

INDUSTRIAL ZONES COMMITTEE

DRAFT INDUSTRIAL ZONES RECOMMENDATIONS



As of: JANUARY 23, 2006

Industrial Zones Committee Members

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Kathleen Shea, *Vice President of Manufacturing, Beiersdorf, Inc.*
Corinne Weston

Staff to Industrial Zones Committee

Michael Greene, *Director of Planning & Zoning*
Timothy Sheehan, *Executive Director, Norwalk Redevelopment Agency*
Dorothy Wilson, *Senior Planner*
Alanna Kabel, *Mayor's Director, Marketing & Business Development*

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I. Introduction

The Industrial Zones Committee's mandate was to consider whether existing zoning regulations, as they pertain to the Restricted Industrial, Industrial #1 Zones and Light Industrial #2 Zones, need to be revised to further the economic development of the City of Norwalk. The Committee's work was limited to reviewing whether or not the current regulations are unnecessarily restrictive and are they contributing to a difficulty in leasing or selling certain parcels of real estate. The Committee recognized that the reasons why any given parcel of property is or is not developed are numerous and complex, and rarely is zoning the number one reason but the Committee concluded that the zoning regulations for these zones may be overly restrictive. The regulations were written at a time when the City was trying to attract manufacturing uses, and in the case of the restricted industrial zones, to concentrate those uses in specific areas so that they would not be scattered around the City. Norwalk was losing a great deal of its industrial zoned property to competing uses – especially residential and office. It is clear that today, given the changing nature of the economy, there is little reason to prohibit office and similar commercial uses in these areas.

In reviewing options for alternative uses in the Industrial Zones the Committee was sensitive to the proximity of the sites to residential areas and recommended uses that would minimize or reduce the traffic impact. The Industrial areas are also near major transportation hubs and/or along bus routes. Development of these properties is in keeping with the policies of both the City and SWRPA to encourage the use of mass transportation.

One of the comments the general public made to the Committee was that the lack of affordable housing might be having a negative effect on the ability of the City to attract business and on the attractiveness of some of the areas under review. It is important to note that the Industrial

Zones Committee was not charged with formulating an affordable housing policy for the City of Norwalk and as such, the Committee did not undertake activities associated with formulating such a policy. However, it is the consensus of the Committee that the City should consider permitting the development of housing in certain of these areas on a case by case basis as described below.

II. Recommendations

Restricted Industrial Zones

The proposed amendments to the Building Zone Regulations with regard to Restricted Industrial Zones are as follows:

1. Allow office use that does not have extensive client visits in Development Parks of at least ten acres as a Special Permit Use;
2. Shipping centers are not an allowed use;
3. Allow contractor's office *without equipment or material storage* as a Special Permit Use;
4. Research and Development is an allowed use in Restricted Industrial Zones and includes operations such as data centers;
5. Allow multifamily housing at B residence density (8 units/acre) on a case by case basis;
6. Allow multifamily housing and live/work space in the Restricted Industrial Area below Meadow Street as part of a mixed use development on a case by case basis.

Industrial 1 Zones

1. Allow office use that does not have extensive client visits in Development Parks of at least ten acres as a Special Permit Use;
2. Shipping centers are not an allowed use;

3. Allow contractor's office *without equipment or material storage* as a Special Permit Use;
4. Allow multifamily housing at B residence density (8 units/acre) on a case by case basis.

Light Industrial 2 Zones

1. Allow office use that does not have extensive client visits in Development Parks of at least ten acres as a Special Permit Use.

General Recommendations

1. **Special Permit Uses** – The Industrial Zones Committee reaffirms the current list of Special Permit Uses and recommends they remain the same as many of these uses warrant public input which is not required for as of right uses;
2. **Rezoning Sites** – Rezoning sites from Industrial to Multi-Family Zones should be done on a case by case basis at the discretion of the City of Norwalk's Zoning Commission. In cases where multifamily housing at B residence density is permitted by the Zoning Commission for large industrial parcels of at least twenty-five acres, the Zoning Commission should require that at least 10% of the units be affordable to households earning no more than 80% of the State of Connecticut median income and at least an additional 5% of the units be affordable to households earning no more than 60% of the state median income. In all other instances (i.e., all parcels below twenty-five acres in size), the percentage of required affordable housing development should be determined on a case by case basis by the Zoning Commission. In all cases, the designated affordable housing units must be restricted so that they are eligible under the auspices of the State of Connecticut's Affordable Housing Appeals Act and included on the State of

Connecticut's Affordable Housing Appeals List as stipulated in Section 8-30g of the Connecticut General Statutes. This amendment should not apply to Industrial #1 Zones abutting the Norwalk Harbor where water dependent uses requiring access to the federal navigational channel are encouraged and in compliance with the State Coastal Management Act and the City of Norwalk's *Mid-Harbor Plan*. In areas where water dependent uses abutting the Norwalk Harbor do not require access to the federal navigational channel, the Zoning Commission should have the option to consider mixed use developments such as housing and water dependent with water dependent uses required as part of the mixed use development.

Land Use and Zoning History

Restricted Industrial: The Restricted Industrial zoning regulation was established by the Planning & Zoning Commission in 1981 to specify the type of development deemed appropriate for the Martin Luther King Jr. Drive area. MLK Jr. Drive is a 4 lane road built by the City in the early eighties to create an access to an area to be restricted to primarily industrial uses. Today, there are three areas of the City zoned Restricted Industrial, the Martin Luther King Jr. Drive area, a small section on Woodward Avenue and the NordenPark property. (see zoning map) The largest parcel in the city is Norden Park located at 10 Norden Place with ±78 acres that abuts Interstate 95 along its entire northern property line and the mainline of MetroNorth railroad along its entire southern property line. This property was zoned entirely B Residence in 1929. In April, 1959, the property was rezoned to Light Industrial #1 and Research & Development to permit the industrial development of the site by United Technologies, the original parent company of Norden Systems. This zoning remained in place until April, 1991, when the Zoning

Commission rezoned the Light Industrial portion of the property to Restricted Industrial as part of the Plan of Development zone changes. The frontage of the property is in an R&D zone. The portion of the property in Westport is zoned for single-family residences.

As can be seen by the zoning map, all of the above Restricted Industrial zoned areas are adjacent to residentially zoned neighborhoods. At Norden Park, Woodfield Commons, a 53 unit PRD is located across the street in a B Residence zone and a 33 unit conservation development, Saugatuck Landing, is located to the south across the railroad tracks on Heron & Swale Roads in a AAA Residence zone. Properties located to the south & east along Triangle St and Howard Ave are zoned C Residence and include a mix of 1 & 2 family homes. To the north of I-95, properties are zoned A Residence, including single family homes located on Dairy Farm Rd and William St. and Nathan Hale Middle School.

Industrial #1: The Industrial #1 zoning regulation was first established in 1929 and permitted any use except those specifically prohibited. The regulation permitted buildings up to 8 stories and 100 feet in height with 90% lot coverage and minimal setbacks. Several amendments were passed by the Commission to increase setbacks and to permit hotels to 12 stories and 150 feet; however, in 1991, the entire regulation was rewritten. The revised regulation lowered the permitted building height to 4 stories and 50 feet, reduce building coverage to 50%, and established a list of permitted uses as well as a list of special permit uses. At that time, the Commission deleted multifamily as a permitted use in order to limit residential uses to other areas and eliminate the loss of industrial land to that use.

As can be seen by the zoning map, many properties zoned as Industrial #1 are adjacent to residentially zoned neighborhoods, particularly those areas along Lexington Avenue, Day Street, Wilson Avenue and Bouton Street in South Norwalk, along Commerce and High Streets in Norwalk Center and in East Norwalk along the railroad.

Light Industrial Zone #2: There are two parcels on Richards Avenue zoned as Light Industrial Zone #2, the Stonewood Condominiums and the TransLux property. Both lots were zoned as B Residence in 1929 and rezoned to Light Industrial zone #2 in May, 1968; to allow TransLux to establish their existing business operations at this location. In June 2003, an amendment to the regulation and special permit application were approved to allow multifamily housing and the construction of 54 units on the south parcel. In December 2005, the Commission approved an amendment to allow up to 45,000 sq ft of office in existing buildings by special permit application. The site is bounded on the north, east and west by single-family homes along Juhasz Street and across the street on Richards Avenue, all zoned either A or B Residence. The new Stonewood Condominiums are on the southern lot; just beyond that to the south is Home Depot and Walmart, both zoned as Business #2. To the southwest across Richards Avenue, are several condominium developments all zoned D Residence.

C. Effect of Proposed Amendments: The recommendations to amend the industrial zone criteria in the current Building Zone Regulations would affect all properties zoned as Industrial #1, Light Industrial Zone No.2 and Restricted Industrial in the city. The changes would affect many small and mid-sized properties including those along Martin Luther King Jr. Drive, Wilson Avenue, Meadow Street, Bouton Street, Woodward Avenue, Van Zant Street as well as several large parcels including the Norden Park

property in East Norwalk; the UPS, Beiersdorf, former Nash Engineering and former Norwalk Community College sites in South Norwalk; and the Stonewood Condominium and TransLux properties on Richards Avenue in West Norwalk.

Restricted Industrial and Industrial #1: The proposed recommendations would allow the construction of new multifamily structures on a case by case basis for the first time since the Restricted Industrial zone regulation was established in 1981 and since the Industrial #1 zone was rewritten in 1991. The proposed minimum lot size would limit office and multifamily uses to those properties currently zoned as Restricted Industrial or Industrial #1 with 10 acres or more; however, several properties could be assembled to meet this requirement. The subcommittee did not perform a build-out analysis for the affected areas, however a preliminary estimate of the maximum residential build-out at NordenPark indicates that roughly 650 units at B zone densities could be built if both parcels were developed. The recommended amendments would add a new requirement that a minimum of 15% (B zone) of the units built on parcels exceeding twenty-five acres in size to be affordable to households earning between 60% and 80%, currently \$49,000 and \$65,000 per year respectively, and could add a significant number of affordable units to the city's inventory.

The committee recommended allowing office uses that do not have extensive client visits, similar to the criteria in the Research and & Development zone regulation. The R&D zone permits "office buildings for business and professional establishments other than those primarily providing services to customers and clients on the premises." This provision limits the traffic impacts associated with typical office uses. Properties could be developed if a property owner were able to assemble several smaller lots. Properties

located along Norwalk Harbor with access to the navigational channel would not be eligible for multifamily uses. All applications would be subject to special permit criteria as per Section 118-1450 Special Permit.

Light Industrial Zone #2: The recommended amendments would allow office use on the Richards Avenue (TransLux) parcels by special permit, which require that traffic and drainage reports be submitted to evaluate the proposed new use.

Conclusion

The Committee recommends the amendments as stated above in order to provide relief from some of the existing regulations that do not appear to provide the City with the opportunity to respond to emerging economic development needs in Norwalk and, at the same time, serve to improve the City's quality of life.

The Committee recommends the City consider permitting the development of housing in certain of these areas in situations where such a development is deemed to significantly further the economic development of the city and recommends that all such developments have an affordable housing component. The Committee recommends the Zoning Commission review the affordable housing and housing elements of such developments on a case by case basis in order to provide all interested constituencies with an opportunity to be heard on these applications. Furthermore, case by case review will give the City a chance to evaluate the fiscal impact of the proposals and to consider their economic development impact upon Norwalk. The Committee recommends the consideration of housing including affordable housing in some of these areas because it is the Committee's belief that residential development will complement the City's on-going commercial development in a mutually beneficial manner. However, it is important to

note that the Committee is not recommending the addition of housing in all of the City's industrial areas as a change to the regulations at this time.