

Section 39c – SMH zone (Substance Abuse/Mental Health)

39C.01- Purpose- A floating zone which provides for conditions and safeguards to protect the public health, safety and welfare of the citizens of Middletown in light of the consolidation of the three state mental health and substance abuse treatment facilities at Connecticut Valley Hospital and the existence of the Long Lane detention facility. The zone will guide the development of new substance abuse and mental health diagnosis and treatment facilities in Middletown. The intent is to minimize the impact of such development on neighbors within the floating zone and abutters in adjacent, more restrictive zones while at the same time recognizing the important services which these facilities provide to the residents of Middletown.

39C.02- Applicability- This floating zone may be applied to any of the lots fronting on the streets named in the areas as described below:

- Saybrook Road- from the intersection of Randolph Road to its northern terminus;
- Main Street Extension;
- Route 17, South Main Street- from the intersection of Highland Avenue, north to the South green;
- Route 66, Washington Street- from the intersection with Camp Street, easterly to the intersection with Board Street; and
- Silver Street- from Main Street Extension easterly to intersection with Eastern Drive.

The Floating zone may be applied to any site within these areas after following the procedures outlined in Section 71 of this Code.

39C.03- Permitted Uses- The following uses shall be permitted within the floating zone:

- Substance-Abuse/Mental Health diagnosis and treatment facilities
- Substance-Abuse/Mental Health walk-in emergency clinics
- Substance-Abuse/Mental Health counseling services, groups or clinics
- Group homes, community residential treatment facilities

39C.04- Changes in Use/Enlargement/Expansion- Any change in the approved use, enlargement or expansion shall constitute a new use. No change in the approved use, enlargement or expansion of the structures nor construction of an additional structure shall be permitted on the premises unless: a) approved by the Planning and Zoning Commission at the initial approval under this section or; b) subsequently as a Special Exception approval.

Any application submitted for initial approval, and any change in the approved use, enlargement or expansion for which approval is sought, shall include a statement of the square footage of space to be utilized, the proposed uses of the property in specific terms, and the number of clients to be served and the type of service provided. Any approval shall be conditioned upon the information provided in this statement.

39C.05- Yard and Height Requirements- Yard and height requirements are those listed in the existing underlying zone prior to the application of the floating zone.

39C.06- Building and Site Requirements-

1. All site plans shall be approved by the Planning and Zoning Commission and shall be submitted simultaneously with the application to apply the floating zone;
2. Any improvements to the exterior of existing buildings and all proposed new buildings or additions shall be reviewed for architectural continuity by the Preservation/Design Review Board;
3. A report of said review from Design Review Board must be submitted with the application to the Planning and Zoning Commission before any approval can be issued;
4. In addition, the total area of new building(s) or combined existing building with addition(s) shall not exceed the square footage (total) of the average of the five nearest (defined as measured from center of proposed building along straight line to the nearest point of existing building on the City's topography maps or a more up-to-date mapping) principal buildings in the abutting zone of the greatest restriction by no more than 50% (i.e. If the proposal abuts a residential zone, then the proposed building can exceed the average size of the five nearest houses by no more than 50%);
5. The architectural character must conform to the dominant character of the most restrictive abutting zone;
6. The location of the facility shall be compatible with the neighborhood in terms of traffic, noise, illumination and number of patients/clients cared for. The facility shall also be compatible with its setting in scale, material and design;
7. The Commission shall require sufficient buffering from adjoining uses including but not limited to evergreen planting, fences and earthen berms; and
8. The Planning and Zoning Commission may, based on reasonable and minimum standards, impose such additional conditions and modifications as it finds necessary to protect the public health, safety and welfare.

39C.07- Illumination

1. Interior or exterior lighting, including signs, shall not be of such intensity or located or directed in such a way to produce glare or discomfort on public streets or neighboring properties;
2. Signs may not have internal illumination and shall not exceed 12 sq. ft.

Special Exception Uses

Public Utility Buildings (60.02.11)

Adaptive Historic Preservation (60.02.16)

Bus Stop Shelter (60.02.32)

