

**TRANSIT ORIENTED DEVELOPMENT [TOD] DISTRICT**

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# **GENERAL**

## **A. BACKGROUND AND AUTHORITY**

Consistent with the goals stated in the 2009 Plan of Conservation and Development and recommendations made in the 2012 Meriden Transit Oriented Development (“TOD”) Master-Plan, the City finds that the implementation of a TOD District benefits the general health and welfare of the inhabitants by encouraging the growth of a diverse economic base and diverse residential opportunities in a sustainable manner.

## **B. PURPOSE**

The purpose of the TOD District is to support a viable mixture of uses and implement the Smart Growth principles set forth in the 2012 Meriden TOD Master-Plan, including:

1. Accommodate future growth to enhance the tax base through the optimal use of appropriate parcels for economic development purposes;
2. Encourage moderate to high density development within walking distance of the Intermodal Transportation Center, as hereinafter defined;
3. Capitalize on opportunities to provide and/or encourage a continued and enhanced variety of retail and service businesses, professional, offices, entertainment and cultural establishments that serve Meriden residents and transit users, and provide for limited light industry.
4. Create a pedestrian-friendly environment to encourage walking, bicycling and transit use, and reduce dependency on the automobile;
5. Emphasize mixed-use with a focus on developing financially viable and socially stable mixed-income housing with supporting commercial and retail uses;
6. Encourage infill and building reuse to create higher densities, preserve existing fabric and complete the definition of streetscapes;
7. Protect existing neighborhoods by ensuring high quality development that is well-integrated and compatible in aesthetics;
8. Protect the integrity of historically significant and environmentally sensitive areas; and
9. Eliminate or minimize existing segregated housing patterns within the TOD District and replace the same with truly integrated and balanced living patterns.

### **C. AUTHORITY**

The Director of Development and Enforcement is hereby designated to administer and enforce this chapter. Projects that require special permit approval will be subject to Planning Commission review and approval as outlined in Section 213-~~xx~~.

### **D. APPLICABILITY**

The TOD District, consisting of five sub-districts, includes those areas shown on **[TITLE OF MAP]** on file with the City Clerk and dated ~~xx/xx/xxxx~~.

### **E. PRECEDENCE OVER INCONSISTENT PROVISIONS IN ZONING ORDINANCE**

Other than terms used but not defined herein, Section 213-~~xx~~ contains all necessary standards and criteria required for development in the TOD District - applicants need not reference other articles in this chapter other than Section 213-7 with respect to terms used but not specifically defined herein. Section 213-~~xx~~ shall supersede all sections of the Zoning Ordinance of the City of Meriden where they may conflict.

### **F. SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this chapter. The City Council hereby declares that it would have passed this chapter and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases are declared invalid.

## G. DEFINITIONS

### 1. Residential Uses.

ELDERLY LIVING OR CARE FACILITIES - Residential uses that are restricted to the elderly and can be one or a combination of independent housing units, assisted housing units, intermediate care, convalescent or nursing units. Also allowed are day-care centers for the elderly. "Elderly" is defined as any person 62 years of age or over or a person who has been certified by the Social Security Board as being totally disabled under the Federal Social Security Act. At the time of admission to an elderly independent or assisted housing unit, at least one person per unit must meet the foregoing definition.

TOD MIXED-INCOME DWELLING - A building or portion thereof used and designed as a residence for three or more families living independently of each other and doing their own cooking in said building, including apartment houses, flats and townhouses, but not including hotels, motels or boarding houses. As a primary purpose of the TOD District is to provide for financially viable and socially stable mixed-income housing and to eliminate or minimize existing segregated housing patterns, not less than 66% percent of the dwellings in a TOD Mixed-Income Dwelling building must be market-rate units, meaning that they are not restricted as to their sales or rental pricing. Ten percent (10%) of the units in such a building must be affordable housing units. Notwithstanding the foregoing, if the TOD Mixed-Income Dwelling building contains so-called replacement units under an approved HUD demolition and disposition plan, then not less than 30% of the units in such building shall be replacement units and not less than 20% of the building shall be market rate units. The income-restrictions on and mix of units in such a building that are not market rate units shall be ones that will provide for the highest amount of low income housing tax credits possible for such building and, in any case, shall provide that not more than 25% of the all units in the building will be restricted to those at 25% of the area median income (AMI), 35% of all units in the building will be restricted to those between 26% and 50% of AMI and 25% of all units in the building will be restricted to those between 51% and 60% of AMI. The remaining 20% of units shall be, as described above, market rate units.

### 2. Commercial Uses.

HEALTH CARE SERVICES / MEDICAL OFFICES - A combination of diagnostic, therapeutic and other health care professional service uses. Such uses

include medical, dental, physical therapy, radiology, urgent-care, surgical center, occupational therapy and similar disciplines.

INDOOR ARTS, RECREATION AND ENTERTAINMENT - Commercial establishments providing indoor sports, recreation, and/or entertainment services by and for participants, typically in exchange for the payment of a fee or admission charge. This includes such uses as: art galleries; artist studios; amusement centers and arcades; billiard parlors; bowling alleys; ice rinks; recreation centers featuring fitness facilities, swimming pools, tennis and similar activities; children's indoor play centers; performing arts, theaters or multiscreen theaters, but not including drive-in movie theaters, community services and sexually oriented business uses.

RETAIL SALES AND SERVICE - Businesses involved in the sale, lease or rent of new or used products to the general public, which are primarily conducted indoors. They may also provide personal services, product repair or services for consumer and business goods. Retail sales and service uses include four subgroups listed below.

- a) Auto sales and service: Businesses involved in the sale, leasing, and servicing of automobiles including automobile dealerships, automotive repair, car washes and tire stores.
- b) Personal service-oriented: Businesses including such uses as branch banks; laundromats; photographic studios; photocopy and blueprint services; hair, tanning, and personal care services; business, martial arts, and other trade schools; photo or laundry/dry cleaning drop off; quick printing; recycling drop-off; and dance or music classes.
- c) Repair-oriented: Businesses that do repairs including such uses as repair of televisions, computers, bicycles, clocks, watches, shoes, guns, appliances and office equipment; tailor; locksmith; and upholsterer. This does not include motor vehicle repair or servicing.
- d) Sales-oriented: Stores selling, leasing, or renting consumer, home, and business goods including such uses as art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery, videos, and food. Automobile rental and car-sharing companies are included [Note: see definition above for Auto Sales and Service].

### 3. Industrial Uses.

ARTISAN INDUSTRIAL - A use where works of art are created, displayed and/or sold in such areas as painting, sculpture, ceramics, craft work, and photography.

LIGHT INDUSTRIAL / MANUFACTURING - Establishments primarily engaged in the fabrication or assembly of products from processed, rather than raw,

materials. This may include storage, processing, fabrication, assembly and loading/unloading of materials. Activities do not utilize or produce toxic, hazardous, or explosive materials, and they are conducted primarily indoors. These activities are also characterized as creating little or no noise, glare, vibration, or air/water pollution.

4. Institutional Uses:

COLLEGE / UNIVERSITY - Institutions of higher learning which offer courses of general or specialized study leading to a degree or provide post-secondary school vocational/technical training. They are often but not always certified by the state or by a recognized accrediting agency. Colleges often are in campus-like settings or on multiple blocks. Examples include universities, liberal arts colleges, community colleges, nursing and medical schools not accessory to a hospital, and seminaries.

COMMUNITY SERVICES - Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. They typically provide the service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities, which have membership provisions, are open to the general public to join at any time. Community services include such uses as libraries, museums, government offices, senior centers, and community centers.

RELIGIOUS INSTITUTIONS - Institutions that are intended to primarily accommodate meeting for religious activities, including such examples as churches, temples, synagogues, and mosques.

5. Other Uses.

ACCESSORY USES – Uses that are incidental and subordinate to the primary use of a property and located on the same lot as the primary use.

INTERMODAL TRANSPORTATION CENTER – A facility that accommodates passenger interface between at least two forms of transportation, one of which is rail service.

LABORATORIES AND RESEARCH FACILITIES – A use devoted to the creation, testing and analysis of any product, such as computer hardware/software, scientific research, medical research and diagnostic services. No manufacturing is conducted on the site except for experimental or testing purposes.

MIXED-USE DEVELOPMENT –The development of a site or building with two or more different principal or primary uses including, but not limited, to residential, commercial, industrial, institutional and other uses permitted in this Chapter. The uses may be located in one or multiple buildings.

PARKING STRUCTURE - A covered structure or portion of a covered structure that provides parking areas for motor vehicles. Parking may be the primary use of the structure or it may be accessory to residential, commercial, employment, industrial, institutional, or other uses. A structure that is accessory to a single family detached, two family, and duplex dwelling is a garage and is not considered structured parking.

SURFACE PARKING - A parking area for motor vehicles where there is no building floor area below or above the parking area. The area may be occupied by small, permanent buildings, such as booths used by parking attendants.

6. Additional Definitions.

BUILDING STREET FRONTAGE - The width of a building, or part of a building, that fronts on a dedicated public thoroughfare, and whose footprint is within the required minimum to maximum setback range. Any portion of a building footprint that is in excess of frontage requirements on a given street can be sited in excess of the maximum setback range.

DENSITY – The number of residential dwelling units per gross acre of land area.

INTERIOR LOT LINE – a lot line not abutting a street.

FAÇADE TRANSPARENCY – Areas on a building façade, such as windows, storefronts and other glazing through which interior space can be seen from the exterior.

LOT COVERAGE - That portion of a lot that is covered by a building or buildings.

SIGNS -

- a) AWNING - A sign located on a structure made of fabric, metal, or other material affixed to a building in such a manner that the structure may be raised or retracted from a building to a flat position against the building, but not a canopy.

- b) BANNER - A sign made of fabric or rigid material, which is attached to a building.
- c) CANOPY - A sign located on a permanent structure other than an awning made of fabric, metal or other material attached or unattached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure.

## REQUIREMENTS APPLICABLE TO ALL TOD SUB-DISTRICTS

### H. ESTABLISHMENT OF TOD SUB-DISTRICTS

1. TOD Sub-District Summaries. There are five TOD sub-districts:

- a) Historic – Commercial Sub-District [TOD-HC]



Figure 213-1. Buildings fronting the north side of West Main Street

Home to the Meriden Historic District, this area focuses on two key commercial corridors along Colony and West Main Streets and is characterized by a range of architectural styles from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. The purpose of this sub-district is to enhance the cohesive character of the center of Meriden through the restoration and reuse of existing buildings of merit and encourage high-quality infill on vacant or underdeveloped properties.

The placement of buildings should reinforce a pedestrian-friendly environment by contributing to defining the edges of streets in ways that are consistent with buildings that remain a part of the traditional urban

character. New development should reinforce the existing scale of the district and be respectful of adjacent residential districts and architecture.

Mixed-use, commercial development is the focus of this district. Ground floor retail uses should be designed with highly transparent storefronts. Residential uses fronting on primary streets south of Foster Street must be contained in mixed-use buildings and, given the proximity to the Intermodal Transportation Center, are encouraged on the upper levels of buildings.

b) Park Sub-District [TOD-P]



Figure 213-2. A pocket park along Pratt Street in the Park Sub-District

This sub-district will be characterized by the significant amount of usable open space – with the focal point being the major public park in the center of Meriden. The Park Sub-District is bounded to the west by the railroad tracks and Intermodal Transportation Center and to the east by a reconceived Pratt Street boulevard, both of which will provide important first impressions for visitors to Meriden.

The quality of the public realm will be defined by thoughtfully designed pedestrian environments, where the ground floors of buildings contribute to lively and interactive streetscapes. Infill development along Pratt Street will help define the eastern edge of the major public park.

High quality, high density, mixed-income housing, complimented by a mix of appropriately-scaled commercial uses and publically accessible institutional uses, will make this a vibrant 24/7 neighborhood.

c) Hanover Sub-District [TOD-H]



Figure 213-3. Residential building similar to what might be found in the Hanover Sub-District

The Hanover Sub-District holds a very important position in the center of Meriden. Just south of West Main Street and the Historic District, and adjacent to the greenway running along Harbor Brook, this sub-district is ripe for high-density, mixed-income residential development.

The conversion of Hanover Street to two-way traffic will help stimulate commercial development along this important corridor. Mixed-use infill in the blocks north of Hanover Street will support Meriden's commercial core, while areas to the south have tremendous potential for a variety of residential typologies that will help knit together surrounding residential districts.

The development standards in this sub-district encourage high density, mixed-income residential by allowing more height, as well as flexibility with building siting and parking requirements.

d) Civic Sub-District [TOD-C]



Figure 213-4. Board of Education Building in the Civic Sub-District

This sub-district is characterized by a wide range of civic and cultural buildings, including Meriden City Hall and the Public Library. In addition to these large-scale public buildings, there exist a number of more intimate residential streets that provide a complimentary fabric for the neighborhood.

The Civic Sub-District is established in order to both showcase these important institutions, many of which front on East Main Street, and preserve the character of the smaller-scale residential streets.

While a mix of uses are encouraged in this sub-district, new buildings should be carefully located so that their use and scale are respectful of their immediate context. This means appropriately siting buildings relative to the street and designing to an appropriate level of architectural articulation.

e) Gateway Sub-District [TOD-G]



Figure 213-5. Enterprise Center in the Gateway Sub-District

This sub-district is established to help define the character of a key gateway into the City northeast of the major public park. Envisioned as a primary vehicular link from the interstate highway system to the center of Meriden, the Gateway Sub-District will be defined largely by the quality of the streetscapes and the development that evolves along the Pratt Street corridor.

Adaptive reuse and infill on highly-visible, vacant properties along this new boulevard is desired. Larger setbacks that allow for more flexibility in the siting of buildings in conjunction with a more diverse range of permitted uses, which may include industrial activity, make this a truly unique area.

Though located farther from the Intermodal Transportation Center than other sub-districts, residential uses are encouraged through incentives for greater height and flexibility in certain development criteria, including parking ratios. High quality development remains a strong emphasis.

2. TOD Sub-District Zoning Map.

The location of the five TOD Sub-districts is shown in Figure 213-6.

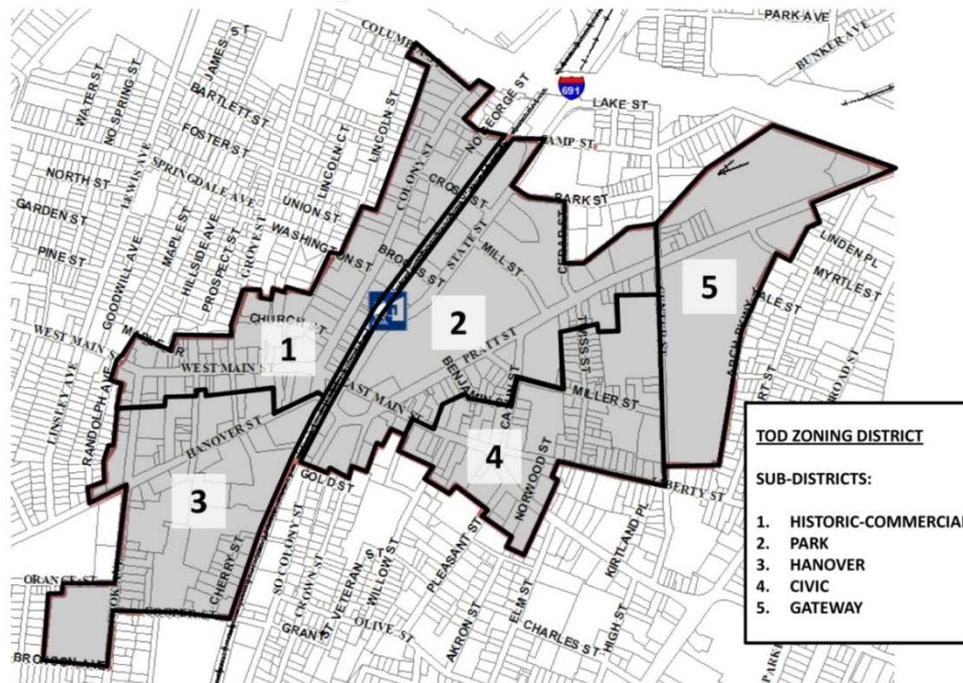


Figure 213-6. TOD Sub-District Zoning Map

3. TOD District Street Hierarchy.

The TOD District Street Hierarchy Map is shown in Figure 213-7. A Street Hierarchy framework is being established within the TOD District to ensure that development is sited and designed to promote an active pedestrian-friendly environment in descending priority by street type from Primary Streets to Secondary Streets to Tertiary Streets. Applicable development standards contained in this chapter are determined in part by the street type of a property's frontage or frontages. The TOD District Street Hierarchy applies to the following streets within the TOD District, which are listed below and identified in Figure 213-7. TOD District Street Hierarchy Maps.

- a) Primary Streets: Colony Street, Pratt Street, East Main Street, West Main Street, Hanover Street, Perkins Street
- b) Secondary Streets: State Street, Cook Avenue, Center Street

c) Tertiary Streets: all other public streets within the TOD District

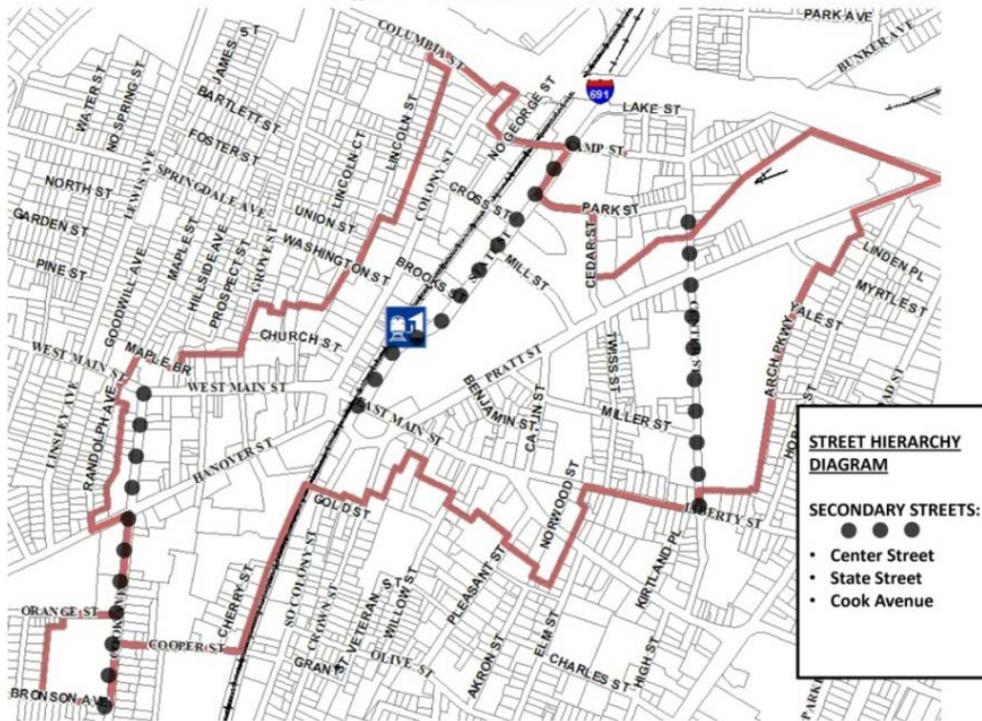
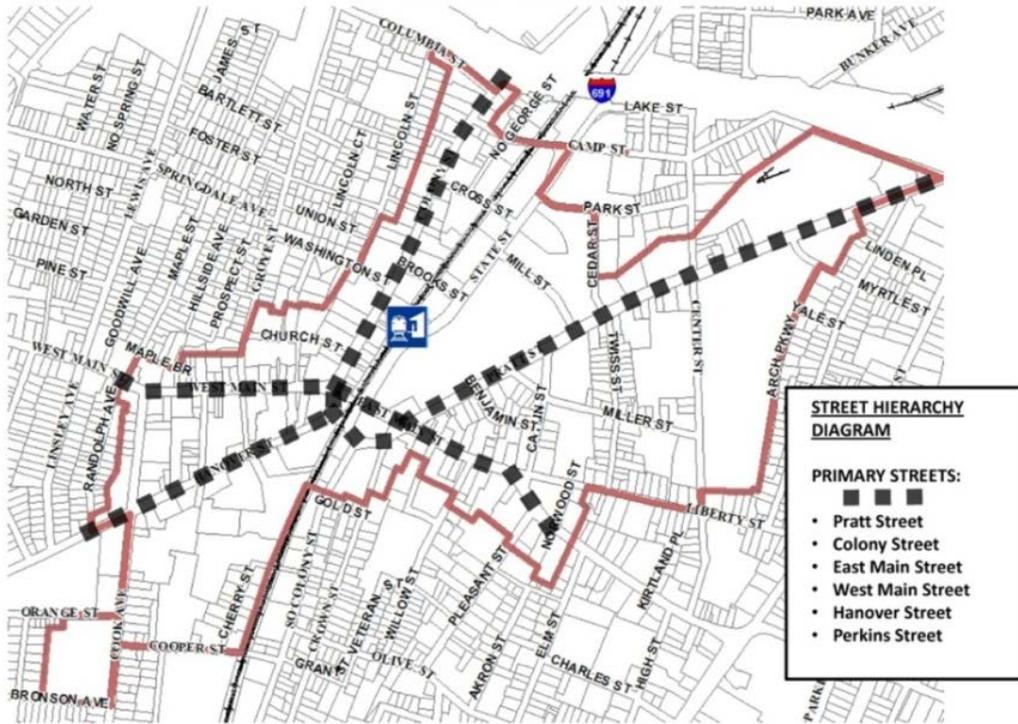


Figure 213-7. TOD District Street Hierarchy Maps

## I. USE REGULATIONS

A mix of uses is encouraged in the Meriden TOD District. The specific mix allowed varies among the five sub-districts to reflect their different character.

1. Permitted Uses. Permitted uses in the TOD Sub-Districts are listed in Table 213-1 with a "P". These uses are allowed by right if they comply with the development standards and other requirements of this chapter.
2. Limited Uses. Limited uses in the TOD Sub-Districts are listed in Table 213-1 with an "L". These uses are allowed if they comply with the supplemental standards in Section 213-xx.I.6. The limitations are noted (e.g., L-a) in the table with a corresponding lettered description of the supplemental limited use requirements in Section 213-xx.I.6. The development standards and other regulations of this chapter shall apply to limited uses.
3. Special Permit Uses. Special permit uses are allowed in the TOD Sub-Districts as listed in Table 213-1 with an "SP". These uses are allowed if they comply with Section 213-xx.R.2 and the supplemental standards in Section 213-xx.I.7. The requirements are noted (e.g., SP-a) in the table with a corresponding lettered description of the special permit use requirements in Section 213-xx.I.7. The development standards and other regulations of this chapter shall apply to special permit uses.
4. Prohibited Uses. When a use is not listed in Table 213-1, it is prohibited.
5. Multiple Uses. The development of a site or building with two or more different principal or primary uses shall be permitted subject to the requirements for the individual uses as provided in this section.

**Table 213-1  
TOD District Uses**

	TOD Sub-Districts				
	Historic-Comm.	Park	Hanover	Civic	Gateway
<b>Residential Uses <sup>1</sup></b>					
Elderly living and/or care units	SP-a	SP-a	SP-a	SP-a	SP-a
Home occupations / Professional office in dwelling			L-a	L-a	L-a
Multiple-family dwellings with 3 to 100 units per site	P	P	P	P	P
Multiple-family dwellings with more than 100 units per site	SP-b	SP-b	SP-b	SP-b	SP-b
Single family detached dwellings	L-b			L-b	L-b
TOD Mixed-Income dwellings with 3 to 100 units per site	P	P	P	P	P

	TOD Sub-Districts				
	Historic-Comm.	Park	Hanover	Civic	Gateway
TOD Mixed-Income dwellings with more than 100 units per site	SP-c	SP-c	SP-c	SP-c	SP-c
Two family and duplex dwellings	L-c			L-c	L-c
<b>Commercial Uses</b>					
Bars / Nightclubs	L-d	L-d	SP-d		SP-d
Day care, Classes I, II and III			P	P	P
Drive-through facility for permitted uses other than fast food restaurant	SP-e	SP-e	SP-e	SP-e	SP-e
Farmers market			P	P	P
Fast food restaurant	SP-f	SP-f	SP-f	SP-f	SP-f
Health care services / Medical offices	P	P	P	P	P
Hotel / Conference Hotel/Conference Center Hotel	P	P	P	P	P
Indoor arts, recreation and entertainment, less than 40,000 sq. ft. gross leasable floor area	P	P	P	P	P
Indoor arts, recreation and entertainment, equal or greater than 40,000 sq. ft. gross leasable floor area	SP-g	SP-g	SP-g	SP-g	SP-g
Outdoor dining	P	P	L-e	L-e	L-e
Package stores	SP-h	SP-h	SP-h		SP-h
Professional offices	P	P	P	P	P
Restaurant	P	P	P	P	P
Retail sales and service, except auto sales and service	P	P	P	P	P
Retail sales and service - auto sales and service			SP-i		SP-i
<b>Industrial Uses</b>					
Artisan industrial	SP-j	SP-j	P	SP-j	P
Light industrial/manufacturing			P	SP-j	P
<b>Institutional Uses</b>					
College/University	P	P	P	P	P
Community services	P	P	P	P	P
Hospitals		P	P	P	P

	TOD Sub-Districts				
	Historic-Comm.	Park	Hanover	Civic	Gateway
Religious Institutions	P	P	P	P	P
Schools	P	P	P	P	P
<b>Other Uses</b>					
Accessory Uses	P	P	P	P	P
Intermodal Transportation Center	P	P			
Laboratories and research facilities		SP-j	P	SP-j	P
Parking structures	P	P	P	P	P

<sup>1</sup> Residential uses are not permitted on the ground floor in the Historic-Commercial Sub-district, except north of Foster Street.

6. Limited Use Requirements. The limited uses listed in Table 213-1 shall be subject to the additional requirements consistent with the lettered notations in the table and the corresponding standards below.

- a) Home occupations/Professional offices in dwellings shall be subject to the following conditions.
  - i. Said home occupations shall be conducted by members of the family owning and residing on the premises. No more than two nonresidents shall be employed herein.
  - ii. Said home occupations shall not occupy more than 25% of the total floor area of the principal building. No home occupation shall be conducted in an accessory building.
  - iii. In no manner shall the appearance of the building be altered nor shall the occupation within the residence be conducted in a manner that would cause the premises to lose its residential character, either by the use of colors, materials, construction or lighting. No display of products shall be visible from the street, and no stock-in-trade shall be kept on the premises.
  - iv. No home occupation shall create noise, dust, vibration, odor, smoke, electrical interference, fire hazard or any other nuisance that is perceptible beyond the lot lines.
  - v. Home occupations shall in no event be deemed to include animal hospitals, kennels, barbershops, beauty parlors, clinics or hospitals, dancing schools, mortuaries, auto repair shops, restaurants, tourist homes, rooming houses or boardinghouses, and uses similar to those listed above.

- b) Single family detached dwellings in the Civic, Gateway, and Historic-Commercial Sub-Districts shall not be permitted on properties with frontage on Primary or Secondary Streets.
- c) Two family and duplex dwellings in the Civic, Gateway and Historic-Commercial Sub-Districts shall not be permitted on properties with frontage on Primary or Secondary Streets.
- d) Bars / Nightclubs.
  - i. The applicant shall demonstrate how the proposed bar / nightclub will not have a detrimental impact on surrounding properties considering general appearance, noise, traffic generation, lighting and glare.
- e) Outdoor dining area is allowed for restaurants and other food service establishments with the permission of the property owner. The area shall conform to the following.
  - i. The outdoor dining area must be immediately adjacent to the indoor dining area.
  - ii. It shall be set back at least 12 feet from any travel or turning lane.
  - iii. The outdoor dining area shall be physically separated from the surrounding outdoor area. Such separators must be approved by the Director of Development and Enforcement and can be a fence, elevated deck, planters, movable gating or theater-type posts with ropes or similar.
  - iv. It shall not exceed 50% of the square footage of the indoor seating area for the restaurant/food service establishment.
  - v. If more than 16 seats are added for outdoor dining, a site plan approval is required. Otherwise, prior to establishing the accessory use, an adequate plot plan needs to be provided to the Department of Development and Enforcement that indicates dimensional information for the outdoor service area. The location and volume of seating, as well as the location and dimensions of the restaurant/food service building, property boundaries, existing and proposed surfaced areas, and access and separation shall be indicated.
  - vi. Depictions of non-permanently sited tables, chairs, umbrellas, awnings, trash receptacle(s), the physical separator(s), and other amenities shall be provided as well as corresponding information regarding materials, flooring, and the proposed schedule of operation and maintenance of the area. Indicate if outdoor consumption of alcohol is proposed.
  - vii. Any live or recorded music played or noise projected outside the restaurant/food service establishment cannot be a nuisance, as defined by the City of Meriden's Noise Ordinance.

- viii. Customers need to be seated. For an outdoor dining area with more than 16 seats, food service shall be provided by wait staff.
  - ix. A minimum clear walkway width of six feet shall be retained for the public sidewalk along the property frontage.
7. Special Permit Use Requirements. The special permit uses listed in Table 213-1 shall be subject to the additional requirements consistent with the lettered notations in the table and the corresponding standards below.
- a) Elderly living and/or care units.
    - i. These uses are restricted to the elderly and can be one or a combination of independent housing units, assisted housing units, intermediate care, convalescent or nursing units. Also allowed are day-care centers for the elderly. "Elderly" is defined as any person 62 years of age or over or a person who has been certified by the Social Security Board as being totally disabled under the Federal Social Security Act. At the time of admission to an elderly independent or assisted housing unit, at least one person per unit must meet the foregoing definition.
    - ii. The minimum site development standards for elderly living units or elderly care units or elderly day-care units include:
      - a. Minimum lot area: 25,000 square feet.
      - b. Minimum lot width: 80 feet.
    - iii. Pedestrian walks: A pedestrian circulation system shall be so designed as to provide wherever possible for separation between pedestrian and vehicular traffic. All such walks shall be designed and built to provide for wheelchair access. All existing walks shall be upgraded to accommodate wheelchairs.
    - iv. All plans may be further restricted by the Planning Commission to provide for public safety, adequate light and air, and to maintain the neighborhood character.
  - b) Multiple family dwellings with more than 100 units per site.
    - i. A 5-foot minimum landscaped buffer strip shall be established along all interior lot lines.
    - ii. For a building exceeding 35 feet in height, the following shall also apply:
      - a. The facades of the upper floors of buildings shall step back from their lower levels 1 additional foot for each 5 feet of building height in excess of 35 feet for all Primary Street frontages.
      - b. The Fire Marshal shall certify that sufficient water pressure can be provided to serve the building.
  - c) TOD Mixed-income dwellings with more than 100 units per site.
    - i. A 5-foot minimum landscaped buffer strip shall be established along all interior lot lines.

- ii. For a building exceeding 35 feet in height, the following shall also apply:
  - a. The facades of the upper floors of buildings shall step back from their lower levels 1 additional foot for each 5 feet of building height in excess of 35 feet for all Primary Street frontages.
  - b. The Fire Marshal shall certify that sufficient water pressure can be provided to serve the building.
- d) Bars / Nightclubs.
  - i. The applicant shall demonstrate how the proposed bar / nightclub will not have a detrimental impact on surrounding properties considering general appearance, noise, traffic generation, lighting and glare.
- e) Drive-through facilities.
  - i. Consistent with the purpose of the TOD District to create more walkable, pedestrian-friendly environments, drive-through facilities shall be located behind or beside buildings and screened with landscaping or walls or fences [compatible in architectural style] as necessary, so as to not be visible from Primary Streets.

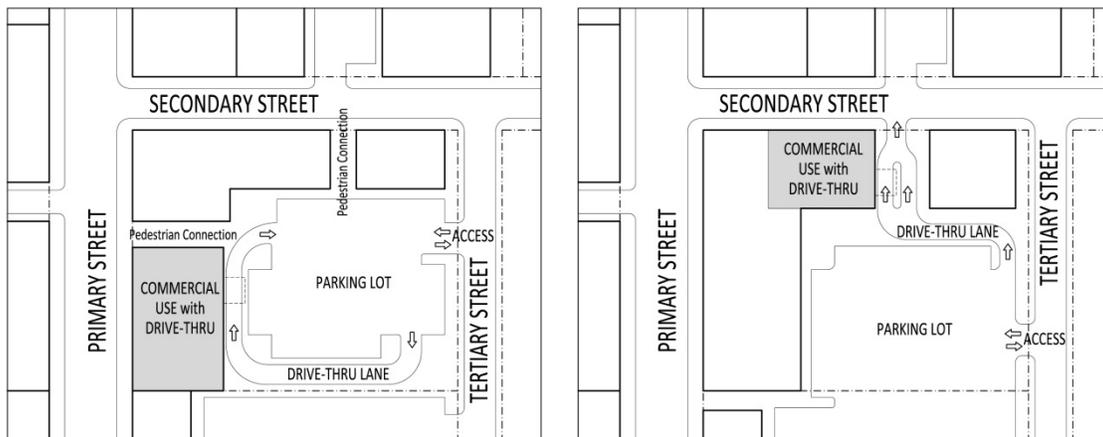


Figure 213-8. Drive-Through Facilities – Location and Access

- ii. Drive-through facilities require a lot of at least 120 feet in width from front of property with said width maintained for the length of the building and the facility; the facility, including required stacking lanes, shall be located in the rear or side in reference to the building.
- iii. Ingress and egress for drive-through facilities shall be from Secondary or Tertiary Streets, unless the only reasonable access is from a Primary Street [See Figure 213-8].
- iv. Curb cut width and impact on sidewalks should be minimized.

- v. Drive-through ingress and egress points shall not be within 50 feet of an intersection, unless approved by the Director of Public Works.
  - vi. A minimum of 5 vehicle-stacking spaces shall be provided on site for each drive-through station, including the vehicle being serviced. Where a restaurant order board and service window are proposed, each service aisle shall provide a minimum of 10 stacking spaces with a minimum of 5 stacking spaces before the order board. Each service aisle shall not have more than 2 service windows.
  - vii. Stacking lanes shall be separate from internal traffic aisles and customer parking to allow traffic to circulate through the site without entering the drive-through facilities or being impeded.
  - viii. Stacking lanes shall be a minimum of 10 feet wide, and each vehicle stacking space shall be 20 feet in length.
  - ix. Outdoor speakers shall be located a minimum of 100 feet from the boundary of any residentially zoned property and shall not be audible from other property.
  - x. Drive-through facilities should be designed as a compatible architectural element of the primary building.
- f) Fast food restaurants.
- i. The applicant shall demonstrate how the proposed fast food restaurant will not have a detrimental impact on surrounding properties considering noise, traffic generation, odors, lighting and glare.
- g) Indoor arts, recreation and entertainment uses equal to or greater than 40,000 square feet of gross leasable area.
- i. The applicant shall demonstrate how the proposed facility will not have a detrimental impact on surrounding properties considering traffic generation, hours of operation, noise, lighting and glare.
  - ii. If necessary, the applicant must submit a plan detailing how off-site parking, access, and egress will be accommodated for large events.
- h) Package stores.
- i. No building or premises shall be used for the sale of alcoholic liquor at retail for consumption off the premises under any class of permit, as defined in § 30-15, as amended, of the Connecticut General Statutes, which may be issued by the Liquor Control Commission of the State of Connecticut, if the main front entrance to the permit premises shall be located within a 1,500-foot radius, measured in a straight line, from the main front entrance of any other permit premises used for the sale of alcoholic liquor at retail for consumption off the premises under any class of permit issued by the Liquor Control Commission of the State of Connecticut.

ii. Notwithstanding the distance restrictions set forth above in this section, any permittee using a permit premises for the sale of alcoholic liquor under any class of permit issued by the Liquor Control Commission of the State of Connecticut shall be allowed to move such permit premises within a radius of 750 feet of the old permit premises, provided that said new location is within a district in which the sale of alcoholic liquor at retail is permitted under this chapter, and provided, further, that said removal shall be in accordance with the Liquor Control Act and the rules and regulations of the Liquor Control Commission and, more particularly, the need for said removal is a result of hardship or caused by reason of the commencement of an eviction action against such permittee from the particular permit premises for which the original permit was issued. All other provisions of this chapter shall be applicable except the distance restrictions set forth within this section.

i) Retail sales and service – auto sales and service.

i. The applicant shall demonstrate how the proposed auto sales and service use will not have a detrimental impact on surrounding properties considering noise, traffic generation, odors, lighting and glare.

ii. The storage of inoperable / junk vehicles is prohibited.

j) Artisan industrial, light industrial, manufacturing, research facilities and laboratory uses.

i. All activities shall be conducted indoors with the exception of on-site parking and loading as allowed in this chapter.

ii. The applicant shall demonstrate how the proposed artisan industrial and/or light industrial uses will be compatible with surrounding properties considering noise, traffic generation, odors, lighting and glare.

**J. DEVELOPMENT STANDARDS AND GUIDELINES  
APPLICABLE TO ALL TOD SUB-DISTRICTS**

All Development Standards and Guidelines listed herein as applicable to all TOD Sub-Districts shall supersede all other sections of the Zoning Ordinance of the City of Meriden.

1. Site Development Standards.
  - a) On-Site Parking: Surface Parking Lots and Garages - Design and Location. Consistent with the purpose of the TOD District to create more walkable, pedestrian-friendly environments, parking facilities may not be visually dominant.
    - i. While it is preferred that surface parking lots are placed behind buildings, they may be located on Secondary and Tertiary Street frontages. Surface parking lots may be located on Primary Street frontages if that is the only street frontage for the parcel and the lot is configured in such a way that parking behind the building is not possible.
    - ii. Ingress and egress to surface parking lots shall be from Tertiary Streets or, if not available, Secondary Streets. Access from Primary Streets is permitted if that is the only street frontage for the parcel [See Figure 213-9].
    - iii. Ingress and egress points for surface parking lots shall not be within 50 feet of a street intersection, unless approved by the Director of Public Works.
    - iv. Surface parking lots with spaces available to the public shall have pedestrian connections to a sidewalk.

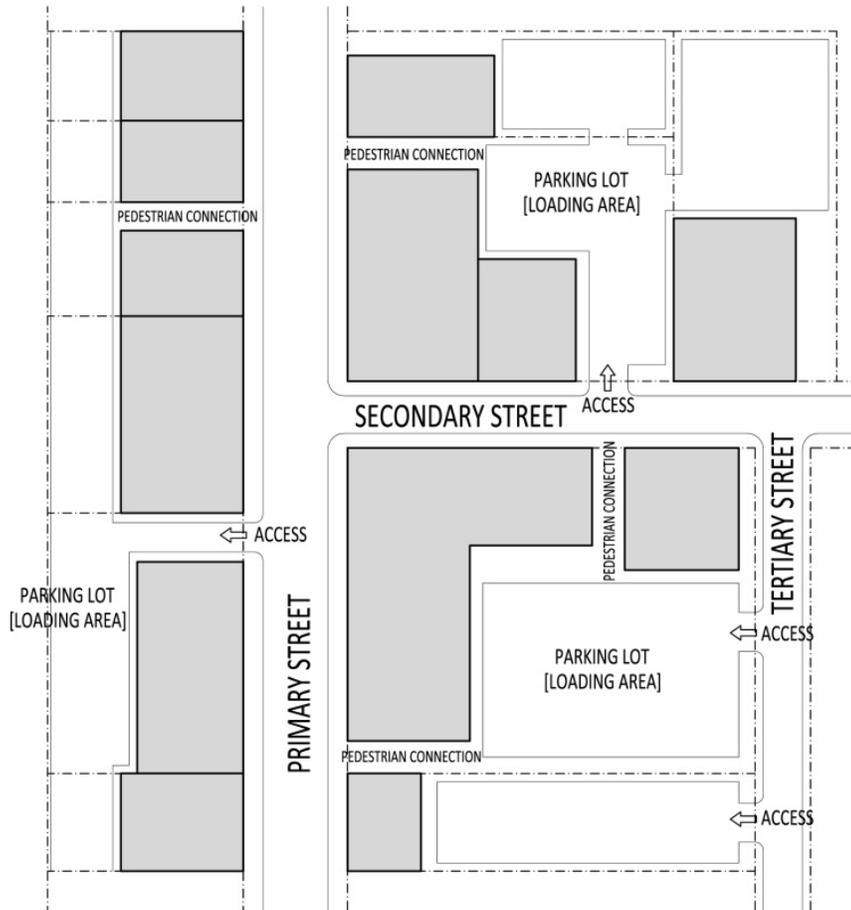


Figure 213-9. Surface Parking Lots – Vehicular and Pedestrian access  
 [Note: Building siting in diagram reflects Historic-Commercial setbacks]

- v. Surface parking lots fronting Secondary or Tertiary Streets shall have a landscaped buffer between the sidewalk and parking lot of not less than 6 feet in width or 3 foot high walls or fencing compatible with the surrounding buildings. When a surface parking lot fronts on a Primary Street, there must be an 8-foot landscaped buffer and 3 foot high walls or fencing compatible with the surrounding buildings.
- vi. Surface parking lots abutting an interior lot line shall have a landscaped buffer between the property line and parking lot of not less than 6 feet in width or 3-foot high walls or fencing compatible with the surrounding buildings, unless the lot is contiguous with another parking lot and the owners have an agreement in writing to allow vehicular connections between the lots.
- vii. Landscaped buffers shall have appropriate plantings at least 3 feet high planted 3 feet on center. A planting plan shall be approved by the Director of Development and Enforcement. Said plan shall specify appropriate plantings suitable to the circumstances and

shall make provisions for necessary clear zones beneath vehicle bumper overhangs.

- viii. Surface parking lots contiguous with a residential zone shall provide a minimum landscape buffer width of 10 feet, or walls or fencing 6 feet in height to provide visual screening [Figure 213-10].
- ix. All surface parking lots shall comply with the latest standards set forth in the Americans with Disabilities Act [ADA] at time of initial construction.

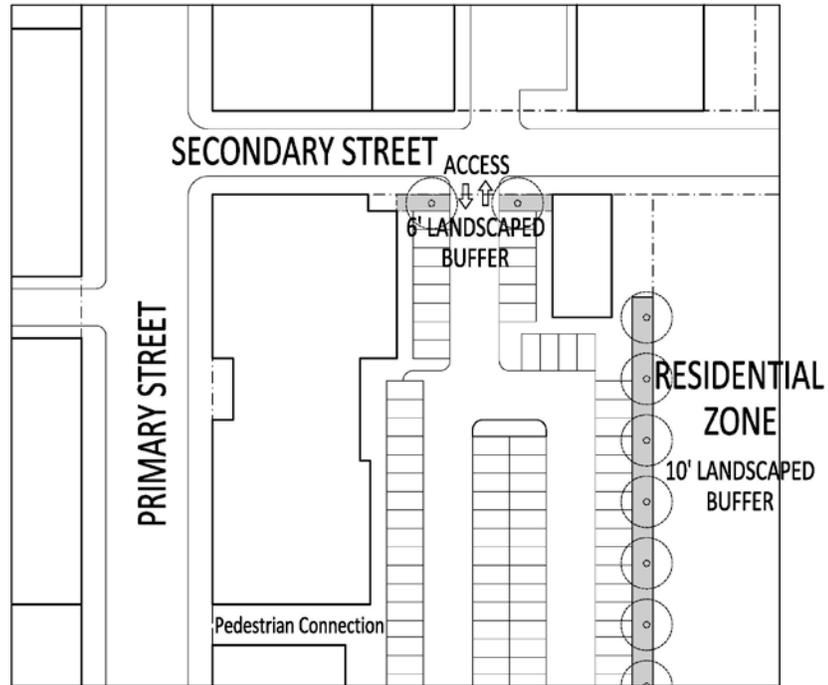
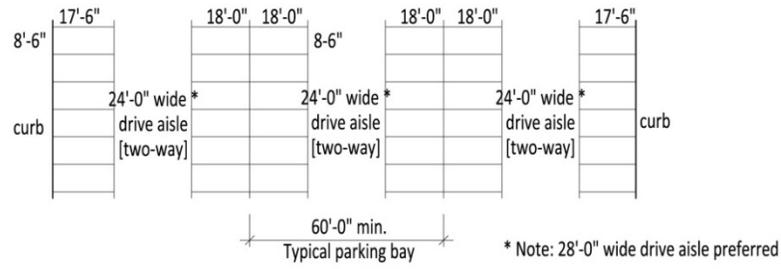


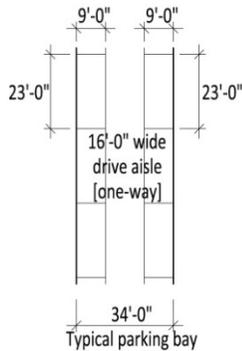
Figure 213-10. Surface Parking Lots – Perimeter Buffers

- b) On-Site Parking: Dimensional Criteria [See Figure 213-11].
  - i. Drive aisles for two-way circulation must be 24 feet wide minimum; Drive aisles for one-way circulation must be 16 feet wide minimum.
  - ii. Parking spaces: a standard space in the TOD District is 8.5 feet wide by 18 feet long. The length of a standard space can be reduced to 17.5 feet if overhanging a curbed landscaped area. Length requirements for parking other than at a 90 degree angle are set forth in Figure 213-11 below.
  - iii. Handicapped spaces: must comply with statutory requirements.

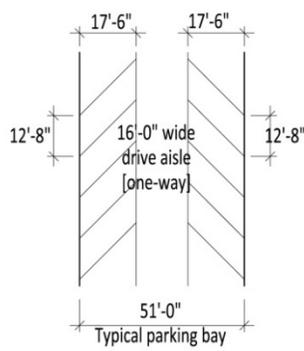
### 90 Degree Parking



### Parallel Parking



### 45 Degree Parking



### 60 Degree Parking

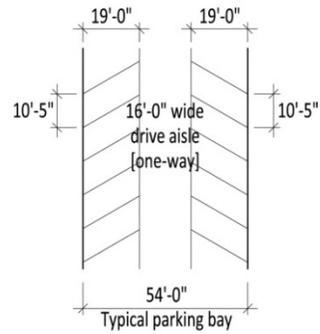


Figure 213-11. Parking Dimensions

c) On-Site Parking: Structured Facilities.

- i. Structured parking facilities located on Primary Streets must be set back at least 30 feet from the sidewalk, and must be located behind a building that meets the minimum frontage requirements in the sub-district [See Figure 213-12].

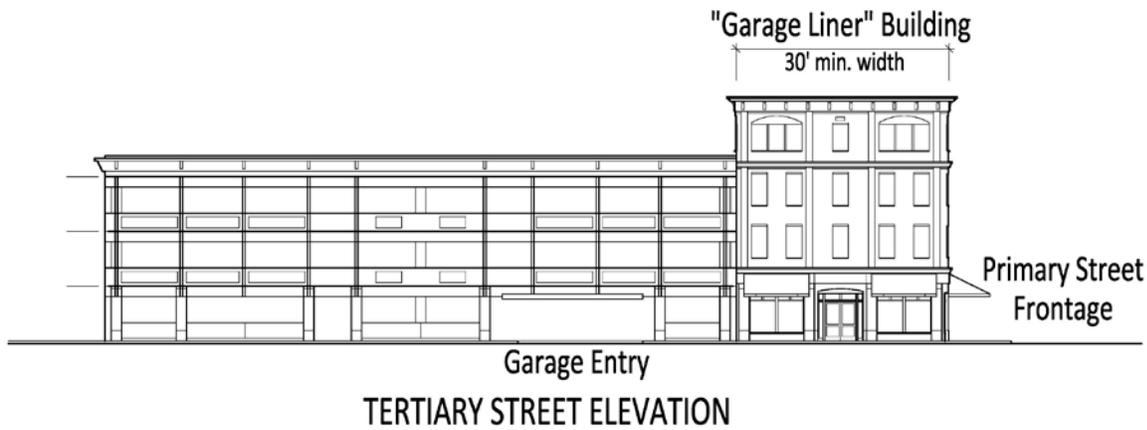


Figure 213-12. "Garage Liner" Buildings

- ii. No sloped floors shall be visible from Primary Streets.
- iii. Retail, office, civic or institutional uses are required on the ground floor of parking structures on Secondary Streets for 50% of the building frontage.
- iv. Ingress and egress to parking structures shall be from Secondary or Tertiary Streets, unless the only reasonable access to the garage is from a Primary Street.
- v. Ingress and egress points for parking structures shall not be within 50 feet of an intersection, unless approved by the Director of Public Works.
- vi. Structured parking facilities shall have architectural façade treatments, such as decorative panels, ornamental metalwork, pilasters and cornices, designed to make them compatible with adjacent buildings [See Figure 213-13].

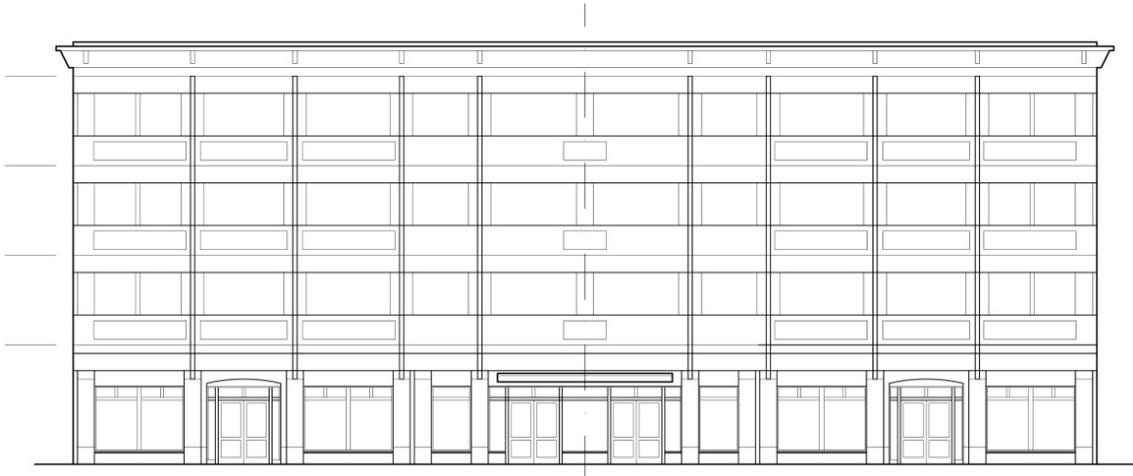


Figure 213-13. Structured Parking Facility –Architectural Façade and Cornice Treatment / Ground Floor Retail on Secondary Street

- d) On-Site Parking Standards.
  - i. For minimum and maximum allowable parking ratios for vehicles, see Table 213-2 below:

**Table 213-2  
TOD District On-Site Parking Standards**

LAND USE	NUMBER OF ON-SITE PARKING SPACES REQUIRED [Ratios based on spaces per 1,000 sq. ft. of gross leasable area unless otherwise stated]					
	Hist.-Commercial Sub-district		Park / Civic Sub-districts		Hanover / Gateway Sub-districts	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
<b>Residential Uses</b>						
Elderly living and/or Care Units [per dwelling unit]	0	1.0	0	1.0	0.33	1.5
Home occupations / Professional office in dwelling [per office]	N.A.	N.A.	1.0	5.0	5.0	10.0
Single, two- or multiple-family dwelling [per dwelling unit]	1.0	2.0	1.0	2.0	1.5	2.5
TOD Mixed-income dwelling [per dwelling unit]	0.75	2.0	0.75	2.0	1.0	2.5
<b>Commercial Uses</b>						
Day care [per student]	N.A.	N.A.	0	0.5	0.15	1.0
Fast food restaurant	3.0	10.0	3.0	10.0	5.0	12.0
Health care services / Medical Offices	0	6.0	2.5	6.66	4.0	6.66
Hotel/Conference Hotel/Conference Center Hotel [per key]	0	1.1	0.75	1.5	1.0	2.0
Indoor arts, recreation and entertainment [per seat]	0	0.25	0.15	0.5	0.25	1.0
Professional office in an office building	0	3.33	1.5	3.33	2.5	3.33
Restaurant	0	7.0	2.0	10.0	4.0	10.0
Retail sales and service, except auto sales and service	0	3.33	1.5	4.0	3.33	5.0
All other permitted commercial uses	0.25	3.33	1.5	4.0	2.0	5.0
<b>Industrial Uses</b>						
All permitted industrial uses	0	2.0	1.0	3.0	2.0	4.0
<b>Institutional Uses</b>						
College/University [per student]	0	1.0	0	1.5	0.5	1.5
Community Services	0	5.0	1.5	5.0	2.0	6.0

LAND USE	NUMBER OF ON-SITE PARKING SPACES REQUIRED [Ratios based on spaces per 1,000 sq. ft. of gross leasable area unless otherwise stated]					
	Hist.-Commercial Sub-district		Park / Civic Sub-districts		Hanover / Gateway Sub-districts	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Hospital [per 3 beds plus every 2 employees of largest shift]	0.75	1.5	0.75	1.5	0.75	1.5
Religious institutions [per seat for assembly]	0.25	0.33	0.25	0.33	0.25	0.33
Schools [per classroom]	1.5	4.0	1.5	4.0	1.5	4.0
<b>Other Uses</b>						
Intermodal Transportation Center [ITC]	Note 1	Note 1	Note 1	Note 1	N.A.	N.A.
Laboratories and research facilities [per employee]	N.A.	N.A.	0.25	1.0	0.5	1.5

Note 1 Parking requirements for a public ITC will be determined by the Planning Commission at the time of development.

- ii. Unlimited additional parking is permitted on-site if provided in structured garages above or below grade.
  - iii. In meeting required on-site parking minimums, deductions for on-street parking may be taken equal to the number of public parking spaces provided along a lot's street frontage but, in no instance, may this deduction exceed 10% of the required minimum parking.
  - iv. Mixed-use buildings that include a multi-family residential component, plus a second use that constitutes at least 10% of the gross leasable area, may calculate the total required parking by taking the sum of the minimum required parking for each use and subtracting 10%. For example, a building in the Park Sub-District containing a 20-unit Multiple-Family Dwelling use and a 10,000sf Retail Sales and Service use could provide a minimum of 32 spaces total, as calculated:  $[1.0 \text{ spaces} \times 20] + [1.5 \text{ spaces} \times 10] = 35 \text{ spaces} - 3.5 \text{ spaces (a 10\% discount)} = 32 \text{ spaces}$ .
  - v. Minimum on-site parking requirements can be met off-site, provided that a signed agreement is presented with the site plan application and approved by the Director of Development and Enforcement.
- e) On-Site Bicycle Parking Standards.

- i. A minimum of 1 bicycle parking space must be provided for every non-residential use. One additional bicycle parking space shall be provided for every 20 vehicular spaces required. Bicycle parking spaces must be located where easily accessible and visible by pedestrians.
  - ii. Bicycle Access. Safe and well-designed pedestrian access to parking and bicycle facilities located behind buildings must be provided from a public sidewalk. Pedestrian connections must be hard-surfaced and a minimum of 6 feet wide.
- f) On-Site Loading Standards - Location and Screening.
- i. Consistent with the purpose of the TOD District to create more walkable, pedestrian-friendly environments, loading facilities shall be located behind buildings and screened with landscaping or walls or fences [compatible in architectural style] as necessary, so as to not have a visual or acoustic impact on Primary streets, Secondary streets and abutting Residential Zones.
  - ii. Ingress and egress for loading areas shall be from Tertiary Streets or, if not available, Secondary Streets. Access from Primary Streets is permitted if that is the only street frontage for the parcel.
  - iii. Loading spaces shall be a minimum of 10 feet by 25 feet and provided in accordance with the following.
 

Non-Residential uses with gross leasable area:	
Less than 50,000 square feet	1 space
50,000 - 100,000 square feet	1.5 spaces
Each additional 100,000 square feet	2 spaces
- g) Residential Driveways and Unit Garages.
- i. Residential Driveways and unit garages are accessory and should be incidental and subordinate features; garage location to the rear of residential structures, or to the side for wide lots, should be considered, and excess protruding garages avoided.
  - ii. Driveways on all residential lots, including shared driveways, shall not exceed 24 feet in width for access to the street, except if multiple exit lanes are deemed necessary by the Director of Development and Enforcement.
  - iii. There shall not be more than one driveway in front of the residential structure for a lot of 60 feet in width or less.
  - iv. Total surfaced area for vehicles between the front of the residential structure(s) and the street being accessed shall not exceed 24 feet in width except in a case where the Director of Development and Enforcement or, in the case of a special permit, the Planning Commission finds the layout for such vehicle accessory use is otherwise necessary, and a yard landscaping and parking plan is

approved by the Director of Development and Enforcement or, in the case of a special permit, the Planning Commission.

- v. For Multi-family development said total surfaced area for vehicles leading to unit garages shall not exceed 50% of the width of the residential building along any street except the Director of Development and Enforcement or, in the case of a special permit, the Planning Commission may consider approval of such design if compatible as an alternative part of an overall site plan that includes significant offsetting beneficial design features.
  - vi. Residential unit garages shall be located either 20 feet or more, or 4 feet or less, from the sidewalk/property line, except in case where the Director of Development and Enforcement or, in the case of a special permit, the Planning Commission approves such plan.
- h) Landscaping and Open Space.
- i. All portions of improved properties, which are not used for buildings, structures, off-street parking and loading, permitted outdoor storage, driveways, walkways or similar purposes, shall be landscaped with grass, shrubs, trees and other groundcovers, in such a manner as to minimize erosion and storm-water runoff and to maintain or improve the aesthetics of such development.
  - ii. The design of publicly accessible open space should include features such as lighting, landscaping, furnishings, pavement and art that create an aesthetically pleasing pedestrian environment, promote safety and adhere to the standards set forth in the Americans with Disabilities Act [ADA] at the time of initial construction. Should such space, contiguous with sidewalks or public open space, have street furniture, trash receptacles or other amenities, those elements should be compatible in design to those provided by the City.
- i) Modifying or Intensifying a Site.
- i. Development can intensify usage of sites and street infrastructure in locations where the connected street infrastructure or the site's drainage capability may be in need of repair or be inadequate. Development standards shall be applied to any development project that will significantly modify or intensify a site. Development shall meet the requirements of the City of Meriden's official Development Regulations, Title IV Requirements including Maintenance and Repair at Time of Development and Construction, and Title V Development Stormwater Management Standards. These requirements and standards approved by the Planning Commission in June, 2011, as amended, including

applicable flexible techniques, are incorporated into these regulations by reference.

2. Building Form and Architectural Standards.

The Director of Development and Enforcement or, in the case of a special permit, the Planning Commission may, at its discretion, solicit input from the Design Review Board for issues related to the design of the exterior of buildings.

a) Building Orientation.

- i. The main entrance must be located on the hierarchically most important street frontage based on the TOD District Street Hierarchy Map [See Figure 213-7].

b) Ground Floor Design.

- i. Building entrances should have a high level of visual interest, be appropriately integrated into the building's architectural framework and be located to relate to the surrounding context, including fronting on important streets and key view corridors.
- ii. Cornice heights and other features at the base of façades should be designed to be compatible with adjacent buildings.
- iii. Minimum Ground Floor Transparency required for all permitted residential uses, except single family detached dwellings and two family and duplex dwellings: 30% transparency for the façade area between 2 feet and 8 feet above the average grade for all street frontages.
- iv. Minimum Ground Floor Transparency required for all permitted non-residential uses, including mixed-use with residential: In the Civic, Gateway and Hanover Sub-districts, the façade area between 2 feet and 8 feet above the average grade shall have a minimum of 50% transparent glass for frontages facing Primary Streets, so as to activate the streetscape with visual interest [See Figure 213-14 and Table 213-3]. For Secondary and Tertiary Street frontages, 30% of the façade area must be transparent. In the Historic-Commercial and Park Sub-Districts, the façade area shall have a minimum of 60% transparent glass for frontages facing Primary and Secondary Streets, so as to activate the streetscape with visual interest. For Tertiary Street frontages, 30% of the façade area must be transparent.

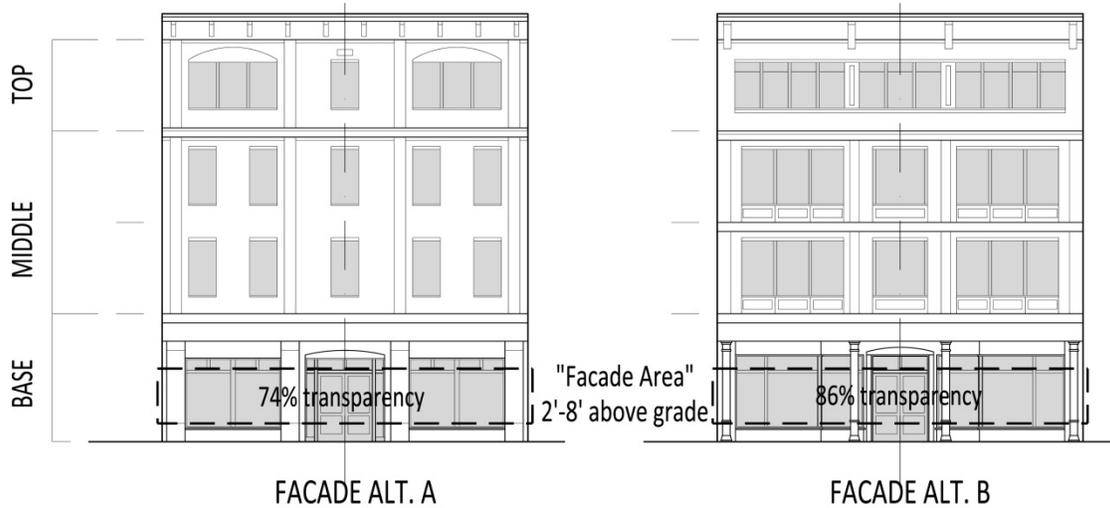


Figure 213-14. Architectural Façade Design and Transparency

c) Architectural Form and Style .

- i. Base, middle and top of buildings [See Figure 213-14 and Figure 213-15]. Building facades on Primary and Secondary Streets should be designed to the traditional architectural construct that includes a discernible base, middle and top. The base of buildings is governed by ground floor transparency requirements, and should have a high level of articulation and utilize appropriately-scaled features designed to enliven the pedestrian environment. The upper floors of buildings [middle and top], shall have a minimum of 20% transparency [See Table 213-3]. The top section of buildings should consist of elements that cap the façade composition, including decorative cornices, a change in materials and/or unique fenestration.

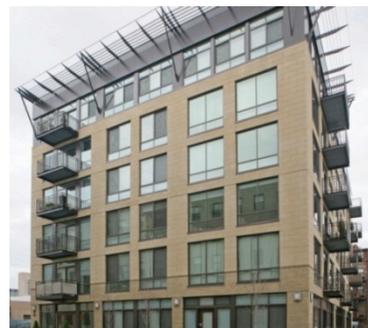


Figure 213-15. Examples of Buildings with a Base, Middle and Top

- ii. Fenestration. Windows above the ground floor level, whether individual or grouped, should articulate an architectural scale and composition compatible with surrounding buildings. Note: ribbon

windows and continuous floor to ceiling glazing [i.e. curtain wall systems] are not permitted in the Historic-Commercial Sub-District [See Figure 213-16].

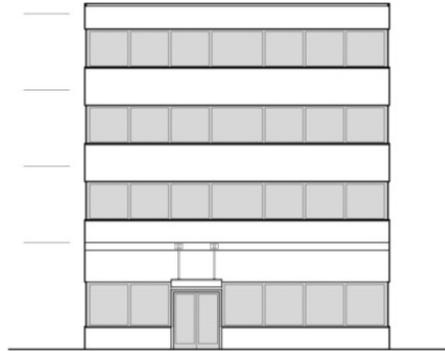


Figure 213-16. Unacceptable Façade Style in the Historic-Commercial Sub-District

- iii. Building facades. Building facades, especially those more than 100 feet in length, shall be “broken-down” in scale through visual articulation including multiple entries, the careful disposition of windows and variations in massing and architectural detail. This may include stepping of volumes, the addition of pilasters and cornices, and the thoughtful juxtaposition of materials. Entrances must be spaced no further than 75 feet apart [See Figure 213-17].



Figure 213-17. Facades with visual interest and appropriate scaling

- iv. Roof forms and parapets. Roof forms should be compatible with surrounding buildings. Skylights, roof vents and rooftop mechanical equipment should be screened from public view from the street and, where feasible, from adjacent buildings.

- v. Overhangs. Canopies, awnings, cornices and similar architectural elements are encouraged on the exterior of buildings, provided that they are made of high quality materials that are compatible with surrounding buildings. Overhangs should not extend more than 8 feet beyond the face of the building, may not be closer than 2 feet to the back of the curb and should not interfere with street trees / plantings. Awnings and canopies must be located a minimum of 8 feet clear above grade [See Figure 213-18].



Figure 213-18. Building Canopies / Awnings

- vi. Building materials. Materials shall be selected to be generally consistent with buildings in their sub-district [See Figure 213-19]. In buildings where there are transitions from high quality materials to lesser quality materials, the higher quality materials should be utilized for facades visible from streets. The use of certain materials as the primary material on building facades may, at the discretion of the Director of Development and Enforcement or, in the case of a special permit, the Planning Commission, be subject to review and approval by the Design Review Board, including exterior insulation finishing system [E.I.F.S.], metal panels, aluminum composite panels, concrete masonry units and precast concrete panels.



Figure 213-19. Traditional materials and punched openings in the Historic-Commercial Sub-District

### 3. Signage Standards.

- a) Allowable Total Sign Area for all permitted non-residential developments, including mixed-use developments with residential.
  - i. Front Facades. 1.5 square feet of total sign area is permitted for every lineal foot of front façade frontage. The total square footage is based on the sum of the areas of all signs on the façade, such as wall signs, awning and canopy graphics, banner signs and hanging signs. Temporary and portable signs shall not be included in calculating the total square footage.
  - ii. Side and Rear Facades. 1 square foot of total signage is permitted for every lineal foot of side or rear façade frontage on a maximum of two sides of the building.



Figure 213-20. Building-mounted wall signs on West Main Street

- b) Allowable Total Sign Area for all permitted residential uses, except single family detached dwellings and two family and duplex dwellings.
  - i. Primary Facades. One sign not exceeding 10 square feet in size is permitted.
- c) Sign Design Standards for all permitted non-residential developments, including mixed-use developments with residential.
  - i. Wall Signs. Flush-mounted wall-signs must be compatible with building architecture, located below second floor window sills and, to the extent possible, be at the same height above the ground as adjacent signs [See Figure 213-20 and Figure 213-21].
  - ii. Hanging Signs. Signs perpendicular to the building façade are limited to a maximum area of 10 square feet [measured on one side], shall be located below second floor window sills and have a maximum projection of 8 feet, and must be mounted to provide a minimum 8-foot clearance above grade [See Figure 213-21].
  - iii. Banner Signs. Fabric or rigid material banner signs are limited to a maximum of 50 square feet of sign area [measured on one side]. Banner signs shall be located 14 feet minimum above grade, have a maximum projection of 3 feet, be spaced at least 20 feet apart, and be centered in architectural elements [See Figure 213-21].

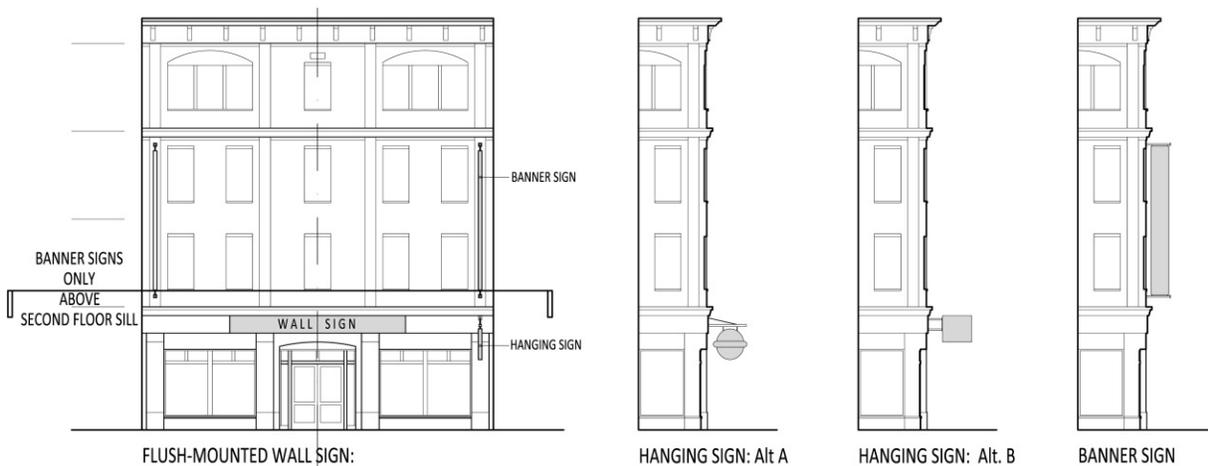


Figure 213-21. Building-mounted Signage examples

- iv. Awning / Canopy Signage. The sloped surface of awnings and canopies may contain graphics, text and logos not exceeding 20% of the awning/canopy area. The street-facing vertical edge of awnings/canopies may contain text only.
- d) Sign Design Standards for all buildings.

- i. Materials. All signs must be complimentary in their use of color, shape and materials with adjacent buildings and signage.
  - ii. Illumination. All signs must be externally illuminated. No illumination of any sign shall cause glare observable from a residential district.
  - iii. Flashing and animated signs are prohibited.
  - iv. Structure. All building-mounted signs shall be constructed and fastened to structures in a manner adequate to withstand wind pressure applied to the projected exposed area from any direction of 30 pounds per square foot. All structural armatures and connections shall be aesthetically compatible with the building's materials as well as the surrounding context.
  - v. All building-mounted signs and awnings/canopies that overhang a public right-of-way must be held back a minimum of 2 feet from the edge of street curb.
  - vi. Adverse impacts. No sign shall be erected that would adversely impact visibility and safety.
  - vii. Portable / Moveable Signs. One well-designed A-Frame Sidewalk sign, not exceeding 30 inches wide and 48 inches high, may be placed outside of a tenant space. Signs may not hinder pedestrian movement or interfere with vehicular sight lines.
  - viii. Temporary Signs. Signs that are not permanently installed or affixed to any structure or building are not allowed unless approved by the Director of Development and Enforcement. In any case, temporary signs – including signs for construction and real estate signs – are not permitted for more than 60 days, unless renewed.
- e) Ground/Free-standing Signs.
- i. Permanent ground/Free-standing signs shall not exceed 5 feet in height and 20 square feet in total sign area, except in the Gateway Sub-District where they shall not exceed 10 feet in height and 40 square feet in total sign area. Free-standing signs are permitted on Primary, Secondary and Tertiary Streets and must be located in the building setback zone so as to not interfere with vehicular sight lines. No freestanding pylon signs are permitted.

## K. ADAPTIVE REUSE

The purpose of this section is to foster the renovation and reuse of structures that have significant historical, architectural or cultural value to the City. This section recognizes that many existing structures within the TOD District will not conform to all of the standards and guidelines in Section 213-~~xx~~. The redevelopment and reuse of buildings that pre-date 1963 or have qualities of significance and integrity consistent with criteria used to evaluate inclusion on the National Register shall be incentivized by the guidelines outlined in this Section. Among the buildings that the National Register Criteria for Evaluation recognizes are those which have made a significant contribution to history, are associated with significant persons or embody distinctive characteristics. Applicants who feel that a building, that does not meet these criteria, merits consideration under the Adaptive Reuse guidelines may submit a special permit application for review by the Planning Commission. The Planning Commission shall refer all adaptive reuse special permit applications to the Design Review Board for their recommendation.

1. Development Standards. Building setbacks, coverage, frontage and height requirements shall not apply to existing buildings, but shall apply to building additions.
2. Parking for Adaptive Reuse buildings in the TOD District.
  - a) If a change in use results in more spaces being required than already exist, no additional parking spaces are required.
  - b) If a change in use results in fewer spaces being required than already exist, then only the number of spaces necessary to fulfill the requirements need to be maintained.
  - c) Existing parking in excess of the limits set forth in Section 213-~~xx~~ may remain and be used for on-site or off-site parking purposes for other property owners, subject to an agreement between the property owners.
  - d) On-site parking shall be provided, according to the TOD District On-Site Parking Standards in Table 213-2, for all building additions, and calculated based on newly constructed gross leasable area.
3. On-Site Loading.
  - a) Residential uses are not required to have on-site loading spaces.
  - b) Non-residential uses shall retain existing on-site loading spaces unless the number of on-site loading spaces exceeds the requirements in Section 213-~~xx~~.J.1.f. On-site Loading Standards.
4. Residential Density. Residential Density shall adhere to the maximum dwelling units per acre requirements for each sub-district, as listed in Table 213-3. TOD District Development Standards Summary.

5. Mezzanines. New construction to add a mezzanine level space in an existing story is permitted, provided that the mezzanine area does not exceed 33% of the floor area of the space below, and the space meets all applicable building codes.
6. Building Facades. Facades that maintain the architectural integrity of an existing building are exempt from minimum transparency requirements set forth in Table 213-3. If a building façade is replaced or significantly modified, it must satisfy the requirements set forth in Table 213-3.



Figure 213-22. Hall & Lewis Building [1910]

## ADDITIONAL REQUIREMENTS FOR TOD SUB-DISTRICTS

### L. DEVELOPMENT STANDARDS SUMMARY: TOD SUB-DISTRICTS

1. Development Standards Summary. Table 213-3 provides a summary of the development standards and guidelines that apply to the individual TOD Sub-Districts as provided in Sections M through Q.

**Table 213-3  
TOD District Development Standards Summary**

	TOD Sub-Districts				
	Historic-Comm.	Park	Hanover	Civic	Gateway
<b>Lot Dimensions</b>					
Minimum lot size for new / reconfigured lots (square feet)	4,000 <sup>a</sup>	15,000	10,000	10,000	15,000
Minimum lot width for new / reconfigured lots (lineal feet)	40 <sup>a</sup>	80	80	80	100
<b>Site Development</b>					
Building Setback – Interior lot line - Minimum when abutting an existing residence	0'	0'	10'	10'	0'
Minimum when contiguous to residential zone	10'	10'	10'	10'	10'
Minimum, all other conditions	0'	0'	10'	10'	10'
Building setback – Street Frontage - Minimum/Maximum for:					
Primary Street	0'/5', <sup>b</sup>	0'/10'	0'/10'	15'/25'	5'/25'
Secondary Street	0'/5', <sup>b</sup>	0'/15'	0'/10'	15'/25'	10'/15'
Tertiary Street	0'/10'	10'/15'	10'/25'	15'/25'	10'/25'
Street Wall – Minimum building frontage as % of lot width					
Primary Street	75% <sup>c</sup>	50%	75%	50%	50%
Secondary Street	50% <sup>c</sup>	50%	50%	50%	50%
Tertiary Street	0% <sup>d</sup>	0% <sup>d</sup>	0% <sup>d</sup>	0% <sup>d</sup>	0% <sup>d</sup>
Lot Coverage – Minimum					
Multiple-family dwellings	40%	35%	35%	0%	0%
All other permitted uses	40%	35%	35%	35%	0%
Lot Coverage – Maximum					
Multiple-family dwellings	100%	75%	75%	70%	75%
All other permitted uses	100%	90%	90%	80%	90%

	TOD Sub-Districts				
	Historic-Comm.	Park	Hanover	Civic	Gateway
Residential Density – maximum dwelling units per acre					
TOD mixed-income dwellings <sup>e</sup>	35	50	50	35	50
Multiple-family dwellings	15	25	25	15	25
<b>Building Form and Scale</b>					
Building floors – Minimum/Maximum					
TOD mixed-income dwellings <sup>e</sup>	2/5	2/8	2/10	2/6	2/10
Multiple-family dwellings	2/4	2/4	2/4	2/3	2/4
All other permitted uses	2/5	2/5	2/5	2/4	2/5
Residential Uses					
Ground floor height – Minimum	N.A.	12'	12'	12'	12'
Ground floor transparency – Minimum	N.A.	30%	30%	30%	30%
Upper floor Transparency – Minimum	20%	20%	20%	20%	20%
All Other Permitted Uses					
Ground floor height – Minimum	14'	14'	14'	14'	14'
Ground floor transparency – Minimum					
Primary Street	60%	60%	50%	50%	50%
Secondary Street	60%	60%	30%	30%	30%
Tertiary Street	30%	30%	30%	30%	30%
Upper Floor Transparency – Minimum	20%	20%	20%	20%	20%

2. Notes. The following requirements apply to the specific circumstances indicated in Table 213-3.
  - a) Minimum lot size for new / reconfigured lots north of Foster Street is 10,000 square feet. Minimum lot width for new / reconfigured lots north of Foster Street is 80 lineal feet.
  - b) The maximum building setback north of Foster Street is 10 feet.
  - c) Buildings in the Historic-Commercial Sub-District must be sited at the “corners” of lots that are located at street intersections that include a Primary or Secondary Street.
  - d) For lots that have frontage only on Tertiary Streets, the minimum street frontage required is 50% of the lot width.
  - e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.

**M. DEVELOPMENT STANDARDS:  
HISTORIC-COMMERCIAL SUB-DISTRICT**



Figure 213-23. Buildings fronting the north side of West Main Street

1. Lot Dimensions. The lot dimension standards in the Historic-Commercial Sub-District shall be:

Minimum lot size for new / reconfigured lots (square feet)	4,000 <sup>a</sup>
Minimum lot width for new / reconfigured lots (lineal feet)	40 <sup>a</sup>

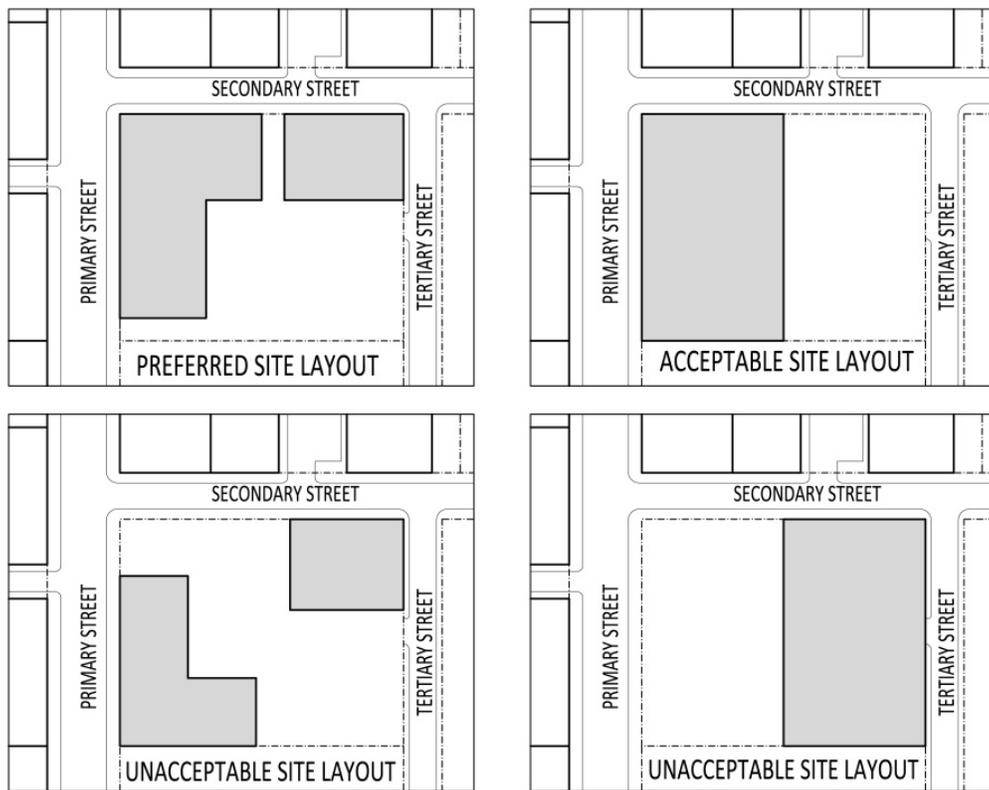
a) Minimum lot size for new / reconfigured lots north of Foster Street is 10,000 square feet. Minimum lot width for new / reconfigured lots north of Foster Street is 80 lineal feet.

2. Site Development. The site development standards for the Historic-Commercial Sub-District shall be [See Figure 213-24, Figure 213-25, and Figure 213-26]:

Building Setback – Interior lot line - Minimum when abutting existing residence	0'
Minimum when contiguous to residential zone	10'
Minimum, all other conditions	0'
Building setback –Street Frontage - Minimum/Maximum for:	
Primary Street	0'/5' <sup>b</sup>
Secondary Street	0'/5' <sup>b</sup>
Tertiary Street	0'/10'
Street Wall – Minimum building frontage as % of lot width	
Primary Street	75% <sup>c</sup>
Secondary Street	50% <sup>c</sup>
Tertiary Street	0% <sup>d</sup>

Lot Coverage – Minimum Multiple-family dwellings All other permitted uses	40% 40%
Lot Coverage – Maximum Multiple-family dwellings All other permitted uses	100% 100%
Residential Density – maximum dwelling units per acre TOD mixed-income dwellings <sup>e</sup> Multiple-family dwellings	35 15

- b) The maximum building setback north of Foster Street is 10 feet.
- c) Buildings must be sited at the “corners” of lots that are located at street intersections that include a Primary or Secondary Street.
- d) For lots that have frontage only on Tertiary Streets, the minimum street frontage required is 50% of the lot width.
- e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.



[Note: " Preferred" site layout reflects the fact that buildings are located at the hierarchically most important street corner and define the greatest extent of frontage on Primary and Secondary Streets]

Figure 213-24. Frontage Diagrams

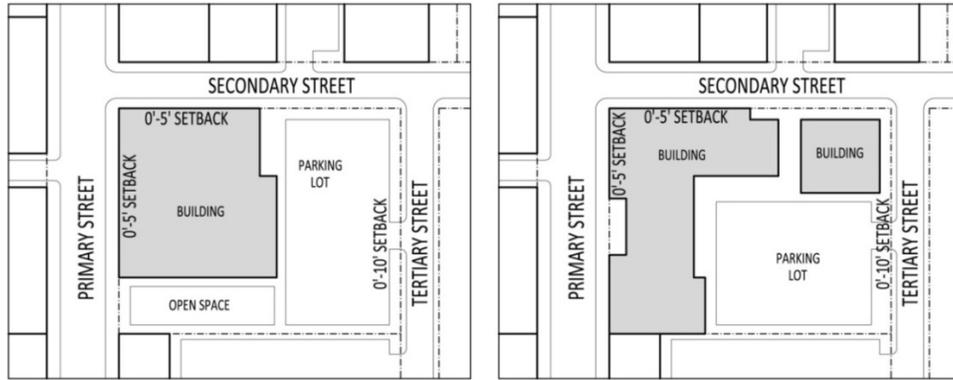


Figure 213-25. Setback Diagrams: Building[s] shall be located within 5' of lot line for 75% of Primary Street frontage and 50% of Secondary Street frontage.



Figure 213-26. Minimum and Maximum Lot Coverage for all permitted uses

3. Building Form and Scale. The site development standards for the Historic-Commercial Sub-District shall be:

Building floors – Minimum/Maximum	
TOD mixed-income dwellings <sup>e</sup>	2/5
Multiple-family dwellings	2/4
All other permitted uses	2/5
Residential Uses	
Ground floor height – Minimum	N.A.
Ground floor transparency – Minimum	N.A.
Upper floor Transparency – Minimum	20%
All Other Permitted Uses	
Ground floor height – Minimum	14'
Ground floor transparency – Minimum	
Primary Street	60%
Secondary Street	60%
Tertiary Street	30%
Upper floor transparency – Minimum	20%

e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.

**N. DEVELOPMENT STANDARDS:  
PARK SUB-DISTRICT**



Figure 213-27. Residential development similar to what might be found in the Park Sub-district

1. Lot Dimensions. The lot dimension standards in the Park Sub-District shall be:

Minimum lot size for new / reconfigured lots (square feet)	15,000
Minimum lot width for new / reconfigured lots (lineal feet)	80

2. Site Development. The site development standards for the Park Sub-District shall be [See Figure 213-28, Figure 213-29, Figure 213-30, and Figure 213-31]:

Building Setback – Interior lot line	
Minimum when abutting existing residence	0'
Minimum when contiguous to residential zone	10'
Minimum, all other conditions	0'
Building setback –Street Frontage -	
Minimum/Maximum for	
Primary Street	0'/10'
Secondary Street	0'/15'
Tertiary Street	10'/15'

Street Wall – Minimum building frontage as % of lot width	
Primary Street	50%
Secondary Street	50%
Tertiary Street	0% <sup>d</sup>
Lot Coverage – Minimum	
Multiple-family dwellings	35%
All other permitted uses	35%
Lot Coverage – Maximum	
Multiple-family dwellings	75%
All other permitted uses	90%
Residential Density – maximum dwelling units per acre	
TOD mixed-income dwellings <sup>e</sup>	50
Multiple-family dwellings	25

d) For lots that have frontage only on Tertiary Streets, the minimum street frontage required is 50% of the lot width.

e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.

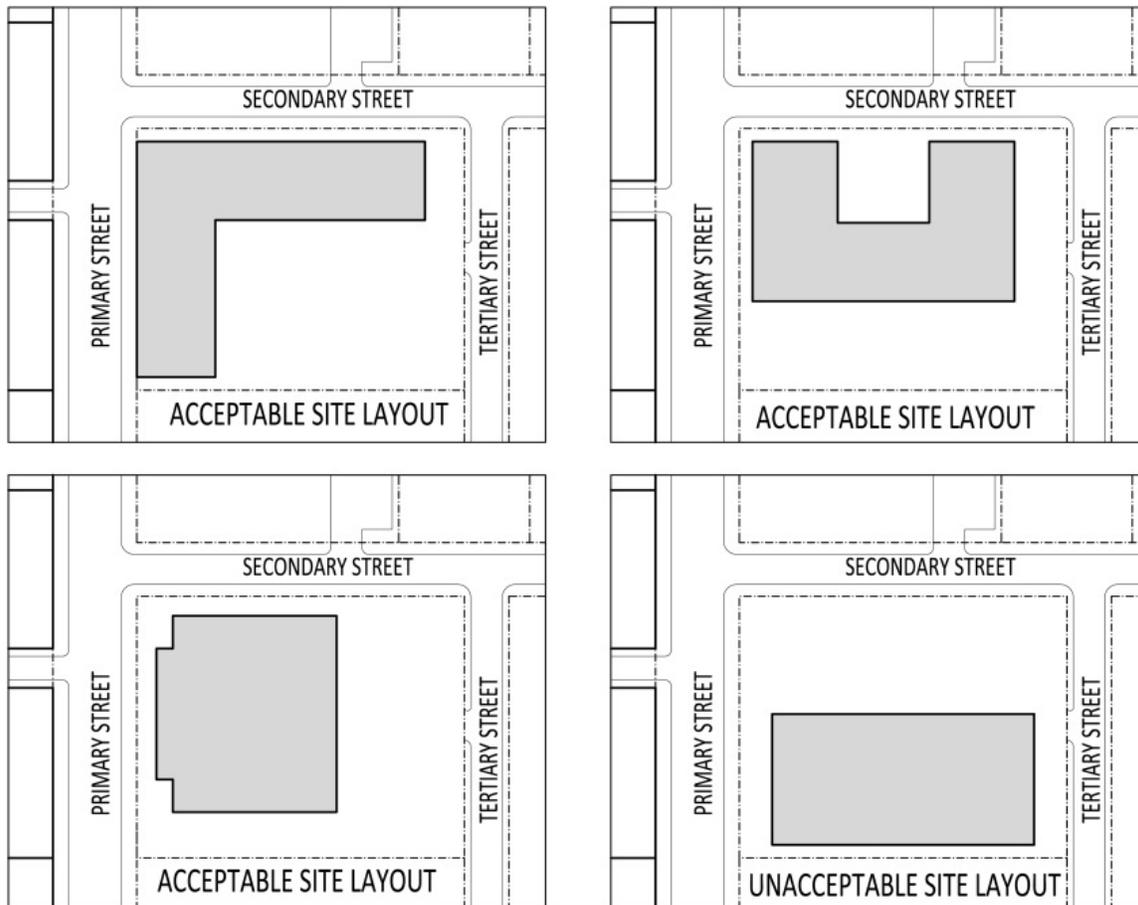


Figure 213-28. Frontage Diagrams

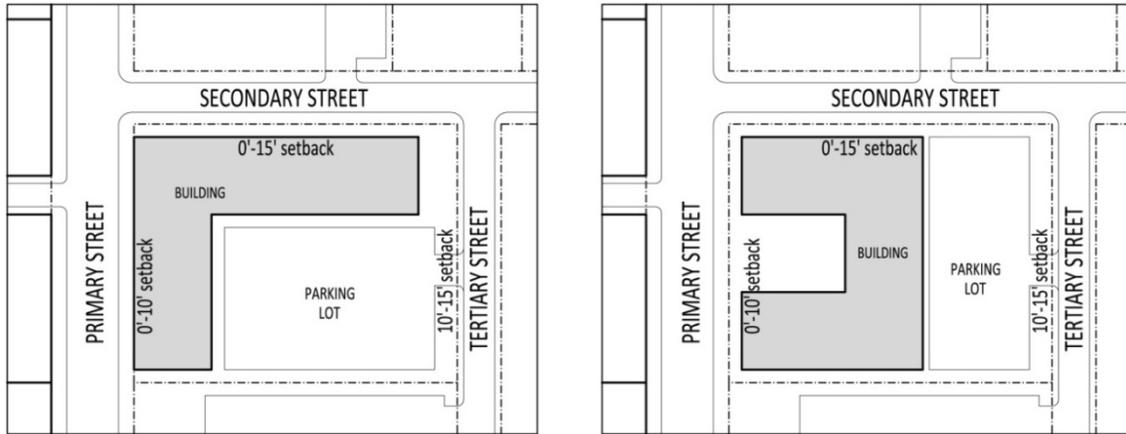


Figure 213-29. Setback Diagrams: Building[s] located within 10' of lot line for 50% of Primary Street frontage and within 15' of lot line for 50% of Secondary Street frontage.



Figure 213-30. Minimum and Maximum Lot Coverage for Multiple-Family Dwellings

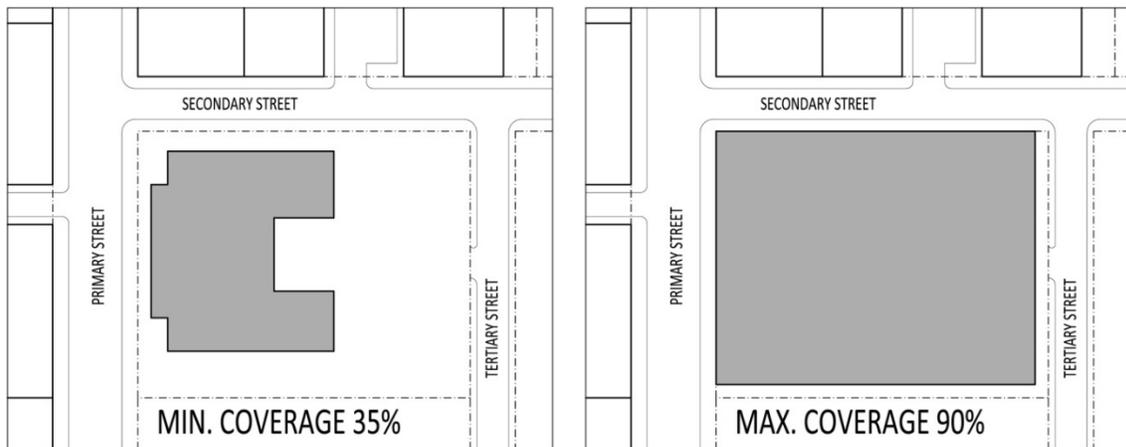


Figure 213-31. Minimum and Maximum Lot Coverage for all permitted uses other than Multiple-Family Dwellings

3. Building Form and Scale. The site development standards for the Park Sub-District shall be:

Building floors – Minimum/Maximum TOD mixed-income dwellings <sup>e</sup>	2/8
Multiple-family dwellings	2/4
All other permitted uses	2/5
Residential Uses	
Ground floor height – Minimum	12'
Ground floor transparency – Minimum	30%
Upper floor Transparency – Minimum	20%
All Other Permitted Uses	
Ground floor height – Minimum	14'
Ground floor transparency – Minimum	
Primary Street	60%
Secondary Street	60%
Tertiary Street	30%
Upper floor transparency – Minimum	20%

e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.



Figure 213-32. Six-story residential permitted if incorporates the criteria necessary to be a TOD Mixed-Income Dwelling

**O. DEVELOPMENT STANDARDS:  
HANOVER SUB-DISTRICT**



Figure 213-33. Residential buildings similar to what might be found in the Hanover Sub-District

1. Lot Dimensions. The lot dimension standards in the Hanover Sub-District shall be:

Minimum lot size for new / reconfigured lots (square feet)	10,000
Minimum lot width for new / reconfigured lots (lineal feet)	80

2. Site Development. The site development standards for the Hanover Sub-District shall be [See Figure 213-39, Figure 213-40, Figure 213-41, and Figure 213-42]:

Building Setback – Interior lot line	
Minimum when abutting existing residence	10'
Minimum when contiguous to residential zone	10'
Minimum, all other conditions	10'
Building setback –Street Frontage - Minimum/Maximum for:	
Primary Street	0'/10'
Secondary Street	0'/10'
Tertiary Street	10'/25'
Street Wall – Minimum building frontage as % of lot width	
Primary Street	75%
Secondary Street	50%
Tertiary Street	0% <sup>d</sup>

Lot Coverage – Minimum Multiple-family dwellings All other permitted uses	35% 35%
Lot Coverage – Maximum Multiple-family dwellings All other permitted uses	75% 90%
Residential Density – maximum dwelling units per acre TOD mixed-income dwellings <sup>e</sup> Multiple-family dwellings	50 25

- d) For lots that have frontage only on Tertiary Streets, the minimum street frontage required is 50% of the lot width.
- e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.

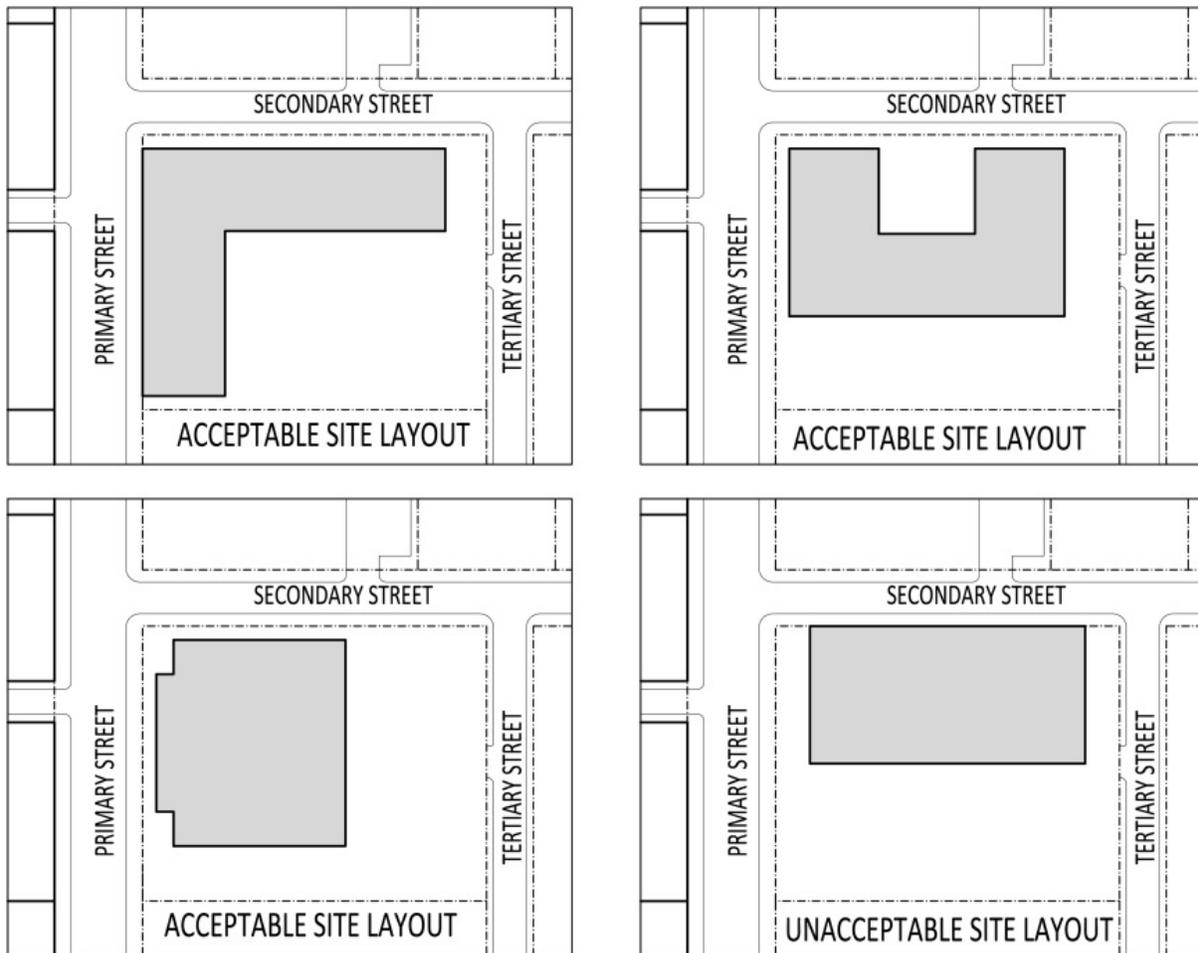


Figure 213-34. Frontage Diagrams

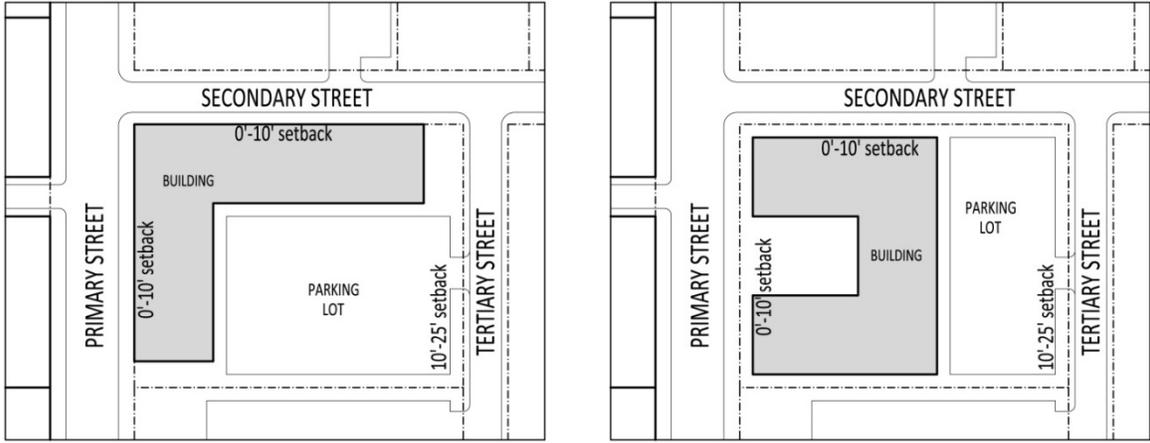


Figure 213-35. Setback Diagrams: Building located within 10' of lot line for a minimum of 75% of Primary Street frontage and a minimum of 50% of Secondary Street frontage.

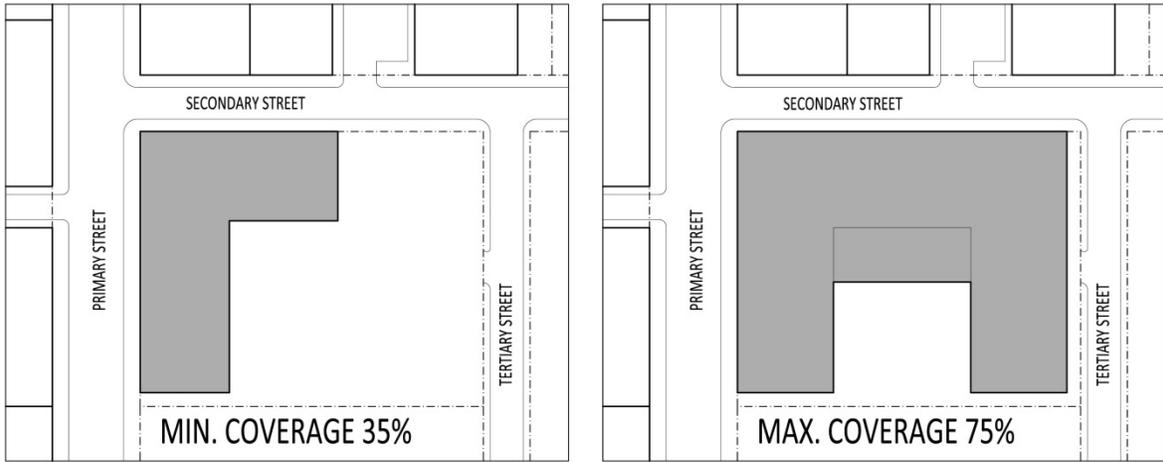


Figure 213-36. Minimum and Maximum Lot Coverage for Multiple-Family dwellings

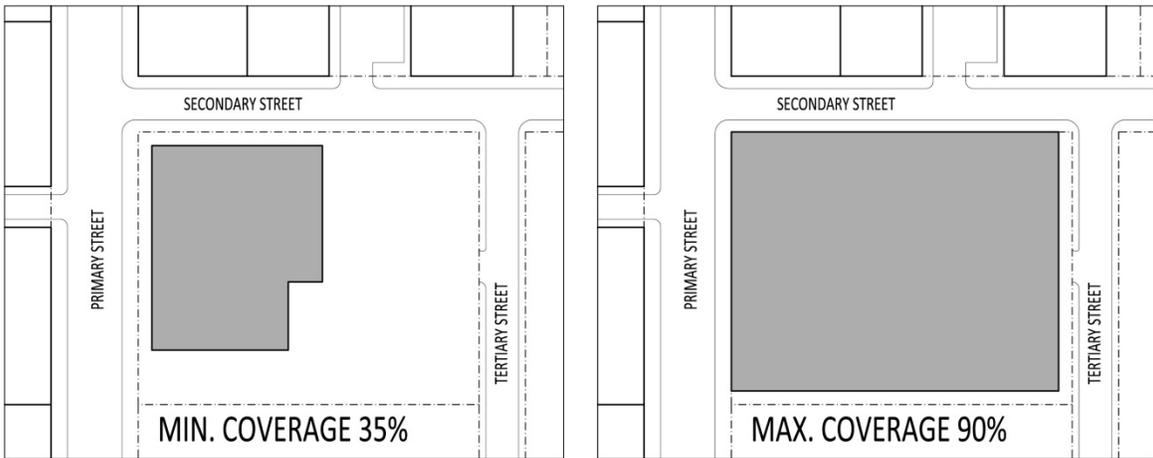


Figure 213-37. Minimum and Maximum Lot Coverage for all permitted uses other than Multiple-Family Dwellings

3. Building Form and Scale. The site development standards for the Hanover Sub-District shall be:

Building floors – Minimum/Maximum	
TOD mixed-income dwellings <sup>e</sup>	2/10
Multiple-family dwellings	2/4
All other permitted uses	2/5
Residential Uses	
Ground floor height – Minimum	12'
Ground floor transparency – Minimum	30%
Upper floor Transparency – Minimum	20%
All Other Permitted Uses	
Ground floor height – Minimum	14'
Ground floor transparency – Minimum	
Primary Street	50%
Secondary Street	30%
Tertiary Street	30%
Upper floor transparency – Minimum	20%

e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.

**P. DEVELOPMENT STANDARDS:  
CIVIC SUB-DISTRICT**



Figure 213-38. Buildings in the Civic Sub-District fronting on East Main Street

1. Lot Dimensions. The lot dimension standards in the Civic Sub-District shall be:

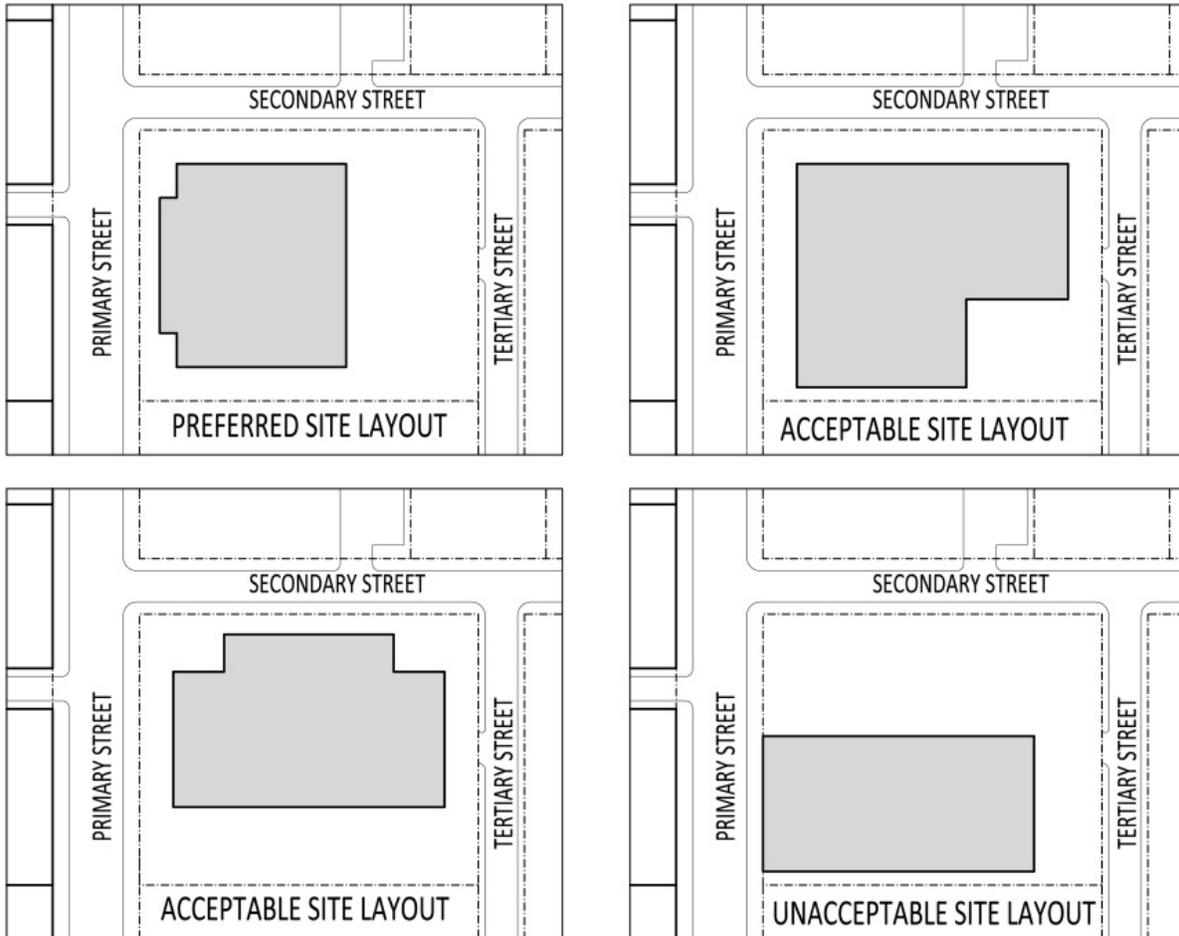
Minimum lot size for new / reconfigured lots (square feet)	10,000
Minimum lot width for new / reconfigured lots (lineal feet)	80

2. Site Development. The site development standards for the Civic Sub-District shall be [See Figure 213-34, Figure 213-35, Figure 213-36, and Figure 213-37]:

Building Setback – Interior lot line	
Minimum when abutting existing residence	10'
Minimum when contiguous to residential zone	10'
Minimum, all other conditions	10'
Building setback –Street Frontage - Minimum/Maximum for:	
Primary Street	15'/25'
Secondary Street	15'/25'
Tertiary Street	15'/25'
Street Wall – Minimum building frontage as % of lot width	
Primary Street	50%
Secondary Street	50%
Tertiary Street	0% <sup>d</sup>
Lot Coverage – Minimum	
Multiple-family dwellings	0%
All other permitted uses	35%
Lot Coverage – Maximum	
Multiple-family dwellings	70%
All other permitted uses	80%

Residential Density – maximum dwelling units per acre	
TOD mixed-income dwellings <sup>e</sup>	35
Multiple-family dwellings	15

- d) For lots that have frontage only on Tertiary Streets, the minimum street frontage required is 50% of the lot width.
- e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.



[Note: "Preferred" site layout reflects the fact that the building's primary orientation addresses the Primary Street frontage]

Figure 213-39. Frontage Diagrams

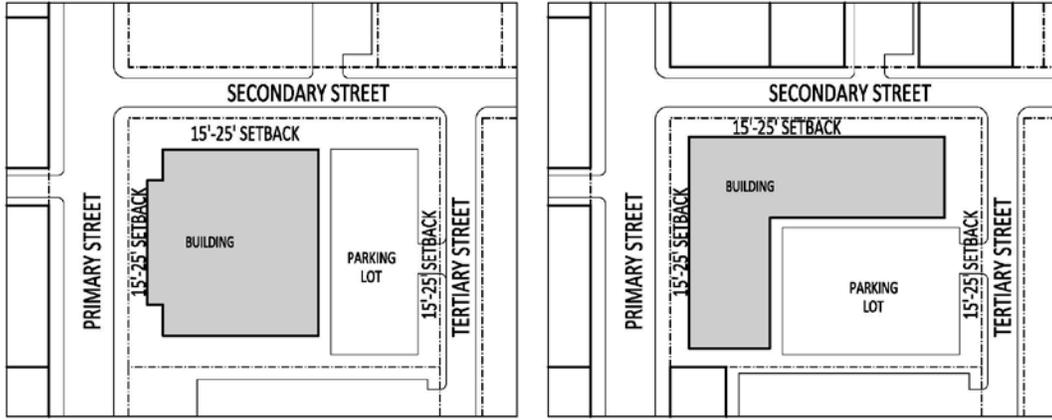


Figure 213-40. Setback Diagrams: Building located within 15'-25' of lot line for a minimum of 50% of Primary Street and Secondary Street frontages.

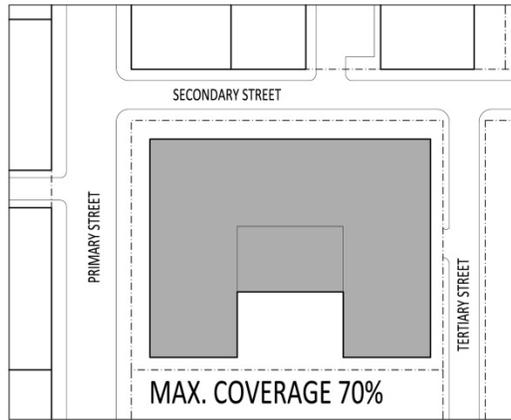


Figure 213-41. Maximum Lot Coverage for Multiple-Family Dwellings



Figure 213-42. Minimum and Maximum Lot Coverage for all permitted uses other than Multiple-Family Dwellings

3. Building Form and Scale. The site development standards for the Civic Sub-District shall be:

Building floors – Minimum/Maximum	
TOD mixed-income dwellings <sup>e</sup>	2/6
Multiple-family dwellings	2/3
All other permitted uses	2/4
Residential Uses	
Ground floor height – Minimum	12'
Ground floor transparency – Minimum	30%
Upper floor Transparency – Minimum	20%
All Other Permitted Uses	
Ground floor height – Minimum	14'
Ground floor transparency – Minimum	
Primary Street	50%
Secondary Street	30%
Tertiary Street	30%
Upper floor transparency – Minimum	20%

e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.

**Q. DEVELOPMENT STANDARDS:  
GATEWAY SUB-DISTRICT**



Figure 213-43. The Pratt Street corridor is a gateway to the center of Meriden

1. Lot Dimensions. The lot dimension standards in the Gateway Sub-District shall be:

Minimum lot size for new / reconfigured lots (square feet)	15,000
Minimum lot width for new / reconfigured lots (lineal feet)	100

2. Site Development. The site development standards for the Gateway Sub-District shall be [See Figure 213-44, Figure 213-45, Figure 213-46, and Figure 213-47]:

Building Setback – Interior lot line	
Minimum when abutting existing residence	0'
Minimum when contiguous to residential zone	10'
Minimum, all other conditions	10'
Building setback –Street Frontage - Minimum/Maximum for:	
Primary Street	5'/25'
Secondary Street	10'/15'
Tertiary Street	10'/25'
Street Wall – Minimum building frontage as % of lot width	
Primary Street	50%
Secondary Street	50%
Tertiary Street	0% <sup>d</sup>
Lot Coverage – Minimum	
Multiple-family dwellings	0%
All other permitted uses	0%

Lot Coverage – Maximum	
Multiple-family dwellings	75%
All other permitted uses	90%
Residential Density – maximum dwelling units per acre	
TOD mixed-income dwellings <sup>e</sup>	50
Multiple-family dwellings	25

d) For lots that have frontage only on Tertiary Streets, the minimum street frontage required is 50% of the lot width.

e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.

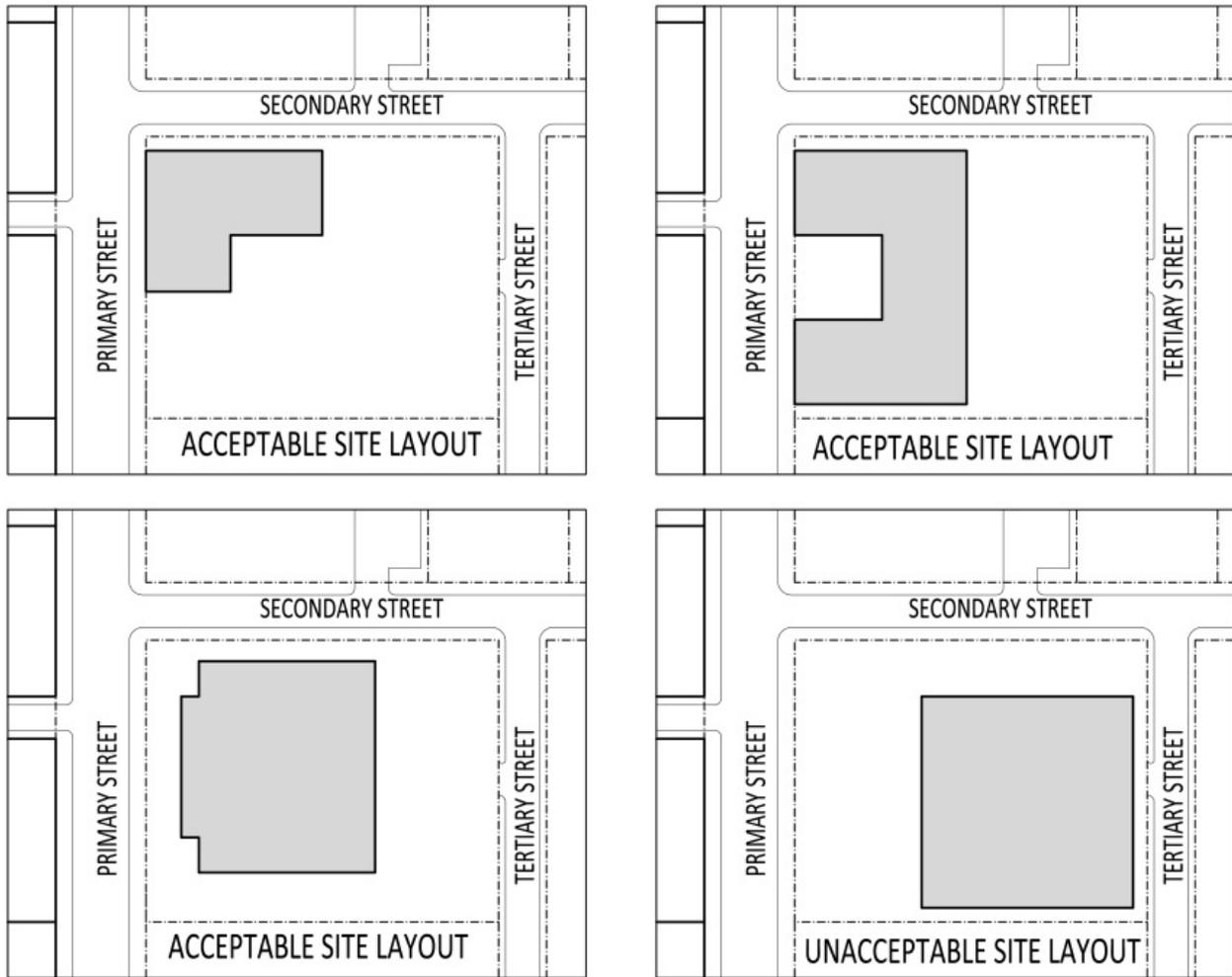


Figure 213-44. Frontage Diagrams

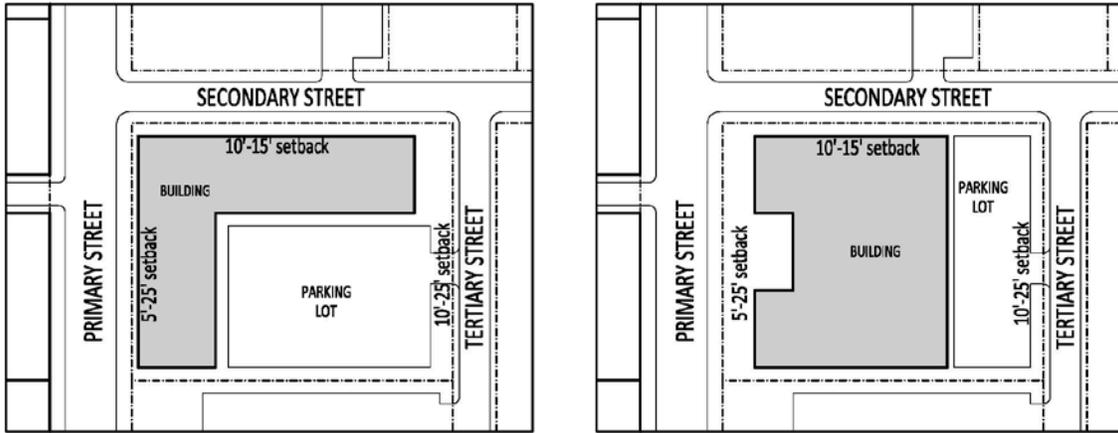


Figure 213-45. Setback Diagrams: Building located within 5'-25' of lot line for a minimum of 50% of Primary Street frontage and within 10'-15' of lot line for a minimum of 50% of Secondary Street frontage.

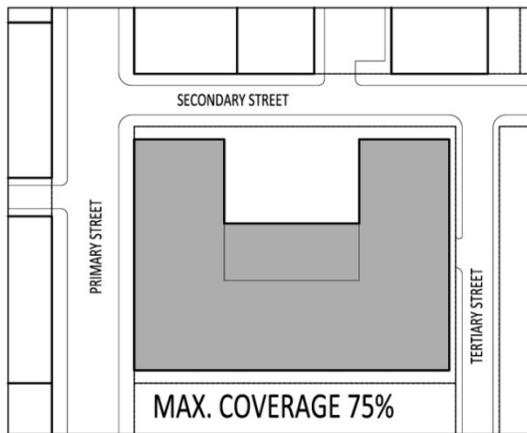


Figure 213-46. Maximum Lot Coverage for Multiple-Family Dwellings

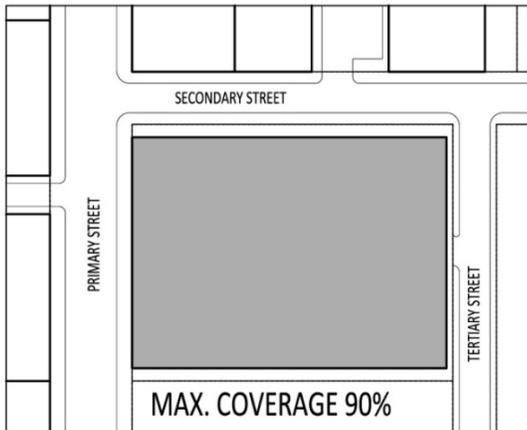


Figure 213-47. Maximum Lot Coverage for all permitted uses other than Multiple-Family Dwellings

3. Building Form and Scale. The site development standards for the Gateway Sub-District shall be:

Building floors – Minimum/Maximum	
TOD mixed-income dwellings <sup>e</sup>	2/10
Multiple-family dwellings	2/4
All other permitted uses	2/5
Residential Uses	
Ground floor height – Minimum	12'
Ground floor transparency – Minimum	30%
Upper floor Transparency – Minimum	20%
All Other Permitted Uses	
Ground floor height – Minimum	14'
Ground floor transparency – Minimum	
Primary Street	50%
Secondary Street	30%
Tertiary Street	30%
Upper floor transparency – Minimum	20%

e) Includes mixed-use developments that incorporate TOD Mixed-income dwellings.

# PROCEDURE

## R. SITE PLAN APPROVAL

Application Summary Chart

Use Type	Review Body	Submittal Requirements	Applicable Criteria
Permitted	Director of Development and Enforcement	<ul style="list-style-type: none"> <li>• Site Plan requirements as listed in § 213-xx.R-S</li> </ul>	<ul style="list-style-type: none"> <li>• See § 213-xx.H-Q</li> </ul>
Limited	Director of Development and Enforcement	<ul style="list-style-type: none"> <li>• Site Plan requirements as listed in § 213-xx.R-S</li> <li>• Additional requirements as listed in § 213-xx.I.6</li> </ul>	<ul style="list-style-type: none"> <li>• See § 213-xx.H-Q</li> <li>• Additional criteria as listed in § 213-xx.I.6</li> </ul>
Special Permit	Planning Commission	<ul style="list-style-type: none"> <li>• Special Permit requirements as listed below in § 213-xx.R-S</li> <li>• Additional requirements as listed in § 213-xx.I.7</li> </ul>	<ul style="list-style-type: none"> <li>• See § 213-xx.H-Q</li> <li>• Additional criteria as listed in § 213-xx.I.7</li> </ul>

1. TOD District Site Plan Approval Required. The Meriden City Council in its capacity as the City’s Zoning Authority/Commission, through the adoption of this regulation, has delegated to the Director of Planning and Enforcement pursuant to the Connecticut General Statutes, the authority to review and approve site plan applications for the TOD District. All applications for site plan approval shall be submitted to, reviewed and approved, modified and approved or denied by the Director of Development and Enforcement.
  - a) Applicability. For all uses of land or buildings in the TOD District, including any change of use, and for all expansions of existing uses which add 25% or more to the floor area, traffic generated, parking spaces or occupants of the site, a site plan approval issued by the Director of Development and Enforcement shall be required before any building permit may be issued.
  - b) Site plan objectives. In reviewing a site plan application, the Director of Development and Enforcement shall take into consideration the health, safety and welfare of the public in general and the immediate neighborhood in particular and may prescribe reasonable conditions and safeguards to ensure the accomplishment of the following general objectives:
    - i. That the proposed site plan shall be in general conformance with the intent of the Plan of Conservation and Development; however,

the Plan of Conservation and Development shall not take precedence over specific provisions of the zoning regulations.

- ii. That all buildings, structures, uses, equipment or material are readily accessible for fire and police protection.
- iii. That adequate on-site parking and loading spaces are provided to prevent on-street traffic congestion; that all parking spaces and maneuvering areas are suitably identified; that entrances and exits are suitably identified and designed to specific use radii; that the interior circulation system is adequately designed to provide safe and convenient access to all structures, uses and/or parking spaces; that parking areas are provided with suitable bumper guards, guardrails, islands, crosswalks, speed bumps and similar safety devices when deemed necessary by the Director of Development and Enforcement to adequately protect life and property; and that provision is made for safe pedestrian movement within and adjacent to the property by the installation of sidewalks.
- iv. That all proposed traffic and pedestrian access-ways do not create traffic hazards and are adequate but not excessive in number; adequate in width, grade, alignment and visibility; adequate in distance from street corners, places of public assembly and other access-ways; and adequate in design for other similar safety considerations.
- v. That the general landscaping of the site complies with the purpose and intent of this chapter; that existing trees are preserved to the maximum extent possible; and that parking, storage, refuse and service areas are suitably screened during all seasons from the view of adjacent residential areas and public rights-of-way.
- vi. That lighting of the site shall be adequate at ground level for the protection and safety of the public in regard to pedestrian and vehicular circulation and that glare from the installation of outdoor lights and illuminated signs is properly shielded from the view of adjacent property and public rights-of-way.
- vii. That all utility systems are suitably located, adequately designed and properly installed to serve the proposed uses and to protect the property and adjacent properties from adverse air, water or land pollution.
- viii. That the development of the site will preserve sensitive environmental land features, such as steep slopes, wetlands and large rock outcroppings, and will attempt to preserve public scenic views or historically significant features.

- ix. That soil erosion and sediment controls are designed, installed and maintained to minimize soil erosion and sedimentation resulting from development.
- x. That the location and size of any proposed use, building or structure, as well as the nature and intensity of operations involved or conducted in connection therewith, will be in general harmony with the character of the surrounding neighborhood and will not be hazardous or otherwise detrimental to the appropriate and orderly development or use of any adjacent land, building or structure.

c) Procedure.

- i. Application for a TOD District Site Plan approval shall be made to the Director of Development and Enforcement in writing on a form prescribed by the Director of Development and Enforcement and shall be accompanied by plans, elevations and any other data necessary to show the detail of the proposed use of land or buildings. Each application shall require a fee, in accordance with the Schedule of Fees of the City of Meriden [*Editor's Note: Said fee schedule is on file in the Clerk's office*] to cover the cost of administration. Said fee shall be paid at the time of filing the application.
- ii. The Director of Development and Enforcement shall review the plans and other documents which may be required and shall render a decision to determine that no adverse traffic condition is being created and that proper parking facilities are provided for the proposed use. The Director of Development and Enforcement shall also consider the appropriateness of the proposed location of structures, the installation of sidewalks, curbing, signs, water and sewer lines or connections, stormwater drainage, the location of light standards or other methods of illuminating the parking area and building, the location of traffic islands and any planting materials within said islands, the location, height and type of screening materials which will be located along the property lines, general landscaping and, in general, any conditions which might impair the welfare or safety of the general public using said facilities. The Director of Development and Enforcement may require special conditions to assure the safety and welfare of the community and conformance with the general character of the neighborhood.
- iii. The Director of Development and Enforcement may request advice and recommendations from the Design Review Board – an existing advisory Board – for issues related to the exterior of structures only.

- iv. Before a site plan approval is issued by the Director of Development and Enforcement under this section, the applicant may be required to post a bond with the Director of Development and Enforcement in an amount approved by the Director of Development and Enforcement as sufficient to guarantee conformity with the provisions of the permit issued hereunder. Said bond shall be submitted at a time to be determined by the Director. The estimated cost of measures required to control soil erosion and sedimentation, as specified in the approved plan, that are a condition of certification of any modified site plan may be required to be covered in a performance bond or other assurance acceptable to the Director in accordance with this provision.
  - v. The applicant shall submit seven copies of the plot plan or development plan of the project, along with one copy of elevations or preliminary drawings showing the general type of building to be constructed, to the Director of Development and Enforcement for review. The Director of Development and Enforcement, upon approval of said development, shall issue a site plan approval to the applicant along with one copy of the approved plot plan. The Director of Development and Enforcement shall retain two copies of the approved development plan in his files and shall transmit one approved copy of the plot plan along with one copy of the site plan approval to the Building Department and one copy to the Engineering Division for their records.
  - vi. The Director of Development and Enforcement shall reject, approve or approve with modifications the site plan application within 65 days of the date of receipt of the application, as defined in the Connecticut General Statutes. Failure of the Director of Development and Enforcement to act within said period shall be deemed approval by the Director of Development and Enforcement of the proposal as submitted, and the Director of Development and Enforcement shall issue said site plan approval.
- d) Soil erosion and sediment control certification.  
Approval of the plans by the Director of Development and Enforcement shall constitute certification that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this chapter.
- e) Inspection. Inspection shall be made by the Director of Development and Enforcement or his designated agent during development to ensure compliance with the certified plan and that control measures and facilities are performed or installed and maintained. The Director may require the permittee to verify through progress reports that soil erosion and

sediment control measures have been performed or installed according to the certified plan and are being operated and maintained.

- f) Expiration. Any approved TOD District site plan for which a building permit has not been secured within one year from the date of issuance of the site plan approval shall be considered not valid, unless an extension of time is applied for by the applicant prior to the actual expiration date and granted by the Director. All work in connection with an approved site plan shall be completed within 5 years after the date of approval of the plan and failure to complete all work within such 5 year period shall result in automatic expiration of the approval of such site plan unless the Director shall have granted an extension of the time to complete work in connection with such site plan. The Director may grant 1 or more extensions of the time to complete all or part of the work in connection with the site plan provided the total extension or extensions shall not exceed 10 years from the date of approval of such site plan. The Director may condition the approval of such extension on a determination of the adequacy of any bond or other surety.
- g) Amendments or modification. Application for amendments to an approved site plan shall be made in the same manner as the original application. Minor modification may be approved by the Director of Development and Enforcement.
- h) Continuance. All conditions and improvements shown on an approved site plan shall remain with the property as long as the use indicated on the approved site plan is still in operation. The conditions and improvements shall continue in force regardless of any change in ownership of the property.
- i) Any person aggrieved by the action of the Director of Development and Enforcement may appeal said action in accordance with the provisions of the Connecticut General Statutes.
- j) The Director of Development and Enforcement shall report all approved site plans to the Planning Commission at its next meeting.
- k) Site Plan Application Requirements: For all uses requiring site plan approval, a site plan shall include seven sets of the following information, maps and plans. All applications shall include an accurate Class A-2 survey of the property and improvements prepared by a land surveyor registered in the State of Connecticut. All plans shall be prepared, signed and sealed by a Connecticut-registered engineer, architect or landscape architect, whichever is appropriate. All plans shall be prepared at a scale of 1 inch equals not more than 20 feet or not less than 50 feet.
  - i. General information.

- a. Name and address of the applicant and owner of record as listed on the City's tax rolls. If the applicant is not the owner of record, the latter shall also sign the application.
- b. Date, north arrow and numerical and graphical scale on each map.
- c. A written description of the proposed use or uses.
- d. A table or chart indicating the proposed number or amount and types of uses, lot area, lot width, frontage, building height, coverage, floor area, parking spaces, landscaping and open spaces as they relate to the requirements of this chapter.
- ii. Location map. An accurate scale map at a scale of 1 inch equals 1,000 feet shall be submitted showing the subject property and all property and streets within 1,000 feet of any part of the subject property.
- iii. Easement(s). Location, width and purpose of all existing and proposed easements and rights-of-way on the property.
- iv. Buildings and uses.
  - a. Location, dimensions, area, height and setbacks of all existing and proposed buildings, signs, fences and walls.
  - b. Location of all existing and proposed uses and facilities not requiring a building, such as swimming pools, tennis courts, light standards, tanks, transformers and dumpsters.
- v. Parking, loading and circulation.
  - a. Location, arrangement and dimensions of automobile parking spaces, aisles, vehicular drives, fire lanes, entrances, exits and ramps.
  - b. Location, arrangement and dimensions of loading and unloading areas.
  - c. Location and dimensions of pedestrian walkways, entrances and exits.
- vi. Signs and lighting.
  - a. Location, size, height, orientation and plans of all signs.
  - b. Location, size, height, orientation and design of any outdoor lighting.
- vii. Utilities. Location and design of all existing and proposed sanitary sewer, storm drainage, water supply facilities and refuse collection areas, as well as other underground and aboveground utilities. All public utilities shall be placed underground. The Director of Development and Enforcement may waive this requirement if engineering data substantiates that such underground placement of utilities is impractical.

- viii. Topographic map. The topographic map shall illustrate the existing and proposed conditions of the property, including existing and proposed contours with intervals of 5 feet, referred to the City of Meriden datum, and location of all existing wooded areas, watercourses, wetlands, rock outcrops and other significant physical features and, where appropriate, the wetlands boundary and the flood hazard area.
- ix. A soil erosion and sediment control map and narrative shall be submitted for all development activities in which the cumulative disturbed area will be more than 1/2 acre. The plan shall conform with § 213-57 of this chapter.
- x. Open space and landscaping plan. The open space and landscaping plan shall illustrate the existing and proposed landscape development of the property, including location, general layout, type and size of buffer or landscape areas, plant material, fencing, screening devices, decorative paving or other materials proposed.
- xi. Staging plan map. In cases where the applicant wishes to develop in stages, an overall site and staging plan indicating ultimate development for the entire property shall be submitted at the same scale as the site plan.
- xii. Other information. The applicant shall submit any other information deemed by the Director of Development and Enforcement to be necessary to determine conformity with the intent of this chapter.

2. Special permits.

- a) Applicability. In all cases where this chapter requires approval by special permit, no building permit shall be issued by the Building Official except after approval of the special permit application and after public notice in accordance with the General Statutes of the State of Connecticut.
- b) Special permit objectives. In evaluating a special permit application, the Planning Commission shall take into consideration the health, safety and welfare of the public, in general, and the immediate neighborhood, in particular, and may prescribe reasonable conditions and safeguards to ensure the accomplishment of the following objectives:
  - i. Harmony with development. That the proposed use is of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated, will not tend to depreciate the value of property in the neighborhood, and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.

- ii. Site plan objectives. That the site plan submitted as part of the special permit application will accomplish the site plan objectives described in § 213-~~xx~~.R.1.b, particularly in that it will not create traffic or fire hazards and will not block or hamper the City circulation pattern.
  - iii. Conformance to requirements. Unless otherwise specified, a special permit use shall conform to all requirements of the TOD District. Where two or more special permit uses apply to the same premises, the minimum requirements shall be the minimum requirements for each use as specified in this chapter or, in cases of two or more special permit uses in the same building, whichever requirements are more restrictive.
- 3. Procedure. Application for a special permit shall be made to the Planning Commission in writing at least 15 days prior to a regular meeting and shall be accompanied by the following required items.
  - a) A statement describing the existing and proposed use or uses.
  - b) A site plan in accordance with § 213-~~xx~~.R.1.b, if applicable.
  - c) A list of all property owners required to be notified, together with addresses.
  - d) Such other information as the Planning Commission may require to determine compliance with the intent and purpose of this chapter.
  - e) All applications shall be accompanied by a fee, as provided in the Fee Schedule of the City of Meriden to cover the cost of administration [*Editor's Note: Said fee schedule is on file in the Clerk's office*]. Said fee shall be paid at the time of filing the application.
  - f) Public hearing and notice.
    - i. The Planning Commission shall hold a public hearing on all applications for a special permit and shall publish a notice of said hearing in a newspaper of general circulation.
    - ii. In addition to published notice, the Planning Commission shall give notice of any such hearing at least 10 days prior to the date of the hearing to the applicant filing the application and to the property owners whose property is located within, abutting and directly across the street from all boundaries of the property which is the subject of such hearing.
    - iii. Further, the petitioner shall erect or cause to have erected a sign on the premises affected by the proposed special permit at least 10 days prior to the public hearing on such special permit. Said sign shall be a minimum of 4 feet by 5 feet with black lettering no smaller than 3 inches by 1/2 inch on a white background. Said sign shall be weather-resistant, securely fastened or staked, be clearly visible from the street closest to the affected property and be

maintained as such until the day following the public hearing. The sign shall contain the following information:

### **Public Notice**

A petition for a special permit has been filed with the Planning Commission. A public hearing will be held on said petition on (date of hearing) in City Hall.

- g) A report from the Director of Development and Enforcement attesting to whether the above-described sign was erected and maintained as required shall be made part of the record at the public hearing. Failure of a petitioner to comply with this requirement may be grounds for automatic denial of the proposed special permit with consideration being given to cases where weather conditions or acts of vandalism have destroyed a properly posted sign.
  - h) The Commission may request advice and recommendations from the Design Review Board – an existing advisory Board – for issues related to the exterior of structures only.
  - i) The Planning Commission shall reject or issue a special permit within 65 days of the conclusion of the public hearing on the application. Failure of the Planning Commission to act within the time period shall be deemed approval of the proposal as submitted.
4. Conditions and safeguards. Any condition or safeguards attached to the granting of a special permit shall remain with the property as long as the special permit use is still in operation. These conditions and safeguards shall continue in force regardless of any change in ownership of the property.
  5. Revocation. Any authorized special permit shall be subject to revocation by the Planning Commission if any condition or safeguard imposed by the Planning Commission upon buildings, structures, land or uses for said permit is not strictly adhered to by the applicant, user and/or owner.
  6. Amendments or modifications. Applications for special permit amendments which are necessitated by site conditions or which are deemed to be in the public interest shall be made in the same manner as the original application, except that amendments which are found to be of a minor nature or which do not materially alter the special permit, as determined by the Planning Commission, may be authorized with Planning Commission approval only without another public hearing.

7. Time period and expiration. In approving a special permit, the Planning Commission may set time limits on the permit and/or require periodic renewal of the permit without a public hearing. In the event that an appeal is taken from the Planning Commission's approval of a special permit, then the time period shall commence on the date of final disposition of such litigation. An expired special permit shall be considered not valid. All work in connection with a site plan shall be completed within 5 years after the date of approval of the plan and failure to complete all work within such 5 year period shall result in automatic expiration of the approval of such site plan unless the Planning Commission shall have granted an extension of the time to complete work in connection with such site plan. The Planning Commission may grant 1 or more extensions of the time to complete all or part of the work in connection with the site plan provided the total extension or extensions shall not exceed 10 years from the date of approval of such site plan. The Planning Commission may condition the approval of such extension on a determination of the adequacy of any bond or other surety.
8. Continuance. Notwithstanding any other provision of this chapter, when an amendment is adopted to this chapter or boundaries of zoning districts, a special permit application that has been submitted to the Planning Commission and all previously approved special permits shall not be required to conform to such amendment.

## **S. ADMINISTRATION AND ENFORCEMENT**

1. Enforcement. This chapter shall be enforced by the Director of Development and Enforcement. The Director of Development and Enforcement is authorized to cause any building, structure, place, premises or use to be inspected or examined and to order in writing the remedying of any condition found to exist therein or thereon in violation of any provision of this chapter.
2. Zoning permit required. No building or structure shall be erected, added to or structurally altered, no use shall be established and no existing building or land, whether vacant or occupied, shall be converted to a different use until a zoning permit has been issued by the Director of Development and Enforcement or other authorized official. All applications for such permits shall be in accordance with the requirements of this chapter. Where a site plan approval or special permit is required, the zoning permit shall be issued automatically with such approval.
  - a) Application. Every application for a zoning permit shall be accompanied by such information and exhibits, i.e., certified plot plan, soils data, drainage computations, etc., as are required herein or as may be reasonably required by the Director of Development and Enforcement in order that the proposal of the applicant may be adequately interpreted and judged as to its conformity with the provisions set forth in this chapter.
  - b) Plot plan. The application shall be accompanied by three copies of a plot plan based on an "A-2" survey prepared by a land surveyor and/or engineer registered in the State of Connecticut, drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of the building upon the lot, the dimensions of all open spaces, the setback lines observed by buildings, the location of driveways and curb cuts and such other information as may be necessary. The Director of Development and Enforcement may waive any of the plot plan requirements in cases where it is not needed to determine conformity with this chapter.
3. Certificate of compliance required.
  - a) No land shall be occupied or used, and no building hereafter erected or altered shall be occupied or used in whole or in part for any purpose, until a certificate of compliance shall have been issued by the Director of Development and Enforcement or other authorized official, stating that the premises or building complies with all the provisions of this chapter. Such a certificate is also required for any change, extension or alteration in a use.

- b) Applications for a certificate of compliance shall be accompanied by a certified plot plan of the lot and buildings involved, showing the exact placement of the as-built structures on the lot. The as-built plot plan may be the same document as is submitted for a certificate of occupancy, if all zoning data (i.e., setbacks, etc.) are included. The Director of Development and Enforcement may waive the requirement for a certified plot plan in cases where it is not needed to determine conformity with this chapter. No such certificate of compliance shall be issued by the Director of Development and Enforcement until all zoning requirements and conditions, including site plan approval and/or special permits, have been met.
- 4. Fees. All applications for zoning permits and certificates of compliance shall be accompanied by a fee, in accordance with the Schedule of Fees of the City of Meriden [*Editor's Note: Said fee schedule is on file in the Clerk's office*] to cover the cost of administration. Said fee shall be paid at the time of filing the application.
  - 5. Conditions for approval and issuance of permits.
    - a) Any maps, plans, documents, statements and stipulations submitted to and approved by the Director of Development and Enforcement or the Planning Commission in connection with site plan or special permit or other action of said Director or Commission, as required by this chapter, and any conditions of such approval(s) attached by said Director or Commission shall be conditions for the approval of applications for and the issuance of a zoning permit and a certificate of compliance by the Director of Development and Enforcement. Prior to issuance of a zoning permit or a certificate of compliance, the applicant shall obtain and submit all approvals required by any other municipal, state or federal department, bureau or agency.
    - b) No building permit or certificate of occupancy may be issued until all zoning permits have been secured.
  - 6. Certificate of occupancy required.
    - a) The occupancy and use of a building erected, reconstructed, restored, altered or moved, or any change in use of an existing building, shall be unlawful until a certificate of occupancy shall have been applied for and issued by the Building Official.
    - b) A certificate of occupancy is required for and shall be deemed to authorize both initial occupancy and the continued occupancy and use of the building or land to which it applies.

- c) No certificate of occupancy shall be issued for any use requiring the granting of a special permit, variance or site plan unless and until such permit approval has been duly granted and the Director of Development and Enforcement and Building Official have inspected the site to ascertain that all provisions of said approval are complied with.
  - d) A nonrenewable temporary certificate of occupancy for a part of a building may be issued by the Director of Development and Enforcement for a period of not more than six months.
7. Records. A record of all zoning permits, certificates of compliance and certificates of occupancy shall be kept in the office of the Director of Development and Enforcement.
8. Penalties for offenses. Any person or corporation, whether as owner, lessee, architect, contractor or builder, or the agent or employee of any of them, who violates or is accessory to the violation of any provision of this chapter or any rule or regulation made under the authority conferred by this chapter or who shall erect, construct, alter, enlarge, convert or move any building or structure or any part thereof without a building permit or in violation of any statement or plans submitted and approved under the provisions of this chapter or who shall use any building, structure or land in violation of this chapter or any rule or regulation made under the authority conferred by this chapter or in violation of the provisions of any zoning permit, building permit or certificate of occupancy or without a zoning permit, building permit, change of use permit or certificate of occupancy where one is required by this chapter and who fails to abate said violation within 30 days after written notice has been served upon him, either by mail or personal service, shall be liable to a penalty in accordance with the General Statutes of the State of Connecticut. Each day that a violation remains shall constitute a separate offense.