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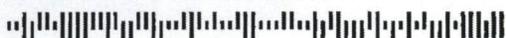
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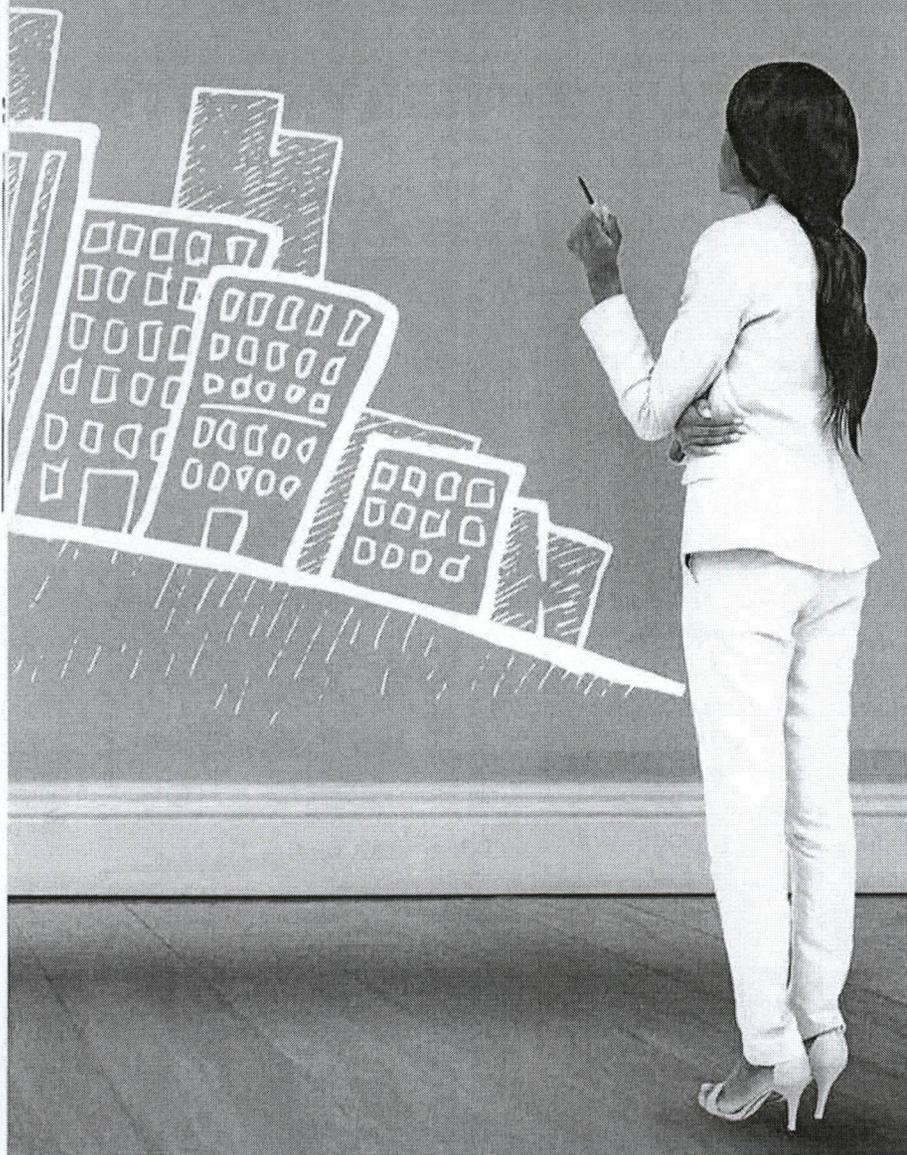
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# Form-based Codes and the Village District Act in Connecticut: Preservative Development, An Oxymoron?

By Gregory M. Milano



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## Introduction

You are a town planner in Connecticut. Before you is a proposal for a new mixed-use project that complies with traditional Euclidean zoning, including requirements for lot coverage, height, setback, density, and fit within the category of use that is zoned for the property.<sup>1</sup> The town's zoning commission has not adopted any significant changes to its regulations since before 1998. Assuming compliance with all other state and local building regulations, on its face, the proposal satisfies all requirements and would be approved by the zoning commission. The proposed development site, however, is between two locally iconic and architecturally significant buildings in a prominent location in the municipality. The design is incompatible with the surrounding development due to the use of certain building materials and other physical elements of the facade. The property and surrounding district is not designated as historic, so the historic district commission does not have regulatory authority over the property to deny the application. The town planner knows that the building does not belong there, but what can be done?

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Because the planning and zoning commission did not adopt regulations requiring new construction to be aesthetically compatible with the surrounding buildings and neighboring area of the municipality, the town planner was hamstrung with no regulatory authority to require changes to the proposal. The commission was limited to strictly advisory design review. Commonly-held community ideals, vision, and policy to preserve the character of areas of the municipality and promote mixed-use and economic development, will not prevail over the adopted zoning regulations for the area. Attorneys for private developers see no legal problems for their clients in securing approval to go forward with their construction plans.

Town planners and local residents once had little to no means to control such development. As Simsbury Town Counsel Robert M. DeCrescenzo put it, there was "tension between building the grand list [of a town's taxable property] through new and additional development, in order to raise tax revenues, and maintaining the character of a town in the process."<sup>2</sup> Towns needed to adopt new zoning tools to maximize grand list growth while at the same time avoiding negative aspects of suburban sprawl.<sup>3</sup>

### The Village District Act (VDA)

The problem that our fictional town planner faced introduces us to Connecticut's 1998 Village District Act (VDA), Public Act 98-116, "An Act Authorizing the Establishment of Village Districts,"<sup>4</sup> a wide-reaching community character regulation<sup>5</sup> giving enabling authority to municipalities to adopt the vision of town planners, preservationists, and residents eager to promote aesthetically pleasing form in their communities.<sup>6</sup> Prior to the passage of the VDA, Connecticut's enabling legislation allowed either preservation or development.

The current historic preservation statute promotes new development and provides for substantial enhancement of property, but achieves both with much difficulty, requiring strict compliance with the Secretary of the Interior's Standards for Rehabilitation in order to maintain historic designation and eligibility for tax credits.

The traditional Euclidean zoning enabling statute, still relied on as relevant authority, fails to explicitly provide for character preservation, focusing on the regulation of the use of land. Character-rich centers that do not fit the requirements to be designated as historic are continually in danger of losing their sense of character with every proposal for new development.

The VDA is a hybrid preservation and development statute, which operates through the structure of the current zoning commission procedures and regulations, but allows the refocusing of Euclidean zoning. For the first time in Connecticut, the legislature passed a law that, in many ways, explicitly enables municipalities to consider the *form* of new development as the "touchstone,"<sup>7</sup> as opposed to Euclidean zoning regulations that regulates development according to its uses. For example, separating commercial uses from residential uses. The law creates statutory authority for an alternative to taking the *use* of the land as the building block for all subsequent development. With the VDA, form and aesthetics are the focus, foreshadowing "the next phase of zoning in Connecticut," as DeCrescenzo describes it, "a move toward a more form-based zoning code, rather than the use-based code we have today."<sup>8</sup> A form-based regulation or code is a method of regulating development to achieve a specific urban form by setting standards for the form and scale of a building's facade, streets, and blocks within an area of the community.<sup>9</sup> Form includes the size and shape of the building but also the space between buildings. Aesthetics include the visual elements within the form, including the color and details of the building parts.

Connecticut's zoning enabling statute, General Statute § 8-2,<sup>10</sup> follows the Standard State Zoning Enabling Act of 1926 (SSZEA).<sup>11</sup> It does not simply permit the regulation of how land is used, but also how structures are placed on lots, the size of the structures, and the relation of the structures to their surroundings. This article reviews the traditional zoning enabling statute and describes how the VDA can help local zoning regulations move from traditional Euclidean zoning to support a form-based and aesthetic

focus for the regulation of land development. Also provided are examples of the power and influence of Village District regulations in Connecticut evidenced by increased attention on a form-based approach to zoning in many local plans of conservation and development and within municipal zoning regulations. I will provide a discussion of the approaches currently being used in Connecticut and present how these new regulations might be put in place.

### Connecticut's Traditional Zoning Enabling Statute

In 1925, the Connecticut legislature passed Conn. Gen. Stat. § 8-2, a zoning enabling act that applied to all municipalities. In 1926, the United States Supreme Court upheld the constitutionality of zoning to regulate the use of land as a legitimate exercise of the police power in the landmark decision *Village of Euclid v. Ambler Realty Co.*<sup>12</sup> The holding in *Euclid* does not expressly limit valid public regulation to use alone and certainly did not address the constitutionality of zoning based on form or aesthetic considerations.<sup>13</sup> Thus, we must give attention to the current legal status of zoning regulations in Connecticut with a form or aesthetic basis.

The origins of Conn. Gen. Stat. § 8-2 can be seen in the "Grant of Power" sections of the SSZEA, which include the ability of municipalities to regulate "the height, number of stories and size of buildings...; the percentage of the area of the lot that may be occupied; the size of...open spaces; the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes."<sup>14</sup> Connecticut's zoning enabling statute, Conn. Gen. Stat. § 8-2, gives each Connecticut municipality the same grant of power, word for word, as the SSZEA. Regulations must consider a building's peculiar suitability for particular uses.<sup>15</sup> These provisions show how the SSZEA and Conn. Gen. Stat. § 8-2 focuses on the use of the land, but the initial grant of power also explicitly provides for regulation of form with the inclusion of restrictions on height, size of buildings, lot size, and the size of open spaces.<sup>16</sup> In Connecticut, Conn. Gen. Stat. § 8-2 per-

mits regulation of form with very broad provisions that allow regulations to reasonably consider the character of the district in order to consider the protection of historic factors. The statute does not limit regulation to just the use of land. It balances the regulation of uses with regulation of the form as it relates to the character of the district,<sup>17</sup> but traditionally, regulations adopted by municipalities have focused on the use of the land with little consideration of form.

Conventional zoning relies on the police power and SSZEA as a model for state enabling acts to delegate power to municipalities. The Supreme Court upheld the approach taken by traditional state zoning enabling statutes, but the delegation of power to regulate the form of land development is not prescriptive. We are without a United States Supreme Court decision upholding the regulation of form through zoning as a valid exercise of the police power. No equivalent case to *Euclid* has come down that upholds regulation of form through zoning beyond the treatment of use as the basis for such action.

Without an express enabling statute or judicial decision that takes form as the primary basis for regulation through zoning and a valid exercise of the police power, we must look for additional support for form-based land development regulations. The village district zoning enabling law and current case law on aesthetic regulations offer support for form-based land development regulations in Connecticut. The constitutionality of exercising the police power to regulate land development based on form in Connecticut is closely connected to the ability to regulate land based on aesthetic considerations, how regulations are adopted in conjunction with current zoning law, and whether the regulations are supported by the comprehensive plan for the municipality.

This discussion is not meant to detail the many constitutional issues that must be considered due to the broad nature of the authority to regulate land development in Connecticut.<sup>18</sup> It is important to pay attention to these issues, however, to avoid problems with vague and undefined standards for land development and abuses of

the broad authority to regulate form. Discussions with Connecticut town planners revealed that village district regulations adopted soon after the statute authorized them addressed aesthetics or the character of the surrounding municipality but failed to incorporate form-based approaches within the adopted standards for development. These regulations failed to focus on form and place-making, which includes adopting regulations that emphasize the importance of the space between buildings, size of buildings, and how development fits together as a unified whole. Community benefits and vision must be clearly articulated. Regulations must be uniformly applied in order to avoid adopting an arbitrary set of rules that do not achieve these ends. Poorly conceived standards will be challenged. Regulations must be prescriptive yet allow for flexibility of development and creativity in preserving the character of the town. The VDA has the potential to limit challenges to form-based zoning regulations that may be ultra vires, or beyond the scope of the enabling authority for traditional zoning. A discussion of enabling statutes follows and assists in understanding these constitutional concerns in context.

### **Zoning Enabling Statutes and the VDA**

It has been argued that the VDA provides the legal authority for form-based regulations.<sup>19</sup> Without other explicit delegated authority to regulate land development based on form, the VDA is an essential source of authority in Connecticut for the development of form-based land regulations. Described as Connecticut's first non-historic district-based aesthetic regulation,<sup>20</sup> the VDA is the first legislation in Connecticut influenced by the New Urbanism movement—a response to sprawling development that resulted from traditional zoning regulations. The movement promotes traditional neighborhood, mixed use, walkable communities.<sup>21</sup>

Unlike Wisconsin<sup>22</sup> and California,<sup>23</sup> which have enacted enabling laws explicitly delegating authority to zoning bodies to regulate land development based on form, and unlike states that rely on broad authority in their zoning enabling statute,

Connecticut enacted the VDA, codified as General Statute § 8-2j. The VDA does not expressly authorize form-based regulatory techniques. The VDA merely authorizes municipalities to adopt Village District regulations. Connecticut's approach to enabling municipalities to adopt zoning regulations to allow for mixed-use, village-style development is closer to the approach taken by Pennsylvania in its Traditional Neighborhood Development (TND) legislation,<sup>24</sup> but it does not explicitly promote TND, mixed-use, neighborhood development. Both Connecticut and Pennsylvania encourage creativity and variety in development, especially in new development, and do not simply encourage aesthetic harmony.<sup>25</sup>

The VDA stresses goals of preservation of character and regulation of sprawl through regulations adopted by the zoning commission. The VDA specifies that the purposes of the regulations establishing village districts are to "protect the distinctive character, landscape and historic structures [of such areas] within such districts" by allowing the regulation of "alterations and improvements in such areas." This distinguishes itself from historic district regulation by providing for the regulation of "new construction, [as well as] substantial reconstruction and rehabilitation of properties within [the district]."<sup>26</sup>

Provisions of the VDA follow some of the considerations of form adopted from the SSZEA and included in the zoning enabling statute, but they specify the regulation of development "in view from public roadways, including, but not limited to, (1) the design and placement of buildings, (2) the maintenance of public views, (3) the design, paving materials and placement of public roadways, and (4) other elements that the commission deems appropriate to maintain and protect the character of the village district."

The VDA considers the use of the land because "new development must be compatible with other uses within the immediate neighborhood of the proposed development," but all development shall be designed to consider building arrangement, orientation and layout, site layout, road networks, open spaces, sight lines,

landscape design, exterior theme and scale, proportions, massing and detail.<sup>27</sup>

Provisions of Conn. Gen. Stat. § 8-2 that include elements of form are specified and expanded by stating that regulations shall provide for "the color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of commercial or residential property and any proposed signs and lighting be evaluated for compatibility with the local architectural motif and the maintenance of views, historic buildings, monuments and landscaping."<sup>28</sup> It is these specific and expanded provisions that change the focus of zoning regulation from traditional use-based to form-based zoning.

### **Aesthetic Regulation and the Village District Act**

The current ability in Connecticut to regulate aesthetics through zoning is essential to understanding the legal aspects of the VDA and how the VDA acts as additional legislative support for regulation of form and aesthetics. Some states clearly allow aesthetics alone as the basis for regulation of land development, some states allow aesthetics as the basis for regulation but must be combined with other factors, and other states have established that aesthetics alone as a basis for regulation is not permitted.<sup>29</sup>

The Supreme Court, in its 1978 decision in *Penn Central Transportation Co. v. City of New York*, held that aesthetic goals could be the basis for regulation and in the 1984 case of *Members of City Council v. Taxpayers for Vincent*, the Court held that aesthetics alone could be a valid public purpose for exercise of the police power.<sup>30</sup> But, state courts have not had a clear case that follows *Taxpayers for Vincent* and supports regulation on the basis of aesthetics alone.

It is clear that Connecticut courts have accepted the validity of regulating aesthetics when combined with goals of economics or safety. In *Cohen v. City of Hartford*, the Connecticut Supreme Court held that a "regulation [that makes a street into a pedestrian only shopping area] represents a legitimate use of the city's police power to advance economic, aesthetic and safety-related goals."<sup>31</sup> Further, around the time the VDA was enacted, there was

evidence that the Connecticut Supreme Court would be open to a land development regulation that was solely based on aesthetics. In *First Church of Christ v. Historic District Commission of Ridgefield (1998)*, the Connecticut Supreme Court upheld the denial of a request to install modern siding on a property in a historic district and permits aesthetic considerations as a valid exercise of the police power.

Given the fundamental connection between aesthetics and form, the VDA is an important enabling statute and necessary additional legislative support for a form-based, land development zoning regulation in Connecticut. The VDA is not a law that regulates the physical appearance of individual buildings, but the community as a whole. It is a law that allows for regulation of entire blocks or areas of a municipality and promotes compatibility.

### **Form-based Regulations and the Village District Act**

The basic components or standards of form-based regulations show the fundamental connection between aesthetics and form. Form-based codes commonly include a regulating plan, building form standards, public space standards, and may include architectural standards.<sup>32</sup> Similarly, village district regulations commonly include a regulating plan<sup>33</sup> to ensure that "the exterior of structures or sites shall be consistent with... the municipal plan of conservation and development." The emphasis is on compatibility. Architectural standards for "the color, size, height, location, proportion of openings, roof treatments, building materials...[are to] be evaluated for compatibility with the local architectural motif."<sup>34</sup>

Town-by-town, Connecticut municipalities are increasingly planning for, considering, and in some cases implementing form-based regulations under the enabling authority of the VDA. There is a noticeable shift within Connecticut from a general consideration of form as advisory to adopting regulations that are more prescriptive and regulatory, taking form as the base standard for development.<sup>35</sup> Under the standard state zoning authority, the use is the focus and form does not become a standard for all later develop-

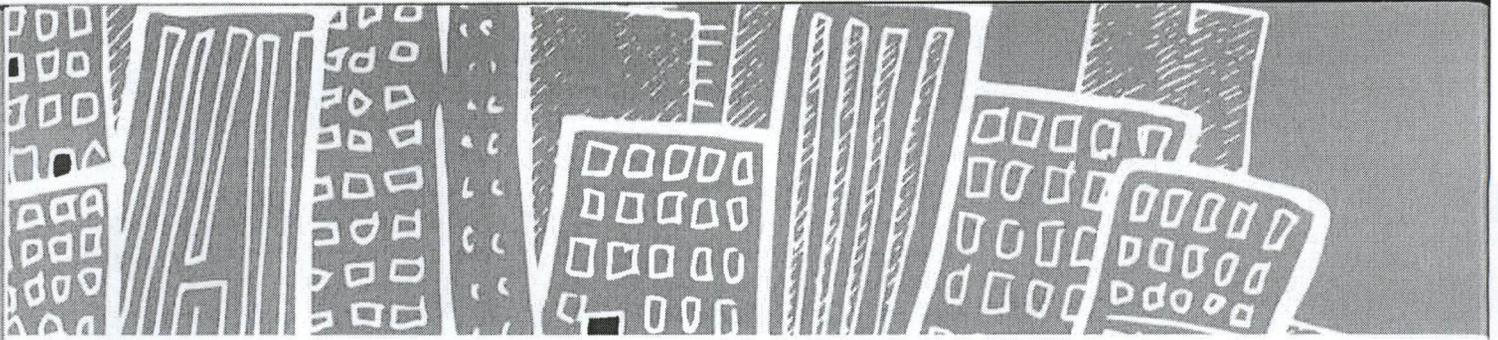
ment. The form that is prevalent in the area or the community vision for the area is not always accepted as the standard for all subsequent development, reconstruction, or rehabilitation. The difference is that the VDA takes a prescriptive approach to form by adopting specific rules for the form of new development when compared to the general language in Conn. Gen. Stat. § 8-2. With this specificity, the VDA begins to depart from the approach of traditional zoning and reveals the potential for municipalities to cite the enabling authority in the VDA to avoid ultra vires challenges to the implementation of aesthetic or form-based development regulations. The power to influence new development comes from the broad nature of enabling authority<sup>36</sup> and limited restrictions on where a village district can be established<sup>37</sup> and the requirement that all zoning applications must be submitted to a regulatory design review process<sup>38</sup> that can impose very narrow standards for development.<sup>39</sup>

Connecticut does not necessarily have to explicitly pass legislation to enable form-based land development regulation because the VDA gives broad authority to zoning commissions, which allows for flexibility that the court in *Campion v. Board of Aldermen of the City of New Haven*, noted was needed in modern zoning practices.<sup>40</sup> This wide-reaching community-character-regulation statute allows for approaches currently being used in Connecticut, including implementation of new base zones, form-based floating zones, and form-based overlay zones. These alternative zoning techniques can find support in the VDA as these powers are implicit in the act.

### **Implementation of Village District Regulations**

#### **New Base Zone**

Connecticut allows zoning commissions to enact both traditional Euclidean zoning regulations and, with the support of the VDA, regulations with a focus on form. Though not specifically provided for within Conn. Gen. Stat. § 8-2, like traditional zoning regulations, village district regulations can be implemented by creating a new base zone by replacing the existing zoning regulations, becoming mandatory for those properties within



the district or zone.

The Hamden planning and zoning commission adopted a comprehensive approach to the use of form-based regulations to replace the existing zoning regulation.<sup>41</sup> Hamden has completely overhauled its zoning regulations and adopted a form-based code as their new base code in many areas of town. But other municipalities considering such a drastic overhaul should note the possibility of backlash: some may argue that the way their property is regulated under form-based zoning may rise to an unconstitutional taking of the property.<sup>42</sup> According to Attorney Matthew Lawlor, "The lesson to be taken from Hamden is that form-based code drafters need to be flexible and willing to apply regulating plan concepts in a variety of ways."<sup>43</sup> A regulating plan would adopt clear village district regulations with community consensus in order to avoid implementation problems.<sup>44</sup>

#### **Floating Zone**

Most village district regulations are adopted with a specific site in mind for implementation, thus a floating village district would be implemented in very specific circumstances, but must contain standards that can be uniformly adopted and not apply to individual properties in order to avoid "spot zoning."<sup>45</sup> "Floating zones have been judicially sanctioned as a legitimate planning tool, which encourage flexibility."<sup>46</sup> An essential characteristic of form-based regulatory tools and Conn. Gen. Stat. § 8-2j, the VDA, is flexibility. The language in the VDA, just as that in Conn. Gen. Stat. § 8-2, is sufficiently broad to permit the creation of floating zones as an approach to land development regulations. Less than mandatory regulation, floating zones apply based on criteria met by a development. Most recently, in

*Campion v. Board of Aldermen, City of New Haven*,<sup>47</sup> the Connecticut Supreme Court held that New Haven's special act authorizes floating zones by stating a floating zone "represents a legitimate legislative act by the city to regulate growth and meet the need for flexibility in modern zoning."<sup>48</sup>

#### **Overlay Zone**

Simsbury has a unique approach to zoning regulation and is a model approach for other municipalities in its implementation of village district regulations through the use of an overlay zone. Simsbury's combination of existing tools with new approaches demonstrates a shift from traditional zoning to more form-based zoning. With the implementation of a form-based code in the town center, it highlights the importance of urban form and the relationship between buildings.<sup>49</sup> Simsbury also recently incorporated the village district regulatory approach into its town plan of conservation and development,<sup>50</sup> including a village district public meeting, presentation, and study as part of the amendment and implementation process. An overlay zone is the most natural and practical tool for the implementation of village district regulations. *Stauton v. Madison Planning And Zoning Commission* held that even if an overlay would otherwise violate the uniformity rule of Conn. Gen. Stat. § 8-2, "the overlay zone was analogous to the well-established practice of a floating zone,...did not contravene the comprehensive plan or constitute spot zoning,... benefits the community as a whole [and] was consistent with the town plan and harmonized with the comprehensive plan."<sup>51</sup>

Unlike a historic overlay zone, a village district overlay zone is created and applied by the zoning commission rather than the historic district commission.

Currently adopted in Hamden is a form-based, base code with a village district overlay zone, separate from the historic district, which is regulated by the Historic Properties Commission.<sup>52</sup> Simsbury has slowly, while prioritizing public meetings and feedback, introduced the public to form-based regulatory techniques before proposing a village district and should be the model for implementation of village district regulations in Connecticut.

It is important to keep in mind that village district regulation implementation does not need to be limited to rural towns and village centers like Simsbury, but can be used in a broader context to support a form-based approach to regulation in more urban areas or diverse municipalities with both urban and rural characteristics as seen in Hamden. In Newtown, village district regulations are used to transition land from residential use to mixed-use and commercial use. In New Canaan, village district regulations in the town center do not limit regulations to promote new development consistent with a small town, but expressly promote architectural innovation as well as preservation of small town, historic character. In this way it promotes "the infusion of modern architecture within the fabric of many of New Canaan's neighborhoods."<sup>53</sup> Thus, village district regulations can be used to promote compatibility of character, whether in newer more modern towns that promote architectural innovation, cities comprised of dense blocks of development, college towns, old historic and character-filled centers, or specific areas of towns or neighborhoods.

#### **Conclusion**

Municipal attorneys and other land use professionals ought to be cognizant of the major shift in the primary focus of land development regulation from that relat-

ing use, or only a general consideration of form, to a more narrow and specific regulation of form. The traditional zoning enabling statutes and the VDA support a focus on form in land development regulations as long as the regulations adopted follow a comprehensive plan,<sup>54</sup> a plan of consistency and vision for a town, required by the traditional zoning enabling statutes and the VDA. The village district enabling authority is a regulatory tool that can be a powerful influence in preserving and reshaping our communities. We can agree that there is need and value in the beauty of the established, character-rich, built environment, but we must actively seek the means and proper ends to promote functionality and progress in our treasured communities.

The implementation of form-based regulations will not be without controversy. The legal implications of form-based approaches to development regulations must constantly be considered. Village district zoning will not replace conventional zoning, but varying approaches to implementation of these regulations should be explored. The Village District Act already provides for enough flexibility and opportunity for municipalities to make the most of form-based regulations without the need for explicit enabling legislation. Either way, as the full potential of the Village District Act is realized, we must be familiar, if not well-versed, in the vocabulary and use of form-based land development regulations in order to best serve the needs of municipalities, residents, developers, and other land use professionals. **CL**

## Notes

1. *Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365 (1926). (In 1926, the Supreme Court upheld the constitutionality of traditional use-based zoning, named "Euclidean zoning" after the case.)
2. *Reshaping The Way Towns Do Business; Municipal lawyers see shifts in zoning, regionalization efforts*; Q A, Conn. Law Tribune (Online), Apr. 12, 2010, quoting Atty. Robert M. DeCreseenzo.
3. *Id.*
4. Public Act NO. 98-116. *AN ACT AUTHORIZING THE ESTABLISHMENT OF VILLAGE DISTRICTS*.
5. Conn. Gen. Stat. § 8-2j.
6. Conn. Trust for Historic Pres. "Village Districts."
7. Robert J. Sitkowski, "FORM AND SUBSTANCE: What Land Use Lawyers Need to Know About Form-Based Land Development Regulations," Zoning and Plan. Law Report, Vol. 30, no. 3. ("One might argue that a form-based approach might be difficult to implement in the short term since the primary legal problem with this approach is that most state enabling statutes take land use, and not form of development, as their touchstone" or standard.)
8. *Reshaping The Way Towns Do Business; Municipal lawyers see shifts in zoning, regionalization efforts*; Conn. Law Tribune. (See note 2)
9. Form-Based Codes Inst., *Def. of a Form-Based Code*.
10. Conn. Gen. Stat. § 8-2.
11. Full Text: <http://www.planning.org/growing-smart/pdf/SZEnablingAct1926.pdf> (last visited Mar. 30, 2014).
12. *Village of Euclid v. Ambler Realty Co.* (See note 1)
13. *Id.*
14. AMERICAN LAW INST., STANDARD STATE ZONING ENABLING ACT, reprinted in MODEL LAND DEV. CODE 210 (Tent. Draft No. 1, 1968).
15. Conn. Gen. Stat. § 8-2.
16. R. Sitkowski, *Form and Substance: What Land Use Lawyers Need to Know about Form-Based Development Regulations*. (See note 7)
17. *Id.*
18. For further discussion of the fundamental legal issues of form-based regulations, See R. Sitkowski, (See note 7).
19. R. Sitkowski, *Form and Substance: What Land Use Lawyers Need to Know about Form-Based Development Regulations*. (See note 7)
20. *The Village Districts Act, The Connecticut Approach*, New Canaan Preservation Alliance
21. Emily Talen, Design by the Rules: The Historical Underpinnings of Form-Based Codes, 75 J. OF THE AMER. PLAN. ASSOC. (No. 2, Spring 2009) at 148-149; Congress for the New Urbanism, Charter of the New Urbanism.
22. With its Traditional Neighborhood Development (TND) law, Wis. Stat. Ann. § 66.1027, codified a predecessor to today's form-based codes and provides for character of a zoning district as the basis or focus of the regulation of new development.
23. Cal. Gov't Code § 65302.4 expressly authorizes form-based regulatory techniques that consider urban form and design.
24. 53 Pa. Cons. Stat. Ann. § 10701-A.
25. For a more detailed discussion of these States' enabling framework, see R. Sitkowski & Brian Ohm, *Enabling the New Urbanism*, 34 URB. L. 935 (2002).
26. Conn. Gen. Stat. § 8-2j.
27. *Id.*
28. *Id.*
29. Peartman, Linville, Phillips, Prosser *Beyond the Eye of the Beholder Once Again: A New Review of Aesthetic Regulation*,
30. For further discussion of the legality of aesthetic regulation (See note 29).
31. *Cohen v. City of Hartford*, 244 Conn. 206, 219 (1998).
32. A detailed discussion of common standards for form-based regulations is outside the scope of this discussion; see, John Payne, *Are Form-Based Codes Legal?*; see also note 7.
33. "The regulating plan is a map, similar to, but more detailed than, a zoning map, that typically shows streets and public open spaces and designates the specific locations where various building form standards will apply. A regulating plan is an essential means for translating a vision or illustrative plan into place-specific development regulations. The regulating plan in some form-based codes simply replaces the official zoning map or other regulatory maps." Chad D. Emerson, *The Smart Code*, in: A LEGAL GUIDE TO URBAN AND SUSTAINABLE DEVELOPMENT (2008), at 128-138.
34. § 8-2j.
35. Brian R. Smith, *HISTORIC DISTRICTS & VILLAGE DISTRICTS IN CONNECTICUT* (13 communities self-identified in response to an inquiry posted on the CT Planners Listserve in 2008 including Brooklyn, Farmington, Kent, Ledyard, Madison, Middletown, New Canaan, Old Lyme, Preston, Portland, Ridgefield, Southbury).
36. "making them vulnerable for legal challenges on vagueness and similar grounds." 9 Conn. Prac., Land Use Law & Prac. § 4:47 (3d ed.)
37. "The district must also be located in areas of distinctive character, landscape or historic value." *Id.* (See note 36)
38. "The report from the architectural consultant on any application is supposed to be considered by the zoning commission, and the commission is also allowed to solicit recommendations from other agencies." *Id.* (See note 36).
39. "The regulations must have standards or criteria from which a property owner and the commission can make a reasonable determination of what is permitted within a village district." *Id.* (See note 36).
40. *Campion v. Board of Aldermen, City of New Haven*, 85 Conn. App. 517-18 (2004).
41. Zoning Regulations, Town of Hamden, CT. (as amended through August 15, 2010)
42. Lawlor, Matthew J. "Gaining Ground in the Final Frontier: Surveying Legal Issues Raised by New England's Form-Based Codes."
43. *Id.*
44. *Id.*
45. *Id.*
46. *Pleasant Valley Neighborhood Association v. Planning & Zoning Commission*, 15 Conn.App. 110, 115 (1988).
47. *Campion v. Board of Aldermen, City of New Haven*. (See note 40).
48. Kevin E. McCarthy, *ALTERNATIVE ZONING TECHNIQUES*, Office of Leg. Research Report, Jul. 28, 2006.
49. Simsbury Town Center Code, effective Apr. 15, 2011.
50. Simsbury 2007 Plan of Conservation and Development, effective Nov. 3, 2007.
51. *Stanton v. Madison Planning & Zoning Comm'n*, CV010455637S, 2003 WL 548354 (Conn. Super. Ct. Feb. 10, 2003) (Judgment set aside, remanded to the trial court with direction to dismiss the appeal for lack of jurisdiction.)
52. Zoning Regulations, Town of Hamden, CT. (See note 41).
53. Town of New Canaan, *Village District Design Guidelines*, effective June 30, 2010.
54. *Bishop v. Bd. of Zoning Appeals of City of New Haven*, 133 Conn. 614, 618 (1947).



TO: Weston Planning & Zoning Commission  
FROM: Ira W. Bloom & Peter V. Gelderman Office of the Town Attorney  
RE: Weston Zoning Regulations – Village District or Amended Regulations  
DATE: September 17, 2019

Section 8-2j of the Connecticut General Statutes allows a zoning commission (or combined planning and zoning commission) to establish village districts. There are two initial requirements for the establishment of a village district. The first is that only “areas of distinctive character, landscape or historic value” qualify to be rezoned as village districts. Second, the areas to be rezoned as village districts must be specifically identified in the plan of conservation and development (“POCD”). Therefore, in adopting/amending the POCD, the exact location(s) of the village district must be identified.

If both prerequisites are met, then the zoning map may be changed to establish the boundaries of the district (per CGS § 8-3) and the regulations may be amended to protect the distinctive character, landscape and historic structures within the district. The village district regulations can apply to new construction, reconstruction or rehabilitation of properties within the district that are in view from public roadways. The regulations must be appropriate to protect the character of the village district. In addition, things like the color, size, height, location, proportion of openings, roof treatments, building materials, landscaping, signage and lighting can be regulated to ensure that they are compatible with the local motif, and maintain views and historic buildings.

The creation of a village district also requires the appointment of a “village district consultant” for any application that involves new construction or substantial reconstruction that is in view from public roadways. The consultant must be an architect or architectural firm or a certified planner. The Commission can also use an existing architectural review board as the consultant provided at least one of the members is an architect or certified planner.

Note that § 8-2j only authorizes regulations that affect structures, lighting and landscaping. However, since the Commission can regulate “other elements that [it] deems appropriate to maintain and protect the character of the village district,” any *use* that is not compatible with the goals of the village district would arguably be a proper subject of the village district regulations as well.

An alternative to adopting village district regulations would be to enact amendments to the existing zoning regulations that added certain restrictions and limitations to existing and new non-residential structures. This may require the creation of a new zoning district because of the uniformity provision [unless the existing Neighborhood Shopping Center District

("NCS") regulations were amended]. The uniformity provision requires regulations to be applied uniformly throughout a district. If a new zoning district is not established, then the provisions of any zoning amendment would apply to all properties within the existing district – presumably the NCS district.

It may be possible to adopt special permit provisions that would have limited applicability within an existing district. By way of example only, a regulation may be limited to properties within 1,000 feet of a school. Such a provision would not violate the uniformity provision because it would apply equally to all properties within the district located within 1000 feet of a school.

Special permit regulations are helpful to give the Commission a limited amount of discretion. That discretion is limited to a determination by the Commission of the effect of a use on public health, safety, and welfare. Standards (i.e. setbacks, buffers, coverage, parking, etc.) that are set forth in a special permit regulation are not waivable nor can the Commission give itself the ability to apply standards on a case-by-case basis. Generally regulations that do not contain defined standards may be found to be invalid. In addition, once the Commission adopts standards, it is not permitted to modify them to in order to apply to a specific situation.

Additionally, zoning regulations generally do not permit the Commission to regulate architectural features or aesthetics (something that the village district expressly permits).

A final alternative is to create another non-residential zoning district that is not a village district. If that were done, the Commission would be required to amend the zoning map and to create regulations that would apply to that district. Again, the possibility of such a new district should be specifically referenced in the POCD.

If the goal is to give the Commission maximum flexibility and to allow the Commission to regulate the appearance of an area, then the creation of a village district is the best approach. However, as stated, the area must be distinctive as to character, landscape or historic value and the goal of the village district should be to maintain that distinctive feature. If the POCD proposes a village district in such an area, then it is probably the best tool for giving the Commission maximum flexibility.



## WESTPORT CONNECTICUT

PLANNING & ZONING  
TOWN HALL, 110 MYRTLE AVENUE  
WESTPORT, CONNECTICUT 06880  
(203) 341-1030 • (203) 341-1079  
(203) 454-6145 - fax

Hearing: April 6, 2017  
Decision: April 6, 2017

April 11, 2017

Francis Henkels, Chair  
Village District Steering Committee  
110 Myrtle Avenue  
Westport, CT 06880

**RE: Map Amendment #728/P&Z Appl. #17-006, Village District,  
Request to Rezone 79 properties to Village District Overlay (VDO)/Westport Center**

Dear Mr. Henkels:

This is to certify that at a meeting of the Westport Planning and Zoning Commission held on April 6, 2017, it was moved by Mr. Lebowitz and seconded by Mr. Cammeyer to adopt the following resolution.

### RESOLUTION #17-006

WHEREAS, THE PLANNING AND ZONING COMMISSION met on April 6, 2017, and made the following findings:

1. Map Amendment #728 proposes to rezone approximately 29.33 acres consisting of 79 individual properties located in Westport Center Village District Overlay (VDO). The specific properties are listed on the spreadsheet entitled, "*Proposed Village District Property List, dated 2/8/17*". The application was submitted by the Village District Steering Committee.
2. The Connecticut General Statutes (CGS), Chapter 124 Section 8-2j, contains enabling legislation allowing the Zoning Commission of a municipality to designate one or more areas as a Village District for the purpose of protecting the distinctive character, landscape, and historic structures within that Village District.
3. The Village District has specific zoning regulations associated with it, including design principles and standards. These regulations serve to protect the distinctive character, landscape and historic structures within the district by regulating new construction and substantial reconstruction or rehabilitation of properties within the district and in view from public streets, public spaces, walkways, bikeways or from the Saugatuck River.
4. Text Amendment #727 was adopted which created a new zoning district, §36, Village District Overlay (VDO) Zone/Westport Center on April 6, 2017.
5. On August 6, 2013 the Town of Westport, through the efforts of the Historic District Commission and the Planning and Zoning Commission, was awarded a Vibrant Communities Initiative Grant (VCI) in the amount of \$50,000 from the Connecticut Trust for Historic Preservation for the purpose of seeking to implement a Village District in Westport Center.

6. On October 10, 2013, the First Selectman established the Village District Steering Committee (VDSC) whose charge was to hire a consulting firm to work with the VDSC to determine the boundary of the proposed district, inventory and analyze those physical features important to defining the character of the town center and to develop zoning regulations and design guidelines that will preserve those features while guiding future changes. The VDSC is comprised of stakeholders representing the Planning and Zoning Commission, the Downtown Merchants Association, the Historic District Commission, the Architectural Review Board, the Downtown Planning Committee, and the CT Trust for Historic Preservation.
7. The Connecticut Department of Energy and Environmental Protection, Office of Long Island Sound Programs submitted comments, dated 3/28/17, stating that they have reviewed the text amendment for consistency with the policies and standards of the Connecticut Coastal Management Act (CCMA), and found them to be consistent with the CCMA's.
8. Comments from the Police Department dated 2/23/17 indicate they have no concerns.
9. Comments from the Conservation Department dated 3/20/17 indicate their support for the proposed regulation.
10. A hearing was held on April 6, 2017 to receive feedback from the Planning and Zoning Commission as well as testimony from the public.

NOW THEREFORE, BE IT RESOLVED that **Amendment #728**: Appl. #17-006 by the Village District Steering Committee for an amendment to the Official Building Zone Map to introduce a Village District Overlay Zone/Westport Center designation on the properties described in the Boundary Description and shown on the proposed zoning map be **ADOPTED** for the following reasons:

1. The Planning and Zoning Commission finds the amendment is consistent with the Comprehensive Plan (Westport Zoning Regulations and Zoning Map).
2. The properties comply with the Village District Overlay (VDO) Zone overlay criteria as listed in §36, including:
  - Their location within Westport Center;
  - The characteristics of the existing buildings and sites are consistent with *Section 36-2.1 Design Principles*, and
  - The dimensional characteristics of the buildings and sites that shall be consistent with other buildings in the Village District with respect to height, setback from front lot line, and building massing.
3. The Map Amendment is consistent with the purpose of the VDO listed in §36-1.1 which states:

*"The purpose of this Village District Overlay (VDO) is to protect the distinctive character, landscape, and historic structures and development pattern within this Village District while encouraging a mixed use, walkable district that is attractive to residents, employees, and visitors. New construction or substantial rehabilitation in the Village District should be compatible with the existing character of the district and reinforce both the existing development patterns and connections to the Saugatuck River."*

4. The Planning and Zoning Commission finds the amendment is consistent with the *2007 Plan of Conservation and Development* that recommends:

- *Adopting a new zoning district in the downtown area which is a "village district" or establishing an overlay zone which is a "village district" in the downtown area. Pg. 7-8*
- *Westport must protect its inventory of significant historical properties from destruction or architectural degradation by employing the full range of methods available to protect and enhance Westport's historic and cultural resources." Pg. 4-8*

**VOTE:**

AYES -7- Walsh, Lebowitz, Stephens, Hodge,  
Gratrix, Cammeyer, Olefson  
NAYS -0-  
ABSTENTIONS -0-

**The effective date of this amendment is: May 6, 2017**

Very truly yours,

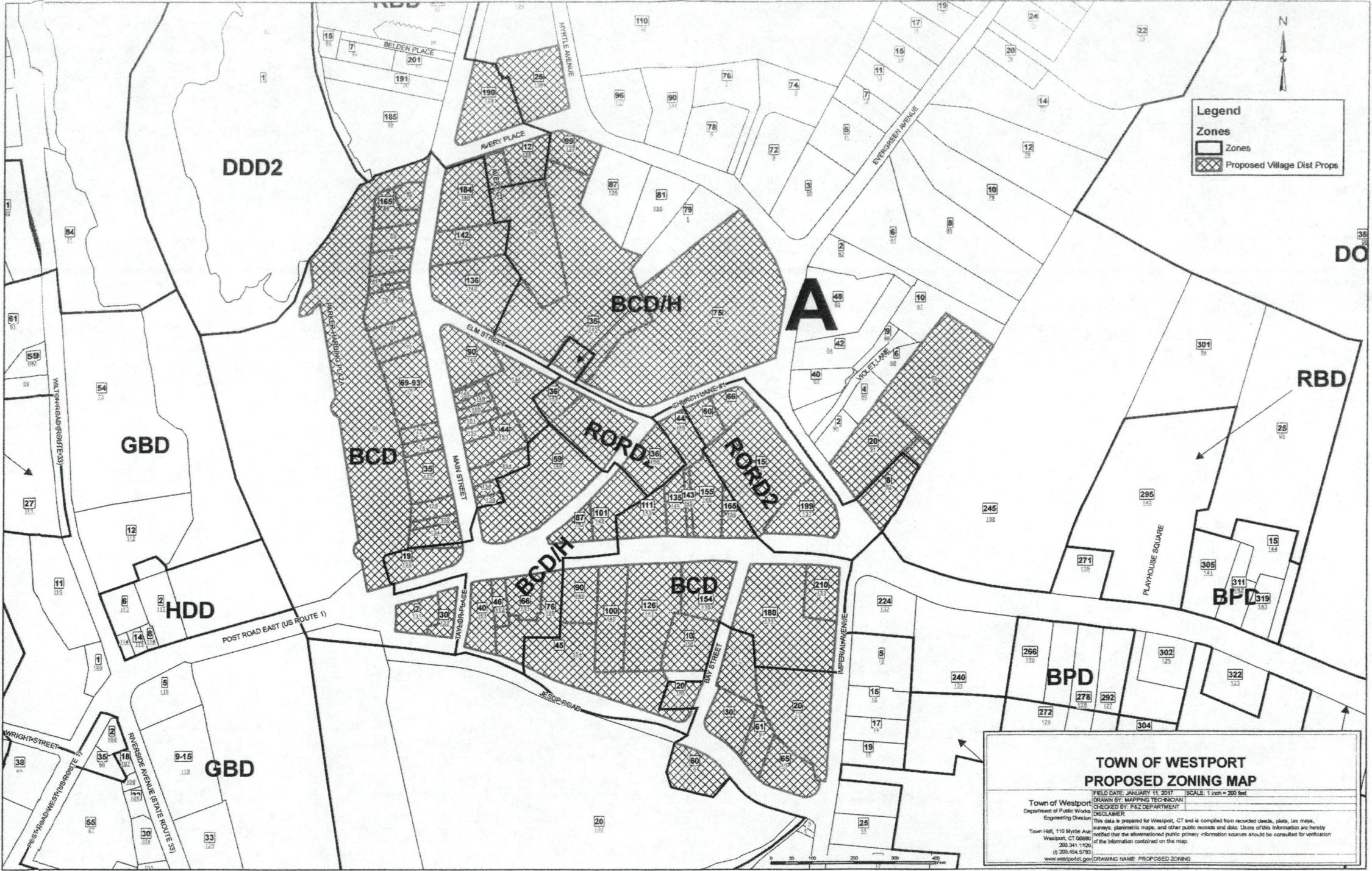
Catherine Walsh  
Planning & Zoning Commission



cc: Selectman's Office  
Tax Assessor  
Town Clerk  
Town Engineer  
Town Attorney  
RTM Moderator  
RTM P&Z Committee Chairman  
ARB Chairman

**Attached**

Proposed Zoning Map, prepared by Westport Engineering, dated 1/11/17  
Boundary Description Proposed Village District Overlay (VDO) Zone, dated 1/27/17  
List of Properties within Village District, revised 2/8/17, as identified in the Village District Study



**Legend**

**Zones**

□ Zones

▨ Proposed Village Dist Props



**TOWN OF WESTPORT  
PROPOSED ZONING MAP**

FIELD DATE: JANUARY 11, 2017 SCALE: 1 inch = 200 feet

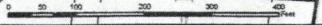
Town of Westport  
Department of Public Works  
Engineering Division

DRAWN BY: MAPPING TECHNICIAN  
CHECKED BY: P&Z DEPARTMENT

**DISCLAIMER:**  
This data is prepared for Westport, CT and is compiled from recorded deeds, plans, tax maps, surveys, planimetric maps, and other public records and data. Users of this information are hereby notified that the information is public primary information and should be consulted for verification of the information contained on the map.

Town Hall, 110 Myrtle Ave.  
Westport, CT 06880  
203.341.1120  
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www.westport.gov

DRAWING NAME: PROPOSED ZONING



## **Boundary Description Proposed Village District Overlay (VDO) Zone Town of Westport:**

The area of the proposed Village District Overlay (VDO) Zone is bounded and described as follows:

Beginning at a point formed by the intersection of the southern boundary line of the Jesup Road right-of-way and the easterly boundary line of the Imperial Avenue right-of-way, approximately 620 ft south of the Post Road East, and running thence:

Northwesterly: along the south side of Jesup Road and on the north boundary of Lot 130 on Assessor's Map C09, a distance of 285'± to a point, thence;

Southwesterly: along Lot 6 on Assessor's Map D09, a distance of 63'± to a point, thence;

Westerly: along Lot 6 on Assessor's Map D09, a distance of 110'± to a point, thence;

Northerly: along Lot 6 on Assessor's Map D09, a distance of 113'± to a point, thence;

Westerly: along the south side of Jesup Road and on the north boundary of Lot 130 on Assessor's Map C09, a distance of 731'± to a point, thence;

Northerly: along the south and west side of Jesup Road, along the Saugatuck River and across the Post Road East, a distance of 173'± to a point at the southwestern corner of Parker Harding Plaza, thence;

Northerly: along the west side of Parker Harding Plaza along the retaining wall at the Saugatuck River, a distance of 950'± to a point at a wooden dock and access path, thence;

Northeasterly: along the eastern bank of a canal at the southeast corner of Gorham Island, a distance along a curve of 258'± to a point, thence;

Northeasterly: along the south boundary of Lot 89 on Assessor's Map C10, a distance of 169'± to a point, thence;

Northeasterly: across Main Street, a distance of 67'± to a point at the southwest corner of Lot 129 on Assessor's Map C10, thence;

- Northerly: along the east side of Main Street and on the eastern boundary of Lot 129 on Assessor's Map C10, a distance of 197'± to a point, thence;
- Easterly: along the north boundaries of Lots 129 and 130 on Assessor's Map C10, a distance of 221'± to a point on the west side of Myrtle Avenue, thence;
- Easterly: across Myrtle Avenue, a distance of 39'±, to a point on the east side of Myrtle Avenue, thence;
- Southeasterly: along the east side of Myrtle Avenue, along the boundaries of Lots 132 and 133 on Assessor's Map C10, a distance of 242'± to a point, thence;
- Southwesterly: across Myrtle Avenue, a distance of 36'± to a point at the northeast corner of Lot 137 on Assessor's Map C10, thence;
- Southwesterly: along the west boundary of Lot 136 on Assessor's Map C10, a distance of 154'± to a point, thence;
- Southeasterly: along the south boundary of Lot 136 on Assessor's Map C10, a distance of 146'± to a point, thence;
- Southeasterly: along the south boundary of Lot 135 on Assessor's Map C10, a distance of 55'± to a point, thence;
- Southwesterly: along the boundary at the southwest corner of Lot 5 on Assessor's Map D10, a distance of 47'± to a point, thence;
- Southeasterly: along the south boundary of Lot 5 on Assessor's Map D10, a distance of 49'± to a point, thence;
- Northeasterly: along the south boundary of Lot 5 on Assessor's Map D10, a distance of 314'± to a point on the west side of Myrtle Avenue, thence;
- Northeasterly: across Myrtle Avenue, a distance of 43'± to a point on the east side of Myrtle Avenue, thence;
- Southeasterly: along the east side of Myrtle Avenue to the west side of Evergreen Avenue, a distance of 133'± to a point, thence;
- Southeasterly: across Evergreen Avenue along the east side of Myrtle Avenue, a distance of 90'± to a point, thence;
- Southerly: along the east side of Myrtle Avenue, along the boundaries of Lots 83, 84, 85, and 90 on Assessor's Map D10, including across Violet Lane, a distance of 495'± to a point at the center of Dead Man's Brook, thence;

January 27, 2017

- Northeasterly: along the west boundaries of Lots 91 and 93 on Assessor's Map D10, a distance of 459'± to a point, thence;
- Southeasterly: along the north boundary of Lot 93 on Assessor's Map D10, a distance of 144'±, thence;
- Southwesterly: along the east boundary of Lots 93 and 92 on Assessor's Map D10, a distance of 526'± to a point, thence;
- Southwesterly: across Myrtle Avenue and the Post Road East, a distance of 87'± to a point at the centerline of Post Road East, thence;
- Southwesterly: along a curve from the centerline of Post Road East to the east side of Imperial Avenue, a distance of 80'± to a point at the northwest corner of Lot 132 on Assessor's Map D09, thence;
- Southerly: along the east side of Imperial Avenue, along the boundaries of Lots 132, 12, 13, 14, 15, 46, and 16 on Assessor's Map D09, a distance of 587'± to the point of beginning.
- 

**Spreadsheet Reference:**

Refer to the attached spreadsheet for a listing of the properties contained within the proposed Village District.

Village District Property List  
As identified in the Village District Study

GIS_ID	STREET_NUM	STREET_NAME	GRANTEE	MAILING_ADDRESS	CITY	ST	ZIP	ZONE	USE	BOOK PAGE	ACRE
C10139000	Parking lot	AVERY PL	HULBERT THOMAS F EST OF	3903 BELLAIRE BLVD	HOUSTON	TX	77025	A/RBD	COMM	435/ 350	0.98
C10138000	12	AVERY PL	B + B ASSOCIATES	12 AVERY PL	WESTPORT	CT	06880-3201	RBD	COMM	683/ 223	0.25
C10130000	25	AVERY PL <sup>1</sup>	WESTPORT HISTORICAL SOCIETY	25 AVERY PLACE	WESTPORT	CT	06880	A	INST	559/ 264	0.50
D09007000	Portion of lot	BAY ST	180 WESTPORT PARTNERS LLC	180 POST RD E	WESTPORT	CT	06880	RPOD	COMM	3467/ 331	0.39
C09156000	10	BAY ST	BAY TEN HOLDINGS LLC	PO BOX 5180	WESTPORT	CT	06881	BCD	COMM	1707/ 43	0.35
C09155000	20	BAY ST	J M K INVESTMENTS	PO BOX 334	WESTON	MA	02493-0002	RPOD	COMM	762/ 138	0.14
C10156000	36	CHURCH LN	RED X HOLDINGS LLC	PO BOX 5180	WESTPORT	CT	06881	RORD2	COMM	2712/ 85	0.33
C10155000	44	CHURCH LN	BW CHURCH EAST LLC	28 CHURCH LN 2ND FL	WESTPORT	CT	06880	BCD	COMM/RES	3465/ 190	0.20
D10003000	60	CHURCH LN	BRAIDMAX LLC	PO BOX 5180	WESTPORT	CT	06881	RORD2	COMM	2872/ 251	0.15
D10004000	75	CHURCH LN <sup>4</sup>	CHRIST & HOLY TRINITY CHURCH	75 CHURCH LN	WESTPORT	CT	06880	A	INST	240/ 580	2.98
D10002000	66	CHURCH LN	66 CHURCH LANE LLC	PO BOX 1013	PALM BEACH	FL	33480	RORD2	COMM	1767/ 105	0.18
C10145000	36	ELM ST	36 5 15 PROPERTIES LLC	1 STONY PT W	WESTPORT	CT	06880	RORD2	COMM	3382/ 76	0.15
C10146000	Parking lot	ELM ST	WESTPORT TOWN OF	110 MYRTLE AVE	WESTPORT	CT	06880	BCD	INST	0/ 0	0.16
C10143001	35	ELM ST <sup>2</sup>	DC KEMPER-GUNN, LLC C/O CHARTER REALTY DEV.CO.	75 HOLLY HILL LN STE 305	GREENWICH	CT	06830	BCD/H	COMM	3561/315	0.13
C10143000	35 Parking lot	ELM ST	WESTPORT TOWN OF	110 MYRTLE AVE	WESTPORT	CT	06880	A	INST	250/ 369	1.97
D09011000	20	IMPERIAL AVE	AMALGAMATED REALTY CO LLC	22 IMPERIAL AVE	WESTPORT	CT	06880	RPOD	COMM	1109/ 43	0.68
D09008000	30	JESUP RD	WESTPORT TOWN OF	110 MYRTLE AVE	WESTPORT	CT	06880	RPOD	INST	0/ 0	0.33
C09154000	45	JESUP RD	WESTPORT TOWN OF	110 MYRTLE AVE	WESTPORT	CT	06880	BCD	COMM	0/ 0	0.85
D09006000	60	JESUP RD <sup>3</sup>	SMITH RICHARDSON FNDATION PROP II	60 JESUP RD	WESTPORT	CT	06880	RPOD	COMM	1177/ 340	0.31
D09009000	61	JESUP RD <sup>3</sup>	TRI-TOWN TEACHERS FEDERAL	61 JESUP RD	WESTPORT	CT	06880	RPOD	COMM	1006/ 5	0.11
D09010000	65	JESUP RD <sup>3</sup>	GODILLOT ASSOCIATES	65 JESUP RD	WESTPORT	CT	06881-0390	BCD/H	COMM	738/ 211	0.29
C09134000	7	MAIN ST	WONKAI ASSOCIATES LLC	2230 CAPE COD DR	BLOOMINGTON	IN	47401	BCD	COMM/RES	363/ 242	0.17
C09135000	21	MAIN ST	21 MAIN STREET REALTY LLC	1 STONY POINT W	WESTPORT	CT	06880	BCD	COMM	2853/ 261	0.05
C09139000	22	MAIN ST	FOX JOYCE TRUSTEE	100 HIGH ROCK RIDGE DR	LANDRUM	SC	29356	BCD	COMM	2635/ 324	0.04
C09138000	26	MAIN ST	KZ ASSOCIATES LLC	33 LITTLE FOX LN	WESTPORT	CT	06880	BCD	COMM	1501/ 327	0.04
C09136000	27	MAIN ST	PAJIS ASSOC LLC AND WINWEST MAIN LLC	10 RYE RIDGE PLAZA STE 200	RYE BROOK	NY	10573	BCD	COMM	1988/ 279	0.11
C09137000	35	MAIN ST	WINWEST 3351 MAIN LLC	10 RYE RIDGE PLAZA	RYE BROOK	NY	10573	BCD	COMM	2790/ 178	0.27
C10154000	38	MAIN ST	38 MAIN LP	19 OLD KINGS HWY S	DARIEN	CT	06820	BCD	COMM	3567/ 308	0.20
C10153000	44	MAIN ST	WESTPORT MAIN ST RETAIL LLC	276 POST RD W STE 201	WESTPORT	CT	06880	BCD	COMM	3609/ 1	0.23
C10074000	57	MAIN ST	57 MAIN STREET WESTPORT LLC	26 KETTLE CREEK RD	WESTON	CT	06883	BCD	COMM	2610/ 285	0.07
C10152000	58	MAIN ST	COBBLER LLC	9 DELETTA LN	WESTPORT	CT	06880	BCD	COMM	2458/ 212	0.05
C10075000	61	MAIN ST	61 MAIN STREET LLC	411 THEODORE FREMD AVE STE 300	RYE	NY	10580	BCD	COMM	3506/270-4	0.08
C10151000	62	MAIN ST	PARILLO FAMILY THE LTD PARTNERSHIP LP	4 HUNT CLUB LN	WESTPORT	CT	06880	BCD	COMM	1979/ 15	0.09
C10150000	66	MAIN ST	PARILLO FAMILY THE LTD PARTNERSHIP LP	4 HUNT CLUB LN	WESTPORT	CT	06880	BCD	COMM	1979/ 15	0.07
C10149000	68	MAIN ST	GARFIELD ANNE C & ARTHUR LANGE ET ALS	12 GENEVA RD	NORWALK	CT	06850	BCD	COMM	2698/ 318	0.07
C10076000	69-93	MAIN ST	ESRT 69-97 MAIN ST LLC	1 GRAND CENTRAL PLACE	NEW YORK	NY	10165	BCD	COMM	3479/ 27	0.42
C10148000	72	MAIN ST	ABC KINSHIP LLC	19 ROME ST	NORWALK	CT	06851	BCD	COMM	3527/ 178	0.05
C10147001	90	MAIN ST Condos #1	HANNAN PETER J & DOLORES B	P O BOX 548	WESTPORT	CT	06881-0548	BCD	COMM/RES	2559/ 230	0.00
C10147002	90	MAIN ST Condos #2	FEARON PETER D & MARISA	PO BOX 575	WESTPORT	CT	06881	BCD	COMM/RES	2712/ 133	0.00
C10147003	90	MAIN ST Condos #3	JAM ON MAIN LLC	28 WOODS GROVE RD	WESTPORT	CT	06880	BCD	COMM/RES	3226/ 145	0.00
C10147004	90	MAIN ST Condos #4	RUTHERFORD ANNE F TRUSTEE	9 OLD HILL RD	WESTPORT	CT	06880	BCD	COMM/RES	3492/ 68	0.00
C10147005	90	MAIN ST Condos #5	ZATCOFF GERALDINE	90 MAIN ST	WESTPORT	CT	06880	BCD	COMM/RES	1809/ 42	0.00
C10147006	90	MAIN ST Condos #6	WARD DARIA & KELLY	90 MAIN ST	WESTPORT	CT	06880	BCD	COMM/RES	3542/ 127	0.00
C10147007	90	MAIN ST Condos #7	BHADRA PTITHVIRAJ AND DATTA INDRANI	90 MAIN ST	WESTPORT	CT	06880	BCD	COMM/RES	3474/ 324	0.00
C10147008	90	MAIN ST Condos #8	SEVERN REALTY CORPORATION	445 PARK AVENUE 9TH FLOOR	NEW YORK	NY	10022	BCD	COMM/RES	1612/ 127	0.00
C10077000	105	MAIN ST	ESRT 103-107 MAIN ST LLC	1 GRAND CENTRAL PLACE	NEW YORK	NY	10165	BCD	COMM	3479/ 23	0.09

Village District Property List  
As identified in the Village District Study

GIS_ID	STREET_NUM	STREET_NAME	GRANTEE	MAILING_ADDRESS	CITY	ST	ZIP	ZONE	USE	BOOK_PAGE	ACRE
C10078000	115	MAIN ST	CAMPANA 115 LLC	350 WILLOW ST	SOUTHPORT	CT	06890	BCD	COMM/RES	3602/ 197	0.14
C10079000	125	MAIN ST	CAMPANA 125 LLC	350 WILLOW ST	SOUTHPORT	CT	06890	BCD	COMM	3338/ 15	0.21
C10080000	135	MAIN ST	F D H GROUP	153 DUDLEY DR	FAIRFIELD	CT	06824	BCD	COMM	617/ 332	0.03
C10142000	136	MAIN ST	WESTFAIR INC	877 POST RD E #4	WESTPORT	CT	06880	BCD	COMM	190/ 528	0.62
C10081000	139	MAIN ST	UNITED REALTY INC	1111 SUMMER ST STE 603	STAMFORD	CT	06905	BCD	COMM	3359/ 22	0.09
C10141000	142	MAIN ST	TEUSCHER FAMILY LMTD PARTNERSHIP	5 WILCOX LN	WESTPORT	CT	06880	BCD	COMM/RES	1483/ 146	0.34
C10082000	145	MAIN ST	WALLACE WILLIAM F & STRATFORD C	170 MASON ST	GREENWICH	CT	06830	BCD	COMM	2484/ 220	0.12
C10083000	161	MAIN ST	HONEYDO FAMILY LLC	196 QUEENS GRANT RD	FAIRFIELD	CT	06430	BCD	COMM	2516/ 69	0.13
C10084000	165	MAIN ST	165 MAIN STREET ASSOCIATES LLC	292 POST RD E	WESTPORT	CT	06880	BCD	COMM	3500/ 203	0.16
C10085000	177	MAIN ST	177 MAIN LLC	1111 SUMMER ST STE 603	STAMFORD	CT	06905	BCD	COMM	3382/ 336	0.12
C10140000	184	MAIN ST	HULBERT THOMAS F EST OF	3903 BELLAIRE BLVD	HOUSTON	TX	77025	BCD	COMM	435/ 350	0.58
C10129000	190	MAIN ST	WHA EQUITIES CORPORATION	PO BOX 95	WESTPORT	CT	06881	RBD	COMM	1352/ 290	0.52
D10093000	Rear parking lot	MYRTLE AVE	SOUTHERN NEW ENGLND TELEPHONE CO	401 MERRITT 7	NORWALK	CT	06851	A	INST	109/ 441	0.92
D10092000	8	MYRTLE AVE	RICHARDS HOUSE ASSOCIATES LLC	8 MYRTLE AVE	WESTPORT	CT	06880	RORD2	COMM	3503/ 69	0.37
D10001000	15	MYRTLE AVE	SCONSET SQUARE LLC	877 POST RD E #4	WESTPORT	CT	06880	RORD2	COMM	3344/ 192	0.97
D10091000	20	MYRTLE AVE	SOUTHERN NEW ENGLND TELEPHONE CO	401 MERRITT 7	NORWALK	CT	06851	A	INST	53/ 462	0.60
C10137000	99	MYRTLE AVE <sup>2</sup>	GLYNN PATRICIA	99 MYRTLE AVE	WESTPORT	CT	06880	A	RES	3654/ 94	0.22
C10086000	Parking lot	PARKER-HARDING	WESTPORT TOWN OF	110 MYRTLE AVE	WESTPORT	CT	06880	BCD	INST	0/ 0	2.00
C09131000	2	POST RD E	STATE & MAIN STREETS LLC	165 WATER ST	NORWALK	CT	06854	BCD	COMM/RES	2873/ 209	0.18
C09133000	19	POST RD E	WINWEST LIBRARY LLC AND OLNEYWOOD ASSOC	10 RYE RIDGE PLAZA STE 200	RYE BROOK	NY	10573	BCD/H	COMM	2416/ 127	0.27
C09132000	30	POST RD E	GAULT WILLIAM L TRUSTEE	98 IMPERIAL AVE	WESTPORT	CT	06880	BCD	COMM/RES	263/ 396	0.16
C09153000	40	POST RD E	WINWEST POST LLC	10 RYE RIDGE PLAZA STE 200	RYE BROOK	NY	10573	BCD/H	COMM	1988/ 281	0.25
C09152000	46	POST RD E	MIOLI JOSEPH ET ALS	2 BERMUDA RD	WESTPORT	CT	06880	BCD/H	COMM	351/ 253	0.09
C09140000	59	POST RD E	BEDFORD SQUARE ASSOC LLC	75 HOLLY HILL LN STE 305	GREENWICH	CT	06830	BCD/H	COMM/RES	3582/ 98	1.90
C09151000	66	POST RD E	54-68 POST ROAD EAST ASSOCIATES LLC AND	265 POST RD W	WESTPORT	CT	06880	BCD/H	COMM	1852/ 20	0.20
C09150000	76	POST RD E	FINE ARTS REALTY LLC	150 NORTH AVE	WESTPORT	CT	06880	BCD/H	COMM	1689/ 89	0.38
C09141000	87	POST RD E	LIG 87 POST RD WESTPORT LLC	505 PARK AVE	NEW YORK	NY	10022	BCD/H	COMM	3642/ 302	0.13
C09149000	90	POST RD E <sup>3</sup>	OLD WESTPORT TOWN HALL LLC	943 POST RD E	WESTPORT	CT	06880	BCD	COMM	3071/ 127	0.26
C09148000	100	POST RD E	OLD WESTPORT TOWN HALL LLC	943 POST RD E	WESTPORT	CT	06880	BCD	COMM	3071/ 127	0.42
C09142000	101	POST RD E	WW 101-107 POST LLC	28 CHURCH LN	WESTPORT	CT	06880	BCD/H	COMM	3157/ 49	0.32
C09143000	111	POST RD E	BER HOLDINGS LLC	P O BOX 5180	WESTPORT	CT	06881	BCD	COMM	1607/ 60	0.25
C09147000	126	POST RD E	FLEET NATIONAL BANK	101 N TRYON ST NC1 001 03 81	CHARLOTTE	NC	28255	BCD	COMM	1526/ 178	0.67
C09144000	135	POST RD E	COMU WESTPORT LLC	PO BOX 320486	FAIRFIELD	CT	06825	BCD	COMM	2164/ 275	0.17
C09145000	143	POST RD E	WESTPORT PIZZERIA TOO LLC	2 BERMUDA RD	WESTPORT	CT	06880	BCD	COMM/RES	3269/ 3	0.05
D09135000	154	POST RD E	ANSLEY WESTPORT PARTNERS LLC	5064 ROSWELL RD STE D 101	ATLANTA	GA	30342	BCD	COMM	3337/ 254	0.39
C09146000	155	POST RD E	TSE MANAGEMENT LLC	174 HILLSPOINT RD	WESTPORT	CT	06880	BCD	COMM	2963/ 86	0.26
D09136000	165	POST RD E	JHT REALTY LLC	99 OLD FARMS RD	W SIMSBURY	CT	06092	BCD	COMM/RES	2139/ 53	0.14
D09134000	180	POST RD E	180 WESTPORT PARTNERS LLC	180 POST RD E	WESTPORT	CT	06880	BCD	COMM	3467/ 333	1.04
D09137000	199	POST RD E	WILLIAM H PITT FOUNDATION INC	170 WASHINGTON BLVD	STAMFORD	CT	06902	RORD2	COMM	2309/ 8	0.36
D09133000	210	POST RD E	TEMPLE LODGE 65 AF & AM INC	210 POST RD E	WESTPORT	CT	06880	BCD	COMM	93/ 472	0.23

Information gathered from Tax Records and field inspections on 2/1/17.

Footnote Key:

- 1 = Local Historic Property
- 2 = Proposed Local Historic Property
- 3 = Local Historic District
- 4 = Protected with a Preservation Easement

TOTAL = 79 properties, with acreage of 29.79  
(Condos at 90 Main St. counted as 1 property)

## §36 VILLAGE DISTRICT OVERLAY (VDO) ZONE / WESTPORT CENTER 09-15-17

### 36-1 Establishment of the Village District

#### 36-1.1 Purpose

The purpose of this Village District Overlay (VDO) is to protect the distinctive character, landscape, and historic structures and development pattern within this Village District while encouraging a mixed use, walkable district that is attractive to residents, employees, and visitors. New construction or substantial rehabilitation in the Village District should be compatible with the existing character of the district and reinforce both the existing development patterns and connections to the Saugatuck River.

#### 36-1.2 Authorization

The Village District Overlay (VDO) Zone is hereby designated as a Village District, as authorized by Chapter 124 (§8-2j) of the Connecticut General Statutes (CGS) and any new construction or substantial reconstruction and rehabilitation of the exterior of a building shall be reviewed in accordance with the provisions of this §36 of these Regulations and with the requirements of CGS §8-2j.

#### 36-1.3 Applicability

All zoning regulations, including those applying to the underlying district, shall continue to govern the Village District, except as amended by this §36. Site plan approval by the Planning and Zoning Commission shall be required for the following activities within the Village District and in view from public streets, public spaces, walkways, bikeways or from the Saugatuck River:

- New construction as defined in §5-2;
- Substantial reconstruction and rehabilitation of properties;
- Alterations to existing building façades such that the appearance of the building is changed.

The Planning and Zoning Commission's authority shall include, but not be limited to, the following:

- (1) The design and placement of buildings;
- (2) The maintenance of public views;
- (3) The design, paving materials, and placement of public roadways;
- (4) Other elements that the Planning and Zoning Commission deems appropriate to maintain and protect the character of the Village District.

The Planning and Zoning Commission will review the application for Site Plan Review using the criteria within this §36, including §36-2, *Design Principles and Standards*, as the basis of its review.

A site rezoned by the Planning and Zoning Commission to Village District Overlay shall continue to bear its original district designation, but with the initials VDO appended to indicate a Village District Overlay designation. Designation as a Village District Overlay or the removal of such designation shall be considered a change of zone.

### **36-1.4 Additions to the Village District**

The Planning and Zoning Commission may add one or more parcels to an existing Village District using the following criteria:

- The parcel to be added must be contiguous with the existing Village District boundary and within the boundary of Westport Center as depicted in the Westport Plan of Conservation and Development;
- The characteristics of the existing building and site must be consistent with §36-2.1 *Design Principles*;
- The dimensional characteristics of the existing building and site must be consistent with other buildings in the Village District with respect to height, setback from front lot line, and building massing.

### **36-1.5 Advisory Opinion**

The Joint Committee of the Architectural Review Board and the Historic District Commission (the Joint Committee) is designated as the Village District Consultant for the purposes of CGS §8-2j(f). The membership of the Joint Committee shall include at least one member who is an architect, landscape architect, or planner who is a member of the American Institute of Certified Planners.

The Joint Committee shall review all applications for new construction and substantial reconstruction within the district and in view from public streets, public spaces, walkways, bikeways and the Saugatuck River. The basis for review and recommendations shall be the regulations in §36-2 *Design Principles and Standards*.

The Planning and Zoning Commission may also seek recommendations from any town agency, regional council or outside specialist, including, but not limited to, the following:

- Western Connecticut Council of Governments;
- The Westport Historical Society;
- The Connecticut Trust for Historic Preservation;
- The University of Connecticut College of Agriculture and Natural Resources.

The hiring of Outside Consultants shall follow the procedures established §43-6.4 of Zoning Regulations.

### **36-1.6 Approval and Denial**

The Planning and Zoning Commission shall record the reason for approval or denial of the Site Plan Review application.

The approval must be certified by the Planning and Zoning Commission and recorded in the land records of the Town of Westport at the expense of the record owner. The approval must contain the following information:

- Owner of record;
- Description of the premises to which it relates;
- Reasons for the decision.

## **36-2 Design Principles and Standards**

Application of the Design Principles and Design Standards will reinforce the existing patterns of land use and development with the Village District. As noted in §36-3 *Design Review*, The Planning and Zoning Commission and the Joint Committee will use the Design Standards as the basis for their review of the application. Should the Applicant apply for a Compliance Alternative (as defined in §5-2:

*Specific Terms Definitions* of the Zoning Regulations), the Planning and Zoning Commission and the Joint Committee will refer to these governing Design Principles.

### **36-2.1 Design Principles**

The following Design Principles shall apply to new construction and substantial reconstruction and rehabilitation of properties within the Village District. These Design Principles are consistent with the legislative requirements of CGS § 8-2j.

- 36-2.1.1 Proposed buildings or modifications to existing buildings shall be harmoniously related to their surroundings, and the terrain in the district and to the use, scale and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification.
- 36-2.1.2 All spaces, structures and related site improvements visible from public roadways, public spaces, walkways, bikeways and the Saugatuck River shall be designed to be compatible with the elements of the area of the Village District in and around the proposed building or modification.
- 36-2.1.3 The color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of commercial or residential property and any proposed signs and lighting be evaluated for compatibility with the local architectural motif and the maintenance of views, historic buildings, monuments and landscaping.
- 36-2.1.4 The removal or disruption of historic traditional or significant structures or architectural elements shall be minimized.
- 36-2.1.5 The building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district.
- 36-2.1.6 Proposed streets shall be connected to the existing district road network, wherever possible.
- 36-2.1.7 Open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting.
- 36-2.1.8 Locally significant features of the site such as distinctive buildings or sight lines of vistas from within the district shall be integrated into the site design.
- 36-2.1.9 The landscape design shall complement the district's landscape patterns.
- 36-2.1.10 The exterior signs, site lighting and accessory structures shall support a uniform architectural theme if such a theme exists and be compatible with their surroundings.
- 36-2.1.11 The scale, proportions, massing, and detailing of any proposed building shall be in proportion to the scale, proportion, massing, and detailing in the district.

### **36-2.2 Compliance Alternative**

If the Planning and Zoning Commission and the Applicant jointly agree that a proposed design meets the compatibility objectives of §36-2.1 *Design Principles* but does not meet the requirements of §36-2.3 *Design Standards*, the Planning and Zoning Commission may accept the proposed design provided that it complies with the compatibility objectives §36-2.1 *Design Principles*.

A Compliance Alternative must accomplish the relevant Design Principle. The Applicant must submit documentation that indicates the specific proposed alternative method or standard that will be used, why the Design Standards are not applicable to the application, and how the project is fully compliant

with the Design Principles. Approval by the Planning and Zoning Commission of a Compliance Alternative is discretionary, but shall not be unreasonably withheld if the Applicant has provided sufficient documentation to justify such request. The use of the Compliance Alternative must be by mutual consent between the Joint Committee, Planning and Zoning Commission and the Applicant.

**36-2.3 Design Standards**

The following design standards shall apply to new construction, substantial reconstruction and rehabilitation of properties, and changes that alter the exterior appearance of buildings within the Village District and in view from public streets, walkways, bikeways or from the Saugatuck River. Where applicable, these standards are designed to supplement existing regulations in §33, 34 and §35 of the Zoning Regulations.

Buildings that are used as single-family homes within the Village District do not have to comply with the following standards: §36-2.3.3 (2) - Placement and Treatment of Entries; §36-2.3.3 (6) - Transparency; §36-2.3.3 (7) - Awnings and Signage; §36-2.3.5 - Parking; and §36-2.3.6 - Streetscapes and Sidewalks.

**36-2.3.1 Building Placement and Orientation**

- (1) **BUILDING PLACEMENT** – Building placement shall respect existing patterns of building placement for the street on which they are located and define the edges of streets and public spaces. The individuality of the building shall be subordinated to the overall continuity of the streets and public spaces. Buildings shall be placed to conceal parking at the interior or rear of building lots.
- (2) **BUILDING SETBACKS** – Infill buildings shall match the setback from the front lot line of the immediately adjacent buildings. If the setbacks do not match, the infill building may match one or the other, or may be an average of the two setbacks. *See Figure 36 A.*

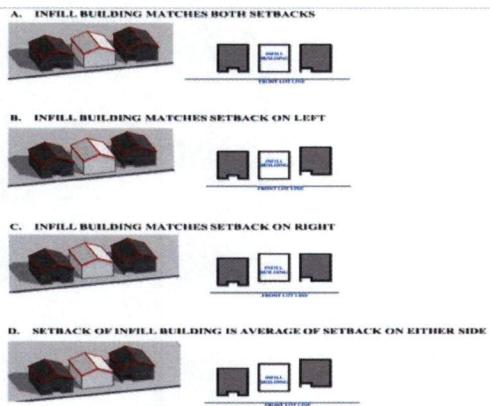


Figure 36A Setbacks for Infill Buildings

- (3) **BUILDING ORIENTATION** – Buildings shall be oriented with the primary building façade(s) facing the primary street frontage(s) of the site. Building massing and façades shall be designed to frame streets and public spaces to provide a sense of spatial enclosure and to define street edges. Building entrances, storefronts and windows shall be oriented to the primary street(s) with transparency to streets and public spaces.

- (4) **DESIGN TREATMENT OF EDGES** – Buildings that are not physically adjoined to abutters shall treat side yards and the spaces between buildings in a manner consistent with existing patterns of use, in terms of setbacks and use. Landscaping shall be used to define street edges and to buffer and screen edges that may have a negative visual impact, such as parking or loading areas. Access driveways and curb cuts using side yards may be combined between adjoining properties to access parking for multiple buildings at the interior of the block.

**36-2.3.2 Building Massing and Form**

- (1) **RELATIONSHIP TO EXISTING CONTEXT** – Building massing, form, and scale shall be complementary to and respectful of the patterns of existing buildings in the immediate vicinity. *See Figure 36 B.*



Figure 36B Relationship to existing contexts and building form.

- (2) **BUILDING FORM** – The shape and massing of new and renovated buildings shall provide a balance among building height, story-height, building width and block width. The shape and massing of the building shall complement the abutting structures and define the edges of streets and open spaces. *See Figure 36 B.*
- (3) **SCALE** – The scale of proposed new or substantially rehabilitated buildings shall be compatible with the surrounding architecture and landscape context. Elements that may help to relate building massing proportionally shall include: articulated building bases through a change in material or color; placement of windows in a regular pattern; articulation of building entries with canopies, porches or awnings, and façade and roof projections (such as bay windows or dormers).
- (4) **PROPORTION** – The proportions of building elements shall be generally compatible with existing structures and the features and components of the façade.
- (5) **HEIGHT** – Infill buildings visible from public streets, public spaces, walkways, bikeways or the Saugatuck River shall continue the patterns of height of adjacent existing properties. Where the discrepancy between the proposed height and existing height patterns is greater than ten feet, the Joint Committee shall review design proposals with the Applicant for context sensitivity based upon the following: articulation of façade; building mass, scale, bulk and proportion; or other building massing considerations.
- (6) **BUILDING ROOFS** – Roofing materials visible from public streets, public spaces, walkways, bikeways or the Saugatuck River shall be of high quality and durable, including, but not limited to: slate, copper, ceramic slate tile, clay tile, concrete tile, or ribbed metal or architectural asphalt shingle. Flat horizontal roofs are exempted from this standard. Roofing materials shall not call undue attention to the roof itself with bright or contrasting colors,

unless historically documented. Building mechanical equipment located on building roofs, sites, or other locations shall be not be visible from the street.

**36-2.3.3 Building Façades**

- (1) **FAÇADE DESIGN AND RELATIONSHIP TO EXISTING CONTEXT** – The façade, or primary building elevation, of new construction or substantial rehabilitation shall be compatible with the façade design of neighboring buildings so as to create continuity across projects and the street edge. Primary building façades with frontage along the street shall be sensitive to the existing context of building façades along that street. At least two of the following design elements should be repeated in adjacent buildings, excluding parking structures: design treatment at the ground level, relative location and size of doors, window style and proportions, location of signs, dominant façade material, dominant color, bay window style, and roof form. There shall be a direct vertical correspondence between the design of the façade of the upper floors and the ground level retail façades. New construction and substantial rehabilitation of properties adjacent to public open spaces shall be oriented to define the edges of those open spaces and provide a transparent ground floor to activate the public space. *See Figure 36C.*



A: Decorative Window with Trim  
 B: Two-over-two Windows, Shutters, Trim  
 C: Sign Band, Trim  
 D: Awnings  
 E: Ground Floor Display Windows and Panels  
 F: Inset Glazed Doors and Pilasters

Figure 36C Façade Design and Relationship to existing context

- (2) **PLACEMENT AND TREATMENT OF ENTRIES** – Entrances shall be oriented to the primary street frontage and address the street with an active and welcoming entry composition that is integrated into the overall massing and configuration of the building form. Building and shop entrances shall be recessed to a minimum depth equal to the width of the door to prevent doors from swinging into the sidewalk. Building entries may add components to the building façade such as storefronts, canopies, porches, and stoops and shall provide a high level of visibility and transparency into ground floor uses. *See Figure 36 D.*



Figure 36D Placement and Treatment of Entries

- (3) **FAÇADE MATERIALS** – Materials shall be selected to be compatible with or complementary to the Village District. Materials on the façade that are subject to deterioration (plywood or plastic) shall be avoided or removed and replaced. Building façade exterior materials, including architectural trim and cladding, shall be of high quality and durable, including but not limited to: stone, brick, wood, metal, glass, sustainable cement masonry board products and integrated or textured masonry. Exterior material may not include vinyl siding. Uninterrupted, multi-level glazing may not be used as a primary façade design treatment.

Repairs and alterations must not damage or destroy materials, features or finishes that are important in defining the building's historic character. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

- (4) **ROOF PARAPET AND CORNICE LINES** – Building cornice lines shall be maintained, preserved or recreated to define building façades and create façade components consistent with historic parapet or cornice lines as originally designed and built in Village District. *See Figure 36 E.*



A: Similar Cornice Line and Roof Peak  
B: Similar Cornice Lines

Figure 36E Roof Parapet and Cornice Lines

- (5) **PROPORTION AND PATTERN OF WINDOWS** – Original window patterns and openings shall be preserved or restored, including conservation and repair to preserve historical details, in the redevelopment of existing structures. New construction shall acknowledge and respond to existing adjacent window patterns in proportion, scale, rhythm and number of openings. *See Figure 36 F.*



A: Decorative Window  
B: Typical Pattern for Second Story  
C: Ground Floor Display Windows  
D: Inset Glazed Doors

Figure 36F Proportion and Pattern of Windows

- (6) **TRANSPARENCY** – Building façades facing the principal street or public open space shall have at least 25% of the overall façade in transparent windows and at least 40% of the ground floor façade in transparent windows. Along the secondary façades that face pedestrian alleys or connections, façades must achieve at least 15% transparency. Windows on the ground floor of the primary façade shall not be mirrored or use tinted glass or be obstructed by curtains, shades, or blinds. *See Figure 36 G on next pg.*

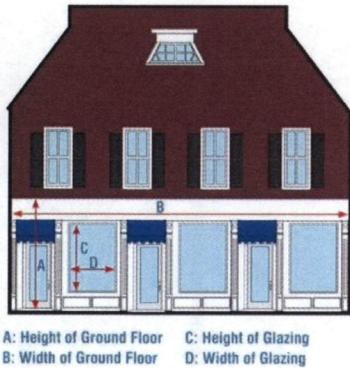


Figure 36G Transparency

- (7) **AWNINGS AND SIGNAGE** – Awnings and signs may not obscure important architectural details by crossing over pilasters or covering windows. Multiple awnings or signs on a single building shall be consistent in size, profile, location, material, color and design. On multi-tenant buildings the awnings and signs shall be allowed to vary in color and details, but shall be located at the same height on the building façade. See Figure 36 H.

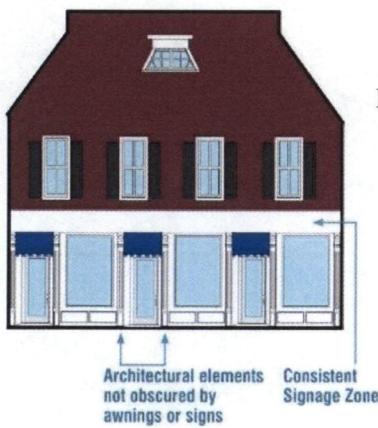


Figure 36 H Awnings and Signage

#### 36-2.3.4 Landscape

- (1) **LANDSCAPE USE AND ORIENTATION** – Landscape features shall shield negative views and define edges, and frame streets and public spaces. Plantings shall not obscure site entrances and exit drives, access ways, or road intersections or impair visibility of commercial storefronts. Tree species shall be selected to maintain relatively clear views of the ground floor and adequate height clearances for sidewalk circulation. Site and landscape features shall be integrated with the design of new construction and reflect a coordinated site and building design.
- (2) **OPEN SPACES** – Public and private open spaces shall be designed, landscaped, and furnished to be compatible with or complementary to the overall character of the Village District.
- (3) **SITE AND STREET EDGES** – New landscape strips with street trees, street trees in sidewalk tree wells, or landscaped medians shall be consistent with the existing landscape patterns of the location of proposed improvements. Landscape strips and sidewalk tree wells shall be of sufficient width to promote the health of street trees and other plantings.

- (4) **VIEWS** – Buildings shall be designed and located on the site so as to preserve views to the Saugatuck River.
- (5) **RAIN GARDENS** – Rain gardens may be provided as a contributing element of the site drainage, and integrated into the overall site. The plantings should be well adapted to wetland edge environments, including grasses, hedges, shrubs, or trees that tolerate intermittent wet conditions and extended dry periods. The design should prevent long-term standing water that would damage the plantings.

**36-2.3.5 Parking**

- (1) **PARKING PLACEMENT** – Parking shall be located at the interior of blocks, behind buildings, or at the rear of sites, away from prominent site edges, public spaces, and streets. See Figure 36 I.

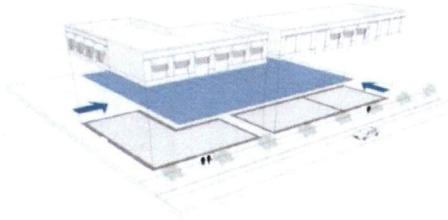


Figure 36 I Parking Placement

- (2) **SCREENING AND LANDSCAPING** – Parking areas shall be separated from the street with landscaped buffers of between five feet and eight feet in width. Parking areas on secondary streets may also be screened by other site components, including fences, gates, walls, permanent planters, or hedges. Landscaped medians shall be provided between parking spaces to break up the impervious surfaces and mitigate the visual impact of parking. No landscape island shall be less than 6’ wide with a minimum width of 10’ is required for planting strips with trees. See Figure 36 J.



Figure 36 J Screening and Landscaping

- (3) **STRUCTURED PARKING** – Structured parking, where provided, shall be at the interior of a block, surrounded on visible edges by active uses to avoid inactive street edges created by the parking structure. Alternatively, the structured parking could be arranged such that the ground floor area facing the main street is available for commercial space.
- (4) **CURBS AND CURB CUTS** – Granite curbs shall be used to protect planting areas and to define sidewalks, walkways, and parking area edges. Curb cuts shall be minimized and combined whenever possible. Every curb cut shall provide a continuous and uninterrupted pedestrian walkway.

**36-2.3.6 Streetscape and Sidewalks** (See Sidewalk Ordinance, Chapter 50 of the Town Code)

(1) **PEDESTRIAN ACCESS** – New construction and public infrastructure improvements shall reinforce a network of continuous, convenient and safe pedestrian connections along sidewalks to and from all pedestrian entrances of all garages, parking lots and parking structures and all public, resident, and employee entrances to every building. Sidewalks and pedestrian paths should incorporate appropriate lighting, street furniture, landscaping, and signage consistent with the Village District. The network should not include streets or spaces that are primarily used for vehicular connections, deliveries and services.

(2) **SIDEWALK CONFIGURATION** – Sidewalks shall have a minimum unobstructed width of 4'-0". Sidewalks shall be widened to accommodate street trees, landscaping, and outdoor furnishing and amenities. Sidewalks shall be continuous and uninterrupted at driveways and curb cuts to reinforce priority for pedestrians. See Figure 36 K.

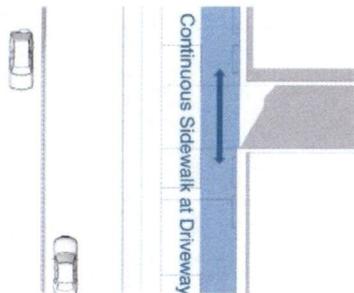


Figure 36 K Sidewalk Configuration

(3) **SPECIAL PAVING** – Unit pavers may be used to enhance the character of sidewalks, pathways, and plazas. Existing brick or pavers shall be maintained or replaced and shall be introduced if adjacent sidewalks are brick. When employed, unit pavers should be selected and set in a manner that limits uneven surfaces or joints that would become an impediment to accessibility. An acceptable method includes providing a sub-base of wire-mesh reinforced concrete below the setting bed, and mortared joints. See Figure 36 L.



Figure 36 L Special Paving

- (4) **PASSAGEWAYS** – Passageways through buildings that connect the principal streets to parking shall include displays relevant to adjacent businesses, public art, and/or wayfinding signage related to the Village District and lighting that provides a safe environment for pedestrians.
- (5) **STREET FURNITURE** – Permanent street furniture including light fixtures, benches, bike racks, trash and recycling receptacles, and newspaper stands shall be integrated with street and sidewalk circulation to ensure adequate clearances, access and convenience of the location of these amenities. Street furniture shall be clustered at convenient locations that are plainly visible and accessible and must be located such that the minimum 4'-0" sidewalk clearances are maintained.

- (6) **PUBLIC ART** – Public art may be used to define and punctuate public spaces. Art installations shall maintain clearances in public spaces, and be constructed of materials that are durable, easily maintained and that do not present safety hazards.
- (7) **SIDEWALK CAFÉS** – Where sidewalk width is constrained at location of sidewalk use for outdoor cafés, the Planning and Zoning Commission may reduce the minimum clear width of the sidewalk to 3' for a maximum length of 10'. After a 5' interval of a minimum width of 4', the minimum clearance of 3' may be allowed for another 10'. The goal is to maintain the balance for clear width of pedestrian activity and the extension of outdoor cafés into the public space.

### **36-3 Design Review Process**

#### **36-3.1 Design Review Process**

The Design Review process is mandatory for all projects within the Village District meeting the requirements in §36-1.3 *Applicability* for Site Plan Review under the authority of the Planning and Zoning Commission.

The Design Standards provide design requirements for all applicable projects. Projects shall be approved if they meet the Design Standards and all other applicable guidelines and requirements.

The Joint Committee shall submit a report and recommendation to the Planning and Zoning Commission within thirty-five days of the receipt of the application. The basis for the recommendation of the Joint Committee shall be the compliance of the application with provisions of §36-2.3 *Design Standards*.

The Planning and Zoning Commission will enter this report and recommendation into the public record and consider it as part of their deliberations. Any delay in the submission of the report will not alter any other time limit imposed by the regulations.

Any report or recommendation from an outside specialist, such as those listed under §36-1.4 *Advisory Opinion*, shall also be entered into the public hearing record.

As part of any approval of a Compliance Alternative under §36-2.2 *Compliance Alternative*, the Planning and Zoning Commission must provide a written determination and finding that the alternative approach meets the objectives of the Design Principles. Such determination should state the applicable Design Standards, the reason for granting an alternative, the applicable Design Principles, and how the alternative meets the Design Principles. The Planning and Zoning Commission may request a recommendation from the Joint Committee that the Compliance Alternative conforms with the Design Principles.

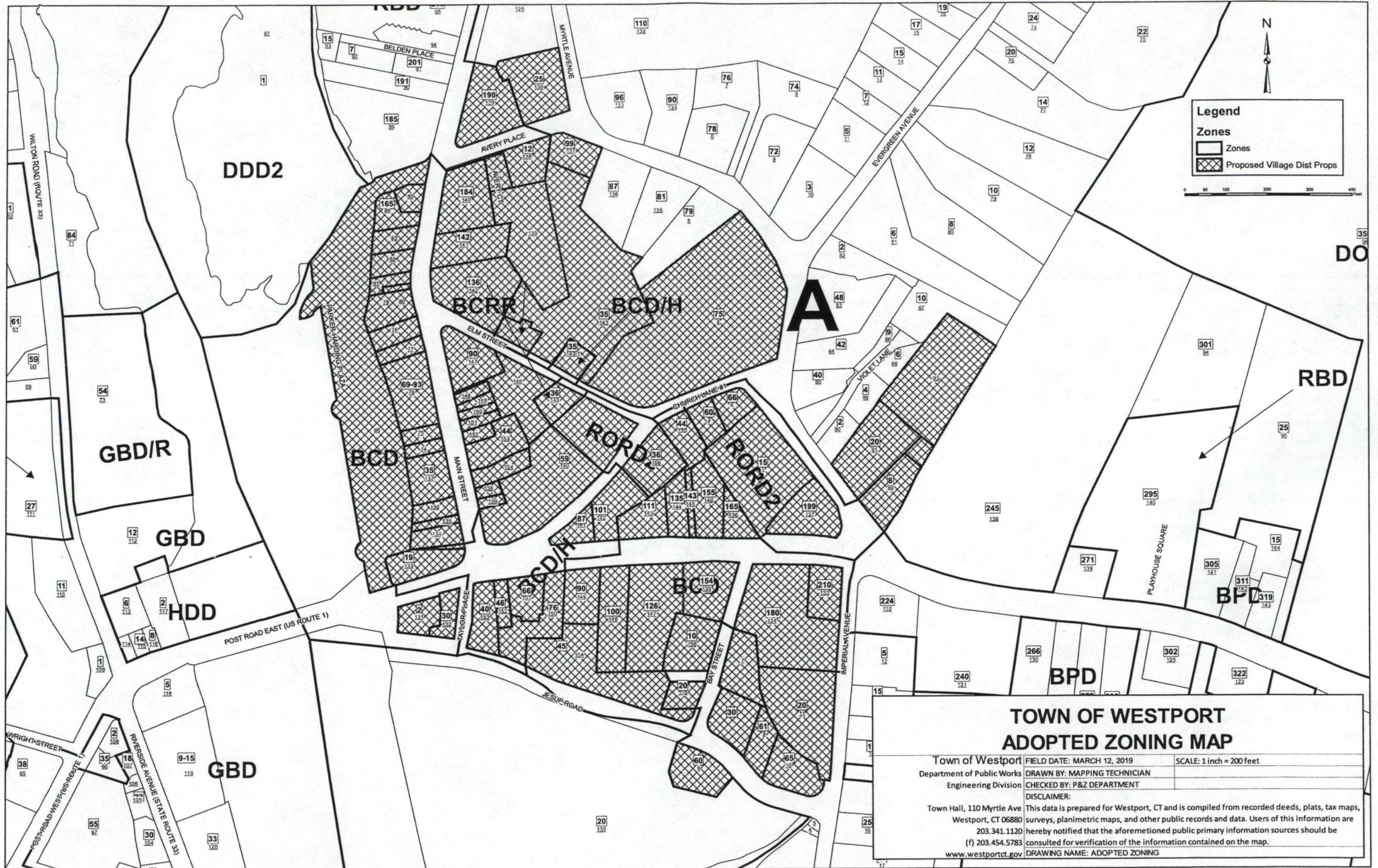
#### **36-3.2 Additional Materials for an Application Related to Existing Historic Buildings**

The Applicant must supply documentation of the original style of the building and a narrative of how improvements are consistent with the style or how the improvements vary, and a rationale for why the variation should be approved under §36-2.3 *Compliance Alternative*. Historic buildings are defined as those listed in the Historic Resources Inventory (HRI) List contained in the *Westport Center Planning District Historic Resources Inventory Update and Planning Recommendations*, the Public Archaeological Laboratory, Inc., May 9, 2012.

**36-3.3 Additional Materials for an Application for New Construction or Substantial Reconstruction and Rehabilitation or Changes to the Exterior Façades**

The Applicant must supply pictures of the original building(s) (if applicable), the buildings to either side of the proposed project and the view from across the street. The narrative should indicate how the proposed building or addition is consistent with the context and describe the treatments of façades facing public streets or public parking areas. Any request for a variation should include a statement as to why the variation should be approved under §36-2.2

*Compliance Alternative.*



## TOWN OF WESTPORT ADOPTED ZONING MAP

Town of Westport	FIELD DATE: MARCH 12, 2019	SCALE: 1 inch = 200 feet
Department of Public Works	DRAWN BY: MAPPING TECHNICIAN	
Engineering Division	CHECKED BY: P&Z DEPARTMENT	
	DISCLAIMER:	

Town Hall, 110 Myrtle Ave  
Westport, CT 06880  
203.341.1120  
(f) 203.454.5783  
www.westportct.gov

This data is prepared for Westport, CT and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this information are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on the map.

DRAWING NAME: ADOPTED ZONING

Village District Property List  
As identified in the Village District Study

GIS_ID	STREET_NUM	STREET_NAME	GRANTEE	MAILING_ADDRESS	CITY	ST	ZIP	ZONE	USE	BOOK_PAGE	ACRE
C10139000	Parking lot	AVERY PL	HULBERT THOMAS F EST OF	3903 BELLAIRE BLVD	HOUSTON	TX	77025	A/RBD	COMM	435/ 350	0.98
C10138000	12	AVERY PL	B + B ASSOCIATES	12 AVERY PL	WESTPORT	CT	06880-3201	RBD	COMM	683/ 223	0.25
C10130000	25	AVERY PL <sup>1</sup>	WESTPORT HISTORICAL SOCIETY	25 AVERY PLACE	WESTPORT	CT	06880	A	INST	559/ 264	0.50
D09007000	Portion of lot	BAY ST	180 WESTPORT PARTNERS LLC	180 POST RD E	WESTPORT	CT	06880	RPOD	COMM	3467/ 331	0.39
C09156000	10	BAY ST	BAY TEN HOLDINGS LLC	PO BOX 5180	WESTPORT	CT	06881	BCD	COMM	1707/ 43	0.35
C09155000	20	BAY ST	J M K INVESTMENTS	PO BOX 334	WESTON	MA	02493-0002	RPOD	COMM	762/ 138	0.14
C10156000	36	CHURCH LN	RED X HOLDINGS LLC	PO BOX 5180	WESTPORT	CT	06881	RORD2	COMM	2712/ 85	0.33
C10155000	44	CHURCH LN	BW CHURCH EAST LLC	28 CHURCH LN 2ND FL	WESTPORT	CT	06880	BCD	COMM/RES	3465/ 190	0.20
D10003000	60	CHURCH LN	BRAIDMAX LLC	PO BOX 5180	WESTPORT	CT	06881	RORD2	COMM	2872/ 251	0.15
D10004000	75	CHURCH LN <sup>4</sup>	CHRIST & HOLY TRINITY CHURCH	75 CHURCH LN	WESTPORT	CT	06880	A	INST	240/ 580	2.98
D10002000	66	CHURCH LN	66 CHURCH LANE LLC	PO BOX 1013	PALM BEACH	FL	33480	RORD2	COMM	1767/ 105	0.18
C10145000	36	ELM ST	36 5 15 PROPERTIES LLC	1 STONY PT W	WESTPORT	CT	06880	RORD2	COMM	3382/ 76	0.15
C10146000	Parking lot	ELM ST	WESTPORT TOWN OF	110 MYRTLE AVE	WESTPORT	CT	06880	BCD	INST	0/ 0	0.16
C10143001	35	ELM ST <sup>2</sup>	DC KEMPER-GUNN, LLC c/o CHARTER REALTY DEV.Co.	75 HOLLY HILL LN STE 305	GREENWICH	CT	06830	BCD/H	COMM	3561/315	0.13
C10143000	35 Parking lot	ELM ST	WESTPORT TOWN OF	110 MYRTLE AVE	WESTPORT	CT	06880	A	INST	250/ 369	1.97
D09011000	20	IMPERIAL AVE	AMALGAMATED REALTY CO LLC	22 IMPERIAL AVE	WESTPORT	CT	06880	RPOD	COMM	1109/ 43	0.68
D09008000	30	JESUP RD	WESTPORT TOWN OF	110 MYRTLE AVE	WESTPORT	CT	06880	RPOD	INST	0/ 0	0.33
C09154000	45	JESUP RD	WESTPORT TOWN OF	110 MYRTLE AVE	WESTPORT	CT	06880	BCD	COMM	0/ 0	0.85
D09006000	60	JESUP RD <sup>3</sup>	SMITH RICHARDSON FNDATION PROP II	60 JESUP RD	WESTPORT	CT	06880	RPOD	COMM	1177/ 340	0.31
D09009000	61	JESUP RD <sup>3</sup>	TRI-TOWN TEACHERS FEDERAL	61 JESUP RD	WESTPORT	CT	06880	RPOD	COMM	1006/ 5	0.11
D09010000	65	JESUP RD <sup>3</sup>	GODILLOT ASSOCIATES	65 JESUP RD	WESTPORT	CT	06881-0390	BCD/H	COMM	738/ 211	0.29
C09134000	7	MAIN ST	WONKAI ASSOCIATES LLC	2230 CAPE COD DR	BLOOMINGTON	IN	47401	BCD	COMM/RES	363/ 242	0.17
C09135000	21	MAIN ST	21 MAIN STREET REALTY LLC	1 STONY POINT W	WESTPORT	CT	06880	BCD	COMM	2853/ 261	0.05
C09139000	22	MAIN ST	FOX JOYCE TRUSTEE	100 HIGH ROCK RIDGE DR	LANDRUM	SC	29356	BCD	COMM	2635/ 324	0.04
C09138000	26	MAIN ST	KZ ASSOCIATES LLC	33 LITTLE FOX LN	WESTPORT	CT	06880	BCD	COMM	1501/ 327	0.04
C09136000	27	MAIN ST	PAJIS ASSOC LLC AND WINWEST MAIN LLC	10 RYE RIDGE PLAZA STE 200	RYE BROOK	NY	10573	BCD	COMM	1988/ 279	0.11
C09137000	35	MAIN ST	WINWEST 3351 MAIN LLC	10 RYE RIDGE PLAZA	RYE BROOK	NY	10573	BCD	COMM	2790/ 178	0.27
C10154000	38	MAIN ST	38 MAIN LP	19 OLD KINGS HWY S	DARIEN	CT	06820	BCD	COMM	3567/ 308	0.20
C10153000	44	MAIN ST	WESTPORT MAIN ST RETAIL LLC	276 POST RD W STE 201	WESTPORT	CT	06880	BCD	COMM	3609/ 1	0.23
C10074000	57	MAIN ST	57 MAIN STREET WESTPORT LLC	26 KETTLE CREEK RD	WESTON	CT	06883	BCD	COMM	2610/ 285	0.07
C10152000	58	MAIN ST	COBBLER LLC	9 DELETTA LN	WESTPORT	CT	06880	BCD	COMM	2458/ 212	0.05
C10075000	61	MAIN ST	61 MAIN STREET LLC	411 THEODORE FREMD AVE STE 300	RYE	NY	10580	BCD	COMM	3506/270-4	0.08
C10151000	62	MAIN ST	PARILLO FAMILY THE LTD PARTNERSHIP LP	4 HUNT CLUB LN	WESTPORT	CT	06880	BCD	COMM	1979/ 15	0.09
C10150000	66	MAIN ST	PARILLO FAMILY THE LTD PARTNERSHIP LP	4 HUNT CLUB LN	WESTPORT	CT	06880	BCD	COMM	1979/ 15	0.07
C10149000	68	MAIN ST	GARFIELD ANNE C & ARTHUR LANGE ET ALS	12 GENEVA RD	NORWALK	CT	06850	BCD	COMM	2698/ 318	0.07
C10076000	69-93	MAIN ST	ESRT 69-97 MAIN ST LLC	1 GRAND CENTRAL PLACE	NEW YORK	NY	10165	BCD	COMM	3479/ 27	0.42
C10148000	72	MAIN ST	ABC KINSHIP LLC	19 ROME ST	NORWALK	CT	06851	BCD	COMM	3527/ 178	0.05
C10147001	90	MAIN ST Condos #1	HANNAN PETER J & DOLORES B	P O BOX 548	WESTPORT	CT	06881-0548	BCD	COMM/RES	2559/ 230	0.00
C10147002	90	MAIN ST Condos #2	FEARON PETER D & MARISA	PO BOX 575	WESTPORT	CT	06881	BCD	COMM/RES	2712/ 133	0.00
C10147003	90	MAIN ST Condos #3	JAM ON MAIN LLC	28 WOODS GROVE RD	WESTPORT	CT	06880	BCD	COMM/RES	3226/ 145	0.00
C10147004	90	MAIN ST Condos #4	RUTHERFORD ANNE F TRUSTEE	9 OLD HILL RD	WESTPORT	CT	06880	BCD	COMM/RES	3492/ 68	0.00
C10147005	90	MAIN ST Condos #5	ZATCOFF GERALDINE	90 MAIN ST	WESTPORT	CT	06880	BCD	COMM/RES	1809/ 42	0.00
C10147006	90	MAIN ST Condos #6	WARD DARIA & KELLY	90 MAIN ST	WESTPORT	CT	06880	BCD	COMM/RES	3542/ 127	0.00
C10147007	90	MAIN ST Condos #7	BHADRA PTITHVIRAJ AND DATTA INDRANI	90 MAIN ST	WESTPORT	CT	06880	BCD	COMM/RES	3474/ 324	0.00
C10147008	90	MAIN ST Condos #8	SEVERN REALTY CORPORATION	445 PARK AVENUE 9TH FLOOR	NEW YORK	NY	10022	BCD	COMM/RES	1612/ 127	0.00
C10077000	105	MAIN ST	ESRT 103-107 MAIN ST LLC	1 GRAND CENTRAL PLACE	NEW YORK	NY	10165	BCD	COMM	3479/ 23	0.09

Village District Property List  
As identified in the Village District Study

GIS_ID	STREET_NUM	STREET_NAME	GRANTEE	MAILING_ADDRESS	CITY	ST	ZIP	ZONE	USE	BOOK_PAGE	ACRE
C10078000	115	MAIN ST	CAMPANA 115 LLC	350 WILLOW ST	SOUTHPORT	CT	06890	BCD	COMM/RES	3602/ 197	0.14
C10079000	125	MAIN ST	CAMPANA 125 LLC	350 WILLOW ST	SOUTHPORT	CT	06890	BCD	COMM	3338/ 15	0.21
C10080000	135	MAIN ST	F D H GROUP	153 DUDLEY DR	FAIRFIELD	CT	06824	BCD	COMM	617/ 332	0.03
C10142000	136	MAIN ST	WESTFAIR INC	877 POST RD E #4	WESTPORT	CT	06880	BCD	COMM	190/ 528	0.62
C10081000	139	MAIN ST	UNITED REALTY INC	1111 SUMMER ST STE 603	STAMFORD	CT	06905	BCD	COMM	3359/ 22	0.09
C10141000	142	MAIN ST	TEUSCHER FAMILY LMTD PARTNERSHIP	5 WILCOX LN	WESTPORT	CT	06880	BCD	COMM/RES	1483/ 146	0.34
C10082000	145	MAIN ST	WALLACE WILLIAM F & STRATFORD C	170 MASON ST	GREENWICH	CT	06830	BCD	COMM	2484/ 220	0.12
C10083000	161	MAIN ST	HONEYDO FAMILY LLC	196 QUEENS GRANT RD	FAIRFIELD	CT	06430	BCD	COMM	2516/ 69	0.13
C10084000	165	MAIN ST	165 MAIN STREET ASSOCIATES LLC	292 POST RD E	WESTPORT	CT	06880	BCD	COMM	3500/ 203	0.16
C10085000	177	MAIN ST	177 MAIN LLC	1111 SUMMER ST STE 603	STAMFORD	CT	06905	BCD	COMM	3382/ 336	0.12
C10140000	184	MAIN ST	HULBERT THOMAS F EST OF	3903 BELLAIRE BLVD	HOUSTON	TX	77025	BCD	COMM	435/ 350	0.58
C10129000	190	MAIN ST	WHA EQUITIES CORPORATION	PO BOX 95	WESTPORT	CT	06881	RBD	COMM	1352/ 290	0.52
D10093000	Rear parking lot	MYRTLE AVE	SOUTHERN NEW ENGLND TELEPHONE CO	401 MERRITT 7	NORWALK	CT	06851	A	INST	109/ 441	0.92
D10092000	8	MYRTLE AVE	RICHARDS HOUSE ASSOCIATES LLC	8 MYRTLE AVE	WESTPORT	CT	06880	RORD2	COMM	3503/ 69	0.37
D10001000	15	MYRTLE AVE	SCONSET SQUARE LLC	877 POST RD E #4	WESTPORT	CT	06880	RORD2	COMM	3344/ 192	0.97
D10091000	20	MYRTLE AVE	SOUTHERN NEW ENGLND TELEPHONE CO	401 MERRITT 7	NORWALK	CT	06851	A	INST	53/ 462	0.60
C10137000	99	MYRTLE AVE <sup>2</sup>	GLYNN PATRICIA	99 MYRTLE AVE	WESTPORT	CT	06880	A	RES	3654/ 94	0.22
C10086000	Parking lot	PARKER-HARDING	WESTPORT TOWN OF	110 MYRTLE AVE	WESTPORT	CT	06880	BCD	INST	0/ 0	2.00
C09131000	2	POST RD E	STATE & MAIN STREETS LLC	165 WATER ST	NORWALK	CT	06854	BCD	COMM/RES	2873/ 209	0.18
C09133000	19	POST RD E	WINWEST LIBRARY LLC AND OLNEYWOOD ASSOC	10 RYE RIDGE PLAZA STE 200	RYE BROOK	NY	10573	BCD/H	COMM	2416/ 127	0.27
C09132000	30	POST RD E	GAULT WILLIAM L TRUSTEE	98 IMPERIAL AVE	WESTPORT	CT	06880	BCD	COMM/RES	263/ 396	0.16
C09153000	40	POST RD E	WINWEST POST LLC	10 RYE RIDGE PLAZA STE 200	RYE BROOK	NY	10573	BCD/H	COMM	1988/ 281	0.25
C09152000	46	POST RD E	MIOLI JOSEPH ET ALS	2 BERMUDA RD	WESTPORT	CT	06880	BCD/H	COMM	351/ 253	0.09
C09140000	59	POST RD E	BEDFORD SQUARE ASSOC LLC	75 HOLLY HILL LN STE 305	GREENWICH	CT	06830	BCD/H	COMM/RES	3582/ 98	1.90
C09151000	66	POST RD E	54-68 POST ROAD EAST ASSOCIATES LLC AND	265 POST RD W	WESTPORT	CT	06880	BCD/H	COMM	1852/ 20	0.20
C09150000	76	POST RD E	FINE ARTS REALTY LLC	150 NORTH AVE	WESTPORT	CT	06880	BCD/H	COMM	1689/ 89	0.38
C09141000	87	POST RD E	LJG 87 POST RD WESTPORT LLC	505 PARK AVE	NEW YORK	NY	10022	BCD/H	COMM	3642/ 302	0.13
C09149000	90	POST RD E <sup>3</sup>	OLD WESTPORT TOWN HALL LLC	943 POST RD E	WESTPORT	CT	06880	BCD	COMM	3071/ 127	0.26
C09148000	100	POST RD E	OLD WESTPORT TOWN HALL LLC	943 POST RD E	WESTPORT	CT	06880	BCD	COMM	3071/ 127	0.42
C09142000	101	POST RD E	WW 101-107 POST LLC	28 CHURCH LN	WESTPORT	CT	06880	BCD/H	COMM	3157/ 49	0.32
C09143000	111	POST RD E	BER HOLDINGS LLC	P O BOX 5180	WESTPORT	CT	06881	BCD	COMM	1607/ 60	0.25
C09147000	126	POST RD E	FLEET NATIONAL BANK	101 N TRYON ST NC1 001 03 81	CHARLOTTE	NC	28255	BCD	COMM	1526/ 178	0.67
C09144000	135	POST RD E	COMU WESTPORT LLC	PO BOX 320486	FAIRFIELD	CT	06825	BCD	COMM	2164/ 275	0.17
C09145000	143	POST RD E	WESTPORT PIZZERIA TOO LLC	2 BERMUDA RD	WESTPORT	CT	06880	BCD	COMM/RES	3269/ 3	0.05
D09135000	154	POST RD E	ANSLEY WESTPORT PARTNERS LLC	5064 ROSWELL RD STE D 101	ATLANTA	GA	30342	BCD	COMM	3337/ 254	0.39
C09146000	155	POST RD E	TSE MANAGEMENT LLC	174 HILLSPOINT RD	WESTPORT	CT	06880	BCD	COMM	2963/ 86	0.26
D09136000	165	POST RD E	JHT REALTY LLC	99 OLD FARMS RD	W SIMSBURY	CT	06092	BCD	COMM/RES	2139/ 53	0.14
D09134000	180	POST RD E	180 WESTPORT PARTNERS LLC	180 POST RD E	WESTPORT	CT	06880	BCD	COMM	3467/ 333	1.04
D09137000	199	POST RD E	WILLIAM H PITT FOUNDATION INC	170 WASHINGTON BLVD	STAMFORD	CT	06902	RORD2	COMM	2309/ 8	0.36
D09133000	210	POST RD E	TEMPLE LODGE 65 AF & AM INC	210 POST RD E	WESTPORT	CT	06880	BCD	COMM	93/ 472	0.23

Information gathered from Tax Records and field inspections on 2/1/17.

**Footnote Key:**

- 1 = Local Historic Property
- 2 = Proposed Local Historic Property
- 3 = Local Historic District
- 4 = Protected with a Preservation Easement

**TOTAL = 79 properties, with acreage of 29.79**  
(Condos at 90 Main St. counted as 1 property)



# PLANNING & ZONING DEPARTMENT

Town Hall Annex, 66 Prospect St., Ridgefield, CT 06877

203-431-2766 Fax 203-431-2737

## VILLAGE DISTRICT APPLICATION

**INSTRUCTIONS:** Submit all documents in accordance with the requirements in the Zoning Regulations, and as shown on the applicable checklist for the application. Fees are found on the first two pages of Section 10 in the regulations. Submit the original, signed copy of the application with fees attached, and include copies of the application with all required supporting data in the quantities shown on the checklist. Checks should be made payable to the Town of Ridgefield. Unless waived by the Commission, all information required under the regulations must be provided.

### 1. PROPERTY LOCATION AND DESCRIPTION:

- a. Site address: \_\_\_\_\_
- b. Assessor's ID No: \_\_\_\_\_ Zone: CBD Acreage: \_\_\_\_\_
- c. Describe any easements or deed restrictions relating to the site and attach a copy of each: \_\_\_\_\_  
\_\_\_\_\_

### 2. PROPOSED PROJECT:

- Building / Wall Sign
- Free-standing Sign
- Other Sign (Specify) \_\_\_\_\_
- Exterior Renovation (Describe) \_\_\_\_\_
- New Construction (Describe) \_\_\_\_\_

### 3. APPLICANT: \_\_\_\_\_

- a. Name: \_\_\_\_\_
- b. Mailing address: \_\_\_\_\_
- c. City: \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_
- d. Phone: \_\_\_\_\_ Fax: \_\_\_\_\_
- e. E-mail address: \_\_\_\_\_

### 4. RECORD OWNER:

- a. Name: \_\_\_\_\_
- b. Mailing address: \_\_\_\_\_
- c. City: \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_
- d. Phone: \_\_\_\_\_ Fax: \_\_\_\_\_
- e. E-mail address: \_\_\_\_\_

5. AUTHORIZED AGENT:

a. Name: \_\_\_\_\_

b. Mailing address: \_\_\_\_\_

c. City: \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_

d. Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

e. E-mail address: \_\_\_\_\_

6. ATTACHMENTS:

Village District Checklist and all Attachments

7. FEES

Application Fee \$ 50.00

State Fee \$ 60.00

Legal Notice \$ 60.00

TOTAL \$170.00

*The undersigned hereby applies for approval of an application for Village District Review and declares that the statements contained herein and in all accompanying documents and/or drawings are, to the best of his/her knowledge and belief, true and accurate as presented. Further, as owner, the undersigned hereby grants permission to the Ridgefield Planning and Zoning Commission and its authorized representatives to enter upon the property proposed for the development, for the purposes of reviewing the application, inspection, and enforcement of the Zoning Regulations of the Town of Ridgefield.*

*This agreement shall be binding on the heirs, executors, administrators, successors and assigns of the undersigned.*

APPLICANT(S)

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature Date

OWNER(S) OR AUTHORIZED AGENT (IF DIFFERENT FROM APPLICANT)

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature Date

**Application Fees and Checklist – VILLAGE DISTRICT**  
(See also “Village District FAQ’s” and Sec. 8.3 of the Zoning Regulations)

**APPLICATION FEES:**

<b>Village District Design Review (Application Fee)</b>	<b>\$ 50</b>
<b>Legal Notice of Decision</b>	<b>\$ 60</b>
<b>State Fee (municipality is exempt per CGS 22a-17)</b>	<b>\$ 60</b>
 <b>TOTAL FEES</b>	 <b>\$170</b>

In accordance with Section 9.3.C of these Regulations, the Commission may charge additional fees for technical review at any time during the application process if the size, complexity and/or potential impact of the project requires specialized assistance and expertise.

**PROCEDURE FOR SUBMISSION AND REVIEW:**

1. Submit application and fees to Planning and Zoning Office.
2. Attend review session with Village District Consultant. (The Architectural Advisory Committee is the Village District Consultant and is scheduled to meet on the second and fourth Tuesday of each month at 7:30 p.m., Town Hall Annex, 66 Prospect Street, Ridgefield, CT 06877. Call 431-2766 for appointment. )
3. Recommendations of the VDC are forwarded by staff to the Planning and Zoning Commission.
4. You may be required to attend a Planning and Zoning Commission meeting, where a final decision will be made on the recommendations made by the VDC. The Commission creates a resolution of their decision, which is binding on the applicant, and will publish a legal notice of their decision in the Ridgefield Press.
5. Prior to issuance of any other department permits and prior to the commencement of any work in the Village District, the final decision of the Planning and Zoning Commission must be filed (by the applicant) on the Land Records of the Town of Ridgefield (Town Clerk’s office).

# Village District Checklist

## VILLAGE DISTRICT REVIEW (VDC and P&Z COMMISSION)

- 1. Application Form bearing the original signature(s) of the owner(s) of record, or signature of an Authorized Agent, with letter of authorization from the property owner.
- 2. Application Fees (refer to Fee Schedule, above, and in Subsection 10.1)
- 3. A statement describing in detail the proposed project or activity.
- 4. **BUILDING RENOVATIONS / SPECIAL PERMITS / SITE PLANS:**  
Where applicable, fifteen (15) copies of a site plan at acceptable scale incorporating an A-2 survey of the premises or parcel of land prepared, stamped with an embossed seal and signed by a Connecticut licensed land surveyor showing, **OR**, copy of the same site plan prepared for an accompanying or future submission to the Planning and Zoning Commission, **OR**, site plan sufficient to show the location of:
  - existing and/or proposed buildings and appurtenances thereof;
  - existing and/or proposed parking accommodations;
  - existing and/or proposed buffer strips and landscaping;
  - access and egress details for pedestrian and vehicular traffic;
  - existing and/or proposed SIGNS, and
  - adjacent roads, curb cuts, and width of rights-of-way and travel way.
- 5. Where applicable, fifteen (15) copies of a drawing at an acceptable scale showing proposed exterior elevations of buildings, including dimensions.
  - samples of building materials (siding, roofing, paint colors, etc.)
- 6. Where applicable, fifteen (15) copies of a drawing at an acceptable scale showing the design of any proposed **SIGN:**
  - dimensions (length, width, height)
  - drawing of sign design and content
  - colors of sign
  - materials for construction
  - site plan showing location of proposed free-standing sign
  - building elevation showing location and proportions of wall signs
- 7. Where applicable, fifteen (15) copies of a landscaping plan showing proposed planting areas, lighting, buffer areas, sidewalks, etc.
- 8. Suggested/helpful: Color photographs of the existing site.



TOWN OF RIDGEFIELD  
Planning & Zoning Office

Memorandum

To: OWNERS, APPLICANTS, and AUTHORIZED AGENTS THEREOF

From: Richard Baldelli  
Director, Planning and Zoning, ZEO

Re: **REQUIREMENTS FOR FILING – VILLAGE DISTRICT APPLICATIONS**

Required by Section 8-2j (g) of the Connecticut General Statutes and as stated in the Zoning Regulations for the Town of Ridgefield:

Within a Village District, no approval shall be effective until a copy thereof, certified by the Commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision, is recorded by the applicant in the land records, indexed in the grantor's index under the name of the then record owner.

Accordingly, all "owners of record" affected by the above Section shall file with the Town Clerk the **enclosed blue letterhead Resolution of Approval** (NOT the legal notice) immediately following the publication of the legal notice in the Ridgefield Press on \_\_\_\_\_. The Town Clerk charges a filing fee for recording documents.

## **VILLAGE DISTRICT FAQ'S**

### ***Where is the Village District in the Town of Ridgefield?***

The **Central Business District (CBD Zone)** was designated as a "Village District" effective on May 1, 2007 by the Planning and Zoning Commission, in conjunction with the adoption of the comprehensive update and revisions to the Zoning Regulations. This area can be found in "downtown" Ridgefield – primarily Main Street, Bailey Avenue, and parts of Catoonah Street and Prospect Street.

### ***What is a "Village District" in Connecticut?***

In 1998, the Connecticut Legislature adopted legislation under Section 8-2j of the Connecticut General Statutes (CGS) authorizing local zoning commissions to create Village Districts and regulations, allowing them to protect the distinctive character, landscape, and historic structures within those districts. The law requires that all applications for construction or reconstruction in the district for properties visible from the road be subject to these regulations.

In addition to reviewing building construction and improvements in relation to preservation of "distinctive character" in the village, the Commission may regulate other aspects of the development including building materials, color, size, height, and location of improvements and signage, aesthetics of landscaping, maintenance of views, and other criteria identified in Sec. 8-2j of the statutes.

### ***What is this extra layer of regulation, and what does it mean for properties and property owners within the district?***

The Planning and Zoning Commission already regulates much of the change that occurs within the downtown area under its Special Permit requirements, but this new regulation assures that all visible changes would be subject to additional architectural review. In addition to permits that are currently required by the Commission, the Zoning Enforcement Officer, the Planning Director or the Building Department, any exterior changes and signage within the new District would be subject to review by an architectural review board (as may be designated by the Commission).

### ***What are the criteria for this extra review?***

The Zoning Regulations of the Town of Ridgefield refer to the Village District in Section 5.1 (Central Business District), Section 8.3 (Architectural Review / Village Districts) and Section 9.3 (Application Processing). The criteria for review can be found in excerpts from the regulations, beginning on the next page.

## AAC/VDC\* Sign Application check list

<b>Architectural Advisory Committee**</b>			
<b>Application copies</b>	<b>Documents required</b>	<b>Fees</b>	<b>Development Application</b>
<b>3</b>	<ol style="list-style-type: none"> <li>1. Application</li> <li>2. A brief narrative about the sign proposal describing sign, size and location.</li> <li>3. Colored sign pictures</li> <li>4. Sign specs/Size/Dimension including total Square feet</li> <li>5. Rendering of signs showing actual pictures on the building/Wall/freestanding</li> <li>6. Site plan/Survey of where sign is located.</li> <li>7. Picture of the building showing location of sign.</li> <li>8. Bring sample of colored Awning Fabric.</li> </ol>	<b>No fees</b>	<p>After the approval from AAC/VDC the next step is applying for the building permit via View Permit</p>
<b>Village District Consultants**</b>			
<b>Application copies</b>	<b>Documents required</b>	<b>Fees</b>	<b>Development Application</b>
<b>18</b>	<ol style="list-style-type: none"> <li>1. Application</li> <li>2. A brief narrative about the sign proposal describing sign, size and location.</li> <li>3. Colored sign pictures</li> <li>4. Sign specs/Size/Dimension including total Square feet</li> <li>5. Rendering of signs showing actual pictures on the building/Wall/freestanding</li> <li>6. Site plan/Survey of where sign is located.</li> <li>7. Picture of the building showing location of sign.</li> <li>8. Bring sample of colored Awning Fabric.</li> </ol>	<b>\$170.00</b>	<p>After the approval from AAC/VDC and PZC the next step is applying for the building permit via View Permit</p>

\*Please contact the office for the meeting schedule or check the Town's website for schedule.

\*\*The Application must reach the office by 2:00PM on Friday before the scheduled Tuesday meeting.

# **DEVELOPMENT APPLICATION**

**(Next Step after the Approvals from AAC/VDC)**

**Once the approval is received from AAC/VDC, you must apply for a Development Application for the item approved by the AAC/VDC (Signs/ Building alterations, etc.) via View Permit System:**

**<https://www.ridgefieldct.org/town-ridgefield-online-permit-system>**

- 1. Click on the “Building” Tab, and select the applicable permit type.**
- 2. Submit the necessary paperwork and fees applicable for your permit.**

**Contact the Land Use Department for further assistance:**

**Building: 203-431-2743**

**Zoning: 203-431-2766**

***How is the review accomplished?***

An application for VDC review must be submitted to the Planning and Zoning Office. The application contains a list of materials and documents required to complete the review, and required fees. The application will be scheduled for review by the VDC, and the results of that review will be forwarded to the Planning and Zoning Commission. The Commission will adopt, modify or deny the proposal with careful consideration of the recommendations of the VDC, and in conjunction with the standards and criteria found in the zoning regulations. The decision of the Planning and Zoning Commission is binding, and a record of the decision must be filed in the land records of the Town Clerk prior to the issuance of any zoning permits and/or prior to commencement of any work.

**THE APPLICABLE REGULATIONS ARE FOUND BELOW. The entire set of regulations can be found in the drop-down menus on the town’s website at [www.ridgefieldct.org](http://www.ridgefieldct.org), under “Departments – Planning and Zoning – Zoning Regulations.”**

***5.1 Central Business District (CBD)***

**PURPOSE**

The CBD Zone is established to enhance the historic character of Ridgefield Center; to preserve Ridgefield Center as the traditional focal point in the community for cultural, civic and commercial activities; to promote pedestrian friendly development; and to aid in the preservation and restoration of its architectural assets.

**ARCHITECTURAL REVIEW REQUIRED**

The CBD Zone is hereby designated as a Village District as authorized by CGS 8-2j. Any new construction or remodeling of the exterior of a building within the CBD Zone shall be reviewed by a design review board designated by the Commission (see Section 8.3 for additional information and requirements).

\*\*\*\*\*

### **8.3 Architectural Review / Village Districts**

#### **PURPOSE**

This Section is intended to ensure that the exterior design of buildings and sites is in harmony with the character of the community, to encourage high quality building and site design, and to result in development which is compatible with the character of the community.

#### **APPLICABILITY**

The following types of applications shall be subject to the provisions of this Section:

1. Any exterior modification associated with a proposed development, construction, or use in the Central Business District (CBD) zone shall be reviewed in relation to the design guidelines in Subsection 8.3.D and the additional considerations in Subsection 8.3.E.
2. Any exterior modification associated with a principal use or activity permitted by Special Permit in any residence in the Central Business District (CBD) zone, except for establishment of an interior lot or accessway, a group home, or an agricultural use, shall be reviewed in relation to the design guidelines in Subsection 8.3.D.

#### **PROCEDURE**

1. Applications subject to the provisions of this Section shall be referred to the Village District Consultant (VDC), which may be the Architectural Advisory Committee (AAC) or another Board or individual(s) appointed by the Commission as appropriate, upon acceptance of a complete application.
2. The application shall be reviewed by the VDC in relation to the design guidelines of this Section.
3. The application shall be commented upon by the VDC prior to the opening of any public hearing on the application and such report be issued no more than thirty-five (35) days from the date of acceptance of a complete application.
4. Failure to act within the prescribed period shall be construed as approval of the design of the proposed application by the VDC.
5. A request from the VDC for resubmission of the application based on the VDC recommendations shall not be considered failure to act.

#### **DESIGN GUIDELINES**

1. **Relationship of Buildings to Site and Adjoining Areas**
  - a. Buildings shall be organized in a coordinated and functional manner that is compatible with site features and the desirable characteristics of adjoining areas.

- b. A unified design theme for building massing, exterior treatments and signage shall be established where harmony in textures, lines, and masses is provided and monotony is avoided.
- c. Parking areas shall be treated appropriately in relation to the building, the neighborhood, and the community.
- d. The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
- e. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.
- f. A desirable streetscape and attractive landscape transitions to adjoining properties shall be provided.

## **2. Landscape and Site Treatment**

- a. Landscape treatment shall be provided to enhance architectural features, shield unsightly areas, provide shade, and relate to the natural environment and topography.
- b. Plant material shall be selected for its ultimate growth, for hardiness, for compatibility with the character of the area, and for interest in its shape, texture, and color.
- c. Planting materials used for landscaping and screening shall be native to Connecticut. The use of any plant designated by the Connecticut Department of Environmental Protection as invasive species is prohibited.
- d. Pedestrian sidewalks, walk paths, and trails shall provide safe and convenient connections within the site and between adjacent sites and shall generally be constructed of brick, concrete or paving blocks and not be gravel, earth or loose stone.
- e. Existing trees at four (4) inches or greater caliper shall be incorporated into the site plan.

## **3. Building Design**

- a. Architectural features shall be evaluated based on the scale of the building(s), the quality of the design, and the relationship to surroundings.
- b. Facades and rooflines shall be articulated and/or varied to reduce the appearance of bulk and provide architectural interest.
- c. Building materials shall have good architectural character and durable quality and shall be selected for harmony of the building with adjoining buildings.
- d. Building textures, colors, and components shall be selected for harmony of the building with adjoining buildings.
- e. Utility and service equipment areas shall be screened from public view with materials harmonious with the building.

## **4. Signs and Lighting**

- a. Every sign shall be designed as an integral architectural element of the building and site to which it principally relates and shall be coordinated with the building architecture.

- b. Exterior lighting, where used, shall enhance public safety, the building design, and the landscape.
- c. Lighting shall be restrained in design and excessive brightness avoided.

## **ADDITIONAL VILLAGE DISTRICT CONSIDERATIONS**

### **1. Design Guidelines**

- a. Special attention shall be paid to protecting the distinctive character, landscape, and historic structures within the Village 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 the historic or distinctive character of the Village District is encouraged.
- d. The exterior of structures or sites 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; or
  - ii. the distinctive characteristics of the district identified in the Ridgefield Plan of Conservation and Development.
- 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 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 Village District in and around the proposed building or modification.
- g. The color, size, height, location, proportion of openings, 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.

## ***Section 9.3 Application Processing***

### **H. REFERRAL OF APPLICATION (TO VILLAGE DISTRICT CON.)**

- 1. When an application is filed in any zoning district which is identified as a village district, such application shall be forwarded for review and comment to the Village District consultant selected by the Commission.
- 2. Such Village District consultant shall be:
  - a. an Architectural Review Board (which may be the Architectural Advisory Committee) 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; or
  - b. a licensed architect or an architectural firm; or
  - c. a licensed landscape architect; or
  - d. a planner who is a member of the American Institute of Certified Planners.
3. The Village District consultant shall review an application and report to the Commission within thirty-five (35) days of receipt of the application.
  4. Such report and recommendation shall be entered into the public hearing record and considered by the Commission in making its decision.
  5. 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.

**I. REFERRAL OF APPLICATION (IN A VILLAGE DISTRICT)**

1. When an application is filed in any zoning district which is identified as a village district, the Commission may seek the recommendations of any Town or regional agency or outside specialist including, but not limited to:
  - a. the regional planning agency,
  - b. the Ridgefield Historic District Commission,
  - c. the Ridgefield Historical Society,
  - d. the Connecticut Trust for Historic Preservation, and
  - e. the University of Connecticut College of Agriculture and Natural Resources.
2. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

# VILLAGE DISTRICT FAQ'S

The Planning and Zoning Commission adopted a comprehensive revision to the zoning regulations in May of 2007, including the creation of "Village District" regulations for the Central Business District area (downtown – primarily Main Street, Bailey Avenue, and parts of Catoonah Street and Prospect Street).

The following questions and answers will explain the purpose and requirements for a Village District, and why it makes sense for the downtown Ridgefield business area.

## ***What is a "Village District" in Connecticut?***

In 1998, the Connecticut Legislature adopted legislation authorizing local zoning commissions to create Village Districts and regulations, allowing them to protect the distinctive character, landscape, and historic structures within those districts. The law requires that all applications for construction or reconstruction in the district for properties visible from the road be subject to these regulations.

## ***What is this extra layer of regulation, and what does it mean for properties and property owners within the district?***

The Planning and Zoning Commission already regulates much of the change that occurs within the downtown area, but this new regulation assures that all visible changes would be subject to additional architectural review. In addition to permits that are currently required by the Commission, the Zoning Enforcement Officer, the Planning Director or the Building Department, any exterior changes and signage within the new District would be subject to review by one of the following persons or boards (as may be designated by the Commission):

1. Architect
2. Landscape architect
3. AICP Planner (American Institute of Certified Planners)
4. Architectural firm
5. Architectural Review Board or Architectural Advisory Committee

## ***Who would be on the Architectural Review Board for the Village District?***

The Commission appointed the current Architectural Advisory Committee as the Village District Consultant since the time that the regulations were adopted. The Commission can modify this position at any time. Some have suggested forming a board that would deal specifically with the Village. Members of other Town agencies such as the Historical Society or the Ridgefield Design Council might be included. For now, the AAC acts as the VDC.

## ***What are the criteria for this extra review?***

The State statute requires that "All development in the village district shall be designed to achieve the following compatibility objectives:

1. The building and layout of buildings including site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and shall assure there is no adverse impact on the district;
2. Proposed street shall be connected to the existing district road network, whenever possible;
3. Open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting;
4. Locally significant features of the site such as distinctive buildings or sight lines of vistas from within the district, shall be integrated into the design;
5. The landscape design shall complement the district's landscape patterns;
6. The exterior signs, site lighting and accessory structures shall support a uniform architectural theme if such a theme exists and be compatible with their surroundings; and
7. The scale, proportions, massing and detailing of any proposed building shall be in proportion to the scale, proportion, massing and detailing in the district."

## Tracy Kulikowski

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**From:** Connecticut Planning Professionals on behalf of Richard Baldelli  
**Sent:** Monday, February 12, 2018 12:41 PM  
**To:** CT\_PLANNING\_PROFESSIONALS-L@LISTSERV.UCONN.EDU  
**Subject:** Re: Towns/Cities with Village District Sec. 8-2j.

Ridgefield has adopted the Village District as an overlay of the Central Business District (CBD) Zone. All applications within the District have to be reviewed by the Village District Consultant (VDC). As the zone designation name implies, the CBD Zone is the Town business center. In our instance, the VDC is the same group of people as the Architectural Advisory Committee (AAC). In general all proposed exterior elements, i.e. building facades, signs, awnings, lighting, etc. have to be reviewed by the VDC, the VDC then makes a recommendation to the Planning and Zoning Commission (PZ) who may approve, modify or deny as they so choose.

So, an application in the CBD goes to the VDC who in reality is the AAC, who then recommends to the PZ - acronym heaven!

Actually, for both, the applicant and the Town, the system works very well and helps in maintaining the downtown village look that Ridgefield prizes.

If you need any additional info do not hesitate to contact me.

Richard

Richard Baldelli  
Director, Planning and Zoning Department, ZEO  
66 Prospect Street  
Ridgefield, CT 06877  
203-431-2768 FAX: 203-431-2737

----- Original Message -----

From: "G Milano" <gregmmilano@GMAIL.COM>  
To: "Connecticut Planning Professionals" <CT\_PLANNING\_PROFESSIONALS-L@LISTSERV.UCONN.EDU>  
Sent: Monday, February 12, 2018 12:13:52 PM  
Subject: Towns/Cities with Village District Sec. 8-2j.

Hello,

I am a member of the West Haven P&Z Commission working on implementing our POCD. I have been tasked with inquiring into which towns have implemented Sec. 8-2j. Village Districts?

of those towns...

how has your experience been in terms of new development in these districts? Smooth? None existent? Just more regulation / impediment ?

and

How has the VD been implemented? new base zoning? overlay?

Best,  
Greg Milano

Quinnipiac University School of Law, JD '15 Boston College, BA '11

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To subscribe/unsubscribe, update your address, or view the list archives, visit <http://s.uconn.edu/ctplanner>.

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**Town of Ridgefield,  
Connecticut**

# **Zoning Regulations**

Adopted March 20, 2007  
Effective May 1, 2007  
*Revised through 11/09/18*



**Town of Ridgefield  
Planning & Zoning Commission  
Planning & Zoning Department Staff**

## 5. BUSINESS ZONES & USES

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### 5.1. Central Business District (CBD)

#### A. PURPOSE

The CBD Zone is established to enhance the historic character of Ridgefield Center; to preserve Ridgefield Center as the traditional focal point in the community for cultural, civic and commercial activities; to promote pedestrian friendly development; and to aid in the preservation and restoration of its architectural assets.

#### B. ARCHITECTURAL REVIEW REQUIRED

The CBD Zone is hereby designated as a Village District as authorized by CGS 8-2j. Any new construction or remodeling of the exterior of a building within the CBD Zone shall be reviewed by a design review board designated by the Commission (see Section 8.3 for additional information and requirements).

#### C. PERMITTED USES <sup>1, 2</sup>

- Within an existing building, the following uses are permitted by issuance of a Zoning Permit by the ZEO in accordance with Section 9.1.A for any Change of Use, whether or not new floor area is added to the tenant space.
- If new floor area is constructed or if there is any physical expansion of the existing building, the following uses shall be permitted by Special Permit (or Revision to an existing Special Permit) approval granted by the Commission in accordance with 9.2.A (as is the case with those uses listed in Sec. 5.1.D.1.) unless administrative approval is authorized pursuant to Sec. 9.2.A.7.e.

1. Retail store.
2. Service establishment or personal service establishment.
3. Bank.
4. Sit-down restaurant.
5. Business, professional, or medical office when located above or below the street level of the building.
6. Real estate office.
7. Food retail / serving establishment (such as a bakery, delicatessen, ice cream parlor, or coffee shop) with seating for fewer than fifteen (15) customers.
8. Uses accessory to the uses listed in Subsection 5.1.C when located on the same lot.

<sup>1</sup> 2019-041-A Amendment effective 06/07/19: Modified box contents for Change of Use via Zoning Permit, and Special Permit language. Deleted Site Plan application requirement.

<sup>2</sup> 2010-105-A: Amended effective 12/24/10

9. Seasonal Farmers' Market.<sup>3</sup>
10. Fitness center / exercise facility / dance studio / facility for education in the arts.<sup>4</sup>

**D. USES REQUIRING SPECIAL PERMIT**

The following uses require approval of a Special Permit application in accordance with Subsection 9.2.A.

1. Construction which results in new floor area.
2. Municipal or other governmental uses, including public parking and recreational facilities.
3. Business, professional, or medical offices when located at the street level of the building.
4. Food retail / serving establishment (such as a bakery, delicatessen, ice cream parlor, or coffee shop) with seating for fifteen (15) or more customers.
5. Drive through facility, but not permitting use for food service.
6. Residential uses in the same building as other permitted Commercial uses, excluding the basement and the first floor, when served by public water and sewer and as authorized by Sec.7.3.C.adequate off-street parking, will be provided.<sup>5</sup>
7. Day care centers, as per Subsection 3.2.C.7 of these regulations.
8. Group day care homes, as per Subsection 3.3.D.3 of these regulations.
9. Educational, philanthropic, or religious uses.
10. Nonprofit club or other organization providing social, cultural and recreational activities serving a community need or convenience and not including any activity carried on primarily for profit.
11. Funeral homes or funeral director's establishments, but not including any crematory.
12. Indoor theater.
13. Public utility substations.
14. Principal uses similar to uses listed in Subsection 5.1.C.
15. Uses accessory to the uses listed in Subsection 5.1.D when located on the same lot.

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<sup>3</sup> 2007-138-A: Amended effective 01/11/08

<sup>4</sup> 2013-113-A: Amendment effective 11/28/13: Changed from Special Permit to as-of-right.

<sup>5</sup> 2018-085-A Amendment effective 02/01/2019 Mixed residential

**E. DIMENSIONAL STANDARDS**

<b>Minimum lot size</b>	10,000 square feet
<b>Minimum frontage</b>	30 feet
<b>Maximum lot coverage (buildings)</b>	65 percent
<b>Maximum total coverage (buildings, driveways, parking areas, and other impervious surfaces)</b>	90 percent
<b>Minimum front yard setback</b>	The average of the front yard setbacks of abutting principal structures or as otherwise approved by the Commission
<b>Maximum front yard setback</b>	The average of the front yard setbacks of abutting principal structures or as otherwise approved by the Commission
<b>Minimum side yard setback</b>	None required, but at least 3 feet if provided
<b>Minimum rear yard setback</b>	None required, but at least 3 feet if provided
<b>Minimum buffer /setback where property abuts a residential zone</b>	See Subsection 7.1.E of these Regulations
<b>Maximum average building height</b>	40 feet

**F. ADDITIONAL STANDARDS**

1. See Section 7.0 of these Regulations for additional provisions related to parking, loading, landscaping, signage, and other standards.
2. The Planning Director may refer any Change of Use application to the Commission for review and/or action.

### **8.3. Architectural Review / Village Districts<sup>1</sup>**

#### **A. PURPOSE**

This Section is intended to ensure that the exterior design of buildings and sites is in harmony with the character of the community, to encourage high quality building and site design, and to result in development which is compatible with the character of the community.

#### **B. APPLICABILITY**

The following types of applications shall be subject to the provisions of this Section:

1. Any exterior modification associated with a proposed development, construction, or use in the Central Business District (CBD) zone shall be reviewed in relation to the design guidelines in Subsection 8.3.D and the additional considerations in Subsection 8.3.E, and in accordance with Sec. 8-2j of the Connecticut General Statutes.
2. Any exterior modification associated with a principal use or activity permitted by Special Permit in any residence in the Central Business District (CBD) zone, except for establishment of an interior lot or accessway, a group home, or an agricultural use, shall be reviewed in relation to the design guidelines in Subsection 8.3.D.

#### **C. PROCEDURE**

1. Applications subject to the provisions of this Section shall be referred to the Village District Consultant (VDC), which may be the Architectural Advisory Committee (AAC) or another Board or individual(s) appointed by the Commission as appropriate, upon acceptance of a complete application.
2. The application shall be reviewed by the VDC in relation to the design guidelines of this Section.
3. The application shall be commented upon by the VDC prior to the opening of any public hearing on the application and such report be issued no more than thirty-five (35) days from the date of acceptance of a complete application.
4. Failure to act within the prescribed period shall be construed as approval of the design of the proposed application by the VDC .
5. A request from the VDC for resubmission of the application based on the VDC recommendations shall not be considered failure to act.
6. The Commission shall take action on the application upon receipt of the report from the Village District Consultant.
7. In accordance with §8-2j(f) and 8-3c of the Connecticut General Statutes, approval of a Village District Application is effective upon filing in the office of the Town Clerk.

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<sup>1</sup> 2008-024 Amended effective 5/2/08

## **D. DESIGN GUIDELINES**

### **1. Relationship of Buildings to Site and Adjoining Areas**

- a. Buildings shall be organized in a coordinated and functional manner that is compatible with site features and the desirable characteristics of adjoining areas.
- b. A unified design theme for building massing, exterior treatments and signage shall be established where harmony in textures, lines, and masses is provided and monotony is avoided.
- c. Parking areas shall be treated appropriately in relation to the building, the neighborhood, and the community.
- d. The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
- e. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.
- f. A desirable streetscape and attractive landscape transitions to adjoining properties shall be provided.

### **2. Landscape and Site Treatment**

- a. Landscape treatment shall be provided to enhance architectural features, shield unsightly areas, provide shade, and relate to the natural environment and topography.
- b. Plant material shall be selected for its ultimate growth, for hardiness, for compatibility with the character of the area, and for interest in its shape, texture, and color.
- c. Planting materials used for landscaping and screening shall be native to Connecticut. The use of any plant designated by the Connecticut Department of Environmental Protection as invasive species is prohibited.
- d. Pedestrian sidewalks, walkpaths, and trails shall provide safe and convenient connections within the site and between adjacent sites and shall generally be constructed of brick, concrete or paving blocks and not be gravel, earth or loose stone.
- e. Existing trees at four (4) inches or greater caliper shall be incorporated into the site plan.

### **3. Building Design**

- a. Architectural features shall be evaluated based on the scale of the building(s), the quality of the design, and the relationship to surroundings.
- b. Facades and rooflines shall be articulated and/or varied to reduce the appearance of bulk and provide architectural interest.
- c. Building materials shall have good architectural character and durable quality and shall be selected for harmony of the building with adjoining buildings.
- d. Building textures, colors, and components shall be selected for harmony of the building with adjoining buildings.
- e. Utility and service equipment areas shall be screened from public view with materials harmonious with the building.

**4. Signs and Lighting**

- a. Every sign shall be designed as an integral architectural element of the building and site to which it principally relates and shall be coordinated with the building architecture.
- b. Exterior lighting, where used, shall enhance public safety, the building design, and the landscape.
- c. Lighting shall be restrained in design and excessive brightness avoided.

**E. ADDITIONAL VILLAGE DISTRICT CONSIDERATIONS**

**1. Design Guidelines**

- a. Special attention shall be paid to protecting the distinctive character, landscape, and historic structures within the Village 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 the historic or distinctive character of the Village District is encouraged.
- d. The exterior of structures or sites 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; or
  - ii. the distinctive characteristics of the district identified in the Ridgefield Plan of Conservation and Development.
- 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 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 Village District in and around the proposed building or modification.
- g. The color, size, height, location, proportion of openings, 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.

**ZONING REGULATIONS**  
**OF THE**  
**TOWN OF WILTON, CONNECTICUT**



**ADOPTED BY**  
**WILTON PLANNING & ZONING COMMISSION**

**EFFECTIVE DATE**  
**MARCH 15, 1994**

**LAST REVISED**  
**JUNE 25, 2019**

29-6.B.

storage; no merchandise shall be stored or displayed within any required yard and that the Commission may require appropriate screening (e.g., landscaping, fencing).

- c. Outside overnight parking of vehicles or equipment, provided that no vehicle or equipment shall be parked within any required yard and that the Commission may require appropriate screening (e.g., landscaping, fencing).
5. Retail Design Requirements: For all retail businesses over 20,000 square feet, the following design requirements shall apply:\*
- a. All design requirements required in the Design Retail District.
  - b. Notwithstanding Section 29-6.B.4 of the Regulations, outside storage shall be limited to ten (10) percent of the building.

C. WC – WILTON CENTER DISTRICT

1. Purpose:

To maintain and enhance the distinctive character, landscape and historic structures of Wilton Center, to encourage the conversion, conservation and preservation of existing buildings and sites, and to encourage the orderly development of a shopping area for the Town which provides the opportunity for creative and flexible architectural design, the sound interrelationship of buildings to open spaces, pedestrian and vehicular circulation, landscaping, parking areas and business uses and to carry out the recommendations and proposals for circulation and use contained in the duly adopted plans and policies of the Commission. \*

2. Village District Established:

Wilton Center is declared to be a village district as authorized under CGS Section 8-2j and shall conform to Village District Procedures and Requirements provided in Section 29-9.J. of these Regulations. In considering the future development of the area, the Commission shall determine whether a proposed development is in harmony with the Design Guidelines contained in Appendix C of these Regulations. Failure of the applicant to conform to these procedures, requirements and guidelines may be grounds for denial of a special permit or site development plan application. \*

3. Permitted Site Plan Uses:

The following principal uses with a GFA of 20,000 square feet or less, shall be permitted in the WC District subject to Site Plan approval in accordance with 29-11:

- a. Stores and shops for the conduct of retail businesses, except that the sale, service or rental of motor vehicles shall be specifically excluded.
- b. Stores and shops for the conduct of personal service businesses.
- c. Retail dry cleaners or retail laundry establishments.
- d. Restaurants, sit-down.
- e. Banks or financial institutions without drive-in facilities.

29-6.C.

- f. Offices associated with the sale or leasing of real estate.
- g. Medical offices.
- h. Public or semi-public uses.
- i. Bed and breakfast establishments.
- j. Health or fitness clubs, gymnasiums or racquet clubs.
- k. Printing, lithography, photocopying or similar graphic arts services; publishing.

The following uses shall be permitted in the WC Zone but shall not be located at street level or on the first floor of a building:

- l. Social service agencies; philanthropic, benevolent or charitable organizations.
- m. Civic associations, fraternal organizations or social clubs.
- n. Other membership organizations such as business or professional associations, labor organizations or political organizations.
- o. Studios of dance, photography, graphic design, painting or similar artistic endeavors.
- p. Radio or TV broadcast facilities.
- q. General offices. General offices located on the first floor in existence as the date of this amendment (March 15, 1998) shall be considered a conforming use in terms of location.

4. Special Permit Uses:

The following uses shall be permitted in the WC District subject to Special Permit and Site Plan approvals in accordance with 29-10 and 29-11: \*

- a. Grocery stores with a GFA greater than 20,000 square feet but not exceeding 60,000 square feet.
- b. Dwelling units located over street level stores or offices at a maximum density of five dwelling units per acre, or a maximum density of ten dwelling units per acre on property located within 1,000 feet of the Wilton Train Station.
- c. Accessory dwelling units in single-family residences in accordance with the requirements of 29-4.D.1.
- d. (Provision deleted 2/98)
- e. Movie theaters, auditoriums or stage theaters.
- f. Restaurants, fast-food without drive-in facilities.
- g. Child day care centers.
- h. Adult day care centers.
- i. Educational residential facility.
- j. Banks or financial institutions with not more than two (2) drive-in facilities.
- k. General and medical offices with a GFA greater than 20,000 square feet.
- l. Public or semi-public library, with or without a drive up window, with a GFA greater than 20,000 square feet but not more than 60,000 square feet.
- m. Outside dining. \*
- n. Package Stores subject to the provisions of Section 29-10 and the following requirements: \*
  - (1) All sales and display of products shall be conducted within a fully enclosed building.

29-6.C.

- (2) Ancillary activities or services including, but not limited to, the storage and/or sale of ice and the storage of recycled containers, shall be conducted within the package store building.
- o. Pharmacy with no more than one Drive-up facility when fronting on Danbury Road, subject to the requirements of 29-6.A.3.s

5. Permitted Accessory Uses:

The following accessory uses shall be permitted in the WC District: \*

- a. All accessory uses permitted in the Design Retail Business (DRB) District.
- b. Laundry facilities and storage areas accessory to, and for the exclusive use of, the occupants of multi-family dwellings.

6. Additional Requirements for Wilton Center District: \*

- a. All uses, except parking, loading, outside dining, permitted signs, and any other uses specifically approved by the Commission, shall be conducted entirely within a building.
- b. All buildings shall include a principal entrance oriented towards the public right-of-way.
- c. Sidewalks with a minimum width of five feet shall be required:
  - i. in front of all new buildings,
  - ii. to link the entrance to the buildings to the existing sidewalk system, and
  - iii. to link the pedestrian walkways within the parking lot.
- d. The maximum front yard setback for all new buildings shall be 20 feet, excepting properties that front on Danbury Road (U.S. Route 7).
- e. For uses requiring Special Permit approval pursuant to Section 29-6.C.4 on properties located on the east side of Danbury Road, in granting such Special Permit, the Commission may impose additional conditions requiring the provision of off-site public infrastructure and public access improvements designed to enhance, improve, or create practical, physical, or aesthetic connectivity to the train station and downtown Wilton Center, to protect public health, safety and general welfare. At the discretion of the Commission, the value of such improvements shall be at least \$1,000 of documented construction costs or contributed funds for each 1,000 square feet of gross floor area or portion thereof.

7. Floor Area Ratio (FAR) Incentive – Wilton Center District: \*

Purpose: The following regulation is adopted to promote a safe, flexible and efficient network of parking in the downtown and facilitate the establishment of interconnecting pedestrian walkways throughout Wilton Center. In pursuing this goal, the Town of Wilton has established development incentives available to commercial property owners who voluntarily participate in a shared "Park and Walk" program. Development incentives are also available to property owners who provide a means of public access to the future Norwalk River Greenway Trail.

Applicability: The provisions contained within this section are limited to properties located within Wilton Center.

Provision and Requirements:

- a. Park and Walk Program – The Commission may increase the maximum allowable floor area ratio of a development by a factor of .10 if an applicant voluntarily agrees to allow the use of parking spaces in excess of those required by the zoning regulations for public parking. Such arrangement shall be substantially in compliance with the following provisions:
- (1) Submittal and approval of a site development plan clearly detailing the limits of all parking fields. Plans shall provide information with respect to all applicable design requirements; including but not limited to landscaping, screening and lighting.
  - (2) All applications shall include a parking study prepared by a licensed engineer with expertise in traffic engineering, detailing peak parking demand and enumerating availability of excess parking. Said study shall provide a detailed investigation of the type and arrangement of use(s) as well as an analysis of applicable parking requirements based on the square footage of planned use(s).
  - (3) The Commission shall determine the minimum amount of acceptable parking available to the general public.
  - (4) The Commission shall require and approve the location of on-site directional and instructional signs; signage which shall be installed at owner's expense.
  - (5) No overnight public parking shall be permitted between the hours of 11:00 P.M. to 6:00 A.M. This provision shall not apply to occupants of a site.
  - (6) No sign shall be erected which restricts parking to any particular individual or tenant.
  - (7) At the discretion of the property owner, parking may be restricted to a period of not more than two (2) hours.
  - (8) Where practical and in keeping with the existing appearance of the neighborhood, vehicular and pedestrian access aisles and walkways, consisting of an all-weather material, shall be extended to adjoining property lines and shall be provided wherever a commercial parking lot abuts a similar facility.
- b. Norwalk River Greenway Trail – The Commission may increase the maximum allowable floor area ratio of a site by a factor of .10 if an applicant elects to grant the Town of Wilton necessary easements for access to the future Norwalk River Greenway Trail. Such arrangement is subject to compliance with the following provisions:

- (1) Only parcels located adjacent to the Norwalk River shall be eligible for such allowance.
- (2) The property owner shall provide a perpetual access easement in favor of the Town of Wilton. Said easement shall be situated from the west bank of the Norwalk River for a minimum distance of fifteen (15) feet and shall run parallel to the river for the entire length of the property.
- (3) Where such improvement would provide a public benefit, the Commission may require the property owner to provide connecting access easements between the trail and existing public roadways or publicly owned land. Such easement shall be a minimum of fifteen (15) feet in width and shall be sited in such location as not to conflict with vehicular traffic.
- (4) The property owner shall be responsible for the construction of the trail on their land. Said trail shall be developed in accordance with direction and specifications provided by the Commission.

8. Municipal Parking Facilities – Wilton Center District: \*

Purpose: The Commission has instituted the following regulation in anticipation of the future development of municipal parking facilities in Wilton Center. The Commission recognizes the unique land assemblage and compact environment of the downtown and acknowledges the desirability of consolidating parking areas in a fashion as to maximize the efficiency of such facilities. In meeting this goal, the Commission has established provisions to encourage municipal oversight and maintenance of privately owned parking facilities where it is evident that such arrangement will serve the general public interest. The Commission may, in certain instances, waive on-site parking requirements if such need can be reasonably served by an existing off-street municipal parking facility.

Applicability: The provisions contained within this section are limited to properties located within Wilton Center.

Provision and Requirements:

a. Dedication of private property for Municipal Parking

The provisions and requirements for the dedication of property to the Town of Wilton for municipal parking purposes are as follows:

- (1) Prior to the Commission's review, a municipal parking facility must first be authorized and accepted by the Board of Selectmen. It shall be the responsibility of the applicant to fulfill any standards and operational requirements set forth by the Board of Selectmen.
- (2) Such arrangement shall be subject to the submittal and approval of a site development plan by either the Town or a private applicant. Such plan shall

## 29-6.C.

clearly depict all improvements associated with the property under consideration and shall be designed in such a manner as to meet the provisions specified in Section 29-11 of the Zoning Regulations.

- (3) A site plan submittal shall include a future site plan, demonstrating the ability to interconnect to neighboring properties located within 500 feet of the parcel under consideration.
- (4) A participating property owner(s) shall demonstrate that the dedication of property for municipal parking purposes will not render their property deficient with respect to meeting on-site parking needs.
- (5) An applicant(s) shall provide a copy of the executed agreement between the property owner and the Board of Selectmen memorializing the terms of the municipal parking arrangement.
- (6) Dedication of any privately owned property for municipal parking shall not limit the development rights of any participating property owner with respect to either density or dimensional standards set forth in the zoning regulations. Such provision shall not apply to property which is transferred in fee simple to the Town.

### b. Off-site Municipal Parking Facilities

The Commission may waive or partially waive on-site parking requirements for a site development proposal if the Commission determines that parking needs can be reasonably accommodated within a municipal parking facility. Such waiver is subject to fulfillment of the following criteria:

- (1) Municipal parking shall be located no further than 500 feet from the business served. Such measurement shall be based on the walking distance measured in straight lines along public rights-of-way or established pedestrian access ways extending between the nearest entrance of the proposed building and the nearest vehicular or pedestrian entrance to the municipal parking facility.
- (2) Required on-site handicapped parking spaces for individual business tenants shall not be waived nor substituted within a municipal parking facility.
- (3) A detailed parking study, prepared by a Connecticut licensed engineer with expertise in traffic engineering, shall be provided to the Commission. Such study shall detail the overall availability of municipal parking as well as the peak hour parking demand for each site and each individual business. The study shall utilize methodologies outlined in the "Shared Parking" publication, authored by the Urban Land Institute (1983) and any other relevant professional documentation or analysis based on industry standards.

29-6.C.

- (4) Parking areas within a municipal parking facility shall not be reserved for any individual or business entity. Rather, such spaces shall be available on a first come first serve basis.
- (5) The Commission may limit or reject the substitution of on-site parking spaces within a municipal parking facility where it is evident that such use(s) would generate an excessive parking demand in such a manner as to unduly deplete the availability of public parking.

D. GENERAL REQUIREMENTS FOR ALL BUSINESS DISTRICTS

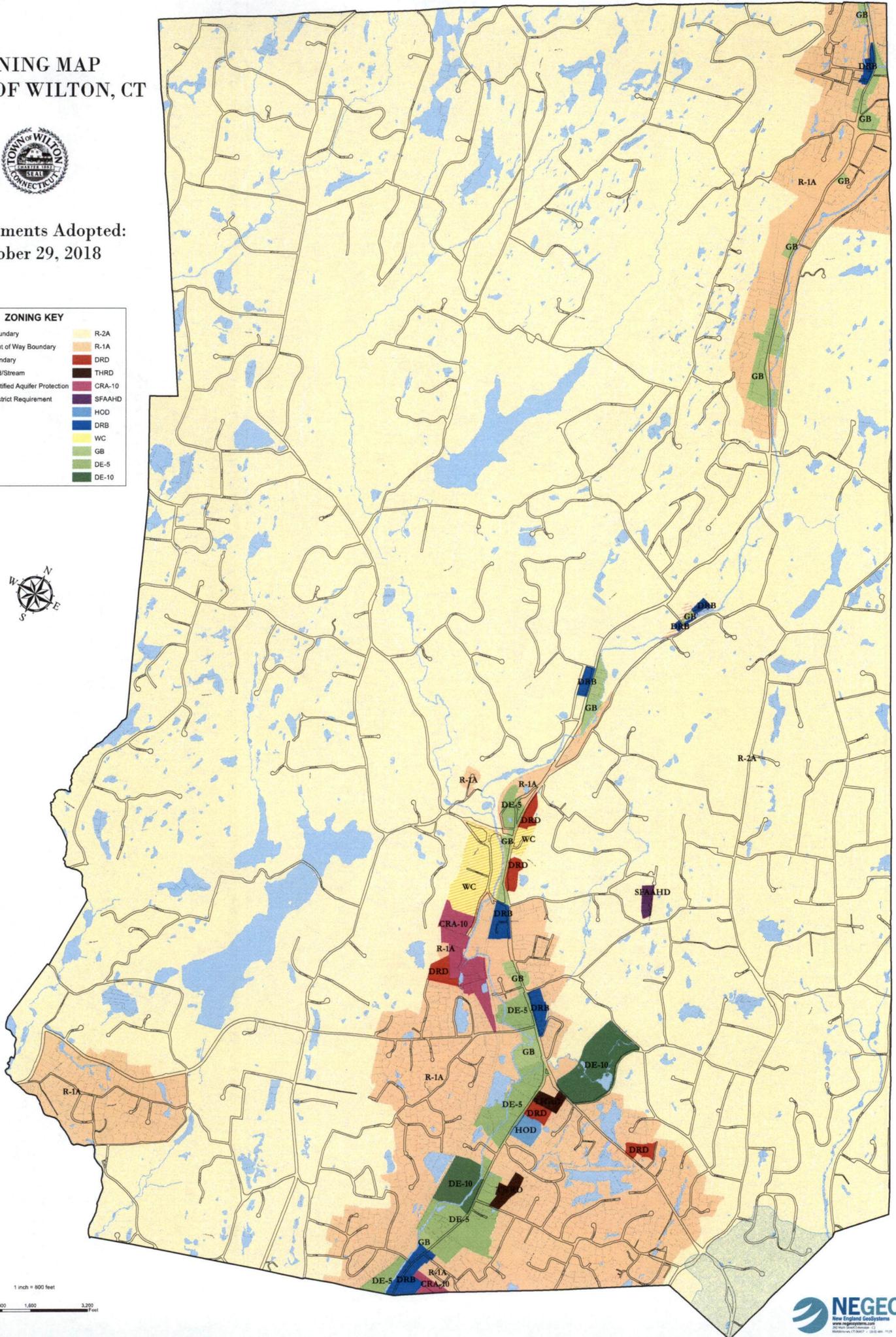
1. All business establishments shall conform to the environmental and performance standards specified in 29-9 and to the requirements of all other applicable Town regulations.
2. Except as otherwise permitted, all production, repair, treatment, storage and display of goods shall be accessory to the principal use of the premises.
3. No goods or merchandise shall be sold from a trailer or truck situated on a lot.
4. The frontage of two or more lots which share a single joint entrance and a single joint exit to a public street may be computed as a single frontage.
5. Yards on a common side lot line may be omitted:
  - a. Where two or more lots containing no residential uses share a single joint entrance and single joint exit to a public street, provided permanent vehicular access shall be provided to the rear of such lots, or
  - b. If building is attached to building on adjacent lot.
  - c. Minimum side yard may be otherwise reduced, at the discretion of the Commission, where a common Site Plan application is submitted for adjacent properties.
6. Where property adjoining in a residence district to the side or rear lies within the right-of-way of a railroad, the side or rear yard setback may be reduced to 50 feet.
7. No setback shall be required for parking and loading areas if they abut adjacent nonresidential parking and loading areas, with physical and legal provisions for access between the parking and loading areas.
8. In addition to the traffic study required under Section 29-10.A.4 of the Regulations, the applicant shall provide a traffic study for any retail business that exceeds 20,000 square feet that shall include an analysis of the traffic impact on all local residential streets within a half mile radius of the site and general traffic circulation within a two (2) mile radius of the site.\*
9. The applicant shall submit an economic impact study for any retail business that exceeds 20,000 square feet showing that the proposed use is consistent with the Plan of

# ZONING MAP TOWN OF WILTON, CT

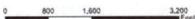


Amendments Adopted:  
October 29, 2018

ZONING KEY	
Parcel Boundary	R-2A
Road Right of Way Boundary	R-1A
Town Boundary	DRD
Lake/Pond/Stream	THRD
State Identified Aquifer Protection	CRA-10
Village District Requirement	SFAAHD
	HOD
	DRB
	WC
	GB
	DE-5
	DE-10



1 inch = 800 feet





THE TOWN OF  
**WILTON**  
CONNECTICUT

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[Home](#) > [Government](#) > Village District Design Advisory Committee/Architectural Review Board

## Village District Design Advisory Committee / Architectural Review Board

The Village District Design Advisory Committee (VDDAC) and the Architectural Review Board (ARB) is charged with providing expert architectural guidance to applicants and design recommendations to the Planning and Zoning Commission in the review of certain commercial and non-commercial development applications. Consisting of five members, the entity functions as a combined panel that serves in two distinct capacities depending on the nature and location of the proposal. The panel serves in an advisory capacity only.

When functioning as the VDDAC, the panel reviews development proposals that are situated in geographic locations known as "Village Districts". Village Districts are neighborhoods of distinctive character, unifying architectural interest, and/or historic value and, at present, include Wilton Center and commercially-zoned sections of Cannondale. Review authority extends to new construction, substantial reconstruction and rehabilitation of properties; including but not limited to, the design and placement of buildings, the maintenance of public views, the design, paving materials and placement of public roadways, signage and other elements that maintain and protect the unique character of the designated village districts.

Serving as the Town's ARB, the panel is responsible for the review of special permit and site plan applications involving new construction, significant site and exterior and/or facade alterations for properties that are NOT part of a designated village district. Review procedures apply when proposals involve properties that are:

- Located in Multi-Family Residential Districts (DRD, THRD, CRA-10, MFAAHD);
- Located in Business Districts (DRB, GB) or Design Enterprise Districts (DE-10 and DE-5);
- Located in Residential Districts (R-1A and R-2A) involving Special Permit Uses or requiring a Special Permit or Site Plan approval under Sections 29-5.A.3 (Special Permit Uses), 29-5.A.7 (SFAAHD), 29-4.D.6 (Assisted Living Facilities) or 29-5.E (HODD). Note, requirement does not apply to property used for single-family residential purposes;
- Filed pursuant to Section 29-5.C.6 (Adaptive Use); or made pursuant to Section 29-5.C.8 (Historically/Architecturally Significant Buildings); or
- Involve the installation of signage in excess of 10 square feet.

The VDDAC/ARB's overarching mission is to work with applicants in a constructive and collaborative manner so as to foster successful design outcomes that are appropriate to and representative of Wilton's unique character. Please refer to the Zoning Regulations of the Town of Wilton for further detail and guidance.

**Board Members:**

Robert Sanders

Sam Gardner

Laura Noble Perese

John Doyle

Kevin Quinlan

**Source URL:** <https://www.wiltonct.org/village-district-design-advisory-committee-architectural-review-board>

1/29/20 - Per Planning + Zoning Clerk  
This Proposal in "on hold."



## EASTON PLANNING & ZONING COMMISSION

225 CENTER ROAD  
EASTON, CT., 06612

TELEPHONE (203) 268-6291  
FAX (203) 268-4928  
TOWN WEBSITE: [eastonct.gov](http://eastonct.gov)

RECEIVED FOR RECORD  
At WESTON, CONN

SEP 30 2019

Attest 

Via e-mail and certified mail  
Receipt #70180040000022011752

September 30, 2019

Town Clerk – Weston  
Weston Town Hall  
56 Norfield Road, P.O. Box 100  
Weston, CT 06883

Referral per CT General Statute; Section 8-7d.:  
Proposed Amendments to the Easton Zoning Regulations

Dear Town Clerk:

The Easton Planning and Zoning Commission has scheduled a special meeting to hold a public hearing to be held at 7:00PM, Tuesday, November 19, 2019 at the Easton Town Hall, Conference Room A, 225 Center Road, Easton, CT, to consider amending the Easton Zoning Regulations as follows:

Add Section 4200, EASTON CENTER DISTRICT;  
Amend Subsection 6123, IDENTIFICATION SIGNAGE; Amend Subsection 6130, STANDARDS; and  
Add new Subsection 8890, VILLAGE DISTRICT CONSIDERATIONS.

A copy of the proposed regulations are attached for your review. The current Zoning Regulations are listed on the Town of Easton web-site at: [eastonct.gov](http://eastonct.gov).

Your response should be directed to the attention of the Planning and Zoning Commission at Easton Town Hall at the above address. If you have any questions regarding the above proposal please direct them to our staff. Our office hours are Tuesday through Friday, 10:30AM to 3:00PM and Mondays, after 1:00pm to 4:30PM. The phone # is (203) 268-6291 and the e-mail is [manania@eastonct.gov](mailto:manania@eastonct.gov).

Very truly yours,  
Easton Planning and Zoning Commission

RM:ma  
Enclosures

\_\_\_\_\_  
Robert Maquat, Chairman

# 4000 OTHER DISTRICTS

## 4100 FLOODPLAIN OVERLAY DISTRICT

## 4200 EASTON CENTER DISTRICT

### 4210 PURPOSE AND INTENT

This Section of the Regulations is intended to allow for small-scale business and other specified uses in the Easton Center area on Sport Hill Road.

### 4220 VILLAGE DISTRICT DECLARED

The Easton Center District is hereby declared to be a "village district" as authorized by CGS Section 8-2j. In accordance with CGS Section 8-2j, the Commission shall consider the design, placement, relationships and compatibility of structures, plantings, signs, roadways, street hardware and other objects in public view. The Commission shall encourage the conversion, conservation and preservation of existing buildings and sites in a manner that maintains the historic value, distinctive character and landscape of the district.

Any development in the Easton Center District shall be reviewed in accordance with the requirements of **Section 8890** of these Regulations.

### 4230 PERMITTED PRINCIPAL STRUCTURES AND USES

***No use variance of any kind shall be permitted in the Easton Center District.***

### 4231 No Zoning Permit Required

1.	<b>Open Space</b> - Open space land, watershed land, and similar conservation lands.	No Zoning Permit Required
2.	<b>Agriculture</b> - Agriculture as a principal use in accordance with CGS Section 19a-341 and in accordance with generally accepted agricultural practices as determined by the Connecticut Department of Agriculture.	No Zoning Permit Required
3.	<b>Special Temporary Uses</b> – Special temporary uses subject to the same standards and criteria as in Section 3250.2	No Zoning Permit Required

### 4232 Permitted By Zoning Permit

1.	<b>Residential Dwelling</b> - Single family dwelling, not to exceed one dwelling per lot.	Zoning Permit (Staff)
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**4232 Permitted By Special Permit**

1.	<b>Retail</b> - Small-scale retail stores (not to exceed 2,500 SF of floor area, except that a small-scale grocery store up to 7,500 SF may be allowed).	Special Permit (Commission)
2.	<b>Personal Service</b> – Personal service establishments including but not limited to nail salon, day spa, yoga studio, barber shop, beauty shop, gym, or fitness training studio).	Special Permit (Commission)
3.	<b>Restaurant / Café</b> – A restaurant or café provided such establishment shall not serve customers at drive-in windows. Indoor seating limited to 75 seats. Outdoor seating approvable by separate Special Permit.	Special Permit (Commission)
4.	<b>Food Service</b> – A bakery, delicatessen, ice cream parlor, coffee shop, and/or similar food retail and serving establishments. Indoor seating limited to 15 percent of gross floor area or 15 seats. Accessory outdoor seating permitted.	Special Permit (Commission)
5.	<b>Professional Offices</b> - Professional offices for doctors, dentists, architects, engineers, attorneys, psychologists, therapists, realtors, accountants, and such other similar profession as the Commission may approve.	Special Permit (Commission)
6.	<b>Craft Businesses</b> – Artist’s or craftsman’s studio and/or art/craft gallery including furniture, cabinetry, sculpture, crafts, and similar ventures.	Special Permit (Commission)
7.	<b>Farm And Garden Centers</b> – Retail farm and garden centers on an active farm.	Special Permit (Commission)
8.	<b>Institutional Uses</b> – Institutional uses subject to the provisions of Section 5700.	Special Permit (Commission)
9.	<b>Mixed Use Building</b> – Mixed residential and commercial uses within the same building provided that: a. No property shall contain more than 4 residential bedrooms. b. No residential unit shall contain more than two bedrooms. c. No residential unit shall be located at street level or below.	Special Permit (Commission)
10.	<b>Accessory Residential Unit</b> – Limited to two bedrooms.	Special Permit (Commission)
11.	<b>Utility Facility</b> – Utility facility as provided in Section 3250.4.	Special Permit (Commission)
12.	<b>Other Uses</b> - Other uses, including civic, cultural and non-profit uses, which the Commission finds are similar to one or more of the uses permitted in Section 4130.	Special Permit (Commission)

## 4240 AREA AND DIMENSIONAL STANDARDS

	<b>Easton Center</b>
<b>Minimum Lot Area</b>	No minimum requirement
<b>Minimum Buildable Area</b>	No minimum requirement
<b>Minimum Frontage (on a public street or highway)</b>	No minimum requirement
<b>Minimum Front Yard Setback</b>	No minimum requirement provided that adequate provision is made for pedestrian circulation and overall accessibility with the District
<b>Minimum Side Yard Setback</b>	No minimum requirement
<b>Minimum Rear Yard Setback</b>	No minimum requirement
<b>Maximum Building Height</b>	Two-and-a-half (2.5) stories and 35 feet above the highest elevation where the foundation meets grade
<b>Maximum Building Size</b>	No building in the Easton Center District shall contain more than <b>5,000SF</b> of gross floor area
<b>Parking</b>	Parking shall comply with the provisions of Section 6200. Such parking requirement may be satisfied from any lot within the Easton Center District provided that such parking is dedicated to the proposed use and will not be utilized to satisfy parking requirements for any other use.

## 4250 APPLICATION PROCESS

1. Pre-application review as provided in Section 8200 is strongly recommended.
2. Any Special Permit application shall include a precise description of all uses proposed to be conducted on the site and explicit data on proposed hours and days of operation, services to be rendered, and other information requested by the Commission.

# 5000 USE-RELATED PROVISIONS

## 6000 STANDARDS

### 6100 SIGNS

#### 6110 PURPOSE AND INTENT

#### 6120 PERMITTED SIGNS

#### 6121 Public And Directional Signage

#### 6122 Agricultural Signage

#### 6123 Identification Signage

1.	<b>House Numbers</b> - Sign(s) in compliance with the Town Ordinance "Assignment Of Numbers To Houses" which otherwise comply with these Regulations.	No Sign Permit Required
2.	<b>Identification</b> - One sign per lot (such as identifying the name of the resident, the name of the property, or the address) not exceeding one (1) square foot in area per each sign face, located within ten (10) feet of the entrance driveway to the lot.	No Sign Permit Required
3.	<b>Warning Signs</b> - Private property posting or warning signs (such as "no trespassing" or "police protected"), non-illuminated, maximum of one sign along each 100 feet of property boundary or fraction thereof, not exceeding one (1) square foot in area per each sign.	No Sign Permit Required
4.	<b>Special Use Identification Sign</b> - An identification sign indicating a permitted professional office, home-based business, home-based professional office, or other legitimate sales activity, or any special use as provided by Section 3240 or Section 4200 of these Regulations, not more than one such sign per lot; such sign in conformance with all side line and rear line setback requirements of these Regulations, not over four (4) square feet in area for each sign face, and not above eight (8) feet in height above ground level.	Sign Permit (Staff)
5.	<b>Special Identification Sign</b> - An identification sign indicating a permitted professional office, home-based business, home-based professional office, or other legitimate sales activity, or any special use as provided by Section 3240 or Section 4200 of these Regulations if: a. More than one such sign per lot; b. To be illuminated and then only when illuminated by low-intensity lighting confined to the surface of the sign so that no direct sources of illumination are visible, c. More than four (4) square feet in area for each sign face, or d. More than eight (8) feet in height above ground level.	Special Permit (Commission)

# 6200 PARKING AND LOADING

## 6210 PURPOSE AND INTENT

## 6220 MINIMUM PARKING REQUIREMENTS

## 6230 STANDARDS

1. Parking spaces shall be at least 9 feet wide by at least 18 feet long.
2. Parking spaces shall be located off-street unless otherwise authorized and such spaces shall be served by an access aisle of at least 16 feet wide for one-way traffic flow or at least 24 feet wide for two-way traffic flow.
3. Handicapped spaces shall be provided in accordance with State requirements.
4. For a use permitted by Special Permit, the Commission may require that parking areas be:
  - a. Paved and continuously maintained in good condition.
  - b. Located at least 40 feet from a side or rear property line abutting a residential use unless otherwise approved by the Commission.
5. Bicycle racks are strongly encouraged in the Easton Center District and as part of major Special Permit uses and such bicycle racks may be required by the Commission.
6. Electric car charging stations are strongly encouraged in the Easton Center District and as part of major Special Permit uses and such charging stations may be required by the Commission.
7. In the Easton Center District, parking spaces should generally be located to the side and rear of buildings in order to enhance the desired pedestrian-friendly character and streetscape. Parking spaces located between buildings and the street are discouraged unless they enhance the desired pedestrian-friendly character and streetscape (i.e., shared on-street spaces, etc.).

## **7000 SPECIAL PROVISIONS**

## **8000 PROCEDURES**

**8100 ZONING PERMIT / CERTIFICATE OF ZONING COMPLIANCE**

**8200 PRE-APPLICATION REVIEWS**

**8300 SITE PLAN APPLICATION**

**8400 SPECIAL PERMIT APPLICATION**

**8500 TEXT AMENDMENT APPLICATION**

**8600 ZONE CHANGE APPLICATION**

**8700 ZONING BOARD OF APPEALS**

**8800 PROCEDURAL REQUIREMENTS**

**8810 Application Submittal Requirements**

**8820 Date of Receipt**

**8830 Incomplete Applications**

**8840 Sequence of Hearings**

**8850 Consultations**

**8860 Notice Provisions**

**8870 Performance Guarantee**

**8880 Beneficiaries of a Trust**

## 8890 Village District Considerations

### 8891 Design Considerations

1. Within any Village District, special attention shall be paid to protecting the distinctive character, landscape, and historic structures.
2. The conversion, conservation, and preservation of existing buildings and sites in a manner that maintains the historic or distinctive character of a Village District is encouraged. The removal or disruption of historic, traditional, or significant structures or architectural elements shall be avoided or minimized.
3. All applications submitted within the Village District shall be reviewed against the standards and criteria included in the CGS Section 8-2j, as contained elsewhere in these Regulations, and specifically the following:
  - a. The 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 that have a functional or visual relationship to a proposed building or modification;
  - b. 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 Village District in and around the proposed building or modification;
  - c. The color, size, height, location, proportion of openings, 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;
  - d. Maintenance of views, historic buildings, monuments, and landscaping shall be encouraged;
  - e. The applicant shall provide information within the application indicating that the proposed building(s) architecture is compatible with the existing architecture of buildings within 200 feet of the site in question within the Village District; and
  - f. The removal or disruption of historic traditional or significant structures or architectural elements shall be minimized.
4. In addition, all development in the village district shall be designed to achieve the following compatibility objectives:
  - a. The building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district;
  - b. Proposed streets and or driveway shall be connected to the existing Village District road and driveway network, wherever possible;
  - c. Pedestrian access shall be provided to connect with adjacent Village District sidewalks, uses, and buildings;
  - d. Open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting;
  - e. Locally significant features of the site such as distinctive buildings, specimen trees, or sight lines or vistas from within the district shall be integrated into the site design;
  - f. The landscape design shall complement the district's landscape patterns;
  - g. The accessory features and structures common in the Village District shall be continued in a uniform architectural theme throughout the proposed development and shall be compatible with their surroundings (including exterior signs, colonial style site lighting, white picket fences, brick paver walks, etc.); and,
  - h. The scale, proportions, massing and detailing of any proposed building shall be in proportion to the scale, proportion, massing and detailing in the district.

## 8892 Design Guidelines

1. **Overall** - These design guidelines are intended to aid in maintaining and enhancing the character and quality of the buildings and public spaces in the village district areas in Easton in order to accomplish the design considerations in Section 8891 of these Regulations.

**As used in these guidelines:**

The word "shall" means that the relevant standard, criterion or action must be followed unless the applicant demonstrates to the Commission's satisfaction that it would be unreasonable or undesirable to do so.

The word "should" means that the relevant standard, criterion or action will generally be required, but the applicant may offer, and the Commission may approve, an alternative standard, criterion or action if the Commission finds that the alternative would better fulfill the overall goals set forth in these guidelines.

2. **Building Design**

- a. Proposed buildings shall promote basic design elements and relationships that will help maintain and enhance a harmonious "New England"-type architectural character.
- b. Applicants should avoid long and large unarticulated structures that are uninviting and do not contribute to a harmonious "New England"-type architectural character.
- c. Applicants should maintain proportions between building height, length and width consistent with prevailing architectural customs in Easton.
- d. The public face of the building should present a clear, well-defined, and balanced façade.
- e. Applicants should provide a well-defined front facade with the main entrance clearly visible and identifiable from the primary public vantage points or public right-of-way.
- f. Applicants should align buildings so that the relationships between buildings and the street (such as front facades and major roof ridges) is either parallel or perpendicular, not oblique or diagonal.
- g. Rooflines should be simple, functional, and reflective of "New England"-type architectural character the broader community building stock.
- h. Building materials should be durable and functional and the use of color and texture should be reflective of local style and character.
- i. Applicants shall coordinate all exterior elevations of the building (color, materials, architectural form, and detailing) to achieve continuity.
- j. Building equipment, storage, and service areas should be integrated into the site plan and architectural composition in ways that minimize adverse impacts.

**3. Site Design**

- a. The overall design of the site shall provide for a safe, logical approach and entry to all buildings and site use areas for vehicles and pedestrians.
- b. Applicants should minimize conflicts between pedestrians (sidewalks) and vehicles (curb cuts).
- c. Applicants should locate all delivery areas toward the rear of the site concealed from the public right-of-way.
- d. The overall design of the site should integrate parking into the site design providing a positive visual element rather than the dominating one.
- e. The overall design of the site should minimize the safety hazards and visual impacts of service equipment and supporting structures.
- f. Planting material should be used in a logical, orderly manner that defines spatial organization and relates to buildings and structures.
- g. Applicants shall use indigenous plants and avoid unusual or exotic cultivars.
- h. Site lighting shall provide the functional and esthetic benefits of exterior lighting while mitigating the potential for nuisance.
- i. To ensure that light sources are not visible off site, light sources shall be directed down toward the ground surface, lighting fixtures shall have opaque hoods over all light elements, and all fixtures shall have sharp cut off shields.
- j. Fences, walls, and hedges should generally be residential in scale, character and materials, and architecturally compatible with the main structure.
- k. Site drainage should protect the health and safety of the public and promote ecologically sensitive approaches.
- l. Bicycle racks are strongly encouraged and may be required by the Commission in an appropriate location.
- m. Electric car charging stations are encouraged and may be required by the Commission in an appropriate location.
- n. Parking spaces should generally be located to the side and rear of buildings in order to enhance the desired pedestrian-friendly character and streetscape. Parking spaces located between buildings and the street are discouraged unless they enhance the desired pedestrian-friendly character and streetscape (i.e., shared on-street spaces, etc.).

**4. Signage**

- a. Applicants shall integrate any existing and/or proposed signage into the overall design insuring that it complements its surroundings.
- b. Applicants shall avoid visual competition with other signs in the area and repetitious signage information on the same building frontage.
- c. Signage should reflect the character of the architecture, site, and neighborhood without occurring at the expense of individual expression and creativity.
- d. Signage should be integrated with the ground plane by using complimentary plant materials as part of the overall planting plan.
- e. Sign lighting should be used judiciously and specifically to illuminate useful information.

**8893 Procedures**

1. The Commission shall utilize one or more Village District consultants and such Village District consultants shall be:
  - a. A registered architect or an architectural firm,
  - b. A licensed landscape architect,
  - c. A planner who is a member of the American Institute of Certified Planners, or
  - d. A design review board 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.
2. All applications shall be subject to review and recommendation by the Village District consultant designated by the Commission as the Village District consultant for such application.
3. The Village District consultant shall review an application and report to the Commission within thirty-five (35) days of receipt of the application.
4. Such report and recommendation shall be entered into the public hearing record and considered by the Commission in making its decision.
5. 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.
6. The Commission may seek the recommendations of any Town or regional agency or outside specialist including, but not limited to, the regional planning agency, the Connecticut Trust for Historic Preservation, the Office of the State Archeologist, and/or The University of Connecticut College of Agriculture and Natural Resources.
7. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

Legal Notice/Easton, CT

The Easton Planning and Zoning Commission has scheduled a special meeting to hold a public hearing on **Tuesday, November 19, 2019 at 7:00PM**, in the Cafetorium of the Helen Keller Middle School, 360 Sport Hill Road, Easton, CT, to consider proposed **AMENDMENTS TO THE EASTON ZONING REGULATIONS: Add Section 4200, EASTON CENTER DISTRICT; Amend Subsection 6123 , IDENTIFICATION SIGNAGE; Amend Subsection 6130, STANDARDS; and add new Subsection 8890, VILLAGE DISTRICT CONSIDERATIONS.** Copies of the proposed Amendments to the Easton Zoning Regulations are on the Town of Easton website at [eastonct.gov](http://eastonct.gov). Copies of the proposed Amendments to the Regulations are on file in the Office of the Easton Town Clerk.

Dated this 30th day of September, 2019 by Robert Maquat, Chairman, Planning and Zoning Commission

**Please publish in the November 8, 2019 and November 15, 2019 issues of the Fairfield Citizen**



## EASTON PLANNING & ZONING COMMISSION

225 CENTER ROAD  
EASTON, CT., 06612

TELEPHONE (203) 268-6291  
FAX (203) 268-4928  
TOWN WEBSITE: [eastonct.gov](http://eastonct.gov)

Via e-mail and certified mail  
Receipt #70180040000022011752

September 30, 2019

Town Clerk – Weston  
Weston Town Hall  
56 Norfield Road, P.O. Box 100  
Weston, CT 06883

Referral per CT General Statute; Section 8-7d.:  
Proposed Amendments to the Easton Zoning Regulations

Dear Town Clerk:

The Easton Planning and Zoning Commission has scheduled a special meeting to hold a public hearing to be held at 7:00PM, Tuesday, November 19, 2019 at the Easton Town Hall, Conference Room A, 225 Center Road, Easton, CT, to consider amending the Easton Zoning Regulations as follows:

Add Section 4200, EASTON CENTER DISTRICT;  
Amend Subsection 6123, IDENTIFICATION SIGNAGE; Amend Subsection 6130, STANDARDS; and  
Add new Subsection 8890, VILLAGE DISTRICT CONSIDERATIONS.

A copy of the proposed regulations are attached for your review. The current Zoning Regulations are listed on the Town of Easton web-site at: [eastonct.gov](http://eastonct.gov).

Your response should be directed to the attention of the Planning and Zoning Commission at Easton Town Hall at the above address. If you have any questions regarding the above proposal please direct them to our staff. Our office hours are Tuesday through Friday, 10:30AM to 3:00PM and Mondays, after 1:00pm to 4:30PM. The phone # is (203) 268-6291 and the e-mail is [manania@eastonct.gov](mailto:manania@eastonct.gov).

Very truly yours,  
Easton Planning and Zoning Commission

  
Robert Maquat, Chairman

RM:ma  
Enclosures

RECEIVED FOR RECORD  
At WESTON, CONN

OCT 01 2019

Attest 

Legal Notice/Easton, CT

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Dated this 30th day of September, 2019 by Robert Maquat, Chairman, Planning and Zoning Commission

**Please publish in the November 8, 2019 and November 15, 2019 issues of the Fairfield Citizen**

# 4000 OTHER DISTRICTS

## 4100 FLOODPLAIN OVERLAY DISTRICT

## 4200 EASTON CENTER DISTRICT

### 4210 PURPOSE AND INTENT

This Section of the Regulations is intended to allow for small-scale business and other specified uses in the Easton Center area on Sport Hill Road.

### 4220 VILLAGE DISTRICT DECLARED

The Easton Center District is hereby declared to be a "village district" as authorized by CGS Section 8-2j. In accordance with CGS Section 8-2j, the Commission shall consider the design, placement, relationships and compatibility of structures, plantings, signs, roadways, street hardware and other objects in public view. The Commission shall encourage the conversion, conservation and preservation of existing buildings and sites in a manner that maintains the historic value, distinctive character and landscape of the district.

Any development in the Easton Center District shall be reviewed in accordance with the requirements of Section 8890 of these Regulations.

### 4230 PERMITTED PRINCIPAL STRUCTURES AND USES

***No use variance of any kind shall be permitted in the Easton Center District.***

### 4231 No Zoning Permit Required

1.	<b>Open Space</b> - Open space land, watershed land, and similar conservation lands.	No Zoning Permit Required
2.	<b>Agriculture</b> - Agriculture as a principal use in accordance with CGS Section 19a-341 and in accordance with generally accepted agricultural practices as determined by the Connecticut Department of Agriculture.	No Zoning Permit Required
3.	<b>Special Temporary Uses</b> – Special temporary uses subject to the same standards and criteria as in Section 3250.2	No Zoning Permit Required

### 4232 Permitted By Zoning Permit

1.	<b>Residential Dwelling</b> - Single family dwelling, not to exceed one dwelling per lot.	Zoning Permit (Staff)
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**4232 Permitted By Special Permit**

1.	<b>Retail</b> - Small-scale retail stores (not to exceed 2,500 SF of floor area, except that a small-scale grocery store up to 7,500 SF may be allowed).	Special Permit (Commission)
2.	<b>Personal Service</b> – Personal service establishments including but not limited to nail salon, day spa, yoga studio, barber shop, beauty shop, gym, or fitness training studio).	Special Permit (Commission)
3.	<b>Restaurant / Café</b> – A restaurant or café provided such establishment shall not serve customers at drive-in windows. Indoor seating limited to 75 seats. Outdoor seating approvable by separate Special Permit.	Special Permit (Commission)
4.	<b>Food Service</b> – A bakery, delicatessen, ice cream parlor, coffee shop, and/or similar food retail and serving establishments. Indoor seating limited to 15 percent of gross floor area or 15 seats. Accessory outdoor seating permitted.	Special Permit (Commission)
5.	<b>Professional Offices</b> - Professional offices for doctors, dentists, architects, engineers, attorneys, psychologists, therapists, realtors, accountants, and such other similar profession as the Commission may approve.	Special Permit (Commission)
6.	<b>Craft Businesses</b> – Artist’s or craftsman’s studio and/or art/craft gallery including furniture, cabinetry, sculpture, crafts, and similar ventures.	Special Permit (Commission)
7.	<b>Farm And Garden Centers</b> – Retail farm and garden centers on an active farm.	Special Permit (Commission)
8.	<b>Institutional Uses</b> – Institutional uses subject to the provisions of Section 5700.	Special Permit (Commission)
9.	<b>Mixed Use Building</b> – Mixed residential and commercial uses within the same building provided that: a. No property shall contain more than 4 residential bedrooms. b. No residential unit shall contain more than two bedrooms. c. No residential unit shall be located at street level or below.	Special Permit (Commission)
10.	<b>Accessory Residential Unit</b> – Limited to two bedrooms.	Special Permit (Commission)
11.	<b>Utility Facility</b> – Utility facility as provided in Section 3250.4.	Special Permit (Commission)
12.	<b>Other Uses</b> - Other uses, including civic, cultural and non-profit uses, which the Commission finds are similar to one or more of the uses permitted in Section 4130.	Special Permit (Commission)

**4240 AREA AND DIMENSIONAL STANDARDS**

<b>Easton Center</b>	
<b>Minimum Lot Area</b>	No minimum requirement
<b>Minimum Buildable Area</b>	No minimum requirement
<b>Minimum Frontage (on a public street or highway)</b>	No minimum requirement
<b>Minimum Front Yard Setback</b>	No minimum requirement provided that adequate provision is made for pedestrian circulation and overall accessibility with the District
<b>Minimum Side Yard Setback</b>	No minimum requirement
<b>Minimum Rear Yard Setback</b>	No minimum requirement
<b>Maximum Building Height</b>	Two-and-a-half (2.5) stories and 35 feet above the highest elevation where the foundation meets grade
<b>Maximum Building Size</b>	No building in the Easton Center District shall contain more than <b>5,000SF</b> of gross floor area
<b>Parking</b>	Parking shall comply with the provisions of Section 6200. Such parking requirement may be satisfied from any lot within the Easton Center District provided that such parking is dedicated to the proposed use and will not be utilized to satisfy parking requirements for any other use.

**4250 APPLICATION PROCESS**

1. Pre-application review as provided in Section 8200 is strongly recommended.
2. Any Special Permit application shall include a precise description of all uses proposed to be conducted on the site and explicit data on proposed hours and days of operation, services to be rendered, and other information requested by the Commission.

# 5000 USE-RELATED PROVISIONS

## 6000 STANDARDS

### 6100 SIGNS

#### 6110 PURPOSE AND INTENT

#### 6120 PERMITTED SIGNS

##### 6121 Public And Directional Signage

##### 6122 Agricultural Signage

##### 6123 Identification Signage

1.	<b>House Numbers</b> - Sign(s) in compliance with the Town Ordinance "Assignment Of Numbers To Houses" which otherwise comply with these Regulations.	No Sign Permit Required
2.	<b>Identification</b> - One sign per lot (such as identifying the name of the resident, the name of the property, or the address) not exceeding one (1) square foot in area per each sign face, located within ten (10) feet of the entrance driveway to the lot.	No Sign Permit Required
3.	<b>Warning Signs</b> - Private property posting or warning signs (such as "no trespassing" or "police protected"), non-illuminated, maximum of one sign along each 100 feet of property boundary or fraction thereof, not exceeding one (1) square foot in area per each sign.	No Sign Permit Required
4.	<b>Special Use Identification Sign</b> - An identification sign indicating a permitted professional office, home-based business, home-based professional office, or other legitimate sales activity, or any special use as provided by Section 3240 or Section 4200 of these Regulations, not more than one such sign per lot; such sign in conformance with all side line and rear line setback requirements of these Regulations, not over four (4) square feet in area for each sign face, and not above eight (8) feet in height above ground level.	Sign Permit (Staff)
5.	<b>Special Identification Sign</b> - An identification sign indicating a permitted professional office, home-based business, home-based professional office, or other legitimate sales activity, or any special use as provided by Section 3240 or Section 4200 of these Regulations if: a. More than one such sign per lot; b. To be illuminated and then only when illuminated by low-intensity lighting confined to the surface of the sign so that no direct sources of illumination are visible, c. More than four (4) square feet in area for each sign face, or d. More than eight (8) feet in height above ground level.	Special Permit (Commission)

# 6200 PARKING AND LOADING

## 6210 PURPOSE AND INTENT

## 6220 MINIMUM PARKING REQUIREMENTS

## 6230 STANDARDS

1. Parking spaces shall be at least 9 feet wide by at least 18 feet long.
2. Parking spaces shall be located off-street unless otherwise authorized and such spaces shall be served by an access aisle of at least 16 feet wide for one-way traffic flow or at least 24 feet wide for two-way traffic flow.
3. Handicapped spaces shall be provided in accordance with State requirements.
4. For a use permitted by Special Permit, the Commission may require that parking areas be:
  - a. Paved and continuously maintained in good condition.
  - b. Located at least 40 feet from a side or rear property line abutting a residential use unless otherwise approved by the Commission.
5. Bicycle racks are strongly encouraged in the Easton Center District and as part of major Special Permit uses and such bicycle racks may be required by the Commission.
6. Electric car charging stations are strongly encouraged in the Easton Center District and as part of major Special Permit uses and such charging stations may be required by the Commission.
7. In the Easton Center District, parking spaces should generally be located to the side and rear of buildings in order to enhance the desired pedestrian-friendly character and streetscape. Parking spaces located between buildings and the street are discouraged unless they enhance the desired pedestrian-friendly character and streetscape (i.e., shared on-street spaces, etc.).

**7000 SPECIAL PROVISIONS**

**8000 PROCEDURES**

**8100 ZONING PERMIT / CERTIFICATE OF ZONING COMPLIANCE**

**8200 PRE-APPLICATION REVIEWS**

**8300 SITE PLAN APPLICATION**

**8400 SPECIAL PERMIT APPLICATION**

**8500 TEXT AMENDMENT APPLICATION**

**8600 ZONE CHANGE APPLICATION**

**8700 ZONING BOARD OF APPEALS**

**8800 PROCEDURAL REQUIREMENTS**

**8810 Application Submittal Requirements**

**8820 Date of Receipt**

**8830 Incomplete Applications**

**8840 Sequence of Hearings**

**8850 Consultations**

**8860 Notice Provisions**

**8870 Performance Guarantee**

**8880 Beneficiaries of a Trust**

## 8890 Village District Considerations

### 8891 Design Considerations

1. Within any Village District, special attention shall be paid to protecting the distinctive character, landscape, and historic structures.
2. The conversion, conservation, and preservation of existing buildings and sites in a manner that maintains the historic or distinctive character of a Village District is encouraged. The removal or disruption of historic, traditional, or significant structures or architectural elements shall be avoided or minimized.
3. All applications submitted within the Village District shall be reviewed against the standards and criteria included in the CGS Section 8-2j, as contained elsewhere in these Regulations, and specifically the following:
  - a. The 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 that have a functional or visual relationship to a proposed building or modification;
  - b. 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 Village District in and around the proposed building or modification;
  - c. The color, size, height, location, proportion of openings, 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;
  - d. Maintenance of views, historic buildings, monuments, and landscaping shall be encouraged;
  - e. The applicant shall provide information within the application indicating that the proposed building(s) architecture is compatible with the existing architecture of buildings within 200 feet of the site in question within the Village District; and
  - f. The removal or disruption of historic traditional or significant structures or architectural elements shall be minimized.
4. In addition, all development in the village district shall be designed to achieve the following compatibility objectives:
  - a. The building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district;
  - b. Proposed streets and or driveway shall be connected to the existing Village District road and driveway network, wherever possible;
  - c. Pedestrian access shall be provided to connect with adjacent Village District sidewalks, uses, and buildings;
  - d. Open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting;
  - e. Locally significant features of the site such as distinctive buildings, specimen trees, or sight lines or vistas from within the district shall be integrated into the site design;
  - f. The landscape design shall complement the district's landscape patterns;
  - g. The accessory features and structures common in the Village District shall be continued in a uniform architectural theme throughout the proposed development and shall be compatible with their surroundings (including exterior signs, colonial style site lighting, white picket fences, brick paver walks, etc.); and,
  - h. The scale, proportions, massing and detailing of any proposed building shall be in proportion to the scale, proportion, massing and detailing in the district.

**8892 Design Guidelines**

1. **Overall** - These design guidelines are intended to aid in maintaining and enhancing the character and quality of the buildings and public spaces in the village district areas in Easton in order to accomplish the design considerations in Section 8891 of these Regulations.

**As used in these guidelines:**

The word "shall" means that the relevant standard, criterion or action must be followed unless the applicant demonstrates to the Commission's satisfaction that it would be unreasonable or undesirable to do so.

The word "should" means that the relevant standard, criterion or action will generally be required, but the applicant may offer, and the Commission may approve, an alternative standard, criterion or action if the Commission finds that the alternative would better fulfill the overall goals set forth in these guidelines.

2. **Building Design**

- a. Proposed buildings shall promote basic design elements and relationships that will help maintain and enhance a harmonious "New England"-type architectural character.
- b. Applicants should avoid long and large unarticulated structures that are uninviting and do not contribute to a harmonious "New England"-type architectural character.
- c. Applicants should maintain proportions between building height, length and width consistent with prevailing architectural customs in Easton.
- d. The public face of the building should present a clear, well-defined, and balanced façade.
- e. Applicants should provide a well-defined front facade with the main entrance clearly visible and identifiable from the primary public vantage points or public right-of-way.
- f. Applicants should align buildings so that the relationships between buildings and the street (such as front facades and major roof ridges) is either parallel or perpendicular, not oblique or diagonal.
- g. Rooflines should be simple, functional, and reflective of "New England"-type architectural character the broader community building stock.
- h. Building materials should be durable and functional and the use of color and texture should be reflective of local style and character.
- i. Applicants shall coordinate all exterior elevations of the building (color, materials, architectural form, and detailing) to achieve continuity.
- j. Building equipment, storage, and service areas should be integrated into the site plan and architectural composition in ways that minimize adverse impacts.

**3. Site Design**

- a. The overall design of the site shall provide for a safe, logical approach and entry to all buildings and site use areas for vehicles and pedestrians.
- b. Applicants should minimize conflicts between pedestrians (sidewalks) and vehicles (curb cuts).
- c. Applicants should locate all delivery areas toward the rear of the site concealed from the public right-of-way.
- d. The overall design of the site should integrate parking into the site design providing a positive visual element rather than the dominating one.
- e. The overall design of the site should minimize the safety hazards and visual impacts of service equipment and supporting structures.
- f. Planting material should be used in a logical, orderly manner that defines spatial organization and relates to buildings and structures.
- g. Applicants shall use indigenous plants and avoid unusual or exotic cultivars.
- h. Site lighting shall provide the functional and esthetic benefits of exterior lighting while mitigating the potential for nuisance.
- i. To ensure that light sources are not visible off site, light sources shall be directed down toward the ground surface, lighting fixtures shall have opaque hoods over all light elements, and all fixtures shall have sharp cut off shields.
- j. Fences, walls, and hedges should generally be residential in scale, character and materials, and architecturally compatible with the main structure.
- k. Site drainage should protect the health and safety of the public and promote ecologically sensitive approaches.
- l. Bicycle racks are strongly encouraged and may be required by the Commission in an appropriate location.
- m. Electric car charging stations are encouraged and may be required by the Commission in an appropriate location.
- n. Parking spaces should generally be located to the side and rear of buildings in order to enhance the desired pedestrian-friendly character and streetscape. Parking spaces located between buildings and the street are discouraged unless they enhance the desired pedestrian-friendly character and streetscape (i.e., shared on-street spaces, etc.).

**4. Signage**

- a. Applicants shall integrate any existing and/or proposed signage into the overall design insuring that it complements its surroundings.
- b. Applicants shall avoid visual competition with other signs in the area and repetitious signage information on the same building frontage.
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**8893 Procedures**

1. The Commission shall utilize one or more Village District consultants and such Village District consultants shall be:
  - a. A registered architect or an architectural firm,
  - b. A licensed landscape architect,
  - c. A planner who is a member of the American Institute of Certified Planners, or
  - d. A design review board 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.
2. All applications shall be subject to review and recommendation by the Village District consultant designated by the Commission as the Village District consultant for such application.
3. The Village District consultant shall review an application and report to the Commission within thirty-five (35) days of receipt of the application.
4. Such report and recommendation shall be entered into the public hearing record and considered by the Commission in making its decision.
5. 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.
6. The Commission may seek the recommendations of any Town or regional agency or outside specialist including, but not limited to, the regional planning agency, the Connecticut Trust for Historic Preservation, the Office of the State Archeologist, and/or The University of Connecticut College of Agriculture and Natural Resources.
7. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.



## EASTON PLANNING & ZONING COMMISSION

225 CENTER ROAD  
EASTON, CT., 06612

TELEPHONE (203) 268-6291  
FAX (203) 268-4928  
TOWN WEBSITE: [eastonct.gov](http://eastonct.gov)

Via e-mail: [danastasia@westonct.gov](mailto:danastasia@westonct.gov)

October 25, 2019

Town Clerk – Weston  
Weston Town Hall  
56 Norfield Road, P.O. Box 100  
Weston, CT 06883

Referral per CT General Statute; Section 8-7d.:  
Supplemental Information – Minor Change to Easton Zoning Map

Dear Town Clerk:

The Easton Planning and Zoning Commission sent you a referral September 30, 2019, via certified mail, regarding a scheduled special meeting to hold a public hearing 7:00PM, Tuesday, November 19, 2019 at the Easton Town Hall, Conference Room A, 225 Center Road, Easton, CT, to consider amending the Easton Zoning Regulations..

The Commission would also like to submit to you our Town of Easton “Zoning Map”, effective July 27, 2019, as well as a map which proposes the Village District to be added to our “Zoning Map”. We await any comments you may have regarding these maps.

Your response should be directed to the attention of the Planning and Zoning Commission at Easton Town Hall at the above address. If you have any questions regarding the above proposal please direct them to our staff. Our office hours are Tuesday through Friday, 10:30AM to 3:00PM and Mondays, after 1:00pm to 4:30PM. The phone # is (203) 268-6291 and the e-mail is [manania@eastonct.gov](mailto:manania@eastonct.gov).

Very truly yours,  
Easton Planning and Zoning Commission

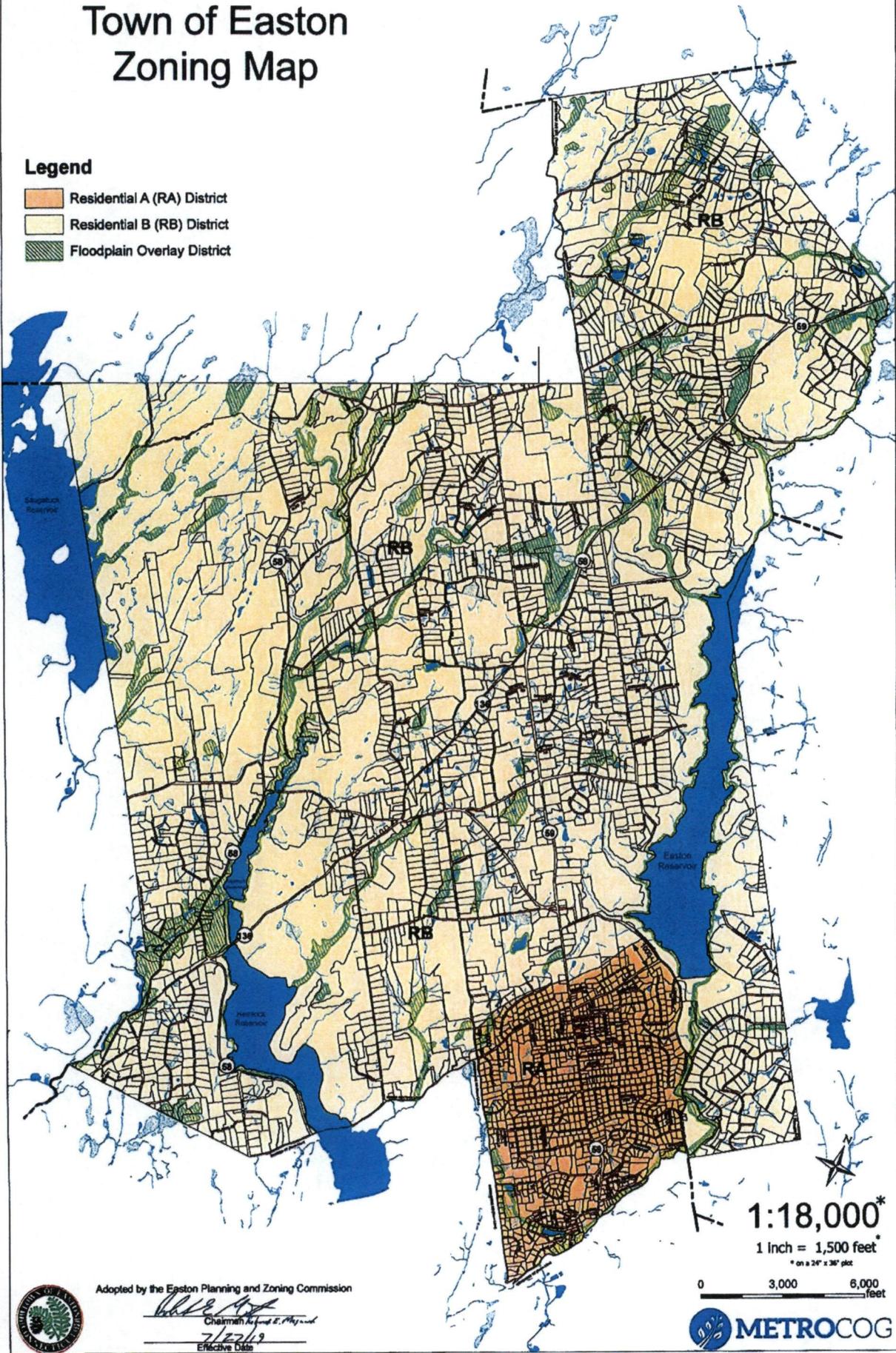
  
Robert Maquat, Chairman

RM:ma  
Enclosures

# Town of Easton Zoning Map

## Legend

-  Residential A (RA) District
-  Residential B (RB) District
-  Floodplain Overlay District



1:18,000\*

1 inch = 1,500 feet

\* on a 24" x 36" plot



Adopted by the Easton Planning and Zoning Commission

*[Signature]*  
Chairman Richard E. Pflaum  
7/22/19  
Effective Date

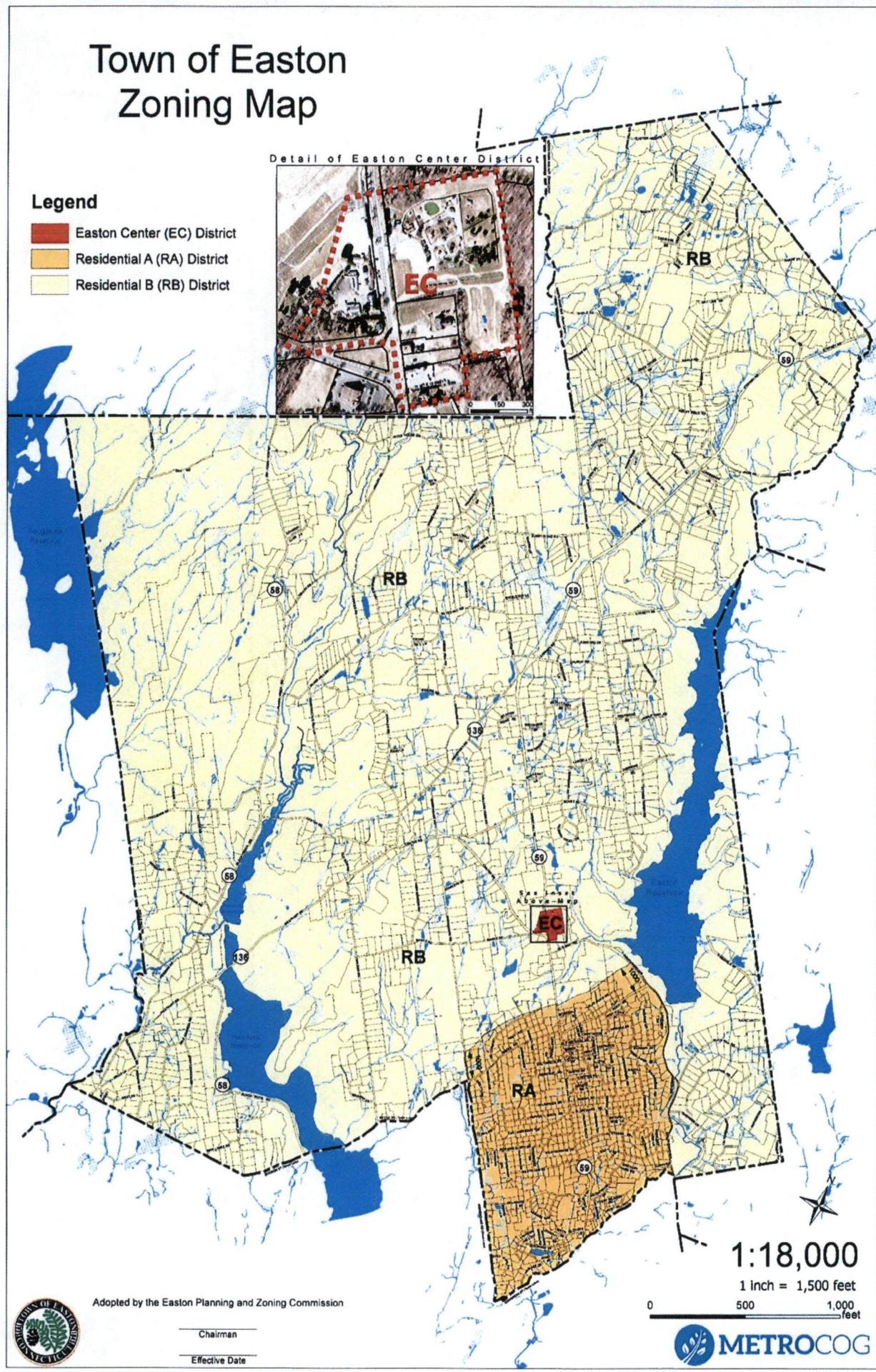


# Town of Easton Zoning Map

### Legend

- Easton Center (EC) District
- Residential A (RA) District
- Residential B (RB) District

Detail of Easton Center District



1:18,000

1 inch = 1,500 feet

0 500 1,000 feet



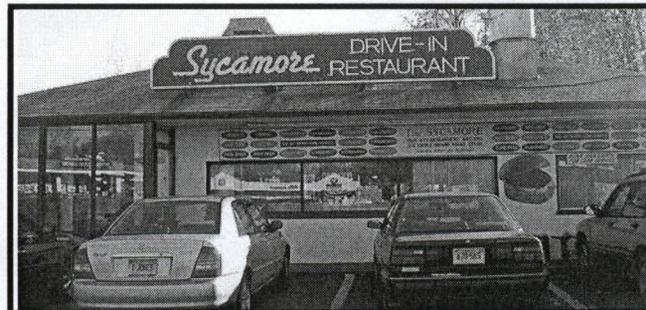
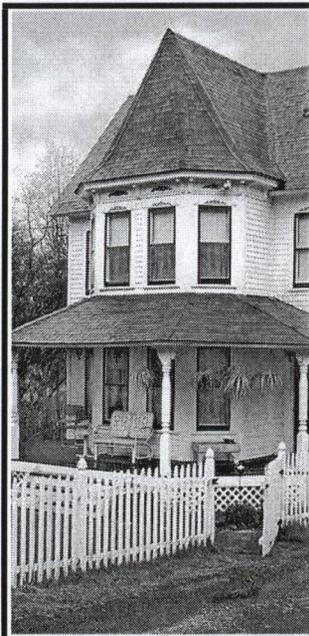
Adopted by the Easton Planning and Zoning Commission

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Effective Date



# TOWN OF BETHEL ZONING REGULATIONS



**Planning & Zoning Commission**

Amendments: Effective October 15, 2016

## ARTICLE 4 – BUSINESS / INDUSTRY ZONES

This Section contains provisions for the following zoning districts:

- Village Center (VC) Zone
- Commercial (C) Zone
- Route 6 Business (RT6) Zone
- Industrial (I) Zone
- Industrial Park (IP) Zone

---

### SECTION 4.1. GENERAL PURPOSES

---

1. **Village Center (VC) Zone** - The purpose of the Village Center Zone is to maintain, enhance and promote a mixed-use, pedestrian-scale downtown area with a strong sense of place.
2. **Commercial (C) Zone** - The purpose of the Commercial Zone is to maintain and enhance areas containing commercial uses to meet the needs of Bethel residents and businesses.
3. **Route 6 Business (RT6) Zone** - The purpose of the Route 6 Business Zone is to encourage a mix and intensity of land use along Route 6 which will meet community needs, provide opportunities for economic development, and preserve important resources.
4. **Industrial (I) Zone** - The purpose of the Industrial Zone is to provide for appropriate locations and standards for industrial-type uses.
5. **Industrial Park (IP) Zone** - The purpose of the Industrial Park Zone is to provide for appropriate locations and standards for industrial-type uses in a park-type environment.

## SECTION 4.2. PERMITTED ACTIVITIES

### Legend

<b>ZP</b>	Activity allowed by Zoning Permit (ZEO) unless a Special Permit is required for the use or another activity being proposed.
<b>SP</b>	Activity requires obtaining a Special Permit (PZC).
<b>X</b>	Activity <u>not</u> allowed.

A. OCCUPANCY OF EXISTING SPACE	VC	C	RT6	I	IP
1. No new floor area is created and: a. no additional parking is required, or b. the parking which is available on the site is within ten percent (10%) of the parking required by these Regulations.	<b>ZP</b>	<b>ZP</b>	<b>ZP</b>	<b>ZP</b>	<b>ZP</b>
2. No new floor area is created, the parking available on the site is within twenty percent (20%) of the parking required by these Regulations, and the owner shall: a. grant the Town by deed, easement, or agreement filed in the Town Clerk's office, the right for the public to enter, exit, pass, and share parking, and b. post signage indicating that parking on the site is not reserved for the uses on the property.	<b>ZP</b>	<b>ZP</b>	<b>ZP</b>	<b>ZP</b>	<b>ZP</b>
3. No new floor area is created but <u>neither</u> of the above conditions exist.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>

B. OCCUPANCY OF EXISTING SPACE	VC	C	RT6	I	IP
1. Construction which results in less than 1,000 square feet of new floor area.	<b>SP</b>	<b>ZP</b>	<b>ZP</b>	<b>ZP</b>	<b>ZP</b>
2. Construction which results in 1,000 square feet or more of new floor area.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>

<b>C. DRIVE-UP ACTIVITIES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Drive-up window service of any kind.	SP	SP	X	SP	SP
2. Drive-up window service of any kind except that the Commission may limit drive through facilities to:					
a. locations with direct access to a signalized intersection, and	X	X	SP	X	X
b. no more than one drive-up window per signalized intersection.					

<b>D. MULTIPLE BUILDINGS ACTIVITIES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. More than one building per lot where the applicant demonstrates that more than one building would be advisable, consistent with the area and in the best interests of the town, because of any one or more of the following considerations:					
a. Aesthetic consistency with surrounding buildings.	SP	SP	SP	SP	SP
b. Nature of the proposed use.					
c. Traffic flow.					
d. Other factors peculiar to the land such as shape of the lot or existing topography.					

<b>E. AMUSEMENT ACTIVITIES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Amusement devices, as defined in these Regulations, provided that:					
a. Such devices are accessory to a permitted or specially permitted use.					
b. Not more than four such devices shall be permitted on the premises.	SP	SP	SP	X	X
c. All such devices shall be located within an enclosed building.					
d. There shall be at least 150 square feet of floor space open to the general public (excluding toilet facilities) for each device to be located therein.					

## SECTION 4.3. PERMITTED USES

### Legend

<b>P</b>	Use is permitted in the zoning district.
<b>SP</b>	Use requires obtaining a Special Permit (PZC).
<b>X</b>	Use is <u>not</u> permitted in the zoning district.

<b>A. RETAIL / WHOLESALE USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Retail Establishment, with no areas for the service or consumption of food.	<b>P</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>X</b>
2. Retail Establishment, where any areas used for the service or consumption of food is 10 percent or less of the gross floor area and occupies less than 1,000 square feet.	<b>P</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>X</b>
3. Retail store where any areas used for the service or consumption of food exceeds 10 percent of the gross floor area or occupies 1,000 square feet or more.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>X</b>	<b>X</b>
4. Outside storage or display of merchandise.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>X</b>	<b>X</b>
5. Retail Establishment, with sales limited to commodities that are manufactured, processed, fabricated or warehoused on the premises provided the total floor area devoted to retail sales does not exceed 20% of the gross floor area of the building.	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>P</b>
6. Retail Establishment, with sales limited to equipment, supplies and materials designed especially for use in agriculture, mining, industry, business, transportation, building and other construction, with the exception of commercial explosives.	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>X</b>
7. Retail Establishment, with sales at wholesale of any commodity except live animals and commercial explosives.	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>P</b>
8. Brewery [ <b>effective 8/1/2016</b> ]	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
9. Microbrewery [ <b>effective 8/1/2016</b> ]	<b>P</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>SP</b>
10. Dispensary Facility [ <b>effective 8/1/2016</b> ]	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
11. Retail Establishment, or portion thereof, engaged in the preparation, sale or distribution of marijuana or marijuana products. [ <b>effective 10/15/2016</b> ]	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>

<b>B. OFFICE USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. General or business office.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
2. Medical or dental office, clinic or laboratory.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>

<b>C. SERVICE USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Personal service establishment (see definition), excluding tattoo parlor or massage therapy.	<b>P</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>X</b>
2. Service establishment (repair, rental and/or service) of any item which is allowed to be sold in the zone, except motor vehicles and trailers.	<b>SP</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>SP</b>
3. Self-service automatic laundry establishment provided: a. it shall not contain more than 35 washers and dryers in total. b. on-site washing may be provided as a service.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>X</b>
4. Dry cleaning establishment provided that: a. No petroleum derivative solvents are used as a general cleaning solvent (may be used for spotting only). b. No steam is discharged under pressure into the atmosphere. c. Such establishment does not dry clean clothes from collection stations or from other plants.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>X</b>	<b>X</b>
5. Child day-care center.	<b>SP</b>	<b>P</b>	<b>P</b>	<b>SP</b>	<b>SP</b>
6. Adult day-care center.	<b>SP</b>	<b>P</b>	<b>P</b>	<b>SP</b>	<b>SP</b>
7. Animal hospital or veterinarian office.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>P</b>	<b>P</b>
8. Pet grooming or pet training.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>P</b>	<b>X</b>
9. Pet day-care facility or pet boarding facility.	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>P</b>

<p>10. Funeral home.</p> <p>10a. Crematory facility <b>[effective 8/15/2014] [removed 10/15/16]</b> for the disposal by incineration of the bodies of the dead, provided:</p> <ul style="list-style-type: none"> <li>a. No such crematory facility shall be located within two (2) miles of any other crematory facility;</li> <li>b. Any discharge point from such crematory facility, such as a chimney or smokestack, shall be located at least 1,000 feet from any residence, and shall be screened from view in all directions;</li> <li>c. Any Structure containing a retort shall be located at least five hundred feet from any land zoned for residential purposes not owned by the owner of the crematory;</li> <li>d. No more than two (2) retorts shall be installed in any such crematory facility;</li> <li>e. A dedicated loading space shall be provided which is screened from view from all roadways adjoining the property with a vegetative screen;</li> <li>f. The crematory facility shall be located indoors within structures, including any viewing areas;</li> <li>g. No funerals or memorial services may be conducted on the premises unless a special permit for a funeral home is issued pursuant to Section 4.3 (C) (10). Use of a viewing area to view the process of incineration shall not constitute a funeral or memorial service; and</li> <li>h. The Planning &amp; Zoning Commission may, but need not, consider an application for approval of the location of a crematory facility pursuant to Conn. Gen. Stat. § 19a-320 (b) simultaneously with the required application for</li> </ul>	SP	SP	SP	X	X
<p>11. School for training in special occupational skills where:</p> <ul style="list-style-type: none"> <li>a. enrollment may be open to the public or limited.</li> <li>b. The school may include dormitories for students and instructors.</li> </ul>	X	X	SP	SP	SP

<b>D. FINANCIAL INSTITUTION USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Bank, credit union, or savings and loan association (state or federally chartered) excluding any drive-through facilities.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>X</b>
2. Bank, credit union, or savings and loan association (state or federally chartered) including any drive-through facilities.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>X</b>

<b>E. FOOD / HOSPITALITY USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Sit-down restaurant.	<b>SP</b>	<b>P</b>	<b>P</b>	<b>X</b>	<b>X</b>
2. Sit-down restaurant accessory to a hotel, motel, or motor hotel use.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>
3. Outdoor dining accessory to a sit-down restaurant or microbrewery, including the placement of seating and tables out of doors and food served thereat, subject to all of the following conditions <b>[effective 8/1/2016]</b> : a. Such service shall be accessory to an indoor restaurant or microbrewery, b. The outdoor eating area shall be contiguous to the restaurant or microbrewery to which it is accessory, c. The outdoor eating area shall be clearly delineated by fences, walls, or plant materials, d. Such outdoor eating area must be 50 feet or more from the nearest boundary of any residential zone, e. Umbrellas may be used in the outdoor eating area to provide protection from the elements provided they are secured and weighted on the bottom and are closed when not in use. In no circumstances shall a tent or a canvas or plastic canopy be used, and f. The area designated for outdoor eating shall be included in calculations for required parking.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>
4. Restaurant, fast food.	<b>X</b>	<b>X</b>	<b>SP</b>	<b>X</b>	<b>X</b>
5. Restaurant, other.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>
6. Hotel, motel or motor hotel, which may include a sit-down restaurant (but not a fast-food restaurant or any drive-through facilities), banquet hall and/or conference center.	<b>X</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>
7. A catering establishment where food is prepared for delivery and consumption off the premises.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>
8. Brewery <b>[effective 8/1/2016]</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
9. Microbrewery <b>[effective 8/1/2016]</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>SP</b>	<b>P</b>

<b>F. RECREATION USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Interior recreation uses including but not limited to theater, billiard parlor, bowling alley.	SP	P	SP	SP	SP
2. Exterior recreational uses, including but not limited to baseball batting facility, miniature golf course, tennis facilities, ice skating facilities and golf driving ranges.	SP	SP	SP	SP	SP
3. Athletic club provided: a. All activities shall take place within an enclosed building. b. All activities shall be confined to members and guests and not be extended to the general public. c. Primary use shall be for participatory rather than spectator sports. d. Noise level shall be zero decibels ambient at any property line bordering residential property. e. Screening and landscaping shall be as required in Section 6.1. f. Parking may be based on data provided by the applicant documenting similar actual use and certified by appropriate public officials in jurisdiction of actual use. If this material is not presented, parking will equal one space per player (at full capacity of the facility), plus one space per employee.	SP	SP	SP	SP	SP
4. Park or playground areas operated by a governmental unit.	SP	SP	SP	SP	SP

<b>G. INSTITUTIONAL USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Government facilities	SP	SP	SP	SP	SP
2. Public services, including ambulance service, fire station, library, police station, post office and terminal for public vehicles (including repair or storage).	SP	SP	SP	SP	SP
3. Religious facility	SP	SP	SP	X	X
4. Club, lodge or fraternal organization (private and operated for the benefit of the members and not for gain).	SP	SP	SP	X	X
5. Museum.	SP	SP	SP	X	X

<b>H. AGRICULTURAL / ANIMAL USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Farming, forestry or horticulture.	X	P	P	P	P
2. Nurseries and the accessory sale of produce and plants provided the Commission shall approve areas for outside display.	X	X	X	P	X

I. RESIDENTIAL USES	VC	C	RT6	I	IP
1. Residential use, in a structure for residential use only, with a density of up to 10 units per acre, provided the dwelling units shall meet the minimum floor area requirements of Section 5.5.E.	P	P	X	X	X
2. Apartment in the same structure with other permitted uses, provided that: a. The residential density shall not exceed 10 units per acre. b. All apartments meet the minimum floor area requirements of Subsection 5.5.E of the RM-O regulations regarding apartment dwellings. c. Apartments shall not be permitted on the same floor of a structure with other permitted uses. d. No other permitted use shall be allowed on a floor of a structure located at a higher level than a floor containing apartments. e. Apartments shall have adequate access to at least two separate entrances for emergency purposes.	P	P	X	X	X
<p data-bbox="673 743 938 772" style="text-align: right;"><b>[effective 3/15/2012]</b></p> 3. Residential dwelling units (apartments, townhouses, or condominiums) provided that: a. Such residential dwelling units are accessory to a permitted use, and b. Such residential dwelling units are not located on the ground floor or below unless authorized by the Commission as part of the Special Permit, and c. The residential dwelling unit density does not exceed ten (10) units per acre. 4. Residential dwelling units (apartments, townhouses, or condominiums) which are located 275 feet or more from the centerline of the frontage street, provided that: a. Such residential dwelling units are located on a lot which is at least five (5) acres in size. Adjacent lots in the same ownership may be combined to meet this criteria. Land which is located in a different zoning district may be included in calculating the size of the lot or combined lots. b. The lot or combined lots also contain permitted, non-residential uses located along the frontage street. The overall floor area of such non-residential uses must exceed 7,000 square feet per acre of the total land area of the lot or combined lots located within 275 feet of the centerline of the frontage street. Such non-residential uses may be partially located more than 275 feet from the centerline of the frontage street except for a medical use which must exceed 6,000 square feet per acre of the total land area of the lot or combined lots located within 275 feet of the centerline of the frontage street. <b>[effective 11/1/2016]</b> c. The residential dwelling unit density does not exceed 10 units per acre. d. The land area which is used exclusively for such residential dwelling units and associated infrastructure may not be used to meet any other requirement of these regulations, and the land area of the lot is not used exclusively for such residential dwellings and associated infrastructure may not be used to calculate the residential density in paragraph c. e. For purposes of this subsection (4) the term "frontage street" shall mean State Route 6 (Stony Hill Road) even if the lot or combined lots have frontage on other streets.	X	X	SP	X	X

<b>J. ASSISTED LIVING USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
<p>1. Assisted living facility, congregate housing, continuing care retirement community, or a nursing facility provided that:</p> <ul style="list-style-type: none"> <li>a. The maximum number of dwelling units allowed shall be 20 bedrooms or bed equivalents per acre. (Efficiencies are counted as one bedroom.)</li> <li>b. The maximum height of the building shall not exceed 2.5 stories or 35 feet, whichever is less.</li> <li>c. The maximum allowable building coverage shall be 25%.</li> <li>d. The minimum number of parking spaces shall be as follows: <ul style="list-style-type: none"> <li>i. 1.5 parking spaces per each non-assisted one-bedroom unit</li> <li>ii. 2.0 parking spaces per each non-assisted two-bedroom unit.</li> <li>iii. 0.5 parking space for each assisted living unit.</li> <li>iv. 1.0 parking space for each employee during the largest shift.</li> <li>v. 1.0 visitor parking space for each 5 nursing home beds.</li> </ul> </li> </ul>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>X</b>	<b>X</b>

<b>K. MOTOR VEHICLE SERVICE and REPAIR USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
<p>1. Gasoline filling station provided that:</p> <ul style="list-style-type: none"> <li>a. The building coverage of all structures (including any canopies) does not exceed 25% of the area of the lot.</li> <li>b. Services are limited to dispensing gasoline, oil, antifreeze, and motor vehicle accessories, and other convenience retail products.</li> <li>c. All site lighting shall be extinguished floodlights at close of business or 11:00 p.m., whichever is earlier.</li> </ul>	<b>X</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>X</b>
<p>2. Motor vehicle wash and/or auto detailing establishment provided that:</p> <ul style="list-style-type: none"> <li>a. The primary function shall be limited to washing and/or polishing motor vehicles only.</li> <li>b. Secondary functions may only include retail sales of automobile accessories, oil, grease, antifreeze, tires and batteries and services related to the installation of the foregoing items.</li> <li>c. All operations shall be completely enclosed except for the drying of vehicles and the vacuuming of the interior of vehicles.</li> <li>d. All wastewater shall be discharged directly into the sewer.</li> <li>e. No motor vehicles, service trucks or trailers shall be displayed.</li> <li>f. Adequate parking is provided on-site for all customers and employees.</li> </ul>	<b>X</b>	<b>SP</b>	<b>X</b>	<b>SP</b>	<b>X</b>
<p>3. Service of motor vehicles with more than three (3) wheels (limited repair license or general repair license) provided that:</p> <ul style="list-style-type: none"> <li>a. a public hearing has been held before the Zoning Board of Appeals as required by law.</li> <li>b. The building coverage of all structures (including any canopies) does not exceed 25% of the area of the lot.</li> <li>c. For a limited repair license, services are limited to those permitted under the license.</li> <li>d. For a general repair license, services are limited to those proposed by the applicant, permitted under the license, and approved by the Commission.</li> <li>e. Motor vehicle sales are not permitted.</li> <li>f. Adequate parking is provided on-site for all customers and employees.</li> <li>g. Adequate buffers are provided to adjacent properties.</li> <li>h. All site lighting shall be extinguished floodlights at close of business or 11:00 p.m., whichever is earlier.</li> </ul>	<b>X</b>	<b>X</b>	<b>X</b>	<b>SP</b>	<b>X</b>

[effective 2/15/2014]

<p>4. Service of motor vehicles with less than three (3) wheels (limited repair license or general repair license) provided that:</p> <ul style="list-style-type: none"> <li>a. a public hearing has been held before the Zoning Board of Appeals as required by law.</li> <li>b. The building coverage of all structures (including any canopies) does not exceed 25% of the area of the lot.</li> <li>c. For a limited repair license, services are limited to those permitted under the license.</li> <li>d. For a general repair license, services are limited to those proposed by the applicant, permitted under the license, and approved by the Commission.</li> <li>e. Motor vehicle sales are not permitted.</li> <li>f. Adequate parking is provided on-site for all customers and employees.</li> <li>g. Adequate buffers are provided to adjacent properties.</li> <li>h. All site lighting shall be extinguished floodlights at close of business or 11:00 p.m., whichever is earlier.</li> </ul>	<b>X</b>	<b>SP</b>	<b>X</b>	<b>SP</b>	<b>X</b>
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<b>L. MOTOR VEHICLE SALES USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
<p>1. Automobile sales provided that:</p> <ul style="list-style-type: none"> <li>a. The primary function shall be the sales at retail of new or used motor vehicles.</li> <li>b. Secondary functions may only include retail sales of used motor vehicles, motor vehicle accessories, fuel, oil, grease, antifreeze, tires and batteries and repair services to the extent of installing the foregoing items, making minor mechanical adjustments, rebuild or overhaul engines, repair bodies, repaint motor vehicles, reupholster motor vehicles, steam clean automobiles or motors and wash and polish motor vehicles.</li> <li>c. No trucks or trailers having a capacity of more than six tons (determined by the difference between the light weight and gross weight on the vehicle registration) shall be serviced or displayed.</li> <li>d. No recapping of tires or dismantling or cannibalization of vehicles shall occur.</li> <li>e. All display areas are screened from any adjacent residential district by a wall at least five feet high.</li> <li>f. Adequate parking is provided on-site for all inventory, customers and employees.</li> <li>g. Motor vehicles displayed outside a completely enclosed structure have individual signs only within such automobiles.</li> </ul>	<b>X</b>	<b>SP</b>	<b>X</b>	<b>X</b>	<b>X</b>

<b>M. STORAGE USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Outside storage or display of material.	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>X</b>	<b>X</b>
2. Outside storage of material as an accessory use provided that: a. It shall be fully screened from any street, highway or residential district. b. No material shall be stored at a height greater than 50% of the height of the main building on the lot or 24 feet, whichever is less. c. The area covered by such storage shall not exceed 25% of the area of building coverage of primary buildings for the use to which the storage is accessory except if authorized by the Commission at the time of site plan approval.	<b>X</b>	<b>X</b>	<b>X</b>	<b>SP</b>	<b>SP</b>
3. Warehousing and/or storage of any commodity except live animals and commercial explosives.	<b>X</b>	<b>X</b>	<b>X</b>	<b>SP</b>	<b>SP</b>

<b>N. INDUSTRIAL USES</b>	<b>VC</b>	<b>C</b>	<b>RT6</b>	<b>I</b>	<b>IP</b>
1. Light industrial use such as manufacturing, fabricating, processing, assembling and testing, engineering development and marketing development of products and accessory uses (such as offices, sales rooms and storage for the wholesale distribution of items manufactured and/or assembled on the premises) provided that: a. The use shall be totally contained within the structure. b. The uses shall comply with Section 4.6.D. c. There shall be no outside storage. d. Storage, warehouse uses and distribution centers are prohibited except as incidental to a permitted use (truck terminals are prohibited).	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>P</b>
2. Manufacturing provided that: a. uses meet the performance standards as set forth in Subsection 4.6.D. b. the manufacture, processing or fabrication of the commodities listed in Section 4.6.E is specifically not permitted unless such activity is: i. operated as an accessory use where the products are not manufactured as a final product for sale. ii. approved by the Commission as a Special Permit. iii. operated and maintained under the same ownership and on the same lot as the permitted uses.	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>P</b>

<p>3. Contractor yard for vehicles, equipment, materials and/or supplies which complies with all of the following conditions:</p> <p>a. Is properly graded for drainage, surfaced with concrete, asphaltic concrete, asphalt, oil or any other dust-free surfacing and maintained in good condition, free of weeds, dust, trash and debris.</p> <p>b. Is provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or by night, by the movement of vehicles, machinery, equipment or supplies.</p> <p>c. Is provided with entrances and exits so located as to minimize traffic congestion.</p> <p>d. Is provided with barriers of such type and so located that no part of parked vehicles will extend beyond the yard space or into the setback space from a zone lot line abutting a residential zone lot or separated therefrom by a street.</p> <p>e. Lighting facilities are so arranged that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic.</p>	X	X	X	P	X
<p>4. Production Facility (for marijuana) <b>[effective 10/15/2016]</b></p>	X	X	X	X	X

O. UTILITY / TRANSPORTATION USES	VC	C	RT6	I	IP
<p>1. Utilities, including gas regulation stations, telephone exchanges, pumping stations, aboveground water storage tank, water reservoirs and satellite and cable television facilities.</p>	SP	SP	SP	SP	SP
<p>2. Electric substation provided that exposed transformers shall be shielded by an enclosing fence or wall at least six feet high and adequate to obstruct view, noise and passage of persons or materials.</p>	SP	SP	SP	SP	SP
<p>3. Parking and/or commercial storage of vehicles: need not be enclosed, provided that any part of such use conducted outside a completely enclosed structure shall comply with all specifications for maintenance hereinafter required for off-street parking spaces.</p>	X	SP	SP	SP	SP
<p>4. Railroad facilities, but not including shops.</p>	SP	SP	X	SP	SP
<p>5. Landing or takeoff area for rotorcraft, not including maintenance, repair, fueling or hangar facilities.</p>	X	X	X	X	SP

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## **SECTION 4.5. ARCHITECTURAL REVIEW**

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### **A. Village Center Zone**

The Village Center Zone (VC) is hereby designated as a Village District as authorized by CGS Section 8-2j and any new construction or remodeling of the exterior of a building within the VC Zone shall be re- viewed by the Village District Consultant designated by the Commission.

### **B. Other Zones**

1. Any new construction or remodeling of the exterior of a building within the Commercial Zone (C), the Route 6 Business (RT6) Zone, the Industrial (I) Zone, or the Industrial Park (IP) Zone which is also within the Village District Overlay Zone (Section 5.4) shall be reviewed by the Village District Consult- ant designated by the Commission.
2. If an Architectural Advisory Committee has been established by the Town, any new construction or remodeling of the exterior of a building in the Commercial Zone (C) or the Route 6 Business (RT6) Zone shall be reviewed by the Architectural Advisory Committee in accordance with the provisions of Section 6.10 of these Regulations.

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## **SECTION 5.4. VILLAGE DISTRICT OVERLAY ZONE**

---

### **A. Purpose**

The Village District Overlay Zone in Bethel, adopted under the authority of CGS Section 8-2j, is established to:

1. enhance the historic character of downtown Bethel and aid in the preservation and restoration of its architectural assets,
2. ensure that the exterior design of buildings and sites in downtown Bethel is in harmony with the character of the area,
3. encourage high quality building and site design, and
4. result in development which is compatible with the character of the community.

### **B. Applicability**

Any new construction or remodeling of the exterior of a building within the Village District Overlay Zone shall be subject to the provisions of this Section.

### **C. Uses / Activities**

1. Uses permitted in the underlying zone are allowed in the Village District Overlay Zone subject to the same conditions.
2. Activities permitted in the underlying zone are allowed in the Village District Overlay Zone subject to the same conditions.
3. Within the Village District Overlay Zone, the Commission may, by Special Permit, allow the creation of an accessory dwelling unit provided that it is in conformance with the provisions of Section 3.6.C except that the Commission may:
  - a. allow a unit which is not within or attached to the principal building,
  - b. give special consideration or treatment to historic structures such as barns,
  - c. allow occupancy by persons other than those specified in Section 3.6.C provided the property is owner occupied and in a residential zone, and
  - d. waive other provisions of Section 3.6.C where considered appropriate.
4. The Commission may, by Special Permit, allow an increase in lot coverage where such increase will help accomplish the purposes of this zone.

#### **D. Referral to Village District Consultant**

1. Applications subject to the provisions of this Section shall, upon acceptance of a complete application, be referred to the Village District Consultant (VDC) appointed by the Commission.
2. Such VDC may be:
  - a. an Architectural Advisory Committee (AAC), or
  - b. another Board or individual(s) eligible under CGS 8-2j.
3. The application shall be reviewed by the VDC in relation to the design guidelines of this Section.
4. The VDC shall provide a written report regarding the application no later than thirty (30) days from the date of acceptance of a complete application.
5. Failure of the VDC to provide a written report within the prescribed period shall be construed as a finding of design appropriateness and consistency except that a request from the VDC for resubmission of the application based on the VDC recommendations shall not be considered failure to act.

#### **E. Following Referral**

1. A report from the VDC shall be considered by the Commission as part of any application procedure requiring Commission approval.
2. When the application only requires a Zoning Permit or other Staff approval, Staff shall have the authority to issue the Zoning Permit or other Staff approval upon:
  - a. receipt of a written report from the VDC indicating a finding of design appropriateness and consistency, or
  - b. expiration of the period for obtaining a report from the VDC.
3. When the application requires a Zoning Permit or other Staff approval and the VDC has issued a re- port which does not indicate a finding of design appropriateness and consistency, the applicant may:
  - a. revise and resubmit the application to address comments received, or
  - b. appeal the findings of the VDC report to the Commission who may then:
    - i. authorize the granting of an approval, or
    - ii. concur with the findings of the VDC.

#### **F. Guidelines and Considerations**

Activities within the Village District Overlay Zone shall be reviewed in relation to the guidelines and considerations contained in Subsection 6.10.D and Subsection 6.10.E of these Regulations.

---

## **SECTION 6.10. ARCHITECTURAL GUIDELINES**

---

### **A. Purpose**

This Section is intended to aid applicants in ensuring that their designs are in harmony with the character of the community, encourage high quality building and site design, and result in development which is compatible with the character of the community.

### **B. Applicability**

Any application to the Commission, unless such requirement is waived by the Commission, shall be re-viewed in relation to the design guidelines following.

### **C. Procedure**

1. The Commission shall review an application in relation to the design guidelines of this Section or may request the assistance of a Design Review Committee or similar organization, if available, in evaluating such plans.
2. Any recommendations or suggestions so received from any reviewing agency shall not be binding upon the Commission.

### **D. Design Guidelines**

Since the architectural design, scale and mass of the buildings and other structures are important in determining the visual character of an area, the guidelines listed below are recommended so as to harmonize and be compatible with the neighborhood, to protect property values and to preserve and improve the appearance and the beauty of the community.

#### **1. Relationship of Buildings to Site and Adjoining Areas**

- a. Buildings shall be designed and located on the site so as to retain the existing topography and natural features of the land to the greatest extent possible.
- b. Buildings shall be organized in a coordinated and functional manner that is compatible with site features and the desirable characteristics of adjoining areas. In particular, exterior building renovations and new construction for properties located within the National Register designated Greenwood Avenue Historic District should take into consideration the architectural style of existing building and the pedestrian orientation of the downtown.
- c. A unified design theme for building massing, exterior treatments and signage shall be established where harmony in textures, lines, and masses is provided and monotony is avoided.
- d. Parking areas shall be treated appropriately in relation to the building, the neighborhood, and the community.
- e. The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
- f. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.
- g. A desirable streetscape and attractive landscape transitions to adjoining properties shall be provided.

## **2. Landscape and Site Treatment**

- a. The design of the development and the placement of buildings, driveways, walkways, parking facilities and other improvements shall be such that existing trees, watercourses, rock outcrops and similar natural features are preserved to the greatest extent possible.
- b. Landscape treatment shall be provided to enhance architectural features, shield unsightly areas, provide shade, and relate to the natural environment and topography.
- c. Plant material that is indigenous to the area shall be selected for its ultimate growth and for interest in its shape, texture, and color.
- d. Pedestrian walkways shall provide safe and convenient connections within the site and between adjacent sites and shall be constructed of all-weather materials appropriate for the location (such as brick, concrete, or paving blocks but not earth, gravel, or loose stone).
- e. Existing trees at four (4) inches or greater caliper shall be incorporated into the site plan.

## **3. Building Design**

- a. Architectural designs appropriate to a New England community are generally preferred (pitched roof buildings, colonial facades, etc.).
- b. Architectural features shall be evaluated based on the scale of the building(s), the quality of the design, and the relationship to surroundings.
- c. Facades and rooflines shall be articulated and/or varied to reduce the appearance of bulk and provide architectural interest.
- d. Building materials shall have good architectural character and durable quality and shall be selected for harmony of the building with adjoining buildings.
- e. Building textures, colors, and components shall be selected for harmony of the building with adjoining buildings.
- f. Utility and service equipment areas shall be screened from public view with materials harmonious with the building.
- g. Rooftop mechanical equipment (other than solar energy panels) should be concealed.

## **4. Signs and Lighting**

- a. Every sign shall be designed as an integral architectural element of the building and site to which it principally relates and shall be coordinated with the building architecture.
- b. Exterior lighting, where used, shall enhance the building design and the adjoining landscape.
- c. Lighting shall be restrained in design and excessive brightness avoided.
- d. Roof lighting is prohibited.

## **E. Additional Village District Considerations**

### **1. Design Guidelines**

- a. Special attention shall be paid to protecting the distinctive character, landscape, and historic structures within any Village 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 the historic or distinctive character of a Village District is encouraged.
- d. The exterior of structures or sites shall be consistent with:
  - i. the "Connecticut Historical Commission - The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings", revised through 1990, as amended; or
  - ii. the distinctive characteristics of the district identified in the Bethel Plan of Conservation and Development.
- 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 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 Village District in and around the proposed building or modification.
- g. The color, size, height, location, proportion of openings, 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.

### **2. Procedures**

- a. The Commission shall select and contract with one or more Village District consultants.
- 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 as the Village District consultant 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, the regional planning agency, the Bethel Historical Society, the Connecticut Trust for Historic Preservation and The University of Connecticut College of Agriculture and Natural Resources.
- i. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

---

## **SECTION 6.11. KEEPING OF ANIMALS**

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### **A. Canine / Feline / Rabbits**

The following limitations shall apply to the keeping of dogs and cats:

	<b>Permit</b>	<b>Density Limitation</b>	<b>Other Limitations</b>
<b>Canine / Feline / Rabbits</b>	No Permit Required	Up to four (4) dogs, cats and/or rabbits over the age of 12 weeks per property	None specified
	Special Permit Required	More than four (4) dogs, cats, and/or rabbits over the age of twelve weeks per property	None specified
	Special Permit Required	Any type of commercial boarding or day care or similar facility	

### **B. Horses, Cows and Similar Large Animals**

1. The following limitations shall apply to the keeping of horses, cows, and similar large animals:

	<b>Permit</b>	<b>Density Limitation</b>	<b>Other Limitations</b>
<b>Equine</b>	Zoning Permit Required	For parcels containing at least one (1) acre, one horse or pony for the first 40,000 square feet of parcel area and one additional horse or pony for each additional 20,000 square feet of parcel area	All horses and ponies shall be kept within a fenced enclosure designed to prevent animals from crossing or overhanging any property line
	No Permit Required	Farming on parcels containing eight (8) acres or more, no limit	Same requirement as above for a fenced enclosure
<b>Bovine and Similar Large Animals</b>	Zoning Permit Required	For parcels containing at least three (3) acres, one cow or similar large animal for the first 40,000 square feet of parcel area and one additional cow or similar large animal for each additional 20,000 square feet of parcel area	All livestock shall be kept within a fenced enclosure designed to prevent animals from crossing or overhanging any property line
	No Permit Required	Farming on parcels containing eight (8) acres or more, no limit	Same requirement as above for a fenced enclosure

- 2. Maintaining horses, cows, and similar large animals in septic or septic reserve areas shall be subject to Health Department approval.
- 3. For horses, cows, and similar large animals, no manure or dust-producing fertilizer shall be stored in the open within 100 feet of any property line. Manure disposal shall be subject to all Public Health Code regulations.

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# CANTON

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## Canton Village Districts Form-Based Design Code

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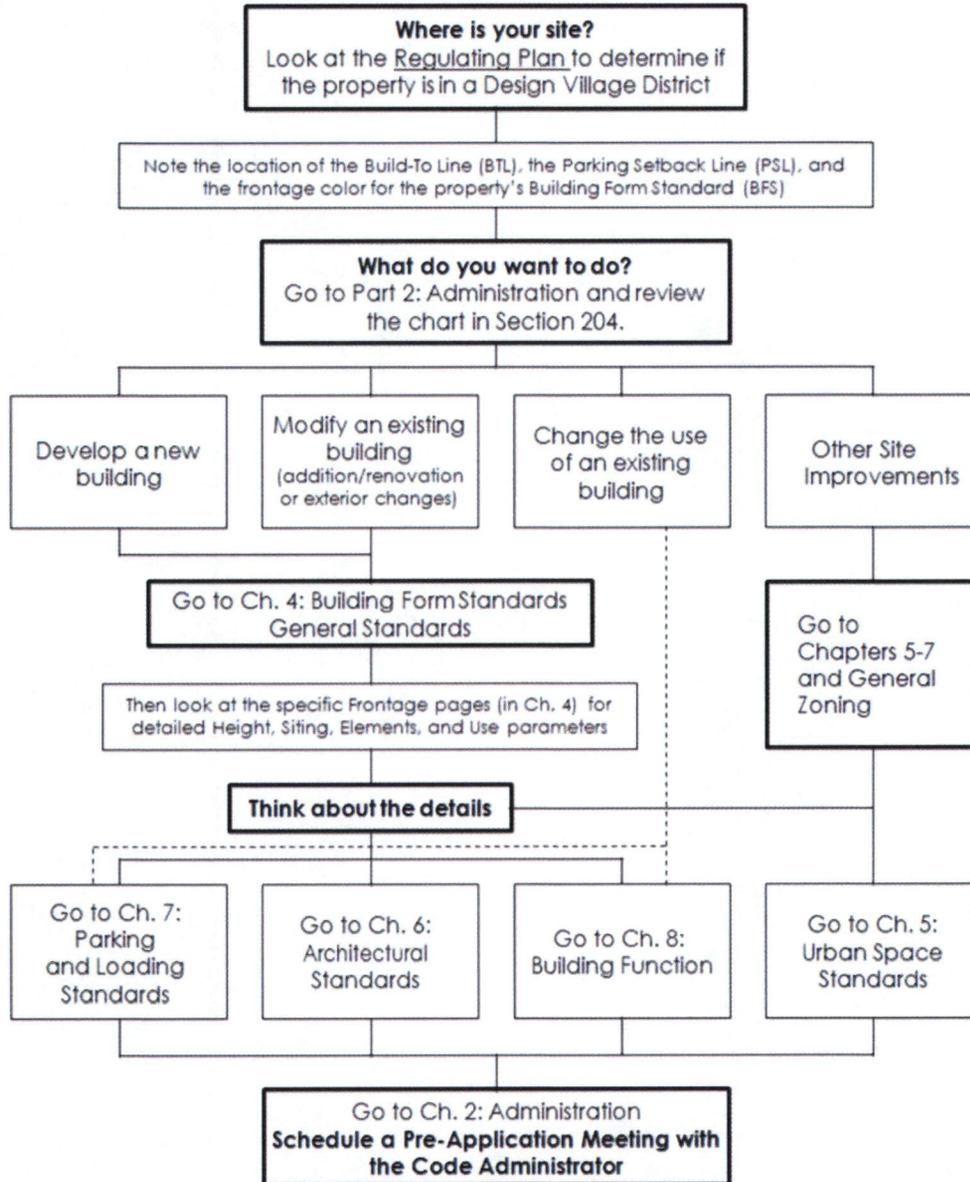


CANTON PLANNING AND ZONING COMMISSION

Town of Canton, Connecticut

Effective  
April 10, 2018

## HOW TO USE THIS CODE\*



\* Use and development under this Code is governed by the provisions of this Code. This section is not part of this Code but is intended as a general overview of this Code review process.



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# 1. GENERAL PROVISIONS

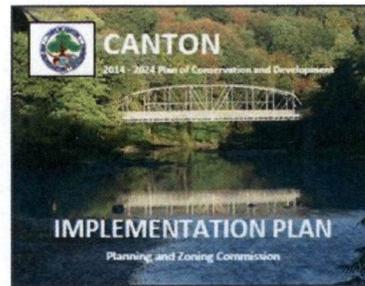
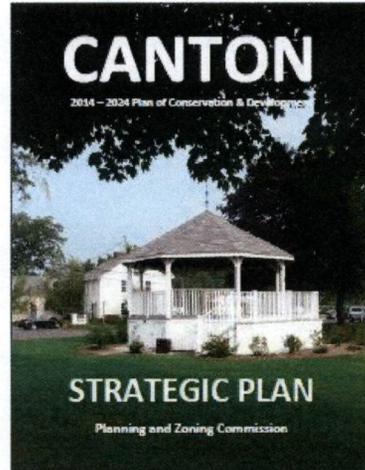
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## 101. TITLE

This Code is known as the Canton Village Districts, Form-Based Design Code.

## 102. INTENT

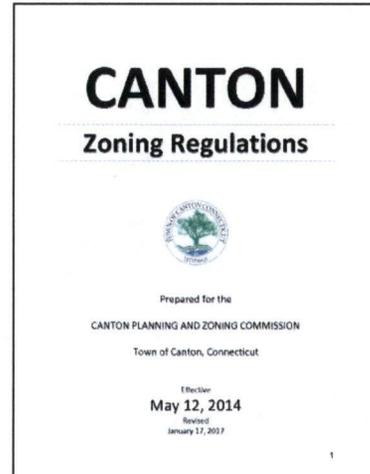
- A. The *Town of Canton Plan of Conservation and Development 2014-2024* (adopted December, 2013) identifies Collinsville, the Canton Village District, Harts Corner, and the East Gateway as significant opportunities for protection and enhancement under a Village District designation per *General Statutes of Connecticut (CGS) § 8-2j. Village districts*, as amended. This Code as amended is intended to meet the goals of the Plan of Conservation and Development (POCD) by providing strong implementation tools for these areas.
- B. This Code is designed to foster a setting for economic growth and development in a sustainable mixed-use pattern of diverse neighborhoods, integrating residential with employment, commercial, and recreation uses while preserving the existing neighborhoods and protecting the community character.
- C. This Code places greatest emphasis on the design, or physical form, over density and uses, as it is of greatest importance when creating the pedestrian-oriented places that attract jobs and economic vitality. Density and uses can be expected to change over time as the districts grow and mature.
- D. This Code shall be applied to new, and infill development, and re-development in the Design Village Districts to achieve the vision set forth by the POCD and to provide a mechanism for implementing the following specific goals:
1. Enable the development of a specific area in accordance with an overall master plan for such area;
  2. Result in a development which demonstrates a high regard for a design which is compatible with the historic, cultural, and geographic qualities of Canton;
  3. Foster development which is compatible with surrounding areas and which incorporates buffers or transition areas to reduce potentially negative impacts on single family residential areas;
  4. Encourage a mixture of compatible uses and sizes of structures to create a sustainable and attractive environment for a wide variety of businesses and residences;
  5. Break up the apparent mass and scale of large structures, as well as large paved areas, to reduce visual impacts and ensure that such development does not detract from Canton's character, scale, and sense of place;
  6. Mitigate the impact of large-scale development on its surroundings;
  7. Promote and facilitate a safe and comfortable pedestrian scale environment;
  8. Be flexible, to allow for innovative design techniques, accommodate unique uses and encourage creative approaches to development issues; and



9. Allow for an organized manner in which applications filed under *CGS § 8-30g and under Chapter 124b, § 8-13m-x* may be processed.

**103. ORDINANCES AND AGREEMENTS**

- A. References to “*Zoning Regulations*” throughout this Code are made to *Canton Zoning Regulations, Town of Canton, Connecticut*, effective May 12, 2014 and any amendments.
- B. All development must comply with Federal, State, and Town regulations. Whenever any provision of this Code imposes a greater requirement or a higher standard than is required in any State or Federal statute or other Town ordinance or regulation, the provisions of this Code shall govern unless preempted by State or Federal law.
- C. Where conflicts exist between the provisions of this Code and other existing ordinances, regulations, or permits, or by easements, covenants, or agreements, the ZEO shall determine, based on the intent of this Code and the Town’s vision, which provisions shall govern.



**104. MINIMUM REQUIREMENTS**

The provisions of this Code are the minimum requirements.

**105. TERRITORIAL APPLICATION**

This Code is in effect for that Chapter of the Town of Canton, Connecticut, designated on the Zoning Map as the Collinsville Design Village District (CDVD), Harts Corner Design Village District (HCDVD), Canton Village Design Village District (CVDVD), and the East Gateway Design Village District (EGDVD). The Design Village Districts are created as individually designated Village Districts per *CGS Title 8, Chapter 124 Zoning, § 8-2j*.

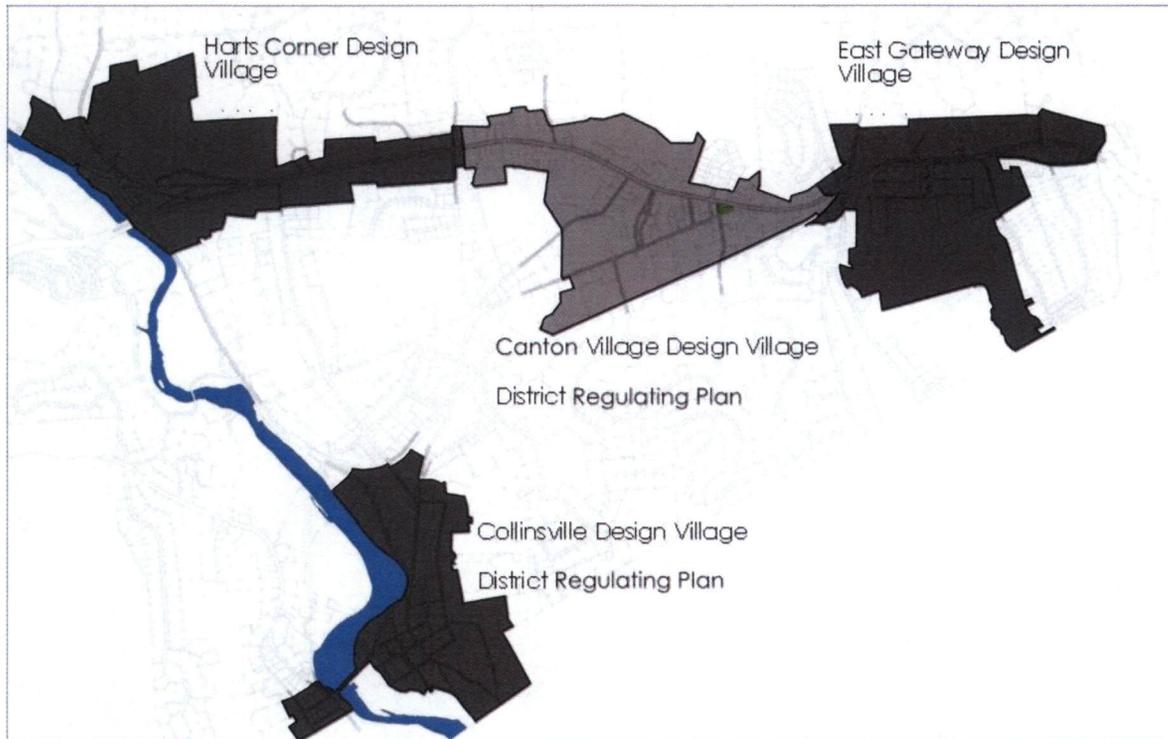
**106. SEVERABILITY**

Should any provision of this Code be decided by the courts to be unconstitutional or invalid, that decision shall not affect the validity of this Code other than the part decided to be unconstitutional or invalid. In the event that a court rules that this Code is invalid in its entirety, the zone for any property located in a Design Village District shall be the district where it was located immediately prior to the enactment of this Code.

**107. COMPONENTS OF THIS CODE**

**A. The Regulating Plan**

- 1. Chapter 3. Regulating Plan is the application key for this Code. It provides a master plan of public space with specific information on development parameters for each parcel within the district.



*Design Village Districts*

2. The Regulating Plan shows how each lot relates to the public realm or street-space (all streets, squares/civic greens, pedestrian pathways, etc.) and the surrounding neighborhood. The Regulating Plan may also identify additional requirements for lots in specific locations.

**B. The Building Form Standards**

1. The primary intent of Chapter 4. Building Form Standards (BFS) is to define the placement and massing controls on buildings as frames of the public space.
2. The BFS establish basic parameters governing building form, including the buildable envelope (in three dimensions) and certain permitted and/ or required elements. The applicable street frontage for a building site is determined by the BFS designated on the Regulating Plan.

**C. The Urban Space Standards**

1. The purpose of Chapter 5. Urban Space Standards is to ensure coherent street- space and to assist builders and owners with understanding the relationship between the public space of the district and their own building. These standards set the parameters for the placement of street trees and other amenities or furnishings (e.g., benches, signs, street lights, etc.) within the street-space.
2. The Street Type Recommendations illustrate preferred typical configurations for streets within the districts. They recommend vehicular traffic lane widths, curb radii; sidewalk dimensions tree planting areas, and on-street parking configurations.

**D. The Architectural Standards**

The goal of Chapter 6 - Architectural Standards is a coherent and quality building character that reflects and is complementary to the best building traditions of Canton. The architectural standards govern a building's exterior elements (including sidewalks), regardless of its BFS, and set parameters for allowable materials, configurations, and techniques.

**E. Parking and Loading Standards**

Chapter 7 - Parking and Loading Standards provide goals and requirements to promote a "park once" environment through shared parking and encourage a pedestrian-friendly district.

**F. Building Functions**

Chapter 8 - Building Function provides for the uses allowed on ground floors and in upper floors, correlated with each BFS. Because this Code emphasizes form more than use, it includes fewer, broader categories than those provided in the Canton Zoning Regulations.

**G. Definitions**

Chapter 10 – Definitions; located on page 74.

**PERMITTED USES IN DESIGN VILLAGE DISTRICTS  
RESIDENTIAL**

USE	CANTON VILLAGE				COLLINSVILLE				EAST GATEWAY				HARTS CORNER			
	Main	Storefront	Town	Detached	Main	Storefront	Town	Detached	Main	Storefront	Town	Detached	Main	Storefront	Town	Detached
single-family detached dwelling units	p <sup>2</sup>			p <sup>2</sup>				P								
single-family attached dwelling units	p <sup>1</sup>		p <sup>1</sup>												P	
two-family dwellings (duplex)				p <sup>1</sup>	P			P								
accessory dwellings	p <sup>1</sup>		P	P	P	p <sup>1</sup>		P			p <sup>4</sup>				P	p <sup>1</sup>
multi-family dwellings	p <sup>1</sup>		p <sup>1</sup>	p <sup>1</sup>	p <sup>5,6</sup>	p <sup>1</sup>		p <sup>6,7</sup>	p <sup>4</sup>		p <sup>4</sup>				P	p <sup>1</sup>
boarding house			P	P											P	p <sup>1</sup>
group home			P	P											P	p <sup>1</sup>
special needs housing and affordable housing	p <sup>1</sup>		p <sup>1</sup>	p <sup>1</sup>							p <sup>4</sup>				P	p <sup>1</sup>
minor/major home-based business	p <sup>3</sup>		p <sup>3</sup>	p <sup>3</sup>	p <sup>3</sup>	p <sup>3</sup>		p <sup>3</sup>	p <sup>3,4</sup>		p <sup>3,4</sup>				p <sup>3</sup>	p <sup>3</sup>
bed and breakfast	P		P	P	P	P		P			p <sup>4</sup>				P	P
accessory uses and structures in accordance with Section 3.3 of the Zoning Regulations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

**NOTES**

<sup>1</sup> no residential uses permitted on ground floor (in Canton Village not permitted on ground floor of any building that fronts a State Route)

<sup>2</sup> no single-family detached dwelling units permitted on Albany Turnpike/ State Route 44

<sup>3</sup> Minor home based business requires Type I Design Plan, Major requires Type II Design Plan

<sup>4</sup> in East Gateway, no residential uses permitted east of Lawton Road; multi-family dwellings allowed east of Lovely Street, south of Route 44 to Secret Lake Road, including Secret Lake Road frontages

<sup>5</sup> requires first floor business

<sup>6</sup> In Collinsville, may not be greater than 4 units per lot

<sup>7</sup> Requires Type II Design Plan

**PERMITTED USES IN DESIGN VILLAGE DISTRICTS  
BUSINESS**

USE	CANTON VILLAGE				COLLINSVILLE				EAST GATEWAY			HARTS CORNER			
	Main	Storefront	Town	Detached	Main	Storefront	Town	Detached	Main	Storefront	Town	Main	Storefront	Town	Detached
retail and service business	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
alcoholic beverage sales	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
licensed medical marijuana production and dispensary facilities	P		P	P					P		P			P	P
restaurant (any class, no drive-through facilities)	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
restaurant (drive-through facilities at rear of building)	p <sup>1</sup>		p <sup>1</sup>						p <sup>1</sup>		p <sup>1</sup>			p <sup>1</sup>	p <sup>1</sup>
outdoor dining accessory use	P		P		P	P		p <sup>2</sup>	P		P			P	P
outdoor storage/display as allowed by zoning (7.10)															
greenhouse accessory use	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
local artists/craftsman studios	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
personal service business	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
professional offices	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
banks (no drive-through facilities)	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
banks (drive-through facilities at rear of building)	P		P	P					P		P			P	P
day care centers and group day care	P		P	P				p <sup>2</sup>	P		P			P	P
motels and hotels	P		P	P	P	P			P		P			P	P
residential health care and rehabilitation facility	P		P	P	P				P		P			P	P
skilled nursing facility	P		P	P	P				P		P			P	P
assisted living facility	P		P	P	P				P		P			P	P
structured parking	p <sup>1</sup>		p <sup>1</sup>	p <sup>1</sup>					p <sup>1</sup>					p <sup>1</sup>	p <sup>1</sup>
automobile repair (no automotive paint shops)	p <sup>1</sup>		p <sup>1</sup>											p <sup>1</sup>	p <sup>1</sup>
automobile dealers and repairers	p <sup>1</sup>		p <sup>1</sup>					p <sup>2,3</sup>	p <sup>1</sup>					p <sup>1</sup>	
motor vehicle renting and leasing	p <sup>1</sup>		p <sup>1</sup>					p <sup>2</sup>	p <sup>1</sup>					p <sup>1</sup>	
gasoline filling stations	p <sup>1</sup>		p <sup>1</sup>						p <sup>1</sup>					p <sup>1</sup>	
lumber yards			p <sup>1</sup>												p <sup>1</sup>
printing and publishing	p <sup>1</sup>		p <sup>1</sup>						p <sup>1</sup>					P	p <sup>1</sup>
research facilities and commercial laboratories	P		P						P					P	P
fabrication/assembly			P						P					P	P
interior self storage units only, as allowed by zoning (4.1.C.9)			P											P	
utility facilities (no tanks)			p <sup>1</sup>						p <sup>1</sup>						p <sup>1</sup>
theaters, recreation and amusement facilities	P		P	P	P	P			P		P			P	P
indoor and outdoor athletic facilities, health and fitness clubs	P		P	P	P	P			P		P			P	P
institutional, places of worship, private schools			P	P				p <sup>2</sup>						P	P
mercantile industrial	P		P	P	P	P			P		P			P	P
day care centers and group day care, as allowed by zoning (4.1.C.1.a)	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
veterinary hospital	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
pet training or daycare facility	p <sup>1</sup>		p <sup>1</sup>	p <sup>1</sup>	p <sup>1</sup>	p <sup>1</sup>		p <sup>1,2</sup>	p <sup>1</sup>		p <sup>1</sup>			p <sup>1</sup>	p <sup>1</sup>
tattooing per CGS 19a-92a	P		P	P	P	P		p <sup>2</sup>	P		P			P	P
carwash	p <sup>1</sup>		p <sup>1</sup>											P	P
farmer's market	P					P			P						P
mobile vendors as allowed by zoning (7.11)	P		P	P	P	P		P	P		P			P	P
manufacturing, as allowed by zoning (4.1.C.5.a)	P		P						P					P	P

**NOTES**

- 1 requires Type II Design Plan
- 2 ground floor storefront business uses permitted only at 5 River Road; reference File 219; Apn 1469; November 19, 2014 Zone Change
- 3 dealer only

## 9. VILLAGE DISTRICT STANDARDS

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### 901. VILLAGE DISTRICTS

#### A. Development

Development within the Design Village Districts shall comply with the following:

1. Are consistent with the Compatibility objectives of CGS Section 8-2j, more specifically:
  - a. the building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district;
  - b. proposed streets shall be connected to the existing district road network, wherever possible;
  - c. open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting;
  - d. locally significant features of the site such as distinctive buildings or sight lines of vistas from within the district, shall be integrated into the site design;
  - e. the landscape design shall complement the district's landscape patterns;
  - f. the exterior signs, site lighting and accessory structures shall support a uniform architectural theme if such a theme exists and be compatible with their surroundings; and
  - g. The scale, proportions, massing and detailing of any proposed building shall be in proportion to the scale, proportion, massing and detailing in the district.
2. The proposed design is consistent with and protects the distinctive character, landscape and historic structures as identified within the Design Village Districts including but not limited to design, relationship and compatibility of structures, plantings, signs, roadways, street hardware and other objects in public view.
3. The exterior of structures or sites located within a historic district shall be consistent with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings", revised through 1990, as amended;
4. The exterior of structures or sites shall be consistent with the distinctive characteristics of the district identified in the POCD.
5. Proposed buildings or modifications to existing buildings shall be related to their surroundings, and the terrain in the district and to the use, scale and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification.
6. 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 village district in and around the proposed building or modification.
7. The color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of property and any proposed signs and lighting shall be compatible with the local architectural motif and the maintenance of views, historic buildings, monuments and landscaping.
8. The removal or disruption of historic traditional or significant structures or architectural elements is strongly discouraged.

**B. In Accordance With CGS 8-2j(d)-(e) (d)**

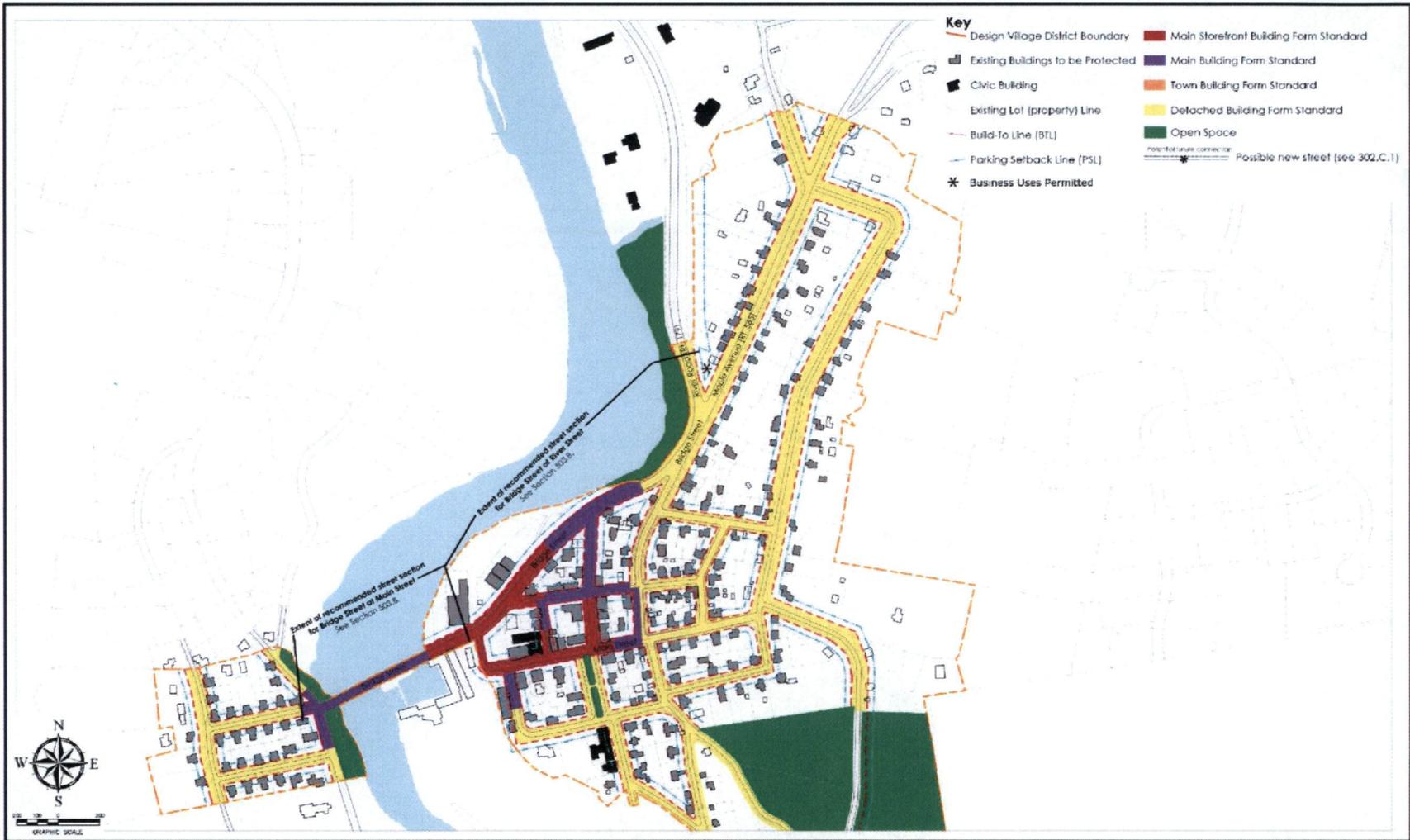
1. Applications for new construction and substantial reconstruction within the district and in view from public roadways shall be subject to review and recommendation by an architect or architectural firm, landscape architect, or planner who is a member of the American Institute of Certified Planners selected and contracted by the Commission and designated as the village district consultant for such application. The village district consultant shall review an application and report to the commission within thirty-five days of receipt of the application. Such report and recommendation shall be entered into the public record if there is a public hearing or in the public interest and considered by the Commission in making its decision. Failure of the village district consultant to report within the specified time shall not alter or delay any other time limit imposed by the regulations.
2. The Commission/ZEO may seek the recommendations of any town agency or regional council or outside specialist, with which it consults, including, but not limited to the Collinsville Historic District Commission, the regional council of governments, the municipality's historical society, the Connecticut Trust for Historic Preservation and The University of Connecticut College of Agriculture and Natural Resources. Any reports or recommendations from such councils or organizations shall be entered into the public record.

**C. Denial**

If the Commission/ZEO grants or denies an application, it shall state upon the record the reasons for its decision. If the Commission/ ZEO denies an application, the reason for the denial shall cite the specific regulations under which the application was denied. Notice of the decision shall be published in a newspaper having a substantial circulation in the municipality. An approval shall become effective in accordance with subsection (b) of CGS 8-3c.

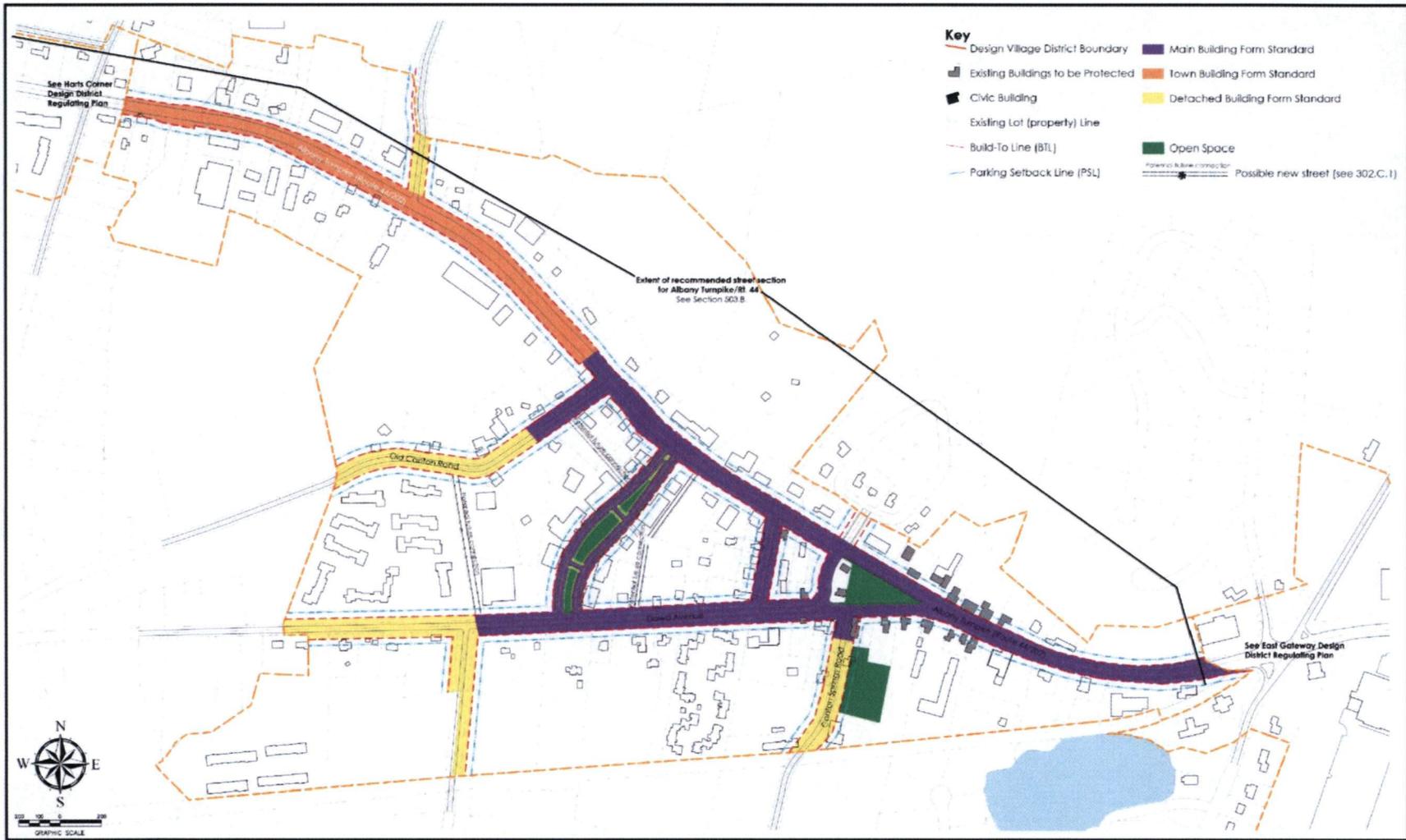
**D. Approvals**

No approval of the Commission under this section shall be effective until a copy thereof, signed by the Chairman on a signature block approved by the Commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision, is recorded in the land records with the Town Clerk.



- Key**
- Design Village District Boundary
  - Existing Buildings to be Protected
  - Civic Building
  - Existing Lot (property) Line
  - Build-To Line (BTL)
  - Parking Setback Line (PSL)
  - Business Uses Permitted
  - Main Storefront Building Form Standard
  - Main Building Form Standard
  - Town Building Form Standard
  - Detached Building Form Standard
  - Open Space
  - Possible new street (see 302.C.1)





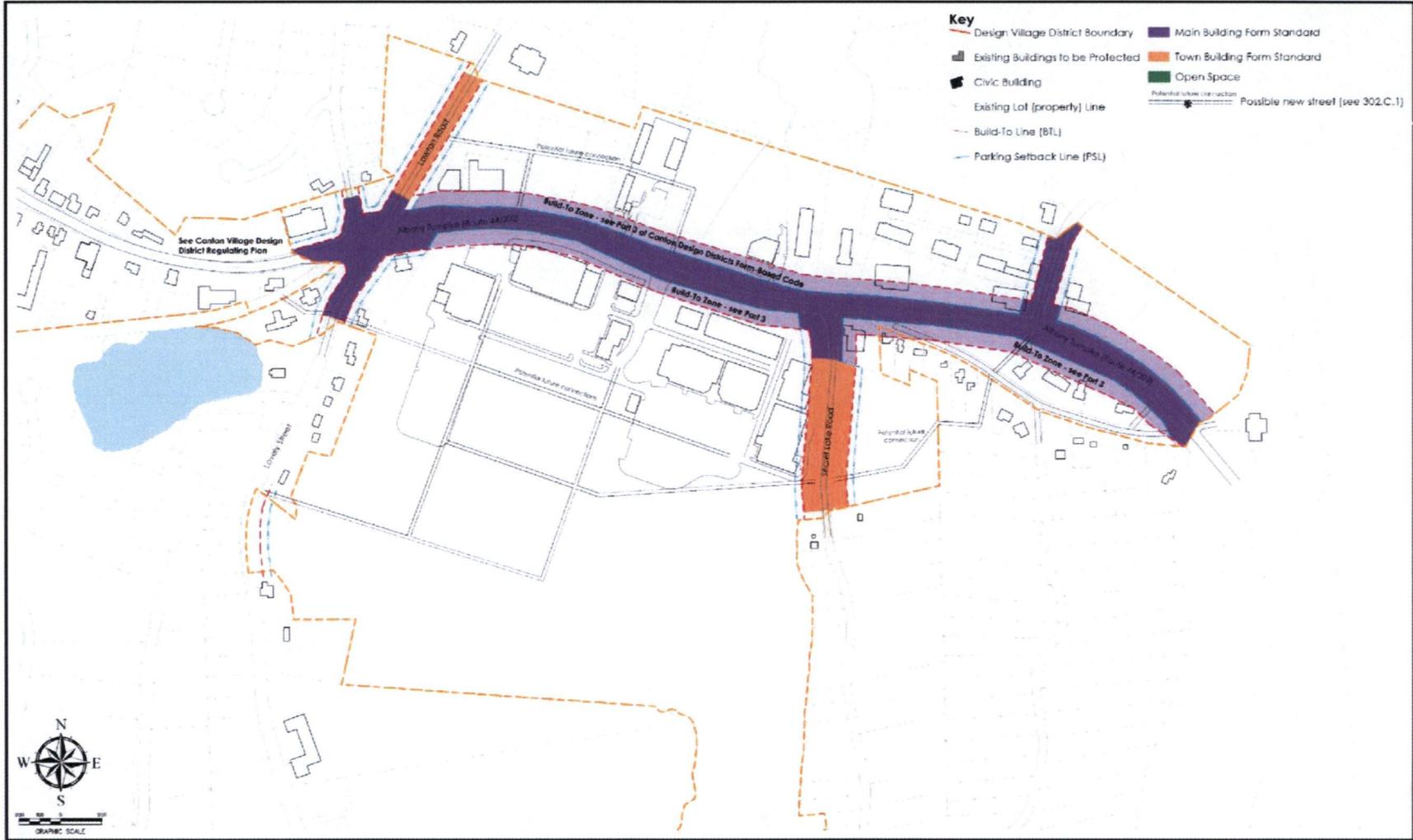
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  - Main Building Form Standard
  - Town Building Form Standard
  - Detached Building Form Standard
  - Open Space
  - Possible new street (see 302.C.1)

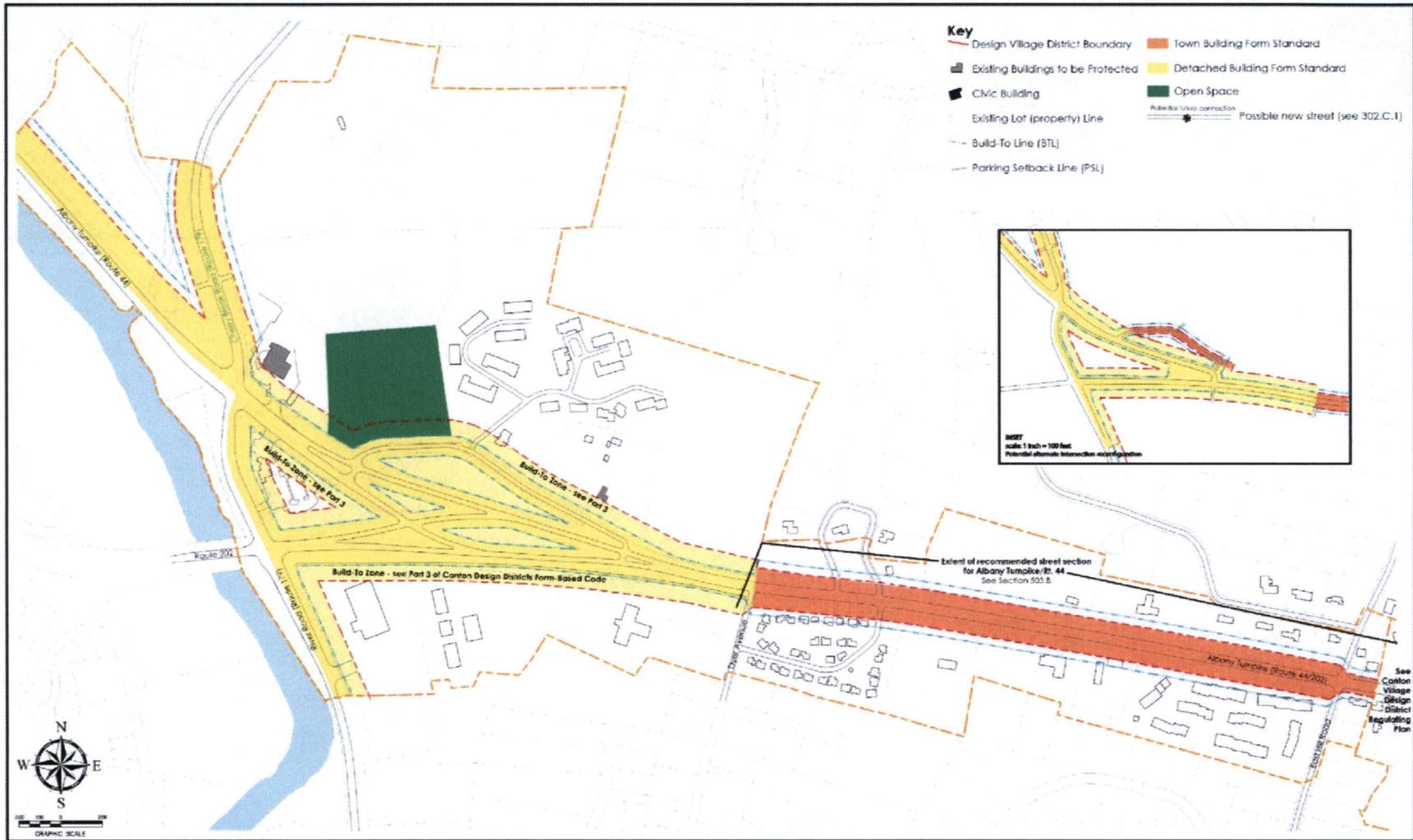


**CANTON VILLAGE DESIGN VILLAGE DISTRICT  
 REGULATING PLAN**



PROJ. No.: 2015080.A12  
 DATE: 09/08/2015  
**CVDVD**





**HARTS CORNER DESIGN VILLAGE DISTRICT  
 REGULATING PLAN**



# Town of New Canaan Village District Design Guidelines



***EFFECTIVE JUNE 30<sup>TH</sup> 2010***

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## OVERVIEW

These design guidelines strive to maintain and enhance New Canaan's small town way of life, rural character, historic value and scenic charm. They strive to create a sustainable environment, by utilizing energy conscious design and conservation, while encouraging the use of forms and materials that are human in scale, historic in feel and allow expression of New Canaan's sense of community and distinctive style. The design guidelines are intended to be a guide to help navigate through the review process.

### *Purpose and Authority for Design Review*

As noted in the 2003 Plan of Conversation and Development, New Canaan's history and evolution have resulted in a central business district surrounded by residential zones of decreasing density. This compact Town Center distinguishes New Canaan from surrounding towns, and is consistently identified as substantially contributing to community character. Each of the retail and business zones, comprising the Town Center, is designated in the Zoning Regulations as a Village District. Accordingly, Design Review is authorized for the retail and business zones in Article 4 of the Zoning Regulations. The Commission views the Town Center as a comprehensive Village District. These design guidelines for the Village District expand and amplify those set forth in section 6.12 of the Zoning Regulations.

Design Review provides a framework for citizens, developers and interested persons to work toward achieving a better-built environment through attention given to fundamental design principles. Design Review is intended to affect how new development can contribute positively to New Canaan's historic Village District setting. Design guidelines offer a flexible tool, an alternative to prescriptive zoning requirements, and will allow new development to respond better to the distinctive character of its surroundings.

### *Design Review has four principal objectives:*

1. To encourage site planning and architectural design that will maintain and enhance the character of the New Canaan Village District and ensure that new development sensitively fits into the village;
2. To provide guidance and flexibility in the application of development standards;
3. To improve communication and participation among developers, neighbors and the town early in the design and siting of new or reconstructed commercial or mixed-use development.
4. To identify items that impact the quality of life and livability of the Village District.

Design Review is one of the components of the permit application, along with environmental review, building department review, variances, etc. Unlike some other components, projects subject to Design Review are brought before the Planning & Zoning Commission for consideration only after staff and the Design Review Subcommittee have conducted a Preliminary Administrative Design Review. The Planning & Zoning Commission makes the final decision on Design Review.

## *Context and Design Issues*

The New Canaan Village District design guidelines are based on the character of the Village District as known to its residents and businesses. The guidelines help to reinforce existing character and protect the qualities that the Town of New Canaan values most in the face of change.

The overriding objective of the design guidelines is to ensure that new development fits in well with its surroundings and is in keeping with the village feel of downtown New Canaan. The following design guidelines share this objective, and with an emphasis on design conditions and priorities supported by the community, aim to guide the design of new development in a manner that strengthens the village's mixed-use character. The community has clearly stated its desire to maintain the small town atmosphere and the qualities that have historically characterized the Village District. However, it was also recognized that new development provides the opportunity for a broader mix of businesses and services, residential units and employment and an expanded tax-base. New development also provides the opportunity to create energy-efficient and a responsible community built environment.

In addition, New Canaan has a noted history of architectural innovation and style. Notably, the infusion of modern architecture within the fabric of many of New Canaan's neighborhoods has added to the rich fabric of the community and should not be discouraged.

## **OVERALL GOALS OF THE DESIGN GUIDELINES FALL INTO FIVE CATEGORIES:**

### **1.0 ARCHITECTURAL CHARACTER**

Elements and materials that respect and strengthen the Village District are encouraged in new building design. The quality of New Canaan's built environment can be characterized as a mix of buildings that are architecturally interesting, interspersed with others having an indistinct style or character, and therefore a selective approach to contextual design is warranted. New development should respond to New Canaan's context by providing enough visual linkages between the existing stock of historic buildings and the proposed structure. The goal is to create a cohesive overall impact that utilize basic features such as window proportions, entryway placements, decorative elements and materials. For example, many of the area's most successful buildings exhibit human scale window proportions and bold cornices. Repeating such elements in new development would continue an appropriate pattern.



Drawing from traditional forms and materials, this commercial building fits well on the street. The building height is reduced by the use of a lowered story and material change in the corner of the building. Attention to design detail gives the building human scale and visual interest.



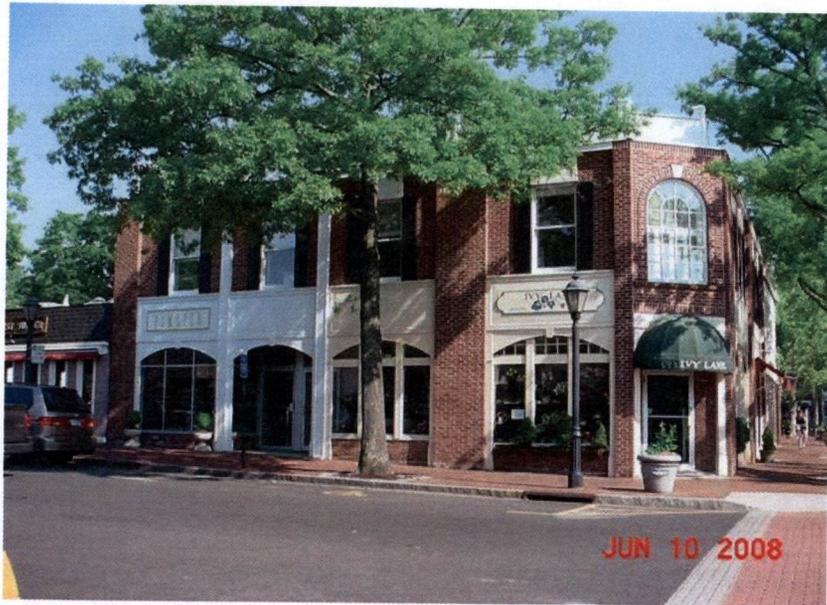
The use of color reinforces the historical character of this commercial building and the use of traditional New England building elements; cornice, columns and capital and the oculus window set in the pediment reflect the Downtown Village District building character.



New development and adaptive reuse of structures can complement the design character of New Canaan's historic structures. The design of this building is based on traditional forms and materials and with the introduction of expressive brick detailing at window openings and the introduction of large glass areas help to enhance the character of this contemporary building.



The painted white window frames on red brick are a good example of New England historical character. The proportion of the window mullions reflects the office use on the 2nd floor and wider spacing on the ground floor works well for pedestrians and retail display. The height of the building and the balustrade capping the roof create character and give this building historic reference.



This building has a close relationship with the pedestrian environment and is a good example of a corner building. The geometry change at the intersection of 2 streets forms a good transition to the next street. The height of the building is diminished by the introduction of the wood colonnade. The use of color breaks up the red brick while creating interest and defining the lower portion of the building. This also allows for a consistent location for building signage.

## **2.0 HEIGHT, BULK AND SCALE COMPATIBILITY**

New Canaan's small town "feel" is expressed in the existing architecture. One way to preserve and continue the small town quality in new development is through the siting, massing and design of new buildings. New development in the Village District must be consistent with the height, bulk and scale of the other structures in the Village District.





The height of this building has been diminished by the introduction of the entrance canopy overhang and the introduction of painted wood siding and richly detailed red brick. The strong cornice and repetitive dormers help to reduce the horizontal and vertical size of the building. The appearance of a very long front elevation is diminished by the changing of the roof slope and turning the building 90 degrees at the corners. Also the introductions of landscape features help reduce the appearance of a very large building.

### **3.0 SITE PLANNING FOR A HISTORIC ENVIRONMENT**

In general, the placement of new development should be aesthetically pleasing and fit in contextually with the historic buildings in and near the Village District. Particular consideration should be given to the impacts any new development or redevelopment might have if adjacent to or in close proximity to the Historic District. New development, or renovation and additions, should reflect these principles by enhancing Village District streetscapes, and should screen parking, utilities and other commercial necessities from the street.



This commercial building fits in well with the residential character of the Village District. The adaptive reuse of this structure into a commercial office building retains the residential character by the introduction of a wooden fence, and the decorative landscape further reinforces such character.

#### **4.0 SITE PLANNING FOR A PEDESTRIAN ENVIRONMENT**

A pedestrian oriented streetscape is a very important characteristic to be achieved in any new development in New Canaan's Village District. New in-fill development within the Village District should set the precedent in establishing desirable siting and design characteristics, such as:

- Creating continuous pedestrian interest and activity;
- Exterior lighting should be shielded and there should be minimal interior lighting when the place of business is not operating.
- Including street trees, benches, planters and plantings; and
- Providing small seating areas or other areas for human interaction.

Active and potential pedestrian circulation corridors should be sought. There are many current pedestrian circulation routes that involve access to town property by traversing private properties. If redevelopment is proposed for any of these private properties, these circulation patterns should be preserved through easement or other permissible means. In addition, if there are properties that are proposed to be redeveloped that do not contain pedestrian corridors, but could potentially serve as a link to other pedestrian routes, easements or other means should be sought to obtain these routes.

## **5.0 ENVIRONMENTAL / SUSTAINABLE DESIGN STANDARDS**

Traditional and past development and construction practices have contributed to light, air, noise and water pollution, solid waste generation, deforestation and other negative consequences. The New Canaan Planning & Zoning Commission finds that sustainable site planning pertaining to the control of stormwater and pollutants, as well as building measures applied to the design, construction, preservation, rehabilitation, restoration and maintenance of buildings, would achieve the following goals:

- Encourage resource conservation;
- Reduce the waste generated by construction projects;
- Increase energy efficiency;
- Decrease the amount of stormwater exiting the site;
- Lessen the pollutant load in untreated stormwater entering the towns treatment system and ultimately the natural waterways;
- Diminish the amount of flooding; and
- Promote the health and productivity of residents, workers, and visitors to the Town.

### **5.1 BUILDING DESIGN**

The New Canaan Planning & Zoning Commission recognizes that sustainable building design shall complement existing policies related to development and natural resource conservation and desires to model environmentally sensitive building design. Whenever possible, historically and/or architecturally significant structure or features should be reused and incorporated into any development or redevelopment proposal.

The Leadership in Energy and Environmental Design (LEED™) as defined by the US Green Building Council, Green Building Rating System and Certification is a nationally recognized standard for excellence in design and has multiple levels of certification. Design and construction decisions made by the Town in the construction and remodeling of Town buildings can result in significant cost savings to the Town over the life of the buildings and benefit the environment. The following guidelines are recommended for Town of New Canaan major renovations and new construction projects located in the Village District.

"Town of New Canaan Village District Design Standards," are to encourage environmentally sensitive design and construction practices based on the Leadership in Energy and Environmental Design (LEED™) certification process.

The Commission recommends that all new Town buildings over 5,000 square feet in size be designed, contracted and built to achieve, at a minimum, the LEED™ Silver certification level. A building shall be deemed to be covered by this section if it is owned by the Town or, if owned by another entity, at least fifty percent (50%) of the capital dollars in connection with the building project have been provided by the Town.

No building permit for any building, which seeks to obtain LEED™ Silver certification, shall be issued until an architect or designer has certified that the LEED™ standards are being addressed in the plans or specifications. The certification shall be submitted to the Building Department and P&Z for verification.

All private development of new construction and major renovation is encouraged to follow the LEED™ building rating system and other sustainable design strategies that foster good design and environmental stewardship.

## **5.2 SITE DESIGN**

The New Canaan Planning and Zoning Commission recognizes that sustainable site design and implementation practices will aid in the protection of the town's natural resources, specifically water bodies. In addition, sustainable site design will reduce the amount of flooding by retaining the water that falls on the site, as opposed to piping it to the town's storm drain system.

All private and town properties proposed for redevelopment within any of the village districts should employ Low Impact Development (LID) practices. Some examples of LID include, but are not limited to:

- Decreased and disconnected impervious surfaces to slow the rate of flow of runoff and reduce the volume of surface water exiting the site;
- Increased vegetation, specifically the installation of native plant species;
- Permeable pavement or porous concrete instead of asphalt;
- Rain gardens and underground detention to store and slowly release surface water runoff; and/or
- Bioswales and flow-through vegetated systems to remove sediments and pollutants.

All private development of new construction and major renovation are encouraged to follow any applicable guidelines in the USGBC LEED™ ND regulations, the Center for Land Use Education & research (CLEAR) guidance document, "Developing a Sustainable Community" as well as the U.S. EPA Low Impact Development (LID) guidance documents and fact sheets.

## **6.0 NEW CANAAN VILLAGE DISTRICT ELEMENTS OF DESIGN**

The overriding objective of these design guidelines is to ensure that new or substantially renovated commercial or mixed-use development fits well with its surroundings. Development *must* be contextually sensitive to the history, community and environment that constitute the Village District. These guidelines are intended to provide guidance and direction so that new construction and renovation of existing structures can meet that requirement. Whenever possible, historically and/or architecturally significant structure or features should be reused and incorporated into any development or redevelopment proposal.

## 6.1 ARCHITECTURAL DESIGN

The physical appearance of new development in the Village District is an important aspect that will shape the character of the village. The overall design, details and materials will be key components in determining context sensitivity.

### 6.1.1 Façade Articulation

To make new development compatible with the surrounding architectural context, facade articulation and architectural embellishment are important considerations in commercial and mixed-use buildings. Any large buildings should have facade articulation that reflects a group of small buildings and reinforces the architectural rhythm established in the Village District core.



To the eye this building is broken into smaller proportions by the change in how the exterior façade steps back and by the introduction of a roof overhang terminating with an arched entry way.



This use of strong horizontal bands of wood painted white with classical detailing is successful in integrating different building into a cohesive whole. The introduction of a pediment and change in roof line while stepping the building back breaks up the linear mass of the buildings while successfully connecting the buildings.

### 6.1.2 Architectural Concept and Consistency

The use and repetition of architectural features and building materials, textures and colors can help create unity in a structure. Consider how the following can contribute to a building that exhibits a cohesive architectural concept:

- Facade modulation and articulation (e.g., recesses and protrusions);
- Windows and doorway (fenestration) patterns;
- Trim and moldings;
- Grilles and railings;
- Roof lines;
- Lighting and signage;
- Color.



This building successfully integrates several design elements by the use of color, materials, classical detailing and the introduction of landscaping that continues the same design principals including color, texture and density.



This building successfully integrates itself with a sloping site while reducing the visual impact of the building. The stonewall and landscaping help reduce the height of the building. The building responds to intersecting streets that are of different levels.



This red brick building contains white-framed windows with classical detailing highlighting the red brick facade. The building is symmetrical with a centralized and recessed entry and equally spaced windows that are accented with black shutters. A cupola completing the use of classical materials, colors and proportions, caps the building.

### 6.1.3 Architectural Cues

New or substantially reconstructed mixed-use and commercial development should respond to several architectural features common in New Canaan's historic buildings to preserve and enhance pedestrian orientation and maintain an acceptable level of consistency with the existing architecture. To create cohesiveness in the Village District, identifiable and exemplary architectural patterns should be reinforced. New elements can be introduced, provided they are accompanied by strong design linkages. Whenever possible, historically and/or architecturally significant structure or features should be reused and incorporated into any development or redevelopment proposal.

Preferred elements can be found in the examples of commercial and mixed-use buildings included on these pages, and specific elements from historic buildings in the center of New Canaan.



This building is a strong example of New England architecture by the use of materials that frame the building and help break up a long façade and create a more vertical building. The introduction of white painted clapboard and the strong window mullions painted with a light blue reinforce traditional New England building character.



The exterior of this building is clad with cedar shingles that dominate the façade and by the introduction of contrasting white color creates a strong material composition.

## 6.1.4 Building Materials

Building materials shall be treated as significant design elements that define the appearance of the structure and strengthen the sense of identity of the New Canaan Village District. The use of materials that give the appearance of New England architecture is strongly encouraged. Whenever possible, historically and/or architecturally significant structure or features should be reused and incorporated into any development or redevelopment proposal.

- **Materials Encouraged.** Traditional, high-quality building materials common to New England (e.g., brick, stone, clapboard, shingles or other similar products) shall be used as the primary siding material. Contemporary materials that have the same visual characteristics (e.g., cement plank clapboards or vinyl siding) are acceptable if attention is paid to detailing (e.g., corners, trim at openings, changes in material). Environmentally sound materials as identified by the USGBC LEED Accreditation Design Checklist shall be considered in the selection of all materials.
- **Materials Discouraged.** Highly reflective or processed materials (e.g., metal or plastic panels, brushed aluminum, bronzed glass, concrete block, untreated plywood, dryvit, etc.) and multicolored brick (incorporating occasional white bricks in a random pattern) shall not be used on the primary or front-facing facade.

## 6.2 HEIGHT, BULK AND SCALE

The scale of existing development on contiguous and nearby properties must be considered for new development in the Village District. A transition in height, bulk and scale, in terms of relationship to surrounding buildings and within the proposed structure itself, must be considered. Particular consideration should be given to the impacts any new development or redevelopment might have if adjacent to or in close proximity to the Historic District.

- A. Applicant must analyze the site in relationship to its surroundings. This should include:
  - Patterns of urban form in existing built environment, such as setbacks and massing compositions;
  - Size of Code-allowable building envelope and footprint in relation to existing built environment.
- B. New buildings should use architectural methods including modulation, color, texture, entries, materials and detailing to break up the façade, particularly important for long buildings, into sections and character consistent with traditional, historic multi-bay commercial buildings and existing historic buildings in the Village District.
- C. The arrangement of architectural elements, materials and colors should aid in mitigating height, bulk and scale impacts of Village District development, particularly at the upper levels. For development greater than 1-1/2 stories in height, a strong horizontal treatment (e.g. cornice line or frieze) should occur at the first story. Consider a change of materials, as well as a progressively lighter color application to reduce the appearance of upper levels from the street and adjacent properties. The use of architectural style, details (e.g: rooflines, cornice lines, fenestration patterns), and materials found in less intensive surrounding buildings should be considered.

## **6.3 BUILDING AND SITE PLANNING**

### **6.3.1 Signage**

Business signs should add interest to the Village District as well as inform. They must also conform to Section 6.3 of New Canaan Zoning Regulations. In case of a conflict, the zoning regulations will govern.

They can unify the overall architectural concept of the building, or provide unique identity for a commercial space within a larger mixed-use structure. Design signage should be appropriate for the scale, character and use of the project and surrounding area. Signs should be oriented and scaled for both pedestrians on sidewalks and slow moving vehicles. Materials should be wood or composite and should be painted or sealed. Only direct lighting is permitted, backlit signs are not permitted.

#### **6.3.1.1 Signage Goals**

Signs play a central role in providing information, wayfinding, and setting the tone for New Canaan's commercial districts. They inform motorists and pedestrians, while having a direct effect on the overall appearance and character of the town. Proper signage goals are:

- To provide basic, legible information about commercial establishments with attractive, legible signage.
- To encourage forethought in the design, size, placement, and graphic format of all signage used in the commercial areas of New Canaan.
- To create distinctive commercial corridors and nodes, where signage is compatible with quality architecture and site design.
- To protect the investment of commercial interests throughout New Canaan establishing a quality benchmark for future signage, in keeping with the design standards.

#### **6.3.1.2 Signage Plan**

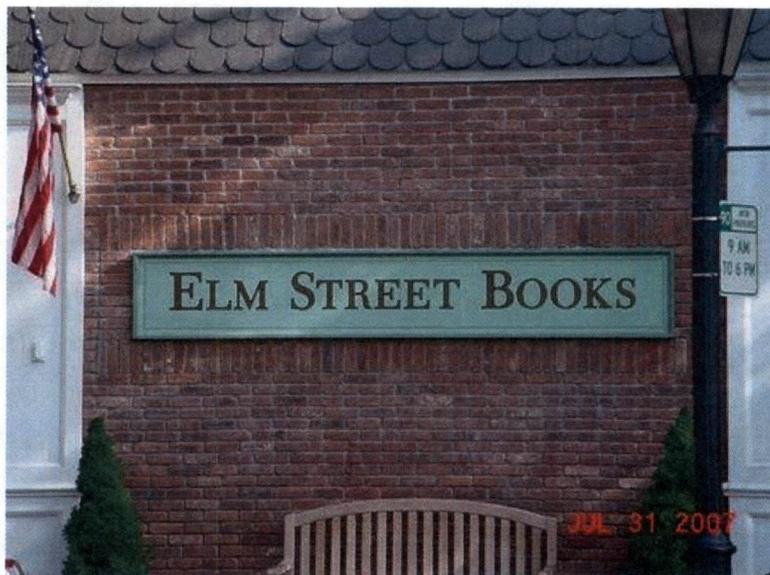
A Signage Plan shall be submitted as part of the Site Plan application. It shall be developed by design professionals experienced in commercial signage or environmental graphics. The applicant shall expect to resubmit the plan to the planning staff if the building's tenant is unknown at the time of application.

### 6.3.1.3 Compatibility

Signs shall be designed to achieve a high level of visual compatibility with the building(s) and its surroundings through the use of similar detailing, form, color, lighting, and materials.

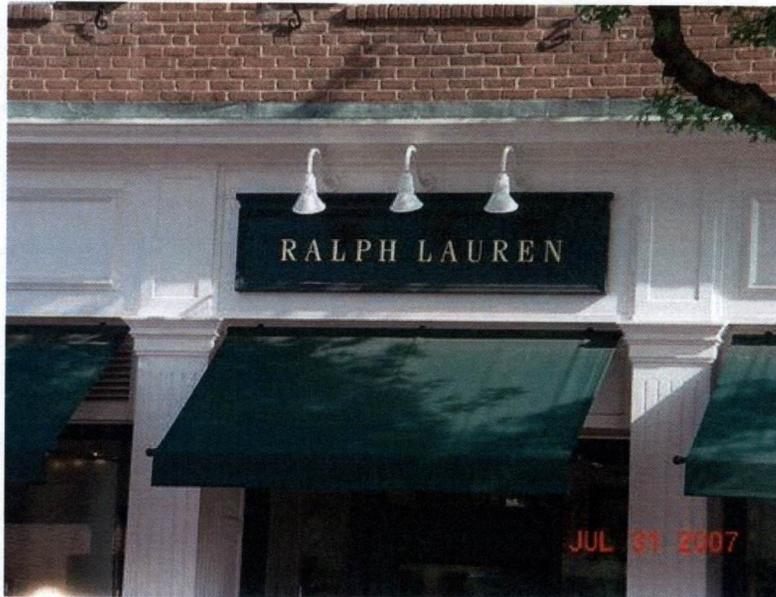
### 6.3.1.4 Design

The shape of the sign shall complement the architectural features on the building. Simple geometric shapes are preferred for all signage. Signs shall be trimmed and detailed to complement the building design features. In addition, all new signs shall achieve a level of visual compatibility with existing signs that comply with these design guidelines.



### 6.3.1.5 Lettering Size

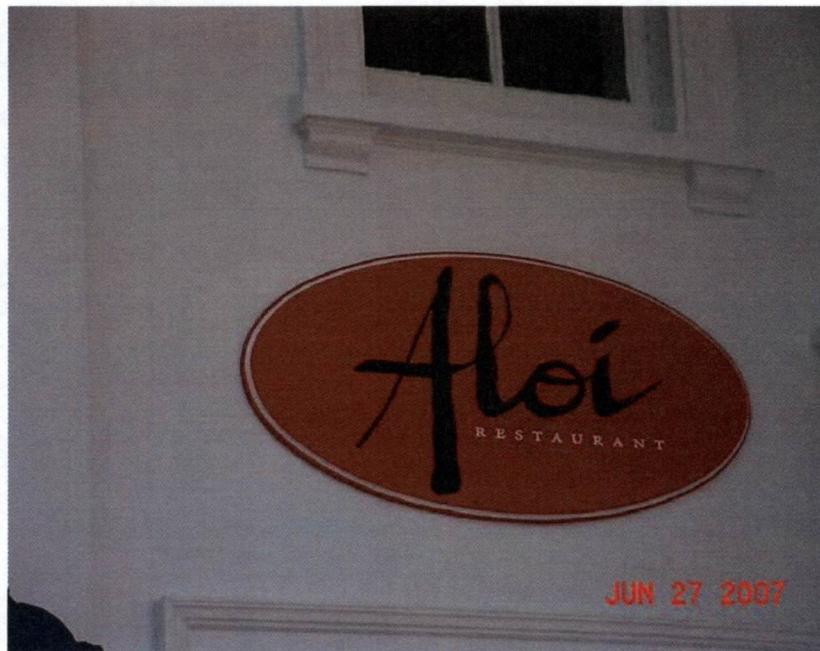
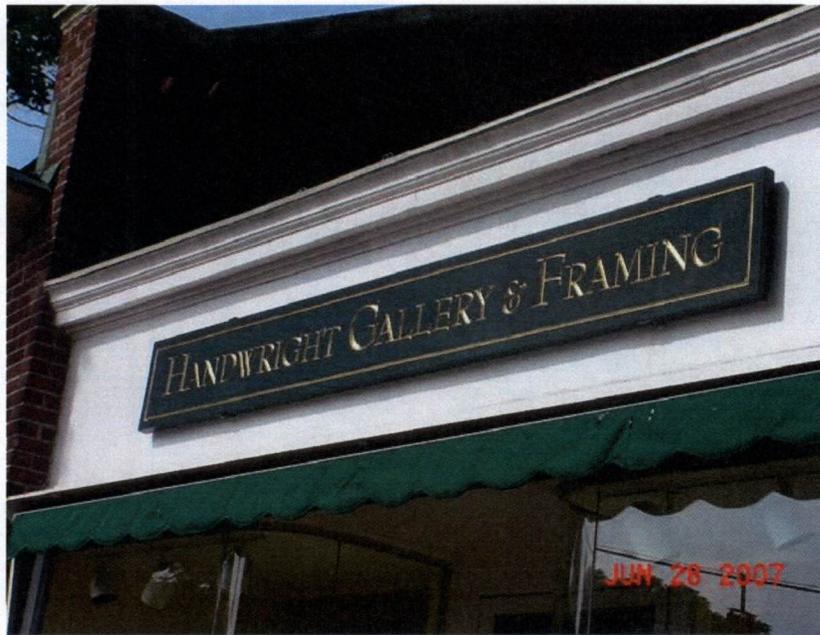
Size of lettering shall be as stated in 6.3 D of the Zoning Regulations.



#### 6.3.1.6 Location

Signs shall be mounted in locations that do not block motorists' line of sight or create a hazard for pedestrians or bicyclists. Roof mounted signs that project above the roofline are prohibited.









### 6.3.1.7 Advertising Feature

Objects other than signs designed primarily to attract public attention are prohibited in the commercial district because they distract motorists and contribute to visual clutter. Examples of prohibited advertising features include greater-than-life size models of food or other products, replicas of spokespeople associated with commercial products, rows of flags or banners, and internally-lit bands of color.

Primary signage may not include logos.

No A-frame or easel type signage is allowed.

Excessive interior lighting when the business is not operating is strongly discouraged. Immediate window display and necessary security lighting are preferred.

### 6.3.2 Pedestrian Environment

The rear portion of a new building should not turn its back to the parking area, but rather embrace it as a part of a potentially active and vibrant environment.

The side of a structure facing a parking area should be compatible with the rest of the building and the surrounding streetscape. Where appropriate, consider the following treatments:

- Integrating the parking area with the building's overall design;
- Treating the parking area as an extension of the building;
- Screening the view of dumpsters, utilities and other service related features from the parking area.

### 6.3.3 Amenities

Areas created for pedestrian interaction, benches, terraces, or even performance areas, all contribute to the character of a Village District. Streetscape amenities mark the entry and serve as way finding devices in announcing to visitors their arrival in the Village District. Consider incorporating the following treatments to accomplish this goal:

- Pedestrian scale sidewalk lighting or droplights on the facade;
- Accent pavers at storefront entrances;
- Performance or gathering areas;
- Areas for merchandise display.

## 6.4 GENERAL LANDSCAPE PRINCIPLES

### 6.4.1 Objectives

Landscaping shall be used to complement the architecture, enhance human scale, reinforce circulation paths, highlight entrances, provide shade, and add seasonal interest. New Canaan's commercial districts shall be unified by a rich variety of street trees, flowering shrubs, and masses of color.

### 6.4.2 Selection

The use of plant materials and landscape elements that require a low degree of maintenance is strongly encouraged. To the extent possible all plantings shall be native and resistant to insect infestation, drought, disease, roadside salt, and auto emissions, and hardy to New Canaan winters. Special consideration shall be given to planting materials and strategies as outlined in the USGBC LEED guidelines for sustainable sites, heat island effect and water efficiency.

### 6.4.3 Integration

Plantings shall be massed to soften edges, corners, and pavement areas, and to integrate the building into the landscape.

#### 6.4.4 Existing Trees/ Plants

Wherever practical, existing or unique trees or other significant plantings shall be preserved, provided the species are not considered invasive. The landscape plan shall illustrate which vegetation will be preserved and what protection measures will be taken during construction. Transplanting and reusing trees and other plantings are strongly encouraged.

#### 6.4.5 Buffers & Screening

Plant materials and other landscape elements shall be used to create suitable buffers between residential and commercial properties. The design of buffers shall consider the appearance from both commercial and residential viewpoints. Evergreen plantings are particularly effective for year-round buffering.

#### 6.4.6 Screening

Parking lots shall be separated from the street by plantings, earth berms, walls, and/or other landscape elements to minimize the view of vehicles, while still allowing the public to see the building.

#### 6.4.7 Variety in Planting

The use of native flowering shrubs, evergreen shrubs, perennials, annuals, vines, ornamental grasses, and other plant material is highly recommended, in addition to street trees, evergreen trees, and ornamental trees.

#### 6.4.8 Foundation & Wall Plantings

Planting beds are recommended along exposed building edges, foundations and uninterrupted walls. Plantings shall provide either a formal pattern or a naturalistic blend of heights, colors, and textures for visual relief.

### 6.4.9 Accent Plantings

The installation of special planting beds is to be encouraged in appropriate areas for visual accents in the landscape. These can include daylily beds, butterfly gardens, bog gardens, fragrant gardens, shade gardens, yellow foliage gardens, early blooming gardens, texture gardens, etc.

In the Village District wherever feasible, shade trees, shrubs and other plantings should be encouraged. The trees selected must be listed on the Recommended Street Trees for Connecticut as compiled by the University of Connecticut Plant Science Department.

## **7.0 BUSINESS B ZONE SUPPLEMENTAL REGULATION**

In response to the Cross and Vitti Streets Neighborhood Master Plan, the Planning and Zoning Commission has determined it is appropriate to include this section within the design guidelines to guide future development within the Business B Zone.

### **7.1 FAÇADE ACTIVATION**

In addition to the placement and orientation of primary building close to the sidewalk, the building facades in the Business B (BB) Zone should actively engage the pedestrian, bicyclist, and driver. Blank walls should be avoided and long buildings should be articulated to break up the mass. Windows and doorways should be large with clear openings, attractive decorations, and clean. Other façade elements that contribute to a vibrant pedestrian environment include attractive awnings, signs, lighting, terraces, balconies, displays, and street furniture.

### **7.2 LANDSCAPING, SCREENING AND LIGHTING STANDARDS**

The intent of these provisions should be to enhance the pedestrian environment and provide buffers where necessary in the BB Zone with appropriate landscaping and lighting design.

#### **7.2.1 Private Frontage**

Landscaping should include a mix of trees and other plants and should be properly maintained. Where the building is setback from the street line, pedestrian amenities and deciduous canopy trees should constitute the primary landscaping elements and should be placed so as to maintain relatively clear views of the ground floor elements including doorways, windows and signs. Hedges or shrubs planted along the front or side street yard property line should not exceed 4 feet in height except when abutting a residential area where increased screening is desired.

### 7.2.2 Parking Lots

Landscaping in parking lots should primarily include shade trees and should be installed at or below the level of the parking surface to allow for capture of stormwater runoff. Plantings should not obscure site entrance and exit drives, or street intersections. Pervious or semi-pervious parking area surfacing materials, such as pervious asphalt, grass, "grass-crete", or ring and grid systems, are encouraged where conditions allow for adequate infiltration.

### 7.2.3 Transitional Buffer

Landscaping and screening should be provided as a transitional buffer along perimeter lot lines between the BB Zone and abutting residential zoning zones.

## **7.3 Amended Design Guidelines for the Business B Zone**

Coordinating all of the elements of the building envelope, open space, parking, and streetscape standards is critical to establishing a traditional pedestrian-oriented development pattern in the BB Zone. Some general site development guidelines recommended for the BB Zone include the following:

- A. The primary building entry should be placed at the front of the building (facing the street line) and be clearly identifiable from the street.
- B. Parking should be placed at the side or rear of the lot. Where possible, break the parking areas up into groups of no more than 20 spaces per area separated by landscaping areas.
- C. Place as much of the building width at the front of the lot as possible to maximize front façade exposure to the traveling public. The front facade should be kept parallel to the street.
- D. To reinforce the "street-edge", align with adjacent buildings which are also close to the street line. Landscaping can also be used to reinforce this line.
- E. Link adjacent parking lots or provide shared parking areas which can serve neighboring buildings simultaneously and efficiently.
- F. Provide sidewalks for the full width of the property with a direct link to the primary building entry.
- G. Loading docks, service areas and trash facilities should be located at the rear of the building and not be visible from the street. Fences, walls or landscaping should be used to screen them from view.
- H. Existing, older trees should be incorporated into new site plan development whenever possible.
- I. Curb-cuts should be limited to a single access drive into and out of the property. Curb cuts should only be as wide as necessary to accommodate needed lanes. Curb radiuses should be kept to a minimum to minimize interruption in the sidewalk. Any raised curbing used at site access point should allow for sufficient stormwater infiltration.
- J. Landscaped islands and other green space should be used to break up impervious surfaces and shade parking plots.
- K. Provide a continuous landscape screen on property boundaries that abut residential zones.
- L. Using the area in front of the building for outdoor activity, seating and display is highly encouraged.

- M. Provide supplemental street trees where appropriate to shade the sidewalk or outdoor terraces while providing filtered views of the front façade by traveling motorists

### 7.3.1 Building Elements and Projections

Individual building elements, projections and architectural details are encouraged that add aesthetic appeal and engage the pedestrian. Some examples include:

- Porch
- Stoop
- Terrace
- Forecourt
- Gallery
- Balcony
- Bay Window
- Awning/Canopy

### 7.3.2 Open and Civic Space Standards

It is recommended that a broad range of active public and private open spaces and civic gathering areas be provided in the BB Zone that, over time, will amount to at least 5% of the total land area. The overall goal is for all property within the BB Zone to be within a 5-minute walk (about ¼ mile) of an active or passive open space.

Property owners should reserve a small portion of their site for open space. For properties in residential use, private yards and gardens, forecourts, and courtyards are appropriate. For commercial and mixed use sites, additional civic gathering and active recreation types of open space could be created (such as idS:\P&Z\Downtown SubCommittee\Design Manuals\Village District Design Guidelines 07-20-2016.docx identified below). Two or more adjoining property owners within the BB Zone are encouraged to create joint open spaces that benefit a larger group of people. These spaces can be small, integrated into the site or buildings, and serve dual purposes. Some appropriate examples in the BB Zone may include the following:

- Plazas and Squares
- Courtyards and Forecourts
- Yards and Gardens (i.e. residential)
- Pocket Parks and Playgrounds
- Rooftop Gardens and Terraces
- Farmers Markets, Outdoor Seating and Dining Terraces
- Infiltration Park and Parking Courts (permeable, multipurpose spaces)

### 7.3.3 Street Design Standards

The primary intent of the street design standards in the BB Zone should be to create attractive, engaging and pedestrian oriented streetscapes and open spaces; build strong and supportive relationships between streets and adjoining buildings and businesses; and to balance the needs and accessibility of vehicles, bicycles, and pedestrians. Design specifications should address rights-of-way composition to balance the needs of pedestrians, bicyclists as well as vehicles. Thoroughfare standards should also address new secondary streets, alleys and pedestrian passages that could be added to the BB Zone over time.

### 7.3.4 Parking and Loading Standards

The intent of parking and loading standards in the new BB Zone is to provide an adequate number of spaces, shared facilities, and access to parking areas while avoiding vast surface lots and curb cuts that create low-interest areas and conflict points for pedestrians. Excessive and consistently underutilized parking also creates a wasted economic and community development opportunity. Where applicable, the requirements should promote a “park once” environment through on-street and shared off-street parking as an alternative to inefficient single-purpose reserved parking. The standards should also aim to limit the environmental and aesthetic impacts of large surface parking lots.

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## GLOSSARY OF TERMS

**Amenity:** Aesthetic or other features of a development that increase its marketability or usability to the public.

**Articulation:** The manner in which portions of a building form are expressed (materials, color, texture, pattern, modulation, etc.) and come together to define the structure.

**Cornice:** A molded or projecting horizontal feature that crowns a façade.

**Design Guidelines:** Statement of preferred design practices or aesthetics that are used to guide development projects in a particular Town, community, or neighborhood.

**Façade:** Any vertical, exterior face or wall of a building, often distinguished from other faces by architectural details

**Fenestration:** The arrangement and design of windows and doors on a building's façade.

**Frieze:** The area of a façade dividing upper stories from the ground level story; generally one to two feet high and continuing the width of the building; may contain ornamentation.

**Gable:** The upper, triangular portion of a façade, usually flanked by sloping roofs.

**Modulation:** A stepping back or projecting forward of sections of a structure's façade within specified intervals of building width and depth, as a means of breaking up a structure's apparent bulk.

**Pedestrian Scale:** Used to describe the quality of a building or streetscape that includes structural or architectural components of size and proportions that relate to the human form and/or that suggest through their structural or architectural components the human functions that are intended to be accommodated.

**Streetscape:** The visual and functional character of an entire street including: buildings, paving material, plantings and street amenities such as lamps and benches. Also, the environment created for human activity and interaction.