

**Weston Planning & Zoning Commission  
Draft Regulation Amendment  
Village District**

*Draft to be posted on Town website and submitted to  
Weston Forum website to facilitate public review and  
comment*

*Sections 200, 210, and 311.1 are deleted in their entirety and replaced as follows:*

**Section 200 Classes of Districts and Purposes.** Inasmuch as the character and type of development throughout the Town is predominantly residential, supplemented by a limited amount of business and service establishments for the convenience of local residents, and based upon the rugged nature of the Town's topography and the policies expressed in the Plan of Conservation and Development, the Town of Weston is hereby divided into the following districts:

R-2A, Two Acre Residential and Farming District

NSC, Neighborhood Shopping Center District

Retail Zone (Village District)

**Section 210 Zoning Map.** The boundaries of the districts are hereby established as shown on the map entitled, "Zoning Map, dated \_\_\_\_\_ 2011" on file in the office of the Town Clerk. Said map and all explanatory matter thereon are hereby adopted and made a part of these regulations.

**311.1 Lot for Every Building.** Every building hereafter erected shall be located on a lot as defined herein, and except for Neighborhood Shopping Center District and Village District, there shall be no more than one (1) principal building and its accessory structures located on any one (1) lot.

*[Additionally, Section 350.2 ("Signs") must be amended]*

*Section 323 is inserted as follows:*

**Section 323 Retail Zone (Village District)**

**323.1 Purpose.** The Retail Zone shall provide the people of Weston with desirable goods and services and provide for office space in a manner which will not be detrimental to the surrounding residential areas.

**323.2 Design Review Authorized.** The Retail Zone is hereby designated as a Village District as authorized by Section 8-2 of the Connecticut General Statutes.

**323.3 Principal Uses Permitted with Site Plan Approval.** The following Principal Uses shall be permitted within the Retail Zone with site plan approval in accordance with the provisions of Section 323.7 of these Regulations.

- (a) Single Family Dwelling, subject to the terms and conditions of Section 323.9.  
[*addition of this use complicates the section as smaller setbacks and lot area minimums apply; nonetheless, this proposal is drafted to include it for consideration*]
- (b) Retail Business [*define to exclude automotive sales, repair, service, or wash, junkyards, sale of gasoline and other fuels, on-site dry-cleaning*] provided (i) no 'Separately Demised Space' associated with a Retail Business shall consist of more than 7,500 square feet, and (ii) there shall be no more than one liquor store in the district [*Town attorney to confirm this is defensible restriction; alternatively, develop liquor permit regs to allow multiple restaurant and grocery permits, but limit liquor stores and bars*].
- (c) Restaurants [*define to include catering*] provided no restaurants shall be designed or operated, in whole or in part, for food service to patrons (or consumption of food by patrons) in motor vehicles on the premises (e.g.: drive-through or drive-in restaurants).
- (d) General and Executive Offices, [*define to exclude Service Establishments*] provided that offices shall not be permitted on the first floor of any building.
- (e) Personal Service Establishments.
- (f) Service Establishments [*define to include medical, legal and exclude General and Executive Offices*] provided that (i) there shall be no more than one real estate office in the district, (ii) there shall be no more than one bank in the district, and (iii) there shall be no more than one insurance agent office in the district.
- (g) Hotels [*define to exclude motels – common 'adequate' food service and common egress*].

**323.4 Permitted Accessory Uses with Site Plan Approval.** The following Accessory Uses shall be permitted in conjunction with a permitted Principal Use within the Retail Zone with site plan approval in accordance with the provisions of Section 323.7 of these Regulations.

- (a) Outside dining on a Porch or Terrace when accessory to a Restaurant use provided no such Porch or Terrace shall extend fewer than fifty (50) feet from any Side or Rear Lot Line except upon recordation on the land records of a waiver making express reference to this Section and executed by the owner of each property situated within fifty (50) feet thereof.
- (b) Parking and loading space for motor vehicles, in accordance with the requirements of Section 360 [*review requirements*].
- (c) Signs, in accordance with the requirements of Section 350.

- (d) Exterior lighting, in accordance with the requirements of Section 312.8.
- (e) Other Customary Accessory Uses to the principal use.

In addition, the following Accessory Uses shall be permitted in connection with a Single Family Dwelling principal use:

- (f) Limited Home Occupation, subject to the terms and conditions of Section 343.
- (g) The keeping of roomers or boarders, subject to the terms and conditions of Section 344.
- (h) Apartment, subject to the terms and conditions of Section 345.

**323.5 Uses Permitted by Special Permit:** The following are permitted uses in the Retail Zone subject to (i) the issuance of a special permit pursuant to Sections 330-341, and (ii) any requirements and conditions imposed in connection with such approval:

- (a) Place of Worship, subject to the terms and conditions of Section 341.1.
- (b) Fire Station, subject to the terms and conditions of Section 341.2.
- (c) Private School, subject to the terms and conditions of Section 341.3.
- (d) Club, subject to the terms and conditions of Section 341.4.
- (e) Nursery School, subject to the terms and conditions of Section 341.5.
- (f) Riding Stable or Academy, subject to the terms and conditions of Section 341.6.
- (g) Municipal uses on lots owned by the Town of Weston, subject to the terms and conditions of Section 341.7.
- (h) Regulated Home Occupation, subject to the terms and conditions of Section 341.8. provided the foregoing shall apply only in connection with a Single Family Dwelling use.
- (i) Museum / Art Gallery, subject to the terms and conditions of Section 341.9.
- (j) Farmers' Market, subject to the terms and conditions of Section 341.10.
- (k) Parks and Playgrounds, subject to the terms and conditions of Section 341.11.

### **323.6 Lot Dimensions**

**323.6.1 Minimum Lot Area.** Every lot shall consist of no less than one (1) acre.

**323.6.2 Minimum Lot Dimensions:** The shape of each lot shall be such that a rectangle 170 feet by 200 feet can be contained within its horizontal boundaries. No part of any principal Building shall be erected at a point where the lot width is less than 170 feet. Each lot shall have frontage on a road or highway, as defined herein, of at least 170 feet.

**323.6.6 Minimum Setbacks:** No Structure shall extend fewer than ten (10) feet from any Side or Rear Lot Line.

**323.6.7 No Minimum Front Setback:** There shall be no minimum front setback in the Retail Zone except as provided in Section 323.8 and provided that, in

connection with construction or reconstruction of any Structure, adequate space shall be reserved for the provision of a sidewalk having a width of no less than six (6) feet and provided further, due regard is given to the possibility that the adjacent roadway may be widened.

**323.6.8 Maximum Structure Height:** No Structure shall exceed a height of thirty-five (35) feet.

**323.6.9 No Maximum Building Coverage:** No maximum Building coverage shall apply in the Retail Zone.

### **323.7 Approval of Site Plans and Plans of Development**

**323.7.1 Plan Required.** Before the issuance of a zoning permit, a detailed “Plan of Development” shall be submitted by the applicant to, and approved by the Commission, and no development shall be carried out, or certificate of zoning compliance issued, except in conformance with such approved plan or a similarly approved revision of such plan.

**323.7.2 Plan Requirements.** The Plan of Development shall include, with respect to all existing and proposed development, (i) a survey meeting the Minimum Detail Standard Requirements for ALTA/ACSM land title surveys, and including all optional survey responsibilities and specifications as promulgated by the American Land Title Association then in effect, including, without limitation, parking data (ii) a floor plan showing the basic subdivision of buildings, all entrances, exits and loading and service areas, (iii) elevation drawings of all sides of the building, with finish materials and colors indicated, (iv) samples of all finish materials to be used on the exterior of any building, (v) a lighting plan showing the location, direction, power and timing of all exterior lighting and illuminated signage, (vi) a roof plan showing all mechanical equipment, vents, hatches, skylights, etc., and the type and extent of screening to be provided, and (vii) a list of all existing and proposed tenants, the permitted uses under each lease, and the number of square feet occupied by each such tenant. In addition, the commission may, in its discretion, require submission of a traffic study prepared by a certified engineer and certified to the commission in connection with any change of use affecting in excess of an aggregate of 1,000 s.f. or construction of new floor space in excess of an aggregate of 1,000 s.f. occurring within any twenty-four (24) month period.

**323.7.3 Standards of Approval.** In acting upon any application, the Commission shall determine that the requirements of the Zoning Regulations are met, and that the Plan of Development is such that the architectural design, scale and mass of buildings and other structures, including the exterior building material, color, roof line and building elevations shall harmonize and be compatible with the residential nature of the community, to protect property values in the neighborhood, and to preserve the appearance and beauty of the community. The

Commission shall attach such conditions to its approval as may be necessary to assure initial and continued compliance with these and other above-specified requirements.

**323.7.3 Design Guidelines.** In acting upon any application hereunder:

- (a) Special attention shall be paid to protecting and enhancing the distinctive character, landscape, streetscapes, riverfronts, and historic Structures within the district.
- (b) The removal or disruption of historic, traditional, or significant structures or architectural elements shall be avoided or minimized.
- (c) The conversion, conservation, and preservation of existing Buildings and sites in a manner that maintains or enhances the historic or distinctive character of the district and the area around the district shall be encouraged.
- (d) The exterior of Structures shall be consistent with:
  - (i) The “Connecticut Historical Commission – The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings”, as amended from time to time;
  - (ii) The Weston Village District Design Guidelines, as amended from time to time; and *[To be developed]*
  - (iii) Any distinctive characteristics of the district identified in the Weston Plan of Conservation and Development, as amended from time to time.
- (e) Proposed Buildings or modifications to existing Buildings shall be harmoniously related to their surroundings, the terrain in the district, and to the use, scale and architecture of existing Buildings in the district and the area around the district that have a functional or visual relationship to a proposed Building or modification.
- (f) All spaces, Structures and related site improvements visible from public roadways shall be designed to be compatible with the elements of the area of the district in and around the proposed Building or modification and the area around the district.
- (g) The color, size, height, location, proportion of openings and roof treatments, building materials, and landscaping of commercial or residential property and any proposed signs and lighting shall be evaluated for compatibility with the local architectural motif.
- (h) Maintenance of views, historic Buildings, monuments and landscaping shall be encouraged.

*[Notes:*

- *Enlist help of Building Committee, Historic District Commission, and Historical Society in generating guidelines*
- *Enlist help of the public to photograph the best of Weston architecturally – homes, specific architectural features, and other elements.*
- *Use existing residential homes as models – especially for scale*

- *Stress aesthetic uniformity among signage, plantings, and architectural details (such as windows, hardware, exterior lighting);*
- *Encourage features to tie disparate parts of the Zone together into a cohesive whole such as lampposts, planting boxes [potential for Town to extend these elements to Town hall/library campus]*
- *Tie to particular architectural styles such as Federal, Victorian, etc. [What style is Cobbs Mill Inn?]*
- *Use of traditional materials such as clapboard and brick. No visible cinderblock, concrete, or synthetic panels*
- *Prohibit plate glass or windows in excess of a residential scale (note Weston Center tenants do not use existing storefront showcases).*
- *Prohibit glass, metal, and sliding exterior doors except as required by ADA or Fire Code.*
- *Parking areas to be situated behind buildings to the extent possible and never in front - encourage small interconnected lots rather than one large one.]*

**323.7.3 Procedures.** In acting upon any application hereunder:

- (a) The commission shall select and contract with one or more consultants (each a “Village District Consultant”) at the expense of the applicant.
- (b) Such Village District Consultant shall be (i) a registered architect or an architectural firm, (ii) a licensed landscape architect, or (iii) a planner who is a member of the American Institute of Certified Planners.
- (c) Alternatively, an architectural design review board may be designated as the Village District Consultant provided the members shall include at least one (1) architect, landscape architect or planner who is a member of the American Institute of Certified Planners.
- (d) All applications shall be subject to review and recommendation by the Village District Consultant designated by the commission for such application.
- (e) The Village District Consultant shall review an application and report to the commission within thirty-five (35) days of receipt of the application.
- (f) Such report and recommendation shall be entered into the public hearing record and considered by the commission in making its decision.
- (g) Failure of the Village District Consultant to report within the specified time shall not alter or delay any other time limit imposed by these regulations.
- (h) The commission may seek the recommendations of any town or regional agency or outside specialist including, but not limited to, (i) the Weston Historical Society, (ii) The Weston Historical District Commission, (iii) the Weston Building Committee, (iv) the Connecticut Trust for Historic Preservation, (v) The University of Connecticut College of Agriculture and Natural Resources, and (vi) the regional planning agency. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

**323.8 General Prohibitions.** In acting upon any application hereunder:

- (a) The commission may, in its discretion, limit the hours of operation of any business within the Retail Zone other than Hotels.
- (b) The commission may, in its discretion, limit the hours during which any business within the Retail Zone may receive deliveries or services by truck.
- (c) The commission may, in its discretion, limit the manner (and hours during which) any business within the Retail Zone may utilize exterior lighting.
- (d) Exterior storage or display of articles for sale or of other materials or equipment shall be prohibited.
- (e) All dumpsters and trash receptacles shall be enclosed within a Fence or otherwise screened from the view of adjacent roadways and properties.
- (f) Dumpsters and trash receptacles shall be consolidated insofar as is commercially reasonable so as to minimize the total number of such dumpsters and trash receptacles provided that such receptacles shall in no event be overburdened.
- (g) Dumpsters and trash receptacles shall not be placed within fifty (50) feet of any Lot Line.
- (h) All stationary mechanized equipment (including HVAC condensers compactors, and exhaust fans) shall be situated, enclosed and/or screened in such a manner so as to minimize noise, odors and vibration. No such equipment shall be situated closer to any adjacent property line than its distance to a Building designed for occupancy on the lot except upon recordation on the land records of a waiver making express reference to this Section and executed by the owner of each property situated within one hundred fifty (150) feet of such equipment.
- (i) Exterior private and public space above the ground-level of any Structure (such as balconies) shall not extend fewer than one hundred fifty (150) feet from any Lot Line.
- (j) Public address systems or other means of amplifying sound directed to exterior space shall be prohibited.
- (k) No odor which can reasonably be expected to be offensive or objectionable to adjacent properties shall be released or permitted to escape from any lot within the Retail Zone.

**323.8 General Protocols.** The commission shall encourage within the district, in a manner which is consistent with these regulations:

- (a) outdoor dining;
- (b) development of shared parking facilities and the interconnectivity of parking areas;
- (c) public and private development of pedestrian walkways;
- (d) public and private installation of planters, trees and other landscaping; and
- (e) development of shared drainage, well, and underground septic facilities among lots in the Retail Zone and with adjacent property owners.

**323.9 Bonds and Sureties.**

*[Adapt from new Section 4.6 of subdivision regs]*

**323.9 Single Family Dwellings; Cluster Housing Permitted.** No more than one (1) Single Family Dwelling per two (2) acres of Lot Area shall be permitted on any lot within the Retail Zone. Construction of a Single Family Dwelling on any lot consisting of less than two (2) acres is prohibited.

**Section 610 Definitions.**

*The following terms shall be added to Section 610 in alphabetical order:*

**General and Executive Offices:** *[to be determined]*

**Hotels:** *[to be determined]*

**Personal Service Establishments:** *[to be determined]*

**Restaurants:** *[to be determined]*

**Retail Business:** *[to be determined]*

**Separately Demised Space:** *[to be determined]*

**Service Establishments:** *[to be determined]*

**Village District Consultant** shall have the meaning ascribed to the term in Section 323.7.3.

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*Pursuant to C.G.S. §8-3a(a), the Commission finds that these regulations are consistent with the 2010 Town Plan of Conservation and Development.*

*The foregoing amendments shall be effective upon publication.*