

PLANNING & ZONING  
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TOWN HALL ANNEX  
238 Danbury Road  
Wilton, Connecticut 06897

**RESOLUTION #10-23 REG 23405**  
**Transit Orientated Development**  
**District 29-6.G.4**  
October 23, 2023

**WHEREAS**, the Wilton Planning and Zoning Commission submitted application Reg #**23405** proposing amendments to create four (4) new overlay districts and related Zoning Regulations for each of these four (4) new overlay districts. The overlays are centered in the Wilton Center Zone area and along Danbury Road, between Wolfpit Road and Pimpewaug Road.

**A public hearing was held on the following overlay on October 19, 2023:**  
**Section 29-6.G.4 Danbury Road Transit Orientated Development District (TOD)**

as well as corresponding changes to the Table of Contents of the Zoning Regulations of the Town of Wilton, Connecticut to codify these changes for the purpose of creating a new overlay district at the Wilton Train Station area to encourage new larger scaled residential multifamily development, appropriate with its proximity to a Metro North Danbury Branch railroad station; and

**WHEREAS**, the Planning and Zoning Commission conducted a public on October 19, 2023 and the Commission fully discussed and considered all submitted evidence and testimony at a meeting of October 19, 2023 and October 23, 2023; and

**WHEREAS**, the proposed regulation amendments were referred to the Western Connecticut Council of Governments (WestCOG) for review and comment; Comment was that these proposals are of local interest and with minimal intermunicipal impacts and included 1 comment on these regulations, concerning the Norwalk River; and

**WHEREAS**, the proposed regulation amendments are consistent with various goals and objectives of the 2019 Plan of Conservation and Development (POCD) , including incentivizing diverse housing types while protecting its low-density residential neighborhoods; continuing to increase housing options to benefit the shared interest of the Town's residential and commercial communities; and

**WHEREAS**, the additional uses allowed by this regulation change will encourage multifamily housing targeted at the train station area, a goal of the POCD; and

**WHEREAS**, an objective and strategy of the POCD is that Wilton Center and adjacent areas of Danbury Road provide the greatest opportunity to grow the Grand List while, minimizing encroachment of development into low density areas, which this change allows; and

**WHEREAS**, the proposed regulations will strengthen Wilton Center as a vibrant economic, residential recreational and cultural hub for the community and region, which is a goal of the POCD; and

**WHEREAS**, the proposed regulation amendments promote the goal of the POCD of allowing an increase of permitted residential density in the village centers where development capacity and supportive infrastructure is available or can be appropriately expanded within the context of surrounding uses, topography, and transit accessibility; the Commission is of the opinion that the requested regulation changes advance these goals; and

**WHEREAS**, following debate, deliberation and due consideration, the Commission has made the findings herein and is of the opinion that the requested regulation changes advance these stated goals and has determined that the proposed regulation amendments are appropriate.

**NOW THEREFORE BE IT RESOLVED** that the Wilton Planning and Zoning Commission **APPROVES** zoning regulation amendments REG# 23405, SECTION 29-6.G.4, Danbury Road Transit Orientated Development District, entitled” BFJ Planning, dated 09/25/23 OL-3 Danbury Road TOD Overlay District (Draft)”, effective November 3, 2023.

Amend the Zoning Regulations of the Town of Wilton by establishing regulations known as Section 29-6.G.4, Danbury Road, East, to read as follows:

**New Section: Section 29-6.G.4 Danbury Road, Transit Orientated Development District (TOD)**

**29.6.G.4.1 OL-3 DANBURY ROAD TOD OVERLAY DISTRICT**

**29.6.G.4.1.A. Purpose**

The purpose of the OL-3 DANBURY ROAD TOD (Transit-Oriented Development) Overlay District is to facilitate larger-scaled multi-family development that capitalizes on the presence of the Wilton Train Station, improves connections and conditions for pedestrians to strengthen links to the Wilton Train Station and Wilton Center, and is economically and environmentally sustainable. The overlay allows existing zoning and uses to remain and continue unhindered. The provisions of this district are intended to support a land-use pattern that furthers the following goals:

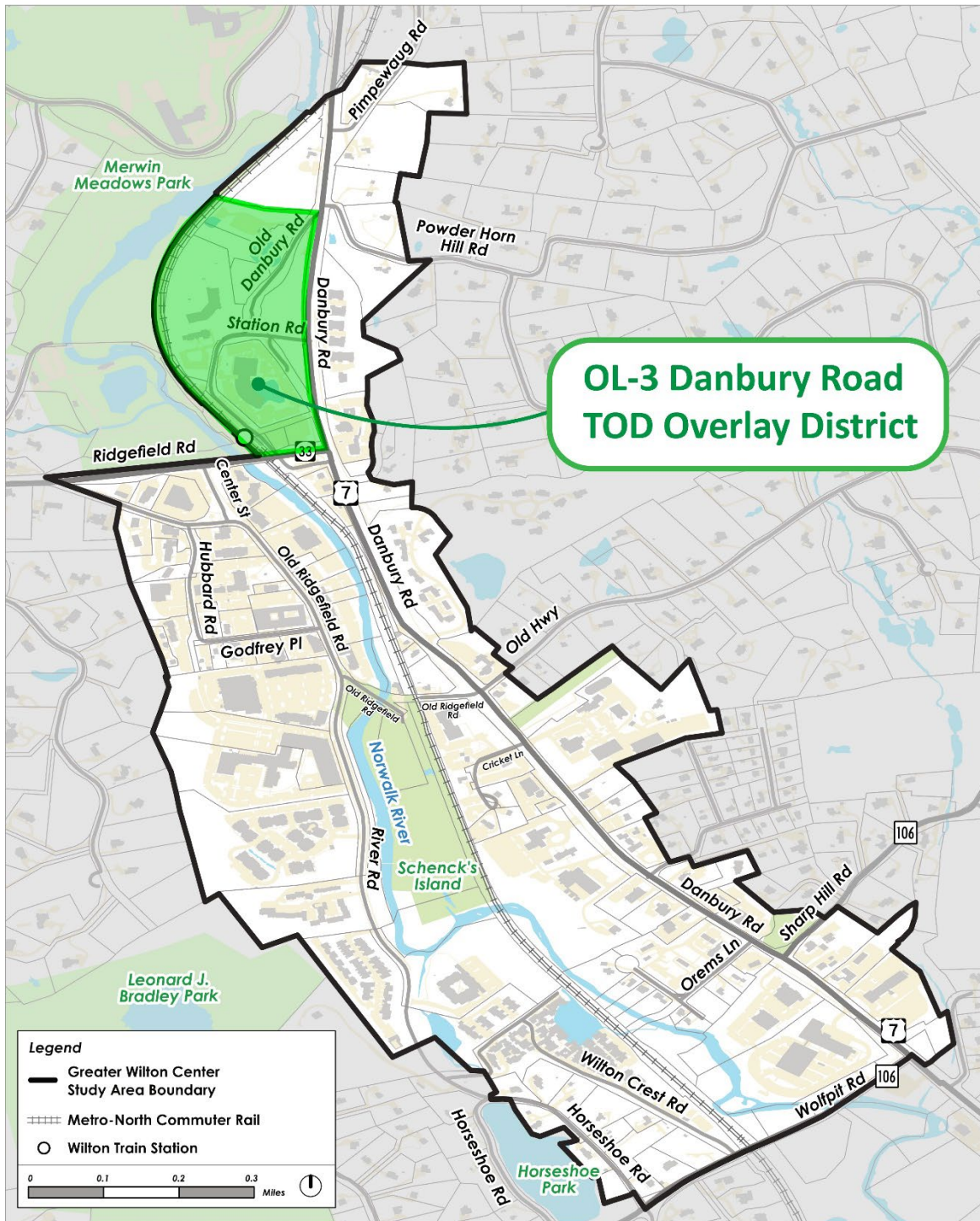
1. Protect and strengthen the existing multi-family residentially-oriented character of the area;
2. Promote well-designed, high-density infill multi-family residential development, including affordable housing, at a location with sufficient infrastructure and public transit;

3. Improve pedestrian connectivity to the Wilton Train Station and Wilton Center;
4. Encourage sustainable development; and
5. Allow existing uses to remain legally per their underlying zoning.

**29.6.G.4.1.B. General**

1. The OL-3 DANBURY ROAD TOD Overlay District is in addition to and overlays the Single-Family (R-1), General Business (GB), and Design Enterprise (DE-5) districts for the purpose of defining a cohesive residential and TOD area (see Figure 29.6.G.4. Z.1.B.1: Location Map). The use of land, buildings, and other structures within the OL-3 DANBURY ROAD TOD Overlay District shall be established and conducted in conformity with the underlying zoning classification, except as modified by the requirements of this Section.
2. No application for a Zoning Permit shall be approved by the Zoning Enforcement Officer and no Zoning Permit or Certificate of Zoning Compliance shall be issued until a determination has been made (in writing) by the Director of Planning & Land Use Management/Town Planner that such a use or structure has been reviewed according to the procedures specified in these Regulations.

Figure 29.6.G.4.1.B.1 – Location Map



#### **29.6.G.4.1.C. Applicability**

The OL-3 DANBURY ROAD TOD Overlay District consists of those areas as shown on the Official Zoning Map of the Town of Wilton, which map and amendments are on file in the Town Clerk's office and the office of the Town's Planning and Zoning Department. Any parcel that is depicted on the Zoning Map as being wholly within or partially within the OL-3 DANBURY ROAD TOD Overlay District shall be determined eligible for the provisions of the OL-3 DANBURY ROAD TOD Overlay District as described in this Section. An owner or developer of a property located within the OL-3 DANBURY ROAD TOD Overlay District may choose to develop under the provisions of the underlying R-1A, General Business (GB) or DE-5 districts if located in such district, or may choose to utilize the provisions of the OL-3 DANBURY ROAD TOD Overlay District, as specified in this Section, subject to the determination by the Town Planning and Zoning Commission (P&Z Commission) that the proposed development would satisfy the purpose and intent of the OL-3 DANBURY ROAD TOD Overlay District.

#### **29.6.G.4.1.D. Regulations**

##### **1. Permitted Uses**

In addition to the uses permitted in the underlying zoning districts, the following uses shall be permitted uses in the OL-3 DANBURY ROAD TOD Overlay District:

- a. Single-family or multi-family dwelling units, including attached or detached apartments and dwelling units in one or more primary buildings

Bulk Requirements: Single-family or multi-family dwelling units, including attached or detached apartments and dwelling units in one or more primary buildings

- b. Minimum lot size: 3.0 acres.
- c. Maximum building height: 64 feet (5 stories).<sup>(a)</sup>
- d. Minimum front yard setback: 50 feet from front propertyline.
- e. Minimum side yard setback: 50 feet from side propertyline.
- f. Minimum rear yard setback: 50 feet from rear propertyline.
- g. Minimum parking and loading setback – front, side and rear yards: 10feet.<sup>(b)</sup>
- h. Maximum building coverage: 50%.
- i. Maximum impervious surface coverage: 80%.
- j. Maximum residential density: 1.5 FAR.

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<sup>(a)</sup> Except as otherwise provided in Section 29-4.C.1

<sup>(b)</sup> 5' may be permitted at the discretion of the Planning & Zoning Commission

- k. Minimum percentage of affordable housing units: 10%.<sup>(c)</sup>

## 2. Development Requirements

Development in the OL-3 DANBURY ROAD TOD Overlay District shall meet the following standards:

- a. All residential development shall provide a minimum of 10 percent affordable housing units and otherwise comply with Section 29.5.B.10 of the Town of Wilton Zoning Code.
- b. Minimize curb cuts and connect internal parking areas with adjacent parcels where possible.
- c. Provide sidewalks along Danbury Road and pedestrian connections with a walking surface of at least six feet in width to connect lots to each other and to streets and parking areas. Collectively, the aim shall be to contribute positively to the creation of a district-wide pedestrian circulation network that connects residential development in the OL-3 DANBURY ROAD TOD Overlay District with the Wilton Train Station and Wilton Center.
- d. Use of green building elements or green infrastructure in the proposed construction and/or site design. The terms “green building elements” and “green infrastructure” shall be defined as follows:
  - i. Green Building Elements. Measures incorporated into building design and construction that are intended to minimize impacts to the environment through conservation of natural resources, increased energy and efficiency, and improved indoor air quality. These should meet the US Green Building Council Leadership in Energy and Environmental Design (LEED) Silver criteria or equivalent. LEED Certification is not required; and/or
  - ii. Green Infrastructure. Low-impact development measures that utilize best management practices for stormwater management that infiltrate or otherwise reuse stormwater. Such techniques may include green roofs, landscaping, rain gardens, bioretention areas, vegetated swales, pocket wetlands, infiltration planters, and vegetated median strips. Individual green infrastructure practices shall be defined

<sup>(c)</sup> All residential development shall provide a minimum of 10 percent affordable housing units and otherwise comply with Section 29.5.B.10 of the Town of Wilton Zoning Code.

according to the current Connecticut Stormwater Quality Manual; and/or

- iii. Additional green elements as approved by the P&Z Commission.

- e. An amenity package to serve the residents of any development shall be provided in accordance with approval by the P&Z Commission.

3. OL-3 Parking Standards

Permitted uses shall provide the minimum required parking as specified in Section 29-8.B (Off-Street Parking and Loading) of the Town of Wilton Zoning Code, except as may be modified herein:

- a. Residential uses:
  - i. If assigned parking: 1.2 spaces per DU plus one (1) space for every five (5) DUs for visitors.
  - ii. If unassigned, 1.2 spaces per DU, no need for visitor spaces.

END RESOLUTION