



**Petition for Text
Amendment to the
Zoning/Subdivision
Regulations/Form-Based
Code**

TOWN PLANNING AND ZONING COMMISSION

This petition is for an amendment to the: Zoning Regulations Subdivision Regulations Form-Based Code

| | |
|---|----------------------------------|
| Poquonock Commons LLC | 860-335-5410 |
| <small>Name of Applicant</small> | <small>Phone #</small> |
| 126 West Street, Windsor, CT 06095 | markferraina@frontier.com |
| <small>Applicant's Address</small> | <small>E-mail Address</small> |

Please re-write the entire section with the proposed deletions in [brackets] and proposed additions underlined (you may attach the proposed amendments to this application form).


Text amendment of Section 13.2.9C(3)(d)(iv), (v) & (vii) and new Section 13.2.9C(3)(m)

See attached proposed amendments.

Please explain your reason(s) for amending the text: The proposed amendments to the miscellaneous standards for multi-family dwellings in the Poquonock Village Design Development (PVDD) regulations are minor in nature and will adjust the regulations consistent with current multi-family housing trends and facilitate reduced building footprints.

Please explain how this change will improve the Zoning/Subdivision Regulations or Form-Based Code: _____
The proposed amendments are in accord with the purpose of the PVDD regulations and will enable more viable multi-family development.

How will the change affect the Town's adopted Plan of Conservation and Development? _____
The proposed amendments will not impact and will further the Town's Plan of Conservation and Development.

| | |
|---|---------------------|
|  | <u>6/9/23</u> |
| <small>Applicant's Signature</small> | <small>Date</small> |

Office Use Only*****

Fee \$ _____ Ck. No. _____ App. rec'd by: _____ Comm. Action/Date: _____

Section 13.2

- (f) ensure compatibility with surrounding land uses and neighborhood character; and
- (g) provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure.

13.2.9 Poquonock Village Design Development

A
 Intent

The purpose of the Poquonock Village Design Development is to provide for a planned expansion of the Poquonock Center area, which will enhance and preserve, to the greatest extent possible, the existing community and landscape features, amenities, scenic vistas, and natural resources of the Town; provide for the preservation of meaningful historic buildings; promote appropriate architectural and site design; promote a distribution of structures and open areas to provide and enhance pedestrian access to existing and proposed recreational and community facilities; and prevent environmental or flood damage.

- (1) A Poquonock Village Design Development shall include the following design elements:
 - (a) high quality architectural and site design of all buildings and improvements;
 - (b) a network of pedestrian-friendly streets and interconnected walkways that maintain respect for the natural landscape and provide access to the Farmington River, where possible;
 - (c) a coordinated multi-modal transportation system including appropriately designed facilities for pedestrians, bicycles, access to public transit, and motor vehicles, all with connectivity to surrounding uses and development;
 - (d) a diversity of usable, suitably located open spaces such as passive and active recreational areas, parks, greens, gardens, landscaped streets, natural features, and undisturbed areas woven into the pattern of the neighborhood;
 - (e) a greater flexibility and, consequently, more creative and imaginative site design that is more harmoniously related to the land than would otherwise be possible under conventional land development procedures;

Section 13.2

- (f) a minimum of 25% of the gross site area preserved as open space; and
 - (g) consistency with the Plan of Conservation and Development.
- (2) A Poquonock Village Design Development may optionally include the following:
- (a) multi-family dwellings;
 - (b) a mixture of single-family and two-family dwellings; and
 - (c) village-scaled retail, commercial, and service facilities (excluding adult-oriented establishments as defined in Section 2.2), which are clearly accessory to and primarily serve the proposed and immediately surrounding existing residential neighborhood. Approval shall be granted only if the Commission determines that a need exists for the proposed uses and that the buildings and site layout are appropriately related to existing roads and adjacent development. The commercial and service facilities shall not contain more than 15,000 square feet of gross floor area per application. Unless otherwise specified or specifically changed, the provisions and requirements of Section 5.2 shall apply and be met.

B
General Requirements and Provisions

A Poquonock Village Design Development shall provide active and passive seasonal recreational facilities consisting of, at a minimum, a graded and seeded area(s) totaling at least one acre for active recreation, a sledding hill (if topography permits); a “Great Lawn” containing paths, sitting areas, ornamental gardens, a playscape on an appropriate play surface, and nature trails with educational habitat identifiers through appropriate areas designed to be connected to future potential trails on adjacent land. Landscaped areas around all multi-family dwellings shall be arranged to allow residents to maintain individual flower gardens. The Commission shall determine which open space parcels are to be deeded to the Town and which shall be owned and maintained by a private homeowners association or other entity approved by the Commission.

C
Location, Site, and Miscellaneous Standards

- (1) Location Standards

TABLE OF CONTENTS
INTRODUCTION
DEFINITIONS
SITE DEVELOPMENT
SINGLE-FAMILY RESIDENTIAL ZONES
BUSINESS ZONES
PROFESSIONAL ZONE
RESTRICTED COMMERCIAL ZONE
INDUSTRIAL ZONE

Section 13.2

Poquonock Village Design Developments may be considered only within the Poquonock Village Design Development Area, as shown on the map titled "Poquonock Design Development Area" contained in Appendix, page A-39.

(2) Site Standards

- (a) The Site shall contain a minimum of 40 contiguous acres in one or more parcels (for the purposes of this Section, acreage is contiguous even if divided by a public or private roadway).
- (b) The site shall contain a minimum of 30 acres of developable land in one or more parcels.
- (c) Notwithstanding subsections (a) and (b) above, one or more contiguous parcels may be developed under the Poquonock Village Design Development regulations if such parcel or parcels are contiguous to an existing Poquonock Village Design Development, even though the proposed parcel or parcels contain less than 40 acres and/or less than 30 acres of developable land.
- (d) The site shall have at least 100 feet of frontage on an arterial or collector street as described in the Plan of Conservation and Development, through which the site shall have its main access and, at a minimum, one additional point of access for emergency vehicles acceptable to the Fire Marshal.
- (e) The adjacent streets shall have the capacity to safely convey the additional traffic developed by the proposed development as demonstrated by a traffic impact analysis submitted at the time of application for concept plan approval.
- (f) The site shall be served by MDC sewer and water.
- (g) All residential units shall be within a one-mile walking distance of a stop on an existing bus route, as measured along the path a pedestrian would use to access the bus stop.

(3) Miscellaneous Standards

All public streets shall be constructed in accordance with the Town of Windsor Engineering Standards and Specifications. Due to the unique nature of any proposed development under these regulations, the

Section 13.2

applicant may propose an alternate cross-section for review and approval by the Town Engineer.

All private streets shall be constructed in accordance with the Town of Windsor Engineering Standards and Specifications and any other applicable Town Code or an alternate cross-section with a narrower pavement width and related street right-of-way if deemed appropriate by the Commission after considering the input of the Town Engineer and Fire Marshal, to preserve green space, reduce paved surfaces and the resultant stormwater runoff and lessen environmental warming; however the pavement and base cross-section of such construction shall be in accordance with the Town of Windsor Engineering Standards and Specifications or Section 3 of these Regulations, whichever is deemed most appropriate by the Commission.

- (a) Gross residential density shall be no more than six dwelling units per acre of developable land as described in Section 4.2.1.
- (b) Single-Family Dwellings
 - (i) Single-family dwellings may be designed on individual lots or clustered together on larger lots or parcels.
 - (ii) Unless determined by the Commission that tighter clustering is desirable, yards and setbacks, building height, and coverage shall be as required in Section 4.1.6.
 - (iii) Minimum living area requirements shall be in accordance with Section 4.2.2A(1).
- (c) Two-Family Dwellings
 - (i) The site and building design of two-family dwellings shall be as approved by the Commission.
 - (ii) Minimum living area requirements for each unit shall be in accordance with Section 4.2.2A(2).
- (d) Multi-Family Dwellings
 - (i) Multi-family dwellings may be on the same lot under one ownership or on separate lots with interior property lines dividing the lots along party walls.

Section 13.2

- (ii) Building facades shall be varied and articulated to provide visual interest. This can be accomplished by incorporating offsetting planes, changes in wall texture and color, inset or protruding balconies, and other architectural elements into the design of the buildings.
- (iii) Except for any residential buildings requiring elevator service, all dwelling units shall have individual access doors and stairs directly to the outdoors and at least one of the access doors to each unit shall have overhead protection from rain and snow.
- (iv) Minimum living area requirements exclusive of dead storage in basement:
 - 1) One-Bedroom/Studio: [800] 700 square feet
 - 2) Two-Bedroom: 1,000 square feet
 - 3) More than two bedrooms: Add 150 square feet of additional area for each additional bedroom
- (v) Multi-family dwellings without individual basements shall have [individual dead storage areas of at least 100 square feet per unit and] indoor laundry facilities[, both of] which shall be accessible from within the dwelling without the need to go outdoors.
- (vi) Multi-family dwellings shall be located at least 30 feet from any property line adjacent to a single-family residential zone.
- (vii) The Commission may allow buildings up to [three] four stories, but no more than [45] 50 feet in height, if it is determined that the height is in keeping with the character of the village and the overall project design, is not detrimental to surrounding areas, and preserves valuable open space land.
- (viii) Multi-family dwellings of more than 2½ stories and 35 feet in height shall have increased setbacks of two-feet for each foot of additional building height.

Section 13.2

- (e) Dwellings for lower income families may be permitted but shall not be required for approval under this Section.
- (f) No more than 20% of the structures shall be multi-family structures.
- (g) Section 4.4 shall apply to the Poquonock Village Design Development, except that no trailers, recreational vehicles, commercial vehicles, boats or similar items may be stored on any lot unless stored within a permanent structure that is consistent in design and materials with the character of the development.
- (h) Open space shall be dedicated to the Town as per Section 14.1.21 or the Commission may accept an alternate grantee such as a homeowners' association, Windsor Land Trust, or other responsible group.
- (i) Scenic or conservation easements shall be as per Section 14.1.22.
- (j) Sidewalks along public and private streets shall be provided in accordance with Section 3.5.1. Sidewalks along existing arterial streets shall be continued within the existing street right-of-way to connect to an existing sidewalk, an existing crosswalk, or a new crosswalk connecting to an existing sidewalk.
- (k) The applicant shall submit a written program for the maintenance of all common areas such as open space, landscaping, recreational areas and facilities, lawns, sidewalks, streets, drives, and all utilities and facilities. The program shall include any fee structures associated with the use of common facilities, the party responsible for their maintenance (e.g., lot owner, homeowners' association, or a combination thereof), and how the responsibility will be legally bound upon that party (e.g., by covenant or deed).
- (l) A Poquonock Village Design Development shall comply with the Town of Windsor Subdivision Regulations, where applicable.
- (m) **Notwithstanding the requirements of Section 3.3.5, 1.5 parking spaces shall be provided per efficiency, one-bedroom, or two-bedroom dwelling unit.**

TABLE OF CONTENTS
INTRODUCTION
DEFINITIONS
SITE DEVELOPMENT
RESIDENTIAL ZONES
BUSINESS ZONES
PROFESSIONAL ZONE
COMMERCIAL ZONE
INDUSTRIAL ZONE

D
Procedure

All Poquonock Village design development applications shall be submitted, received, and reviewed in accordance with Section 16.7.

- (1) The Applicant is encouraged to discuss their proposal for a Poquonock Village design development with town staff and to utilize the pre-application scrutiny process in order to obtain direction from the Staff and the Commission prior to preparing a concept plan application.
- (2) An application for an Inland Wetlands and Watercourses Commission (IWWC) permit shall not be required for any activity regulated pursuant to CGS Sections 22a-36 to 22a-45 inclusive, at the time of submission of a concept plan application, however, the Applicant shall present the preliminary concept plan to the IWWC for preliminary review and comment and present the IWWC comments to the Commission at the time of the public hearing on the concept plan.
- (3) An application for Permit for an activity regulation by Chapter 3, Article III of the Windsor Code of Ordinances, the Flood Plain Management Ordinance, or a Floodplain Development Permit shall not be required at the time of submission of a concept plan application, however, the Applicant shall discuss the concept plan with the Local Floodplain Manager and present their comments to the Commission at the time of the public hearing on the concept plan.
- (4) If phasing of approval of the detailed plan and the related bonding and construction is desired, the proposed phasing shall be presented at the time of concept plan application demonstrating that the completion of each phase will be in compliance with the requirements of the Town of Windsor Zoning and Subdivision Regulations.
- (5) The detailed plan and construction may be approved in phases. Construction details showing the limits and termination of the phase to be constructed shall be submitted to demonstrate that, upon completion of this phase of construction, the project shall be in compliance with the requirements of the Town of Windsor Zoning and Subdivision Regulations.
- (6) A complete detailed plan application, for at least one self-supporting phase, if a phasing plan was approved as part of the design development concept plan application, shall be submitted for review within one year of the approval of the concept plan.
 - (a) If a detailed plan is not submitted for review within one year of the approval of the concept plan and an extension is not granted as provided for in Section 16.7.6C, the concept plan approval shall become invalid.

Section 13.2

- (b) When the approved concept plan contains a phasing plan, a detailed plan for the first phase of the development shall satisfy the requirements of this subsection.

TABLE OF CONTENTS

INTRODUCTION

DEFINITIONS AND INTERPRETATION

SITE DEVELOPMENT

SINGLE-FAMILY RESIDENTIAL ZONES

BUSINESS ZONES

PROFESSIONAL ZONE

RESTRICTED COMMERCIAL ZONE

INDUSTRIAL ZONE