

TOWN OF WESTPORT, CT
Village District Study

NOVEMBER 5, 2014



THE CECIL GROUP AND FITZGERALD & HALLIDAY, INC.

ACKNOWLEDGEMENTS

The Connecticut Trust for Historic Preservation (CT Trust) funded this study through a Vibrant Communities Initiative grant. Brad Schide, a Circuit Rider for the CT Trust, contributed a great deal of time and energy to this project.

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STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
LIQUOR PERMIT REQUESTED FOR
THESE PREMISES
Posting Date: 06/07/2014
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Permittee: CHAD WHITED
Backer-Owner: TERRA AT OLD TOWN HALL LLC
Establishment No. 123456789

WESTPORT VILLAGE DISTRICT STUDY

1. EXECUTIVE SUMMARY

1 EXECUTIVE SUMMARY

1.1 Summary of Purpose

The purpose of this study is to consider whether the establishment of a Village District under the Connecticut General Statutes is appropriate for some or all of Downtown Westport, to recommend changes to the Town of Westport's zoning regulations that would create said Village District, and to recommend design principles and standards that would be appropriate for new construction and substantial reconstruction within the Village District.

ACKNOWLEDGEMENTS

The Connecticut Trust for Historic Preservation (CT Trust) funded this study through a Vibrant Communities Initiative grant. James Marpe, First Selectmen, appointed the Village District Steering Committee to oversee the process. The Village District Steering Committee hired The Cecil Group, Inc. and Fitzgerald & Halliday, Inc., as the consultant team for this project.

Carol Leahy, Coordinator for the Historic District Commission; Laurence Bradley, Director of the Planning and Zoning Department; Eileen Zhang, Director of Office of Information Technology; the staff of the Assessor's Office; and Damion Vassel, GIS Technician provided invaluable assistance to the project.

Special thanks also go to RBA Group of Connecticut, LLC (RBA) for sharing information from the Downtown Westport Master Plan study and coordinating the June 7 public workshop with this consultant team.

VILLAGE DISTRICT REGULATIONS

The Village District Legislation is Chapter 124 Section 8-2j of the Connecticut General Statutes (CGS) (See *Appendix D: CGS Section 8-2j* for full text). This legislation allows the Zoning Commission of a municipality to designate one or more areas as a Village District for the

purpose of protecting the distinctive character, landscape, and historic structures within that Village District. The plan of conservation and development must have identified these areas as ones of distinctive character, landscape, or historic value.

The Village District has specific zoning regulations associated with it, including design principles and standards. These regulations must protect the distinctive character, landscape and historic structures within the district by regulating new construction and substantial reconstruction or rehabilitation of properties within the district and in view from public roadways (including the Saugatuck River).

Zoning regulations are incorporated into the municipality's existing zoning regulations. They may include the following:

- Design and placement of buildings
- Maintenance of public views
- Design, paving materials and placement of public roadways
- Other elements related to maintenance and protection of the character of the village district

The Zoning Commission may select a village district consultant to review applications within the Village District and make recommendations. The Commission is free to seek advice and recommendations from any town, regional agency or outside consultant. The Commission must state in writing reasons for approval or denial of an application and its approvals must be recorded in the land records of the town.

THE STRUCTURE OF THIS DOCUMENT

Sections 2 and 3 contain a summary of the process for establishing the Village District and the recommended zoning changes, in draft form, that would establish such a district. The four appendices contain the supplemental



Figure 1.1.1: Aerial View of Westport

ESRI, DIGITALGLOBE, GEO-EYE, I-CUBED, USDA, USGS, AEX, GETMAPPING, AEROGRIID, IGN, IGP, SWISSTOPO, THE GIS COMMUNITY
AERIAL DATA MARCH 28, 2011

information and analysis that provide the basis for the recommendations in this report. This includes a review of the existing regulatory context, an analysis of the likelihood of change to the built environment within the Study Area, a record of public input gathered throughout the process, and the text of CGS Section 8-2j, the enabling legislation for the Village District.

1.2 Relationship to Town Plans

The recommendations within this report are consistent with previous plans and studies for the core of Westport's downtown. The *Westport Plan of Conservation and Development* (2007) recommended the establishment of a Village District in both the Westport downtown area and the Saugatuck area to encourage the conversion, conservation, and preservation of existing buildings, maintain the historic character, and allow new development which

would protect and enhance the existing character of the downtown.

The *Westport Center Planning District Historic Resources Inventory Update and Planning Recommendations*, The Public Archaeological Laboratory, Inc., May 9, 2012 (the PAL Report) also recommended the establishment of a Village District.

During the process of completing this report, the Town of Westport was also conducting a Downtown Westport Master Plan study, led by the Downtown Steering Committee and The RBA Group. Their Study Area includes the Village District Study Area and the purpose of that report has a larger focus. The draft zoning recommendations in this report should be of use to this study process and may be modified by the results of the final Downtown Westport Master Plan.

1.3 Study Area and Context



Figure 1.3.1: Study Area and Context Parcels

ESRI, DeLorme, NAVTEQ, Town of Westport, The Cecil Group

The basis for the Study Area began with the boundary identified within the PAL Report. Changes to the boundary occurred after a review of existing zoning districts and discussion with the Village District Steering Committee and Town staff about properties that should or should not be included.

The boundary of the final Study Area is indicated in red on the opposite page and to the left. In the graphic to the left, the medium grey parcels indicate the context of the study. This context is used for evaluation of physical and regulatory characteristics of the area and will help determine the final boundary of the proposed Village District.



Figure 1.3.2: Aerial View of Study Area

ESRI, DIGITALGLOBE, GEO-EYE, I-CUBED, USDA, USGS, AEX, GETMAPPING, AEROGRIID, IGN, IGR, SWISSTOPO, THE GIS COMMUNITY, TOWN OF WESTPORT, THE CECIL GROUP
AERIAL DATA MARCH 28, 2011

1.4 Findings and Observations

The introduction of Village District Zoning to the Town of Westport is designed to protect the existing historic buildings and development patterns while encouraging continued investment in the economic vitality of the downtown.

Three appendices provide data and analysis that support the recommended zoning changes in this report: *Appendix A Regulatory Review*, *Appendix B Susceptibility to Change Analysis*, and *Appendix C Public Input*.

OVERLAY ZONING

The recommendations for draft zoning regulations, including design standards and principles, recognize that the Town of Westport already has many protections in place and seeks to build on the existing regulatory structure rather than replacing it. For this reason, the recommended zoning would create an overlay district to establish the design principles and standards and a design review process for certain actions within the new Village District.

An overlay district is recommended for the following reasons:

- There are seven existing zoning districts within the Study Area as shown in Figure 1.4.1.
- There are differences in allowable uses among the seven districts
- There are differences in allowable dimensional standards among the seven districts
- An overlay would apply to all districts within the recommended Village District Boundary without changing the underlying zoning of each district
- The existing regulatory requirements, in particular, the standards for Floor Area Ratio (FAR), restrict the likelihood of significant change to the build environment in the Study Area

To address some concerns about existing non-conforming dimensional requirements and the relevance of design standards and guidelines to certain types of alterations,

Section 3.2 Other Recommended Zoning Changes identifies changes to existing zoning that would work together with the recommended Village District Overlay.

DESIGN STANDARDS

Design standards affect the visual environment of the Village District. The standards provided in *Section 3 Recommended Zoning Changes* are based on the analysis of the urban design characteristics within the Study Area, including existing building elements, site elements, the natural environment, and parking lots. Precedent studies of Village District zoning in other towns and public input have also contributed to the proposed design standards (See *Section A.4 Urban Design: Precedent Studies*). The addition of design standards to the review process also addresses a perception that arbitrary decisions have been made in the past under design review.

VILLAGE DISTRICT BOUNDARY

The final boundary of the Village District differs from that of the Study Area and is shown in Figure 2.3.1 in *Section 2 Discussion of Zoning Recommendations*. The differences are due to the analysis of the existing urban design characteristics and public input. The primary change is to include the junction of Myrtle Avenue, Post Road East, and Imperial Avenue as this intersection is an important gateway, or introduction, to the Village District from the east. The Sconset Square retail center has also been included in the recommended boundary as it is part of the superblock that is bounded by Myrtle Avenue, Post Road East and Church Lane.

1.5 Next Steps

This report contains the recommended zoning changes in draft form. If the Town of Westport wishes to proceed further with these recommendations, a zoning amendment would need to be submitted to the Planning and Zoning Commission. The requirements for this zoning amendment and the process are described in *Section 2.2 Procedures for Zoning Amendments*. The amendment process includes a public hearing; the results of that public hearing may modify the text in *Section 3 Recommended Zoning Changes*.

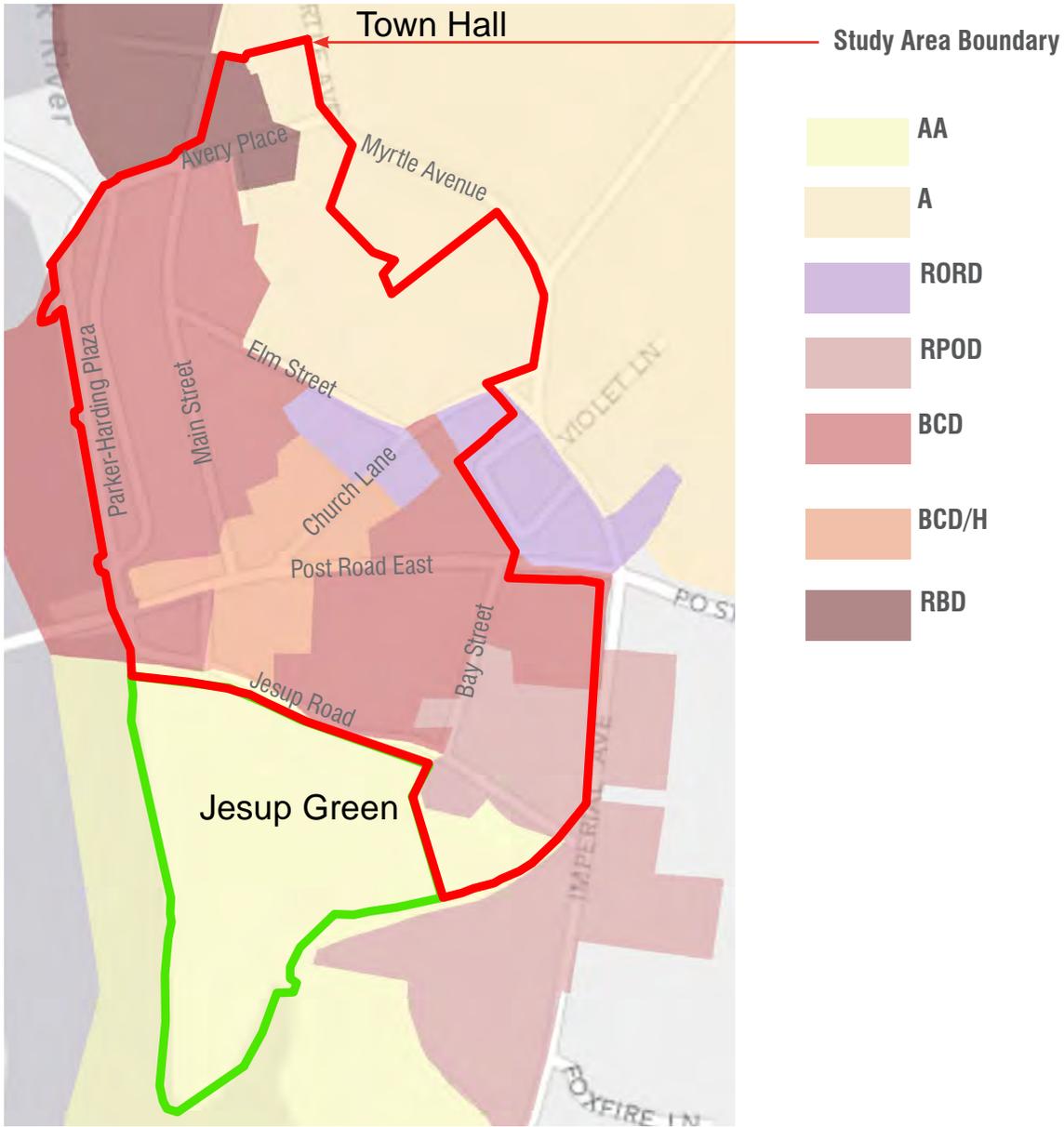


Figure 1.4.1: Zoning Districts within the Study Area

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP



WESTPORT VILLAGE DISTRICT STUDY

2. DISCUSSION OF ZONING RECOMMENDATIONS

2. DISCUSSION OF ZONING RECOMMENDATIONS

2.1 Introduction

This section provides the recommended text for the zoning change necessary to create a Village District in Westport's downtown. The Planning and Zoning Commission may wish to implement the language as presented, or it may choose to modify or remove some of the recommended provisions.

There are two sections to the draft language found in *Section 3 Recommended Zoning Changes*.

- **VILLAGE DISTRICT OVERLAY** – *Section 3.1 Village District Overlay* provides draft language to create a Village District within the Town of Westport's zoning regulations under Section 8-j of the Connecticut General Statutes. It provides the purpose of the district, designates the Village District Consultant, establishes the Design Principles and Standards, and outlines the Design Review process. This overlay would be a new section of the Zoning Regulations and is designated as Section X.
- **OTHER ZONING RECOMMENDATIONS** – *Section 3.2 Other Zoning Recommendations* provides draft language for changes to existing zoning regulations to supplement the new Section X.

The Town of Westport's *Zoning Regulations and Subdivision Regulations*, February 24, 2014 (*Zoning Regulations*) has chapter numbers and subsections in a specific format. The recommended changes are consistent with that format, but the initial chapter has been designated as X rather than as a number so that the Planning and Zoning Commission can choose the most appropriate chapter number. The format of the draft changes to existing zoning regulations are consistent with the existing regulatory format.

2.2 Procedures for Zoning Amendments

The Planning and Zoning Commission is the municipal body with the authority to amend the Zoning Regulations. The *Zoning Regulations* state the process for changes in *§42 Amendment of Zoning Regulations*. An application to amend must be submitted to the Planning and Zoning Commission. There are two types of applications: a Zoning Boundary Change and a Zoning Text Change.

ZONING BOUNDARY CHANGE

The Zoning Boundary Change requires an existing land use map, existing conditions map, and proposed zoning map. *§42 Amendment of Zoning Regulations* requires that the maps be in a certain format and that each map contain specific information. Twelve copies of the maps should be submitted with the application and the maps should be at a scale of either one hundred or two hundred feet to the inch.

ZONING TEXT CHANGE

The Zoning Text Change requires the text to be struck from and/or added to the zoning regulations. Text to be struck should be stricken out and text to be added should be underlined. Twelve copies of the text must be submitted with the application. An Explanatory Statement is also required; this statement should discuss the need for the change or changes and the benefit to the Town of approval.

HEARING PROCESS

The Planning and Zoning Commission will hold a hearing within 65 days of the receipt of a complete application. The public hearing must be published twice prior to the hearing in a paper of general circulation in Westport.

The first publication must be between ten and fifteen days prior to the hearing; the second must be more than two days prior. Once the public hearing is complete, the Planning and Zoning Commission has 65 days to return their written decision. The public hearing may take up to 35 days and the Planning and Zoning Commission may grant an extension of up to 65 days. If approved, the decision must be filed with the Town Clerk and published in the newspaper prior to the date the changes take effect.

2.3 Recommended Village District Boundary

The final boundary of the Village District differs from that of the Study Area and is shown in Figure 2.3.1 on the following page. The primary change is to include the junction of Myrtle Avenue, Post Road East, and Imperial Avenue as this intersection is an important gateway, or introduction, to the Village District from the east. Two parcels adjoining the gateway and the bridge over Deadman Brook were added to protect that gateway. The Sconset Square retail center has also been included in the recommended boundary as it is part of the superblock that is bounded by Myrtle Avenue, Post Road East and Church Lane. The parcels within the Residential AA district have also been removed as the buildings are not consistent with the development patterns of the Village District. Both sides of the streets along the boundary are included to allow public infrastructure improvements to be consistent with the Village District Design Principles and Standards.

Figure 2.3.1 shows the recommended boundary and parcel boundaries on an aerial view of the Westport Downtown and Figure 2.3.2 is a parcel map with the underlying zoning districts. Note that the recommended Village District boundary is in blue; the Study Area has been consistently identified with a red line.

LIST OF PARCELS WITHIN THE VILLAGE DISTRICT BOUNDARY

The following list is of the parcels within the recommended Village District boundary. The parcel numbers are in the format supplied by the Town of Westport's GIS, database.

C09136000, C10149000, C10081000, C09156000,
 C10085000, D09011000, C10143000, C09144000,
 C09153000, C10077000, C10078000, C09135000,
 C10145000, C10146000, C09149000, C10140000,
 C10148000, D09136000, D09137000, C10082000,
 C10080000, C09138000, C10076000, C09155000,
 D09133000, D09135000, C10138000, D09134000,
 C09147000, D10092000, C10137000, C09148000,
 C10154000, C09151000, D09007000, D10002000,
 C09150000, C10075000, C10074000, C09137000,
 D10004000, C10151000, C10139000, C09131000,
 C10153000, C10150000, D10001000, C10141000,
 D10003000, C09133000, C10079000, C10130000,
 C09132000, C09146000, C10156000, C10083000,
 C09139000, C09141000, C09134000, C10152000,
 C10142000, C09140000, C09145000, C10129000,
 C09152000, C09143000, C10144000, D09006000,
 C10147000, D09009000, C09142000, D09010000,
 C10155000, D09008000, C09154000, C10084000,
 C10086000, D10091000, D10093000



Figure 2.3.1: Recommended Village District Boundary with Parcel Boundaries

ESRI, DIGITALGLOBE, GEO-EYE, I-CUBED, USDA, USGS, AEX, GETMAPPING, AEROGRID, IGN, IGP, SWISSTOPO, THE GIS COMMUNITY, TOWN OF WESTPORT, THE CECIL GROUP
 AERIAL DATA MARCH 28, 2011



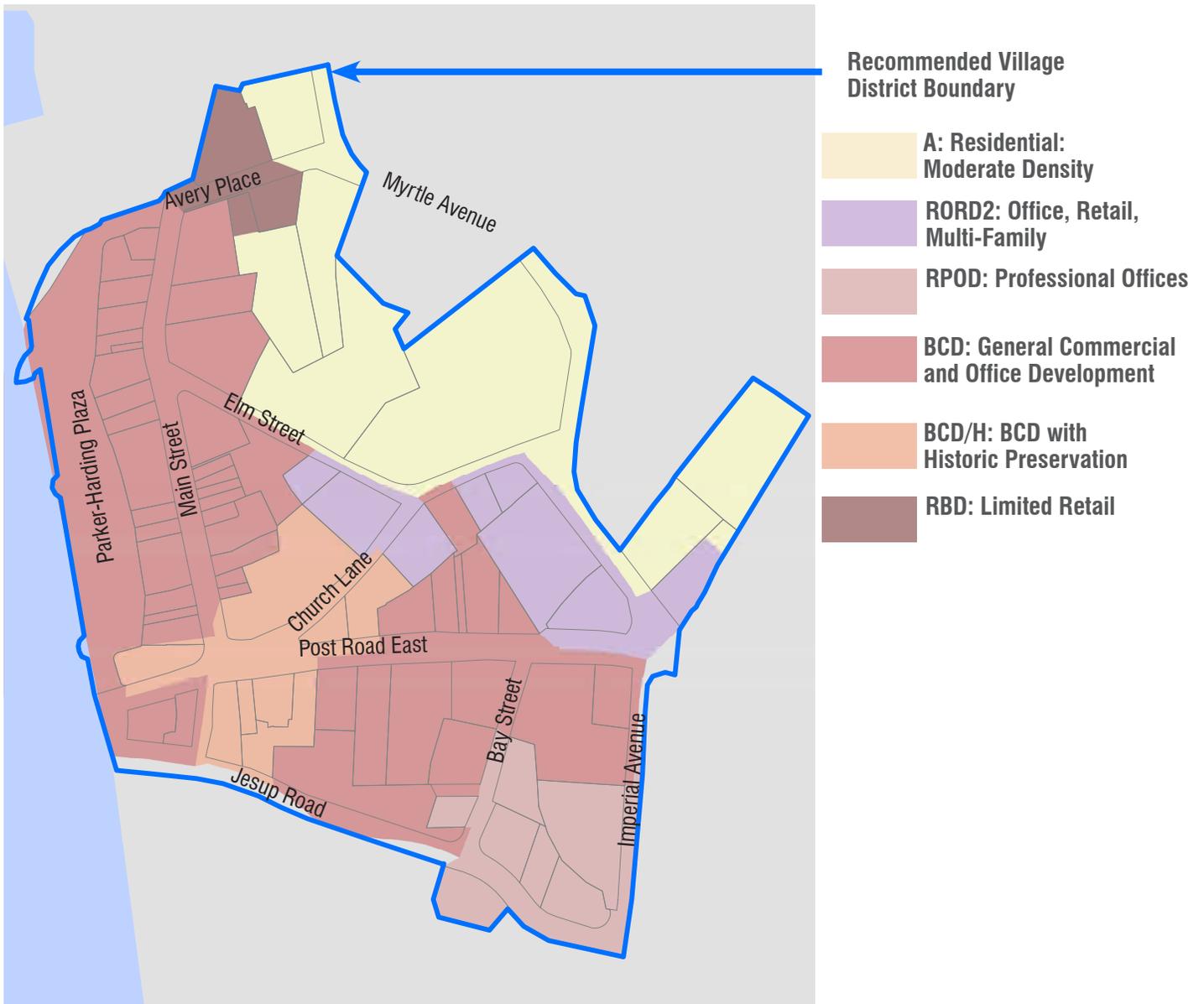


Figure 2.3.2: Zoning Districts within Recommended Village District Boundary

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

2.4 Draft Zoning Changes

Section 3.1 Recommended Village District Overlay contains a draft of the recommended text to create a new Village District under Section 8-2j of Chapter 124 of the Connecticut State Statutes (CGS). These recommendations recognize that the Town of Westport already has many protections in place and seeks to build on the existing regulatory structure rather than replacing it. For this reason, the recommended zoning would create an overlay district to establish the design principles and standards and a design review process for certain actions within the new Village District.

An overlay district is recommended as there are differences in allowable land uses and dimensional standards among the seven existing zoning districts within the Study Area. These differences are identified in the analysis in *Appendix A Regulatory Review*. There are additional zoning requirements specific to the individual districts, for example, the requirements related to historic buildings in BCD/H, that are not applicable to the other districts.

An overlay would apply to all districts within the recommended Village District Boundary without changing the underlying zoning of each district. One reason to create a single unified district might be to add additional protections to restrict development, however, the existing regulatory requirements, in particular, the standards for Floor Area Ratio (FAR), restrict the likelihood of significant change to the build environment in the Study Area. *Appendix B Susceptibility to Change Analysis* explores the effect of the current zoning on potential development in more detail.

To address some concerns about existing non-conforming dimensional requirements and the relevance to design standards and guidelines to certain types of alterations, *Section 3 Recommended Zoning Changes* identifies changes to existing zoning that would work together with the recommended Village District Overlay.

2.5 Draft Design Principles and Standards

CGS Section 8-2j requires that the design principles applicable to a Village District meet the following standards¹:

(i) that proposed buildings or modifications to existing buildings be harmoniously related to their surroundings, and the terrain in the district and to the use, scale and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification, (ii) that all spaces, structures and related site improvements visible from public roadways be designed to be compatible with the elements of the area of the village district in and around the proposed building or modification, (iii) that the color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of commercial or residential property and any proposed signs and lighting be evaluated for compatibility with the local architectural motif and the maintenance of views, historic buildings, monuments and landscaping, and (iv) that the removal or disruption of historic traditional or significant structures or architectural elements shall be minimized...

...All development in the village district shall be designed to achieve the following compatibility objectives: (1) The building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district; (2) proposed streets shall be connected to the existing district road network, wherever possible; (3) open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting; (4) locally significant features of the site such as distinctive buildings or sight lines of vistas from within the district, shall be integrated into the site design; (5) the landscape design shall complement the district's landscape patterns; (6) the exterior signs, site lighting and accessory structures shall support a uniform architectural theme if such a theme exists and be compatible with their surroundings; and (7) the scale, proportions, massing and detailing of any proposed building shall be in proportion to the scale, proportion, massing and detailing in the district.

¹<http://www.cga.ct.gov/2011/pub/chap124.htm#Sec8-2j.htm>

There are three sections to these recommended design principles and standards for the Village District. These sections include the following concepts:

- **PRINCIPLE** – A general rule that a developer should comply with when renovating an existing building or constructing a new one. There may be many ways to meet a principle.
- **STANDARD** – Required element that must be met if a current building is renovated or if a new building is built. There are fewer ways to meet a standard.
- **COMPLIANCE ALTERNATIVE** – Allows the Planning and Zoning Commission and the Applicant to agree on a solution that meets the general design principle but not the specific design standard if both agree it is a better solution.

All three sections are an integral part of the regulation of design in the Village District.

The Design Principles in *Section 3 Recommended Zoning Changes* are the same as the four standards and seven compatibility objectives in CGS Section 8-2j so that *Section X-2.1 Design Principles* is compatible with the purpose of the legislation that enables the creation of this recommended Village District. However, the Design Standards in *Section X-2.3 Design Standards* are more specific and are based in part on the urban design analysis and review of other Village Districts in *Appendix A Regulatory Review* and the public input described in *Appendix C Public Input*. The consultant team also reviewed the *Historic District Commission Handbook*, Westport Historic District Commission, Third Edition, October 2009.

COMPLIANCE ALTERNATIVE

In some cases, the underlying public purposes of CGS Section 8-2j may be accomplished as well or better through alternative design and development approaches that have not been envisioned with the range of the Design Principles and Standards within this *Section 3 Recommended Zoning Changes*. As a result, the Design Principles and Standards may also be implemented through Compliance Alternatives that are agreed to by both the Planning and Zoning Commission and the Applicant. In such cases, the Planning and Zoning Commission shall use the Design Principles found in *Section X-2.1 Design Principles* as the

criteria for determining that the Compliance Alternative achieves the underlying public purposes for any specific Design Standard.



WESTPORT VILLAGE DISTRICT STUDY

3. RECOMMENDED ZONING CHANGES

3. RECOMMENDED ZONING CHANGES

3.1 Recommended Village District Overlay

The text in this section does not meet the format required for a zoning text change as discussed under *Section 2.2 Procedures for Zoning Amendments* as the entire section is new. *Section 3.2 Other Recommended Zoning Changes* contains recommended changes to existing zoning that should be adopted at the same time as this section.

§ X. VILLAGE DISTRICT OVERLAY

X-1 Establishment of the Village District

X-1.1 Purpose

The purpose of this Village District Overlay is to protect the distinctive character, landscape, and historic structures and development pattern within this Village District while encouraging a mixed use, walkable district that is attractive to residents, employees, and visitors. New construction or substantial rehabilitation in the Village District should be compatible with the existing character of the district and reinforce both the existing development patterns and connections to the Saugatuck River.

X-1.2 Authorization

The Village District is hereby designated as a Village District as authorized by Chapter 124 Section 8-2j (Section 8-2j) of the Connecticut General Statutes (CGS) and any new construction or substantial reconstruction and rehabilitation of the exterior of a building shall be reviewed in accordance with the provisions of this *Section X* of these Regulations and with the requirements of CGS Section 8-2j.

X-1.3 Applicability

All zoning regulations applying to the underlying district shall continue to govern the Village District, except as amended by this *Section X*. Site plan approval by the Planning and Zoning Commission shall be required for the following activities within the Village District and in view from either public roadways or from the Saugatuck River:

- New construction
- Substantial reconstruction and rehabilitation of properties
- Alterations to existing building façades such that the appearance of the building is changed

The Planning and Zoning Commission's authority shall include, but not be limited to, the following:

- (1) The design and placement of buildings
- (2) The maintenance of public views
- (3) The design, paving materials, and placement of public roadways
- (4) Other elements that the Planning and Zoning Commission deems appropriate to maintain and protect the character of the village district

The Planning and Zoning Commission will review the application for Site Plan Review using the criteria within this *Section X*, including *Section X-2, Design Principles and Standards*, as the basis of its review.

X-1.4 Additions to the Village District

The Planning and Zoning Commission may add one or more parcels to an existing Village District using the following criteria:

- The parcel to be added must be contiguous with the existing Village District boundary and within the boundary of Westport Center as depicted in the Westport Plan of Conservation and Development.

- The characteristics of the existing building and site must be consistent with *Section X-2.1 Design Principles*.
- The dimensional characteristics of the existing building and site must be consistent with other buildings in the Village District with respect to height, setback from front lot line, and building massing.

X-1.5 Advisory Opinion

The Joint Committee of the Architectural Review Board and the Historic District Commission (the Joint Committee) is designated as the Village District Consultant for the purposes of CGS Section 8-2j(f). The membership of the Joint Committee shall include at least one member who is an architect, landscape architect, or planner who is a member of the American Institute of Certified Planners.

The Joint Committee shall review all applications for new construction and substantial reconstruction within the district and in view from public roadways. The basis for review and recommendations shall be the regulations in *Section X-2 Design Principles and Standards*.

The Planning and Zoning Commission may also seek recommendations from any town agency, regional agency, or outside specialist, including, but not limited to, the following:

- Western Connecticut Council of Governments
- The Westport Historical Society
- The Connecticut Trust for Historic Preservation
- The University of Connecticut College of Agriculture and Natural Resources

X-1.6 Approval and Denial

The Planning and Zoning Commission shall record the reason for approval or denial of the Site Plan Review application. If the application is denied, the reason for such denial shall include the specific regulations under which the application was denied. Notice of the decision shall be published in a newspaper having a substantial circulation in the municipality. Approval of the application shall become effective in accordance with CGS Section 8-3c(b).

The approval must be certified by the Planning and Zoning Commission and recorded in the land records of the

Town of Westport at the expense of the record owner. The approval must contain the following information:

- Owner of record
- Description of the premises to which it relates
- Reasons for the decision

X-2 Design Principles and Standards

Application of the Design Principles and Design Standards will reinforce the existing patterns of land use and development within the Village District. As noted in *Section X-3 Design Review*, The Planning and Zoning Commission and the Joint Committee of the Architectural Review Board and the Historic District Commission will use the Design Standards as the basis for their review of the application. Should the Applicant apply for a Compliance Alternative (as defined in §5-2: *Specific Terms of the Zoning Regulations*), the Planning and Zoning Commission and the Joint Committee of the Architectural Review Board and the Historic District Commission will refer to these governing Design Principles.

X-2.1 Design Principles

The following Design Principles shall apply to new construction and substantial reconstruction and rehabilitation of properties within the Village District. These Design Principles are consistent with the legislative requirements of CGS Section 8-2j.

X-2.1.1 Proposed buildings or modifications to existing buildings shall be harmoniously related to their surroundings, and the terrain in the district and to the use, scale and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification

X-2.1.2 All spaces, structures and related site improvements visible from public roadways shall be designed to be compatible with the elements of the area of the Village District in and around the proposed building or modification.

X-2.1.3 The color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of commercial or residential

Figure 3.1.1 Examples of Existing Building Styles and Elements within the Village District



Pitched roof, traditional window patterns (including ground floor display windows)



Combination pitched and flat roof, traditional architectural elements, traditional window patterns



Pitched roof, traditional materials (brick)



Pitched roof, traditional materials (stone), decorative window



Pitched roof, traditional materials (brick and wood), decorative window, ground floor display windows



Pitched roof, traditional materials (wood), use of awnings



Flat roof, ground floor display windows, traditional window patterns on upper floor



Decorative window, traditional pattern of second floor windows, ground floor display, doors inset from façade



Flat roof, display windows



Flat roof, traditional materials (brick and stone)



Flat roof, ground floor display windows, doors set back from primary façades



Flat roof, traditional materials (brick), traditional architectural details (clock and windows)

property and any proposed signs and lighting be evaluated for compatibility with the local architectural motif and the maintenance of views, historic buildings, monuments and landscaping.

- X-2.1.4** The removal or disruption of historic traditional or significant structures or architectural elements shall be minimized.
- X-2.1.5** The building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district.
- X-2.1.6** Proposed streets shall be connected to the existing district road network, wherever possible.
- X-2.1.7** Open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting.
- X-2.1.8** Locally significant features of the site such as distinctive buildings or sight lines of vistas from within the district, shall be integrated into the site design.
- X-2.1.9** The landscape design shall complement the district's landscape patterns.
- X-2.1.10** The exterior signs, site lighting and accessory structures shall support a uniform architectural theme if such a theme exists and be compatible with their surroundings.
- X-2.1.11** The scale, proportions, massing, and detailing of any proposed building shall be in proportion to the scale, proportion, massing, and detailing in the district.

X-2.2 Compliance Alternative

If the Planning and Zoning Commission and the Applicant jointly agree that a proposed design meets the intent of *Section X-2.1 Design Principles* but does not meet the requirements of *Section X-2.3 Design Standards*, the Planning and Zoning Commission may accept the proposed design provided that it meets the public purpose of *Section X-2.1 Design Principles*.

A Compliance Alternative must accomplish the relevant Design Principle. The Applicant must submit documentation that indicates the specific proposed alternative

method or standard that will be used, why the Design Standards are not applicable to the application, and how the project is fully compliant with the Design Principles. Approval by the Planning and Zoning Commission of a Compliance Alternative is discretionary, but shall not be unreasonably withheld if the Applicant has provided sufficient documentation to justify such request. The use of the Compliance Alternative must be by mutual consent between the Planning and Zoning Commission and the Applicant.

X-2.3 Design Standards

The following design standards shall apply to new construction, substantial reconstruction and rehabilitation of properties, and changes that alter the exterior appearance of buildings within the Village District and in view from public roadways and from the Saugatuck River. Where applicable, these standards are designed to supplement existing regulations in *Sections 33, 34 and 35 of the Zoning Regulations*.

X-2.3.1 Building Placement and Orientation

- (1) **BUILDING PLACEMENT** – Building placement shall respect existing patterns of building placement for the street on which they are located and define the edges of streets and public spaces. The individuality of the building shall be subordinated to the overall continuity of the streets and public spaces. Buildings shall be placed to conceal parking at the interior or rear of building lots.
- (2) **BUILDING SETBACKS** – Infill buildings shall match the setback from the front lot line of the immediately adjacent buildings. If the setbacks do not match, the infill building may match one or the other, or may be an average of the two setbacks. *See Figure 3.1.2.*
- (3) **BUILDING ORIENTATION** – Buildings shall be oriented with the primary building façade(s) facing the primary street frontage(s) of the site. Building massing and façades shall be designed to frame streets and public spaces to provide a sense of spatial enclosure and to define street edges. Building entrances, store-

fronts and windows shall be oriented to the primary street(s) with transparency to streets and public spaces.

- (4) DESIGN TREATMENT OF EDGES – Buildings that are not physically adjoined to abutters shall treat side yards and the spaces between buildings in a manner consistent with existing patterns of use, in terms of setbacks and use. Landscaping shall be used to define street edges and to buffer and screen edges that may have a negative visual impact, such as parking or loading areas. Access driveways and curb cuts using side yards may be combined between adjoining properties to access parking for multiple buildings at the interior of the block.

X-2.3.2 Building Massing and Form

- (1) RELATIONSHIP TO EXISTING CONTEXT – Building massing, form, and scale shall be complementary to and respectful of the patterns of existing buildings in the immediate vicinity. *See Figure 3.1.3.*
- (2) BUILDING FORM – The shape and massing of new and renovated buildings shall provide a balance among building height, story-height, building width and block width. The shape and massing of the building shall complement the abutting structures and define the edges of streets and open spaces. *See Figure 3.1.3.*
- (3) SCALE – The scale of proposed new or substantially rehabilitated buildings shall be compatible with the surrounding architecture and landscape context. Elements that may help to relate building massing proportionally shall include: articulated building bases through a change in material or color; placement of windows in a regular pattern; articulation of building entries with canopies, porches or awnings, and façade and roof projections (such as bay windows or dormers).
- (4) PROPORTION – The proportions of building elements shall be generally compatible with existing structures and the features and components of the façade.

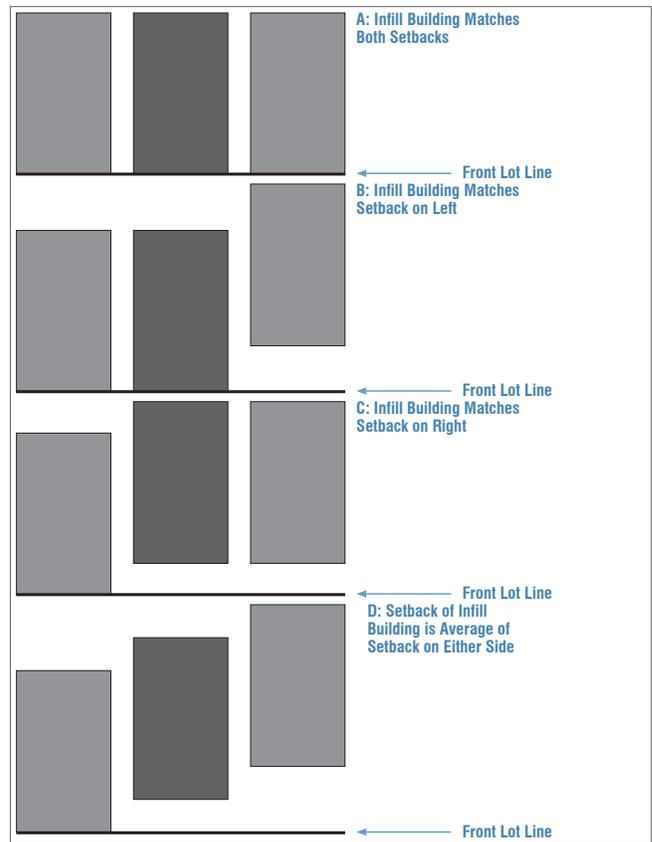


Figure 3.1.2: X-2.3.1(2) Setbacks for Infill Buildings.

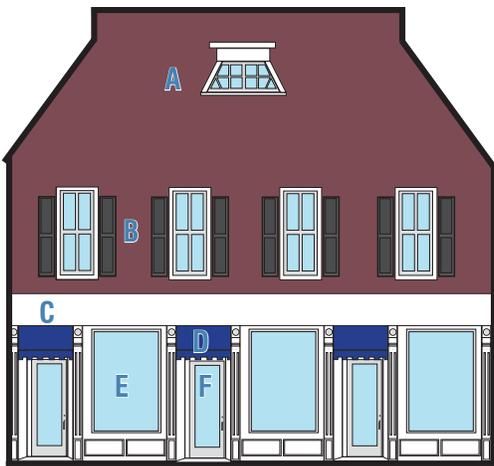


Figure 3.1.3: X-2.3.2(1 and 2) Relationship to Existing Context and Building Form: Massing, form, and scale of new buildings shall be complementary to existing buildings.

- (5) HEIGHT – Infill buildings shall continue the patterns of height of adjacent existing properties. Where the discrepancy between the proposed height and existing height patterns is greater than ten feet, the Joint Committee shall review design proposals with the applicant for context sensitivity based upon the following: articulation of façade; building mass, scale, bulk and proportion; or other building massing considerations.
- (6) BUILDING ROOFS – Roofing materials visible from public sidewalks or streets shall be of high quality and durable, including, but not limited to: slate, copper, ceramic slate tile, clay tile, concrete tile, or ribbed metal or architectural asphalt shingle. Flat horizontal roofs are exempted from this standard. Roofing materials shall not call undue attention to the roof itself with bright or contrasting colors, unless historically documented. Building mechanical equipment located on building roofs, sites, or other locations shall be not be visible from the street.

X-2.3.3 Building Façades

- (1) FAÇADE DESIGN AND RELATIONSHIP TO EXISTING CONTEXT – The façade, or primary building elevation, of new construction or substantial rehabilitation shall be compatible with the façade design of neighboring buildings so as to create continuity across projects and the street edge. Primary building façades with frontage along the street shall be sensitive to the existing context of building façades along that street. At least two of the following design elements should be repeated in adjacent buildings, excluding parking structures: design treatment at the ground level, relative location and size of doors, window style and proportions, location of signs, dominant façade material, dominant color, bay window style, and roof form. There shall be a direct vertical correspondence between the design of the façade of the upper floors and the ground level retail façades. New construction and substantial reha-



- A: Decorative Window with Trim**
- B: Two-over-two Windows, Shutters, Trim**
- C: Sign Band, Trim**
- D: Awnings**
- E: Ground Floor Display Windows and Panels**
- F: Inset Glazed Doors and Pilasters**

Figure 3.1.5: X-2.3.3(1) Façade Design and Relationship to Existing Context: Design Elements

bilitation of properties adjacent to public open spaces shall be oriented to define the edges of those open spaces and provide a transparent ground floor to activate the public space. See *Figure 3.1.5*.

- (2) **PLACEMENT AND TREATMENT OF ENTRIES** – Entrances shall be oriented to the primary street frontage and address the street with an active and welcoming entry composition that is integrated into the overall massing and configuration of the building form. Building and shop entrances shall be recessed to a minimum depth equal to the width of the door to prevent doors from swinging into the sidewalk. Building entries may add components to the building façade such as storefronts, canopies, porches, and stoops and shall provide a high level of visibility and transparency into ground floor uses. See *Figure 3.1.6*.

- (3) **FAÇADE MATERIALS** – Materials shall be selected to be compatible with or complementary to the Village District. Materials on the façade that are subject to deterioration (plywood or plastic) shall be avoided or removed and replaced. Building façade exterior materials, including architectural trim and cladding, shall be of high quality and durable, including but not limited to: stone, brick, wood, metal, glass, sustainable cement masonry board products and integrated or textured masonry. Exterior material may not include vinyl siding. Uninterrupted, multi-level glazing may not be used as a primary façade design treatment. Repairs and alterations must not damage or destroy materials, features or finishes that are important in defining the building’s historic character. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

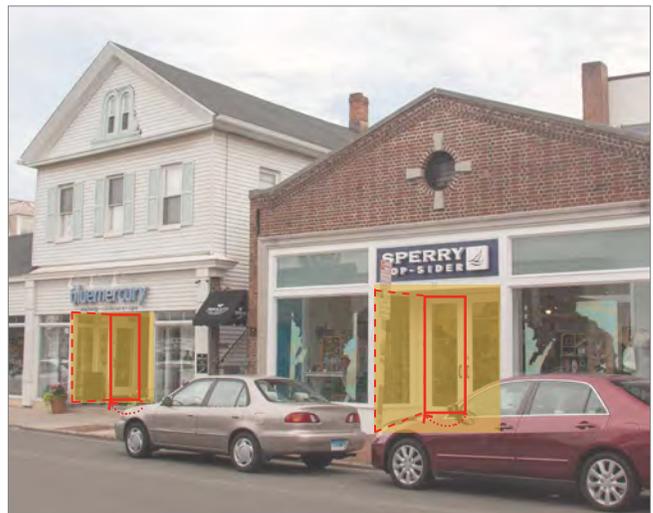
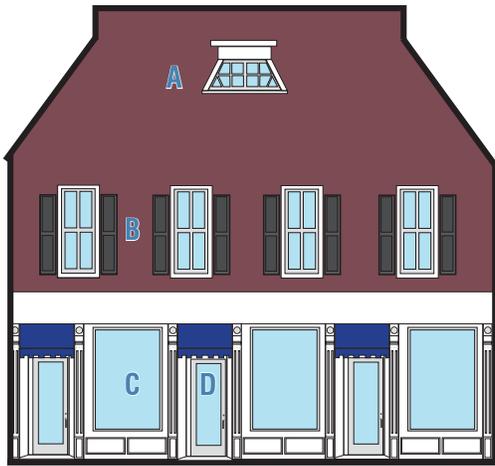


Figure 3.1.6: X-2.3.3(2) Placement and Treatment of Entries: Building and shop entrances shall be recessed to a minimum depth equal to the width of the door.



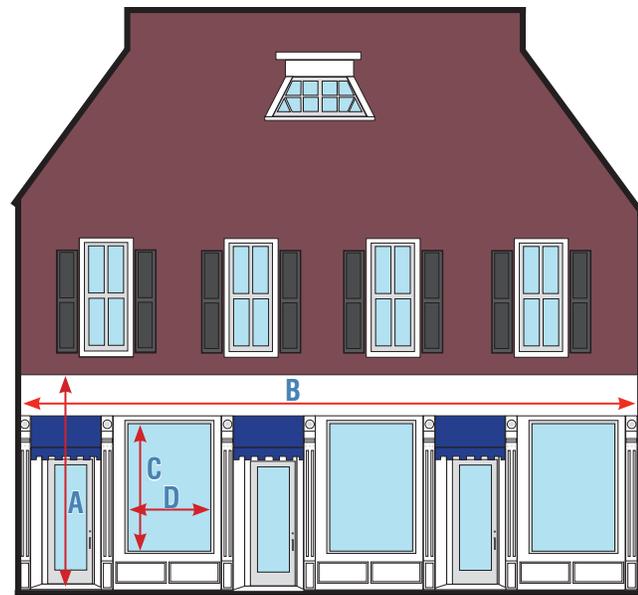
A: Similar Cornice Line and Roof Peak
B: Similar Cornice Lines

Figure 3.1.7: X-2.3.3(5) Roof Parapet and Cornice Lines: Building cornice lines shall be consistent with historic parapet or cornice lines.



A: Decorative Window
B: Typical Pattern for Second Story
C: Ground Floor Display Windows
D: Inset Glazed Doors

Figure 3.1.8: X-2.3.3(6) Proportion and Pattern of Windows: Original window patterns shall be preserved or restored; new construction shall acknowledge existing adjacent window patterns.



A: Height of Ground Floor **C: Height of Glazing**
B: Width of Ground Floor **D: Width of Glazing**

Figure 3.1.9: X-2.3.3(7) Transparency: Percentage of Transparency in Ground Floor Façade = (Total Area of Windows divided by Area of Ground Floor Façade) x100
Area = Height x Width

- (5) **ROOF PARAPET AND CORNICE LINES** – Building cornice lines shall be maintained, preserved, or recreated to define building façades and create façade components consistent with historic parapet or cornice lines as originally designed and built in the Village District. *See Figure 3.1.7.*
- (6) **PROPORTION AND PATTERN OF WINDOWS** – Original window patterns and openings shall be preserved or restored, including conservation and repair to preserve historical details, in the redevelopment of existing structures. New construction shall acknowledge and respond to existing adjacent window patterns in proportion, scale, rhythm and number of openings. *See Figure 3.1.8.*
- (7) **TRANSPARENCY** – Building façades facing the principal street or public open space shall have at least 25% of the overall façade in transparent windows and at least 40% of the ground floor façade in transparent windows. Along the secondary façades that face pedestrian alleys or connections, façades must achieve at least 15% transparency. Windows on the ground floor of the primary façade shall not be mirrored or use tinted glass or be obstructed by curtains, shades, or blinds. *See Figure 3.1.9.*
- (8) **AWNINGS AND SIGNAGE** – Awnings and signs may not obscure important architectural details by crossing over pilasters or covering windows. Multiple awnings or signs on a single building shall be consistent in size, profile, location, material, color and design. On multi-tenant buildings the awnings and signs shall be allowed to vary in color and details, but shall be located at the same height on the building façade. *See Figure 3.1.10.*

X-2.3.4 Landscape

- (1) **LANDSCAPE USE AND ORIENTATION** – Landscape features shall shield negative views and define edges, and frame streets and public spaces. Plantings shall not obscure site entrances and exit drives, ac-

cess ways, or road intersections or impair visibility of commercial storefronts. Tree species shall be selected to maintain relatively clear views of the ground floor and adequate height clearances for sidewalk circulation. Site and landscape features shall be integrated with the design of new construction and reflect a coordinated site and building design.

- (2) **OPEN SPACES** – Public and private open spaces shall be designed, landscaped, and furnished to be compatible with or complementary to the overall character of the Village District.
- (3) **SITE AND STREET EDGES** – New landscape strips with street trees, street trees in sidewalk tree wells, or landscaped medians shall be consistent with the existing landscape patterns of the location of proposed improvements. Landscape strips and sidewalk tree wells shall be of sufficient width to promote the health of street trees and other plantings.
- (4) **VEWS** – Buildings shall be designed and located on the site so as to preserve views to the Saugatuck River.
- (5) **RAIN GARDENS** – Rain gardens may be provided as a contributing element of the site drainage, and integrated into the overall site. The plantings should be well adapted to wetland edge environments, including grasses, sedges, shrubs, or trees that tolerate intermittent wet conditions and extended dry periods. The design should prevent long-term standing water that would damage the plantings.

X-2.3.5 Parking

- (1) **PARKING PLACEMENT** – Parking shall be located at the interior of blocks, behind buildings, or at the rear of sites, away from prominent site edges, public spaces, and streets. *See Figure 3.1.11.*
- (2) **SCREENING AND LANDSCAPING** – Parking areas shall be separated from the street

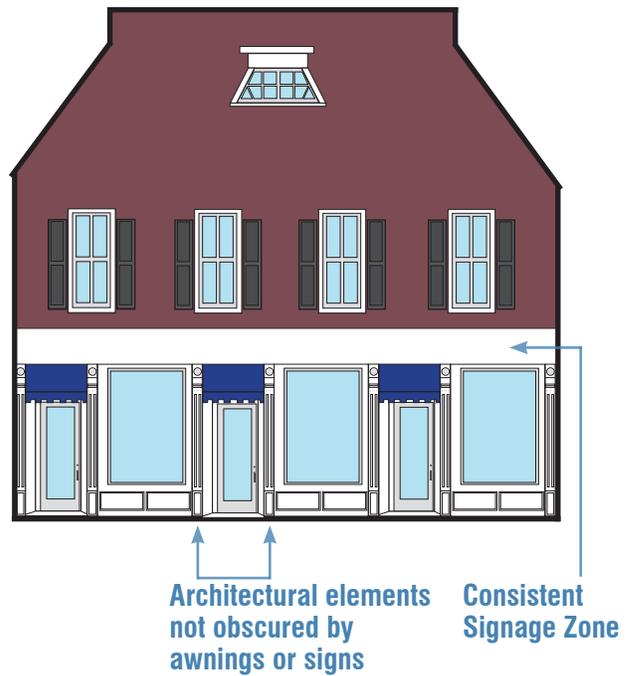


Figure 3.1.10: X-2.3.3(10) Awnings and Signage: Relationship of awning and signage position to building elements

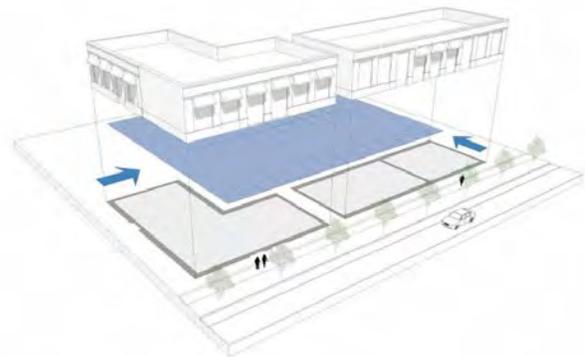


Figure 3.1.11: X-2.3.5(1) Parking Placement: Parking located to rear of building



Figure 3.1.12: X-2.3.5(2) Screening and Landscaping: Use landscaped buffers to separate parking from the street.

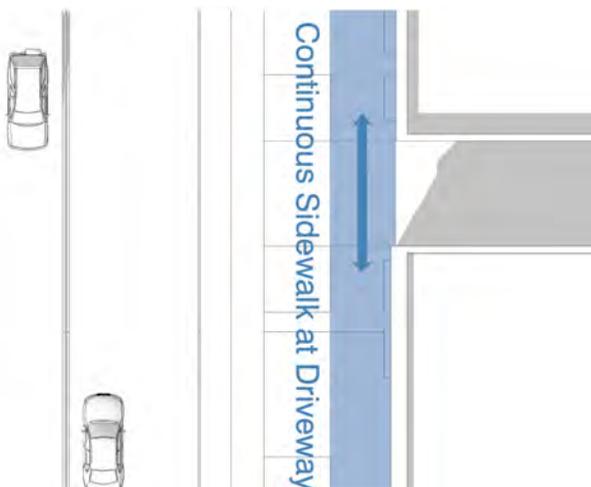


Figure 3.1.13: X-2.3.6(2) Sidewalk Configuration: Sidewalks shall be continuous and uninterrupted at driveways.

with landscaped buffers of between five feet and eight feet in width. Parking areas on secondary streets may also be screened by other site components, including fences, gates, walls, permanent planters, or hedges. Landscaped medians shall be provided between parking spaces to break up the impervious surfaces and mitigate the visual impact of parking. No landscape island shall be less than 6' wide with a minimum width of 10' is required for planting strips with trees. *See Figure 3.1.12.*

- (3) **STRUCTURED PARKING** – Structured parking, where provided, shall be at the interior of a block, surrounded on visible edges by active uses to avoid inactive street edges created by the parking structure. Alternatively, the structured parking could be arranged such that the ground floor area facing the main street is available for commercial space.
- (4) **CURBS AND CURB CUTS** – Granite curbs shall be used to protect planting areas and to define sidewalks, walkways, and parking area edges. Curb cuts shall be minimized and combined whenever possible. Every curb cut shall provide a continuous and uninterrupted pedestrian walkway.

X-2.3.6 Streetscape and Sidewalks

- (1) **PEDESTRIAN ACCESS** – New construction and public infrastructure improvements shall reinforce a network of continuous, convenient and safe pedestrian connections along sidewalks to and from all pedestrian entrances of all garages, parking lots and parking structures and all public, resident, and employee entrances to every building. Sidewalks and pedestrian paths should incorporate appropriate lighting, street furniture, landscaping, and signage consistent with the Village District. The network should not include streets or spaces that are primarily used for vehicular connections, deliveries and services.

- (2) **SIDEWALK CONFIGURATION** – Sidewalks shall have a minimum unobstructed width of 4'-0". Sidewalks shall be widened to accommodate street trees, landscaping, and outdoor furnishing and amenities. Sidewalks shall be continuous and uninterrupted at driveways and curb cuts to reinforce priority for pedestrians. *See Figure 3.1.13.*
- (3) **SPECIAL PAVING** – Unit pavers may be used to enhance the character of sidewalks, pathways, and plazas. Existing brick or pavers shall be maintained or replaced and shall be introduced if adjacent sidewalks are brick. When employed, unit pavers should be selected and set in a manner that limits uneven surfaces or joints that would become an impediment to accessibility. An acceptable method includes providing a sub-base of wire-mesh reinforced concrete below the setting bed, and mortared joints. *See Figure 3.1.14.*
- (4) **PASSAGEWAYS** – Passageways through buildings that connect the principal streets to parking shall include displays relevant to adjacent businesses, public art, and/or way-finding signage related to the Village District and lighting that provides a safe environment for pedestrians.
- (5) **STREET FURNITURE** – Permanent street furniture including light fixtures, benches, bike racks, trash and recycling receptacles, and newspaper stands shall be integrated with street and sidewalk circulation to ensure adequate clearances, access and convenience of the location of these amenities. Street furniture shall be clustered at convenient locations that are plainly visible and accessible and must be located such that the minimum 4'-0" sidewalk clearances are maintained.
- (6) **PUBLIC ART** – Public art may be used to define and punctuate public spaces. Art installations shall maintain clearances in public spaces, and be constructed of materials that are durable, easily maintained and that do not present safety hazards.
- (7) **SIDEWALK CAFÉS** – Where sidewalk width is constrained at location of sidewalk use for outdoor cafés, the Planning And Zoning Commission may reduce the minimum clear width of the sidewalk to 3' for a maximum length of 10'. After a 5' interval of a minimum width of 4', the minimum clearance of 3' may be allowed for another 10'. The goal is to maintain the balance for clear width of pedestrian activity and the extension of outdoor cafés into the public space.



Figure 3.1.14: X-2.3.6(3) Special Paving: The Town of Westport has chosen Unilock Hollandstone Rustic Red unit pavers for the Downtown Area. (Source: unilock.com)

X-3 Design Review Process

X-3.1 Design Review Process

The Design Review process is mandatory for all projects within the Village District meeting the requirements in *Section X-1.3 Applicability* for Site Plan Review under the authority of the Planning and Zoning Commission.

The Design Standards provide design requirements for all applicable projects. Projects shall be approved if they meet the Design Standards and all other applicable guidelines and requirements.

The Joint Committee of the Architectural Review Board and the Historic District Commission (the Joint Committee) shall submit a report and recommendation to the Planning and Zoning Commission within thirty-five days of the receipt of the application. The basis for the recommendation of the Joint Committee shall be the compliance of the application with provisions of *Section X-2.3 Design Standards*.

The Planning and Zoning Commission will enter this report and recommendation into the public record and consider it as part of their deliberations. Any delay in the submission of the report will not alter any other time limit imposed by the regulations.

Any report or recommendation from an outside specialist, such as those listed under *Section X-1.4 Advisory Opinion*, shall also be entered into the public hearing record.

As part of any approval of a Compliance Alternative under *Section X-2.2 Compliance Alternative*, the Planning and Zoning Commission must provide a written determination and finding that the alternative approach meets the requirements of the Design Principles. Such determination should state the applicable standard(s), the reason for granting an alternative, the applicable Design Principles, and how the alternative meets the Design Principles. The Planning and Zoning Commission may request a recommendation from the Joint Committee on the compliance of the alternative approach with the Design Principles.

X-3.2 Additional Materials for an Application Related to Existing Historic Buildings

The Applicant must supply documentation of the original style of the building and a narrative of how improvements are consistent with the style or how the improvements vary, and a rationale for why the variation should be approved under *Section X-2.3 Compliance Alternative*. Historic buildings are defined as those listed in the Inventory List contained in the *Westport Center Planning District Historic Resources Inventory Update and Planning Recommendations*, the Public Archaeological Laboratory, Inc., May 9, 2012.

X-3.3 Additional Materials for an Application for New Construction or Substantial Reconstruction and Rehabilitation or Changes to the Exterior Façades

The Applicant must supply pictures of the original building(s) (if applicable), the buildings to either side of the proposed project and the view from across the street. The narrative should indicate how the proposed building or addition is consistent with the context and describe the treatments of façades facing public streets or public parking areas. Any request for a variation should include a statement as to why the variation should be approved under *Section X-2.2 Compliance Alternative*.

3.2 Other Recommended Zoning Changes

This section is in the format required for a zoning text change as discussed under *Section 2.2 Procedures for Zoning Amendments* and contains the changes to existing zoning recommended for adoption along with *Section 3.1 Village District Overlay*. New text is underlined and text to be removed is crossed out.

§5. DEFINITIONS

5-2 Specific Terms

TERM	DEFINITION
<u>Compliance Alternative:</u>	<u>Under the Site Plan Review process in a Village District Overlay (Section X), the Planning and Zoning Commission and the Applicant may, by mutual agreement, allow a design solution that does not meet the requirements of the Design Standards under Section X-2.3 but does meet the stipulations of the Design Principles (Section X-2.1). The Compliance Alternative is governed by Section X-2.2.</u>
<u>Maintenance and Minor Repairs:</u>	<u>Ordinary maintenance and repair for which no building permit is required and which does not alter the exterior appearance of the building.</u>
<u>Exterior Alterations:</u>	<u>Replacements, reconstruction, alterations, and additions of to the exterior façade of a building that will change the appearance of the building by changing the material, color, texture, design, or other visual qualities.</u>
<u>Substantial Repair and Rehabilitation:</u>	<u>The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values.¹</u>

<u>Village District:</u>	<u>An area designated by the Zoning Commission under Chapter 124 Section 8-2j of the Connecticut General Statutes (CGS) for the purpose of protecting the distinctive character, landscape, and historic structures within the boundaries of that area.</u>
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§21. RESTRICTED PROFESSIONAL OFFICE DISTRICT (RPOD)

21-4 Setbacks (See §31-4 through §31-8, also.)

No principal building, structure or use shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary Line, fifteen (15) feet from any side lot line or twenty five (25) feet from any rear lot line. No accessory building or structure shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary Line, and fifteen (15) feet from the side and rear lot lines.

21-4.1 Setback from the Front Lot Line within the Village District Overlay

21-4.1.1 New and Substantial Reconstruction within the Village District Overlay – Within the Village District Boundary (see §X Village District Overlay), the main façade of a principal building, structure or use shall be no more than ten feet from the front lot line. This setback requirement applies to all new construction and to substantial reconstruction (as defined in §X-1.3 Applicability) that alters the location of the main façade.

21-4.1.2 Maintenance and Minor Repairs – Existing buildings that are within the Village District Boundary and do not conform with the requirement to be set back thirty (30) feet from the front lot line are considered conforming for the purposes of maintenance or minor repairs (as defined in §5-2 Specific Terms) to existing façade elements. No site plan review is required.

¹ <http://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>

21-4.12 Building Spacing

Groups of buildings on a single lot shall be so arranged that the minimum horizontal distance between the nearest walls or corners of any principal and/or accessory detached buildings shall not be less than one half the sum of the heights of such adjacent buildings.

21-9A Village District Overlay Site Plan Review

The following actions require Site Plan Review for properties within a Village District Boundary (see §X Village District Overlay):

21-9A.1 Exterior Alterations

Site Plan Review under §X Village District Overlay is required for exterior reconstruction, alteration, or addition to any existing structure or a new construction that alters the exterior appearance from a building visible either from a public way or from the Saugatuck River. The basis for Site Plan Review will be §X-2 Design Principles and Design Standards.

21-9A.2 New Construction or Substantial Reconstruction and Rehabilitation of Existing Façades within Public View

Site Plan review under §X Village District Overlay is required for new construction or for substantial repairs or reconstruction to existing façades within view from either a public right-of-way or from the Saugatuck River. The basis for Site Plan Review will be §X-2 Design Principles and Design Standards.

21-9A.3 Documentation of Existing Conditions

Existing façade elements and setback from the front lot line must be documented to the satisfaction of the Planning and Zoning Commission with photographs, a survey, or other relevant methods.

§22. RESTRICTED OFFICE RETAIL DISTRICTS #1, #2, #3 (RORD)

22-4 Setbacks (See §31-4 through §31-8, also.)

22-4.1 In a RORD #1

No principal building, structure or use shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary Line, fifteen (15) feet from any side lot line, or twenty five (25) feet from any rear lot line. No accessory building or structure shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary Line, and fifteen (15) feet from the side and rear lot lines.

22-4.2 In a RORD #2 & #3

No principal building, structure, or use shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary Line, fifteen (15) feet from any side lot line or twenty five (25) feet from any rear lot line. No accessory building or structure shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary Line, and fifteen (15) feet from the side and rear lot lines.

22-4.3 Setback from the Front Lot Line within the Village District Overlay

22-4.3.1 New and Substantial Reconstruction within the Village District Overlay – Within the Village District Boundary (see §X Village District Overlay), the main façade of a principal building, structure or use shall be no more than ten feet from the front lot line. This setback requirement applies to all new construction and to substantial reconstruction (as defined in §X-1.3 Applicability) that alters the location of the main façade.

22-4.3.2 Maintenance and Minor Repairs – Existing buildings that are within the Village District Boundary and do not conform with the requirement to be set back thirty (30) feet from the front lot line are considered conforming for the purposes of maintenance or minor repairs (as defined in §5-2 Specific Terms) to

existing façade elements. No site plan review is required.

22-4.34 Building Spacing

Groups of buildings on a single lot shall be so arranged that the minimum horizontal distance between the nearest walls, or corners of any principal and/or accessory detached buildings shall not be less than one half the sum of the heights of such adjacent buildings.

22-9A Village District Overlay Site Plan Review

The following actions require Site Plan Review for properties within a Village District Boundary (see §X Village District Overlay):

22-9A.1 Exterior Alterations

Site Plan Review under §X Village District Overlay is required for exterior reconstruction, alteration, or addition to any existing structure or a new construction that alters the exterior appearance from a building visible either from a public way or from the Saugatuck River. The basis for Site Plan Review will be §X-2 Design Principles and Design Standards.

22-9A.2 New Construction or Substantial Reconstruction and Rehabilitation of Existing Façades within Public View

Site Plan review under §X Village District Overlay is required for new construction or for substantial repairs or reconstruction to existing façades within view from either a public right-of-way or from the Saugatuck River. The basis for Site Plan Review will be §X-2 Design Principles and Design Standards.

22-9A.3 Documentation of Existing Conditions

Existing façade elements and setback from the front lot line must be documented to

the satisfaction of the Planning and Zoning Commission with photographs, a survey, or other relevant methods.

§23. RESTRICTED BUSINESS DISTRICT (RBD)

23-4 Setbacks (See §31-4 through §31-8, also.)

No principal building, structure or use shall exceed closer than thirty (30) feet from any front lot line or Residential District Boundary Line, fifteen (15) feet from any side lot line or twenty five (25) feet from any rear lot line. No accessory building or structure shall extend closer than thirty (30) feet from any front lot line or Residential District Boundary Line, and fifteen (15) feet from the side and rear lot lines.

23-4.1 Setback from the Front Lot Line within the Village District Overlay

23-4.1.1 New and Substantial Reconstruction within the Village District Overlay – Within the Village District Boundary (see §X Village District Overlay), the main façade of a principal building, structure or use shall be no more than ten feet from the front lot line. This setback requirement applies to all new construction and to substantial reconstruction (as defined in §X-1.3 Applicability) that alters the location of the main façade.

23-4.1.2 Maintenance and Minor Repairs – Existing buildings that are within the Village District Boundary and do not conform with the requirement to be set back thirty (30) feet from the front lot line are considered conforming for the purposes of maintenance or minor repairs (as defined in §5-2 Specific Terms) to existing façade elements. No site plan review is required.

23-4.12 Building Spacing

Groups of buildings on a single lot shall be so arranged that the minimum horizontal distance between the nearest walls or corners of any principal and/or accessory detached buildings shall not be less than one half the

sum of the heights of such adjacent buildings.

23-9A Village District Overlay Site Plan Review

The following actions require Site Plan Review for properties within a Village District Boundary (see §X Village District Overlay):

23-9A.1 Exterior Alterations

Site Plan Review under §X Village District Overlay is required for exterior reconstruction, alteration, or addition to any existing structure or a new construction that alters the exterior appearance from a building visible either from a public way or from the Saugatuck River. The basis for Site Plan Review will be §X-2 Design Principles and Design Standards.

23-9A.2 New Construction or Substantial Reconstruction and Rehabilitation of Existing Façades within Public View

Site Plan review under §X Village District Overlay is required for new construction or for substantial repairs or reconstruction to existing façades within view from either a public right-of-way or from the Saugatuck River. The basis for Site Plan Review will be §X-2 Design Principles and Design Standards.

23-9A.3 Documentation of Existing Conditions

Existing façade elements and setback from the front lot line must be documented to the satisfaction of the Planning and Zoning Commission with photographs, a survey, or other relevant methods.

§29. BUSINESS CENTER DISTRICT (BCD)

29-4 Setbacks (See §31-4 through §31-8, also.)

No principal building, structure or use or accessory building or structure shall extend closer than thirty (30) feet from the East Post Road front lot lines or twenty (20) feet from any other front lot line. Side and rear setbacks shall be determined by the physical site characteristics and surrounding buildings, structures and uses; provided that any two adjacent buildings shall be setback at least 6 feet from the lot line or shall have a fire wall on the lot line.

29-4.1 Setback from the Front Lot Line within the Village District Overlay

29-4.1.1 New and Substantial Reconstruction within the Village District Overlay – Within the Village District Boundary (see §X Village District Overlay), the main façade of a principal building, structure or use shall be no more than ten feet from the front lot line. This setback requirement applies to all new construction and to substantial reconstruction (as defined in §X-1.3 Applicability) that alters the location of the main façade.

29-4.1.2 Maintenance and Minor Repairs – Existing buildings that are within the Village District Boundary and do not conform with the requirement to be set back thirty (30) feet from the front lot line are considered conforming for the purposes of maintenance or minor repairs (as defined in §5-2 Specific Terms) to existing façade elements. No site plan review is required.

29-9A Village District Overlay Site Plan Review

The following actions require Site Plan Review for properties within a Village District Boundary (see §X Village District Overlay):

29-9A.1 Exterior Alterations

Site Plan Review under §X Village District Overlay is required for exterior reconstruction, alteration, or addition to any existing

structure or a new construction that alters the exterior appearance from a building visible either from a public way or from the Saugatuck River. The basis for Site Plan Review will be §X-2 Design Principles and Design Standards.

29-9A.2 New Construction or Substantial Reconstruction and Rehabilitation of Existing Façades within Public View

Site Plan review under §X Village District Overlay is required for new construction or for substantial repairs or reconstruction to existing façades within view from either a public right-of-way or from the Saugatuck River. The basis for Site Plan Review will be §X-2 Design Principles and Design Standards.

29-9A.3 Documentation of Existing Conditions

Existing façade elements and setback from the front lot line must be documented to the satisfaction of the Planning and Zoning Commission with photographs, a survey, or other relevant methods.

§29A. BUSINESS CENTER DISTRICT/HISTORIC (BCD/H)

29A-4 Permitted Uses

29A-2.2 Special Permit Uses

29A-2.2.6 Exterior reconstruction, alteration, or addition to any existing structure or a new construction requires a special permit with a combined recommendation from a joint meeting of the Historic District Commission and the Architectural Review Board. Ordinary maintenance and repair for which no building permit is required shall be exempted from this requirement provided there is no change to the exterior appearance of the building. This paragraph does not apply to buildings within the Village District Overlay. See 29A-9A Village District Overlay Site Plan Review.

29A-9A Village District Overlay Site Plan Review

The following actions require Site Plan Review for properties within a Village District Boundary (see §X Village District Overlay):

29A-9A.1 Exterior Alterations

Site Plan Review under §X Village District Overlay is required for exterior reconstruction, alteration, or addition to any existing structure or a new construction that alters the exterior appearance from a building visible either from a public way or from the Saugatuck River. The basis for Site Plan Review will be §X-2 Design Principles and Design Standards.

29A-9A.2 New Construction or Substantial Reconstruction and Rehabilitation of Existing Façades within Public View

Site Plan review under §X Village District Overlay is required for new construction or for substantial repairs or reconstruction to existing façades within view from either a public right-of-way or from the Saugatuck River. The basis for Site Plan Review will be §X-2 Design Principles and Design Standards.

29A-9A.3 Documentation of Existing Conditions

Existing façade elements and setback from the front lot line must be documented to the satisfaction of the Planning and Zoning Commission with photographs, a survey, or other relevant methods.



WESTPORT VILLAGE DISTRICT STUDY

APPENDIX A

REGULATORY REVIEW

A. REGULATORY REVIEW

A.1 Introduction to the Regulatory Review

This section provides the data and analysis that supports the findings and recommendations in this study described in *Section 1.4 Findings and Observations*. The analyses cover the following topics:

- **HISTORIC CHARACTER AND DEVELOPMENT HISTORY** – This section will examine development patterns over time and identify important historic components of the Study Area
- **EXISTING ZONING** – The analysis will focus on dimensional standards and other requirements that might create an incentive for or limit development in the Study Area
- **URBAN DESIGN CHARACTERISTICS** – This analysis includes a series of maps and photographs that evaluate the design characteristics that contribute to the visual and physical experience of the Study Area
- **PRECEDENT STUDIES** – This analysis will identify the other communities in Connecticut with Village Districts and examine their zoning regulations and design guidelines
- **PARKING CONDITIONS** – This review of existing parking conditions will focus on the effect parking may have on zoning and design guideline recommendations

Although this section contains a significant amount of analysis, the focus is on how to structure the recommended zoning changes necessary to create a Village District. The history of the area is important to determine the development patterns and define the historic architectural buildings and features.

It is important to understand the existing zoning regulations before proposing to change them – the differences among the different zoning districts may suggest a different strategy for adding a new Village District. One pos-

sible strategy to address the establishment of a Village District is to remove the current zoning and districts and replace them with a single Village District whose boundaries may differ from the existing zoning districts and from that of the Study Area. The other option is to create an overlay district that would add a design review process with associated design standards and guidelines, but would not replace the existing zoning.

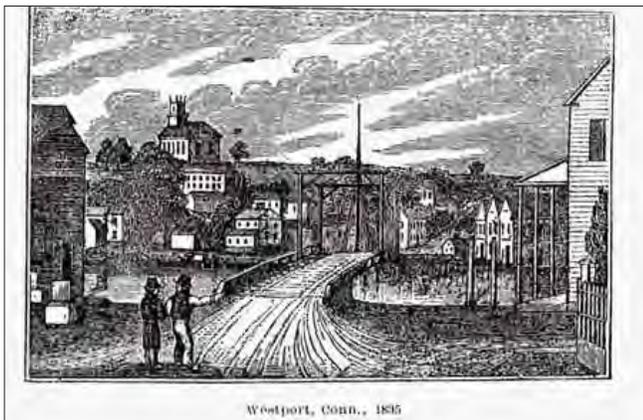
Urban design characteristics, parking conditions, and precedent studies inform the type and number of design standards that the consultant team may recommend for the new Village District. These analyses also address whether the boundary of the Study Area becomes the boundary for the proposed Village District as it is now or with modifications.

A.2 Historic Character and Development History

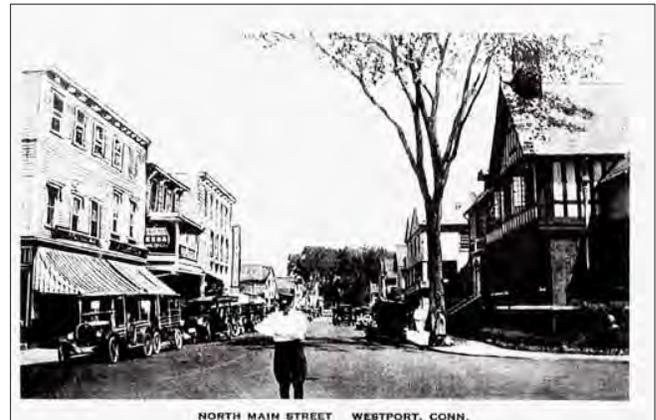
Westport Center is unique as a collection of residential, commercial, and municipal buildings spanning over 200 years. Settled in the mid-seventeenth century, Westport has strong agricultural and commercial roots. The fledgling community was located along the King's Highway, a critically important transportation corridor that linked Boston, Massachusetts and Charleston, South Carolina. The section of the settlement that would eventually come to be known as the village of Saugatuck was established on the west bank of the Saugatuck River, and included a number of wharves, stores, and warehouses, as well as a tavern. Following the Revolutionary War, the community began to combine farm-based industry with shipping, as market boats allowed Saugatuck's merchants to sell their goods, including agricultural and leather products, to buyers as far away as New York, Boston, Providence, and the West Indies.

In 1803, a bridge was constructed on the new Post Road in order to connect the east and west sides of the river. This new connection spurred development on the east side of the river, giving rise to Westport Center. By 1835, when the state granted a charter for the new town, there were approximately 70 commercial establishments clustered along or near the Post Road on both sides of the bridge, with slightly more on the western side. These included general stores, dry goods stores, lumber and building supply companies, shoe stores, furniture shops, and a number of specialty businesses. The village also contained approximately 75 houses, the majority belonging to area merchants, with a cluster of residences located north of the Post Road on Main Street.

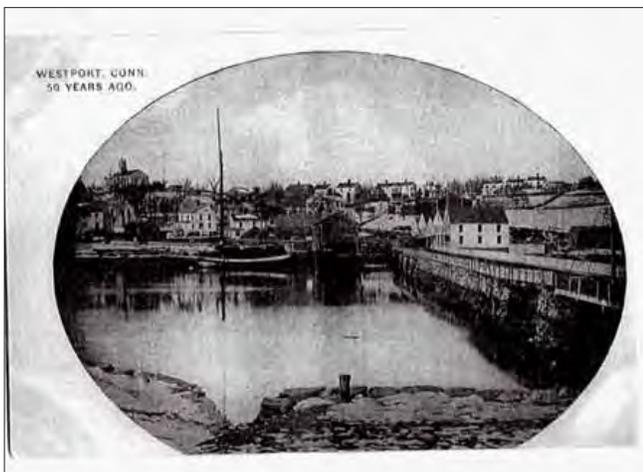
While the west side of the river continued to function as the town's commercial and social center through the mid-nineteenth century, by the latter half of the nineteenth century, the focus began to shift to the east side. By the 1890s, Westport Center contained a mix of municipal,



SOURCE: WESTPORT HISTORICAL SOCIETY



SOURCE: WESTPORT HISTORICAL SOCIETY



SOURCE: WESTPORT HISTORICAL SOCIETY



SOURCE: WESTPORT HISTORICAL SOCIETY

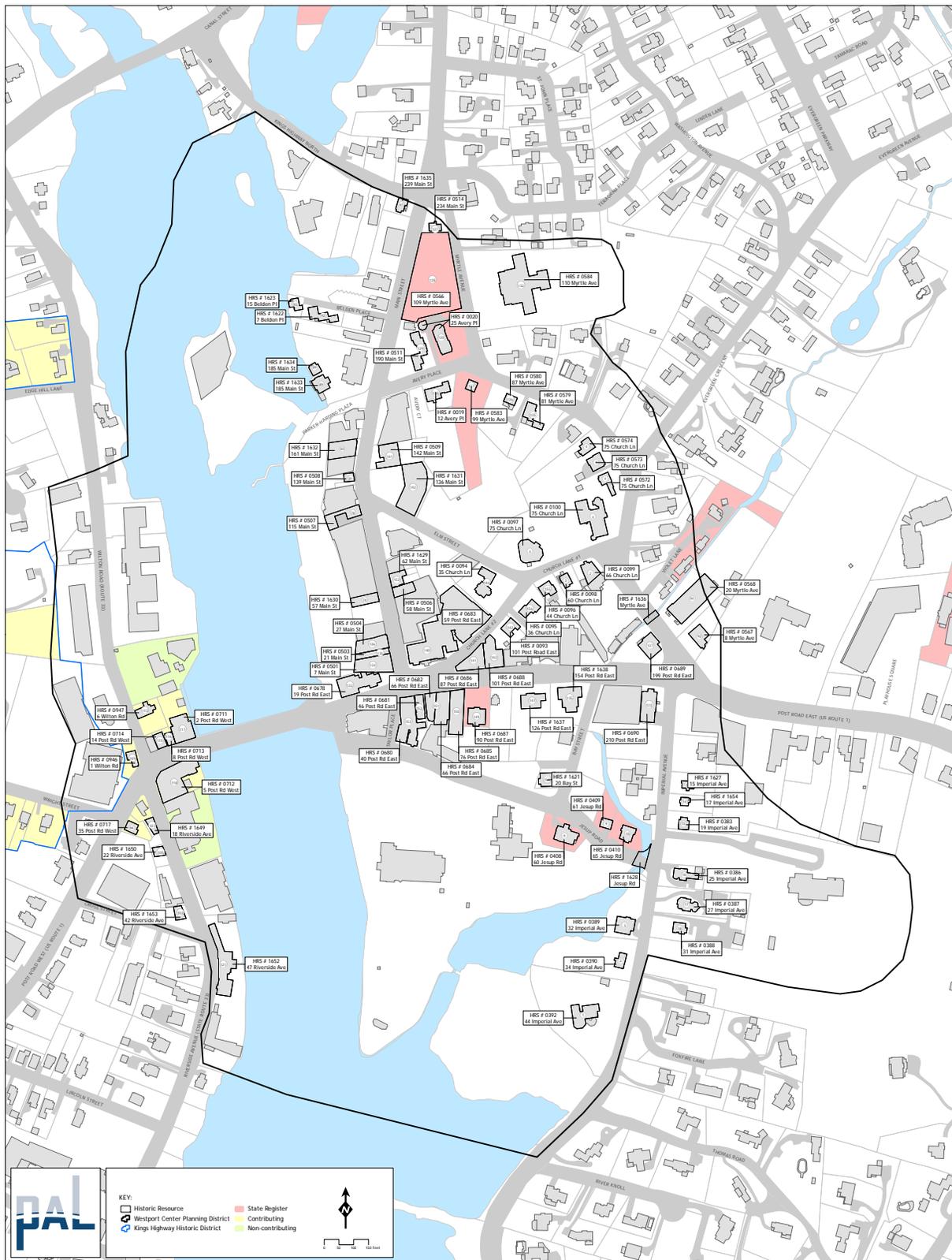


Figure A.2.1: Location of Historic Buildings

WESTPORT CENTER PLANNING DISTRICT HISTORIC RESOURCES INVENTORY UPDATE AND PLANNING RECOMMENDATIONS, THE PUBLIC ARCHAEOLOGY LABORATORY, INC., MAY 9, 2012

commercial and residential uses, including the Town Clerk's Office, three hotels, and the Toquet Opera House. Development within the Center continued throughout this period, this fueled by a booming local onion industry, as well as continued growth in manufacturing.

Originally a community of farmers and merchants, beginning in the 1890s Westport became a popular summer community for the wealthy, then an artists' colony, and ultimately a commuter suburb. This influx of residents spurred continued development in Westport Center. By 1910, whereas Main Street had once contained a mix of residential and commercial uses, it was now solidly commercial, and a Town Hall and Library had been constructed as prominent buildings along the Post Road. By 1923, the Y.M.C.A. Building, an important community center, had been constructed on the northeast corner of Main Street and the Post Road, and the Westport Bank and Trust Building and a movie theater had been constructed to the east and south of the Y.M.C.A.

Westport Center continued to evolve over the balance of the twentieth century, with the construction of several new commercial buildings along Main Street. With the continued suburbanization of the outer reaches of town, many former residential properties in the Center were converted to commercial uses to house the expanding commercial base. Today Westport Center continues to function as a mixed commercial, residential, social, and municipal hub.

Westport's unique history is manifest in its buildings. Spanning over 200 years, historic uses represent a variety of functions, from residences and schools, to stores and municipal buildings. These buildings also display a diverse range of architectural styles including Federal, Greek Revival, Gothic Revival, Italianate, Queen Anne, Colonial Revival, Classical Revival, Craftsman, and Tudor Revival forms. It is this variety of form and function that provides visual interest and provides Westport Center with its unique character.



WESTPORT Y.M.C.A., 1923
59 POST ROAD EAST



WESTPORT BANK AND TRUST
COMPANY BUILDING, 1923
87 POST ROAD EAST



OLD WESTPORT TOWN HALL, 1908-1909
90- POST ROAD EAST



WESTPORT METHODIST AND CHRIST AND HOLY
TRINITY CHURCHES, 1907-1910 AND 1860-1862
75 CHURCH LANE

A.3 Review of Existing Zoning

The Town of Westport's zoning regulations are in the *Zoning Regulations and Subdivision Regulations*, Planning and Zoning Commission, Town of Westport, Connecticut, February 24, 2014 (*Zoning Regulations*). This analysis examines two areas:

- General zoning regulations that may affect the Study Area
- Specific regulations by zoning district

The examination of current zoning provides two important sets of information. The first is whether there are regulatory requirements that limit the amount of future development in the Study Area. This is evaluated both in this section and in more detail in *Appendix B: Susceptibility to Change Analysis*.

The second set of information is the level of similarity or difference among the regulatory requirements for the zoning districts within the Study Area. These requirements include both allowable uses and dimensional standards. Distinct differences in these two categories would make amalgamating the districts into a single zoning district more difficult.

GENERAL ZONING CONSIDERATIONS

There are three zoning regulations that may have an impact on development within the Study Area. These regulations should be reviewed and considered along with the goals for this area.

- **MAXIMUM ALLOWABLE MULTI-FAMILY DWELLINGS** – The total number of multi-family dwelling units in all zoning districts cannot exceed 10% of the total number of single-family dwellings within the Town of Westport as determined by the most recent U.S. Census. Multi-family affordable housing is exempt. A conversation with the Town Planner suggests that this threshold has almost been met.
- **BUILDING SPACING** – The minimum horizontal distance between the nearest walls or corners of any principal and/or accessory detached building shall not be less than one half the sum of the heights of such

adjacent buildings. This provision restricts building additions or larger replacements.

- **SECTION 6. NON-CONFORMING USES, BUILDINGS & LOTS** – Non-conforming buildings, structures, or land cannot be extended, expanded, or relocated on the same lot and cannot become a new or different non-conforming use except by Special Permit and Site Plan Review by the Planning and Zoning Commission. The applicant must meet certain conditions relating to similarity in use and lack of change to existing non-conforming buildings. This provision restricts redevelopment and changes in use.

These considerations are not addressed in the proposed text in *Section 3: Recommended Zoning Changes*. However, they are identified here as part of the general review of how current zoning regulations affect the development of the Study Area. If the Town of Westport wishes to introduce zoning changes at a later date to encourage additional development within the Study Area, these three regulations may act as limiting factors.

ZONING DISTRICTS

The Study Area contains seven zoning districts. Some have similar dimensional standards and use characteristics, others do not. The purpose of each district as defined in the Zoning Regulations is summarized below:

- **A** – Moderate density, centralized sewer
- **AA** – Low density on sites with on-site sewer
- **BCD** – General commercial and office development along arterial streets; development density limited by parking. Prohibition of automotive and similar drive-in type establishments
- **BCD/H** – Prevent potential loss of significant exterior historic features; preserve buildings with historic interest for the community
- **RBD** – Retail areas for limited convenience shopping goods and office services. Limitations in number, size, and type of permitted uses
- **RORD2** – Limited use of land and existing buildings for offices, retail stores, multiple-family

dwelling and combinations of these uses. Retention of residential character of existing buildings

- RPOD – Limited use of land as professional offices and related activities. Transition between commercial and residential areas to conserve the value of older homes near the commercial district

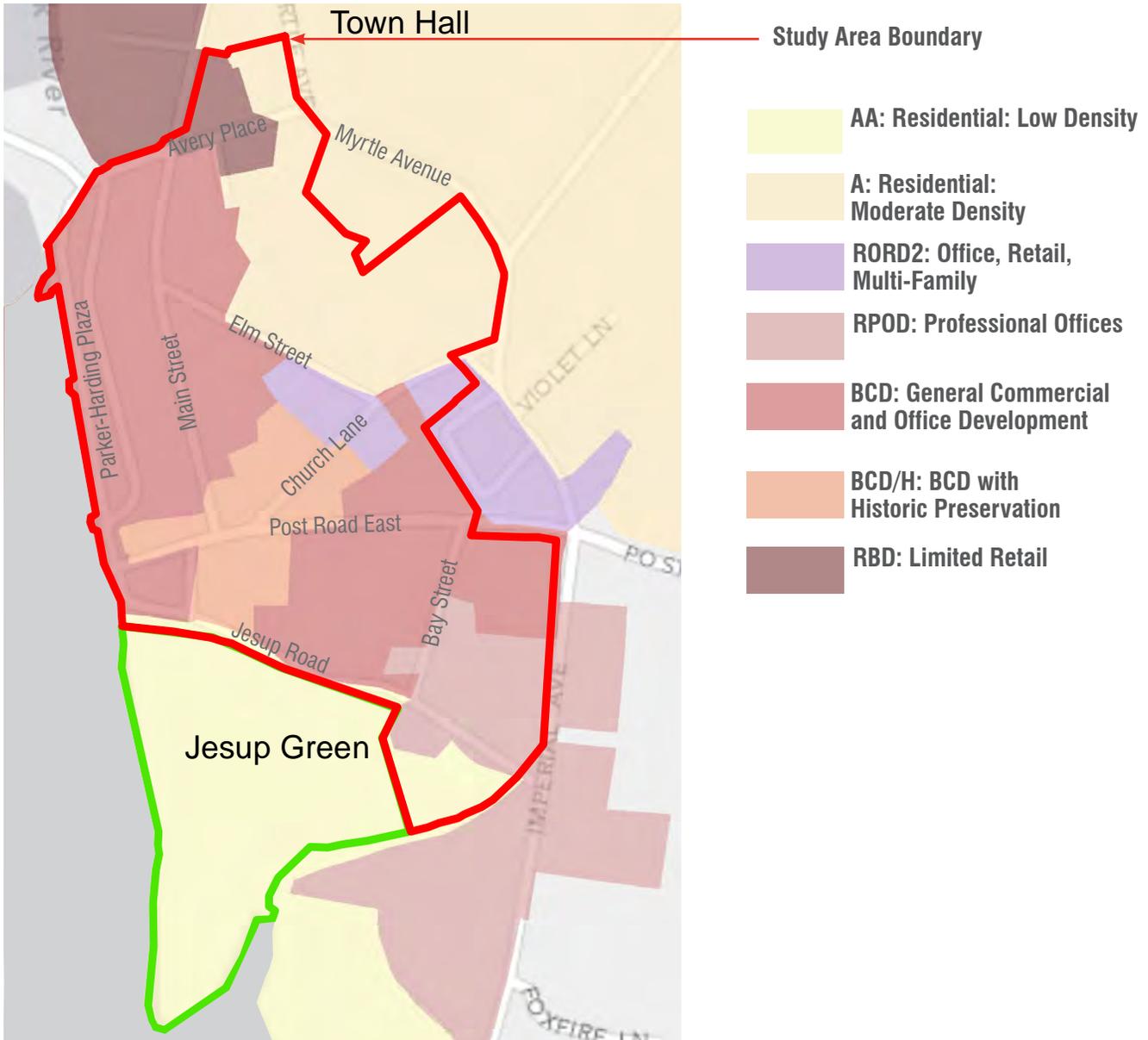


Figure A.3.1: Zoning Districts

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

ANALYSIS OF ALLOWABLE USES

Residence A and Residence AA are not included in the analysis of allowable uses in Table A.3.1 as both have the same uses as the Residence AAA District. In fact, the principal uses of all seven districts are based on Residence AAA, with two exceptions. BCD/H allows those uses subject to special permit approval and RORD2 does not allow Accessory Apartments, Home Occupation Level 1, and Home Occupations Level 2.

BCD/H is also not included in the table. With two exceptions, the uses in BCD/H are the same as in BCD. The first exception is noted above – the Residence AAA uses are allowed by special permit. The second exception is as follows:

Exterior reconstruction, alteration, or addition to any existing structure or a new construction requires a special permit with a combined recommendation from a joint meeting of the Historic District Commission and the Architectural Review Board. Ordinary maintenance and repair for which no building permit is required shall be exempted from this requirement provided there is no change to the exterior appearance of the building.

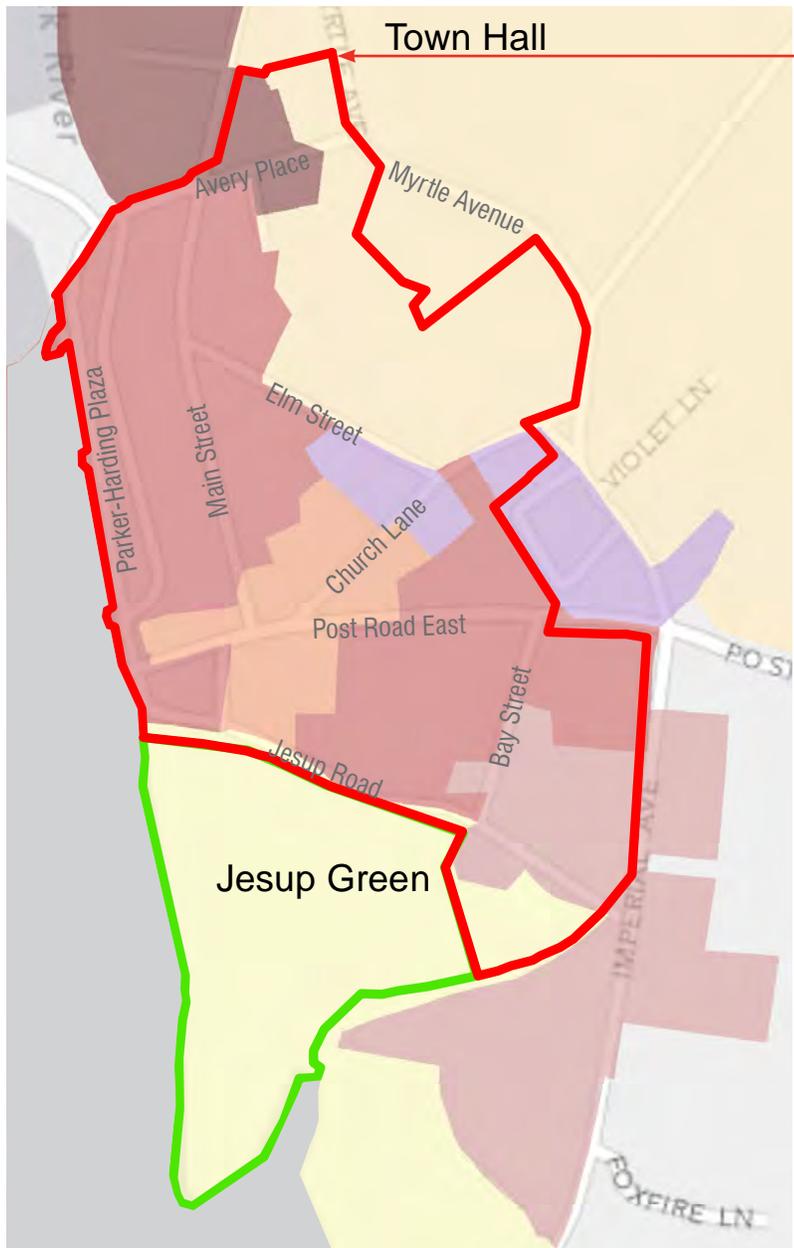
Figure A.3.2 indicates where some of the differences in allowable and prohibited uses are in relation to each other. Table A.3.1 on the following pages examines four levels of allowable uses: site plan approval, special permit, accessory uses, and prohibited uses. The analysis in the table focuses on the difference in uses among the remaining four zoning districts. Uses that are allowable in all four zoning district are not included in this analysis. Blank cells means that the use is not mentioned and is therefore presumably not allowed.

There are some significant differences in the allowable uses among these districts. Some of the differences are not relevant to the Study Area – for example, RORD2 specifically prohibits heavy commercial uses, but these are unlikely to be appropriate to the smaller parcels and business mix of the Village District.

Other uses that are allowable in some districts but not in other may be appropriate to a single Village District. For

example, medical offices are allowed in BCD and RBD but not RORD2.

The creation of a single Village District that replaces the existing zoning districts would require an analysis of which uses are present within the Study Area today, which allowable uses the Town would like to retain or encourage within the Village District and which uses the Town would like to prohibit.



- AA**
- A**
- RORD2**
 PROHIBITED: Medical offices, veterinary hospitals and animal clinics, newspaper and job printing establishments, bowling alleys and skating rinks, Accessory Apartments, and Home Occupations Levels 1 and 2; heavy commercial equipment
- RPOD: Professional Offices**
 Professional Offices and one attached dwelling unit are the only allowable uses beyond Residential AAA
- BCD: General Commercial and Office Development**
 Uses prohibited in RORD2 are allowable here; Private Occupational Schools are not allowable but this is the district with the most allowable uses; hotels, motels and motor inns are prohibited here but not listed as allowable elsewhere
- BCD/H: BCD with Historic Preservation**
- RBD: Limited Retail**
 Specific list of retail goods and services allowed; veterinary hospitals and animal clinics, newspaper and job printing establishments, commercial marinas, and attached dwelling units are not allowable

Figure A.3.2: Differences in Allowable Uses

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

	BCD	RBD
Site Plan Approval	Stores and shops where goods are sold and services are rendered primarily at retail	Specific list of retail goods and services allowed
	Business, professional, medical , healthcare professionals, insurance, real estate and other offices	Business, professional, medical , healthcare professionals, insurance, real estate and other offices
	Grocery Store, delicatessens, and Retail Food Establishments; Restaurants, Cafés, and Taverns	Restaurants and Retail Food Establishments
	Off-street parking lots, decks & garages	Auto parking area both commercial or municipal
	Newspaper and job printing establishments	
	Other: Banks, Undertaker’s establishments, Indoor theaters and assembly halls	Other: Photographer’s or artist’s studios; Schools for business, art, and languages; Community centers and non-profit clubs; Public and charitable agencies
Special Permit	Golf driving ranges, paddle tennis courts, tennis courts, bowling alleys, skating rinks and other indoor and outdoor commercial recreation and entertainment uses, except game rooms	Indoor and Outdoor Commercial Recreation and Entertainment Uses
	Commercial marinas, including accessory boat sales	
		Private Occupational Schools
	Veterinary hospitals and animal clinics (with restrictions)	
Accessory Uses	Outdoor Eating Areas for Restaurants, Cafés, Taverns and Retail Food Establishments (annual Zoning Permit)	Outdoor Eating Areas for Restaurants, Cafés, Taverns and Retail Food Establishments (annual Zoning Permit)
	One attached dwelling unit – density under 20 units per acre	
	Other: Wholesaling and warehousing; bank drive-in (with conditions); Game room (with conditions)	
Prohibited Uses	Hotels, motels, motor-inns	

Table A.3.1: Comparison of Differences in Allowable Uses

RORD2	RPOD
SPECIAL PERMIT: Stores and shops where goods are sold and services rendered	
SPECIAL PERMIT: Business, professional, insurance, real estate or other offices SPECIAL PERMIT: Professional health offices excluding medical offices (PROHIBITED USE)	SPECIAL PERMIT: Professional offices for services rather than goods
SPECIAL PERMIT: Grocery Store, delicatessens, and Retail Food Establishments; Restaurants, Cafés, and Taverns	
SPECIAL PERMIT: Off-street parking lots, decks and garages	
PROHIBITED USE	
Indoor and Outdoor Commercial Recreation and Entertainment Uses PROHIBITED USES: Bowling alleys and skating rinks	
Commercial marinas, docks, landing and boathouses	
Private Occupational Schools	
PROHIBITED USE	
Outdoor Eating Areas for Restaurants, Cafés, Taverns and Retail Food Establishments (32-20)	
One attached dwelling unit – density under 20 units per acre	One attached dwelling unit – density under 20 units per acre
Heavy commercial uses such as lumber yards, septic tank sales, construction equipment yards and contractor’s storage	

ANALYSIS OF DIMENSIONAL STANDARDS

The dimensional standards for the seven zoning districts are consistent in some respects and different in others. *Appendix B Susceptibility to Change Analysis* provides a further analysis of some of these non-conformities as they create a regulatory climate in which change is difficult.

Setback requirements are relatively consistent, but building coverage, height, and Floor Area Ratio (FAR) requirements differ by zoning district. While the core of Downtown Westport has a maximum height limitation of 25 feet for flat roofs and 30 feet for pitched roofs, higher roof lines are allowed in the residential districts and in BCD/H.

Allowable building coverage also varies. BCD and BCD/H allow 75% or more while the other districts range from 15% to 25%. Figure A.3.4 below shows the amount of

building and parking coverage that currently exists within the Study Area and its immediate context. A significant portion of the Study Area is covered – very little open space exists.

Table A.3.2 on the following pages provides details of the dimensional standards for each district. Figure A.3.5 shows the location of different height and building coverage requirements within the Study District.

A new Village District that replaces the current districts would need to incorporate a single set of dimensional standards. Removing Residential A and AA from the proposed Village District boundary would make sense so that dimensional standards more appropriate to retail and commercial uses would not affect the residential neighborhoods. Height and building coverage differences would need to be resolved.

Any changes to the dimensional standards would need to be evaluated to ensure that existing buildings and lots are not made newly nonconforming by the proposed changes.

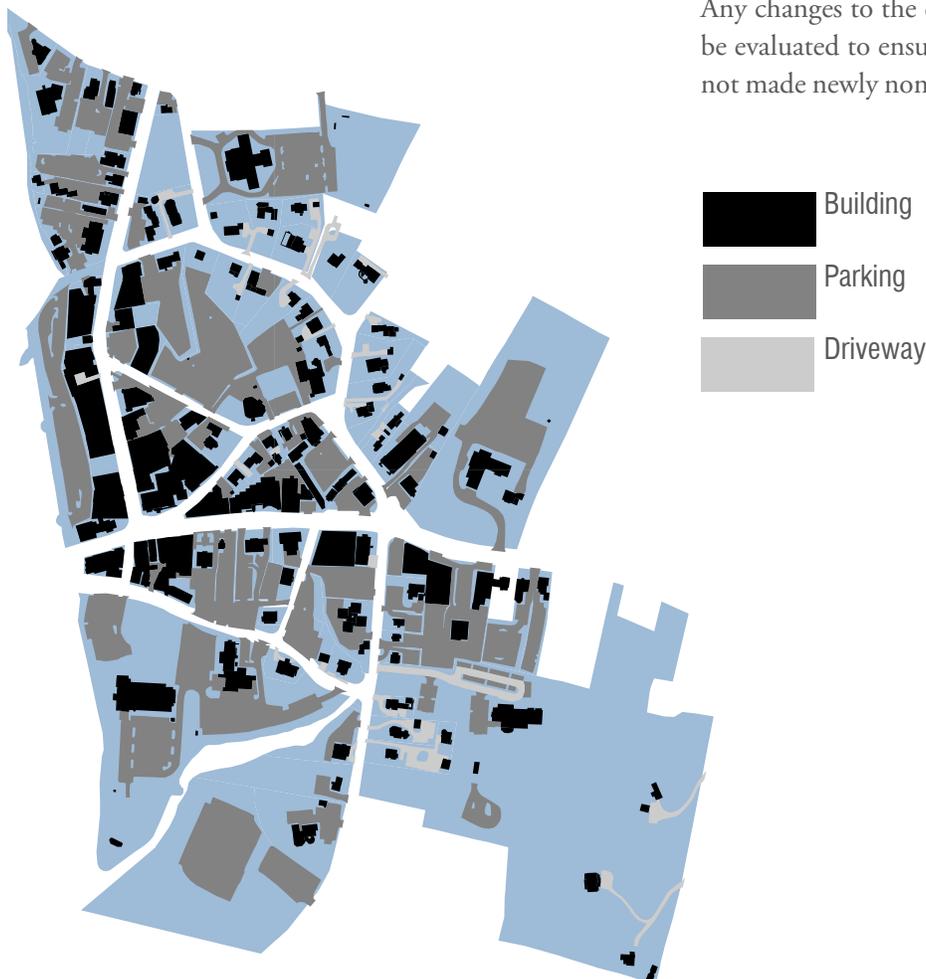


Figure A.3.4: Existing Coverage from Buildings, Parking, and Driveways

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

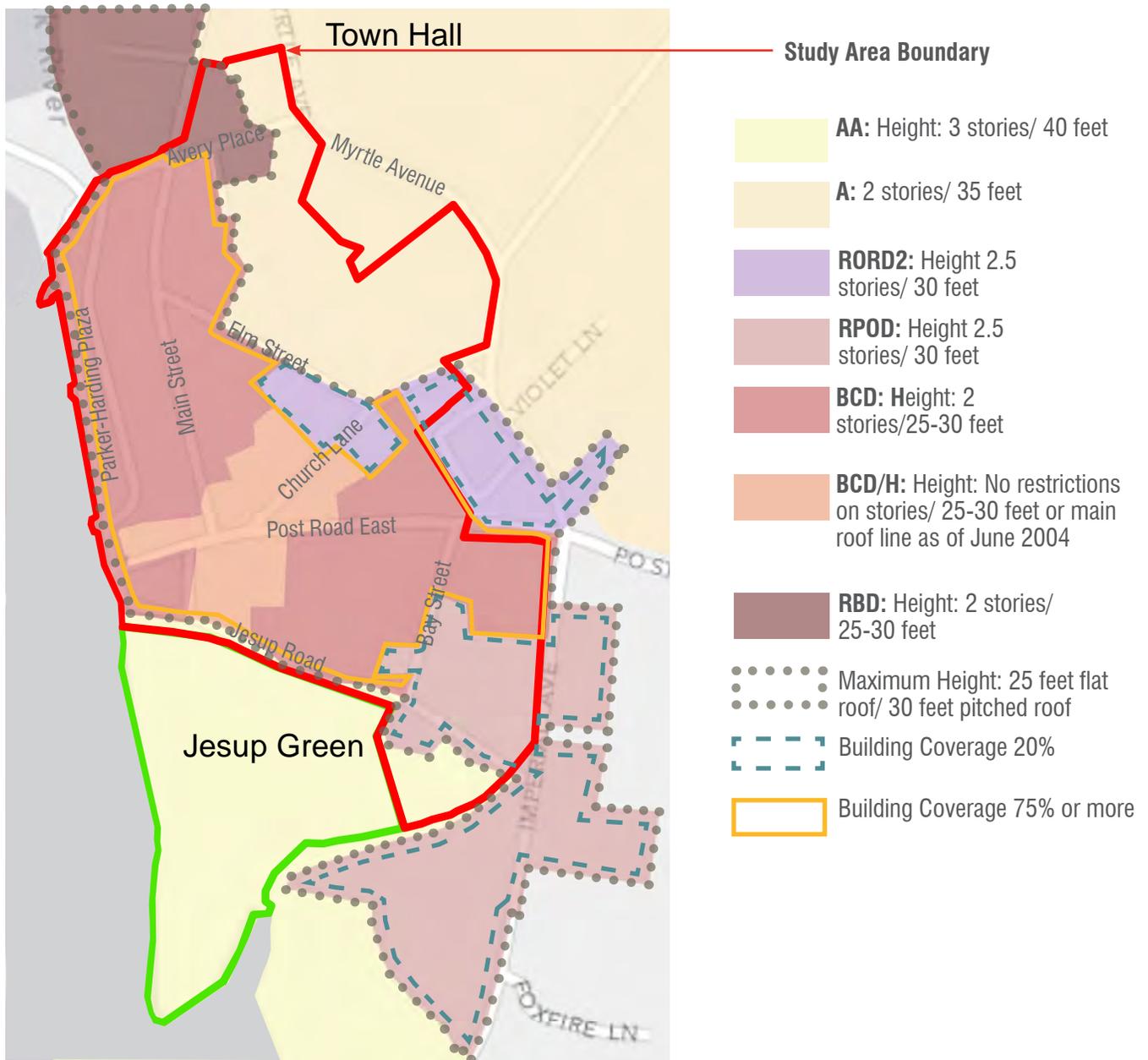


Figure A.3.5: Differences in Dimensional Standards: Height and Building Coverage

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

	A	AA
Maximum Building Coverage	Building 15% Total 25%	25% some exceptions
Minimum Lot Size	0.5 acre	1.0 acre
Minimum Frontage	100'x150' rectangle must fit on lot	150'x150' square must fit on lot
Floor Area Ratio (FAR)	0.5	1.00
Setbacks		
From Street	30'	
From Side Lot	15'	25'
From Rear Lot	25'	
Principal Building Height		
Stories	2.0	3.0
Feet	35	40

Table A.3.2: Comparison of Dimensional Standards

BCD	BCD/H	RBD	RORD2	RPOD
75%	greater of 75% or existing building coverage as of 06/01/04	25%	20%	
None		that of the original district prior to the establishment of the new district		
50' on at least one street				
0.25-1.00 depending on use		0.25-0.35		
30' from East Post Road front lot line or 20 feet from any other lot line	existing setbacks on lot as of 06/01/04	30' from any front lot line or district boundary/ Residential District Boundary Line Accessory: 30' from front or district boundary		
Site dependent any two adjacent buildings shall be set back at least 6 feet from the lot line or shall have a fire wall on the lot line		15' Accessory: 15'		
		25' Accessory: 15'		
2.0	No restrictions	2.0	2.5	
25 flat/30 pitched	25 flat/30 pitched addition or alteration cannot exceed main roof line of building existing on lot as of 06/01/04	25 flat/30 pitched	30 unless matching existing pitched, gable or gambrel roof line of existing building on lot	

A.4 Urban Design

DESIGN ELEMENTS

This analysis focuses on the design elements within the Study Area that contribute to the present character of this portion of the Downtown. Design elements include the following:

- **BUILDING ELEMENTS** – Height, massing, and form and architectural details (Figure A.4.2)
- **SITE ELEMENTS** – Plant and paving materials, street furniture, and lighting (Figure A.4.3)
- **AREA ELEMENTS** – Development patterns, viewsheds and natural features (Figure A.4.1)

The following analysis presents a series of photographs and maps to illustrate the elements described above.

One of the defining features of the core of the Downtown is its variation – in building height, mass, form, and the variety of details, both historic and modern. Architectural variety can be a strength, by creating a unique setting not replicated in other downtowns. Changes in roof line pitch and height, clocks, unusual window shapes, changes in façade depths, cornices, moldings, awnings, and other elements provide visual interest and reinforce a sense of place. Figure A.4.2 provides images from the Study Area that illustrate the variety.

In terms of site elements, variety can be a weakness. Varied paving types and widths can make it difficult for pedestrians, especially those with mobility problems, to navigate the downtown. Pedestrian passageways can link Main Street with Parker-Harding Plaza and be used for display or shelter; passageways in poor repair can be a deterrent and cause feelings of discomfort for both residents and visitors. Different types of street furniture and lighting can create a maintenance challenge for both public and private landowners. Planting materials must be appropriate for the setting and maintained through all four seasons. Figure A.4.3 illustrates how the variety in site elements does not reinforce the area's identity as a single, unified district.

The balance between variety and uniformity should be incorporated into the recommended standards in *Sec-*

tion 3 Recommended Zoning Changes. A uniformity in site elements can offset the variety in building elements. However, new construction or significant rehabilitation and restoration should not increase the variety in types of building elements, but should fall within the existing range of building types and styles in the Study Area.

The Study Area is primarily a built environment, and has one natural feature within its boundary: Deadman Brook to the southeast. However, the western boundary of the Study Area is the Saugatuck River, with Gorham Island to the north west. Gorham Island is a recreation area that includes walkways, tidal wetlands and access to the river. An office building is located on the site.

Views of the river and of Gorham Island are available from Parker Harding Plaza. Although there is a walkway along the river, the main use of this area is for parking for visitors to the downtown area.

The recommended design standards should include the preservation of views of the Saugatuck River when new construction or significant rehabilitation and restoration is proposed.

The current superblocks are a remnant of the historic development patterns. The blocks are broken in some areas by parking which extend across the boundaries of the superblocks. While parking is necessary for a vibrant downtown, this condition breaks the historic development pattern of buildings lining the streets.

The current boundary does not include the gateway at the intersection of Myrtle Avenue, Imperial Avenue and Post Road East, and is also missing Sconset Square from the superblock at the right of Figure A.4.1 – these two elements should be considered when establishing the final Village District boundary.



Figure A.4.1: Area Elements

ESRI, DIGITALGLOBE, GEO-EYE, I-CUBED, USDA, USGS, AEX, GETMAPPING, AEROGRIID, IGN, IGP SWISSTOPO, THE GIS COMMUNITY, TOWN OF WESTPORT, THE CECIL GROUP
 AERIAL DATA MARCH 28, 2011

Height



Massing



Form



Architectural
Details



Figure A.4.2: Building Elements

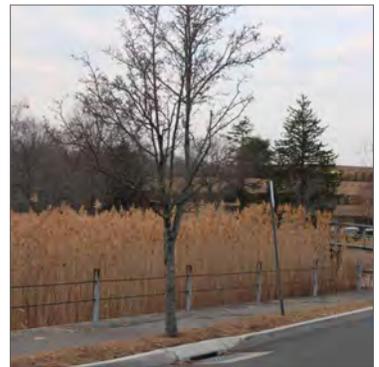
Pedestrian Passageways



Street Furniture



Plant Materials



Paving Materials

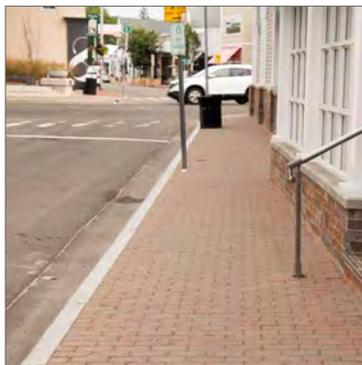


Figure A.4.3: Site Elements

PRECEDENT STUDIES

Table A.4.1 is a list of communities in Connecticut with Village Districts. This list provides a link to the regulations and identifies whether the community has design guidelines or standards specifically associated with the Village District.

TOWN	LINK TO ZONING REGULATIONS	DESIGN GUIDELINES?
Brooklyn, CT	3.4.5 VCD Village Center District, page 19	3.4.5.7 VCD General Design Standards, page 21
	http://www.ct.gov/csc/lib/csc/pendingproceeds/docket_424/application_bulk/brooklyn_ct_-_p&z_regs.pdf	
Chester, CT	Section 73, Chester Village District Regulations	73.7 Village District – Design Standards, page 9
	http://www.chesterct.org/depart/plan/Draft_Chester_Village_Regs_9-13-10.pdf	
Columbia, CT	under consideration	No
	http://www.columbiact.org/index.asp?Type=B_BASIC&SEC=%7BC4B3F98B-FCBA-45AA-8374-6B0DE78AB43D%7D	
Farmington, CT	Section A. Farmington Village District Zone (FV), page 75	F. Design Objectives and Standards, page 77
	http://www.farmington-ct.org/docs/Farmington_Village_District_Zone.pdf	
Guilford, CT	Guilford Church Street Village District	No
	http://www.columbiact.org/vertical/sites/%7B0E99EADE-5A51-4F01-A125-DF0E38340A1E%7D/uploads/Guilford_Church_Street_Village_District.pdf	
Hamden, CT	Section 452 Spring Glen Village District	No
	http://www.columbiact.org/vertical/sites/%7B0E99EADE-5A51-4F01-A125-DF0E38340A1E%7D/uploads/Hamden_Village_District.pdf	
Kent, CT	Section 5A Kent Village District (KVA)	No
	http://www.columbiact.org/vertical/sites/%7B0E99EADE-5A51-4F01-A125-DF0E38340A1E%7D/uploads/Kent_Village_District_Regulation.pdf	
Madison, CT	Section 30, Downtown Village District (DVD), page 165	Downtown Village District Design and Landscape Standards
	http://www.madisonct.org/PZ/docs/ZoningSubdivRegs.pdf	
Middletown, CT	Section 39D - Downtown Village District (DVD)	No
	http://www.middletownplanning.com/zoningcode/pzcode39D.html	
New Canaan, CT	Section 4.2 Retail A Zone (Village District), page 72 Section 4.3 Retail B Zone (Village District), page 74 Section 4.4 Business A Zone (Village District), page 76 Section 4.5 Business B Zone (Village District), page 78 Section 4.6 Business C Zone (Village District), page 80	E. Additional Village District Considerations, page 132
	http://www.newcanaan.info/content/9490/293/331/2626.aspx	
Newtown, CT	Article II, Section 2 South Main Village Design District Appendix C Haleyville Center Design District (HCDD) Appendix D Sandy Hook Center Design District (SHDD)	None for South Main, separate documents for HCDD and SHDD
	http://www.newtown-ct.gov/public_documents/newtownct_zoneregs/zoning	

TOWN	LINK TO ZONING REGULATIONS	DESIGN GUIDELINES?
Norwalk, CT	118-500 East Avenue Village District 118-530 Rowayton Avenue Village District	No
	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CCYQFjAB&url=http%3A%2F%2Fwww.columbiact.org%2Fvertical%2Fsites%2F%257B0E99EADE-5A51-4F01-A125-DF0E38340A1E%257D%2Fuploads%2FNorwalk_Village_Districts.doc&ei=IYY-VO6SGoiV8gGvYFo&usg=AFQjCNGuuT45VSWtQUpttutdBNtoaVX_Q&sig2=M1x3SOdMo2jIHUdHsuxDLg&bvm=bv.77412846,d.b2U	
Ridgefield, CT	Chapter 98: Village District	No
	http://ecode360.com/12368156	
Scotland, CT	4.4 VD – Village District	Scotland Village District Design Guidelines
	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=8&ved=0CDwQFjAH&url=http%3A%2F%2Fwww.columbiact.org%2Fvertical%2Fsites%2F%257B0E99EADE-5A51-4F01-A125-DF0E38340A1E%257D%2Fuploads%2FScotland_Village_District.docx&ei=MIw-VKKnL0ra8gGg-YHIDg&usg=AFQjCNFX-bPbrFtqM99zQ3b3CVTyng68tw&sig2=7jpoMvuXAfr_tqO_qECnsw&bvm=bv.77412846,d.b2U	
	http://www.greenvalleyinstitute.org/brochures/design_guidelines_scotland.pdf	
Stamford, CT	11. V-C Village Commercial District, page 4-12	11.5 Site Design and Architectural Criteria, page 4-17
	http://www.stamfordct.gov/sites/stamfordct/files/file/file/city_of_stamford_zoning_regulations_0.pdf	
Waterford, CT	section 6A - Village Residential District (VR), page 65	Page 65
	http://www.waterfordct.org/depts/pnz/zoning_regs.pdf	

Communities without design guidelines have usually incorporated the standards and/or compatibility principles from CGS 8-2j as criteria for evaluation, or other such designation. The communities with design guidelines can be divided into the following categories:

- Those that repeat some or all of the compatibility requirements of CGS 8-2j:
 - * Brooklyn
 - * Farmington
 - * New Canaan
- Those that have additional guidelines:
 - * Brooklyn (traffic, noise, signs, landscaping)
 - * Farmington (materials, loading, building orientation, sidewalk dimensions)
- Those that are different from CGS 8-2j:
 - * Chester (includes subdistricts)

- * Waterford (includes requirement for public water and sewer)
- Those that include illustrated design standards:
 - * Madison
 - * Newtown
 - * Scotland
 - * Stamford

The consultant team reviewed the illustrated design standards in the above four communities as part of this regulatory review. The recommended design principles and standards in *Section 3 Recommended Zoning Changes* have been influenced by this review.

PARKING LOT CONDITIONS

The consultant team reviewed two studies in order to provide observations regarding potential implications for zoning and development of current and future parking conditions:

- *A Conceptual Plan to Improve the Function and Appearance of Several Downtown Parking Facilities*, Milone & MacBroom, June 8, 2007 prepared on behalf of the Westport Downtown Merchants Association (DMA)
- *Technical Memorandum #1: Existing and Future Baseline Conditions*, for the Downtown Westport Master Plan Phase I – Traffic & Transportation Study, RBA, June 2014

Participants in the focus groups held on August 6, 2014 (see *Appendix C Public Input*) provided consistent information that the amount of available parking is a significant concern for area merchants and property owners. Pressures on the parking supply come from employees who staff both retail and offices and customers/clients of the various businesses. Both RBA's online survey, conducted as part of the Downtown Master Plan study and the comments from the public workshop on June 7, 2014 confirm that residents usually drive to the downtown and thus compete for space with both employees and out-of-town visitors.

Some members of the focus groups on August 6 expressed support for the system of improvements recommended by Milone & MacBroom in the 2007 conceptual plan. The recommended improvements included the following:

- Installation of signage to direct pedestrians and drivers
- Creation of better pedestrian connections between parking and retail and waterfront
- Reconfiguration of the parking spaces to allow increased accessible parking, landscaping of the lots, and standardization of parking space sizes
- Incorporation of sustainable design elements within the lots
- Incorporation of site amenities and civic spaces
- Installation of landscaped buffers between parking lots and residential spaces
- Installation of a parking meter system

Specific support from focus group participants was given to the concept of creating a parking deck incorporating the Avery Place and Baldwin Lots. A parking management system that would allow free all-day parking for employees and metered parking for visitors received support. Some participants in the focus group raised concerns about any improvements that would decrease parking in the Study Area.

The RBA analysis, completed in 2014, included an analysis of traffic conditions and an expanded analysis of available parking, both on-street and off-street, and both public and private lots. RBA identified confusing signage and parking regulations in the various lots, which reinforces the recommendation from Milone & MacBroom to install clear signage in the area.

However, in contrast with the concerns raised by the participants in the focus group, RBA found that the parking in the downtown area was not fully utilized, either during the week or on weekends. While RBA's analysis area is larger than the Study Area, the analysis was repeated after excluding some of the more distant lots.

A review of Figures 19 (Weekday Midday Peak Hour) and 21 (Saturday Midday Peak Hour) from the RBA analysis shows that the Parker-Harding, Avery Place, and Baldwin Lots are between 95-100% occupied during both time periods. This is consistent with the anecdotal evidence from the participants in the focus group that parking is difficult to find in the core of the downtown. RBA notes that sufficient parking is available within the quarter-mile radius that defines an acceptable walking distance. However, the conditions within that quarter-mile radius must be safe and attractive to pedestrians in order to encourage them to walk from more distant parking.

It is clear from public input and from a review of previous studies that the design standards found in *Section 3 Recommended Zoning Changes* should address the location and landscaped buffers for both surface and structured parking in order to create a welcoming and safe environment for both pedestrians and drivers. The existing parking lots have no buffers between the lot and the street and very little landscaped areas within the lot itself. Landscaped buffers will decrease the amount of parking available but will add to the visual interest of the Village District.

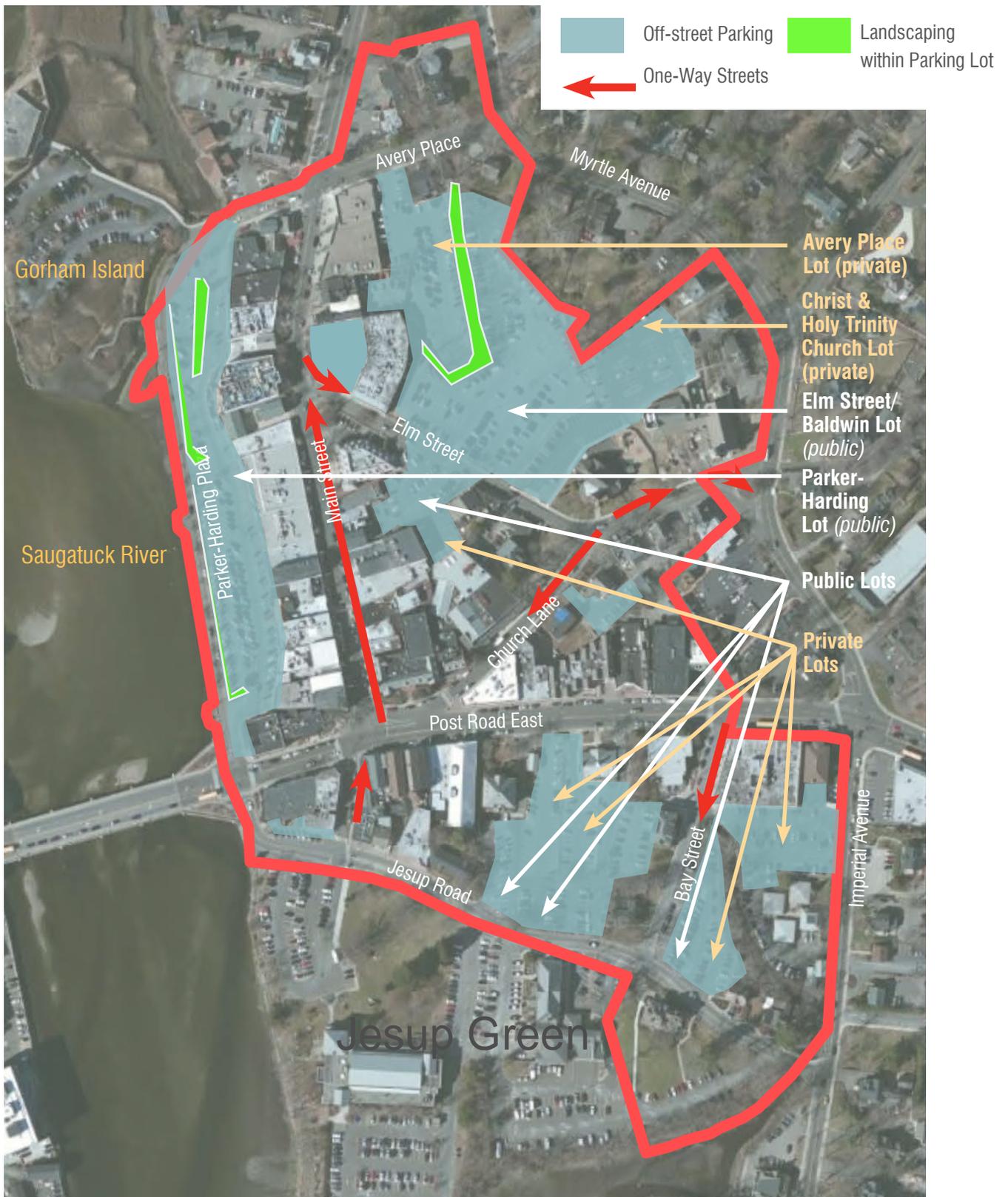


Figure A.3.9: Location of Large Off-Street Parking Lots

ESRI, DIGITALGLOBE, GEO-EYE, I-CUBED, USDA, USGS, AEX, GETMAPPING, AEROGGRID, IGN, IGR SWISSTOPO, THE GIS COMMUNITY, TOWN OF WESTPORT, THE CECIL GROUP
 AERIAL DATA MARCH 28, 2011



WESTPORT VILLAGE DISTRICT STUDY

APPENDIX B

**SUSCEPTIBILITY TO
CHANGE ANALYSIS**

B. SUSCEPTIBILITY TO CHANGE ANALYSIS

B.1 Introduction

A susceptibility to change analysis looks at the likelihood that the use or density of a site will change. Different measures are used to determine whether or not a site will change in principal use (such as from office to housing) or in density (such as from a two-story building to a four-story building). The factors that affect the possibility of change include the following:

- Local and regional market demand and trends for retail, commercial or housing uses
- Dimensional requirements that limit the size and massing of a structure

The susceptibility to change analysis indicates that this area of Downtown Westport is not very likely to change through demolition and new construction. The analysis of required dimensional standards relative to existing conditions demonstrates that the majority of properties are non-conforming. An analysis of Floor Area Ratio (FAR) indicates that most properties are already above their allowable density.

A property owner is unlikely to demolish an existing, non-conforming building in order to replace it with a smaller building that conforms to existing zoning. The loss of square feet represents a significant loss of value in a market with high rental rates per square foot as shown in *Section B.2 Market Trends*.

Although new zoning regulations and design guidelines should address the possibility of demolition and new construction, the most likely application of the new regulations will be to projects that involve the new construction of additions to or substantial rehabilitation of existing structures.

The following analysis looks at a snapshot of market trends that provides some support for the presence of higher market values in the Village District area.

B.2 Market Trends

This brief look at the existing trends in the Westport area does not constitute a full market study of the downtown area. Rather, it is a confirmation of the relative value of the buildings in downtown Westport when compared to the state and county. As noted in the introduction, higher building values create less of an incentive to demolish existing buildings that are larger than the current zoning regulations allow.

Discussions with participants in the focus groups (see *Appendix C: Public Input*) indicate that retail on Main Street can lease for \$130-180 per square foot and that there is very little vacant space available.

Trends in the Multifamily, Office, and Retail markets may affect the likelihood of a change in use or density of the buildings in the Study Area. This data, however, is not specific to the downtown core or to the Westport market; it is a snapshot of existing conditions and recent trends for the various markets in the State of Connecticut, Fairfield County and the Town of Westport.

Lease prices will affect the types of business that can afford to move into an area – higher prices are harmful to smaller businesses and the result may be an increase in regional and national businesses who can afford to absorb the higher costs of locating in Westport. As discussed below, the average sales and lease prices are higher in Fairfield County than elsewhere in the State of Connecticut. As the economy improves, rents and purchase prices are likely to increase.

The relationship among lease prices for different types of businesses is also a driver – property owners will be more interested in leasing to uses that will pay more per square foot if the zoning allows options. In June 2014, lease prices per foot for retail and office were comparable – both in the range of \$24 per square foot.

The following analysis is based on data from the *Westport, CT Market Trends Report* from Loopnet.com, accessed on July 31, 2014.

- Multifamily asking prices in the State of Connecticut declined sharply from a high of \$80,000 per unit in mid-2007 to a low point of approximately \$55,000 per unit in 2012. The current asking price of around \$62,000 per unit has been effectively level since mid-way through the second quarter of 2013. Data for Fairfield County was not available. Sales prices are much less consistent, and are about \$52,500 as of June 2014. This is a 3% increase from the previous year.
- Asking prices in for office properties in Fairfield County have varied over the past seven years, but are still below the 2007 low of \$160 per square foot. Prices are at approximately \$148 per square foot in June 2014, this is a slight uptick from the previous quarter but well below the 2009 high of about \$192 per square foot. Asking prices for the State of Connecticut are significantly lower, and sales trends have varied widely over the past few years with a slight leveling off in the past two quarters.
- Lease prices for office properties in Fairfield County are increasing steadily from a low of just over \$20 per square foot during the first quarter of 2010 to a recent high of just over \$24 per square foot. This is higher than the previous peak of just under \$24 per square foot in 2007, and much higher than the state's price of just under \$19 per square foot.

- As with office properties, retail asking prices in Fairfield County are significantly higher than in the state as a whole. The highest prices was in the third quarter of 2009, was approximately \$245 per square foot. The current price is about \$181 per square foot and has been relatively level for the past two quarters after a dip and subsequent rise at the end of 2012/beginning of 2013. Although prices per square foot are much lower in the state as a whole, sales trends in the state as a whole have increased sharply from a low in 2013.
- Retail asking rents in Fairfield County are similar to office lease trends. The high was a price per square foot of almost \$28 at the beginning of 2008. The June 2014 price per square foot is just under \$24.50, a gradual increase from the low in the fourth quarter of 2012 of about \$23 per square foot. The June 2014 asking rent for the state was just under \$16 per square foot.

A review of the second quarter 2014 reports from Jones Lang LaSalle indicate that the trend in 2014 is for leases of over 100,000 square feet – not a size appropriate for the Study Area. The office market in Fairfield County has stabilized, but in favor of landlords rather than tenants. Most deals are for spaces with between 10,000 and 20,000 square feet but average deal size is higher at about 26,000 square feet.

The table below shows the properties available for lease or sale in the Study Area on August 4, 2014.

	ADDRESS	PRICE/LEASE/MONTH	AVAILABLE SQUARE FEET	SOURCE
Office	28 Church Lane Class A	\$45/SF/Year	2,100	LoopNet
	136 Main Street Class B	\$30/SF/Year	1,00-5,614	LoopNet
	152 Main Street Class B	\$30-\$30,86/SF/Year	350-2,150	LoopNet
	179 Post Road West Class B	\$27.75-\$650/SF/Year	200-1,730	LoopNet
Retail/Office (retail ground; office second)	155 Post Road East	\$29-\$45/SF/Year	400-5,480	LoopNet
Retail	44 Main Street Fitness Studio	\$18.66/SF/ Year	3,858	LoopNet
	68 Church Lane	\$52/SF/Year	2,563	LoopNet
Multifamily	52 Church Lane	\$2,650/ month	650	Trulia

Table B.2.1: Current Space for Lease as of August 4, 2014

B.3 FAR Analysis

Floor Area Ratio, or FAR, is a measure of density – the ratio of building square footage to the amount of available land. All of the non-residential zoning districts in the Study Area have limitations on FAR. The number of buildings that do not conform to the allowable FAR are a significant deterrent to major change in the Study Area.

ALLOWABLE FAR

The map below shows the allowable FAR under the *Zoning Regulations*. The warmer colors indicate a higher allowable FAR and thus have a higher possible development density than cooler areas. The exception is the area coded purple which can have an FAR of between 0.25 and 1.00.

	BCD	BCD/H	RBD	RORD2	RPOD
FAR	0.25-1.00 depending on use			0.25-0.35	

Table B.3.1: FAR Requirements under Zoning

The density of residential districts is measured in dwelling units per acre. Although some of the parcels within the Study Area are in either the A or AA residential districts, the focus of this analysis is FAR so these parcels are not included as part of the calculations on the next two pages.

	A	AA
Dwelling Units Per Acre	0.50	1.00

Table B.3.2: Residential Density

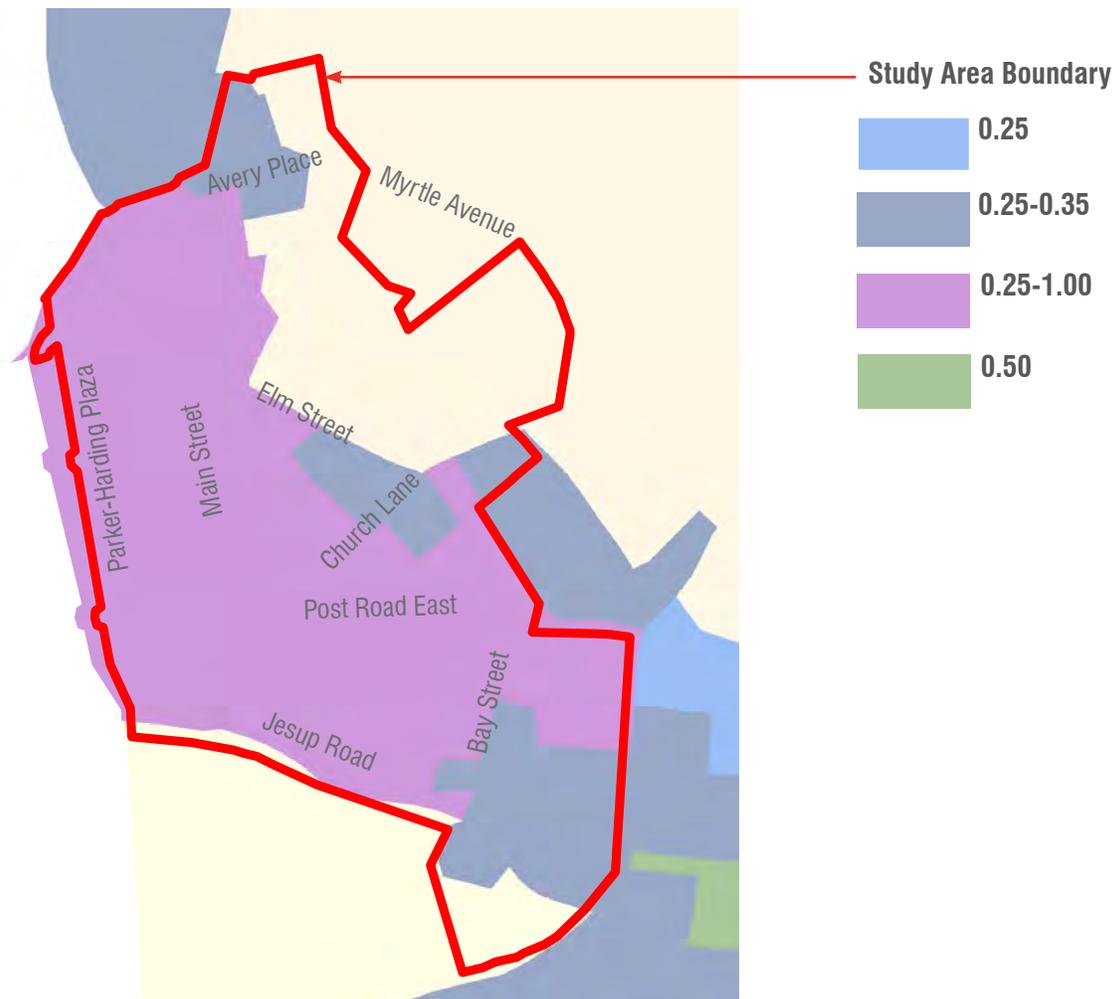


Figure B.3.1: FAR per Zoning Regulations

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

EXISTING FAR

The map below shows the existing FAR by parcel according to the GIS (Geographic Information Systems) data provided by the Town of Westport. The grey parcels do not have buildings in the GIS database – many of these parcels are parking lots.

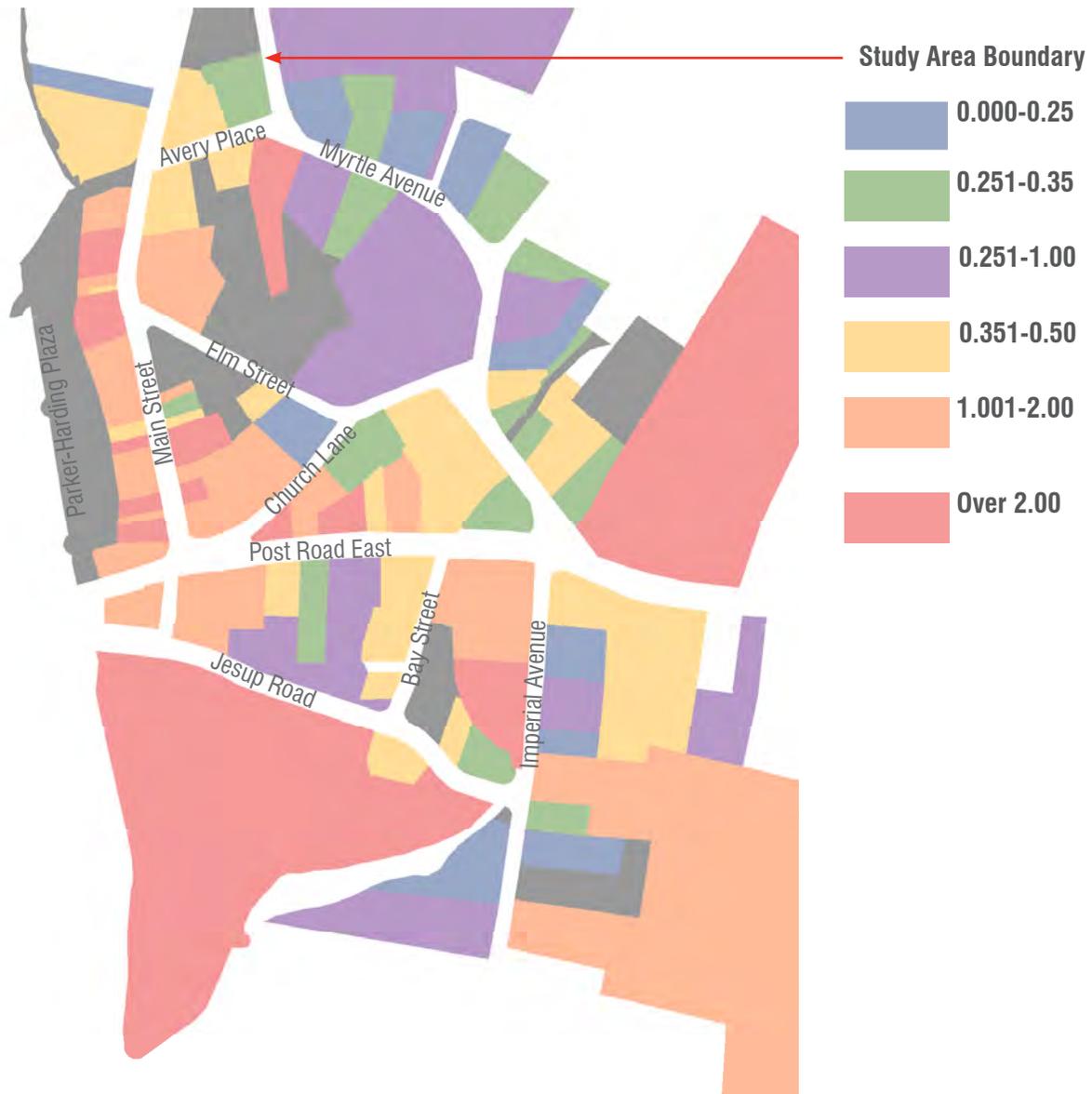


Figure B.3.2: Current FAR by Parcel

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

IDENTIFICATION OF NON-CONFORMING PARCELS

The combination of the two maps – current FAR with allowable FAR – creates a third map that indicates which parcels are non-conforming. In other words, these parcels have a current FAR that is higher than its allowable FAR.

The non-conforming parcels are indicated by the diagonal lines.

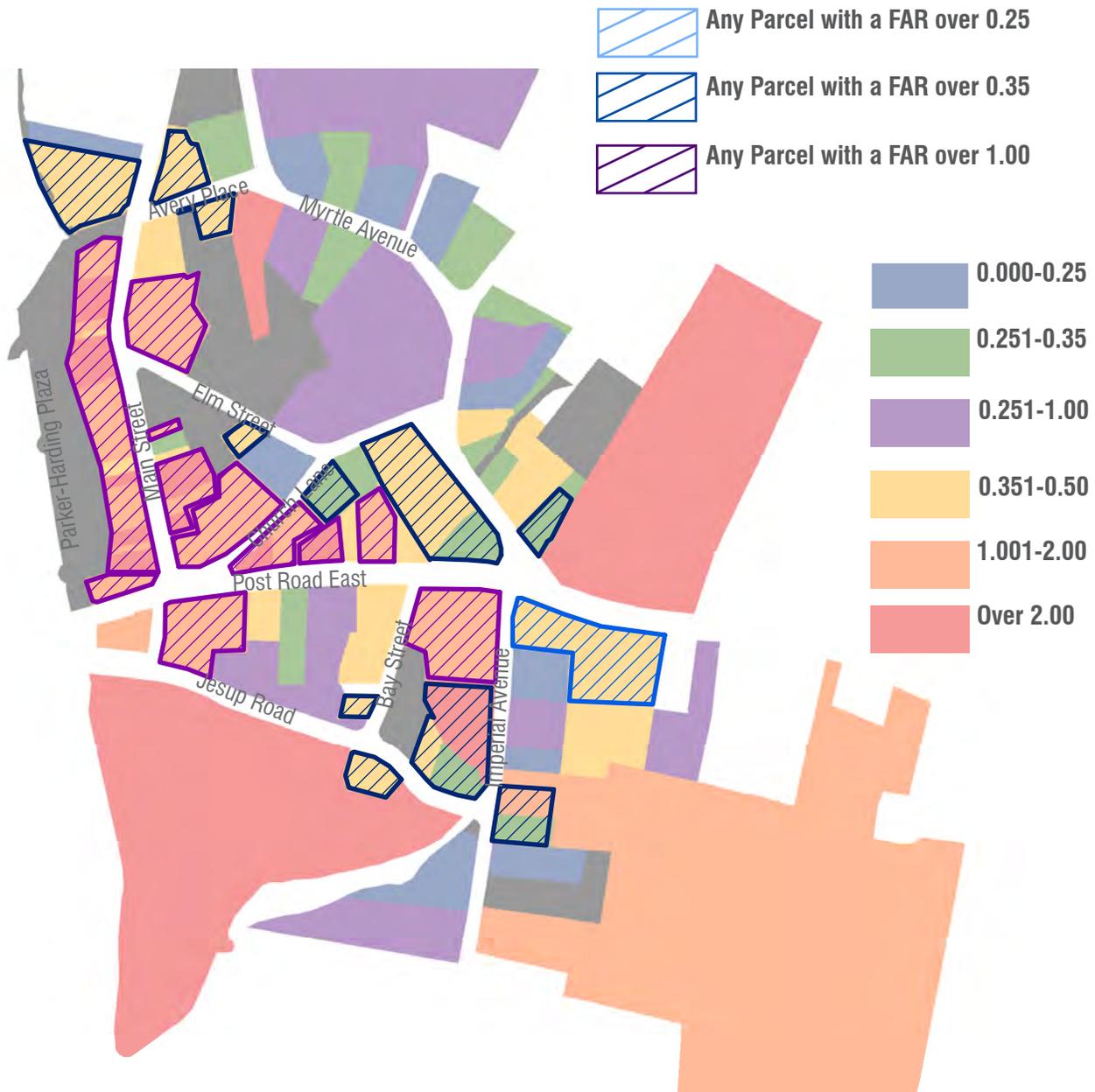


Figure B.3.3 All Non-conforming Parcels under Current FAR Requirements

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

IDENTIFICATION OF NON-CONFORMING PARCELS

The underlying colors have been removed to show the non-conforming parcels more clearly. The hatched colors (diagonal lines) are tied to the colors of the allowable FAR areas shown in Figure B.3.3.



Figure B.3.4: All Non-conforming Parcels under Current FAR Requirements

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

B.4 Other Analyses

Other analyses of existing conditions evaluated measurements related to nonconformance, building value, and building condition. The number of variance applications per parcel reinforce the identification of many of these buildings as nonconforming as does a longer wait time between building updates. Although valuations for tax assessments are usually lower than market values, an examination of the value per square foot of livable area or per square foot of land allows for a comparison of relative values within the downtown area. Measures of building condition are another method of determining whether

property owners are continuing to invest in their properties and are an indication of the value of the building to the owner.

REQUESTED VARIANCES

The map in Figure B.4.4 below shows the number of requested variances per parcel. The majority of the buildings within the Study Area have requested two or more variances. The list of variance applications was provided by Town planning staff. Dates of the variance applications range from 1988-2014. A number of these requests were for variances related to signs.

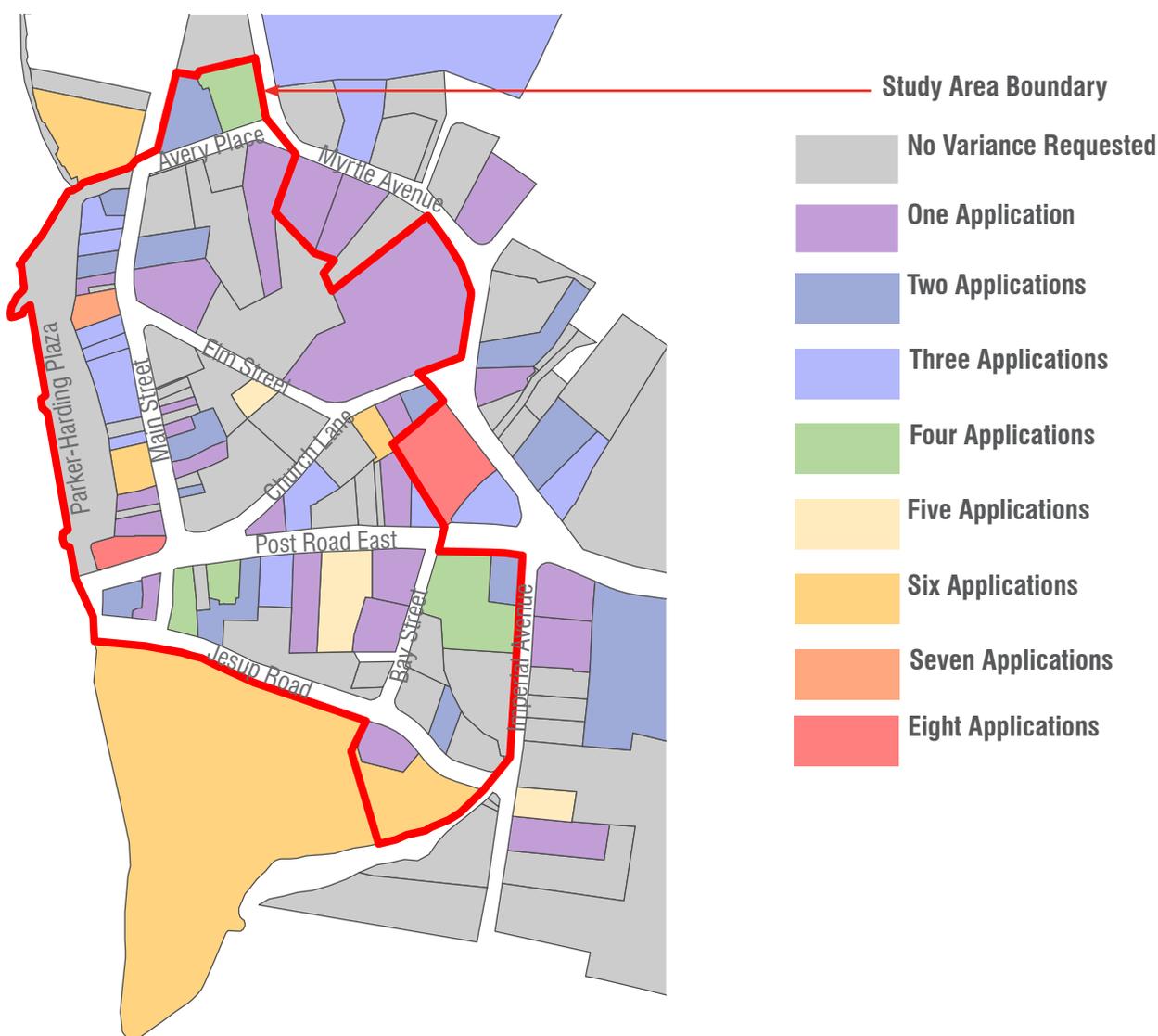


Figure B.4.4: Requested Variances

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

BUILDING VALUATION

Using the data provided by the Assessor’s Office, it is possible to calculate the appraised value of the building per square foot of living area (or usable area) and the appraised value per square foot of land. These calculations look at the value of the properties at a point in time relative to each other, not at the current market value of each property.

Average of Appraised Value of Building per Square Foot of Livable Area	\$357
Average of Appraised Value of Land per Square Foot of Land	\$172
Total Number of Properties	199
Number of Properties with No Building or Land Value	15

Of the properties that have no valuation at all, one is a parking garage whose building has no appraised value. Six are owned by the Town of Westport and are either commercial or residential vacant land. One is a parking lot, the remainder are vacant according to the Assessor’s data.

This map provides a general indication of the values of the properties within and surrounding the context area.

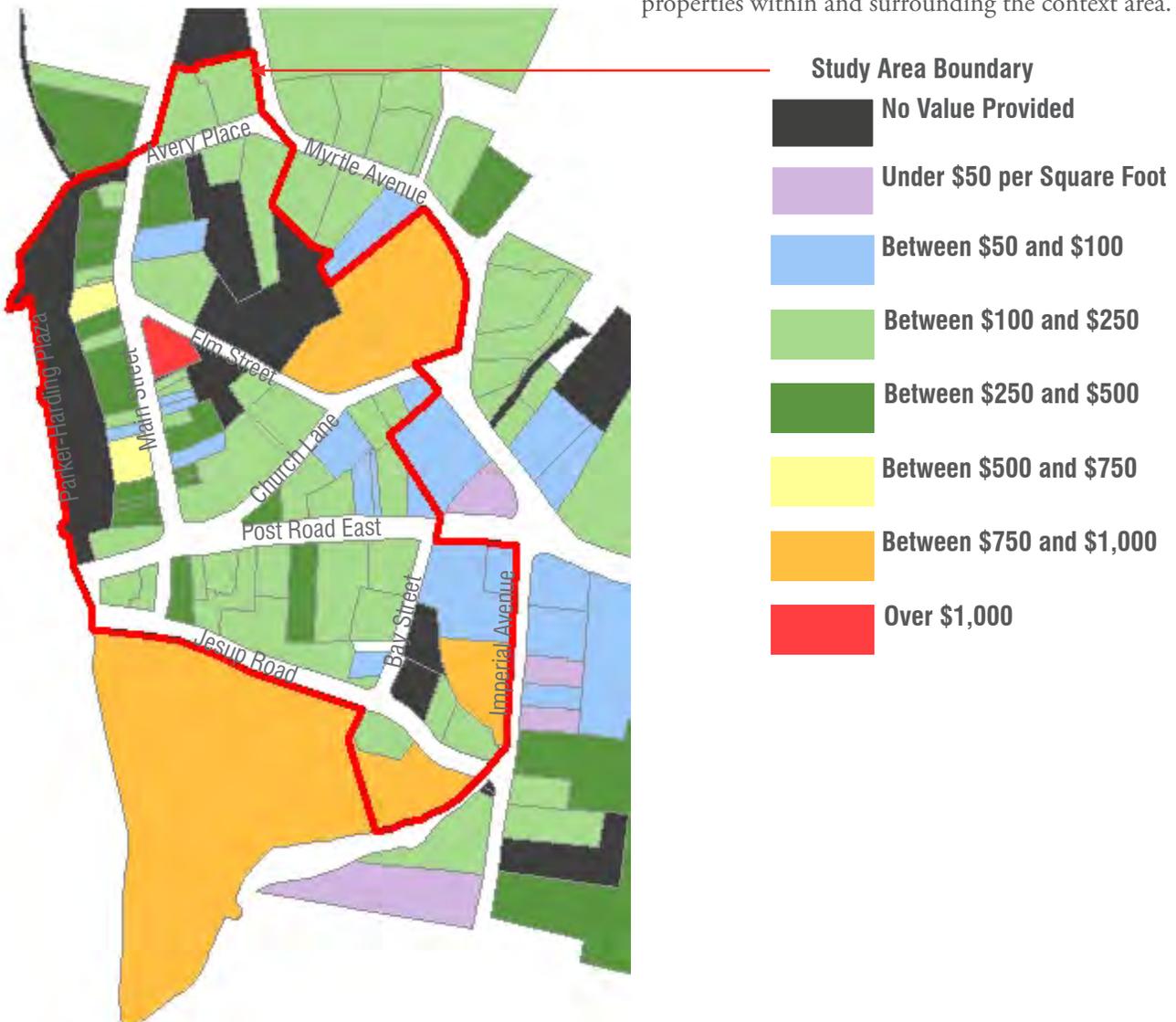


Figure B.4.3: Building Value in Dollars per Square Foot from Assessor’s Records

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP

RECENT UPDATES TO BUILDINGS PER ASSESSOR'S DATA

Building Updates are another measure of the level of investment an owner has put into a property. It can also be a measure of how whether or not it is easy to update a building. The level and type of update – minor or major, interior or exterior – were not available, but the Assessor's Records did contain the date of the last update for at least some of the parcels.

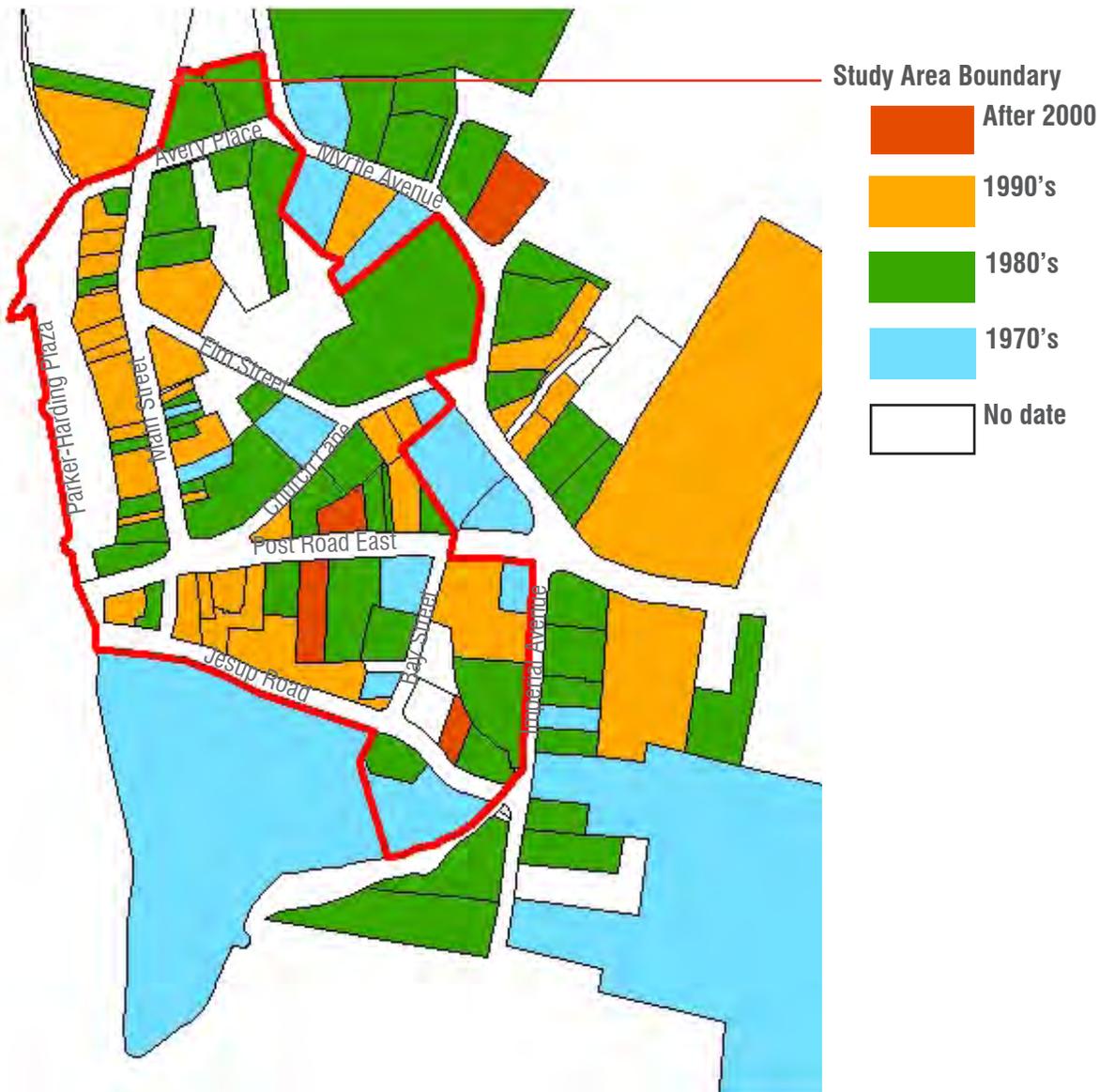


Figure B.4.1: Building Updates by Decade per Assessor's Records

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BUILDING CONDITION

The Assessor's Records provide varying definitions of building condition. They have been grouped below as seemed reasonable after an examination of the underlying data. Warmer colors indicate a better condition rating but no rating drops below average for the area. In general, a better rating indicates better maintenance of the structure and thus an investment in the property by its owner.

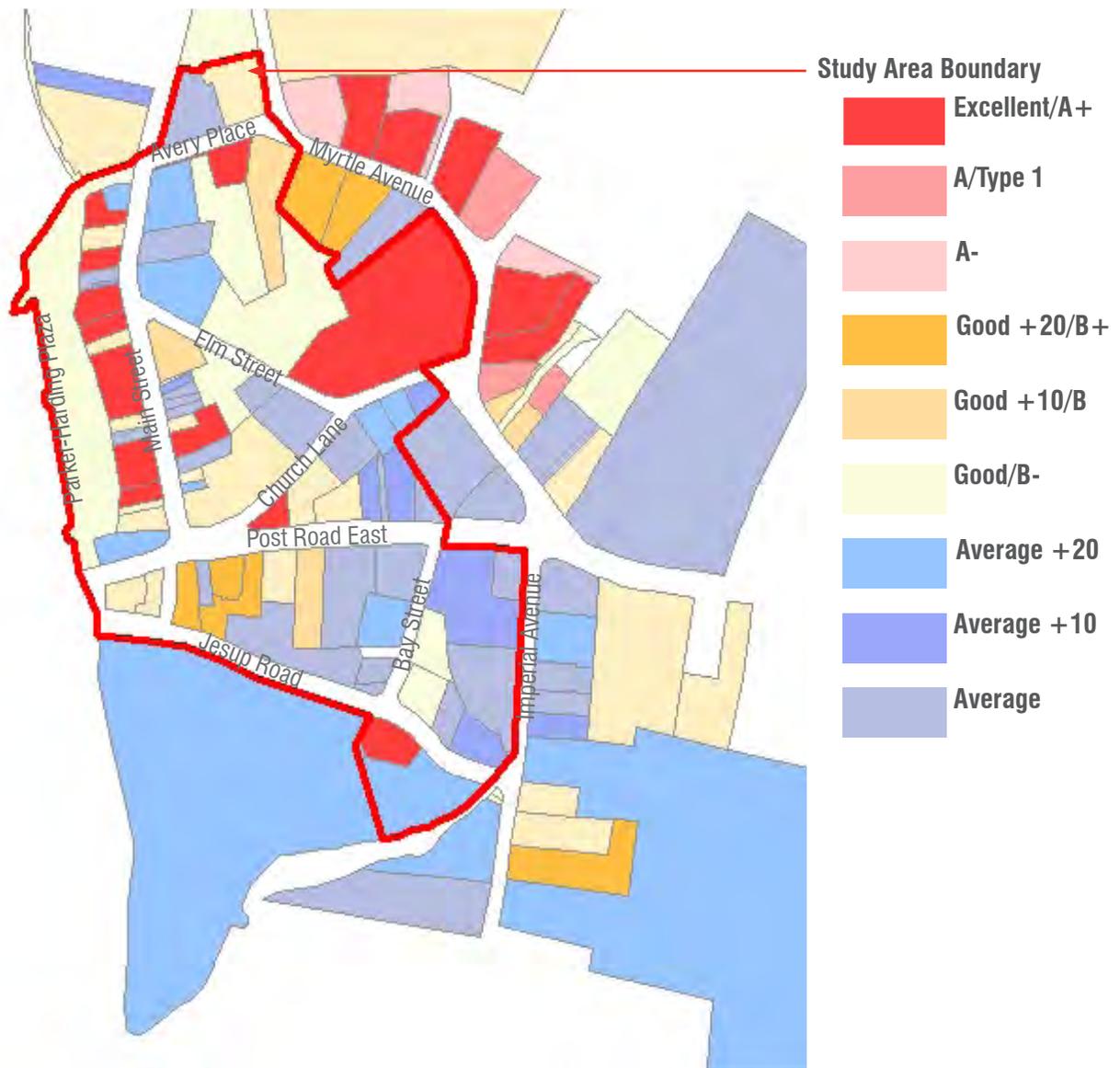


Figure B.4.2: Condition of Buildings per Assessor's Records

ESRI, DELORME, NAVTEQ, TOWN OF WESTPORT, THE CECIL GROUP



WESTPORT VILLAGE DISTRICT STUDY

APPENDIX C

PUBLIC INPUT

C. PUBLIC INPUT

The Cecil Group and Fitzgerald & Halliday gathered public input in four ways during the course of this process:

- Meetings with the Village District Steering Committee
- Meetings with the Planning & Zoning Commission
- Public Workshop
- Focus Group Meetings and Stakeholder Interviews

The purpose of this public input was to provide guidance to the consultant team in determining the recommendations for change to the zoning regulations to establish a Village District, whether the Village District would be established as a new district or as an overlay, the potential changes in dimensional requirements and/or allowable uses that might be necessary and the types and number of design standards needed to preserve the characteristics that contribute to the Study Area.

CONTRIBUTION OF PUBLIC INPUT TO FINAL PLAN

The input received from these sources contributed to several elements in the final plan:

- The Study Area boundary was adjusted to include Sconset Square, the historic bridge on Myrtle Avenue across Deadman Brook, and the office building at 8 Myrtle Avenue
- The focus of the Design Standards was for a set of controls that protected the historic downtown area but still allowed for change – as long as the change was compatible with the existing context
- The new design review requirements give “teeth” to the process with specific requirements that must be met by applicants
- Specific Design Standards respond to stakeholder concerns – such as the request that acceptable materials be defined or the importance of the existing scale in the Downtown area relative to new construction

C.1 Village District Steering Committee

The consultant team met with the Village District Steering Committee on the following dates:

- March 13, 2014
- April 10, 2014
- May 20, 2014
- June 12, 2014 (Joint with the Planning and Zoning Commission)
- June 12, 2014 (Separate meeting after the joint meeting)
- October 14, 2014 (Conference call)
- October 30, 2014

At each meeting, the Cecil Group presented a progress update and ongoing research. The purpose of the conference call and meeting in October was to discuss the draft report and recommendations.

The Cecil Group held additional conference calls on September 3 and October 1 with the Chairman of the Village District Steering Committee, other committee members, and Town Staff to discuss the draft report and recommendations.

C.2 Planning and Zoning Commission

The Planning and Zoning Commission is the body responsible for approving any changes to the zoning text and zoning map. As such, it is important to any planning process to keep these officials informed about the progress.

The Cecil Group team met with the Planning and Zoning Commission on April 10, 2014 to introduce

the project. On June 12, 2014, The consultant team met in a joint meeting with both the Planning and Zoning Commission and the Village District Steering Committee to provide a progress update and the initial results of the June 7 public workshop.

The consultant team will present this final report and recommended zoning changes to the Planning and Zoning Commission and again at a later public meeting. These dates have been scheduled for November 13 and December 15, 2014.

C.3 Public Workshop

The consultant team held a public workshop on June 7, 2014 in partnership with the Downtown Master Plan team, led by RBA. The consultant team provided images for RBA's Visual Preference Survey; the results of that survey contributed to the recommended Design Principles and Standards in *Section 3 Recommended Zoning Changes*.

The consultant team held a session dedicated to the Village District and National Historic Register Strategies. The questions asked fell into two categories: one used a voting system to get a quick understanding of how people viewed the core of the Downtown; the other was a set of discussion questions based on what should not change, what must change, and what could change.

DON'T CHANGE/MUST CHANGE/COULD CHANGE

Don't Change

- Height of building – no higher than YMCA
- Other historical buildings – bank, former library, Christ & Holy Trinity, Old Town Hall, Tavern on Main
- The view of the river
- Don't remove parking on Main Street
- Don't remove trees

Must Change

- Safe walking environment – ability to cross street safely
- More river access
- More trees, flowers, benches (especially Main Street)
- Get rid of parking on Main Street

- Residential places downtown – work, play, live
- Don't add residential in historic area
- More buildings should be flood proofed
- Unified sign design
- Reduce trash and litter problem – add attractive trash cans
- Veteran's Green is underutilized – remove chain link fence, rework stone wall and benches (this is a local historic landmark property and a group is working on this)
- Do not create street cafés with the tables in the street itself
- Stores should be open late – more commercial in the evening
- Antique lighting
- More residential – for the elderly? – but only on second story
- Office only on second story or above
- Parking strategy – the lots are all over the place; tell people where parking is (app?)

Could Change

- Pedestrian street
- Provide infrastructure that allows people to walk to town – safe sidewalks, connectors
- Bike racks
- Riverfront underutilized – remove parking? Add uses: cafés, activities, non-structural development, someplace to go both winter and summer – civic place, screened, view of river

- Mixed tenants/retail – not just clothes or food; bookstore, theatre
- In the summer , 80% are out-of-towners eating and shopping: year-round place vs. summer place
- Focal point – where is the center of downtown? Post Road in front of Y – but dangerous intersection
- Need sense of place (or places)
- Will any of this happen in my lifetime?

The answers to the remaining eight questions are as follows:

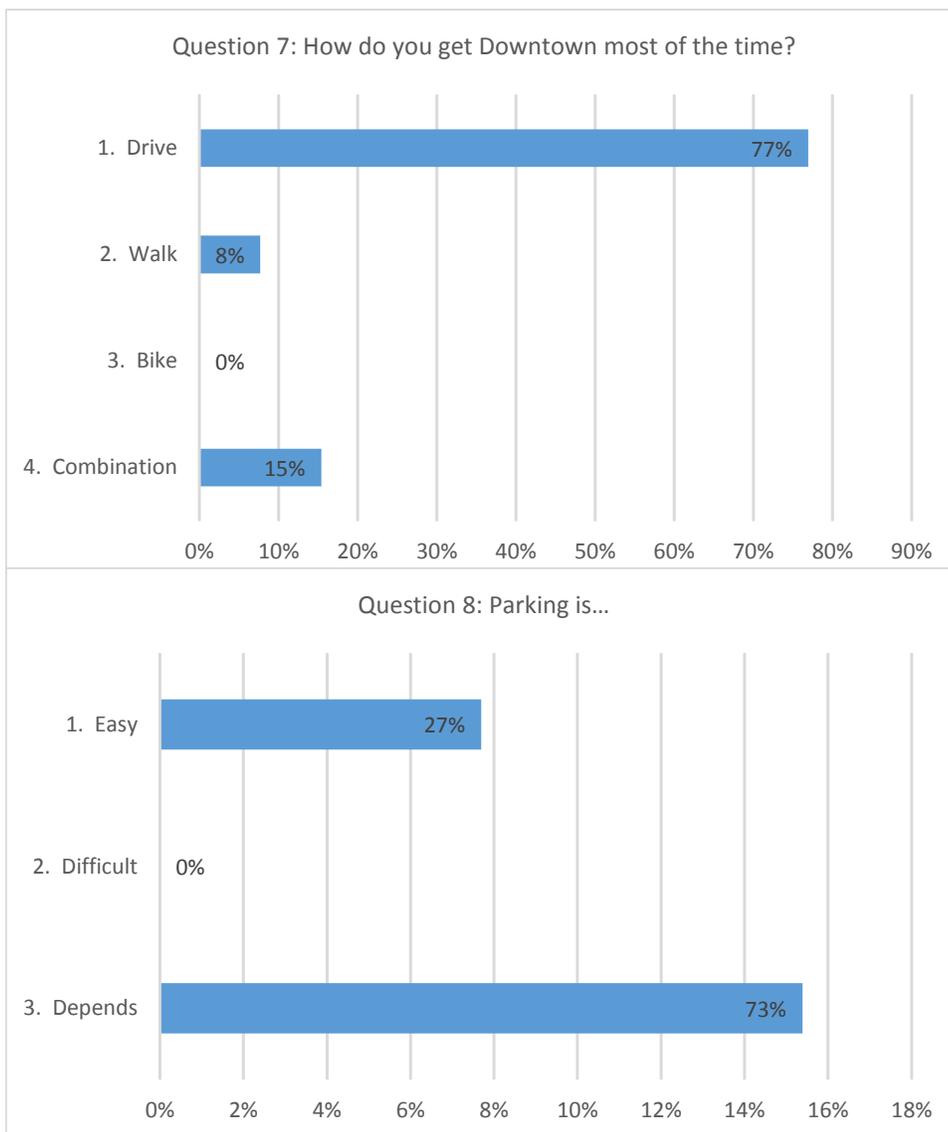
Questions 7 and 8 were designed to get more information about the demand and supply for parking in the core of the downtown.

Questions 9-11 are about why people go downtown and what their preferred experience is while moving through the space.

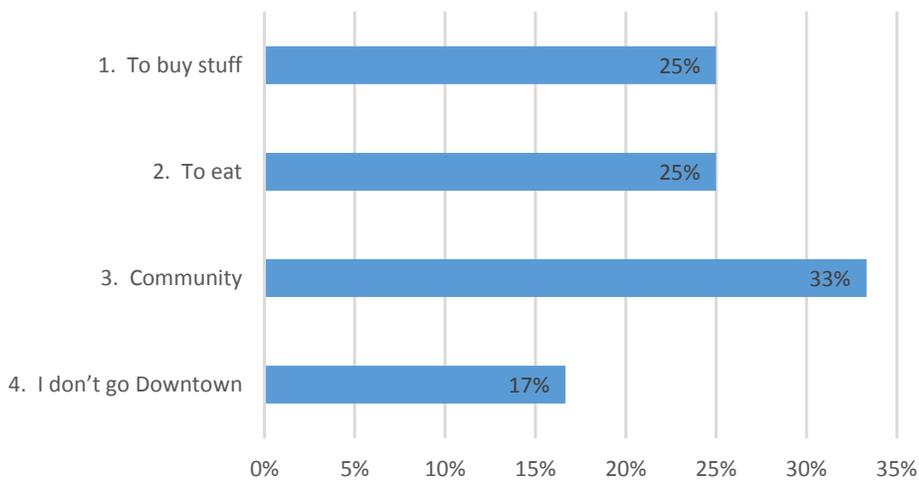
The final three questions, Questions 12-14, were designed to see if participants were familiar with current zoning regulations, the variance process and the design review process. In general, people were familiar with, and unhappy with, current zoning regulations and the variance process but less familiar with the Architectural Review Process.

VOTING

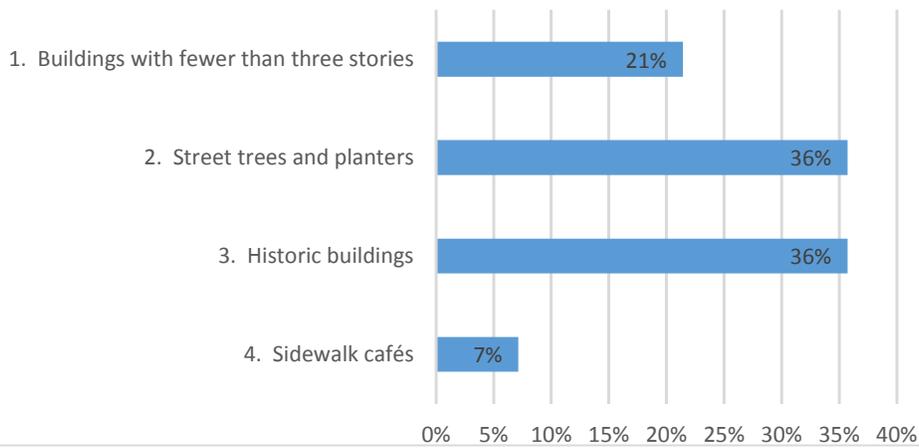
The consultant team asked fourteen questions using an interactive voting system. The first six were warm-up questions designed to see who was in the audience and how well they knew the downtown core.



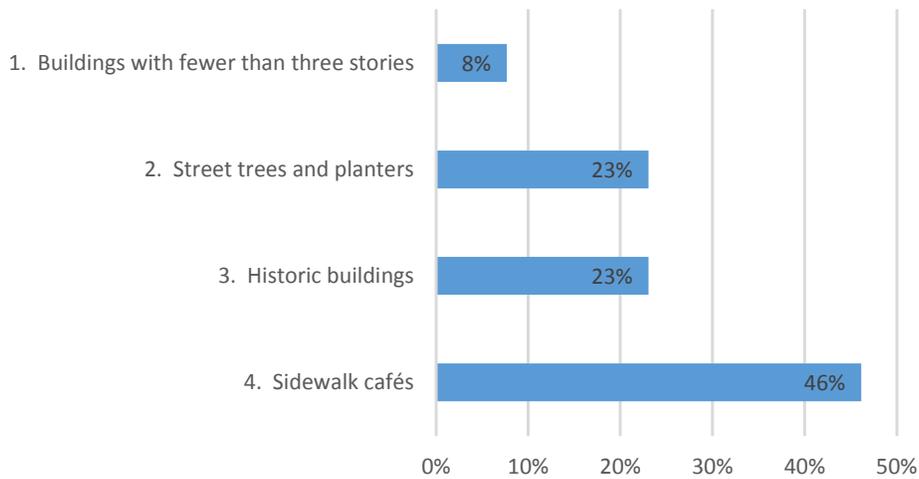
Question 9: Why do you go Downtown?



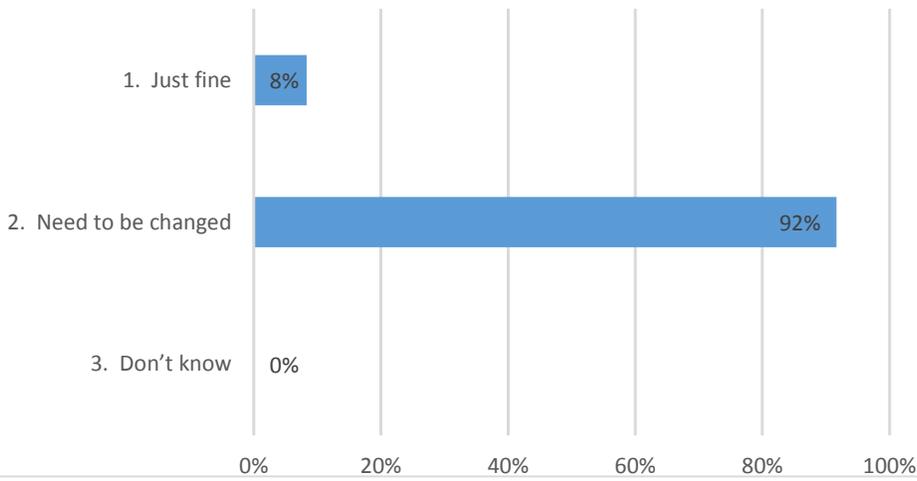
Question 10: What makes you feel most comfortable in a downtown?



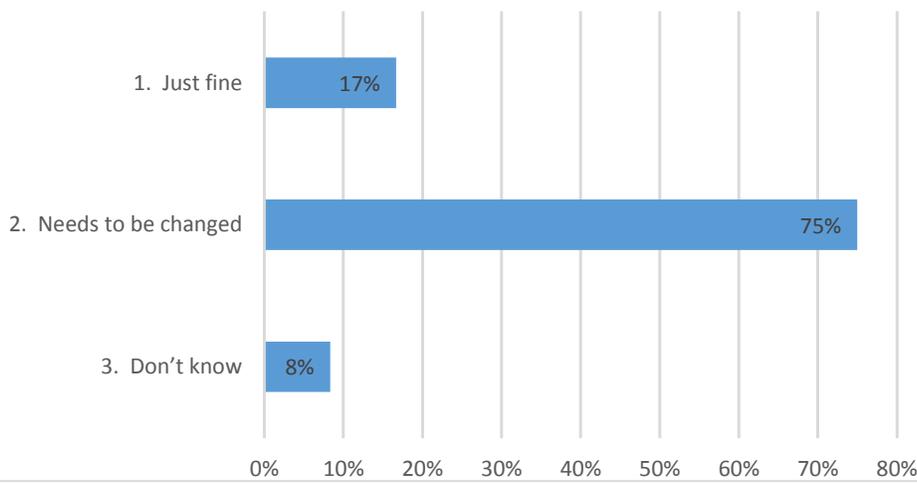
Question 11: What is your second choice?



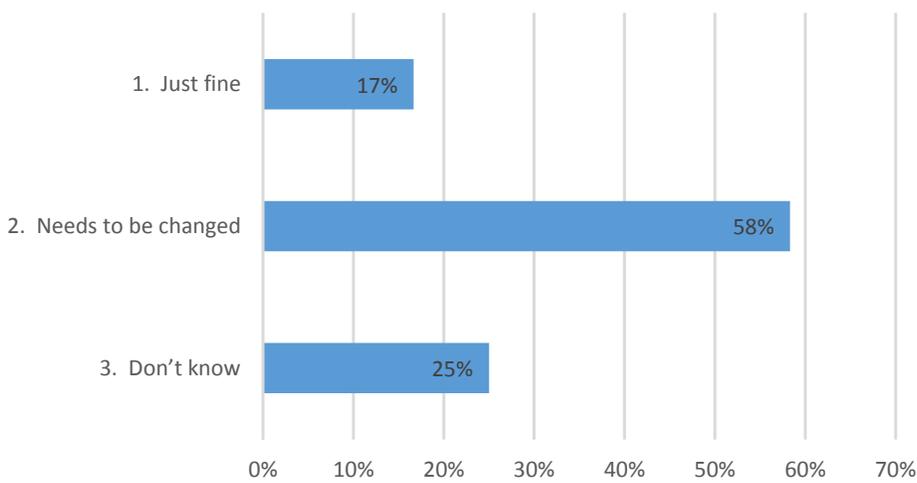
Question 12: Westport's current Zoning Regulations are...



Question 13: Westport's current Variance Process is...



Question 14: Westport's current Architectural Review Process is...



Visual Preference Survey

RBA conducted a visual preference survey as part of the workshop on June 7, 2014. The Cecil Group team contributed images to test possible conditions that could be translated to design standards. The full results will be reported in the Downtown Westport Master Plan report, but the subset of results that may influence the recommendations for design principles and standards in *Section 3 Recommended Zoning Changes* is shown in the table below. While RBA tested many other preferences, these preferences, or aspects of these preferences, can most easily be translated into zoning regulations for the proposed Village District.

DESIGN CONCEPT	PREFERENCE	RANK
Flood-ready parks, parking and buildings	Yes	6
Design for flooding/parking with rain garden	Yes	19
Two-level parking behind new “liner building”	Maybe	38
Setback with parking		
Main/Elm	No	76
Post Road	No	75
Street composition - build to line, no setback		
Main/Elm	Maybe	32
Post Road	Maybe	52
Street composition - varied setback		
Main/Elm	Maybe	59
Post Road	Maybe	46
Building standards based on regional traditions		
Main/Elm	Yes	22
Post Road	Maybe	33
Building standards that encourage variety in building form and styles		
Main/Elm	Maybe	54
Post Road	Maybe	48
Modern-looking buildings		
Main/Elm	No	74
Post Road	Maybe	69
Passageways - simple and clear		
Main/Elm	Maybe	35
Post Road	Maybe	41
DESIGN CONCEPT	PREFERENCE	RANK
Passageways - special features		
Main/Elm	Yes	15
Post Road	Yes	25
Over-the-shop residential		
Main/Elm	Yes	29
Post Road	Yes	28

Table C.3.1: Ranking of Visual Preference Survey Images from June Public Workshop

C.4 Focus Groups and Interviews

On August 6, 2014, the consultant team met with several stakeholders – people who are familiar with and have some expertise in the current conditions of the Study Area. These stakeholders were identified by the Village District Steering Committee. The consultant team invited the stakeholders to participate in the August 6 Focus Groups, but not all were able to come.

The consultant team called those who were unable to attend and most, but not all, responded by participating in phone interviews.

STAKEHOLDERS IDENTIFIED BY THE VDSC AT MEETING OF JULY 12, 2014

- Westport Art Center (Sarah Kenninger)
- Westport Library (Robin Powell)
- Levitt Pavilion (Freda Walsh)
- Westport Historical Society (Ed Gerber)
- Christ & Holy Trinity Church (Sue Ryan)
- Downtown Merchants Association (Steve Desloge)
- Chamber of Commerce (Matt Mandel)
- Westport Cinema Institute (Sandy Lekowitz)
- Win Properties (Rick Yarmy)
- David Adam Realty (David Waldman)
- Leifer Properties (Roger Leifer)
- SIR Development (Rob Haroun)
- Empire State Realty Trust CT (Fred Posniak, Sr.)
- Sam Gault
- Save Westport Now (Sidney Kramer and Connie Greenfield)
- Oscar's Delicatessen (Lee Papageorge)
- Coalition for Westport (Michael Naylor and Denise Torve)
- Westport Board of Realtors (Carol Heins)

Stakeholder added by Carol Leahy on August 11

- Morley Boyd

August 6 Focus Groups

- 2:30-3:30 pm: Edward Gerber, David Waldman, Sandra Lefkowitz (did not attend), Cheryl Scott-Daniels (replaced Carol Heins), Steve Desloge
- 3:45-4:45 pm: Denise Torve, Lee Papageorge, Matt Mandel, Jeff Block (for Sidney Kramer)
- 5:00-6:00 pm: Roger Leifer

Stakeholder Phone Interviews

- August 20: Sue Ryan
- August 21: Morley Boyd
- August 22: Michael Naylor
- August 25: Maxine Bleiwies (replaced Robin Powell)
- August 26: Rick Yarmy
- August 27: Sandra Lefkowitz

Remaining Stakeholders

- Rob Haroun (scheduled for August 26; left message – no response)
- Freda Walsh (no response to email requests on July 29 and August 19)
- Fred Posniak, Sr. (no response to email requests on July 29 and August 19)
- Sam Gault (responded to initial email but not to follow up setting a date)
- Connie Greenfield (no response to email requests on July 29 and August 19)

STAKEHOLDER INPUT

The Cecil Group Team provided a brief description of both projects to the interviewees. At the focus group meetings, three maps were available – the current zoning, the boundary of the Study Area, and the proposed boundary of the potential National Register District.

Although stakeholders had the option to discuss the proposal to create a National Register Historic District, they were encouraged to focus on zoning in the Study Area and on their experiences with the current built environment. Not all of the input received was directly relevant to the zoning study but some led to further questions that resulted in useful information.

Because the interaction between participants in the focus groups allowed for a more interactive conversation, interviews conducted over the phone included some of the comments from the focus groups to test the information received. Interviewees were told that their comments would not be attributed to them personally but would be compiled into this report.

The following topics were part of the discussions in both the focus groups and in telephone interviews.

Design Standards

- In favor of developing standards – none at the moment
- Should look to stricter standards such as Nantucket
 - * Relevant to building period
- Look at other historic towns who have tasteful controls in place
 - * Maintain character, quaintness, consistency
 - * Balanced controls with attracting community
 - * Other towns: Hanover, NH, Nantucket, Edgartown, Naples, Concord, MA (appeals to developers, residents, shoppers and historic preservation); New Canaan (wider streets, no company logos)
- Knowing there are standards is important
- Parker-Harding is disgusting – dead trees, junk, not Westport
- Nike store is a monstrosity, also Gap – Westport has a look
- Zoning guidelines do not have a design perspective
- Standards should not be too restrictive
- Village District concepts could introduce rationality into design standards
- Too many types of paving and lights
- Design guidelines helpful but should not be too complex or conflicting
- Special look to town
- Need to accept that things change or modernize
- Allow for additional signage/visibility for tenants – limitations on signage is detrimental to recognition and wayfinding
- High-end tenants deserve recognition – should be allowed to use national trademark signs
- Guidelines should be related on sizes and location
- Awnings are a great addition – should they be required?
- Need more uniformity for sidewalks, lights, decorations. Flags on the bridge in the summer is positive
- Keep aesthetic and look – nature of building can destroy overall tone
- Design is more important than height
- Sidewalk cafés should be on side streets, not Main Street. Spotted Horse works very well.
- Westport is becoming more citified – look of small town with amenities of the city.
- Side streets need to be more engaged.
- The Gap fits into regulations but could do so much better – too dependent on what something looks like. Patagonia corner is great.

Zoning

- Services companies, offices, banks should be off ground floor – just retail (New Canaan)
- Overly within the zoning regs
- Second floor retail is less expensive but not allowed
- Height keeps the character for the town
- Walkways should be like Edinburgh closes – for mom and pop and smaller corporate shops
- Fears of big buildings (big box stores) – no one wants tall buildings
- Businesses that don't fit [Main Street] go to Post Road
- Should allow second floor retail and residential above retail

- 2 ½ - 3 should be limit of stories
- Village District within boundaries of flood zone
 - * Myrtle Avenue historic bridge (to be replaced FY2016/2017)
 - * Protection for River Rock Bridge (19th/20th century design standard)
 - * Evergreen Ave LHD ties into Myrtle Ave and captures and protects a similar bridge
- Village District as a way to control growth, allow upgrades to infrastructure – traffic increases by 5% a year
- Residential over retail a bad idea – already maxed out on parking and roads at capacity
- Nonconforming structures – is what it is
- Concern about loss of scale in downtown – people have been shocked by the scale of recent project with more to come. Where does it end?
 - * Library
 - * Westport Arts Center
- Whole area is a flood zone – Category 3 hurricane, downtown under water
 - * Limited evacuation routes
 - * “Urbanista” wing overlooking life/safety issue
- Plenty allowed as of right although most buildings over FAR
- Sitting P&Z not enthusiastic about changing existing zoning regs – conflict developing between RBA and P&Z
 - * Intensification of use/three stories is problematic for P&Z
- Current scale is fine
- Not as concerned with height as others but wouldn't go above four stories
- Comments at DSC and HDC meeting on streetlights/paving absurd – minor differences in streetlight proposal
- Not against Village District but primary purpose should not be to petrify downtown – preservation is not the only thing that is important; progress is not a bad thing. Change should be allowed.
- Residential over retail should be allowed – dead at night. Pedestrian traffic needed at all hours.
- Height depends on the design

- Residential above stores is not realistic; parking is problematic (especially in winter) – needs to be right outside door; no allure to living in area – no place to shop for staple items, no convenience store
- Retail on second floor should be allowed – also office, exercise studio, salon
- Residential downtown would be great for older generation and younger generation who don't need a house

Review Process

- Headache – 100% nonconformance on existing buildings
- Administrative review should be created
- Need to require specificity in materials
- Streamline P&Z process
- ZBA deals with 99% - forces people to a standard higher than current written standards
- ARB/HDC have no teeth – can still get permit without their approval (180 Main Street)
- Who reviews? ARB and HDC jointly in BCD/H; ARB everywhere else
- P& Z is painful
- ARB's reputation is good - professionals
- RTM can second guess P&Z
- Decisions depend on board members
- Tenant fit out changes require P&Z and Building department approvals – process in general is positive; tenants rarely unduly delayed

Downtown

- Attract community – kids and dogs
- River, library, shop
- Park like settings
- Schools and beach a draw for people moving in
- Chains make area look like other shopping centers
- New malls as competitors
- Feel of walking down streets – people bypass malls to come here
- Events drive people downtown – Levitt, library, restaurants
- Outdoor dining is key
- Bedford Square – widen connectivity

- Infrastructure should be coordinated with the view of the river
- Evening draws – restaurants, cinema, Y (26 residential units)
- Save the Children (50 residential units)
- Add more residential units
- River is unique element – waste of a resource
- Save the Children will marry back to downtown
 - * Linking bridge from Gorham Island?
- Achorn Pharmacy building? Open up flow of traffic, remove trees?
- Keep eclectic feel – not a band of three story buildings up and down the street
- Not Stamford in Westport – some parts of Darian, New Caanan
- Greater growth isn't needed – already alluring
- Enhance rather than fix
- Used to have hardware store, bookstores
- Criticism of Main Street as open air
- Second floor but don't break through from first floor or across properties – greater diversity is better
- Lots of new restaurants but not enough mouths or stomachs
- Redo sidewalks
- Controversy about trees – cut down and now being replaced
- Don't overcharm area
- Christ and Holy Trinity is central to the downtown community – reaches out to and is part of a warm, friendly community
- Downtown area relates well to nearby residential
- Wish they hadn't removed Remarkable Bookstore
- Stranger walking downtown would find it a pleasant experience. Outdoor dining allows interaction between customers and passersby but is better off the beaten track
- Façade design is fine – prefers small-town feel, two story buildings not skyscrapers
- Neighbors across Myrtle are worried – already an historic district – nice residential neighborhood next to small downtown – safe for children walking to town
- Mixture of commercial and residential
- Violet Lane is a local historic district – bulwark/dividing line between commercial and residential; protection from commerce
 - * Challenge to living in downtown area; commercial interest more focused
 - * Walking from homes attractive but problem with parking creeping closer to residential area
- Parking in front of buildings waived in favor of seating
- Signs/wayfinding contradictory or incorrect in gateway area to downtown; signs overgrown
- Parker-Harding should be more of a river park – remove parking
- No longer lively and vibrant [at night]. Fairfield and New Canaan (restaurant row; outdoor dining) are. Main Street is deserted at night
- Outdoor cafés are good but not if jerry-rigged in the parking lot
- Other towns are jumping ahead – Westport is boring now. It used to be a vibrant place
- Conservation and anti-development has morphed into a conservative, reactionary idea. NIMBY – do not change because Westport is great as it is but it is not successful. Keeping things the same means no improvements – Bar Taco has not changed the character of Westport and is an attempt to improve things, make them better
- Downtown should focus on community institutions, not commercial ones
- Failing infrastructure
- Pedestrian experience is bad – difficult to get around spaces. Pop-outs have not been well-thought through
- Robert Orr presentation on reconfiguring downtown
- Knowing that there is water that you can't see
- Crossing at Starbucks/Parker-Harding is misaligned
- Close Church Lane to vehicles
- Downtown is a mess – preservation would be preserving chaos
- Old library does not really work as retail
- Building across the street from Tiffany on Taylor Place blocks view to river – should be removed
- Community has too many chiefs; plans are never executed
- Festivals a good draw – town does a good job

- Brightening up Parker-Harding should be the next step
- Library, Y, arts institute as draws to downtown
- Levitt is spectacular – ads to our soul
- Would be great to have better access to the river and reconfigure Parker-Harding
- Bike lanes would be good but people are not giving up their cars
- Will never accommodate low income housing – those who live here can afford to live here.
- Westport is special because it is different

Market

- Main Street is approximately \$130/SF; cheaper elsewhere
- 25 Mom and Pops, including restaurants
- Sub 3% vacancy
- 480,000 SF in retail
- Proposed 95/7 mall in Norwalk would make a difference to downtown; also Westchester Mill
 - * Wilton Road and Post Road are choke points if 95 is blocked
- Mitchells does \$50m in business, keeps anchors away
- Greenwich is a different market
- Steelpointe Harbor in Bridgeport: 1,000 residences, 800k SF retail
- Fresh Market – to become a lifestyle center - \$75/SF
- Wealthy, informed shoppers – business owners must have A-game
- Greenwich Avenue is king of shopping experience – Westport is smaller but has captured that feel: high profile mixed with local, unique shops; scenic area with river, historical buildings, brick sidewalks, special lighting, mixed green areas
- Trying to sell above ground floor is difficult – adding more height would not make sense. Most people can't get rid of their second floor space.
- Ground floor rates \$75-100 SF – second floor is much less

Boundary

- Jesup Green should be part of the Village District
- Additional properties

- * 1919 Post Road East (real estate office (William Pitt), 19th century)
- * Historic bridge over Deadman Brook
- * Sconset Square – vulnerable; broken shopping center
- * These act as a gateway to Village District
- * Island to north has historic marker

Projects

- Westport Cinema
 - * Proposed for behind Tavern on Main – parking, second floor meeting space, two screens on third floor
 - * Restoration Hardware building was movie theater
 - * Used to have 5 movie theaters – real estate became too valuable
 - * Jacob Burns in Pleasantville, NY and Avon Theater, Stamford as models
 - * Ready to go to P&Z for approval – plans and models already in place. Will need variances.
 - * Roof-garden on new theatre building could connect to the second story of a parking lot if that went ahead
 - * Roof garden changes view of density
- Library
 - * Expansion, meeting space
 - * Most of expansion more internal reorganization, but there will be a new entrance that engages people from the green; façade will open up to river
 - * 1,600 events per year at library, 8th highest circulation on New England
 - * Center of community – destination, not an errand
- Kemper-Gunn
 - * Move is a disaster – wrong to remove parking (22 spaces)
 - * Loss of 30-40 spaces is unacceptable
 - * RTM overturned P&Z decision not to allow move of Kemper-Gunn
 - * Not in favor of moving Kemper-Gunn
- Bedford Square
 - * Providing 100 parking spaces, need 410

- SIR Development on Post Road next to Bank of America
 - * Retail store

National Register District

- Myrtle Lane – two attempts for National Register – 1978 and 10/2/1985
- Added to state register district
- Confirmed with Mary Dunn

Parking

- Need more parking – in the right places
- Avery and Baldwin lots – remove trees to combine the two lots
 - * Move traffic off residential streets
- Imperial lot and Gorham Island lots not used
- Employee parking a disaster – little all day parking (yellow)
- Saturday and Sunday – choke
 - * Store managers, employees, out-of-town customers
 - * Parker-Harding and Baldwin
- Shuttle did not work
- Possible solutions
 - * Deck
 - * Metered downtown parking with free parking elsewhere
 - * Do not meter
 - * 90 minute stays as win other towns
 - * Parker-Harding and deck vs. managed parking, Parker-Harding, and no deck
- Downtown Merchants Association – meter 200 spaces in Parker-Harding and raise \$800,000 per year – use to pay for additional parking
- New Canaan – some spaces free, some paid, wayfinding
- Encourage private property owners to work together to create a solution
- RBA's five minute walk radius is too far – people don't use the lots further away – their conclusions were incorrect
- Give up parking spaces on river and on street to create wider sidewalks; green space in Parker-Harding then create deck (bonding, self-amortization)

- Types of parking needed
 - * Quick pick-up
 - * 1 ½ hour stay
 - * Longer stay
 - * All day
 - * Free parking for employees further out
- Weekends and holidays are the problem points
- Employee parking
 - * 1,100 full time; 800 part time
 - * No restrictions on when and where they can park
 - * Employees needing to move cars a real problem on weekends
 - * Gorham Island lot not used on weekends – employees should park there
 - * Imperial lot is too far away
- Parking enforcement needed – but town is not good about enforcing
- People are opposed to walking
- Remove parking for Parker-Harding and turn it into a pedestrian walkway
 - * Add deck to Baldwin
 - * Parking and dumpsters should not face river
 - * Enhance walkway
 - * Not in favor of losing parking space but walkway could be improved – add one foot to seawall to prevent flooding, create 8' walkway
 - * Plenty of walking amenities at beach, Barrow's ? and Winslow Park
- New Canaan
 - * Meters impossible to understand
 - * Combination of street and lot parking
 - * Lot parking forces people to walk and meet other people
- Permit parking along river should be for shoppers
- Not a parking problem – a walking problem
- Lighting in proposed deck problematic
- Not all in favor of deck
- Don't take away parking
- Milone & MacBroom Study 2007
- People who work downtown have no place to park

- * More people work here than shop here
- Shuttle from Imperial Avenue lot and Women's League did not work
- Deck is a must happen and still need Parker-Harding
- Yes on meters
- Parking is lifeblood of the town
- Remove police station and create triple decker parking lot
- Deck on Baldwin should include church site
- Parking is a critical issue and challenge – Bedford Square and moving of Kemper-Gunn will have a significant impact
- Parking owned by church is not enough but stores are closed Sunday morning. People also park in Sconset Square and Baldwin. When ore-school opens in fall then parking becomes more difficult for staff, teachers, and volunteers. Church lot allows public parking but people don't realize parking is available. Church lot is closed for funerals.
- Deck on Baldwin lot could be good for Westport – would not interfere with church views. Decision to include church lot in deck would be by the vestry and include the entire congregation
- Deck idea not very serious – personally neutral but no money to do
- RBA study indicates that parking is not a problem
- Parking is blown way out of proportion – convenience is the issue
 - * Rarely had problem finding space beyond Main Street except major holidays
- Very much in favor of deck on Baldwin
 - * Would not damage downtown views
- Parking is problematic but that is true anywhere – some people are more impatient than others
- Parking decks not always the solution to the parking problem. Wouldn't want one next to his buildings. Wouldn't want deck on Parker-Harding.
- Do not remove parking from Parker-Harding but lot could be reconfigured to make it more efficient
- Replacing parking with redevelopment does not make sense
- No ability to get permits or designated parking for longer-term
- Designated loading area needed for Parker-Harding
- Rebuild community dumpsters in a different spot
- Shuttle service for employees to secure parking is a good idea – would create parking for customers nearer to stores
- Parking is archaic – entrance and exits problematic. Town will have to decide how to best serve the needs of the town
- Need metered parking with permits for residents
- Employees do not park far enough away from the stores
- Town needs to work out a connection between Baldwin and Avery lots
- Parking could be partially underground and funds from metering could pay for mitigation
- Move some spaces from Parker-Harding and add to Baldwin deck





WESTPORT VILLAGE DISTRICT STUDY

APPENDIX D

CGS SECTION 8-2J

D. CGS SECTION 8-2J

The text of Section 8-2j of Chapter 124 of the Connecticut General Statutes is as follows¹:

Sec. 8-2j. Village districts. Compatibility objectives with other uses in immediate neighborhood. Applications. Village district consultant. (a) The zoning commission of each municipality may establish village districts as part of the zoning regulations adopted under section 8-2 or under any special act. Such districts shall be located in areas of distinctive character, landscape or historic value that are specifically identified in the plan of conservation and development of the municipality.

(b) The regulations establishing village districts shall protect the distinctive character, landscape and historic structures within such districts and may regulate, on and after the effective date of such regulations, new construction, substantial reconstruction and rehabilitation of properties within such districts and in view from public roadways, including, but not limited to, (1) the design and placement of buildings, (2) the maintenance of public views, (3) the design, paving materials and placement of public roadways, and (4) other elements that the commission deems appropriate to maintain and protect the character of the village district. In adopting the regulations, the commission shall consider the design, relationship and compatibility of structures, plantings, signs, roadways, street hardware and other objects in public view. The regulations shall establish criteria from which a property owner and the commission may make a reasonable determination of what is permitted within such district. The regulations shall encourage the conversion, conservation and preservation of existing buildings and sites in a manner that maintains the historic or distinctive character of the district. The regulations concerning the exterior of structures or sites shall be consistent with: (A) The “Connecticut Historical Commission - The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for

Rehabilitating Historic Buildings”, revised through 1990, as amended; or (B) the distinctive characteristics of the district identified in the municipal plan of conservation and development. The regulations shall provide (i) that proposed buildings or modifications to existing buildings be harmoniously related to their surroundings, and the terrain in the district and to the use, scale and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification, (ii) that all spaces, structures and related site improvements visible from public roadways be designed to be compatible with the elements of the area of the village district in and around the proposed building or modification, (iii) that the color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of commercial or residential property and any proposed signs and lighting be evaluated for compatibility with the local architectural motif and the maintenance of views, historic buildings, monuments and landscaping, and (iv) that the removal or disruption of historic traditional or significant structures or architectural elements shall be minimized.

(c) All development in the village district shall be designed to achieve the following compatibility objectives: (1) The building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district; (2) proposed streets shall be connected to the existing district road network, wherever possible; (3) open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting; (4) locally significant features of the site such as distinctive buildings or sight lines of vistas from within the district, shall be integrated into the site design; (5) the landscape design shall complement the district’s landscape patterns; (6) the exterior signs, site lighting and accessory

¹<http://www.cga.ct.gov/2011/pub/chap124.htm#Sec8-2j.htm>

structures shall support a uniform architectural theme if such a theme exists and be compatible with their surroundings; and (7) the scale, proportions, massing and detailing of any proposed building shall be in proportion to the scale, proportion, massing and detailing in the district.

(d) All applications for new construction and substantial reconstruction within the district and in view from public roadways shall be subject to review and recommendation by an architect or architectural firm, landscape architect, or planner who is a member of the American Institute of Certified Planners selected and contracted by the commission and designated as the village district consultant for such application. Alternatively, the commission may designate as the village district consultant for such application an architectural review board whose members shall include at least one architect, landscape architect or planner who is a member of the American Institute of Certified Planners. The village district consultant shall review an application and report to the commission within thirty-five days of receipt of the application. Such report and recommendation shall be entered into the public hearing record and considered by the commission in making its decision. Failure of the village district consultant to report within the specified time shall not alter or delay any other time limit imposed by the regulations.

(e) The commission may seek the recommendations of any town or regional agency or outside specialist with which it consults, including, but not limited to, the regional planning agency, the municipality's historical society, the Connecticut Trust for Historic Preservation and The University of Connecticut College of Agriculture and Natural Resources. Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

(f) If a commission grants or denies an application, it shall state upon the record the reasons for its decision. If a commission denies an application, the reason for the

denial shall cite the specific regulations under which the application was denied. Notice of the decision shall be published in a newspaper having a substantial circulation in the municipality. An approval shall become effective in accordance with subsection (b) of section 8-3c.

(g) No approval of a commission under this section shall be effective until a copy thereof, certified by the commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision, is recorded in the land records of the town in which such premises are located. The town clerk shall index the same in the grantor's index under the name of the then record owner and the record owner shall pay for such recording.

