



DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

DATE: June 13, 2023

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

RE: Proposed Customary Home Occupation regulation amendment
Section 1- Definitions, Hairdressing
Section 3.11.11 – Customary Home Occupation Off-Street Parking
Application PL-23-6

EXECUTIVE SUMMARY

This application has been submitted pursuant to Section 28.2 of the Waterford Zoning Regulations to amend the following sections of the Zoning Regulations:

Section 1- Definitions to add “Hairdressing” as a listed Home Occupation Use with not more than 1 chair and no more than 2 clients on the premises at any one time.

Section 3.11.11 – Off Street Parking requirements for Customary Home Occupations to specify that a Hairdressing Home Occupation Use shall not exceed two (2) parking spaces for customers.

This application was received by the Commission on April 25, 2023

The application was posted in the Office of the Waterford Town Clerk on May 10, 2023

The Public Hearing was advertised in The Day on May 30 and June 6, 2023

The date of Public Hearing was June 13, 2023

BACKGROUND

Pertinent Regulations

Connecticut General Statutes
CGS 8-3(a)

Waterford Zoning Regulations

Section 1 – Definitions – Home Occupations, Customary

Section 3.11.11 - Off-Street Parking for Customary Home Occupations

Section 28 – Amendments

In accordance with Section 28 of the Zoning Regulations, the above referenced application for amendments to the Zoning Regulations has been submitted for the Commission's consideration. Currently, Section 1 of the Zoning Regulations lists those uses that the Town of Waterford consider Home Occupations. The applicant is proposing to add Hairdressing to the list of permitted Customary Home Occupations with a limitation of not more than 1 chair and not more than 2 clients on the premises at any one time.

Section 3.11 of the Zoning Regulations establishes the standards and criteria that must be demonstrated as part of the zoning review procedure prior to the issuance of a Zoning Compliance Permit for any of the Customary Home Occupations listed in Section 1. The application as presented also proposes a modification to the language contained in Section 3.11.11 of the Zoning Regulations. Currently, Section 3.11.11 states:

“Off-street parking in accordance with the requirements of Sections 20.2, 20.3, 20.4, and 20.5 of these regulations must be provided and its location and design must not change the characteristics of the neighborhood.”

The applicant's proposal adds language to this section of the regulations, which establishes off-street parking requirements in order to specifically address the number of parking spaces that support the proposed hairdressing use. The number of parking spaces to support a particular use is, in most instances, determined by a ratio of the gross floor area dedicated to the use and an established base number factor. For example, the number of parking spaces that are required to support a personal service establishment, of which hairdressing qualifies, is 1 space for every 175 square feet of gross floor area devoted to the use (25.3d). This standard would apply to a commercial location. In an attempt to maintain the residential character of the property with a home occupation, the applicant proposes limiting the maximum number of parking spaces dedicated to the use to 2 regardless of the amount of gross floor area that can be devoted to the use in accordance with Zoning Regulations Section 3.11.8. The restriction on the maximum number of parking spaces for the use also supports the limitation on the number of clients allowed at any one time on the premises as stated in the proposed definition language.

As required, the applicant has provided a narrative (Exhibit 6) identifying the proposed regulations consistency with the stated elements contained within Waterford's 2012 Plan of Preservation, Conservation and Development (Plan). In order for the Commission to approve an amendment to the Zoning Regulations, it must find that the applicant has adequately demonstrated to the Commission's satisfaction that the proposed amendments are consistent with the Plan.

Should the Commission take action in approving the regulation amendments it may consider the following findings including that of consistency with the 2012 POCD:

RECOMMENDED ACTION

Findings:

1. Application PL-23-6 meets the requirements of Section 28 of the Waterford Zoning Regulations.
2. Application PL-23-6 meets the requirements of Connecticut General Statutes Chapter 124 §8-3 governing changes of zoning regulations and districts.
3. The proposed Regulation Amendment is consistent with the 2012 Plan of Preservation Conservation and Development in meeting the stated goals of the Business/Economic Development Guide in that the modifications to the regulations as proposed will help to promote business and economic development in order to meet local needs.
4. The proposed Regulation Amendment is consistent with the Policy Element of Supporting Home-Based Businesses as identified in the Business/Economic Development Guide in 2012 Plan of Preservation Conservation and Development.
5. The proposed Regulation Amendment is consistent with the Policy Element in considering allowing small-scale neighborhood businesses where appropriate as identified in the Business/Economic Development Guide in 2012 Plan of Preservation Conservation and Development.

C. Increase Opportunities For Mixed Use And Village-Style Development

There is growing interest in Connecticut and elsewhere in creating opportunities for “smarter growth.” In general, this philosophy embraces the following principles:

Conservation Concepts	<ul style="list-style-type: none"> • Preserve open space, farmland, natural beauty, and critical environmental areas
Development Concepts	<ul style="list-style-type: none"> • Strengthen and direct development towards existing developed areas • Foster distinctive, attractive communities with a strong sense of place • Mix land uses • Create a range of housing opportunities and choices • Take advantage of compact building design
Infrastructure Concepts	<ul style="list-style-type: none"> • Provide a variety of transportation choices • Create walkable neighborhoods
Process Concepts	<ul style="list-style-type: none"> • Encourage community and stakeholder collaboration in development decisions • Make development decisions predictable, fair, and cost effective

Since these principles can help support community structure and community character, opportunities to implement them should be considered, where appropriate. As has been a basic growth principle in Waterford for some time, such developments should only be located where consistent with the recommendations of this Plan and where infrastructure with adequate capacity exists to support it.

Promoting “smarter growth” could include creating new mixed-use “village-type areas” in locations supported by transit and utility infrastructure where there will be a strong focus on integrating the development within the overall structure of the community and the neighborhood, creating a pedestrian-friendly environment and a strong sense of place.

The term “mixed-use” refers to development devoted to more than one use or purpose on the same property or in the same area. Much development over the past several decades has been single-use on one property and use areas were required to be separated. For the purposes of the Plan, the term “mixed-use” generally means residential uses in combination with commercial, industrial, office, institutional, or other land uses.

D. Consider Allowing Small-Scale Neighborhood Businesses Where Appropriate

One way to begin supporting mixed use “village-type” areas might be to allow *small-scale* business uses (such as a small neighborhood “general store”) in areas of concentrated development provided that:

- the use is only allowed as a special permit to ensure that it is controlled and is compatible with the village character,
- the site is appropriately located (such as on a major street), and
- strict floor area limitations and design guidelines are utilized in order to ensure that the proposed use is integrated into the existing neighborhood.

See the “Implementation Element” of the Waterford Plan of Preservation, Conservation and Development for information on tasks and actions currently programmed for implementation of these Overall Structure strategies.

F. Support Appropriate Home-Based Businesses

Due to technological and other improvements, more and more people are working from home. Waterford should maintain regulations to allow and manage home-based businesses (professional uses, business services, personal services, and contractors). Waterford can be an “incubator” for such businesses so that, as they grow and prosper, they can move from residential neighborhoods to business areas.

Special efforts should continue to:

- managing the activities of home-based contractors,
- limiting the parking of commercial vehicles in residential areas, and
- mitigating negative effects of home-based businesses.

Home Office



Home-Based Professional



Home-Based Service



Home-Based Contractor



See the “Implementation Element” of the Waterford Plan of Preservation, Conservation and Development for information on tasks and actions currently programmed for implementation of these Business Development strategies.

GUIDE

Overall Structure

GOAL

Strive to maintain a community comprised of identifiable villages, neighborhoods, and locations with a strong “sense of place.”

The overall physical organization of Waterford (the structure of the community) is an important component of the Plan. Studies have found that the overall structure of a community and the amount of definition of areas within it are both strongly correlated with community character and community image. People identify strongly with communities that have a discernable structure and often identify these communities as having “character” and a “sense of place”.

The following features affect the perception of community structure and community character:

Features Which Tend To Enhance Character

Focal Points	Identifiable focal points or places with distinctive characteristics
Landmarks	Distinctive places or destinations
Clusters	Neighborhoods or areas identifiable by use, location, character, or style
Greenspaces	Open spaces, greenways, trails, streambelts or other natural elements
Gateways	Places providing a special sense of entry or arrival to an area

Features Which Can Enhance Or Erode Character

Roads	Roads to and through the community can enhance or detract
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Features Which Can Erode Character

Strip Development	Areas with linear development patterns, especially commercial
Sprawl Development	Areas with repetitive development patterns, especially residential

At the present time, the defining elements of Waterford’s community structure may be:

- the Civic Triangle area which acts as a community focal point,
- the areas of concentrated development in Quaker Hill, Mago Point, Pleasure Beach, Ridge-wood Park, Jordan Village, Oswegatchie, and Cohanzie,
- greenspaces (open space or low-intensity areas), and
- major business areas such as Crystal Mall, Business Triangle, Millstone Point, and Route 1 at Clark Lane.