

DRAFT REGULATIONS

ARTICLE I

INTRODUCTION

Section 1.1 Authority (100)

In accordance with the provisions of Chapter 124 of the General Statutes of the State of Connecticut, as amended, Chapter 151 of the Town of Hamden Ordinances and the Town of Hamden Subdivision Regulations, as amended, the Planning and Zoning Commission of the Town of Hamden hereby adopts the following Zoning Regulations for the Town of Hamden, Connecticut.

The existing State of Connecticut enabling legislation, Chapter 151 of the Town of Hamden Ordinances and the Town of Hamden Subdivision Regulations (Existing Local Codes) shall continue to be applicable to issues not covered by these Regulations except where these Existing Local Codes are in conflict with **Section**

Section 1.2 Jurisdiction

These Regulations apply to all areas within the Town of Hamden and to the use and form to which any area and any and all buildings and structures may be devoted.

Section 1.3 Purpose (100)

The intent of these Zoning Regulations is to protect and enhance the health, safety and welfare of Hamden's population, environment, infrastructure and economic viability by enabling, encouraging and qualifying the implementation of the following policies:

1.3.1 Health, Safety and Welfare

- a. Promote the health, safety and general welfare of the community with regard to living and working conditions;
- b. Design streets and buildings to reinforce safe environments, but not at the expense of accessibility;
- c. Minimize public and private losses due to flood conditions;
- d. Secure safety from fire, panic and other dangers;
- e. Provide adequate light, air and privacy.

1.3.2 Environment & Natural Resources

- a. Facilitate adequate provisions for water, sewage, schools, parks and other public requirements;
- b. Protect existing and potential public surface, groundwater and drinking water supplies in recognition of their importance to the health, safety and general welfare of the Town and its larger environs;
- c. Conserve and protect the natural resources of the Town, the value of land and buildings and encourage the most appropriate use of land throughout the town;
- d. Distribute open space including parks, squares and playgrounds within neighborhoods and urban center zones;
- e. Use green corridors to define and connect the urbanized areas;
- f. Regulate development such that it is consistent with soil types, terrain and infrastructure and insure that proper provisions are made for Soil Erosion and Sediment Control for any project for which a permit is required or sought from the Town;
- g. Encourage the use of solar and other renewable forms of energy and energy conservation and encour

age the development of housing opportunities for all citizens of the municipality.

1.3.3 Growth & Development

- a. Guide the future growth and development of the Town in accordance with the Plan of Conservation and Development;
- b. Provide a guide for public policy and action for the efficient provision of public facilities;
- c. Serve private enterprise in building development, investment and other economic activity relating to uses of land and buildings throughout the Town;
- d. Retain the natural infrastructure and visual character of the Town derived from topography, woodlands, farmlands, and riparian corridors;
- e. Develop architecture and landscape from local climate, topography, history and building practice;
- f. Balance pedestrian with vehicular scales of development;
- g. Use growth strategies that encourage infill and redevelopment to a greater extent than new community construction;
- h. Protect the character and the historic, social and economic stability of the Town and ensure that development is orderly and beneficial; Preserve and renew historic buildings to facilitate and affirm the continuity and evolution of the Town;
- i. Create compact, pedestrian-oriented and mixed-use neighborhoods;
- j. Use a pattern for new development and infill development that is compatible with existing adjacent neighborhoods; zones specializing in single-use should be the exception;
- k. Prevent the overcrowding of land and avoid undue concentration of population;
- l. Control development in residential areas to an amount commensurate with the capacity of the land and the availability of public facilities;
- m. Embed civic, institutional, commercial activity and public gathering places in downtown and design district cores so as to reinforce community identity. These uses should not be isolated in remote single-use complexes;
- n. Situate civic buildings so they are distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the Town;
- o. Develop in substantial conformance with the Neighborhood Plans set forth in the Plan of Conservation and Development;
- p. Organize development non-contiguous to urban areas in the pattern of clusters, traditional neighborhoods or villages and regional centers;
- q. Distribute affordable housing options through out the Town to match job opportunities and avoid concentrations of poverty;
- r. Provide a range of housing types and price levels within neighborhoods to accommodate diverse ages and incomes;
- s. Regulate and restrict the location of trades and industries and the location of buildings designed for specified uses; consider the compatibility of adjacent uses;
- t. Bring about the gradual conformity of the uses of land and buildings to the Neighborhood Plans set forth in the Plan of Conservation and Development and minimize conflicts between the uses of the land and buildings.

Transect Zone descriptions on Table 3.1 shall constitute the intent of these regulations with regard to the general character of every zone other than R1, R2, R3, R4 and R5.

1.3.4 Circulation

- a. Promote the most beneficial relationship between the form of buildings, the public realm, the uses of land and circulation throughout the Town;
- b. Use buildings and landscaping to contribute to the physical definition of thoroughfares as civic places;
- c. Include a framework for the Town for transit, pedestrian and bicycle systems that provide alternatives to the

- automobile;
- d. Facilitate adequate provisions for the convenience of pedestrian, vehicular and bicycle circulation to avoid undue congestion in the streets;
- e. Accommodate automobiles while respecting the pedestrian and the spacial form of public areas;
- f. Plan and reserve transportation corridors in coordination with land use;
- g. Allow independence to those who do not drive by locating ordinary activities of daily living within walking distance of most dwellings;
- h. Design interconnected networks of thoroughfares to disperse and reduce the length of automobile trips;
- i. Provide appropriate building densities and land uses within walking distance of transit stops;
- j. Size and locate schools to enable children to walk or bicycle to them.

Section 1.4 Application of Regulations

1.4.1 Conformity Required (110)

No land, building, structure or part thereof shall be constructed, reconstructed, extended, enlarged, moved, arranged, designed, intended to be used or altered except in conformity with these regulations. No lot shall be less in area or width nor have smaller yards, nor shall any building or buildings or part thereof occupy in the aggregate a greater percentage of the lot. No building shall be greater in height than as prescribed in the applicable section of these Regulations. Exceptions shall only be as specifically provided herein. No lot shall be diminished in area nor shall any yard or other open space be reduced except in conformity with these Regulations.

1.4.2 Consistency with Subdivision Regulations

The existing Subdivision Regulations shall continue to be applicable to issues not covered by these Regulations except where the existing Subdivision Regulations would be in conflict with these Regulations, in which case the conflict shall be resolved in favor of these Zoning Regulations.

Section 1.5 Zoning Map and Districts (301)

(See Zoning Map)

Section 1.6 Interpretation of Zoning Boundaries (302, 303)

- a. The boundaries of these Zones are hereby established, as shown on a map entitled, "Zoning Map of the Town of Hamden, CT.," as amended, which, with all explanatory matter thereon, including the referenced sectional maps, is hereby adopted and made a part of these Regulations. A copy of this map, henceforth known and referred to as "the zoning map" indicating the latest amendments, shall be kept up to date in the Planning and Zoning Office for the use and benefit of the public.
- b. Where uncertainty exists with respect to the boundaries of any of the zones shown on the aforesaid map, the following rules shall apply:
 - i. Unless otherwise indicated on the zoning map, the zone boundary lines are the centerlines of streets, the middle of the channel of waterways, the centerline of main tracks of railroad lines, or the centerlines of utility rights-of-way.
 - ii. Where zone boundaries are shown graphically following property lines indicated on the zoning map, such boundaries shall be the property lines as described by a duly recorded deed on file with the Town Clerk of the Town of Hamden at the time of passage of these Regulations or any amendment thereto changing the zone boundary affecting such property.
- c. Where the boundary of a zone divides a lot, the existence of which lot is recorded by deed in the land records of the Town of Hamden on or before the effective date of these regulations or amendment thereto, a use permitted in one zone may be extended into the other zone a distance of not more than 50 feet subject to

Special Permit and Site Plan approvals and any other conditions set forth for the subject use in Article 10.

Section 1.7 Interpretation of Regulations

- a. Any principal use of land, buildings or structures not expressly permitted by these Regulations in the various zones is prohibited.
- b. Any activity not expressly permitted in the Regulations is prohibited.
- c. For a principal use permitted by these Regulations, accessory uses that are customarily incidental and are actually subordinate thereto are permitted.
- d. No accessory use shall be established on a property until a principal use has first been established.
- e. Where any conflict arises between the provisions of these Regulations and any other law, ordinance, regulation or permit, the provision that imposes the highest standard or establishes the greatest restriction upon the use of the land, buildings, structures or site shall control.

Section 1.8 Validity (900)

If any portion of these regulations is judged to be invalid, such adjudication shall apply only to said portion and the remainder of these regulations shall be deemed valid and effective.

Section 1.9 Repealer (910)

The provisions of the Zoning Regulations of the Town of Hamden as adopted January 3, 1967 and subsequently amended are hereby repealed as of the effective date of these Zoning Regulations, except that all terms and conditions attached to Special Permits, Site Plans, Planned Unit Developments, and Variances granted under prior regulations shall remain in effect. No new Planned Unit Developments shall be approved, however, for those Planned Unit Developments previously approved, and still in process of development; said governing regulations are included herein as an Appendix for reference.

Section 1.10 Effective Date (920)

The effective date of these Regulations is _____