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TOWN CLERK
MIDDLETOWN, CONN.

Proposed Downtown Text Amendment

May 27, 2015

Existing

SECTION 32- B-1 CENTRAL BUSINESS ZONE

32.00- DESCRIPTION OF ZONE- This zone is composed and limited to the downtown retail area. It is recognized that within this zone there are two unique classes of structures:

CLASS A structures are those located along Main Street and

CLASS B structures are located to the rear of Main Street buildings.

The zone provides for the central retail, cultural and governmental activities of the community. Accordingly, these regulations are designed to permit retail development in the core of the community where there is a concentration of pedestrian activity. To these ends the regulations establish standards retaining such intensity of use and concentration of pedestrian and vehicular as is compatible with the function of this zone.

32.01- USES- No land shall be used or occupied and no structure shall be erected, constructed, reconstructed, altered or used, except for any use which is indicated in the B-1 column of the Use Schedule, Section 61 of this Zoning Code and shall be subject of such provisions as referred to in that column. Further, the front fifty percent (50%) of the ground floor space of buildings fronting on Main Street shall be restricted to the following permitted uses: Eating and Drinking Places, Entertainment, Restaurants, Retail Business, Retail Sales, Retail Services, and Theaters. Any other use allowed in the B-1 zone in Section 61 proposed for the front fifty percent (50%) of the ground floor space of buildings fronting on Main Street shall be a Special Exception Use. Cafeterias are not permitted as accessory uses in this zone and exterior gates are prohibited.

(Section amended effective 5/31/11)

32.02- HEIGHT- The maximum permitted stories shall be twelve (12) stories (168 ft.) except that any building fronting on Main Street shall have a maximum height of six (6) stories (84 ft.) and a minimum height of 35 feet. No building fronting on Main Street shall be demolished, unless reconstructed to a height less than its previous height, or the minimum 35 feet, whichever is greater.

(Effective 5/10/2012)

32.03- LOT AREA, WIDTH AND YARD REQUIREMENTS- No minimum lot area or frontage required. Yard requirement is that any building shall have yards sufficient to insure proper design and placement of buildings as determined in the site plan review process. The maximum setback from Main Street shall be five (5) feet with the front line of the building located within the maximum setback area for a minimum of eighty percent (80%) of the lot frontage on Main Street and there shall be no driveway access of parking lot fronting on Main Street.

32.04- OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS- Off-street parking and off-street loading shall be provided in connection with any use in this zone in accordance with the provisions of Section 40. In addition, requirements for the provision of parking facilities may be satisfied by the permanent allocation of the required number of spaces for each use in a common parking facility, cooperatively established and operated. The total number of spaces so provided may be reduced provided that such reduction is approved by the Commission upon a finding by them that such reduction is justified on the basis of common patrons, overlapping peak needs, and existing public parking facilities.

(Section amended effective 9/1/95)

32.05- NEW CONSTRUCTION REQUIREMENTS- No new building shall be erected, or constructed along Main Street, except with an entrance on Main Street. No new building shall be erected, or constructed along Main Street, except where the amount of area taken up by windows and doors shall be greater than 60% of the first floor facade area. No new building shall be erected, or constructed along Main Street, except where the amount of area taken up by windows shall be greater than 25% of the upper floor(s) facade area. The use of dormers above the roof line is encourage.

(Effective 5/10/2012)

Proposed

SECTION 32- B-1 CENTRAL BUSINESS ZONE

32.00- DESCRIPTION OF ZONE- This zone is composed and limited to the downtown retail area. It is recognized that within this zone there are ~~three~~two unique classes of structures:

- CLASS A structures are those located along Main Street and
- CLASS B structures are located ~~to the rear of Main Street buildings~~in the Central Business Zone that are not Class A or Class C structures.
- CLASS C structures are those located along Spring Street, Grand Street, Liberty Street, Wetmore Place, Broad Street, Old Church Street, Union Street, DeKoven Drive south of Union Street and Washington Street west of Wetmore Place.

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The zone provides for the central retail, cultural and governmental activities of the community. Accordingly, these regulations are designed to permit retail development in the core of the community where there is a concentration of pedestrian activity. To these ends the regulations establish standards retaining such intensity of use and concentration of pedestrian and vehicular as is compatible with the function of this zone.

32.01- USES- No land shall be used or occupied and no structure shall be erected, constructed, reconstructed, altered or used, except for any use which is indicated in the B-1 column of the Use Schedule, Section 61 of this Zoning Code and shall be subject of such provisions as referred to in that column. Further, the front fifty percent (50%) of the ground floor space of buildings fronting on Main Street shall be restricted to the following permitted uses: Eating and Drinking Places, Entertainment, Restaurants, Retail Business, Retail Sales, Retail Services, and Theaters. Any other use allowed in the B-1 zone in Section 61 proposed for the front fifty percent (50%) of the ground floor space of buildings fronting on Main Street shall be a Special Exception Use. Cafeterias are not permitted as accessory uses in this zone and exterior gates are prohibited.

(Section amended effective 5/31/11)

32.02- HEIGHT- Build height shall be regulated by the following table:

Building Class	Maximum Height	Minimum Height	Other Requirements
A	6 stories	35 feet	No <u>Class A</u> building fronting on Main Street shall be demolished, unless reconstructed to a height less than its previous height, or the minimum 35 feet, whichever is greater.
B	12 stories	2 stories	
C	6 stories	2 stories	Class C buildings shall require that any story above the fourth be recessed from the front building façade.

(Effective 5/10/2012)

32.03- LOT AREA, WIDTH AND YARD REQUIREMENTS- No minimum lot area or frontage required. Yard requirement is that any building shall have yards sufficient to insure proper design and placement of buildings as determined in the site plan review process. The building shall have a maximum setback from the front property line and be a minimum width in relation to the lot frontage, as regulated by the following table:

Building Class	Maximum Setback	Minimum width of Building
A	5 feet from front property line	80% of the lot frontage width
B	None	50% of the lot frontage width
C	10 feet from front property line	80% of the lot frontage width

32.04- OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS- Off-street parking and off-street loading shall be provided in connection with any use in this zone in accordance with the provisions of Section 40. In addition, requirements for the provision of parking facilities may be satisfied by the permanent allocation of the required number of spaces for each use in a common parking facility, cooperatively established and operated. The total number of spaces so provided may be reduced provided that such reduction is approved by the Commission upon a finding by them that such reduction is justified on the basis of common patrons, overlapping peak needs, and existing public parking facilities. The location of parking and access to parking is regulated by the following table:

Building Class	Parking Facilities Setback	Driveway location
A	40 feet from front property line	There shall be no driveway access of parking lot fronting on Main Street.
B	40 feet from front property line	There shall be no driveway access of parking lot fronting on Main Street.
C	40 feet from front property line	There shall be no driveway access of parking lot fronting on Main Street.

(Section amended effective 9/1/95)

32.05- NEW CONSTRUCTION REQUIREMENTS- No new building shall be erected, or constructed along Main Street, except with an entrance on Main Street. No new building shall be erected, or constructed along Main Street, except where the amount of area taken up by windows and doors shall be greater than 60% of the first floor facade area. No new building shall be erected, or constructed along Main Street, except where the amount of area taken up by windows shall be greater than 25% of the upper floor(s) facade are. The use of dormers above the roof line is encouraged.

32.06- DESIGN REVIEW- Advisory opinion from Design Review Board shall be submitted with site plan and special exception application for the construction of new buildings larger than 5,000 square feet.

(Effective 5/10/2012)