

## 4.C. MIXED-USE OVERLAY DISTRICT

### 4.C.1 PURPOSE

The Mixed-Use Overlay District is intended to allow the integration of a variety of housing into the Town Center, and other business districts, in village-style development in keeping with the scale and character of the Town, under design standards that minimize conflict and enhance synergy between the various types of land uses.

**Mixed-Use is defined in Section 9.C.**

### 4.C.2 NATURE OF DISTRICT

1. As a “permissive” overlay district, the Mixed-Use Overlay District allows alternative forms of development, including mixed use development and including multi-family dwellings and attached housing in different patterns, which are not otherwise allowed in the underlying zoning district.
2. Prior to submitting a formal application, a potential applicant is encouraged to:
  - a. discuss the development concept in detail with the Director of Planning and Development and other Town staff as appropriate;
  - b. schedule an informal discussion with the Planning and Zoning Commission through the Director of Planning and Development; and
  - c. due to the compact nature of such developments at higher densities than would otherwise be possible, building plans shall be provided by an architect licensed in the State of Connecticut.

### 4.C.3 PERMITTED USES

Within the Mixed-Use Overlay District, the following uses are permitted in addition to the uses permitted in the underlying zoning district:

4.C.3.1. OTHER ACTIVITIES	MUOD
1. Multi-family dwellings as a component of a Mixed-Use Development as defined in these Regulations	Special Permit (PZC)
2. Two-family dwellings as a component of a Mixed-Use Development as defined in these Regulations	Special Permit (PZC)
3. Single-family dwellings as a component of a Mixed-Use Development as defined in these Regulations	Special Permit (PZC)
4. Uses and structures which are customary, subordinate, and incidental to a permitted principal residential use are permitted as provided in Section 2.D.	As provided in Section 2.D

#### 4.C.4 DESIGN STANDARDS

##### 4.C.4.1 ZONE SPECIFIC STANDARDS

1. Within the Main Street District -
  - a. All new buildings which are part of a Mixed-Use Development shall be located no more than 25 feet from the street line except that the Commission may allow:
    - buildings to be located up to 50 feet from the street line when the site conditions or the design of the integrated mixed-use plan warrant a deeper setback; and/or
    - cluster-type developments of sufficient scale to be oriented to an internal system of private roads, drives, parking and pedestrian amenities to utilize a different setback.
  - b. Residential uses shall not generally be permitted on the ground level floor of any building, except that the Commission may allow a residential use on the ground level of a building located more than one hundred and fifty (150) feet from the Street Line when it finds, based on information submitted by the applicant, that:
    - the site and building plans foster a true, functionally-integrated mixed use concept, rather than the mere location of residential and commercial buildings in the same development; and
    - the residential uses are augmenting, and not displacing, the commercial uses for which the Town Center, and other business districts, should be primarily dedicated and reserved; and
    - the safety and quality of life for residents will be enhanced by the use of first floor levels for residential use.
  - c. The maximum square foot size for any building proposed in the Mixed-Use Overlay District shall be 20,000 SF unless the Commission finds that a larger building:
    - better creates a street presence essential to Main Street;
    - the design of the building meets the design guidelines for large scale buildings by breaking up mass, articulating the façade and by incorporating elements that add interest and human scale; or
    - amenities have been provided to the site design which enhances the pedestrian environment in connection with the building.
2. Within the Hebron Green (HG) District -
  - a. In addition to complying with the Design Standards in the Regulations, any new building or addition to an existing building as part of a Mixed-Use Development shall be compatible in scale, size, height and architectural style to other buildings in the Hebron Green (HG) District within 200 feet of the site in question;
  - b. **Residential uses will not be located on the first floor of the building facing Main Street where pedestrian oriented, retail and similar store-front business uses are strongly encouraged.**
  - c. Pedestrian access shall be provided to connect with adjacent uses and buildings.
  - d. **Residential units shall be provided with individual outdoor private space (for example: patio, deck or yard).**
  - e. Also, except for cluster type developments of sufficient scale to be oriented to an internal system of private roads, drives, parking and pedestrian amenities, all new buildings shall be located no more than 25 feet from the street line; however, the Commission may, by Special Permit, allow buildings to be located up to 50 feet from the street line.

## Approved Amendments to Hebron Zoning Regulations

Approved 7/23/2024; Effective 8/11/2024

NOTE: Approved language is bold and underlined

3. Within the Neighborhood Convenience District -
  - a. The Site Development plan for a Mixed-Use Development shall provide direct pedestrian access to the business uses in the District.
  - b. The maximum square foot size for any building proposed in the Mixed-Use Overlay District shall be 20,000 SF unless the Commission finds that a larger building:
    - better creates a street presence essential to an **arterial street**;
    - the design of the building meets the design guidelines for large scale buildings by breaking up mass, articulating the façade and by incorporating elements that add interest and human scale; or
    - amenities have been provided to the site design which enhances the pedestrian environment in connection with the building.
  
4. Within the Amston Village District -
  - a. Any new construction or modifications to existing buildings as part of a Mixed-Use Development shall:
    - be compatible with any historic mill buildings existing on the site, as applicable, at the time of application; or
    - adhere to the Design Standards in these Regulations if no historic mill buildings exist on the site, as applicable, at the time of application.
  - b. The maximum square foot size for any building proposed in the Mixed-Use Overlay District shall be 20,000 SF unless the Commission finds that a larger building:
    - better creates a street presence essential to an **arterial street**;
    - the design of the building meets the design guidelines for large scale buildings by breaking up mass, articulating the façade and by incorporating elements that add interest and human scale; or
    - amenities have been provided to the site design which enhances the pedestrian environment in connection with the building.

### 4.C.4.2 OTHER DESIGN STANDARDS

#### 1. Residential Area And Mix -

- a. At least of **50%** of the residential units within the entire proposed MUOD development shall consist of a combination of efficiency, one-bedroom and two-bedroom units.

#### 2. Setbacks -

- a. Minimum yard setbacks shall be the same as the underlying zoning district; however, the Commission may, by Special Permit, reduce any required yard area by four (4) affirmative votes when doing so will help accomplish the purposes of the District.

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### 3. Building / Site Design -

- a. The design of all buildings shall be in accordance with the design guidelines incorporated in Section 5.A of these Regulations.
- b. The development plan shall integrate residential and non-residential uses so that they share the site in harmony and so that parking areas, landscaped areas, and other site amenities benefit all the uses on the site.
- c. Mixed-use should involve designing the site so that the residential and non-residential components are part of a common design that allows the various uses to function together.
- d. Two story buildings are encouraged in the Mixed-Use Overlay District. The Commission may approve a cluster development with a mix of building of various heights, provided the Commission finds that the overall plan complies with the design guidelines incorporated in Section 5.A of these Regulations and that such variation is essential to the overall design theme of the development.
- e. The Commission may require a higher first floor height for single-story development to create a compatibility of façade heights where a mix of one and two-story buildings occur in proximity to each other in a unified development.
- f. Each residential unit shall have direct access to a private outdoor balcony, porch or patio space.
- g. Each residential unit shall have unobstructed direct access to the outside separate from any business activity.
- h. Soundproofing shall be designed and installed to isolate the normal sounds of business activity from the residential uses.

### 4. Curb Cuts:

- a. Driveways onto streets shall be minimized, and shall be designed to serve existing or future uses on adjacent sites.

### 5. Parking:

- a. Parking lots shall be designed to interconnect with existing or future parking lots on adjacent sites.
- b. Provisions shall be made for parking spaces reserved for residents so that customers of commercial uses on the site do not occupy parking spaces that are most convenient to residential access points.
- c. As the intent of this Overlay District is to provide for a mixture of land uses and flexibility to encourage the long term sustainability of these developments, in lieu of the parking requirements found in Section 5.C all mixed-use developments shall provide parking at the rate of 5 spaces per 1,000 SF and **one (1) parking space for each studio or one-bedroom dwelling unit and two (2) parking spaces for each dwelling unit with two or more bedrooms.**
- d. These parking requirements may be reduced when exemplary pedestrian connections are provided within the site and to adjacent business and public facilities and when:
  - the applicant demonstrates to the satisfaction of the Commission that the mix of uses on the site (such as residential, office, and retail) will experience peak parking demands at different times of the day and day of week so that the full complement of parking spaces will not be necessary; and/or
  - the applicant demonstrates to the satisfaction of the Commission that a “shared parking” arrangement with one or more adjacent properties (based on a suitable parking management plan and legal agreement, recorded on the land records, assuring the continued availability of the shared parking spaces on the affected properties for the life of the proposed development or use) will mean that the combined sites will experience peak parking demands at different times of the day and day of week so that the full complement of parking spaces will not be necessary.

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### **6. Landscaping / Buffers / Screening -**

- a. Landscape buffers shall be provided as part of the site design where a development approved under this Section abuts property in a residential district.
- b. Such buffer shall consist of a preserved existing year-round vegetated buffer or a planted year-round buffer meeting the requirements of Section 5.D of these Regulations as well as the design guidelines incorporated in Section 5.A of these Regulations.

## **4.C.5 DECISION CONSIDERATIONS**

1. In approving a Special Permit for a Mixed-Use Development as defined in these Regulations, the Commission shall consider whether the Commission finds that:
  - a. the requirements of this Section of the Regulations, and the Special Permit standards and criteria of Section 7.D are satisfied in accordance with the intent of the underlying District;
  - b. the mixed-use and higher density development can be located on the specific parcel in a manner that is compatible to the surrounding neighborhood;
  - c. the residential and mixed-uses will enhance the design of the buildings or the site;
  - d. the proposed design and layout meets the intent of the design guidelines incorporated in Section 5.A of these Regulations;
  - e. the need exists within the Town for a different type of housing unit than is permitted under conventional zoning and there is a documented need for the number and type of market rate and/or affordable housing units suggested; and
  - f. the proposed mixed-use development will allow the integration of a variety of housing into the Town Center or other business districts, in village-style development in keeping with the scale and character of the Town, under design standards that minimize conflict between varying uses and enhances synergy between the various types of land uses.