

# Town of Stonington

Comprehensive Zoning Regulation Rewrite

Public Meeting 3/20/24



# Agenda

1. Introduction
2. Purpose of the Meeting and Zoning Update
3. Update Process
4. November Workshop Summary
5. Online Survey
6. Coastal Resilience and Sea Level Rise
7. Recommended Amendments
8. Next Steps



# Introduction to the Team

- **FHI Studio** is the Town's consultant for the zoning update.
- The update is being led by the **Planning Department**.
- The **Planning & Zoning Commission** is the steering committee for the project.
  - Monthly virtual meetings devoted to the update have been conducted since July of 2022.
  - Those meetings have been open to the public and meeting summaries and/or recordings are available on the Town's website.



# Purpose of Meeting

- The purpose of this meeting is to review recommendations for zoning amendments that are intended to improve the Town's sustainability, coastal resilience, and protection of environmental resources.
- The Planning & Zoning Commission invites input from the community regarding the recommended zoning amendments in their consideration of the amendments.
- **No action will be taken at this meeting to adopt the amendments.** The adoption of zoning amendments is anticipated in 2025.

# Purpose of the Update

The zoning regulations were originally adopted in 1961 and have been updated on a piecemeal basis by multiple authors. The purpose of this zoning update is to:

- Provide user-friendly regulations that are accessible to a wide audience and efficient and effective for staff and the Commission to administer.
- Be fully compliant with statute and best practices as established by case law.
- Ensure that the consistency with best planning practices and responsiveness to current conditions including:
  - Environmental concerns
  - Housing demand
  - Development pressures
  - Changing building practices and technologies
  - Changes to codes, statutes, and policies

# The Update Process

## We are taking a phased approach to the update.

- Phase 1 amendments were adopted in 2023 and became effective on 11/16/23, replacing the prior regulations.
- The Phase 1 updates focused on addressing errors, inconsistencies, and omissions while improving formatting and ease of use and fully complying with Statute and best zoning practices.
- The benefit of a phased approach is that we were able to immediately address known issues with the regulations while preparing to address more substantive issues in Phase 2.

## Town of Stonington



### Zoning Regulations 28<sup>th</sup> Edition

Effective  
November 16, 2023

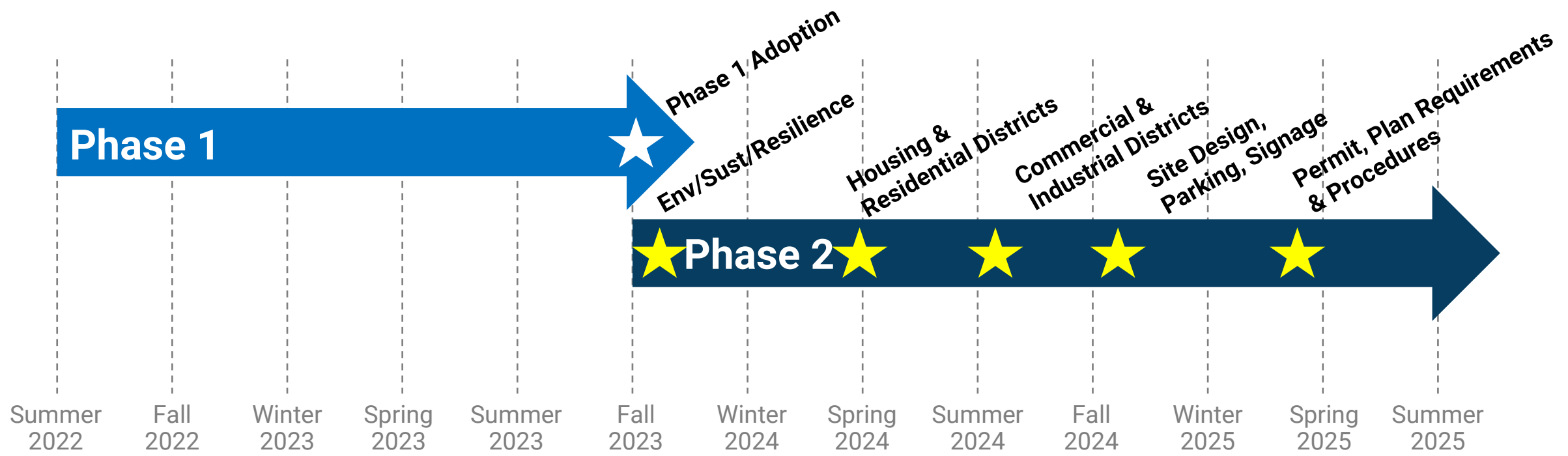
# The Update Process

**Phase 2 of the zoning update is structured into five major tasks/topic areas that will be conducted in sequence:**

- 1. Environmental Resources/Conservation, Sustainability, and Resilience**
2. Housing and Residential Districts
3. Commercial and Industrial Districts
4. Site Design, Parking, and Signage
5. Plan and Permit Requirements, Administrative Procedures

# The Update Process

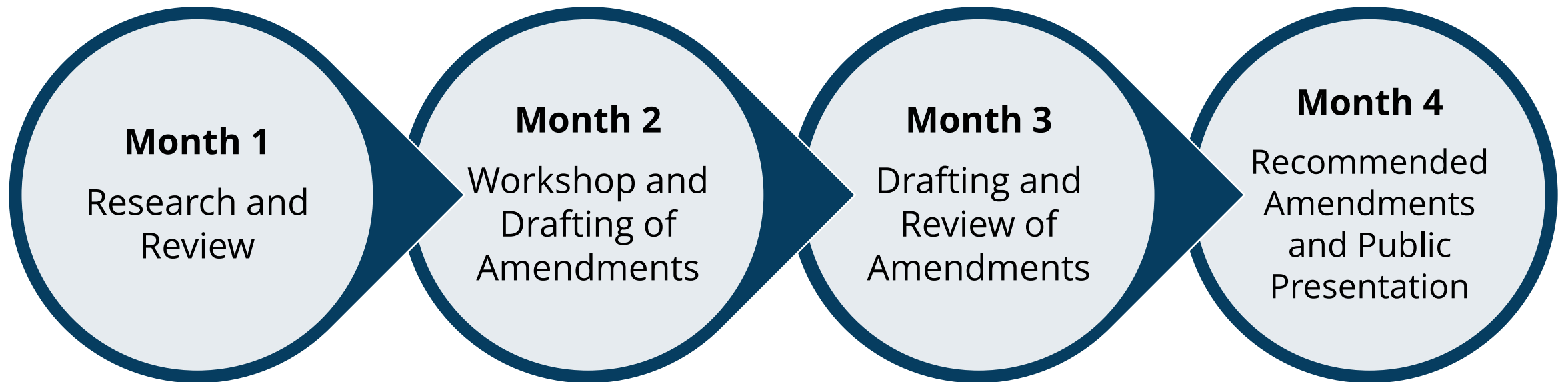
The update process will continue into 2025 with adoption of recommended amendments potentially occurring in the Summer of 2025.



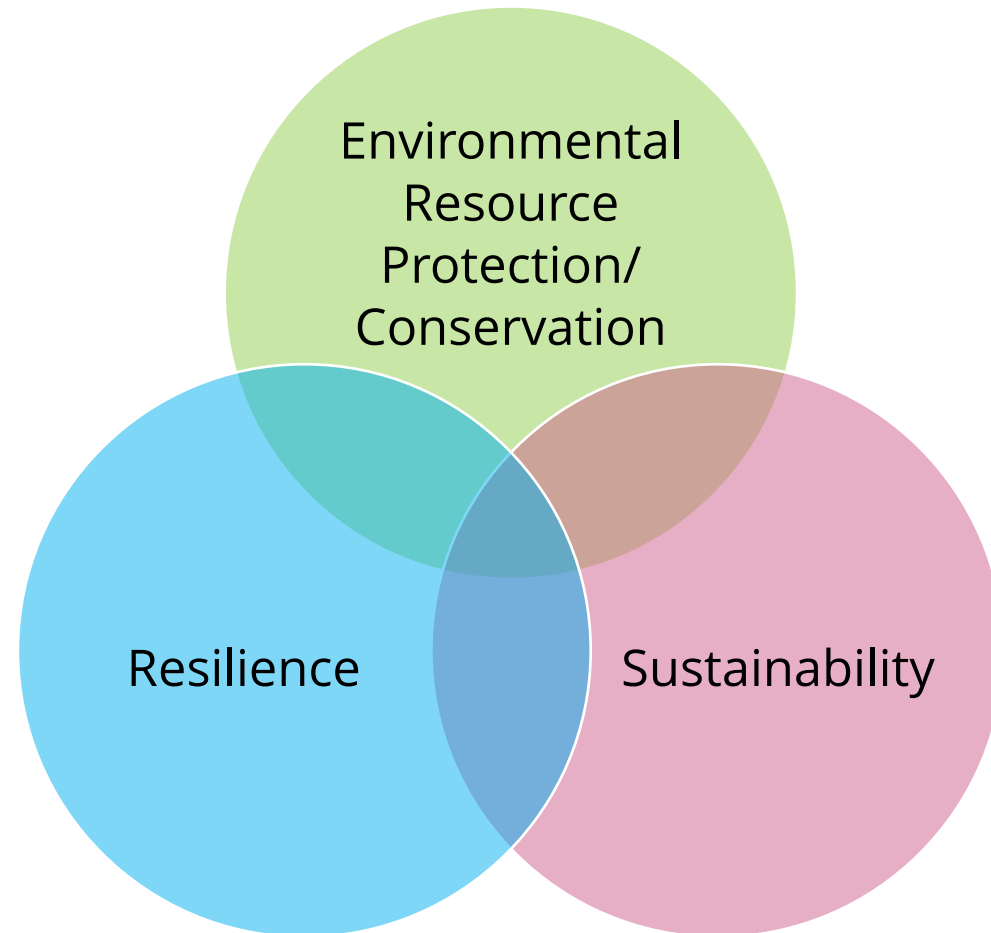


# The Update Process

Each task/topic area will follow a similar four-month process that includes a public workshop prior to development of recommended amendments and a presentation of the recommended amendments.



# Sustainability, Resilience & Environmental Resources



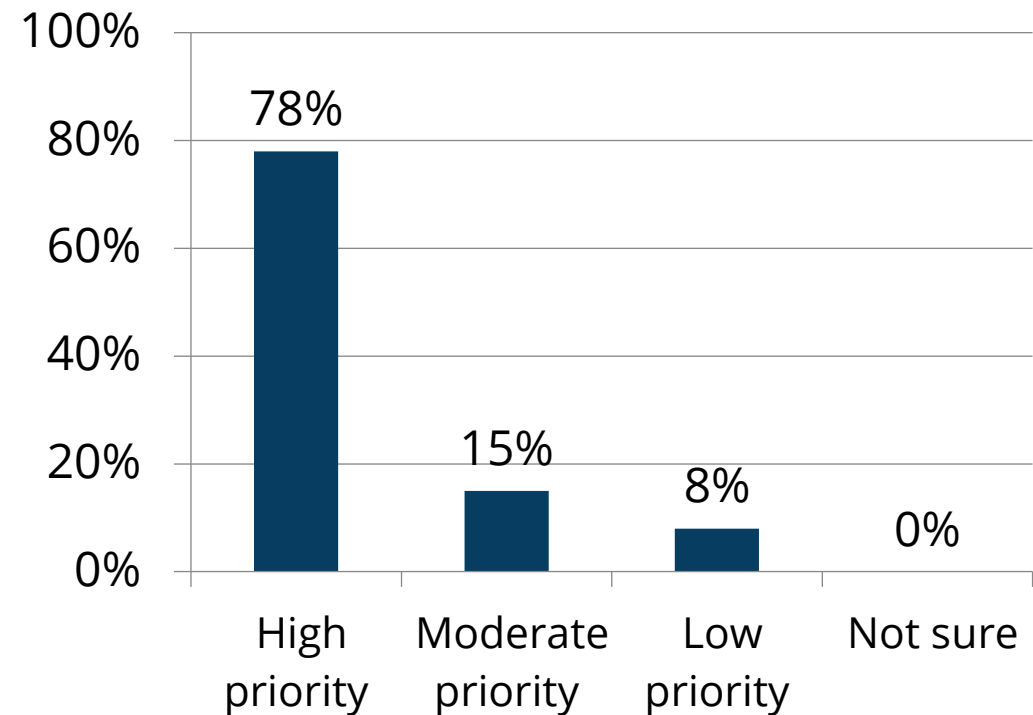
# Sustainability, Resilience & Environmental Resources Workshop

- Conducted on 11/28/23



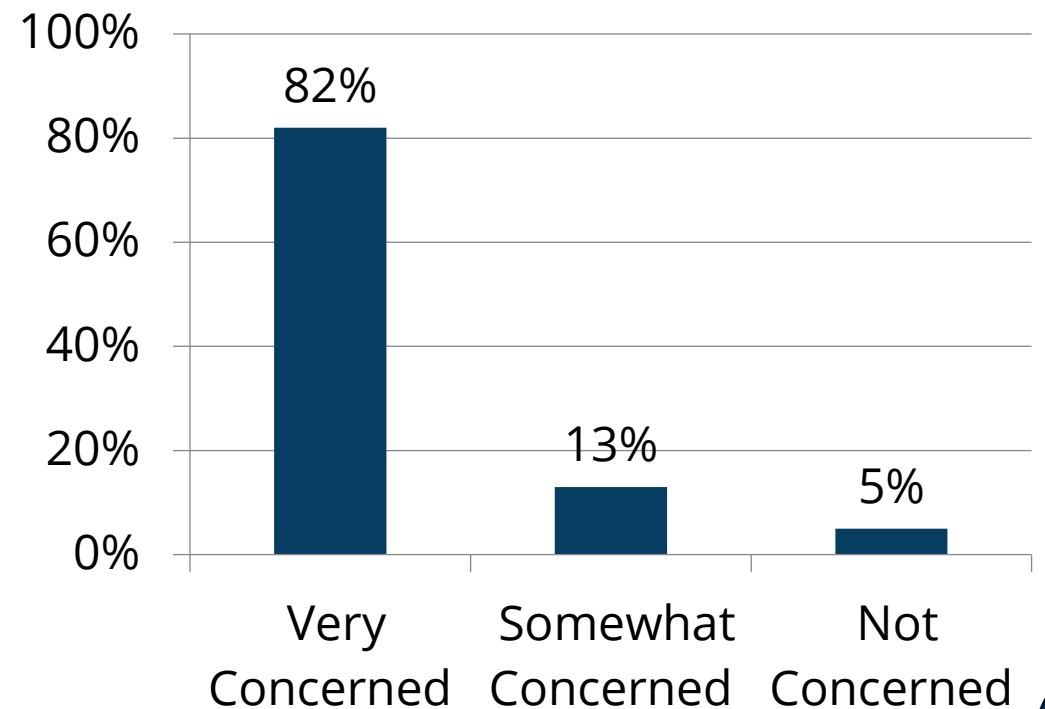
# How much of a priority is an update of the Town's zoning regulations to address issues surrounding environmental resources, sustainability, and resiliency?

1. High priority
2. Moderate priority
3. Low priority
4. Not sure



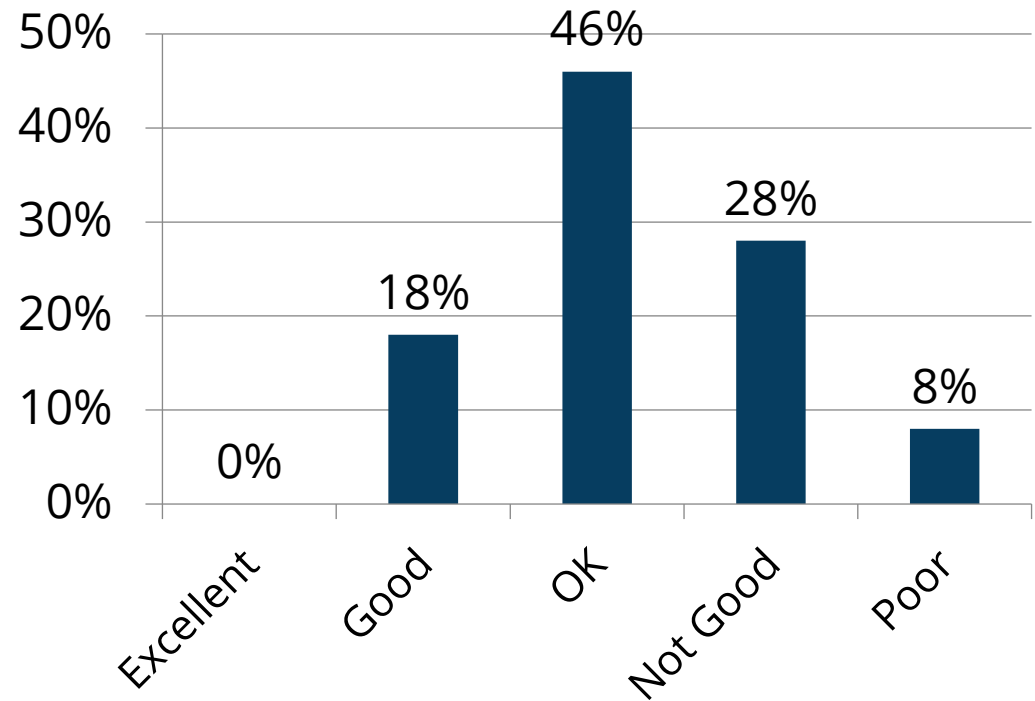
# How concerned are you about the impact of storm events and potential sea level rise on Stonington's coastal areas?

1. Very Concerned
2. Somewhat Concerned
3. Not Concerned



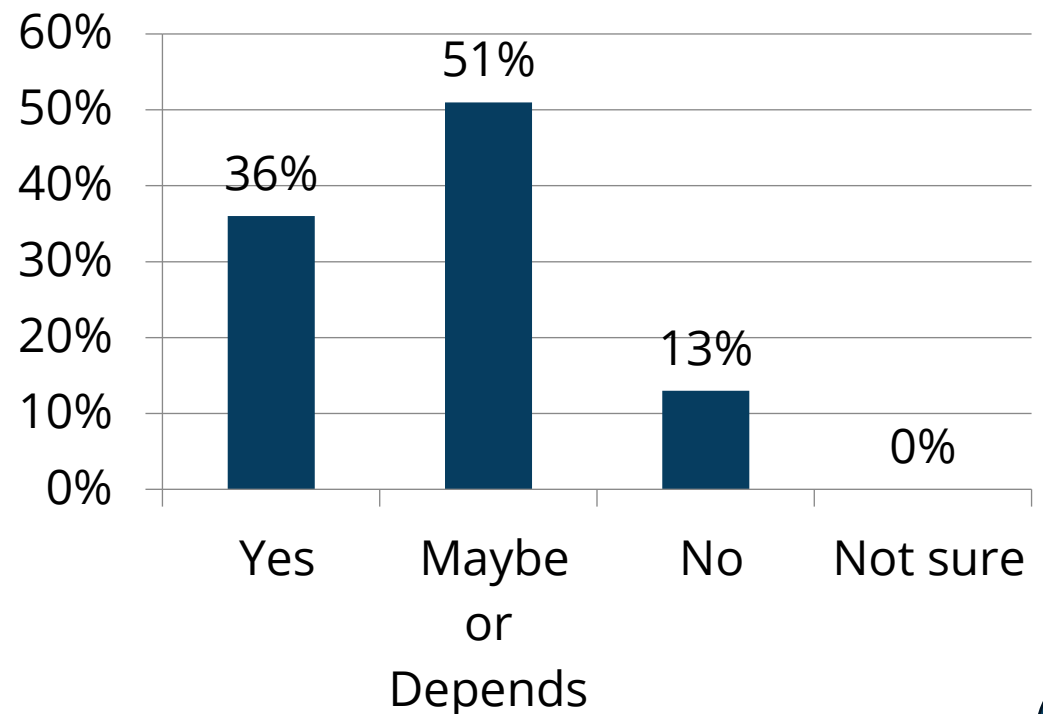
# How well does the Town, through its zoning regulations, protect environmental resources?

1. Excellent
2. Good
3. OK
4. Not Good
5. Poor



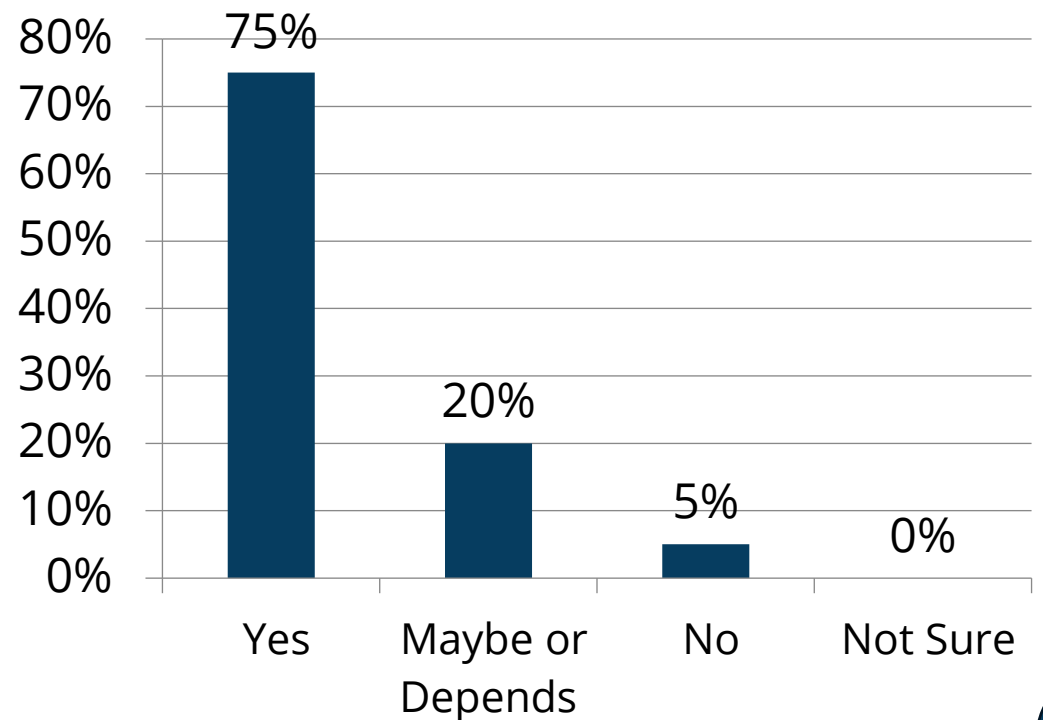
# Should the Town offer incentives for sustainable/resilient development?

1. Yes
2. Maybe or Depends
3. No
4. Not sure



# Should the Town discourage development in Flood Hazard areas?

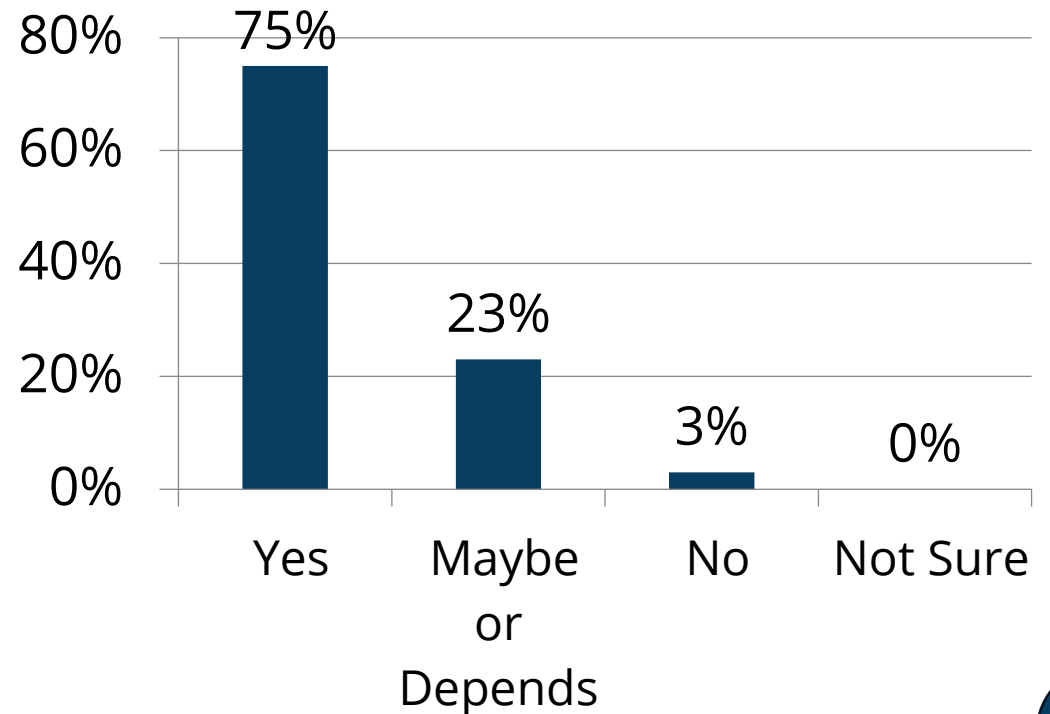
1. Yes
2. Maybe or Depends
3. No
4. Not Sure





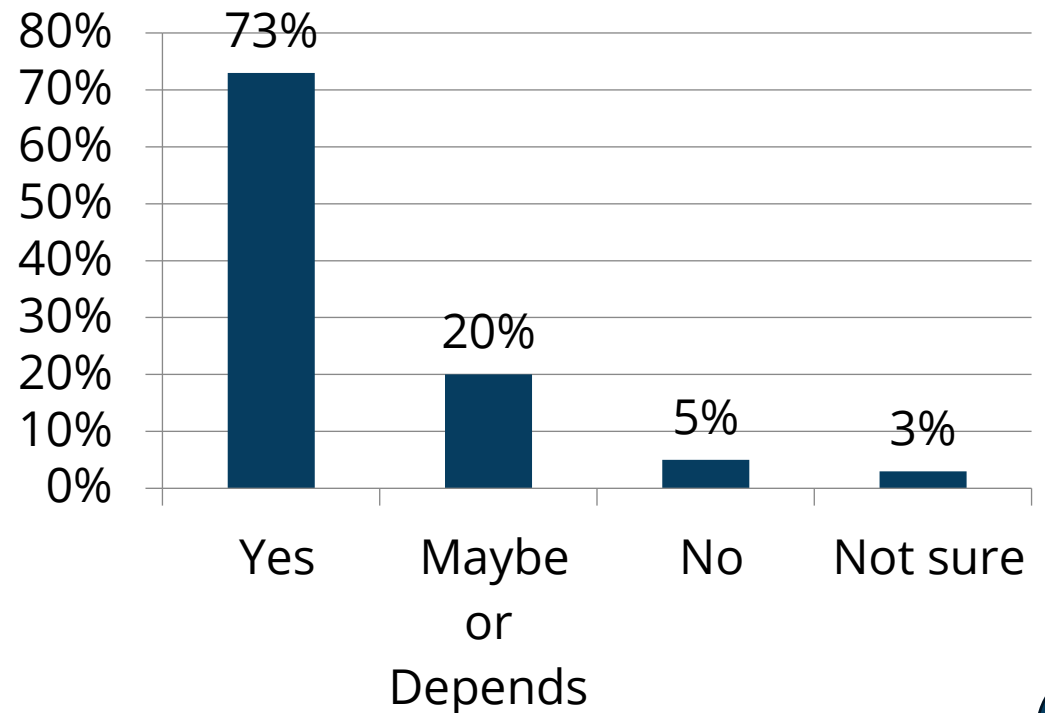
# Should the zoning regulations be stricter for development near water bodies (riparian zones)?

1. Yes
2. Maybe or Depends
3. No
4. Not Sure



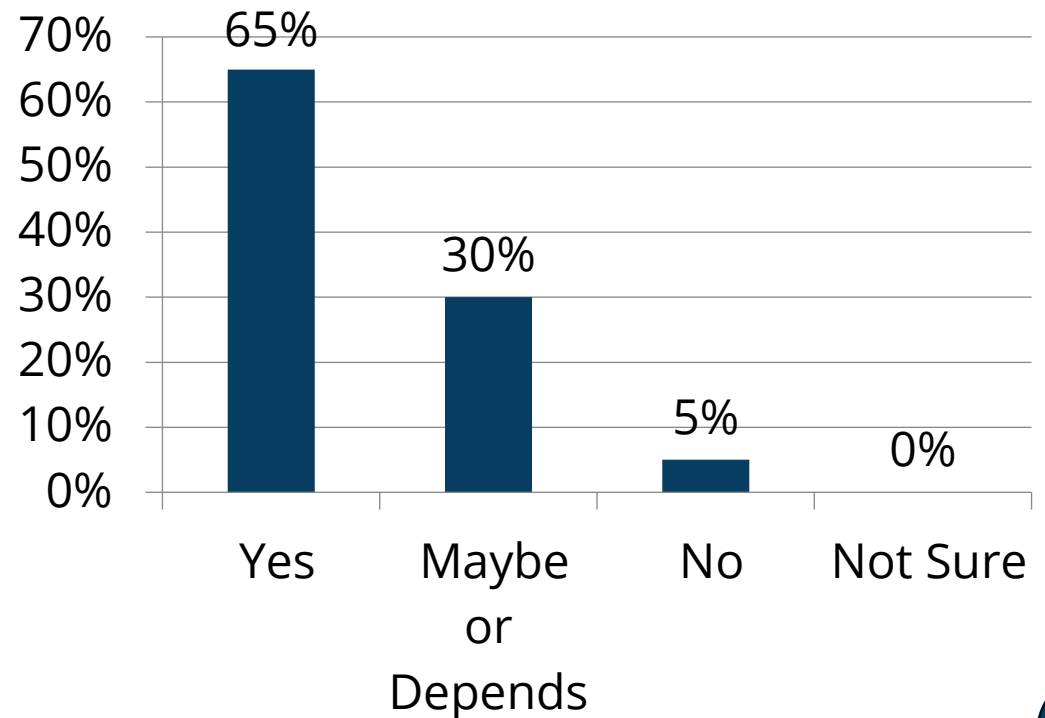
# Should the zoning regulations be more supportive of small-scale solar energy systems?

1. Yes
2. Maybe or Depends
3. No
4. Not sure



# Should the zoning regulations require the conservation of more open space?

1. Yes
2. Maybe or Depends
3. No
4. Not Sure



# Break Out Session 1: Sustainability

How can development in Stonington be more sustainable?

**Density**

**Protect water quality**

**Incentives for restoration**

**Incentives/Points for Green Development**

**Net Zero Buildings**

**Mixed-Use Development**

**Designate more Open Space**

**Regenerative Development**

**Transfer of development rights**

**Special Zoning in hazard zones**

**Incentives for LID**

# Break Out Session 2: Resiliency

How can development in Stonington be more Resilient?

**Prohibit development in sensitive areas/floodplain**

**Improve/relocate critical infrastructure**

**Stronger building regulations in flood zones**

**Require elevation of buildings**

**Regulations for rebuilding if flooded**

**Rebuild requires update to newer standards**

**Raise height restrictions on rebuilding**

**Floodproofing**

**Strengthening the power grid**

**Tree plantings for heat reduction**



# Online Survey

- The zoning update online survey is currently open.
- Please take the survey if you have not taken it yet!
- <https://www.surveymonkey.com/r/stoningtonzoning>



## Stonington Zoning Regulations Update

### Welcome to the Stonington Zoning Regulations Update Survey!

The purpose of this survey is to collect information to assist the Town with a review of its zoning regulations, which control land use and development across Stonington. The Town recently completed the first phase of an update of the regulations that was focused on improving the format of the regulations and correcting inconsistencies to provide a document that is more user-friendly and compliant with Statute.

Phase 2 of the zoning update is now getting started. This phase will take a close look at issues related to environmental resource protection, residential zone regulations, commercial zone regulations, parking requirements, signage, and other aspects of the built environment that are controlled by zoning.

This survey represents the first of many opportunities you will have to provide the Town with input regarding land use and the zoning regulations. The survey will take about 10 to 20 minutes to complete.

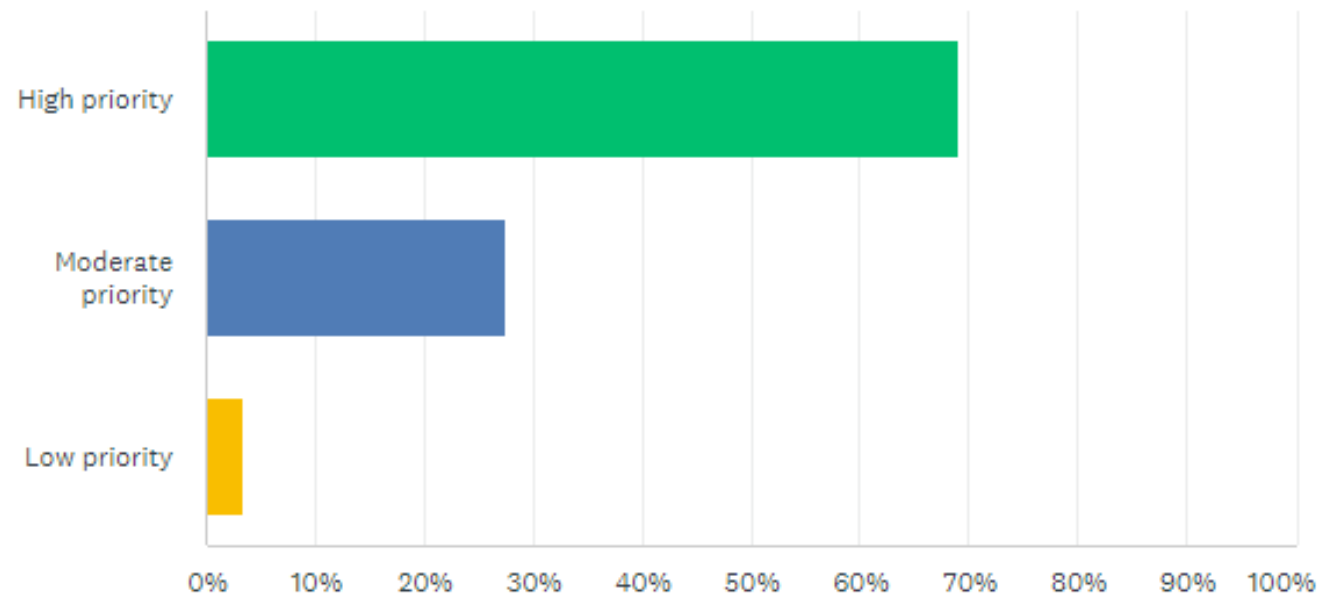


Next

# Online Survey: Sample Feedback

How much of a priority is planning for and regulating development in Stonington?

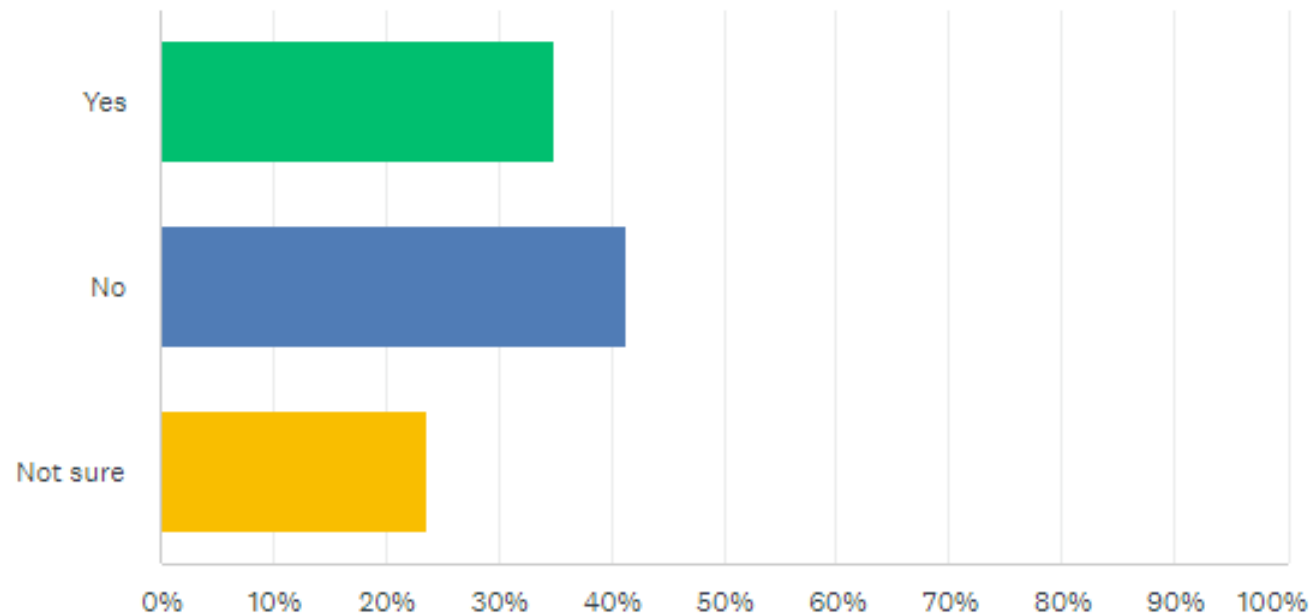
Answered: 291 Skipped: 21



# Online Survey: Sample Feedback

Is development along Stonington's shore consistent with your vision for how that land should be used?

Answered: 174 Skipped: 138

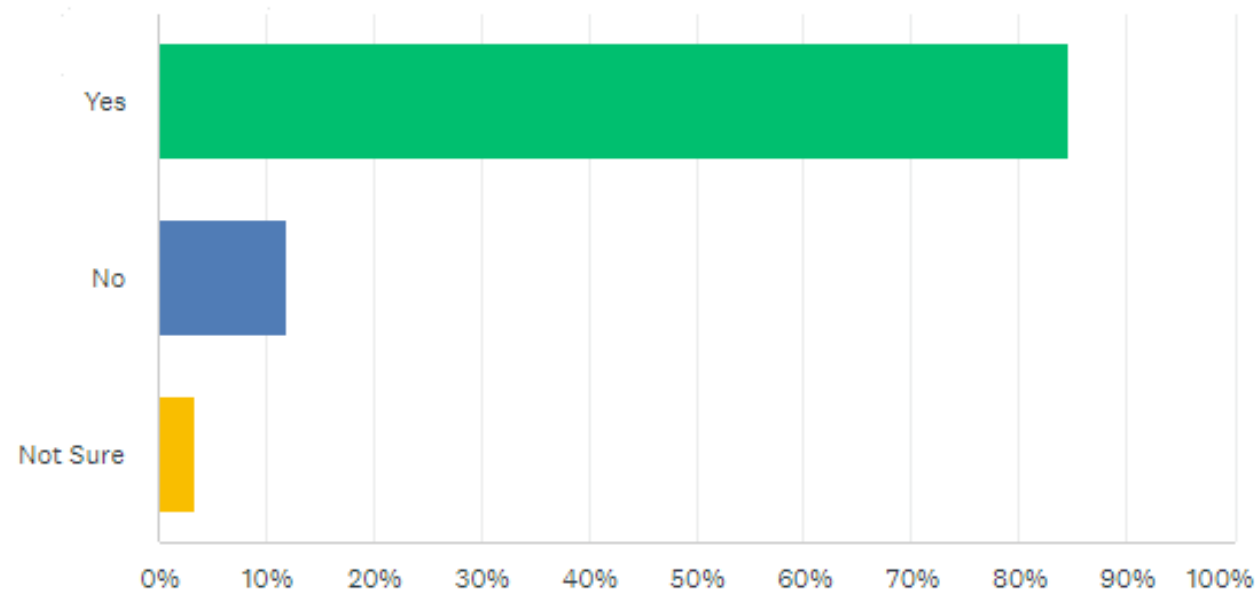




# Online Survey: Sample Feedback

Are you concerned about the impacts of storm events and potential sea level rise on development in Stonington's coastal areas?

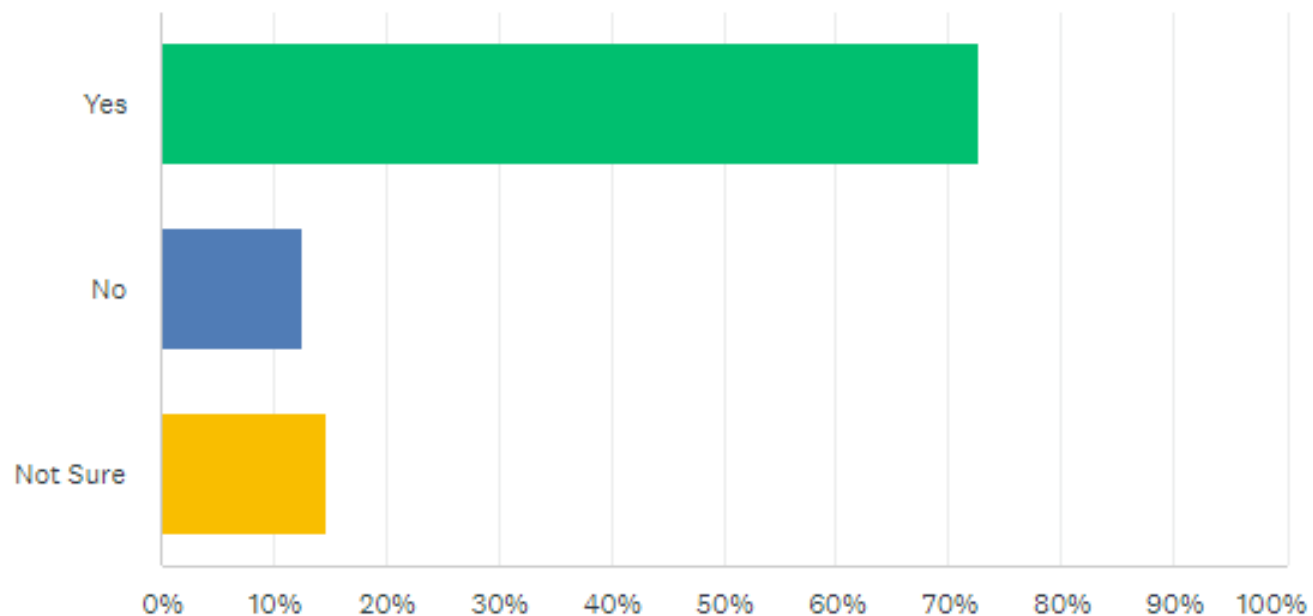
Answered: 176 Skipped: 136



# Online Survey: Sample Feedback

Do you have any concerns about land use in groundwater protection areas or the protection of the Town's groundwater resources?

Answered: 143 Skipped: 169



# Resilience: Sea Level Rise

The Connecticut Institute for Resilience & Climate Adaptation (CIRCA) recommends that communities in Connecticut plan for:

- 20 inches of sea level rise by 2050.
- Up to 6.6 feet of sea level rise by 2100.

## Statutory Adoption of Updated Sea-Level Rise Scenarios

<p><b>William R. Rath</b> Legal Research Fellow</p> <p><b>Christopher P. Kelly</b> Legal Writing Fellow</p> <p><b>Kristie A. Beahm</b> Legal Writing Fellow</p> <p>May 1, 2018</p> <p>This White Paper is sponsored by CIRCA, the Connecticut Institute for Resilience and Climate Adaptation. This work is made possible through a grant from the State of Connecticut Department of Housing Community Development Block Grant Disaster Recovery Program and the US Department of Housing and Urban Development.</p> <p><b>DISCLAIMER:</b> This white paper addresses issues of general interest and does not give any specific legal advice pertaining to any specific circumstance. Parties should obtain advice from a lawyer or other qualified professional before acting on the information in this paper.</p>	Executive Summary.....	1
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	B. CGS § 16a-27- Revision of Existing Plan	
	C. CGS § 25-68o - Consideration of Sea Level Change Scenarios re Municipal Evacuation and Hazard Mitigation plans. Update of Sea Level Change Scenarios.	
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# Resilience: 0' of Sea Level Rise under 100-Year Storm Event



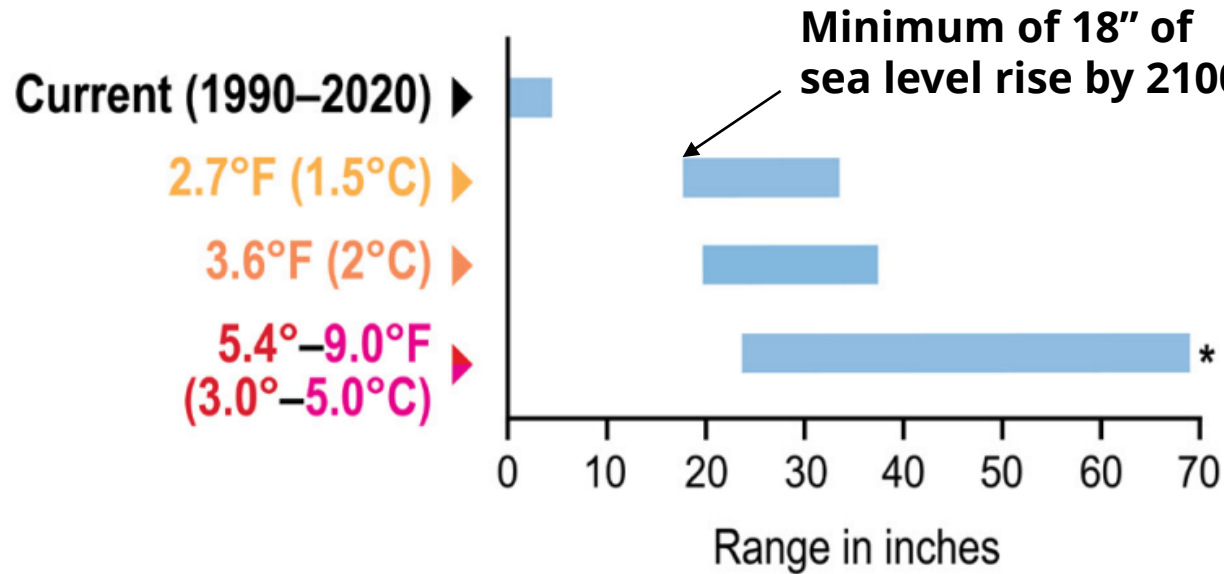
# Resilience: 20" of Sea Level Rise under 10-Year Storm Event



# Resilience: Frequency of Flood Events

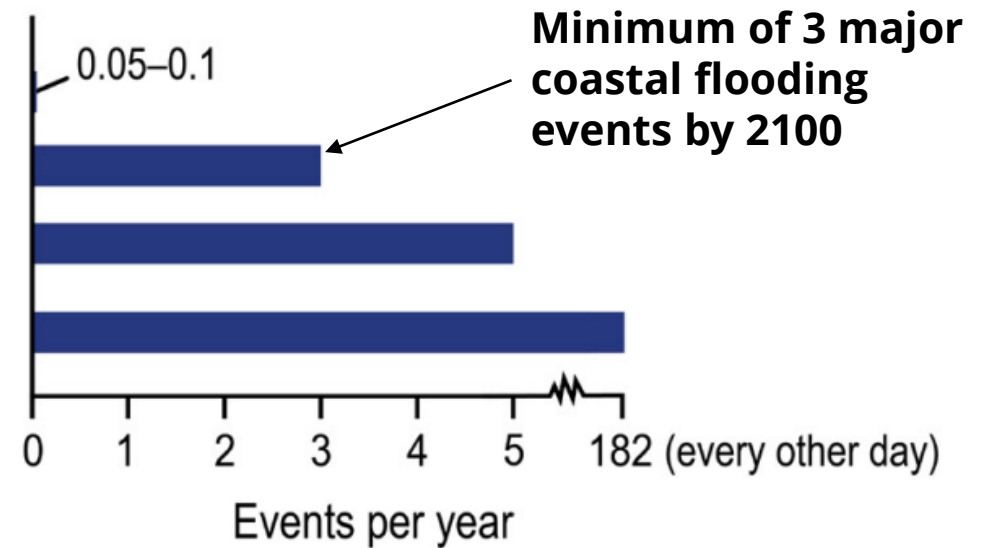
## US average sea level rise

Sea level rise (by 2100 compared to 2020) is higher for higher warming levels.



## Coastal flooding events

Sea level rise drives an increase in the number of major coastal flooding events per year due to high tides alone.



# Proposed Regulation Amendments

1. Increase the Freeboard Requirement from 1 foot to 3 feet.
2. Remove the Single-Family Home Exemption from CAMOD regulations.
3. Adopt a TDR (Transfer of Development Rights) for properties in the VE and Coastal AE flood hazard areas.
4. Accommodate a Required Increase in Building Elevation prompted by an increase in the freeboard requirement.
5. Expand Non-Infringement Area Regulations.
6. Require a Setback from the Coastal Jurisdiction Line in all Flood Hazard Areas.
7. Update the Flood Hazard Overlay District Regulations to Ensure Consistency with State and Federal Guidelines.
8. Allow Hobby Farms. **Defer to Residential Districts update.**
9. Update stormwater management standards and relocate technical standards from the regulations to the Town's Technical Standards document. .

# Proposed Regulation Amendments

10. Update stormwater management standards and relocate technical standards from the regulations to the Town's Technical Standards document.
11. Provide more flexibility in the height and location of ground-mounted Small Solar Energy Systems.
12. Provide a Sustainability Incentive.
13. Improve protection of trees and require planting of trees.
13. Expand tools for conservation. **No recommendations to date.**
14. Provide a reference to Stonington's Aquifer Protection Area Regulations in the Zoning Regulations and update the Aquifer Protection Area Regulations.
15. Establish lot coverage limits and eliminate FAR standards.
16. Establish a green roof incentive.
17. Establish porous, pervious, and permeable pavement incentive.



# Recommendation 1

## **Increase Freeboard Requirement**

- This proposes an increase of the freeboard from 1 foot to 3 feet (BFE +3).
- This recommendation also prohibits the use of structural fills in all flood hazard areas (use of structural fill is currently only prohibited in VE and Coastal AE zones)

## **Purpose**

- Increase protection from flood hazard events both inland and along coastal areas.
- Respond to a documented increase in storm frequency and severity and projected sea level rise.

## **Potential Impacts**

- Likely to add cost to the construction of new structures and the improvement of existing structures that are required to comply with the requirement.
- May act as a deterrent to new construction, reconstruction, or investment in flood hazard areas that are subject to the base flood elevation construction standards.
- May result in visual impacts to existing at-grade properties adjacent to or in proximity of structures constructed or elevated above the freeboard.

# Recommendation 2

## **Remove Single-Family Home Exemption from CAMOD regulations**

- This would make Single-Family homes subject to coastal zone review.

### **Purpose**

- Increase regulation of development in coastal areas to better protect coastal resources and protect development from coastal hazards.

### **Potential Impacts**

- The requirement of a coastal site plan review for single-family homes may add cost to the development of a home and may lengthen the approval process. However, much of the information required for a coastal site plan review is also required for zoning permits and site plans.

# Recommendation 3

## **TDR (Transfer of Development Rights)**

- This would enable the transfer of development rights from VE and Coastal AE flood hazard zones (sending areas) to areas outside of flood hazard areas (receiving areas).
- The development rights that may be transferred include buildable area or dwelling units.
- Receiving areas shall be all areas in Stonington **excluding** lots located partially or entirely:
  1. in the GB-130 and RR-80 districts;
  2. in the Flood Hazard Overlay District;
  3. in the Groundwater Protection Overlay District;
  4. on an island;
  5. on Latimer Point, Osbrook Point, Lords Point, or Wamphassuc Neck.

## **Purpose**

- Provide incentives for shifting development away from coastal high hazard areas.

## **Potential Impacts**

- Increase in residential density and/or lot coverage in the receiving areas.

# Recommendation 4

## **Accommodate a Required Increase in Building Elevation**

- Building features such as external stairs are not permitted in required setbacks, even if necessitated by elevation of a structure as required by the Flood Hazard regulations.
- The provision of design exceptions would allow for flexibility in the standards when necessitated by the elevation of a structure to comply with the Flood Hazard regulations.

## **Purpose**

- The elevation of structures as required by Flood Hazard regulations requires additional flexibility in the zoning regulations to accommodate features that may otherwise be prohibited by the regulations.

## **Potential Impacts**

- May result in building features such as external stairs being located closer to the roadway or adjacent properties.



# Recommendation 5

## Expand Non-Infringement Area Regulations

- The existing regulations prohibit new construction and substantial improvements within 100 feet of the Coastal Jurisdiction Line. A 100-foot non-infringement area is currently required between all uses and wetlands, streams, ponds, and other significant resources in the GBR-130, RC-120, HI-60 (development abutting the Pawcatuck River). A 50-foot non-infringement area is required between all uses and wetlands, streams, ponds, and other significant resources in the IHRD and NDD.
- This recommendation would expand the requirement of non-infringement areas to other districts across the Town except for districts where development in proximity of waterways is commonplace.

## Purpose

- Expand protections for riparian zones and other waterbodies to better protect those resources, the associated habitats, and water quality of the Long Island Sound. x

## Potential Impacts

- Nearly 1,000 buildings are in the proposed non-infringement areas and would become non-conforming thus limiting expansion of those properties within non-infringement areas. The improvement of existing structures that does not expand ground area coverage within the non-infringement area would be permitted.

# Recommendation 6

## **Require a Setback from the Coastal Jurisdiction Line in all Flood Hazard Areas.**

- The proposed amendment would require a 100-foot setback for all new construction or substantial improvements from the Coastal Jurisdiction Line for properties in the anywhere in the AE flood zone.
- The zoning regulations currently require a 100-foot setback from the Coastal Jurisdiction Line for all new construction or substantial improvements in the VE and Coastal AE zones. Non-coastal AE zones are currently exempt from this requirement.

### **Purpose**

- Protect properties from coastal flood hazards and protect coastal resources from development.

### **Potential Impacts**

- The amendment would render approximately 500 buildings located within 100 feet of the coastal jurisdiction line, that are in inland AE zones, non-conforming with the regulations and would result in limitations on the expansion of those structures.

# Recommendation 7

## **Update the Flood Hazard Overlay District Regulations to Ensure Consistency with State and Federal Guidelines.**

- The Flood Hazard Overlay District regulations are comprehensive but are not up to date with recent changes to state building code and may not be sufficient as currently written to adequately address increased risk posed by a changing climate.
- The recommended amendments build upon the existing Flood Hazard Overlay District and supplement those regulations to ensure consistency with the best practices documented in CT DEEP's 2018 Model Floodplain Management Regulations for Coastal Communities.

### **Purpose**

- Ensure that the zoning regulations require best practices in accordance with both CTDEEP guidance and the National Flood Insurance Program (NFIP) for the purpose of protecting residents and development from flooding hazards.

### **Potential Impacts**

- Places additional requirements on development in flood hazard areas but will not prohibit development that is currently permitted.
- Authorizes and specifies procedures for enforcement, which may result in stricter enforcement of the flood hazard regulations.

# Recommendation 9

## **Update stormwater management standards and relocate technical standards from the regulations to the Town's Technical Standards document.**

- Provides updates to the stormwater management regulations as recommended by the Town's stormwater management plan and based upon best practices established in the 2023 CT Stormwater Quality Manual. Specific technical standards are relocated from the zoning regulations to the Town's Technical Standards document by this amendment.

### **Purpose**

- Bring stormwater standards up to date with best practices as recommended by the Town's Stormwater Management Plan and the 2023 CT Stormwater Quality Manual.

### **Potential Impacts**

- No adverse impacts.



# Recommendation 10

## **Provide more flexibility in the height and location of ground-mounted Small Solar Energy Systems.**

- Small scale solar energy collection systems are a permitted accessory use, but ground mounted systems are limited in height to 15 feet, which restricts their use above parking areas.
- Ground mounted systems are also only allowed to cover 10% of a lot regardless of whether those systems are located above impervious surfaces such as parking lots.
- This recommendation would allow ground mounted systems to be up to 20 feet in height to allow for use over parking areas and allow an increase in coverage if located above parking areas.

### **Purpose**

- Remove barriers to the use of small solar energy collection systems.

### **Potential Impacts**

- The deployment of ground mounted systems of large parking areas may have an adverse visual impact in some contexts.

# Recommendation 11

## **Provide a Sustainability Incentive**

- This recommended amendment would provide a coverage incentive for development that scores above a specified level by providing sustainable features such as:
  - LEED or Regenerative design and construction
  - Tree cover and native planting
  - On-site capture of stormwater, green roofs, gray water use, and pervious pavement
  - On-site solar and other energy efficient systems
  - Electric vehicle charging and bicycle parking
  - Public sidewalks
  - Dark sky compliance

## **Purpose**

- Provide an incentive for sustainable development to conserve resources, reduce stormwater runoff, reduce light pollution, reduce urban heat island effect, and encourage low-carbon forms of transportation.

## **Potential Impacts**

- No adverse impacts

# Recommendation 12

## **Improve protection of trees and require planting of trees.**

- This recommendation seeks to strengthen the requirements for the preservation of trees, replacement of trees, and planting of new trees. It also distinguishes between native tree species and invasive species.

### **Purpose**

- Protect Stonington's tree cover and native trees and provide shade cover over areas of impervious surface to reduce heat-island effects.

### **Potential Impacts**

- Planting of trees adds a marginal amount to development costs and increases maintenance costs (watering of trees, leaf removal, pruning, etc.).



# Recommendation 14

## **Provide a reference to Stonington's Aquifer Protection Area Regulations in the Zoning Regulations and update the Aquifer Protection Area Regulations.**

- This recommendation would provide reference to the Town's Aquifer Protection Area (APA) Regulations in the Zoning Regulations and specify that properties within the APA are subject to those regulations. It also provides recommended updates to the APA regulations.
- This recommendation would also apply the Town's Aquifer Protection Area regulations to the Community Wellhead Protection Area established by the State of Rhode Island.

### **Purpose**

- Improve protection of Stonington's Aquifer Protection Area and the Community Wellhead Protection Area (designated by State of Rhode Island).

### **Potential Impacts**

- No adverse impacts anticipated.

# Recommendation 15

## **Establish lot coverage limits and eliminate FAR standards.**

- This recommendation would eliminate the existing Floor Area Ratio (FAR) standards and replace them with a maximum lot coverage standard.

### **Purpose**

- Regulate the amount of impervious surface on lots to avoid urban heat island effect, maintain rainwater infiltration and groundwater recharge, and minimize stormwater runoff to comply with the Town's stormwater management plan.

### **Potential Impacts**

- May restrict the amount of parking that may be provided on a site.
- Will favor multi-story construction over single-story construction.
- Some properties, particularly those in commercial districts, will become non-conforming with the regulations.

# Recommendation 15

Comm. Zone	Existing FAR	Proposed Coverage Limit
DB-5	0.6	80%
CS-5	0.3	80%
LS-5	.5	80%
GC-60	.25	50%
HI-60	n/a	50%
TC-80	0.75	80%
MC-80	0.25	80%
PV-5	1.5	100%
LI-130	0.25	50%
HM	n/a	80%
M-1	0.3	60%

Res. Zone	Existing FAR	Proposed Coverage Limit
GBR-130	0.04	10%
RC-120	0.04	10%
RR-80	0.10	15%
RA-40	0.15	25%
RM-20	0.15	30%
RM-15	0.20	40%
RH-10	0.25	50%
RA-20	0.15	30%
RA-15	0.20	40%

# Recommendation 16

## **Establish a green roof incentive.**

- This recommendation would allow the use of green roofs to reduce lot coverage across all zoning districts with an established lot coverage limit.

### **Purpose**

- Encourage the development of green roofs to reduce stormwater runoff, reduce energy consumed in cooling structures, and reduce urban heat island effects.

### **Potential Impacts**

- Allows for a higher lot coverage than would otherwise be permitted.



# Recommendation 17

## **Establish a porous, pervious, and permeable pavement incentive.**

- This recommendation would allow the use of porous, pervious, and permeable pavement to reduce lot coverage across all zoning districts with an established lot coverage limit with the goal of reducing stormwater runoff and improving groundwater recharge.

### **Purpose**

- Encourage the installation of porous, pervious, or permeable pavement surfaces to reduce stormwater runoff.

### **Potential Impacts**

- Allows for a higher lot coverage than would otherwise be permitted.



# Next Steps

- The Commission will consider the feedback received at this meeting and written feedback provided in determining which recommendations to advance and how those recommendations may be adjusted.
- The Commission will take action to adopt recommended amendments in 2025.
- A workshop will be conducted for Residential Zoning Districts on Wednesday April 10<sup>th</sup> at 7:00 pm at the Stonington Public Schools Building at 40 Field Street in Pawcatuck.

## APRIL 2024

SUN	MON	TUE	WED	THU	FRI	SAT
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	1	2	3	4

# Questions and Comments

Please direct all questions and comments to:

Clifton Iler, Town Planner

[ciler@stonington-ct.gov](mailto:ciler@stonington-ct.gov)

