

Planning & Zoning Commission Housing Recommendations to the Assembly

1. **Spot Zoning** - The Assembly should take care not to spot zone real property. Spot zoning is the antithesis of comprehensive zoning, and it is contrary to the zoning ordinance and the comprehensive plan.

Spot zoning changes some aspects of an allowed use of a parcel of land contrary to the written municipal code.

Neither the planning and zoning commission nor the assembly has the authority to spot zone. In *Bartram v. Zoning Commission of City of Bridgeport*, 136 Conn. 89, 68A.2d 308 (Conn. 1949), the court ruled that "A court is without authority to substitute its own judgment for that vested by the statutes in a zoning authority."

The Assembly must legislate if it wants to change the comprehensive zoning ordinance. This ensures that the changes apply to everyone equally and not to one landowner at the public's expense.

2. Recommend the following code changes to the Residential-General zone:
 - a. **19.06.030 Residential-General Zone** Allow as permitted use, multi-family dwellings and apartment houses with three (3) or more units.
 - b. **19.06.030(C) Minimum Lot Requirements.** The allowable density in the introduction for (4 units and above) (26 units per 40,000 square feet), or 1,538 square feet per unit, does not match the allowable density later in the ordinance. For minimum lot requirements for all multifamily dwellings, please change to 1,500 square feet per unit.
 - c. **19.06.030(D)(2)(b) Minimum Building Setback Requirements.** Change multifamily dwelling side yard setbacks to five (5) feet.
 - d. **19.06.030(E) Lot Coverage by All Buildings.** Change to 70%.
3. Recommend the following code changes to the Industrial-Light zone:
 - a. **19.06.060(A)(3)(e)** Move allowable Residential dwelling units from conditional use to permitted use.
 - b. **19.06.060(D)(2) Minimum Building Setback Requirements.** Change the side yard setback to five (5) feet and change the rear yard setback to ten (10) feet.
4. Recommend drafting an accessory dwelling unit ordinance to apply to all zoning classifications.
5. Move all community garden resources from Block 104 Lot 6 to the new location on USS 994 Lot and recommend negotiating with school for possible development of lots in the old garden area.
6. Recommend changing accessory housing to 1,000 square foot maximum.
7. Recommend releasing lots east of LDS church and property north of Matthews cabin at Long Bay for public land sale.

8. Recommend changes to zoning ordinances for Industrial-Light areas to allow more use of property (lot line restrictions, etc.)
9. Recommend making infrastructural improvements on the Garden City RV lots one half-block at a time.
10. After water/sewer is extended across the bridge, recommend rezoning properties.
11. Explore the concept of a housing trust.
12. Recommend potential RV park across the river on municipal property.
13. Recommend feasibility of seasonal campground on municipal land located at old paintball course.

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