

## Section 2.2 – Definitions

### HOUSING RELATED TERMS

#### **P. MANUFACTURED HOME**

A pre-built detached residential unit having three-dimensional components which is intrinsically mobile, with or without a wheeled chassis, built on or after June 15, 1976, in accordance with the Manufactured Home Construction and Safety Standards established by the US Department of Housing and Urban Development, capable of being transported in one or more sections on a permanent chassis. The term "manufactured home" shall not include a modular, unitized, or prefabricated dwelling placed on permanent foundation.

#### **Q. MIDDLE HOUSING DEVELOPMENT**

In accordance with Special Session Public Act 25-1, a residential building containing not less than two dwelling units but not more than nine dwelling units, including, but not limited to townhouses, duplexes, triplexes, perfect sixes, and cottage clusters.

#### **P R. MOBILE HOME**

~~A detached residential dwelling unit which may be moved on wheels attached to an integrated axle assembly, having no power of its own but drawn by or used in connection with a motor vehicle, which is so constructed or reconstructed as to permit use and occupancy after minor assembly operations, such as location on jacks or other temporary or permanent foundations, connections to utilities and the like. See "Prefabricated Dwelling."~~

A pre-built detached residential unit having three-dimensional components which are intrinsically mobile, with or without a wheeled chassis, built prior to June 15, 1976, containing sleeping accommodations, a flush toilet, tub or shower bath, kitchen facilities and plumbing and electrical connections for attachment to outside systems, and designed for long-term occupancy and to be placed on rigid supports at the site where it is to be occupied as a residence, complete and ready for occupancy; except for minor and incidental unpacking and assembly operations and connection to utilities systems.

#### **✕. PREFABRICATED DWELLING**

Dwellings, or parts thereof, which meet all of the applicable requirements for a dwelling unit and are built off-site and transported to a building site on a flatbed truck or similar method of conveyance. Such dwellings, or parts thereof, are not considered "mobile homes." For the purposes of these regulations, a Prefabricated Dwelling is considered a Single-Family Dwelling.

**Note:** Re-letter all uses after "P" to maintain proper sequence.

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**MIXED-USE DEVELOPMENT**

In accordance with Special Session Public Act 25-1, a development which includes both commercial uses and not less than two dwelling units but not more than nine dwelling units.

**SUMMARY REVIEW**

In accordance with Special Session Public Act 25-1, a review and approval from the Planning and Commission which does not require a Public Hearing, Variance, Special Permit, or any other discretionary zoning action, and only requires a determination that the proposal in question is in conformance with setbacks, lot size, building frontage and other specific standards as set forth within these regulations.

**TRAILER**

A detached vehicle or object which is, has been or can be mounted on wheels, having no motive power of its own, but drawn by or used in connection with a motor vehicle, which is or can be used for working quarters or storage of goods or materials. Mobile homes and manufactured homes shall not be considered trailers. Such trailers shall meet all requirements of this regulation pertaining to accessory uses. No trailer shall be used for sleeping or living purposes.

**Article 3 – Residence (R) Zones****SECTION 3.2 – Principal Uses and Structures****B. Permitted by Zoning Permit**

1. Residential – A single-family dwelling, one per lot.
2. Residential – A manufactured home used as a single-family dwelling unit.
3. Residential – A two-family building, one per lot, only in the RR-10 Zone.
4. Residential – A community residence provided that such facility is located at least one thousand feet from any other community residence or child-care residential facility.
5. Residential – A child-care residential facility provided that such facility is located at least one thousand feet from any other community residence or child-care residential facility.
6. Agricultural Buildings – Barns, silos, sheds, and other buildings associated with a farming use.

**C. Permitted by Special Permit**

1. Unless exempted herein or modified by the Commission, all special permit uses shall be separated from adjacent residential uses on all sides and front by a screen or a landscaped buffer.

**Residential-Type Uses**

2. Rear Lot – A rear lot in an R-40 Zone or an R-80 Zone (buffer per Subsection 3.2.C.1 not automatically required) provided that:

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- a. Such lot shall contain at least double the minimum lot area requirement of the zoning district, exclusive of any accessway area.
  - b. Such lot shall meet the lot width requirements but shall only be required to have a lot frontage of 25 feet for the accessway.
  - c. Such lot shall be connected to a public or private roadway by a continuous, contiguous strip of land (an accessway) at least 25 feet wide.
  - d. Such accessway shall be part of the lot and shall be owned in fee simple by the owner of the lot.
  - e. Such accessway shall be located between any two other lots provided each other lot complies with the minimum lot frontage requirement.
  - f. Such accessway shall be paved a minimum of 12 feet in width and shall not exceed a grade of 12%.
3. Residential – A community residence if such use is located within one thousand feet of any other community residence or child-care residential facility (buffer per Subsection 3.2.C.1 not automatically required).
4. Residential – A child-care residential facility if such use is located within one thousand feet of any other community residence or child-care residential facility (buffer per Subsection 3.2.C.1 not automatically required).
- ~~7. Mobile Home – A mobile home when used as a one family dwelling and located on a lot containing at least twice the area required for a single family dwelling in that zone (buffer per Subsection 3.2.C.1 not automatically required).~~
8. Elderly Housing – In the R-10 Zone, an apartment housing complex for elderly persons in accordance with Subsection 3.6.A of these Regulations.
9. Conservation Subdivision – In the R-40 Zone and the R-80, a conservation subdivision in accordance with Section 95-17 of the Subdivision Regulations (buffer per Subsection 3.2.C.1 not automatically required).

#### Club-Type Uses

10. Clubs and Organizations – Clubs and other organizations providing social, cultural, and recreational uses serving a community need or convenience and not including and activity carried on primarily for profit.
11. Recreation Club – A private golf, tennis or swim club, provided that:
  - a. It is located on a plot of not less than five acres
  - b. No structure is located within 75 feet of any street line or within 100 feet of any property line.
  - c. No activity is carried on which results in objectionable noise audible off the premises.

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| <b>Legend</b> |                                                |
|---------------|------------------------------------------------|
| P             | Use is permitted in the zoning district.       |
| SP            | Use requires obtaining a Special Permit (PZC). |
| X             | Use is not permitted in the zoning district.   |
| SR            | <u>Use is permitted by Summary Review</u>      |

| <b>I Residential Uses</b> |                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>VC</b> | <b>C</b> | <b>RT6</b> | <b>I</b> | <b>IP</b> |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|------------|----------|-----------|
| 1.                        | Residential use, in a structure for residential use only, with a density of up to 10 units per acre, provided the dwelling units shall meet the minimum floor area requirements of § <u>118-5.5E</u> .                                                                                                                                                                                                                    | P         | P        | X          | X        | X         |
| 2.                        | Apartment in the same structure with other permitted uses, provided that:                                                                                                                                                                                                                                                                                                                                                 | P         | P        | X          | X        | X         |
| a.                        | The residential density shall not exceed 10 units per acre.                                                                                                                                                                                                                                                                                                                                                               |           |          |            |          |           |
| b.                        | All apartments meet the minimum floor area requirements of § <u>118-5.5E</u> of the RM-O regulations regarding apartment dwellings.                                                                                                                                                                                                                                                                                       |           |          |            |          |           |
| c.                        | Apartments shall not be permitted on the same floor of a structure with other permitted uses.                                                                                                                                                                                                                                                                                                                             |           |          |            |          |           |
| d.                        | No other permitted use shall be allowed on a floor of a structure located at a higher level than a floor containing apartments.                                                                                                                                                                                                                                                                                           |           |          |            |          |           |
| e.                        | Apartments shall have adequate access to at least two separate entrances for emergency purposes.                                                                                                                                                                                                                                                                                                                          |           |          |            |          |           |
| 3.                        | (Reserved)                                                                                                                                                                                                                                                                                                                                                                                                                | X         | X        | SP         | X        | X         |
| 4.                        | Residential dwelling units (apartments, townhouses, or condominiums) which are located 275 feet or more from the centerline of the frontage street, provided that:                                                                                                                                                                                                                                                        |           |          |            |          |           |
| a.                        | Such residential dwelling units are located on a lot which is at least 5 acres in size. Adjacent lots in the same ownership may be combined to meet this criteria. Land which is located in a different zoning district may be included in calculating the size of the lot or combined lots.                                                                                                                              |           |          |            |          |           |
| b.                        | The lot or combined lots also contain permitted, non-residential uses located along the frontage street. The overall floor area of such non-residential uses must exceed 7,000 square feet per acre of the total land area of the lot or combined lots located within 275 feet of the centerline of the frontage street. Such non-residential uses may be partially located more than 275 feet from the centerline of the |           |          |            |          |           |

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|           |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |           |           |           |  |  |
|-----------|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|--|--|
|           |    | frontage street, except for a medical use, which must exceed 6,000 sf per acre of the total land area of the lot or combined lots located within 275 feet of the centerline of the frontage street.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           |           |           |  |  |
|           | c. | The residential dwelling unit density does not exceed 10 units per acre.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |           |           |           |  |  |
|           | d. | The land area which is used exclusively for such residential dwelling units and associated infrastructure may not be used to meet any other requirement of these Regulations, and the land area of the lot is not used exclusively for such residential dwellings and associated infrastructure may not be used to calculate the residential density in paragraph c.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |           |           |           |  |  |
|           | e. | For purposed of this Subsection 4, the term "frontage street" shall mean State Route 6 (Stony Hill Road) even if the lot or combined lots have frontage on other streets.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |           |           |           |  |  |
|           | f. | Proposed dwelling units on a parcel of land shall be required to provide 20% of the total dwelling units subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay 30% or less of income, 10% shall be required to meet the income level that is less than or equal to 60% of the area median income, and 10% shall be required to meet the income level that is less than or equal to 80% of the area median income as defined by C.G.S. § 8-30g(a)(7). A development proposal that is required to provide 20% affordable housing units shall submit an affordability plan that complies with C.G.S. § 8-30g(b) and regulations adopted pursuant thereto. |           |           |           |  |  |
| <u>5.</u> |    | <u>Middle Housing Development in accordance with Section 6.12</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u>SR</u> | <u>SR</u> | <u>SR</u> |  |  |
| <u>6.</u> |    | <u>Mixed-Use Development in accordance with Section 6.12</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <u>SR</u> | <u>SR</u> | <u>SR</u> |  |  |

## ARTICLE 5 – SPECIAL ZONES

### Section 5.6 – Residential Multi-Office (RM-O)

#### C. Uses Permitted by Site Plan Approval

1. Any use permitted in Residence Zone RR-10 subject to the same conditions and limitations.
2. For a use permitted, accessory uses when customarily incidental to a permitted use and on the same premises.
3. More than one building per lot may be required by the Commission where the Commission determines it would be advisable, consistent with the area and in the best interests of the town, because of any one or more of the following considerations:

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- a. Aesthetic consistency with surrounding buildings.
- b. Nature of the proposed use.
- c. Traffic flow.
- d. Other factors peculiar to the land such as shape of the lot or existing topography.

**D. Uses Permitted by Summary Review**

1. Middle Housing Development in accordance with §6.12
2. Mixed-Use Development in accordance with §6.12

Note: Re-letter all uses after "D" to maintain proper sequence.

**Section 5.7 – Residential Multi-Office Zone East (RMO-East)****C. Uses Permitted by Site Plan Approval**

1. Any use permitted in the Residence Zone RR-10 subject to the same conditions and limitations.
2. For a use permitted, accessory uses when customarily incidental to a permitted use and on the same premises.

**D. Uses Permitted by Summary Review**

1. Middle Housing Development in accordance with §6.12
2. Mixed-Use Development in accordance with §6.12

Note: Re-letter all uses after "D" to maintain proper sequence.

**Section 5.11 – TOD****G. Permitted Uses**

| Legend    |                                                |
|-----------|------------------------------------------------|
| P         | Use is permitted in the zoning district.       |
| SP        | Use requires obtaining a Special Permit (PZC). |
| X         | Use is not permitted in the zoning district.   |
| <u>SR</u> | <u>Use is permitted by Summary Review</u>      |

| I Residential Uses |                                        | TOD       |
|--------------------|----------------------------------------|-----------|
| 1.                 | A single-family dwelling, 1 per lot.   | <u>ZP</u> |
| 2.                 | A two-family building, 1 per lot.      | <u>ZP</u> |
| 3.                 | A townhouse, 1 per lot.                | <u>ZP</u> |
| 4.                 | An urban villa, up to 6 units per lot. | P         |

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| 5.         | Residential use, in a structure for residential use only, with a density of up to 30 units per acre.                                                                   | P         |
| 6.         | Multi-family in the same structure with other permitted uses, provided that:                                                                                           | P         |
| a.         | The residential density shall not exceed 20 units per acre.                                                                                                            |           |
| b.         | All apartments meet the minimum floor area requirements of § 118-5.6E(10) of the RM-O regulations regarding apartment dwellings.                                       |           |
| c.         | No other permitted use shall be allowed on a floor of a structure located at a higher level than a floor containing apartments.                                        |           |
| 7.         | A community or child care residence, provided that such facility is located at least 1,000 feet from any other community residence or child-care residential facility. | SP        |
| 8.         | A rear lot.                                                                                                                                                            | X         |
| 9.         | Mobile Home.                                                                                                                                                           | ✕         |
| 10.        | Conservation Subdivision.                                                                                                                                              | X         |
| <u>11.</u> | <u>Middle Housing Development in accordance with Section 6.12</u>                                                                                                      | <u>SR</u> |
| <u>12.</u> | <u>Mixed-Use Development in accordance with Section 6.12</u>                                                                                                           | <u>SR</u> |
| <u>13.</u> | <u>A Manufactured Home used as a single-family dwelling</u>                                                                                                            | <u>P</u>  |

### **Section 5.13 – Conservation and Traffic Mitigation Overlay Zone (CTMO) [new]**

- A. Purpose. The purpose of the Conservation and Traffic Mitigation Overlay Zone is to ensure that adequate parking remains available throughout the downtown Bethel area and to ensure safe and adequate passage of streets by emergency vehicles and the general public. The Planning and Zoning Commission recognizes that many streets in downtown are not appropriate for on-street parking and is committed to ensuring safe and adequate passage.
- B. Authority. This overlay zone is created by the Planning and Zoning Commission under the authority granted to it in Special Session Public Act 25-1.
- C. Location. The boundary of the CTMO is shown on a map titled “CTMO Zone” dated July 1, 2026 and on the official zoning map as may be updated from time to time. All parcels (and any subsequent parcels created) shown to be within the CTMO zone as of July 1, 2026 shall be subject to these requirements.
- D. Parking Requirements. The minimum number of parking spaces within the CTMO shall be as follows:
- Non-Residential Uses.
    - The number of parking spaces required for non-residential uses shall be in accordance with the requirements set forth in Section 6.2.C.2 through 6.2.C.6, inclusive.
  - Residential Uses:

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- i. Efficiency and 1-bedroom Units 1 space per unit
  - ii. Two or more bedroom units 2 spaces per unit
- c. Mixed-Use Development:
  - i. Efficiency and 1-bedroom Units 1 space per unit
  - ii. Two or more bedroom units 2 spaces per unit
  - iii. Non-Residential Uses As provided for in Section 6.2
- E. Parking Needs Assessment. In accordance with Special Session Public Act 25-1, a developer may present a Parking Needs Assessment. If said Needs Assessment is submitted, the Commission shall approve the development using either the figure found within the Needs Assessment or the minimum required number of spaces as determined within this section, whichever is lower.

## ARTICLE 6 BASIC STANDARDS

### Section 6.2 – Parking, Loading, Access, and Storage

- B. Number of parking spaces. Each use shall provide parking sufficient to accommodate all vehicles normally associated with that use, except as provided in § 118-6.2D, regarding shared parking by off-hour uses.

#### Minimum Parking Requirements

##### 1. Residential Uses

- a. Single-family residential use on a separate lot 2 spaces for the dwelling unit
- b. Multi-family building on an individual lot:
  - i. Efficiency, 1-bedroom, or 2-bedroom units ~~2~~1 spaces per dwelling unit
  - ii. ~~Three-~~ 2+ bedroom units ~~3~~ 2 spaces per dwelling unit
  - iii. ~~Four or more-bedroom units~~ 3 spaces plus 0.5 space per bedroom
- c. Multi-family development:
  - i. Efficiency, 1-bedroom, or 2-bedroom units ~~2~~1 spaces per dwelling unit
  - ii. ~~3-~~ 2+ bedroom units ~~3~~2 spaces per dwelling unit

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| <b>Minimum Parking Requirements</b>     |                                                                                                                                                                                                                 |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| iii. <del>4 or more bedroom units</del> | <del>3 spaces plus 0.5 space per bedroom</del>                                                                                                                                                                  |
| iv. <del>Visitor parking</del>          | <del>0.25 space per unit</del>                                                                                                                                                                                  |
| d. Bed-and-breakfast establishments     | 2 spaces for the dwelling unit plus 1 space per bedroom used for the bed-and-breakfast                                                                                                                          |
| e. Home-based business                  | 2 spaces for the dwelling unit plus 1 space per home-based business plus 1 space per non-resident employee plus other spaces as may be necessary, in the opinion of the Commission, for the home-based business |
| <b>2. Institutional-Type Uses</b>       |                                                                                                                                                                                                                 |
| a. Church, Community center             | 1 space per 150 square feet of usable floor area                                                                                                                                                                |
| b. Club, lodge, fraternal organization  | 1 space provided per 100 SF usable                                                                                                                                                                              |
| c. Educational facility                 | 25 spaces, plus: <ul style="list-style-type: none"> <li>• 2 off-street parking spaces per classroom up to grade 8</li> <li>• 10 off-street parking spaces per classroom above grade 9</li> </ul>                |
| d. Places of assembly                   | 1 space per 3 seats or 1 space per 3-person capacity                                                                                                                                                            |
| <b>3. Business Uses</b>                 |                                                                                                                                                                                                                 |
| a. Retail store                         | 1 space per 200 SF of gross floor area                                                                                                                                                                          |
| b. Personal service establishment       | 1 space per 200 SF of gross floor area                                                                                                                                                                          |
| c. General office                       | 1 space per 200 SF of gross floor area                                                                                                                                                                          |
| d. Financial institution                | 1 space per 200 SF of gross floor area                                                                                                                                                                          |
| e. Medical office                       | 1 space per 150 SF of gross floor area                                                                                                                                                                          |
| f. Gasoline station                     | 1 space at each dispenser plus an additional parking space for each dispenser                                                                                                                                   |
| g. Automobile repair                    | 2 spaces plus 1 additional space per 200 SF of gross floor area and 1 space per bay                                                                                                                             |
| h. Industrial uses                      | 1.5 spaces per 1,000 SF of gross floor area                                                                                                                                                                     |
| <b>4. Hospitality Use</b>               |                                                                                                                                                                                                                 |

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| <b>Minimum Parking Requirements</b>                                                     |                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. Sit-down restaurant                                                                  | 1 space per 100 SF of public floor area and 1 space per 200 SF of non-public floor area                                                                                                                                                                                                   |
| b. Fast-food restaurant                                                                 | 1 space per 100 SF of public floor area and 1 space per 200 SF of non-public floor area                                                                                                                                                                                                   |
| c. Hotel or motel                                                                       | 1 space per habitable unit plus 1 space per employee on the largest shift                                                                                                                                                                                                                 |
| d. Microbrewery                                                                         | 2 spaces per 1,000 SF of non-public floor area plus 1 space per 100 SF of public floor area                                                                                                                                                                                               |
| <b>5. Recreational Use</b>                                                              |                                                                                                                                                                                                                                                                                           |
| a. Indoor recreation facility (tennis, ice-skating, etc.)                               | 1 space per 150 SF of public floor area up to 10,000 SF; 1 additional space per 150 SF of public floor area over 10,000 SF, unless the Commission determines that the use does not require such additional spaces, in which case, the additional space requirement may be reduced to zero |
| b. Outdoor recreation facility (miniature golf, batting cage, golf driving range, etc.) | 1 space per station (at full capacity of facility), plus 1 space per employee                                                                                                                                                                                                             |
| c. Theater                                                                              | 1 space per 3 seats                                                                                                                                                                                                                                                                       |
| <b>6. Miscellaneous Use</b>                                                             |                                                                                                                                                                                                                                                                                           |
| a. Day-care or nursery school                                                           | 1 space provided per 200 SF of GFA                                                                                                                                                                                                                                                        |
| b. Uses not listed                                                                      | As determined by the Commission                                                                                                                                                                                                                                                           |
| <b>7. Mixed Use Development</b>                                                         |                                                                                                                                                                                                                                                                                           |
| a. Efficiency <u>or</u> 1-bedroom, or 2-bedroom units                                   | 1.5 space per dwelling unit                                                                                                                                                                                                                                                               |
| b. <del>Visitor parking</del><br><u>2+ bedroom units</u>                                | <del>0.25 per unit</del><br><u>2 spaces per dwelling unit</u>                                                                                                                                                                                                                             |
| c. Retail                                                                               | 3 per 1,000 SF or gross floor area                                                                                                                                                                                                                                                        |
| d. Office                                                                               | 3 per 1,000 SF of gross floor area                                                                                                                                                                                                                                                        |
| e. Medical                                                                              | 5 per 1,000 SF of gross floor area                                                                                                                                                                                                                                                        |
| f. Restaurant                                                                           | 7 per 1,000 SF of gross floor area                                                                                                                                                                                                                                                        |

**D. Modification of Parking Requirements**

1. Change of Use Exemption - In the event that no new buildings or structures are being established and the land area, structures or permitted uses are simply being changed from one permitted use to another permitted use allowed under this regulation no additional parking spaces shall be required if:
  - a. The new use requires less parking than presently exists.
  - b. The parking requirement for the new use(s) is less than 125 percent of the number of spaces that presently exist.
2. Permanent Shared Use Reduction - The Commission may, by Special Permit, allow a reduction of the provision of up to 25% of the parking spaces required for the uses on one or more sites due to shared use of parking facilities when:
  - a. the parking facilities provided on the site(s) are interconnected with adjacent parking facilities to create a functional parking arrangement,
  - b. appropriate access and parking easements are executed between the adjacent properties providing for joint access and parking in perpetuity, and
  - c. the Commission is satisfied that the parking needs of the joint users on the sites occur at different hours of the day or that adequate parking will be available for the current and potential future uses.
3. Permanent Site Use Reduction - The Commission may, by Special Permit, allow a reduction of the required parking spaces when the Commission is satisfied that:
  - a. the parking needs of the uses on the site will occur at different hours of the day and there are adequate spaces provided for the peak parking demand,
  - b. adequate parking will be available for the current and potential future uses due to the availability of public parking or other permanent arrangements,
  - c. the applicant has, as provided in CGS Section 8-2c, made a payment in lieu of providing parking spaces.
  - d. the development will, due to its transit-orientation or similar situation, not require as many parking spaces as required by the regulations.
  - e. A proposed expansion to an existing retail store development located in the RT6 Zone will not result in additional parking needs; however, any reduction shall not exceed more than twenty (20%) percent of the required parking spaces for the retail development.(effective 10/15/21)
4. Temporary Installation Deferral - The Commission may, by Special Permit, defer the immediate installation of the required parking spaces where:
  - a. sufficient evidence has been presented, in the judgment of the Commission, to show that the reduced parking facilities will adequately serve the proposed use,
  - b. the applicant has shown the complete layout for the full parking requirements, and
  - c. the applicant accepts, in writing, a requirement that the owner will file the Site Development Plan in the Office of the Town Clerk, stipulating that the owner, or the

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successor and assigns of the owner, will install as many of the deferred parking spaces as the Commission deems necessary within 6 months of the Commission's request, when, in the opinion of the Commission, such installation is needed.

5. Small Residential Developments – For residential and mixed-use developments that will result in 16 or fewer residential units outside of the CTMO Zone governed by Section 5.13, the Planning and Zoning Commission will not issue a denial of a project solely based on failure to adhere to minimum parking requirements.
6. Parking Needs Assessment – For all residential developments, applicants may submit a Parking Needs Assessment prepared by a qualified professional to demonstrate the parking need of the development based on existing transit availability, walkability of the development, and other relevant factors. The Commission shall consider the assessment and, if it shows a lower parking need than the minimum requirement found within these regulations, shall approve the development with the number of parking spaces shown within the parking needs assessment.

## **Section 6.12 – Middle Housing and Mixed-Use Developments** *[new]*

### **1. Intent:**

- A. The intent of this Section is to establish the review process, construction standards, and site design requirements for Middle Housing developments as defined herein when located in certain zones.

### **2. Applicability**

- A. This section shall apply to developments which include between two and nine residential units contained within one or more buildings when proposed in one of the zones as shown in the use table found in Section 4.3.I and 5.11.I.
- B. Middle Housing as defined herein shall include the following developments as outlined in November Special Session Public Act 25-1:
  - i. Transit Community Middle Housing Development: a residential building containing not less than two dwelling units but not more than nine such units, including, but not limited to, townhouses, duplexes, triplexes, perfect sixes and cottage clusters
  - ii. Mixed-Use Development: a development containing both residential and nonresidential uses in any single building.

### **3. Review Process**

- A. Applications for Middle Housing shall be submitted and reviewed in accordance with the following:

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- i. All applications shall be submitted in a manner as determined by the Commission and shall include:
  - a. A completed application form.
  - b. A site plan depicting property lines, existing and proposed structures, parking, lighting, utilities, applicable setbacks, landscaping etc. as more particularly described by §8.4
  - c. An Erosion & Sedimentation Control Plan, as outlined in §6.6, and which meets the most recent standards adopted by the CT DEEP.
  - d. Building elevations demonstrating compliance with the design requirements established herein and those outlined in any §5.11.K or 6.10D and E as applicable.
  - e. Floorplan(s) depicting all interior space, prepared by a licensed architect.
  - f. A stormwater management plan which complies with the Stormwater Quality Manual adopted by DEEP (2024) and the standards of §6.6
- B. The Commission's evaluation of a Middle Housing application shall be through the Summary Review process. Accordingly, while such developments shall be permitted without the need to obtain a Special Permit, Variance or conduct a Public Hearing, it remains the applicant's responsibility to demonstrate that all standards established herein, and in addition, the standards established by §8.4 have been met.

If, upon review, the Commission determines that an application would have a substantial adverse impact on public health or safety, and that such impact cannot be adequately mitigated through modifications to the application, the Commission may deny the application.

#### 4. Middle Housing: Building Type Standards

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| <b>A. <u>Building Siting Criteria: Duplex + Triplex</u></b> |                                                          |                                                                    |                      |                         |
|-------------------------------------------------------------|----------------------------------------------------------|--------------------------------------------------------------------|----------------------|-------------------------|
|                                                             |                                                          | <b><u>Zone VC</u></b>                                              | <b><u>Zone C</u></b> | <b><u>Zone RT 6</u></b> |
|                                                             |                                                          |                                                                    |                      |                         |
| <b><u>1</u></b>                                             | <b><u>Multiple Principal Buildings</u></b>               | <u>Permitted provided total unit count does not exceed 9 Units</u> |                      |                         |
| <b><u>2</u></b>                                             | <b><u>Minimum Front Lot Line Coverage</u></b>            | <u>80%</u>                                                         | <u>None required</u> |                         |
| <b><u>3</u></b>                                             | <b><u>Minimum Front Setback from Property Line</u></b>   | <u>10'*</u>                                                        | <u>10'*</u>          | <u>50'*</u>             |
| <b><u>4</u></b>                                             | <b><u>Minimum Side Setback</u></b>                       | <u>0</u>                                                           | <u>0</u>             | <u>20</u>               |
| <b><u>5</u></b>                                             | <b><u>Minimum Rear Setback</u></b>                       | <u>0</u>                                                           | <u>0</u>             | <u>25</u>               |
| <b><u>6</u></b>                                             | <b><u>Minimum Lot Width (for newly created lots)</u></b> | <u>100</u>                                                         | <u>100</u>           | <u>140</u>              |
| <b><u>7</u></b>                                             | <b><u>Maximum Building Coverage</u></b>                  | <u>No Limit</u>                                                    |                      |                         |
| <b><u>8</u></b>                                             | <b><u>Maximum Impervious Area</u></b>                    | <u>No Limit</u>                                                    |                      |                         |
| <b><u>9</u></b>                                             | <b><u>Parking &amp; Detached Garage Location</u></b>     | <u>Rear Yard</u>                                                   |                      |                         |
| <b><u>12</u></b>                                            | <b><u>Permitted Vehicular Access</u></b>                 | <u>One access driveway per lot; shared driveways encouraged</u>    |                      |                         |
| <b><u>14</u></b>                                            | <b><u>Maximum Overall Height (stories)</u></b>           | <u>3</u>                                                           | <u>3</u>             | <u>3</u>                |
| <b><u>15</u></b>                                            | <b><u>Maximum Overall Height (feet)</u></b>              | <u>40</u>                                                          | <u>40</u>            | <u>40</u>               |
| <b><u>16</u></b>                                            | <b><u>Required Building Separation</u></b>               | <u>Principal: 25ft</u><br><u>Accessory: 40ft</u>                   |                      |                         |
| <b><u>17</u></b>                                            | <b><u>Maximum Unit Size</u></b>                          | <u>2 Bedrooms</u>                                                  | <u>No Limit</u>      |                         |

\* See subsection 5.B.2.ii for possible exceptions

**Building Type: Duplex (2 Units)**



**Building Type: Triplex (3 Units)**



**Building Type: Mixed-Use**



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| <b>B. <u>Building Siting Criteria: Fourplex &amp; Multiplex</u></b> |                                                   |                                                                    |                      |                  |
|---------------------------------------------------------------------|---------------------------------------------------|--------------------------------------------------------------------|----------------------|------------------|
|                                                                     |                                                   | <u>Zone VC</u>                                                     | <u>Zone C</u>        | <u>Zone RT 6</u> |
|                                                                     |                                                   |                                                                    |                      |                  |
| <u>1</u>                                                            | <u>Multiple Principal Buildings</u>               | <u>Permitted provided total unit count does not exceed 9 Units</u> |                      |                  |
| <u>2</u>                                                            | <u>Minimum Front Lot Line Coverage</u>            | <u>80%</u>                                                         | <u>None required</u> |                  |
| <u>3</u>                                                            | <u>Minimum Front Setback from Property Line</u>   | <u>10'*</u>                                                        | <u>10'*</u>          | <u>50'*</u>      |
| <u>4</u>                                                            | <u>Minimum Side Setback</u>                       | <u>0</u>                                                           | <u>0</u>             | <u>20</u>        |
| <u>5</u>                                                            | <u>Minimum Rear Setback</u>                       | <u>0</u>                                                           | <u>0</u>             | <u>25</u>        |
| <u>6</u>                                                            | <u>Minimum Lot Width (for newly created lots)</u> | <u>100</u>                                                         | <u>100</u>           | <u>140</u>       |
| <u>7</u>                                                            | <u>Maximum Building Coverage</u>                  | <u>No Limit</u>                                                    |                      |                  |
| <u>8</u>                                                            | <u>Maximum Impervious Area</u>                    | <u>No Limit</u>                                                    |                      |                  |
| <u>9</u>                                                            | <u>Parking &amp; Detached Garage Location</u>     | <u>Rear Yard</u>                                                   |                      |                  |
| <u>12</u>                                                           | <u>Permitted Vehicular Access</u>                 | <u>One access driveway per lot; shared driveways encouraged</u>    |                      |                  |
| <u>14</u>                                                           | <u>Maximum Overall Height (stories)</u>           | <u>3</u>                                                           | <u>3</u>             | <u>3</u>         |
| <u>15</u>                                                           | <u>Maximum Overall Height (feet)</u>              | <u>40</u>                                                          | <u>40</u>            | <u>40</u>        |
| <u>16</u>                                                           | <u>Required Building Separation</u>               | <u>Principal: 25ft</u><br><u>Accessory: 40ft</u>                   |                      |                  |
| <u>17</u>                                                           | <u>Maximum Unit Size</u>                          | <u>2 Bedrooms</u>                                                  | <u>No Limit</u>      |                  |

\* See subsection 5.B.2.ii for possible exceptions

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Building Type: Fourplex (4 Units)



Building Type: Multiplex (5-9 Units)



Mixed Use:



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| <b>C. <u>Building Siting Criteria: Cottage Cluster</u></b> |                                                          |                                                                    |                      |                         |
|------------------------------------------------------------|----------------------------------------------------------|--------------------------------------------------------------------|----------------------|-------------------------|
|                                                            |                                                          | <b><u>Zone VC</u></b>                                              | <b><u>Zone C</u></b> | <b><u>Zone RT 6</u></b> |
|                                                            |                                                          |                                                                    |                      |                         |
| <b><u>1</u></b>                                            | <b><u>Multiple Principal Buildings</u></b>               | <u>Permitted provided total unit count does not exceed 9 Units</u> |                      |                         |
| <b><u>2</u></b>                                            | <b><u>Minimum Front Lot Line Coverage</u></b>            | <u>80%</u>                                                         | <u>None required</u> |                         |
| <b><u>3</u></b>                                            | <b><u>Minimum Front Setback from Property Line</u></b>   | <u>10'*</u>                                                        | <u>10'*</u>          | <u>50'*</u>             |
| <b><u>4</u></b>                                            | <b><u>Minimum Side Setback</u></b>                       | <u>0</u>                                                           | <u>0</u>             | <u>20</u>               |
| <b><u>5</u></b>                                            | <b><u>Minimum Rear Setback</u></b>                       | <u>0</u>                                                           | <u>0</u>             | <u>25</u>               |
| <b><u>6</u></b>                                            | <b><u>Minimum Lot Width (for newly created lots)</u></b> | <u>100</u>                                                         | <u>100</u>           | <u>140</u>              |
| <b><u>7</u></b>                                            | <b><u>Maximum Building Coverage</u></b>                  | <u>No Limit</u>                                                    |                      |                         |
| <b><u>8</u></b>                                            | <b><u>Maximum Impervious Area</u></b>                    | <u>No Limit</u>                                                    |                      |                         |
| <b><u>9</u></b>                                            | <b><u>Parking &amp; Detached Garage Location</u></b>     | <u>Rear Yard or Side Yard</u>                                      |                      |                         |
| <b><u>12</u></b>                                           | <b><u>Permitted Vehicular Access</u></b>                 | <u>One access driveway per lot; shared driveways encouraged</u>    |                      |                         |
| <b><u>14</u></b>                                           | <b><u>Maximum Overall Height (stories)</u></b>           | <u>2</u>                                                           | <u>2</u>             | <u>2</u>                |
| <b><u>15</u></b>                                           | <b><u>Maximum Overall Height (feet)</u></b>              | <u>30</u>                                                          | <u>30</u>            | <u>30</u>               |
| <b><u>16</u></b>                                           | <b><u>Required Building Separation</u></b>               | <u>Principal: 25ft</u><br><u>Accessory: 40ft</u>                   |                      |                         |
| <b><u>17</u></b>                                           | <b><u>Maximum Unit Size</u></b>                          | <u>2 Bedrooms</u>                                                  | <u>No Limit</u>      |                         |

\* See subsection 5.B.2.ii for possible exceptions

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Building Type: Cottage Cluster



Example Unit Configuration



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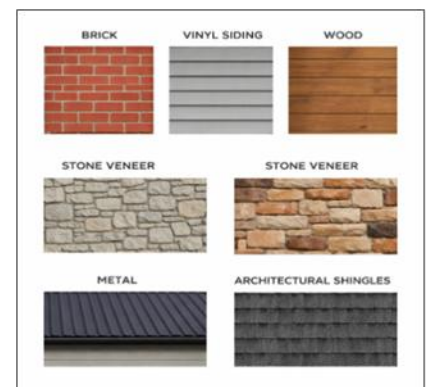
| <b>D. <u>Building Siting Criteria: Commercial Conversions</u></b> |                                                   |                                                                 |                                                         |                  |
|-------------------------------------------------------------------|---------------------------------------------------|-----------------------------------------------------------------|---------------------------------------------------------|------------------|
|                                                                   |                                                   | <u>Zone VC</u>                                                  | <u>Zone C</u>                                           | <u>Zone RT 6</u> |
|                                                                   |                                                   |                                                                 |                                                         |                  |
| <u>1</u>                                                          | <u>Multiple Principal Buildings</u>               | <u>Permitted provided all buildings are existing</u>            |                                                         |                  |
| <u>2</u>                                                          | <u>Minimum Front Lot Line Coverage</u>            | <u>80% or existing condition</u>                                | <u>No requirement</u>                                   |                  |
| <u>3</u>                                                          | <u>Minimum Front Setback from Property Line</u>   | <u>10' or existing condition if no changes proposed</u>         | <u>50' or existing condition if no changes proposed</u> |                  |
| <u>4</u>                                                          | <u>Minimum Side Setback</u>                       | <u>0</u>                                                        | <u>20' or existing if no changes proposed</u>           |                  |
| <u>5</u>                                                          | <u>Minimum Rear Setback</u>                       | <u>0</u>                                                        | <u>25' or existing if no changes proposed</u>           |                  |
| <u>6</u>                                                          | <u>Minimum Lot Width (for newly created lots)</u> | <u>100</u>                                                      | <u>100</u>                                              | <u>140</u>       |
| <u>7</u>                                                          | <u>Maximum Building Coverage</u>                  | <u>No Limit</u>                                                 |                                                         |                  |
| <u>8</u>                                                          | <u>Maximum Impervious Area</u>                    | <u>No Limit</u>                                                 |                                                         |                  |
| <u>9</u>                                                          | <u>Parking &amp; Detached Garage Location</u>     | <u>Rear Yard or Side Yard</u>                                   |                                                         |                  |
| <u>12</u>                                                         | <u>Permitted Vehicular Access</u>                 | <u>One access driveway per lot; shared driveways encouraged</u> |                                                         |                  |
| <u>14</u>                                                         | <u>Maximum Overall Height (stories)</u>           | <u>3**</u>                                                      | <u>3**</u>                                              | <u>3**</u>       |
| <u>15</u>                                                         | <u>Maximum Overall Height (feet)</u>              | <u>40*</u>                                                      | <u>40*</u>                                              | <u>40*</u>       |
| <u>16</u>                                                         | <u>Maximum Unit Size</u>                          | <u>2 Bedrooms</u>                                               | <u>No Limit</u>                                         |                  |

\*Existing buildings exceeding the height limitation are eligible for conversion by Summary Review.

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1. Primary Materials. 80 percent of each façade shall be constructed of primary materials. For facades over 1000 square feet, more than one material shall be used to fulfill the 80 percent requirement.
  - i. Permitted primary building materials include: high quality, durable, natural materials, such as stone, brick; wood lap siding; lapped, shingled, or panel fiber cement board siding; glass.
2. Roof Materials. Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles,



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wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile

3. Building Elements. All buildings shall include or be retrofitted to include building elements, features and treatments as shown in the examples provided for each Building Type above. Such design is expected to incorporate:

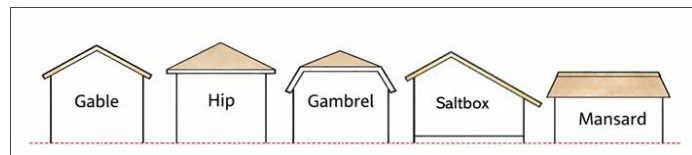
- i. Fascia boards;
- ii. Bay windows;
- iii. Modulation;
- iv. Chimneys or cupolas;
- v. Shutters;
- vi. Pilasters;
- vii. Expression lines;

4. Roof Types. For Middle Housing developments, the following roof types are permitted, as shown.

- i. Gable
- ii. Hip
- iii. Gambrel
- iv. Saltbox
- v. Mansard

5. Unit Configuration.

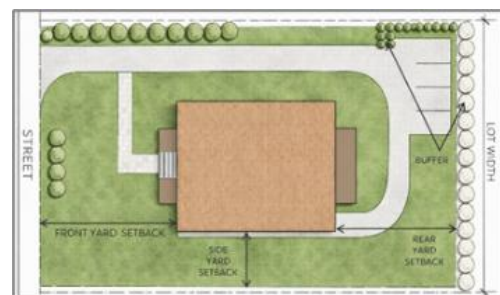
- i. Each unit shall contain fully independent living facilities including provisions for living, sleeping, eating, cooking sanitation, laundry and storage of personal items.
- ii. To the extent allowed by any applicable Building or Fire Codes, each unit shall contain operable windows.



B. Site Layout and Design

1. Parking

- i. Where provided, parking shall not be located in a front or side yard.
- ii. Where provided, parking spaces shall not be located adjacent to the primary building.

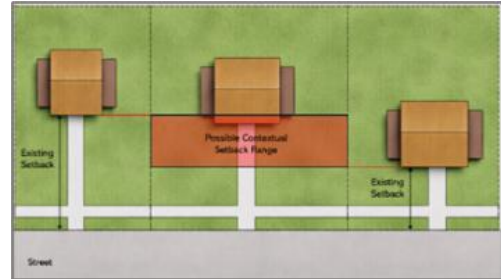


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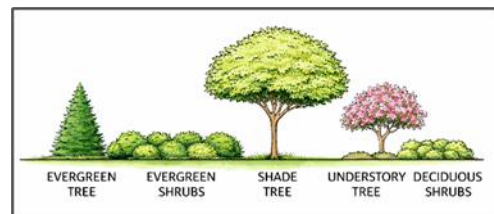
## 2. Orientation

- i. Contextual Setback. In lieu of the required Front Build to Zone requirements, when a new building is proposed to be located in between two or more existing buildings, the contextual setback as outlined in the figure shall be utilized to ensure the established development patterns are maintained.
- ii. Buildings should be oriented toward the public street or to interior greenspace for a Cottage Cluster development.



## 3. Landscape Design

- i. Foundation Plantings. Each building shall include foundation plantings of at least 4 shrubs per 20 lineal feet of building length. Plantings shall include a mix of 60 percent evergreens and 40 percent flowering shrubs. All shrubs shall be at least 3-gallon in size at time of planting.
- ii. Trees. One street tree shall be provided for every 30' of street frontage. Such trees may be deciduous or evergreen. Deciduous trees shall be at least 2 inches caliper at time of planting and evergreen trees shall be at least 8 feet in height at time of planting. All trees shall be guaranteed for one (1) year after planting.
- iii. Ground Areas. All unpaved ground areas shall be landscaped with grass or groundcovers. Gravel, pea-stone, or mulch shall not be permitted except within tree or shrub planting beds.
- iv. Landscape Buffer. A planted landscape buffer, not less than 15ft in width shall be provided when such development is adjacent to a commercial use. Buffers shall include a mix of native coniferous and deciduous trees and shrubs, including:
  - a. Trees. At least 1 medium or large shade tree and one understory tree every linear 40'.



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- b. Continuous double row of shrubs required between shade trees: Composition must include a double row of individual shrubs with a minimum width of 18-24" at planting and 36" at maturity, spaced no more than 36" on center; a minimum height of 24" in one year and maximum height of 48"
    - c. Additional screening may be provided through the use of vinyl or wood fencing, not to exceed 6ft in height.
  - 4. Open Space and Resident Amenities
    - i. At least 1,000SF of green space shall be provided on the lot for each unit proposed. Such space shall include some form of outdoor seating which is shaded or otherwise protected and play space for children and pets.
- C. Additional Standards
  - 1. Relief from Requirements. In situations where incorporation of the building design standards established by subsection 5A or the site layout and design standards established by subsection 5B above would create an unreasonable burden which would jeopardize reuse of an existing building, the applicant may request partial deviation from such standards by Special Permit which may be issued by the Commission.