CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington

225 North Main Street, Suite 304
Bristol, CT 06010-4993

Internet: http://ccrpa.org
Fax/TDD: (860) 589-6950

Tel: (860) 589-7820
or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	April 23rd, 2013
RECEIVED BY CCRPA ON:	April 2nd, 2013
REFERRAL NAME:	Plainville zoning regulation amendment regarding hens
INITIATOR:	Town of Plainville
MUNICIPAL HEARING:	April 23rd, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	The Town of Plainville is proposing amendments to their zoning regulations to permit the keeping of no more than nine (9) hens on a residential lot of at least 12,000 square feet. Any structure used to house the hens must conform to existing requirements and the hens must be fenced in a manner that preserves required setbacks.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

TOWN OF

PLAINVILLE

ONE CENTRAL SQUARE, PLAINVILLE, CONNECTICUT 06062-1955

MARK S. DEVOE, AICP
Director of Planning and Economic Development
(860) 793-0221, Extension 210
(Fax 860-793-2285)

VIA EMAIL: referrals (at) ccrpa.org

April 2, 2013

Mr. Carl Stephani, Executive Director
Central Connecticut Regional Planning Agency
225 North Main Street, Suite 304
Bristol, CT 06010

Re: Proposed Text Amendments to the Zoning Regulations, Plainville, Connecticut
Keeping of HENS

Dear Mr. Stephani:

In accordance with Section 8-3b of the Connecticut General Statutes, as amended, please be advised that Ms. Roberta Lalama has initiated a zoning text amendment application proposing revisions to the regulations as detailed in the attached material. The public hearing on the proposed amendments is scheduled on April 23, 2013 at 7:30 p.m. in the Plainville Municipal Center.

If you have any questions regarding the proposed zoning regulation changes, please do not hesitate to contact me at (860) 793-0221, extension 210. We anticipate and appreciate your consideration and comment.

Sincerely,

Mark DeVoe, AICP
Director of Planning and Economic Development

Enclosures

Purpose: Applicant Roberta Lalama would like farming regulations to be amended to allow for the keeping of hens on a smaller lot size.

Proposed modifications are in **bold and underlined.**

Section 1.04 Use Regulations

Farming

1. Farming, raising poultry, forestry, truck or nursery gardening where allowed by these Regulations provided that:
   a. No livestock or poultry, except for household pets, shall be kept on any lot of less than two acres**, with the exception of hens as indicated in Section 1.04.3**.
   b. The commercial raising of fur bearing animals and the commercial raising of pigs are prohibited.
   c. All buildings, except dwellings, and all storage of manure or other animal refuse shall be located not less than 100 feet from any street line or property line.
   d. One greenhouse used solely for a farming operation of no more than 700 square feet in area may be located on any lot of two or more acres or as provided under Subsection 1.03.B (footnote 5).
   e. One accessory structure used solely for a farming operation and essential to the farming operation of no more than 700 square feet in area may be located on any lot of two or more acres.
   f. Structures exceeding the size limitation of this subsection require site plan approval in accordance with Section 7.02 of these regulations.

2. The display of products, produce and nursery stock raised on the premises is permitted and for this purpose, one roadside stand not over 100 square feet in area may be located within the required front yard, but not nearer the side lot lines than the required side yard and not less than twenty (20) feet from the street line. Appropriate provisions for the safe and efficient management of consumer traffic shall be provided.

3. **Notwithstanding the above provisions, a family flock of hens may be kept on lots of 12,000 square feet or greater in accordance with the following standards:**
   a. **The maximum number of hens shall not exceed nine (9). No Roosters are permitted under any circumstance.**
   b. **Any structure used to house hens must be located in the rear yard and maintain a minimum fifteen (15) feet setback from the rear and side yards. The structure shall be weather tight and impervious to rodents and other predators.**
   c. **A fenced pen area shall not exceed three hundred (300) square feet and shall maintain a minimum fifteen (15) foot setback from the rear and side yards.**
   d. **All used bedding and waste must be boxed or bagged appropriately for compost or disposed of in an appropriate manner.**

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or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	April 26th, 2013
RECEIVED BY CCRPA ON:	April 3rd, 2013
REFERRAL NAME:	Southington zoning regulation amendment regarding West St
INITIATOR:	Town of Southington Planning and Zoning Commission
MUNICIPAL HEARING:	May 7th, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	The Town of Southington is proposing revisions to their zoning regulations to add a "West Street Business Zone (WSB)" which will allow mixed-use with a residential component on West Street. While this referral does not specify the location of the WSB, it is possible that it will be located just north of Queen Street and extend to just north of Spring Street. The land located between those streets is a mix of industrial-zoned and R-40 zoned parcels.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan. CCRPA notes, however, that while the proposal does implement access management techniques, it does not disperse traffic onto a network of side streets, as is recommended in the region's Long-Range Transportation Plan.

PLANNING AND ZONING DEPARTMENT

MUNICIPAL CENTER, 196 NORTH MAIN STREET
SOUTHINGTON, CONNECTICUT 06489
PHONE (860) 276-6248 – FAX (860) 628-3511

FEE: See fee schedule

Date: 4/3/13 Z.A. # 571

PETITION TO ENACT A ZONING REGULATION AMENDMENT OF TEXT

The undersigned respectfully petitions the Southington Planning and Zoning Commission to consider granting a change in the text of the Zoning Regulations.

Description of proposed amendment with all related subsection numbers. Show existing text in upper and lower case and show proposed additions in all upper case letters or underlined numbers. Proposed deletions should be enclosed within double parentheses.

Section 4-00 BUSINESS ZONE
Add Section: 4-05 West Street Business Zone (WSB)
A new zone that allows mixed-use with a residential component on West Street

Is any zoning district potentially impacted by this proposed amendment within 500 feet of a Town boundary?
____ yes X no

Reason for desired amendment: To foster high quality mixed-use developments on West Street's large tracts of land; special attention to be given to the appearance of buildings and their surroundings.

Applicant:
Southington PZC
Name
196 No. Main Street
mailing address
Southington, CT 06489
860 276 6203
phone # fax #
lavalleed@southington.org
email
applicant signature: [signature]

Agent:
David Lavallee, Planner
Name
196 No. Main Street
mailing address
Southington CT 06489
860 276 6203
phone # fax #
lavalleed@southington.org
email

P:\P & Z forms\zone regulation amendment application form.doc

PLANNING AND ZONING DEPARTMENT

MUNICIPAL CENTER – 196 NORTH MAIN STREET
SOUTHINGTON, CONNECTICUT 06489

Phone: (860)276-6248 / Fax: (860)628-3511

April 3rd, 2013

Carl J. Stephani
Exec. Director, CCRPA
225 No. Main Street., Ste 304
Bristol, CT 06010

RE: Proposed Zoning Regulation Amendment – Section 4-00 (Add 4-05) (ZA #571)

Dear Sir:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text revision submitted by the Town of Southington PZC proposing a revision to Section 4-00 of the Zoning Regulations.

The Planning and Zoning Commission anticipates opening the public hearing on this item on May 7th, 2013. The complete file is available for review in the Planning Department, the Town Clerk's office and on the web page. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,

David Lavallee
Acting Town Planner

enclosures

I:\Planning and Zoning\regs folder\revisions\ZA #571 referral letter.doc

Section 4-05 West Street Business Zone (WSB)

The purpose of the West Street Business Zone is to foster high-quality development of businesses and sites, with careful attention to appearance of buildings and their surroundings. Within the zone, it is important to promote and sustain the economic viability of the area by introducing a multi-family residential component. The establishment of a mixed-use land use pattern will accomplish the cohesive goals of the zone. Access Management will be an integral part of site planning, with access drives and limited curb cuts to facilitate traffic flow and safety.

4-05.1 General Concepts

A. Careful site planning is an essential element of the West Street Business Zone. It is the express intent of these regulations to garner projects that do not result in a commercial strip mall center. All developments should take into consideration the functionality and importance of pedestrian friendly amenities while concentrating on incorporating a New England Village aesthetic into a responsible, sustainable development.

B. Within this zone, smaller sites are encouraged to combine with conforming sites in order to provide larger cohesive developments. As an incentive to promote the combining of properties, a 5% impervious coverage bonus shall be granted for non-conforming lot consolidation.

C. Access Management will be required on all sites to reduce the number of driveway cuts onto West Street, thereby limiting traffic congestion that typically follows increases in commercial activity. Access management techniques will include shared driveways, interior service drives, and cross easements for adjacent parcels.

4-05.2 Pre-Application Discussion

Applicants are encouraged to participate in a pre-application meeting with town staff to discuss the conceptual design and attributes of a proposed development.

4-05.3 Low Impact Development Elements

All WSB developments shall implement Low Impact Development and Best Management Practices wherever and whenever feasible. A list of LID components is listed in Section 4-05.12.

4-05.4 Permitted Uses

A. All uses permitted in the CB Zone inclusive of shopping centers adhering to these regulations and other uses which, in the opinion of the Commission, are of the same general character as those listed as permitted uses and which will not, in the opinion of the Commission, be detrimental to the zone, but excluding hotels, clubs, lodges, and funeral parlors. Multi-family residential uses shall be permitted subject to specific requirements of Section 4-05.13.

B. Drive–thru operations are permitted for financial institutions.

4-05.5 Consolidated Parcels

A. Purpose

In the interest of promoting continuity, the consolidation or assemblage of contiguous parcels is encouraged. "Consolidation" is defined here as the integration of 2 or more individually owned parcels into a single Consolidated Parcel for the purpose of creating a shared-use arrangement of selected site components, e.g., common points of access/egress, drive passage, parking, loading/unloading, building coverage and yards.

B. Procedure

1. A consolidated parcel shall be developed with an integrated plan of buildings, parking, loading/unloading, and open space.

2. The owner of each lot shall give to the owner of each lot in the consolidated parcel by deed, easement, or agreement filed in the Office of the Town Clerk, the right of entrance, exit, passage, parking, and loading/unloading.

C. Access

The Commission may require or limit the number of access/egress drives and/or direct the placement of same within a Consolidated Parcel such that only 1 or more of several individually or commonly owned "sub-parcels" within the Consolidated Parcel would have a point of access/egress. Such restriction would be in accordance with Access Management requirements in Section 4-05.9A. Once a primary use is established under these new regulations, each additional parcel that is developed within 400 ft. shall utilize the prior approved parcel's access and close their curb cut at their expense if the site plan illustrates that an interconnection can be made between each new use. If no feasible access is available, the Commission shall determine the location of the curb-cut on West Street.

D. Impervious Coverage Bonus

A 5% lot coverage bonus may be granted for the consolidation of 2 or more lots that are non-conforming to the minimum lot size requirement into one conforming lot. When a non-conforming lot is combined with a conforming lot, the same 5% bonus shall apply.

4-05.6 Yard and Bulk Requirements

A. Minimum lot size shall be 2.5 acres for commercial/mixed use projects. Any residential component within the WSB zone shall be located a minimum of 800' from West Street. Pre-existing lots that do not meet the minimum acreage under this regulation shall become legal non-conforming upon enactment of this regulation.

B. Parcels shall have 400’ frontage on West Street or a minimum of 50’ of frontage on an internal access road.

C. Minimum front yard setback is 75’.

D. Minimum lot depth is 400’.

E. Minimum side yard setback is 25’.

F. Minimum rear yard setback is 10’.

G. Side or rear yards may be ignored along common boundaries of consolidated lots.

H. Where the West Street Business Zone abuts a residential zone, the minimum setback from the property boundary shall be 100’. Within the setback, a 30’ wide planted buffer shall be provided starting 5’ from the abutting property line. Plantings shall be staggered to achieve maximum screening within 5 years and at maturity. Evergreen trees shall be a minimum of 5’ in height at the time of planting, deciduous shade trees shall be a minimum of 2” caliper and 6‘ in height at time of planting, and flowering trees shall be a minimum of 6’ in height and 2” caliper at time of planting. Evergreens and deciduous species shall be staggered such that clusters of deciduous plantings do not occur.

I. The Commission may grant a waiver to the yard setback requirements for sculpture or other decorative items such as fountains.

J. Maximum lot coverage is 40%. The Commission may grant a 5% bonus for consolidated parcels in accordance with Section 4-05.5D.

K. The maximum building height is 55 ft./ 4 stories for any building that is at least 125’ from West Street, provided, however, that any portion of such building located within 125’ of West Street or any building that is located in its entirety within 125’ of West Street shall have a maximum height of 30 ft./ 2 stories.

L. Building size per use (gross floor area) shall be limited to a maximum of 40k s.f.

4-05.7 Site Appearance

A. Outdoor storage is prohibited except for the following purposes: Outside display of merchandise for sale on the interior part of a pedestrian environment such as in a village-style shopping center or courtyard area with kiosks or market carts, where outside merchandise display is an integral part of the theme and enhances the appearance of the site. This section is not intended to allow the display of merchandise typically sold inside retail stores; rather, it is intended to encourage true pedestrian-oriented areas in a village atmosphere.

B. Outside dining and display areas shall not occupy sidewalks intended for pedestrian use and access. Outside dining and display areas must be shown on the site plans.

C. Areas reserved for open space and set aside to meet lot coverage requirements shall be distributed throughout the site in such a manner that the land is usable for pedestrian circulation, outdoor entertainment and cultural events, or arts/crafts shows.

D. Loading docks should not be visible from public streets or from residential zones. All loading docks should be designed as an integral part of the building, shall be suitably screened, and shall not detract from the appearance of the building or site.

E. Rooftop mechanical equipment must be set back from the building edges and appropriately screened so that the equipment is not visible from a public street.

F. Dumpsters and satellite dishes shall be screened so as not to be visible from a public street.

4-05.8 Site Appearance of Retail Establishments

The following design objectives are listed to provide insight into the Town's intended development design outcome. Architectural drawings are required as part of Site Plan submission.

A. Facades and Exterior Walls: Facades greater than 100 ft., measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the façade and extending at least 20% the length of the façade. No uninterrupted length of a façade shall exceed 100 horizontal feet.

B. Ground-floor facades that face streets shall have arcades, display windows, entry areas, awnings, or other architectural features along no less than 60% of their horizontal length. Additionally, other pedestrian friendly features such as benches, niches, plantings, and pavers are encouraged to create visual interest.

C. Façade colors should be low reflectance earth tone colors. High intensity or fluorescent colors are not allowed.

D. The predominant exterior building materials should be as follows:

1. Brick
2. Wood
3. Non-sedimentary Native Stone
4. Textured masonry
5. Glass

The use of smooth-faced concrete block and panels, pre-fabricated steel panels, and fiberglass or metal (excluding metal roofs) are prohibited.

E. The use of neon tubing or similar lighting for trim or accent areas is not allowed.

F. All facades of buildings should contribute to the overall village theme of the site, similar to the front façade design which expresses the objectives of a New England Village aesthetic.

4-05.9 Access and Parking

A. Access Management

The implementation of Access Management should focus on the following:

1. Limiting the number of driveways

2. Choosing driveway locations that reduce conflicts

3. Design driveways to reduce conflicts

4. Encourage shared access between lots

5. Consolidate access for contiguous lots

6. Frontage roads

B. Parking Regulations/Requirements:

Parking within the WSB Zone shall adhere to Section 12 of the Zoning Regs with the following exceptions: For retail stores and service establishments sharing a common building with a floor area of less than 200,000 s.f., 1 parking space per 250 square feet of net floor area. Retail stores and service establishments sharing a common building with more than 200,000 square feet shall be required to have 1 parking space per 200 square feet of net floor area.

1. Location of Parking Fields

No more than one-quarter (25%) of the parking should be located between new buildings and West Street. No required front yard setbacks shall be used for parking or circulation (except for entrance drives to the site).The view of parking areas from West Street shall be minimized through the use of perimeter landscaping and berms in addition to any other requirements for parking in this regulation. Paver cells with vegetated cores are encouraged within the front parking areas to soften the landscape; if at least 25% of the required parking on site is paver cell, a 15% reduction of the total parking may be granted. Other landscaping elements such as decorative fencing, stone walls, or attractive walkways and pedestrian spaces are highly encouraged.

2. Landscape Requirements

Parking lots located between a building and West Street shall provide at least 15% landscaped area. The landscaping should include islands between parking bays, planted peninsulas at the ends of bays, and planted areas along the perimeter of parking areas (at least 8’ in width). The purpose of peninsulas is to break up the parking lot. In addition, all front parking areas shall be landscaped around the perimeter a

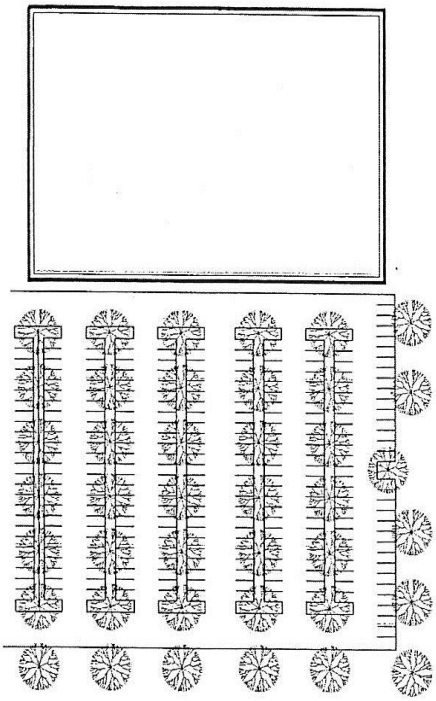
minimum of 25’ in depth and shall utilize low berms along front yards to minimize the view of parked cars. A Landscape Plan reflecting the above practices shall be submitted as part of the Site Plan.

3. Parking Layout

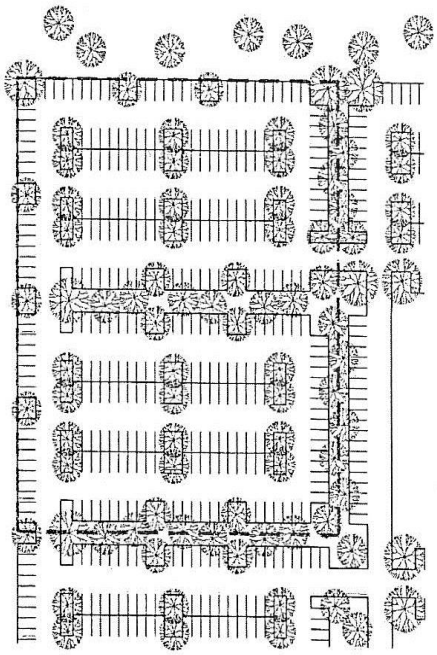
Parking areas may be divided into individual bays (a bay being an aisle with a row of parking spaces on each side of the aisle). Each bay must be separated from other bays by a landscaped island at least 8’ in width the entire length of the bay. Terminal islands shall separate the bays from any driveways or access ways. See Diagram 1.

Parking areas may also be divided into individual areas connecting across bays. Such areas are to be divided by landscaped islands at least 16’ wide at every row of parking spaces. Such landscaped islands should occur every 10 parking spaces. See Diagram 2.

Parking Area Sample Layout- Diagram 1



Parking Area Sample Layout- Diagram 2



All parking lots should strive to incorporate LID components such as bio-swales and rain gardens to infiltrate surface water (see Section 4-05.12).

4-05.10 Pedestrian Circulation

Sidewalks are required along West Street frontage. All sidewalks shall be constructed to Town of Southington standards. Sidewalks shall connect from West Street to the parking fields, preferably parallel to the access drive.

4-05.11 Signage- Street and Buildings

No flashing or scrolling illuminated signs; full cut-off lighting is required, no electronic signs indicating sales, events, or other information other than the company or business name. Otherwise, the standards set forth in Section 13 shall apply.

4-05.12 Low Impact Development Components

All WSB developments shall implement low impact development (LID) and best management practices wherever and whenever feasible. When considering issues of overall site design, storm water drainage and infrastructure design, all developers shall first consider LID best management practices. LID BMP's shall include, but not be limited to:

A. Hydrologic design elements (infiltration, retention and detention, bio-filters)

B. Permeable pavement elements and disconnected impervious surfaces

C. Roadway, parking lot, driveway and circulation design elements

D. Structural design elements (rain water harvesting and foundation plantings)

E. Landscaping design elements (soil amendments, street trees, selection of native plant species)

F. Implementation of alternative energy sources (solar, gas or wind turbine)

G. Rain gardens for storm water infiltration

4-05.13 Specific Requirements for Multifamily Residential Uses

A. Site Design Requirements

1. Objective: The site shall be designed to integrate the multi-family residential use with other approved commercial uses (including but not limited to, retail, office, and recreation uses) to achieve a village-styled mixed use environment with the residential use fully integrated into the development area plan including buildings that contain commercial uses. Such integration within the development area should also include shared roadways/parking, utilities, appropriate open space area, landscaping/buffers, strong pedestrian interconnections within the commercial/residential development and to other adjacent non-residential uses and related improvements.

2. General Standards

a. Multi-family residential uses shall be permitted. Buildings containing multi-family residential uses shall contain commercial uses on the ground floor and/or floors above the ground floor.

b. Multi-family residential uses shall be either studio/efficiency units, 1 bedroom units, or 2 bedroom units. Not more than 65% of the total number of residential units shown on a Site Plan or within a first phase of those plans shall be 2-bedroom units.

c. The floor area of the aggregate of all residential units in the proposed development area shall be limited to a maximum ratio of 2:1 to the commercial floor area shown on the submitted Site Plan. Facilities for the sole purpose of support of a multi-family residential use, such as clubhouse, meeting rooms, offices, garage space, etc., shall not be counted as either residential or non-residential floor area in determining compliance with the ratio.

d. The construction of a development plan may be approved by the Commission to be done in phases. Projects shown in an approved Site Plan which are to be constructed in phases shall require development of both residential and commercial buildings which maintain the minimum floor area ratio between both.

The applicant shall submit a plan for ensuring conformity with Section 4-05.13.A.2.c including the phasing and timing of the construction elements. Said plan and schedule must be approved by the PZC. The PZC shall require surety to establish regulatory compliance. The PZC may require in its approval, measures to be taken to, including but not limited to, the withholding of building permits and/or certificates of occupancy to enforce approved timelines, percentages and other conditions of approval.

e. Each residential unit shall require a minimum of 750 square feet of open space within the site. Such open space may be for recreational purposes or for preservation of natural features (wetlands, wooded areas, open lawns, etc.) or both. Regulated wetlands cannot exceed 10% of the required open space.

f. Pedestrian and bicycle accommodations are required to interconnect to existing or future walkways on abutting properties or development areas and to link to the street/drives walks with existing or future multi-modal trail system.

g. Parking shall be provided at a minimum rate of 1.75 spaces per multi-family residential unit and may be designated in open lot parking or garages. Unenclosed parking of recreational vehicles is prohibited.

h. All utilities shall be underground. Sidewalks shall be required to appropriately interconnect the proposed development with other uses on the site or adjacent sites and also deemed necessary by the Commission within the limits of the development.

i. Roadways and utilities: Unless specifically noted by the applicant at the time of Site Plan application and specifically approved by the Commission, all roads and utilities within the development area shall be owned and maintained by the owner(s) of the development, an association or other entity formed to carry out maintenance, but not the Town of Southington.

j. All dumpsters shall be placed on a concrete pad, appropriately screened, and maintained. The location and design of the screening/enclosure shall be shown on the Site Plan.

k. Back and side facades of buildings should contribute to the pleasing scale features of the building and should be integrated with the front façade by featuring materials and characteristics exhibited thereon.

B. Application Procedure

Within the West Street Business Zone, development involving multifamily residential use shall require Special Permit Approval.

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

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or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	April 26th, 2013
RECEIVED BY CCRPA ON:	April 3rd, 2013
REFERRAL NAME:	New Hartford zoning regulation amendment regarding public service/utility zones
INITIATOR:	Town of New Hartford Planning and Zoning Commission
MUNICIPAL HEARING:	May 8th, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	The Town of New Hartford is proposing zone changes for all Regional Refuse Disposal District #1 properties, from R-30 to Public Service/Utility District Zone (PSUDZ), and for all Metropolitan District Commission properties from R-2 to PSUDZ. The proposal would also decrease required setbacks for the PSUDZ from 100 feet to 50 feet from any property or street line. The PSUDZ is designed to be broadly permissive of uses that are directly related the mission of a public agency or utility.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

TOWN OF NEW HARTFORD
530 Main Street – PO Box 316
New Hartford, CT 06057

RECEIVED
APR 03 2013

Planning and Zoning Commission
(860-379-7677)

March 20, 2013

Central Connecticut Regional Planning Agency
225 North Main Street, Suite 304
Bristol, CT 06010-4993
ATTN: Carl J. Stephani, Executive Director

RE: Zone Change from R-30 to Public Service/Utility District Zone for all Regional Refuse Disposal District #1 Properties (see attached list and map).

Zone Change from R-2 to Public Service/Utility District Zone for all Metropolitan District Commission Properties (see attached list and map).

Text Amendment to Section 5.6.G of the Town of New Hartford Zoning Regulations to Decrease Required Setbacks in the Public Service/Utility District from 100-Feet to 50-Feet from Any Property or Street Line.

Dear Mr. Stephani:

At their February 27, 2013 regular meeting, the Town of New Hartford Planning and Zoning Commission voted to schedule the above applications for public hearing. As required by Connecticut General Statutes, we are forwarding a copy of the proposed amendment and zone changes for your review and comment as the Town of New Hartford abuts CCRPA member municipalities. A public hearing is scheduled for Wednesday, May 8, 2013 at 7:00PM in New Hartford Town Hall, 530 Main Street, New Hartford.

If you have any comments or questions regarding the above-referenced matter, please feel free to contact the Town of New Hartford Land Use Office at the above address.

Sincerely,

Rista Malanca

Rista Malanca, CZEO
Zoning Enforcement Officer

RM/sms
ENCLOSURES

CC: Litchfield Hills Council of Elected Officials, Richard Lynn, Planning Director
Capital Region Council of Governments, Lyle Wray, Executive Director

SECTION 5.6. PUBLIC SERVICE/UTILITY DISTRICT

A. Purpose

The purpose and intent of the PSU District is to permit public and quasi-public agencies, publicly chartered utilities, and other agencies providing public benefits pursuant to a governmental mandate, license, franchise, or similar procedure (hereafter, "Public Agencies"), to conduct necessary and customary operations and land uses without undue restriction by these Regulations. Towards that end, the intent of these Regulations is to be broadly permissive when such Public Agencies are operating within the scope of their principal function, but to restrict or prohibit any activities not within that scope.

Accordingly, land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses or use categories listed in the lists below of Permitted uses, Site Plan Review, and Special Exception uses subject to such standards and conditions which may be required by these Regulations. See the definition, where applicable, for any use in Section 2.

B. Permitted Uses

1. Uses and use categories permitted as a matter of right subject to the issuance of a Zoning Permit and all requirements of the PSU District and any applicable provisions of these Regulations.
2. Buildings, structures and uses existing on the effective date of this section of the Regulations which are designed and used to further the purposes of the Public Agency, as such purposes are set forth in its charter, by-laws, license, franchise, or other operative document.

C. Site Plan Review Uses

1. Any addition to an existing Structure less than 500 square feet.
2. Any Accessory Structure less than 500 square feet, per building.

D. Special Exception Uses

1. Uses and use categories permitted subject to the issuance of a Special Exception by the Commission in accordance with Section 8.5 of these Regulations, and all requirements of the PSU District and any applicable provisions of these Regulations.
2. The expansion, extension, or alteration of buildings, structures and uses beyond those existing on the effective date of this section of the Regulations which are designed and used to further the purposes of the Public Agency, as such purposes are set forth in its charter, by-laws, license, franchise, or other operative document.

E. Permitted Accessory Uses and Structures

1. Accessory Uses and Structures are permitted by Site Plan if the Structure is less than 500 square feet, subject to any other applicable provisions of these Regulations.
2. Existing buildings and structures accessory to a PSU District principal use.

F. Prohibited Uses

Any industrial, commercial, or residential use that does not directly further the purposes of the Public Agency, or that is not owned or controlled by it, is prohibited.

G. Required Lot Area and Lot Width, Maximum Building Coverage, Maximum Impervious Surface Coverage, Minimum and Maximum Floor Area, Minimum Front Setback, Minimum Side Setback, Minimum Rear Setback, Maximum Height

There shall be no minimum required lot area, frontage, or depth in the PSU District. Any building, structure, or improvement (including, but not limited to, storage areas, parking lots, tanks, dikes, and the like) shall be no less than one hundred (100) feet from any property or street line.

Zone Change from R-30 to Public Service/Utility District Zone for all Regional Refuse Disposal District #1 properties described as follows:

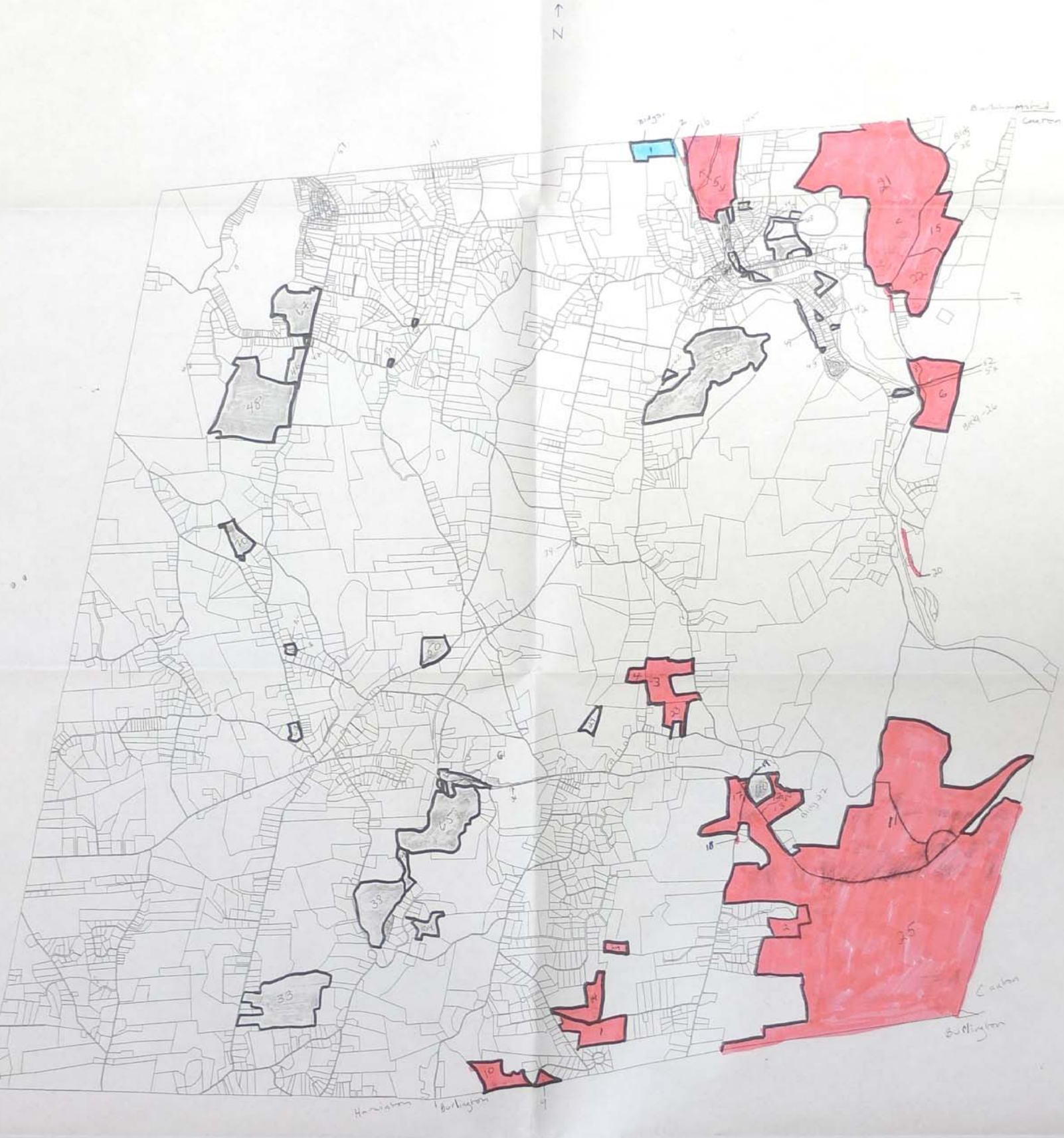
1. Assessor's Maps 032-041-43B & 032-041-43-8, 25.32 acres, landlocked property on west side of Main Street/Rt. 44 & north of Johnnycake Lane, south of & behind RRDD #1 Barkhamsted property.
2. Assessor's Map 032-041-041A, 2.8 acres, landlocked parcel on west side of Main Street/Rt. 44 & north of Johnnycake Lane, south of & behind RRDD#1 Barkhamsted property.

(Both parcels abut the Town of Barkhamsted.)

Zone Change from R-2 to Public Service/Utility District Zone for all Metropolitan District Commission properties described as follows:

1. Assessor's Map 026-010-002 "West Road", 36.58 acres, frontage on south side of West Road and east side of South Road.
2. Assessor's Map 034-012-6-14 "Southeast Road", 20.02 acres, landlocked parcel located southeast of the eastern end of Garrett Ridge Court.
3. Assessor's Map 028-015-07B "Steele Road", 55.7 acres, frontage on west side of Steele Road approximately midway between Hoppen Road and Stedman Road.
4. Assessor's Map 028-015-07C "Steele Road", 7 acres, landlocked parcel located in between Steele Road and Carpenter Road, just west of property #3 at Assessor's Map 028-015-07C.
5. Assessor's Map 038-132-040 "Main Street", 111.08 acres, frontage on east side of Main Street and northern end of Prospect Street, located on both the eastern and western banks of the Farmington River. **(Abuts the Town of Barkhamsted).**
6. Assessor's Maps 044-136-014 & 044-136-014-BLD, 276 Farmington River Turnpike, 87 acres. **(Abuts the Town of Canton).**
7. Assessor's Map 045-137-004 "Farmington River Turnpike", 5.15 acres, frontage on south side of Reservoir Road/Rt. 219 and west side of Farmington River Turnpike.
8. Assessor's Map 044-137-007, 285 Farmington River Turnpike, 10 acres.
9. Assessor's Map 019-011-7-B "Litchfield Turnpike", 7 acres, landlocked parcel located southwest of western end of Laurelwood Pond Road. **(Abuts the Town of Burlington).**
10. Assessor's Map 019-011-70-A "Hayward Road", 20.63 acres, landlocked parcel located in between Hayward Road and Laurelwood Pond Road. **(Abuts the Town of Burlington).**
11. Assessor's Map 034-013-072 "Litchfield Turnpike", 432.91 acres, frontage on north side of Litchfield Turnpike/Rt. 202, across street from Nepaug Reservoir. **(Abuts the Town of Canton).**
12. Assessor's Map 034-013-074 "Litchfield Turnpike", 13.09 acres, frontage on northeast side of Litchfield Turnpike/Rt. 202, just east of Brown's Corner Recreation Area.
13. Assessor's Maps 034-013-075 & 034-013-075-BLD "Litchfield Turnpike", 16 acres, frontage on northeast side of Litchfield Turnpike/Rt. 202, southeast of Brown's Corner Recreational Area and property at Assessor's Map 034-013-074.
14. Assessor's Map 026-009-021 "South Road", 31.33 acres, frontage on the north side of West Road and the east side of South Road.

15. Assessor's Map 045-135-001 "Ratlum Road", 54.47 acres, located at northeast corner of intersection of Reservoir Road/Rt. 219 and Ratlum Road, across the street from Lake McDonough.
16. Assessor's Map 032-041-039 "Main Street", 0.46 acres, frontage on west side of Main Street/Rt. 44 near the Town of Barkhamsted line.
17. Assessor's Map 034-009-032 "Southeast Road", 26.63 acres, frontage on south side of Litchfield Turnpike/Rt. 202 and west side of Southeast Road, across the intersection from Brown's Corner Recreational Area.
18. Assessor's Map 034-012-004 "Southeast Road", 0.1 acres, along east side of Southeast Road, in front of 62 Southeast Road.
19. Assessor's Map 035-013-071 "Southeast Road", 2.21 acres, northwest corner of intersection of Steele Road, Litchfield Turnpike/Rt. 202, and Southeast Road, across Steele Road from Brown's Corner Recreational Area.
20. Assessor's Map 043-047-008 "Main Street", 3.07 acres, landlocked parcel along the east bank of the Farmington River south of Main Street/Rt. 44. **(Abuts the Town of Canton).**
21. Assessor's Maps 045-134-024 & 045-134-024-BLD "Reservoir Road", 384.91 acres, frontage on Reservoir Road/Rt. 219, (property includes Lake McDonough and land to south and west of lake). **(Abuts the Town of Barkhamsted.)**
22. Assessor's Map 045-006-006 "Ratlum Road", 54.19 acres, frontage on east side of Reservoir Road/Rt. 219, south side of Ratlum Road, & east side of Farmington River Turnpike.
23. Assessor's Map 028-015-004 "Stedman Road", 17 acres, frontage on Stedman Road midway between Old Steele Road and Steele Road.
24. Assessor's Map 027-009-025 "South Road", 6.5 acres, landlocked parcel located east of intersection of Spencer Brook Road, Honey Hill Road, & Elizabeth Road.
25. Assessor's Map 034-012-001 "Southeast Road", 1079.49 acres, frontage on Litchfield Turnpike/Rt. 202 and Southeast Road (property includes Nepaug Reservoir and land to north and west of reservoir). **(Abuts the Town of Canton and the Town of Burlington).**



N.H.*

MDC

RR001

*Disregard properties shaded gray - Town of New Hartford properties are not included in these applications.

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Tel: (860) 589-7820
or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	April 26th, 2013
RECEIVED BY CCRPA ON:	April 8th, 2013
REFERRAL NAME:	Cheshire zoning regulation amendment warehousing
INITIATOR:	Bozzuto's Inc.
MUNICIPAL HEARING:	May 28th, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	Bozzuto's, Inc. is petitioning the town of Cheshire to change regulations regarding Warehousing, wholesale business and wholesale business warehousing in industrial zones. The change would permit building heights of up to 100 feet when the applicant can demonstrate that such a height would be appropriate in relation to neighboring areas. Setback requirements would be increased with each foot of increase in height. A special permit would be required for the height increase. Currently, heights are limited to 50 (can be increased to 65 feet if an increased setback is used).
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

RECEIVED
APR 08 2013
RSCOG

MEMORANDUM
TOWN OF CHESHIRE

84 SOUTH MAIN STREET, CHESHIRE, CONNECTICUT 06410
(203) 271-6670 Telephone (203) 271-6688 FAX

Date: April 3, 2013

FROM: William S. Voelker, Town Planner

SUBJECT: For your review

The Cheshire Planning Office has received the following application (s) and we are forwarding such application(s) for regional referral:

TYPE OF APPLICATION	SCHEDULED DATE OF PUBLIC HEARING IF APPLICABLE
Zone Text Petition **Bozzuto's, Inc.** **To add to : Section 30, Sch. A** **Permitted Uses – Para. 59B** Warehousing, wholesale business and…..	Public Hearing TBA - next meeting: May 28 2013 - 7:30 p.m. – Cheshire Town Hall Council Chambers – 3rd Floor

Proposed Text Attached

If further information is required, please contact me at the Planning Office at (203) 271-6670. We look forward to receiving your comments.

Distribution List:
COG Central Naugatuck Valley
Central CT Regional Planning Agency
South Central CT RPA

RECEIVED
APR 01 2013
PLANNING DEPARTMENT
TOWN OF CHESHIRE

ev. 2/92, 1/95, 11/95
5/01, 7/01, 10/02, 11/03, 07/04, 3/06, 5/14/10

PETITION FOR A ZONE MAP OR ZONE TEXT CHANGE

In accordance with the General Statutes of the State of Connecticut, the undersigned hereby petitions the Cheshire Planning & Zoning Commission for a text change (X) and/or map change ( ) to the Cheshire Zoning Regulations to permit, amend, or delete the following:

For Zone Text Changes:

Indicate pertinent section/paragraph of Zoning Regulation to be changed.

Add Paragraph 59B to Section 30 Schedule A, Permitted Uses

For Zone Map Changes:

Location of Property: N/A

Assessor's Map No.(s)_____

Lot No.(s)_____ Zone _____

Change from present_____zone to _____ zone.

Reason for Proposed Text and/or Map Change: Increased efficiency in warehouse operations has become necessary and obtainable through industry advances and developments.

The following is attached and hereby made part of this petition:

1. For a text change, five (5) copies of the existing and proposed text.

2. For a map change, six (6) copies of a written legal description of the proposed zone boundary and six (6) copies of a map drawn to a scale of not less than 200 feet to the inch, covering the area of the proposed change, and all areas in the Town within 500 feet of the proposed change, and showing for such area the existing and proposed zoning district boundary lines, the existing property lines, and the names and addresses of the current property owners as indicated by the Cheshire Assessor's records.

3. For a map change, the applicant must submit an **affidavit at least ten (10) days** before the hearing stating that notification has been sent to all abutting property owners (including those across the street). The affidavit shall confirm that the notice was mailed at least **fifteen (15) days prior to the hearing and shall list the names, property addresses and mailing addresses,** if different from property addresses. Notification to property owners shall be in the form of letter or postcard and shall specify the date, time, and place of the public hearing.

4. A base fee of $560.00* and a Public Hearing Fee of $175.00 is payable by check to "Collector, Town of Cheshire" in the amount of $ 735.00.
*This includes a $60.00 State of Connecticut Fee.

****

Petitioner's Name Bozzuto's, Inc.
(Print or Type)

Petitioner's Address 275 Schoolhouse Road, Cheshire CT

Petitioner's Signature Kevin R Daly

Telephone Number 203-250-5109 FAX #

~~Owner's~~ Contact Name Kevin R. Daly, Esq
(Print or Type)

Owner's Signature N/A

Agent, if other than applicant, to be contacted with regard to this application.

Name Anthony J. Fazzone, Fazzone Ryan & Ricciuti, LLC

Address One Town Center, Cheshire, CT 06410

Telephone Number 203-250-2222 x226 FAX # 203-250-7388

****

This application must be filed in the Planning Office at least seven (7) days prior to the regular Planning & Zoning Commission meeting date.

Disclaimer: Additional information may be required, please contact the Planning office for complete application packets.

PROPOSED

SECTION 30, SCHEDULE A, PERMITTED USES

	PERMITTED USES	ZONING DISTRICTS								
		R-80	R-40	R-20	R-20A	C-1	C-2	C-3	I-1	I-2
59.	A. Warehousing, wholesale business and wholesale business warehousing.	N	N	N	N	N	N	P	P	S
	B. Warehousing, wholesale business and wholesale business warehousing with building heights that may be increased to a maximum of one hundred (100) feet, where due to industry developments and advancements, operations require greater building heights than otherwise allowed and the applicant demonstrates, pursuant to Section 40, Special Permits of these Regulations, that the proposed building height is appropriate in relation to the neighboring areas in which it is located. All setback requirements shall be increased by two (2) feet for each one (1) foot of height over fifty (50) feet for that portion of the structure that exceeds fifty (50) feet in height up to sixty-five (65) feet of structure height and shall be increased by one (1) foot for each one (1) foot of height over sixty-five (65) feet for that portion of the structure that exceeds sixty-five (65) feet in height.	N	N	N	N	N	N	N	P	P

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or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	April 26th, 2013
RECEIVED BY CCRPA ON:	April 17th, 2013
REFERRAL NAME:	New Hartford zoning regulation amendment regarding Floor Area Ratios
INITIATOR:	New Hartford Planning and Zoning Commission
MUNICIPAL HEARING:	May 8th, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	The Town of New Hartford is proposing a zoning regulation amendment that would indicate that accessory structures and detached garages count towards building cover when calculating Floor Area Ratios (FAR). The regulations would also change FAR limits in each zone so that they are based on lot size instead of zoning designation. It also allows the Zoning Board of Appeals to grant a Special exception permitting an increase in FAR to no more than 0.20.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

Timothy Malone

From: Stacey Sefcik <SSefcik@town.new-hartford.ct.us>
Sent: Wednesday, April 17, 2013 2:31 PM
To: Timothy Malone; 'zoningref@crcog.org'; 'lhceo1@snet.net'
Cc: Rista Malanca
Subject: REFERRAL - Town of New Hartford - Amendments to Sections 3.4D, 3.4E, and 7.1C of the Zoning Regulations Pertaining to Floor Area Ratio
Attachments: Proposed FAR Amendment 4-11-13.doc

Follow Up Flag: Follow up
Flag Status: Flagged

Litchfield Hills Council of Elected Officials
Capitol Region Council of Governments
Central Connecticut Regional Planning Agency

Good afternoon,

As per our phone discussions last week, attached please find copies of the proposed amendments to the Town of New Hartford Zoning Regulations pertaining to Floor Area Ratio. Our public hearing is scheduled for Wednesday, May 8, 2013 at 7:00PM in New Hartford Town Hall, 530 Main Street, New Hartford. If you have any questions or concerns please feel free to email us or contact us at the phone number listed below.

Also, could you please email back to me to confirm that it would be acceptable to your organization to receive any future referrals via email instead of via certified mail?

Thank you very much,

Stacey M. Sefcik
Land Use Secretary
Town of New Hartford
530 Main Street, PO Box 316, New Hartford, CT 06057

Town Website: www.town.new-hartford.ct.us
Land Use Office Phone: 860-379-7677
Land Use Office Fax: 860-738-7654

Amendments regarding Floor Area Ratio, based on drafting by Martin J. O'Connor, AICP; revised by Mark Branse on March 25, 2013; and further revised based on discussion of the Commission on March 27, 2013 (those revisions in redline): Revised on April 11, 2013 based on Commission comments.

Amend the Chart in Section 3.4 E. 1.e, Features that Count to Building Coverage, Floor Area Ratio, and Yard Setbacks, to indicate that **"yes"** the gross area of a detached garage buildings is used in computing the FAR, as well as **"yes"** for 3.4.E.3.w., accessory buildings.

Amend the Chart in Section 3.4.D, Building Requirements Maximum Floor Area Ratio, by substituting for the FAR fraction an asterisk in each zoning district column and adding a note at the bottom of the table (above E) as follows: Lots, existing or proposed, containing up to 15,000 square feet shall have a maximum Floor Area Ratio of .15; Lots, existing or proposed, containing over 15,000 square feet hall have a maximum Floor Area Ratio of .10; In accordance with Section 7.1.C.2 of these Regulations, the Zoning Board of Appeals may grant a Special Exception to allow an increase in the Floor Area Ratio (FAR) to a maximum of no more than .20 or twice the applicable Floor Area Ratio contained in this paragraph, whichever is higher. If there is an existing building located on a parcel of land, then no division of that parcel (by exempt first cut, subdivision, or resubdivision), shall create a violation of the Floor Area requirements of this paragraph for such existing building.

Amend Section 7.1.C.2. Non-conforming parcels, number the existing paragraph as 1 and add a new 2 the existing Section: The Zoning Board of Appeals may grant a Special Exception to allow an increase in the Floor Area Ratio (FAR) to a maximum of no more than .20 or twice the applicable Floor Area Ratio contained in Section 3.4.D of these regulations, whichever is higher.

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TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	April 26th, 2013
RECEIVED BY CCRPA ON:	April 15th, 2013
REFERRAL NAME:	Plainville Zoning Regulation Amendments (8)
INITIATOR:	Town of Plainville Planning and Zoning Commission
MUNICIPAL HEARING:	May 14th, 2013
REFERRED TO:	CCRPA

DESCRIPTION: The Town of Plainville is proposing eight (8) zoning regulation amendments. They are:

- Changes to certain adaptive reuses in general industrial zones from requiring a Special Exception to requiring a Site Plan. The purpose is to give the commission greater detail regarding compliance with parking, landscaping, and buffer requirements while also encouraging "greener" uses in the Aquifer Protection Area.
- Clarification regarding the definition of rear and side yards on corner lots.
- The addition of a definition of "farming", a distinction between pets and livestock, and changes as to where farming can occur. It also specifies that roosters may not be kept and that the keeping of more than four rabbits shall be considered farming.
- Clarification regarding the regulation of light pollution (such as what constitutes an "adverse effect").
- Clarification to regulations regarding existing non-conforming buildings intended to make Plainville's regulations conform with protections provided by the General Statutes.
- Reduced parking requirements for industrial and wholesaling uses.
- Changes to allow projections into required yards (projections had been allowed through a loose interpretation of regulations; this codifies requirements).
- Prohibitions against animated or blinking LED signs.
- Clarification of sign requirements in multi-tenant buildings.

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or (860) 224-9888

COMMENTS: No comments were received.

STAFF RECOMMENDATION: CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

TOWN OF

PLAINVILLE

ONE CENTRAL SQUARE, PLAINVILLE, CONNECTICUT 06062-1955

MARK S. DEVOE, AICP
Director of Planning and Economic Development
(860) 793-0221, Extension 210
(Fax 860-793-2285)

VIA EMAIL: referrals@ccrpa.org

April 15, 2013

Mr. Carl Stephani, Executive Director
Central Connecticut Regional Planning Agency
225 North Main Street, Suite 304
Bristol, CT 06010

Re: Proposed Text Amendments (8) to the Zoning Regulations, Plainville, Connecticut Multiple Sections

Dear Mr. Stephani:

In accordance with Section 8-3b of the Connecticut General Statutes, as amended, please be advised that the Plainville Planning and Zoning Commission has initiated a zoning text amendment application proposing revisions to the regulations as detailed in the attached materials. The public hearing on the proposed amendments may be scheduled no sooner than May 14, 2013 at 7:30 p.m. in the Plainville Municipal Center.

If you have any questions regarding the proposed zoning regulation changes, please do not hesitate to contact me at (860) 793-0221, extension 210. We anticipate and appreciate your consideration and comment.

Sincerely,

Mark DeVoe, AICP
Director of Planning and Economic Development

Enclosures

Adaptive Reuse in General Industrial Zones – Section 2.02 and 2.02.B
Reviewed and approved for 5/14/13 PH by PZC

Certain commercial uses are currently permitted as adaptive reuse by Special Exception in older buildings in the General Industrial Zone. Staff proposes that some of these uses, such as indoor recreation and/or amusements and restaurants and bars should remain as Special Exceptions. Other uses, such as fitness clubs, offices, retail, and personal services should be permitted by site plan. In all cases, the various uses must comply with the regulations in regard to parking, landscaping and buffer requirements. Changes are proposed to the use tables permitting adaptive reuse of older buildings in the GI Zone by Site Plan. Additional changes are proposed to simplify and clarify subsection 2.04.B regarding the requirements to seek approval for such adaptive reuse. As an added benefit, such uses do not typically require Aquifer Protection Registration and the proposed changes may encourage owners to embrace "greener" uses in the APA District. We submit the following for your consideration.

Additions are **highlighted and underlined**.
Deletions are ~~**highlighted and stricken**~~.

2.02 Permitted Uses and Structures

A. Permitted Principal Uses & Structures

Buildings and land may be used and buildings may be altered or erected to be used for the following purposes:

1. RETAIL-TYPE USES	CC	GC	TP	RI	GI	QI
1.1. Commercial or retail establishment	SP	SP				
1.2. Commercial or retail establishment as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations					~~SE~~ **SP**	~~SE~~ **SP**

2. SERVICE-TYPE USES	CC	GC	TP	RI	GI	QI
2.1. Bank and/or financial institution	SP	SP	SP	SP	SP	SP
2.2. Personal service establishment	SP	SP				
2.3. Personal service establishment as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations					~~SE~~ **SP**	~~SE~~ **SP**
2.4. Sample room	SP	SP				
2.5. Funeral home	SP	SP				
2.6. Day care center for children or adults	SP	SP				
2.7. Printing / publishing establishment				SP	SP	SP
2.8. Studios, arts and broadcasting	SP	SP		SE	SE	SE

3. OFFICE-TYPE USES	CC	GC	TP	RI	GI	QI
3.1. Business, professional, medical, semi-public, utility, or government office	SP	SP	SP	SP	SP	SP
3.2. Data processing facility			SP	SP	SP	SP
3.3. Research and/or development			SP	SP	SP	SP
3.4. **Any office use as adaptive reuse of an existing building in accordance with the provisions of subsection 2.04.B of the Regulations**					**SP**	

Adaptive Reuse in General Industrial Zones – Section 2.02 and 2.02.B
Reviewed and approved for 5/14/13 PH by PZC

4. HOSPITALITY USES	CC	GC	TP	RI	GI	QI
4.1. Restaurant	SP	SP				
4.2. Bars, taverns, cocktail lounges, nightclubs, other food service establishments and restaurants where food and/or drink is sold from the premises for consumption on and/or off the premises, and as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations	SE	SE			SE	
~~4.3. Dairy bars or ice cream parlors as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations~~					~~SE~~	~~SE~~
4.4. Hotel / Motel	SP	SP		SE	SE	SE
4.5. Conference centers and related facilities			SE	SE	SE	SE

5. ENTERTAINMENT / RECREATION-TYPE USES	CC	GC	TP	RI	GI	QI
5.1. Indoor theater	SP	SP				
~~5.2. Indoor theater as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations~~					~~SE~~	~~SE~~
5.3. Indoor recreation center		SE		SE	SE	SE
5.4. Health Fitness Club	SP	SP			SP	
5.5. Other amusement or recreation use except arcades or electronic game establishments, amusement parks, pool halls, roller skating rinks and race tracks of any kind	SP	SP		SE	SE	
5.6. Accessory amusement machines or games not to exceed one per 1,000 square feet of approved establishment area, or three such devices, whichever is less	A	A		A	A	

6. HEALTH AND MEDICAL-TYPE USES	CC	GC	TP	RI	GI	QI
6.1. Public or private hospital	SE	SE	SE	SE	SE	SE
6.2. Public or private convalescent home	SE	SE	SE	SE	SE	SE
6.3. Clinic	SE	SE	SE	SE	SE	SE
6.4. Veterinary hospital				SE	SE	SE

Adaptive Reuse in General Industrial Zones – Section 2.02 and 2.02.B
Reviewed and approved for 5/14/13 PH by PZC

7. INDUSTRIAL-TYPE USES		CC	GC	TP	RI	GI	QI
7.1.	Industrial park				**SP**	**SP**	**SP**
7.2.	Assembling, fabricating, light manufacturing, and/or processing of components or goods			**SP**	**SP**	**SP**	**SP**
7.3.	Small scale assembly, processing or fabrication (such uses as: baker, barber, caterer, cleaners, decorator, dressmaker, florist, furrier, hairdresser, hand laundry, **dry cleaners not located in a primary Aquifer Protection Area,** milliner, optician, photographer, printer, shoe repair, tailor, undertaker, or upholsterer) provided that such activity shall take place only for immediate sale or direct service to customers from the premises, and provided further that no noise, odor, dust, vibration or disorder is experienced beyond the lot lines of said business	**SP**	**SP**				
7.4.	Contractor's primary business establishment including trades, construction, rigging and staging. Storage and equipment yards may be permitted as an accessory use if properly screened				**SE**	**SP**	**SP**
7.5.	Machine shop, including repair & reconditioning				**SP**	**SP**	**SP**
7.6.	Painting, woodworking and sheet metal shops				**SP**	**SP**	**SP**
7.7.	Industrial launderers, not located in a primary aquifer recharge area				**SE**	**SE**	**SE**
~~7.8.~~	~~Dry cleaning plants and shops, not located in a primary aquifer recharge area, as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations~~					~~**SE**~~	~~**SE**~~

Section 2.04

B. Adaptive Reuse

1. **In order to promote environmentally friendly uses of land within the General Industrial Zone, particularly in areas designated as Aquifer Protection Areas, t**he Commission may, by **Site Plan or** Special Exception, **as indicated in the use tables,** allow **adaptive reuse** ~~up to fifty (50) percent of the aggregate gross floor area~~ of an existing building or buildings ~~located on one lot in that is at least 20 years old and under single ownership, to be used for one or more of the following uses:~~ **under the following conditions:**
   - ~~a. Bars, taverns, cocktail lounges, nightclubs, other food service establishments and restaurants where food and/or drink is sold from the premises for consumption on and/or off the premises.~~
   - ~~b. Commercial or retail establishments.~~
   - ~~c. Clubs, public or private.~~
   - ~~d. Dairy bars or ice cream parlors.~~
   - ~~e. Drug stores and pharmacies.~~
   - ~~f. Dry cleaning plants and shops, not located in a primary aquifer recharge area.~~
   - ~~g. Personal Service Establishments except that barber shops and beauty salons shall not be permitted in a primary aquifer recharge area.~~
   - ~~h. Recreational facilities located within an enclosed building.~~

~~2.~~

   a. The Commission must find that the proposed use does not:
      1. ~~a.~~ Impair the ~~industrial~~ character of the building, site or surrounding properties.
      2. ~~b.~~ Interfere with ~~the~~ **any remaining** ~~general~~ industrial use or uses ~~of~~ **on** the ~~remainder of the building~~ **premises**.

   b. ~~As a condition of approval for the non-industrial use of the building,~~ **In all cases,** the Commission shall require **a site plan detailing how** the applicant **proposes to** upgrade or improve site access, landscaping, parking lot layout and design and external illumination in accordance with the provisions of Section 7.02 of the Regulations.

Corner Lots and Rear Lots – Section 9
Reviewed and approved for 5/14/13 PH by PZC

Proposed modifications are **bold and underlined**.
Deletions are ~~stricken~~.

Purpose:

1. Definition/clarification on what the rear and side yards are on a corner lot.
2. Definition of a rear lot.

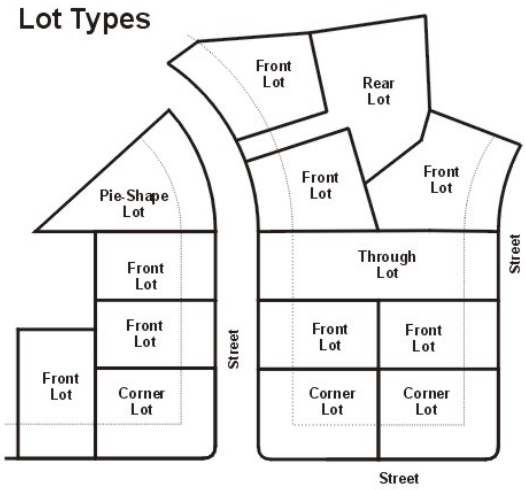
Proposed Amendments under definitions:

LOT: A parcel of land fronting on a paved street, occupied or designed to be occupied by one building and the accessory structures or uses customarily incident to it; or more than one building as allowed in these regulations.

LOT, CORNER: A lot fronting on two streets at the street intersection with a front yard on each street frontage, one side yard and one rear yard. **The yard opposite the front entrance to the principal building shall be deemed to be the rear yard. Where unusual topography and/or lot shape dictate atypical dwelling configuration, required yards shall be determined at the time of the approval of the lot by the Commission.**

LOT, REAR: A lot located to the rear of another lot and served by an accessway owned in fee by the owner of the rear lot.

LOT, THROUGH: A lot fronting on two streets not at the street intersection with a front yard on each street frontage and two side yards.



Farming – Section 1.04.E – Reviewed and approved for 5/14/13 PH by PZC

Purpose: While we do not have a complete and accurate record of zoning regulations in Plainville, we have determined that farming has been regulated since at least November 1, 1963. In that time, the regulation has changed very little. During the past 50 years, attitudes and perceptions of farming and farming operations have changed considerably. The term "farming" should be defined. Please note the proposed definition purposely leaves out many hooved animals such as llamas, pigs and camels. In addition, these regulations are currently under review for a private text amendment (Lalama) that may be cause for consideration when deliberating the suggestions below.

FARMING: Farming is synonymous with the term agriculture and shall include cultivation of soil, dairying, raising or harvesting any agricultural commodity, including the raising, feeding, caring for, training and management of livestock including horses, cattle, sheep, goats, bees, poultry and fowl raised for food production, breeding, exhibition or sale; the harvesting of sugar maple; processing and preparation of a commodity grown or raised on the premises for market; the operation, management, conservation, improvement or maintenance of a farm, it's buildings, tools and equipment. The term farm includes farm buildings and accessory buildings thereto, including a primary dwelling.

In addition, there has been confusion regarding what constitutes a pet versus a farm animal. In order to clarify the Commission's intent, we might suggest adding the following sentence to the above definition:

Livestock, poultry and other traditional farm animals are not to be considered as domestic or household pets.

The Commission could also consider adopting a definition of "pet" or "domestic pet".

PET, DOMESTIC: A domestic pet (or companion animal) is a household animal kept for a person's enjoyment, as opposed to livestock, poultry, laboratory animals and/or working animals. A domestic pet is well suited to the indoors and may spend considerable time within an owners primary dwelling.

We also highlight the changes below for your consideration – additions in **bold and underlined**, deletions ~~stricken~~.

A. Farming

1. Farming~~, raising poultry, forestry, truck or nursery gardening~~ where allowed by these Regulations provided that:
   a. No ~~livestock or poultry, except for household pets,~~ **farming or agricultural activity shall** ~~be kept~~ **occur** on any lot of less than two acres.
   b. In no case shall roosters be permitted on any premises.
   c. The commercial raising of fur bearing animals and the commercial raising of pigs are prohibited.
   d. The keeping of greater than four (4) rabbits shall be considered farming and shall meet all the full requirements of this regulation.
   e. All buildings, except dwellings, and all storage of manure or other animal refuse shall be located not less than 100 feet from any street line or property line.
   f. One greenhouse used solely for a farming operation of no more than 700 square feet in area may be located on any lot of two or more acres or as provided under Subsection 1.03.B (footnote 5).
   g. One accessory structure used solely for a farming operation and essential to the farming operation of no more than 700 square feet in area may be located on any lot of two or more acres.
   h. Structures exceeding the size limitation of this subsection require site plan approval in accordance with Section 7.02 of these regulations.

2. The display of products, produce and nursery stock, **other than livestock,** raised on the premises is permitted and for this purpose, one roadside stand not over 100 square feet in area may be located within the required front yard, but not nearer the side lot lines than the required side yard and not less than twenty (20) feet from the street line. Appropriate provisions for the safe and efficient management of consumer traffic shall be provided.

Lighting – Section 4.08 – Reviewed and approved for 5/14/13 PH by PZC

Additions are in **bold and underlined** – there are no deletions. The purpose of the following suggested text amendments are to clarify the Commission's intent with regards to light pollution.

1. Outdoor illumination of a building, structure, parking area or any other portion of a lot must be properly shielded and directed in such a manner as not to **produce glare or discomfort on public streets or neighboring property, thereby** adversely affecting abutting properties or public or private streets.

2. **All fixtures shall be full cut off design, except where otherwise required by law.**

3. Any external lighting of a parking area must be directed and shielded in such a manner as to not be generally visible from adjacent properties.

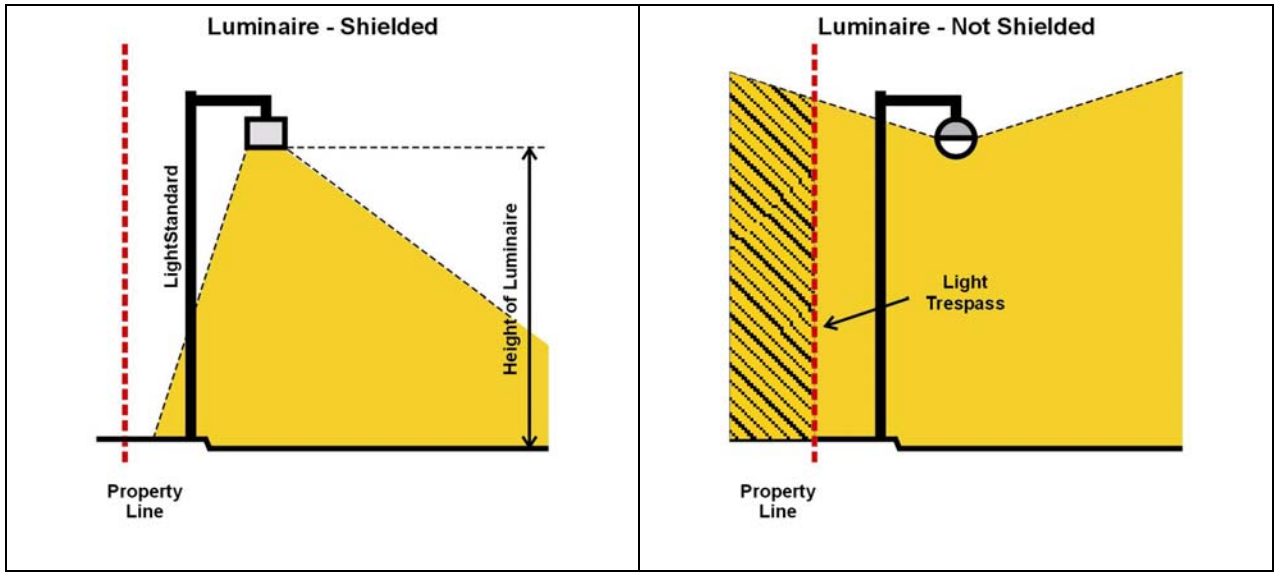
4. Any lighting must be directed away from residential areas.

5. The maximum height of a pole used for external illumination shall not exceed 20'.

6. Within ridgeline setback areas no lighting poles and no light fixtures shall exceed a height above grade of ten (10) feet, and no light source shall exceed 0.2 foot-candle at the property line or at the downslope edge of the ridgeline setback area, whichever is closer to the light source.

7. The use of strobe lights or other light source that oscillates or fluctuates in intensity or color is prohibited unless required by the Federal Aviation Administration.

Figure 4.08



Nonconforming Structures and Uses – Section 6.02
Reviewed and approved for 5/14/13 PH by the PZC

Purpose: The Connecticut General Statutes grant certain protections to nonconforming structures and uses. CGS Section 8-2 deals directly with nonconformities: *Such regulations shall not prohibit the continuance of any nonconforming use, building or structure existing at the time of the adoption of such regulations. Such regulations shall not provide for the termination of any nonconforming use solely as a result of nonuse for a specified period of time without regard to the intent of the property owner to maintain that use*.

The use of the Special Exception process to permit the applicant to do what the statutes already permit could be seen as imposing barriers not necessarily envisioned by the Statutes. The following amendments seek to streamline the process and clearly illustrate what rights an existing nonconforming use or structure may have. Additions are **underlined and in bold** and deletions are ~~stricken~~.

Section 6.01 Non-Conforming Lots – (no changes proposed)

Section 6.02 Non-Conforming Structures and Uses

~~Any non-conforming building or use existing lawfully at the adoption of these Regulations or any amendments thereof, may be continued, and any building, so existing, which was designed, arranged, intended for or devoted to non-conforming use may be reconstructed and structurally altered and the non-conforming use therein changed according to the following regulations:~~

~~1. Nothing in these Regulations shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.~~

~~2. When the total cost of the work does not exceed the assessed valuation of the building or structure, such non-conforming building or structure may be:~~
   ~~a. Altered or improved but not enlarged or extended.~~
   ~~b. Reconstructed, repaired, or rebuilt only to its previous floor area and cubical content when damaged by fire, collapse, explosion or Act of God subsequent to the date of these Regulations provided such reconstruction or rebuilding is commenced within 12 months of such damage, by permission of the Planning and Zoning Commission as a special exception requiring public hearing and the site plan provisions and guides of Section 7.02.~~
   ~~c. Repaired or reconstructed as made necessary by wear and tear, deterioration, or depreciation.~~

~~3. Nothing herein contained shall require any change in plans, construction or designated use of a building or structure for which a building permit has been issued and the construction of which shall have been diligently prosecuted within three (3) months of the date of such permit, and the ground story framework of which, including the second tier of beams shall have been completed within six (6) months of the date of the permit, and which entire building shall be completed according to such plans as filed within one (1) year from date of these Regulations.~~

~~4. A non-conforming use shall be changed to a conforming use only, except that a non-conforming use may be changed to another non-conforming use not more objectionable in character by permission of the Planning and Zoning Commission in accordance with the following:~~
   ~~a. The Commission may require site plan approval for a change to another non-conforming use not more objectionable in character, if, in its judgment, the general site or building conditions are such that they are a detriment to the neighborhood and should be improved.~~
   ~~b. The Commission may schedule a public hearing on an Application for a Change in a Non-Conforming Use if the Commission finds that scheduling a public hearing is warranted due to public interest in the proposal and/or it deems such action in the best interests of the Town.~~
   ~~c. The public hearing, if required, shall be held in accordance with applicable state statutes and these regulations.~~

~~5. No part of a non-conforming use or building, if changed to conformance with these regulations subsequent to its adoption, shall be changed back to non-conformance.~~

~~6. A non-conforming use shall not be extended; but the extension of a lawful use to any portion of a non-conforming building or structure which existed prior to the enactment of these Regulations shall not be deemed the extension of such non-conforming use.~~

~~7. No non-conforming use which has been abandoned for a period of one (1) year shall be thereafter resumed.~~

~~8. Nothing in these Regulations shall be interpreted as authorization for, or approval of, the continuance of the use of a structure or premises in violation of zoning regulations in effect at the time of the effective date of these regulations.~~

~~9. Unless otherwise provided for in these regulations, the uses permitted and requirements for the R-12 Zone shall be the same for any non-conforming residential use regardless of the zone in which the non-conforming residential use is located.~~

~~10. Any non-conforming primary building or accessory structure in a Central Commercial (CC) Zone existing prior to August 1978 may be rebuilt provided that:~~
~~a. The ground floor area is not greater than the ground floor area of the existing building and accessory structure(s).~~
~~b. The total building area is not greater than the total building area of the existing building and accessory structure(s).~~
~~c. When a non-conforming building is rebuilt as permitted in Subsection 6.02.10.a and Subsection 6.02.10.b above and the balance of the land on the site is not sufficient to meet the parking requirements of Section 4.01, then the balance of the land area shall be accepted as meeting the parking requirements.~~

Section 6.02 Non-Conforming Structures and Uses

1. Nonconforming Structures - Any nonconforming structure lawfully existing at the time of adoption of these Regulations, or any later amendments, may be continued as a nonconforming structure. The following shall apply:

a. A legal nonconforming structure which is damaged or destroyed by fire, explosion, act of God, or the public enemy, may be rebuilt with the same footprint and floor area and the use continued, but not to any greater extent than in the previously existing structure, unless such use conforms to the underlying zoning in which district the structure lies. Reconstruction of the structure must begin within one year of the event or the structure shall be required to comply with the Regulations for the specific use and zone. Such reconstruction shall not increase the value of the structure from the assessed full value, prior to any recent damage, by more than 25%.

b. A legal nonconforming structure may be maintained and repaired provided such work does not increase the non-conforming aspect of the structure and complies with other applicable parts of these Regulations for the specific use and zone. Such maintenance or repair shall not increase the value of the structure from the assessed full value, prior to any recent damage, by more than 25%.

c. No nonconforming structure, if rebuilt under this section, may be used in a manner more nonconforming that what it was used for prior to its destruction.

2. Nonconforming Uses - Any nonconforming use of buildings or land lawfully existing at the time of adoption of these Regulations, or any later amendments, may be continued as a nonconforming use. The following shall apply:

a. Any claim of a nonconforming use must be documented prior to the resumption of such nonconforming use.

b. No nonconforming use may ever be more nonconforming than the prior documented use.

c. No legal nonconforming use may be changed except to a conforming use or, with the approval of a Site Plan and Special Exception by the Commission, may be changed to another nonconforming use that is less objectionable in character than the original use.

d. The Commission shall require that any change to a nonconforming use is subject to such conditions as may be deemed necessary to protect the reasonable enjoyment of any neighboring property.

e. No legal nonconforming use, and no portion of a building containing a nonconforming use, shall be extended or expanded.

f. No legal nonconforming use shall be moved in whole or in part to any other portion of a building, lot or parcel of land.

Parking Standards for Industrial Business – Section 4.01.A.2
Reviewed and approved for 5/14/13 PH by PZC

When the Commission updated their Zoning regulations in 2010 to implement low impact development, several items were looked at to reduce impervious surface areas. One major issue was parking. In many cases, Zoning regulations were changed to reflect a reduced number of required parking spaces. Thus far, there have been no unintended effects.

Recently however, Staff attention was drawn to the revised standards for industrial uses. Previous Zoning regulations required 1 parking space for every 2 employees for any industrial, manufacturing, wholesale and/or warehouse use. The changes in 2010 were instituted to reflect both a minimum AND a maximum amount of parking for such uses <u>based on square footage</u> of a facility. This was done to restrict the construction of more impervious surface than needed, but may have had the opposite of the intended effect.

What we are finding is that the adjusted parking requirements actually call for more parking than what is needed for certain manufacturers. We feel the same will hold true for wholesalers and warehousing/distribution. One such small manufacturer was required to seek a variance recently because of the revised regulation.

We are proposing a reduced minimum for these categories to accommodate the small number of employees needed at certain types of facilities. We understand that if ownership changes and facilities are put to a new use, parking demand can increase. It must be recognized that the regulations cannot and should not force an applicant to build more parking than they need just to satisfy the possible eventuality of increased demand in the future. If the use of the facility changes and parking demand increases, an application to the Commission for new parking is the appropriate course of action. If inadequate area is available on the site to accommodate the increased parking demand, a new site should be selected by the applicant.

We hope that the Commission agrees, and offer the following simple adjustment for consideration.

Industrial Use	Minimum Parking Required	Special Exception Threshold:
Industrial or manufacturing	~~2.0~~ **<u>1.0</u>** spaces for each 1,000 square feet of gross floor area	3.5 spaces for each 1,000 square feet of gross floor area
Wholesaling**<u>,</u>** ~~or~~ warehousing **<u>and/or distribution</u>**	~~1.~~ 0**<u>.5</u>** spaces for each 1,000 square feet of gross floor area	2.0 spaces for each 1,000 square feet of gross floor area

In the example above, a 40,000 square foot manufacturing facility could have as few as 40, or as many as 140 parking spaces by site plan approval, while a warehouse or distribution center of the same size could have as few as 20 or as many as 80 parking spaces by site plan approval. If more parking spaces are required due to special circumstances, the applicant can still apply for a special exception (recall Gems Sensors). This is meant to remove the responsibility from the Commission for guessing if the strict minimum will suffice; the owner will have accountability.

This change furthers the Commission's goal of minimizing impervious surface area, and fosters low impact development (e.g., manufacturing and warehousing with light employee loads will not have to overbuild parking or seek variances). Those with heavier loads are given a fair berth to increase parking loads before the requirement to apply for a Special Exception kicks in.

Projections into Required Yards – proposed Section 4.07, new definition under Section 9 – reviewed and approved for 5/14/13 PH by the PZC.

Proposed modifications are in **bold and underlined**.
Deletions are ~~stricken~~.

Purpose:

Plainville uses the definition of "building area" (*existing and shown below*) when considering how far a projection may or may not encroach into a required front, side, or rear yard setback. The definition itself is not specific to yard requirements, but rather defines the area of a built structure and some specific appurtenances such as architectural features, porches, etc. As many municipalities do allow certain projections into required yards, and Plainville has been doing so through a liberal interpretation of "building area", we suggest that the activity be codified.

BUILDING AREA (*existing definition*): The aggregate or maximum horizontal cross section of the main building on a lot, together with its accessory buildings. The building area excludes steps, one-story open porches, balconies, terraces and cornices, eaves, gutters and/or chimneys which project not more than thirty (30) inches.

Note that the above definition does not make any mention of projections into required yards.

Proposed Amendments:

Section 4.07 Projections into Required Yards (subsequent section numbers can be revised)

1. **Nothing in these regulations shall prohibit the projection of more than 18 inches into a required yard by pilasters, belt courses, sills, cornices, eaves, gutters or similar architectural features.**

2. **Nothing in these regulations shall prohibit the projection of more than 30 inches into a required yard by uncovered steps or porches, cantilevered balconies, or chimneys.**

3. **Uncovered handicap ramps are permitted to project to within five feet of any property line under the following circumstances:**
   a. **The applicant shall provide documentation from a certified health care provider that there is a genuine need for such a ramp.**
   b. **The ramp shall be constructed in accordance with the requirements of the American with Disabilities Act and all applicable building, health and safety codes.**
   c. **Any such ramp shall be dismantled removed when it is no longer medically required.**

Notes:

Staff has been permitting projections into required yards, as many municipalities routinely do (Wallingford, Bristol, Newington, Woodbury, Canton to name a few we've reviewed). This activity should be clarified and authorized under an appropriate section of the zoning regulations. Not all regulations we reviewed permit the projection of handicap facilities into the required yard; we thought it was worthy of mention, and bring it up here for your consideration. (recommended by PZC on 1/8/13 for action)

Signs – Section 4.02 – Reviewed and approved for 5/14/13 PH by PZC

Staff has had encounters with LED signs. Messages can be scrolled or displayed in any manner of 'attention grabbing ways', including full color fireworks and other artful figures. I recollect an animated figure 'bowling' letters onto a sign board in Wallingford. The challenge became getting the owner to stop programming the sign in such a distracting way. The reality is that LED signs can be controlled from within an establishment. If proposed as a static message, changeable once a day, once a week, or as otherwise permitted or agreed, LED signs may be less obtrusive.

LED signs are difficult to enforce when their full display powers are abused in contravention to this regulation, however at least one gas station in Town has LED signs. The Commission may choose to "stem the tide" of LED signs, or concede that they are permitted in a limited manner. The Commission may also choose to allow neutral content LED signs such as time, date and temperature signs. Please review the following for purposes of discussion.

CURRENT TEXT:

Section 4.02

~~10. **Sign Prohibitions –** Notwithstanding any other provision of this Section:~~

~~a. No sign shall be attached to any tree, fence or utility pole.~~

~~b. No sign shall be painted directly upon any wall or roof of any structure or building in a commercial or industrial zone.~~

~~c. Movable signs or any sign which is not permanently affixed to a building, structure or the ground is prohibited except as modified herein by Subsection 4.02.5 of these Regulations.~~

~~d. Rotating, blinking or flashing signs are prohibited.~~

~~e. Advertising banners, balloons and the like are prohibited unless specifically authorized in this Section.~~

PROPOSED TEXT:

10. Sign Prohibitions – Except as modified herein by Subsection 4.02.5 of these Regulations, the following signs are prohibited:

- **a. Signs that are illuminated in a manner or with such intensity or brightness that they may cause glare, distraction or nuisance to operators of vehicles, pedestrians, or neighboring property owners.**
- **b. Signs attached to any tree, fence or utility pole.**
- **c. Signs painted directly upon any wall or roof of any structure or building.**
- **d. Portable signs, such as sandwich board signs or A-frame signs, which are moveable and not permanently attached to a building, structure or the ground, except as specifically provided for under subsection 5 of this section.**
- **e. Pennants, streamers, aerial signs, inflatable signs or flag-like devices hung from or attached to any part of a building, vehicle, structure or otherwise on a lot for commercial purposes, except where specifically exempted pursuant to subsection 5 of this section.**
- **f. Signs projected onto a surface by any means.**
- **g. Rotating, blinking, animated or flashing signs, message boards capable of a slide show or series of stills, full motion, or a combination thereof, including signs with display screens using intermittent internal illumination by mechanical or digital controls that produce an illusion of movements such as, but not limited to, flashing, running, rotating, video graphics, animation, change in color and brightness or scrolling advertisement message, projected by LED, LCD, plasma, or functionally equivalent technology, with the exception of content neutral time, date and temperature signs if the image is displayed in less than 2.5 square feet.**
  - **1. EXCEPTION: to address the volatility of fuel prices at a fuel filling station, the changeable copy sign may be digital for price information only, provide that:**
    - **i. Only the price copy is illuminated on a black background;**
    - **ii. The sign illumination can be adjusted so as to be visible by day without creating glare at night;**
    - **iii. The sign does not flash intermittently; and,**
    - **iv. The copy is not changed more frequently than twice per day.**

Signs – Section 4.02 – Reviewed and approved for 5/14/13 PH by PZC

The attached amendment codifies the Commission's intent to require landlords with multiple tenants to distribute sign allowances (area) equitably between those tenants. It also clarifies intent as to projecting signs versus canopy signs.

4. **Signs In Commercial And Industrial Zones**
   a. **Attached Signs**
      i. One attached sign shall be permitted per business establishment conducted within a building except that the Commission may, by Special Exception, approve the location of more than one attached sign per business establishment, if it determines that more than one attached sign is necessary to adequately identify the business and the proposed sign does not impair the character and appearance of the area in which it is erected.
      ii. The total area of all attached signs shall not exceed 1 square foot for each linear foot of the front facade of a building (defined as the longest building wall which **is used to provide primary access to the public** ~~**directly faces the street**~~). **Only one such frontage may be counted per building. The total area of all attached signs shall be shared equitably within multi-tenant buildings using gross lease area, length of storefront or other acceptable measurement.**

      iii. Attached signs shall not project above the roof line and shall not project more than twelve (12) inches from the wall or surface to which they are attached except that a projecting sign or canopy may be utilized provided that:
         ~~1.~~ **Any S**~~s~~such **projecting** sign shall not exceed four (4) square feet in area.
         2. The bottom edge of a projecting sign shall be at least seven (7) feet above ground level in pedestrian areas.
         3. No ~~such~~ **projecting** sign shall extend more than six (6) feet from the wall to which it is attached.
         4. No projecting sign shall exceed the height of the building to which it is attached.
         5. **Any such canopy sign shall not exceed the area normally permitted for an attached sign and any lettering, logo, or any other type of advertising message on the canopy shall count toward the maximum permitted area of an attached sign. If proposed as a back-lit canopy, the entire area of illumination shall count toward the permitted sign area.**
         6. **Any such attached sign, projecting or canopy shall be erected only after approval of the supporting structure by the building official.**

CENTRAL CONNECTICUT REGIONAL PLANNING AGENCY

Serving Berlin, Bristol, Burlington, New Britain, Plainville, Plymouth, and Southington

225 North Main Street, Suite 304
Bristol, CT 06010-4993

Internet: http://ccrpa.org
Fax/TDD: (860) 589-6950

Tel: (860) 589-7820
or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	April 26th, 2013
RECEIVED BY CCRPA ON:	April 23rd, 2013
REFERRAL NAME:	Southington zoning regulation amendment regarding the storage of recreational vehicles
INITIATOR:	Town of Southington Planning and Zoning Commission
MUNICIPAL HEARING:	June 4th, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	The Town of Southington is proposing revisions to their zoning regulations to define "recreational vehicles" and to allow their storage in the side yard, when the rear yard does not provide sufficient space, and in the front driveway for a maximum of 48 hours per seven day period.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

PLANNING AND ZONING DEPARTMENT

MUNICIPAL CENTER - 196 NORTH MAIN STREET
SOUTHINGTON, CONNECTICUT 06489

Phone: (860) 276-6248 - Fax: (860) 628-3511

April 23, 2013

Carl J. Stephani
Exec. Director, CCRPA
225 No Main St, Ste 304
Bristol, CT 06010

RE: Proposed Zoning Regulation Amendment – Section 2-01.A.5 and 2-18 R (ZA #572)

Dear Sir or Madam:

In accordance with the provisions of the Connecticut General Statutes, attached is a copy of a proposed zoning text revision submitted by the Town of Southington PZC proposing a revision to Sections 2-01.A.5 and 2-18 R of the Zoning Regulations.

The Planning and Zoning Commission anticipates opening the public hearing on this item on June 4, 2013. The complete file is available for review in the Planning Department, the Town Clerk's office and on the web page. If you have any questions regarding this proposal, please feel free to contact me at (860) 276-6248.

Respectfully,

4/23/13

David Lavallee
Acting Town Planner

enclosures

I:\Planning and Zoning\regs folder\revisions\ZA #572\referral letter.docx

PROPOSED NEW TEXT = BOLD ITALICS
PROPOSED DELETIONS = [ITALICS]

DEFINITIONS

2-01 A

ACCESSORY USE OR BUILDING - A use or building customarily incidental and subordinate to the principal use or building which is located on the same lot as such principal use or building, or on a contiguous lot under the same ownership subject to the following conditions:

A. In Residential Zones, the following uses shall be considered accessory uses:

5. [*The storage of recreational vehicles, including boats, when located in the rear yard a minimum of 5 feet from any property line*;]

The parking of recreational vehicles, including boats, when located a minimum of 5 feet from any property line:

a) In the rear yard
b) In the side yard when insufficient space is available in the rear yard
c) In the front yard on the driveway for a maximum period of 48 hours over a seven day period

2-18 R

ROOMING HOUSE - See "Boarding House"

RECREATIONAL VEHICLE- Recreational Vehicle is a motor home, travel trailer, truck camper, or camping trailer with or without motive power designed for human habitation for recreational or emergency occupancy.

DRAFT

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or (860) 224-9888

TO:	COMPREHENSIVE PLAN COMMITTEE
FROM:	Timothy Malone, Associate Planner
DATE:	April 26th, 2013
RECEIVED BY CCRPA ON:	April 25th, 2013
REFERRAL NAME:	Plainville zoning regulation amendment regarding dog day care facilities
INITIATOR:	Kristin Brigandi
MUNICIPAL HEARING:	May 28th, 2013
REFERRED TO:	CCRPA
DESCRIPTION:	Kristin Brigandi has petitioned the Town of Plainville to allow "Dog Daycare Facilities" in the Central Commercial, General Commercial, Restricted Industrial, and General Industrial zones, contingent on the approval of a site plan. Standards regulating the hours of operation, the number of dogs, and how the dogs shall be housed are also included.
COMMENTS:	No comments were received.
STAFF RECOMMENDATION:	CCRPA recommends that the referral in this proposal be found ***Not in Conflict*** with the Regional Plan of Conservation and Development or any other Agency plan.

T O W N O F

P L A I N V I L L E

ONE CENTRAL SQUARE, PLAINVILLE, CONNECTICUT 06062-1955

MARK S. DEVOE, AICP
Director of Planning and Economic Development
(860) 793-0221, Extension 210
(Fax 860-793-2285)

VIA EMAIL: referrals@ccrpa.org

April 25, 2013

Mr. Carl Stephani, Executive Director
Central Connecticut Regional Planning Agency
225 North Main Street, Suite 304
Bristol, CT 06010

Re: Proposed Text Amendments to the Zoning Regulations, Plainville, Connecticut
Section 2.02.A - Business Zones - Permitted Principle Uses and Structures
Section 2.04 - Business Zones - Use Regulations
Section 9.02 - Definitions

Dear Mr. Stephani:

In accordance with Section 8-3b of the Connecticut General Statutes, as amended, please be advised that Plainville resident and business owner Kristin Brigandi has initiated a zoning text amendment application proposing revisions to the regulations as detailed in the attached materials. The public hearing on the proposed amendments may be scheduled no sooner than May 28, 2013 at 7:30 p.m. in the Plainville Municipal Center.

If you have any questions regarding the proposed zoning regulation changes, please do not hesitate to contact me at (860) 793-0221, extension 210. We anticipate and appreciate your consideration and comments.

Sincerely,

Mark DeVoe, AICP
Director of Planning and Economic Development

Enclosures

Dog Daycare Facility

Purpose: to permit dog day care facilities in certain zones with due consideration to potential impacts.

Item #1: Under Section 2.02.A – Add Dog Day Care Facility to list of permitted uses as a Site Plan use in CC, GC, RI and GI.

2. SERVICE-TYPE USES	CC	GC	TP	RI	GI	QI
2.1. Bank and/or financial institution	**SP**	**SP**	**SP**	**SP**	**SP**	**SP**
2.2. Personal service establishment	**SP**	**SP**				
2.3. Personal service establishment as adaptive reuse of an existing building in accordance with the provisions of Subsection 2.04.B of the Regulations					**SE**	**SE**
2.4. Sample room	**SP**	**SP**				
2.5. Funeral home	**SP**	**SP**				
2.6. Day care center for children or adults	**SP**	**SP**				
2.7. Printing / publishing establishment				**SP**	**SP**	**SP**
2.8. Studios, arts and broadcasting	**SP**	**SP**		**SE**	**SE**	**SE**
2.9. Dog Daycare Facility	**SP**	**SP**		**SP**	**SP**	

Item #2: Under Section 2.04 – add new Section 2.04. outlining an appropriate set of standards.

Section 2.04 Use Regulations

? Dog Day Care Facilities

It is the intent of these regulations to permit dog day care facilities in a manner that minimizes the potential for disturbance to adjacent properties and neighborhoods.

1. Dog day care facilities are permitted after site plan approval by the Commission in Central Commercial and General Commercial Zones, as well as Restricted Industrial and General Industrial Zones.
2. A detailed site plan shall be submitted with each application showing drop off and pick up areas, staff and customer parking.
3. No more than 30 dogs shall be allowed at the facility.
4. No unlicensed dogs shall be accepted into the facility.
5. No overnight housing of dogs is allowed in any zone.
6. All dogs are to be housed indoors.
7. Hours of operation are limited to 6:00 A.M. to 8:00 P.M.

8. The dog day care facility must meet requirements set forth by The State of Connecticut Department of Agriculture, who is the licensing authority.
9. A detailed waste management plan shall be submitted with the application. Such plan shall take into consideration the disposal of solid waste and stormwater impacts.
10. The facility will not breed, sell or provide medical care to any dog.
11. The facility may permit indoor training and grooming as additional services.

Item #3: Under Article 9 – add new definition for Dog Day Care Facility.

A Dog Daycare Facility is an organized, controlled and monitored environment, providing supplementary care for a group of friendly dogs by allowing them to interact and play throughout the day. The purpose is to provide stimulation, exercise & socialization for the dog.