

Town of Trumbull
CONNECTICUT



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PLANNING & ZONING COMMISSION

To: Members of the Trumbull Planning & Zoning Commission

From: Rob Librandi, Town Land Use Planner
James A. Cordone, Town Attorney

Re: Text Amendment to Revise Article 2: Section 3.2 B-C Long Hill Green and
Town Hall Node

Date: December 1, 2023

These revisions are to the B-C Long Hill Green and Town Hall Node. Generally, the revisions to this section are similar to the changes the Commission recently adopted for the Business Commercial (BC) zone. The following is a summary of the proposed changes.

Changes to Encourage Economic Activity:

- **Site Plan Approvals.** In an effort to foster economic activity and growth in this zone, the regulation is being revised to permit certain uses subject only to site plan approval by the Commission. These uses are retail, professional office including medical/dental, bank and financial services, restaurants, and personal services.¹ (See Section 3.2.1). Note that the Commission will consider a site plan to review traffic and other health and safety concerns. This change will improve the approval process as site plan review is not subject to a public hearing and requires the commission to decide within 65 days under CT law, although approvals could be granted sooner. This revision is similar to the changes the Commission made for the BC-Zone.
- **New Uses.** In addition, several new uses were added: Brewery, Brew Pub, Brew Pub/Restaurant, Boutique Manufacturing, Dog Day Care and Veterinary Hospital (see Section 3.2.4). These new uses require a special permit.
- **Modification of Existing Approvals.** Finally, language was added to permit a new business or a change in use, in certain circumstances, without having to obtain additional approval, if one was already granted by the Commission. This improves the ability for

¹ The remaining BC uses in that zone are still required to receive special permit approval.

new businesses to transition into buildings and sites already approved by the Commission. (See Section 3.2.11).

Technical and Other Changes:

- **Accessory Uses.** The language for Accessory Uses was revised to remove the special permit requirement for temporary (holiday) sales and to conform the text to similar language used for the B-C Zone (see Section 3.2.2). Note that any use in the zone that involves a drive-through, must receive special permit approval and is not permitted “as of right”.
- **Town Planner to Review Landscape Plans.** Town Planner replaced the Tree Warden in this regulation.
- **Signage.** Per the recommendation of the Town Planner, signage requirements were revised to reflect a more practical requirement with respect to calculating sign dimensions.

Article II – USE REGULATIONS

SECTION 3: COMMERCIAL ZONES

3.2 B-C-Long Hill Green and Town Hall Node (Business/Residential)

The purpose of this zone is to provide business, commercial, and multi-family residential uses in the area surrounding Long Hill Green and the area identified as the new Village Commercial Zone in the Town Hall Area Plan as set forth in the 2014 Trumbull Plan of Conservation and Development.

3.2.1 Permitted Uses

Within these areas, no Building or Structure shall be erected, altered, occupied or used, arranged or designed to be used for other than one or more of the following specified purposesuses and only upon the issuance of Site Plan approval by the Commission in accordance with requirements for site plans in Article XV, Section 2.2 of these Regulations:

1. Retail business or retail service provided that there shall be no manufacturing in connection therewith except such as is clearly incidental to the conduct of a retail business or service conducted on the premises, including but not limited to, department stores, health clubs, and clothing, grocery, liquor, appliance, jewelry, shoe stores and other similar establishments;
2. Business or professional office, including medical and dental clinics;
3. Bank and financial service;
4. Restaurants, including outdoor dining, but excluding Fast Food Restaurants;
5. Personal service establishments, including but not limited to, laundry or cleaning agency, shoe repair, photographer's or art studio, massage facilities, chiropractic clinics, garment repair, tutoring, dance/karate school, barber shop/beauty parlor and other similar establishments.

None.

3.2.2 Permitted Accessory Uses

The following uses are permitted upon the issuance of Certificate of Zoning compliance in accordance with Article V of these Regulations:

1. Accessory Uses for Principal Uses which are in compliance with the plans and conditions of approval for a Use which has received a Special Permit or Site Plan approval Special Exception in accordance with these Regulations;
2. Manufacturing or treatment only in connection with a permitted retail or service use, and when clearly incidental to the conduct of a permitted retail business or service conducted on the Premises.
3. Temporary Accessory Sale of Holiday Decorations and Retail Products. Sale of products, including but not limited to holiday or seasonal decorations or products, within any parking field provided that all such temporary sales shall not exceed a period of thirty (30) days, and no flood lights or loudspeakers are utilized.

4. Other accessory buildings or uses which are clearly subordinate and customarily incidental to and located on the same lot with the principal use, and that will not be hazardous to the public health, safety, and welfare.

The following accessory use is allowed only upon the issuance of a Special Permit by the Commission in accordance with Article XV of these Regulations: 1. Drive-throughs associated with any use in this zone require special permit approval by the Commission.

3. Accessory Sale of Holiday Decorations. The Commission may issue a Special Permit for the season sale of Christmas trees, wreaths, or garlands; Easter flowers; Halloween pumpkins; or other seasonal holiday items, provided that:

- a. parking is provided at the rate of one (1) space per 250 square feet of display area;
- b. no flood lights;
- c. all Christmas trees, fencing, and other materials incidental to the sale are removed, and the site restored to its previous condition, no later than fifteen (15) days after the subject holiday.

3.2.3 Special Exception Uses

The following Uses are allowed only by the issuance of a Special Exception by the Zoning Board of Appeals in accordance with Articles VI and XV of these Regulations:

None.

3.2.4 Special Permit

The following Uses are allowed only upon the issuance of a Special Permit by the Commission in accordance with Article XV of these Regulations:

- 1. A retail business or retail service use including but not limited to those on the list occupation listed below, provided that there shall be no manufacturing or treatment in connection therewith, except such as is clearly incidental to the conduct of a retail business or service conducted on the premises:
- f. The sale of any kind of food, including pastries and confections;
- g. Books, newspapers, periodicals or stationery;
- h. Laundry or cleaning agency;
- i. Drugs or toilet articles;
- j. Florist shop;
- k. Gift shop;
- l. Antiques;
- m. Jewelry;
- n. Shoes and shoe repairing;

- o. Photographer's studio;
- p. Barber shop and beauty parlor
- q. Hardware and household appliances;
- r. Clothing and related lines;
- s. Variety stores;
- t. Restaurants.
- 2. Business and professional offices.
- 3. Bank.
- 14. Post Offices.
- 25. Firehouses.
- 36. Newspapers and job printing.
- 47. Clubs and fraternal organizations.
- 58. Gasoline filling stations and garages for the storage and repair of not more than 15 motor vehicles, subject to the following conditions and restrictions:
 - a. All automobile repair work, with the exception of emergency work, shall be conducted wholly within a building;
 - b. Automobiles shall not be stored or displayed outside of a building;
 - c. No entrance or driveway to any building within which such a use is conducted shall have less than 20 feet of clear width at any point;
 - d. No entrance or driveway to any premises on which any such use is conducted shall be situated within a radius of 200 feet from a lot used or reserved to be used for: a college or school; a hospital; public playground or park; a church or public library, provided that no such use shall be deemed to be nonconforming by reason of a subsequent erection or development of any such college, school, hospital, playground, park, church or library;
 - e. No such use shall be located within 1,500 feet of any other such use.
- 69. Indoor Recreation and Amusement Uses including but not limited to Sports Club, Health Club, Fitness Center, Theater, and Bowling Alley.
- 710. Day Care Center
- 812. Private pre-schools, private occupational schools, and private specialized schools providing training in a specific skill such as driving schools, dance studios, martial arts academies, scuba training and other similar training programs. Public and private elementary and secondary schools, colleges and universities shall not be permitted in this zone.
- 9. Fast Food Restaurant

10. Veterinarian Hospital

11. Dog Day Care

12. Brewery, Brew Pub and Brew Pub/Restaurant

13. Boutique Manufacturing

143. Multi-Family Dwellings

Multi-family dwellings in this zone may be permitted subject to the following regulations:

- a. Multi-family dwellings shall be limited to no more than 50% of the overall square footage of the development on a parcel of land within this zone. The remaining 50% of development must be devoted to commercial ~~and commercial support~~ uses ~~as defined in Section 3.14 Subsection 1-12~~ of these regulations.
- b. Multi-family dwellings on parcels smaller than 1 acre shall be restricted to upper floors of a development that includes commercial development on the ground floor
- c. Multi-family dwellings on parcels larger than one acre shall be restricted to upper floors of a development that includes commercial development on the ground floor or in a location behind a commercial development in the same or a separate structure.
- d. The maximum allowable residential density shall be 12 units per gross acre.
- e. Residential units shall be limited to efficiency (studio), one-bedroom and two-bedroom units. Libraries, dens, studies, offices, lofts and other similar spaces shall be considered to be bedrooms.
- f. A minimum of 10% of residential units constructed in this zone shall be restricted to a rent or sales price affordable to residents who earn 80% or less of the area median income. This requirement shall be applicable to all residential developments of 10 or more units.

3.2.5 Bulk (Building Standards)

In addition to the provisions of Article III of the Regulations, the following shall apply:

1. All lots already existing at the same time of the formation of the B-C Long Hill Green and the area identified as the new Village Commercial Zone in the Town Hall Area Plan as set forth in the 2014 Trumbull Plan of Conservation and Development on (SEPTEMBER 13, 2010) provided that, any particular property located in said new Village Commercial Zone in the Town Hall Area Plan shall submit and be approved for a zone change application, and subsequently incorporated into that zone will be treated as buildable lots in terms of minimum lot frontage and minimum acreage.
2. Maximum Building Coverage shall not exceed 40% of the total site available for such use nor shall the Gross Floor Area of any buildings or other structures to be constructed exceed 80% of the total site, excluding any underground parking beneath any building

In instances where the Planning and Zoning Commission makes a discretionary determination that development of a specific property in a traditional, pedestrian oriented manner and/or creation of a

village atmosphere requires or would benefit from a greater coverage and/or floor area ratio and that the resulting development would be compatible with adjacent land uses, and that the a proposed development would not create traffic or safety problems, the permitted Maximum Building Coverage may be increased to a maximum of 50% of the total site area and the Gross Floor Area of any buildings to be constructed may be increased to a maximum of 100% of the total site.

3. No building in this zone shall exceed 35 feet in height.
4. There shall be a minimum 50 foot buffer between any structure to be constructed in this zone and any residential zone and a 25 foot buffer between any structure to be constructed in this zone and any other zone. In instances where the Planning and Zoning Commission makes a discretionary determination that development of a specific property in a traditional, pedestrian oriented manner and/or creation of a village atmosphere requires or would benefit from a reduction or elimination of these buffer requirements, they may be reduced or waived.
5. Buildings shall be set back a minimum of 15 feet from the edge of a public roadway and a minimum of 10 feet from a public sidewalk. In instances where the Planning and Zoning Commission makes a discretionary determination that development of a specific property in a traditional, pedestrian oriented manner and or creation of a village atmosphere requires or would benefit from a reduced or no front yard setback and that the resulting development would be compatible with adjacent land uses, and that a proposed development would not create traffic or safety problems, the front yard setback requirements may be reduced or waived.
6. Screening of commercial and residential uses within this zone and surrounding uses with landscaping or a varied rolling berm a minimum of 20 feet in width shall be required as specified by the Planning and Zoning Commission in consultation with the Town ~~Tree Warden Planner~~. In instances where the Planning and Zoning Commission makes a discretionary determination that development of a specific property in a traditional, pedestrian oriented manner and or creation of a village atmosphere requires or would benefit from a reduced or no buffering or screening, that the resulting development would be compatible with adjacent land uses, and that a proposed development would not create traffic or safety problems, these screening and buffering requirements may be reduced or waived.

3.2.6 Design Guidelines

All new development in this zone shall be compatible in terms of materials, building siting, architecture and landscaping with surrounding development. Achieving compatibility does not require that the style or materials used must mimic those of adjacent buildings. Dwelling unit facades shall be designed to avoid a barracks or dormitory appearance. Staggered or off-set unit facades and/or varied unit façade materials should be utilized.

3.2.7 Provisions for Vehicles

Except as expressly provided otherwise for particular uses, any Use within this zone shall provide sufficient parking which reasonably accommodates the nature and purpose of the use proposed. The Commission shall consider the parking generation rates published by the Institute of Traffic Engineers. On street parking shall not be equated into the total number of required parking spaces for a proposed

development. Parking shall be in accordance with Article IV of these Regulations. Any proposed Public Parking Garage shall be constructed in a style, manner, size and location on the lot which is in conformity with other buildings and structures on the lot and which does not detract from other improvements on the site. On-site parking areas shall be planted with trees (size and species as recommended by the Town [Tree Warden Planner](#)) with at least one (1) tree for each seven (7) off-street parking spaces. Parking spaces adjacent to residential properties shall be screened with landscaped buffers as recommended by the Town [Tree Warden Planner](#).

Refer to [Article IV Section 5](#) for parking calculation

Parking garages shall be limited to two levels, a ground level and a deck or below ground level. No retail usage shall be located below any parking level.

If there is a proposed change of use in an approved application this will require review from staff to determine if the existing amount of parking meets current standards. If it does not meet current standards then a site plan modification is required from the Planning and Zoning Commission

3.2.8 Signs

Signs shall be in accordance with Article XIII of these Regulations, except that setbacks for ground signs shall be consistent with other setback provisions of this section, and, in addition, the following:

1. Single Use Parcels. For single use parcels (or those uses which have one predominant use), a single exterior sign advertising the principal business conducted on the premises shall be allowed, provided that such sign shall be of such size and design and located in such manner as the Commission shall specify with due regard to the requirements, conditions and limitations set forth below:
 - a. Height of all Sign Faces shall be limited to five (5) feet. Ground Signs may be placed on supports so as to elevate the sign for visibility. Under no circumstances may the top of any Ground Signs be above the roof line of the building or ten (10) feet, whichever is less;
 - b. Support materials for a Ground Sign shall be consistent with the external materials used in the building, that is, of similar color and texture as the external materials used in the building consistent with the needs for support materials;
 - c. Lighting of the sign may be indirectly or directly illuminated. Lighting must be such that no direct light shines towards a residential structure within line of sight;
 - d. Ground Signs shall be located at least ten twenty (120') feet behind the Front Lot Line and shall not obstruct line of sight visibility. If there is a landscape buffer, the sign, if located within the landscape buffer shall be within ten twenty (120) feet of the end of the landscape buffer nearest the building;
 - e. The total area of all signs shall not exceed one square foot for each linear foot of building frontage. Buildings which are set back a minimum distance of 80 feet from the public right-of-way shall be allowed a sign area not to exceed 1.5 square feet for each linear foot of building frontage. Maximum size of the sign shall be one half square foot of sign space for every 1,000 square feet of Gross Floor Area

~~(maximum 100 square feet), except for buildings of 30,000 square feet or less for which the sign shall be fifteen (15) square feet;~~

f. Lettering for the sign shall be of appropriate size. The background of the sign, if a different color from the lettering, shall count as one color;

g. Sign content shall be limited to identification of building and/or principal tenant. No more than one tenant may be identified on a sign for property. No directory of tenants may be considered for signs;

h. For Ground Signs, the base area of the sign shall be landscaped consistent with the overall site plan for the parcel. It is the goal to landscape the base area of the sign with plants and greenery so as to soften the appearance of the sign.

3. Multiple Use Parcels. Where a particular parcel has multiple uses, tenants or owners, the following sign shall be allowed, provided that such sign shall be of such size and design and located in such manner as the Planning and Zoning Commission shall specify with due regard to the requirements, conditions and limitations set forth below: One sign per entrance to the parcel, individual signs for major tenants to be affixed to the building and individual signs for each entrance to the building. Any new development in this zone shall submit a unified signage plan as part of the application for approval.

a. Entrance signs shall identify the parcel and not any single tenant. These signs shall follow all of the rules stated above for single use parcels; the maximum sign area shall be 100 square feet;

b. Individual signs for major tenants must be located upon the building surface and shall follow all of the rules stated above for single use parcel signs affixed to a building. Size of the sign shall be one (1) square foot per ~~each linear foot of building frontage~~~~1,000 square feet of rented space to the major tenant. Signs must be no more than three colors. Signs may be divided into multiple signs up to one (1) sign for each 50,000 square feet of leased area;~~

c. Located at any entrance to the building, there may be affixed a sign to the building to identify the entrance. Such identification can include the names of the tenants. ~~Two styles of signs are permitted: either an unlit sign which can be a directory; or, a lit sign which can then identify only one tenant.~~ Such signs shall be limited to twenty-five (25) square feet. ~~A lit sign identifying one tenant is not permitted if that tenant has a major tenant sign as provided in (2) (b) above. In addition to the above limitations, the signs shall conform to the limitations for building affixed signs identified in (1) above;~~

d. Notwithstanding anything above, no signs shall be allowed, except the entrance signs, which ~~have light pollution beyond the~~ ~~are lit and visible from any residential structure located within 1,000 feet of~~ boundaries of the property.

3.2.9 Lighting

1. Exterior Lighting shall be in accordance with the provisions of Article IV~~Section 4.2~~ and, where used, shall enhance public safety, the building design and the landscape features.

2. Lighting shall be restrained in design and excessive brightness avoided.

3.2.10 Additional Special Regulations

1. Rooftop HVAC Equipment. All rooftop structures and all rooftop equipment, such as cooling, heating and other mechanical devices, shall be fully screened within architecturally compatible screening which shall be exhibited on a Site Plan to be submitted to and approved by the Commission. Such screening shall prevent the visibility of these units within a radius of 200 feet from ground level. Such structures shall not exceed 30% of a single, contiguous roof area and shall not extend more than ten (10) feet above the roof;
2. Uses to be Within Buildings. All principal uses, except gasoline filling stations, shall be conducted within a completely enclosed building, and the storage and display of materials, vehicles, merchandise or equipment between the street line and the front wall of any building is prohibited. Outside storage of goods, materials, work in process, finished products, trash, rubbish or other material or equipment, including trucks or other commercial vehicles used on the premises, shall be in a suitably screened area to reasonably prevent their view from adjacent zones or roadways. The Commission may approve outdoor use for ~~a term not to exceed three (3) years for~~ such uses as outdoor dining, cafes or other appropriate outdoor uses. ~~Any such approval may be extended from year to year, on application to the Commission;~~
3. Preservation of Existing Topography and Vegetation. Development of the site shall retain, as nearly as practicable, existing topographic contours. Specimen trees and other existing vegetation within the buffer areas or as required in parking areas shall be protected during construction. Where the buffer is adjacent to a residential zone, the Commission may require additional screening, including evergreen plants with at least one tree for each ten (10) feet of buffer length. It is the objective of the buffer zone to provide, as nearly practical, a year-round screen so as to hide the commercial buildings and parking from view of the neighboring lots. Pursuant to this, the Commission may require berms, evergreen plants and/or erection of screens.

3.2.11 Modifications to Existing Approval

A new special permit or new site plan approval, as the case may be, shall not be required for interior renovations and modifications for space within a structure previously approved by the Commission, provided that:

1. The new use is permitted within the zone.
2. In the case of a special permit use, the new use is permitted within the zone and is a use similar to the one previously approved.
3. There are no material exterior alterations to the structures on the site, except for signage.
4. The new use complies with the parking requirements under these Regulations.