

Draft Zoning Regulations Guide

Section 1

Purpose and Enabling Powers - This Section is located in Article 1 of the existing regulations pages 5-6. The Section was consolidated from the existing regulations. No changes were made to the intent and enabling references. The enabling references are from Connecticut General Statutes 8-2.

Section 2

Zoning District and Map - This Section is Article 2 of the existing regulations. The listing of districts was moved into a chart. The r-30 zoning district was added to the chart. This is an existing zoning district that is depicted on the zoning district map however was not included in the regulations. Section 2.2 and 2.3 are carried over the existing regulations with no change.

Section 3

Residential Zoning Districts - The residential zoning district standards and accessory uses were outlined in Article 7 A and B along with Article 8 of the existing regulations. The first change that was made that all residential standards were placed in the same section of the regulations. Charts were used to illustrate the uses that are allowed either as of right (no permit), administratively approved, or specially permitted.

****New Sections ****

Location of Accessory Structures- New standards have been developed concerning the locating, size, and scale of accessory structures in residential zoning districts. Standards such as maximum building height, total area of accessory structures vs. primary, along with clarification for placement standards have been drafted.

Home Business- The current regulations permit the operation of a home based business as of right. The new regulations clarify what is considered to be a home based business along with a set of conditions which pertain to the operation of such a business at a single family residence. The purposes of this section to permit certain businesses that could be operated out of the home provided that there is little to no physical evidence of the operations.

Home Based Service Business - This use would be considered a larger operation out of the residence with the possibility of customers coming to the home provided that there were sufficient safeguards to reduce the potential impact to neighbors. This use would be allowed via administrative permit.

Dimensional Requirements - These are the existing lot design standards and setbacks which are currently located in Article 8. The residential setbacks have been moved into this section so

all standards dealing with residential zoning districts are located within one section of the zoning regulations.

Existing Regulations added to Section

The following regulations were added to Section 3 with no change from the current regulations:

- ***Design Cluster Development*** - These standards apply to the Village Cluster Zones (Article 10 A) and Single Family Cluster Zone (Article 10 A)
- ***Single Family Open Space Cluster Zone*** (Article 10 B)

Section 4

Business Districts - This section contains the lot design standards and uses for all the business zoning districts (B-1, B-2, B-3, and PO zoning districts). The primary changes made to this section pertain to the grouping of uses into charts and consolidating of standards for the districts into one section.

Section 5

Industrial Districts- This section contains the lot design standards and uses for all the industrial zoning districts (I-1 and I2 zoning districts). The primary changes made to this section pertain to the grouping of uses into charts and consolidating of standards for the districts into one section.

** Note: The I-3 zoning district (earth excavation zone) has been eliminated from the industrial zoning districts **

Section 6

Floodplain Zone - This section is located in Article 7 M of the current regulations. Uses for the zoning district were placed in a chart. Otherwise the standards contained in this section are identical to existing.

Section 7

Non-Conforming Lots, Uses, and Structures- This section is located in Article 9 of the current regulations. Time requirements for re-establishing or abandonment of non-conformities have been removed in accordance with current law.

Section 8

Special Regulations

Existing Regulations added to Section

The following regulations were added to Section 8 with no change from the current regulations:

- ***Planned Area Development*** (Article 10 L)
- **Housing Opportunity Development Zone** (Article 10 M)
- **Assisted Living Facility, Congregate Senior Housing** (Article 10 K)

Workforce Overlay Housing Zone - One change was made to this section of the regulation, the subject property for this district must be located within 850 ft from Hopmeadow Street.

Section 9

Sign Regulations - No changes were made to the current regulations which are located within Article 10 C.

Section 10

Parking Standards- No changes were made to the current regulations which are located within Article 10 E and F.

Section 11

Site Plan Approval - The standards have been expanded upon. The existing site plan standards are located within Article 5 J.

Changes summarized:

Submission requirements are updated to reflect proper supporting documentation for the commission to make informed decisions.

Standards pertaining to traffic, parking, and circulation have been revised.

** New Section**

Stormwater Management - The Town is required pursuant to the MS4 stormwater permit to develop and implement stormwater regulations. These standards were developed with the guidance of CTDEEP model regulations. The intent to assure that development and redevelopment is considering the potential impacts related to stormwater management when reviewing plans.

Soil Erosion and Sediment Control- The MS4 permit requires the development of erosion and sediment control standards within the zoning regulations. Pursuant to state statute, the zoning

commission is responsible for the implementation and regulation of erosion and sediment control.

Minor Change in Use or Structure Addition- Changes of uses which are permitted as-of-right within no exterior changes or minor additions to the primary buildings which do not exceed 15% of the gross floor area or 1,000 sq ft whichever is less may be permitted by staff. This section will permit staff to handle certain non-residential applications administratively.

Section 12

Special Exception Requirements- The existing standards for granting a special exception are located within Article 7 C 10. These standards are very vague and therefore subject to interpretation.

The new section provides a formal structure to these standards along with more measurable standards for the Commission to consider while deliberating applications for special exceptions.

Section 13

Text Amendment Application - No changes were made to the current regulations which are located within Article 13.

Section 14

Zone Change - This is a new section although the standards for zone change applications are contained within Article 13 of the current regulations.

Section 15

Administrative Permit Applications - This is a new section of the regulations. Administrative zoning permits are required within the existing regulations however the standards are not clear for applicants. The new section clearly illustrates why and when an administrative zoning permit is required.

Section 16

Zoning Board of Appeals- No changes were made to this section. The current standards can be found within Article 12.

Section 17

Administration and Definitions - The definitions are located within Article 4. These have been moved to the end of the document. Terms in the current regulations which pertain to the Simsbury Center Code have been removed from the regulations.