

4.13 Town Center Zone

4.13.1 Purpose and Intent

The purpose of the Town Center Zone is to provide a uniform set of regulations for Glastonbury's Town Center that allows for compatible mix of commercial and residential uses at a density and scale supportive of development and redevelopment that will enhance and strengthen this area as a vital center for the Town. The primary objective of this zone is to maintain the Town Center as the commercial center of the community while enabling new residential opportunities that can help support a vibrant commercial district. Key concerns in creating a pedestrian friendly, thriving mixed-use Town Center include new mixed-use projects, enhanced streetscapes, improved vehicular, pedestrian and bicycle circulation and new residential opportunities.

Deleted: implement recommendations of the 2007-2017 Plan of Conservation and Development and the Glastonbury Center 2020 Shared Vision Plan

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Commented [jm1]: Removed references to specific documents. Inserted language that clarifies that Town Center is a mixed use zone.

4.13.2 Permitted Uses

Land areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for the uses or use categories listed below and indicated in Section 5: Table of Permitted Uses of these Regulations, subject to such standards as may be referred to herein.

Permitted Uses and Use Categories

Unless otherwise indicated, all uses and use categories require a Section 12 Special Permit with Design Review from the Town Plan and Zoning Commission.

(0) Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Prmt Uses and use categories permitted as of right subject to the requirements of the Town Center Zone and any other applicable provisions of these regulations.

Dwelling, single family, if existing on or before January 30, 2014
Dwelling, two-family, if existing on or before January 30, 2014
Assisted living, convalescent or nursing home, if existing on or before January 30, 2014

Sp Uses and use categories permitted following approval of Special Permit with Design Review by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

Any Special Permit use existing within the TC Zone on or before January 30, 2014 is deemed to have been granted a Special Permit for such use.

Assisted Living, convalescent or nursing home (expansion of existing facilities only)
Bed and Breakfasts/Inn
Business services, except for warehousing and motor vehicle rental services
Day Care Center
Dwelling, multiple (14)
Fitness club
Government services
Historic and monument sites (21)
Library
Mixed use development – unified residential and commercial uses*
Museum
Office, general or professional
Office, medical
Personal Service
Places of worship
Recreation uses
Retail, including sale of alcohol for off-site consumption

Restaurant, including sale of alcohol for on-site consumption
Theater, legitimate and/or motion picture
Utility- electric, gas and water

*For any building for which both residential and commercial uses are proposed, first floor and basement uses shall be limited to commercial uses only. In mixed use structures where first floor or basement residential uses are existing on or before January 30, 2014, said residential uses shall be permitted.

For existing developments where a residential use is added, the area (square footage) containing existing commercial uses shall not be reduced, **except as provided for in Section 4.13.6(k)**. This shall also apply to the area of commercial space on a site where any or all buildings are demolished and the site is redeveloped with a residential component.

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Commented [jm2]: Clarification that this section of regulation only applies to commercial/residential mixed-use projects.

4.13.3 Permitted Accessory Uses

Customary accessory uses are permitted in accordance with the list below and as indicated in Section 5: Table of Permitted Uses of these Regulations, subject to such standards as may be referred to in Section 5 and herein.

Permitted Accessory Uses and Use Categories

(0) Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc Uses and use categories permitted as an accessory use.

4.13.4 Development Plan

No existing building, structure or use, other than existing single and two-family dwellings, shall be enlarged or altered until a Development Plan has been approved by the Town Plan and Zoning Commission in accordance with Section 12 of the Building Zone Regulations.

4.13.5 Change of Use

Within the TC Zone, any non-residential change of use that does not involve exterior building modifications or require the construction of additional parking shall be permitted as of right. Any change of use that does require the construction of parking or proposed exterior building modifications or additions shall require submission of a Special Permit Application to the Office of Community Development. Determination of whether a change in an approved Development Plan shall be deemed a Section 12.9 minor change, a Section 12.10 insignificant change or a Special Permit with Design Review in accordance with Section 12 of these Regulations shall be made by the Office of Community Development.

4.13.6 Development Requirements

Uses in effect prior to the enactment of the Town Center Zone on January 30, 2014 that do not meet the Development Requirements outlined herein shall be considered grandfathered uses provided that they met the Development Requirements of the previously existing zone. Any new additions or buildings on such sites shall not increase non-compliance within the Town Center Zone. Any change of use that is not considered a minor change or insignificant change in accordance with Section 12 of these Regulations shall be subject to the Development Standards outlined herein and will require Development Plan approval from the Town Plan and Zoning Commission in accordance with all requirements set forth in Section 12 of these Regulations

a) Lot Area

Minimum lot area shall be 40,000 square feet, except that smaller legal lots of record under separate ownership may be developed and used for a permitted use provided that the Town Plan and Zoning Commission finds that the proposed Development Plan for such lots complies with the criteria set forth in

Section 12 of these Regulations. There shall be no limit to the number of smaller lots of record that may be combined and developed as a single/unified development plan.

b) Building Coverage

Maximum floor area ratio (FAR) shall be 0.5 for all commercial, multifamily residential and mixed-use buildings. FAR shall not apply to single family and two-family dwellings.

c) Lot Frontage

Every lot shall have a minimum lot frontage of not less than 100 feet, except that the provisions set forth in 4.13.6(a) above for smaller lots shall also apply to lot frontage.

d) Setbacks

1. Front Yard

There shall be a minimum front yard of 20 feet for every principal building. Placement of parking to the rear or side of the building is encouraged. No driveway serving a drive-up customer service window shall traverse the area in front of the subject building and within the front yard setback.

2. Side Yards

There shall be a minimum side yard of 8 feet for every principal building, excluding those buildings attached at the side property line to a building on an adjoining property.

3. Rear Yard

There shall be a minimum rear yard of 20 feet for every principal building.

e) Maximum Height Limit

No building shall exceed a height of three (3) stories or forty-two and three-fourths (42 3/4) feet.

EFFECTIVE January 4, 2021

Commented [jm3]: Changed date format for consistency.

f) Required Open Space

Open space for commercial, multifamily dwellings and mixed-use buildings shall be equal to 15 percent of lot area.

g) Design Standards

As part of Development Plan approval, the applicant shall demonstrate to the Plan and Zoning Commission that the project appropriately includes use of distinctive paving materials; incorporation of trees, shrubs and seasonal plantings; placement of street furniture; and use and placement of appropriate lighting fixtures.

EFFECTIVE March 28, 2022

Where parking areas are contiguous with adjacent parking areas, whether within the same or different ownership, no fencing, screening, shrubbery or other barrier shall be used to prevent the movement of vehicles from one parking area to another.

h) Signage shall be in accordance with Section 10 of these regulations.

i) Parking

1) Parking Requirements

The following parking requirements shall apply to uses within the Town Center Zone:

a) Residential

Dwelling, single family: 2 spaces per unit

Dwelling, two-family: 2 spaces per unit

Dwelling, multiple

Studio: 1 space per unit

One-bedroom: 1.5 spaces per unit

Two bedrooms or more: 2 spaces per unit

b) Commercial

Shall be in accordance with Section 9 of these regulations

2) Shared Parking

Joint use of off-street parking spaces may be permitted by the Town Plan and Zoning Commission.

This provision shall apply to all uses within the Town Center Zone.

Any application for shared parking must include:

a) An analysis of parking demand for each use by time period, demonstrating compatibility of shared parking between uses; and

b) A written permanent easement between the use parties, which clearly stipulates the terms of the joint use of the parking spaces and ensures that such spaces are committed and available to the respective users on a non-conflicting basis. Said easement to be filed on the land records.

j) Floor Area – Retail Trade

The floor area of any individual retail trade use shall not exceed 40,000 square feet. Mezzanine access up to 10% of the principal floor area shall not be included in this calculation.

k) Public Benefits

The amount of existing commercial square footage that must be maintained on a site with existing development that is adding residential use, or a site that will be partially or completely demolished and redeveloped with as a mixed use commercial/residential development, may be reduced based on the provision of one or more public benefits. Notwithstanding these reductions, a minimum of (6,000 or 7,200) square feet of commercial space or at least (60% or 50%) of existing commercial space must be maintained, whichever is greater. In granting reductions to the commercial square footage that must be maintained, the Commission shall adhere to the following requirements for public benefits:

Commented [jm4]: Increased the minimum required amount of commercial space to be retained/replaced to either 50% or 60% (6,000 and 7,200 sq. ft. respectively). These numbers assume a 12,000 square foot building.

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<u>Public Benefit</u>	<u>Reduction in Commercial Square Footage that Must Be Maintained (50% Minimum)</u>	<u>Reduction in Commercial Square Footage that Must Be Maintained (60% Minimum)</u>
<u>Preservation of an historic structure at least 75 years old which has been determined by the Historic District Commission or other designated authority to be significant to the community</u>	<u>20%</u>	<u>15%</u>
<u>Inclusion of housing units that are deed-restricted as affordable (in accordance with Connecticut General Statutes Section 8-30g as amended) to those earning 80% or less than the area median income for a period of not less than 80 years - at least 40% of all residential units in the development</u>	<u>10%</u>	<u>10%</u>
<u>Provision of public use of a portion of the development's parking - at least 10% of all parking spaces open and maintained for public use</u>	<u>5%</u>	<u>5%</u>
<u>Provide carshare vehicle parking space(s) for at least 1% of total parking spaces, rounded up. If the project has fewer than 100 parking spaces, provide one carshare vehicle parking space. Establish an agreement between the project and carshare company guaranteeing that new and existing carshare vehicle space(s) will be dedicated for a minimum of two years from the certificate of building occupancy.</u>	<u>5%</u>	<u>2.5%</u>
<u>Install electrical vehicle supply equipment (EVSE) in 15% of all parking spaces used by the project or at least 6 spaces, whichever is greater. Clearly identify and reserve these spaces for the sole use by plug-in electric vehicles (EVSE) must meet LEED requirements)</u>	<u>5%</u>	<u>2.5%</u>
<u>Provide short-term bicycle storage for at least 2.5% of all peak visitors, but no fewer than four storage spaces per building. Provide long-term bicycle storage for at least 5% of all regular building occupants, but no fewer than four storage spaces per building in addition to the short-term bicycle storage spaces AND Provide long-term bicycle storage for at least 15% of all regular building occupants, but no less than one storage space per three residential units.</u>	<u>2.5%</u>	<u>2.5%</u>
<u>Provide at least one on-site shower with changing facility for the first 100 regular building occupants and one additional shower for every 150 regular building occupants thereafter.</u>	<u>2.5%</u>	<u>2.5%</u>

Commented [jm5]: Provided public benefit reductions for both 50% and 60% minimum commercial space retained and adjusted benefit percentages as advised by TPZ. Benefit percentages total either 40% or 50% reductions.

Commented [jm6]: Increased % of units to be dedicated by 10% over 8-30g requirement and 20% over proposed inclusionary zoning. Doubled the number of years for deed restriction.

