

**TOWN OF BROOKFIELD
ZONING REGULATIONS**

Town Center District §242-505 A& B

§ 242-505. Brookfield Town Center District (TCD) *[revised 1/14/10, 10/4/12, 12/7/12, 4/17/13, 6/1/14]*

A. Purpose: *[revised eff. 10/4/12]*

This district encompasses the historical business center of the town. Many business establishments within the district have been in operation prior to the enactment of the Regulations, and physical conditions exist which limit their compliance with regulatory requirements and/or good planning principles. It is considered in the best economic interest of the town to foster business development of both new and existing establishments in a planned, integrated and orderly manner and in such a way as to compliment the historic character and traditions of the district.

In the future, the Four Corners will become a center of activity in Brookfield and a destination. It will be a “downtown” for Brookfield that is well defined visually and aesthetically, providing a positive experience for residents and visitors, with a distinctive identity that is well known throughout Brookfield and the region. Development will have complementary scale, character and density that will contribute to a sense of both history and vitality. It will offer places to live, work, shop, eat, find entertainment, and cultural enrichment. The area will provide a diversity of services that enhance the quality of life for residents, and invite travelers to stop. This will be complemented by access to the Still River as a scenic resource in the Four Corners. It will have complementary civic spaces, in the form of outdoor parks and plazas, and public community facilities. Most new development will result from infill and from reuse or redevelopment of existing sites. No new strip or large-scale single-use developments will be built.

The area will be easy to access and navigate by car, bicycle, transit, and on foot. There will be a variety of opportunities to travel by all these means along all roads within the Four Corners area including walking, biking, rail, and bus along with key connections among those means. Streets in the Four Corners will offer a balance among motor vehicle and pedestrian and bicycle traffic, with an enhanced streetscape that is pedestrian friendly and complementary to the character of the area. This will be accomplished through improvements such as landscaped sidewalks, aesthetic lighting, and areas to pause and relax, such as plazas with benches near public art and other public spaces. Traffic on Route 7 will flow at reasonable speeds through the area as a result of measures designed to encourage drivers to slow down, to improve safety and to minimize any degradation of the character of this special place.

B. Plan of Conservation and Development:

The Commission shall use the Plan of Conservation and Development as amended to include the Four Corners Revitalization Plan, approved by the Planning Commission, Town of Brookfield, as a guide in reviewing all applications for Design review approval within the district. In particular, the Commission shall consider and be guided by the various aspects of the Plan which may, in addition to other elements, identify: historic sites, irreplaceable site features, wetlands, utility concepts, bridges and walkways, service areas, common areas and open space, potential housing sites, access drives, vehicle and pedestrian circulation patterns, and common parking areas.

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C. Common Service Areas: *[rev eff. 4/17/13]*

In order to provide for services to the district as a whole, certain areas within the district may be acquired by various business entities and held in common under a condominium association or similar entity. Such service areas may consist of access drives, parking areas, area lighting, utility facilities, walkways, seating, landscaped areas, etc.

D. Permitted Uses: *[rev. eff. 4/17/13]*

(1) **Table of Permitted Uses:**

The permitted uses established for the TCD district are as indicated in Table I, "Table of Permitted Uses appearing in section 242-501-I.

(2) **Residential Units:**

Residential apartment or condominium units may be permitted on floors other than the first floor of a mixed use structure. Each such residential unit shall not contain more than two bedrooms. Such dwelling units shall be excluded from the 26% cap under §242-404(D)(2)[d] of these regulations. *(rev eff. 4/14/11, 12/7/12)*

(3) **Square Footage Restriction:** *[rev. 4/17/13]*

Each new structure permitted within the district shall not exceed a footprint of twelve thousand (12,000) square feet.

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E. Land Use Standards: *[rev. 4/17/13, 06/01/14]*

Lot Area, Min.	As determined by parking space and building footprint requirements for a particular use or group of uses, but not less than 10,000 square feet.
Impervious Coverage, Max.	80%
Loading/Refuse area, Min.	250 Square Feet
Lot width, Min.	50 feet, plus 26' wide side yard driveway if rear parking is required.
Side Yard	None
OR, if a Side Yard Driveway is provided, the setback from the inner edge of the drive	None
Rear Yard	10 feet, plus the width of a rear yard driveway.
Front Yard Setback, Min.	6' from sidewalk or property line; whichever is closer <i>[eff. 4/17/13]</i>
Front Yard Setback, Max.	25 feet from property line
Height, Max.	Three (3) stories. <i>[eff. 7/28/10, 4/17/13, 06/01/14]</i>
Sidewalk width, Min.	6' wide or as per Town Center District Sidewalk and Access Management Plan. <i>[eff. 4/17/13, 06/01/14]</i>
Common or Public Areas	Refuse containers, seating areas and other pedestrian amenities shall be provided at locations approved by the Commission

Additional design standards for compliance for site design are set forth in the **Design Guidelines and Standards Manual** in Appendix 3 to these regulations.

Where compliance with the **Design Guidelines and Standards Manual** is required pursuant to this regulation, to the extent that there is any conflict between a specific provision of this section and the **Design Guidelines and Standards Manual** set forth in Appendix 3, the requirements of the **Design Guidelines and Standards Manual** shall prevail and apply.

F. Design Review: *[rev eff 7/29/13]*

- (1) In addition to the provisions of Section 242-301 C, "Design Review Approval," all projects shall demonstrate:
 - (a) Preservation of historical sites and irreplaceable site features.
 - (b) Preservation of the architectural design of the original building during renovation or expansion of existing buildings.

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- (c) Continuity of the architectural theme with adjacent structures.
 - (d) Harmony of building material texture and color with other district structures.
- (2) All projects must undergo a pre-application review with the TCD Design Review Team which shall be chosen by the Zoning Commission. The advisory team may be comprised of the following technical specialists: an architect and a landscape architect, the Zoning Enforcement Officer, the Town Historian, Fire Chief or his designee, Fire Marshal, Sanitarian, Building Inspector, WPCA Chief of Maintenance, and Inland/Wetlands, when applicable. A complete site plan must be submitted prior to the pre-application meeting. The team and its members will function in an advisory capacity for the Zoning Commission and will provide a report for each project proposed in the Town Center District. *[rev. eff. 4/17/13, 7/29/13]*

G. Parking: *[rev. eff. 4/17/13]*

(1) **Off-Site Parking:**

Notwithstanding Section 242-305 C. (2), if a business has insufficient parking to meet the regulatory requirements on the site where the business is established, the business may satisfy the requirement by acquiring (lease or purchase) the additional required parking spaces on an off-site location approved by the Commission. In such instances, the distance from the closest perimeter wall of the business establishment to the perimeter of a defined off-site parking location shall not exceed 900 feet (900'), except that parking spaces dedicated for employee use may be at a greater distance. *[rev. eff. 4/17/13]*

(2) **Aesthetic and Pedestrian Considerations:**

If a business determines that site aesthetics and pedestrian accessibility can be improved by the additional of malls, walkways, landscaping, etc. or if adequate additional off-street parking is provided, it may apply to the Commission for a design review permit which would allow for reduced on-site parking in favor of these design enhancements and the substitution of additional parking spaces within a defined off-site parking location approved by the Commission. In such instances, the distance from the closest perimeter wall of the business establishment to the perimeter of the defined off-site parking shall not exceed nine hundred feet (900'), except that parking spaces dedicated for employee use may be at a greater distance. *[rev. eff. 4/17/13]*

(3) **Location:**

- (a) With the approval of state and municipal authorities street-side parking within the right of way is permitted.
- (b) No street-side berms are required.
- (c) Off-street parking shall be located in the side or rear yards of street-front development.

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(4) **Shared Parking:**

When any land or building is used for two or more distinguishable purposes (i.e. joint or mixed use development), the minimum total number of parking spaces required to serve the combination of all uses may be determined in the following manner. Multiply the minimum parking requirement for each individual use (as set forth in the section 242-305(C) of this chapter for each use) by the appropriate percentage (as set forth below in the Parking Credit Schedule Chart) for each of the five designated time periods and then add the resulting sums from each vertical column. The column total having the highest total value is the minimum shared parking space requirement for that combination of land use. *[added eff. 4/17/13]*

Parking Credit Schedule Chart

	Weekday	Weekday	Weekday	Weekend	Weekend
	Night Midnight to 7:00 a.m. (percent)	Day 7:00 a.m. to 5:00 p.m. (percent)	Evening 5:00 p.m. to Midnight (percent)	Day 6:00 a.m. to 6:00 p.m. (percent)	Evening 6:00 p.m. to Midnight (percent)
Residential	100	60	90	80	90
Office/Industrial	5	100	10	10	5
Commercial/Retail	5	80	90	100	70
Hotel	70	70	100	70	100
Restaurant	10	50	100	50	100
Restaurant associated with hotel	10	50	60	50	60
Entertainment/recreation (theaters, bowling allies, cocktail lounges and similar)	10	40	100	80	100
Day-care facilities	5	100	10	20	5
All other	100	100	100	100	100

H. Design Flexibility: *[rev. eff. 4/17/13, 06/01/14]*

(1) **Assemblages:**

In order to allow for more practical and conforming development, the assemblage of smaller, contiguous parcels into a legal, consolidated conforming parcel is to be encouraged.

(2) **Side Yards:**

Per E. above, the Commission has provided for the “clustering” of buildings, on separate sites, planned in such a manner as to foster pedestrian accessibility and continuity and integrity of architectural design, and the orientation of buildings to the street. In such instances the adjoining buildings, may be connected by covered pedestrian walkways or courtyards. The Commission, however, must give specific consideration to the need to provide emergency passage of vehicles through these yards and fire protection methods.

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- (3) **Setbacks from Access Drives:**
Setbacks from common area access drives shall not be less than ten (10) feet. No parking space may be located closer than ten feet (10') from a building.
- (4) **Parking Areas:** *[rev. eff. 4/17/13]*
Buffers, setbacks and other distance requirements pertinent to parking areas, may be reduced when the Commission finds that such reduction will foster pedestrian accessibility, pedestrian and vehicular safety, and utilization of good design and engineering principles. Pedestrian walkways are permitted within any buffers in setback areas between roads, drives accessways and parking area pavement.
- (5) **Signage:**
Signs within the district shall conform to the requirements of Section 242-306. except as follows:
- (a) There shall be a common design concept, approved by the Commission, for signs for individual businesses located within a building or grouping of buildings. These signs shall be uniform in appearance.
 - (b) "Roadside Signs" shall not be permitted where "street-side" areas and sidewalks are allowed.
 - (c) "Building signs," of the prescribed size, shall be allowed on both the front and rear of a building.
 - (d) "Off premises signs" directing vehicles to the access points or assigned parking area of individual businesses may be erected on the approach to access drives or roadways provided that: (i) the location of the signs is consistent with the Plan of Development, (ii) the sign(s) do not inhibit lines of sight, (iii) the overall sign shall have lettering and directional arrows which contrasts from the background and shall not exceed a size of 6' x 6', and (iv) individual sign panels, placed on the above sign and indicating the individual business name, shall not exceed 6" x 36".
 - (e) Signs which identify the district may be erected at the borders of the district with the prior written permission of the landowners of record. These signs shall be uniform in appearance and shall not exceed sixteen (16) square feet.

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I. Sidewalks:

(1) Installation:

For any new, modified, assembled or subdivided properties within the District, sidewalks shall be installed as follows:

- (a) Along all street frontages, between the road right-of-way and building frontages.
- (b) Along all sides of a developed site which abut a public highway.
- (c) Adjacent to entrances to buildings at locations deemed appropriate by the Commission.
- (d) So as to connect sidewalks on a user's property with parking areas on the same or adjacent properties;
- (e) So as to connect any sidewalk on a user's property to adjacent parks, plazas or other open space and/or recreational areas; and
- (f) In the event an adjacent sidewalk is planned but not built, the sidewalk shall be built so as to connect to the proposed sidewalk.

(2) Sidewalk Location:

- (a) Sidewalks shall not be permitted within any area dedicated by either the Department of Transportation (DOT) or the Brookfield Director of Public Works (DPW) for guardrails, fencing, drainage devices, plowed snow storage, and the like.
- (b) Sidewalks shall be located parallel to the street at a height six inches (6") above the edge of pavement unless otherwise determined by the Commission so as to adjust to variable site conditions.
- (c) When located immediately adjacent to street side parking spaces, they may be located immediately adjacent to the street curb.
- (d) When not located adjacent to street side parking spaces, they shall be located no closer than four feet (4') from the curb or edge of pavement. This four feet area shall be planted with sod or ground cover plant material.
- (e) With the specific approval of the cognizant state and municipal agencies, sidewalks may be located within the roadway right of way.

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(3) **Construction:**

- (a) Sidewalks shall be extended to the perpendicular curb at intersections and shall be continuous across driveways.
- (b) Sidewalks at intersections shall slope to provide handicapped access.
- (c) Sidewalks shall be sloped to prevent the accumulation of water on the surface.
- (d) Steps shall not be permitted on sidewalks.
- (e) Minimum Width:
 - [1] When immediately to adjacent diagonal, on-street parking:
A minimum of five (5') feet in width to provide for unencumbered pedestrian passage. An additional paved area of not less than eight (8') feet in width from the sidewalk to the front of a building shall be provided. This area shall include containerized landscaping, tree wells, street furniture.
 - [2] When on-street parking is not provided:
A minimum of five (5') feet in width located from either the front lot line or edge of pavement and may be located within any required street-side buffer area.

(4) **Construction Standards:**

All sidewalks shall be constructed in accordance with Connecticut Department of Transportation (DOT) and Brookfield Department Public Works standards and specifications.

(5) **Owner responsibility:**

The owner of the private property directly abutting a sidewalk shall be responsible for and have the duty, burden and expense of the maintenance, repair, snow/ice removal, cleaning, repair and renewal of such walks.

(6) **Modification of Requirements:**

The Zoning Commission reserves the right to modify these requirements, in harmony with their general intent, in unique and unusual circumstances indicated by individual site conditions, technical complexities or by overriding considerations of safety and general welfare.

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J. Landscaping:

(1) **Landscape Plan:**

The landscaping plan shall be developed with the goal of creating a pedestrian friendly environment.

(2) **Planter Boxes:**

Street-side areas shall use planter boxes containing deciduous, evergreen, and other similar plants. They shall be located every twenty feet (20') along the front perimeter of the site. The planter boxes shall be not less than three feet (3') in diameter or three feet (3') square and adequate to support the continued and healthy plant life contained therein.

(3) **Buffer Areas:**

The Commission may require landscaped buffer areas to shield or enhance the view of the site and the use from adjacent uses, land or buildings.

K. Street Lighting:

Property owners shall provide street lighting from dawn to dusk each day along all sidewalks as follows:

- (1) Maximum separation distance between poles = fifty (50) feet.
- (2) Maximum pole and fixture height = fourteen (14) feet
- (3) Lighting fixtures and poles shall be uniform in design throughout the district and shall be of the "Period Style" fixture pictured in Figure 602B-1 of the regulations.
- (4) The connection from power source to lighting poles shall be underground.
- (5) There shall be one (1) in-line cartridge type fuse per each pole accessible through a covered hand hole.
- (6) The average level of illumination shall be twelve (12) LUX.
- (7) Property owners shall be responsible for maintenance and repair including bulb changing.
- (8) Installation plans shall be specifically approved by the Commission and Director of Public Works.

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L. Public Utilities:

All utilities shall be placed underground unless otherwise authorized by the Commission upon review of plan and unique geographical or complex technical circumstances exist.