



# *Town of Glastonbury*

## *Community Development*

TO: Town Planning and Zoning Commission

FROM: Gary Haynes; Planner

DATE: August 18, 2023

RE: Main Street Commercial Corridor Flood Zone (MSCC)

New comments highlighted in **Yellow**

### Background

In September of 2008 the Town Council adopted changes to the Flood Zone Regulations to follow the proposed model regulations prepared by the state. Glastonbury has chosen to regulate the flood zone more restrictively than the model regulations to help further protect flood prone areas. Section 4.11 requires structures to be located outside the 500-year flood plain rather than the 100-year flood plain as the model regulation suggests. It also requires that existing buildings proposed for substantial rehabilitation are improved to meet the Flood Zone requirements.

Historically, flood waters have crossed Main Street in the area being proposed in 1936, 1955, and 1985. The 500 year floodplain elevation is 31.5 feet and the 100 year floodplain elevation is 28 feet.

### Proposal

For several years this higher restriction of the flood zone has inhibited redevelopment and building improvements in the commercial corridor from 2735 Main Street to 2815 Main Street. The proposal is to adopt a Main Street Commercial Corridor Flood Zone that allows for non-residential construction to the 100-year flood plain rather than the 500-year flood plain. This would allow for in-fill and redevelopment along the Main Street Commercial Corridor, which now presents a development "gap" between the Village Center Zone and the Planned Business Development Zone located to the North along Main Street.

The only current relief for redevelopment or substantial improvement is by applying for a variance or waiver. The intent of adopting this zone is to allow redevelopment and substantial improvements of existing structures, more efficiently in this area without compromising floodplain regulation in other areas of Town. Rather than setting a precedent in approving variances and waivers, we are identifying the area in need, and setting standards and regulations to allow for redevelopment and substantial improvement. This will help give the existing local businesses in the proposed zone the means to maintain and develop their properties, as well as aid property owners in securing financial loans that may be needed to fund such redevelopment.

### Public Comment

Staff has not received any comment from members of the public.

### TPZ Required Action

The Town Council requires a recommendation from the Town Plan and Zoning Commission on all proposed regulation and zoning map changes.

### Attachments:

1. Proposed Regulations
2. Proposed Zoning Map Changes
3. Referral Letter to State NFIP Coordinator Diane Ifkovic

**Town of Glastonbury Building-Zone Regulations**  
**Flood Zone Text Amendments**  
**Draft August 2023**

**Highlighted section in yellow to be Deleted per State Flood Coordinator Request**

**4.11 Flood-Prone Area Regulations F effective 09-26-08**

4.11.2 Definitions

1. Cost – As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor’s estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing components, structural components, utility and service equipment); sales tax on materials; building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor’s overhead; contractor’s profit; and grand total. Items to be excluded include: cost of plans and specifications; survey costs; permit fees; outside improvements such as ~~septic systems, water supply wells,~~ landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

**New Proposed Zone: Highlights in yellow designate the Permitted Uses and the Regulatory Standards of the Zone**

**4.20 Main Street Commercial Corridor Flood Zone (MSCC)**

4.20.1 Purpose

The purpose of this zone is to encourage the redevelopment of commercial parcels with Main Street frontage that are located in the floodplain through new construction or substantial improvement, while maintaining FEMA minimum standards for nonresidential construction in a flood zone.

4.20.2 Permitted Uses

Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one or more of the uses or use categories listed in the list below of special permit uses and indicated in the MSCC column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and the Table of Permitted Uses and in the Special Requirements column of said Table.

Permitted Uses and Use Categories

Unless otherwise indicated, all uses and use categories require a special permit with design review approval by the Town Plan and Zoning Commission in addition to any other review that may be required.

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

Sp Uses and use categories permitted as a special permit with design review approval by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

- Ambulance service
- Archery range, indoor
- Athletic club/Health, Fitness and Recreational Uses - Indoor
- Auditorium or coliseum
- Bazaars, festivals, carnivals and circus sponsored by a non-profit corporation or organization
- Billiard and pool hall
- Bowling
- Broadcasting studio, message center or office
- Bus passenger terminal
- Business services, except warehousing and storage and motor vehicle rental services
- Community centers
- Farm (17) (no special permit)
- Finance, insurance and real estate services
- Firing range, indoor
- Golf, miniature
- Governmental services
- Historic and monument sites (20)
- Library
- Motor vehicle carwash (Special Requirements, Section 6.3)
- Motor vehicle gasoline or service station, if existing on **xxxx date** (extensions or enlargements require special permit with design review approval.)
- Motor vehicle limited repair and services (30) (Special Requirements, Section 6.4)
- Museum or planetarium
- Office, general or professional
- Parking lot, public (36)
- Parks (37) (no special permit)
- Personal services
- Place of worship

Professional services  
Recreation uses, non-profit  
Retail trade – apparel and accessories  
Retail trade – automotive, marine craft, aircraft & accessories  
Retail trade – building materials and farm equipment  
Retail trade – eating and drinking, without drive-in or curb service (Special Requirements, Sec. 6.1 and 6.6)  
Retail trade – food (Special Requirements, Sec. 6.1)  
Retail trade – furniture, home furnishing and equipment  
Retail trade – general merchandise  
Retail trade – hardware  
Retail trade – other (Special Requirements, Sec. 6.1)  
Skating rink, ice and/or roller, indoor  
Tennis court, indoor  
Theater, legitimate and/or motion picture  
Transmitting exchange or receiving station  
Transportation center  
Utility – electric, gas and water

#### 4.20.3 Permitted Accessory Uses

Customary accessory uses are permitted in accordance with the list below and with the MSCC column of the Table of Permitted Uses, subject to such standards as may be referred to in the list below and in the Special Requirements column of said Table.

##### 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.

Customary accessory uses (2)

Garage, parking (18)

Parking area, private (35)

In addition, all accessory uses and structures shall conform to the provisions set forth in Section 7 of these Regulations.

#### 4.20.4 Plan of Development

For the purpose of assuring orderly and integrated development in the Main Street Commercial Corridor Flood Zone, no building, structure, use or other form of development shall be established or constructed and no existing building, structure or use, shall be enlarged or altered until a Plan of Development shall have been approved as part of the special permit with design review approval by the Town Plan and Zoning Commission and shall have been filed with the Town Clerk. Such plan shall be in accordance and consistent with the provisions of Section 12 of these Regulations, and consistent with the Flood Zone Area Requirements of Section 4.11.6, except as noted below in Section 4.20.13.

Insignificant changes shall be approved in accordance with Section 12.10. Existing buildings, structures or uses that have never received a special permit with design review that are proposed to be altered or enlarged may be considered by the Commission as a Minor change in accordance with the criteria in Section 12.9.

#### 4.20.5 Required Lot Area

Every parcel to be used for a use or uses permitted in the MSCC Zone shall have a minimum lot area of twenty thousand (20,000) square feet, except that smaller legal lots of record under separate ownership may be developed and used for a permitted use provided by Town Plan and Zoning Commission finds that the Plan of Development for such lots has been formulated and integrated in a proper manner, taking into consideration the criteria set forth in

Section 12 of these Regulations. Nothing herein is intended to limit the number of smaller lots that may be combined and developed under a single Plan of Development.

#### 4.20.6 Lot Frontage

Every lot shall have a minimum lot frontage of not less than one hundred (100) feet, except that the provisions set forth in 4.20.5 above for smaller lots shall also apply herein to lot frontage.

#### 4.20.7 Lot Coverage

All principal structures, with their accessory structures, shall cover not more than twenty percent (20%) of the area of the lot.

#### 4.20.8 Front Yard

There shall be a minimum front yard of twenty (20) feet for every principal building.

#### 4.20.9 Side Yards

There shall be a minimum of one (1) side yard for every principal building with an aggregate side yard having a minimum width of fifteen (15) feet, except that where, in the judgment of the Town Plan and Zoning Commission, the development of adjoining lots may best be accomplished by consolidated development of such lots, the Commission may modify or waive the side yard requirements, provided that:

- a. Plan of Development for the consolidated parcel shall have the minimum side yards at each side lot line of the consolidated parcel; and
- b. where required, rights of access shall be mutually granted; and
- c. satisfactory agreements from the owners of such lots, in recordable form, are provided to ensure the continued compliance of the consolidated parcel with these Regulations.

#### 4.20.10 Rear Yard

There shall be a minimum rear yard of twenty-five (25) feet for every principal building.

#### 4.20.11 Maximum Height Limit

No building shall exceed a height of two and one-half (2 1/2) stories or thirty-five and one-half (35 1/2) feet.

#### 4.20.12 Required Open Space

A minimum of 20% of the lot area shall be provided and set aside as open space. All open space areas shall be landscaped and planted, and shall be adequately protected and separated from paved areas. Parking areas, loading areas, and access driveways shall not be counted in the determination of required open space.

#### 4.20.13 Flood Zone Standards

All development in the MSCC shall be in accordance with Section 4.11 Flood-Prone Area Regulations, as amended, with the following exceptions:

- a. Permitted uses. The permitted uses listed above in Section 4.20.2 and Permitted Accessory Uses listed in 4.20.3 above shall supersede the Permitted uses of Section 4.11.5.b

- b. Flood Zone Area Requirements. Nonresidential structures in the MSCC Zone shall be constructed so that up to one foot above the 100-year recurrence-interval flood level (rather than the 500-year recurrence-interval flood level) is either dry flood proofed or wet flood proofed.

**COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES**

Sheet #4

PERMITTED USES	ZONE CATEGORIES										
	TC	PBD	PE	PC	PT	PI	RL	F	MSCC	VC	TCMU
<b>RESOURCE PRODUCTION &amp; EXTRACTION USES</b>											
Agriculture (3)		Acc			Acc	Acc	Acc	Prmt*	Prmt*		
Farm (17)		Prmt*	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*		
Earth Products, Excavation And Filling Or Removal Of		Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp		
<b>RESIDENTIAL USES</b>											
<b>HOUSEHOLD UNITS</b>											
<b>DWELLINGS</b>											
Single-Family (12)	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*	Prmt*				Sp*	Prmt
Two-family (13)	Prmt*	Prmt*	Prmt*	Prmt*							Prmt*
Multiple (14)	Sp	PAD	PAD								Sp
<b>GROUP QUARTERS</b>											
Boarding, rooming or lodging houses (4)											
1-2 persons		Sp	Sp								
3-6 persons		Sp	Sp								
Convalescent, nursing or rest home or sanitarium (9)	Prmt*	Sp									
Religious quarters		Sp								Sp	
Supervised group quarters (41) Agricultural Group quarters, Seasonal											
<b>TRANSIENT LODGINGS</b>											
Hotel/Motel/Inn (22)					Sp						
Tourist home (42)	Sp									Sp	Sp
<b>NON-RESIDENTIAL USES</b>											
<b>OFFICE, GENERAL AND/OR PROFESSIONAL USES</b>	Sp	Sp	Sp	Sp	Sp				Sp	Sp	Sp
<b>SERVICE USES</b>											

BUSINESS SERVICES, except warehousing and storage and motor vehicle rental services	Sp	Sp	Sp	Sp	Sp				Sp	Sp	Sp
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\*(if existing on the effective date of these Regulations – VC Zone 2<sup>nd</sup> floor dwelling requires special permit, see regulations)

Prmt – Permitted Use or Use Category

Sp – special permit use/category

Acc – accessory use or use/category

Sx – special exception use/category

**COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES**

Sheet #5

PERMITTED USES	ZONE CATEGORIES										
	TC	PBD	PE	PC	PT	PI	RL	F	MSCC	VC	TCM U
CEMETERY							Sp				
CONTRACT CONSTRUCTION SERVICE, indoor and outdoor, except salvage and wrecking services				Sp		Sp					
<b>EDUCATIONAL SERVICES</b>											
Day care center	Sp	Sp	Sp	Sp	Sp	Sp				Sp*	Sp
Schools - public, private & parochial, university, college, jr. college & professional Education										Sp	
Schools - vocational or trade (4-2-85)			Sp	Sp		Sp					
FINANCE, INSURANCE & REAL ESTATE SERVICES	Sp	Sp	Sp	Sp	Sp	Sp			Sp	Sp	
GOVERNMENTAL SERVICES	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp
PERSONAL SERVICES	Sp	Sp			Sp				Sp	Sp	Sp
PROFESSIONAL SERVICES, except convalescent, nursing or rest home or sanitarium (in PT/PI)	Sp	Sp	Sp	Sp	Sp	Sp			Sp	Sp	Sp
<b>REPAIR SERVICES</b>											
<b>MOTOR VEHICLE REPAIR AND SERVICES</b>											
Carwash		Sp		Sp	Sp				Sp		
General repair and service (29)				Sp		Sp					
Limited repair and service (30)		Sp		Sp	Sp				Sp		
Gasoline and/or service station		Sp*			Sp					Sp*	
<b>MISCELLANEOUS SERVICES</b>											
Ambulance Service		Sp			Sp				Sp		
Places of Worship	Sp	Sp							Sp	Sp	Sp
Veterinarian service											Sp
<b>TRADE USES</b>											
RETAIL TRADE- apparel and accessories	Sp	Sp			Sp				Sp	Sp	
RETAIL TRADE – automotive, marine craft, aircraft, and accessories	Sp	Sp			Sp				Sp		
RETAIL TRADE – building materials and farm equipment	Sp	Sp				Sp			Sp		
RETAIL TRADE –eating and drinking without drive-in or curb service	Sp	Sp			Sp				Sp	Sp	



RETAIL TRADE – food	Sp	Sp			Sp				Sp	Sp	
RETAIL TRADE – furniture, home furnishing and equipment	Sp	Sp			Sp				Sp	Sp	
RETAIL TRADE – general merchandise	Sp	Sp			Sp				Sp	Sp	
RETAIL TRADE - hardware		Sp			Sp				Sp	Sp	

\* (if existing on the effective date of these Regulations – Extension or enlargement may require special permit)

Prmt – Permitted Use or Use Category  
 Acc – accessory use or use/category

Sp – special permit use/category  
 Sx – special exception use/category

**COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES**

Sheet #6

PERMITTED USES	ZONE CATEGORIES									
	TC	PBD	PE	PC	PT	PI	RL	F	MSCC	VC
RETAIL TRADE – other	Sp	Sp			Sp				Sp	
WHOLESALE TRADE AND WAREHOUSING			Sp	Sp		Sp				
APPAREL AND OTHER FINISHED PRODUCTS – MANUFACTURING excepting corrosive, poisonous or malodorous acids and chemicals and excepting glue, size, gelatin, fertilizer, fat rendering, explosives (other than firearms, or small arms or ammunition) printing ink and carbon black mfg.				Sp		Sp				
FOOD AND KINDRED PRODUCTS – MANUFACTURING except abattoir and slaughter houses				Sp		Sp				
FURNITURE AND FIXTURES – MANUFACTURING						Sp				
LUMBAR AND WOOD PRODUCTS - MANUFACTURING				Sp		Sp				
PRINTING, PUBLISHING AND ALLIED INDUSTRIES - MANUFACTURING			Sp	Sp		Sp				
PROFESSIONAL, SCIENTIFIC AND CONTROLLING INSTRUMENTS; PHOTOGRAPHIC & OPTICAL GOODS: Watches and clocks – Manufacturing			Sp	Sp		Sp				
STONE, CLAY AND GLASS PRODUCTS – MANUFACTURING except abrasive, asbestos and miscellaneous nonmetallic mineral products – manufacturing and concrete gypsum and plaster products manufacturing and structural clay products.				Sp		Sp				
TEXTILE MILL PRODUCTS – MANUFACTURING				Sp	Sp	Sp				
MISCELLANEOUS MANUFACTURING excepting that which is dangerous by reason of fire, radiation or explosion, or injurious or detrimental to the surrounding neighborhood by reason of the possible emission of excessive dust, odor, fumes, gas, smoke wastes, refuse matter, noise, vibration or because of any other objectionable feature, or is presently or			Sp	Sp	Sp	Sp				

in the future is likely to be a hazard or nuisance to adjacent property or the community at large, as determined by the Building Official, Fire Marshal or Director of Health

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Prmt – Permitted Use or Use Category  
 Acc – accessory use or use/category

Sp – special permit use/category  
 Sx – special exception use/category

**COMMERCIAL, INDUSTRIAL AND OTHER ZONES PERMITTED USES** Sheet #7

PERMITTED USES	ZONE CATEGORIES									
	TC	PBD	PE	PC	PT	PI	RL	F	MSCC	VC
<b>CULTURAL, ENTERTAINMENT AND RECREATIONAL USES</b>										
<b>AMUSEMENTS</b>										
Bazaars, festivals, carnivals and circuses sponsored by a non-profit corporation or organization		Sp	Sp	Sp	Sp	Sp		Sp	Sp	Sp
Billiard and pool hall		Sp			Sp				Sp	
Golf driving range								Sp	Sp	
Golf, miniature		Sp			Sp				Sp	
<b>CULTURAL ACTIVITIES</b>										
Historic and monument sites (20)	Sp	Sp	Sp	Sp	Sp	Sp	Prmt	Prmt	Sp	
Library	Sp	Sp							Sp	Sp
Museum or Planetarium	Sp	Sp							Sp	
Parks	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	Prmt	
<b>PUBLIC ASSEMBLY</b>										
Auditorium or coliseum		Sp	Sp	Sp	Sp	Sp			Sp	
Community Center		Sp							Sp	Sp
Theater, legitimate and/or motion picture	Sp	Sp			Sp				Sp	
<b>RECREATIONAL ACTIVITIES</b>										
Archery range, indoor	Sp	Sp			Sp				Sp	
Athletic Clubs	Sp	Sp			Sp				Sp	
Bowling	Sp	Sp			Sp				Sp	
Firing range indoor	Sp	Sp			Sp				Sp	
Golf course							Sp	Sp	Sp	
Marina								Sp		
Recreational Uses, non-profit	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	
Health, Fitness and Recreational Uses indoor Effective January 30, 1995	Sp		Sp	Sp		Sp			Sp	Sp

Prmt – Permitted Use or Use Category  
 Acc – accessory use or use/category

Sp – special permit use/category  
 Sx – special exception use/category

# Main Street Properties Affected by Current Flood Zone Regulations

