

## Section 4: Municipal Authorities Affecting the Coastal Area

Several Town regulations and plan affect development within the coastal area, including regulations of the Harbor Management Commission, Waste Water Disposal Ordinance, Town Plan of Conservation and Development, Zoning Regulations, Subdivision Regulations, Inland Wetlands and Watercourses Regulations, and Historic District Regulations. Probably the most important of these for controlling development are the Town Plan of Conservation and Development and the Zoning Regulations. Each is summarized below as it affects the coastal area.

### Plan of Conservation and Development Summary

The Clinton Plan of Conservation and Development was first adopted in 1970, and was most recently revised in 2000. The Plan is an advisory document, intended to guide both public agencies and private interests in making land use and infrastructure decisions. Included in the Plan is a map, which displays the major recommendations for future development in Clinton. This map, the Future Land Use Plan is included at the end of this document as *Figure 4*. In addition, a map entitled “Open Space and Public Facilities Plan” was developed for this publication. Following is a summary of the major provisions of the Plan of Conservation and Development affecting the coastal area.

Residential Housing: Most land within the coastal area is designated as primary residential districts, which is usually zoned R-10, R-15 and R-20 with very few areas designated as suburban or rural residential district, located at the western end of Cedar Island, which is zoned R-40. The Future Land Use Plan shows the area along East Main Street from the Indian River to Route 145 as the Village Zone, which was created in 1997, as discussed further in this section.

Open Space: The Plan recommends the preservation of open space. It is a necessary part of a balanced community. Maintenance of open space preserves fragile or unique natural resources, including wetlands, floodplains, steep slopes, aquifer recharge areas, beaches and other coastal features, forest stands, unusual geologic features and habitat.

In May 2001, an ordinance was passed creating an Open Space Advisory Committee, which was charged with the purpose of serving as an advisor to all town agencies and studying the Town’s open space needs and to make recommendations in regard to such.

The Committee has set criteria for recommending land for acquisition as open space. The criteria is land that:

- Protects aquifers, water sources and watersheds;
- Contains watercourses, wetlands, salt marshes and vernal pools;
- Provides linkage of greenways to existing parcels, including those in neighboring towns;
- Protects habitats of significance for wildlife and endangered species;

Town of Clinton  
Municipal Coastal Plan

- Contributes to the preservation of historic character including scenic vistas and stone walls; and
- Contains unique archaeological features such as caves, ridges and waterfalls.

Since 1965, developers have subdivided 3,759.269 acres of land, donating 692.1 acres of open space to either the town or several non-profit land trusts.

|              | <u>Acreage</u><br><u>Subdivided</u> | <u>Open Space</u><br><u>Donation</u> | <u>Percentage</u> |
|--------------|-------------------------------------|--------------------------------------|-------------------|
| 1965 to 1974 | 363.860                             | 19.59                                | 5.4%              |
| 1975 to 1984 | 1082.199                            | 278.90                               | 25.8%             |
| 1985 to 1994 | 930.130                             | 113.06                               | 12.2%             |
| 1995 to 2004 | 1209.400                            | 224.90                               | 18.6%             |
| 2005 to date | 173.680                             | 55.65                                | 32.0%             |
|              | <u>3759.269</u>                     | <u>692.1</u>                         | <u>18.4%</u>      |

The Open Space Advisory Committee has identified the following parcels located within the Coastal Area Management boundary as meeting their criteria for acquisition as open space:

| <u>Location</u>      | <u>Map/Block/Lot</u> | <u>Acreage</u> |
|----------------------|----------------------|----------------|
| 110 West Main Street | 33/13/21             | 56.40          |
| Beach Park Road      | 69/66/214            | 3.26           |
| Nod Place            | 15/10/50             | 2.90           |
| Nod Place            | 15/10/51             | 41.00          |
| Nod Place            | 22/10/43             | 8.20           |
| Nod Place            | 22/10/47             | 8.30           |
| Nod Place            | 22/10/48             | 4.30           |
| Nod Place            | 22/10/45             | 31.70          |

Although most of the parcels identified above are shown in *Figure 5: Open Space and Public Facilities Plan* as potential open space, there are several parcels that were not shown. In addition, the Planning and Zoning Commission has identified other parcels that would be appropriate as open space by the Town.

In the past, especially in recent years, the Planning and Zoning Commission has accepted Conservation Easements instead of dedications of small, isolated parcels of open space or to supplement an open space dedication to preserve unique natural features and sensitive habitats. Unfortunately, currently there is no database of these easements to aid in their enforcement.

Commercial: Three commercial land use categories are identified in the Plan and as shown in *Figure 4: Future Land Use Plan*, of which only one is located entirely within the coastal boundary:

- Highway Commercial District: Located in a strip along Route 1, stretching from one side of town to the other.

Town of Clinton  
Municipal Coastal Plan

The other two commercial land use categories are not located within the coastal boundary. They are:

- Interchange District: Located north of Interstate 95 and west of Route 81.
- Neighborhood District: Located at the corner of Glenwood Road and Hurd Bridge Road.

For the Highway Commercial District, the Plan recommends emphasizing good traffic flow within and among sites as well as maintaining through traffic. Standards should also require well-landscaped buffer and parking areas, stormwater management using best available techniques and architecture, which is compatible in terms of design and scale with the small town character of Clinton.

Special Mixed Districts: Special Districts are intended to maintain and enhance those areas of town that have their own unique character. These Districts are not well suited to conventional zoning techniques, but rather rely on a mixture of uses and flexible areas and bulk standards with an overall design context that reinforces the spatial pattern of the area. The existing Village Zone is a special district.

- Village Zone: Established in 1997, the Village Zone (VZ) recognizes the special character of the East Main Street area between the Indian River and the intersection of Route 145. The VZ is intended to retain the concentration of civic uses that historically characterize a town center, along with the businesses and residences that form a streetscape which is at village scale. Emphasis is placed on site and building design and on encouraging pedestrian activity within the zone and in connection with the area to the west along Main Street.
- Downtown District: Just as the Village Zone was adopted to reinforce the character of the area along Route 1 east of the Indian River, the Downtown District should identify and recognize the unique character of the corridor along Route 1 west of the river. This is historically the town's retail and service center and is the area of town with the greatest percentage of lot coverage. Setbacks from the sidewalk and from property lines are minimal, and landscaping may be in the form of planters rather than parking lot islands. This is principally a pedestrian orientated area. Parking requirements must be flexible, allowing shared parking wherever it can be arranged. Like the Village Zone, specific design standards should be developed to capture the flavor of the Downtown District.
- Marine Districts: There are three areas zones for marine uses, located on the northern shore of Clinton Harbor and along the Hammonasset River bank. Early in 2001, two separate zoning categories, distinguished by the prohibition of motels, etc. in one zone, were combined into one. The majority of the Marine District is currently utilized by permitted uses as per the Town's Zoning Regulations as marinas, boat storage, repairs and sales of watercraft, associated marine retail businesses, food service establishments and recreational facilities. The Marine District allows for other uses which are non-existent or very limited such as manufacturing of marine equipment, the sale and processing of fish and marine contractor businesses. While the majority of the uses are water dependent, approximately 10 non-conforming

Town of Clinton  
Municipal Coastal Plan

residential properties exist. The Town's Zoning Regulations tend to promote water dependent uses and discourage the non-water dependent uses such as residential, cleaning establishments, manufacturing and general retail.

Industrial: There are currently three types of industrial districts, with lots ranging from 20,000 to 80,000 square feet. There is some difference in uses currently allowed in the three zones. The Plan recommends the combination of the three zones into two, both of which are located in the Coastal Boundary:

- Industrial: This zone is intended to permit manufacturing and distribution of goods at an intensity, which requires a significant workforce or significant movement of raw materials and/or finished product.
- Industrial Park: A rural appearance should be maintained within the Industrial Park District, characterized by low building silhouettes, large open lots and limited lot coverage by buildings and parking areas, with a minimum of outdoor storage, processing or other activity.

Summary of Zoning Regulations

Clinton's Zoning Regulations were first adopted in 1965 and have been amended numerous times since. The coastal portion of the Zoning Map is shown in *Figure 1*. A brief summary of the major provisions of the Zoning Regulations affecting development within the coastal boundary follows.

Zoning Districts: The Zoning Regulations establish eight Residential Districts (R-10, R-15, R-20, R-30, R-40, R-60, R-80 and R-120), four Business Districts (B-1, B-2, B-3 and B-4 Zones), one Marine District (M Zone), three Industrial Districts (I-1, I-2 and IP Zones), a Mixed Use District (Village Zone) and a Flood Hazard Zone. Most districts are present within the Coastal Boundary.

The Zoning Map conforms generally with the Future Land Use Plan of the Town Plan of Conservation and Development. Numerous small differences exist. The most noticeable difference between the Zoning Map and the Future Land Use Plan is the designation of open spaces on the Future Land Use Plan. No areas are specifically zoned as open space; rather they are presently zoned for residential, marine, business and industrial uses.

Permitted Uses: For each of the zoning districts, several classes of uses are established:

- Uses permitted as a matter of right, with a Zoning Permit.
- Uses permitted subject to approval of a Site Plan by the P&Z.
- Uses permitted subject to a Special Exception from the P&Z.
- Uses permitted subject to a Special Permit from the P&Z.
- Uses permitted subject to a Special Exception from the Zoning Board of Appeals.
- Uses prohibited.

Town of Clinton  
Municipal Coastal Plan

Conservation Subdivisions: Conservation Subdivisions are cluster developments that provide for the retention of a large portion of the parcels as permanent open space. These Regulations allow flexibility in design to maximize the preservation of natural resources and scenic quality of the land. In addition, the Regulations recognize and encourage maintaining the harmony with the surrounding areas in regard to lot sizes.

Site Plans: Uses requiring a Site Plan by the Planning and Zoning Commission may require a full site plan; a grading, sedimentation and erosion control plan (following guidelines in the Erosion and Sediment Control Handbook for Connecticut prepared by the Soil Conservation Service); construction and development standards for driveway access, existing streets, parking and loading, and drainage; provisions for sewage disposal; and inland wetlands protection.

Flood Hazard Zone: All special flood hazard areas as identified by the Federal Emergency Management Agency (FEMA) in the Flood Insurance Study for the Town of Clinton, March 1980, and accompanying Flood Insurance Rate Maps, are subject to special provisions. The flood hazard regulations essentially provide an “overlay” zone that establishes requirements for all new construction and substantial improvements (greater than 50% of the value of the structure) within the 100-year floodplain. More stringent requirements are established for areas designated as floodways and coastal high hazard areas, which are subject to high velocity waters.

Coastal Area Management Zone: This section requires a coastal site plan review for all structures within the coastal boundary, as mandated by the CCMA. All subdivisions and development proposals brought before the Planning and Zoning Commission must receive a coastal site plan review if the subject property is located within the Coastal Boundary. All variance requests are subject to the same provisions. Several exemptions from coastal site plan review authorized by the CCMA are provided.

Marinas: Marinas require Site Plan approvals, which includes requirements for ground coverage, setbacks, building sizes, and minimum parking requirements as well as coastal site plan review. This process is to assure that parking projects conform with the Town, State and other agency regulations.



Clinton Harbor at Sunset