

Planning and Zoning Code- Section 38

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SECTION 38 NEWFIELD STREET CORRIDOR ZONE

38.01- PURPOSE- The purpose of this zone is to establish a district of compatible land uses along the area of the Newfield Street Corridor, which is already business industrial and retail in character. Development within this zone shall be in general conformance with the Newfield St./ Route 3 Corridor study which has been prepared and adopted as part of the Plan of Development pursuant to Section 8-23 of the Connecticut General Statutes.

The uses shall be planned and located so they do not generate large volumes of traffic and do not negatively impact surrounding residential areas. This zone will help to encourage the most appropriate uses of land in the most aesthetically pleasing manner while avoiding the negative aspects of strip commercial development, by limiting signage and other distractions to the motorist, limiting curb cuts and promoting the consolidation of individual parcels of land into a total integrated plan.

38.02- USES- No land shall be used or occupied and no structure shall be erected constructed, reconstructed, altered or used, except for any use which is indicated in the NPZ column of the Use Schedule, Section 61 of this Zoning Code, and shall be subject to such provisions as referred to in that column. Single family homes, multi-family homes, automotive repair, liquor stores, and gas stations in existence prior to the effective date of this section shall be considered permitted uses. Any change in use of an existing building from residential to another permitted use shall require the submission of a full site plan demonstrating that the site can satisfy all relevant Zoning Code provisions.

38.02A SPECIAL RESIDENTIAL DEVELOPMENT (SRD) FLOATING ZONE SUB-DISTRICT (Section added effective 4/30/18)

1.) APPLICABILITY - In addition to the uses found in Section 61 of this Code a SRD sub-district may be established on any lot or assemblage of lots in excess of three (3) acres within the NEWFIELD STREET CORRIDOR ZONE (NPC).

2.) PURPOSE- An SRD sub-district is designed to encourage mixed use development within the Newfield Street Corridor by permitting multi-family development in the corridor and allowing retail/commercial development on the same parcel. The sub district will encourage variety and flexibility while also retaining the Commissions legislative authority to guide and ensure proper development.

3.) PROCEDURE-APPLICATION PROCESS SITE PLAN REQUIREMENTS - An application for approval of a SRD Sub District shall be made in writing to the Planning and Zoning Commission signed by the owner or owners of the land which are the subject of the application. The application shall include twenty (20) prints of the site plan of the property drawn to scale showing the information as required in Section 55 of the Zoning Code, including a detailed landscape plan and full architectural renderings The Commission shall refer the proposed plan to City Departments for review and comment and shall hold a public hearing on the proposal in accordance with Section 8-3 of the Connecticut General Statutes.

4.) ESTABLISHMENT - In rendering a decision on a SRD floating zone sub-district the Commission acts in a legislative capacity and shall be afforded wide and liberal discretion. The Commission shall use its knowledge of the area, departmental comments, public comment, its Plan of Conservation and Development and Section 71 of this Regulation to render its decision. The Commission may approve, disapprove or approve with modifications the application of the SRD sub district and a site plan for the

development of land which site plan may deviate from the standards in the underlying zone and Section 40 for parking requirements. The Commission may attach any conditions to its approval as it considers necessary in order to assure continued conformance with the zoning regulation.

A suitable notation shall be on the Zoning Map identifying any property for which a SRD Sub District has been approved. **(Section added effective 4/30/18)**

38.03

Lot Area For New Lots	Lot Width For New Lots	Height Requirements	Lot Coverage	Front Yard	Side Yard	Rear Yard
30,000 sq. ft.	150 ft.	50 ft.	30%	50 ft.	10 ft.	30 ft.

(Of which the front 50% of the front yard shall be landscaped)

Lots of record qualify for both permitted and special exception uses provided they satisfy all other zoning criteria. During the special exception and site plan review process the Commission may waive or modify the yard and lot coverage requirements so as to insure proper design and placement of buildings.

38.04 TRAFFIC IMPACTS- Uses and addition to uses which generate one hundred (100) peak hour vehicle trips or more based on the ITE trip generator tables shall be subject to the following: Submission of a traffic impact analysis by a traffic engineer containing present roadway conditions, existing roadway capacity, existing and projected traffic volumes (ADT, Peak A.M. and Peak P.M.), existing and projected volume capacity ratios, existing and projected levels of service, existing and proposed sight lines, site generated traffic distributions, traffic accident experience, and all on- and off-site improvements which will help mitigate anticipated traffic problems.

38.05 SIGNS- In addition to Section 48 of this Code the following more restrictive standards shall apply:

- A. Attached Wall Signs: In a single tenant building the number of signs shall not exceed three (3) and the sum of the area shall equal one (1) sq. ft. per lineal foot of building frontage and no sign shall exceed 200 sq. ft. In a multi-tenant building each tenant is allowed one wall sign equal to one (1) sq. ft. per lineal foot of store frontage and no sign shall exceed 100 sq. ft.
- B. Detached Identification Signs: One (1) sign per lot, or consolidated parcel, not exceeding 12 sq. ft. in area for an individual lot and 24 sq. ft. for a consolidated parcel and not exceeding ten (10) feet in height. Such sign shall be for identification of an occupant, building or complex.
- C. Temporary Signs: No temporary signs or banners are permitted with the exception that temporary banners, balloon signs or pennant signs advertising a special event may be issued by the Zoning Enforcement Officer for not more than ten (10) consecutive days.

38.06 CONSOLIDATED PARCELS- For the purpose of integrated development, any number of contiguous parcels may be consolidated for the purpose of development, and the consolidated parcel shall be construed to be one lot when computing building coverage and yard requirements, and permitted uses, provided:

- A. 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.

- B. The consolidated parcel is developed with an integrated plan of buildings, curb cuts, parking, loading and unloading, and open space. The Commission may consider shared parking arrangements for uses when the peak hours for individual uses differ. (i.e., night club and office, movie theater and dental clinic)

38.07 ORDERLY TRAFFIC MOVEMENT- In the absence of consolidated parcels in order to assure future orderly vehicular movement onto the street by requiring shared points of ingress and egress between lots, the Commission or its staff during the site plan review process may require vehicular cross easements as part of individual development plans and may waive or modify setback requirements to facilitate unified, well planned development.

38.08 MERCHANDISE AND MATERIALS STORAGE AND DISPLAY- Merchandise shall not be stored or displayed within the required front yard setback.

Parking Spaces and Landscaped Areas shall not be used for sales, storage, display of goods, or advertising purposes of any kind, except for detached signs installed in conformance with these Regulations.

Sales: may be conducted in parking spaces on special promotional days by permit issued by the Zoning Enforcement Officer for not more than three (3) consecutive days at a time.

38.09 AREAS FOR LOADING AND UNLOADING- Any lot developed shall provide adequate space for the loading and unloading of goods and materials so located so as to avoid conflict with vehicular movement and shall be adequately screened from sight.

38.10 ILLUMINATION- Interior and exterior lighting, including signs, shall not be of such intensity or located or directed in a way as to produce glare or discomfort on public streets or neighboring properties. All lights shall be directed away from residential zones unless specifically designed to enhance a pedestrian linkage.

38.11 LANDSCAPING AND BUFFERING- A landscaping plan which identifies the location of all landscaped islands and the types of species within the islands shall be submitted with the application material.

In order to protect the integrity of residential zones abutting B-3 zones, sufficient buffering shall be required when a property in this zone (B-3) abuts a residential zone or a potential incompatible land use. Further, no access drive shall cross through, traverse or interrupt the required buffer area. All screening shall take maximum advantage of existing natural topographical features and existing plantings. In approving any site plan for a new use which abuts a residential zone screening of one of the following types of buffering shall be required. The Commission or its staff during the site plan review process shall exercise final determination of which option should be pursued:

- A. an earthen berm accompanied with a six (6) foot high evergreen planting on top of the berm.
- B. a six (6) foot high stockade fence on metal fence posts fixed in concrete footings with the side containing the posts facing the B-3 zone, accompanied with a six (6) foot high evergreen planting, at least four (4) feet in width, between such fence and the abutting residential use.
- C. an eight (8) foot high, six (6) foot wide protective planting strip in accordance with specifications established by the Planning and Zoning Department.

(Section added effective 1/15/99)