

## **INITIAL SUMMARY OF THE SIGNIFICANT CHANGES TO ZONING REGULATIONS (SUMMARY STILL A WORK IN PROGRESS)**

### **CHAPTER 1.0: AUTHORITY, PURPOSE, RETROACTIVITY & SEVERABILITY**

Fixed authority & purpose language to comply with new statute. Restructured components of the section – combined Adoption with Authority

1.3 **Purpose:** The purpose of these regulations is to:

*(A) lessen congestion in the streets; (B) secure safety from fire, panic, flood and other dangers; (C) promote health and the general welfare; (D) provide adequate light and air; (E) protect the state's historic, tribal, cultural and environmental resources; (F) facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; (G) consider the impact of permitted land uses on contiguous municipalities and on the planning region, as defined in section 4-124i, in which such municipality is located; (H) address significant disparities in housing needs and access to educational, occupational and other opportunities; (I) promote efficient review of proposals and applications; and (J) affirmatively further the purposes of the federal Fair Housing Act, 42 USC 3601 et seq., as amended from time to time;*

### **CHAPTER 2.0: DEFINITIONS**

*Added definitions for all uses and removed any regulatory language from the definitions and put into supplemental regulations.*

#### *New definitions needed related to housing due to new laws*

- New Terms Defined (red) and Existing definitions amended existing in some way (black):
  - Access Strip
  - Access, Unobstructed
  - Accessory Apartment (Accessory Dwelling Unit)
  - Agriculture and its own section
    - Agricultural Buildings and Structures
    - Agricultural Tourism
    - Ag-Tivities
    - Aquaculture
    - Farm
    - Farm, Accessory Dwelling Unit
    - Farm, Commercial
    - Farm Products
    - Farmers' Market
    - Farm Stand
    - Farm Store
    - Livestock
  - Amusement Park
  - Apartment, Commercial Caretaker (replaced Dwelling, Caretaker Unit)
  - Assisted Living Facility (removed "for seniors")
  - Barn
  - Bed and Breakfast (amended to remove regulatory language)

- Buffer Area
- Buffer Strip
- **Buildable Area**
- Building Height
- **Building Line**
- Building Setback Line – Front
- Building Setback Line – Rear
- Building Setback Line – Side
- **Campground, Recreational**
- Caretaker
- Change of Use
- Change of Use, Minor
- Child Day Care Center
- **Cluster (?) REMOVED**
- **Civic Building**
- **Club (Membership Club)**
- Coastal Site Plan
- Commercial Establishment
- Commercial Fishing, Lobstering, Shell Fishing Base
- **Commercial Services**
- **Community Center**
- Complex, Commercial or Industrial
- **Construction Trailer**
- Cost
- **Cottage Cluster Housing**
- Country Inn
- Date of Receipt, Statutory
- **Design Guidelines – REMOVED**
- Disturbed Area
- Dwelling, Single-Unit
- Dwelling, Two-Unit (DUPLEX)
- **Easement**
- **Educational Facility**
- **Emergency Services**
- Excavation
- Excavation, Major
- Excavation, Minor
- Family Child Day Care Home (amended to remove regulatory language)
- **Food and Beverage Production, Large Scale**
- **Food and Beverage Production, Small Scale**
- Gas Station (Fueling/Charging Station)
- Grade, Average Finished
- Grade, Finished
- Hospital/Emergency Treatment Center
- Impervious Coverage
- Impervious Surface/Cover

- Industrial Park – REMOVED AND REPLACED w/
  - Industrial, Light (Examples are provided)
  - Industrial, Heavy (Examples are provided)
- Interior Lots
- Interior Lot, Special
- Junk
- Kennel – REMOVED & REPLACED w/
  - Kennel, Commercial
  - Kennel, Hobby
- Living Area
- Lot Area, Minimum
- Lot Coverage
- Lot (Property) Line, Front
- Lot Line, Frontage
- Lot (Property) Line, Rear
- Lot (Property) Line, Side
- Lot, Through
- Lot Width
- Low Impact Development (LID)
- Manufacturing
- Medical/Health Care Office/Clinic
- Mixed Use (Commercial/industrial Uses)
- Mixed Use (Residential & Commercial Industrial)
- Motor Vehicle
- Motor Vehicle and Equipment Repair and Service
- Motor Vehicle Dealer
- Motor Vehicle Rental
- Non-Conforming, Legally Existing (a.k.a “Grandfathered Use”)
- Nursing Home
- Open Space
- Open Space, Active
- Open Space, Passive
- Park/Playground
- Personal Service Establishment (Examples Provided)
- Professional Service (Examples Provided)
- Photometric Plan
- Recreation (Active)
- Recreation (Passive)
- Recreational Use (Indoor)
- Recreational Use (Outdoor) (Examples Provided)
- Recreational Vehicle
- Repair Facility, Motor Vehicle
- Repair Facility, Non-Motor Vehicle
- Research Facility
- Resort Facility
- Restaurant, Excluding Fast Food

- Restaurant, Fast Food
- Retail
- Retail With Outdoor Sales and Storage
- Sawmill
- Sawmill, Temporary
- Setback, Front Yard
- Setback, Read Yard
- Setback, Side Yard
- Shopping Center – REMOVED
- Sign-Temporary Identification
- Sign, Ground
- Site Plan
- Special Permit (Special Exception)
- Use, Principle
- Use, Accessory
- Use, Permitted as Of Right
- Use, Specially Permitted
- Utility, Public/Private
- Variance
- Warehouse
- Warehouse Distribution
- Waste Product
- Watercourse
- Wetland
- Yacht Club, Marina, Boatyard – REMOVED
- Yard Front, Rear & Side – REMOVED but REPLACED
- Zoning Permit

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## **CHAPTER 3.0 ESTABLISHMENT OF DISTRICTS AND SPECIAL DEVELOPMENT ZONES**

- Clearly separated the districts under their respective purposes in new sections
  - Inserted 3.1 Residential Zoning Districts
  - Inserted 3.2 Non-Residential Zoning Districts
  - Inserted 3.3 Special Non-Residential Zoning Districts and Development Zones
- Deleted Sections 3.4 Area and Bulk Schedule Requirements
  - 3.4 now becomes “Zoning Map”
- Added Permits & Applicability
- Added Prohibited if not Permitted
- Added Application of Other Laws
- Added Conflicting Standards
- Added References to Statutes and Regulations
- Added Schedule of Uses – general criteria – not chart

## **CHAPTER 4.0: DIMENSIONAL REQUIREMENTS – GENERAL ALL DISTRICTS**

- Formerly Zoning District Regulations

New section to provide general dimensional regulations

## **SEPARATE RESIDENTIAL AND NON RESIDENTIAL ZONING DISTRICT REGULATIONS**

- It is cleaner to have the purpose, bulk requirement, permitted uses and any other general criteria specific to the particular district in one place for all Residential Zones and then together for all non-residential Zones. This way there is no confusion and you don't have to flip to another chapter for the bulk requirements.
- Added new language re: Minimum Lot Area, Frontage and Setback requirements
- Added Exceptions/Requirements for things like fences, patios, signs, ramps, stoops, etc.
- Inserted 4.4 Exceptions – New section to address issue of non-conforming structures built before zoning,

## **CHAPTER 5.0: Residential Zoning District Regulations**

- DISTRICTS
- PURPOSE
- AREA AND BULK SCHEDULE REQUIREMENTS –RESIDENTIAL DISTRICTS
- SCHEDULE OF PERMITTED USES - RESIDENTIAL DISTRICTS
- **Generalized the uses** and grouped in categories. Provided reference to supplemental regs.  
If any. **Categories are:**
  - Residential, Principal Uses
  - Residential, Accessory Uses
  - Non-residential Uses, Principal
  - Non-residential Uses, Accessory
- **Deleted Rooming and Boarding**
- **ADDED: SPECIAL RESIDENTIAL DEVELOPMENT TECHNIQUES OR FLOATING ZONES**
- Put the Open Space and Conservation Subdivision BULK requirements here. These are not “uses” they are different planning techniques or ways you can develop a property... and as such, should not mentioned be in the Table of Uses. They are a function of the Planning Commission – not a Zoning function. Put them here so you can list the bulk requirements that are not typically found in subdivision regulations – and consider only having OPEN SPACE SUBDIVISIONS. They are essentially the same.
  - Imposed a maximum of only 1 Special Interior lot per Open Space Subdivision – added language to ensure better lot and access design.
  - Added max. length of access strip and max. distance to achieve lot width.
  - Consider Maximum lot size – added for discussion
- Got rid of both Affordable Housing District and Incentive Housing Zone – NO ONE would follow these since a straight up 8-30g development is more lenient.... And Ledyard has less than the required 10% so no developer would choose AHD or and IHZ. AND – there are no incentives anymore. Consider instead requiring 10 -15% affordable (10 or 20yr deed restriction vs. 40) for ALL Multi-family developments > 10 Dwelling units (or something like that)

- Removed AGE RESTRICTED HOUSING (?) ASSISTED LIVING FOR SENIOR CITIZENS –These were obviously for specific developments, and I assume had more detailed regs at the time as you would not have been able to waive regulations etc.
  - Need to determine how many lots can share a driveway!

## **CHAPTER 6.0: NON-RESIDENTIAL ZONING DISTRICT REGULATIONS**

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### **SECTION 6: NON-RESIDENTIAL ZONING DISTRICT REGULATIONS**

Separated the LCDD, LCTD, RCCD, GFDD & MFDD from the I, CM, CIP and NC and added the following sections for each:

- PURPOSE
- GENERAL GUIDELINES
- AREA AND BULK SCHEDULE REQUIREMENTS –
- SCHEDULE OF PERMITTED USES – Generalized the uses and grouped in categories. Provided reference to supplemental regs. If any. **Categories are:**

- Residential, Principal
- Residential, Accessory
- Agricultural
- Institutional/Civic/Municipal
- Commercial
- Industrial, Principal
- Industrial, Accessory
- Misc. /Other

**Modified** dimensional requirements to facilitate better design.

**Added:** Maximum height may be increased to sixty-five (65) feet for multi-family and/or mixed use buildings with full sprinkler systems; located in areas with functioning fire hydrants; and where all sides of the structure are accessible by a ladder fire engine. For the **LCDD, MFDD, RCCD, & GFDD ONLY**

**Added:** Maximum Front Yard Setback (new structures) for LCDD, GFDD, I and CIP Districts

**Added: SPECIAL NON-RESIDENTIAL DEVELOPMENT TECHNIQUES OR FLOATING ZONES to this section.** Technology Park District (Floating Zone – Master Plan Development)

Need to add Min. Sidewalk widths

## **CHAPTER 7.0: GENERAL/MISCELLANEOUS REGULATIONS**

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*These are regulations that pertain to all zones - They are not specific Uses just general standards.*

- Antennas & Towers
- Cemeteries
- Construction Trailers
- Driveways, Residential
- Interior Lots
- Junk and Unregistered, Inoperable and/or Hobby Motor Vehicles

- Non-Conforming Uses, Lots, Structures
  - Replacement of Lawful Non-conforming Mobile Homes
- Portable Storage Units
- Signs
  - Added regulations for Real Estate and Construction Signs
  - Removed requirement that Kiosk signs have integrated and complimentary coloration and lettering – Can't regulate this.
  - Consider changing the 30 second rule for EMCs to 15 seconds

## CHAPTER 8.0: SUPPLEMENTAL REGULATIONS

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*This section is only for Uses in the permitted use tables for any of the zones that need additional criteria listed. Major changes include:*

- Added Excavation to this section and took out of “Natural Resources” as it is a specific permitted use
- Added Alternative Energy Systems as they are also in the use table
- Removed CONS. Subs and OS Subs, AHD and IHZ as they are Types of development – not “uses”
- Removed Portable Storage Unit and added it to General/MISC Regulations as it is not a specifically listed use.
- Amended Accessory Dwelling Unit regulations to comply with new Statute
- Allow Acc Structures anywhere within building envelope
- Added/Amended Agriculture Section to allow accessory uses
- Significantly revised Home Husbandry Regs
- Allow some non-agriculturally related uses on farms including event barns
- Took out minimum size and parking requirements for dwelling units to comply with statute
- Removed density requirements for Multi-family Dwelling Units -whatever the land can support in compliance with Health, Building and Fire Codes.
- Duplexes -staff approval identical to NSFR process.
- Took out many general standards that would be covered under the new Chapter 9 – Site Development Standards.
- Deleted Affordable Housing District and Incentive Housing Zone and Assisted Living – Senior Citizen
- Distinguished between Commercial and Hobby Kennel
- Added many new uses and provided standards for them – including Commercial Services, Mixed-use Development (RES/COM & COM/COM/IND), Membership Clubs
- Revised Home Occupation Regs to add different requirements for Commercial Services or for a HO in a non-residential Zone
- Added provision that the proposed Home Occupation must be a use that is specifically permitted in the Town of Ledyard
- Added supplemental regs for some of the new uses such as membership club, commercial services, and mixed use.

- For Personal Services – need to add specific criteria to address whatever it is you are afraid of rather than trying to do the Tier on Tier two approach. Cannot limit the concentration of these uses within a zone though due to the uniformity rule!
- Consider Temporary Event regulation to extend to LCDD too.

## **CHAPTER 9.0: SITE DEVELOPMENT STANDARDS**

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*These are the specific criteria for each standard required or discussed (i.e. landscaping and lighting, etc.) so there are clear standards upon which to review all applications and determine compliance. You HAVE to have a reason to deny any application. Your current regulations have no clear standards for many important things! These do not apply to Residential Uses...*

**Referred to specific Ordinances as applicable.**

**Added:**

- Sustainable Development
- Landscaping Standards and Requirements
- Parking Requirements and Design Standards – Added Design Objective
- Access Management
- Refuse Storage
- Outdoor Storage
- Outdoor Merchandise Display
- Architectural Character, and Historic and Landscape Preservation
- Outdoor Illumination – Added Design Objective
- Stormwater Management & Soil Erosion and Sediment Control
- Consolidated Parcels

Substituted “neighborhood character” with ...general **architecture, rhythm, aesthetics, and existing development pattern/layout** in the immediate neighborhood to better comply with the new statutes. Added Design Objectives in some places.

## **CHAPTER 10.0: APPLICATIONS REQUIRING STAFF APPROVAL**

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*Added requirements/procedures that pertain to all uses and activities that do not require a Site Plan or Special Permit, and therefore approved by staff.*

- Zoning Permits
- Post Development Certifications of Zoning Compliance
- Change of Use
- Property Line Adjustment/Free Split

Added language on applicability, required documents and procedure

## **CHAPTER 11.0: APPLICATIONS REQUIRING COMMISSION APPROVAL**

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*Added requirements/procedures that pertain to all uses and activities that require a Site Plan or Special Permit, and therefore review and approval by the Commission, and statement that all applications for Site Plan approval must show conformance with Chapter 9 (Site Design Requirements).*

- Preliminary Concept Plan
- Site Plan
- Special Permit
- Map and Text Amendments

Added requirement that Site Plans and Special Permits be recorded w/in 90 days.

Added general Procedural Requirement Section including information on required notices, timelines, and bonding etc.

## **CHAPTER 12.0 COASTAL AREA MANAGEMENT AND FLOOD PROTECTION**

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No changes to the CAM or FEMA regulations that were contained within Chapter 12.

## **CHAPTER 13.0 ADMINISTRATION AND ENFORCEMENT**

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Current Regulations – Ch. 13 was Non-Conforming Uses, Structures and Property and Administration and Enforcement was Chapter 15.

Moved Non-conforming Regulations to Chapter 7- General/Miscellaneous Regulations

Separated out current 15.4 ZBA into its own Chapter 14.

Moved 15.3 Procedure for Changing Zoning Districts and Zoning Regulations to Chapter 11.

Moved 15.5 Aquifer Protection to its own Chapter – Chapter 15

Moved 15.6 Fees to this chapter (13.2)

## **CHAPTER 14.0 ZONING BOARD OF APPEALS**

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Added Floodplain Variance language to this chapter from current Chapter 12

## **CHAPTER 15.0 AQUIFER PROTECTION AGENCY**

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No change

## **APPENDIX A: Amendments**

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## **APPENDIX B: SITE PLAN REQUIRED STANDARD ELEMENTS (SITE PLAN CHECK SHEET)**

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Took elements required in current Chapter 6 and created a check sheet instead. All Check Sheets are on the back side of the application form associated with it.

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**APPENDIX C: SINGLE FAMILY OR DUPLEX DWELLING PLAN REQUIRED STANDARD ELEMENTS (CHECK SHEET)**

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This is the check sheet for single-family and duplex residents. There is an As-built Check Sheet as well.

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**APPENDIX D: PLOT PLAN REQUIRED STANDARD ELEMENTS (PLOT PLAN CHECK SHEET)**

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These are the required elements for all “plans” associated with a Zoning Permit vs. a Site Plan.

Sign Regulations need work still.

Subdivision Regulations Revisions: 90% complete.