

Waterford, Connecticut

SECTION 18A - ADAPTIVE REUSE DEVELOPMENT FOR MULTIFAMILY OR MIXED USE DEVELOPMENT

(Effective 9/1/2014)

PURPOSE: The intent of Adaptive Reuse Development is to allow flexibility in development to promote the renovation, reuse of existing structures or support future or past environmental remediation of sites that are no longer viable for their original intended use as a result of aging building infrastructure, arrangement of building patterns and floor plan, evolving economic market dynamics, environmental contamination or condemnation. It is recognized that the promotion of the Adaptive Reuse of Underutilized Buildings and sites classified as Brownfields reduces the demand on building resources and is vital to protecting undeveloped landscapes, protecting the unnecessary expansion of infrastructure, and focusing redevelopment in already developed areas which support traffic and utility infrastructure.

18A.1 GENERAL Each application for an Adaptive Reuse Development shall require a plan review with a special permit as provided for in Section 23 of these Regulations. Each application shall be acted upon by the Commission acting in its capacity as Zoning Commission in accordance with the provisions of Section 8-3(c) of the Connecticut General Statutes as may be amended. The Commission, at the applicant's expense, may hire a third party to review submitted material, testimony or other information deemed necessary for the Commission to render a decision.

18A.2 USES ALLOWED IN ADAPTIVE REUSE DEVELOPMENT All uses specified below are subject to plan review and special permit as provided in Section 23 of these regulations.

18A.2.1 R-20 and R-40 districts: Multi-Family Dwellings

18A.2.2 VR, NB, NBPO, or a Village District that has been established under the Connecticut General Statutes Section 8-2j zoning district a. Mixed Use Development subject to the following provisions: a. The uses allowed in a Mixed Use Development shall include the permitted uses in the underlying zone, as may be amended from time to time. b. Multi-family development is permitted by special permit only when no less than 25% of the gross floor area of all buildings associated with the parcel is designated for a use other than residential dwelling. c. In VR, NB and NBPO districts, no residential dwelling units shall be allowed on the first floor.

18A.3 LOCATION ELIGIBILITY

18A.3.1 In order for a property to be redeveloped as an Adaptive Reuse Development as defined by Section 1 of these regulations, the Commission shall determine the property meets Adaptive Reuse Eligibility Criteria. This determination shall be made in conjunction with the procedures of a site plan and special permit Application. In making their findings under a special permit for Adaptive Reuse Development, the Commission shall base their decision upon the criteria specifically described in Section 23 of these Regulations and the following Adaptive Reuse Development Eligibility Criteria

- a. The property shall be entirely located within an R-20, R-40, VR, NB, NBPO or a Village D istrict that has been established under the CGS 8-2j zoning district.
- b. The parcel shall have at least 200 feet of frontage on, or abut for a linear distance of at least 200 feet, a road with a functional classification of “arterial” as determined by the Connecticut Department of Transportation. (Effective Date: 8/1/2018) 18A-2
- c. The property shall be connected to both public sewer and water with demonstrated capacity to support the intended use as determined by a licensed professional engineer and confirmed by the Waterford Utility Commission.
- d. The property shall have adequate transportation infrastructure or the applicant shall demonstrate that improvements can be made that will accommodate future traffic generation.

18A.3.2 At the time of making the determination that the location is eligible, the Commission shall also make the determination that the site meets at least one of the following:

- a. Is a Historic Building. (Effective Date: 8/1/2018)
- b. Is determined by the Commission to meet the definition of an Underutilized Building.
- c. Is on a site that is classified or was classified as a Brownfield.

18A.4 STANDARDS AND CONDITIONS

18A.4.1 Each proposal for an Adaptive Reuse Development submitted under the provisions of Section 18.3 herein shall meet each of the following standards and conditions.

18A.4.2 Building Reuse and Demolition: Underutilized Buildings may be demolished and new buildings erected to accommodate the intended purpose of this regulation only if:

- a. More than 50% of the total of all building area has been condemned by the Building Official; or
- b. Substantial evidence is provided that the building’s physical condition cannot support a viable use as a result of floor plan configuration or costs to renovate; in making such a determination, the Commission shall review evidence submitted by the applicant to support such a decision. This shall include the certification from a Structural Engineer as to the extent of the costs of the renovation necessary to create a viable use.
- c. No more than 10% of an existing building to be reused will be demolished. However, if the site is classified as a Brownfield, all buildings may be demolished and new structures constructed.

18A.4.3 Setbacks: Unless existing setbacks are legal, non-conforming setbacks, setbacks shall conform to the underlying zone.

18A.4.4 Building Height. Building height shall conform to the underlying zone.

18A.4.5 Intensity and Density. For buildings to be adaptively reused, the intensity and density shall not exceed that which cannot adequately be accommodated within the building envelope and supported by the market demands identified within the market analysis provided by the Applicant.

18A.4.6 Dwelling Unit Mixture, Density and Floor Area Requirements. For new construction and/or reuse of existing buildings, and in order to justify the market demand and feasibility, dwelling unit size, type and mix shall be based upon a market analysis prepared by a licensed/accredited real estate professional with demonstrated experience in preparing market studies. For reuse of existing buildings, in no case shall the number of units be greater than the gross floor area divided by 625 square feet. In making its decision, the commission may determine if the total number of units in new construction and/or reuse of existing buildings can be appropriately accommodated in a manner that is compatible with the surrounding neighborhood and without impacting the health, safety and welfare of the neighborhood. In order to meet this requirement, the Commission may reduce the total density by an amount deemed compatible with the context of the parcel. (Effective Date: 8/1/18)

18A.4.7 The Commission shall determine that the existing Underutilized Building and its environments will be suitable for conversion to a Multi-Family or Mixed Use Development and will not adversely impact the character of the existing neighborhood.

18A.4.8 Building Coverage. The aggregate building coverage on any lot in this district shall not exceed the aggregate building coverage allowed for the underlying zone. In the event that the coverage is non-conforming, the Adaptive Reuse Development shall not enlarge, enhance or expand the coverage.

18A.4.9 Parking: Parking for all uses shall meet the requirements set forth in Section 20 regardless of use. Except when housing is intended to serve solely individuals 55 years old or older the minimum parking requirement shall be 0.7 parking spaces per unit.

18A.5 DESIGN STANDARDS The architectural and site design of all buildings and improvements for an Adaptive Reuse Development, including floor plans and building elevations drawn to scale showing the proposed exterior materials and treatments to be used, shall be submitted. The plans submitted shall demonstrate how the adaptively reused building is cognizant of the neighborhood in which it is located and transitions from denser Adaptive Reuse Developments to single-family dwellings and is otherwise in harmony with neighboring properties.

18A.5.1 If a building is a Historic Building, the applicant shall provide a detailed report on how any new construction or renovation complements the historic nature of the structure and is integrated into the overall site in a manner consistent with these regulations and with The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing(SOIS). The SOIS shall apply to the exterior of the building only.

18A.5.2 If a building is not deemed to be a Historic Building under these regulations, the applicant shall certify through a licensed architect or structural engineer that the building is capable of being adaptively reused in the manner proposed.

18A.5.3 Visual buffers, including landscaping and / or fencing, at the discretion of the Commission, shall be provided where the first floor elevation of the building is lower than the street frontage.

18A.5.4 Landscaping – the entire parcel on which the proposed Adaptive Reuse Development is to be established shall be landscaped and screened in such a manner as to insure a safe and cohesive layout and one appropriately related with and not detrimental to nearby uses. The Commission may require the installation of fencing or the provision of suitable landscaping treatment to provide effective opaque buffers between an Adaptive Reuse Development and adjacent property on which single-family residences are located. Suitable landscaping, as determined by the Commission, shall be provided on all lots on which an Adaptive Reuse Development is located, and the existing natural landscaping shall be preserved whenever possible

18A.6 ENVIRONMENTAL PROTECTION No development shall be undertaken on any lot within this district, nor shall the existing character, including vegetation and topography, be disturbed from its natural state except in accordance with the provisions of Section 25 of these regulations and the recommendations within the Jordan Brook Watershed Management Plan, dated February 2000, and as may be amended.