

Town of Washington
P.O. Box 383
Bryan Memorial Town Hall
Washington, CT 06794

Zoning Commission

NOTICE

To: Sheila Anson, Town Clerk
Washington Planning Commission
Naugatuck Valley Council of Governments
Western CT Council of Governments
North West Hills Council of Governments

From: Washington Zoning Commission

Referral Re: Proposed Revision to the Washington Zoning Regulations – **Section 12.8
Temporary Uses**

You are hereby notified per Section 8-3c of the Connecticut General Statutes, that the Washington Zoning Commission has proposed amendments to the Washington Zoning Regulations.

The proposed language to revise Section 12.8 – Temporary Uses of the Washington Zoning Regulations is attached. The proposed revisions pertain to sites located in the Residential Zoning Districts in Washington.

A public hearing via Zoom Virtual Meeting has been scheduled for Monday, December 14, 2020 at 7:30 pm.

Please send your comments to the Zoning Commission:
Mail to: Zoning Commission/P.O. Box 383/Washington Depot, CT 06794
Fax to: 860-868-2819
Email to: swhite@washingtonct.org

If you have any questions or need more information, please call the Land Use Office at 860-868-0423.

Sincerely,



Shelley White
Land Use Administrator
November 4, 2020

12.8 Temporary Uses. Temporary permits may be issued FOR CERTAIN STRUCTURES AND USES IN ACCORDANCE WITH THE FOLLOWING PROVISIONS:

12.8.1 TEMPORARY CONSTRUCTION STRUCTURES: WHEN A LOT IS BEING PREPARED FOR THE CONSTRUCTION OF A PERMITTED PERMANENT STRUCTURE OR THE ESTABLISHMENT OF A PERMITTED PERMANENT USE, A PERMIT MAY BE ISSUED FOR ONE OR MORE STRUCTURES TO BE USED SOLELY FOR (a) STORAGE OF EQUIPMENT AND MATERIALS REQUIRED FOR SUCH PREPARATION OR CONSTRUCTION, OR (b) A CONSTRUCTION OFFICE. THE ZONING ENFORCEMENT OFFICER MAY ISSUE A TEMPORARY PERMIT FOR UP TO TWO SUCH STRUCTURES PROVIDED THE STRUCTURES WOULD MEET ALL SETBACK REQUIREMENTS FOR A PERMANENT STRUCTURE. THE DURATION OF THE FIRST SUCH PERMIT SHALL BE NO GREATER THAN ONE YEAR, OR TWO WEEKS AFTER THE COMPLETION OF PREPARATION OR CONSTRUCTION OF THE PERMANENT USE OR STRUCTURE, WHICHEVER COMES FIRST. PERMITS MAY BE RENEWED FOR PERIODS OF NO MORE THAN SIX MONTHS.

12.8.2 TEMPORARY TRAILERS FOR LIVING PURPOSES: A PERMIT, NOT TO EXCEED FOUR WEEKS IN ANY CALENDAR YEAR, MAY BE ISSUED BY THE ZONING ENFORCEMENT OFFICER FOR ONE VISTING TRAILER TO BE USED FOR LIVING PURPOSES ON A LOT ZONED FOR RESIDENTIAL USE. ANY SUCH TRAILER MUST BE PARKED ON THE REAR HALF OF THE LOT AND MUST BE LOCATED AT LEAST 25 FEET AWAY FROM EVERY LOT LINE. NO MORE THAN ONE SUCH PERMIT SHALL BE ISSUED IN ANY CALENDAR YEAR.

12.8.3 TEMPORARY USES REQUIRING NO PERMIT:

- A. TEMPORARY USES THAT ARE INCIDENTAL AND CUSTOMARY TO THE PERMITTED PRINCIPAL USE OF A PARCEL IN A RESIDENTIAL DISTRICT
- B. ANNUAL EVENTS THAT HAVE PREVIOUSLY NOT BEEN ISSUED A ZONING PERMIT, AND HAVE BEEN HELD AT THE SAME LOCATION FOR A PERIOD OF FIVE YEARS OR MORE BEFORE [INSERT DATE OF AMENDMENT]
- C. TEMPORARY EVENTS ON PROPERTY OWNED BY THE TOWN OF WASHINGTON, RELIGIOUS INSTITUTIONS OR SCHOOLS.
- D. SINGLE-DAY EVENTS HELD BY COMMERCIAL ENTITIES IN THE B1, B2, B3 AND B4 DISTRICTS

12.8.4 TEMPORARY USES REQUIRING A ZONING PERMIT:

THE ZONING ENFORCEMENT OFFICER MAY ISSUE A ZONING PERMIT FOR A SINGLE-DAY EVENT NOT LISTED IN SUBSECTION A, ABOVE, PROVIDED THE APPLICANT DEMONSTRATES THAT ADEQUATE PARKING CAN BE PROVIDED. NO MORE THAN TWO (2) SUCH PERMITS SHALL BE ISSUED IN ANY ONE CALENDAR YEAR ON THE SAME SITE.

ALL SUCH USES/EVENTS SHALL REQUIRE AND ZONING PERMIT,
SHALL BE LIMITED TO THE HOURS OF 8:00 AM TO 10:00 PM

12.8.5 TEMPORARY USES REQUIRING A SPECIAL PERMIT:

A SPECIAL PERMIT SHALL BE REQUIRED FOR ANY TEMPORARY
USE, LASTING MORE THAN ONE DAY, NOT DESCRIBED IN
SECTIONS 12.8.3 AND 12.8.4. SUCH USE SHALL BE SUBJECT TO
THE STANDARDS OF SECTION 13.1.C OF THESE REGULATIONS AND
SHALL BE LIMITED TO CIRCUSES, CARNIVALS, FESTIVALS,
CONCERTS, ARTISTIC PERFORMANCES, AND GALAS AND SIMILAR
TYPE ENTERTAINMENT.

NO MORE THAN ONE (1) SPECIAL PERMIT MAY BE ISSUED IN ANY
ONE CALENDAR YEAR FOR A TEMPORARY USE ON ANY LOT OR
PARCEL. NO SUCH TEMPORARY USE SHALL BE PERMITTED FOR
MORE THAN SEVEN CONSECUTIVE DAYS.

ALL SUCH USES/EVENTS THAT REQUIRE A SPECIAL PERMIT SHALL
BE LIMITED TO THE HOURS OF 8:00 AM TO 10:00 PM.



REFERRAL RESPONSE

Initiating Municipality: Washington Zoning Regulation/Map Amendment
Date Received: 11/06/20 Subdivision
Public Hearing Date: 12/14/20 Town Plan Update

Neighboring municipalities in NHCOC region: Kent, Warren, Litchfield, Morris, and Roxbury

Summary of proposed change:

This is a proposed revision to section 12.8 of the town's zoning regulations which addresses temporary uses including temporary structures and temporary events. The revisions proposed in October 2019 have been slightly amended to this current proposed version.

COMMENTS:

We continue to be concerned about Section 12.8.3 (B) which states that if an annual event has been held at the same location for a period of five years or more before the date this regulation is amended; it may continue to be held without needing a permit. Why do these events not have to comply with the same standards and permitting process that newer events do? Grandfathering uses that had been in existence prior to the effective date of a new regulation is not uncommon but picking a number of years prior to the effective date is uncommon and could be contested.

Allowing and supporting arts, culture, and social events in our region would be consistent with our Regional Plan of Conservation and Development and Regional Comprehensive Economic Development Strategy. Section 12.8.5 as proposed limits these types of events to no more than one event per year per parcel. This appears to limit opportunities to hold these types of events which these regional plans support.

CC: This referral response will be sent to the Land Use Administrator and Chief Elected Official in each of the neighboring towns listed above.

QUESTIONS: Questions concerning this referral should be directed to Janell Mullen, NHCOC.

RE: Referral from the Town of Washington re: Regulation Change

Lauren Rizzo <LRizzo@nvcogct.gov>

Thu 11/5/2020 8:44 AM

To: Shelley White <swhite@washingtonct.org>

Acknowledge receipt on 11/4/20 of zoning/subdivision referral as required by the General Statutes State of Connecticut and identified as follows:

The Town of Washington Zoning Commission is proposing changes to the Washington Zoning Regulations – Section 12.8 Temporary Uses.

Should a response not be transmitted to you on or before 30 days from our receipt date, you may use this acknowledgment as proof of compliance with the appropriate statute.

Naugatuck Valley Council of Governments

49 Leavenworth St., 3rd Floor

Waterbury, CT 06702

From: Joanna Rogalski <JRogalski@nvcogct.gov>

Sent: Wednesday, November 4, 2020 4:20 PM

To: Referrals <Referrals@nvcogct.gov>

Cc: Keith Rosenfeld <KRosenfeld@nvcogct.gov>

Subject: Fw: Referral from the Town of Washington re: Regulation Change

FYI - was not originally sent to referrals email address

From: Shelley White <swhite@washingtonct.org>

Sent: Wednesday, November 4, 2020 3:51 PM

To: Northwest Hills Council of Governments <jayer@northwesthillscog.org>; Joanna Rogalski <JRogalski@nvcogct.gov>; Western Connecticut Council of Governments <referrals@westcog.org>

Subject: Referral from the Town of Washington re: Regulation Change

Please see referral attached. You will probably recognize this as quite similar to the referral I sent earlier this year. Our scheduled public hearing was cancelled and put off because of Covid-19. They have tweaked the language a bit for clarification but it's not significantly different than the previous referral from us. We are going to attempt a Zoom Public Hearing.

As always, please feel free to contact me should you have any questions.

Kindly,

Shelley White

Land Use Administrator

Town of Washington, CT

PH:860-868-0423

swhite@washingtonct.org



RE: Referral from the Town of Washington re: Regulation Change

Kristin Floberg <kfloberg@westcog.org>

Tue 11/10/2020 11:29 AM

To: Shelley White <swhite@washingtonct.org>

 1 attachments (123 KB)

11-04-2020 referral sent to COGs, TC, PC10-26-2020 Mtg revisions - ZC agreed.pdf;

To: Shelley White, Land Use Administrator

From: Kristin Floberg, Planner

Re: CT Statutory Referral to WestCOG from Washington - Attached Zoning Amendment

Date: November 10, 2020

Thank you for submitting the attached referral to WestCOG.

The opinion of WestCOG staff is that the proposal is of local interest and with minimal intermunicipal impact. Therefore, it is not being forwarded to adjacent municipalities and the regional staff is making no comment.

From: Shelley White <swhite@washingtonct.org>**Sent:** Wednesday, November 4, 2020 3:51 PM**To:** Northwest Hills Council of Governments <jayer@northwesthillscog.org>; Naugatuck Valley Council of Governments <jrogalski@nvcogct.org>; Referrals <referrals@westcog.org>**Subject:** Referral from the Town of Washington re: Regulation Change

Please see referral attached. You will probably recognize this as quite similar to the referral I sent earlier this year. Our scheduled public hearing was cancelled and put off because of Covid-19. They have tweaked the language a bit for clarification but it's not significantly different than the previous referral from us. We are going to attempt a Zoom Public Hearing.

As always, please feel free to contact me should you have any questions.

Kindly,

Shelley White

Land Use Administrator

Town of Washington, CT

PH:860-868-0423

swhite@washingtonct.org



December 2, 2020

To: Nick Solley, chair
Washington Zoning Commission

Fr: Wayne Hileman, chair
Washington Planning Commission

Re: Referral of Proposed Revisions to Zoning Regulations – Section 12.8

Mr. Solley -

The Washington Planning Commission has reviewed and discussed the proposed revisions to the Washington Zoning Regulations (as of 4 November 2020) regarding Section 12.8 – Temporary Uses.

The Planning Commission unanimously finds that the proposed revisions are inconsistent with the Town of Washington's 2014 Plan of Conservation and Development (POCD). The issues outlined in our April 1, 2020 referral letter regarding these proposed Section 12.8 revisions remain unaddressed.

The Commission unanimously urges the rejection of these proposed revisions.

Best Regards,

A handwritten signature in black ink, appearing to read "Wayne Hileman", written in a cursive style.

Wayne Hileman
Chair – Washington Planning Commission

cc: BoS; NWHCOG

