

#3-03R - Zoning Commission - Proposed amendments to rename and revise Section 118-500 Restricted Business zone to East Avenue Village District and related technical amendments

May 2, 2003

- I. Amend Article 50, to rename and revise Section 118-500 from Restricted Business Zone to East Avenue Village District to read as follows:

Section 118-500. **EAST AVENUE VILLAGE DISTRICT** ~~[[Restricted Business Zone]]~~

- A. Purpose and intent. It is the purpose of this zone to **ENSURE THAT THE UNIQUE CHARACTER OF THIS DISTRICT IS MAINTAINED FOR FUTURE GENERATIONS IN ACCORDANCE WITH THE CONNECTICUT GENERAL STATUTES SECTION 8-2J VILLAGE DISTRICTS AND TO** provide areas primarily for offices and other compatible uses which will meet existing and future needs within the city and which will constitute a harmonious and appropriate part of the physical development of the city. The provisions of this zone are intended to preserve **PUBLIC VIEWS OF THE NORWALK RIVER** and enhance the character of the **EAST AVENUE VILLAGE** district by encouraging the preservation of sites and buildings of unique historical and architectural value and assuring that new structures and uses will be in keeping with the established character of the area thereby strengthening the economy of the city and promoting the education, pleasure and welfare of its people.
- B. Uses and structures.
- (1) Principal uses and structures. In **THE EAST AVENUE VILLAGE DISTRICT** ~~[[a Restricted Business Zone]]~~, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no others:
- (a) Single-family detached dwelling.
 - (b) Two-family detached dwelling.
 - (c) Office buildings having a gross floor area of less than six thousand (6,000) square feet for municipal offices and for business and professional establishments which involve no retail sales.
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
- (a) Office buildings having a gross floor area of six thousand (6,000) square feet or more for municipal offices and for business and professional establishments which involve no retail sales.
 - (b) Hotel or inn.
 - (c) Public and private colleges and universities.
 - (d) Schools, including business schools and studios.
 - (e) Lodge, meeting and concert halls, including social clubs.

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- (f) Restaurants having an active commercial floor area of one thousand (1,000) square feet or greater. No diner, drive-in or stool-and-counter-type restaurants shall be permitted.
 - (g) Funeral homes.
 - (h) Churches.
 - (i) Public museums.
 - (j) Multifamily dwellings shall be allowed in accordance with the provisions of Subsection D(1) and (2) of this section.
 - (k) Halfway houses allowing a maximum of twenty (20) persons with no less than two hundred (200) square feet of living area per person.
 - (l) Nursery school or child day-care center.
 - (m) Youth day camps.
 - (n) Public or nonprofit community center.
 - (o) Group homes.
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the **EAST AVENUE VILLAGE DISTRICT** [[Restricted Business Zone]].
- (4) **VILLAGE DISTRICT REVIEW STANDARDS:** [[Additional standards for Special Permit uses]]
- (a) The uses permitted by Special Permit in the **EAST AVENUE VILLAGE DISTRICT** [[Restricted Business Zone]] shall be subject to the following additional standards:
 - [1] The Commission may refer applications for Special Permit to appropriate city AND STATE agencies and departments for review and recommendations.
 - (b) **THE COMMISSION SHALL HIRE A VILLAGE DISTRICT CONSULTANT, WHO SHALL BE AN ARCHITECT, LANDSCAPE ARCHITECT OR CERTIFIED PLANNER, TO REVIEW THE DESIGN OF NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION OF ALL PROPERTIES WITHIN THE DISTRICT. THE REPORT OF SUCH CONSULTANT SHALL BE ENTERED INTO THE PUBLIC HEARING RECORD AND CONSIDERED BY THE COMMISSION IN MAKING THEIR DECISION.**
 - (c) **CRITERIA: NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION OF EXISTING STRUCTURES, INCLUDING THOSE LISTED ON THE NORWALK HISTORIC RESOURCES INVENTORY, SHALL BE HARMONIOUSLY RELATED TO THEIR SURROUNDINGS AND SHALL BE CONSISTENT WITH THE CONNECTICUT HISTORICAL COMMISSION - SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION, AS APPLICABLE AND THE EAST AVENUE VILLAGE DISTRICT DESIGN GUIDELINES. ALL APPLICATIONS SHALL DEMONSTRATE HOW SUCH DEVELOPMENT IS CONSISTENT WITH THE CRITERIA DEFINED IN THE EAST AVENUE VILLAGE DISTRICT DESIGN**

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GUIDELINES, INCLUDING BUT NOT LIMITED TO THE FOLLOWING CRITERIA, SUBJECT TO FINAL REVIEW AND APPROVAL BY THE COMMISSION:

- (1) **BUILDING DESIGN, SCALE & COMPATIBILITY: THE COLOR, SIZE, HEIGHT, LOCATION, PROPORTION OF OPENINGS, ROOF TREATMENTS, BUILDING MATERIALS, AND ANY PROPOSED SIGNS AND LIGHTING SHALL BE CONSISTENT WITH THE LOCAL ARCHITECTURAL MOTIF AND WITH THE UNIQUE ELEMENTS OF THE DISTRICT, INCLUDING MAINTENANCE OF VIEWS, HISTORIC BUILDINGS, MONUMENTS AND LANDSCAPING. THE REMOVAL OR DISRUPTION OF HISTORIC OR SIGNIFICANT STRUCTURES OR ARCHITECTURAL ELEMENTS SHALL BE MINIMIZED.**
 - (2) **STREETScape STANDARDS & LANDSCAPING: ALL SPACES, STRUCTURES AND RELATED SITE IMPROVEMENTS VISIBLE FROM PUBLIC ROADWAYS SHALL BE DESIGNED TO BE CONSISTENT WITH THE ELEMENTS OF THE DISTRICT IN AND AROUND THE PROPOSED MODIFICATION.**
 - (3) **PRESERVATION OF PUBLIC VIEWS: ALL DEVELOPMENT SHALL BE DESIGNED TO PRESERVE EXISTING PUBLIC VIEWS AND SIGHT LINES OF VISTAS FROM WITHIN THE DISTRICT AND SHALL MAINTAIN THE REQUIRED AGGREGATE SIDE YARD FROM THE STREET TO THE WATER WITHOUT OBSTRUCTION BY BUILDINGS OR OTHER FEATURES.**
- (5) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted and subject to the following restrictions.
- (a) A driveway or walk used for access to an industrial use shall in no case be permitted as an accessory use.
 - (b) Accessory uses and structures shall be located to the rear of the principal use of the premises.

Demolition of [[historic]] structures.

- (1) **NO DEMOLITION PERMIT FOR A BUILDING'S EXTERIOR SHALL BE ISSUED FOR ANY BUILDING WITHIN THE EAST AVENUE VILLAGE DISTRICT UNTIL THE COMMISSION HAS GRANTED FINAL APPROVAL FOR THE REUSE OF SUBJECT PROPERTY.**
- (2) **A STRUCTURE DEEMED UNSAFE ACCORDING THE CONNECTICUT BASIC BUILDING CODE SHALL BE EXEMPT FROM THE REQUIREMENTS OF THIS SECTION.**

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- D. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings - Commercial and Industrial and all other applicable sections of these regulations, and in addition:
- (1) Residential use as the principal use of the premises shall be permitted, provided that the number of dwelling units does not exceed a density of one (1) unit per one thousand six hundred fifty (1,650) square feet of lot area, up to a maximum of six (6) units.
 - (2) Residential and nonresidential uses on the same lot shall be permitted, provided that:
 - (a) For lots of fifteen thousand (15,000) square feet or less in area, the number of dwelling units shall not exceed a density of one (1) unit per one thousand six hundred fifty (1,650) square feet of lot area, up to a maximum of no more than six (6) dwelling units per lot.
 - (b) For lots larger than fifteen thousand (15,000) square feet in area, the number of dwelling units shall not exceed a density of one (1) unit per two thousand five hundred (2,500) square feet of lot area, up to a maximum of no more than eighteen (18) dwelling units per lot.
 - (3) All multifamily dwellings shall provide an open recreation area of not less than one hundred fifty (150) square feet per dwelling unit, which shall be located with due concern for the safety and convenience of the residents for whose use it is intended.
 - (4) **PROPERTIES LOCATED ON THE WATERFRONT SHALL PROVIDE PUBLIC ACCESS ADJACENT TO THE WATER, WHICH SHALL BE A MINIMUM OF FIFTEEN (15) FEET IN WIDTH, AND ACCESS FROM THE STREET TO THE WATER, SUBJECT TO COMMISSION APPROVAL. SUCH PUBLIC ACCESSWAYS SHALL BE IN THE FORM OF LANDSCAPED WALKS, ESPLANADES, BOARDWALKS OR PIERS, OF SUITABLE DESIGN TO ENCOURAGE ACTIVE USE BY THE PUBLIC, AND SHALL BE DEDICATED AS SUCH IN THE DEED TO THE PROPERTY. REASONABLE TIME OF DAY RESTRICTIONS MAY BE ESTABLISHED REGARDING SUCH ACCESSWAYS, WHERE JUSTIFIED FOR REASONS OF SECURITY OR PUBLIC SAFETY. WHERE THE PRINCIPAL USE OF THE PROPERTY IS A SINGLE OR TWO-FAMILY DWELLING, THE PUBLIC ACCESS REQUIREMENT SHALL NOT APPLY.**
- E. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260.
- F. Sign regulations. See §§ 118-1290 through 118-1295.
- II. Amend Article 10, Definitions, Section 118-100 Definitions to add a new definition for aggregate side yard to read as follows:

YARD, AGGREGATE SIDE : IN ANY VILLAGE DISTRICT, THE AGGREGATE SIDE YARD SHALL BE

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DEFINED AS AN OPEN, UNOCCUPIED SPACE ON THE SAME LOT WITH A BUILDING SITUATED BETWEEN ONE SIDE LINE AND ALL BUILDINGS ON SAID LOT AND EXTENDING THROUGH FROM STREET TO THE REAR YARD.

- III. Amend Article 20, Zone Designations, Section 118-200 Purpose and kinds of zones, subsection A to revise the list of zoning districts to read as follows:

Zones: EAST AVENUE VILLAGE DISTRICT ~~[[Restricted Business Zone]]~~

Amend Article 20, Zone Designations, Section 118-230 Schedule Limiting Height and Bulk of Buildings and Size of Lot, Commercial and Industrial, City of Norwalk, Part 2 to rename Restricted Business as East Avenue Village District and to revise the development criteria to read as follows:

ZONES: EAST AVENUE VILLAGE DISTRICT ~~[[Restricted Business]]~~

- (1) Height, Maximum: 2 1/2 stories and 35 feet
- (2) Minimum Size of Plot: Area: 10,000 square feet
- (3) Minimum Size of Plot: Width: 60 feet
- (4) Front Yard: 40 feet, subject to 118-1000B
- (5) Side Yard: 10 feet
- (6) Aggregate Side yard: 25%, **SUBJECT TO 118-500(B)(4)**
- (7) Rear Yard: 20%, **MINIMUM OF 15 FEET**, need not exceed 20 feet
- (8) Maximum Building Area: **20% FOR BUILDINGS, 70% FOR BUILDINGS AND PARKING, 30% OPEN SPACE**

- IV. Amend Article 111, Section 118-1110 Coastal Zone, subsection (B)(2)(c); and Article 140, Administration & Enforcement, Section 118-1450 Special permits, subsection (B) General Procedure and Section 118-1451 Site Plan Review, subsection (B) General Procedure by adding a new paragraph (2), to each subsection and renumbering the remaining paragraphs accordingly, to read as follows:

- (2) **WHERE REQUIRED BY THESE REGULATIONS, AN APPLICATION FOR VILLAGE DISTRICT DESIGN REVIEW SHALL BE FILED WITH THE STAFF AND ACCOMPANIED BY A FILING FEE OF ONE THOUSAND DOLLARS (\$1,000). THE COMMISSION SHALL REFER SUCH APPLICATION TO ITS VILLAGE DISTRICT CONSULTANT TO REVIEW FOR COMPLIANCE WITH APPLICABLE DESIGN GUIDELINES. THE REPORT OF SUCH CONSULTANT SHALL BE ENTERED INTO THE PUBLIC HEARING RECORD AND CONSIDERED BY THE COMMISSION IN MAKING THEIR DECISION.**

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