

§36 VILLAGE DISTRICT OVERLAY (VDO) ZONE / WESTPORT CENTER 09-15-17

36-1 Establishment of the Village District

36-1.1 Purpose

The purpose of this Village District Overlay (VDO) is to protect the distinctive character, landscape, and historic structures and development pattern within this Village District while encouraging a mixed use, walkable district that is attractive to residents, employees, and visitors. New construction or substantial rehabilitation in the Village District should be compatible with the existing character of the district and reinforce both the existing development patterns and connections to the Saugatuck River.

36-1.2 Authorization

The Village District Overlay (VDO) Zone is hereby designated as a Village District, as authorized by Chapter 124 (§8-2j) of the Connecticut General Statutes (CGS) and any new construction or substantial reconstruction and rehabilitation of the exterior of a building shall be reviewed in accordance with the provisions of this §36 of these Regulations and with the requirements of CGS §8-2j.

36-1.3 Applicability

All zoning regulations, including those applying to the underlying district, shall continue to govern the Village District, except as amended by this §36. Site plan approval by the Planning and Zoning Commission shall be required for the following activities within the Village District and in view from public streets, public spaces, walkways, bikeways or from the Saugatuck River:

- New construction as defined in §5-2;
- Substantial reconstruction and rehabilitation of properties;
- Alterations to existing building façades such that the appearance of the building is changed.

The Planning and Zoning Commission's authority shall include, but not be limited to, the following:

- (1) The design and placement of buildings;
- (2) The maintenance of public views;
- (3) The design, paving materials, and placement of public roadways;
- (4) Other elements that the Planning and Zoning Commission deems appropriate to maintain and protect the character of the Village District.

The Planning and Zoning Commission will review the application for Site Plan Review using the criteria within this §36, including §36-2, *Design Principles and Standards*, as the basis of its review.

A site rezoned by the Planning and Zoning Commission to Village District Overlay shall continue to bear its original district designation, but with the initials VDO appended to indicate a Village District Overlay designation. Designation as a Village District Overlay or the removal of such designation shall be considered a change of zone.

36-1.4 Additions to the Village District

The Planning and Zoning Commission may add one or more parcels to an existing Village District using the following criteria:

- The parcel to be added must be contiguous with the existing Village District boundary and within the boundary of Westport Center as depicted in the Westport Plan of Conservation and Development;
- The characteristics of the existing building and site must be consistent with §36-2.1 *Design Principles*;
- The dimensional characteristics of the existing building and site must be consistent with other buildings in the Village District with respect to height, setback from front lot line, and building massing.

36-1.5 Advisory Opinion

The Joint Committee of the Architectural Review Board and the Historic District Commission (the Joint Committee) is designated as the Village District Consultant for the purposes of CGS §8-2j(f). The membership of the Joint Committee shall include at least one member who is an architect, landscape architect, or planner who is a member of the American Institute of Certified Planners.

The Joint Committee shall review all applications for new construction and substantial reconstruction within the district and in view from public streets, public spaces, walkways, bikeways and the Saugatuck River. The basis for review and recommendations shall be the regulations in §36-2 *Design Principles and Standards*.

The Planning and Zoning Commission may also seek recommendations from any town agency, regional council or outside specialist, including, but not limited to, the following:

- Western Connecticut Council of Governments;
- The Westport Historical Society;
- The Connecticut Trust for Historic Preservation;
- The University of Connecticut College of Agriculture and Natural Resources.

The hiring of Outside Consultants shall follow the procedures established §43-6.4 of Zoning Regulations.

36-1.6 Approval and Denial

The Planning and Zoning Commission shall record the reason for approval or denial of the Site Plan Review application.

The approval must be certified by the Planning and Zoning Commission and recorded in the land records of the Town of Westport at the expense of the record owner. The approval must contain the following information:

- Owner of record;
- Description of the premises to which it relates;
- Reasons for the decision.

36-2 Design Principles and Standards

Application of the Design Principles and Design Standards will reinforce the existing patterns of land use and development with the Village District. As noted in §36-3 *Design Review*, The Planning and Zoning Commission and the Joint Committee will use the Design Standards as the basis for their review of the application. Should the Applicant apply for a Compliance Alternative (as defined in §5-2:

Specific Terms Definitions of the Zoning Regulations), the Planning and Zoning Commission and the Joint Committee will refer to these governing Design Principles.

36-2.1 Design Principles

The following Design Principles shall apply to new construction and substantial reconstruction and rehabilitation of properties within the Village District. These Design Principles are consistent with the legislative requirements of CGS § 8-2j.

- 36-2.1.1 Proposed buildings or modifications to existing buildings shall be harmoniously related to their surroundings, and the terrain in the district and to the use, scale and architecture of existing buildings in the district that have a functional or visual relationship to a proposed building or modification.
- 36-2.1.2 All spaces, structures and related site improvements visible from public roadways, public spaces, walkways, bikeways and the Saugatuck River shall be designed to be compatible with the elements of the area of the Village District in and around the proposed building or modification.
- 36-2.1.3 The color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of commercial or residential property and any proposed signs and lighting be evaluated for compatibility with the local architectural motif and the maintenance of views, historic buildings, monuments and landscaping.
- 36-2.1.4 The removal or disruption of historic traditional or significant structures or architectural elements shall be minimized.
- 36-2.1.5 The building and layout of buildings and included site improvements shall reinforce existing buildings and streetscape patterns and the placement of buildings and included site improvements shall assure there is no adverse impact on the district.
- 36-2.1.6 Proposed streets shall be connected to the existing district road network, wherever possible.
- 36-2.1.7 Open spaces within the proposed development shall reinforce open space patterns of the district, in form and siting.
- 36-2.1.8 Locally significant features of the site such as distinctive buildings or sight lines of vistas from within the district shall be integrated into the site design.
- 36-2.1.9 The landscape design shall complement the district's landscape patterns.
- 36-2.1.10 The exterior signs, site lighting and accessory structures shall support a uniform architectural theme if such a theme exists and be compatible with their surroundings.
- 36-2.1.11 The scale, proportions, massing, and detailing of any proposed building shall be in proportion to the scale, proportion, massing, and detailing in the district.

36-2.2 Compliance Alternative

If the Planning and Zoning Commission and the Applicant jointly agree that a proposed design meets the compatibility objectives of §36-2.1 *Design Principles* but does not meet the requirements of §36-2.3 *Design Standards*, the Planning and Zoning Commission may accept the proposed design provided that it complies with the compatibility objectives §36-2.1 *Design Principles*.

A Compliance Alternative must accomplish the relevant Design Principle. The Applicant must submit documentation that indicates the specific proposed alternative method or standard that will be used, why the Design Standards are not applicable to the application, and how the project is fully compliant

with the Design Principles. Approval by the Planning and Zoning Commission of a Compliance Alternative is discretionary, but shall not be unreasonably withheld if the Applicant has provided sufficient documentation to justify such request. The use of the Compliance Alternative must be by mutual consent between the Joint Committee, Planning and Zoning Commission and the Applicant.

36-2.3 Design Standards

The following design standards shall apply to new construction, substantial reconstruction and rehabilitation of properties, and changes that alter the exterior appearance of buildings within the Village District and in view from public streets, walkways, bikeways or from the Saugatuck River. Where applicable, these standards are designed to supplement existing regulations in §33, 34 and §35 of the Zoning Regulations.

Buildings that are used as single-family homes within the Village District do not have to comply with the following standards: §36-2.3.3 (2) - Placement and Treatment of Entries; §36-2.3.3 (6) - Transparency; §36-2.3.3 (7) - Awnings and Signage; §36-2.3.5 - Parking; and §36-2.3.6 - Streetscapes and Sidewalks.

36-2.3.1 Building Placement and Orientation

- (1) **BUILDING PLACEMENT** – Building placement shall respect existing patterns of building placement for the street on which they are located and define the edges of streets and public spaces. The individuality of the building shall be subordinated to the overall continuity of the streets and public spaces. Buildings shall be placed to conceal parking at the interior or rear of building lots.
- (2) **BUILDING SETBACKS** – Infill buildings shall match the setback from the front lot line of the immediately adjacent buildings. If the setbacks do not match, the infill building may match one or the other, or may be an average of the two setbacks. *See Figure 36 A.*

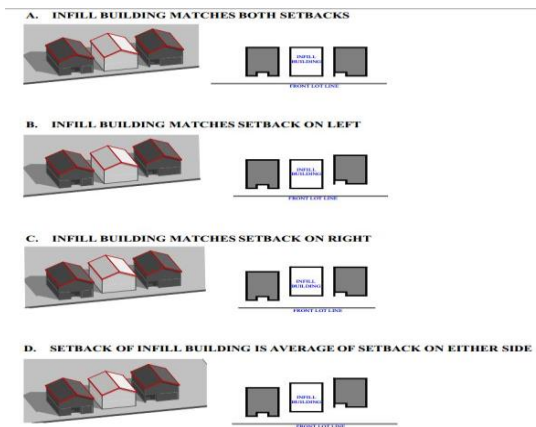


Figure 36A Setbacks for Infill Buildings

- (3) **BUILDING ORIENTATION** – Buildings shall be oriented with the primary building façade(s) facing the primary street frontage(s) of the site. Building massing and façades shall be designed to frame streets and public spaces to provide a sense of spatial enclosure and to define street edges. Building entrances, storefronts and windows shall be oriented to the primary street(s) with transparency to streets and public spaces.

- (4) **DESIGN TREATMENT OF EDGES** – Buildings that are not physically adjoined to abutters shall treat side yards and the spaces between buildings in a manner consistent with existing patterns of use, in terms of setbacks and use. Landscaping shall be used to define street edges and to buffer and screen edges that may have a negative visual impact, such as parking or loading areas. Access driveways and curb cuts using side yards may be combined between adjoining properties to access parking for multiple buildings at the interior of the block.

36-2.3.2 Building Massing and Form

- (1) **RELATIONSHIP TO EXISTING CONTEXT** – Building massing, form, and scale shall be complementary to and respectful of the patterns of existing buildings in the immediate vicinity. *See Figure 36 B.*



Figure 36B Relationship to existing contents and building form.



- (2) **BUILDING FORM** – The shape and massing of new and renovated buildings shall provide a balance among building height, story-height, building width and block width. The shape and massing of the building shall complement the abutting structures and define the edges of streets and open spaces. *See Figure 36 B.*
- (3) **SCALE** – The scale of proposed new or substantially rehabilitated buildings shall be compatible with the surrounding architecture and landscape context. Elements that may help to relate building massing proportionally shall include: articulated building bases through a change in material or color; placement of windows in a regular pattern; articulation of building entries with canopies, porches or awnings, and façade and roof projections (such as bay windows or dormers).
- (4) **PROPORTION** – The proportions of building elements shall be generally compatible with existing structures and the features and components of the façade.
- (5) **HEIGHT** – Infill buildings visible from public streets, public spaces, walkways, bikeways or the Saugatuck River shall continue the patterns of height of adjacent existing properties. Where the discrepancy between the proposed height and existing height patterns is greater than ten feet, the Joint Committee shall review design proposals with the Applicant for context sensitivity based upon the following: articulation of façade; building mass, scale, bulk and proportion; or other building massing considerations.
- (6) **BUILDING ROOFS** – Roofing materials visible from public streets, public spaces, walkways, bikeways or the Saugatuck River shall be of high quality and durable, including, but not limited to: slate, copper, ceramic slate tile, clay tile, concrete tile, or ribbed metal or architectural asphalt shingle. Flat horizontal roofs are exempted from this standard. Roofing materials shall not call undue attention to the roof itself with bright or contrasting colors,

unless historically documented. Building mechanical equipment located on building roofs, sites, or other locations shall be not be visible from the street.

36-2.3.3 Building Façades

- (1) **FAÇADE DESIGN AND RELATIONSHIP TO EXISTING CONTEXT** – The façade, or primary building elevation, of new construction or substantial rehabilitation shall be compatible with the façade design of neighboring buildings so as to create continuity across projects and the street edge. Primary building façades with frontage along the street shall be sensitive to the existing context of building façades along that street. At least two of the following design elements should be repeated in adjacent buildings, excluding parking structures: design treatment at the ground level, relative location and size of doors, window style and proportions, location of signs, dominant façade material, dominant color, bay window style, and roof form. There shall be a direct vertical correspondence between the design of the façade of the upper floors and the ground level retail façades. New construction and substantial rehabilitation of properties adjacent to public open spaces shall be oriented to define the edges of those open spaces and provide a transparent ground floor to activate the public space. *See Figure 36C.*

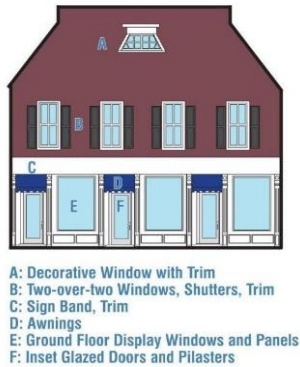


Figure 36C Façade Design and Relationship to existing context

- (2) **PLACEMENT AND TREATMENT OF ENTRIES** – Entrances shall be oriented to the primary street frontage and address the street with an active and welcoming entry composition that is integrated into the overall massing and configuration of the building form. Building and shop entrances shall be recessed to a minimum depth equal to the width of the door to prevent doors from swinging into the sidewalk. Building entries may add components to the building façade such as storefronts, canopies, porches, and stoops and shall provide a high level of visibility and transparency into ground floor uses. *See Figure 36 D.*



Figure 36D Placement and Treatment of Entries

- (3) **FAÇADE MATERIALS** – Materials shall be selected to be compatible with or complementary to the Village District. Materials on the façade that are subject to deterioration (plywood or plastic) shall be avoided or removed and replaced. Building façade exterior materials, including architectural trim and cladding, shall be of high quality and durable, including but not limited to: stone, brick, wood, metal, glass, sustainable cement masonry board products and integrated or textured masonry. Exterior material may not include vinyl siding. Uninterrupted, multi-level glazing may not be used as a primary façade design treatment.

Repairs and alterations must not damage or destroy materials, features or finishes that are important in defining the building's historic character. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

- (4) **ROOF PARAPET AND CORNICE LINES** – Building cornice lines shall be maintained, preserved or recreated to define building façades and create façade components consistent with historic parapet or cornice lines as originally designed and built in Village District. *See Figure 36 E.*



A: Similar Cornice Line and Roof Peak
B: Similar Cornice Lines

Figure 36E Roof Parapet and Cornice Lines

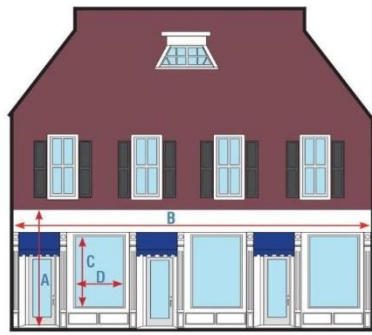
- (5) **PROPORTION AND PATTERN OF WINDOWS** – Original window patterns and openings shall be preserved or restored, including conservation and repair to preserve historical details, in the redevelopment of existing structures. New construction shall acknowledge and respond to existing adjacent window patterns in proportion, scale, rhythm and number of openings. *See Figure 36 F.*



A: Decorative Window
B: Typical Pattern for Second Story
C: Ground Floor Display Windows
D: Inset Glazed Doors

Figure 36F Proportion and Pattern of Windows

- (6) **TRANSPARENCY** – Building façades facing the principal street or public open space shall have at least 25% of the overall façade in transparent windows and at least 40% of the ground floor façade in transparent windows. Along the secondary façades that face pedestrian alleys or connections, façades must achieve at least 15% transparency. Windows on the ground floor of the primary façade shall not be mirrored or use tinted glass or be obstructed by curtains, shades, or blinds. *See Figure 36 G on next pg.*



A: Height of Ground Floor C: Height of Glazing
 B: Width of Ground Floor D: Width of Glazing

Figure 36G Transparency

- (7) **AWNINGS AND SIGNAGE** – Awnings and signs may not obscure important architectural details by crossing over pilasters or covering windows. Multiple awnings or signs on a single building shall be consistent in size, profile, location, material, color and design. On multi-tenant buildings the awnings and signs shall be allowed to vary in color and details, but shall be located at the same height on the building façade. *See Figure 36 H.*

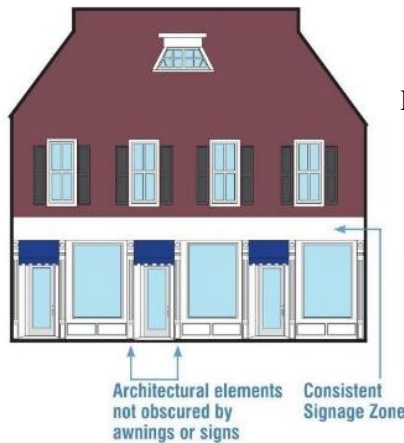


Figure 36 H Awnings and Signage

36-2.3.4 Landscape

- (1) **LANDSCAPE USE AND ORIENTATION** – Landscape features shall shield negative views and define edges, and frame streets and public spaces. Plantings shall not obscure site entrances and exit drives, access ways, or road intersections or impair visibility of commercial storefronts. Tree species shall be selected to maintain relatively clear views of the ground floor and adequate height clearances for sidewalk circulation. Site and landscape features shall be integrated with the design of new construction and reflect a coordinated site and building design.
- (2) **OPEN SPACES** – Public and private open spaces shall be designed, landscaped, and furnished to be compatible with or complementary to the overall character of the Village District.
- (3) **SITE AND STREET EDGES** – New landscape strips with street trees, street trees in sidewalk tree wells, or landscaped medians shall be consistent with the existing landscape patterns of the location of proposed improvements. Landscape strips and sidewalk tree wells shall be of sufficient width to promote the health of street trees and other plantings.

- (4) **VIEWS** – Buildings shall be designed and located on the site so as to preserve views to the Saugatuck River.
- (5) **RAIN GARDENS** – Rain gardens may be provided as a contributing element of the site drainage, and integrated into the overall site. The plantings should be well adapted to wetland edge environments, including grasses, hedges, shrubs, or trees that tolerate intermittent wet conditions and extended dry periods. The design should prevent long-term standing water that would damage the plantings.

36-2.3.5 Parking

- (1) **PARKING PLACEMENT** – Parking shall be located at the interior of blocks, behind buildings, or at the rear of sites, away from prominent site edges, public spaces, and streets.
See Figure 36 I.

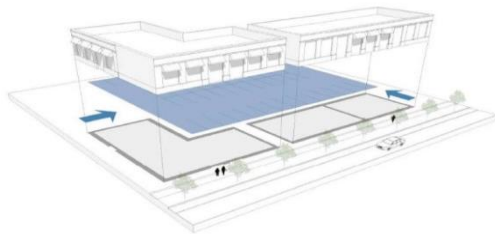


Figure 36 I Parking Placement

- (2) **SCREENING AND LANDSCAPING** – Parking areas shall be separated from the street with landscaped buffers of between five feet and eight feet in width. Parking areas on secondary streets may also be screened by other site components, including fences, gates, walls, permanent planters, or hedges. Landscaped medians shall be provided between parking spaces to break up the impervious surfaces and mitigate the visual impact of parking. No landscape island shall be less than 6’ wide with a minimum width of 10’ is required for planting strips with trees. *See Figure 36 J.*



Figure 36 J Screening and Landscaping

- (3) **STRUCTURED PARKING** – Structured parking, where provided, shall be at the interior of a block, surrounded on visible edges by active uses to avoid inactive street edges created by the parking structure. Alternatively, the structured parking could be arranged such that the ground floor area facing the main street is available for commercial space.
- (4) **CURBS AND CURB CUTS** – Granite curbs shall be used to protect planting areas and to define sidewalks, walkways, and parking area edges. Curb cuts shall be minimized and combined whenever possible. Every curb cut shall provide a continuous and uninterrupted pedestrian walkway.

36-2.3.6 Streetscape and Sidewalks (See Sidewalk Ordinance, Chapter 50 of the Town Code)

(1) **PEDESTRIAN ACCESS** – New construction and public infrastructure improvements shall reinforce a network of continuous, convenient and safe pedestrian connections along sidewalks to and from all pedestrian entrances of all garages, parking lots and parking structures and all public, resident, and employee entrances to every building. Sidewalks and pedestrian paths should incorporate appropriate lighting, street furniture, landscaping, and signage consistent with the Village District. The network should not include streets or spaces that are primarily used for vehicular connections, deliveries and services.

(2) **SIDEWALK CONFIGURATION** – Sidewalks shall have a minimum unobstructed width of 4'-0". Sidewalks shall be widened to accommodate street trees, landscaping, and outdoor furnishing and amenities. Sidewalks shall be continuous and uninterrupted at driveways and curb cuts to reinforce priority for pedestrians. See Figure 36 K.

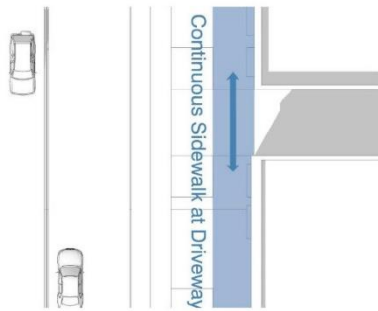


Figure 36 K Sidewalk Configuration

(3) **SPECIAL PAVING** – Unit pavers may be used to enhance the character of sidewalks, pathways, and plazas. Existing brick or pavers shall be maintained or replaced and shall be introduced if adjacent sidewalks are brick. When employed, unit pavers should be selected and set in a manner that limits uneven surfaces or joints that would become an impediment to accessibility. An acceptable method includes providing a sub-base of wire-mesh reinforced concrete below the setting bed, and mortared joints. See Figure 36 L.



Figure 36 L Special Paving

(4) **PASSAGEWAYS** – Passageways through buildings that connect the principal streets to parking shall include displays relevant to adjacent businesses, public art, and/or wayfinding signage related to the Village District and lighting that provides a safe environment for pedestrians.

(5) **STREET FURNITURE** – Permanent street furniture including light fixtures, benches, bike racks, trash and recycling receptacles, and newspaper stands shall be integrated with street and sidewalk circulation to ensure adequate clearances, access and convenience of the location of these amenities. Street furniture shall be clustered at convenient locations that are plainly visible and accessible and must be located such that the minimum 4'-0" sidewalk clearances are maintained.

- (6) **PUBLIC ART** – Public art may be used to define and punctuate public spaces. Art installations shall maintain clearances in public spaces, and be constructed of materials that are durable, easily maintained and that do not present safety hazards.
- (7) **SIDEWALK CAFÉS** – Where sidewalk width is constrained at location of sidewalk use for outdoor cafés, the Planning and Zoning Commission may reduce the minimum clear width of the sidewalk to 3’ for a maximum length of 10’. After a 5’ interval of a minimum width of 4’, the minimum clearance of 3’ may be allowed for another 10’. The goal is to maintain the balance for clear width of pedestrian activity and the extension of outdoor cafés into the public space.

36-3 Design Review Process

36-3.1 Design Review Process

The Design Review process is mandatory for all projects within the Village District meeting the requirements in §36-1.3 *Applicability* for Site Plan Review under the authority of the Planning and Zoning Commission.

The Design Standards provide design requirements for all applicable projects. Projects shall be approved if they meet the Design Standards and all other applicable guidelines and requirements.

The Joint Committee shall submit a report and recommendation to the Planning and Zoning Commission within thirty-five days of the receipt of the application. The basis for the recommendation of the Joint Committee shall be the compliance of the application with provisions of §36-2.3 *Design Standards*.

The Planning and Zoning Commission will enter this report and recommendation into the public record and consider it as part of their deliberations. Any delay in the submission of the report will not alter any other time limit imposed by the regulations.

Any report or recommendation from an outside specialist, such as those listed under §36-1.4 *Advisory Opinion*, shall also be entered into the public hearing record.

As part of any approval of a Compliance Alternative under §36-2.2 *Compliance Alternative*, the Planning and Zoning Commission must provide a written determination and finding that the alternative approach meets the objectives of the Design Principles. Such determination should state the applicable Design Standards, the reason for granting an alternative, the applicable Design Principles, and how the alternative meets the Design Principles. The Planning and Zoning Commission may request a recommendation from the Joint Committee that the Compliance Alternative conforms with the Design Principles.

36-3.2 Additional Materials for an Application Related to Existing Historic Buildings

The Applicant must supply documentation of the original style of the building and a narrative of how improvements are consistent with the style or how the improvements vary, and a rationale for why the variation should be approved under §36-2.3 *Compliance Alternative*. Historic buildings are defined as those listed in the Historic Resources Inventory (HRI) List contained in the *Westport Center Planning District Historic Resources Inventory Update and Planning Recommendations*, the Public Archaeological Laboratory, Inc., May 9, 2012.

36-3.3 Additional Materials for an Application for New Construction or Substantial Reconstruction and Rehabilitation or Changes to the Exterior Façades

The Applicant must supply pictures of the original building(s) (if applicable), the buildings to either side of the proposed project and the view from across the street. The narrative should indicate how the proposed building or addition is consistent with the context and describe the treatments of façades facing public streets or public parking areas. Any request for a variation should include a statement as to why the variation should be approved under §36-2.2

Compliance Alternative.