.

- A All streets within a PRD must be constructed to Town street standards as set forth in Chapter 382, Subdivision Regulations, and Town ordinances and other street regulations.

The Plan and Zoning Commission may permit pavement widths down to 20 feet, provided the right-of-way width for public roads remains at least 50 feet, where the Plan and Zoning Commission finds that density, length of street, projected traffic volumes, available parking and other relevant factors justify such reduction.

§ 383-113. Affordable housing and Over age 62 or older Development housing resale restrictions.

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- A In the case of affordable housing units, the title to said properties shall be restricted so that in the event of any resale by the owner or any successor, the resale price shall be affordable as specified in § 383-105.
- B Rent increases in units which are rented shall be allowed only to the extent that the new rent, excluding utilities, is affordable by households as specified in § 383-105.
- C In the case of restricted age Over 62 or older Development housing, the title to said properties shall be restricted so that in the event of any resale by the owner or any successor, the purchaser must be age 62 or older. In the event of a new lease to another party or a sublease, the unit must be so restricted that the new lessee must be age 62 or older.

- D. Required restrictions shall be conveyed by deeds incorporating the terms and conditions of the sale agreement and resale restrictions or embodied in the lease and notice of the lease, a copy of which shall be filed with the Town of Orange Tax Assessor. These covenants shall run with the land and be enforceable by the Town of Orange until released by the town. The sale and resale or lease, sublease and re-letting of units may not occur until the Assessor of the Town of Orange verifies that the conditions have been met with respect to the initial sale or resale price or rent under a lease, sublease or re-letting. The new purchaser or renter of the property shall also provide the Assessor with information verifying their income or age, as appropriate, for the prior three years.

§ 383-114. Contract requirements with the Town of Orange.

Subsequent to the approval of the final residential plan and prior to the issuance of a building permit and a certificate of zoning compliance, the applicant must execute and file with the Town Clerk an agreement with the Town of Orange. Said contract will describe the following:

- A Terms of the final residential plan.
- B Procedures for establishment of maximum income for the occupants of the affordable housing and price limits on sale, resale, rental, sublease, or conversion to common interest ownership and subsequent sale of the affordable or elderly housing units. This shall include current calculations applying these Regulations as of the month prior to application.
- C Provision for increases of the specified income, sale price or rent of restricted affordable units.
- D Covenants in favor of the Town of Orange incorporating the terms and conditions of the contract, which covenants shall run with the land and be enforceable by the town.
- E Subordination to the interest of other liens against the property to the affordable deed restrictions.
- F The complete affordability plan.

§ 383-115. Moratorium.

- A Article XII of the Orange Zoning Regulations shall be suspended and no PRD applications will be accepted or approved during any period during which there is a moratorium in effect pursuant to during which the affordable housing appeals procedure established in Public Act 00-20 C.G.S. § 8-30g6 is not applicable with respect to any application filed with the Orange Plan and Zoning Commission except for:
 - (1) A PRD application in which 95% of the dwelling units are restricted to persons or families whose income is less than or equal to 60% of the median income;
 - (2) Over 62 Development as defined herein;
 - (3) Other PRD applications for assisted housing containing 40 or fewer dwelling units.
- B Effective dates of a moratorium shall be available from the clerk of the Plan and Zoning Commission.

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Proposed PRD
Regs.

Chapter 383. Zoning

Article XII. Planned Residential Development (PRD) Regulations

§ 383-97. Purpose.

The purpose of the planned residential development (PRD) regulations is to encourage the provision of affordable housing by providing opportunities for a diversity of housing types and sizes, especially for the elderly and young families, consistent with soil types, terrain, infrastructure capacity and available services. Either A minimum of 30% of housing dwellings must be deed restricted as "set-aside" or "assisted housing units" as defined herein for a minimum period of 40 years, or 100% of the dwellings must be deed restricted for occupants age 62 years or older (hereinafter "Over 62 Development").

§ 383-98. Qualifying standards.

Parcels of land will be considered for a planned residential development special use approval only if they comply with the following qualifying standards:

- A. Zoning district: The parcel shall be located in whole or in part in a zoning district which permits PRD development as a special use. Any new PRD development is prohibited in all Commercial (C), Business Office Park (BOP) Districts and Light Industrial (LI) Districts.

Street location: The PRD site must be located on, or have a minimum thirty-foot-wide direct access as of the date of adoption of these regulations to one of the following specified streets within the designated zoning districts as shown on the Town Zoning Map Supplemental Exhibit:

- (1) Peck Lane south of the Boston Post Road.
- (2) Old Lambert Road south of the Boston Post Road.
- (3) Turkey Hill Road.
- (4) Smith Farm Road.
- (5) Lindy Street.
- (6) Dogburn Lane.

- C. Sanitary sewers and public water: A PRD will only be considered for a special use approval if the proposed ~~25~~ units will

be connected to public sanitary sewers on parcels less than 20 acres and if the proposed units will be connected to the public drinking water system.

Sites in excess of 20 acres may be serviced by on site sanitary waste disposal systems.

§ 383-99. Allowed PRD uses.

- A. Each PRD shall constitute either an Over 62 Development as defined herein, or a "set-aside development" or "assisted housing" as defined in C.G.S. §8-30g (hereinafter "Affordable").
- B. Single-family attached or detached dwellings as restricted by this article, and multiple-unit residential dwellings as restricted by this article.
- C. Existing Multiple-unit residential dwellings as restricted by this article, and multiple-unit dwellings in a mixed use residential development as restricted by this article.

§ 383-100. Limitations on number of PRD units to be authorized.

In order to allow for the orderly provision of municipal services and so as not to overburden the infrastructure capacity of the town, and so as not to have an undue concentration of housing units, the following limitations will apply:

- The maximum number of residential units to be approved on any one site is limited by the floor area ratio standards and the dwelling unit size standards. The Plan and Zoning Commission may approve fewer units on individual specific sites consistent with its findings relative to the approval standards contained in § 383-108.
- No more than Fifty (50) units may be built on any one qualifying site.

§ 383-101. Planning and design standards.

A. Height, area and bulk:

- (1) No building shall exceed a height of 40 feet, or three stories.
- (2) Impervious surface coverage shall not exceed 75% of the site area.
- (3) Building coverage may not exceed 25% of the total parcel area.
- (4) The maximum building floor area to site area ratio (FAR) shall not exceed 0.60.

B. (4) Building setbacks:

(1) Buffer areas:

- (a) Residential dwelling units may not be located within 50 feet of a nonresidential building or nonresidential parking lot.
- (b) Residential dwelling units may not be located within 100 feet of a nonresidential building located in a shopping complex of 75,000 square feet or more.
- (2) Front yard, rear yard and side yard requirements: The PRD must maintain 25 feet front and rear yard setbacks and 15 feet side yard setbacks.

§ 383-102. Building standards.

- A. The minimum floor area for units shall be 650 square feet for a single-bedroom unit, 800 square feet for a two-bedroom unit, and 1,000 square feet for a three-bedroom unit.
- B. With the exception of an Over 62 Development, a minimum of 66% of the dwelling units shall consist of efficiency and one-bedroom units. The balance may be two- or three-bedroom units.
- C. Residential buildings shall be separated by at least 35 feet from any other residential building on the same site. If, however, any facing walls contain a window or door, such distance shall be increased by one foot for each two feet of height of the higher facing wall above the lowest adjacent ground elevation thereto. Any walls which are facing at an angle of 30° or less shall be considered facing walls. Enclosed stairwells and similar architectural appurtenances shall be considered as part of the wall and shall maintain the required setback.
- D. Freestanding residential buildings in mixed use developments must be adequately separated from the nonresidential use on the site in terms of access and parking. The Plan and Zoning Commission will determine the adequacy of the layout.
- E. Deed restricted set aside or assisted housing units shall be substantially similar to non-price-restricted units in terms of building design, materials and finish quality.
- F. Utilities shall be buried underground unless this requirement is waived by the Plan and Zoning Commission due to site conditions.
- G. Building height shall be determined for compliance with this article as the distance between the lowest existing elevation of a finished floor elevation to the top of the roof peak.
- H. The longest side of a residential building shall not exceed 160 feet. Façade treatments shall be varied by materials or changes in fenestration.

§ 383-103. Parking requirements.

- A. Number of spaces:

Multi-unit dwellings	2.0 spaces per unit
Restricted age 62 or older units	1.5 spaces per unit
Congregate or assisted elderly units as defined in CT General Statutes	0.75 spaces per unit
- B. One additional parking space must be provided for each 100 square feet of recreational building floor area.
- C. The Plan and Zoning Commission may reduce the required parking if it is determined by the Commission that lesser parking will adequately serve a proposed use.
- D. Parking which serves more than one unit may not have as its only egress backing out onto a public street.
- E. Adequate, unobstructed space shall be provided for snow clearance of parking spaces. Provision shall be made for adequate storage of cleared snow.
- F. All parking areas shall comply with the landscaping provisions of these regulations. In addition, parking areas will be screened from the street and adjoining neighbors by a landscaped treatment of at least four feet in height.

§ 383-104. Landscaping and open space requirements.

- A. All PRD areas shall contain a buffer strip at least 10 feet wide planted to substantially screen the perimeter buildings and parking in the planned residential area from neighboring residential areas and 25 feet wide **30**

from non-residential zoned areas. A buffer may consist of a solid planting screen, or any combination of plantings, walls, berms or fences which create a solid visual barrier. The Plan and Zoning Commission may substitute a buffer with appropriate fencing of suitable type and height which shall be installed and maintained by the applicant to effectively screen the use from adjoining residentially zoned properties.

- B A preliminary landscape plan must be submitted with the initial residential plan and a final landscape and planting plan submitted with the final residential plan.
- C To the greatest extent possible, all mature trees should be retained on the site. Street trees (minimum three-inch caliper) shall be planted on thirty-foot (30') centers. The street trees shall be planted outside the right-of-way.
- D Utility terminal boxes and connections placed aboveground shall be adequately landscaped to screen them from view and shall be shown on the initial and final residential plans.
- E Existing mature vegetation on the site shall be retained in areas not disturbed by construction. In areas disturbed by construction, or in areas where existing vegetation is sparse, new plant material (trees, shrubs) shall be provided as follows:
 - (1) Shade trees, evergreen trees and flowering trees shall be planted in, or adjacent to, parking areas. At least one tree shall be planted for each three spaces, or fraction thereof, in locations approved by the Plan and Zoning Commission.

- (2) Trees and shrubs shall be planted around foundations and between structures in a manner approved by the Plan and Zoning Commission.
- F. All landscaped areas shall be served by underground water sprinklers, unless this requirement is waived by the Plan and Zoning Commission.
- G. Usable openspace:
 - (1) PRD's designated as Affordable housing units shall have at least 250 square feet per dwelling of usable open space shall be provided.
 - (2) PRD's designated as Over 62 Developments shall provide passive outdoor space and/or indoor meeting or congregating space at a minimum ratio of 50 square feet per unit, or any combination thereof.
 - (3) In all PRD's, usable open space must include at least one contiguous area with the smallest dimension being at least 65 feet.

§ 383-105. Affordable housing and Over 62 Development definition and eligibility.

Each PRD shall constitute an Over 62 Development as defined herein, or as an Affordable housing unit.

Affordable.

- A. Individuals and Families eligible for Affordable housing units will have an income, at the time of execution of a contract of sale or lease agreement, that does not exceed 80% of the lesser of the median family income for the New Haven/Meriden Metropolitan Statistical Area (MSA) or the median income for the State of Connecticut as established on an annual basis by the U.S. Department of Housing and Urban Development (HUD).
- B. In determining whether an applicant for an Affordable housing unit meets the qualifying criteria, the same factors and methods of calculations used by the United States Department of Housing and Urban Development in determining the area median household income shall be used.
- C. An "Affordable housing unit" is a dwelling which, if for sale, is offered at a purchase price, or, if for rent, is offered at a contract rent, excluding utilities, that is affordable to households whose income, after adjustment for family size, is at or below 80% of the lesser of the median income of the New Haven/Meriden MSA or the median income of the State of Connecticut as determined by the United States Department of Housing and Urban Development.
- D. The unit will be considered affordable to households meeting the income criteria if the household will not have to spend more than 30% of their monthly income for housing.

Over 62 Development.

- E. 100% of the dwellings must be deed restricted for occupants age 62 years or older. An Over 62 Development shall have one member of the household 62 years old or older at the time of occupancy, in accordance with the federal Fair Housing Statutes and Guidelines. Occupancy is subject to the following exceptions:
 - (1) A single household member may be under age 62 if he/she is the surviving spouse of a previously qualifying occupant.
 - (2) A single household member may be under age 62 if he/she is a divorced party of a previously qualifying occupant.
 - (3) A household member may be under age 62 if he/she is the non-spousal primary caregiver to a qualifying occupant.
 - (4) No children under age 21 years of age may be permitted to reside in any dwelling except by

TOWN OF ORANGE, CA

hardship exception granted by the Board of Directors of the subject development. Such exception shall only be granted for children of existing occupants and may be permitted for visits up to six (6) weeks per calendar year.

§ 383-106. Procedure for considering planned residential development proposals.

- A. All PRD's shall be considered special uses subject to requirements and procedures of this article and Article XIV of the Orange Zoning Regulations.
- B. APRD shall be approved only in conjunction with the approval of an initial residential plan (IRP) and a final residential plan (FRP) for the entire parcel by the Plan and Zoning Commission.
- C. The Plan and Zoning Commission shall charge a fee, as may be amended from time to time, to cover review costs of PRD submissions.
- D. The initial and final residential plans must be developed by either a professional engineer, architect, registered landscape architect, registered land surveyor or a professional planner, or any combination of such professionals, each to limit himself/herself to his/her particular area of expertise.

§ 383-107. Initial residential plan (IRP) submission.

- A. An initial residential plan (IRP) shall be submitted to the Plan and Zoning Commission. A complete application shall include:
 - 1. A map showing topography of ten-foot intervals and depicting all wetland areas, watercourses and slopes above 25%.
 - 2. A listing of all property owners, by tax parcel number, within 500 feet of the project boundaries.
 - 3. Information on land areas adjacent to the proposed PRD to indicate the relationship between the existing and proposed utilization of surrounding properties, including land uses, zoning, densities, height of structures, circulation systems, public facilities, and unique natural features.
 - 4. A summary table indicating compliance with the qualifying, planning and design standards. The table shall show proposed phasing, if any, the number and type of buildings and units, the number of parking spaces required and provided, square feet and percent of lot area covered by pavement and buildings, lot area, frontage and landscape requirements and amount of open space required and provided.
 - 5. Provisions for deed restricted age Over 62 Developments.
 - 6. Provisions for deed restricted Affordable housing units.
 - 7. The existing and proposed vehicular circulation system including parking and loading areas and points of access to residential and nonresidential uses.
 - 8. The existing and proposed pedestrian circulation system including its interrelationships with the vehicular circulation system, open space system, and other areas of common use.
 - 9. A written report by a qualified professional evaluating the impact of the PRD on the transportation system, including the amount of traffic projected within and for the proposed development and the adequacy of the surrounding streets and traffic controls to accommodate existing traffic, projected traffic from the proposed development, and projected traffic from other approved developments in the area.
 - 10. A general landscape plan including the proposed treatment of the interior and the treatment of the perimeter of the PRD including materials and techniques to be used such as living screens, berms and fences.
 - 11. Examples of proposed product types for the proposed buildings including building layouts

elevations of all buildings (front, back and both sides) showing proposed textures, materials and colors. Identical buildings will not require multiple elevations.

- 12 Provision for usable open space as required by the regulations.
- 13 Proposed development schedule with projected completion date(s).
- 14 Proposed number of units by bedroom count, i.e., the number of efficiency units, the number of one-bedroom units, etc.
- 15 Preliminary grading and drainage information of the same nature and to the same extent required for a subdivision.
- 16 Identification of any historic structures or features on the site.
- 17 When a PRD is an "Affordable" as defined herein, an affordability plan containing at least the following:
 - (a) Name of the entity or person responsible for the compliance with the affordability restrictions,
 - (b) An affirmative fair housing marketing plan governing the sale or rental of the units;
 - (c) The building schedule and location of the Affordable units;
 - (d) A sample calculation of rental rates and sale prices for the Affordable units;

- (e) Proposed restrictive covenants and lease restrictions;
- (f) Such other information as may be required by the Commission or by the Commissioner of the Connecticut Department of Economic and Community Development.

B Public hearing: After receipt of a completed PRD application, completed initial residential plan and required application fees, the Plan and Zoning Commission shall hold a public hearing and take action to approve, approve with modification, or disapprove the initial residential plan.

§ 383-108. Findings required for approval of initial or final residential plans.

A In order to approve an initial or final residential plan, the Plan and Zoning Commission shall first make the following findings:

- (1) The purposes of the PRD regulations have been met.
- (2) The qualifying PRD standards and the planning and design PRD standards have been met.

Provisions for traffic, water, sewerage, stormwater and usable open space are adequate, do not overburden existing streets, water, sewer and stormwater drainage facilities on- or off-site and do not create water problems off-site.

- (3) The site design and layout in terms of location of buildings and locations of residential and nonresidential uses provides for the safety of the residents of the residential units.
- (4) The PRD will not require upgrading of the street system of the Town of Orange. If the Plan and Zoning Commission, in its discretion, elects to permit the necessary upgrading of the street system, the applicant will pay for any required upgrading. In order for the Plan and Zoning Commission to make the necessary analysis, the applicant may be required to provide information, plans and data at the applicant's expense.
- (5) The proposed housing design will not require upgrading of the existing on-site or off-site public sewer, water or drainage systems. The IRP provides for the maintenance or reduction of pre-development level drainage runoff from the site upon completion. If the Plan and Zoning Commission, in its discretion, elects to permit the necessary upgrading of the on-site or off-site public sewer, water or drainage systems, the applicant will pay for any required upgrading. In order for the Plan and Zoning Commission to make the necessary analysis, the applicant may be required to provide information, plans and data at the applicant's expense.
- (6) The development and design of the PRD will not have a significant adverse effect on surrounding properties or property values in the area.
- (7) The proposed development will not have a significant adverse effect on the environment and, in particular, wetland and watercourse areas. In making this finding, the recommendations of the Inland Wetlands and Water Courses Commission regarding the development will be taken into account.
- (8) Where appropriate, the applicant has provided for continuing maintenance of parking areas, stormwater drainage facilities, open space and other infrastructure or amenities not to be accepted by the Town of Orange.
- (9) The special use general conditions as contained in § 383-136 have been examined with respect to the PRD by the Plan and Zoning Commission and found to be consistent with the health, welfare and public safety needs of the community.
- (10) Performance standards of Article XVIII and soil and erosion control measures of Article XXI have been met.

B Recording and effective date: An approved initial residential plan shall be endorsed by the Plan and Zoning

Town of Orange, CA

Commission and recorded in the office of the Orange Town Clerk within 90 days of the date of approval, unless extended by the Commission for good cause shown.

§ 383-109. Final residential plan (FRP) submission.

- A. Before development can begin, a final development plan must be approved by the Plan and Zoning Commission in accordance with the provisions of Article XIII of these regulations and Chapter 382, Subdivision Regulations, if applicable.
- B. Application for a final residential plan may be for all or only a portion of the approved initial residential plan. If the site is to be developed in phases, each phase shall require a final residential plan. The final residential plan shall conform substantially to the approved initial residential plan. The Plan and Zoning Commission will be the sole judge as to substantial conformance.
- C. The final residential plan shall include the following:
 - (1) Site plans meeting the standards of Article XIII of these Regulations and the standards required by the initial residential plan.
 - (2) Final subdivision plan submission in accordance with Chapter 382, Subdivision Regulations, if applicable.
 - (3) Detailed landscape plans for common areas, usable open space, parking and perimeter areas including proposed grading, plant materials and method(s) of maintenance.
 - (4) The deed restriction provisions for the Over 62 Development units and/or the affordable housing units as specified in these regulations.
 - (5) All required legal documents referred to in these regulations.
- D. The Plan and Zoning Commission may hold a public hearing on the final residential plan if in its estimation the plan differs significantly from the initial residential plan. Otherwise, the final residential plan shall be processed in the same manner as a site plan approval under Article XIII of these Regulations, but subject, however, to this article, and shall be filed after approval in accordance with the requirements of this article.

§ 383-110. Planned residential development completion time requirements.

- A. The final residential plan must be submitted within three (3) years from the date of the initial residential plan approval. Otherwise, the initial residential plan is null and void. The Plan and Zoning Commission may approve an extension of up to one year.
- B. The applicant shall post a performance bond in accordance with these Regulations for completion of all improvements in accordance with the final residential plan, except residential units, at the time of approval of the final residential plan.
- C. If less than 40% of the dwelling units in any approved phase of a PRD have received certificates of occupancy within 24 months of the approval of such final residential plan, the PRD may be reviewed by the Plan and Zoning Commission to determine the developer's intent to proceed.
- D. The Plan and Zoning Commission may, for good cause, allow for extensions of up to three (3) years for completion of buildings, structures, or other improvements.
- E. If the Plan and Zoning Commission determines that the developer does not intend to proceed with the PRD, the Plan and Zoning Commission may revoke such final residential plan approval.
- F. Notice of intent to revoke shall be given to the developer, or his successors in interest, by certified mail sent at least 10 days prior to the date of the meeting at which such action is proposed.
- G. Revocation of the FRP approval, or any phase thereof, shall terminate PRD approval as to such FRP, subject to the right to complete all structures commenced in accordance with the FRP. Thereafter, all complete

structures shall constitute pre-existing, nonconforming uses in accordance with these Regulations.

- H In accordance with Connecticut General Statutes, the Plan and Zoning Commission shall state on the certificate of approval for the final residential plan the five-year expiration for completion of all work in connection with the final residential plan.
- I A certificate of zoning compliance for units in the final plan for which application is made which are not subject to the contract and covenant restricting them as affordable and/or age 62 or older housing shall be issued only after the completion and issuance of a certificate of zoning compliance for a pro rata number of units of restricted affordable and/or age 62 or older housing. The pro rata allocation shall be based on the proportion of the number of affordable and/or age 62 or older housing units to the total units approved in the whole application.

§ 383-111. Requirements for maintenance of common land and facilities.

In order to ensure the long-term maintenance of common land and facilities and to prevent maintenance expenditures by the town, the following shall be required:

- A PRD projects shall be approved subject to the submission of a legal instrument setting forth a plan or manner of permanent care and maintenance of open spaces, recreational areas, common parking areas, and other communally owned facilities. No such instrument shall be acceptable until approved by the Town Attorney as to legal form and effect.
- B Any homeowners' association (HOA) created shall be organized as a not-for-profit corporation with automatic membership in the HOA when property is purchased in the PRD. This shall be specified in the covenants which run with the land and which bind all subsequent owners. Covenants for maintenance assessments shall also run with the land. Included in the maintenance covenants shall be procedures for changing them at stated intervals. Deeds shall specify the rights and responsibilities of property owners to the HOA. The HOA shall also be responsible for liability insurance, local taxes, and the maintenance of all commonly held facilities through the use of a pro rata share formula for all property owners.

§ 383-112. Street standards.

- A All streets within a PRD must be constructed to Town street standards as set forth in Chapter 382, Subdivision Regulations, and Town ordinances and other street regulations.

The Plan and Zoning Commission may permit pavement widths down to 20 feet, provided the right-of-way width for public roads remains at least 50 feet, where the Plan and Zoning Commission finds that density, length of street, projected traffic volumes, available parking and other relevant factors justify such reduction.

§ 383-113. Affordable housing and Over 62 Development housing resale restrictions.

- A In the case of affordable housing units, the title to said properties shall be restricted so that in the event of any resale by the owner or any successor, the resale price shall be affordable as specified in § 383-105.
- B Rent increases in units which are rented shall be allowed only to the extent that the new rent, excluding utilities, is affordable by households as specified in § 383-105.
- C In the case of Over 62 Development housing, the title to said properties shall be restricted so that in the event of any resale by the owner or any successor, the purchaser must be age 62 or older. In the event of a new lease to another party or a sublease, the unit must be so restricted that the new lessee must be age 62 or older.

- D. Required restrictions shall be conveyed by deeds incorporating the terms and conditions of the sale agreement and resale restrictions or embodied in the lease and notice of the lease, a copy of which shall be filed with the Town of Orange Tax Assessor. These covenants shall run with the land and be enforceable by the Town of Orange until released by the town. The sale and resale or lease, sublease and re-letting of units may not occur until the Assessor of the Town of Orange verifies that the conditions have been met with respect to the initial sale or resale price or rent under a lease, sublease or re-letting. The new purchaser or renter of the property shall also provide the Assessor with information verifying their income or age, as appropriate, for the prior three years.

§ 383-114. Contract requirements with the Town of Orange.

Subsequent to the approval of the final residential plan and prior to the issuance of a building permit and a certificate of zoning compliance, the applicant must execute and file with the Town Clerk an agreement with the Town of Orange. Said contract will describe the following:

- A. Terms of the final residential plan.
- B. Procedures for establishment of maximum income for the occupants of the affordable housing and price limits on sale, resale, rental, sublease, or conversion to common interest ownership and subsequent sale of the affordable or elderly housing units. This shall include current calculations applying these Regulations as of the month prior to application.
- C. Provision for increases of the specified income, sale price or rent of restricted affordable units.
- D. Covenants in favor of the Town of Orange incorporating the terms and conditions of the contract, which covenants shall run with the land and be enforceable by the town.
- E. Subordination to the interest of other liens against the property to the affordable deed restrictions.
- F. The complete affordability plan.

§ 383-115. Moratorium.

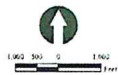
- A. Article XII of the Orange Zoning Regulations shall be suspended and no PRD applications will be accepted or approved during any period which there is a moratorium in effect pursuant to the affordable housing appeals procedure established in C.G.S. §8-30g except for:
 - (1) A PRD application in which 95% of the dwelling units are restricted to persons or families whose income is less than or equal to 60% of the median income;
 - (2) Over 62 Development as defined herein;
 - (3) Other PRD applications for assisted housing containing 40 or fewer dwelling units.
- B. Effective dates of a moratorium shall be available from the clerk of the Plan and Zoning Commission.

Town of Orange

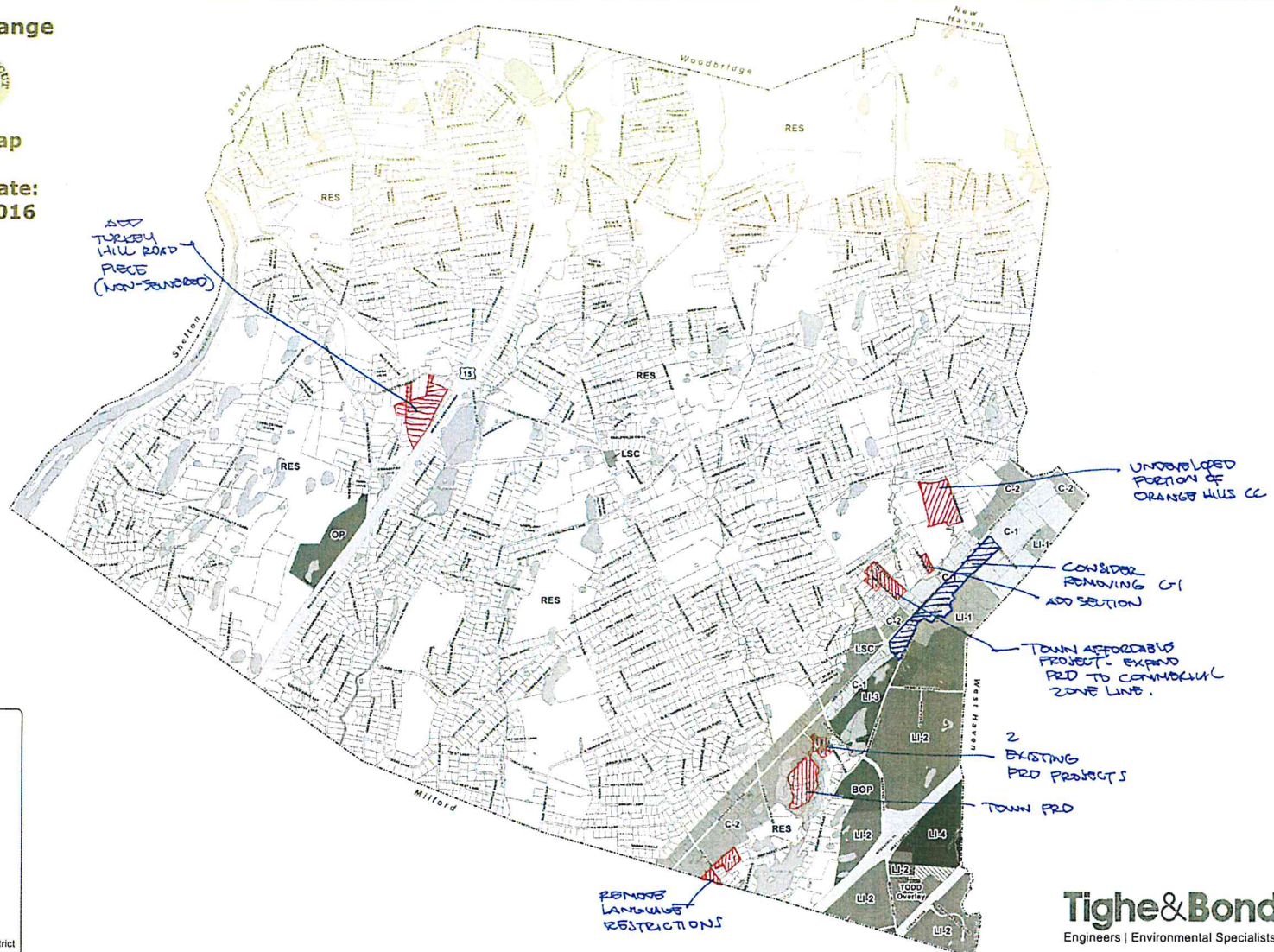


Zoning Map

Effective Date:
June 15, 2016



Legend	
	Business Office Park District
	Commercial C-1 District
	Commercial C-2 District
	Light Industrial District #1
	Light Industrial District #2
	Light Industrial District #3
	Light Industrial District #4
	Local Shopping Center District
	Office Park District
	Residential
	Transit Oriented Development District



Tighe & Bond
Engineers | Environmental Specialists

Referral 2.3: City of West Haven

Subject:

Proposed Zoning Regulation Amendment to Section 39.2 regarding multi-family dwellings in the Neighborhood Business (NB) and Residential Planned Development (RPD) Districts

Staff Recommendation:

The proposed zoning regulation amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.

Background:

A private applicant submitted a zoning regulation amendment to Section 39.2 regarding multi-family dwellings in the Neighborhood Business (NB) and Residential Planned Development (RPD) Districts. The amendment revises the Use Table to allow multi-family dwellings in NB and RPD zones by Special Permit.

RPD zones are adjacent to the Town of Orange and the City of New Haven. NB zones are adjacent to the Town of Orange.

Communication:

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



CITY OF WEST HAVEN, CONNECTICUT

Planning and Development Department

City Hall | 355 Main Street | First Floor West Haven, Connecticut 06516-0312
Phone 203.937.3580 Fax 203.937.3742



December 22, 2017

RECEIVED

DEC 22 2017

SOUTH CENTRAL REGIONAL
COUNCIL OF GOVERNMENTS

TO: ✓ South Central Regional Council of Governments
State of CT DEEP
City of New Haven, City Clerk
City of Milford, City Clerk
✓ Town of Orange, Town Clerk
West Haven Harbor Management Commission

RE: Planning and Zoning Applications # ZR 17-082

The City of West Haven hereby refers the following application to your agency for your review, in accordance with Section 8-3b, 22a-104 and 22a-113p of the Connecticut General Statutes and Section 86 of the West Haven Zoning Regulations:

Text Change Application – Ken Nizolek

- The applicant seeks approval of a change to the Zoning Regulations that would make Multi-Family Dwellings a permitted use by Special Permit approval of the Planning and Zoning Commission in the Neighborhood Business (NB) and Residential Planned Development (RPD) Districts. File # ZR 17-082.

The West Haven Planning and Zoning Commission plans to hold a public hearing on this application on Tuesday, January 23, 2018 at 7:00 PM in the Harriet North Room, 2nd Floor, City Hall, 355 Main Street, West Haven, CT.

Copies of the proposed amendment are enclosed for your review. Please submit any comments on the proposed application by the date of this public hearing if possible. Thank you for your assistance. Please contact me if you have any questions on this application.

Sincerely,

David W. Killeen
Assistant City Planner



CITY OF WEST HAVEN, CONNECTICUT

Planning and Development Department

City Hall | 355 Main Street | Third Floor
Phone 203,937,3580 Fax 203,937,3742

West Haven, Connecticut 06516-0312
E-Mail: planning@cityofwesthaven.com



CITY HALL 1898-1967

APPLICATION FOR CHANGE TO ZONING REGULATIONS

1. Article and Section of Zoning Regulations

Section 39.2 subsection A / Page 39.2-1

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

The demonstrated housing needs of West Haven's population are better served by allowing multi-family dwellings in a NB & SPD zone, subject to review and approval by the Planning and Zoning Commission.

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

The general welfare of the public & sound zoning principles.

4. Applicant Information

Name Ken Nizolek

Firm

Street Address 158 Bull Hill Lane

City West Haven State CT ZIP 06516

Dated: 12/22/17

Daytime Phone:

☐ Business ☐ Home

☐ Fax: ☒ Cell: 203-764-0231

☐ E-mail


Signature of APPLICANT

5. Counsel Information

Name Vincent R. Falcone

Firm Falcone Law Firm, LLC

Street Address 334-336 Main Street

City West Haven State CT ZIP 06516

Daytime Phone: 203-931-1762

☒ Business ☐ Home

☒ Fax: 2039347099 ☐ Cell:

☒ E-mail falcone@falconelaw.com

6. Provide Text of Proposed Change

See proposed new text attached hereto which allows multi-family dwellings by Special Permit in a NB Zone and a SPD Zone.

Rev 4-30-11

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

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

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

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

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

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