

HISTORIC DISTRICTS & VILLAGE DISTRICTS IN CONNECTICUT

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Common Elements between Historic Districts & Village Districts

- Districts are delineated, contiguous geographic areas
- Districts regulate land development patterns and aspects of development not addressed by traditional zoning
- Districts are overlay zones – underlying zoning still applies and inclusion in district merely adds another layer of regulation
- Legal authority for districts is based in traditional police powers – “public health, safety & welfare”
- Districts are administered locally using administrative processes very similar to those used for zoning and other types of land use regulations
- Enforcement action can be taken for violations of the regulations governing districts

Local Historic District v. National Historic District

Local Historic District

- Authorized by state enabling legislation
- Authority granted to local municipal governments to regulate new construction and changes to existing buildings and structures within a local district
- Falls within traditional police powers – “health, safety & welfare”
- Administered in same manner as zoning
 - Regulations
 - Administrative process (application and review process)
 - Standards for administration and decision-making
 - Appeal process

Local Historic District v. National Historic District

National Historic District

Historic resources within a designated area meet the federal standards for inclusion in the National Register of Historic Places as a National Historic District or National Landmark District

See National Park Service, “How to Apply the National Register Criteria for Evaluation,” National Register Bulletin 15 (ed. Patrick W. Andrus & Rebecca H. Shrimpton 1990, rev. 2002), <http://www.nps.gov/history/nr/publications/bulletins/nrb15/>

National Register of Historic Places

- National database of historic resources in the U.S.
- Includes privately owned properties and public properties owned by federal, state and local governments
- Used to determine if a federal action will impact or affect historic resources triggering the National Historic Preservation Act of 1966

Inclusion in a National Historic District or National Landmark District has no effect on property rights unless the National Register is incorporated into a state or local law or regulation.

Local Historic District v. National Historic District

National Historic District

National Historic Preservation Act (NHPA) is a process-oriented, “look and listen” federal statute

- Requires information gathering and public input as part of the decision-making process
- Does not dictate any specific outcome and does not guarantee the preservation of historic resources, even those listed on the National Register

NHPA affects only “major federal actions”:

- Activities on federal lands
- Actions taken by federal actors (agencies)
- Activities using federal money

Examples: Creation of a new land management program for a federal park
Decisions by FCC re permit for siting of new cell tower
State and local road construction projects that use federal \$\$

Local Historic District v. National Historic District

A local historic district may also be listed as a National Historic District or National Landmark District

- Boundaries may or may not be co-terminus
- May address different resources, periods of significance or rely on different criteria of historical significance

Incorporation of National Register into Statute

Under Conn. Gen. Stat. §22a-19a, any person or entity can intervene in an administrative proceeding or judicial review of such a proceeding to protect historic resources listed individually or as part of a district on the National Register.

“Our statutory scheme regarding historic preservation, C.G.S. §22a-19a makes clear that National listings are protected in state enforcement.”

Norwalk Preservation Trust, Inc. v. Norwalk Inn & Conference Center, Inc., CV074010609S, 2008 Conn. Super. Lexis 286, *1 n.1 (Feb. 6, 2008)

Local Historic District v. National Historic District

Benefits of Concurrency: Local Historic District Designation and Listing in the National Register of Historic Places

- Federal tax credits are available for qualifying individual properties and contributing properties within National Historic Districts.
- NPS provides technical information and assistance re: conservation techniques, the use of new construction materials, conducting surveys, etc. to local governments and property owners affected by National Historic District designation
- Listing on National Register allows for intervention under Conn. Gen. Stat. §22a-19a
- Local designation provides real protection against inappropriate change, demolition, etc. of historic resources listed in National Register
- Local historic district commission and municipal staff can act as liaison to State Historic Preservation Officer, who is responsible for administering NHPA within each state, and to National Park Service and other federal agencies involved in historic preservation.

Local Historic Districts in Connecticut

Existed in CT by special legislation as early as 1959

Validity unaffected by enabling legislation under Conn. Gen. Stat. §7-147k

Farmington Savings Bank v. Zoning Bd. of Appeals, 189 Conn. 727 (1983)



Litchfield Historic District, created by special act in 1959

Legal Authority for Local Historic Districts in Connecticut

Enabling legislation authorizing creation of historic districts enacted in 1961
No major changes made since 1980s

Conn. Gen. Stat. §§ 7-147a through 7-147k

Creation of Historic District
Conn. Gen. Stat. §§7-147b

Administration of Historic District
Conn. Gen. Stat. §§7-147c – 7-147g

Enforcement of Historic District
Conn. Gen. Stat. §§7-147h

Appeal from decision of Historic District Commission
Conn. Gen. Stat. §§7-147i

Legal Authority for Local Historic Designation

Penn Central Transp. Co. v. New York City, 438 U.S. 104 (1978)

Plaintiff sought to construct a high-rise office building in the airspace above Grand Central Terminal, a 1913 Beaux Arts building. The Supreme Court upheld its local designation as a NY landmark ruling that the designation was not a taking and that historic preservation was a legitimate governmental purpose.



Creation of Local Historic District in Connecticut

- 1) Study Committee appointed by legislative body or by chief elected official as authorized by legislative body
- 2) Study Committee must:
 - 1) Prepare report documenting historical significance
 - 2) Propose boundaries of district
 - 3) Provide map showing proposed district boundaries
 - 4) Draft proposed ordinance for administration of district
 - 5) Provide copies of report to CT Commission on Culture & Tourism, planning commission, and zoning commission for comments and recommendations
 - 6) Hold public hearing following distribution of report
- 3) Town clerk must mail ballots to each property owner of record within proposed district
- 4) If 2/3 of property owners vote for creation of district, legislative body may accept the report & create district as proposed; reject report; return report to the Study Committee for revisions

Creation of Local Historic District in Connecticut

Van Deusen v. City of Watertown, 62 Conn. App. 298 (2001)

City charter allowing for referendum does not trump state enabling statutes and properly created district cannot be challenged or reversed.

Gentry v. Norwalk, 196 Conn. 596 (1985)

Vote to approve or disapprove of creation of new district is for each property on tax rolls; condo owners entitled to their fractional interest only.

Stepney v. Monroe, CV030407480S, 2008 Conn. Super. Lexis 411 (Feb. 15, 2008)

Only property owners liable for \$1,000 or more in property taxes eligible to vote to approve or disapprove of new district; special exception for tax-exempt entities. Town cannot vote as it neither pays taxes nor is eligible for exception.

Powers of Historic District Commission

- Enlarge existing district
- Propose creation of new district
- Adopt rules of procedure
- Adopt regulations to guide property owners
 - New ordinances must be consistent with enabling statutes and approved by legislative body
- Maintain permanent records of its decisions and actions and record the vote of each participating member
- Accept grants and gifts; employ staff and technical consultants and incur appropriate administrative expenses
- Comment on zoning variance and special exception applications
- Provide advice re: street improvements, sidewalks, tree planting and the erection or alteration of public buildings affecting historic district
- Be involved in any relevant state legislative processes

Administration of Local Historic District

Conn. Gen. Stat. §7-147d

- Application for Certificate of Appropriateness (COA) required for new construction and alteration of exterior architectural features of building or structure within district
- No building permit or demolition permit may be issued without COA
- Commission may require submission of plans, elevations, specifications, materials and other relevant information; in case of demolition may also require statement re: proposed condition and appearance of property post-demolition
- Commission may regulate the size, style, materials and location of outdoor advertising signs
- COA required for parking areas prior to use of property within district for industrial, commercial, business, home business or occupational use regardless of applicable zoning
 - Commission may consider size of parking area, visibility of parked cars, and proximity to adjacent buildings and other similar factors Conn. Gen. Stat. §7-147f(b)

Administration of Local Historic District

Jurisdiction

Historic District Comm'n v. Hall, 282 Conn. 672 (2007)

Court held that large sculpture was a "structure" under definition in Conn. Gen. Stat. §7-147a and that a COA was required to install it on lawn of property within historic district.

Authority

Figarsky v. Historic District Comm'n, 171 Conn 198 (1976)

Court upheld denial of COA to demolish house where applicants failed to meet burden of proof that denial was a taking depriving the plaintiff of all economic value or that denial was an abuse of discretion.

Administration of Local Historic District

Standards & Factors

"If the commission determines that the proposed erection, alteration or parking will be appropriate, it shall issue a certificate of appropriateness.

In passing on appropriateness of exterior architectural features, buildings or structures, the commission shall consider ...

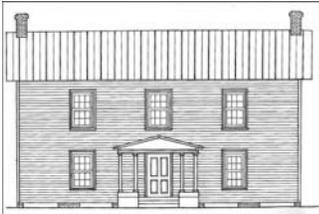
- the type and style of exterior windows, doors, light fixtures, signs, above ground utility structures, mechanical appurtenances, and the type and texture of building materials ...
- the historical and architectural value and significance, architectural style, scale, general design, arrangement, texture and material of the architectural features involved and the relationship thereof to the exterior architectural style and pertinent features of other buildings and structures in the immediate neighborhood."

Conn. Gen. Stat. §7-147f(a)

Administration of Local Historic District

Historic district commissions can regulate exterior architectural features and elements.

Public benefit derived from historic designation is the "view from the street."



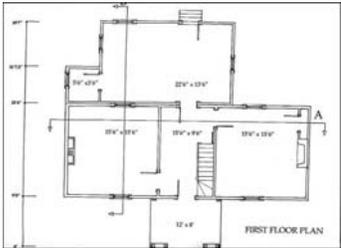
E.g.

- Roofline & roofing material
- Chimney placement and material
- Cladding material
- Window placement and design
- Porch design and materials
- Decorative architectural features
- Exterior light fixtures

Administration of Local Historic District

In CT, historic district commissions cannot regulate use or the arrangement or configuration of the interior of buildings or structures.

Conn. Gen. Stat. §7-147f(b): "The commission shall not consider interior arrangement or use."



Practical Tip:

Review plans prior to submission and remove floor plans and any other documents showing elements not within the commission's jurisdiction.

Make sure that elevation plans provide height and length of the building, any proposed additions and of any unique features such as a porch or tower.

Administration of Local Historic District

In CT, local historic district commissions cannot regulate paint color used on exterior of any building or structure.

Conn. Gen. Stat. §7-147d(c)

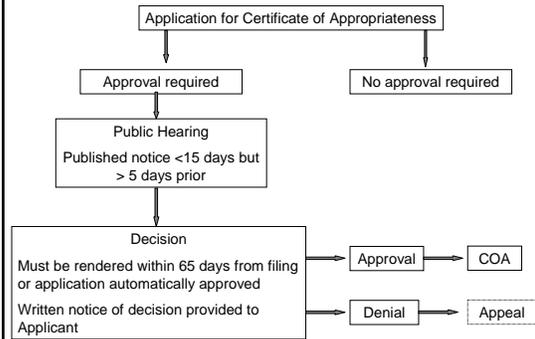
Practical Tip:

The commission can exert some control over color to the extent that color is inherent or intrinsic to the material, e.g. brick, stone.



Victorian Eastlake

Administrative Process



Administrative Process

"In its deliberations, the historic district commission shall act only for the purpose of controlling the erection or alteration of buildings, structures or parking which are incongruous with the historic or architectural aspects of the district."

Conn. Gen. Stat. §7-147f(b)

Approval

- Majority of commission members required to issue COA
- Commission may approve with conditions

Denial

- Commission must state reasons for denial in its records and in notice to Applicant
 - Reasons for denial must be supported by Substantial Evidence in the record.

Gibbons v. Historic District Comm'n, 285 Conn. 755 (2008)

Felician Sisters of St. Francis v. Historic District, 284 Conn. 838 (2008)

- Commission may provide recommendations in notice of denial to help Applicant revise plans appropriately

Administrative Process

Automatic Approval

"Failure of the commission to act within said 65 days shall constitute approval and no other evidence of approval shall be needed."

Conn. Gen. Stat. §7-147e(b)

Field v. Historic District Comm'n, CV No. 56288, 1991 Conn. Super. Lexis 553 (Mar. 13, 1991)

Where commission failed to render its decision within 65 day period, application was approved as a matter of law.

Barry v. Historic District Comm'n, 108 Conn. App. 682 (2008)

Plaintiff claimed that commission's failure to render decision and provide written notice within 65 days entitled her to benefit of automatic approval provision. Court held that because plaintiff had actual notice of decision within 65 days, she was not entitled to automatic approval.

Trustees of Bolotin QPRT v. Historic District Comm'n, CV980169262, 2000 Conn. Super. Lexis 2534 (Sept. 18, 2000)

Court held that plaintiff waived/is estopped from claiming the benefit of the automatic approval provision because its counsel sought and obtained an extension for its own benefit and convenience.

Administrative Process

Proper Procedure

Voll v. Monroe Historic District Comm'n, CV054013211, 2008 Conn. Super. Lexis 902 (Apr. 10, 2008)

Commission failed to provide a transcript or to record the public hearing and did not provide the reasons for its denial; court reserved its decision to allow for additional testimony. Decision on the merits still pending.

Barry v. Historic District Comm'n, 108 Conn. App. 682 (2008)

Commission member attended initial meetings on the application but then recused himself and spoke in opposition to application at public hearing. Court held that the commissioner's actions violated common law principles of fundamental fairness by depriving the applicant of her rights to a fair and impartial hearing.

Enforcement of Historic District Regulations

Commissions are authorized to enforce ordinances and regulations governing historic district under Conn. Gen. Stat. §7-147h

- Enforcement Officer may impose fines for violations
 - Enforcement Officer must be designated in ordinances
- Commission may file direct action in Superior Court for injunctive relief
 - Court may order removal of offending feature, building or structure or restoration of altered feature, building or structure
 - Court may, in its discretion, require payment of damages, reasonable attorney's fees and all costs, fees and expenses associated with enforcement action
 - Fines shall be used to restore affected feature, building or structure with excess paid to town where located

Enforcement of Historic District Regulations



Andrew Henderson, New York Times



Anselm Kiefer, "Etroits sont les vaisseaux"

Mass MoCA

Historic District Comm'n v. Hall, 282 Conn. 672 (2007)

Plaintiff installed sculpture without obtaining COA claiming it was not within commission's jurisdiction.

Commission brought enforcement action to assert jurisdiction and require plaintiff to file an application.

Court held that sculpture was a "structure" subject to application requirement.

Plaintiff applied & commission denied COA.

Sculpture was removed and relocated to a gallery.

Appeals

"Any person or persons severally or jointly aggrieved by any decision of the historic district commission or of any officer thereof may, within 15 days of when such decision was rendered, take an appeal to the superior court"

"Procedure upon such appeal shall be the same as that defined in section 8-8." Conn. Gen. Stat. §7-147i

Statutory Appeal Period

Carroll v. Roxbury Historic District Comm'n, 29 Conn. Supp. 77 (1970)

Plaintiff filed appeal within 15 days of receiving written notice of decision which was provided one month following commission's final action on her application. Court concluded that "a decision is not 'rendered' under §7-147i until written notice thereof is given to the applicant under §7-147e." Court held that plaintiff's appeal, which was based on date of receipt of written notice, was timely filed.

Appeals

Notice of Appeal

"Notice of such appeal shall be given by leaving a true and attested copy thereof in the hands of or at the usual place of abode of the chairman or clerk of the commission within 12 days before the return date to which such appeal has been taken." Conn. Gen. Stat. §7-147i

Fraioli-Cavallo v. Historic District Comm'n, CV054002694, 2005 Conn. Super. Lexis 2361 (Sept. 6, 2005)

Court granted defendant's motion to dismiss based on defective service of process where plaintiff served the clerk of the municipality not the chair or clerk of the commission.

Conn. Gen. Stat. §8-8(f)(2) authorizes service on clerk of municipality for all appeals filed under Conn. Gen. Stat. §8-8 after October 1, 2004.

Since the decision in *Fraioli-Cavallo* post-dates the statutory amendment allowing service of process on the municipal clerk, the specific provisions of §7-147i likely dictate appeals from historic district commission decisions.

Current practice is to serve both the chair or clerk of the commission and the clerk of the municipality with notice of the appeal.

Appeals

Aggrievement

"Procedure upon such appeal shall be the same as that defined in section 8-8." Conn. Gen. Stat. §7-147i

"The court finds that the last sentence of *Connecticut General Statutes §7-147i* ... clearly states the legislature's intent to incorporate the statutory aggrievement standards of *Connecticut General Statutes §8-8* and makes them applicable to appeals from the actions of historic district commissions."

Peeling v. Historic District Comm'n, CV064009772S, 2006 Conn. Super. Lexis 3337 (Nov. 1, 2006)

Who is aggrieved?

- Applicant
- Abutting land owners

Intervention under Conn. Gen. Stat. § 22a-19a

"In any administrative, licensing or other proceeding, and in any judicial review thereof made available by law, the Attorney General, any political subdivision of the state, any instrumentality or agency of the state or of a political subdivision thereof, any person, partnership, corporation, association, organization or other legal entity may intervene as a party on the filing of a verified pleading asserting that the proceeding or action for judicial review involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state."

Conn. Gen. Stat. §22a-19a

"The provisions of sections 22a-15 to 22a-19, inclusive, shall be applicable to the unreasonable destruction of historic structures and landmarks of the state, which shall be those properties (1) listed or under consideration for listing as individual units on the National Register of Historic Places ... or (2) which are part of a district listed or under consideration for listing on said national register and which have been determined by the State Historic Preservation Board to contribute to the historic significance of such district."

Conn. Gen. Stat. §22a-19a

Intervention under Conn. Gen. Stat. §22a-19a

Criteria for Intervention to Protect Historic Resource

- Individual property listed or under consideration for listing on National Register; or
- Property is part of a district that is listed or under consideration for listing on the National Register, and
- State Historic Preservation Board has determined that the property contributes to the historic significance of that district.
- Intervention not available for any property nominated to the state register after March 2001 for which a written notarized objection was filed by the owner.

Intervention Standard

Upon filing of a petition for intervention, the commission or court must determine whether the administrative proceeding or action for judicial review has or is likely unreasonably to destroy the public trust in such historic structures or landmarks.

Intervention under Conn. Gen. Stat. §22a-19

Norwalk Preservation Trust, Inc. v. Norwalk Inn & Conference Center, Inc., CV074010609S, 2008 Conn. Super. Lexis 286 (Feb. 6, 2008)

Preservation organization, joined by CT Commission on Culture & Tourism, intervened under Conn. Gen. Stat. §§ 22a-19 and 22a-19a seeking a temporary injunction to prevent the demolition of an 18th century building included in a National Historic District listed on the National Register. In a case of first impression, the court was asked to decide whether "feasible and prudent" alternatives to demolition existed under Conn. Gen. Stat. §22a-17(a) warranting an injunction. Finding the proposed hotel expansion could be accomplished albeit with a reduction in the number of rooms and creative site planning, the court granted the injunction.

Village Districts

Village District Act

Conn. Gen. Stat. §8-2j (1998, as amended 2000)



Brooklyn, CT

Village Districts

Enabling Statute

"The zoning commission of each municipality may establish village districts as part of the zoning regulations adopted under section 8-2 or under any special act. Such districts shall be located in areas of distinctive character, landscape or historic value that are specifically identified in the plan of conservation and development of the municipality."

Conn. Gen. Stat. §8-2j(a)

Village Districts

Enabling Statute

"The regulations establishing village districts shall protect the distinctive character, landscape and historic structures within such districts and may regulate ... new construction, substantial reconstruction and rehabilitation of properties within such districts and in view from public roadways"

Jurisdiction

- 1) Design and placement of buildings;
- 2) Maintenance of public views;
- 3) Design, paving materials and placement of public roadways;
- 4) Other elements the zoning commission deems appropriate to maintain and protect the character of the village district.

"In adopting regulations, the commission shall consider the design, relationship and compatibility of structures, plantings, signs, roadways, street hardware and other objects in public view."

Conn. Gen. Stat. §8-2j(b)

Village Districts

Enabling Statute

Regulations shall establish criteria to help property owners and the commission make reasonable determinations of what is permitted

Regulations shall encourage conversion, conservation and preservation of existing buildings and sites in a manner that maintains the historic or distinctive character of the district.

Regulations concerning the exterior of structures or sites shall be consistent with:

- A) Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings
- B) Distinctive characteristics of the district identified in the municipal plan if conservation and development

Conn. Gen. Stat. §8-2j(b)

Village Districts

Enabling Statute

Regulations shall provide that:

- i. Proposed buildings or modifications to existing buildings be harmoniously related to surroundings and terrain in the district and to the use, scale and architecture of existing buildings that have a functional or visual relationship with the proposed building;
- ii. All spaces, structures and related site improvements visible from public roadways be compatible with the elements of the area in and around the proposed building;
- iii. Color, size, height, location, proportion of openings, roof treatments, building materials and landscaping of commercial and residential property and any proposed signs and lighting be evaluated for compatibility with the local architectural motif and maintenance of views, buildings, monuments and landscaping;
- iv. Removal or disruption of historic traditional or significant structures or architectural elements shall be minimized.

Conn. Gen. Stat. §8-2j(b)

Village Districts

Enabling Statute

All development within district shall be designed to achieve compatibility with:

- 1) Building and layout of buildings and site improvements shall reinforce existing building and streetscape patterns; placement of buildings and site improvements shall assure no adverse impact on the district;
- 2) Proposed streets shall be connected to the existing road network within the district, wherever possible;
- 3) Open spaces within the proposed development shall reinforce open space patterns of the district in form and siting;
- 4) Locally significant features of the site such as distinctive buildings or sight lines of vistas within the district shall be integrated into the site design;
- 5) Landscape design shall complement the district's landscape patterns;
- 6) Exterior signs, site lighting and accessory structures shall support a uniform architectural theme (if such theme exists) and be compatible with their surroundings;
- 7) Scale, proportions, massing and detailing of any proposed building shall be in proportion to the scale, proportion, massing and detailing in the district.

Conn. Gen. Stat. §8-2(c)

Village Districts

Enabling Statute

All applications for new construction and substantial reconstruction within the district and in view from public roadways shall be subject to review and recommendation by the designated Village District Consultant.

Village District Consultant can be:

- A. An architect or architectural firm, landscape architect or planner who is a member of the American Institute of Certified Planners, or
- B. An architectural review board whose members shall include at least one architect, landscape architect or planner who is a member of the American Institute of Certified Planners.

- The Village District Consultant shall review each application and report to the commission within 35 days of receipt of the application.
- Such report and recommendation shall be entered into the public hearing record and considered by the commission in making its decision.
- Failure to report within the specified time does not alter or delay any other time limit imposed by the regulations.

Conn. Gen. Stat. §8-2(d)

Village Districts

Enabling Statute

Additional Technical Advice

The commission may seek the recommendations of any town or regional agency or outside specialist with which it consults.

Possible advisors and consultants may include:

- Regional Planning Agency
- Municipal historical society
- Connecticut Trust for Historic Preservation
- UConn College of Agriculture & Natural Resources

Any reports or recommendations from such agencies or organizations shall be entered into the public hearing record.

Conn. Gen. Stat. §8-2(e)

Village Districts

How to Create a Village District

- Identify area consistent with requirements under Conn. Gen. Stat. §8-2j(a) & (c)
- Amend Plan of Conservation & Development to identify distinctive characteristics, landscape or historic value of proposed district
- Enact zoning regulations consistent with Conn. Gen. Stat. §8-2j under same procedures set forth in §§8-2, 8-3, 8-3a & 8-3b
- Task Zoning Commission with administration of Village District
- Identify appropriate candidates to act as the Village District Consultant for design review or create an architectural review board

Village Districts

Administrative Process

- Application made to Zoning Commission consistent with Conn. Gen. Stat. §8-3 and applicable Village District Regulations
 - Property is located within Village District
 - Applicant seeks permit within Zoning Commission's jurisdiction
- Review Process depends on type of permit
 - Site Plan only → design review
 - Special Permit → design review and public hearing
 - Text or Map Amendment – design review and public hearing
- Applicant would apply to Zoning Board of Appeals for a variance and the ZBA would apply the same statutory requirements, regulations and standards as the Zoning Commission and the hardship standard would apply.
 - Variance → design review and public hearing
- Decision to grant or deny application

Village Districts

Administrative Process

"If a commission grants or denies an application, it shall state upon the record the reasons for its decision.

If a commission denies an application, the reason for the denial shall cite the specific regulations under which the application was denied.

Notice of the decision shall be published in a newspaper having a substantial circulation in the municipality.

An approval shall become effective in accordance with subsection (b) of section 8-3c [concerning filing a copy of the approval with the town clerk and the clerk of the district and in the land records].

Conn. Gen. Stat. §8-2(f)

Village Districts

Appeals

Appeal procedure same as for appeal from any decision or action by a zoning commission.

See Conn. Gen. Stat. §§8-8 and 8-10

Evidentiary Standards

As with other decisions rendered by zoning commissions, the reasons for denial must be supported by substantial evidence in the record.

Standards of Review

Depending on which type of permit is sought, the same standards of review apply as apply to any decision made by a zoning commission.

Village Districts

Benefits

Allows for adoption of flexible aesthetic regulations that are not strictly bound by any specific time period, architectural style or other pattern of development or design established in the past.

Appropriate for use in rural areas that lack a geographic concentration of historic buildings and structures, include infill or newer developments, where the pattern of development is changing either through increased development pressure or different patterns of development and where there may not be sufficient community support for the creation of a historic district and corresponding historic district commission.

Appropriate in urban areas that may have lost their historical integrity due to urban renewal, redevelopment, select demolition or cumulative, insensitive changes to existing buildings and structures or where more flexible regulations are desirable to promote new development, encourage particular design trends or development patterns or where there is a lack of community support for historic district designation.

Village Districts

Village District v. Historic District

Regulations draw on the history of the district to influence new construction and changes to existing buildings and structures but are not constrained by that history.

Greater recognition of the importance of setting, context and the relationship between buildings and structures and the landscape.

Uses existing procedural framework under Conn. Gen. Stat. §8-2, 8-3, 8-3a, 8-3b and procedure for appeals under §8-8, 8-10.

Does not require the creation of a new commission and existing zoning regulations are amended to include new village district regulations

Requires that the Plan of Conservation & Development include the information that then serves as the basis for the creation of the district. Any town wanting to create a village district must amend or update the PCD to include that additional information. Revision of PCD requires opportunities for public participation and a public hearing in addition to the public hearing required to amend the zoning regulations to include the district regulations.

Village Districts

Trends & Themes

The number of municipalities that have created a Village District has rapidly expanded since the enactment of the enabling legislation in 1998.**

- Brooklyn
- Farmington
- Kent
- Ledyard
- Madison
- Middletown
- New Canaan
- Old Lyme
- Preston
- Portland
- Ridgefield
- Southbury
- Woodbridge

Tend to be rural or relatively low-density communities that have a historic core or surviving historic fabric.

Some are in regions experiencing development pressure or growth, e.g. Ridgefield & Westport.

Surprising geographic distribution from Kent to Old Lyme to Brooklyn.

**These 13 communities self-identified in response to an inquiry posted on the CT Planners Listserv in 2008.