



Zoning Regulations Update

Baseline Review Report

Southbury, Connecticut

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Introduction

As the initial step in the process of updating the Southbury Zoning Regulations (the “code”), the SLR team has prepared a baseline review report that analyzes opportunities for improvements in the code which may be addressed by the code update. This report is organized in three parts – an Existing Regulations Analysis, a Zoning Map Analysis, and a Consistency/Compliance analysis. The existing regulations analysis takes a closer look at the structural issues within the code, as well as inconsistencies, redundancies, and opportunities for improvement. The Consistency/Compliance analysis focuses on opportunities to integrate the Town’s Plan of Conservation & Development recommendations in the code and a review of state/statutory compliance.

Part One: Existing Regulations Analysis

1.0 Organization, Format, & General Language

Southbury’s Zoning Regulations are organized into 17 unique sections, plus three administrative policies and an appendix. The structure of the code is largely fragmented; content that should be grouped together is found across four to five other sections, although some like-components are found in succession (ex: site development standards in sections 8-11). This structure makes it difficult for the reader to follow the code and find the information they need within their first review.

The technical formatting of the code also presents challenges for the reader. While the current numbering format could be retained, text indentation and style should be updated to create better contrast between sections and substantive materials. There is also a lack of subheadings in the code, where additional headings would also allow the reader to find relevant material easier. Other related items for consideration are table formatting, alternating numbering/lettering, and clearer cross referencing.

Southbury’s code often uses lengthy paragraphs to describe content, including definitions, uses, procedures, etc. The length of these sections makes it difficult for the reader to digest material; content may be “lost” within a paragraph, which could be better expressed in a listed format, or fewer words. Stronger organization and definitions could address much of this issue. Southbury’s code is also largely written in a legalese, passive voice (“shall be”), whereas an active voice (“the Applicant must”) would improve readability.

Issue	Opportunity
Broad Organization	<p>SLR will propose a reorganization of the zoning regulations for the following general sequence of sections:</p> <ul style="list-style-type: none"> • <i>Introduction Materials</i> (to establish the basis of the code and the information a reader needs to understand the code), • <i>Districts & Uses</i> (to establish what is permissible and where, along with additional standards for unique circumstances/uses), and • <i>Standards & Procedures</i> (requirements for how to develop a site and receive approval). <p>This structure will group like-content together to enhance readability. Please see Attachment A of this report for the initial suggested outline for the reorganized code.</p>
Formatting	<p>SLR will propose a modernized format for the updated code, including a revised hierarchy/numbering convention, indentation, and text styles. SLR will prepare a “style sheet” that will allow the Town to visualize the proposed formatting changes ahead of text migration. Both the style sheet and the final updated regulations will be provided in a Word Document format. The Word document version of the code can also serve as guide for the updates to Municode.</p>
Language	<p>SLR will modify language throughout the code, as needed, during the migration process. These modifications will be in the form of improved definitions and restructured sentences. SLR will utilize the active voice when warranted and reduce legalese throughout the code. In instances where the code is written in the negative, SLR will propose switching language to the positive. These adjustments will modernize the code substantially.</p>

2.0 Definitions

Southbury’s code establishes many important definitions early in the regulations; however, there are many terms scattered throughout other sections of the code as well. Instances of this occur throughout the use table, site development standards, and even procedural sections. While we often see unique definitions in their respective sections (ex: floodplain, lighting, signage, etc.), it is good practice to include these terms in the broader definitions section, with references to where the terms are found throughout the code. (ex: “Floodplain Terms. See Section X for all floodplain related terms and definitions”).

Issue	Opportunity
Consolidation	<p>SLR recommends consolidating all definitions within the code into one section, potentially with unique groupings (for example ‘use definitions’ and ‘lot definitions’). Some definitions, like those related to floodplain, lighting, etc., may be kept with their respective section, but should also be referenced within the broader definitions section to guide the reader to the appropriate location.</p>
Inconsistencies	<p>SLR will document all definitions found throughout the code and review for inconsistencies and redundancies, missing terminology, and statutory/state references.</p>

Issue	Opportunity
Modernization	SLR will propose edits to definitions which appear outdated, obsolete, or overly restrictive. In some instances, existing definitions may include items which are better suited as a use standard. In these cases, SLR will propose to restructure them as need. An example of this may be “restaurants” (general service, take out, brewery, accessory, etc.).

3.0 Districts

Southbury utilizes 36 unique zoning districts to regulate land in the community. These districts include residential, business, industrial, planned, village, and others. Districts are not easily grouped into “types” (ex: base, overlay, floating, special, etc.) within the code. For example, from our initial review of the districts table, it is unclear if “planned development district” is a floating zone, if the Aquifer Protection #1 and #2 are subdistricts of the Aquifer Protection District, or what the nature of the Center Districts or Southford Districts is. Additionally, districts are not easily interpreted by their name and are not further supported by purpose statements (some districts include a purpose, but most do not). This may be especially confusing for readers who are unfamiliar with the numbering system used in districts (e.g.: R-60 vs. R-80).

Basic information regarding each district is found across at least seven sections of the code. Unique districts, like the floodplain or aquifer districts, are separated from what may be considered “base” districts. This is confusing for a reader, as they do not have one distinct location to turn to in the code that expresses each district's purpose and/or unique requirements. Additionally, items like area and bulk requirements are largely consolidated into one section of the code, but other related provisions, like exceptions and lot coverage, are found elsewhere in the code, or are hard to decipher.

Issue	Opportunity
District Types	SLR recommends classifying districts to clearly express their “type” – whether they are base districts, floating districts, overlay districts, special districts (like villages), etc. An updated district table format could provide a structure for this classification system, but district classifications could also be subheadings within a broader “districts” section of the code.
District Purposes	SLR recommends establishing a purpose statement for all zoning district types to address uncertainty regarding their intent. In some instances, it may be beneficial to adopt a broader purpose statement for the type of district (e.g.: base residential districts), whereas others may have a more targeted purpose statement.
Consolidation of Regulations	SLR recommends consolidating all basic information about each district into one section. For example, Section 3 of the new code could address items like the district table, abbreviations, purposes, area and bulk standards, and other unique circumstances which may be tied to a district. SLR also suggests organizing this further by the general use type; for example, all residential districts could be discussed in one subheading, where as business and industrial districts would be discussed in their own sections. This would improve the code’s organization and consistency and allow for easy navigation.

Issue	Opportunity
Consolidation of “Subdistricts”	SLR suggests that the Town consider consolidating the number of districts used to regulate land in the Town; 36 active districts is a significant number to regulate, and some districts might be redundant. Through the reorganization of this code, it may be revealed that some districts are not so different from one another (dimensional requirements, uses, etc.), and that consolidation would be beneficial (ex: “B” Districts). <i>Note: SLR warns that consolidation of major districts, or rezoning, would substantially impact the adoption process and is likely more appropriate for a second phase.</i>
Other	Per Town Staff, Southbury’s Aquifer Protection Regulations were not adopted correctly (as their own regulations vs. as a part of the Zoning Regulations). Therefore, SLR recommends that this District (and the subdistricts) be removed from the Zoning Regulations and re-adopted as a standalone regulation, per CT DEEP standards.

4.0 Uses

Southbury’s code includes use standards throughout the regulations, but standards are not organized into one section. Section 3 and 6 address uses and standards, including explicitly prohibited uses, but standards are found in a variety of locations – within designated subsections (e.g.: accessory dwelling units), within the use table (e.g.: farm breweries/wineries/distilleries), and within special exception procedures (e.g.: bed and breakfast).

This structure makes it difficult for the reader to find relevant material and increases the risk of overlooking significant regulations that would alter applications and approvals. To improve clarity and readability, all use standards should be consolidated into a single section. Additionally, we propose rewriting the standards using clear subheadings, concise sentences, and tables where appropriate.

Issue ¹	Opportunity
Use Table - Names/Titles	SLR will propose to modernize the current use table with single word/phrases for each use. Current uses listed in the table are lengthy and often include definitions and other standards material which would be better located elsewhere in the code, so as not to detract from the usability of the table itself.

¹ Please see Attachment B of this Report for a sample Consolidated Use Table which illustrates many of the changes outlined within this section.

Issue ¹	Opportunity
Use Table – Legend	SLR recommends updating the current use table legend to improve readability. The existing table’s lettering (P, E, S, ES, and X) are not intuitive. Terms like “special exception” and “site development plan” should be modernized and would become “special permit” and “site plan” – which would be further incorporated into the updated legend items. SLR also recommends eliminating the “X” designation within the table to make it easier to find permissible uses throughout. This would require additional text edits to ensure that readers interpret “blank” cells as prohibited unless otherwise permitted.
Use Table – Section References	SLR recommends adding a column to the use table that references the exact section of the code where the reader can find <i>all</i> relevant use information.
Standards Consolidation	SLR recommends consolidating all use standards into one comprehensive section of the code, to include the use table, prohibited uses, and unique use standards, regardless of if they are site development plan or special exception uses (or both). This will ensure the reader knows exactly where to review additional standards by which their site/use is regulated.
New Uses	SLR will propose changes to existing uses for compliance with statutory requirements as needed (e.g.: childcare facilities). SLR will also propose new uses to the use table to account for more modern uses the Town may be facing, such as medical office/clinics, indoor/outdoor recreation businesses, etc.

5.0 Site Development Standards

Site development standards are generally appropriately located within the code but additional structure will improve readability. The code includes standards for earth removal, parking and loading, signage, and lighting. These sections are all sequential within the code, but the organization of each section is inconsistent, and lengthy text makes it difficult to quickly understand what is expected of the reader. Numerous site development standards would benefit from the use of tables and/or graphics to better organize the content, especially that of parking and signage.

In addition, some site development standards that are commonly included in zoning regulations are not incorporated into Southbury’s (e.g.: soil erosion and sedimentation control is a unique ordinance). While this is acceptable, references to these regulations should be clearer throughout the code, so that the reader understands there is other applicable material to review.

Issue	Opportunity
Broad Structure	SLR recommends a consistent style/structure to each site development standards section. This would incorporate a purpose and applicability statement, followed by minimum requirements associated with the standards, and any additional material unique to various circumstances.
Lengthy Text	SLR will propose reduced text where reasonable. For example, the Earth Removal regulations incorporate two unique circumstances (soil extraction vs. excavation/grading/etc. associated with approved plans) into one larger section that could be simplified.

Issue	Opportunity
Tables/Graphics	SLR recommends using tables and graphics as a part of the definitions and site development standards for clarity and organizational purposes. Parking standards and signage requirements are likely to benefit from this structure.
Modern Regulations / Technical References	SLR and the Town will discuss options for modernizing site development standards for components from the State and other technical standards (e.g.: 2024 DEEP Stormwater Management Manual, Low Impact Development, Dark Skies).
Cross Referencing	SLR recommends cross referencing other municipal and/or state ordinances and regulations consistently throughout the code. Existing language references outdated roles/offices and should be updated as appropriate.

6.0 Procedures

Administrative and procedural information is spread throughout the regulations, predominantly in Sections 6, 7, and 14. Procedures could be better organized and utilize clearer formatting to distinguish application types, required materials, and other procedural information (referrals, decision criteria, public hearings, etc.); as written now, it is complicated to determine who is responsible for what applications.

Additionally, the code includes three “administrative” policies which would be better integrated into the code (or other relevant ordinances, if applicable) rather than “policies” addressed at the end of the regulations. The Town may consider using appendices to house supplemental information, such as the regulation amendments and map amendments tables, or this information could remain on file with the Town, rather than in the regulations themselves.

Issue	Opportunity
Broad Structure	SLR recommends consolidating all procedural information into one section of the code. This section would clearly delineate responsible entities, application requirements, unique requirements for specific application types, and approval processes/timelines.
Reviewing Bodies	SLR recommends incorporating a clear and concise table indicating each permit type, approval procedure, and approving body for that application. This table will clearly distinguish Commission/Board/Town Staff responsibilities. This is also an opportunity to refine approval procedures to align with the Town’s existing processes and to revisit each Board/Commission’s responsibilities (ZBA/PC).
Administrative Policy #1 (Maps/Plans Certification)	SLR recommends relocating Administrative Policy #1 into the procedures section of the reorganized code as a part of the general application requirements for application approvals.
Administrative Policy #2 (Plan of Development)	SLR recommends eliminating Administrative Policy #2 from the zoning regulations as it is currently outdated (2012 POCD) and could be better addressed by cleaning up existing procedures, particularly related to planned developments and site development plans.

Issue	Opportunity
Administrative Policy #3 (Historic Structures/Sites)	SLR recommends that Administrative Policy #3 be housed in the site development standards of the code. While this policy does not directly guide site development, historic designation on a site/structure would influence site development and approval procedures. Alternatively, this policy could be made into a standalone regulation or ordinance.

Part Two: Zoning Map Analysis

SLR conducted an initial, cursory review of the Town of Southbury's Official Zoning Map as a part of this baseline review. This review identified three primary conceptual issues within the official map: geographic inconsistencies, lots with split zoning, and parcel/CAMA data inconsistencies. These issues are discussed in more detail in the table below. However, addressing these issues requires more detailed discussion with Town Staff regarding who is responsible for making official map changes (SLR or the Town's consulting GIS firm).

Zoning boundaries are typically interpreted using established rules, such as following the centerline of a street, a geographic feature (e.g.: streams, steep slope), and/or property lines. Existing zoning district boundaries appear inconsistent with these basic rules. Some zoning lines appear to follow streams, while others do not. Some districts respect property lines, while others bisect properties. Additionally, a cursory review of the existing parcels and associated CAMA data revealed inconsistencies between the zoning data reported in each (for example, one property's parcel data may list the zoning as "R-60", whereas the associated CAMA data lists the zoning as "R-40").

Issue	Opportunity
Split Lot Zoning	<p>SLR identified a significant number of parcels that are split by two or more zoning districts (See Attachment C for an illustrative map of these properties). Lots split by districts may be a result of geographic boundaries/inconsistencies or other means. SLR recommends the Zoning Commission discuss whether to modify any of these boundaries at this time, particularly any of those that are clustered together.</p> <p><i>Note: Some split lots would be addressed through the next two actions (to be coordinated with NE GEO).</i></p>
Geographic Inconsistencies	<p>SLR recommends establishing the basic rules for by which zoning boundaries should be interpreted. These rules should follow best practices for zoning boundaries, as discussed above, but should consider specific conditions in Southbury as well.</p> <p><i>Note: The Official Zoning Map would need to be updated in consultation with NE GEO to mirror these newly established rules.</i></p>
Inconsistent Parcel/CAMA Data	<p>SLR recommends conducting a more detailed analysis of existing parcel and CAMA data to identify the extent of the inconsistencies between the two data sets. Throughout such analysis, the Town would need to identify which data set would be the authoritative source. This task would require consultation with the Town's GIS Consultant and Assessor.</p> <p><i>Note: This task is better for NE GEO (in consultation with land use officials and the assessors) and should follow completion of the updated Zoning Map.</i></p>

Part Three: Consistency, Compliance, and Other Considerations

1.0 Plan of Conservation and Development

The State of Connecticut requires that a municipality's POCD and Zoning Regulations be consistent with one another. Southbury's 2022 POCD provides specific actions for consideration in this comprehensive zoning update. SLR has reviewed and analyzed these actions and provided opportunities for including recommendations into this zoning update. The table below is divided between "direct" and "indirect" POCD Actions; Direct Actions are very specifically targeted to zoning updates, while Indirect Actions have components that could be considered.

POCD Recommendation	Direct or Indirect	Subject Area & Priority Ranking
Chapter 5 Program Step 6: Work with the Zoning Commission to ensure that the zoning regulations are farm friendly.	Direct	Districts & Uses Priority Level: HIGH
Chapter 5 Program Step 7: Require new residential subdivisions and residential planned developments to provide a buffer when located adjacent to farmland, scenic roads, commercial or residential uses.	Direct	Districts & Dimensional Standards Priority Level: HIGH
Chapter 5 Program Step 11: Update zoning and subdivision regulations to protect scenic ridgelines and hillsides.	Direct	Districts & Site Development Standards Priority Level: HIGH
Chapter 6 Program Step 2: Adjust local land use development criteria to fit the natural capacity of the land, and existing infrastructure, recognizing both opportunities where there are slight limitations and constraints, and where there are moderate to severe limitations. This should include consideration of density standards consistent with the goals of the Plan.	Direct	Districts & Site Development Standards Priority Level: HIGH
Chapter 6 Program Step 7: Incorporate Low Impact Development (LID) techniques into land use regulations and Town projects.	Direct	Site Development Standards Priority Level: HIGH
Chapter 6 Program Step 22: Identify watershed protection goals and review existing zoning and subdivision regulations for alignment with watershed goals, as referenced in the Pomperaug Watershed Based Plan (2018) by the Pomperaug River Watershed Coalition.	Indirect	Districts & Site Development Standards Priority Level: HIGH
Chapter 7 Program Step 1: Identify types of land uses and building occupancies that pose a possible compromise to the quality of the Pomperaug Aquifer with a view to regulating or prohibiting such uses and occupancies.	Indirect	Districts & Uses Priority Level: MEDIUM

POCD Recommendation	Direct or Indirect	Subject Area & Priority Ranking
Chapter 9 Program Step 5: Consider adopting additional Village Districts (as authorized by State Statutes) where desirable to protect historic resources.	Direct	Districts Priority Level: LOW
Chapter 9 Program Step 13: Consider adding a Village District designation to the two current Historic Districts.	Direct	Districts Priority Level: LOW
Chapter 11 Southbury Training School Program Step 1 a: Modify zoning regulations to align with Future Use Study.	Direct	Districts & Uses Priority Level: MEDIUM
Chapter 11 Southford Program Step 1: Maintain the Village District designation for Southford.	Indirect	Districts & Zoning Map Priority Level: HIGH
Chapter 11 Southford Program Step 4: Review and enhance buffering, lighting and visibility standards to maintain the quality of life in adjacent residential neighborhoods.	Direct	Site Development Standards Priority Level: HIGH
Chapter 12 Program Step 4: Update zoning and use other mechanisms for determining the location and standards for residential clusters and multi-family dwellings with predetermined criteria and guidelines.	Direct	Districts & Uses & Special Development Types Priority Level: HIGH
Chapter 12 Program Step 5: Continue to use Appendix A: Technical Supplement 1 to evaluate and encourage proposals for cluster housing when it meets the criteria defined in this Plan and Zoning Regulations.	Direct	Districts & Uses & Special Development Types Priority Level: MEDIUM
Chapter 12 Program Step 6: Continue to use Appendix B: Technical Supplement 2 to evaluate and consider proposals for multi-family housing when it meets the criteria defined in this Plan and Zoning Regulations.	Direct	Districts & Uses & Special Development Types Priority Level: MEDIUM
Chapter 13 Program Step 2: Review and update standards for the best use of pre-designated commercial and economic development sites, implementing quality design criteria (for buildings, site, landscaping, signs, parking and lighting) through zoning and other design review techniques.	Direct	Districts & Uses & Special Development Types Priority Level: HIGH
Chapter 16 Program Step 6: Update, as necessary, the Zoning Regulations to reflect the recommendations of the Water Pollution Control Authority's most current "Wastewater Facilities Plan."	Direct	Site Development Standards Priority Level: HIGH
Chapter 16 Program Step 12: Review the Zoning Regulations to streamline the regulatory process.	Direct	Administration & Processes Priority Level: HIGH

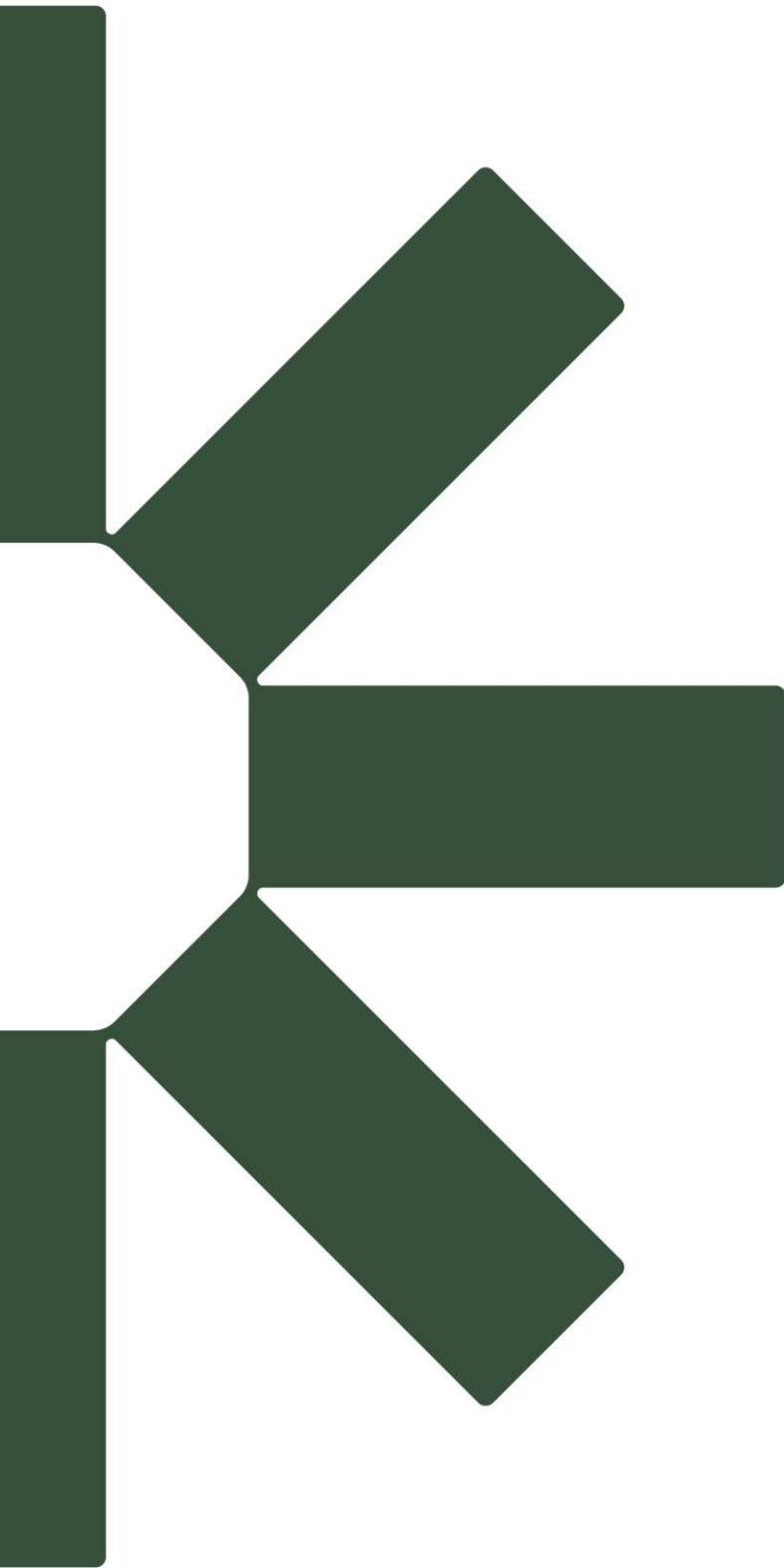
2.0 Connecticut General Statutes

Zoning Regulations must be consistent with Connecticut State Statutes; however, State Statutes are updated more frequently than Zoning Regulations, often leading to inconsistencies. SLR has prepared the following table to identify important State Statutes with implications on municipal Zoning Regulations and reviewed whether Southbury's current regulations address such changes and, if not, how they may be incorporated into the updated regulations.

Statute & Content Addressed	Opportunities
<p>Public Acts 17-39 & 18-132:</p> <p>Nonconforming Structures: Prohibits a zoning commission from requiring a special permit or special exception to continue a grandfathered use. Also prohibits the termination of any nonconforming use solely because of non-use for a specified period of time without regard to the intent of the property owner to maintain that use. In addition, regulations cannot deem a use terminated or abandoned unless the property owner voluntarily discontinues the nonconformity and provides a statement of intent to not reestablish the nonconformity.</p>	<p>Existing nonconformity language appears in line with statutory requirements; however, language will be modified for clarity regarding the timeframe(s) and statement of intent.</p>
<p>Public Act 18-28:</p> <p>Billboard Signs: Permits zoning commissions to regulate the brightness and illumination of billboards. Grandfathered signs not equipped with ability to calibrate brightness/illumination are exempt.</p>	<p>Southbury does not permit billboards and therefore no changes are necessary.</p>
<p>Public Act 19-156</p> <p>Commercial Kennels: Exempts people who board up to three (3) dogs or cats in their residence from having to obtain a commercial kennel license from the Department of Agriculture.</p>	<p>Existing definition is consistent with this requirement; however, language will be modified for clarity.</p>
<p>Public Act 21-163</p> <p>Approvals & Validity: Changes to the minimum validity periods for some permits and approvals, based on specific dates.</p>	<p>This Act is unlikely to impact the Zoning Regulations; however, SLR will align procedural information, including validity, with state requirements throughout the process.</p>

Statute & Content Addressed	Opportunities
<p>Public Act 21-2</p> <p>Outdoor Dining: Requires that a municipality allow outdoor food and beverage services as an accessory use to a licensed food establishment. May require administrative site plan approval for such accessory use.</p>	<p>Outdoor dining is generally addressed by the Commission through site plan modifications. SLR is recommending a realignment of restaurant regulations, to include provisions for outdoor dining and patron areas.</p>
<p>Public Act 21-29</p> <p>Accessory Dwelling Units: Establishes default provisions that allow the construction of accessory dwelling units (ADUs) on lots with single-family homes, unless opted out. Provisions are related to attached/detached, net floor area, setbacks, height, landscaping, and architecture, among others.</p> <p>Family/Group Child Care Home: Regulations shall not prohibit such operations in any residential district.</p> <p>Cottage Food Operations: Regulations shall not prohibit such operations in any residential district.</p> <p>Minimum Floor Areas: Regulations shall not establish a minimum floor area for any dwelling that is greater than that required by the applicable building code.</p> <p>Parking: Regulations shall not require more than 1 parking space for a studio or 1-bedroom dwelling or more than 2 for any 2-bedroom+ unit, unless opted out.</p> <p>Multifamily Density: Regulations shall not place a fixed or percentage cap on the number of units that constitute multifamily housing over 4 units, middle housing, or mixed-use development.</p>	<p>Southbury is opted into Public Act 21-29. As such, the following zoning modifications need to be addressed:</p> <ul style="list-style-type: none"> • ADU regulations should be updated to reflect requirements of 21-29 including definition, max. floor area, required parking. • Cottage food operations should be added to the use table. • Minimum floor area established within the code varies and should be updated to reference that which is permitted by building code / health code, which is based on occupancy. • Parking should be updated for bedroom/space requirements (max 1/1 or 2/2). • Density requirements should be reviewed to ensure consistency with cap prohibition.
<p>Public Act 22-25</p> <p>Electric Vehicle Parking Infrastructure: Any new construction of a commercial or multitenant residential building with thirty or more designated parking spaces for cars or light duty trucks must include electric vehicle (EV) charging infrastructure that can support level two electric vehicle charging stations or direct current fast charging stations in at least ten per cent of such parking spaces. Municipality may require more than 10 percent if they choose.</p>	<p>Regulations do not address electric vehicle parking infrastructure, which should be incorporated into a revised parking standards section.</p>

Statute & Content Addressed	Opportunities
<p>Public Act 23-143</p> <p>Family/Group Home Daycares: Prohibits zoning regulations from treating a family day care home or group day care home any differently than a single or multifamily home within a residential district.</p>	<p>The Commission adopted an amendment addressing PA 23-143 previously, Regulations comply with these requirements; however, a few clarifications can be made (daycare centers are listed in the use table, but daycare residences are not).</p>
<p>Public Act 23-40</p> <p>Motor Vehicle Location Approvals: Changes the approving body for motor vehicle location approval from the Zoning Board of Appeals (ZBA) to the Zoning Enforcement Officer (ZEO).</p>	<p>Motor vehicle uses are generally only allowed by special exception at this time; however, approving bodies should be updated where needed.</p>
<p>Public Act 24-143</p> <p>Nursing Home Conversions: Requires the municipality to allow the conversion of a Nursing Home to multifamily housing, by summary review, when such home meets the five requirements outlined within the PA. Allows for public hearing, special permit, and special exception approvals only when the conversion requires substantial alteration of footprint or demolition.</p> <p>Middle Housing: Zoning that allows for the as-of-right development of any middle housing on any lot that allows for residential commercial, or mixed-use development may be awarded housing equivalent point(s) for such units towards an 8-30(g) exemption.</p>	<p>Regulations should be updated to allow for conversions of nursing homes if statutory conditions are met.</p> <p>Middle housing options should be considered in review of permitted uses.</p>
<p>Public Act 25-33</p> <p>Resilience: Zoning may require or promote resilience, as defined by statutes, including but not limited to risks related to extreme heat, drought, or prolonged or intense exposure to precipitation. Also allows for Zoning to provide incentives for developers who use flood-risk reduction building methods.</p>	<p>SLR recommends incorporating resiliency into the regulations in ways that would work for Southbury. This might include low impact development, landscaping, and stormwater components.</p>



Making Sustainability Happen

Attachment A - Preliminary Outline for Code Reorganization

The following outline presents an initial framework for reorganizing the Southbury Zoning Regulations. This outline would be further detailed within the Annotated Outline phase of the project.

1.0 Introduction

Establishes the basis of the code. Generally, it includes information about authority, purposes, interpretation of regulations, minimum conformity required, severability, effective dates, etc.

2.0 Districts

Establishes the regulating districts within the Town. Generally, it would include a listing of districts, boundary interpretation, reference to the official zoning map, district categorization (base, floating, overlay, etc.), and purpose statements.

3.0 Area & Bulk Standards

Establishes area and bulk requirements for each district in a consolidated location. Section would include a table as well as exceptions, minimum standards applicable to all properties, site coverage, etc.

4.0 Uses & Associated Standards

Establishes all permitted, special exception (permit), and prohibited uses within the Town. Section would include a consolidated use table and house all relevant use standards under one heading. Each use addressed within this section would be provided with a suitable definition in Section 8.

5.0 Special Development Types

Establishes development requirements for unique development types which generally exceed typical use standards, for example, industrial parks, planned development units, etc. Development types would be included within the consolidated use table but reference this section for requirements.

6.0 Site Development Standards

Establishes all minimum site development requirements for projects, including stormwater, parking, lighting, signage, etc.

7.0 Administration & Procedures

Establishes the administration, procedures, and enforcement of the regulations. Section would include refined procedures and clear delegation of Board/Commission/Staff responsibilities.

8.0 Definitions

Establishes all relevant terms for understanding and interpreting the regulations. All definitions would be included within this section; however, some will reference other sections of the code for specific content (for example, floodplain terminology would remain with those regulations). Definitions are likely to be grouped into topics (for example: Use Definitions, Lot Definitions, etc.). This section could also be moved to immediately follow the Introduction, if preferred.

Attachment B - Sample Use Table

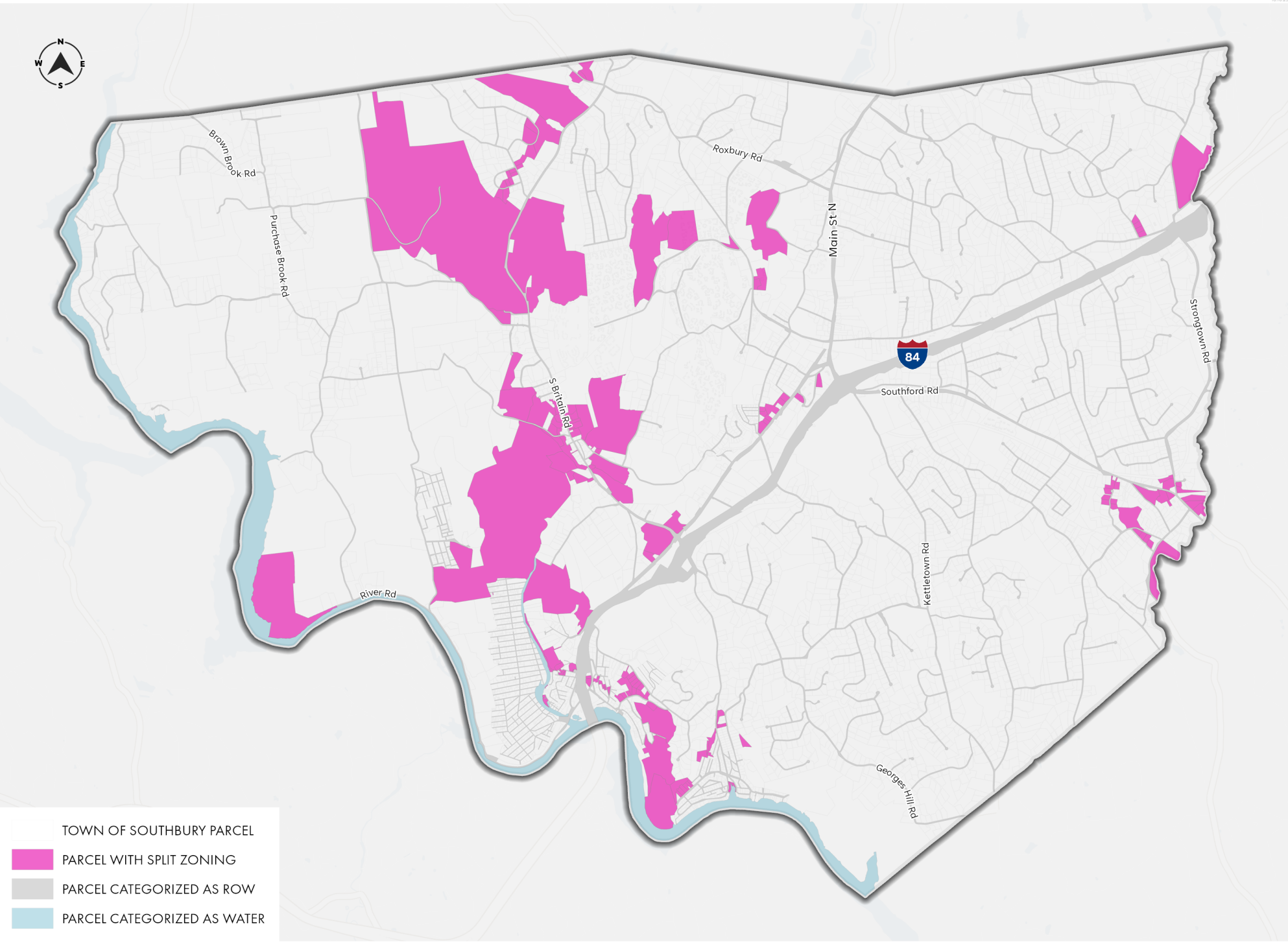
Town of Stratford - Consolidated Use Table																			
Use Category	Use	ZONES																	Use Standards
		RS1	RS2	RS3	RS4	RC	RM1	OPD	LB	LBB	CA	CF	CNC	WF	CC	MC	MA	MB	
Residential																			
Residences	Accessory Dwelling Units	A	A	A	A		A		A	A	A						A		Section 4.4.2
	Multifamily Dwellings (3+)	S	S	S	S		S	S	S	S	S								Section 5.1
	Single-Family Dwelling	P	P	P	P		P ¹		P	S	P								
	Two and Three Family Dwellings						P		P	S	P								
Group Living	Boarding (1-2 Unrelated Individuals)	P	P	P	P		P		P	P	P				P				Section 4.4.9.B
	Boarding House (3-5 Unrelated Individuals)	S	S	S	S		S		S	S	S				S				Section 4.4.9.C
	Group Home (</= 6)	P	P	P	P		P												
	Group Home (> 6)	S	S	S	S		S												
	Community Residence (</= 8)	P	P	P	P		P												
	Community Residence (> 8)	S	S	S	S		S												
Health Care Related Facilities	Assisted Living Facility								S	S	S	S							Section 4.4.6
	Nursing Homes								S	S	S	S					S		Section 4.4.14
Mixed-Use	Multifamily (3+) & Commercial Uses										S								Section 4.4.15.C
	Residential & Marine Uses													S					Section 4.4.15.B
Special Developments	Older Adult Housing Community	S	S	S	S														Section 5.2
	Residential Open Space Development	S	S	S	S														Section 5.3
Other	Day Care, Family Home	P	P	P	P		P		P	P	P				P		P	P	Section 4.3.11.D
	Day Care, Group Home	P	P	P	P		P												Section 4.3.11.D
	Home Based Business	P	P	P	P		P		P	P	P				P		P	P	Section 4.3.11
	Customary Accessory Uses, Incidental to Primary Use	S	S	S	S	S	S	S	S	P	P	S	S	S	P	P	P	P	Section 4.4.3
Community Facility / Government / Institutional																			
Community & Cultural Facilities	Community Center	S	S	S	S		S		S	S	S						S	S	
	Museum or Art Gallery (Nonprofit)	S	S	S	S		S		S	S	P					S	S	S	
	Places of Assembly, Public								S	S	S				S	S	S	S	
Educational Facilities	Performing Arts School	S	S	S	S		S		S	S	S								
	Private School (Elementary, Middle, High)	S	S	S	S		S		S	S	S					S	S	S	
	Public School	S	S	S	S		S		S	S	S					S	S	S	
	Other Educational Institution	S	S	S	S		S		S	S	S					S	S	S	
Municipal	Municipal Facility or Use	S	S	S	S		S	S	S	S	S	S		S		S	S	S	
Recreation	Natural Resource Areas					P			P		P				P		P	P	
	Parks, Recreation & Open Space, Public	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Religious Facilities	Religious Institutions / Place of Worship	S	S	S	S		S		S	S	S				S	S	S	S	
Other	Customary Accessory Uses, Incidental to Primary Use	S	S	S	S	S	S	S	S	P	P	S	S	S	P	P	P	P	Section 4.4.3

¹ Two and three family dwellings may be permitted within the RM-1. See Section 3.2.2 for more detail.



FOR INFORMATIONAL PURPOSES ONLY

Sources: Town of Southbury GIS, SLR



Attachment C

TOWN OF SOUTHBURY ZONING—PARCELS WITH SPLIT ZONING



Attachment D – Town Staff Items

Item	Section to be Addressed in
Increase fence height from 6' to 7'	Site Development Standards
As built required for structures in excess of X sqft	Admin/Procedures
Agricultural uses – goat yoga, pet-a-calf	Uses/Associated Standards
Add regulations and enforcement for storage containers	Site Development Standards or Uses
Add regulations and enforcement for yard dumpsters	Site Development Standards or Uses
Add signage examples for Section 11	Site Development Standards
Update Section 11 to be more user friendly	Site Development Standards
Section 10.6.4 – make it clear that square footage of unit (500sqft/5sqft of signage) must be in intervals of 500. A 750 sqft unit cannot result in a 7.5 sqft sign	Site Development Standards
25% of window facades can be covered by signage. Make the language clear so the 25% calculation either includes all windows or each window panel	Site Development Standards
PA 23-40 updating location approvals for motor vehicle repairer from ZBA to ZEO	Admin/Procedures
Increase attached ADU maximum square footage from 750 sqft to 1000 sqft	Uses/Associated Standards
Add guidelines and standards for patron protection for outdoor seating	Uses/Associated Standards
Add note for title searcher to the effect of – “all zoning permits, other than home enterprises, expire 1 year after issuance, so long as all work was completed.....”	Admin/Procedures
Section 4.2.2(b) – BOS should be able to authorize structures for Open Space parcels, such as sheds, walkways, and decks, under an 8-24 referral	Admin/Procedures or Area/Bulk (depending on framing)
Survey information (see letter from Board of Examiners)	Admin/Procedures
Designation of certain alleviations from regulations that entities like Conservation Commission or SLT get to construct signs, boardwalks, decks, etc.	Admin/Procedures or Area/Bulk (depending on framing)

Item	Section to be Addressed in
Clear language and guidelines and procedures for obtaining a 2nd curb cut	Site Development Standards
Clear language and enforcement for individuals found to have tied into Town owned infrastructure	Site Development Standards
Clear language and enforcement for individuals found to have adversely discharged water or material onto Town owned property or roads	Site Development Standards
Procedure for Special Exception approvals to be transferable to next business, so long as the business use aligns with the original Special Exception approval and is substantially compliant with the original approved proposal	Admin/Procedures
PA 22-25 requiring level II chargers for new developments	Site Development Standards
Clear language about commercial vehicles and how many can be kept outside on a residential lot. Line D-1 of the Schedule A only allow commercial vehicles accessory to a permitted Special Exception use)	Uses/Associated Standards
Temporary Event Sign Permit: This permit would allow commercial businesses to advertise for an event and utilize additional signage for a short period (location specific)	Site Development Standards
Language and procedure permitting food trucks (events only)	Uses/Associated Standards
Temporary Athletic Lighting: This regulation is confusing as the language eludes to Temporary athletic lighting being both prohibited and exempt	Site Development Standards
Clear language prohibiting the vertical expansion of non-conforming structures	Introduction
Updates for Streetscape to include required improvements new developments and re-developments as well as codifying the current standards for streetscape features like sidewalks, lights, poles, decorations, etc.	Site Development Standards
Expand permitted uses for Home Enterprise to include offices	Uses/Associated Standards
Include language regulating or prohibiting short term rentals	Uses/Associated Standards
Dog Day Care Facility: See regulations drafted in 2018 for the Zoning Commission	Uses/Associated Standards

Item	Section to be Addressed in
Solar System Regulations: Adopt regulations for residential and commercial roof and ground solar systems	Site Development Standards
Modify parking minimums and maximums	Site Development Standards
Definitions (See List in Files)	Definitions
<p>Other Errors</p> <ul style="list-style-type: none"> - Schedule A Line A-3 (below) “See Par 1.7.16” does not exist in the regulations - 11.7 exempts “temporary athletic lighting as defined in 11.2.17”. 11.2.17 deals with search lights and is the wrong reference. - 14.5.2 Change “lot” to “plot” for “present a lot plan” 	Respective section as text is moved