

**DEPARTMENT OF PLANNING AND DEVELOPMENT****MEMORANDUM**

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: January 13, 2026

TITLE: Staff Report: Zoning Regulation Amendment – Application PL-25-21
Sections 1- Definitions, 3.41, 3.41.1, 3.41.2(b, c, f and n), 3.41.3 and 6.1.2 as
they pertain to the Purpose, General Provisions and Submission Requirements
applicable to Agri-tourism

EXECUTIVE SUMMARY

This application has been submitted by the Waterford Planning and Zoning Commission pursuant to Section 28.2 of the Waterford Zoning Regulations to amend Sections 1 - DEFINITIONS, 3.41, 3.41.1, 3.41.2(b), (c), (f), (n), 3.41.3 and Section 6.1.2 of the Zoning Regulations relative to Agri-tourism

The proposed modifications to Section 1, Section 3.41 and Section 6.1.2 including the above referenced subsections are to more clearly establish the distinctions between those Agri-tourism uses which are listed as events and those which are listed as activities as well as eliminating some of the standards and criteria for compliance subsequent to the approval of a Special Permit. The uses that are listed as activities within Section 3.41 are considered accessory to the farming operation and will not be subject to the requirements of a Special Permit. Uses which are listed as events will still be subject to the requirements of a Special Permit. Once a Special Permit has been granted for an Agri-tourism event space, all uses as defined in the proposed definitions of events can be conducted on the property.

This application was received by the Commission on December 16, 2025.

The application was posted in the Office of the Waterford Town Clerk on December 22, 2025.

The Public Hearing was advertised in The Day newspaper on December 30, 2025 and January 6, 2026.
The date of Public Hearing was January 13, 2026.

BACKGROUND

Pertinent Regulations
Connecticut General Statutes
CGS 8-3(a)

Waterford Zoning Regulations
Section 1 – Definitions
Section 3.41 – Agri-Tourism
Section 6.1.2 – Rural Residential District (RU-120)
Section 28 – Amendments

Waterford Zoning Regulations

Added Text

Deleted Text

Existing text to remain

Section 1 – DEFINITIONS (Effective Date: 10/4/24)

Farm Promotional Events:

Events that are open to the general public including but not limited to Farm-to-Table Dining Experience, Educational Farm Tours and Workshops

Farm Catering and Banquet Events:

Private events such as weddings, private parties and similar uses not open to the general public.

Section 3.41- AGRI-TOURISM (Effective Date, 1/29/18, Revised 6/4/25)

Purpose:

The purpose of this regulation is to allow Agri-tourism uses in Waterford, while maintaining rural character, preserving farmland, and protecting the health, safety and welfare of the citizens. Agri-tourism presents a unique opportunity to combine aspects of tourism and agriculture to provide a number of financial, educational and social benefits to the community while allowing farmers to supplement their farming activities with activities and events directly related to the farm and farming. Agri-tourism activities are multi-day seasonal uses which are accessory to the Farm and Farming

Operation. They include, but are not limited to u-pick operations, hay rides, corn mazes, petting zoo, cut your own Christmas trees, farmer's markets, wine tasting, horseback riding, carriage rides, sleigh rides, ice cream facilities, and garden tours. Agri-tourism activities are not subject to the issuance of a Special Permit. Agri-tourism events are single day uses or multi-day uses with each day having a defined start and end time.

Agri-tourism events may include Farm Promotional Events in addition to Farm Catering and Banquet Events. Multi-day uses events shall not exceed three consecutive days.

Existing Special Permits issued for Agri-tourism shall conform to the requirements of these regulations or any amendment thereto. Agri-tourism activities and events may be permitted only in the RU-120 Zone District.

3.41.1. *At a minimum, Agri-tourism activities events shall be permitted in accordance with the provisions contained herein, subject to the issuance of a Special Permit in conformance with Section 23 of these Regulations.*

3.41.2(b) - *Agri-tourism activities and events shall be limited to the areas as shown on an approved Site Plan, including outdoor and indoor areas of the farm property.*

3.41.2(c) – *All parking and areas associated with activities and events shall be no closer than 150 feet from all property lines.*

3.41.2(f) - *No more than one (1) Agri-Tourism event shall take place simultaneously.,
no more than two events shall take place in any week running from Monday to Sunday, and no more than one event shall take place on any weekend running from Friday through Sunday. No more than 25 total Agri tourism events may be permitted in a calendar year. Each multi-day event shall count toward the maximum number of Agri tourism events permitted in a calendar year. The Commission may impose conditions to further limit the number and time of activities and events to mitigate adverse impacts to neighboring properties.*

3.41.2(n) - *A Zoning Compliance Permit shall be required for any activity or event to ensure compliance with the Special Permit. Applications for Zoning Compliance shall be made at least 7 days prior to the event. The Commission may impose conditions to limit the number and time of events to mitigate adverse impacts to neighboring properties.*

3.41.3 - Submission requirements:

In addition to the requirements of Section 22 & 23, the Special Permit Application to conduct Agri-tourism events shall also include, at a minimum, the following information:

- a. *A statement describing the availability of adequate public utilities or on-site water and septic capabilities.*
- b. *A sworn, notarized statement by the property owner acknowledging requirements to comply with all applicable public health, fire, and building codes.*
- c. *A copy of the deed for the subject parcel.*

6.1.2 - Farming, except piggeries and the raising of animals for the production of pelts.

An Agri-tourism activity as defined in Section 3.41 shall be considered an accessory use to the principal farming use and shall include but not be limited to seasonal activities such as pick-your-own operations, hay rides, corn mazes, petting zoo, cut your own Christmas trees, wine tasting, horseback riding, carriage rides, sleigh rides, garden tours and other similar activities

Roadside stands not over 200 square feet in size, only when used for the sale of farm products, shall be permitted only if such stand is accessory to a farm use existing on the lot on which said stand is located. All such stands shall be set back 15 feet from the front property line and shall be provided with at least three off-street parking spaces in addition to those parking spaces required to serve the other uses of the property. All of the products offered for sale at any stand established under this provision shall have been grown or produced on said property.

DISCUSSION

Section 1 - DEFINITIONS

The regulation amendments as proposed introduce two uses listed as Agri-tourism events. These events, “Farm Promotional Events” and “Farm Catering and Banquet Events”, are currently not defined within the Zoning Regulations. As such, the addition of these uses must be defined within the context of the Zoning Regulations.

Section 3.41- AGRI-TOURISM

The regulation amendments proposed are designed to distinguish between those Agri-tourism uses which are activities and those which are events. While the existing regulations established these uses as distinct types of uses, the permitting process for the two types were similar. Both categories (Activities and Events) required a Special Permit and Site Plan review and approval by the Planning and Zoning Commission (Commission). The purpose of the regulation amendments proposed throughout Section 3.41 and its subsections is to remove Special Permit and Site Plan review and approval for Agri-tourism activities only and to list them as accessory uses associated with a farm or farming operation. By establishing Agri-tourism activities as accessory uses they are considered to be customary and incidental to the farm or farming use. An Accessory Use is defined within the Town of Waterford Zoning Regulations as *“a subordinate use which is clearly incidental to and customary in connection with the main building or use and which is located on the same lot with such main building or use.”* The accessory uses that are proposed to be listed within Section 6.1.2 are incidental and customary to a farm or farming use in that they cannot operate unless a farm or farming operation occurs as a principal use on the parcel.

Proposed language within Section 3.41 also states that, *“Agri-tourism activities are not subject to the issuance of a Special Permit”*. This proposed language further clarifies that any of the uses listed as Agri-tourism activities within Section 3.41.2 and 6.1.2 do not require review and approval of a Special Permit and Site Plan by the Commission.

Proposed text changes for Sections 3.41.1, 3.41.2(b), 3.41.2(f) and 3.41.2(n) removes “Agri-tourism activities” from being subject to Special Permit review and approval while still requiring “Agri-tourism events” defined in Section 1 and as listed within Section 3.41, subject to the issuance of a Special Permit and Site Plan. The amendment to Section 3.41(f) also removes the maximum number of events that can be held during a week as well as removes the maximum number of events that can be held in a calendar year. The proposed modification to Section 3.41.2(n) also removes the requirement that a Zoning Compliance application be submitted for review for any event at a location that has received a Special Permit and Site Plan approval for conducting Agri-tourism events. The Commission retains the ability to impose conditions that may limit the number and time of events in order to mitigate any potential adverse impacts to neighboring properties at the time it reviews an application for a Special Permit to allow Agri-tourism.

The Commission previously enacted Agri-Tourism regulations in 2018 in order to encourage the preservation of undeveloped farmland and by allowing the continuation of farms with income generating activities and events directly related to the farms and farming operations. The regulation amendments which are the subject of this application further increase the ability of farms and farming operations to remain sustainable by providing additional opportunities for Agri-tourism activities.

Pursuant to Connecticut General Statutes Section 8-3a, before the Commission acts upon an application to amend the Zoning Regulations of the Town of Waterford, it must find whether or not the amendments being proposed are consistent with the goals, policies and objectives contained in the 2012 Waterford Plan of Preservation, Conservation and Development, herein after called the Plan.

RECOMMENDED ACTION

Based on the information provided, staff recommends the Planning and Zoning Commission find that:

Findings:

1. Application PL-25-21 meets the requirements of Section 28 of the Waterford Zoning Regulations.
2. Application PL-25-21 meets the requirements of Connecticut General Statutes Chapter 124 §8-3 governing changes of zoning regulations and districts.
3. The proposed regulation amendments are consistent with the Plan in meeting the stated goals of the Sustainability/Resiliency Chapter (Pg. 40).
4. The proposed regulation amendments further encourage additional means to continue to support local farmers and farming by allowing Agr-tourism defined activities to operate as an accessory use to a farm and farming operation without being subject to the requirements of a Special Permit and Site Plan review (Pg. 42).

Proposed Motion:

That the Commission approve Application #PL-25-21 to amend Zoning Regulations Sections 1 – Definitions, 3.41, 3.41.1, 3.41.2(b, c, f and n), 3.41.3 and 6.1.2 and adopt the findings 1 thru 4 of the Staff Report dated January 13, 2026.

Effective Date: February 20, 2026

ENHANCE

Sustainability / Resiliency

GOAL

Promote activities that are more sustainable over the long term and help to create a resilient community.

For this Plan, “sustainability” refers to the philosophy of encouraging activities that allow present generations to meet their needs without compromising the ability of future generations to meet their needs. The term “resiliency” refers to the community’s ability to readily recover from sudden changes or adversity.

Although the future cannot be determined with certainty, it is becoming more apparent that resource availability and utilization will likely have greater importance. This will undoubtedly impact residents and businesses in Waterford in ways we may not yet fully foresee. To ensure it is a “resilient” community, Waterford should start investigating and implementing, as appropriate, sustainability measures to preserve resources and maintain a healthy quality of life for future generations.

The Town of Waterford should be a leader in sustainable practices.

Residential Solar Collector



Sustainability



C. Encourage Farms and Farming

Having more food grown locally and available locally helps make Waterford a more sustainable and a more resilient community.

Waterford should seek ways to support local farmers and farming since this could provide a number of health, nutrition, and economic benefits for residents. In addition to the farmer's market, it might also include roadside farm stands.



Farm Stand



Farm Produce

