

**NEW HAVEN CITY PLAN COMMISSION  
BOARD OF ALDERS REFERRAL ZONING TEXT AMENDMENT**

**RE:** PETITION TO AMEND THE NEW HAVEN ZONING ORDINANCE ARTICLE I DEFINITIONS; ARTICLE II, ESTABLISHMENT OF DISTRICTS: ZONING MAP; ARTICLE V §§ 42 (USE TABLE), 42.6 ADULT-USE CANNABIS, 43.3 SPECIAL PROVISIONS IN THE MU DISTRICT, 43.1, AND 45 BY ADDING A NEW MIXED USE ZONING DISTRICT (MU) APPLICABLE CITYWIDE AND FOR THE PURPOSE OF IMPLEMENTING THE LONG WHARF RESPONSIBLE GROWTH PLAN

Submitted by: Laura E. Brown, City Plan Director

**REPORT: 1634-01**

**ACTION:** Approval

**BACKGROUND**

In 2022 the Board of Alders implemented a one-year Moratorium of development on Long Wharf. The intention was to allow time for drafting and adoption of new zoning regulations aligned with the vision in the Long Wharf Responsible Growth Plan adopted by the Board of Alders.

The City Plan Department, in collaboration with other City departments and Kendig Keast Collaborative (KKC), a nationally recognized zoning expert, drafted amendments to the zoning ordinance that will serve to guide future development and land use in the district consistent with the vision and strategic guidance provided by the Long Wharf Responsible Growth Plan. The process of developing the new zone involved significant (bi-weekly) meetings with staff from the Departments of Engineering, Economic Development, Sustainability, Corporation Counsel, and City Plan over the past four months.

The proposed changes transition the current land use to a denser, more walkable and livable environment through the creation of a new Mixed-Use District (MU). This will be initially implemented within portions of Long Wharf with the intention of applying it to other areas of the City in the future. The land uses have been amended in the Use Table to allow for a range of uses in the MU zone and propose new development standards that are more aligned with the urban character envisioned in the Long Wharf Responsible Growth Plan.

The proposed amendments to the Zoning Ordinance include:

- New definitions, including land uses that were not included in the existing ordinance, along with several definitions pertaining to coastal protection;
- Purpose statements for a proposed new MU, Mixed Use District
- Addition of this district to the use table and the recommended as of right, special permit, special exception and prohibited land uses, including delineation of uses the apply in the Long Wharf mixed use district and elsewhere in the city;
- Density bonuses for compact, walkable mixed-use developments that are intensely and sustainably developed;
- New yard regulations for buildings along primary, secondary and arterial streets, including building placement, pedestrian priority zones, building height and upper story step backs, building activation and parking standards; and
- Provision for usable open space as a percentage of development.
- Modifications to the Adult-Use Cannabis Ordinance to permit Cannabis uses in the MU zone.

- Additional Special Permit criteria with respect to flood safety, dry egress, flood emergency vehicular access, flood emergency operation plan, etc.

The proposed Zoning Ordinance Text Amendment conforms to sound land use and zoning principles and is consistent with the Comprehensive Plan of Development for the City of New Haven and the Long Wharf Responsible Growth Plan.

### **TEXT**

This Zoning Text amendment amends a number of sections of the zoning code, as summarized above. A redlined document including all altered sections of the regulations was included in the submission. Several key sections are included or summarized here.

#### NHZO Article V, Section 41: Mixed Use District Purpose Statement

**Mixed Use (MU) District.** The purpose of the Mixed-Use District is to provide for a mixture of residential, commercial office, retail and service-related uses in both horizontal and vertical building formats. The development pattern is urban in nature characterized by buildings that form an edge along each side of the street and designed to include pedestrian walkways, public art, active streetscapes and amenities. Parking is located along streets, in multi-level parking structures or in centralized off-site facilities. In established areas, existing business may remain as conforming uses, legal non-conforming uses, a combination thereof. Buildings may be adaptively reused and rehabilitated, sites may be razed and redeveloped, or new buildings may be infilled on vacant or underutilized land. Streets are commonly organized in blocks to facilitate short walking distances between buildings, parking and public spaces. Design of the built and natural environments is essential to establish quality aesthetics, create highly usable, accessible and equitable public spaces, and to integrate best practices for stormwater management, flood control, and resilience to coastal hazards.

#### NHZO Article I, Section 1: New Definitions

- Thirty-nine new definitions were added to the Zoning Code. These definitions can be roughly grouped into three categories: use types, definitions related to coastal area management, and definitions related to building and site design. A definition for transportation studies was also added. New definitions related to use types include definitions for Adaptive Reuse; Artisan Manufacturing; Data Processing Center Or Services; Electric Vehicle Supply Equipment; Electric Vehicle Charging Space; Meat Processing; Micro Brewery; Micro-Distillery; Micro-Manufacturing; Mixed Use; Mixed Use Building; Mixed-Use Development; Non-Residential Building; Parking Structure; Pollution Reduction Facilities; Residential Ancillary Uses; Residential Building; Residential Mixed Use Building; Surface Parking; Utility; Vehicle Fleet Management Operation; Walk-Up Service; and Water-Dependent Use. New definitions related to coastal areas include definitions for Coastal Jurisdiction Line (CJL); Letter Of Map Amendment; Letter Of Map Change (LOMC); Letter Of Map Revision (LOMR); and Letter Of Map Revision Based On Fill (LOMR-F). New definitions related to building and site design include definitions for Bright Color; Buffering; Building Frontage; Elevated Building; Enclosure; High-Rise Building; Lobby; Mid-Rise Building; Podium Construction and Transparency.

#### NHZO Article V, Section 42: Use Table

- The MU district was added to the use table with recommended as of right, special permit, special exception and prohibited land uses, including delineation of uses that apply in the Long Wharf MU district and elsewhere in the city. The amended Use Table can be viewed in the submission materials. Proposed changes in allowable uses for the Long Wharf Mixed Use district are described in more detail in the Zoning Map Amendment report (CPC report #1634-02).

#### NHZO Article V, Section 43: Bulk, yard and density regulations for business and industrial districts.

- The proposed density standard for the MU is 100 units per acre. Section 43(b)(3) details the density bonuses for compact, walkable mixed-use developments that are intensely and sustainably developed in

the MU District. New yard regulations were added, for buildings along primary, secondary and arterial streets, including building placement, pedestrian priority zones, building height and upper story step backs, building activation and parking standards. Table 43.4 MU Building Regulations describes these standards in detail. Standards for Open Space and Building Transparency, and Buffering were also added for the MU District. Section 43(f)(2) details maximum building coverage requirements to ensure open space is provided in a cohesive manner throughout the area helping to further establish the walkability and pedestrian streetscape.

#### NHZO Article V, Section 43.2: Required Public Access: Coastal Access Easements

- The Connecticut Coastal Management Act, [cite], enables municipalities to require public access easements on privately developed waterfront sites. The City has been requiring these easements for decades at sites around the city (the most recent example is the 781 Whalley Avenue development [CPC #1611-02]). This new section lays out the specifications which are aligned with what the city has typically required for waterfront developments in the past.

#### NHZO Article V, Section 43.3 Special Provisions for the MU District

- Where a use is permitted by Special Permit in the MU District, in accordance with the Use Table (Section 42), such use shall comply with Section 64 (e) (standard Special Permit criteria) of the zoning ordinance and shall comply with additional standards described in a new Section 43.3. These standards address flood safety, with requirements for sites and buildings to be raised out of the Special Flood Hazard Area, dry egress, emergency access and egress, and detailed plans for flood emergency operations.

### **PUBLIC HEARING**

A public hearing was held on July 26, 2023. A transcript of the hearing, meeting number 1634, is available from the City Plan Department.

Two items of written testimony were received: one in support of the item and one requesting the public hearing be kept open.

Topics raised in public testimony:

- Inconsistency with the LWRGP
- Request to leave the public hearing open
- Impact on existing buildings and uses
- History of the ASSA Abloy site
- Concerns about the Long Wharf Responsible Growth Plan
- Concerns about community engagement
- Concerns about structured parking
- Lack of bike lanes in proposed streetscapes
- Concerns about street design for pedestrians and bicyclists
- Concerns about the sustainability bonuses

### **SECTION 64(d)(2)c OF THE NEW HAVEN ZONING ORDINANCE**

Section 64(d)(2) requires that the City Plan Commission take into consideration in evaluating any amendment to the Zoning Code:

*a. Errors in the existing ordinance, changes that have taken place in the city and in patterns of construction and land use, the supply of land and its peculiar suitability for various purposes, the effect of a map change on the surrounding area, the purposes of zoning and the comprehensive plan of the City of New Haven;*

This zoning text amendment seeks to create a new zoning district that will address short- and long-term challenges that are epitomized in the Long Wharf area, but also relevant for many other areas of the city. This

includes the impacts of climate change and sea-level rise, the need for greater residential density city-wide, lack of internal circulation and mobility options, lack of open space or recreational amenities, the deterioration of Long Wharf Park, and buildings that have reached the end of their useful life.

*b. Whether some other method or procedure under the zoning ordinance is more appropriate;*

The Long Wharf Responsible Growth Plan identified the need for a zoning text and map amendment to further planning goals for the Long Wharf neighborhood when it was adopted.

### **PLANNING CONSIDERATIONS**

The following Comprehensive Plan and Long Wharf Responsible Growth Plan goals and recommendations are met with the proposed Zoning Text Amendment:

- *Encourage the provision of high-density, multi-family developments at appropriate locations in the city. The Commission further supports the provision of community/open spaces that allow civic interaction and/or community services to be part of such developments.*
- *Promote mixed-use housing developments such as housing with retail/support services to minimize transportation demand.*
- *Adapt to sea level rise and other coastal/inland flooding events by ensuring that the design of complete streets considers the requirements for emergency vehicle access.*

The Mixed Use District was developed as a new zoning district that could meet goals of the Long Wharf Responsible Growth Plan but also be implemented in other areas around the city in the future. This zoning text amendment provides a needed update to the zoning code that better reflects the current and future land use context of Long Wharf and the city in general. New definitions include use types, design standards, and flood safety issues that reflect changes in development in the city, the needs of the residents, and key planning concerns around coastal resiliency in the face of climate change. The MU District allows higher residential density and implements density bonuses (similar to those existing for the Whalley Avenue Commercial Gateway District) based on sustainability features included in a proposed development. The MU District has detailed specifications around open space, multi-modal transportation, and coastal access. Overall, the MU District is designed to enable development with the urban character envisioned in the Long Wharf Responsible Growth Plan, while addressing concerns around flood safety. The proposal is aligned with the Comprehensive Plan and the Long Wharf Responsible Growth Plan.

Residential development in the flood zone is a conflicting issue as staff has seen increased pressure and need for additional housing in New Haven, however FEMA regulations do not support development of this type within the flood zone. This was discussed at length with city staff and regulatory staff at DEEP. As a result, and as a means to resolve this, additional Special Permit criteria were added to ensure that residential development both by new construction and conversion of an existing structure is done with safety in mind. The process would require that the parcel be filled and the developer produce a letter of map revision or conditional letter of map revision, showing that that site has been raised out of the Special Flood Hazard Area (SFHA). This would be a requirement that would need to be satisfied during the Special Permit process to ensure that this is not an issue when it comes to acquiring site plan review, a building permit, or Certificate of Occupancy. Additionally, all dwelling units must be located a minimum of two feet above the base flood elevation with dry egress provided at a minimum width of 5ft at a minimum Base Flood Elevation of +2 and flood emergency vehicular access and egress required at or above the base flood elevation. This would align with changes also proposed to the Flood Damage Prevention Ordinance which require building at BFE +2.

A future Phase Two amendment will seek to include further design standards including building standards, landscape standards, stormwater management, etc. which will further seek to improve the resiliency standards and responsible development of the Long Wharf Boundary Area.

### **PROPOSED ZONING**

Mixed Use (MU) District. The purpose of the Mixed-Use District is to provide for a mixture of residential, commercial office, retail and service-related uses in both horizontal and vertical building formats. The development pattern is urban in nature characterized by buildings that form an edge along each side of the street and designed to include pedestrian walkways, public art, active streetscapes and amenities. Parking is located along streets, in multi-level parking structures or in centralized off-site facilities. In established areas, existing business may remain as conforming uses, legal non-conforming uses, a combination thereof. Buildings may be adaptively reused and rehabilitated, sites may be razed and redeveloped, or new buildings may be infilled on vacant or underutilized land. Streets are commonly organized in blocks to facilitate short walking distances between buildings, parking and public spaces. Design of the built and natural environments is essential to establish quality aesthetics, create highly usable, accessible and equitable public spaces, and to integrate best practices for stormwater management, flood control, and resilience to coastal hazards.

### **Language added to the New Haven Zoning Ordinance:**

#### Section 1. Definitions:

ADAPTIVE REUSE means the process of taking an existing structure and updating or adapting it for a new use or purpose.

ARTISAN MANUFACTURING means small-scale businesses that produce artisan goods such as artisan leather, glass, wood, paper, ceramic, textile, or yarn products; specialty foods; or baked goods, primarily for direct sales to consumers. This land use includes the design, processing, fabrication, assembly, treatment, and packaging of products as well as the incidental storage, sales, and distribution of such products.

BRIGHT COLOR mean bold and intense in nature, and typically visually striking and noticeable due to their hue and saturation.

BUFFERING means protecting or separating an area of land from the visual effects of another area by way of physical means, which may include trees, shrubs, walls, fences, berms/mounds, space or related landscaping features required under this ordinance for buffering lots or parcels from adjacent properties or rights-of-way for the purpose of increasing visual shielding or other aspects of privacy or aesthetics.

BUILDING FRONTAGE means the length of an outside building wall along a dedicated public or private street.

COASTAL JURISDICTION LINE (CJL) means that defined in Connecticut General Statutes 22a-359 as amended by Public Act 12-101.

DATA PROCESSING CENTER OR SERVICES means establishments primarily involved in the compiling, storage, and maintenance of documents, records, and other types of information in digital form utilizing a main frame computer.

ELECTRIC VEHICLE SUPPLY EQUIPMENT means any level or capacity of supply equipment installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

ELECTRIC VEHICLE CHARGING SPACE means a space designated by the City for charging electric vehicles.

ELEVATED BUILDING means a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

ENCLOSURE means an area that is enclosed on all sides by walls. Enclosed areas are permitted below the lowest floor provided the enclosed areas meet certain use restrictions (used only for parking of vehicles, building access, or storage) and construction requirements related to flood resistance, including use of flood damage-resistant materials and installation of openings to allow for automatic entry and exit of floodwater.

HIGH-RISE BUILDING means a freestanding structure with a minimum height of 10 stories.

LETTER OF MAP AMENDMENT (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA).

**LETTER OF MAP CHANGE (LOMC)** means a general term used to refer to the several types of revisions and amendments to FEMA maps that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F).

**LETTER OF MAP REVISION (LOMR)** means the Federal Emergency Management Agency's (FEMA's) official modification to an effective Flood Insurance Rate Map (FIRM), or Flood Boundary and Floodway Map (FBFM), or both.

**LETTER OF MAP REVISION BASED ON FILL (LOMR-F)** means FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway.

**LOBBY** means a space designed to provide separation and control access between public spaces and commercial or residential spaces, including access to dwelling units. The term includes vestibules, foyers, and spaces or areas that provide access to elevators.

**MEAT PROCESSING** means establishments primarily engaged in processing, preserving, cutting and packaging meat and meat byproducts. Meat processing excludes slaughtering and rendering.

**MICRO-BREWERY** means an establishment engaged in on-site brewing of beer and sales of beer by the glass for on-premise consumption. These establishments are primarily used for the production of beer and ale and may include retail and food service as an accessory use. The brewing operation processes the ingredients to make beer and ale by mashing, cooking, and fermenting. The brewing operation does not include the production of any other alcoholic beverage.

**MICRO-DISTILLERY** means an establishment primarily engaged in on-site distillation of spirits and may include retail and food service as an accessory use. The distillery operation processes the ingredients to make spirits by mashing, cooking, fermenting and distilling. The micro-distillery operation does not include the production of any other alcoholic beverage.

**MICRO-MANUFACTURING** means the manufacturing of products in small quantities using small manufacturing facilities.

**MID-RISE BUILDING** means a freestanding structure ranging from five to nine stories.

**MIXED USE** means a land use where more than one classification of land use (for example, commercial office, retail and service, public, institutional, medical) permitted within a zoning district is combined on a lot or within a structure.

**MIXED USE BUILDING** means a building that incorporates two or more use types within a single building, provided each use type is permitted within the applicable zoning district in the building.

**MIXED-USE DEVELOPMENT** means a tract of land or structure developed for two or more different uses, such as, but not limited to, residential, office, retail, institutional, public, or entertainment. Such uses are functionally integrated and share vehicular use areas, ingress/egress, and pedestrian access.

**NON-RESIDENTIAL BUILDING** means a building that has a commercial or other non-residential use. This excludes residential uses.

**PARKING STRUCTURE** means a structure designed to accommodate parking spaces that are fully or partially enclosed or located on the deck surface of a building. The phrase includes parking garages, deck parking, and underground or under-building parking areas.

**PEDESTRIAN PRIORITY AREA** means the area between streets and buildings and other improvements designed for the use of pedestrians.

**PODIUM CONSTRUCTION** means a construction method that divides a building into lower and upper portions for which the lower portion, the "podium", is one or two stories that are built of a robust structural system, such as steel or reinforced concrete. The upper portion, which may be a maximum of five residential stories or six business stories, according to the International Building Code (IBC), is built of a more economical structural system, such as wood light frame construction (WLFC). The horizontal separation created by the podium is deemed to be "grade" for the purposes of determining the number of stories that can be built above the podium.

**POLLUTION REDUCTION FACILITIES** mean any structure or drainage device that is designed, constructed, and maintained to collect and filter surface water runoff during and after a storm event for the purpose of protecting, maintaining, or improving surface and/or groundwater quality.

**RESIDENTIAL ANCILLARY USES** means use areas such as lobbies and/or offices used by building management, and mail rooms for residents, as well as common areas used by residents for non-residential purposes such as meeting rooms, swimming pools, and exercise facilities.

**RESIDENTIAL BUILDING** means a building designated for habitation. A residential building means a non-commercial building designed for habitation by one or more families or a mixed-use building that qualifies as a single-family, two-to-four family, or other residential building.

**RESIDENTIAL MIXED USE BUILDING** means a building that incorporates residential and at least one other use type within a single building, provided each use type is permitted within the applicable zoning district in which the building is proposed. A residential mixed use building commonly includes a nonresidential use on the lower floors and one or more stories of residential use on the upper floors.

**SURFACE PARKING** means any portion of a lot used for at-grade transient parking of operable motor vehicles, which is connected with a street or alley by a driveway which affords ingress and egress for motor vehicles.

**TRANSPARENCY** means the percentage of a street-facing building façade, measured between three and eight feet above the ground surface, that is covered by transparent elements (e.g., transparent windows and doors).

**TRANSPORTATION STUDY (TS) or a Multi-Modal Transportation Analysis** means a document inclusive of illustrations and narrative that is prepared by a qualified traffic engineering firm to assess the potential effects of a proposed development on the surrounding roadway, transit and pedestrian networks. The analysis is conducted to preserve the operational capacity and function of transportation infrastructure and to ensure that proposed development will support and make provisions for the safe travel of all road users, and to identify any necessary mitigation measures, (e.g., dedication of additional right-of-way, construction of turning lanes, or construction of traffic control facilities, etc.). In some cases, a TS may also be used to assess the potential impacts of an existing development that is experiencing significant changes in motorized traffic patterns. A TS shall consider applicable factors including, but not limited to, existing and forecasted traffic counts, intersection level of service, trip generation, impacts on major intersections, turning movements, traffic control, roadway capacity, sight distance and site ingress/egress and circulation.

**UTILITY** means public or private infrastructure serving a limited area with no on-site personnel, including on-site stormwater retention or detention facility, neighborhood serving telephone exchange/switching center, gas/electric/telephone/cable transmission lines, water and wastewater pump station or lift station, gas gates, reservoir, control structure, drainage well, water supply water well, utility and public service uses.

**VEHICLE FLEET MANAGEMENT OPERATION** means the processes that go into transporting items, using resources such as vehicles, drivers, fuel, spare parts, and so on. Fleet management means organizing and coordinating these resources and the operations. It helps streamline processes involved in the logistics of goods.

**WALK-UP SERVICE** means a facility used to provide goods and services to customers on foot (as opposed to a drive-in or drive-through) through windows or stations arranged and oriented to allow service and provision of goods without requiring customers to enter a building.

**WATER-DEPENDENT USE** means those uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal or inland waters and which cannot be located away from these waters.

#### Section 42:

### INTERPRETATION OF USE TABLE

R:	Permitted as of right
SE:	Permitted only by special exception under § 63(d) of this ordinance
SP:	Permitted only by special permit under § 64(e) of this ordinance
X:	Not permitted
Parking:	Key letters refer to Parking Standards in § 45(a)(1)a.
Loading:	Key letters refer to Loading Standards in § 45(a)(1)b.

TABLE 3. USE TABLE

**Key: R - Permitted As-of-Right SP - Special Permit SE - Special Exception X - Not Permitted NA - Not Applicable**  
**In case of conflict between this Table 3 and the text of the Zoning Ordinance, the text shall prevail.**

Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MU	IL	IM	IH	Parking <sup>(5)</sup>	Loading <sup>(5)</sup>
<b>A. Residential Uses</b>																
1. Dwelling units in multi-family dwellings located above first stories of structures at a maximum density of one unit per 1000 sq. ft. of gross floor area of entire building and limited to gross floor areas as defined in the New Haven Zoning Ordinance. Except that properties subject to Development or Land Disposition Agreements involving the City of New Haven shall not be subject to the above density limitation	R	R	R	R	SP	R	R	R	R	X	SP/R	NA	X	X	c	y
2. Dwelling units in multi-family dwellings located on first stories only in combination with upper story residential use (if applicable) at a maximum density of one unit per 1000 sq. ft. of gross floor area of entire building and limited to gross floor areas as defined in the New Haven Zoning Ordinance. Except that properties subject to Development or Land Disposition Agreements involving the City of New Haven shall not be subject to the above density limitation	SP	SP	SP	R/SP	SP	SP	SP	SP	SP	X	X/SP	NA	X	X	c	y
3. Dwelling units in existing structures of at least 50,000 sq. ft. gross floor area and no less than two stories in height built prior to 1963, at a maximum density of one unit per 1000 sq. ft. of existing gross floor area and limited to gross floor areas as defined in the New Haven Zoning Ordinance except that a maximum five percent increase in building gross floor area for non-habitable areas of interior circulation (i.e., elevators, stairwells and common hallways) is permitted regardless of site floor to area ratio. Commercial Use in such structures or on such properties limited to those permitted in both the IL District by right or Special Permit and either in BA, BA-1, BD-2 or BD-3 Districts by right, Special Exception or Special Permit and excluding all uses listed in Sections M. (Automotive) and O. (Construction and Related Goods and Services) of this table (Table 3)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	X/R	SP	NA	NA	c	
4. Custodial care facilities (See § 19)	SE	SE	SE	SE	X	SE	SE	R	X	X	X/X	X	X	X	See Section 19	y
5. High-Rise Building	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	SP/R	N/A	N/A	N/A	c	y
6. Live-Work Loft Residences Pursuant To Article III Section 18A	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP/R	SP	SP	SP	See Section 18A(a)(3)	y
7. Live-Work Unit—(Post 1963 and new structures) (See definition)	X	X	X	SP	X	X	X	X	SP	X	SP/R	X	X	X	See Section 18A(a)(3)	y
8. Mid-Rise Building	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	SP/R	N/A	N/A	N/A	c	y
9. Assisted Living (see definition), Elderly and Disabled Housing	R	R	R	R	X	R	R	R	R	X	X/R	X	X	X	c	y
<b>B. Transient Lodging</b>																
Rooming or boarding house.	R	X	SP	X	X	R	X	X	X	X	SP/R	X	X	X	b	none
Hotel, Bed Breakfast or Tourist Home, 12 or fewer guest rooms	R	R	SP	R	SP	R	R	R	R	X	SP/R	X	X	X	a	y



TABLE 3. USE TABLE																
Key: R - Permitted As-of-Right SP - Special Permit SE - Special Exception X - Not Permitted NA - Not Applicable In case of conflict between this Table 3 and the text of the Zoning Ordinance, the text shall prevail.																
Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MU	IL	IM	IH	Parking <sup>(5)</sup>	Loading <sup>(5)</sup>
Hotel, Bed Breakfast or Tourist Home, 13 or more guest rooms	R	X	SP	SP	SE	R	R	R	R	X	SP/R	X	X	X	a	y
Motel.	R	X	X	X	SE	R	X	X	X	X	SP/R	X	X	X	a	y
<b>C. Sale of Food, Drink &amp; Pharmaceuticals</b>																
STORE SELLING ITS GOODS PREDOMINANTLY AT RETAIL ON PREMISES, AS FOLLOWS:																
Retail Bakery (Wholesale bakery, see § 42 S. Heavy Commercial).	R	R	R	R	X	R	R	R	R	R	R/R	R	X	X	n	x
Pharmacy or Cosmetic store, including sale of goods and services customarily incidental thereto.	R	R	R	R	SE	R	R	R	R	R	R/R	R	X	R	n	x
Convenience store (no gas pumps)	R	SP	SP	X	SP	R	R	R	R	R	R/R	X	R	R	n	x
Food specialty store, including but not limited to following lines: Eggs, fish, meat (excluding slaughtering and eviscerating), poultry (excluding slaughtering), fruits, nuts, candy, teas, coffee, confection, dairy products, health foods, vegetables.	R	R	R	R	SE	R	R	R	R	X	R/R	R	X	X	n	x
Grocery, Delicatessen, Supermarket or other store carrying a variety of food and related goods.	R	R	R	R	SE	R	R	R	R	X	R/R	R	X	X	n	
Mixed Use Building	X	X	X	X	X	X	X	X	X	X	R/R	X	X	X		
Package Alcoholic liquor, subject to § 42.1. provisions.	R	SE	SE	SE	X	R	R	R	R	R	R/R	R	X	R	n	x
Poultry market, including slaughtering of poultry for sale on the premises (for other slaughtering, see § 42 T.).	SE	SE	X	X	X	SE	X	X	X	X	SE/X	X	X	X	n	x
<b>D. Personal Services</b>																
Barber shop, beauty shop, reducing salon.	R	SE	R	R	SE	R	R	R	R	X	R/R	R	X	X	n	y
Laundry, cleaner, dyer, clothing storage establishment (all, including pick-up station), or self-service laundromat, all performing services entirely for retail trade on premises. (For wholesale cleaning, laundering, dyeing, diaper service see § 42 S).	R	SE	R	SE	SE	R	R	R	R	X	R/R	R	X	X	n	x
Health clubs, gyms, personal training, with associated classes	R	R	R	R	X	R	R	R	R	X	R/R	R	X	X	n	x
Tailor, dressmaker, shoe shine or shoe repair shop.	R	R	R	R	X	R	R	R	R	X	R/R	X	X	X	n	x
Repair shop for repairs or adjustments to appliances, watches, locks and similar items.	R	R	R	R	X	R	R	R	R	R	SP/R	X	X	X	n	x
Photographic studio.	R	R	R	R	X	R	R	R	R	X	R/R	X	X	X	n	y
Travel agency, travel ticket office.	R	R	R	R	X	R	R	R	R	R	R/R	X	X	X	n	y
Vocational, trade or business school.	R	SE	SE	SE	X	R	R	R	R	R	R/R	R	X	X	r	y
Driving school	R	SE	SE	SE	X	X	X	X	X	X	R/R	X	X	X	r	y
Funeral home.	R	SE	SE	X	X	R	R	R	R	X	SP/SP	X	X	X	p	y
Gun and weapons repair, firearms training.	SE	X	X	X	X	SE	X	X	X	SE	X/X	SE	X	SE	n	y
Firing range.	X	X	X	X	X	X	X	X	X	X	X/X	SE	X	SE	n	y
Pawn shop or swap shop (may include second-hand goods, precious metals purchase or resale), provided no location is within 1,500 feet from the outside entrance to another such use.	SE	SE	SE	X	X	SE	X	X	X	X	X/X	X	X	X	n	y
<b>E. Eating, Drinking Places &amp; Entertainment</b>																

TABLE 3. USE TABLE																
Key: R - Permitted As-of-Right SP - Special Permit SE - Special Exception X - Not Permitted NA - Not Applicable In case of conflict between this Table 3 and the text of the Zoning Ordinance, the text shall prevail.																
Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MU	IL	IM	IH	Parking <sup>(5)</sup>	Loading <sup>(5)</sup>
ESTABLISHMENTS SELLING FOOD OR BEVERAGES FOR IMMEDIATE CONSUMPTION ON OR OFF PREMISES, INCLUDING ESTABLISHMENT WHERE LIVE ENTERTAINMENT IS A PRINCIPAL OR ACCESSORY USE.																
FOR PURPOSES OF THIS ZONING ORDINANCE A CHANGE FROM ONE CLASSIFICATION OF EATING, DRINKING OR ENTERTAINMENT ESTABLISHMENT TO ANOTHER SHALL BE CONSIDERED A NEW USE.																
<b>EATING AND DRINKING PLACES</b>																
Establishment selling food for immediate consumption on or off premises, (excluding drive-in and drive-through establishments).	R	R	R	R	SE	R	R	R	R	R	R/R	R	SP	R	p	x
Micro-brewery or Micro-distillery	SE	SE	SE	SE	SE	SE	SE	SE	SE	X	R/R	SE	SE	SE	p	x
Restaurant, as defined in Article I, Section 1, selling or serving alcoholic beverages for immediate consumption on or off premises, including accessory entertainment, or permitting immediate consumption of alcoholic beverages on or off premises, including accessory entertainment.	SE	SE	R	SE	SE	R	R	R	R	SE	R/R	R	SP	R	p	x
Other establishment selling or serving alcoholic beverages for immediate consumption on or off premises, including accessory entertainment, or permitting immediate consumption of alcoholic beverages on or off premises, including accessory entertainment.	SE	SE	SE	SE	SE	R	SE	SE	R	SE	R/R	R	SP	R	p	x
Drive-in establishment selling food for immediate consumption on or off premises— More than 250 feet from any residential use.	R	X	SE	X	X	R	X	X	X	R	X/SP	X	X	R	p	x
Drive-in establishment selling food for immediate consumption on or off premises— Within 250 feet of any residential use.	SE	X	X	X	X	X	X	X	X	SE	X/SP	X	X	SE	p	x
Walk-up Service	R	R	R	R	R	R	R	R	R	R	R/R	R	R	R	p	x
<b>ADULT ENTERTAINMENT ESTABLISHMENTS</b>																
Adult cabaret less than 1,500 feet from another adult cabaret, bar in the same structure, or adult use as defined in § 42.3 of this ordinance.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	X	p	x
Adult cabaret more than 1,500 feet from another adult cabaret, bar in the same structure, or adult use as defined in § 42.3 of this ordinance:																
With Liquor Service.	X	X	X	X	X	SE	X	X	X	SE	X/X	SE	X	SE	p	x
No Liquor Service.	X	X	X		X	SE	X	X	X	SE	X/X	SE	X	SE	p	x
<b>F. Vending Machines</b>																
Vending machine selling food or personal articles or services, so placed that it is not beyond any street or building line, not within any required yard, and does not interfere with pedestrian or vehicular traffic.	R	X	R	SE	SE	SE	SE	SE	SE	R	R/R	R	X	R	NA	NA
Pedestrian-accessible automatic teller machines (ATM) located in fully enclosed buildings or structures	R	R	R	R	R	R	R	R	R	R	R/R	R	R	R	NA	NA
<b>G. General Merchandise and Clothing</b>																
<b>STORE SELLING OR RENTING ITS GOODS PREDOMINANTLY AT RETAIL ON THE PREMISES, AS FOLLOWS:</b>																
Apparel, including all apparel specialties.	R	R	R	R	X	R	R	R	R	X	R/R	X	X	X	n	x
Department store (includes sale of specific items mentioned elsewhere in table, if customarily sold in store).	R	R	R	R	X	R	R	R	R	X	R/R	X	X	X	n	x

TABLE 3. USE TABLE

Key: R - Permitted As-of-Right    SP - Special Permit    SE - Special Exception    X - Not Permitted    NA - Not Applicable In case of conflict between this Table 3 and the text of the Zoning Ordinance, the text shall prevail.																
Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MU	IL	IM	IH	Parking <sup>(5)</sup>	Loading <sup>(5)</sup>
Variety store (including sale of specific items mentioned in this table, if customarily sold in store).	R	R	R	R	X	R	R	R	R	X	R/R	X	X	X	n	x
<b>H. Personal Goods</b>																
SPECIALTY STORE SELLING OR RENTING ITS GOODS PREDOMINANTLY AT RETAIL ON THE PREMISES, INCLUDING BUT NOT LIMITED TO THE FOLLOWING LINES:																
Books, News, Tobacco, Gifts, Cards, Art Supplies, Stationery, Pets, Toys, Coins, Flowers, Jewelry, Leather Goods, Luggage, Novelties, Sporting Goods, Bicycles, Stamps, Hobbies, Art Work, Photo Supplies, Music, Musical Instruments, Optical Goods, Religious Articles.	R	R	R	R	SE	R	R	R	R	X	R/R	X	X	X	n	x
Gun shops and accessory goods sales including ammunition, subject to § 42.4 zoning ordinance, provisions.	X	X	X	X	X	SE	X	X	X	SE	X/X	SE	X	SE	n	x
<b>I. Home Goods and Furnishings</b>																
STORE SELLING OR RENTING ITS GOODS PREDOMINANTLY AT RETAIL ON THE PREMISES, AS FOLLOWS:																
China, glass, pottery.	R	R	R	R	X	R	R	R	R	X	R/R	R	X	X	n	x
Antiques and second hand goods, excluding motor vehicles/parts, and excluding materials held only for discard or reprocessing.	R	R	R	R	X	R	R	R	R	X	R/R	R	X	X	n	x
Fabrics, curtains, linens knitting & upholstery supplies.	R	R	R	R	X	R	R	R	R	R	R/R	R	X	X	n	x
Furniture, floor covering, appliances.	R	R	R	R	X	R	R	R	R	X	R/R	R	X	X	n	x
Farm & garden supplies, includes greenhouse, nursery.	R	R	R	R	X	X	R	X	R	X	SP/SP	R	X	X	n	x
Hardware, paint, wallpaper.	R	R	R	R	X	R	R	R	R	X	R/R	R	X	X	n	x
SPECIALTY HOME GOODS & SKILLED TRADES WITH A COMBINATION OF ON PREMISES FABRICATION AND SALES, AS FOLLOWS:																
Art work, art supplies, baskets, books, candles, curtains, dresses, fabrics, furniture, gifts, glass, jewelry, linens, musical instruments, optical goods, pottery, photography, printing, sporting goods, stationary, toys, upholstery.	R	R	R	R	R	R	R	R	R	R	R/R	SP	SP	SP	s	x
Music, Film and Recording Studio	SP	SP	R	SP	X	SP	SP	SP	SP	R	R/R	SP	SP	SP	s	x
<b>J. Financial Services</b>																
Bank or other credit agency (with drive-through)	R	R	R	R	X	R	R	R	R	R	SE/SE	R	X	X	n	y
Bank or other credit agency (no drive-through).	R	R	R	R	X	R	R	R	R	R	R/R	R	X	X	n	y
Broker investment company.	R	R	R	R	X	R	R	R	R	R	R/R	R	X	X	o	y
Insurance company or agency.	R	R	R	R	X	R	R	R	R	R	R/R	R	X	X	o	y
Remuneration, money order, notary establishments	SE	SE	SE	X	X	SE	SE	SE	R	SE	SE/SE	X	X	X	n	y
Check cashing or payday loan establishments	SP	SP	SP	X	X	SP	SP	SP	X	SP	X/X	X	X	X	n	y
<b>K. Office</b>																
OFFICE—NO STORAGE OF A STOCK IN TRADE (EXCEPT SAMPLES) OR HEAVY MATERIALS OR EQUIPMENT, & NO COMMODITIES SALE ON PREMISES, AS FOLLOWS:																
Co-working	R	R	R	R	X	R	R	R	R	X	R/R	R	X	X	o	y
General, charitable, philanthropic, other professional.	R	R	R	R	X	R	R	R	R	X	R/R	R	X	X	o	y
Radio or television stations studio and/or offices only.	R	R	R	R	X	R	R	R	R	R	SP/R	R	X	X	o	y
Utility, including exchange.	R	SP	SP	SE	SE	R	R	R	R	R	SP/SP	R	X	X	o	y
Wholesale or distribution.	R	SP	SP	SP	X	R	R	R	X	R	SP/X	R	X	X	o	y
<b>L. Amusements</b>																

TABLE 3. USE TABLE

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**In case of conflict between this Table 3 and the text of the Zoning Ordinance, the text shall prevail.**

Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MU	IL	IM	IH	Parking <sup>(5)</sup>	Loading <sup>(5)</sup>
ESTABLISHMENT SO ARRANGED THAT LIGHTS, NOISE, VIBRATION, AND ALL OTHER POSSIBLE DISTURBING ASPECTS CONNECTED WITH ITS OPERATION ARE ENCLOSED, SCREENED OR OTHERWISE CONTROLLED TO THE EXTENT THAT THE OPERATION OF THE ESTABLISHMENT WILL NOT UNDULY INTERFERE WITH THE USE AND ENJOYMENT OF STREETS OR PROPERTIES IN THE SURROUNDING AREA, AS FOLLOWS:																
Adult businesses, including adult bookstores, Adult theaters, adult entertainment centers, massage parlors, saunas, subject to § 42.3 provisions.	X	X	X	X	X	X	X	X	X	R	X/X	R	X	R	n	x
Assembly hall.	SE	SP	SP	SP	X	SE	SE	SE	SE	SE	SE/SP	SP	X	X	p	y
Bowling alley, billiard or pool hall, indoor amusement center.	SE	SE	R	SE	X	SE	SE	X	SE	SE	SP/R	SE	X	X	q	y
Fair, carnival. (Permanent in nature)	SE	SP	SP	SP	X	X	X	X	X	X	X/X	SE	X	SE	q	y
Game machines as an accessory use, subject to § 42.2 provisions.	R	R	R	R	SE	R	R	R	R	R	R/R	R	X	R	NA	NA
Game rooms, subject to § 42.2 provisions.	SE	SE	SE	SE	X	SE	X	SE	SE	SE	SE/R	SE	X	SE	q	y
Miniature golf, golf driving range.	SE	X	SE	X	X	X	X	X	X	X	X/X	SE	X	X	q	y
Music or dancing school.	R	X	R	R	X	R	R	X	R	X	R/R	R	X	X	r	y
Public access park (passive or action recreation), open space or community garden	R	R	R	R	R	R	R	R	R	R	R/R	R	R	R	NA	NA
Social club, athletic club, lodge, veterans or fraternal organization, recreation facilities and community centers.	SE	SP	R	SP	X	SE	SE	SE	SE	SE	SP/R	SE	X	X	q	y
State sponsored off-track betting facilities and teletrak facilities, teletheater or other legalized wagering systems, facilities & services.	X	X	X	X	X	SE	X	X	X	X	SE/SE	X	X	SE	q	y
Theater, excluding drive-in, 250 or fewer seats.	R	R	R	R	X	R	R	X	R	X	R/R	X	X	X	p	y
Theater, excluding drive-in, 251 or more seats.	R	SP	R	SP	X	R	SE	X	R	X	SP/R	X	X	X	p	y
Trampoline center.	SE	X	SE	X	X	X	X	X	X	X	SE/SE	R	X	X	q	y
<b>M. Automotive</b>																
ESTABLISHMENT CONFORMING TO STATE OF CONNECTICUT REGULATIONS AND § 45, AS FOLLOWS:																
Sale of automotive accessories, parts, tires, batteries, other supplies.	R	X	R	X	X	R	R	X	X	R	X/X	R	X	R	See 45(b)	See 45(b)
Gasoline station, as defined by Ch. 250, C.G.S.	SE	X	SE	X	X	SE	SE	SE	SE	SE	X/SE	SE	X	SE	See 45.B	See 45(b)
Car wash (a/k/a auto laundry).	SE	X	P	X	X	X	X	X	X	X	X/SP	X	X	X	See 45(b)	See 45(b)
Motorcycles: Sale or rental with inventory, repair.	X	X	SE	X	X	X	X	X	X	X	X/X	R	X	X	See 45(b)	See 45(b)
Automobiles, automobile trailers, and trucks.																
1. Repair of such vehicles, no full body paint spraying or body and fender work except replacement.	R	X	X	X	X	SE	X	X	X	R	X/X	R	X	R	See 45(b)	See 45(b)
2. Repair of such vehicles, including full body paint spraying and all body and fender work.	SE	X	X		X	SE	X	X	X	SE	X/X	R	X	R	See 45(b)	See 45(b)
3. Rental of such vehicles with inventory. Inventory within structure shall be permitted by special exception.	R	X	X	X	X	R	X	SE	SE	R	X/X	R	X	R	See 45(b)	See 45(b)
4. Sale of such vehicles with inventory when used, where incidental to operation of a gas station or repair garage, and where no more than five used vehicles for sale are kept on premises at one time.	SE	X	X	X	X	SE	X	X	X	R	X/X	R	X	R	See 45(b)	See 45(b)
5. Sale of such vehicles with inventory when used, with no limit on quantity of vehicles.	X	X	X	X	X	X	X	X	X	X	X/X	R	X	R	See 45(b)	See 45(b)
6. Sale of such vehicles with inventory when new:																
a. Automobiles.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	X	See 45(b)	See 45(b)
b. Automobile trailers or trucks.	X	X	X	X	X	X	X	X	X	R	X/X	R	X	R	See 45(b)	See 45(b)

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Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MU	IL	IM	IH	Parking <sup>(5)</sup>	Loading <sup>(5)</sup>
Sale or rental of any vehicle described above, with no inventory of such vehicles kept on premises, but with incidental show models and demonstrator vehicles permitted in case of sales.	R	X	X	X	X	R	R	SE	SE	R	X/X	R	R	X	n	y
Motor vehicle fleet operation	X	X	X	X	X	X	X	X	X	X	X/X	X	X	R	n	y
<b>N. Marine</b>																
Marina, yacht club with up to four slips.	X	X	X	X	R	X	X	X	X	X	X/R	X	SP	X	u	y
Marina, yacht club with more than four slips.	X	X	X	X	SP	X	X	X	X	X	X/R	X	SP	X	u	
Fishing, fish sales (including shellfish).	X	X	X	X	SP	X	X	X	X	R	X/X	X	R	X	n	x
Sale of boats, boat parts & accessories, fishing equipment, boat fuel & ice, & similar supplies.	X	X	X	X	SP	X	X	X	X	R	X/X	R	R	R	n	x
Boat rental or charter, boat sightseeing.	X	X	X	X	SP	X	X	X	X	R	X/SP	X	R	R	q	y
Boat building, repair, service and storage:																
100 foot length or less.	X	X	X	X	SP	X	X	X	X	X	X/X	R	R	R	s	x
Over 100 foot length.	X	X	X	X	SP	X	X	X	X	SE	X/X	R	SP	R	s	x
Deep-sea shipping facility or Seaplane base.	X	X	X	X	X	X	X	X	X	SE	X/X	R	X	R	s	x
Salvage or dredging company.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	R	s	x
<b>O. Construction &amp; Related Goods &amp; Services</b>																
Home improvement company, interior decorator, upholsterer, furniture repairer, general contractor, special trade contractor or worker, building materials, sign making, fuel or ice, with all storage of goods, materials & equipment (other than off-street parking and loading of vehicles) and all processing and manufacturing kept within a completely enclosed building(s) & the entire establishment occupies 2,000 square feet or less of net floor area.	R	R	R	R	X	R	R	X	R	R	X/SP	R	R	R	s	See § 45
Same uses as above, with no limit as to floor area or enclosure, except as specified in § 46 & § 47(c).	X	X	X	X	X	X	X	X	X	R	X/X	SP	SP	R	s	x
Off-site Construction Staging Area:																
Less than 1,000 SF total area.	R	SP	SP	X	SP	SP	SP	SP	R	SP	X/X	SP	R	NA	NA	
1,000 SF or more total.	SP	X	X	X	SP	SP	SP	SP	SP	SP	X/X	SP	X	SP	NA	NA
Monument sales establishment, with incidental processing to order (excluding shaping of stones & similar processes).	R	SE	SE	SE	X	X	X	X	X	R	X/X	R		R	s	x
Monument sales establishment or monument works, with no limit as to processes.	X	X	X	X	X	X	X	X	X	X	X/X	R	X	R	s	x
<b>P. Business Goods</b>																
ESTABLISHMENT SELLING OR RENTING ITS GOODS PREDOMINANTLY AT RETAIL ON PREMISES, AS FOLLOWS:																
Office equipment and supplies.	R	R	R	R	X	R	R	X	R	R	R/R	R	SP	X	n	x
Business machines or scales.	R	R	R	R	X	R	R	X	R	R	R/R	R	SP	X	n	x
Restaurant or bar supply.	R	R	R	R	X	R	R	X	R	R	R/R	R	SP	X	n	x
Dental, hospital, beauty, barber, store or lab supply.	R	R	R	R	X	R	R	R	R	R	R/R	R	SP	X	n	x
<b>Q. Business &amp; Miscellaneous Personal &amp; Public Services</b>																
Off premises signs, as regulated by § 44.1:																
Mini-panel.	SE	X	X	SE	SE	SE	SE	SE	SE	SE	SE/SE	SE	X	SE	NA	NA
Poster, Bulletin or Spectacular.	R	X	X	X	X	X	X	X	X	R	X/X	R	X	R	NA	NA
On premises signs, as regulated by § 60.3.	R	R	R	R	R	R	R	X	R	R	R/R	R	X	R	NA	NA
Ambulance service.	R	SP	SP	SP	X	R	X	R	R	R	X/X	R	X	R	s	y
Cat Café	X	X	R	SE	X	X	X	X	X	X	X/X	X	X	X	NA	NA
Caterer.	R	R	R	R	X	R	R	R	R	R	R/R	R	X	X	s	x

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Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MU	IL	IM	IH	Parking <sup>(5)</sup>	Loading <sup>(5)</sup>
Cold storage facility renting only individual lockers for home customer storage of food. (For other cold storage facilities, see § 42 S. Heavy Commercial.)	R	X	X	X	X	R	X	X	X	R	X/X	R	X	R	s	x
Conference Center	X	X	SP <sup>5</sup>	X	SP	SP	X	SP	SP	X	SP/SP	X	X	X	p	y
Convention Center	X	X	SP <sup>5</sup>	X	X	SP	X	SP	SP	X	SP/SP	X	X	X	p	y
Commercial kennel or other establishment, where the care, breeding or sale of animals is the principal purpose of the enterprise, with no animals to be located within 500 feet of any residentially zoned property.	SE	X	X	X	X	X	X	X	X	X	X/X	SE	X	SE	s	x
Delivery service establishment, vehicles limited to one ton capacity (also see § 42 S. Heavy Commercial).	R	X	X	SE	X	R	X	X	X	R	X/X	R	X	R	s	x
Employment agency.	R	X	R	SE	X	R	R	R	R	R	R/R	R	X	R	o	y
Event Center	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	SP/SP	R	X	SP		
Government Building or Facility	R	R	R	R	R	R	R	R	R	R	R/R	R	R	R		
Internal building cleaning, window cleaning.	R	R	R	R	X	R	SE	SE	R	R	R/R	R	X	R	s	y
News distribution enterprise.	R	X	X	X	X	R	X	X	X	R	X/X	R	X	R	s	x
Printing, engraving, or other reproduction services, limited to 2,000 square feet net floor area.	R	R	R	R	X	R	SE	R	R	R	SE/R	R	R	R	s	none
Printing, engraving, or other reproduction services with no limit as to floor area.	X	X	X	X	X	R	X	R	R	R	X/X	R	R	R	s	x
Public or private pumping station	R	R	SE	R	R	R	R	R	R	R	R/R	R	R	R	s	y
Research or testing laboratory, including research and/or development laboratories which are High Technology Uses, limited to 2,000 S.F. net floor area used for laboratory purposes	X	X	R	SE	R	R	R	R	R	R	R/R	R	R	R	s	none
Research or testing laboratory with no floor area limit, including research and/or development laboratories which are High Technology Uses	X	X	X	X	SP	SP	SP	SP	R	R	SP/SP	R	R	R	s	x
Other High Technology Uses, High Technology Services and High Technology Equipment Design and Fabrication (see definitions)	X	X	R	SP	R	R	R	R	R	R	SP/R	R	R	R	s	y
Self storage facility.	X	X	X	SP	X	X	X	SP	X	SP	X/X	SP	SP	SP	i	y
Special workplace daycare Family Daycare Home, Group Daycare Home, and Child Daycare Center.	R	R	R	R	SE	R	R	R	R	R	SP/R	R	R	R	i	y
Uniform sales or rental establishment.	R	R	R	R	X	R	R	R	R	R	R/R	R	X	R	s	x
Vending machine operator or repairer.	R	SE	SE	X	X	R	X	X	X	R	SP/SP	R	X	R	s	x
Veterinarian, pet daycare and pet groomer (excluding establishment where care, breeding or sale of animals is the enterprise's main purpose and/or where animals are boarded overnight) with all facilities within fully enclosed building(s).	R	R	R	R	X	R	SE	X	R	R	SP/SP	R	X	X	m	y
<b>R. Transportation</b>																
On or off-site parking lot or parking structure for employees, customers, or visitors for any business or industrial use, or commercial parking lot or parking structure, also as regulated by § 45 of this ordinance and excluding auto sales, service and rental except as otherwise permitted by this Use Table.	R	R	R	R	R	R	R	R	R	R	SP/SP	R	R	R	NA	NA

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Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MU	IL	IM	IH	Parking <sup>(5)</sup>	Loading <sup>(5)</sup>
On or off-site parking lot or parking structure containing between 26 and 200 parking spaces for employees, customers, or visitors for any business or industrial use, or commercial parking lot or parking structure, also as regulated by § 45 of this ordinance and excluding auto sales, service and rental except as otherwise permitted by this Use Table.	R	SP <sup>2</sup>	SP <sup>2</sup>	SP	SP <sup>2</sup>	R	R	R	R	R	SP/SP	R	R	R	NA	NA
On or off-site parking lot or parking structure capable of containing 200 or more parking spaces for employees, customers, or visitors for any business or industrial use, or any commercial parking lot or parking structure capable of containing 200 or more parking spaces, also as regulated by § 45 of this ordinance and excluding auto sales, service and rental except as otherwise permitted by this Use Table.	SP <sup>2</sup>	X	SP <sup>2</sup>	X <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>	SP/SP	SP <sup>2</sup>	SP <sup>2</sup>	SP <sup>2</sup>	NA	NA
Intercity passenger station or terminal, Railroad passenger station, or Heliport.	X	X	X	X	X	R	X	R	SP	R	X/SP	R	X	SE	s	y
Storage of commercial vehicles (where not an accessory use to another permitted use).	X	X	X	X	X	X	X	X	X	R	X/X	R	X	R	NA	NA
Taxi dispatching station (no vehicle storage).	R	X	X	X	X	R	R	R	R	R	SP/SP	R	X	X	s	y
Taxi terminal.	X	X	X	X	X	X	X	X	X	R	SP/SP	R	X	X	s	y
Transportation or other right-of-way.	R	R	R	R	R	R	R	R	R	R	R/R	R	R	R	NA	NA
Truck or rail freight yard or terminal.	X	X	X	X	X	X	X	X	X	R	X/X	R	X	R	s	x
<b>S. Heavy Commercial</b>																
Brewery, distillery, winery or meadery	X	X	SP	X	X	X	X	X	X	X	R/R	R	R	R		
Cleaning, laundering, dyeing, or diaper service plant.	X	X	SP	X	X	X	X	X	X	R	X/X	R	SP	R	s	x
Cold storage facility, no limit as to customer type.	X	X	X	X	X	X	X	X	X	R	X/X	R	X	R	s	x
External building cleaning, disinfecting, or exterminating establishment.	X	X	SP	X	X	X	X	X	X	R	X/X	R	X	R	s	x
Food processing or wholesale bakery.	X	X	R	R	X	X	X	X	X	R	SP/SP	R	R	R	s	x
Meat processing (excluding slaughtering, eviscerating and rendering)	X	X	X	X	X	X	X	X	X	X	SP/X	R	SP	R	s	x
Warehousing, or moving and storage establishment.	X	X	X	X	X	X	X	X	X	R	X/X	R	X	R	s	x
Wholesaling or distribution, including the handling of stock and incidental retailing.	X	X	X	X	X	X	X	X	X	R	SP/X	R	SP	R	s	x
<b>T. Industrial</b>																
Manufacturing, processing, storage, or other commercial or industrial use not specifically mentioned, subject to other provisions of this & not analogous to any use specifically mentioned ordinance and in particular § 46, outdoor activities & storage, waste, dumping, quarries and § 48, performance standards.	X	X	SE	X	X	X	X	X	X	SE	X/X	SE	SP	SE	s	x
Antenna or wireless site:																
1. On existing structure, subject to § 49 standards.	R	R	R	R	R	R	R	R	R	R	SP/R	R	X	R	NA	NA
2. On new tower, subject to § 49 standards.	SP	X	X	SP	SP	SP	SP	R	SP	SP	X/SP	SP	X	SP	NA	NA
Artisan Manufacturing	R	R	R	R	R	R	R	R	R	R	SP/SP	X	X	X	s	x
Asphalt manufacture or refining or preparation except where incidental to construction.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x



TABLE 3. USE TABLE

Key: R - Permitted As-of-Right    SP - Special Permit    SE - Special Exception    X - Not Permitted    NA - Not Applicable In case of conflict between this Table 3 and the text of the Zoning Ordinance, the text shall prevail.																
Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MU	IL	IM	IH	Parking <sup>(5)</sup>	Loading <sup>(5)</sup>
Celluloid or pyroxylin manufacture or explosive or inflammable cellulose or pyroxylin products manufacture.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Coal tar or mineral dye manufacture or tar distillation (except as by-products of public utility, gas or power manufacture; and the products or by-products of any plant which furnishes gas, gas material or power to a public utility or for public distribution).	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Creosote manufacture or treatment.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Data Processing Center or Services	X	X	X	X	X	X	X	X	X	X	X/X	R	R	R	s	x
Dumping, as defined and regulated by §46(e) and subject to other applicable regulations.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Emery cloth, sand paper, carborundum or pumice manufacture.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Explosive or fireworks manufacture.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Fertilizer manufacture from organic material or its compounding for sale.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Glue or size manufacture or processes involving recovery from fish or animal material.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Gypsum, cement, plaster or plaster of Paris manufacture.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Household hazardous waste collection centers, as defined and regulated by § 46(g), subject to other applicable regulations.	X	X	X	X	X	X	X	X	X	X	X/X	SE	X	SE	s	x
Junkyard, as defined and regulated by § 46, subject to all State of Connecticut and other applicable regulations.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Micro-Manufacturing	X	X	X	X	X	X	X	X	X	X	X/X	R	X	R	s	x
Motor vehicle recycling facility, as defined and regulated by § 46 and subject to all State of Connecticut & other applicable regulations.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SP	s	x
Nitrating process.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Outdoor storage of fuels, chemicals or building materials (whether in tanks or other containers), except as incidental to other activities.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Outdoor storage of materials related to boat manufacturing.	X	X	X	X	R	X	X	X	X	X	X/X	X	R	X	NA	NA
Outdoor storage of up to 500 square feet of materials, customary and incidental to principal use of the property.	R	R	R	R	R	R	R	X	X	R	X/X	R	R	R	NA	NA
Outdoor storage of more than 500 square feet of material.	X	X	X	X	SP	X	X	X	X	X	X/X	SP	X	SP	NA	NA
Petroleum refining.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Public sewage disposal plant or incinerator.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	R	s	x
Quarry, as defined and regulated by § 46(f)	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Slaughterhouse or stockyards, rendering or reduction of animal matter.	X	X	X	X	X	X	X	X	X	SE	X/X	X	X	X	s	x
Sulfurous, sulfuric, nitric, picric or hydrochloric or other corrosive acid manufacture or the manufacture of poison gases, bleaching powder or chlorine, except as incidental to a permitted use.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x
Transmitting tower for radio or television station.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	y
Waste processing and transfer.	X	X	X	X	X	X	X	X	X	SE	X/X	SE	X	SE	s	x
Wood or bone distillation.	X	X	X	X	X	X	X	X	X	X	X/X	X	X	SE	s	x

**U. Medical**



TABLE 3. USE TABLE																
Key: R - Permitted As-of-Right SP - Special Permit SE - Special Exception X - Not Permitted NA - Not Applicable In case of conflict between this Table 3 and the text of the Zoning Ordinance, the text shall prevail.																
Use	BA	BA-1	CGD	BA-2	BC	BD	BD-1	BD-2	BD-3	BE	MU	IL	IM	IH	Parking <sup>(5)</sup>	Loading <sup>(5)</sup>
Nursing Homes/Rest Homes/Residential Care Homes as defined in Conn. Gen. Stat. §§ 19a-490 and 19a-521	R	SP	SP	SP	X	SE	SE	R	R	X	SP/R	X	X	X	l	y
General and Special Inpatient Hospitals	R	SP	SP	SP	X	SE	R	R	X	X	SP/R	X	X	X	k	y
Home Health Care Agencies/Assisted Living Service Agencies as defined in Conn. Gen. Stat. § 19a-490	R	R	R	R	X	R	R	R	R	X	SP/X	X	X	X	o	y
Health Practitioners' Office (See definition)	R	R	R	R	X	R	R	R	R	X	R/R	X	X	X	m	y
Health Care Clinic (See definition)	R	SP	R	SP	X	R	R	R	R	X	SP/R	X	X	X	m	y
Outpatient Surgical Facilities/Ambulatory Surgical Center licensed by the Connecticut Department of Health pursuant to Conn. Gen. Stat. § 49a-493b	R	SP	SP	SP	X	R	SE	R	R	X	R/R	X	X	X	m	y
Recovery Care Centers licensed by the Department of Public Health pursuant to Regs. Conn. State Agencies §19a-495-571	R	SP	SP	SP	X	R	SE	R	R	X	SP/R	X	X	X	k	y
<b>V. Institutional and Public Uses</b>																
Religious Institutions including parish houses, rectories, convents, and other facilities normally incidental to places of worship but excluding funeral homes and cemeteries.	R	R	R	R	SP	R	R	R	R	X	R/R	X	X	X	g	
Cultural activities not carried on as a gainful business, including art galleries, libraries and museums.	R	R	R	R	SP	R	R	R	R	X	R/R	X	X	X	h	
Public and private elementary and secondary schools meeting all requirements of the compulsory education laws of the State of Connecticut, and adult education facilities connected with such schools, including dormitories connected with such schools	R	R	R	R	SP	R	R	R	R	X	X/R	X	X	X	i	
Public and private colleges and universities, including dormitories connected with such institutions but excluding: fraternities and sororities, trade/or business schools and colleges, and schools and colleges operated as commercial enterprises.	R	R	R	R	SP	R	R	R	R	X	SP/R	X	X	X	j	
Public safety facilities, (fire, police and EMS)	R	R	R	R	R	R	R	R	R	R	SP/R	R	R	R		
Post office	R	R	R	R	R	R	R	R	R	R	R/R	R	R	R		
Fraternities and sororities located on land owned by an educational institution.	R	R	R	R	SP	R	R	R	R	X	X/X	X	X	X	b	
Fraternities and sororities located on land not owned by an educational institution.	X	X	X	X	X	R	R	R	R	X	X/X	X	X	X	b	
<b>W. Public Amenity, Service and Utility Uses</b>																
Reservoirs, dams, <del>public utility substations and pumping stations, telephone exchanges, police stations, fire stations and post offices.</del>															AS NEEDED	AS NEEDED
Utility	R	R	R	R	R	R	R	R	R	R	R/R	R	R	R		
Parks and other public facilities for passive recreation, and public playgrounds.															AS NEEDED	AS NEEDED

4. The land use permissions for the MU, Mixed-Use district include two designations, (e.g., R/SP). The first use permission applies to all MU districts within Long Wharf; the second use permission applies to MU districts outside of Long Wharf.

**Section 43**

(a) *Maximum FAR.*

- (1) The maximum **FAR and density** permitted in the district(s) specified shall not exceed **those set out in Table 43.1, FAR and Density Standards by District:**

<b>Table 43.1, FAR and Density Standards by District</b>	
<b>FAR</b>	<b>Zoning District(s)</b>
2.0	BA, BA-1, BB, BC and IM
3.0	IL, CGD***
4.0	IH
6.0	BD, BD-1**, BD-2*, BD-3 and BE
<b>Density (units/ac)</b>	<b>Zoning District</b>
100	MU

\*Where a lot in a BD-2 District abuts a residence district along a rear or side lot line, the maximum permitted **FAR** is 2.5.  
 \*\* Where a lot in a BD-1 District abuts an RS-1, RS-2, RM-1 or RM-2 Residence District, the maximum permitted FAR is 3.0.  
 \*\*\* In the CGD, the maximum permitted **FAR** can be increased to 4.5 by utilizing strategies to improve site sustainability. See section 43(b)(2)  
 \*\*\*\* In the BD-3, the maximum permitted **FAR** for sites where the primary use is commercial (non-residential) can be increased to 8 by utilizing strategies to improve site sustainability and/or by providing public plazas subject to the requirements of section 43.1)

**(3) Density Bonuses in MU.**

- a. Purpose. A mixed use district may take many forms. To ensure development reflects the intentions visualized in the Long Wharf Responsible Growth Plan, density bonuses are available for development plans that demonstrate adherence to the criteria set out below.
- b. Criteria. When all of the following criteria are clearly demonstrated on plans submitted for approval to the City Plan Commission, the density may increase as follows:
- i. Increase to 185 dwelling units per acre).
    - (A) The site is laid out in blocks with a maximum dimension of 350 feet, or are designed with mid-block pedestrian passageways to provide access within and between blocks, buildings, parking areas and public amenities. Alternately, the site layout and design demonstrates walkability by way of shorter block lengths, pedestrian ways and access easements between buildings, parking areas and structures, and usable open spaces;
    - (B) Street cross-sections provide for on-street parking, mid-block and intersection bump-outs and pedestrian crosswalks, minimum 10 foot wide sidewalks, and a minimum three foot wide median if there are more than two travel lanes;
    - (C) Parking is located on-street and in a minimum three-story parking structure, part of which may be of podium construction;
    - (D) The building is vertically integrated with no less than two separate and independent land uses;
    - (E) Development constructed for residential use shall be a mid-rise multi-family building;
    - (F) A usable open space complying with the standards set out below in this Section is located within 650 feet of the entrance of each building within the development; and
    - (G) The development achieves a sustainability score of at least 8.0 based on the strategies outlined in Table 43.2, Sustainability Strategies, below.
  - ii. Increase to 265 dwelling units per acre). In addition to the above criteria:
    - (A) A pedestrian circulation plan demonstrates clear paths between buildings, parking areas and structures, open spaces and both along and across streets;
    - (B) Parking is located on-street and in a minimum four-story parking structure, part of which may be of podium construction, and wrapped by at least two stories of street-level uses and stepped back from the facade a distance of five feet per story;

- (C) The buildings is vertically integrated with no less than two separate and independent land uses;
- (D) The maximum gross floor area of the ground floor of any individual use is 25,000 square feet;
- (E) Development constructed for residential use shall be a high-rise multi-family building;
- (F) Usable open space complying with the standards set out below in this Section includes one central and two secondary improvements that are within 500 feet of the entrance of each building within the development; and
- (G) The development achieves a sustainability score of at least 12.0 based on the strategies outlined in the table below.

Table 43.2, Sustainability Strategies	Points
1. Leadership in Energy and Environmental Design (LEED) Scorecard or other equivalent, nationally recognized rating system.	
1.a Scorecard indicating LEED Certification rating or equivalency to a LEED Certification rating signed by a LEED accredited professional.	1
1.b Scorecard indicating LEED Silver rating or equivalency to a LEED Silver rating signed by a LEED accredited professional.	2
1.c Scorecard indicating LEED Gold rating or equivalency to a LEED Gold rating signed by a LEED accredited professional.	3
1.d Scorecard indicating LEED Platinum rating or equivalency to a LEED Platinum rating signed by a LEED accredited professional.	4
1.e. Passive House Institute Component Certification	4
1.f. Department of Energy (DOE) Zero Energy Ready Home (ZERH) Certification	4
1.g. International Living Future Institute Zero Energy Certification	4
2. On-Site Energy Generation	
3.a. At least 25% of energy use is generated from on-site renewable sources.	1
3.b. At least 50% of energy use is generated from on-site renewable sources.	2
3.c. 75% or more of energy use is generated from on-site renewable sources.	3
3.d. The site has net zero energy impact.	4
2.e. Installation of all electric heating, ventilation and air conditioning systems, hot water systems, and appliances in all residential units.	5
3. Rainwater: All vegetation used in strategies 3a—3c must use at least 50% Native Plants.	
4.a. Retention	
4.b. Retaining 30%—60% of anticipated runoff generated by 10-year 24-hour storm, as defined by NOAA.	1
4.c. Retaining more than 60% of anticipated runoff generated by the 10-year 24-hour storm, as defined by NOAA.	2
4.d. Green Stormwater Infrastructure	
4.e. Green stormwater infrastructure is used to capture 30%—60% of runoff retained in Section 3.a	1

Table 43.2, Sustainability Strategies	Points
4.f. Green stormwater infrastructure is used to capture over 60% of runoff retained in Section 3.a	2
4.g. Ecoroofs as defined in Section 1.	
4.h. 30%—60% of roof area is an ecoroof.	1
4.i. 60% or greater of roof area is an ecoroof.	2
4.j. Payment-in-lieu	
4.k. For sites where the retention or infiltration strategies enumerated in Sections 3.a—3.c above are not feasible, a one-time payment may be made in-lieu of satisfying such strategies at a rate of \$6.00 per cubic foot of runoff generated by the proposed structure and site during a 1-year, 6-hour storm as defined by NOAA.	1
4.l. For sites where the retention or infiltration strategies enumerated in Sections 3.a—3.c above are not feasible, a one-time payment may be made in-lieu of satisfying such strategies at a rate of \$9.00 per cubic foot of runoff generated by the proposed structure and site during a 1-year, 6-hour storm as defined by NOAA.	2
4.m. For sites where the retention or infiltration strategies enumerated in Sections 3.a—3.c above are not feasible, a one-time payment may be made in-lieu of satisfying such strategies at a rate of \$12 per cubic foot of runoff generated by the proposed structure and site during a 1-year, 6-hour storm as defined by NOAA.	3
<b>4. Building Reuse: The following strategies are mutually exclusive.</b>	
5.a. Exterior design of new development is compatible with adjacent neighborhood fabric, built more than 50 years ago, including the use of similar window and door sizes, cladding materials, bays, and other primary structure elements., As part of the applicant's site plan application, the applicant shall provide a report by a design preservation professional demonstrating compliance with this strategy.	1
5.b. At least 75% of street facing Building facade, from structures built more than 50 years ago are restored and integrated into the new development, in accordance with the standards recommended by the Secretary of the Interior Standards for the Treatment of Historic Properties.	2
5.c. Existing building shell(s) constructed more than 50 years ago is restored, in accordance with the standards recommended by the Secretary of the Interior Standards for the Treatment of Historic Properties.	3
<b>5. Public Plazas designed in accordance with Section 43.1.</b>	
5.a. Public plazas totaling between 3,000 to 5,499 gross square feet.	1
5.b. Public plazas totaling between 5500 to 7,499 gross square feet.	2
5.c. Public plazas totaling between 7500 to 9,999 gross square feet.	3
5.d. Public plazas totaling between 10,000 to 15,000 gross square feet.	4
5.e. Public plazas in excess of 15,000 gross square feet.	5
<b>6. Tree Canopy (20 years maturity after planting per registered landscape architect/certified arborist)</b>	
6.a. Tree canopy covers 10 percent of the gross site area.	1

Table 43.2, Sustainability Strategies		Points
6.b.	Tree canopy covers 15 percent of the gross site area.	2
6.c.	Tree canopy covers 20 percent of the gross site area.	3
6.d.	Tree canopy covers 25 percent of the gross site area.	4
<b>7. Parking</b>		
7.a.	On-street and structured parking accounts for 70 percent of on-site parking.	1
7.b.	On-street and structured parking accounts for 80 percent of on-site parking.	2
7.c.	On-street and structured parking accounts for 90 percent or more of on-site parking and dedicated curb space is provided for a minimum of two rideshare pick-up / drop-off locations.	3
<b>8. Other</b>		
8.a	In CGD only, outdoor space is dedicated to food production (e.g. community gardens in Privately Owned Public Space 43(1)(4)).	1
8.b	Construct primary structures out of Mass Timber or other engineered timber systems.	5
8.c	Public Plaza that meets SITES certification or equivalent can qualify for additional FAR points at 0.5 of the points assigned to the equivalent LEED certification rating set forth in subsections 1a—1d above.	Varies

(c) MU, Mixed Use Residential Density.

- (1) The minimum base density in an MU district is 100 dwelling units per acre, which may increase to 185 and 265 dwelling units per acre, respectively, commensurate with the criteria set out above in Subsection (c)(3).
- (2) Development within the MU district shall have no fewer than 100 dwelling units arranged contiguously in one or more buildings.
- (3) The MU district on Long Wharf is subject to the Inclusionary Zoning Ordinance (OR-2022-0002) thereby requiring a minimum percentage of IZ affordable units. If the total number of dwelling units permitted exceeds the otherwise allowable density maximum, the unit total given application of the IZ ordinance shall prevail.

(f) *Maximum building coverage.*

1. Business and Industrial Districts. Except for the Mixed Use (MU) District, there shall be no direct limit on *building coverage*.
2. Mixed Use (MU) District. The maximum building coverage for an individual development shall not exceed 85 percent of the site area, with the remaining site area devoted to usable open space(s). Building coverage may be 100 percent if the usable open space is centralized and shown cumulatively on a master site plan for a multi-phase project.

(j) *MU Yard Regulations.* (see Figure 43.4, *MU Building Regulations*)

Table 43.4, MU Building Regulations		Street		
Key	Standard	Type A	Type B	Type C
<b>Building Placement</b> (see Figure 43.1, <i>MU Dimensional Standards</i> )				
A	Build-to-Zone (BTZ) (min/max ft) [1]	0' - 5'	5' - 15'	15' - 30'
B	Street Frontage (min. % of facade at min BTZ) [2]	90%	80%	70%

Table 43.4, MU Building Regulations		Street		
Key	Standard	Type A	Type B	Type C
<b>Building Placement (see Figure 43.1, MU Dimensional Standards)</b>				
C	Street Frontage (min. % of facade at max BTZ) [2]	10%	20%	30%
D	Corner Lot Side Setback (min/max ft)	0' - 5'	5' - 10'	10' - 20'
E	Interior Lot Side Setback (min ft)	0'	0'	10'
F	Rear Setback (min ft)	0'	10'	20'
<b>Pedestrian Priority Zones (see Figure 43.2, Pedestrian Zone Widths)</b>				
G	Building Frontage (min/max ft)	8' - 12'	4' - 8'	0' - 4'
H	Pedestrian Clearway	10'	8'	6'
I	Furniture and Planting	6'	4'	--
J	Edge	2'	2'	--
<b>Building Height and Upper Story Stepbacks</b>				
K	Max. Stories within 15' of Front Property Line	4	4	3
L	Height (stories / feet) - Minimum - Maximum	4 / 50' None	4 / 50' None	None 3 / 40'
--	Max. Plate Area of Upper Story Stepbacks (max. %)	90%	80%	--
--	Max. Stories within 15' of a Residential District / Use	3	3	2
--	Ground Floor / Upper Story Height (max ft.)	14' / 12'	14' / 12'	12' / 10'
<b>Building Activation</b>				
--	Max. Facade Width Before Articulation	25'	30'	40'
--	Min. Number of Articulation Techniques	1	2	2
--	Min. Number of Varied Massing Techniques	1	2	2
--	Transparency (min %) - Ground Floor (with/without entrance) - Upper Floor	80% / 60% 40%	70% / 50% 30%	60% / 40% 20%
--	Building Entry Orientation	Street Front/ Corner	Street Front/ Open Space	Front/ Open Space
--	Building Entry Spacing (max ft.)	50'	50'	--
<b>Parking</b>				
--	Type	Street/Structure	Street/Structure	Surface
--	Surface (max %)	15%	15%	20%
--	Location	--	--	Interior Side/Rear



Table 43.4, MU Building Regulations		Street		
Key	Standard	Type A	Type B	Type C
	<b>Building Placement</b> (see Figure 43.1, <i>MU Dimensional Standards</i> )			
--	Access	Primary/Secondary Street	Secondary Street/Alley	Shared Drive
Table Notes				
[1] The maximum setback and percentage of street frontage allowed beyond the build-to-zone may be used for <u>outdoor seating</u> or as <b>open space</b> .				
[2] The street frontage requirements apply to the greater height of a building or setback.				

- (k) *Coastal Environmental Protection and Safety Standards.* Any project proposed to be in the Harbor Subdistrict of the Mixed-Use (MU) district shall conform to the environmental protection and safety standards established below:
  1. *Area for Recyclable Materials.* Any proposed project with a gross floor area of 50,000 or more square feet shall include an interior area for the separation, temporary storage, and collection of recyclable materials. Such area shall be located in the vicinity of an off-street loading facility.
  2. *Trash Disposal Standards.* Any such proposed project with a gross floor area of 50,000 or more square feet shall include a trash compactor in an interior location for garbage and trash disposal, and shall provide for the maintenance and cleanliness of such compactor.
- (j) *Usable Open Space for the BC, BD, BD-1, BD-2, BD-3, MU, CGD, and IL Districts.*
  - (4) In the MU district, a minimum of 15 percent of the total site area shall be preserved as usable open space. The open space shall be calculated and shown for each building site or may be centralized and shown cumulatively on a master site plan for a multi-phase project. Such open space shall be constructed concurrent with each phase of development, or upon approval of the Board of Alders, may be dedicated for construction during a later phase provided a legal instrument, approved as to form by Corporation Counsel, is filed of record with the City Clerk. To qualify as usable open space:
    - a. All buildings shall be located within a 500-foot radius of an open space with an area no less than 3,000 square feet;
    - b. The space shall be constructed as one contiguous open area or, with approval of the City Plan Commission, no more than 50 percent of the area may be arranged linearly or as separate areas provided no area is less than 500 square feet;
    - c. No more than two-thirds of the perimeter of an open space may not be surrounded by walls;
    - d. No portion of an outdoor open space can have a clear height of less than eight feet;
    - e. An open space that is roofed shall have a minimum clear height of 1.5 times the greatest dimension of the roofed area;
    - f. Fully enclosed and roofed accessory structures are permitted within an open space provided they cover a cumulative area no greater than 15 percent of the amenity area; and
    - g. A minimum of 20 percent of the total open space shall be for planting areas provided no horizontal dimension is less than three feet and each planting area has a minimum plant coverage of 75 percent.;
  - (5) In the MU district, the following areas shall not be deemed "usable open space":
    - a. Any area occupied by a building not exceeding a height of 15 feet and a gross floor area of 400 square feet and reserved exclusively as a water-dependent use or a recreational use permitted by Section 42, Use regulations for business and industrial districts;
    - b. Any area occupied by a street or private way open only to pedestrians and emergency vehicles; and
    - c. Any area, at grade, that is covered by a pedestrian skywalk or skybridge.
- (j) *Principal entrances.*

- (2) *MU District*. All buildings facing a public street shall provide at least one principal entrance to such street. Buildings that front, in whole or in part, on an open space shall provide at least one principal entrance to such space.
- (k) *Transparent and active uses*.
- (2) *MU District*. Building facades that face a street or open space shall maintain a minimum level of transparency on the ground and upper stories. Only those windows and door areas arranged so that active uses within the building are visible from or accessible to the street shall be counted toward meeting transparency requirements. Enclosed product display windows and other similar elements that do not permit clear visibility into the interior of the building shall be omitted from transparency calculations.
- (a) All windows must be transparent, non-reflective glass.
- (b) Solid walls facing a street are prohibited.
- (c) A minimum of six square feet of clear window area for every 40 linear feet, or portion thereof, of the walls of a building that faces a parking area shall be required. The window shall be placed so that the parking area may be readily viewed from inside the building.
- (d) Transparency requirements do not apply to portions of structures in the assembly area of theaters, auditoriums, religious institutions, and similar uses, provided that the building wall is enhanced by architectural detailing, artwork, landscaping or similar features.
- (e) The building transparency requirement may be reduced or waived through design review upon finding that:
- i. The proposed use has unique operational characteristics with which the provision of the required windows and openings is incompatible, such as in the case of a historic building; and
  - ii. Street-facing building walls will exhibit architectural relief and detail, or will be screened with attractive landscaping, in such a way as to create visual interest at the pedestrian level.

### **Section 43.2 Required Public Access: Coastal Access Easements**

- (a) *Required public access*.
1. Requirements for public access apply only to land within the jurisdiction of the city.
  2. Development that is not a water dependent use as defined by the State of Connecticut and is located adjacent to the coastal jurisdiction line shall provide public access to the shoreline via a coastal access easement. Said easement and access need not provide direct access into the water.
  3. All coastal access easements shall be located, surveyed, dedicated to the public by permanent easement, approved as to form by Corporation Counsel, and filed in the land records prior to approval or issuance of a building permit.
  4. Coastal access specifications.
    - a. Coastal access easements shall be a minimum of 20 feet wide and shall be contiguous and parallel to the coastal jurisdiction line. Easements shall run along the entirety of the length of the coastal interface. Such easements shall be permanent, recorded in the office of the City Clerk, in survey form and by written agreement in a form approved by the Corporation Counsel.
    - b. An improved walking surface with a minimum width of 15 feet and ADA-compliant shall be provided within the access easement. Approved details for surface treatment and construction can be found in the Mill River Trail Standards (2018) and as filed by the City Plan Department.
    - c. Each easement shall be directly accessible to and connected to a public street or sidewalk and shall be signed appropriately at the public access points. Should a new coastal access easement be constructed adjacent to an existing coastal access easement, the two easements shall be joined and made passable at the property lines.
    - d. Plans for the coastal access easements shall be submitted to the City as part of site plan approval.
  5. Maintenance.



- a. Maintenance of coastal access easements shall be the responsibility of the property owner in perpetuity.
- b. Should a coastal access easement be dedicated to and accepted by the City, the access easement shall thereafter be open to the public and maintained by the City.

### **Section 43.3 Special Provisions for the MU District**

Where a use is permitted by Special Permit in accordance with the Use Table (Section 42), such use shall comply with Section 64 (d) of this ordinance and shall comply with the following additional standards:

- (a) *Flood Safety*: Buildings proposed for construction within a special flood hazard area (SFHA) shall demonstrate strict adherence to one of the following:
  1. Produce a letter of map amendment (LOMA) to a National Flood Insurance Program (NFIP) map showing the building site has been raised out of the SFHA;
  2. Produce a letter of map revision (LOMR), Conditional Letter of Map Revision (CLOMR) or a Letter of Map Revision-Based on Fill (LOMR-F) to a Flood Insurance Rate Map (FIRM) showing the building site has been raised out of the SFHA; or
  3. Present evidence in the form of written documentation, certified by a licensed engineer in the state, clearly confirming that a proposed project shall meet all applicable local, state and federal approval or permit requirements.
- (b) *Residential or Mixed Use Building*. A residential building or a residential mixed-use building with upper floor residential use that is proposed for construction within a special flood hazard area (SFHA) shall demonstrate:
  1. Residential ancillary uses that support the dwelling units shall be located a minimum of two feet above the base flood elevation (BFE);
  2. Where applicable, easements shall be granted through the property proposed for construction to allow for lateral and vertical public access to an area outside of the special flood hazard area (SFHA) that is a minimum of two feet above the base flood elevation;
  3. The increase in hurricane shelter space demand will be mitigated to the satisfaction of the City Plan Commission;
  4. Dry egress shall be provided at a minimum width of five feet wide, at a minimum elevation of BFE+2, constructed of materials designed for use of a wheelchair for its entire length, and ADA-compliant. Dry egress shall lead continuously from the site development location to a location outside and above the SFHA. The pathway shall be kept free of obstructions and adequately maintained. Easements as necessary to cross adjacent private or public property shall be negotiated and recorded prior to Site Plan approval by the City Plan Commission.
  5. Flood emergency vehicular access and egress shall be required for all new construction and shall be constructed at or above the base flood elevation and which at all times shall remain passable for emergency, service and passenger vehicles to the satisfaction of the City's Director of Emergency Management and the City Engineer.
  6. Official submission of a Flood Emergency Operations Plan, prepared by a design professional, providing for:
    - a. Clearly defined chain of command and leadership responsibilities;
    - b. Procedures for notification when flood warnings are issued;
    - c. An evacuation plan for all personnel and residents including identification of all ingress and egress routes; and
    - d. Training drills coordinated with city officials no less than once annually.

### **Section 45. Regulations for parking, loading, automotive and drive-in establishments.**

- (2) *Shared Parking*. Where it is proposed that two or more uses for which a parking or loading space or spaces are required make joint use of the same parking or loading space or spaces, such joint use shall not be permitted unless:

- a. An appropriate contract between the parties concerned, providing for long-term joint use of such parking or loading, is recorded on the New Haven Land Records; and
  - b. A special exception is granted under the provisions of subsection 63(d), upon a finding, among other things, that the proposed joint use of parking or loading will meet the requirements of this ordinance for the two or more uses involved at the time when such uses are in operation.
  - c. In addition to the circumstances set forth in subsections a. and b., in the Business D-3 and Mixed Use (MU) Districts, shared parking will be allowed as follows:
    1. The building is a mixed-use building, and there is evidence established to the reasonable satisfaction of the Department of Transportation, Traffic and Parking, which shall provide a report to the City Plan Commission in connection with a site plan application for the building that one-half of the residential requirement for such building, if counted toward the non-residential parking requirements of the building, will not adversely affect the residential use in the building.
    2. The on-site parking provided for a nonresidential building is publicly shared parking, in which case the parking requirements for the uses in the nonresidential building shall be reduced by 15 percent.
    3. Two or more uses and/or structures agree to shared parking, an agreement providing for the shared use of parking executed by the parties involved is filed on the land records of the City of New Haven, and the parking for such uses or structures occur at alternating time periods, which shall be established to the reasonable satisfaction of the Department of Transportation, Traffic and Parking which shall provide a report to the City Plan Commission in connection with the site plan applications for such uses and/or structures. In such case, the number of parking spaces required for each use or structure shall be reduced by 25 percent.
- (3) Parking in the MU, Mixed-Use District.
- a. The maximum allowed parking for developments in the Mixed-Use (MU) District shall be 75 percent of the sum of the parking requirements for all uses.
  - b. Parking located beneath a building shall be screened by an architectural treatment to provide no less than 70 percent opacity.
- (4) Bicycle Parking. In the Mixed-Use (MU) District, all non-residential uses that are required to provide parking spaces shall also provide bicycle parking spaces. Uses that require up to 50 parking spaces shall provide at least one bicycle rack (two spaces), plus one more bicycle rack for each additional 50 require parking spaces.
- (5) Electric Vehicle Parking.
- a. A parking space served by electric vehicle supply equipment or a parking space designated as a future electric vehicle charging space shall count as one standard parking space for the purpose of complying with minimum parking space requirements of this Section.
  - b. An accessible parking space with an access aisle served by electric vehicle supply equipment or an accessible parking space with an aisle designated as a future electric vehicle charging space shall count as two standard parking spaces for the purpose of complying with minimum parking space requirements of this Section.

**Section 47. Provisions for transition where business and industrial districts abut residence districts.**

- b. Buffer requirements.

2. If residential uses abut a site within the Mixed-Use (MU) districts, any lot within such districts which share a lot line with a residential use or district, shall provide a buffer meeting the following requirements (calculated per 100 linear feet, or portion thereof):
  - a. Buffer Width:
    1. Fence: 10 feet
    2. No fence: 18 feet
  - b. Deciduous Trees:
    1. Fence: 3 trees
    2. No Fence: 4 trees
  - c. Evergreen Trees:
    1. Fence: 3 trees
    2. No fence: 4 trees
  - d. Shrubs:
    1. Fence: 5 shrubs
    2. No fence: 20 shrubs
  - b. Buffers without a fence shall be used between the Parkway, Market, Innovation and Gateway vision plan districts.
  - c. Buffers must be established within a private buffer easement on individual lots or parcels, unless a property owners', condominium or homeowners association is established, in which case buffers may be within common open space. Properties separated by the public street right-of-way are not considered adjoining for the purposes of this Subsection.
  - d. No buffer is required for that portion of a parcel proposed for development that adjoins common open space.
  - e. Refer to [To be added later], for standards regarding minimum plant sizes, maintenance and other such requirements.
3. *Fence material.*
  - a. A person shall construct a fence using the following materials:
    - a. Wood,
    - b. Wrought iron,
    - c. Exposed aggregate tilt wall,
    - d. Fired masonry,
    - e. Approved wood rail construction, or
    - f. Other material approved by the building official or designee.
  - b. Wood fences may have metal framing.
  - c. A person erecting a fence shall ensure that the smooth side faces adjoining streets and all posts and rails face the interior of the lot.
4. *Fence maintenance.* All fences constructed under the provisions of this section shall be maintained by the property owner so as to comply with the requirements of this section at all times. Such requirements include, but are not necessarily limited to, the following maintenance standards:
  6. The fence shall not be out of vertical alignment more than one foot from the vertical measured at the top of the fence. Except, however, for fencing four feet or less in height, the vertical alignment shall not be more than six inches from the vertical measured at the top of the fence.
  7. Any and all broken, loose, damaged, insect damaged, or missing parts (i.e., slats, posts, wood rails, bricks, panels) having a combined total area of 20 square feet or more of said fences shall be replaced or repaired within 60 days of notification of non-compliance. Fences enclosing swimming pools or spas must be repaired immediately.
  8. Repairs of any nature shall be made with materials of comparable composition, color, size, shape, and quality of the original fence to which the repair is being made. Products manufactured for other uses such as plywood, corrugated steel, or fiberglass panels are prohibited as fencing materials. Nothing herein shall be construed so as to prohibit the complete removal of a fence, unless such fence encloses a swimming pool or spa.

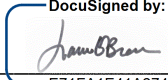
**REFERRALS**

Pursuant to the Connecticut Coastal Management Act and the Municipal Coastal Management Review Process, a project site within the coastal boundary which includes a change in zoning map or regulation must be referred to CT DEEP Office of Long Island Sound Programs and the Land and Water Resources Division. The Commission must allow DEEP 35 days for review and comment before it may enter its decision. This application was referred to CT DEEP on June 13, 2023 with a 35-day comment period ending July 18, 2023.

**ADVICE**

The Commission finds the proposed text amendment aligns with the City’s Comprehensive Plan and recommends approval.

**ADOPTED:** July 26, 2023  
Leslie Radcliffe  
Chair

**ATTEST:**  July 28, 2023 | 2:50 PM EDT  
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Laura E Brown  
Executive Director, City Plan Department