

TOWN OF BROOKFIELD  
ZONING REGULATIONS

Village Business District  
Purpose & Plan of Development - § 242-505A&B

§ 242-505. Brookfield Village Business District *[added 12/19/96]*

A. Purpose:

This district encompasses the historical Village Business District of the town. Many business establishments within the district have been in operation prior to the enactment of the Regulations, and physical conditions exist which limit their compliance with regulatory requirements and/or good planning principles. It is considered in the best economic interest of the town to foster business development of both new and existing establishments in a planned, integrated and orderly manner and in such a way as to compliment the historic character and traditions of the district.

It is the intention of this section to:

- (1) Allow additional design flexibility in establishing new or renovating existing business establishments within the district.
- (2) Insure adequate parking for all business establishments within the district.
- (3) Allow flexibility in the location and configuration of required parking spaces.
- (4) Foster increased pedestrian access to and among individual business locations.
- (5) Provide design consistency in preserving the historical character of the district.
- (6) Preserve the district's tradition as the focal point for multiple cultural, civic and commercial activities.

B. Plan of Conservation and Development:

The Commission shall use the Plan of Conservation and Development, approved by the Planning Commission, Town of Brookfield, as a guide in reviewing all applications for Design review approval within the district. In particular, the Commission shall consider and be guided by the various aspects of the Plan which may, in addition to other elements, identify: historic sites, irreplaceable site features, wetlands, utility concepts, bridges and walkways, service areas, common areas and open space, potential housing sites, access drives, vehicle and pedestrian circulation patterns, and common parking areas.

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**Village Business District  
Common Areas, Uses, Standards – § 242-505C-E**

**C. Common Areas:**

In order to provide for services to the district as a whole, certain areas within the district may be acquired by various business entities and held in common under a condominium association or similar entity. Such common areas may consist of access drives, parking areas, area lighting, utility facilities, walkways, seating, landscaped areas, etc.

**D. Permitted Uses:**

**(1) Table of Permitted Uses:**

The permitted uses established for the VBD-40 district are as indicated in Table I, "Table of Permitted Uses appearing in section 242-501-I.

**(2) Apartment Units:**

Residential apartment units may be permitted on the second floor of a commercial structure. The square footage of each such apartment shall not exceed one thousand (1,000) square feet. The total area of all such apartments within a structure shall be less than one hundred percent (100%) of the total square footage of the structure allocated to the main or first floor of the structure.

**(3) Planned Age Restricted Communities & Affordable Housing:**

Planned age-restricted communities (PARC) meeting the requirements of §242-404I and Affordable Housing Developments meeting the requirements of §242-404H of these regulations are permitted within the Village Business District (VBD).

**(4) Square Footage Restriction:**

Each commercial enterprise permitted within the district shall not exceed five thousand (5,000) square feet of building area devoted to each such commercial enterprise.

**E. Land Use Standards:**

- (1)** Area, Yard, Height, Land Coverage, and Setbacks are identical to Section 242-501, except as specifically delineated and modified hereinafter.

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Design Review & Parking – § 242-505F&G

**F. Design Review:**

- (1) In addition to the provisions of Section 242-301 C, “Design Review Approval,” all projects shall demonstrate:
  - (a) preservation of historical sites and irreplaceable site features.
  - (b) preservation of the architectural design of the original building during renovation or expansion of existing buildings
  - (c) continuity of the architectural theme with adjacent structures,
  - (d) harmony of building material texture and color with other district structures,

**G. Off-Site Parking:**

- (1) Notwithstanding Section 242-305 C. (2), if a business has insufficient parking to meet the regulatory requirements on the site where the business is established, the business may satisfy the requirement by acquiring the additional parking spaces on an off-site location approved by the Commission. In such instances, the distance from the closest perimeter wall of the business establishment to the perimeter of a defined off-site parking location shall not exceed three hundred feet (300’), except that parking spaces dedicated for employee use may be at a greater distance.
- (2) If a business determines that site aesthetics and pedestrian accessibility can be improved by the additional of malls, walkways, landscaping, etc., it may apply to the Commission for a design review permit which would allow for reduced on-site parking in favor of these design enhancements and the substitution of additional parking spaces within a defined off-site parking location approved by the Commission. In such instances, the distance from the closest perimeter wall of the business establishment to the perimeter of the defined off-site parking shall not exceed three hundred feet (300’), except that parking spaces dedicated for employee use may be at a greater distance.

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Design Flexibility – § 242-505H

H. Design Flexibility:

(1) Side Yards:

In applications where it is advisable to provide for a “clustering” of buildings, on separate sites, planned in such a manner as to foster pedestrian accessibility and continuity and integrity of architectural design, the Commission may allow the reduction of side yards to twelve feet (12’) between the perimeter walls of independent structures. In such instances the adjoining buildings, may be connected by covered pedestrian walkways or court yards. The Commission, however, must give specific consideration to the need to provide emergency passage of vehicles through these yards and fire protection methods.

(2) Front Yards and Road Setbacks:

In applications where parking is eliminated from the front yard, the Commission may reduce the front yard and building setback to fifty feet (50’) from the edge of street pavement. However, this area shall contain pedestrian access to all buildings and incorporate such landscape treatment or site enhancements as the Commission shall consider appropriate.

(3) Setbacks from Access Drives:

Setbacks from common area access drives shall not be less than twenty feet (20’). No parking space may be located closer than ten feet (10’) from a building.

(4) Parking Areas:

Buffers, setbacks and other distance requirements pertinent to parking areas, may be reduced when the Commission finds that such reduction will foster pedestrian accessibility, pedestrian and vehicular safety, and utilization of good design and engineering principles. Setbacks may not be reduced to less than twenty feet (20’) between parking area pavement and adjacent roads, drives or accessways. Pedestrian walkways are permitted within any buffers in setback areas between roads, drives accessways and parking area pavement.

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(5) Signage:

Signs within the district shall conform to the requirements of Section 242--306. except as follows:

- (a) There shall be a common design concept, approved by the Commission, for signs for individual businesses located within a building or grouping of buildings. These signs shall be uniform in appearance.
- (b) “Building signs,” of the prescribed size, shall be allowed on both the front and rear of a building.
- (c) “Off premises signs” directing vehicles to the access points or assigned parking area of individual businesses may be erected on the approach to access drives or roadways provided that: (i) the location of the signs is consistent with the Plan of Development, (ii) the sign(s) do not inhibit lines of sight, (iii) the overall sign shall have lettering and directional arrows which contrasts from the background and shall not exceed a size of 6’ x 6’, and (iv) individual sign panels, placed on the above sign and indicating the individual business name, shall not exceed 6” x 36”.
- (d) Signs which identify the district may be erected at the borders of the district with the prior written permission of the landowners of record. These signs shall be uniform in appearance and shall not exceed sixteen (16) square feet