

# **Chaplin Planning & Zoning Commission**

## **Proposed revision to section 5.3 of the Chaplin Zoning Regulations**

### **August 2023**

Blue font w/ underline- Proposed new language

~~Red font with strikeout~~- Proposed language removal

#### 5.3 B - Business District

The purpose of the Business District is to assure that the use of land, buildings and other structures and site development within its boundaries are conducted in a manner that promotes the establishment of small-scale business uses, discourages the establishment of strip development, and promotes community character.

This district is primarily intended for small-scale business or personal service uses developed in a manner that:

- helps enhance the rural character of the district and the town,
- helps implement pertinent recommendations of the Chaplin Plan of Development,
- avoids creation of traffic congestion or hazards within the Route 6 corridor,
- protects the water quality in the Natchaug River, and
- demonstrates excellence in building and site design.

#### A. Permitted Uses:

1. Any use permitted in an RA-Rural Agricultural Residence District subject to same restrictions if special permit is required.
2. Office, bank, studio.
3. Retail and wholesale business including greenhouses.
4. Personal service business.
5. Restaurants, motels and hotels.
6. Funeral Home.
7. Radio and television studios.
8. Repair service or sales: appliances, radio, television, and bicycles.
9. Theaters.
10. Printing, including newspaper and job printing.

11. Auto, truck and boat sales, repair, service and garage.

12. Laundry and dry cleaning establishment, agency.

13. Feed and grain sales and storage.

14. Accessory Apartments, subject to the following conditions: (effective 5/1/21)

a. An accessory apartment may be located within a business structure, sharing a common interior wall or on a separate level.

b. An accessory apartment shall be provided with one kitchen, as well as two (2) means of egress, including at least one separate outside door. The accessory apartment's livable area shall not be less than 500 square feet, nor greater than 1,200 square feet. The accessory apartment shall have no more than two (2) bedrooms and shall have at least one complete bathroom (with toilet, tub/shower and sink, but no more than two (2) bathrooms. The combined square footage of all residences in a given business structure shall occupy no more than 50% of the square footage of any business structure.

c. At least two (2) parking spaces, in addition to those used for the business structure shall be required for each accessory apartment.

d. Before occupation, a certificate of Zoning Compliance for the apartment must be obtained from the Commission or its Agent. The application for Certificate of Zoning Compliance shall include a drawing of the apartments floor plan and certification from the Chaplin Building Inspector that the apartment meets current standards for water supply, sewage disposal, wiring and construction.

e. One accessory apartment per business structure shall be allowed as of right. A special permit shall be required for two (2) or more accessory apartments in a business structure.

f. The Commission may grant a special permit modifying the requirements of this subsection, provided it determines that such modification is sustainably consistent with the purpose of these regulations. Such modifications may allow, for example, such uses as converting into an accessory apartment existing barn or garage which might not otherwise the criteria set forth herein.

#### B. Business Uses Requiring Special Permit with Design Review:

The purpose of Design Review is to ensure that new development and changes to existing development are designed in a way that promotes community character and discourages strip development.

The Design Review process considers a wide range of design issues including building massing and location, architectural style, site design, pedestrian and traffic circulation, building materials, signage, lighting, utilities, landscaping, and stormwater runoff. While each issue may appear small, together they make the difference between good and bad design.

1. The Commission may issue a Special Permit after Design Review to allow any of the following business uses upon receipt of an application, Site Development Plan (Section 8.7) and filing fee.

The Commission shall hold a public hearing in accordance with Section 8-3 of the General Statutes. In considering the proposed use the Commission shall be guided by the factors outlined in Paragraph Section 5.2.B and 8.7.F (revised effective 5/12/2022).

- a. Storage yard for building materials.
- b. Small animal hospital, commercial kennel.
- c. Commercial radio and television stations and antennas.
- d. Sale of propane gas and petroleum products including fuel oil and storage above ground except that no gasoline, diesel and/or other automotive fueling stations, with or without an associate convenience store, shall be allowed.
- e. Warehousing distribution and storage.
- f. Public utility garage, ~~pile yard and similar facilities.~~
- ~~g. Truck terminal.~~
- h. Package store.
- i. Bowling alley; similar commercial recreation establishment.
- j. Outdoor theater.
- k. Accessory uses customary to permitted use.
- l. Any business which may involve small-scale assembly, processing or fabrication, provided such activity shall take place only for immediate sale or direct service to customers from the premises; and further, that no noise, odor, dust, vibration or disorder is experienced beyond the lot lines of said business.
- m. Fuel and petroleum products sales and storage underground in conformity with General Statutes Chapter 250 (Sect. 14-321) except that no gasoline, diesel and/or other automotive fueling stations, with or without an associate convenience store, shall be allowed.
- n. # Hospitals, sanitarium, rest, convalescent and nursing homes.
- o. Research and Development, Laboratories (effective 5/12/22)
- p. A mix of two or more of the uses in this section.
- q. Any Permitted Use in Section 5.3.A which is larger than 10,000 square feet, or which would require more than #TBD parking spaces pursuant to the requirements in Section 8.3.

#### C. Special Regulations:

- 1. Any use permitted in a RA-Rural Agricultural Residence District by approval of the Commission shall require similar approval in a B-Business District.

~~2. In accordance with the provisions of this section, the Commission may allow one or more of the following activities by Special Permit with Design Review:~~

~~a. A new structure or building(s) to be constructed within the Business District. (August 13, 2009)~~

~~b. An impervious lot coverage in excess of what is allowed as a Permitted Use provided the lot coverage:~~

- ~~• Does not exceed 65 percent for new non-residential construction, or~~
- ~~• Does not exceed 75 percent for reuse of existing residential or architecturally significant buildings for non-residential use.~~

~~c. Reduction of the dimensional requirements for a non-residential use.~~

~~d. Expansion of an existing non-conforming use.~~

~~e. Other uses similar to the uses identified in this Section.~~

1. In granting a Special Permit with Design Review in this district, the Commission shall determine that the applicant has demonstrated:

a. excellence in building and site design, and

b. that the proposed development will be compatible with:

- Chaplin's rural character,
- neighborhood development patterns, and
- the purposes of this zone.

2. In determining whether excellence in building and site design has been demonstrated, the Commission shall be guided by design parameters a-k.

a. Building massing and location should reflect the typical architectural style of the community and New England.

#### The Chaplin Planning and Zoning Commission

##### Shall Encourage and May Require:

- 1) Small building footprints (<2,500 SF)
- 2) New England building proportions
- 3) Clustered small buildings
- 4) Interconnected small elements
- 5) Consistent building setbacks
- 6) Buildings oriented towards the street

##### As opposed to:

- |  |
|--|
| <u>Large building footprints (&gt;2,500 SF)</u>    |
| <u>"Box" buildings</u>                             |
| <u>"Strip" orientation of a building</u>           |
| <u>One large building footprint</u>                |
| <u>Discontinuous facades or excessive setbacks</u> |
| <u>Buildings oriented internally to site</u>       |

b. In keeping with Chaplin's rural and historic character, building designs should reflect the typical New England architectural style and the architectural styles of adjacent buildings.

The Chaplin Planning and Zoning Commission

<u>Shall Encourage and May Require:</u>	<u>As opposed to:</u>
<u>1) Colonial character</u>	<u>“Character-less” architecture</u>
<u>2) Multi-level buildings</u>	<u>One-story “box” buildings</u>
<u>3) Articulated facades</u>	<u>Flat building facades</u>
<u>4) Sloped roofs (&gt;6:12 pitch)</u>	<u>Flat roofs / Mansard roofs</u>
<u>5) Roof gables</u>	<u>Unbroken roof line</u>
<u>6) Multiple Colonial-style windows</u>	<u>No windows or undivided display windows</u>
<u>7) Building eaves/overhangs</u>	<u>Flush walls</u>
<u>8) Shutters / Porches / Columns</u>	<u>No exterior ornamentation</u>

- c. Building materials should be appropriate for the architectural style with an emphasis on brick and clapboard walls and appropriate details.

The Chaplin Planning and Zoning Commission

<u>Shall Encourage and May Require:</u>	<u>As opposed to:</u>
<u>1) Clapboards with cornerboards</u>	<u>Stucco or Block Masonry</u>
<u>2) Brick Masonry</u>	<u>Metal buildings</u>
<u>3) Colonial building and trim colors</u>	<u>Inappropriate building or trim colors</u>
<u>4) Architectural roof shingles</u>	<u>Flat shingles / metal roofs</u>

- d. Site designs should minimize the prominence of parking, especially in the front yard.

The Chaplin Planning and Zoning Commission

<u>Shall Encourage and May Require:</u>	<u>As opposed to:</u>
<u>1) Parking to the rear or side of buildings</u>	<u>Unscreened parking</u>
<u>2) Reasonable parking and paving</u>	<u>Excessive parking or paving</u>
<u>3) Defined traffic circulation patterns</u>	<u>Undefined traffic or parking layouts</u>
<u>4) Few curb cuts</u>	<u>Multiple driveways per site</u>
<u>5) Defined or narrow curb cuts</u>	<u>Wide or undefined curb cuts</u>
<u>6) Interconnected sites</u>	<u>Separate sites with no connections</u>
<u>7) Landscape areas in parking lots</u>	<u>“Sea” of asphalt</u>

- e. Pedestrian and bicycle facilities should be provided.

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<u>Shall Encourage and May Require:</u>	<u>As opposed to:</u>
<u>1) Walkways within sites</u>	<u>Walking areas through parking lots</u>
<u>2) Walkways between sites</u>	<u>No pedestrian connections between sites</u>

<u>3) Walkways along roads</u>	<u>No walkways along roads</u>
<u>4) Crosswalks</u>	<u>Undefined pedestrian crossings</u>
<u>5) Bicycle paths and routes</u>	<u>Undefined bicycle routes</u>

- f. Landscaping should be used to integrate a site into the character of the area and complement the proposed development, adjacent sites and the community.

The Chaplin Planning and Zoning Commission

Shall Encourage and May Require:

As opposed to:

<u>1) Landscaped front yards</u>	<u>Paved front yards</u>
<u>2) Native species of planting</u>	<u>Non-native species</u>
<u>3) Grass with mulch planting beds</u>	<u>Large areas of stone or mulch</u>
<u>4) Mass plantings</u>	<u>Individual trees or shrubs</u>
<u>5) Coordinated planting design</u>	<u>Uncoordinated planting design</u>
<u>6) Stone walls</u>	<u>Chain link or stockade fences</u>
<u>7) Saving large existing trees</u>	<u>Clear-cutting a site</u>
<u>8) Landscaping along the street</u>	
<u>9) Screening of parking areas</u>	

- g. Utilities should complement the site and the vicinity.

The Chaplin Planning and Zoning Commission

Shall Encourage and May Require:

As opposed to:

<u>1) Underground utilities</u>	<u>Overhead utilities</u>
<u>2) Screened HVAC units</u>	<u>Rooftop and exposed HVAC units</u>
<u>3) Screened service areas</u>	<u>Exposed dumpsters, loading areas</u>

- h. Lighting should complement the site and the vicinity.

The Chaplin Planning and Zoning Commission

Shall Encourage and May Require:

As opposed to:

<u>1) Colonial-style lighting fixtures</u>	<u>Floodlights</u>
<u>2) Standardized lighting fixtures</u>	<u>Uncoordinated lighting fixtures</u>
<u>3) Low lighting levels</u>	<u>Glaring lighting levels</u>

- i. Signage should complement the site and the vicinity.

The Chaplin Planning and Zoning Commission

<u>Shall Encourage and May Require:</u>	<u>As opposed to:</u>
<u>1) Modest visible signage</u> <u>2) Low signage</u> <u>3) Wood signage</u> <u>4) Stone wall signage</u> <u>5) Smaller signs when closer to the street</u>	<u>Large or excessive signage</u> <u>Elevated or “lollipop” signs</u> <u>Internally illuminated signs</u> <u>Metal or plastic signs</u> <u>“One size fits all” signs</u>

- j. Adequate care shall be taken to ensure the protection of water quality in the vicinity of the site:

The Chaplin Planning and Zoning Commission

<u>Shall Encourage and May Require:</u>	<u>As opposed to:</u>
<u>1) Storm water renovation</u> <u>2) Oil separators / sediment traps</u> <u>3) Detention basins</u> <u>4) Water recharge</u>	<u>Direct discharge</u>

- k. Additional considerations include:

The Chaplin Planning and Zoning Commission

<u>Shall Encourage and May Require:</u>	<u>As opposed to:</u>
<u>1) Site maintenance</u>	<u>Low maintenance/No maintenance</u>

3. A Design Review Checklist must be completed by the applicant. This checklist is intended to help the applicant understand what types of development shall be allowed in the Business District. It is recommended that applicants meet with the Commission before initiating a development project. The Commission can offer ideas about particular issues that may arise and these points may be incorporated into the project's design before the applicant makes a significant investment of time and money.

The Chaplin Planning and Zoning Commission may require design changes and will ultimately decide whether the project sufficiently conforms to the design parameters (Section 5.D.3.a-k).

4. The Commission may:
  - a. retain an architect, landscape architect, or professional land use planner to review, comment, and guide its deliberations on an application for a Special Permit with Design Review, andcharge the applicant additional fees to fund the cost of processing the application in accordance with the requirements of this section, per Town of Chaplin Ordinance.