

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

RESOLUTION #11-23 REG 23405
Danbury Road WEST 29-6.G.3
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.3 Danbury Road WEST

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.

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.

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;

WHEREAS, the additional uses allowed by this regulation change will encourage additional housing types, a goal of the POCD.

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.

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, allowing infill multifamily developments. along with commercial uses.

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.3, Danbury Road WEST, entitled” OL-2 Danbury Road WEST Overlay District, Section 29. 6.G..3 “ prepared by BFJ Planning, dated 10/23/2023, 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 West, to read as follows:

New Section: Section 29-6.G.2, Danbury Road, West, OL-2 DANBURY ROAD WEST OVERLAY DISTRICT

29.6.G.3.1 OL-2 DANBURY ROAD WEST

OVERLAY DISTRICT 29.6.G.3.1.A. Purpose

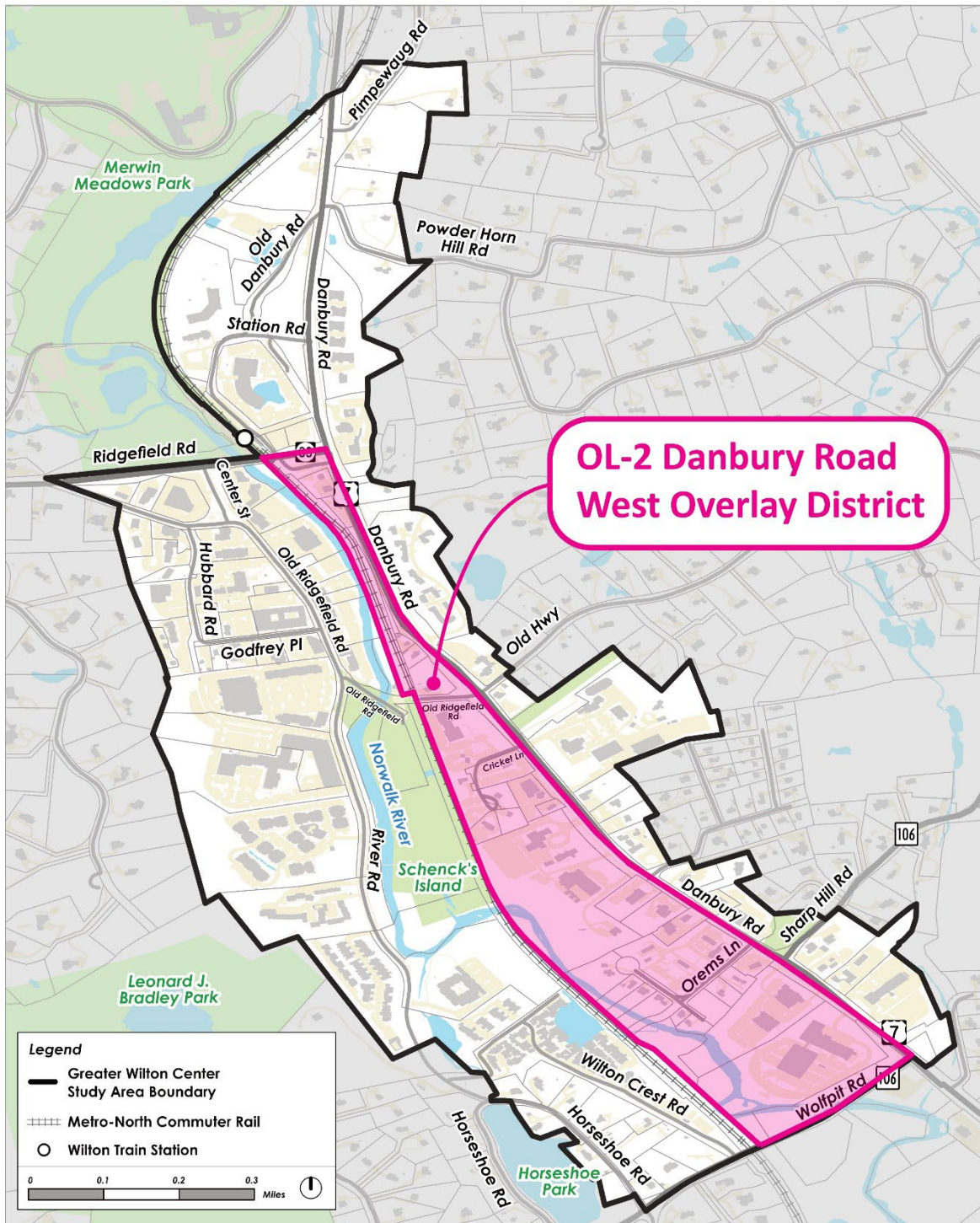
The purpose of the OL-2 DANBURY ROAD WEST Overlay District is to facilitate creation of an auto- oriented business corridor, with improved pedestrian connectivity, and to encourage economically and environmentally sustainable development. Commercial uses are principal permitted uses. Infill residential development is also allowed by special permit. 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. Strengthen and support the existing business-oriented character of the area;
2. Prioritize retail and commercial enterprise;
3. Improve vehicular connectivity along the corridor by promoting vehicular connections between parcels;
4. Improve the pedestrian environment along the corridor to connect to Wilton Center; and
5. Allow existing uses to remain legally per their underlying zoning.

29.6.G.3.1.B. General

1. The OL-2 DANBURY ROAD WEST Overlay District is in addition to and overlays the Single-Family (R-1A), MF-Residential (DRD), General Business (GB), Design Retail Business (DRB), and Design Enterprise (DE-5) districts for the purpose of defining a cohesive commercial, mixed-use corridor (see Figure 29.6.G.3.1.B.1: Location Map). The use of land, buildings, and other structures within the OL-2 DANBURY ROAD WEST 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.3.1.B.1 – Location Map



29.6.G.3.1.C. Applicability

The OL-2 DANBURY ROAD WEST 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-2 DANBURY ROAD WEST Overlay District shall be determined eligible for the provisions of the OL-2 DANBURY ROAD WEST Overlay District as described in this Section. An owner or developer of a property located within the OL-2 DANBURY ROAD WEST Overlay District may choose to develop under the provisions of the underlying R-1A, R-2A, DRD, GB, DRB or DE-5 district if located in such district, or may choose to utilize the provisions of the OL-2 DANBURY ROAD WEST 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-2 DANBURY ROAD WEST Overlay District.

29.6.G.3.1.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-2 DANBURY ROAD WEST Overlay District:

- a. Commercial and retail uses per DRB district.
- b. Residential (single- and multi-family) uses allowed by Special Permit.

2. Bulk Requirements

- a. Minimum lot size: 1.0 acres.
- b. Maximum building height: 48 feet (4 stories)*
 - * Where the R-1A district is mapped within the OL-2 DANBURY ROAD WEST Overlay District, maximum building height shall be 39 feet (3 stories).
- c. Minimum front yard setback: 20 feet from front property line.
- d. Minimum rear yard setback: 10 feet from rear propertyline.
- e. Minimum side yard setback: 10 feet from side propertyline.
- f. Maximum building coverage: 50%.
- g. Maximum impervious surface coverage: 80%.
- h. Maximum density: 0.5 FAR.

3. Development Requirements

Development in the OL-2 DANBURY ROAD WEST Overlay District shall meet the following standards:

- a. Minimize curb cuts and connect internal parking areas with adjacent parcels where possible.
- b. 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 development in the OL-2 DANBURY ROAD WEST Overlay District with Wilton Center and the Wilton Train Center.
- c. Adaptive use of historical structures, subject to the requirements of 29-5.C.5 of the Town of Wilton Zoning Code.
- d. 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.
- e. 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.

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:

- a. Residential Uses - Multifamily residential (townhouses, flats, garden apartments, and mid-rise apartments:

- (a) If assigned parking: 1.35 spaces per DU plus 1 space for every 5 DUs for visitors.

- (b) If unassigned (i.e., shared) parking: 1.35 spaces per DU, no need for visitor spaces. Applicant is encouraged to share parking with on-site commercial users in case of mixed-use development, Shared parking is recommended with employee parking of commercial users.

- b. Retail sales and service uses, sales oriented: 1 per 333 sq. ft. of gross floor area.

- c. Retail sales and service uses, personal services oriented: 1 per 333 sq. ft. of gross floor area.

- d. Office uses, general: 1 per 333 sq. ft. of gross floor area.

END RESOLUTION

