

ORDINANCE ESTABLISHING THE TRANSIT-ORIENTED DEVELOPMENT ZONING DISTRICT

WHEREAS, transit-oriented development is commonly defined as the creation of walkable, compact, mixed-use, higher-density and pedestrian-oriented development within walking distance of mass-transit facilities; and

WHEREAS, transit-oriented development benefits the community by reducing energy consumption, greenhouses gases, and other pollutants; and

WHEREAS, transit-oriented development contributes to a vibrant, livable, and sustainable community; and

WHEREAS, the Elmwood and Flatbush CTfastrak stations are important mass-transit facilities for the Town and the surrounding area is appropriate for transit-oriented development; and

WHEREAS, the Town completed a community engagement process to solicit input from Town of West Hartford boards and commissions; neighborhood and business associations; and property and business owners to develop appropriate land use regulations; and

WHEREAS, the establishment of transit-oriented development land use regulations will support and enhance both the State of Connecticut’s significant investment in the CTfastrak, along with its planned CT Rail station and the Town’s complete streets infrastructure improvements along New Park Avenue; and

WHEREAS, the Plan of Conservation and Development encourages the “principles of smart growth, sustainability and new urbanism, including walkability [to] be considered during the land decision making process”; and

WHEREAS, the Plan of Conservation and Development recommends the establishment of a transit-oriented zoning district to further its economic development and transportation goals.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD:

SECTION ONE. *Article II of Chapter 177, Section 3 B. of the Code of the Town of West Hartford is hereby amended by adding the following new subsection (7):*

Transit-Oriented Development District (TOD). The purpose of this district is to encourage development in a predictable, contextual, design-focused manner within walking distance of the CTfastrak stations. The TOD is intended to support transit-oriented development principles which foster the creation of complete neighborhoods. The district is designed to help preserve and expand opportunities for businesses and employers that serve West Hartford residents and the surrounding region; to encourage a mix of retail, restaurant, office, entertainment, and residential uses that provide opportunities to live, work, and play; to promote moderate to high residential and

employment densities that support transit use; to encourage infill development, rehabilitation, redevelopment, and adaptive reuse and to promote consistent and pedestrian-oriented building and site design.

SECTION TWO. *(NEW) Article IV of Chapter 177, Section 43 of the Code of the Town of West Hartford is hereby amended by adding the following section:*

§ 177-43 Transit-Oriented Development.

A. Applicability.

This Section shall apply to lots, as shown on the Official Zoning Map, within one-quarter (1/4) mile walking distance of either the Elmwood or Flatbush CTfastrak stations with frontage on or accessed from the following streets:

- (1) Darcy Street;
- (2) Flatbush Avenue;
- (3) Jefferson Avenue;
- (4) New Britain Avenue;
- (5) New Park Avenue;
- (6) Prospect Avenue; and
- (7) South Street.

To the extent that the requirements of this Section are inconsistent with the requirements elsewhere in this Chapter, this Section shall prevail. When not covered by the standards in this Section, the standards found in other Sections of this Chapter shall apply.

B. Development Standards.

In addition to the standards provided in § 177-6 F, the following additional provisions shall apply:

- (1) Residential density. The lot area per dwelling unit (in square feet) shall be 750 s.f.
- (2) Open space. Usable open space shall be provided at not less than 100 s.f. per dwelling unit and shall comply with the specifications of § 177-10.
- (3) Parking. § 177-32 shall apply, except as modified by the provisions below:

(a) On-Site Parking

- [1] All on-site parking shall be located to the rear or side of a building. In the case of corner lots, the front of a building shall mean the facade which faces the most heavily traveled street abutting the property.
- [2] The dimensions of on-site parking spaces shall be nine (9) by eighteen (18) feet.

- [3] Tandem or stacked parking may be permitted for residential uses where tandem spaces are assigned to the same dwelling unit.

(b) On-Street Parking

- [1] Parking requirements may be met by a combination of on-site parking and on-street parking, where allowed, located on the street frontage of the property in question.
- [2] Any on-street parking space shall be at least twenty-two (22) feet in length when parallel to the curblineline or nine feet by twenty feet when diagonal or perpendicular to the curblineline.

(c) Minimum Parking Requirements

[1] Use	Number of Spaces Required
Residential dwellings	1 per dwelling unit
Office	1 per 350 square feet of gross floor area
Retail, Banks, Personal Service, Indoor recreation and amusement facilities	3 per 1,000 square feet of gross floor area
Restaurants and Theaters	1 per 4 seats

(d) Minimum Bicycle Parking Requirements

[1] Use	Number of Spaces Required
Residential dwellings	1 per 5 dwelling units
Office	1 per 1,500 square feet of gross floor area, up to a maximum of 10 bicycle parking spaces
Retail, Banks, Personal Service, Indoor recreation and amusement facilities	1 per 3,000 square feet of gross floor area up to a maximum of 10 bicycle parking spaces
Restaurants and Theaters	1 per 10 seats, up to a maximum of 10 bicycle parking spaces
[2]	All non-residential, outdoor bicycle parking spaces shall be placed within 100 feet of the building's primary entrance.

[3] Indoor bicycle parking and storage rooms shall be permitted.

(e) Shared Use Parking Requirements. Reductions in the minimum parking requirements as described in this subsection may be granted for mixed-use sites using one of the following methodologies:

[1] Shared Use Method 1. To be eligible for a reduction, a parking study that shows that two or more uses have different peak parking demands shall be required. Peak parking demand should be calculated utilizing the methodology set forth in the Urban Land Institute’s Shared Parking, as may be amended from time to time or similar methodology.

[2] Shared Use Method 2. Where a property includes two or more uses with different peak parking demands, the minimum parking requirements shall be calculated using the time-of-day parking variation factors in the Table below. The minimum parking requirements for each use shall be multiplied by the percentages in each cell, rounded up to the nearest whole number. The minimum parking requirements shall be equal to the peak parking demand, which is equal to the sum total of the cells in each column.

Time-of-Day Parking Variation Factors

Land Use	Weekdays			Weekends		
	Midnight to 7am	7am to 6pm	6pm to midnight	Midnight to 7am	7am to 6pm	6pm to midnight
Residential	100%	50%	90%	100%	65%	90%
Hotel/Motel	100%	65%	100%	10%	65%	100%
Office	5%	100%	5%	5%	5%	5%
Retail, Banks, and Personal Service	5%	100%	80%	5%	100%	80%
Restaurants	25%	75%	100%	50%	85%	100%

Based on data published by the Urban Land Institute

(4) Signage. § 177-33 shall apply, except as modified by the provisions below:

(a) Ground or freestanding signs, including supports, shall not exceed ten (10) feet in height above the surface of the ground where located.

(b) Blade or projecting signs shall not project more than thirty (30) inches from the face of a structure and shall be at least ten (10) feet above the level of any walkway it may overhang.

C. Special Design and Form Standards.

The following special design and form standards are provided to ensure a consistent public realm through the creation of design-focused, transit-supportive controls:

(1) Building Placement. Buildings shall be oriented towards the street and shall:

- (a) Be located not more than fifteen (15) feet from an established building line.
- (b) Occupy at least 60% of the frontage of a lot.

(2) Building Design. Buildings shall relate to and be oriented towards the street and surrounding buildings as follows:

- (a) The primary entrance of a building must face the street and be clearly articulated through the use of architectural detailing. Secondary or rear entrances may be permitted only if there is a main entrance from a street. Front entrances may not be closed off in favor of rear entrance. Patrons exiting an establishment shall be permitted to exit through the main entrance.

(b) Building Fenestration:

[1] Ground level non-residential uses minimum of 40% along the street facing façade.

[2] Ground level residential uses minimum of 25% along the street facing façade

[3] Upper level fenestration of 15% per story along the street facing façade.

- (c) An architecturally distinct, horizontal façade division is required between the ground floor and upper stories of any building.
- (d) Service areas (loading docks, shipping/receiving) and utility service connections shall be located at the back of the building or side of the building.
- (e) Refuse storage areas shall be located at the back of buildings and shall be located at least twenty (20) feet from any adjacent residential zones.
- (f) The ground floors of buildings shall have a habitable, active floor space within the first twenty (20) feet of building depth fronting the street.

(3) Building height. Five (5) stories and fifty-five feet (55') is permitted, subject to the following:

- (a) A step back is required for any fifth story. The step back shall be a minimum of ten (10) feet from the front building wall as measured from the top of the fourth story and shall apply to all sides of the structure that abut a public street.

(b) Building height may be increased to sixty-five feet (65') if the ground floor contains retail, restaurant or other active commercial space.

(4) Site Access. No lot shall have more than one (1) curb cut to a public street for each five hundred feet (500') of street frontage.

D. Development Bonus Standards.

To further encourage development in a predictable, contextual, design-focused manner within walking distance of the CTfastrak stations and to foster the creation of complete neighborhoods, the following additional development bonuses may be granted for applicants who meet the objectives pertaining to access management, affordable housing, infill development, public space, and sustainability.

(1) Development Bonus. Additional development bonuses are available for projects that satisfy the criteria as set forth herein. The standards can be converted into points, which are worth development bonuses in the form of an increase in permitted floor-area-ratio (FAR), building coverage or a reduction in on-site parking requirements up to the maximum limits as specified below. The development bonuses are cumulative and may be combined in any qualifying development. Documentation providing details on what standards are sought shall be included with the filing of any application under this section.

Development Bonus	Standard Equivalency (Per Point)	Maximum Bonus
Increase in permitted floor-area-ratio (FAR)	0.25	0.50
Increase in permitted building coverage	5%	25%
Reduction in on-site parking requirements	Lesser of 10% or 10 spaces	Lesser of 20% or 20 spaces

(a) Access Management. The purpose of the standard is to foster the consolidation or pre-existing curb cuts and parking lot interconnections between properties to enhance walkability and vehicle, bicycle, and pedestrian safety within the District. Development bonus points available as follows:

[1] Elimination of pre-existing curb cut: One (1) point per curb cut eliminated.

[2] Lot Interconnection: One (1) point per interconnection.

[a] A lot interconnection shall consist of an internal driveway and

walkway provided between adjacent properties and shall be secured with a cross-access easement. This easement shall be at least twenty-five (25) feet wide and grant perpetual, non-exclusive, mutual cross access for purposes of vehicular and pedestrian ingress and egress on, over, upon, and across the areas defined in the easement.

(b) Affordable Housing. The purpose of the standard is to encourage the growth of affordable housing and mixed-income housing within the District.

[1] Development bonus points available as follows:

Affordable Housing Set-Aside	Income Limits	Points
At least 15% of the total units	80% of Area Median Income	1
At least 25% of the total units	80% of Area Median Income	2
At least 10% of the total units	60% of Area Median Income	1
At least 15% of the total units	60% of Area Median Income	2

[2] All affordable housing units shall be deed-restricted to the income limits above for a period of at least thirty (30) years and meet the requirements of Regulations of Connecticut State Agencies § 8-30g-8.

(c) Infill Development. The purpose of the standard is to encourage development of underutilized areas of properties to enhance the public realm. To qualify, an infill development must be the expansion of an existing structure or the construction of a new structure provided that any new construction must be directly adjacent to and accessible from a public right-of-way and be located not more than fifteen (15) feet from an established building line. The ground floor must contain primarily retail or other commercial space. Infill development does not include any portion of a site in which an existing building meeting the requirements of this standard is demolished and replaced with a new structure.

[1] Development bonus: The floor area of the ground floor shall be excluded from maximum permitted floor area ratio, building coverage and parking calculations, up to the maximum bonus identified in subsection D(1) above.

(d) Public Space. The purpose of the standard is to encourage the private development of permanently dedicated and reserved public space, such as, but not limited to, commons, greens, squares, pocket parks, plazas or connections to or expansion of existing public space such as the Trout Brook Trail. To qualify, public space must be located at ground level and include appropriate amenities such as, but not limited to, paving, seating, landscaping, ornamental fountains, art, and lighting. Any area to be considered as new public space shall have frontage of at least twenty (20) feet along a public street or sidewalk or the Trout Brook Trail, be at least fifteen (15) feet deep (as measured perpendicular to its frontage) and contain not less than 1,000 square feet in area. Any area which is otherwise required to remain open in order to meet setback or other requirements of this chapter shall not qualify as public space. All areas of public space shall be maintained by the owner(s)

or occupant(s) of the lot upon which they are located. No area designated as public space shall display signage which states or implies that use of the area is limited to a particular group or class of persons. Development bonus points available as follows:

[1] Creation of new qualifying public space: One (1) point per lot.

[2] Expansion of public access to the Trout Brook Trail: One (1) point per lot.

(e) Sustainability. The purpose of the standard is to encourage the development of renewable energy systems and green building practices. Development bonus points available as follows:

[1] Development utilizes a green roof: One (1) point if at least 50% of the roof area is green.

[a] A qualifying green roof shall mean the roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane.

[2] Development utilizes a renewable energy system.

[a] One (1) point if the development contains a geothermal heating/cooling system.

[b] One (1) point if the development contains at least 50% of the roof area dedicated to solar photovoltaic systems.

E. Application Procedure. Unless otherwise identified in § 177-6B, all applications for development or redevelopment within the Transit-Oriented Development District shall be subject to the site plan provisions of § 177-42B.

SECTION THREE. *Section 177-6 (F) of the West Hartford Code of Ordinances entitled Standards for Business Districts is hereby amended in accordance with the attached Amended zoning table.*

SECTION FOUR. *Section 177-6 (B) of the West Hartford Code of Ordinances entitled Schedule of Permitted Main Uses is hereby amended in accordance with the attached Amended zoning table.*

SECTION FIVE. *Section 177-6 (C) of the West Hartford Code of Ordinances entitled Schedule of Permitted Accessory Uses is hereby amended in accordance with the attached Amended zoning table.*

SECTION SIX. *Section 177-4 of the West Hartford Code of Ordinances is hereby amended in accordance with the attached amended zoning map.*