

**SHELTON PLANNING AND ZONING COMMISSION
ADOPTED TEXT WITH NARRATIVE**

Adopted: 6/12/07
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Text Prepared
November 3, 2006
Revised 2/8/07; 2/10/07; 2/28/07

The following is a series of proposed amendments to the Zoning Regulations for the purpose of creating a new zoning district for use in the Downtown Area. The proposed district would accommodate high-density development that will be supportive of the downtown area and able to make advantageous use of the River orientation. The proposal responds to the recent studies completed by the SEDC in support of a proposed amendment to the Shelton Enterprise and Commerce Park Project Plan and recommendations for SECP Phase 2 sites, adjacent to the Housatonic River. A recently completed marketing study concluded that the current industrial zoning and a light industrial reuse of the area are inconsistent with the direction that the downtown area has taken. The study concludes that a mixed-use development of residential, office and retail commercial is consistent with a new vision for downtown. Accordingly, the Commission was requested to prepare appropriate zoning amendments "... which will enable new private investment which has responded to Shelton's progressive commitment to downtown revitalization."

The proposal set forth below would create a new underlying zone tentatively referred to as a **River Front District (RFD)**, intended to be integrated within the current CBD Overlay zone. Accordingly, the provisions of both would be applicable. In the new zone, permitted uses as of right, subject to site plan and architectural plan approval, would include retail sales and service, personal services, professional and general business offices, restaurants including limited catering facilities, (say a maximum of 100 persons or so) and the supporting sale of alcoholic beverages, bars and cocktail lounges, (provided adequate parking for potential customer demands is available), and the typical range of municipal and governmental uses. Any high-

density residential use would require approval of a Special Exception (subject to compliance with additional standards to be set forth in Section 33).

Draft of November 2, 2006; Revised November 8, 2007 (For Discussion Purposes)

Amend **SECTION 21 – DISTRICTS, Paragraph 21.1 Districts** by adding to the list of Districts, following the Office Park District, another District entitled:

River Front District

RFD

Amend **SECTION 23 – DISTRICTS, PERMITTED USES, SCHEDULE A-PERMITTED USES** by adding a new use line 2C to read as follows:

2C. Multi-family residential developments, with or without other permitted mixed commercial uses, subject to the additional standards and provisions of Paragraph 33.18.

(To be indicated by an “E” under the **RFD** district column and by an “X” under all other district columns.)

Amend **SECTION 23 – DISTRICTS, PERMITTED USES, SCHEDULE A-PERMITTED USES** by adding a new District column headed by **RFD** and identifying the applicability of each **Use Line** as follows:

<u>Use Line</u>	<u>Applicability Designation</u>
1, 1A, 1B, 1C,	X
2, 2A, 2B,	E
2C, (as proposed)	E
3, 3A,	X

4, 5, 6,	P
6A, 6B, 6C, 6D,	X
7, 8,	S
8A, 9, 10, 11, 12, 13A, 13B, 14, 15, 16, 16A,	X
16B,	P
17, 18, 18.1, 19, 20, 21, 22,	X
22A,	P
22B, 23,	X
24,	S
24A,	X
25, 26a, 26b, 26c, 27, 28,	S
29,	X
30,	E
31, 32,	X
33,	X (Use PD)
34,	E
35,	S
36, 36A, 37, 38, 39A, 39B, 39C, 40,	X
41,	E
42, 42A, 42B,	X
43,	P
44, 45, 46, 47, 47A, 48, 49, 50,	X
51,	S
52,	X
52A,	S
53, 54, 55, 56, 57, 58,	X
59,	G
60, 61, 61A,	S
62,	P

Amend **SECTION 24 – AREA, LOCATION AND BULK STANDARDS, SCHEDULE B - STANDARDS** by establishing a new District Code column headed by **RFD** with the following standards to be applicable:

<u>Line Standard</u>	<u>RFD Requirement</u>
Line 1.	20,000 sq. ft.
Line 2	500 sq. ft.
Line 3	100 feet
Line 4	100 feet
Line 5	none
Line 6	60 feet*
Line 7	10 feet
Line 8	25 feet
Line 9	10 feet
Line 10	N.A.
Line 11	75%
Line 12	90%
Line 13	350**
Line 14 through Line 16	N.A.
Line 17	650 sq. ft.***

* Refer to Paragraph 24.3 concerning excess height.

** Within any building, floor area devoted to parking shall not be included in the calculation of maximum floor area ratio.

*** Within an existing structure to be rehabilitated, the Commission may permit not more than 10% of the dwelling units within said structure to be reduced to lot less than 550 square feet.

Amend **SECTION 24-AREA, LOCATION AND BULK STANDARDS** as follows:

By adding to Paragraph **24.3 Height** as follows:

Within the **River Front District (RFD)** the Commission may permit a greater height for a portion of a building totaling not more than 50% of the building roof area but not exceeding 75 feet in height to accommodate penthouses and similar other rooftop features.

By inserting under Paragraph **24.4 Setbacks** two new subparagraphs to read as follows:

24.4.14 Riverwalk Setbacks: In the **River Front District (RFD)** the Commission may permit the lower portions of buildings not exceeding two (2) stories or 25 feet, whichever is less, to extend to within ten (10) feet of any common property line or easement line for the Shelton Riverwalk.

24.4.15 Parking Structures: In the **River Front District (RFD)** the Commission may permit parking decks of not more than one (1) level above ground to extend to within five (5) feet of any property line other than one in common with the Riverwalk and to within ten (10) feet of a property line or easement line in common with the Riverwalk.

Amend **SECTION 33 - SPECIAL EXCEPTIONS** by renumbering **Paragraph 33.18 as 33.19** and inserting a new **Paragraph 33.18 Multi-family Residential Developments in the RFD Districts** to read as follows:

33.18 Multi-family Residential Developments in the RFD Districts: Within a delineated RFD District, Applications for high density multi-family residential developments, including customary business and professional offices in a dwelling unit, plus customary accessory recreational, maintenance and similar facilities incidental to and in support of such residential use, shall conform with the following additional standards:

33.18.1 Lot Area and Shape: Each such multi-family residential development shall be located on a lot having a minimum area of 8,000 square feet with a minimum frontage of 80 feet on a street.

- A. **Dwelling Unit Density:** The development shall be located on a lot having not less than the required lot area per unit specified in **SCHEDULE B – STANDARDS**. When located in a mixed-use development, no additional lot area requirement is imposed for any ground level, permitted, non-residential occupancy.

- B. **Affordable Housing Component (Voluntary):** At the request of an Applicant to set aside “affordable housing” units meeting the requirements of the Connecticut General Statutes, the total allowable residential density may be increased by up to ten percent (10%) provided that for each unit in excess of the allowable density at least two (2) units must be earmarked as “affordable housing” units. The Applicant shall be responsible for periodic reporting to the appropriate municipal authority attesting to occupancy in compliance with the General Statutes.

- C. **Dwelling Unit Size:** Each dwelling unit shall contain a minimum floor area of not less than 600 square feet.

- D. **Parking:** It is recognized that in the Central Business District overlay zone, a significant amount of municipal off-street parking is available under the direction of the Shelton Parking Authority. Therefore, any required parking not available on site may be satisfied through an agreement with the Shelton Parking Authority and/or payment of a fee in lieu thereof, under

the provisions of Sec. 8-2c of the Connecticut General Statutes, in accordance with policies and procedures of the City of Shelton. The following parking ratios for high-density residential development must be satisfied by on-site and/or other parking available in a facility located within 200 feet walking distance:

For one-bedroom units: 2.0 spaces per unit.

For two or more bedroom units: 2.0 spaces per unit.

For mixed-use developments, non-residential parking at a minimum ratio of four (4) spaces per 1,000 square feet of gross commercial floor area should be available on-site and/or by other parking available in a facility located within 300 feet walking distance of the site. In a mixed use residential/commercial development, depending upon the nature of the non-residential uses proposed, a credit for shared parking of up to 50% of any on-site residential parking may be allowed.

Amend **SECTION 36 – CENTRAL BUSINESS DISTRICT, Paragraph 36.4 Permitted Uses**, by modifying **Subparagraph 36.4.2** by inserting **RFD** after **P.D.D.** and by adding to the list of specifically prohibited uses following additional Subparagraphs:

24.4.15 Tattoo, body-piercing and similar establishments.

24.4.16 Pawn shops.

24.4.17 Check-cashing businesses except as part of a bona-fide banking or financial facility.

24.4.18 The sale and/or repair of firearms.

24.4.19 Fleet storage, parking and/or maintenance of livery vehicles and equipment.