

#2-20R - Merritt Station Norwalk LLC, et al – Proposed amendments to revise definition for Development Park; to revise the Executive Office zone to permit a new Master Plan approval process by Special Permit and to increase height and FAR, to revise parking requirements for multifamily developments and related technical amendments

Revised August 4, 2020

Section 2: Definitions

Existing

~~DEVELOPMENT PARK—A parcel or parcels of land, a minimum of ten (10) acres in area, for office and accessory uses having or proposing more than one (1) building (whether or not buildings are connected by atrium or other type of common area), which is designed in a unified manner and which has common facilities, such as private interior motor vehicle ways and open space for use by occupants and invitees of the park. [Added effective 4-12-1985; amended effective 12-20-1996]~~

Proposed

DEVELOPMENT PARK -- A parcel or parcels of land, a minimum of ten (10) acres in area, containing a mix of uses, as allowed in the underlying zone. The site and buildings are designed in a unified manner, containing common facilities, such as private interior motor vehicle ways, shared parking and recreation space for use by occupants and invitees of the park.

ARTICLE 101 Workforce Housing Regulation

Section 118-1050. Workforce Housing Regulation. [Added effective 1-16-1987; amended effective 12-30-1988; 1-26-2007; 11-27-2009; 7-27-2012; 2-27-2015; 2-26-2016; effective 4-27-2018; 6-14-2019]

- (2) Developments of twenty (20) or more dwelling units shall designate a minimum of ten percent (10%) of the total number of units, rounded up to the nearest whole number, as workforce housing units, affordable to households, in accordance with Section 8-30g-8 of the regulations of Connecticut State Agencies; except that, developments of twelve (12) or more units in the **EO**, **CBD** and **SSDD** shall designate a minimum of ten percent (10%) of the total number of dwelling units as workforce housing units, provided that: [Amended effective 4-27-2018; 6-14-2019]
- a) Any three-bedroom dwelling unit, designated as a workforce housing unit, complying with §118-1050 C(2)A, may count each three-bedroom unit as two workforce housing units for purposes of complying with the ten percent (10%) requirement for the zone, provided that the aggregate number of three-bedroom dwelling units in such a development that are counted as two affordable dwelling units shall not exceed the aggregate number of non-affordable three-bedroom dwelling units in such development and the remaining workforce housing units are proportional to the overall unit mix within the development; and
 - b) A minimum of ten percent (10%) of the total number of dwelling units, rounded up to the nearest whole number, shall be affordable to households earning no more than sixty percent (60%) of the state median income; or,
 - c) A minimum of ten percent (10%) of the total number of dwelling units, rounded up to the nearest whole number, shall be affordable to households earning no more than eighty percent (80%) of the state median income. In addition, a one (1) percent fee, based on residential construction cost, shall be paid to the city of Norwalk and placed into a fund to be used to construct affordable housing for individuals of lower income levels or families whose annual income does not exceed 60% of the state median income. Developments

that utilize this provision are not required to provide more than one parking space per dwelling unit and may reduce recreation space to 100 square feet per unit. (Added effective 4-27-2018)

§ 118-503. EXECUTIVE OFFICE ZONE.

A. Purpose and intent. The purpose of this regulation is to permit major office buildings and other compatible uses which will contribute to the economic base of the city and will constitute a harmonious and appropriate part of the physical development of the city. The area within this zone is intended to have infrastructure of sufficient capacity either prior to or coincident with permitted development. Incentives are provided to encourage the assembly of larger lots and to reduce the number of driveways, thereby improving traffic flow and safety and creating an attractive and unified development.

B. Uses and structures.

(1) Principal uses and structures. In the Executive Office Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of twenty thousand (20,000) square feet or more or requiring fifty (50) parking spaces or more shall be permitted subject to the provisions of § 118-1451, Site plan review.

(a) Banks and financial institutions.

(b) Developments approved as part of a Development Park Master Plan, provided that:

i. Such development is in accordance with the approved Master Plan.

ii. Such site and building design is consistent with the Master Plan Design Manual, as verified by the Commission's peer review consultant(s).

iii. The site development plans include a table indicating compliance with the Master Plan, including each bulk and height standard.

iv. The application also complies with §118-1451, C, Standards for Site Plan Review.

(c) Firehouses.

(d) Hotels.

(e) Manufacture, processing or assembly of goods which are not noxious or offensive due to emission of noise, pollutants or waste.

(f) Mixed-use development, subject to § 118-750.

(g) Museums.

(h) Offices, including medical offices. [Amended effective 9-25-2009]

(i) Off-street parking facilities.

(j) Parks and recreational facilities.

(k) Personal and business services shops and retail stores having a gross floor area of thirty thousand (30,000) square feet or less. [Amended effective 12-22-1995]

(l) Places of worship. [Added effective 7-24-2015]

(m) Public utility supply or storage facilities.

- (n) Research and development facilities.
- (o) Restaurants and taverns.
- (p) Schools, including business schools, and studios.
- (q) Theaters and auditoriums.

(2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial: except as otherwise specified herein: [Amended effective 5-26-2006]

(a) Commercial planned residential development, subject to Section 118-760. [Added effective 4-21-00]

(b) Commercial recreation establishment. [Added effective 12-7-1990]

(c) Development Park, provided that:

i. A Master Plan is submitted, that at a minimum contains:

a. An A2 survey of the proposed Development Park,

b. A site development plan that shows the locations of proposed buildings, streets, anticipated lighting, walkways, open space, natural features, ????

c. A preliminary traffic impact analysis,

d. A preliminary drainage analysis of existing conditions and anticipated site-wide improvements,

e. An initial table indicating compliance with the each bulk and height standard for each proposed structure,

f. Architectural renderings and elevations depicting the bulk and height of the proposed structures.

g. An architectural and site Design Manual to be approved by the Commission in consultation with the Peer Review consultant.

h.

ii. A minimum of three (3) distinct uses are included within the Development Park, with residential occupying no more than 75% of the Development Park.

~~A separate Signage Manual signage is submitted and approved by the Commission which depicts the number, type, size and location of proposed signage within the Development Park.~~

iii. Residential density does not exceed 1 unit per 500 square feet of the entire Development Park.

iv. No individual building shall exceed 15 stories and 150 feet, as measured from the average grade.

v. The maximum F.A.R. for the entire Development Park does not exceed 2.0.

- vi. A minimum of 150 SF of recreation area per dwelling unit be provided, which may include courtyards, indoor recreation facilities, landscaped roofs and outdoor recreation areas.
 - vii. A minimum of 30% of the total acreage of the Development Park is open space ~~land~~ either as private recreation space or publicly available open space, provided that a minimum of 20% of the overall site is publicly available open space, as approved by the Commission. A conservation easement shall be placed on the land, to be held by the Conservation Commission.
 - viii. The site is designed with following minimum LID/“green development” techniques:
 - a. All buildings must provide either green roofs, blue roofs, contain solar panels or be solar ready for that portion of such roof not used for recreation area improvements.
 - b. All surface water shall be handled through on-site retention. The use of rain gardens and bioswales is recommended and encouraged where feasible.
 - c. All parking lots and parking structures must include electric vehicle charging stations.
 - d. Sheltered bike parking and storage must be provided.
 - e. All landscaping shall be native species, except that perimeter screening may contain alternate species as approved by the Commission.
 - f. ~~Pervious paving materials, shall be used on all external walkways.~~
 - ix. Individual parcels may exceed the F.A.R., residential density and/or building coverage for their individual site(s) and have less than the minimum required parking ~~and/or open space~~ for that site(s), provided that the F.A.R., residential density and/or building coverage is not exceeded for the Development Park and the required parking ~~and/or open space~~ is met within the Development Park.
 - x. Each building containing residential dwelling units, comply with Section 118-1050 (2), Workforce Housing Regulations, if applicable.
 - xi. Development Park Master Plans approved by Special Permit on or after the effective date of this revised definition shall comply with the Development Park Master Plan requirements outlined in Section 118-503(B)(1)(b) subject to all conditions of approval, plans and documents filed on the Norwalk Land Records.
- (d) Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]
- (e) Gasoline stations and the sale and service of motor vehicles, subject to § 118-1010.
- (f) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. The Commission may approve a helicopter landing site that exceeds the height provisions of these regulations if it is located on top of a mechanical or habitable penthouse. [Added effective 9-29-2001; Amended effective 5-26-2006]
- (g) Multifamily dwellings.

- (h) Retail stores having a gross floor area of more than thirty thousand (30,000) square feet, not to exceed eighty thousand (80,000) square feet. [Added effective 12-22-1995]
- (i) Transportation terminals.
- (j) Warehouse and wholesale distribution facilities.

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260 and, in addition: **MOVE SECTION to 1200**

(1) The principal use and structure of the property shall be located between the front yard and the street wall of a parking structure which is more than three (3) feet above the center-line elevation of the street, for a minimum of fifty percent (50%) of the length of the parking structure. **However, this** provision shall not be applicable to parking structures within a development park, **provided that:**

- (a) ~~which~~ parking structures are located more than one hundred ten (110) feet from the center-line of the street (subject to § 118-1000B) and separated from the street by a wetland or watercourse. Any portion of a parking structure which is more than three (3) feet above the center-line elevation of the street and which extends to the front yard shall be effectively screened; or
- (b) parking structures, whether attached to or contained within the envelope of the building:
 - i. use the same building façade materials utilized in the design of the overall building, as confirmed by the Commission’s peer review consultant, in accordance with the Development Park Design Manual; and
 - ii. vehicles within the parking structure are not visible from the exterior of the building.

§ 118-1220. Amount of motor vehicle parking space to be provided.

Revise Article 120 Section 118-1220 Off-street Motor Vehicle Parking Requirements as follows:

Use	Parking requirement
(3) (a) Multi-Family Residence; including units in a Development Park or Commercial Planned Residential Development (Amended effective 7-11-1980; 1-16-1987; 5-18-2001; 4-27-2018; 6- 14-2019)	1) 1.3 parking spaces per dwelling unit; 2) for mixed use developments, the greater of 1.3 parking spaces per residential unit or the aggregate, after applying any applicable mixed-use reductions listed in §118-1220E, of the total required parking spaces for commercial uses and residential units parked at 1 space per unit.
(b) Residence (other) (Amended effective 1-11- 1978; 9-29-1978)	
(1) Planned residential development	2 parking spaces per dwelling unit
(2) Planned residential development, elderly	1 parking space per 2 dwelling units
(3) Congregate housing (Added effective 7-25- 1980)	1 parking space per 4 dwelling units
(4) Commercial planned residential	1.5 parking spaces per studio or 1-bedroom dwelling unit; 2.0 parking spaces per 2-bedroom or larger dwelling unit (A dwelling

<p>development (Added effective 1-16-1987)</p> <p>(5) Housing for the elderly</p> <p>(6) Artist Live/Work Space (Added effective 6-14-2019)</p>	<p>unit with 4 or more rooms shall count as 2 bedrooms.</p> <p>1 parking space per unit</p> <p>0.5 parking spaces per unit</p>
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Article 140; Section 118-1450, amend subsection 118-1450(B) to revise paragraph(7) with new text to read as follows:

(6) The Zoning Inspector shall deliver all resolutions granting Special Permits and maps pertaining thereto to the Town Clerk for recording and filing in the land records of the Town of Norwalk. [A Special Permit for a Development Park Master Plan shall include the resolution, Master Plan map and associated Master Plan documents which shall be brought to the Town Clerk for recording and filing in the land records of the Town of Norwalk within one \(1\) year of the effective date.](#)

(7) Any Special Permit for which a building permit has not been issued within one (1) year from the effective date shall become null and void, unless an extension of time is applied for and granted by the Commission. [However, a Special Permit for a Development Park Master Plan that has been filed with the Town Clerk as required in 118-1450\(B\)\(6\) above shall, for which a building permit has not been issued within ten \(10\) years from the effective date shall become null and void, unless an extension of time is applied for and granted by the Commission.](#)

Schedule of Height & Bulk Commercial & Industrial Part 2

Revise Article 20 Schedule of Height & Bulk Commercial & Industrial Part 2 to amend the schedule for the Executive Office zone to increase permitted building height and stories, Floor Area Ratio, add Residential density and Recreation area requirements for Development Parks and related changes as noted below:

ZONES		Executive Office (Existing text)	Commercial Planned Residential Development	Executive Office (Proposed text)
HEIGHT	MAXIMUM	8 stories and 100 feet, except that hotels to a maximum height of 12 stories and 150 ft shall be allowed	11 stories and 125 feet	8 stories and 100 feet, except that hotels to a maximum height of 12 stories and 150 ft shall be allowed; except for Development Park Master Plans: 15 stories and 150 feet shall be allowed.
	MINIMUM	2 stories and 25 feet, subject to 118-503 C(3)		2 stories and 25 feet, subject to 118-503 C(3)
MAXIMUM SIZE OF PLOT	AREA	21,780 sq. ft	21,780 sq. ft.	21,780 sq. ft
	WIDTH	100 feet	100 feet	100 feet
	YARDS	FRONT	50 feet from centerline of street Subject to Sect 118-1000B	50 feet from centerline of street Subject to Sect 118-1000B
	SIDE	None	0 feet	None
	AGG. SIDE	None	20 feet	None
	REAR	10 feet	5 feet	10 feet
MAXIMUM BUILDING AREA		50% for buildings, 70% for buildings and parking, 30% open space subject to Sect 118-503C(4)	50% for buildings; 70% for buildings and parking; 30% open space, subject to Sect 118-760C(3)	50% for buildings, 70% for buildings and parking, 30% open space subject to Sect 118-503C(4) except for Development Park Master Plans: a minimum of 20% of the overall site is publicly available open space
FLOOR AREA RATIO MAXIMUM		1.0 for less than 1 acre subject to Sect 118-503C(1); 1.25 for 1 acre to 1.99 acres; 1.5 for 2 acres or larger	2.0	1.0 for less than 1 acre subject to Sect 118-503C(1); 1.25 for 1 acre to 1.99 acres; 1.5 for 2 acres or larger; except for Development Park Master Plans: 2.0, subject to Section 118-503B(2)(c)

RECREATION AREA		-	150 sq ft per dwelling unit, subject to Sect 118-760C(2)	Development Park Master Plans: 150 sq ft per dwelling unit, subject to Sect 118-503B(2)(c)
RESIDENTIAL DENSITY		-	500 sq ft of lot area per dwelling unit	Development Park Master Plans: 500 sq. ft. of lot area per dwelling unit, subject to Sect 118-503B(2)(c)

*See D zone Residential Schedule Part I for Business #2 zone density (1,650 sq. Ft. of lot area per dwelling unit) and recreation area requirements (200 sq. Ft. Per dwelling unit).

NOTE: No changes proposed for Commercial PRD zone; included for reference only.

- i. A minimum of 150 SF of recreation area per dwelling unit be provided, which may include courtyards, indoor recreation facilities, landscaped roofs and outdoor recreation areas.