

ARTICLE II ZONING USES

Section 26 FORM BASED ZONE¹

FORM-BASED ZONE REGULATIONS

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¹ Repealed and replaced with new version 06/15/2020; effective 07/03/2020

² New, 03/19/2012, effective 03/30/2012

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ARTICLE II

SECTION 26 FORM-BASED ZONE (FBZ)

Section 26.01 General Purpose and Description

26.01.01 Purpose and Intent

The intent of the Form-Based Zone (FBZ) is to:

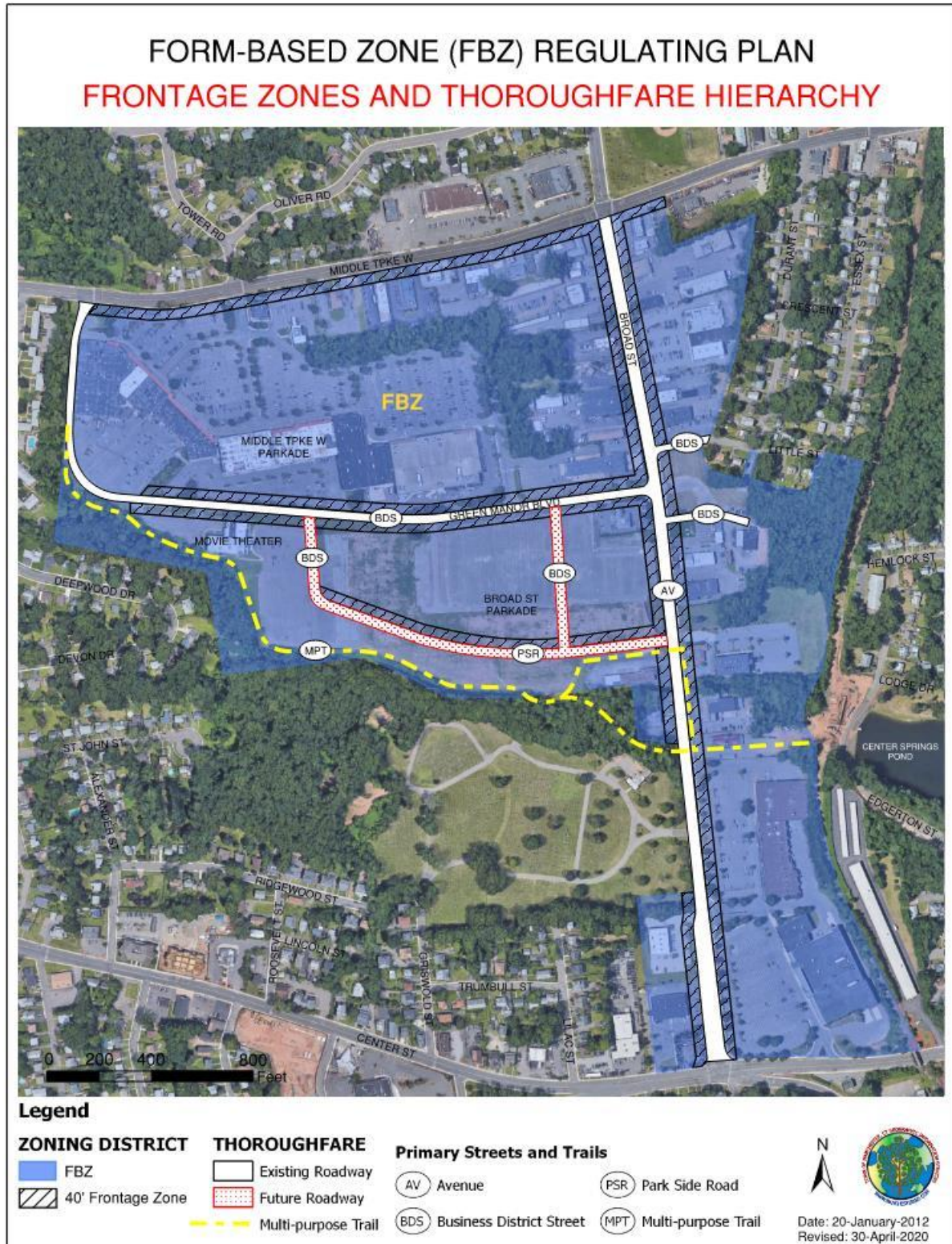
- A. Facilitate an appropriate mix of commercial, residential, entertainment, civic, and recreational uses within a traditional pedestrian oriented development pattern and supported by attractive street designs and building forms;
- B. Create an environment that is comfortable and interesting to local residents and visitors as a place to live, work, play, and socialize;
- C. Coordinate private vehicles, public transit, bicycles, and pedestrians through an intermodal transportation network connecting to open spaces, neighborhoods, employment centers, and areas of activity within the FBZ and surrounding areas;
- D. Protect and expand opportunities for businesses that primarily serve the surrounding neighborhoods and Town of Manchester; and
- E. Encourage flexibility and variety in future development while ensuring high quality materials and appearance of new buildings.

26.01.02 FBZ Regulating Plan

The Form-Based Zone (FBZ) is a mixed use district with distinct Frontage Zones, as depicted on Map 26.01 - Form-Based Zone Regulating Plan.

- A. Mixed Use District – The FBZ is intended to be a higher density mixed-use district with a focus on commercial, entertainment, and residential uses. Commercial uses are varied and include retail stores, entertainment facilities, restaurants, offices and lodging uses as specified in Table 26.04. Residential dwellings are generally in the form of multi-residence structures, part of multiple-use structures, or attached single-family dwellings such as townhouses. Public open space is a significant element in the FBZ, including a possible future multi-use trail and linear park along Bigelow Brook.
- B. Frontage Zones – The area along existing or new Primary and Secondary Streets from the edge of the public right-of-way to a depth of 40 feet is considered the Frontage Zone in the FBZ. Frontage Zones are intended to create a cohesive aesthetic for the district and promote walkability, visitor interest, and community well-being. Permitted uses on the ground floor level within the Frontage Zone are managed according to Table 26.04 so as to provide a variety of easily accessible services to the surrounding community.

Map 26.01 - FORM-BASED ZONE REGULATING PLAN

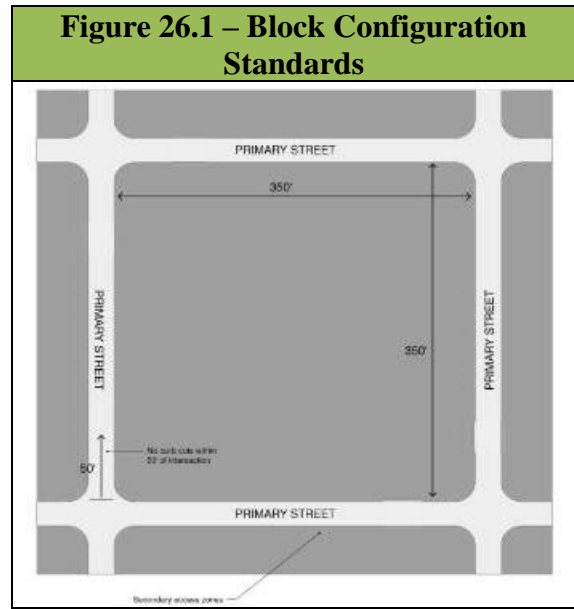


Section 26.02 Blocks and Street Types

26.02.01 Block Development Standards

All development proposals that create new streets and/or blocks shall be designed to the following standards:

- A. The length, width and shape of blocks shall be designed to provide convenient and safe circulation and access for pedestrians and vehicles. Smaller blocks are encouraged to promote walkability.
- B. Block perimeters shall not exceed 1,400 linear feet as measured along the inner edges of each street right-of-way. The typical block face dimension shall not exceed 350 feet by 350 feet and should be repeated throughout the FBZ when possible. Block face may exceed the limit up to 600 feet and the block perimeter may exceed the limit, up to a maximum of 2,000 linear feet, only if one or more of the following conditions apply: the block has at least one block face on a primary street; or the block contains valuable natural features that should not be crossed by a street.
- C. Blocks shall feature mid-block side streets or alleys as prescribed in Section 26.02.02 below.
- D. A block grid design in the FBZ is required with new development to enhance connectivity, distribution, and the pedestrian experience. However, waivers may be granted by the PZC under Section 26.09 - Administration.



26.02.02 Street and Thoroughfare Types

- A. Thoroughfare Types and Location - Specific street and thoroughfare types are allowed within the district as identified on Map 26.01 - Regulating Plan. The alignment of streets and thoroughfares identified on Map 26.01 are approximate and may be realigned on a development site plan. Table 26.01 indicates the thoroughfare types existing and/or permitted in the FBZ. These thoroughfares must comply with the thoroughfare design standards in Figure 26.2.

Table 26.01 - Thoroughfare Types	
Thoroughfare Type	Description
<i>Primary Streets</i>	
Avenue (AV) - Broad Street	A short, axial, local speed-movement thoroughfare suitable for providing frontage for higher density mixed-use buildings such as storefronts, shops, and offices. It is urban in character with raised curbs and storm-drain inlets. Native tree species are planted in opportunistic alignment and confined by individual planters to create a sidewalk of maximum width, with areas accommodating street furniture. Clear trunks or high canopies are necessary to avoid blocking views of storefronts, signage, and awnings. An avenue may be conceived as an elongated square.
Business District Street (BDS)	A local slow-movement thoroughfare suitable for primary streets, providing frontage for higher density mixed-use buildings such as houses, shops, offices and civic uses. It is urban in character with raised curbs, storm-drain inlets, and striped on-street parking. Native tree species are planted in opportunistic alignment and confined by individual planters creating a sidewalk of maximum width, with areas accommodating street furniture. Clear trunks or high canopies are necessary to avoid blocking views of storefronts, signage, and awnings.
Residential Street (RS)	A local thoroughfare suitable for neighborhoods. Streets provide frontage for low to moderate density residential buildings such as single family attached homes, apartment buildings, and rowhouses.
Park Side Road (PSR)	A long and gently meandering thoroughfare running parallel to the Bigelow Brook linear park. This thoroughfare- type should be designed for slow speeds with two travel lanes, on-street parking, and significant tree plantings creating a transitional area between residential frontage on the north side of the parkway and open space on the south.
<i>Secondary Streets</i>	
Access Street (AS)	A narrow vehicular street located mid-block between primary streets for the purpose of accessing the rear of building lots providing service areas, parking access, and utility easements.
Alley (AL)	Alleys are narrow vehicle lanes (one or two-way traffic) used to access vehicle storage areas, dumpsters, and other utility service areas located in the rear portion of a building lot. Alleys may be paved from building face to building face and screened if possible.
<i>Passages and Trails</i>	
Pedestrian Passage (PP)	A pedestrian and bicycle connector that passes between buildings. Passages provide shortcuts through long blocks and connect rear parking with street frontages. Passages may not be roofed over.
Multi-Purpose Trail (MPT)	An independent pedestrian and bicycle way generally running through or parallel with parkways and highways. Paths should connect directly with the sidewalk network.

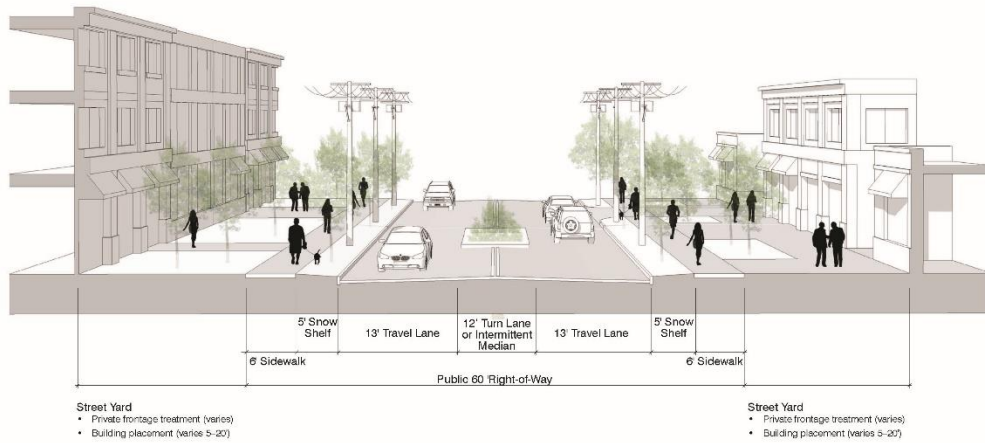
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- B. Street Networks and Connectivity – The FBZ shall have an interconnected network of streets and achieve the following transportation objectives:
- 1) Ability to accommodate existing or anticipated public transit improvements and facilities.
 - 2) The interconnected street network shall extend into adjoining areas except where the general integration with surrounding uses is deemed inappropriate for a particular area. Street stubs shall be provided to adjoining undeveloped areas to accommodate future street connectivity.
 - 3) Proposed streets shall respect topography and designated environmental resources and be modified accordingly to avoid damages to such resources.
 - 4) Sidewalks and rows of street trees must be provided on both sides of all primary streets. To allow healthy tree growth, when street trees will be planted in tree wells or in planting strips narrower than 10 feet, the developer must support the surrounding sidewalk and parking lane with structural soil or provide an equivalent soil volume using a method acceptable to the Town's Tree Warden.
 - 5) Primary Streets may be publicly dedicated or private, but must ensure public access. Closed or gated streets are prohibited.
 - 6) Rear access streets and alleys shall serve as the primary means of vehicular ingress to individual lots in the FBZ. Alley or access street entrances should generally align to provide ease of ingress for service vehicles, but internal deflections or variations in the alley/side street network are encouraged to prevent excessive or monotonous views of the rear of structures resulting from long stretches of alleys or side streets.
- C. Thoroughfare Design Standards – Thoroughfare types shall be designed in accordance with all standards in Figure 26.2. The specific design of each street must follow the cross-sections illustrated in Figure 26.2 for each street type. The right-of-way layout for each thoroughfare type including various combinations of travel lanes, parking aisles, curbing, planting areas, and sidewalks supersede any conflicting standards in the zoning regulations or the Town of Manchester Public Improvement Standards.

FIGURE 26.2 - THOROUGHFARE TYPES AND DESIGN STANDARDS

FIGURE 26.2 - AVENUE (AV) - BROAD STREET TYPE 1

Commercial and mixed-use frontage (varied) and above ground utilities

Cross Section/Perspective View



DESIGN CHARACTERISTICS

Movement	Free Movement
Traffic Lanes	Two- 13 foot
Parking Lanes	N/A
R.O.W Width	60 feet
Pavement Width	38 feet
Traffic Flow	Two ways
Curb Type	Raised granite
Curb Radius	30 feet
Vehicular Design Speed	40 MPH
Road Edge Treatment	Curb
Planter Strip/ Box Width	5 feet
Planter Type	Continuous/snow shelf
Planting Pattern	Intermittent
Tree Type	Selected Street Trees
Utilities	Overhead
Street Light Type	Street Scale Ornamental
Street Light Spacing	40 foot Intervals
Bike Way Type	With flow
Bike Way Width	None
Sidewalk Placement	Both Sides
Sidewalk Width	5 feet public/private extension possible

Plan View

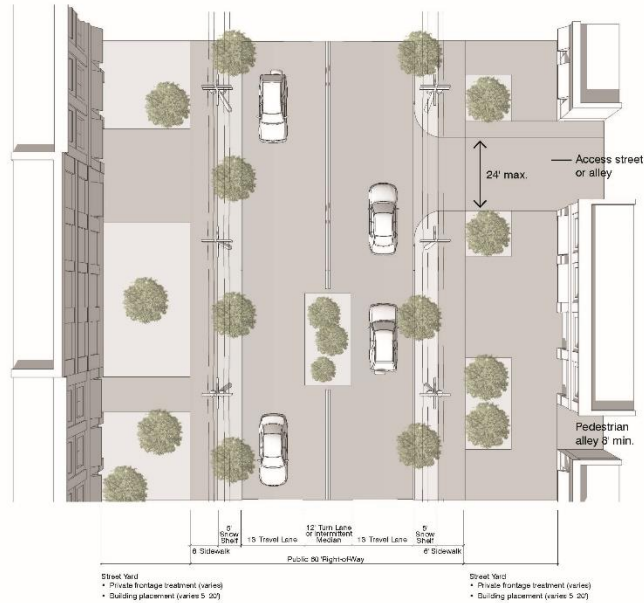
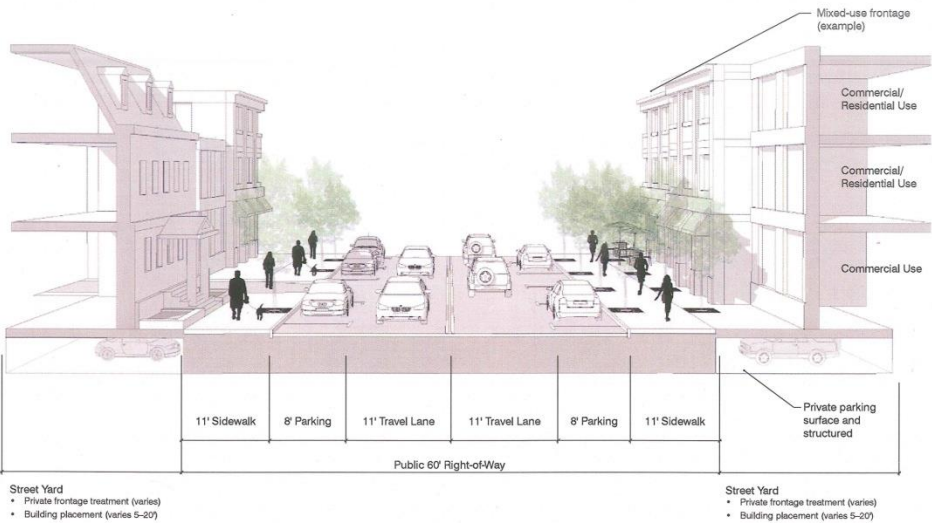


FIGURE 26.2 - BUSINESS DISTRICT (BDS)

Commercial and mixed-use frontages with on-street parking (parallel)

Cross Section/Perspective View



DESIGN CHARACTERISTICS

Movement	Free Movement
Traffic Lanes	Two- 11 foot
Parking Lanes	Both Sides Parallel @ 8 Feet Marked
R.O.W Width	60 feet
Pavement Width	40 feet
Traffic Flow	Two Ways
Curb Type	Raised
Curb Radius	15 feet
Vehicular Design Speed	25 MPH
Road Edge Treatment	Curb
Planter Strip/ Box Width	3 x 3 foot planters with expandable grates
Planter Type	Individual in sidewalk at curb
Planting Pattern	Trees at 40 Feet O.C. Ave.
Tree Type	Selected Street Trees
Utilities	All utilities buried
Street Light Type	Pedestrian Scale Ornamental
Street Light Spacing	40 foot Intervals
Bike Way Type	Not Dedicated; With flow
Bike Way Width	None
Sidewalk Placement	Both Sides
Sidewalk Width	11 feet public/private extension possible

Plan View

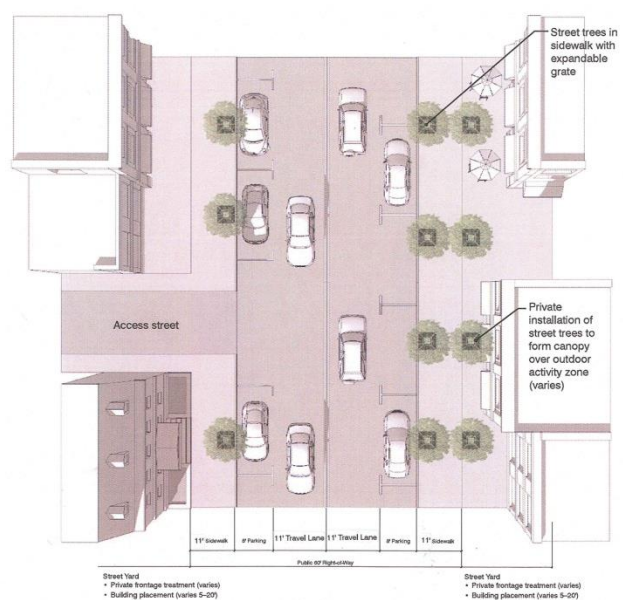
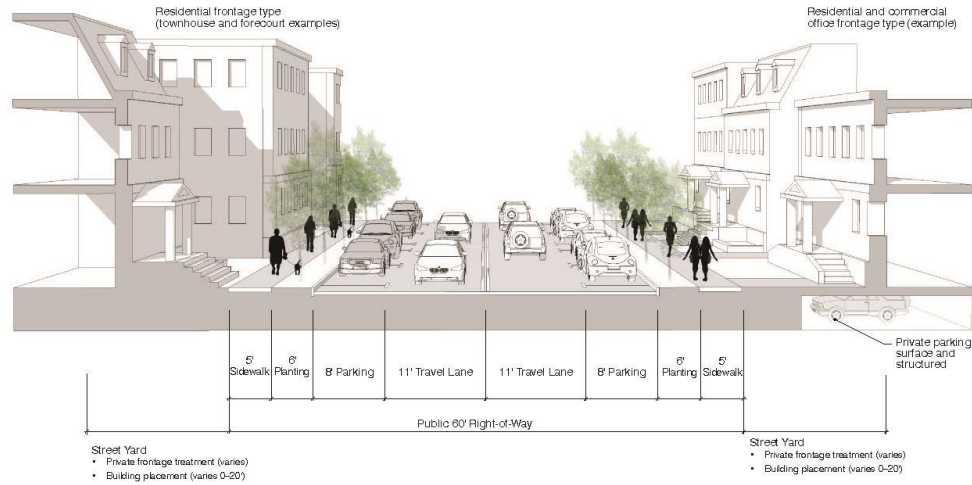


FIGURE 26.2 - RESIDENTIAL STREET (RDS)

Residential and mixed-use (varied) with on-street parking

Cross Section/Perspective View



DESIGN CHARACTERISTICS

Movement	Slow Movement
Traffic Lanes	Two- 11 foot
Parking Lanes	Both Sides Parallel @ 8 Feet Marked
R.O.W Width	60 feet
Pavement Width	40 feet
Traffic Flow	Two Ways
Curb Type	Raised
Curb Radius	15 ft. max.
Vehicular Design Speed	15-25 MPH
Road Edge Treatment	Curb
Planter Strip/Box Width	6 feet
Planter Type	Continuous
Planting Pattern	Trees at 40 Feet O.C. Ave.
Tree Type	Variable species
Utilities	All utilities buried
Street Light Type	Pedestrian Scale Ornamental
Street Light Spacing	40 foot intervals
Bike Way Type	Not Dedicated; With flow
Bike Way Width	None
Sidewalk Placement	Both Sides
Sidewalk Width	5 feet public/private extension possible

Plan View

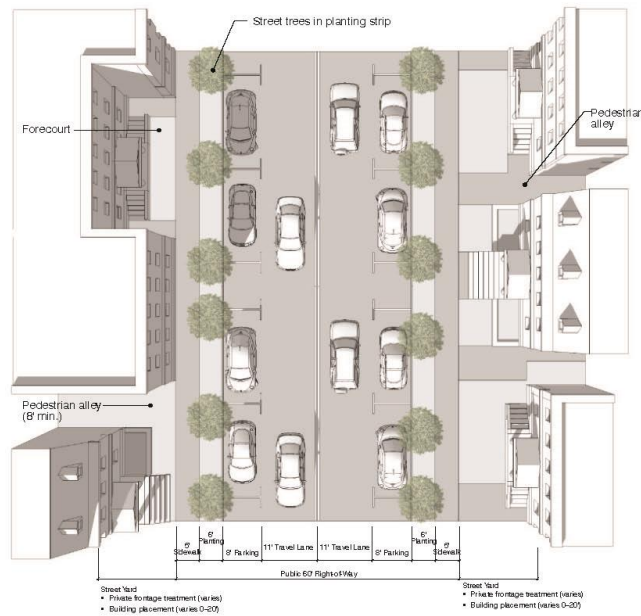
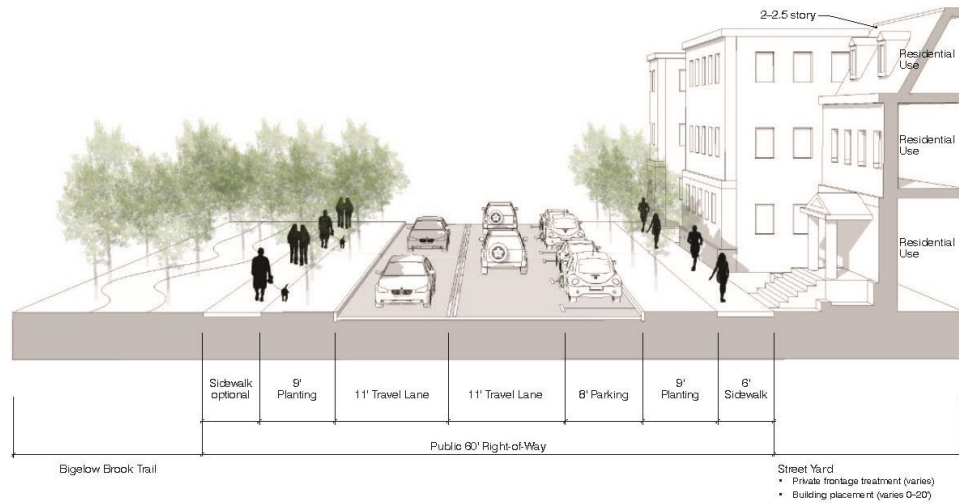


FIGURE 26.2 - PARK SIDE ROAD (PSR)

Residential frontages with on-street parking (one side)

Cross Section/Perspective View



DESIGN CHARACTERISTICS

Movement	Slow Movement
Traffic Lanes	Two- 11 foot
Parking Lanes	North Side Parallel @ 8 Feet Marked
R.O.W Width	60 feet
Pavement Width	32 feet
Traffic Flow	Two Ways
Curb Type	Raised
Curb Radius	15 ft. max.
Vehicular Design Speed	15-25 MPH
Road Edge Treatment	Curb
Planter Strip/ Box Width	9 feet
Planter Type	Continuous
Planting Pattern	Trees at 40 Feet O.C. Ave.
Tree Type	Variable species
Utilities	All utilities buried
Street Light Type	Pedestrian Scale Ornamental
Street Light Spacing	40 foot Intervals
Bike Way Type	Not Dedicated, With flow
Bike Way Width	None
Sidewalk Placement	Both sides north side, park side optimal
Sidewalk Width	6 feet public/private extension possible

Plan View

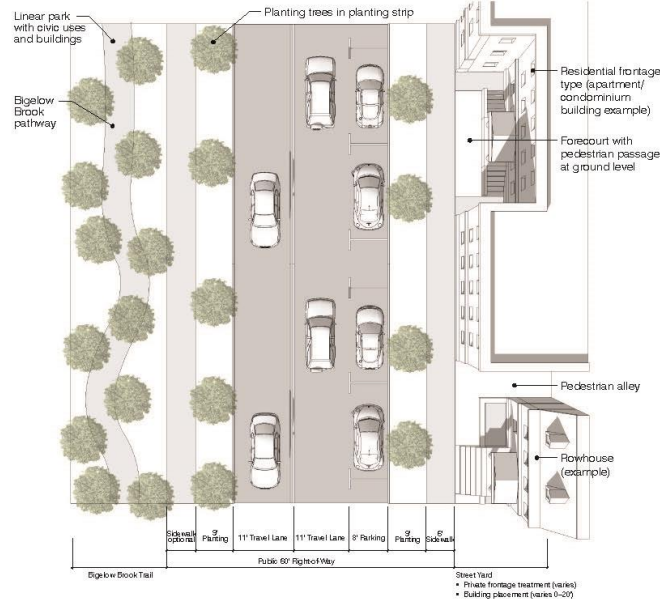
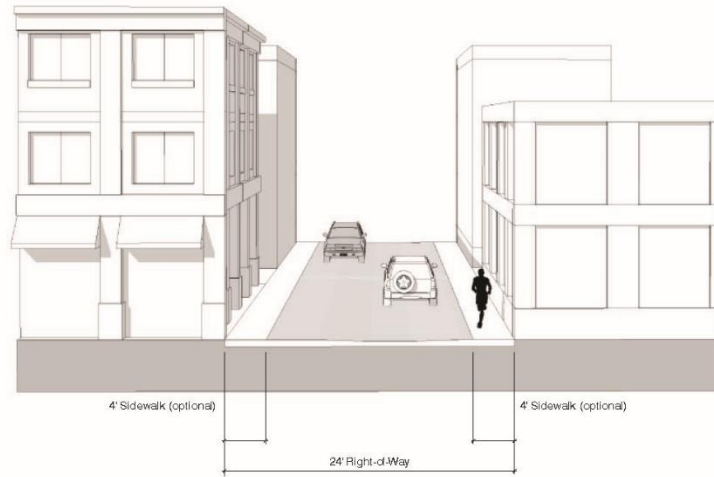


FIGURE 26.2 - ACCESS STREET (AS)

Cross Section/Perspective View



DESIGN CHARACTERISTICS

Movement	Slow Movement
Traffic Lanes	Two- 10-12 foot
Parking Lanes	None
R.O.W Width	24-30 feet
Pavement Width	20-24 feet
Traffic Flow	One Way or Two Way
Curb Type	None
Curb Radius	15 ft. max.
Vehicular Design Speed	15 MPH
Pedestrian Crossing Time	N/A
Road Edge Treatment	Curb or swale
Planter Strip/Box Width	None
Planter Type	None
Planting Pattern	None
Tree Type	None
Utilities	All utilities buried
Street Light Type	Pedestrian scale, ornamental or security lighting
Street Light Spacing	None
Bike Way Type	Not Dedicated; With flow
Bike Way Width	None
Sidewalk Placement	One Side (optional)
Sidewalk Width	4 feet public

Plan View

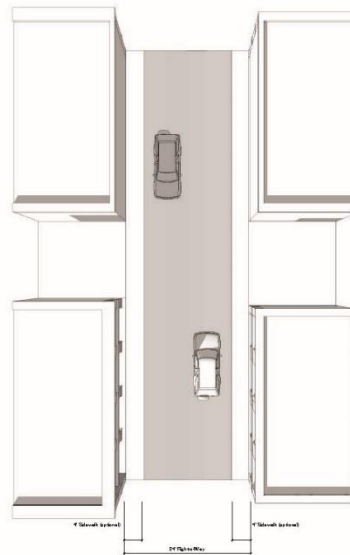


FIGURE 26.2 - ALLEY (AL)

Cross Section/Perspective View



DESIGN CHARACTERISTICS

Movement	Slow Movement
Traffic Lanes	Shared 12'
Parking Lanes	None
R.O.W Width	20 feet
Pavement Width	12 ft. Min./20 ft. Max
Traffic Flow	One Way or Two Way
Curb Type	None
Curb Radius	15 ft. max
Vehicular Design Speed	15 MPH
Pedestrian Crossing Time	N/A
Road Edge Treatment	Curb or swale
Planter Width	None
Planter Type	None
Planting Pattern	None
Tree Type	None
Street Light Type	Pedestrian scale, ornamental or security lighting
Street Light Spacing	None
Bike Way Type	None
Bike Way Width	None
Sidewalks	None
Sidewalk Width	N/A

Plan View



FIGURE 26.2 - PEDESTRIAN PASSAGE (PP)

Cross Section/Perspective View



DESIGN CHARACTERISTICS

Movement	Pedestrian Only
Traffic Lanes	N/A
Parking Lanes	N/A
R.O.W Width	8 ft Min./15 ft. Max
Pavement Width	N/A
Traffic Flow	N/A
Curb Type	N/A
Curb Radius	N/A
Vehicular Design Speed	N/A
Pedestrian Crossing Time	N/A
Road Edge Treatment	N/A
Planter Width	varies
Planter Type	varies
Planting Pattern	Optional/Occasional
Tree Type	Optional/Selected St. Trees
Street Light Type	Ped. Level
Street Light Spacing	None
Bike Way Type	N/A
Bike Way Width	N/A
Sidewalks	One
Sidewalk Width	9-18 ft.

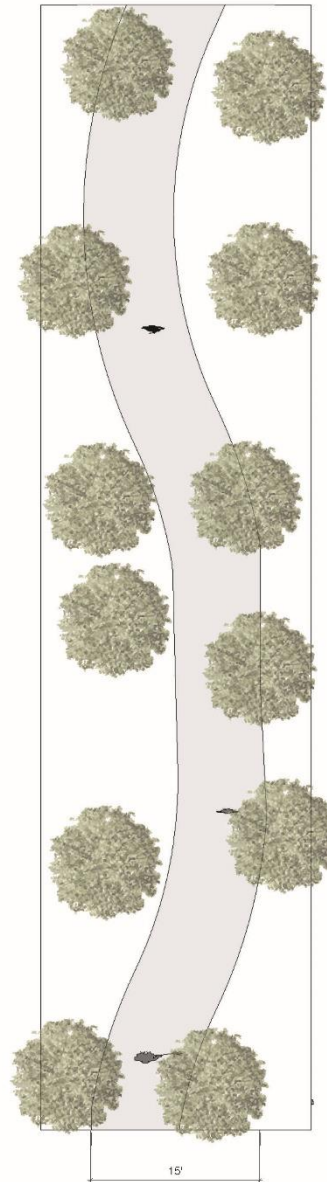
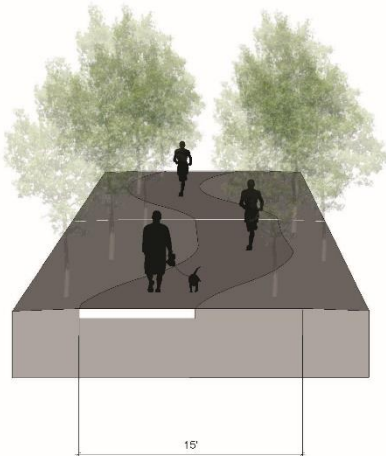
Plan View



FIGURE 26.2 - MULTI-PURPOSE TRAIL (MPT)

Cross Section/Perspective View

Plan View



DESIGN CHARACTERISTICS	
Movement	Slow Movement
R.O.W. Width	15 feet
Pavement Width	8 feet
Traffic Flow	Two Ways
Curb Type	None
Planter Strip/Box Width	None
Planter Type	Continuous
Planting Pattern	Clustered/Irregular
Tree Type	Variable species
Utilities	All utilities buried
Street Light Type	Pedestrian Scale Ornamental
Street Light Spacing	30 foot Intervals
Bike Way Type	Shared-use sidewalk
Bike Way Width	8 feet
Sidewalk Placement	Varies
Sidewalk Width	8 feet public/private extension possible

- D. Dead-End Streets - Dead-end streets are not permitted except where specially authorized in Section 26.09.04 F - Alternative Compliance.
- E. Additional Street Types – Additional street and trail types are permitted as authorized in Section 26.09.04 E – Alternative Compliance.

26.02.03 Removed

Section 26.03 Building Lot Types and Dimensional Standards

26.03.01 Building and Lot Types in the FBZ

- A. Placement of Buildings on Each Lot Type - Specific building lot types are allowed within the FBZ as identified in Table 26.03. There are a total of six (6) building lot types prescribed for the district. The various lot types and proper building placement for each lot type are illustrated in Figure 26.3. Some of the dimensional requirements from Table 26.03 are shown on each diagram. Character examples are provided for each lot type for illustrative purposes only; the dimensions in Table 26.03 control for regulatory purposes. Except as noted, parking spaces are provided on-street, to the rear of the lot, or as otherwise provided in Section 26.07 - Parking.
- B. Sideyard Building Placement – Certain types of buildings may occupy one side of the lot oriented toward the street with the setback to the other side. This placement alternative permits vehicle and pedestrian access to the rear of the lot through the side yard. It may also allow for systematic climatic orientation in response to the sun or the wind. On-site parking is located to the side or rear of the primary building. All Lot Types allow for sideyard placement except Multi-Residence Buildings.
- C. Full Frontage Building Placement – Certain types of buildings may occupy the full frontage, leaving the rear of the lot as the sole yard. This continuous building façade defines the public street. The rear elevations may be articulated for functional purposes such as for customer access from parking lots. In its residential form, this building placement type is the Rowhouse. The rear yard can accommodate on-site parking and open space. All Lot Types allow for full frontage placement except Multi-Residence Buildings.
- D. Streetyard Building Setback - Certain types of buildings may be set back from the street yard to create a sense of prominence. In the FBZ, street yards should be prominent for certain types of institutional and civic buildings. Street yard setbacks are also permitted for Multi-Residence Buildings. Commercial buildings with street yard setbacks shall utilize the space as permitted in the Outdoor Activity Zone under Section 26.03.02 B.
- E. Lot Types Along Streets - Lot types shall be selected so that buildings of similar scale and arrangement will be placed on both sides of a street. Contrasting lot types may be placed back-to-back, allowing alleys or side streets to serve as transitions.
- F. Additional Lot Types - Additional building lot types are not permitted except where specially authorized in Section 26.09.04 C.

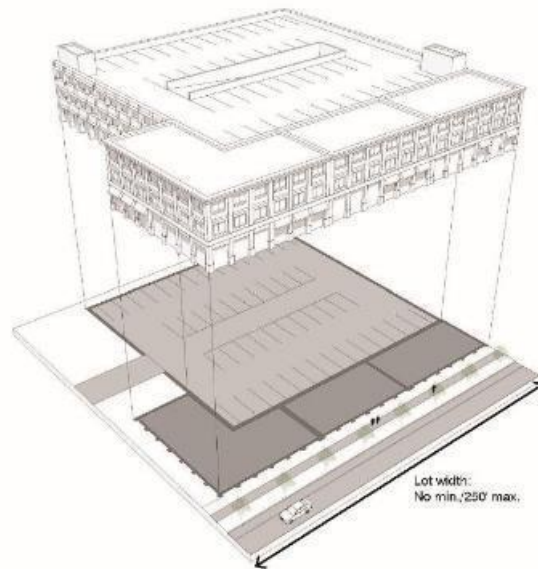
FIGURE 26.3 – GENERAL BUILDING PLACEMENT AND LOT LAYOUT STANDARDS

FIGURE 26.3- GENERAL BUILDING PLACEMENT AND LOT LAYOUT STANDARDS

Liner Building Lot

A lot located and designed to accommodate a large footprint commercial and mixed use building. Large commercial formats include such uses as a cinema, grocery store, and larger retail uses. Large format uses are integrated into a liner building which conceals large expanses of blank walls and faces from the street with ample windows and doors opening onto the sidewalk. Liner buildings are also used to screen large parking lots or structures.

Character Examples:



Mixed Use Building Lot

A lot located and designed to accommodate offices or multiple dwellings on upper stories and/or various commercial uses on the ground floor level.

Character Examples:

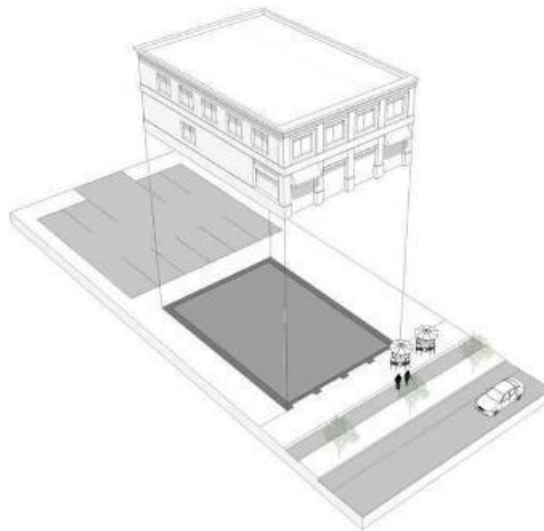
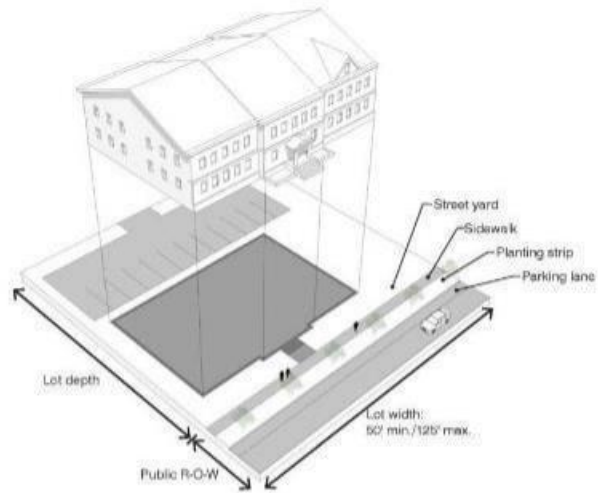


FIGURE 26.3 - GENERAL BUILDING PLACEMENT AND LOT LAYOUT STANDARDS

Multi-Residence Building Lot

A lot located and designed to accommodate multiple dwellings above or beside each other in a building that occupies most of its lot width and is placed close to the sidewalk. This may include apartment and condominium building types with common access areas

Character Examples:



Live-Work Unit Building Lot

A lot located and designed to accommodate an attached or detached building with residential uses, commercial uses, or a combination of the two within individually occupied live-work units, all of which may occupy any story of the building.

Character Examples:

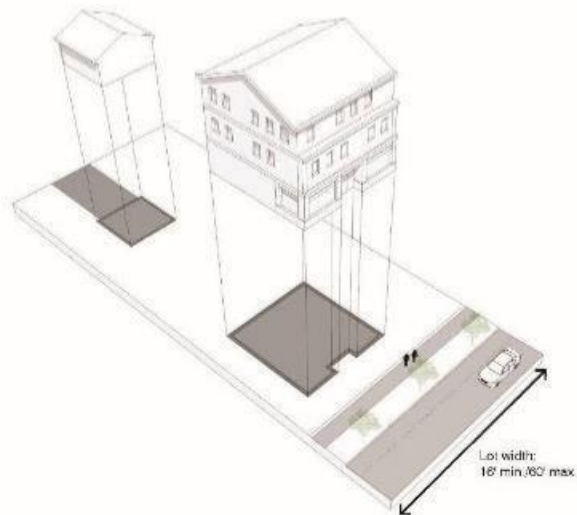
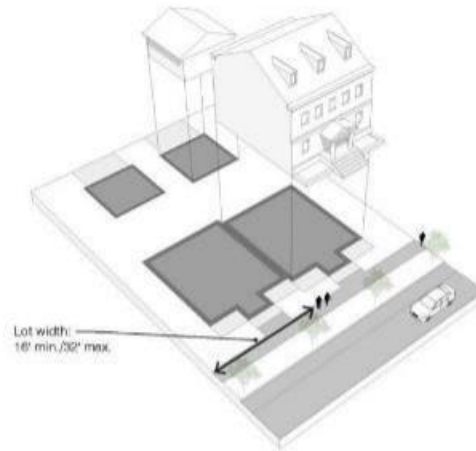
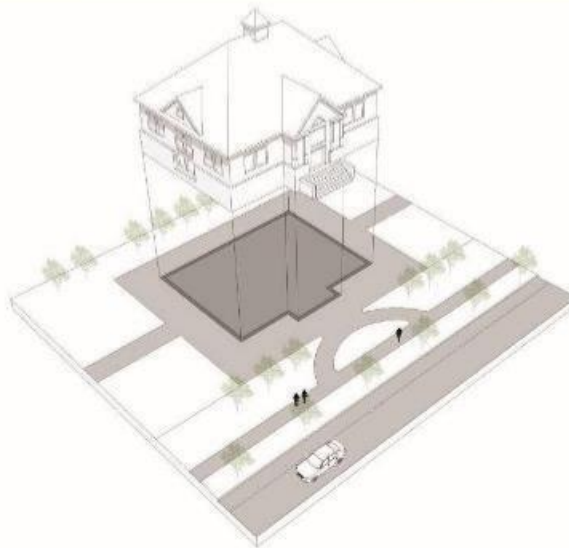


FIGURE 26.3 - GENERAL BUILDING PLACEMENT AND LOT LAYOUT STANDARDS**Rowhouse Building Lot**

A lot located and designed to accommodate a building with common walls on both side lot lines and an enclosed private yard or garden space to the rear. The primary access faces the street/yard and is elevated above the sidewalk with a stoop, porch or landing.

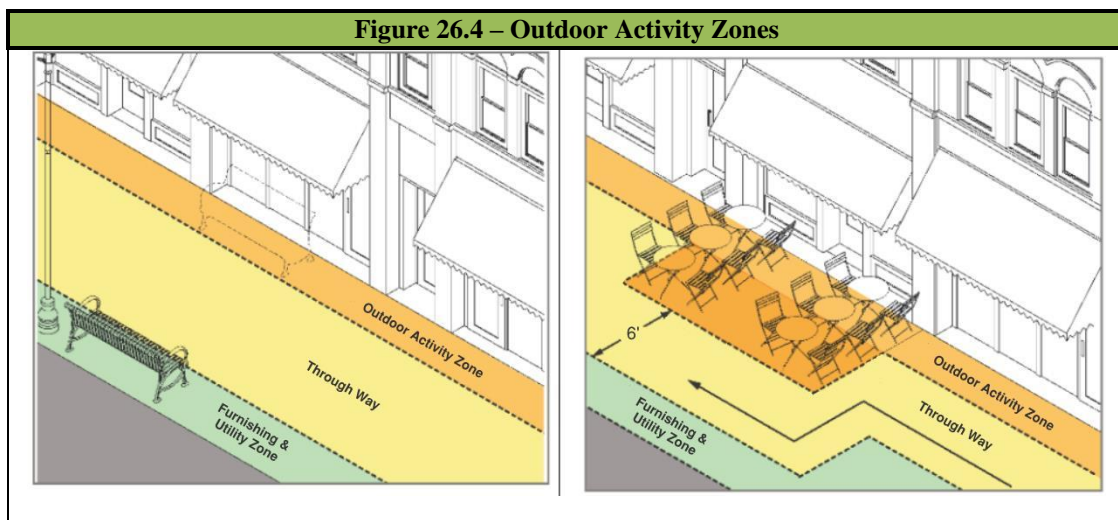
Character Examples:**Civic Space and Building Lot**

A lot located and designed to accommodate open space and buildings containing public or civic uses such as community center, education, places of worship, active and passive recreational facilities, and similar civic uses. Open spaces may be a green, square, plaza, park, playground, community garden, above-ground stormwater management area, or natural area worthy of preservation.

Character Examples:

26.03.02 Uses of Yards and Setbacks

- A. Purpose and Intent: The purpose of the required building setbacks is to promote streetscapes consistent with the desired character of the FBZ. Active uses of setback areas will only be permitted for pedestrian access, outdoor accessory uses, or to facilitate access to rear of the lot for parking and loading. No parking is allowed in the street yard or any Frontage Zone. Site plans shall demonstrate that the setback area accomplishes these objectives and creates an inviting environment for pedestrians. Where rear yard setbacks are required, site plans will demonstrate that appropriate screening is provided (i.e. trees, shrubbery and fencing as needed).
- B. Outdoor Activity Zones: Outdoor activities shall be allowed and are encouraged where applicable as accessory uses to adjacent restaurant and entertainment uses. Outdoor Activity Zones are allowed within street yard and side yard areas on private lots. Outdoor dining areas shall be attractively designed and furnished to enhance the pedestrian environment. Outdoor dining areas may be extended onto public sidewalk with a Special Exception from the Planning and Zoning Commission (PZC) where a minimum of six (6) feet of unobstructed passage remains for pedestrian use, as shown in Figure 26.4.



- C. Outdoor Display: Outdoor display of products actively available for sale is permitted in association with any permitted nonresidential principal ground floor use in accordance with the following provisions:
- 1) Outdoor display shall occupy no more than 30% of the horizontal length of the building facade.
 - 2) Outdoor display shall only be located within the street setback area.
 - 3) Outdoor display shall be removed and placed inside a fully-enclosed building at the end of each business day.
 - 4) Outdoor display shall not impair the ability of pedestrians to use the sidewalk or the sightline for vehicular access from adjacent streets or alleys.

26.03.03 Table of Site and Building Dimensional Standards

Table 26.03 establishes the lot, bulk, height, and setback ranges and requirements for the Form-Based Zone. The table provides dimensional requirements that apply to all designated lot types.

Table 26.03 - Building Lot Dimensional Standards								
Building Lot Type	Lot Area	Lot Width	Frontage Occupation	Lot Coverage	Yards ⁽¹⁾			Height ⁽⁴⁾
	Min. / Max.	Min. / Max.	Min.	Max.	Street	Side ⁽²⁾	Rear ⁽³⁾	Min. / Max. in Stories ⁽⁵⁾
	(in Sq. Ft.)	(in Linear Ft.)	(Percentage)	(by all buildings)	(in Feet)	(in Feet)	(in Feet)	(Max. in Feet)
Liner Building Lot (LBL)	No Min. / No Max.	No Min. / 250	75%	100%	5/20	0	0	1/4 - 48' ⁽⁷⁾
Mixed-Use Building Lot (MUBL)	No Min. / No Max.	No Min. / 250	75%	100%	5/20	0	0	1/4 - 48'
Multiple Residence Building Lot (MRBL)	4,000 / No Max.	No Min. / 250	75%	100%	5/20	0	0	2/5 - 52'
Live-Work Building Lot (LWL)	2,000 / 7,500	16 / 60	75%	80%	5/10	0	15	2/3 - 45'
Rowhouse Lot (RHL)	2,000 / 4,000	16 / 32	75%	80%	5/10	0	15	2/3 - 45'
Civic Space and Building Lot (CSBL)	No Min. / No Max.	No Min. / No Max.	N/A ⁽⁶⁾	N/A	N/A	N/A	N/A	1/2 - 36'

(1) See Section 26.03.02 for Uses of Yards and Setbacks

(2) One side yard must be 10 feet minimum; the opposite side yard may be 0 feet if the adjacent lot provides a maintenance easement, otherwise the opposite side yard must be 3 feet minimum.

(3) Minimum rear yards apply to lots with alleys or side streets and to lots with neither alleys nor side streets; rear yards do not apply to through lots or to double-frontage lots; Minimum rear yards in this column apply to principal buildings. When alleys or side streets are provided, garages must have one wall constructed to maintain a 3 feet rear yard (minimum and maximum).

(4) Buildings must comply with both maximum heights, as measured in stories and in feet; One (1) story buildings must have a minimum front elevation of 18 feet; (Mezzanines that exceed the percentage of floor area for a mezzanine defined in the Connecticut Building Code are counted as a story for the purpose of measuring height.) Space within a roofline that is entirely non-habitable is not counted as a story.

(5) Above the third story, buildings must be setback or stepped back from all Primary Streets in accordance with the requirements of Section 26.05.03.I.2.

(6) N/A = Not Applicable

(7) One (1) story commercial liner buildings must have a front façade elevation of at least 18 feet facing the street yard.

Section 26.04 Allowable Building and Lot Uses

26.04 Table of Allowable Uses

Table 26.04 below establishes the uses that are permitted by right (■) and by special exception (SE) in the Form-Based Zone (FBZ). Within Frontage Zones as indicated on Map 26.01, certain uses denoted by a (GFL) on Table 26.04 are allowed above the ground floor only, with the exception that uses denoted by a (GFL) may occur on the first floor in the rear portion of such a building only when, at a minimum, the first forty (40) feet of ground floor building space fronting on a Primary Street (including Broad Street and Green Manor Blvd) is occupied by a permitted principal ground floor use as illustrated in Figure 26.5 below. In this case a Primary Street entrance to the use or uses at the rear of the building is allowed. The PZC may grant an exception to this requirement under the Special Exception procedures and criteria in Section 26.09 - Administration.

Table 26.04 - Allowable Uses in the FBZ		
	DISTRICT	FRONTAGE ZONE
RESIDENTIAL USES		
Accessory Apartment Unit	■	■ GFL
<i>Functional Standards:</i>	Accessory Dwelling Units are exempt from dimensional requirements in Table 26.03	
Live/Work Quarters (See Article 4, Section 21)	■	■ GFL
<i>Functional Standards:</i>	Work activities shall not adversely impact the public health, safety, and welfare, or the livability, functioning, and appearance of adjacent property.	
	Artist's Loft or Live/Work Unit may be used in combination with an Art Gallery (See definition and functional standards below).	
	The sale of products can only be made by the resident artist and include only products made on site unless classified as Arts & Craft Shop and an Art Gallery. A special exception is required for on-site sales if the designated sales space is not at ground level and accessible to the public directly from the sidewalk.	
Townhouse & Rowhouses (attached single-family dwelling)	■	■ GFL
<i>Functional Standards:</i>	<u>Access</u> - Only one direct vehicular access from the street on which the development is fronting will be allowed to service all dwelling units attached. In no case shall a driveway serve less than three (3) attached dwelling units. All driveways serving townhouses shall be privately owned and maintained.	
	<u>Connected Units</u> - Each townhouse or rowhouse project shall consist of buildings of connected units. There shall be at least three (3), and no more than nine (9), connected units in each building.	
	<u>Yards</u> - Each townhouse lot shall include a private yard meeting the minimum district requirements for open space. Street Yards shall be enclosed with a semi-opaque fence and properly landscaped in accordance with Section 26.08.08. Side and rear yards shall be enclosed by a wall or solid fence, not less than six (6) feet in height, along the side and rear lot lines where private yards adjoin and where public or private streets adjoin.	

Table 26.04 - Allowable Uses in the FBZ		
	DISTRICT	FRONTAGE ZONE
	<u>Design Standards</u> - Changes in plane and height, and the inclusion of elements such as balconies, porches, arcades, dormers, and cross gables shall be integrated into the design to enhance aesthetic qualities. Variations in wall and rooflines shall be used to reduce the massing of buildings. Roof features shall be in scale with the building's mass and complement the character of adjoining and/or adjacent buildings and neighborhoods.	
Multi-Residence Building	■	■ GFSE
Functional Standards:	<u>Dwelling Types</u> – Multi-residence buildings in the FBZ may include a variety of different building types and dwelling forms	
	<u>On-Site Services</u> – Retirement, assisted living, congregate housing, graduated care and similar facilities may include the provision of services such as meal services, transportation, housekeeping, personal care, or health care. A Co-housing ownership building may have common kitchen, work space, recreational, and public gathering spaces available to residents.	
	<u>Lot Size</u> - The minimum lot area shall be 12,000 sq. ft. or 1,000 sq. ft. multiplied by the number of sleeping rooms, whichever is greater.	
	<u>Unit Variation</u> - No more than 70% of the total number of dwelling units shall be of any one type as defined by the number of bedrooms.	
	<u>Building Space</u> - Each building shall be separated from other such buildings by a minimum of twenty (20) feet, and have no fewer than three (3) dwelling units.	
	<u>Setbacks</u> - A perimeter green space of not less than ten (10) feet in width shall be provided, such space to be planted and maintained as green area and to be broken only by a driveway and/or entry walk.	
	<u>Open Space</u> - Landscaped or natural open space areas shall include: a) those portions of the lot devoted to plantings, including lawns and grass areas, and b) wooded land, and pedestrian-oriented paved or unpaved areas devoted to social or recreational use in common by the residents of the building or complex provided that such areas are kept essentially open to the out-of-doors and are at ground level.	
Mixed-Use Building	■	■
Functional Standards:	<u>Residential Access</u> - There shall be no dwelling units, nor portions thereof other than entries thereto as required, on the first floor in Frontage Zones without Special Exception approval. No more than ten percent (10%) of the gross floor area on the first floor shall be associated with or incidental to, whether for storage or other purposes, the residential uses on upper floors. Residential uses are permitted on the ground floor outside the Frontage Zone in accordance with the requirements of Section 26.04.02.	
	<u>Percent of Uses</u> - New construction must include at least 33% residential uses of total square footage and a minimum of a two (2)-story building.	
LODGING		
Hotel	SE	SE
Functional Standards:	<u>Secondary Uses</u> - Hotels may include a restaurant along with guest-related retail and consumer services as accessory uses. Convention or Conference Centers may be accessory to Hotels.	
Inn (up to 12 rooms)	SE	SE

Table 26.04 - Allowable Uses in the FBZ		
	DISTRICT	FRONTAGE ZONE
<i>Functional Standards:</i>	The PZC may allow a restaurant as a second principal use, along with lodging related consumer services as accessory uses, under a special exception for an Inn.	
OFFICE USES		
Back Office Business or Professional Support Services	■	■
Clinic, Dental or Medical	■	■
<i>Functional Standards:</i>	Sales - The sale of merchandise is allowed as an accessory use.	
Professional Office	■	■
INSTITUTIONAL AND PUBLIC USES		
Adult Day Care Center	SE	SE-GFL
<i>Functional Standards:</i>	In accordance with Article IV, Section 18	
Child Day Care Centers & Group Day Care Homes	SE	SE-GFL
Educational Institutions – General	SE	SE-GFL
<i>Functional Standards:</i>	In accordance with special requirements under Article II, Section 9.14.04	
Places of Worship	SE	?
<i>Functional Standards:</i>	In accordance with special requirements under Article II, Section 9.14.04	
Library	■	■
Public Recreational Facility	■	■
Fraternal or Social Organization, Lodge or Club	■	■
<i>Functional Standards:</i>	<u>Membership</u> - Operated for members or employees only, where the chief activity is one not customarily conducted as a gainful business.	
Government Administration Use or Building	■	■
<i>Functional Standards:</i>	<u>Limitation of Uses</u> - Only office and services allowed.	
Convention or Conference Center	■	■
Art Gallery	■	■
Museum	■	■
Performing Arts Facility	■	■
RETAIL BUSINESS AND CONSUMER SERVICE USES		
Retail Establishments		
Retail Store – up to 5,000 gross s. f.	■	■
<i>Functional Standards:</i>	In the FBZ General Retail Stores shall exclude bulk retail sales, garden materials or equipment (for example, lumber, electrical and heating fixtures, plant nurseries); and motor vehicle retail or wholesale sales and related equipment sales, leasing, rental, or repair.	
Retail Store – Greater than 5,000 gross s. f.	SE	SE

Table 26.04 - Allowable Uses in the FBZ		
	DISTRICT	FRONTAGE ZONE
<i>Functional Standards:</i>	Same as above	
Arts & Crafts Store	■	■
<i>Functional Standards:</i>	All work and storage to be conducted within a building.	
Convenience Store	■	■
<i>Functional Standards:</i>	May be used in combination with gas stations where permitted. (See below)	
	Illumination of the store shall be limited to hours of operation, except for purposes of security.	
	For the sale of prepared and packaged food or beverage. Display & sales to be primarily conducted within the building.	
Personal Care Services		
Personal Services Establishments	■	■
Laundry or dry-cleaning shop, or self-service dry-cleaning or laundry	SE	SE
<i>Functional Standards:</i>	Laundry and dry-cleaning shop where laundry is cleaned and processed off-site and not within the FBZ.	
Food Services		
Restaurant, Cafes, Taverns, Grills or Similar Eating Places including those with shared kitchens	■	■
<i>Functional Standards:</i>	No drive through facilities or services are permitted in the FBZ.	
Alcoholic Liquor Sales	■	■
General Food Service Store	■	■
Refreshment Stand	■	■
<i>Functional Standards:</i>	A place where patrons can purchase snacks, refreshments or food at a cinema, fair, sporting or entertainment venue.	
Consumer Services		
Indoor Entertainment	■	■
<i>Functional Standards:</i>	In the FBZ, Indoor Entertainment may include arcades, pool halls, dance clubs, night clubs, movie theaters, live performance venues, and similar uses as determined by the PZC.	
	Permitted only if determined to be compatible with the intent of said district and the uses allowable therein.	
Private Recreational Facility	■	■
<i>Functional Standards:</i>	Any structure shall be solely accessory to the operation of the outdoor recreation activities.	
Radio & Television Broadcasting Studio	■	■
General Repair Services	■	■
<i>Functional Standards:</i>	All work and storage to be conducted within a building.	
Financial & Real Estate Services	■	■
<i>Functional Standards:</i>	Drive-Thru ATMs are not permitted in the FBZ District.	

Table 26.04 - Allowable Uses in the FBZ		
	DISTRICT	FRONTAGE ZONE
INDUSTRIAL TRADES AND RESEARCH USES		
Trade School	SE	SE-GFL
Trade Services	SE	SE-GFL
<i>Functional Standards:</i>	All trade shop operations shall undertake all reasonable measures to prevent noise, vibration, dust, fumes or odors from creating a disturbance or nuisance beyond the limits of the establishment. No operations shall be allowed which are hazardous by reason of potential fire, explosion, radiation, or similar hazard.	
Research and Development Facility	SE	SE-GFL
<i>Functional Standards:</i>	The PZC may grant a Special Exception for a research and development use, provided that it consists only of office or similar uses. All storage of materials and equipment shall be indoors and screened from public view. No operation shall create noise, vibration, dust, fumes, or odors that are a nuisance beyond the lot line, and further no operations shall be hazardous by reasons of potential fire, explosion, or radiation. No research or testing to be conducted outdoors unless a special exception is granted for this purpose.	
MOTOR VEHICLE RELATED USES		
Packaging & Delivery Services	■	■
<i>Functional Standards:</i>	It shall not include the bulk storage of parcels on-site but may include the sale of ancillary goods typically used in the packaging and shipping of parcels.	
Automated Banking Facility (ATM)	■	■?
<i>Functional Standards:</i>	Walk-up ATM machines are permitted in all Frontage Zones by Special Exception. Banks allowed as a primary use may seek a special exception from the PZC to construct and operate a drive-through window. No drive-through windows shall be permitted in a Frontage Zone.	
EXTENSIVE AND ACCESSORY USES		
Farmstand or Farmers Market	■	■
<i>Functional Standards:</i>	Allowed as an accessory use on all private lots and on public civic lots with permit from the Town.	
Public Parking Lot or Structure	■	■
<i>Functional Standards:</i>	See Section 26.07 - Off-Street Parking and Loading Standards	
Home Occupation	■	■
<i>Functional Standards:</i>	Permitted in apartment flats, condominium units, artist lofts, live/work units and rowhouses.	
Outdoor Theater	SE	SE
<i>Functional Standards:</i>	Permitted on publicly or privately owned civic lots	
Wireless Telecommunication Antennas	■	■
<i>Functional Standards:</i>	To be located on nonresidential buildings and camouflaged from view from all surrounding streets and driveways used by the general public together with associated equipment located within or on the roof of the principal or accessory buildings. All facilities described above shall be in accordance with the requirements of Article IV, Section 19.	

Table 26.04 - Allowable Uses in the FBZ		
	DISTRICT	FRONTAGE ZONE
Auction Gallery	SE	SE
Commercial Greenhouse, Indoor Agriculture including Horticulture, Hydroponics and Aquaponics	■	SE
Outdoor Entertainment ³	SE	SE
<i>Functional Standards:</i>	(a) To the extent possible, sound amplification and light equipment is oriented in a manner that directs the sound and light away from abutting properties, and buffering is provided to mitigate noise and light trespass; (b) Outdoor entertainment shall start no earlier than 11 AM and shall cease no later than 10 PM; (c) The Planning and Zoning Commission may impose additional requirements regarding buffering and days and hours of operation in cases when the site on which the outdoor entertainment is proposed is located within 200 feet of a residential property, place of worship, or school.	

Allowable Uses

■ = Permitted by Right

SE = Allowed by Special Exception from the PZC

Ground Floor Limitations

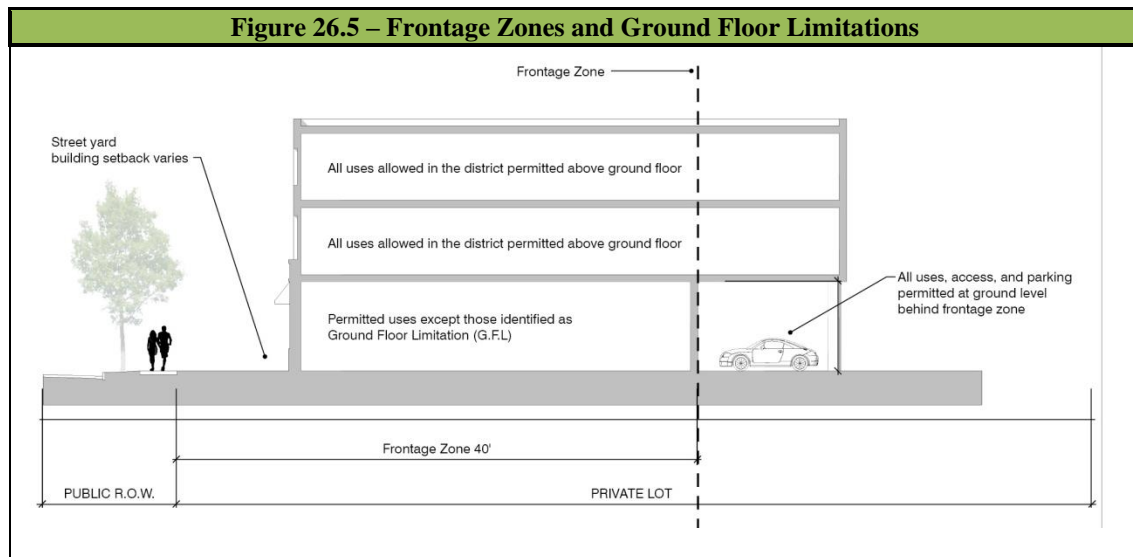
GFL = See Ground Floor Limitation required in Section 26.04.03

GFSE = Ground Floor use allowed by Special Exception from the PZC

³ New 02/13/17, effective 03/01/17

26.04.02 Frontage Zones

There are Frontage Zones shown on Map 26.01 Regulating Plan. Each Frontage Zone includes the contiguous land area along existing or new streets from the edge of the public right-of-way to a depth of 40 feet as illustrated on Figure 26.5 below. Within the Frontage Zones specific uses are permitted on the ground floor. Other uses are permitted but only above the ground floor (referred to as Ground Floor Limitations) as defined in Table 26.04 – Allowable Uses in the FBZ above.



26.04.03 Ground Floor Limitations (GFL)

Within FBZ Frontage Zones certain uses are denoted by a “GFL” on Table 26.04 - Allowable Uses. These uses shall not occupy the ground floor in the portion of a building within the forty (40) feet of lot depth measured from the public right-of-way on a Primary and Secondary Street. These uses may be located in the upper floors within the Frontage Zone and at ground level at more than 40 feet in lot depth and outside the Frontage Zone as illustrated in Figure 26.5 above. Street entrances may be allowed to GFL uses above the ground floor within the Frontage Zone or at the side or rear of the building beyond the Frontage Zone. The PZC may grant an exception to GFL use restrictions for those uses denoted by “GFSE” on Table 26.04.

26.04.04 Permitted Accessory Uses

- A. Live Entertainment and/or Dancing - Allowed as an accessory use to a full service food establishment, subject to the following:
 - 1) Food is served to customers at tables by waitpersons.
 - 2) Bar seats do not exceed 20% of total restaurant seats.
 - 3) Any dance floor area shall not exceed 500 sq. ft., or 10% of the floor area of the restaurant, whichever is less.
- B. Automated Teller Machines (ATM) – Automated banking facilities shall be in compliance with the requirements of Table 26.04 and Section 26.09 - Administration.

- C. Outdoor Seating and Dining Area – Allowed as an accessory use and in compliance with Section 26.03.02 - Uses of Yards and Setbacks.
- D. Other Accessory Uses - Accessory uses and structures not listed in Table 26.04 are regulated in the same manner as the Manchester zoning regulations would otherwise provide for each permitted use.

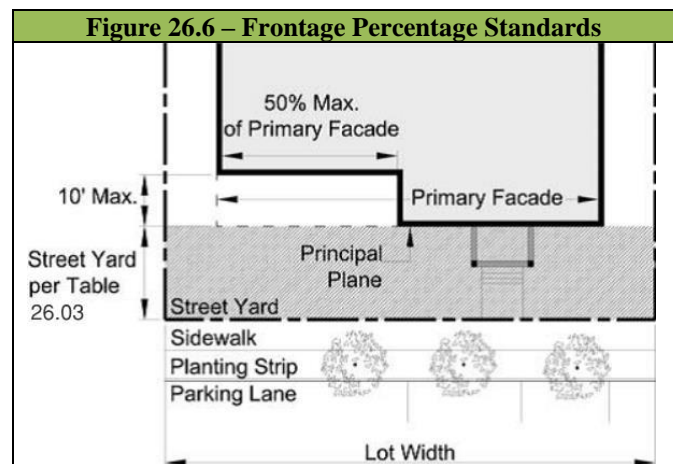
Section 26.05 Development Standards for Individual Lots and Buildings

26.05.01 General Development and Design Principles

This section is intended to guide development of site and building design. These principles and standards are intended to encourage creativity, invention or innovation. There is no official architectural or aesthetic style for a series of general development principles and standards that apply to all actions reviewable under this section.

26.05.02 General Lot Development Standards

- A. Appearance of a Development Lot - The character, layout and general composition of the lot, including but not limited to the type, color and texture of materials used in plantings, paving, lighting, furnishing, signage, utility structures and all other appurtenant elements should harmonize with the building design.
- B. Frontage Occupation Percentages - Frontage occupation percentage is the percentage of the width of a lot that is required to be occupied by its building's primary facade. Table 26.03 provides minimum frontage occupation percentages for each lot type.
- 1) Up to 50% of the width of the primary facade shall be counted as meeting the frontage percentage requirement even though it may be set back up to 10 feet further from the street than the primary facade's principal plane.
 - 2) The location of the primary facade's principal plane is not changed by facade extensions such as bay windows, awnings, porches, balconies, stoops, colonnades, or arcades, or by upper stories that are set back further from the street.
 - 3) The width of a porte cochere shall be counted as part of the primary facade.



- C. Front or Side Driveways - A continuous network of rear and side alleys or side streets shall serve as the primary means of vehicular ingress to individual lots. If a rear alley is not provided, a front or side driveway is permitted to Residential Lot Types only, with the following restrictions:
- 1) Detached garages shall always be located in the rear of the lot. All walls of attached garages shall be at least 20 feet behind the principal plane of the house's primary facade.
 - 2) Garage doors shall face the side or the rear of the lot rather than the street yard. Where space does not permit a side- or rear-facing garage door, front-facing garage doors may be provided but each door shall not exceed 10 feet in width.
 - 3) Driveways shall serve as access to a minimum of three (3) dwelling units and may not exceed 12 feet in width except at the garage entrance.

26.05.03 General Building Development Standards

- A. Facade Length and Articulation - Buildings or portions of a building with front elevations of over 50 feet in width shall be divided into smaller parts through pronounced variation in wall plane articulation and materials and variations in the cornice/roofline to accomplish the desired divisions of elevations into smaller parts. Building articulations shall be 12 inches or more in depth, made through the use of facade divisions such as building jogs, architectural detailing, changes in surface materials, colors, textures and roof lines. Uninterrupted facades shall not exceed 50% of the building wall, and in no case shall an uninterrupted wall expanse exceed 120 feet in length. Ground floor facades that face public streets shall have galleries, display windows, entry areas, awnings, or other features along no less the 60% of their length. All facades visible from public streets shall feature characteristics similar to the front facade.
- B. Building Separation - Separation between adjoining buildings should be designed to allow for limited vehicle and pedestrian access to the rear.
- C. Building Entrances - Development and redevelopment shall include building facades that front on and have a principal pedestrian entrance on Primary Streets. The construction of any new buildings shall provide for the creation of pedestrian alleyways where appropriate in order to allow for passageways to parking at the rear of the lots and adjoining streets. The primary entrance of every building must directly face a street or a civic space, or a forecourt or garden.
- D. Incorporate Architectural Features – To create interesting buildings, architectural features and details such as porches, awnings, columns, towers, turrets, skylights and arches shall be used.
- E. Transparency - Transparency is the percentage of windows and doors that cover a ground or upper story facade. Door and window openings shall be proportional to facade length and height. The building design shall create a sense of entry into the site and into major businesses within the site through landscaping, facade treatment and signage. The specific transparency requirement for the front of buildings on each Lot and Building Type is included in the table below.

Table 26.05 – Front of Building Transparency Requirements in the FBZ		
Building Lot Type	Ground Floor	Above Ground Floor
	(Min.)	(Min.)
Liner Building Lot (LBL)	40%	20%
Mixed-Use Building Lot (MUBL)	40%	20%
Multiple Residence Building Lot (MRBL)	20%	20%
Live-Work Building Lot (LWL)	40%	20%
Rowhouse Lot (RHL)	20%	20%
Civic Space and Building Lot (CSBL)	NA	NA

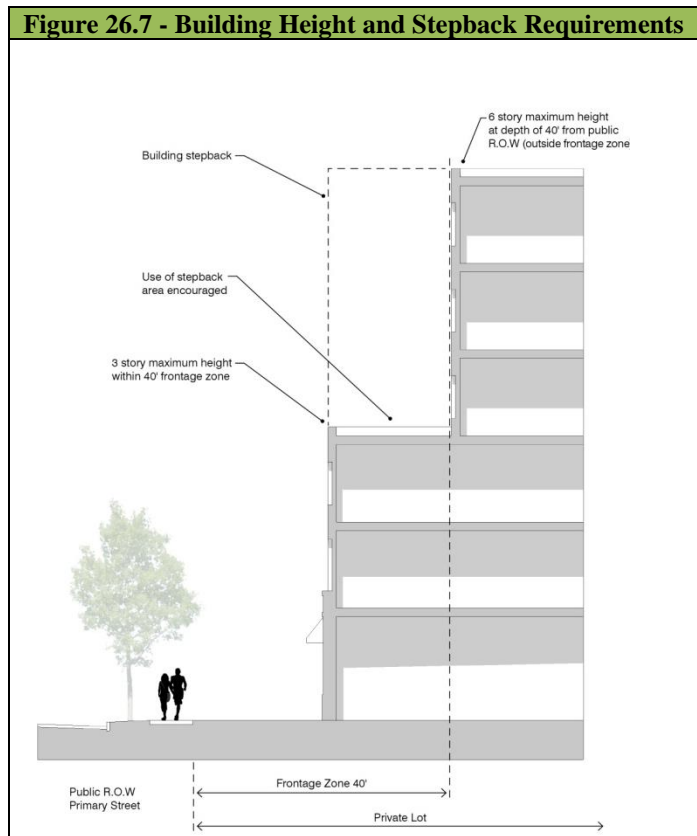
- 1) The transparency requirement on ground story facades is measured between 0 and 10 feet above the adjacent sidewalk.
 - 2) The transparency requirement on upper story facades is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate.
 - 3) All new non-residential development shall provide ground floor windows along street facades, including windows that allow views into working areas or lobbies, pedestrian entrances, or display windows. Required windows shall have a sill no more than four (4) feet above grade. Where interior floor levels prohibit such placement, the sill shall be raised to no more than two (2) feet above the finished floor level, up to a maximum sill height of six (6) feet above grade.
 - 4) Street-fronting, street-level window pane surface area shall allow views into the ground story use for a depth of at least six feet. Windows must be clear, non-reflective and not painted or tinted (transparent, low-emissivity glass is permitted).
 - 5) Any wall within 30 feet of a Primary Street shall contain at least 20% of the ground floor wall area facing the street in display areas, windows, or doorways.
- F. Front Porches - Front porches may extend up to 10 feet into street yards provided they are at least 8 feet deep. Partial walls, screened areas, and railings on porches that extend into the street yard may be no higher than 42 inches. Porches must remain set back at least five (5) feet from a street right-of-way.
- G. Stoops - Stoops may extend into street yards provided their upper platform is no higher than 60 inches above the sidewalk. Partial walls and railings on stoops that extend into the front yard may be no higher than 42 inches. If requested during the site plan review process, stoops may extend into the right-of-way to the extent specifically provided by the PZC during the site plan approval process, based on its determination that sidewalk widths will be adequate to allow encroachment by stoops.
- H. Accessory Dwelling Units - Each Live-Work Building and Rowhouse Lot is permitted one accessory dwelling unit in addition to its principal building. Accessory dwelling units may not exceed 800 gross square feet and shall be located on the same lot as the principal building.

I. Building Height

- 1) Building height is measured as defined in Article I, Section 2 of the Zoning Regulations – Height of the Building. The height standards in this Section are intended to control the overall size and scale of new buildings in the FBZ.

New buildings may be constructed to a height as prescribed in Table 26.03 – Building Lot Dimensional standards. Where permitted, new and altered single story buildings shall provide façade improvements and front elevations that are at least eighteen (18) feet in height above street elevation and constructed in styles consistent with applicable Building Lot Standards in Section 26.03.

- 2) Building Height Stepback on Primary Streets - The maximum building height within 20 feet of the r-o-w line of Primary Streets shall not exceed 3 stories and 40 feet. The maximum height at the street line of the Primary Street may be increased by right to 44 feet when the roof pitch is 6 over 12 inches and the gable end of the building is not facing the street. (See Figure 26.7 to the right). The stepback portion of a building shall not be closer than 20 feet from any exterior wall elevation at ground elevation. Accessory uses are permitted on the rooftop area of the stepback portion of the building (i.e. rooftop gardens, dining areas, terraces, or similar uses).



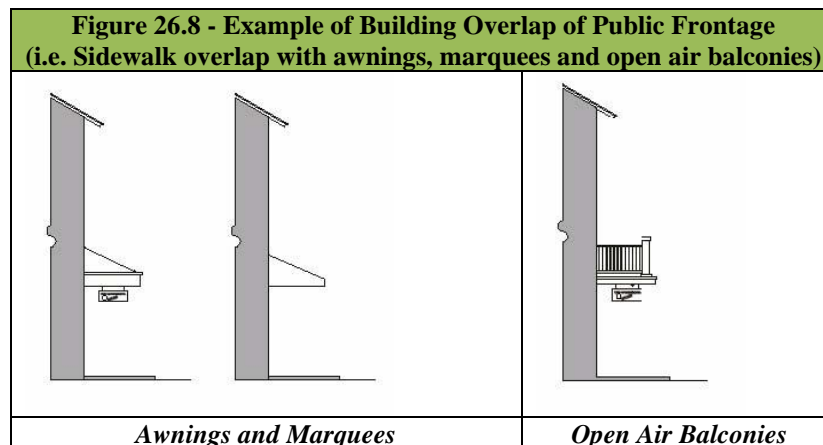
- J. Roof Features - Long unbroken expanses of roofs shall be avoided though the use of dormers, skylights, chimneys and changes in ridge line.
- K. Roof Pitch - Flat roofs shall not be permitted for one story buildings unless the front elevation is at least 18 feet in height. Flat roofs combined with roof top amenities (green roofs and gardens, stormwater capture systems, outdoor accessory uses, etc.) are encouraged for buildings greater than two stories. Pitched roofs shall have a 6 over 12 inch pitch or greater.
- L. Rooftop Equipment - Accessory rooftop equipment shall not extend more than eight (8) feet above the allowed building height provided it is set back from the exterior wall(s) by at least 10 feet, and is enclosed or screened by a parapet or with materials compatible with the building so as not to be visible from the ground. Accessory equipment shall not

exceed 20% of the roof area. Where head house structures are necessary, they shall not exceed ten (10) feet in height, be setback from the exterior wall(s) by at least 10 feet, and shall not exceed 20% of the roof area.

- M. Ground Story Heights - The ground story of commercial and mixed-use buildings must be a minimum of 10 feet tall. The ground story of residential and live-work buildings must be a minimum of 8 feet tall. Each story above the ground story in commercial and residential buildings must be from 8 feet to 12 feet tall. Story heights are measured from the floor to the bottom of the lowest structural member that supports the story above.
- N. Residential Floor Heights - Residential buildings must have their first habitable floor raised at least 2½ feet above the adjacent sidewalk. If the first floor is more than 5 feet above the adjacent sidewalk, the space below the first floor counts as the ground (first) story.

26.05.04 Building Overlaps onto Public Frontages

- A. Protruding Building Elements – Allowable protruding building elements include awnings, marquees, balconies, and projecting signs (See example in Figure 26.8). These building structures are allowed to protrude up to eight (8) feet past the property line into the public right of way provided that they are not in conflict with parking and travel lanes, and street trees and other furnishings. All awnings, marquees, open air balconies, and associated projecting signs shall be a minimum of eight (8) feet above the ground.



- B. Shading Of Sidewalks - Each building on a Mixed-Use or Live-Work Building Lot, and each building on a Liner Building Lot with non-residential uses on the ground story, shall be required to have awnings, balconies, colonnades, or arcades facing all streets. When providing a required awning, balcony, colonnade, or arcade, or one that extends over a street right-of-way, the following design requirements apply:
- 1) Awnings over ground-story doors or windows must have a depth of at least 5 feet and a clear height of at least 8 feet above the sidewalk. Awnings must extend over at least 25% of the width of each primary facade. Back-lit, high-gloss, or plasticized fabrics are prohibited.
 - 2) Balconies must have a clear height of at least 10 feet above the sidewalk. Balconies may have roofs but must be open toward the street.

- 3) Galleries and arcades must have a clear width from their support columns to the building's primary facade of at least 8 feet and a clear height above the sidewalk of at least 10 feet. Support columns can be spaced no farther apart than they are tall. Galleries or arcades must extend over at least 75% of the width of each primary facade.
- 4) Any of these features may extend into the street yard and over public sidewalks provided they maintain eight (8) feet of horizontal clearance from a parking lane or travel lane.

Section 26.06 – Public and Private Open Spaces

26.06.01 Purpose and Intent

Civic buildings and spaces such as community centers (various types), educational facilities, active and passive recreational venues, places of worship, and similar institutions are an important component of the mix of uses planned for the FBZ. It is the intent of this section to demonstrate how public and private open spaces should be integrated into development within the FBZ and connected to adjacent areas.

26.06.02 Allowed Types of Open Space


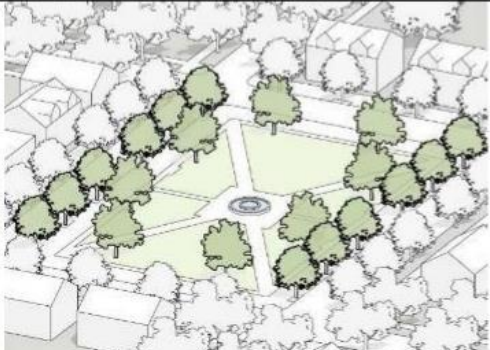
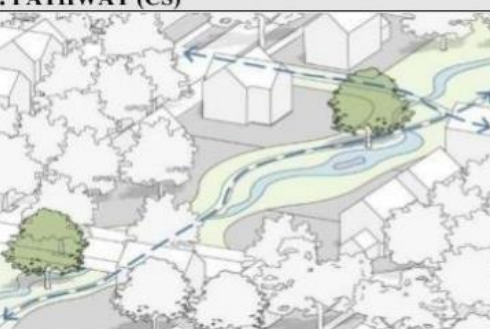

- A. Outdoor Amenity Space (OAS) Types – Permitted outdoor Amenity Spaces include the following types:
 - 1) *Civic Space (CS)*: Civic Space includes public parks, active and passive recreation areas, civic buildings, and other gathering spaces that are fully available to the general public.
 - 2) *Publicly Oriented Private Space (POPS)*: Publicly Oriented Private Spaces are gathering spaces on private land primarily serving the residents, businesses and patrons of the principal building or development site, and generally available to the public.
 - 3) *Private Open Space (POS)*: Private Open Space is associated with individual dwelling units or businesses and is not intended for public access.
- B. Squares and Plazas Standards - Squares and plazas shall be located so that building walls facing the lot shall have at least 25% of the overall façade in transparent windows, and at least 40% of the ground floor façade in transparent windows.
- C. Outdoor Amenity Space Design - Outdoor Amenity Spaces shall be designed, landscaped, and furnished to be consistent with the character of the neighborhood in which they are located. Outdoor Amenity Space types and design standards are illustrated in Figure 26.9.
 - 1) Civic Spaces and buildings shall be designed to physically express their prominence and community orientation.






- 2) Civic buildings are sited adjoining or surrounded by Civic Spaces or they provide a visual landmark by being placed at the axial termination of a street (see Civic Building Lot diagrams in Figure 26.3).

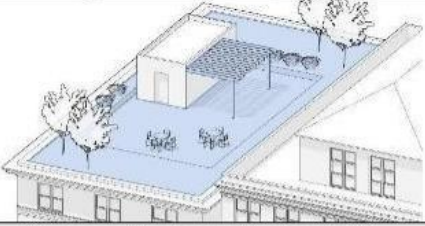

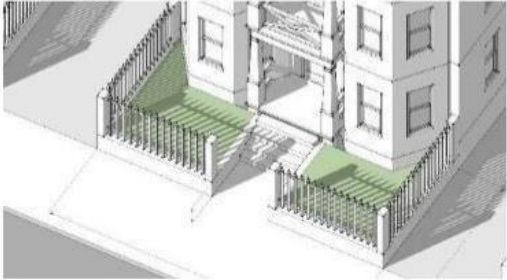
26.06.03 Open Space Requirements

- A. Individual property owners shall be required to dedicate 5% of their lot to Outdoor Amenity Spaces in one of the types identified in Figure 26.9. For commercial and mixed use lots, Outdoor Activity Zones located in the front and side setback areas are eligible types of Outdoor Amenity Spaces.
- B. Two or more property owners may create a joint Outdoor Amenity Space as long as the dedicated space is accessible to the public and amounts to a minimum of 5% of the land area of the all properties involved.

FIGURE 26.9 – OUTDOOR AMENITY SPACE TYPES (PUBLIC AND PRIVATE)

Outdoor Amenity Space Type	
1. NEIGHBORHOOD PARK, PRESERVE (CS, POPS)	
	<p><u>Description:</u> An open space designed for active and passive recreation with features and facilities that support the community or immediate neighborhood. Parks can include other Outdoor Amenity Spaces such as community gardens, recreation fields and courts, trails and pathway, and other facilities intended for public events, gatherings, and organized activities.</p>
2. COMMON OR GREEN (CS, POPS)	
	<p><u>Description:</u> A common or green is a free-standing site with thoroughfares on all sides and landscape consisting of naturally disposed lawns, paths, and trees. This open space type is for active and passive recreation and gathering purposes.</p>
3. PATHWAY (CS)	
	<p><u>Description:</u> A linear open space that may follow natural corridors providing unstructured and limited amounts of structured recreation. A pathway may be spatially defined by segment and include access to pedestrians, bicyclists, and other designated modes of transportation. Pathways may provide access and connections between natural areas, neighborhoods, villages, public facilities, and other points of interest.</p>
4. COMMUNITY GARDEN (CS, POPS, PS)	
	<p><u>Description:</u> An open space designed as individual garden plots available to residents for agriculture purposes, including storage facilities for necessary equipment. Community gardens may be freestanding or incorporated as a subordinate feature of a community park, neighborhood or pocket park, and development site.</p>

Outdoor Amenity Space Type	
5. FORECOURT (POPS, PS)	
	<p><u>Description:</u> A private open space where a portion of the facade is aligned close to or at the Street ROW Line, and the central portion of the façade is set back to create a courtyard with a principal entrance at-grade and space for gathering and circulation, or for outdoor shopping or restaurant seating. The forecourt may be planted or paved to join with the public sidewalk.</p>
6. COURTYARD (POPS, PS)	
	<p><u>Description:</u> A courtyard (or court) is an enclosed open space, often surrounded by a building or buildings, that is open to the sky. Courtyards may include a variety of passive recreational activities, community gardens, and other amenities for community gatherings.</p>
7. Plaza or Square (CS, POPS)	
	<p><u>Description:</u> An open space type designed for passive recreation, civic purposes, and commercial activities, with landscape consisting primarily of hardscape. Plazas are generally located in activity centers or the nexus of major circulation routes.</p>
8. Pocket Park/Playground (CS, POPS, PS)	
	<p><u>Description:</u> An open space type designed for passive recreation consisting of vegetation, a place to sit outdoors, and playground equipment.</p>
9. Outdoor Terrace (POPS)	
	<p><u>Description:</u> An open space where the building facade is setback from the Street ROW Line and the space between is occupied by a hardscape intended for use as an extension of the public sidewalk and outdoor amenity space such as for outdoor seating or displays. The terrace provides may also allow for public circulation along the façade and can be used to provide at-grade access or a grade change along a Street Line.</p>

Outdoor Amenity Space Type	
10. Rooftop Terrace (POPS, PS)	
	Description: A roofless, raised platform on the roof of a building that provides community gathering space such as a terrace, community garden, food and entertainment, or other outdoor amenities.
11. Common Yard and Garden (PS)	
	Description: A private open space associated with private residence or non-residential buildings not intended for public access or a high level of pedestrian activity.
12. Dooryard	
	Description: A Private Frontage where the Building Facade is aligned close to the Street Line, and the Frontage Line is defined by a low wall, decorative fence or hedge providing a strong spatial definition from the public sidewalk. The result is a small semi-private dooryard containing the principal entrance in the front yard. The dooryard may be slightly raised, sunken, or at-grade, and may be planted or landscaped. A paved walkway from the sidewalk to the front door is required. This type is commonly associated with ground-floor residential use
13. Other OAS Types	
	May be permitted in Alternative Compliance

Section 26.07 - Off-Street Parking and Loading Standards

26.07.01 Purpose and Intent

This section is intended to provide accessible, attractive, and secure off-street parking facilities, reduce traffic congestion and hazards, and assure the maneuverability of emergency vehicles by requiring appropriately designed off-street parking and loading areas in proportion to the needs generated by varying types of land use. The parking and loading requirements are also intended to protect existing and future neighborhoods from the effects of vehicular noise and traffic generated by adjacent nonresidential uses. These regulations shall supersede the requirements under Article IV, Section 9 of the Manchester Zoning Regulations unless otherwise indicated below.

26.07.02 General Access and Circulation Standards

Parking and circulation shall be designed to meet realistic demands within the FBZ while maximizing pedestrian safety, ease of traffic flow, access/egress, and minimizing the need for

impervious surfaces to maintain the visual character of the property and adjacent areas. General parking and circulation criteria are as follows:

- A. Parking shall be accessed by an access street or alley to the rear of the primary building unless otherwise allowed under these regulations.
- B. Parking shall not be located in the Frontage Zone. Where access to an off-street parking lot from a Primary Street is permitted, the parking lot shall be masked from the frontage by buildings or appropriate landscaping as specified in Section 26.08.
- C. The vehicular entrance to a parking lot shall be no wider than 24 feet.

26.07.03 Table of Required Parking Spaces

Where on-site or controlled parking is necessary and required, the applicant shall provide the required number of spaces as prescribed in Table 26.07 below. The required number of spaces shall be interpreted as both the minimum and maximum number of parking spaces allowed. Parking waivers or expansions may be permitted by the PZC as a Special Exception under Section 26.09.03.

Table 26.07 - Parking Standards in the FBZ	
Commercial and Civic Use	Required Parking
Retail Business, Commercial or Personal Service Establishment	1 space per 300 gross square feet
General Office or Retail in Mixed Use Buildings	1 space per 400 gross square feet
Medical or Dental Office or Clinic	5 spaces/doctor or dentist within a single office or suite
Restaurant or Place of Assembly	1 space for each 3 seats
Hotel or Motel	1 space per occupancy unit
Library, Museum, or other Civic Use	1 space per 500 gross square feet
Residential Uses	
Multi-Residential Building or Multiple Home Building	1/DU with 1 bedroom or less; and 2/DU with 2 bedrooms or more located within 300 feet of the Dwelling Unit ⁴
1-bedroom unit in Mixed-Use Building	1 space per bedroom
2-bedroom unit in Mixed Use Building	1 space per bedroom
3 or more bedroom unit in Mixed Use Building	1 space per bedroom

- A. Non-Defined Parking – Where uses and parking requirements are not defined in Table 26.07, the applicant shall provide an amount equal to fifty percent (50%) of the required spaces under Article IV, Section 9 of the Zoning Regulations. No additional parking shall be required for change of uses or the addition of accessory uses within existing buildings or on site. Outdoor café seating as an accessory use is not required to have additional parking.

⁴ Rev. 11/15/2021, effective 12/06/2021

- B. Fractional Spaces – When the number of required parking spaces for a particular use or building results in a fractional space, any fraction less than one half (1/2) shall be disregarded and any fraction of one half (1/2) or greater shall be counted as one (1) required space.
- C. Change of Use - A permitted use can be changed to another permitted use, and any permitted principal or accessory use can be intensified, without increasing the required off-street parking requirements of Table 26.07 provided there is:
 - 1) No increase in gross square footage of the building;
 - 2) No reduction in existing parking spaces required pursuant to Section 26.07; and
 - 3) Parking space requirements for residential dwelling units shall be 1 parking space per unit.⁵
- D. Required Bicycle Facilities - One bicycle parking space shall be provided for every twenty-five (25) off-street vehicular parking spaces. Bicycle racks shall be provided within the public or private frontage in a convenient and visible location.

26.07.04 Parking Adjustment Methods

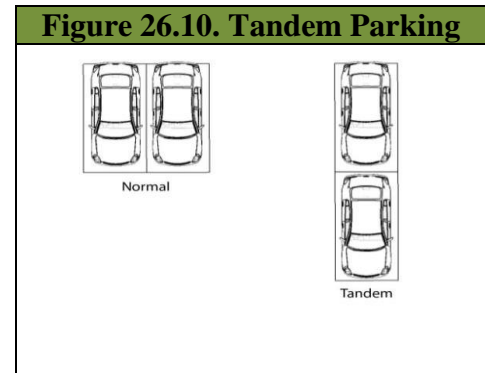
In order to minimize paved surfaces and eliminate the need to construct unnecessary parking spaces, the Planning and Zoning Commission may approve adjustments to required parking spaces quantities as defined below:

- A. Off-Site Parking Credit - Parking requirements may be reduced by up to fifty percent (50%) with a Special Exception by the PZC if an off-street public parking lot of 20 spaces or more exists within 300 feet of the principal land use, and the public parking lot has ample spaces available to serve the immediate area as determined by a survey of peak hour occupancy and usage. If this rule cannot be met, the applicant can secure private off-site parking within 500 feet of the site by ownership or lease with another landowner with the following conditions:
 - 1) The off-site parking will be shared by more than one landowner; and
 - 2) The greater distance is justified because of pedestrian traffic patterns and the vitality of the area that would be part of the walk.
- B. On-Street Parking Credit - All non-residential properties located adjacent to a public right-of-way where on-street parking is permitted shall receive credit for one off-street parking stall for each 22 linear feet of abutting right-of-way for parallel parking. This provision shall be applied for on-street parking on the same side of the street as the proposed land use, or on the opposite side of the street if the property on that side of the street does not have the potential for future development. In considering credit for on street parking, all fractional spaces are rounded down.
- C. Shared Parking

⁵ Rev. 11/15/2021, effective 12/06/2021

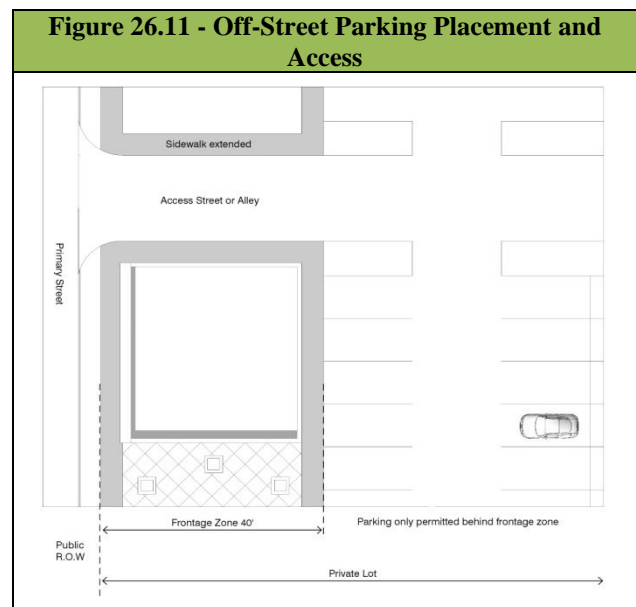
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- 1) A reduction of the cumulative minimum parking requirements within a mixed-use development or for adjacent commercial or industrial properties may be approved by the Commission if the applicant provides a parking study that satisfactorily demonstrates that one or more of the following conditions exist to warrant the reduction:
 - a) Differences in the timing of peak parking demands among existing and/or proposed uses result in a net peak parking demand that is significantly lower than the cumulative minimum parking requirements;
 - b) Synergistic relationships among uses create captive markets, resulting in multiple purpose walking trips within the development; and/or
 - c) The development is likely to generate bus, bicycle, or pedestrian trips and accommodations exist or are proposed to support these alternative methods of transportation.
 - 2) Approval of such shared use of parking spaces shall be documented by the property owner and affected tenants executing and filing a shared parking agreement outlining the details of the agreement and approval prior to receiving a Certificate of Occupancy. Upon any change in; property ownership, tenancy, use, or operations within the development, such agreement shall be automatically terminated, and a new agreement shall be made between all parties in the development which shall be executed and filed on the land records.
- D. Car-Sharing Program - The PZC may approve a parking reduction where an active car-sharing program is made available to residents and/or employees and where cars for the car-share program are available on the site or within a 700-foot walking distance of the site.
- E. Off-Site Employee Parking - The PZC may allow required parking to be provided off-site for employees, except for any required handicapped parking, as permitted according to the provisions of and when conforming to the following:
- 1) A lot featuring the off-site parking must be located within seven hundred and sixty (750) feet in walking distance, measured from the nearest point of the off-site parking along walkways to the principal building entrance served;
 - 2) Pedestrian access between the use and the off-site accessory parking area must be via paved sidewalk or walkways; and
 - 3) A lease, recorded covenant, or other comparable legal instrument, executed and filed with the Town of Manchester, guaranteeing long term use of the site is provided to the PZC.
- F. Tandem Parking - The PZC may allow tandem parking under the following conditions:
- 1) To be used to meet parking requirements for residential units only.
 - 2) Tandem spaces shall be assigned to the same dwelling unit.

- 3) Tandem parking shall not be used to provide guest parking.
- 4) Two parking spaces in tandem shall have a combined minimum dimension of 9 feet in width by 36 feet in length.
- 5) A maximum of 20% of tandem spaces may be designated as compact spaces. Compact tandem spaces shall have a combined minimum dimension of 8.5 feet in width by 30 feet in length, and shall identified with appropriate signage.



26.07.05 Parking Placement and Access

- A. Off-Street Parking Location - Surface parking shall be located behind the Frontage Zone and behind the primary building. By special exception, surface parking may be allowed behind the primary building front elevation line if located a minimum of twenty (20) feet from the street line, behind the front façade of the primary building and screened with sufficient landscaping. In this case, the portion of the parking lot located to the side of the primary building shall be limited to one (1) double row of vehicles and associated turning space. To the extent feasible, existing parking located on the front of the lot shall be removed and relocated to the rear and/or side of buildings, consistent with this section.



- B. Curbcuts and Driveways - New curb cuts on existing public ways shall be minimized. No more than one curb cut on Primary Streets shall be allowed for any lot. For traffic safety and to maintain traffic flow, no new driveways shall be permitted on Primary Streets within 100 feet of any intersecting public street.
- 1) New curbcuts shall be no wider than 16 feet for one-way traffic flow and 24 feet for two-way traffic flow.
 - 2) New curbcuts on Primary Streets shall only be allowed where the curbcut leads to parking for at least twenty (20) vehicles.
 - 3) Driveways shall not occupy more than 25% of the frontage of any parcel, except for lots less than 40 feet wide.
 - 4) Where the driveway crosses any pedestrian path, the intersection shall be clearly marked and lighted for the safety of the pedestrian.

- 5) To the extent feasible, access to businesses for purposes of delivery or parking shall be provided through one of the following methods:
 - a) Through a common driveway serving adjacent lots or premises;
 - b) Through existing side or rear streets and access points thus avoiding the Primary Streets; or
 - c) Through designated public loading spaces on-street or in existing municipal lots.

26.07.06 Parking Facility Use and Design Standards

A. Parking Space and Lot Design Standards – The parking design standards described in Article IV, Section 9 of the Town of Manchester Zoning Regulations shall apply in the FBZ unless specifically addressed in this section including the following provisions:

- 1) Required off-street parking areas shall not be used for sales, dead storage, repair, dismantling or servicing of any type or kind, nor shall areas devoted to such activities count toward meeting off-street parking requirements.
- 2) Required off-street parking areas for five (5) or more automobiles shall have individual spaces that are designed, maintained and regulated so that no parking or maneuvering incidental to parking shall be on any public street or sidewalk and so that any automobile may be parked and unparked without moving another automobile.
- 3) A maximum of 20% of provided parking spaces may be designated as compact spaces. Compact spaces shall have minimum dimensions of 8 feet in width and 16 feet in length, and shall be identified with appropriate signage.
- 4) Except as provided in Section 26.07.06.B all off street parking areas shall be surfaced with asphalt, bituminous or concrete material or paving units, and maintained in a smooth, well-graded condition.
- 5) If artificially lighted, such lighting shall be so designed and arranged that light is directed away from any adjoining property used or zoned for residential purposes and so designed and arranged as to shield public roadways and all other adjacent properties from direct glare or hazardous interference of any kind.
- 6) Off-street parking areas shall have curbs, motor vehicle stops or similar devices so as to prevent vehicles from overhanging on or into public rights-of-way or adjacent property.

B. Pervious Parking Materials – Turf grid systems and pervious pavers or pavement may be allowed by Special Exception, subject to the following conditions:

- 1) Pervious paving systems shall be designed in accordance with the Town of Manchester Sustainable Design and Low Impact Development Guidelines;
- 2) Driveway aprons from a Primary Street shall be an acceptable impervious material for the first 20 feet;
- 3) Parking surfaces shall be maintained such that the pervious material does not constitute a nuisance by virtue of its appearance or condition and is graded in a level condition; and

- 4) Selected materials shall comply with the drainage requirements for stormwater runoff set forth in the Manchester Public Improvement Standards.

C. Parking Structures - Parking structures are permitted only on Liner Building, Mixed-Use Building, or Multi-Residence Building Lots. The liner building requirements of Section 26.03 apply to all parking structures and to any story of a principal structure used to park vehicles. Parking structures may contain up to two (2) levels below grade and five (5) levels of parking above grade and may contain other uses above the parking levels provided the entire building does not exceed the height allowed by Table 26.03.

26.07.07 Loading Areas

- A. Required Loading Spaces – The number of loading spaces shall be determined by the type and size of use as follows:

Table 26.08 – Required Loading Areas	
Residential	1 space per 20 – 99 units
	2 spaces per 100 or more units
Non-Residential	1 space per 10,000 – 50,000 sq. ft.
	2 spaces per 50,001 – 100,000 sq. ft.
	3 spaces per 100,001 – 150,000 sq. ft.
	4 spaces per 150,001 sq. ft. or more
Mixed Use	Per requirements above

- B. Dimensions - The minimum dimensions of any required off-street loading space shall be a clear horizontal area of twelve (12) feet by thirty (30) feet, exclusive of platforms and piers, and a clear vertical space fourteen (14) feet high.
- C. Accessibility - Each off-street loading space shall be directly accessible from a Primary Street, side street or alley without crossing or entering any other required off-street loading space. Such loading space shall be accessible from the interior of the building it serves and shall be arranged for convenient and safe ingress and egress by motor truck or motor truck and trailer combinations, and so no truck or trailer shall be required to back from such facilities directly onto public streets. Loading docks shall not be visible from a Primary Street. Required off-street loading areas shall not be used for sales, dead storage, repair, dismantling or servicing of any type or kind.
- D. Shared Loading Areas - Collective, joint or combined provisions for off-street loading facilities for two (2) or more buildings or uses may be made, upon the approval of the PZC, provided that such off-street loading facilities are sufficient in size and capacity to meet the combined requirements of the several buildings or uses and are designed, located and arranged to be usable thereby.

Section 26.08 – Landscaping, Screening, Lighting Standards, Signs, and Sustainable Design

26.08.01 Purpose and Intent

In any permit proceeding, consideration shall be given to possibilities for enhancement of and improvements to streetscape design and pedestrian amenities. At a minimum, the applicant shall propose a streetscape design that may include, but is not limited to: planting of street trees;

terraces and landscaped areas; park benches, sidewalks or other pedestrian paths; doorways, porches, entries that provide transition for and bridge the gap between public and private space; and orient parking and building lighting that is appropriate in style and design to the desired architectural character of the FBZ.

26.08.02 Public Frontages

- A. Street Trees – As specified in Table 26.01 - The Public Frontage shall include trees planted in a regular spacing pattern of varied native species with shade canopies which at maturity generally reach three stories high except where there are overhead power lines, but remain predominantly clear of building frontages. The introduced landscape shall consist primarily of durable species tolerant of salt and soil compaction.
- B. Street Furnishings – Reserved

26.08.03 Private Frontage Landscaping Requirements

- A. Existing Trees - Existing significant trees and shrubs shall be maintained to the maximum extent possible.
- B. Visibility - No plantings shall obscure site entrance and exit drives and road intersections.
- C. Non-Residential Lots - When the front setback is greater than zero, those portions of the front yard not occupied by pedestrian amenities and public spaces shall be landscaped. Street trees are required if the front setback is greater than ten (10) feet.
- D. Residential Lots - Private Frontage landscaping shall be required for all residential properties for the first ten (10) feet. Private Frontage on residential lots shall be landscaped with a combination of indigenous grasses, trees and shrubs commonly found in Connecticut.
- E. Street Trees – One deciduous tree with 3” minimum caliper is required to be planted within the front setback for every 30 feet of frontage if the front setback is greater than 10 feet. Trees in paved areas shall have a minimum 25 square feet of protected permeable area for growth. Trees in islands shall have a minimum of 50 square feet of permeable area for growth. All landscaped areas shall be planted and maintained in accordance with the Town of Manchester Sustainable Design and Low Impact Development Guidelines. Plant materials shall be organically maintained to the maximum extent possible.

26.08.04 Parking Lot Landscaping

- A. Interior Space - One 3” minimum caliper low water use, low maintenance canopy tree must be provided for every 10 spaces. Trees shall be maintained and irrigated as necessary and planted within at least 50 square feet of permeable area. No landscaped island shall be less than six (6) feet wide. All landscaped islands shall be planted with appropriate groundcover plant species and designed in accordance with the Town of Manchester Sustainable Design and Low Impact Development Guidelines.

- B. Buffering - Planting along the perimeter shall be required to screen parking lots from adjacent sidewalks where applicable. Planting beds shall be a minimum of six (6) feet wide and should be continuous to allow for maximum plant bed size and are constructed as rain gardens to control stormwater.
- C. Landscaping of Pre-existing Parking Lots - Upon the expansion of an existing parking lot containing 20 or more parking spaces and/or an alteration of a structure, or a change or expansion of a use which increases the parking requirements by 5 or more spaces according to the standards of Section 26.07, the entire existing parking lot shall be brought into compliance with this section.
- D. Coordination - Landscaping of private parking lot and other lot features shall be compatible with the streetscape design elements of the public frontages.

26.08.05 Storage Areas

- A. Exposed storage areas, machinery, garbage dumpsters, service areas, truck loading areas, utility buildings and structures shall be screened from view of abutting properties and streets using plantings, fences and other methods. Where feasible, shared use and designated areas for garbage dumpsters shall be required.
- B. Garbage dumpsters shall be fully screened on 3 sides with solid walls or otherwise opaque screening a minimum of six (6) feet high with a solid front gate, six feet high, which shall be kept closed. Trash compacters shall be enclosed to minimize noise.

26.08.06 Lighting Standards

Outdoor site lighting shall primarily be used to provide safety, while secondarily accenting key architectural elements and emphasizing landscape features. Light fixtures must be designed as an integral design element that complements the design of the project. This may be accomplished through style, material or color. All lighting fixtures designed or placed to illuminate any portion of a site must meet the following requirements:

- A. General Standard - Property owners shall use the fewest fixtures possible to light the specific project area. Property owners shall avoid fixtures that allow light to spill sideways or into the sky.
- B. Site Lighting - Lighting shall complement a building's architecture through shadowing, highlighting, and flooding. Appropriate lumens or foot-candles should be evaluated to provide these effects without overwhelming the building or site. Light fixtures should be compatible to the style of the building and may include: attached or detached; soffit; up light or down light; and tree lighting.
- C. Streetscape Lighting Fixture - Light fixtures shall be selected by the Town of Manchester and intended to complement the general streetscapes, buildings, and development patterns of the FBZ.
- D. Streetscape Lighting Placement - The placement of streetscape lighting fixtures shall be in a consistent pattern to provide sufficient light levels within the public streetscape area

and private streetyard. Lighting placement within the streetyard shall be designed as an extension of the public streetscape and as a complementary element of landscaping and building design.

- E. Prohibited Light Sources - The following light fixtures and sources may not be used where the direct light emitted is visible from adjacent areas:
- 1) Low-pressure sodium and mercury vapor light sources;
 - 2) Cobra-head-type fixtures having dished or drop lenses or refractors which house other than incandescent sources; and
 - 3) Searchlights and other high-intensity narrow-beam fixtures.
- F. Luminaire - The light source shall be concealed and must not be visible from any street right-of-way, not including an alley, or adjacent properties. In order to direct light downward and minimize the amount of light spill into the night sky and onto adjacent properties, all lighting fixtures must be full cutoff fixtures, except as provided in section 26.08.06.L.
- G. Fixture Height - Lighting fixtures shall not exceed 30 feet in height above parking areas. Lighting fixtures may not be less than nine (9) feet or more than 16 feet in height above the sidewalk in pedestrian areas.
- H. Light Source (Lamp) - Only incandescent, fluorescent, metal halide, or LED may be used.
- I. Mounting - Fixtures shall be mounted in such a manner that the cone of light is contained on-site and does not cross any property line of the site.
- J. Limit Lighting to Periods of Activity - The use of sensor technologies, timers or other means to activate lighting during times when it will be needed is encouraged to conserve energy, provide safety and promote compatibility.
- K. Security Lighting
- 1) Building-mounted security light fixtures such as wall packs may not project above the fascia or roof line of the building and must be shielded.
 - 2) Security fixtures, including but not limited to floodlights and wall packs, may not face residential uses on adjacent properties.
 - 3) Security fixtures may not be substituted for parking area or walkway lighting and are restricted to loading, storage, service and similar locations.
- L. Accent Lighting - Only lighting used to accent architectural features, landscaping or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.
- M. Entrances and Exits - All entrances and exits to buildings used for nonresidential or mixed use purposes and open to the general public, and all entrances in multifamily

residential buildings must be adequately lighted to ensure the safety of persons and the security of the building.

N. Commercial Parking Area Lighting - All commercial parking areas must provide lighting for both pedestrian areas and parking areas during nighttime hours of operation.

O. Excessive Illumination

- 1) Lighting that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other property is prohibited.
- 2) Lighting unnecessarily illuminates if it exceeds the requirements of this regulation.
- 3) Lighting shall not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of drivers.

26.08.07 Utilities and Services

A. Utilities - Wherever feasible, existing above ground utility lines shall be buried underground or moved behind buildings. All new electrical and communication utilities in the FBZ shall be placed underground.

B. Mechanical Utilities - Mechanical equipment, whether ground level or rooftop, and waste containers shall be screened from view of adjacent properties and public rights-of-way and designed to be an integral part of the building.

C. Stormwater Management –The use of the following practices or their functional equivalents are presumed to comply with the stormwater management standards contained in the Manchester Zoning Regulations and Public Improvement Standards; if this subsection conflicts with any other provision of the these regulations and standards, the provisions of this subsection will prevail. These practices shall be incorporated into developments unless the applicant can demonstrate they cannot function on the specific site or are not feasible. Additional detail can be found in the Town of Manchester Sustainable Design and Low Impact Development Guidelines.

- 1) Innovative and urban stormwater management designs and techniques may be considered for addressing stormwater treatment requirements, including but not limited to porous pavement, treatment inlet boxes with skimmers or traps, subsurface basins for infiltration or detention, prefabricated multi-chamber water quality devices, green roofs, stormwater treatment mitigation, etc. All stormwater management designs and techniques must be certified by a Connecticut registered professional engineer or landscape architect with stormwater management expertise. The engineer or landscape architect must submit a proposed maintenance schedule for each technique, identifying the timing of inspections and the maintenance activities that will be taken such as removing debris from inlet boxes, replacing filters, pumping out accumulated sediment, mechanical sweeping, etc.
- 2) To minimize the amount of site fill and the associated impacts of such fill on existing native vegetation and trees, historical wet season water table levels may be controlled at lower elevations subject to the physical limitations of the receiving drainage system and compliance with the criteria for such set forth by the Town of Manchester.

26.08.08 Fences

- A. Residential Lots – Fencing on residential lots may include garden walls, hedges and semi-opaque decorative fences:
- 1) Prohibited Finish Materials: chain link, barbed wire and razor wire fencing.
 - 2) Fences, garden walls or hedges shall be used along all un-built property lines which abut streets and alleys.
 - 3) Fences, garden walls or hedges shall be used in side yards (behind the front plane of the primary structure) and rear yards.
 - 4) Recommended Finish Materials: Wood (termite resistant) painted/stained, wrought iron, black steel or aluminum, brick, stone or stucco, high quality plastic or vinyl.
 - 5) No fence, hedge or wall in the street yard shall exceed a height of 3 ½ feet and shall be semi-opaque. In the side and rear yards, they shall not exceed 6 feet (8 feet when abutting a non-residential district) from the grade plane.
- B. Commercial and Mixed Use Lots - Fencing is typically used to define rear or side property lines, the boundaries of a parking area, or to screen dumpsters or machinery from view. Wherever possible, property owners are advised to use plantings and landscaping to define outdoor spaces.
- 1) Where fencing is necessary, the use of traditional fencing materials such as wood, granite or stone, high quality plastic or vinyl, or alternatives to wrought or cast iron fencing such as black steel or aluminum fencing is highly recommended. Fencing should be compatible with the materials, proportions and styles of the existing buildings on the site.
 - 2) The height and style of the fence should also relate to its location on the site with taller, solid fencing at the rear of the site and lower and more open fencing towards the front. Chain link fencing is prohibited.
 - 3) No fence, hedge or wall in the street yard shall exceed a height of 3 ½ feet and shall be semi-opaque. In the side and rear yards, not to exceed 6 feet (8 feet when abutting a non-residential district) from the grade plane.

26.08.09 Signs

- A. General Requirements – The sign requirements of Article IV Section 13 shall apply to the FBZ and except where there is a conflict this section shall control.
- 1) All signs should be constructed of durable, rigid, opaque material such as metal, wood or high quality plastic or vinyl.
 - 2) All building signs including projecting, wall mounted, and painted or glass storefront signs shall be scaled to the pedestrian, be proportionate to the building, and shall not extend above the parapet wall or roofline of the building.
 - 3) In multi-use buildings and in frontage zones, wall mounted signs for ground floor uses shall not be located above the height of the ground floor.

- 4) The message on the sign shall convey the business name and main product or service only.
- 5) Colors should complement the building and storefront colors and the letters and logos should contrast with the background for easy reading.
- 6) Signs shall not occupy more than 25% of the storefront windows to ensure transparency and visibility.

B. Signs Permitted in FBZ

- 1) The maximum sign area for wall, canopy, and marquee signs shall be calculated on the basis of three square feet for each linear foot of the face of the building supporting such sign. For buildings with multiple storefronts, signs for individual businesses shall not exceed the width of the individual storefront and the sign areas shall be calculated based on three square feet for linear foot of storefront.
- 2) Projecting signs over a public right of way shall be directly illuminated, must provide a minimum clearance of seven feet six inches from the bottom of the sign to the surface of the sidewalk, and shall not extend more than three feet from the building façade. The total area of projecting sign shall not exceed 12 square feet. The maximum number of such signs permitted on a single building or structure shall be equivalent to the number of establishments located on the ground floor of the building and having direct access from the public sidewalk.
- 3) Temporary signs to include free standing construction signs, wall or free standing real estate signs, free standing roadside signs, novelty signs, and public interest signs may be permitted in any zone in accordance with the following paragraphs.
- 4) One construction sign not exceeding 100 square feet to advertise a building project. Subcontractors may each display one sign not exceeding four square feet. Construction signs shall be removed immediately after the project has been completed. In no event shall a construction sign be displayed for a time period exceeding 18 months. Construction signs shall be directly illuminated only.
- 5) Identification signs for multiple-residence buildings, municipal uses, and places of worship shall be directly illuminated only. Wall mounted signs are permitted and only one low-rise free standing sign is permitted. All identification signs may be a maximum of 50 square feet.
- 6) One nameplate sign not exceeding two square feet per dwelling. The sign may indicate the nature of a home occupation or professional use. No artificial illumination is permitted. Signs may be free standing, wall mounted or projecting.
- 7) One real estate sign not exceeding four square feet for each residential property offered for sale, or 24 square feet for each commercial property offered for sale. Real estate signs shall not be displayed after the property has been sold.
- 8) Business premises may erect one low profile free standing sign based on the ground floor area of the building as follows: Up to 1200 square feet of building ground floor area, low profile free standing sign of 24 square feet, thence an increase in sign area

of one square foot for each additional 200 square feet of building ground floor area to a maximum of 100 square feet. No other type of free standing sign shall be permitted.

- 9) Business signs may be either internally or directly illuminated. If internally illuminated the background shall be painted opaque so only the letters appear lit.

26.08.10 Sustainable Design and Development Standards

Builders in the FBZ shall incorporate sustainable and best management practices into building, site, and infrastructure development. The Town of Manchester Sustainable Design and Low Impact Development Guidelines document provides applicable sustainable design and development guidelines.

Section 26.09 – Administration

26.09.01 General Administration

- A. Relationship to Other Sections - This section of the Zoning Regulations shall be used and interpreted primarily on its own. However, where there are differences between this and other sections of the Zoning Regulations, and where expressly identified or described herein, this section shall control.
- B. Conformity Required - No building or structure may be erected, structurally altered, moved or maintained, nor shall any building, structure or land be used except in conformity with this Section.
- C. Site Plan Required
 - 1) Any building or structure erected, constructed, reconstructed, moved or structurally altered after the effective date of this ordinance requires site plan review as specified in Article I, Section 4.04.
 - 2) No building permit or certificate of occupancy shall be issued until a site plan has been approved.
 - 3) A Class A-2 foundation location survey may be required by the Zoning Enforcement Officer to determine the zoning compliance of any structure in the FBZ as covered by this ordinance.
 - 4) Application Requirements – Application shall be made in compliance with Article I Section 4 of the zoning regulations. All applications for site plan review shall follow the requirements of Article I Section 4 and be accompanied by a Detailed Plan in compliance with Article I Section 4.04 of zoning regulations unless it is determined by the Planning Director that a Detailed Plan is not required. This determination shall be in writing and shall be made part of the file on the site plan application. All applications for special exceptions shall follow the requirements of Article I Section 4 and be accompanied by a Preliminary Plan in compliance with Article I Section 4.02 and Section 4.03.04 and a Detailed Plan in compliance with Article I Section 4.04 and Section 4.05.07 of the zoning regulations unless it is determined by the Planning Directors that either Preliminary or Detailed Plan, or both, are not required. This

determination shall be in writing and shall be made part of the file of the special exception application.

5) Financial Guarantee Requirements⁶

A financial guarantee to ensure the timely and adequate completion of any site improvements that will be conveyed to or controlled by the municipality shall be required in accordance with Article IV Section 22 of these regulations.⁷

26.09.02 Applications for Approval

A. Application Types

- 1) *Permitted*: Applications for site plan approval that meets all requirements of this Section and propose 50,000 square feet or less of gross floor area shall be approved by the Zoning Enforcement Officer and the Planning Director after their review of the application either as submitted or with modifications that the applicant finds acceptable.
- 2) *Site Plan Approval*: Applications that meet all requirements of this Section and propose more than 50,000 square feet of gross floor area shall receive a site plan approval from the PZC. An applicant may submit a Master Plan in the form of a Preliminary Site Development Plan as per Article I Section 4.02 prior to submission of a full Detailed Plan (Article I Section 4.04). The PZC or Planning Director may grant modifications to an approved site plan in accordance with the procedure that governed its original approval.
- 3) *Special Exception*: Applications that require a special exception under the Section or seek alternative compliance under Section 26.09.04 must receive a special exception approval from the PZC.

26.09.03 Special Exceptions

- A. Applicability - The PZC is authorized to approve special exceptions for uses so identified in this Section and to approve alternatives to certain requirements of this Section as specified below.
- B. Approval Criteria - The PZC shall consider the following criteria when considering and acting on a special exception application:
 - 1) The extent to which the application meets the intent of the Broad Street Area Redevelopment Plan;
 - 2) The special exception will not substantially or permanently injure the appropriate use of adjacent conforming properties;
 - 3) The special exception will promote the concepts and practices associated with walkability and sustainability in the FBZ. The PZC, when considering these

⁶ Rev. 06/03/13, effective 06/21/13

⁷ Rev. 06/03/13, effective 06/21/13

characteristics, shall rely on established plans, policies and programs as such may exist with regard to such items as energy conservation, low impact development practices including stormwater management, light imprint stormwater design practices, specifically including stormwater quality and quantity management (See Section 26.05.05) and the furtherance of applicable goals in the adopted Manchester Plan of Conservation and Development.

- 4) The criteria for special exception in Article IV Section 20.

C. Planning and Zoning Commission (PZC) Action

- 1) The PZC may attach conditions or modifications to the special exception necessary to protect the health, safety and welfare and minimize adverse impacts on adjacent properties.
- 2) Incomplete applications may be denied by the PZC. The PZC may approve, modify and approve, an application if it finds the modifications will address deficiencies in the application regarding conformance with this Section, or deny the application.

26.09.04 Alternative Compliance

In order to accomplish the goals of the FBZ and allow for appropriate alternatives to the standards set forth in this Section, the PZC may approve alternative compliance through the special exception process as defined below:

- A. ADA Compliance – Where increased front setback may be necessary to meet the Americans with Disabilities Act (ADA) requirements. Where possible, required ramping should be located primarily on the side of the building as opposed to directly in front of the building. Where ramping is required in front of the building, it should be designed to also provide an attractive and inviting space to pedestrians such as outdoor dining and sitting areas.
- B. Civic Lot Exception – The PZC may allow for alternative compliance from the civic space requirement in Section 26.06.02 where a comparable amount of civic space within 1/4-mile walking distance already exists or is committed.
- C. Additional Street Types - An applicant may propose additional street and trail types or modified thoroughfare design standards through the site plan review process. The PZC shall decide whether to accept, modify, or reject such additions or modifications during the site plan review process based on its determination that the additions or modifications are consistent with the planning, design, and compatibility principles set forth in the Broad Street Redevelopment Plan and the Town of Manchester Public Improvement Standards.
- D. Dead-End Streets - Dead-end streets are not permitted except where specially authorized by the PZC. PZC criteria for allowing a dead-end street include the following: physical conditions such as highways, sensitive natural resources, or unusual topography provide no practical connection alternatives. Dead-end streets shall be constructed to Access Street design standards as prescribed in Section 26.02.02. Dead-end streets must be

designed as a closed looped or cul-de-sac with an interior open space which shall be landscaped and accessible to adjoining lots. The dead-end street shall provide pedestrian connectivity to the maximum extent practicable.

- E. Parking Standards Relief - Where possible, parking reduction methods are strongly encouraged and the required number of spaces in Table 26.07 may be reduced if the applicant can demonstrate that a reduction would still provide adequate parking. The PZC may grant alternative compliance for the reduction in required spaces according to Table 26.07 upon a reliable showing of lesser parking need according to the Parking Adjustment Methods in Section 26.07.04.
- F. Protruding Building Elements - The PZC may provide alternative compliance from the street yard setback for awnings, marquees, balconies, galleries, arcades, projecting signs, and other protruding building elements as identified in Section 26.04.
- G. Public Frontage Lighting - Within the public frontages, the spacing and illumination level may be adjusted by the PZC to accommodate specific site conditions, such as building entrances, parking areas, sidewalks and trails.
- H. Fences - No fence, hedge or wall shall exceed a height of 6 feet (8 feet when abutting a non-residential district) from the grade plane unless alternative compliance is granted by the PZC.
- I. Alternative Compliance Criteria - In addition to the criteria set forth above, the PZC shall consider the following FBZ development and design objective when considering alternative compliance:
 - 1) The alternative provides for or supports mixed use development where appropriate;
 - 2) The alternative maintains or improves pedestrian access, streetscape and open spaces;
 - 3) The alternative provides new local business development opportunities;
 - 4) The alternative eliminates or minimizes curbcuts and driveways on Primary Streets;
 - 5) The alternative provides for shared access and parking;
 - 6) The alternative provides housing where appropriate and provides an appropriate mix of affordability levels and life cycle opportunities; and/or
 - 7) The alternative is generally consistent with the Broad Street Redevelopment Plan.

26.09.05 Alterations or Additions to Non-conforming Structures

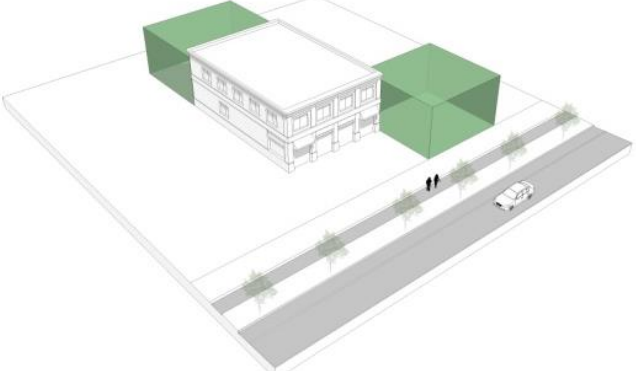
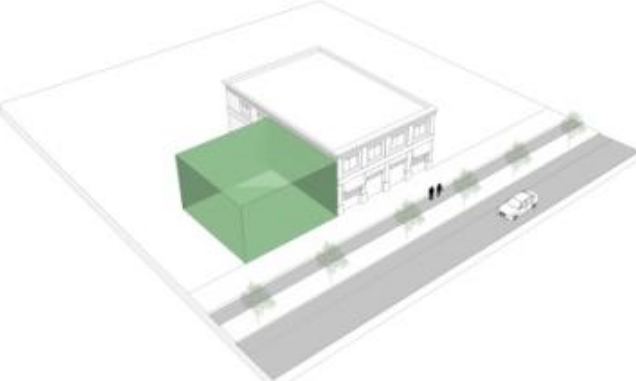
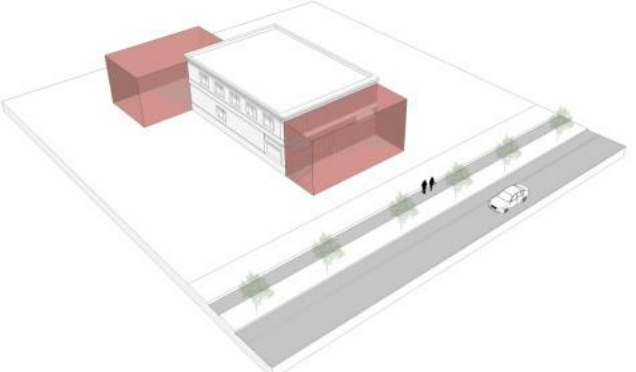
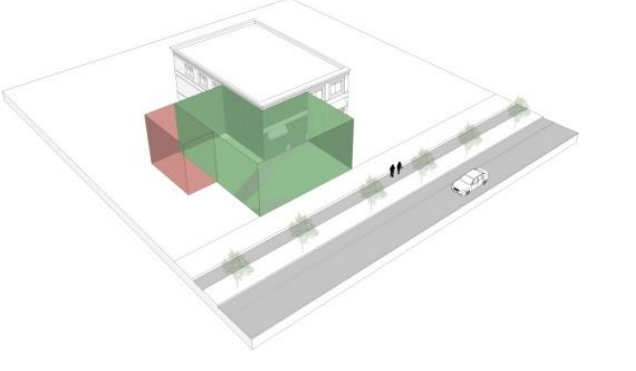
For structures that exist in the zone as of March 30, 2012 the following provisions shall apply:

- A. Authority to Continue: Any nonconforming structure may be continued so long as it remains otherwise lawful, subject to the provisions below.
- B. Enlargement, Repair, Alterations – Any nonconforming structure may be enlarged, maintained, repaired or altered; provided, however, that no such enlargement, maintenance, repair or alteration shall either create an additional nonconformity or

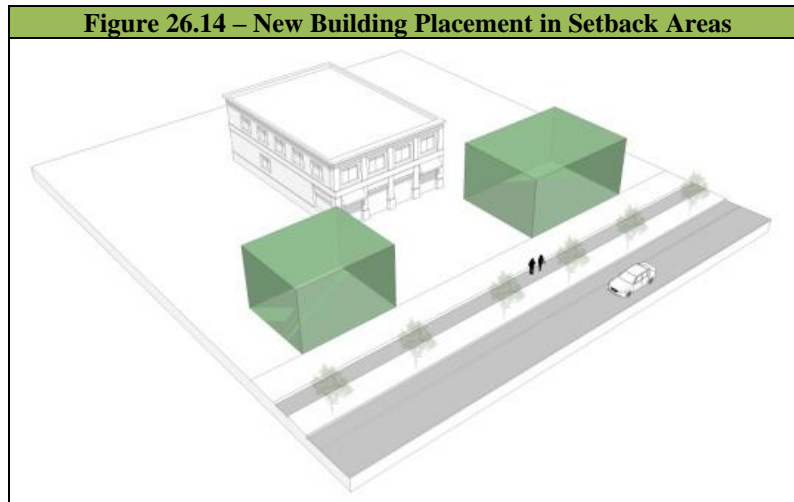
increase the degree of the existing nonconformity of all or any part of such structure in violation of Connecticut law.

- C. Relocation – No nonconforming structure shall be relocated in whole or in part to any other location on the same or any other lot unless the entire structure conforms to this Section after being relocated.
- D. Permitted Additions – Where a nonconforming structure is being expanded, the street yard setback area requirements apply as set forth below.

Figure 26.13 – Requirements for Expanding a Non-Conforming Structure

<p>1) <u>Front and Rear Additions</u> - Any addition to the front must be placed within the street setback area. Rear additions are allowed because the extension is not increasing the degree of the existing nonconformity.</p>	
<p>2) <u>Side Additions</u> - Any addition to the side of the building must be placed within the street setback area.</p>	
<p>3) <u>Additions Outside of the Front and Rear Setback Area</u> - Additions outside of the setback area are not allowed until the maximum setback requirements for the site have been met.</p>	
<p>4) <u>Additions Outside of the Sideyard Setback Area</u> - Any addition to the side of the building must be placed within the street setback area. Additions outside of the setback area are not allowed until the build-to requirement for the site has been met.</p>	

- E. Permitted New Buildings – Where a new building is being constructed on a site with a nonconforming structure, the new building should be located in the street setback area until the frontage occupancy percentage requirement has been met.



Section 26.10 – Non-conforming Uses

The following uses legally developed or approved prior to March 30, 2012 shall be considered legal and conforming:

- 1) Drive-through restaurants
- 2) Light industrial uses
- 3) Drive-through windows
- 4) Auto service station and repair
- 5) Auto service station and convenience store
- 6) Gasoline service stations

Any other non-conforming uses shall be subject to the requirements of Article IV Section 7.

Section 26.11 – Definitions

Reserved