

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

RESOLUTION #11-23 REG 23405
Danbury Road EAST 29-6.G.2
November 27, 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. Two of the four, the Wilton Center Overlay District and the TOD Overlay District, were approved in October.

A public hearing was held on the following overlay on November 27, 2023:

Section 29-6.G.2 Danbury Road EAST

The proposed zoning regulation change would create an overlay district as well as a corresponding change to the Table of Contents of the Zoning Regulations of the Town of Wilton, Connecticut.

WHEREAS, the Planning and Zoning Commission conducted a public on November 27, 2023 and the Commission fully discussed and considered all submitted evidence and testimony at its meeting of November 27, 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 additional housing types, 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 help 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, 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.2, Danbury Road East, entitled” BFJ Planning, dated 10/23/23 OL-1 Danbury Road East Overlay District 28 (sic) - 6.G.2 “, effective December 10, 2023, subject to the following condition(s):

1. That all permitted uses shall require the submission of a Special Permit application.

Amend the Zoning Regulations of the Town of Wilton by establishing regulations known as Section 29-6.G.2, Danbury Road, East, to read as follows:

New Section: Section 29-6.G.2, Danbury Road, East, OL-1 DANBURY ROAD EAST OVERLAY DISTRICT

29-6.G.2.1 OL-1 DANBURY ROAD EAST OVERLAY DISTRICT

29.6.G.2.1.A. Purpose

The purpose of the OL-1 DANBURY ROAD EAST Overlay District is to facilitate neighborhood-scaled multi-family development that 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, smaller-scaled infill multi-family residential development, including affordable housing;
3. Encourage sustainable development; and
4. Allow existing uses to remain legally per their underlying zoning.

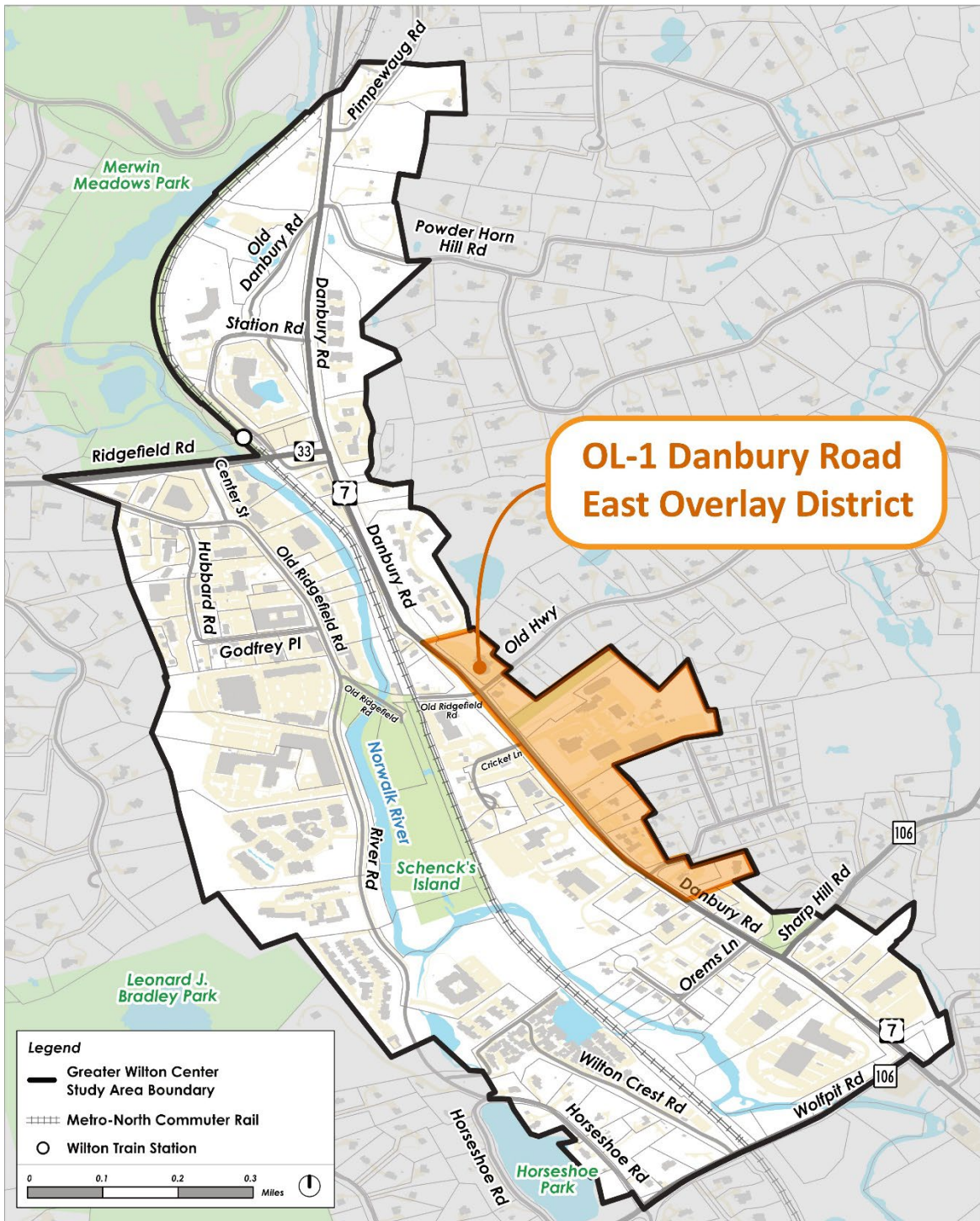
29.6.G.2.1.B. General

1. The OL-1 DANBURY ROAD EAST Overlay District is in addition to and overlays the

Single- Family (R-1A and R-2A) district for the purpose of defining a cohesive residential area (see Figure 29.6.G.2.1.B.1: Location Map). The use of land, buildings, and other structures within the OL-1 DANBURY ROAD EAST 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.2.1.B.1 – Location Map



29.6.G.2.1.C. Applicability

The OL-1 DANBURY ROAD EAST 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-1 DANBURY ROAD EAST Overlay District shall be determined eligible for the provisions of the OL-1 DANBURY ROAD EAST Overlay District as described in this Section. An owner or developer of a property located within the OL-1 DANBURY ROAD EAST Overlay District may choose to develop under the provisions of the underlying R-1A or R2A districts if located in such district, or may choose to utilize the provisions of the OL-1 DANBURY ROAD EAST 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-1 DANBURY ROAD EAST Overlay District.

29.6.G.2.1.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-1 DANBURY ROAD EAST Overlay District:

- a. Single-family, detached and attached dwellings

2. Bulk Requirements: Single-family, detached and attached dwellings

- b. Minimum lot size: 0.75 acres.
- c. Maximum building height: 39 feet (3 stories).
- d. Minimum front yard setback: 20 feet from front property line.
- e. Minimum rear yard setback: 10 feet from rear property line.
- f. Minimum side yard setback: 10 feet from side property line.
- g. Maximum building coverage: 40%.
- h. Maximum impervious surface coverage: 70%.
- i. Maximum residential density: 0.25 FAR.

3. Development Requirements

Development in the OL-1 DANBURY ROAD EAST 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-1 DANBURY ROAD EAST 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 according to the current Connecticut Stormwater Quality Manual; and/or
 - iii. Additional green elements as approved by the P&Z Commission.
- e. All new structures nearest the front property line shall have the primary façade and entryway facing the street. Corner lots shall have both streets be treated as primary streets with facades and entryways facing them. No garage openings in these structures shall directly face the street.
- f. All structures shall be separated by a minimum of 10 feet.
- g. Any newly constructed detached structures may consist of up to two (2) attached units connected by no more than one (1) wall or garage.

- h. Adaptive use of historic structures shall be in conformance with Section 29-5.C.5. Where an historic structure will be preserved, rehabilitated, restored, and/or reconstructed for residential use in this overlay zone, the Commission may allow up to four (4) attached units within the preserved, rehabilitated, restored, and/or reconstructed structure. This can be applied to historic residential, commercial or religious buildings.
- i. Any existing structure(s) are hereby declared to be in conformance with these regulations, provided the structures are maintained, rehabilitated, and integrated into the proposed development.

4. 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 with a parking minimum of two (2) spaces per unit. Parking shall not be allowed in the front setback but will be allowed along the side or rear with a 15 feet landscaped buffer, planted with trees, and low plantings.

END RESOLUTION

