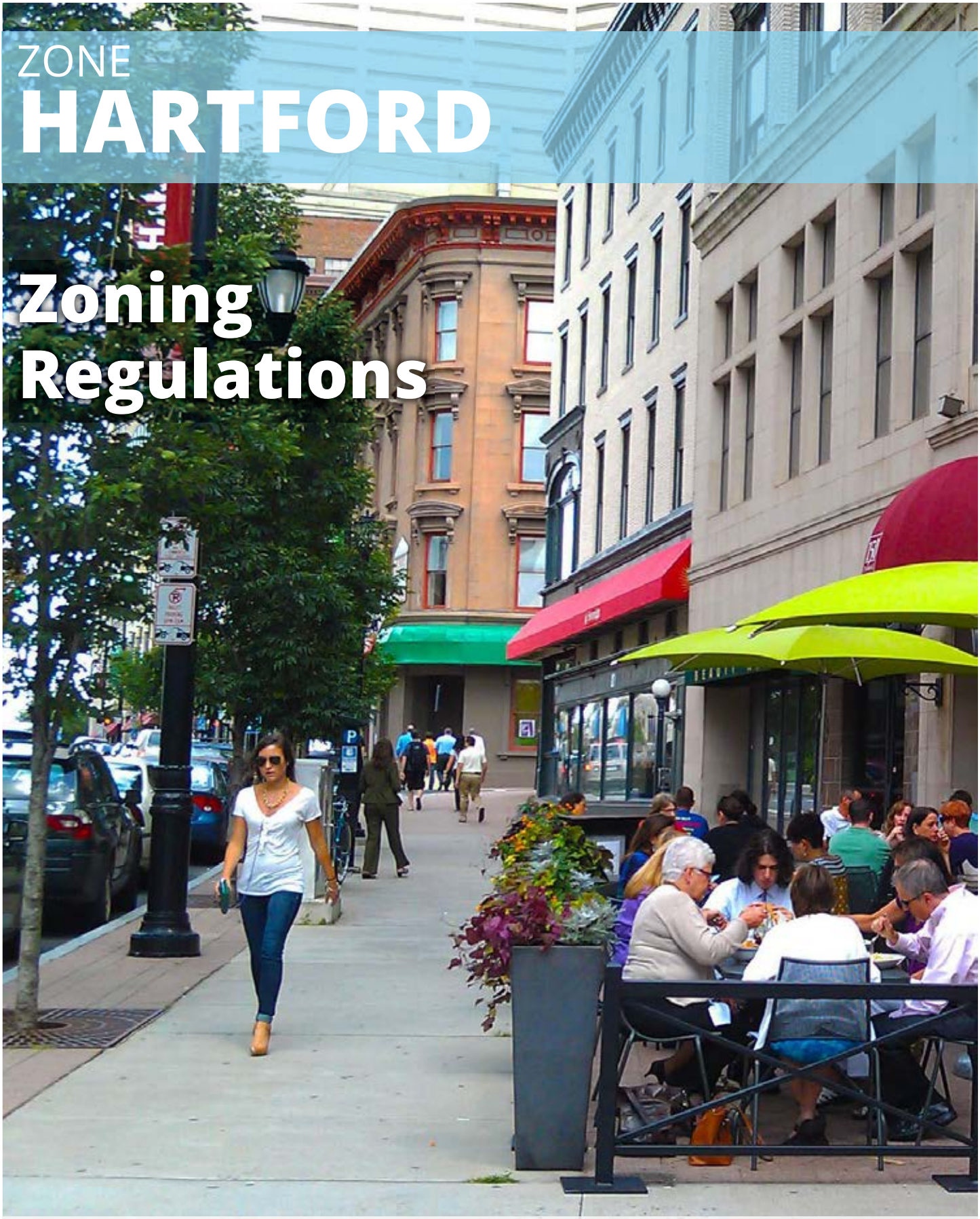
ZONE
HARTFORD

Zoning Regulations



Effective January 19, 2016
Last Amended November 9, 2016

HARTFORD HAS IT

Contents

HOW TO USE THIS CODE 9

Typical Steps for Development 10
Development within Downtown Districts 11
Identifying Your Building Type 12

1.0 ADMINISTRATION 15

1.1 Introductory Provisions 16
1.1.1 Authority 16
1.1.2 Effective Date 16
1.1.3 Applicability & Jurisdiction 16
1.1.4 Purposes 16
1.1.5 Minimum Requirements 16
1.1.6 Compliance Required 16
1.1.7 Conflicting Provisions 16
1.1.8 Zoning Map 17
1.1.9 Delegation of Authority 17
1.1.10 Transitional Provisions 17
1.1.11 Severability 17

1.2 Review & Decision-Making Bodies 18
1.2.1 Planning & Zoning Commission 18
1.2.2 Zoning Board of Appeals 18

1.3 Procedures **20**
1.3.1 Common Application Procedures 20
1.3.2 Zoning Permits 25
1.3.3 Site Plan Review 26
1.3.4 Special Permits 28
1.3.5 Zoning Amendments 30
1.3.6 Variances 31
1.3.7 Certificates 33
1.3.8 Appeals of Administrative Decisions 33
1.3.9 Moratoria 34
1.3.10 Review of Municipal Improvements 35
1.3.11 Decisions on Streets, Street Lighting, & Building Lines 35

1.4 Violations, Penalties, & Enforcement **37**
1.4.1 Responsibility for Enforcement 37
1.4.2 Violations 37
1.4.3 Continuing Violations 37
1.4.4 Remedies Cumulative 37
1.4.5 Persons Subject to Penalties 37
1.4.6 Remedies & Enforcement Powers 37
1.4.7 Enforcement Procedures 39
1.4.8 Appeals 39

1.5 Nonconformities **39**
1.5.1 General 39
1.5.2 Nonconforming Lots 40
1.5.3 Nonconforming Uses 41
1.5.4 Nonconforming Structures 42
1.5.5 Nonconforming Signs 43

1.6 Definitions **43**

2.0 DISTRICTS 49

2.1 Districts **50**
2.1.1 Purpose & Applicability 50
2.1.2 Establishment of Districts 50
2.1.3 Number of Dwelling Units in N Districts 50

2.2 Zoning Map **51**
2.2.1 Mapped Districts 51
2.2.2 Special Overlays 51
2.2.3 Primary Street Designations 51

3.0 USES 55

3.1 Introductory Provisions **56**
3.1.1 General Provisions 56
3.1.2 Applicability 56

3.2 Principal Uses **56**
3.2.1 Table of Principal Uses 56
3.2.2 Organization 57
3.2.3 Unlisted Uses 57
3.2.4 Building Types 57
3.2.5 Prohibited Uses 57

3.3 Principal Use Definitions & Use-Specific Conditions **61**
3.3.1 Residential & Lodging Uses 61
3.3.2 Civic & Institutional Uses 66
3.3.3 Open Space Uses 69
3.3.4 Retail Uses 73
3.3.5 Service Uses 75
3.3.6 Adult Establishments 80
3.3.7 Employment Uses 81
3.3.8 Infrastructure Uses 82
3.3.9 Industrial Uses 84

3.4 Accessory Uses **86**
3.4.1 Accessory Uses: General Provisions 86
3.4.2 Table of Accessory Uses 86

3.5 Accessory Use Definitions & Use-Specific Conditions **87**
3.5.1 Accessory Residential Uses 87
3.5.2 Accessory Commercial Uses 91

3.6 Temporary Uses **94**
3.6.1 Temporary Uses: General Provisions 94
3.6.2 Table of Temporary Uses 94

3.7 Temporary Use Definitions & Use-Specific Conditions **94**
3.7.1 Temporary Outdoor Event 94
3.7.2 Farmers Market 96

4.0 BUILDING TYPES 97

4.1 Introduction to Building Types **98**
4.1.1 Applicability 98
4.1.2 General Requirements 98
4.1.3 How to Read the Building Type Regulations 101

4.2 General Design Requirements for All Building Types **103**
4.2.1 Materials 103
4.2.2 Windows, Awnings, & Shutters 104
4.2.3 Balconies 106
4.2.4 Building Variety 106
4.2.5 Courtyards 106

4.3 Downtown Storefront Building Type **109**
4.3.1 Description & Intent 109
4.3.2 Downtown Storefront Building Type Regulations 110

4.4 Downtown General Building Type **113**
4.4.1 Description & Intent 113
4.4.2 Downtown General Building Type Regulations 114

4.5 Storefront Building Type 117
4.5.1 Description & Intent 117
4.5.2 Storefront Building Type Regulations 118

4.6 Cottage Commercial Building Type 121
4.6.1 Description & Intent 121
4.6.2 Cottage Commercial Building Type Regulations 122

4.7 Commercial Center Building Type 125
4.7.1 Description & Intent 125
4.7.2 Commercial Center Building Type Regulations 126

4.8 General Building Type 129
4.8.1 Description & Intent 129
4.8.2 General Building Type Regulations 130

4.9 Workshop/Warehouse Building Type 133
4.9.1 Description & Intent 133
4.9.2 Workshop/Warehouse Building Type Regulations 134

4.10 Civic Building Type 137
4.10.1 Description & Intent 137
4.10.2 Civic Building Type Regulations 138

4.11 Apartment Building Type 141
4.11.1 Description & Intent 141
4.11.2 Apartment Building Type Regulations 142

4.12 Stacked Flats Building Type 145
4.12.1 Description & Intent 145
4.12.2 Stacked Flats Building Type Regulations 146

4.13 Row Building Type 149
4.13.1 Description & Intent 149
4.13.2 Row Building Type Regulations 150

4.14 House A Building Type 153
4.14.1 Description & Intent 153
4.14.2 House A Building Type Regulations 154

4.15 House B Building Type 157
4.15.1 Description & Intent 157
4.15.2 House B Building Type Regulations 158

4.16 House C Building Type 161
4.16.1 Description & Intent 161
4.16.2 House C Building Type Regulations 162

4.17 Auto-Oriented Structures 165
4.17.1 Parking Structures 165
4.17.2 Fueling Stations & Car Washes 165

4.18 Explanation & Measurement of Regulations Specific to Building Types 166
4.18.1 Building Siting 166
4.18.2 Height 168
4.18.3 Uses 169
4.18.4 Street Facade Requirements 169

4.19 Entrance & Roof Types 171
4.19.1 Entrance Types 171
4.19.2 Roof Types 173

4.20 Accessory Structures 175
4.20.1 Accessory Structures Table 175
4.20.2 General Development Standards 175
4.20.3 Accessory Buildings 178
4.20.4 Accessory Outdoor Structures 180
4.20.5 Accessory Urban Agricultural Structures 181
4.20.6 Accessory Renewable Energy Structures 183
4.20.7 Accessory Utility Structures 186

5.0 SPECIAL OVERLAYS 189

5.1 Campus Overlay 190
5.1.1 General 190
5.1.2 Application 190
5.1.3 Regulations 190
5.1.4 Uses 191
5.1.5 Buildings & Lots Individually Sold 191
5.1.6 Severance 191

5.2 Higher Education Housing Overlay 192
5.2.1 General 192
5.2.2 Application. 192
5.2.3 Regulations 192
5.2.4 Uses 192

5.3 Transit Oriented Development Overlay 193
5.3.1 General 193
5.3.2 Application 193
5.3.3 Regulations 193

5.4 Connecticut River Overlay 194
5.4.1 General 194
5.4.2 Application 194
5.4.3 Regulations 194

6.0 SITEWORK & LANDSCAPE 195

6.1 Introductory Provisions 196
6.1.1 Intent 196
6.1.2 Applicability 196
6.1.3 Excavation 196
6.1.4 Sloping Grades 197
6.1.5 Visibility at Intersections 197

6.2 General Installation Requirements 197
6.2.1 Intent 197
6.2.2 Applicability 197
6.2.3 General Installation Requirements 197

6.3 Ground Plane Vegetation 199
6.3.1 Planting Beds 199
6.3.2 Grass 199
6.3.3 Artificial Turf 199

6.4 Trees 199
6.4.1 Required Quantity of Lot Trees 199
6.4.2 Tree Types 200
6.4.3 Tree Spacing 200
6.4.4 Tree Maintenance 200
6.4.5 Permeable Surface 200
6.4.6 Structural Soil 200

6.5 General Maintenance Requirements 202
6.5.1 Landscape Maintenance 202
6.5.2 Tree Maintenance 202

6.6 Tree Removal & Protection 203
6.6.1 Removal of Significant Trees 203
6.6.2 Tree Protection during Development Activity 203
6.6.3 Penalties 203

6.7 Street Trees 204
6.7.1 Intent 204
6.7.2 Applicability 204
6.7.3 Minimum Street Tree Requirements 204

6.8 Frontage Buffer 205
6.8.1 Intent & Applicability 205
6.8.2 Frontage Buffer Requirements 205

6.9 Side & Rear Buffer 206
6.9.1 Intent & Applicability 206
6.9.2 Side & Rear Buffer Requirements 206

6.10 Interior Parking Lot Landscape 207
6.10.1 Intent & Applicability 207
6.10.2 Interior Parking Lot Landscape Requirements 207

6.11 Waterway Buffers 208
6.11.1 Intent & Applicability 208
6.11.2 Waterway Buffer Requirements 208

6.12 Screening of Necessary Appurtenances 210
6.12.1 Intent & Applicability 210
6.12.2 Screening Requirements 210

6.13 Fence Requirements 211
6.13.1 Location & Placement 211
6.13.2 Height 211
6.13.3 Types & Materials 211
6.13.4 Maintenance 211
6.13.5 Deviations 211

6.14 Stormwater & Low Impact Development 212
6.14.1 Intent 212
6.14.2 Regulations 212

6.15 Site Lighting 213
6.15.1 Intent & Applicability 213
6.15.2 Design Standards 213
6.15.3 Exempt Lighting 214
6.15.4 Prohibited Lighting 214

7.0 PARKING 215

7.1 Introductory Provisions 216
7.1.1 Intent 216
7.1.2 Applicability 216
7.1.3 Authorized Vehicles 216
7.1.4 Continuing Character of Obligations 217

7.2 Parking Requirements 217
7.2.1 General Requirements for Parking 217
7.2.2 Required Automobile & Bicycle Parking 219
7.2.3 Multiple Use Reduction 221
7.2.4 Parking Credits 221

7.3 Parking Design Standards 223
7.3.1 Off-Street Parking Lots 223
7.3.2 Pedestrian Access 224
7.3.3 Bicycle Parking Design 224

7.4 Loading Requirements 226
7.4.1 General Requirements 226
7.4.2 Loading Requirements 226
7.4.3 Computation 226
7.4.4 Dimensions 226
7.4.5 Pavement Construction 226

7.5 Site Access & Driveways 227
7.5.1 General Requirements 227
7.5.2 Quantity & Location of Driveways 227
7.5.3 Dimensions & Design 227

8.0 SIGNS 229

8.1 General Requirements 230
8.1.1 Purpose 230
8.1.2 Intent 230
8.1.3 Applicability 230
8.1.4 Sign Permit Process 230

8.1.5 Nonconforming Signs 230
8.1.6 Abandoned Signs 230
8.1.7 Sign Location 230
8.1.8 Illumination 231
8.1.9 Construction, Design, & Maintenance Standards 231

8.2 Permitted Types & Quantity of Lot Signage 231
8.2.1 Permitted Sign Types by District 231
8.2.2 Maximum Permitted Quantity of Signage by District 231
8.2.3 Computation 232

8.3 Wall Sign 234
8.3.1 Description 234
8.3.2 General Requirements 234
8.3.3 Computation 234

8.4 Projecting Sign 235
8.4.1 Description 235
8.4.2 General Requirements 235
8.4.3 Computation 235

8.5 Projecting Marquee Sign 236
8.5.1 Description 236
8.5.2 General Requirements 236
8.5.3 Computation 236

8.6 Awning Sign 237
8.6.1 Description 237
8.6.2 General Requirements 237
8.6.3 Computation 237

8.7 Canopy-Mounted Sign 238
8.7.1 Description 238
8.7.2 General Requirements 238
8.7.3 Computation 238

8.8 Roof Sign 239
8.8.1 Description 239
8.8.2 General Requirements 239
8.8.3 Computation 239

8.9 Window Sign 240
8.9.1 Description 240
8.9.2 General Requirements 240
8.9.3 Computation 240

8.10 Monument Sign 241
8.10.1 Description 241
8.10.2 General Requirements 241
8.10.3 Computation 241

8.11 Ped-Scale Pole-Mounted Sign 242
8.11.1 Description 242
8.11.2 General Requirements 242
8.11.3 Computation 242

8.12 Dynamic Display 243
8.12.1 Definition 243
8.12.2 Applicability 243
8.12.3 General Requirements 243

8.13 Temporary Signs 244
8.13.1 General Requirements 244
8.13.2 Temporary Sign Types 245

8.14 Exempt Signs 247
8.14.1 General Requirements 247
8.14.2 Exempt Signs 247

8.15 Prohibited Signs 249
8.15.1 General Requirements 249
8.15.2 Prohibited Signs 249

9.0 STREET TYPES 251

9.1 General Requirements 252
9.1.1 Intent 252
9.1.2 Applicability 252
9.1.3 General Requirements 252
9.1.4 Street Construction Specifications 252
9.1.5 Selection of a Street Type 252
9.1.6 Streetscape Design Submittal 253

9.2 General Street Type Standards 255
9.2.1 General 255
9.2.2 Deviations 255
9.2.3 Typical Street Elements 255
9.2.4 Vehicular Travel Lanes 256
9.2.5 On-Street Parking 256
9.2.6 Bicycle Facilities 256
9.2.7 Stormwater Management 257
9.2.8 Medians 257

9.3 General Street Layout Requirements 258
9.3.1 General Layout Standards 258
9.3.2 Disconnected Streets 258
9.3.3 Intersections 259

9.4 Neighborhood Street 261
9.4.1 Intent 261
9.4.2 General Requirements 261
9.4.3 Example Neighborhood Streets 261

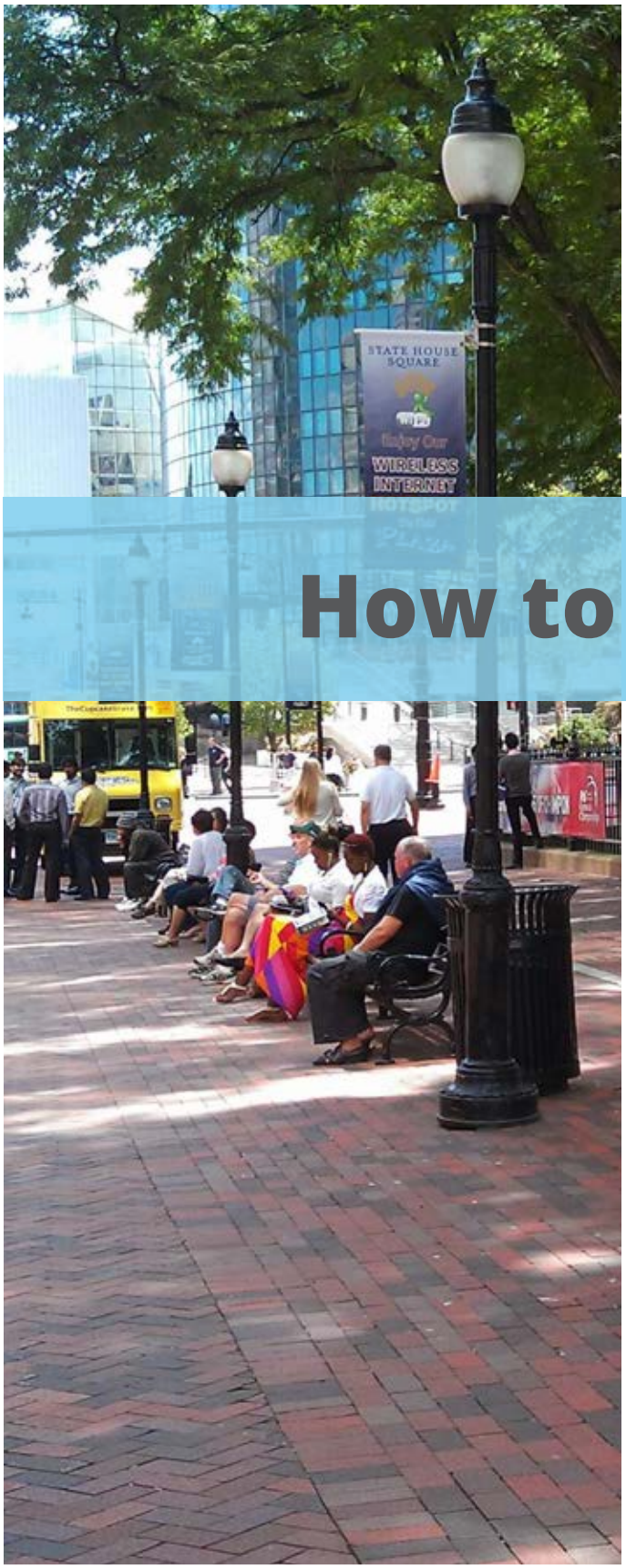
9.5 Residential Connector 262
9.5.1 Intent 262
9.5.2 General Requirements 262
9.5.3 Example Residential Connectors 262

9.6 Commercial Connector Street 264
9.6.1 Intent 264
9.6.2 General Requirements 264

9.6.3 Example Commercial Connectors 264

9.7 Avenue 265
9.7.1 Intent 265
9.7.2 General Requirements 265
9.7.3 Example Avenues 265

9.8 Boulevard 266
9.8.1 Intent 266
9.8.2 General Requirements 266
9.8.3 Example Boulevards 266



How to Use this Code

Typical Steps for Development

1 Locate parcel on
Zoning Map
to determine which district the property is designated.

2.2 Zoning Map

If the development is within a
Downtown District (DT-1, DT-2, or DT-3)
refer to "Development within Downtown Districts" on the following page to understand Primary & Secondary Street designations

Development within Downtown Districts

If the development is within a
Special Overlay
go to Special Overlays to understand the specific development provisions within the overlay, and how the base zoning district applies.

5.0 Special Overlays

2 Review
Districts
to understand the character and intent of the district.

2.0 Districts

3 Review
Uses
to determine permitted uses by district, understand use categories and find any applicable conditions.

3.0 Uses

4 Review General & Specific
Building Type Requirements
to determine building envelope, site, facade design, and use requirements specific to the building type. To classify an existing building, refer to "Identifying Your Building Type" on the following pages.

4.0 Building Types

5 Review
Parking & Loading
to determine the minimum and maximum vehicle parking spaces, required bike parking, and any loading requirements.

7.0 Parking

6 Review
Streets Types
for street location and design, and streetscape improvement requirements.

9.0 Street Types

7 Review
Sitework & Landscape
for tree planting, site landscape, and screen/buffer requirements.

6.0 Sitework & Landscape

8 Review
Signs
to determine sign quantity, location, and design requirements.

8.0 Signs

9 Determine the applicable
Development Approval Process
to prepare all required application materials.

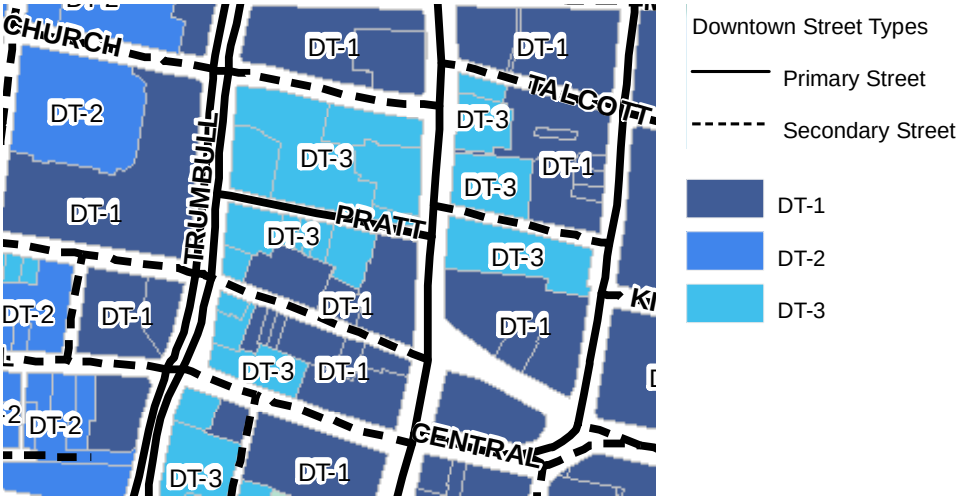
1.0 Administration

Development within Downtown Districts (DT-1, DT-2, DT-3)

1

Locate parcel on
Zoning Map
to determine which frontages are Primary Streets and which frontages are Secondary Streets

2.2
Zoning Map



Sample excerpt of Zoning Map showing Primary and Secondary Street designations

2

Review
Districts
to understand the character and intent of the district.

2.0
Districts

3

Review permitted
Building Types
within the district, 4.3 Downtown Storefront Building Type and 4.4 Downtown General Building Type.

Note the following development aspects affected by Primary & Secondary Streets:
- Building Siting (per building type table, 4.3.2.A. and 4.4.2.A. Building Siting)
- Uses (per building type table, 4.3.2.C. and 4.4.2.C. Uses)
- Street Facade Requirements (per building type table, 4.3.2.D. and 4.4.2.D. Street Facade Requirements)

4.0
Building Types

4

Review permitted
Uses
within the district, and understand how these are affected by the building type requirements in 4.3.2.C. and 4.4.2.C. Uses regarding uses permitted on the ground story along Primary & Secondary Streets.

3.0
Uses

5 through 9

Continue through Typical Steps
Parking, Sitework & Landscape, Signs, Development Approval Process
for requirements within the Downtown Districts

See Left

Identifying Your Building Type

The tables located in this section are provided for information purposes only and may be utilized to assist in identifying the applicable building type for buildings constructed prior to the adoption of these regulations.

Commercial Building Types Table.
The table below illustrates a simplified way to determine which building type is applicable to an existing commercial building. While the table prioritizes entrance and transparency over other requirements, a building may exhibit other elements that qualify it as a different building type from what is shown in the table, leaving the entrance or transparency as nonconforming. Refer to commercial building types, 4.3 through 4.10.

IDENTIFYING A COMMERCIAL BUILDING TYPE

What Zoning District is the building in?	What Entrance Type does the building have?	How much transparency is on the ground floor?	Probable Building Type
DT-1 DT-2 DT-3	Storefront	65% or more	Downtown Storefront (refer to 4.3)
	Arcade	65% or more	Downtown Storefront (refer to 4.3)
		less than 65%	Downtown General (refer to 4.4)
	Stoop	20% or more	Downtown General (refer to 4.4)

What Zoning District is the building in?	What Entrance Type does the building have?	How much transparency is on the ground floor?	Does the building include loading bays on the front facade?	Probable Building Type
CX-1 CX-2	Storefront	65% or more	No	Storefront (refer to 4.5) (CX-2 only)
	Arcade	65% or more	No	Storefront (refer to 4.5)
		15% or more	No	General Building (refer to 4.8)
	Stoop	15% or more	No	General Building (refer to 4.8)
		12% or more	Yes	Workshop/Warehouse (refer to 4.9)

What Zoning District is the building in?	What Entrance Type does the building have?	How much transparency is on the ground floor?	Does the site include multiple buildings and/or significant parking up at the front lot line?	Was the building converted from residential use?	Probable Building Type
MS-1 MS-2 MS-3	Storefront or Arcade	65% or more	No	—	Storefront (refer to 4.5)
			Yes	—	Commercial Center (refer to 4.7) (MS-3 only)
		<65%	—	Yes	Cottage Commercial (refer to 4.6)
				No	General Building (refer to 4.8)
	Arcade or Stoop	65% or more	No	—	Storefront (refer to 4.5)
			Yes	—	Commercial Center (refer to 4.7)
		40% or less	—	Yes	Cottage Commercial (refer to 4.6)
				No	General Building (refer to 4.8)
	Porch	40% or more	—	Yes	Cottage Commercial (refer to 4.7)

Identifying Your Building Type

Residential Building Types Table.
The table below illustrates a simplified way to determine which building type is applicable to an existing residential building. While the table prioritizes number of units and height over other requirements, a building may exhibit other elements that qualify it as a different building type from what is shown in the table, leaving the number of units or height as nonconforming. Refer to residential building types, 4.11 through 4.16.

IDENTIFYING A RESIDENTIAL BUILDING TYPE

How many units are in the building?	What is the Height at Front Facade?	What is the lot width?		Probable Building Type
1 unit	1 to 1.5 Stories	—		House C (refer to 4.16)
	2 to 3.5 Stories	<80 feet		House B (refer to 4.15)
		80 feet or more		House A (refer to 4.14)
How many units are in the building?	**How are the units arranged?**	**What is the lot width?**	**What is the roof type?**	**Probable Building Type**
2 to 3 units	Side by side, each with its own entrance	—	—	Row Building (refer to 4.13)
	Stacked, with one or more shared entrances	<80 feet	Pitched Roof	House B (refer to 4.15)
			Parapet Roof	Stacked Flats (refer to 4.12)
		80 feet or more		House A (refer to 4.14)
How many units are in the building?	**How are the units arranged?**			**Probable Building Type**
4 or more units	Side by side, each with its own entrance			Row Building (refer to 4.13)
	Stacked, with one or more shared entrances			Apartment Building (refer to 4.11)

Note: The building type can be further narrowed by looking at which building types are permitted in the district where the building is located. If both building types are permitted in the district, additional factors shown in the Building Type Table, such as Lot Width, Build-to Zones, or Setbacks may help to determine the house's building type.

This page intentionally left blank.

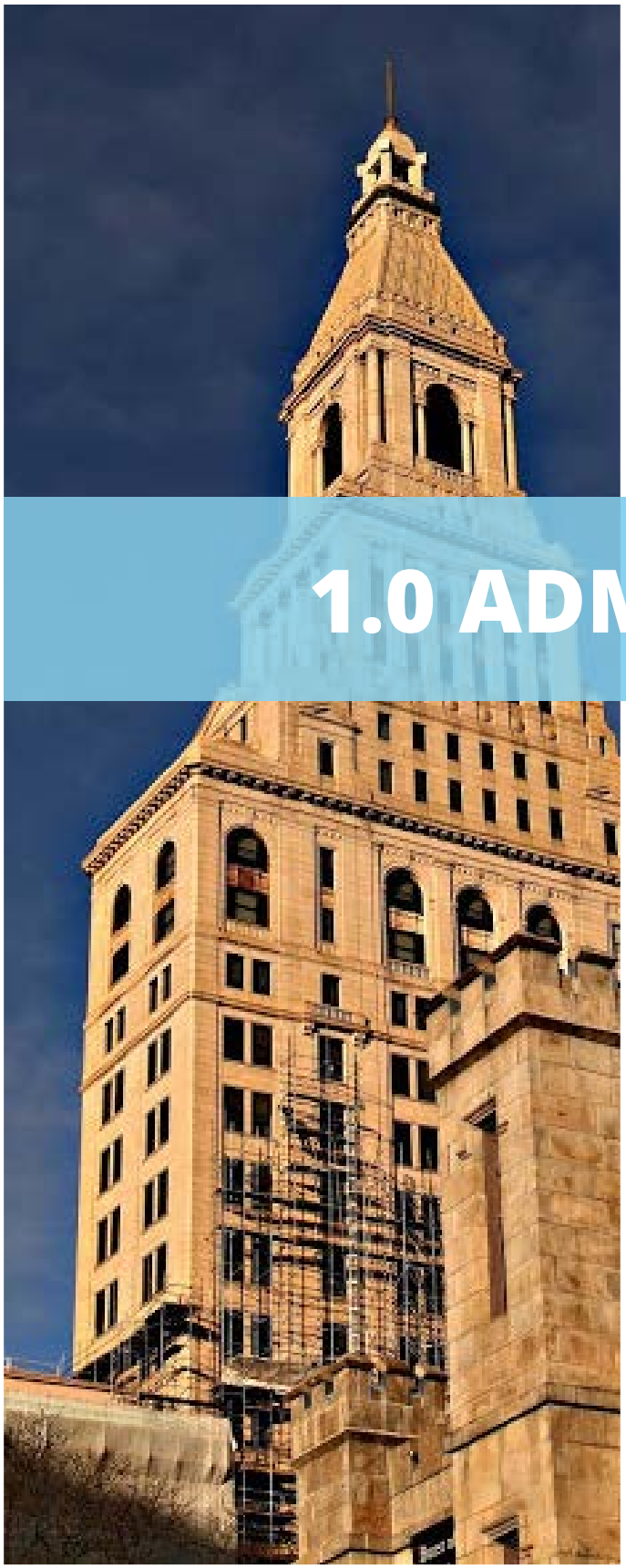


Photo by Jose Rodriguez

1.0 ADMINISTRATION

SECTIONS

1.1 Introductory Provisions
1.2 Review and Decision-Making Bodies
1.3 Procedures
1.4 Violations, Penalties, & Enforcement
1.5 Nonconformities
1.6 Definitions

1.1 Introductory Provisions

1.1.1 AUTHORITY

These regulations are adopted pursuant to the city charter and in accordance with the general statutes, in order for the commission to achieve the purposes outlined in 1.1.4 and elsewhere in these regulations.

1.1.2 EFFECTIVE DATE

These regulations become effective on [effective date to be inserted], except as otherwise expressly stated. For amendments to these regulations, see 1.3.5.

1.1.3 APPLICABILITY & JURISDICTION

These regulations apply to all public and private use and development of properties within the corporate limits of the city, except as provided by state or federal law or as otherwise expressly stated in these regulations.

1.1.4 PURPOSES

These regulations are adopted for the purposes of:

A. Protecting and promoting the public health, safety and general welfare;

B. Implementing the policies and goals of the plan of conservation and development and other relevant, officially adopted plans of the city; and

C. Achieving all of the other purposes and intent statements contained in these regulations.

1.1.5 MINIMUM REQUIREMENTS

A. These regulations are the minimum requirements deemed necessary to carry out their stated purpose.

B. In addition to the requirements of these regulations, all uses, buildings and structures must comply with all other applicable ordinances, laws and regulations and with decisions made by other governmental or quasi-governmental bodies with jurisdiction, including but not limited to decisions made by the Greater Hartford Flood Control Commission, the Historic Properties Commission, and the Historic Preservation Commission.

C. All references in these regulations to other governmental regulations are for informational purposes only and do not constitute a complete list of such regulations. These references do not imply any responsibility for the city to enforce regulations imposed by other government authorities.

1.1.6 COMPLIANCE REQUIRED

A. Land may not be used for any purpose other than ones that are allowed by the provisions of these regulations.

B. A building or structure may not be erected, located, moved, reconstructed, extended or structurally altered except as allowed by these regulations.

C. Buildings, structures and land may be used and occupied only in compliance with the provisions of these regulations.

D. All lots created or modified must comply with all applicable provisions of these regulations.

1.1.7 CONFLICTING PROVISIONS

A. Stricter Regulations - External. When any provision of these regulations imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any ordinance, statute, regulations or law, the provisions of these regulations shall apply and govern.

B. Stricter Regulations - Internal. When any provision of these regulations conflicts with any other provision of these regulations, the stricter of the provisions shall apply and govern. Notwithstanding the preceding sentence, where there is a conflict between minimum front lot line coverage requirements and maximum building width requirements per 4.0 Building Types, the minimum front lot line coverage requirement will prevail.

C. General Statutes. When there is a clear conflict between these regulations and the provisions of the general statutes, then the provisions of the general statutes shall govern. When provisions in these regulations relate to the general statutes, and the general statutes have been amended without corresponding amendment to these regulations, then the practical intent of the commission in passing its provision shall be carried out, to the fullest extent allowed by law.

D. Text and Illustration. In case of any difference of meaning or implication between the text of these regulations and any heading, drawing, table, figure or illustration, the text governs.

E. Private Law. These regulations are not intended to abrogate or annul any easement, covenant or other private agreement.

1.1.8 ZONING MAP

A. Establishment. The location and boundaries of the zoning districts defined in these regulations must be established by regulation and shown on the city's official zoning map, which must be available for inspection in the office of the zoning administrator or the city clerk.

B. Interpretation

(1) Where the street or lot layout actually on the ground, or as recorded, differs from the street or lot lines as shown on the zoning map, the commission, after notice to the owners of the property and after public hearing, shall interpret the map in such a way as to carry out the intent and purposes of these regulations for the particular section or district in question.

(2) In case of any question as to the location of any boundary line between zoning districts, a request for interpretation of the zoning map may be made to the commission.

1.1.9 DELEGATION OF AUTHORITY

Whenever a provision appears requiring the head of a department or another officer or employee to perform an act or duty, that provision will be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority. Delegation of authority is not allowed when the provisions of these regulations expressly prohibit such delegation.

1.1.10 TRANSITIONAL PROVISIONS

A. Nothing in these regulations shall be deemed to require any change in the plans, construction or designated use of any building or structure upon which actual construction was lawfully begun prior to the adoption of these regulations and upon which building or structure actual construction has been diligently carried on.

B. The adoption of these regulations does not affect any pending or future prosecution of, or action to abate, violations of the previous regulations that occurred before the effective date specified in 1.1.2 Effective Date.

1.1.11 SEVERABILITY

A. If a court of competent jurisdiction finds any provisions of these regulations to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of these regulations shall continue to be separately and fully effective.

B. If a court of competent jurisdiction finds the application of any provision or provisions of these regulations to any zoning lot, building or structure to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property or situation immediately involved in the controversy, and the application of any such provision to other persons, property or situations shall not be affected.

C. While any provisions of these regulations or application of any provisions of these regulations to any zoning lot, building or structure is before a court of competent jurisdiction, all other provisions of these regulations and all other applications of the provisions of these regulations to other zoning lots, buildings or structures shall continue to be separately and fully effective.

1.2 Review and Decision-Making Bodies

1.2.1 PLANNING & ZONING COMMISSION

A. Composition

(1) The planning and zoning commission shall consist of 7 members and 3 alternate members.

(2) Alternate members, when seated as regular voting members, have all the powers and duties set forth in the general statutes relating to planning and zoning commissions and their members.

(3) The regular members and alternate members of the planning and zoning commission must be electors of the city and have skills and knowledge in planning, architecture, landscape architecture, real estate, or law. They may not be members of the zoning board of appeals.

(4) Regular members and alternate members of the commission shall be appointed and any vacancies shall be filled by the mayor in the manner provided in the charter for appointment and filling of vacancies of members of city commissions.

B. Officers. The commission, by vote of its regular members only, must elect from its membership a chair, vice chair, and secretary in accordance with its Bylaws

C. Meetings. Meetings of the commission shall be held, with rules of procedures followed, in accordance with the commission's Bylaws. All meetings of the commission shall be open to the public and shall be held in accordance with the general statutes, including state freedom of information act. Records of the commission may be examined in the offices of the division of planning at any reasonable time. Executive meetings of the commission may be held, but any record of executive meetings must be open to public inspection.

D. Records. The commission must keep minutes of its proceedings, recording each action of the commission and the vote of each member upon each action or, if absent or failing to vote, indicating such fact. It shall also keep records of its examinations and other official actions, all of which shall be filed in the office of the division of planning and be open to public examination at reasonable hours.

E. Vote Required. As provided in the general statutes, a simple majority shall be necessary for the commission to act, except in the case of Protest Petitions identified in 1.3.5.H.

F. Assistance From Other Officials. The commission may call upon any city department for assistance in the performance of its duties and it is the duty of such department to render such assistance to the commission, as may be reasonably required.

G. Powers. The commission has the powers and duties that are expressly identified in these regulations and the general statutes, including but not limited to establishing or changing the zoning regulations and the zoning map; hearing and acting on applications for zoning permits, site plan reviews, and special permits; recommending every 10 years a plan of conservation and development; preparing a program of public improvements for a 5-year period; establishing building lines and streets in accordance with section 8-29 of the general statutes; enacting and administering subdivision regulations; and conducting reviews in accordance with section 8-24 of the general statutes.

H. Inland Wetlands Commission. In accordance with municipal code section 28-6, the commission serves as the inland wetlands and watercourses agency required to be created pursuant to section 22a-42 of the general statutes, exercising all powers accorded to inland wetlands and watercourses agencies by law.

I. Design Review Board. The commission assumes all powers and responsibilities previously assigned to the design review board, where such powers survived the dissolution of the design review board.

1.2.2 ZONING BOARD OF APPEALS

A. Composition

(1) The zoning board of appeals shall consist of 5 regular members and 3 alternate members.

(2) Alternate members, when seated as regular voting members, have all the powers and duties set forth in the general statutes relating to zoning boards of appeals and their members.

(3) The regular members and alternate members of the zoning board of appeals must be electors of the city and may not be members of the commission.

(4) Regular members and alternate members of the zoning board of appeals shall be appointed and any vacancies shall be filled by the mayor in the manner provided in the charter for appointment

and filling of vacancies of members of city commissions.

B. **Officers.** The zoning board of appeals, by vote of its regular members only, must elect from its membership a chair, vice chair, and secretary in accordance with its Bylaws

C. **Meetings.** Meetings of the zoning board of appeals shall be held, with rules of procedures followed, in accordance with its Bylaws. All meetings of the zoning board of appeals shall be open to the public and shall be held in accordance with the general statutes, including the state freedom of information act. Records of the zoning board of appeals may be examined in the offices of the division of planning at any reasonable time. Executive meetings of the commission may be held, but any record of executive meetings must be open to public inspection.

D. **Records.** The zoning board of appeals must keep minutes of its proceedings, recording each action of the zoning board of appeals and the vote of each member upon each action or, if absent or failing to vote, indicating such fact. It shall also keep records of its examinations and other official actions, all of which shall be filed in the office of the division of planning and be open to public examination at reasonable hours.

E. **Vote Required.** As provided in the general statutes, the concurring vote of 4 members of the zoning board of appeals shall be necessary to reverse any order, requirement or decision of the zoning enforcement officer or to decide in favor of the applicant in any matter upon which it is required to pass under the regulations or to vary the application of the zoning regulations.

F. **Assistance From Other Officials.** The zoning board of appeals may call upon any city department for assistance in the performance of its duties and it is the duty of such department to render such assistance to the zoning board of appeals, as may be reasonably required.

G. **Powers.** The zoning board of appeals has the powers and duties that are expressly identified in these regulations and the general statutes, including hearing and acting on applications for variances and appeals of administrative decisions.

1.3 Procedures

1.3.1 COMMON APPLICATION PROCEDURES

A. Applicability. The common procedural provisions of this section apply to all of the procedures in this chapter unless otherwise expressly stated.

B. Application Procedures

(1) **Applicability.** This section 1.3.1.B. shall apply to applications for special permits, site plan reviews, zoning permits, and variances.

(2) **Authority to File.** Applications must be filed with the zoning administrator by the owner of the subject property. Applications may also be filed by the property owner's authorized agent.

(3) **Pre-Application Meetings**

(a) **Purpose.** Pre-application meetings provide an early opportunity for staff and applicants to discuss the procedures, standards and regulations required for development approval under these zoning regulations

(b) **Requirement.** Applicants are required to schedule pre-application meetings with staff regarding applications for the following types of projects: Multi-Unit Residential, Hotel/ Apartment Hotel, Civic and Institutional Use, Intensive Park Use, River Use, Beer/ Wine/Liquor Sales, Convenience Store, Drinking Place, Entertainment Assembly, Vehicle Fueling and Limited Service, Vehicle Service/Car Wash, Office Use involving new construction of more than 5,000 square feet, Adult Use, Infrastructure Use, Industrial Use, new construction in the DT districts, and any other project the zoning administrator determines is a major development project. Pre-application meetings are encouraged in all cases. An applicant's failure to schedule and attend a pre-application meeting (or meetings, if more than one meeting is required by the zoning administrator) shall render the application incomplete.

(4) **Application Submittal Requirements.** Applicants must submit 3 paper copies of all plans and paperwork, folded 8.5 inches by 11 inches or smaller and collated into 3 separate packets. Applications must also be saved and properly installed on a USB flash drive, labeled with the property address and the date of hearing. Applications must include materials and information to assist the staff and the decision-making bodies in their consideration of the application, with specific application requirements further outlined in 1.3.2 through 1.3.8.

(5) **Completeness of an Application**

(a) An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information, does not contain significant inaccuracies or omissions, does not contain multiple minor inaccuracies or omissions, and is accompanied by the required fee amount.

(b) If an application is determined to be incomplete, the zoning administrator may provide notice to the applicant along with an explanation of key deficiencies in the application. Notice of an incomplete application may be provided by personal service, electronic mail, or first-class mail.

(c) Following notification, no further processing of an incomplete application will occur. The application will only be returned to the processing cycle if and when all deficiencies are corrected and the application requirements are fully met, whether or not each and every such requirement was expressly included in the list of deficiencies given to the applicant by staff pursuant to 1.3.1.B.(5)(b). If an application is not complete within 60 days of the initial submission of the application to staff, the application will be deemed to have been withdrawn.

(d) Only upon the completion of an application in accordance with this section shall any legal period within which an application may be "deemed approved" commence.

(e) Prior to the consideration of any application for any permit or approval by the commission, an applicant may amend an application without prejudice.

(6) **Rejection of an Application Prior to Full Review.** An application may be rejected prior to a full review if the decision-making body does not have legal authority to approve the application or if the application is not completed within 60 days of the application's initial submission to staff.

C. Application Processing Cycles. The zoning administrator, after consulting with review and decision-making bodies, is authorized to promulgate

reasonable cycles and timelines for processing applications, including deadlines for receipt of complete applications.

D. Notices

(1) **Newspaper Notice.** For public hearings and for other instances in which this chapter requires that newspaper notice be provided, the notice must be published in a newspaper of general circulation within the city. Notice of the hearing shall be published at least twice, at intervals of not less than 2 days, the first not more than 15 days or less than 10 days and the last not less than 2 days before the date set for the hearing.

(2) **Posted Notice.** For public hearings and for other instances in which this chapter requires that posted notice be provided, the applicant must post notice for at least 7 consecutive days before the public hearing. Such notice shall consist of at least one official public hearing notice sign in a conspicuous place visible from each public street abutting the subject project. The city is authorized to collect a deposit to ensure the return of official public hearing notice signs. Before any required public hearing, the applicant must file a certificate of posting or equivalent which affirms that notice signs have been posted in accordance with the provisions of these zoning regulations.

(3) **Mailed Notice.** For public hearings and for other instances in which this chapter requires that mailed notice be provided:

(a) Notices must be sent by United States Postal Service, postmarked at least 10 days before the scheduled public hearing. State law may require that such notice be sent by certified mail, return receipt requested.

(b) Addresses must be based on the best obtainable property ownership information. When required notices have been properly addressed and deposited in the U.S. mail, alleged failure of a party to receive the mailed notice does not constitute grounds to invalidate any action taken.

(c) Before a public hearing, the applicant or other party expressly assigned responsibility for delivery of mailed notice must file a certificate of mailing or equivalent affirming that notice has been provided in accordance with the provisions of these zoning regulations.

(4) **Content of Notice.** All required notices must:

(a) Indicate the date, time and place of the public hearing that is the subject of the notice;

(b) Describe any property involved in a specific, property-owner-initiated application by map, street address, or legal description;

(c) Describe the action sought in the application or proposal;

(d) Identify who will conduct the hearing; and

(e) Indicate where additional information on the matter can be obtained.

(5) **Meeting Agendas and Materials**

(a) The agenda for any meeting of the commission must be released at least 24 hours before the meeting at which listed matters are to be considered, unless a longer time period is required by law. A copy of any application which will be the subject of a public hearing and related documents must be filed in the office of the city clerk and made available for public inspection at least 24 hours prior to the hearing, unless a longer time period is required by law.

(b) The agenda for any meeting of the zoning board of appeals must be released at least 10 days before the meeting at which listed matters are to be considered. A copy of any application which will be the subject of a public hearing and related documents must be filed in the office of the city clerk and made available for public inspection at least 10 days prior to the hearing.

(6) **Notice to Adjoining Municipalities**

(a) The commission must provide mailed notice, certified mail, return receipt requested, to the clerk of any adjoining municipality of the pendency of any application concerning any project on any site that meets one or more of the following criteria, within 7 days of receipt of an application:

(i) Any portion of the property affected by a decision of the commission is within 500 feet of the boundary of the adjoining municipality;

(ii) A significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;

(iii) A significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or

(iv) Stormwater runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality.

(b) Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application.

(7) **Notice to the Capitol Region Council of Governments.** For proposed zoning amendments that affect the use of a zone any portion of which is within 500 feet of the boundary of another municipality, the Capitol Region Council of Governments and the other municipality shall be notified by certified mail, return receipt requested, or electronic mail 30 days before the public hearing to be held in relation thereon. If any report from such council is not submitted at or before the hearing, it shall be presumed that such council does not disapprove of the proposal. The report of such council is purely advisory. Regional notice by certificate or electronic mail shall be provided in accordance with general statutes section 8.3b.

(8) **Constructive Notice**

(a) Minor defects in required notices will not be deemed to impair the notice or invalidate proceedings pursuant to the notice. Minor defects in notice are limited to errors in a legal description or typographical or grammatical errors that do not impede communication of the notice to affected parties. If questions arise at the hearing regarding the adequacy of notice, the hearing body must make a formal finding about whether there was substantial compliance with the notice requirements of these zoning regulations.

(b) When the records of the city document the publication, mailing, and posting of notices as required by this chapter, required notice of the public hearing will be presumed to have been given.

E. Public Hearings

(1) **Prior to Public Hearing.** The public shall be allowed to inspect relevant public hearing materials in accordance with 1.3.1.D.(5).

(2) **At the Public Hearing**

(a) Any person or persons may appear and be heard and may be represented by agent or by attorney.

(b) Interested persons may submit information and comments, verbally or in writing.

(c) The hearing body is authorized to establish reasonable rules and regulations governing the conduct of hearings and the presentation of information and comments.

(3) **Continuance of a Public Hearing**

(a) Once commenced, a public hearing may be continued by the hearing body.

(b) No re-notification is required if the continuance is set for a specified date and time, and that date and time is announced at the time of the continuance.

(c) If a public hearing is continued or postponed for an indefinite period of time from the date of the originally scheduled public hearing, new public hearing notice must be given before the rescheduled public hearing.

(d) If the applicant requests and is granted a continuance or postponement requiring renotification, the applicant must pay any costs of re-notification.

(4) **Timing of Hearings and Decisions**

(a) For all petitions, applications, requests, or appeals requiring a hearing, such hearing must commence within 65 days after receipt of such petition, application, request, or appeal, and shall be completed within 35 days after such hearing commences.

(b) All decisions on such matters shall be rendered not later than 65 days after completion of such hearing, unless a shorter period of time is required by state law.

(c) The petitioner or applicant may consent to one or more extensions of any period specified in this subsection, provided the total extension of all such periods shall not be for longer than 65 days, or may withdraw such petition, application, request or appeal.

F. Decision-Making

(1) **Action.** Review and decision-making bodies may take any action that is consistent with:

(a) These zoning regulations;

(b) Any rules or bylaws which apply to the review or decision-making body; and

(c) The notice that was given.

(2) **Reasons.** The decision-making body must state in the record the reasons for its action.

(3) **Burden of Proof or Persuasion.** In all cases, the burden is on the applicant to show that an application or proposal complies with all applicable review or approval criteria.

(4) **Continuance or Deferral.** Decision-making bodies are authorized to continue a public hearing or defer action in order to receive additional information or further deliberate.

(5) **Time Limit.** Unless otherwise expressly stated, if a review or decision-making body does not render a decision or take action within any time period required under these zoning regulations, and the applicant has not agreed to an extension of that time limit, the application is deemed denied.

(6) **Conditions of Approval.** Review bodies are authorized to recommend conditions and decision-making bodies are authorized to approve the subject application with conditions. Any conditions recommended or approved must relate to a situation likely to be created or aggravated by the proposed use or development and must be roughly proportional to the impacts of the use or development.

G. Post-Approval Matters

(1) Applicants who have received a permit or other approval for a project requiring a pre-application meeting pursuant to 1.3.1.B.(3) must, before commencing any substantial work on the site, meet with the director of the division of licenses and inspections to establish construction and inspection schedules. For the purposes of the preceding sentence, the determination of what constitutes "substantial work" shall be made by the director of the division of licenses and inspections.

(2) **Amendments to Approved Permits and other Development Approvals.** After approval has been granted, all amendments or changes to an issued permit or other approval under these regulations must be processed and considered as a new application and the issuance of an additional zoning permit. However, the zoning administrator is authorized to approve minor changes in the placement and size of improvements and the type of exterior materials for an approved project if:

(a) The changes are required because of conditions that were unknown at the time the approval was issued and have only a de minimis impact;

(b) The zoning administrator determines that the changes satisfy and are consistent with the intent of these regulations and the findings made by the decision-making body in connection with the approval and have only a de minimis impact; and

(c) The changes involve, as applicable: a change in placement of a building or structure which is less than 2 feet away from the approved placement, the use of materials or components accounting for no more than 2.5 percent of the facade, a modification in landscaping that produces no additional negative environmental effects, or the use of a replacement material whose performance and appearance is substantially similar to an approved material.

(3) **Lapse of Approval.**

(a) All work in connection with any permit or approval issued pursuant to these regulations must be completed within 3 years from the date of the original permit or approval, provided that work made in connection with a site plan approval must be completed within 5 years from the date of the original approval, except that projects involving 400 or more dwelling units and commercial, industrial, or retail projects greater than 400,000 square feet may be completed within up to 10 years from the date of the approval.

(b) Failure to complete all work within the applicable period shall result in automatic lapse and expiration of the permit or approval, except that with good cause shown, the commission may grant one or more extensions of the time to complete all or part of the work in connection with the site plan provided the total extension or extensions shall not exceed 10 years from

the date such permit or approval has been issued.

(c) "Work" for purposes of this subsection means all physical improvements required by the permit or approval.

(d) Notice regarding certificates and approvals which have expired and on which no action has been taken may be sent to the applicant within 15 days of the date on which the period for approval has lapsed.

(4) **Transferability.** The status of permits and approvals is not affected by mere changes of tenancy (of the same use), ownership, or management.

(5) Appeals of any decision by a decision-making body pursuant to these regulations may be pursued in accordance with state statute. Appeals of administrative decisions may be filed in accordance with 1.3.8.

H. Fees and Charges

(1) The commission is authorized to establish a fee schedule for all applications for approvals and permits being sought from the commission, the zoning board of appeals, the inland wetlands commission, and the historic preservation and properties commissions, or for any administrative review required. The fee schedule may also include any matter deemed necessary in order for the planning division or any review or decision-making body to carry out its responsibilities under these zoning regulations.

(2) Among other things, the fee schedule may include applicable charges for zoning permits, special permits, zoning map amendments, zoning text amendments, zoning board of appeals applications (including variances), zoning board of appeals applications following notices of violation, certificates of zoning compliance, site plan reviews (both residential and commercial), subdivision applications, mapping, liquor permits, wetland permits (with and without public hearings), historic properties reviews and certificates of appropriateness, fence permits, public notice costs, security deposits for posted notice signs, and late penalties.

(3) The fee schedule and any amendment to the fee schedule must be adopted by the council before becoming effective.

(4) A copy of the fee schedule must be available for public inspection in the office of the commission and the division of licenses and inspections.

(5) Applicable fees must be paid in advance to the commission by all parties other than a department of the city or the commission, in which case no fee is required.

I. Bonds

(1) The commission is expressly authorized to require applicants for zoning permits, site plan permits, and special permits to post a bond with the commission in a form and on such terms as are acceptable to the corporation counsel, and in such amount as the commission deems necessary to ensure the faithful performance and completion of the work in accordance with the provisions of the special permit.

(2) If the applicant fails to comply with any requirements of a permit, the commission may declare the permit to be null and void, declare the project to be in default and call the bond.

(3) The commission may take whatever steps are needed to bring the site into compliance with the permit, and may pay for such work from the bond proceeds.

(4) The bond will be released by the commission upon certification by the applicant's architect or engineer, through submission of accurate, detailed "as-built" plans, that all work is in accordance with the approved permit.

(5) Notwithstanding any other provision of this paragraph, the bond terms may provide for partial, proportionate release of the bond as work is completed.

(6) Release of such bonds shall follow procedures set forth in state statutes.

1.3.2 ZONING PERMITS

A. Applicability

(1) The zoning permit procedures of this section apply to all zoning permits, other than site plan reviews and special permit approvals.

(2) Zoning permits are required as follows:

(a) Before the issuance of a building permit, by notation on the building permit form; or

(b) If no building permit is required, at the time of a change of use.

(3) If no building permit is required, a separate zoning permit will be issued.

(4) Prior to issuance, the zoning administrator must find that the application and plans conform to all provisions of these regulations.

B. Application Submittal Requirements. The following documents are required for all applications requiring zoning permit review. All maps and plans shall include the date of preparation, north arrow, and scale:

(a) A list of the names and addresses of all owners of record of the property that is the subject of the application; and

(b) Any maps, plats, surveys, dimensioned site plans, engineering documents, environmental reports, traffic studies, and other materials and information, and any of the documents listed in 1.3.3.B. Site Plan Review Application Submittal Requirements and 1.3.4.B. Special Permit Application Submittal Requirements, which the zoning administrator may deem appropriate given the subject matter of the application.

C. Decision-Making

(1) The commission delegates to the zoning administrator decision-making authority for zoning permit review except where expressly stated elsewhere in these regulations. The zoning administrator has discretion to refer a zoning permit review to the full commission, which would then become the decision-making body.

(2) Following the receipt of a completed application, the zoning administrator must act to approve the proposed zoning permit, approve the proposed zoning permit with conditions, or deny the proposed zoning permit, and state the reasons for its actions on the record.

(3) Zoning permits may be modified, conditioned or denied only if the proposal fails to satisfy these regulations, the inland wetlands regulations, or the subdivision regulations.

D. Decision-Making Criteria. In reviewing any application for a zoning permit, the authorized decision-maker must consider and base its decision on all aspects of the proposal and primarily whether the proposal in the application complies with all applicable sections of these regulations pertaining to the district in which the proposal is located. If there are any ambiguities in interpretation, the decision-maker shall make a decision in accordance with whether the proposal:

(1) Is in harmony with the plan of conservation and development;

(2) Comports with the purposes of the district in which the proposal is located;

(3) Will not be detrimental to existing development in the district because of its location, bulk, scale, or design;

(4) Does not create safety hazards in the proposed vehicular and pedestrian circulation pattern;

(5) Will not seriously degrade traffic levels of service without providing mitigation measures;

(6) Is compatible with adjacent properties;

(7) Provides for the suitable arrangement of buildings, open space, and provision of light and air;

(8) Properly provides for adequate provision of essential services; and

(9) Does not place excessive demands on city services and infrastructure.

1.3.3 SITE PLAN REVIEW

A. **Applicability.** The site plan review procedures of this section govern all instances that require site plan or special permit approval under these zoning regulations and for:

(1) Any expansion of lot coverage by an amount greater than 5 percent of existing lot coverage

(2) An alteration to more than 10 percent of a façade

(3) New construction, including an addition to a primary structure and new accessory structures

(4) A change in an existing use from a less intense to more intense use

(5) Any activity requiring an increase of 5 or more parking spaces

(6) Any project in the OS district valued at $50,000 or more, and

(7) Applications triggering site plan review by the inland wetlands agency pursuant to the general statutes.

B. **Application Submittal Requirements.** The following documents are required for all applications requiring site plan review provided, however, that the zoning administrator may excuse the applicant from submitting a particular document upon a written finding that the document is not applicable. All maps and plans shall include the date of preparation, north arrow, and scale.

(1) **List of Owners.** A list of the names and addresses of all owners of record of the property that is the subject of the application.

(2) **Site Location Map.** Location of site within a half mile context of streets, fixed transit stations, and notable sites.

(3) **Survey Plat.** Legal description of site, dimensions of property lines, easements, and rights-of-way.

(4) **Boundaries.** Development boundaries and proposed phasing (as applicable).

(5) **Existing Conditions Plan.** Existing on-site and adjacent off-site structures, streets, utilities, easements, and pavement noted either on an aerial photograph or site survey.

(6) **Existing Natural Conditions Plan.** Existing topography, vegetation, wetlands (or documentation of lack thereof), drainageways, floodplain/way, or other unique features either on an aerial photograph or site survey.

(7) **Site Plan.** A site plan delineating all proposed structures and surfaces, including buildings, parking, pavement, accessory structures per 4.20, lighting, landscape, and retaining walls.

(8) **Building Plan(s).** Floor plans for all buildings illustrating compliance with the requirements of 4.0 Building Types.

(9) **Use Requirements.** A table of uses is required on the Building Plan delineating locations and gross square footages of categories of uses, and illustrating compliance with the Use Table for the applicable building type, per 3.0 Uses.

(10) **Building Elevations.** Building elevations of all facades, rendered to illustrate compliance with 4.0 Building Types, including but not limited to such items as color, materials, depth of details on facades, glass locations, and specifications of glass.

(11) **Landscape Plan, Tree Survey, Tree Protection Plans.** Plans illustrating compliance with the requirements of 6.0 Sitework & Landscape. All ground plane vegetation shall be illustrated. For sites with less than 10 percent landscape area, the Landscape Plan may be combined with the Site Plan.

(12) **Parking Plan.** Parking layout plan with table of spaces keyed to plan, illustrating compliance with 7.0 Parking.

(13) **Sign Plan.** Sign plan and elevation illustrating compliance with the requirements of 8.0 Signs.

(14) **Soil Erosion and Sediment Control Plan.** A plan for controlling erosion and sediment as may be required by state statutes and other laws.

(15) **Additional Information.** Any additional maps, plats, surveys, dimensioned site plans, engineering documents, environmental reports, traffic studies, and other materials and information the zoning administrator may deem appropriate given the subject matter of the application, including, for example:

(a) A transportation management plan (required for all Civic and Institutional Uses) describing:

(i) The number of on-site parking spaces required by the provisions of 7.2.2 Required Automobile & Bicycle Parking;

(ii) The number and types of parking spaces to be provided on-site including employee parking, transient parking for on-site uses, transient parking for off-

site uses, parking for high occupancy motor vehicles, parking for compact automobiles and handicapped parking;

(iii) The number, location and type of any parking spaces to be provided off-site and the method of transporting persons between the off-site facility and the project site;

(iv) Alternative modes of transportation such as mass transit, carpools, and vanpools;

(v) Expected usage of non-vehicular modes of transportation;

(vi) Location of all vehicular and pedestrian entrances and exits; and

(vii) The impact of the proposed development on the city's vehicular and circulation system, including the numerical impact on a.m. and p.m. peak hour volumes and peak hour link and intersection capacities for all streets and intersections within 3 blocks of the project site.

(b) A noise mitigation plan detailing the measures taken by an establishment to maintain noise at a level that is not audible at a distance of 100 feet or greater from any opening of that establishment and to otherwise comply with section 23 of the code (required for Drinking Places and Entertainment Assembly);

(c) An odor control plan (required for laundromats and fast food Eating Places);

(d) A security plan detailing security measures that will be undertaken by the applicant to control patron and/or visitor behavior inside and outside of the facility so as to not negatively impact the public safety, health, welfare and quality of life of those living in and frequenting the immediate area around the facility and so as to ensure compliance with all applicable provisions of the code, including the city noise ordinance (required for Drinking Places);

(e) A parking management plan demonstrating that there is adequate parking for users of the property; and

(f) A photometric lighting plan (required for stadiums/arenas and other large outdoor facilities, and surface parking lots for over 200 vehicles).

C. Decision-Making

(1) The commission delegates to the zoning administrator decision-making authority for site plan review except where expressly stated elsewhere in these regulations. The zoning administrator has discretion to refer a site plan review to the full commission, which would then become the decision-making body.

(2) Following the receipt of a completed application, the zoning administrator must act to approve the proposed site plan, approve the proposed site plan with conditions, or deny the proposed site plan, and state the reasons for its actions on the record.

(3) Site plans may be modified, conditioned or denied only if they fail to satisfy these regulations, the inland wetlands regulations, or the subdivision regulations.

(4) To expressly address the presumption contained in section 8-7d of the general statutes, approval of a site plan shall be deemed denied if a decision to approve, deny, or modify it is not expressly rendered by the zoning administrator within 64 days after receipt of such site plan.

(5) To provide flexibility that will promote rehabilitation of existing buildings and new construction, the decision-making body may approve an application that deviates from the minimum requirements for building siting, height, street facades, accessory structures dimensions, tree installation (in consultation with the city forester), landscape installation, buffers, fencing, lighting, parking, signage, and street design by up to 15 percent, or deviations in required building materials, if the decision-making body finds that:

(a) The adjustment from the minimum requirements is consistent with all relevant purpose and intent statements of these zoning regulations and with the general purpose and intent of the plan of conservation and development; and

(b) The adjustment will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

D. Concurrent Special Permit and Site Plan Review. If a special permit is required, the commission shall combine and serve as the decision-making authority

for the site plan review process and the special permit process, unless the applicant expressly elects to undergo separate review processes.

E. Effective Date and Notice of Decision

(1) Notice of the commission's decision must be provided by certified mail to the person who applied for the site plan approval within 15 days of the commission's final decision on the site plan.

(2) The commission must also publish notice of action on site plans in a newspaper of general circulation in the city. If such notice is not published within 15 days of the date of the commission's final decision, the applicant may provide for the publication of required notice within 10 days thereafter.

1.3.4 SPECIAL PERMITS

A. Applicability. The special permit procedures of this section govern all instances that require special permit approval under these zoning regulations.

B. Application Submittal Requirements. The following documents are required for all applications requiring special permit review. All maps and plans shall include the date of preparation, north arrow, and scale.

(1) A list of the names and addresses of all owners of record of the property that is the subject of the application;

(2) Documents listed in the 1.3.3.B. Site Plan Review Application Submittal Requirements; and

(3) Any additional maps, plats, surveys, dimensioned site plans, engineering documents, environmental reports, traffic studies, and other materials and information the zoning administrator may deem appropriate given the subject matter of the application.

C. Notice of Hearing. The following provision supplements the notice requirements set forth in 1.3.1.D. Notices:

(1) **Mailed Notice.** The applicant must provide mailed notice to all owners of property included within the area that is the subject of the proposed special permit, and to all owners of property within 150 feet of the subject property.

D. Decision-Making

(1) Following the close of the public hearing, the commission must act to approve the proposed special permit, approve the proposed special permit with conditions, or deny the proposed special permit, and state the reasons for its actions on the record.

(2) In reviewing applications for special permit approval, the commission must consider, and base its approval or disapproval on all aspects of the proposal, and in particular whether the proposed special permit:

(a) Is in harmony with the plan of conservation and development;

(b) Complies with all applicable sections of these regulations pertaining to the district in which the proposal is located;

(c) Comports with the purposes of the district in which the proposal is located;

(d) Will not be detrimental to existing development in the district because of its location, bulk, scale, or design;

(e) Does not create safety hazards in the proposed vehicular and pedestrian circulation pattern;

(f) Will not seriously degrade traffic levels of service without providing adequate mitigation measures;

(g) Is compatible with adjacent properties;

(h) Provides for the suitable arrangement of buildings, open space, and provision of light and air;

(i) Properly provides for adequate provision of essential services;

(j) Will not be detrimental to the control of stormwater at its source and the minimization of runoff;

(k) Does not place excessive demands on city services and infrastructure;

(l) Provides landscaping, including vegetation and trees, that are appropriate to the district and enhance the public realm; and

(m) Provides pedestrian amenities.

(3) To provide flexibility that will promote rehabilitation of existing buildings and new construction, the commission may approve an application that deviates from the minimum requirements for building siting, height, street facades, accessory structures dimensions, tree installation (in consultation with the city forester), landscape installation, buffers, fencing, lighting, parking, signage, and street design by up to 15 percent, or deviations in required building materials, if the commission finds that:

(a) The adjustment from the minimum requirements is consistent with all relevant purpose and intent statements of these zoning regulations and with the general purpose and intent of the plan of conservation and development; and

(b) The adjustment will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

E. Effective Date and Notice of Decision

(1) Notice of the commission's decision must be provided by certified mail to the person who applied for the special permit within 15 days of the commission's final decision on the special permit.

(2) Approved special permits become effective at such time as is fixed by the commission, provided that notice of the approved special permit is published in a newspaper of general circulation within the city before such effective date. If such notice is not published within 15 days of the date of the commission's final decision, the applicant may provide for the publication of required notice within 10 days thereafter.

(3) A special permit is only effective after a certified copy of the approved permit is filed in the office of the city clerk and recorded in the city land records in accordance the general statutes.

F. Amendments. Amendments to approved special permits must be processed as a new special permit application, including all requirements for fees, notices and public hearings, provided that the zoning administrator is authorized to approve the following:

(1) Any structures or uses authorized to be approved by the zoning administrator at the time of special permit approval; and

(2) The addition or relocation of customary accessory uses and structures.

1.3.5 ZONING AMENDMENTS

A. Applicability. The procedures of this section apply to:

(1) Amendments to the text of these zoning regulations, except that they do not apply to reformatting of and non-substantive edits to the existing text, such as changing the typeface, font size or other physical attributes, margins, indentations, headers/footers, or similar edits which may be made by the commission or by its staff, from time to time, to facilitate printing, readability, consistency, or related goals; and

(2) Amendments to the zoning map (rezonings) which change the boundaries of the zoning districts.

B. Authority to File. Zoning text or map amendments may be initiated by the commission or by a person or persons submitting a petition .

C. Application Submittal Requirements

(1) An application for a proposed text amendment must contain the text of the portion of the regulations proposed to be amended (if applicable) and the text of the proposed amendment.

(2) An application for a proposed map amendment must must include the existing and proposed zoning designation of the subject property and be accompanied by a map or maps of the subject property or properties and all contiguous streets. The existing zoning district boundaries and the proposed zoning district boundaries must be accurately indicated on such map or maps, which must be at a scale corresponding with that of the city's official zoning map.

D. Zoning Administrator Report and Recommendation. The zoning administrator must prepare a report and recommendation on the proposed zoning amendment. The report must be transmitted to the commission before the public hearing on the proposed amendment.

E. Public Hearing. The commission must hold a public hearing on all complete proposed zoning amendments.

F. Notice of Hearing for Zoning Map Amendments. The following provisions supplement the notice requirements set forth in 1.3.1.D. Notices:

(1) **Mailed Notice.** The applicant must provide mailed notice to all owners of property included within the property or area which is the subject of the proposed zoning map amendment, and to all owners of property within 150 feet of the subject property.

(2) **Posted Notice.** Applicable for property or properties which are the subject of the zoning map amendment application filed by a party other than the commission.

(3) **Available Copy.** A copy of the proposed amendment must be placed in the city clerk's office 10 days before a public hearing.

(4) **Exceptions.** Mailed notice and posted notice are not required for zoning map amendments affecting more than 500 acres or 100 lots, or to zoning map amendments initiated by the commission or the zoning administrator.

G. Decision-Making

(1) Following the close of the public hearing, the commission must act to approve, approve with modifications, or deny the proposed zoning map amendment.

(2) In making its decision on a proposed amendment, the commission must consider the plan of conservation and development and state on the record its findings on the consistency of the proposed amendment with such plan.

(3) Zoning map amendments may be approved by a simple majority vote, except in the case of a valid Protest Petition (see 1.3.5.H.).

(4) In acting on zoning map amendments, the commission is authorized to approve a zoning classification that is the same or less intensive than the zoning classification that was described in required public notices.

H. Protest Petitions

(1) If a valid protest petition is filed against any proposed zoning amendment, passage of the zoning amendment requires a favorable vote of two-thirds of the members of the commission.

(2) A protest petition will be deemed valid if it is signed and acknowledged by the owners of 20 percent or more of the total area of the lots included in proposed zoning amendment area or the total area of lots within 500 feet of the subject property.

(3) Petitions in protest of any proposed zoning amendment must be completed and filed in the following manner:

(a) Petitions in protest must be submitted on a printed form to be provided by the

commission to any interested party upon request. The form must include space for signatures;

(b) No invalid signature shall invalidate remaining authentic signatures contained in the same petition;

(c) Petitions must include space for addresses of property owned by those signing;

(d) Petitions must include a form for attestation by the circulator of the petition and acknowledgment as provided by law; and

(e) Petitions and forms must be duly attested and acknowledged and must be filed with the commission at or before the hearing on the subject zoning map amendment.

(4) Any petition that fails in any respect to be completed in the manner described in 1.3.5.H.(3) will be held to be invalid.

I. Effective Date and Notice of Decision. Zoning amendments become effective at such time as is fixed by the commission, provided that a copy of the approved zoning amendment is filed in the office of the city clerk and notice of the decision is published in a newspaper of general circulation within the city before such effective date. If such notice is not published within 15 days of the date of the commission's final decision, an applicant or petitioner may provide for the publication of required notice within 10 days thereafter.

J. Formatting. The procedures described in this section shall not apply to formatting of the existing text of these regulations, which includes changing the typeface, font size or other physical attributes, margins, indentations, headers/footers, correction of minor typographical errors in punctuation or numbering or spelling, or similar edits that may be made by the commission or by the staff of development services, from time to time, to facilitate printing, readability, consistency, or related goals.

1.3.6 VARIANCES

A. Intent. The zoning board of appeals may grant a variance to grant relief to a property owner from strict compliance with the provisions of these zoning regulations. The intent of a variance is not to simply remove an inconvenience or financial burden that may result from compliance with applicable zoning requirements. Variances are intended to help alleviate an exceptional difficulty or unusual hardship that would result from literal enforcement of the subject zoning requirements. Variances are intended to provide relief when the requirements of these zoning regulations render property very difficult or impossible to put to reasonable use because of some unique or special characteristics of the property itself.

B. Zoning Administrator and Department of Public Works Report and Recommendation

(1) The zoning administrator must submit an advisory opinion on the variance request at least 4 days before the required public hearing, and the advisory opinion must be submitted into the record at such public hearing.

(2) The director of the department of public works must submit an advisory opinion to the zoning board of appeals, and upon request, a verbal opinion at the public hearing, regarding any traffic and on-street parking implications of the requested variance. This opinion must be made part of the record at the public hearing.

(3) If the zoning administrator or director of the department of public works fails to submit required advisory opinions to the zoning board of appeals before the public hearing, the zoning board is authorized to act on the variance request without such opinions.

C. Notice of Hearing. Notice of the zoning board of appeals' required public hearing on a variance request must be provided as follows (refer to 1.3.1.D. Notices for additional information on required public hearing notices):

(1) **Newspaper Notice**

(2) **Mailed Notice.** The applicant must provide mailed notice to all owners of property included within the area that is the subject of the variance request and to all owners of property within 300 feet of the subject property.

(3) **Posted Notice**

D. Public Hearing. The commission must hold a public hearing on all complete variance applications.

E. Decision-Making

(1) After the close of the public hearing, the zoning board of appeals must act to approve the requested variance, approve the variance with modifications and/or conditions, or deny the variance.

(2) The zoning board of appeals must make specific findings of fact and specifically state the nature of the findings found and specific evidence proving the same. The statement of the facts upon which such action is based must appear in the minutes of the zoning board of appeals. Actions taken by the zoning board of appeals without making the findings required by this section shall be invalid.

(3) In approving a variance, the zoning board of appeals is authorized to impose such conditions and restrictions as the board determines to be necessary to ensure compliance with the standards of 1.3.6.F., to reduce or minimize the effect of the variance upon other properties in the area, and to better carry out the general purpose and intent of these zoning regulations.

(4) If the zoning board of appeals grants a variance conditioned on satisfying conditions, such conditions must be explicitly set forth in writing.

F. Finding of Facts. No variance may be approved unless the zoning board of appeals finds that all of the following facts, favorable to the property owner, have been established:

(1) That there are special circumstances or conditions fully described in the zoning board of appeals' written findings, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or building, and do not apply generally to land or buildings in the district, and have not resulted from any action by the property owner, whether in violation of these zoning regulations or not;

(2) That, for reasons stated in the zoning board of appeals' written findings, the circumstances or conditions applying to the land or buildings are such that the strict application of the provisions of these zoning regulations would deprive the applicant of the reasonable use of such land or building and the granting of the variance is necessary for the reasonable use of the land or building and that the variance, as granted by the zoning board of appeals, is the minimum variance that will accomplish this purpose; and

(3) That the granting of the variance will be in harmony with the purposes and intent of these zoning regulations, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(4) Approval of a variance requires an affirmative vote of at least 4 members of the zoning board of appeals.

(5) Variances may not be used to:

(a) Waive, modify, or amend any definition or use classification;

(b) Waive, modify, or otherwise vary any of the review and approval procedures of this chapter; or

(c) Waive, vary, modify, or otherwise override a condition of approval or requirement imposed by an authorized decision-making body or the state or federal government.

G. Transferability. Approved variances run with the land and are not affected by changes of tenancy, ownership, or management.

H. Successive Applications. If a zoning variance is denied by the zoning board of appeals, the zoning board of appeals is not required to hear the same or substantially the same variance request within 6 months of the decision by the zoning board of appeals or by a court.

I. Revocation. Any zoning permit granted in the absence of full compliance with imposed conditions shall be invalid and must be revoked by the zoning enforcement officer.

J. Effective Date and Notice of Decision

(1) Notice of the commission's decision must be provided by certified mail to the person who applied for the variance within 15 days of the commission's final decision on the variance.

(2) Approved variances become effective at such time as is fixed by the commission, provided that notice of the approved variance is published in a newspaper of general circulation within the city before such effective date. If such notice is not published within 15 days of the date of the commission's final decision, the applicant may provide for the publication of required notice within 10 days thereafter.

(3) A variance is only effective after a certified copy of the approved variance is filed in the office of the city clerk and recorded in the city land records in accordance with the general statutes.

1.3.7 CERTIFICATES

A. Certificate of Zoning Compliance

(1) No land may be occupied or used, and no building hereafter erected or altered may be occupied or used in whole or in part for any purpose whatsoever until a certificate of zoning compliance has been issued by the zoning enforcement officer stating that the premises or building complies with all the provisions of these regulations, except that where the alteration does not require the vacating of the premises or where parts of the premises are finished and ready for occupancy before the completion of the alteration, or in the case of a new structure, before its completion, a conditional certificate of zoning compliance may be issued.

(2) A certificate of zoning compliance must be issued within 10 days after the inspection by the zoning enforcement officer of a completed building project, if the zoning enforcement officer determines the work to be in conformity with the provisions of these regulations.

(3) A record of all certificates must be kept on file in the division of licenses and inspections.

B. Certificate of Occupancy

(1) A certificate of occupancy may not be granted until the director of the division of licenses and inspections finds that the construction, erection, rehabilitation, use, alteration, or other proposal requiring an approval or permit pursuant to these regulations complies with commission or staff approval and any conditions related thereto.

(2) A variance holder who fails to comply with any conditions imposed by the zoning board of appeals is ineligible for a certificate of occupancy.

C. Certificate of Nonconformance. A certificate of nonconformance may be issued as described in 1.5.3.I.

1.3.8 APPEALS OF ADMINISTRATIVE DECISIONS

A. Authority. The zoning board of appeals is authorized to hear and decide all appeals of administrative decisions made by the commission or by staff (including the zoning enforcement officer) when it is alleged there has been an error in any order, requirement, decision or determination made by the administrative official in the administration, interpretation, or enforcement of these zoning regulations.

B. Right to Appeal. Appeals of administrative decisions may be filed by any person aggrieved by the administrative official's decision or action. The zoning board of appeals is authorized to make determinations about whether individuals filing appeals are "aggrieved" by the decision or action.

C. Application Filing

(1) Complete applications for appeals of administrative decisions must be filed with the commission or the administrative official from whom the appeal has been taken and with the zoning board of appeals.

(2) Appeals of administrative decisions must be filed within 15 days of the earlier of the following events:

(a) Receipt of the order, requirement, or decision from which such person may appeal;

(b) The publication of a notice of decision in accordance with general statutes section 8-3 (relating to certification of building permits); or

(c) Actual or constructive notice of such order, requirement, or decision.

D. Record of Decision. Upon receipt of a complete application for appeal, the administrative official whose decision is being appealed must transmit to the zoning board of appeals all papers constituting the record related to the decision being appealed

E. Effect of Filing

(1) An appeal shall not stay any order, requirement, or decision that prohibits further construction or expansion of a use in violation of such zoning regulations, except to the extent that the zoning board of appeals expressly grants a stay.

(2) An appeal from any other order, requirement, or decision stays all proceedings in furtherance of the action appealed, unless the commission or the administrative official from whom the

appeal has been taken certifies to the zoning board of appeals (after the notice of appeal has been filed), that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings will not be stayed except by a restraining order, which may be granted by a court of record on application, on notice to the commission or the administrative official from whom the appeal has been taken, and on due cause shown.

F. Notice of Hearing. Notice of the zoning board of appeals required public hearing on an appeal must be provided as follows (refer to 1.3.1.D. Notices for additional information on required public hearing notices).

(1) **Newspaper Notice**

(2) **Mailed Notice.** When an appeal affects a specific property, the applicant must provide mailed notice to all owners of property that is the subject of the appeal, and to all owners of property within 300 feet of the subject property.

(3) **Posted Notice**

G. Public Hearing. The zoning board of appeals must hold a public hearing on the appeal (refer to 1.3.1.E. Public Hearings for additional information on required public hearing notices):

H. Decision-Making

(1) The decision being appealed may be reversed or wholly or partly modified only if the administrative official erred.

(2) In exercising the appeal power, the zoning board of appeals has all the powers of the administrative official from whom the appeal is taken. The zoning board of appeals may affirm or may, upon the concurring vote of at least 4 members, reverse, wholly or in part, or modify the decision being appealed.

1.3.9 MORATORIA

A. Powers. The planning and zoning commission may adopt at any regularly scheduled meeting a moratorium on a specific use.

B. Notice & Public Hearing. A public hearing must be held and proper notice provided pursuant to 1.3.1.D. Notices and 1.3.1.E. Public Hearings of these regulations prior to the enactment of any moratorium by the commission.

C. Requirements. In order to enact a moratorium, the commission must:

(1) State the purpose for enacting the moratorium based on a need to protect the public safety, health or welfare.

(2) Specify a time period, not to exceed 2 years from the date of enactment, for the moratorium to be in effect.

(3) State how the moratorium conforms with the current comprehensive plan.

(4) Set forth the conditions, if any, which would allow the moratorium to be extinguished prior to the end of the time period set forth in 1.3.9.C.(2).

D. Extension. A moratorium may be extended on or prior to the end of the time period set forth in 1.3.9.C.(2) by the commission so long as such extension follows the same procedures for original enactment.

1.3.10 REVIEW OF MUNICIPAL IMPROVEMENTS

A. Powers. The commission shall advise the council and city agencies about municipal improvements in accordance with section 8-24 of the general statutes.

B. Applicability

(1) This section applies to improvements proposed either by the council or city agencies, or by qualifying private party actions sanctioned or permitted or otherwise approved by the council or city agencies.

(2) This section applies to the design and/or installation of any and all pieces of furniture (including but not limited to benches, chairs, and tables), trash receptacles, drinking water fountains, lighting fixtures, fencing, buildings, structures, historic and monument sites, playground equipment, athletic equipment, decorative fountains, man-made ponds and water features, sculpture, and artwork within any park or parkette in the OS district, provided, however, that if the commission adopts an approved schedule for the preceding items for the relevant park or parkette, no additional commission review is required.

C. Review Criteria

(1) In reviewing proposals for municipal improvements, the commission shall focus primarily on whether the municipal improvement will be completed in a manner consistent with the comprehensive plan of development.

(2) The commission shall not base its decision solely on financial matters (including but not limited to the cost to the city of the municipal improvement).

D. Process

(1) The commission's review of proposals for any artwork to be placed in the OS district may be conducted simultaneously with the advisory review of the city commission on cultural affairs, or the council if no commission on cultural affairs exists or is available to act, pursuant to section 2-178 of the city code.

(2) Failure of the commission to issue a report within 35 days of the official submision of the proposal for municipal improvements shall be deemed an approval of such proposal.

(3) The issuance of a negative report may only be superseded by the council with a two-thirds vote.

1.3.11 DECISIONS ON STREETS, STREET LIGHTING, & BUILDING LINES

A. Powers. This commission shall prepare and file surveys, maps or plans of proposed highways, streets, sidewalks or the relocation, grade, widening or improvement of existing highways, streets or sidewalks, or of any building or veranda lines.

B. Applicability

(1) This section applies to the powers of the commission: to prepare its own proposals for highways, streets, and sidewalks; to decide the precise location, dimensions, and direction of highways, streets, and sidewalks; to determine accompanying drainage, landscape improvements, stormwater management, and the like; to approve accompanying street furniture, and poles and other lighting fixtures pursuant to section 31-116 of the municipal code; and to make other technical decisions related to the proper and safe functioning of the highways, streets, and sidewalks at issue.

(2) Such powers shall extend to both public and private streets.

(3) The commission's powers shall not infringe upon the council's powers, which include but are not limited to the powers: to approve or disapprove public financing of construction related to these projects; to establish and maintain a department of public works or similar entity; to enter into contracts with third parties related to construction of these projects; to request and process federal, state, and private monies related to construction of these projects; to condemn land; to accept easements on behalf of the city; to approve or disapprove the acquisition or disposition of any interest in land; or to perform any other duties assigned to the council by the general statutes, the charter, the municipal code, or any other source of law.

C. Review Criteria

(1) In exercising its powers related to proposed highways, streets, sidewalks or the relocation, grade, widening or improvement of existing highways, streets or sidewalks, the commission shall consider, and shall base its determination on, whether the proposal: is in harmony with the plan of conservation and development; comports with the purposes of the district in which the proposal is located; will not be detrimental to existing development in the district; does not create safety hazards in the

proposed vehicular and pedestrian circulation pattern; will not degrade traffic levels of service without providing adequate mitigation measures; properly provides for adequate provision of essential services; minimizes use of wetlands, steep slopes, floodplains, and hilltops; preserves unique natural or historical features; minimizes negative environmental impacts, including pollution of air and water, unnecessary erosion and sedimentation, and threats to ecosystems and wildlife habitat; and does not increase, and satisfactorily addresses, flood hazards or water run-off.

(2) In exercising its powers related to the location or relocation of any building or veranda lines, the commission shall consider, and shall base its determination on, whether the location or relocation: is in harmony with the plan of conservation and development; comports with the purposes of the district in which the building or veranda line is located; will not be detrimental to existing development in the district; does not create safety hazards in the proposed vehicular and pedestrian circulation pattern; provides for the suitable arrangement of buildings, open space, and provision of light and air; and preserves unique natural or historical features.

(3) The commission shall not base its decision solely on financial matters (including but not limited to the cost to the city of the municipal improvement).

D. Process

(1) **Notice of Hearing.** Upon the filing of any survey, map or plan pursuant to this section, the commission shall provide the following notice about the place and time of public hearing:

(a) Newspaper Notice and

(b) Mailed Notice to each record owner and to each mortgagee of record of land included in such survey, map or plan.

(2) **Review by Department of Public Works.** The commission shall make a good faith effort to notify and consult with the department of public works in exercising these powers.

(3) **Approved Maps and Plans.** Approved maps or plans for proposed improvements must be submitted to the city clerk. Such map or plan shall have inscribed thereon the following: "Recommended by planning and zoning commission" and shall bear the date of such recommendation and be signed by the chairman or secretary of the commission.

E. Assessments

(1) The commission, after a public hearing, may approve and adopt such map or plan, and may make assessments of benefits accruing to and damages sustained by any person owning land included in such survey, map or plan, and shall give notice of such benefits and damages to mortgagees of record of such land.

(2) Any assessments of benefits so made shall, from the time of the completion of such work, constitute a lien against the property affected, which lien shall take precedence of all other encumbrances except taxes and other municipal liens or encumbrances of earlier date.

(3) Such liens may be continued by filing with the city clerk for record in the land records of such municipality, within 90 days after such assessment has been made and notice thereof given to the person or persons affected thereby, a certificate of such lien signed by the secretary of the commission, which lien may be enforced in the same manner as is provided for the enforcement of tax liens.

(4) Upon the adoption of any such survey, map or plan which takes an easement for public use over any parcel of land, a notice of the taking of each such easement and a description of the easement shall be recorded in the land records of the city, in the names of the owners of record, before such easement becomes effective.

F. Amendments. The commission may change any survey, map or plan so made and filed by it, at such time and in such manner as it deems necessary, and shall thereupon file a survey, map or plan of such change, inscribed as provided in 1.3.11.D.(3) with the city clerk. Notice by mail of such change shall be given by the commission to each record owner and to all persons having a recorded mortgage interest in land affected thereby and by advertisement as in the first instance and the subsequent proceedings shall be as provided in the case of an original filing.

1.4 Violations, Penalties, & Enforcement

1.4.1 RESPONSIBILITY FOR ENFORCEMENT

The zoning enforcement officer is responsible for enforcing these zoning regulations and may deputize any employee of the city of Hartford or duly qualified citizen to issue citations. All departments, officials, agencies, and employees vested with the authority to review, recommend or issue development approvals, permits, or licenses must act in accordance with the provisions of these regulations.

1.4.2 VIOLATIONS

Unless otherwise expressly allowed by these regulations or, any violation of a provision of these zoning regulations—including any of the following—are subject to the remedies and penalties provided for in these zoning regulations.

A. To use land, buildings, or other structures in any way that is not consistent with the requirements of these zoning regulations;

B. To erect a building or other structure in any way not consistent with the requirements of these zoning regulations;

C. To install or use a sign in any way not consistent with the requirements of these zoning regulations;

D. To engage in the use of a building, structure, or land, the use or installation of a sign, or any other activity requiring one or more permits or approvals under these zoning regulations, without obtaining such required permits or approvals;

E. To engage in the use of a building, structure, or land, the use or installation of a sign, or any other activity for which a permit or approval has been granted under these zoning regulations or under previous zoning regulations of the city, that is in any way inconsistent with such permit or approval or any conditions imposed on the permit or approval;

F. To violate the terms of any permit or approval granted under these zoning regulations, or under previous zoning regulations of the city, or any condition imposed on the permit or approval;

G. To obscure, obstruct, or destroy any notice required to be posted under these zoning regulations;

H. To violate any lawful order issued by any authorized public official; or

I. To continue any violation after receipt of notice of a violation.

1.4.3 CONTINUING VIOLATIONS

Each day that a violation continues constitutes a separate violation of these zoning regulations.

1.4.4 REMEDIES CUMULATIVE

The remedies and enforcement powers established in these zoning regulations are cumulative, and the city may exercise them in any combination or order. Penalties may be imposed for each and every individual violation of the zoning regulations; for example, a property owner who has too many parking spaces or cars parked on the property may be issued a separate penalty for each additional parking space or car parked over the allowed number.

1.4.5 PERSONS SUBJECT TO PENALTIES

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, or agent, or other person (including a user of public property in the OS district) who commits, participates in, assists in, or maintains such violations may each be found guilty of a separate offense and be subject to penalties, remedies, and enforcement actions.

1.4.6 REMEDIES & ENFORCEMENT POWERS

The city has all remedies and enforcement powers allowed by law, including, without limitation, all of the following:

A. Withhold Permit

(1) The zoning administrator is authorized to deny or withhold all permits, certificates, or other forms of authorization on any land or structure or improvements upon which there is an uncorrected violation of a provision of these zoning regulations, or of a condition or qualification of a permit, certificate, approval, or other authorization previously granted by the city. This enforcement provision may be used regardless of whether the current owner or applicant is responsible for the violation in question.

(2) The zoning administrator may deny or withhold all permits, certificates or other forms of authorization on any land where an uncorrected violation exists. The zoning administrator may also withhold all permits, certificates, or other forms of authorization on any other land owned by the owner of land on which an uncorrected violation exists. This enforcement provision may

be used regardless of whether the property for which the permit or other approval is sought is the property in violation.

(3) Instead of withholding or denying a permit or other authorization, the zoning administrator may grant such authorization subject to the condition that the violation be corrected.

B. Revoke Permits

(1) A permit, certificate, or other form of authorization required under these zoning regulations may be revoked by the zoning administrator when the zoning administrator determines:

(a) That there are unapproved, significant departures from approved plans or permits;

(b) That the development permit was procured by false representation or was issued by mistake; or

(c) That any of the provisions of these zoning regulations, or any approval previously granted by the city, are being violated.

(2) Written notice of revocation must be served upon the owner, the owner's agent or contractor, or upon any person employed on the building or structure for which such permit was issued. If no persons can reasonably be served with notice, the notice must be posted in a prominent location.

C. Stop Work. With or without revoking permits, the zoning administrator may stop work on any building or structure on any land on which there is an uncorrected violation of a provision of these zoning regulations, or of a permit or other form of authorization, issued under this or previous zoning regulations.

D. Injunctive Relief. The city may seek an injunction or other equitable relief in court to stop any violation of these zoning regulations or of a permit, certificate or other form of authorization granted under this or previous zoning regulations.

E. Forfeiture and Confiscation of Signs on Public Property. Any sign installed or placed on public property, except in compliance with the regulations of these zoning regulations will be considered forfeited to the public and subject to confiscation. In addition to other remedies and penalties of this chapter, the city has the right to recover from the sign owner, or person who placed the sign, the full costs of sign removal and disposal.

F. Abatement. The city may seek a court order in the nature of mandamus, abatement, injunction or other action or proceeding to abate or remove a violation or to otherwise restore the premises in question to the condition in which they existed prior to the violation.

G. Municipal Citations. The city may issue a municipal citation and a penalty of $150.00 per day, per violation. Any person issued a municipal citation for violating the provisions of these regulations may, within 10 days of receipt of the citation, appeal in writing to a citation hearing officer in accordance with municipal code section 1-5 (relating to hearing procedures for citations).

H. Fines and Criminal Penalties

(1) **Any person violating any provisions of these** zoning regulations or failing to comply with any of its requirements may be fined not less than $10.00 nor more than $100.00 for each day that such violation continues. If, however, the offense is willful, the person convicted of the offense may be fined not less than $100.00 nor more than $250.00 for each day that such violation continues, or imprisoned not more than 10 days for each day such violation continues or both.

(2) The superior court shall have jurisdiction over all such offenses, subject to appeal as in other cases. Any person who, having been served with an order to discontinue any such violation, fails to comply with such order within 10 days after such service or continues to violate any provision of these regulations specified in such order shall be subject to a civil penalty of $2,500.00 for each violation, payable to the treasurer of the city.

(3) In any criminal prosecution under this section, the defendant may plead in abatement that such criminal prosecution is based on a regulation that is the subject of a civil action wherein one of the issues is the interpretation of such regulation, and that the issues in the civil action are such that the prosecution would fail if the civil action results in an interpretation different from that claimed by the state in the criminal prosecution. The court before which such prosecution is pending may order such prosecution abated if it finds that the allegations of the plea are true.

I. Other Penalties, Remedies and Powers. The city may seek such other penalties and remedies as are provided by law.

J. Continuation of Previous Enforcement Actions. Nothing in these zoning regulations prohibits the

continuation of previous enforcement actions, undertaken by the city pursuant to previous valid zoning regulations and laws.

1.4.7 ENFORCEMENT PROCEDURES

A. General. The zoning enforcement officer may cause any building, structure, place, or premises to be inspected and examined, and may order in writing the remedying of any condition found to exist therein or thereon in violation of any provisions of these regulations. Any deviation from any permit or approval issued pursuant to these regulations, or any violation of these regulations shall be sufficient cause for the zoning enforcement officer to issue a notice of violation or a cease and desist order, for revocation by the commission, or by the staff, if staff has been delegated authority to issue said permit or approval, of the permit or approval, and for an order for any structures or improvements constructed which do not meet the terms of the permit or approval to be demolished or removed.

B. Non-Emergency Matters. In the case of violations of these zoning regulations that do not constitute an emergency or require immediate attention, the zoning enforcement office must give notice of the nature of the violation to the property owner by personal service, U.S. first class mail, or by posting notice on the premises. Notices of violation must state the nature of the violation and the time period for compliance, and may state the corrective steps necessary and the nature of subsequent penalties and enforcement actions, should the situation not be corrected.

C. Emergency Matters. In the case of violations of these zoning regulations that constitute an emergency situation as a result of public health or safety concerns, if not remedied immediately, the city may use the enforcement powers available under these zoning regulations without prior notice, but the zoning enforcement office must attempt to give notice to the property owner simultaneously with beginning enforcement action.

1.4.8 APPEALS

Except as otherwise expressly stated in these regulations or in the general statutes, a determination made by the zoning enforcement officer or other administrative officials that a zoning violation has occurred may be appealed by the affected party in accordance with 1.3.8 Appeals of Administrative Decisions.

1.5 Nonconformities

1.5.1 GENERAL

A. Intent. The adoption and amendment of the zoning code text and map, beginning with the adoption of the city's first zoning code, has resulted in some lots, uses, and structures becoming nonconforming -- that is, they were established in compliance with regulations in effect at the time of their establishment, but were prohibited under subsequently adopted regulations. This section explains the effect of this nonconforming status and differentiates nonconformities, which have legal status under this zoning code, from zoning violations, which are illegal and subject to penalties and enforcement action. The regulations of this section are also intended to:

(1) Recognize the interests of property owners in continuing to use their property for uses that were lawfully established;

(2) Promote maintenance, reuse, and rehabilitation of existing buildings; and

(3) Place reasonable limits on nonconformities that have the potential to adversely affect surrounding properties.

B. Determination of Nonconforming Status

(1) The burden of proving that a nonconformity exists (as opposed to a zoning violation) rests entirely with the subject owner.

(2) The zoning administrator is authorized to determine whether reliable evidence of nonconforming status has been provided by the subject owner.

(3) Building permits, zoning clearance reports, lawfully recorded plats, lawfully recorded instruments of conveyance, aerial photography owned by a governmental agency, and other official government records that indicate lawful establishment of the use, lot, or structure constitute conclusive evidence of nonconforming status. If such forms of conclusive evidence are not available, the zoning administrator is authorized to consider whether other forms of evidence provided by the property owner are reliable and adequate to document nonconforming status. Common examples of evidence that may be determined to be reliable and adequate include:

(a) Professional registrations or business licenses;

(b) Utility billing records;

(c) Rent records;

(d) Advertisements in dated publications;

(e) Listings in telephone or business directories; and

(f) Notarized affidavits affirming the date of lawful establishment of the use or structure.

(g) The zoning administrator's determination of nonconforming status may be appealed in accordance with 1.3.8 Appeals of Administrative Decisions.

C. Repairs and Maintenance

(1) Repairs and normal maintenance necessary to keep a nonconformity in sound condition are permitted unless the work increases the extent of the nonconformity or is otherwise expressly prohibited by these zoning regulations.

(2) If a nonconforming structure or a structure occupied by a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and a final order of vacation or demolition is entered by any duly authorized official by reason of physical condition, it may not thereafter be used, restored, or repaired, or rebuilt except in conformity with the provisions of the district in which it is located.

(3) Nothing in these regulations are intended to prevent nonconformities from being structurally strengthened or restored to a safe condition in accordance with an order from a duly authorized public official.

D. Change of Tenancy or Ownership. Nonconforming status runs with the land and is not affected by changes of tenancy, ownership or management.

1.5.2 NONCONFORMING LOTS

A. Description. A nonconforming lot is a lot that was lawfully established but that no longer complies with applicable lot area, shape, frontage or locational requirements because of the adoption or amendment of applicable zoning regulations.

B. Use Allowed. Any nonconforming lot of record in single ownership that does not meet the requirements of these regulations for required lot area and lot width, may be utilized for any use permitted in the zoning district in which the lot is located, provided all the requirements for such zoning district, except the required lot area and lot width, are met on such lot.

C. Landscaping. Nonconforming lots may maintain the level of existing landscaping, but any action that reduces the canopy cover and/or landscaping below what is required by these regulations shall require in-kind replacement of the canopy and/or landscaping lost.

1.5.3 NONCONFORMING USES

A. Description. A nonconforming use is a use that was lawfully established in accordance with all zoning regulations in effect at the time of its establishment but that is no longer allowed by the use regulations of the zoning district in which the use is now located. Lawfully established uses that do not comply with separation distance (spacing) requirements are also deemed to be nonconforming uses.

B. Accessory Uses. A nonconforming principal use does not allow the right to establish a new accessory use where the proposed accessory use either would constitute the expansion of the nonconforming use or would establish a new nonconforming use.

C. Change of Use. A nonconforming use may be changed to a conforming use, provided, however, that whenever a nonconforming use has been changed to a conforming use, it shall not thereafter be changed to a nonconforming use.

D. Extension of Nonconforming Use or Characteristic. No nonconforming use or characteristic shall be extended throughout a building or structure, and no structural alterations or changes shall be made therein, except those required by law or ordinance or regulation or such as may be required for safety. Nor shall any nonconforming use or characteristic be expanded to other portions of the lot other than the portions the nonconforming use or characteristic occupied at the time it became nonconforming.

E. Moving of Nonconforming Use or Characteristic. No nonconforming use or characteristic may be moved to any other part of a parcel of land upon which the use is conducted or upon which the characteristic is manifest, except those required by law or ordinance or such as may be required for safety.

F. Alterations. No building or structure containing a nonconforming use or nonconforming characteristic shall be enlarged or structurally altered except to make it a conforming building or structure or to comply with requirements of health and safety laws or ordinances or regulations.

G. Restoration. Any building or structure containing a nonconforming use or characteristic, which has been destroyed or damaged by fire, explosion, act of God or by public enemy to the extent of 60 percent or more of its existing replacement value at the time such damage occurred, shall thereafter be made to conform with the provisions of these regulations. Buildings or structures containing a nonconforming use or characteristic which has been destroyed or damaged to the extent of less than 60 percent of its existing replacement value at the time such damage occurred may be rebuilt, provided, however, that the zoning administrator has discretion to ensure that the manner in which the building or structure is rebuilt conforms as much as possible to the surrounding district, even if such building or structure cannot, as a practical matter, achieve the fullest expression of a building type allowed in the district per Figures 4.1-A and 4.1-B. The valuation of the existing replacement cost shall be subject to the approval of the zoning enforcement officer whose decision shall be subject to review by the ZBA.

H. Cessation or Abandonment of Nonconforming Use or Characteristic

(1) Any nonconforming use or characteristic that has in fact not existed for a period of 6 months from the time of cessation shall thereafter conform to the provisions of these regulations or from the effective date of the applicable prohibiting regulation, whichever is later; provided that no valid nonconforming use in existence on February 26, 1968, shall be terminated solely as a result of nonuse without regard to the intent of the property owner to maintain that use.

(2) Any nonconforming use or characteristic shall be conform to the provisions of these regulations if such use or characteristic is intentionally abandoned. Intent to abandon may be found in one or more of the following actions or inactions: an abandonment of premises after removal of equipment and machinery and leaving property vacant; using property for a conforming use; voluntary demolition of a nonconforming building or structure; failure to apply for licenses necessary for the continuation of a nonconforming use or to appeal from the denial of a permit; failure to file for a certificate of nonconformance; and similar situations.

(3) Mere nonuse caused by either infirmity of the property owner or depression in economic activity or inability (after reasonable effort) to find a tenant who would continue a nonconforming use, shall not demonstrate intent to abandon on its own.

I. Certificates

(1) The owner of any property containing a nonconforming Roominghouse/Boardinghouse, Beer/Wine/Liquor Sales, Outdoor Sales Lot, Automobile/Truck/Limousine Rental, Pawn Shop/Check Cashing Establishment, Smoking

Place, Tattoo/Piercing Parlor, Vehicle Fueling & Limited Service, Vehicle Service/Car Wash, Adult Establishment, or Industrial use in a Neighborhood (N) or Neighborhood Mix (NX) district (such uses being, collectively and individually, for the purpose of this subsection, "certifiable nonconforming uses") shall petition the zoning administrator for a certificate of nonconformance, which shall be required for continuation of such use, prior to applying for any new zoning permit for the subject property.

(2) The property owner must present clear and convincing evidence to the zoning administrator that the certifiable nonconforming use existed on his or her property as of February 28, 1968. If the certifiable nonconforming use was conforming as of February 28, 1968, but became nonconforming by virtue of an amendment to these regulations since 1968, the property owner must present clear and convincing evidence (such as the evidence required in 1.5.1.B.) to the zoning administrator that the nonconformance existed on his or her property as of the date of the amendment to these regulations which rendered his or her property nonconforming.

(3) If the evidence presented by the property owner is neither clear nor convincing, the zoning administrator shall refer the property owner to the commission, who shall determine whether the property owner has met his or her burden of proving the existence of nonconformance.

(4) If the property owner meets his or her burden of proof, either to the zoning administrator or the commission, as applicable, that the certifiable nonconforming use existed at the pertinent date, then such use of property shall for the purposes of these regulations be considered to be a nonconforming use until the date such use becomes conforming, after which no nonconforming use may be operated on the property.

(5) Failure of a property owner to obtain a certificate of nonconformance prior to applying for a zoning permit shall be taken as prima facie evidence of a lack of intent to continue the certifiable nonconforming use.

(6) If obtained, a certificate of nonconformance shall be filed by the property owner in the land records within 30 days of receipt to be effective and to provide proper notice of the nonconformance.

1.5.4 NONCONFORMING STRUCTURES

A. Description. A nonconforming building or structure is a building or structure, other than a sign, that was lawfully established but that no longer complies with applicable regulations governing building bulk, lot coverage, height, setbacks, or density because of the adoption or amendment of zoning regulations after the structure was established.

B. General Design Requirements. For any restoration, expansion, or renovation involving the exterior facade of the building, the new construction shall meet the requirements of 4.2 General Design Requirements for All Building Types.

C. Facade Renovations. For any level of renovation, if the building's façade exists or will exist within the required build-to zone of these regulations, the Street Facade Requirements of the applicable building type (per 4.0 Building Types) shall be met if any one of the following is included.

(1) Installation of 2 or more additional doors or a change in location of 2 or more doors.

(2) Expansion or change in location of 30 percent of windows on any street façade.

(3) Replacement of 30 percent or more of facade materials on any street facing facade with a different facade material.

D. Roof Renovation. For any level of renovation, if the renovation of the shape or style of more than 60 percent of the roof occurs and 30 percent of the street facing façade exists within the build-to zone, the permitted roof type requirements of the applicable building type (per 4.0 Building Types) shall be met.

1.5.5 NONCONFORMING SIGNS

A. **Description.** A nonconforming sign is a sign that was lawfully established but that no longer complies with applicable zoning regulations because of the adoption or amendment of regulations after the sign was established.

B. **Alterations or Changes.** A nonconforming sign may not be altered or changed in any way unless it is made to conform to these regulations. A change shall not include the changes of Manually Changeable Copy on a sign and shall not include normal maintenance activities.

C. **Relocation.** A nonconforming sign may not be relocated, unless such relocation results in eliminating or reduction of the nonconformity.

D. **Re-establishment of Damaged or Destroyed Signs.** A nonconforming sign, including its structure, that has been destroyed or damaged to the extent of 50 percent or more of its replacement cost at the time such damage occurred, may not be re-established unless it is made to conform to the provisions of these regulations. The valuation of the existing replacement cost shall be subject to the approval of the zoning enforcement officer whose decision shall be subject to review by the ZBA.

E. **New Signs on Lots with Nonconforming Signs.** No new sign of any type may be located, installed, mounted, painted or erected on a lot or zoning lot while a nonconforming sign, located thereon, remains.

1.6 Definitions

Alley. A public way which affords either a primary or secondary means of vehicular access but only a secondary means of pedestrian access to an abutting property.

Applicant. The owner of a subject property or the authorized representative of the owner on which a land development application is being made.

Automobile. A motor vehicle, including cars, light duty trucks, and motorcycles, originally manufactured for the transport of eight (8) or fewer private, noncommercial passengers from one location to another, excluding large-sized motor vehicles such as motor homes, mobile homes, and recreational vehicles intended for living, not merely transport.

Bathroom. A room containing a water closet and lavatory and bathtub or shower, or both bathtub and shower.

Basement. A story partly underground and having at least half of its height aboveground.

Block. The aggregate length of lots, passages, lanes, and alleys bounded on all sides by streets.

Block Face. The aggregate length of all the building facades on one side of a block.

Block Length. A block measurement that is the horizontal distance along the front property lines of the lots comprising the block.

Bona Fide Guest. A non-paying guest who is invited to live in a dwelling unit, on a temporary basis, by the person or persons with legal possession of the property, with whom such guest has a personal relationship that pre-existed the guest's occupancy of the property.

Building. Any structure having a roof, supported by columns or by walls and intended for the shelter, housing, or enclosure of any person, animal, or chattel. When any portion thereof is completely separated from every other portion by masonry or a firewall without any window, which wall extends from the ground to the roof, then such portion shall be deemed to be a separate building.

Build-to Zone. An area in which the front or corner side facade of a building shall be placed; it may or may not be located directly adjacent to a lot line, but is typically in reference to the building line. The zone dictates the minimum and maximum distance a structure may be placed from the lot or building line.

Building Line. A line established by the commission defining the dominant, above-ground limit of front facades along a block face and from which measurement of the build-to zone of a lot is taken. The building line location is available at the department of development services.

Building Type. A structure defined by the combination of configuration, form, and function. Refer to 4.0 Building Types for more information and the list of permitted building types.

City. The City of Hartford.

Code (or Municipal Code). The municipal code of the city of Hartford, as it may be amended from time to time.

Commission. The city planning and zoning commission established and operating pursuant to the general statutes and Chapter VII of the city charter.

Council. The city council.

Courtyard. An outdoor area enclosed by a building on at least 2 sides and open to the sky.

Critical Root Zone. The area of soil and roots within the radius beneath the tree's canopy, within the dripline, or within a circular area of soil and roots with a radius out from the trunk a distance of 1.5 feet for every inch of the tree's width, measured at diameter breast height above the mean grade of the tree's trunk.

District, or Zoning District. A designation given to each Lot within the city that dictates the standards for development on that lot. Refer to 2.0 Districts for more information and a list of permitted zoning districts.

Driveway. A private way that affords motor vehicle access from a public or private street into abutting property.

Dwelling. Any building or portion thereof, which is designed or used exclusively for residential purposes and containing one or more dwelling or rooming units.

Dwelling Unit. A room or group of rooms connected together that include a bathroom and facilities for living, sleeping, cooking, and eating that are arranged, designed, or intended to be used as living quarters for one household, whether owner occupied, rented, or leased.

Easement. A legal interest in land, granted by the owner to another person or entity, which allows for the use of all or a portion of the owner's land for such purposes as access or placement of utilities.

Eave. The edge of a pitched roof; it typically overhangs beyond the side of a building.

Entrance Type. The permitted treatment types of the ground floor facade of a building type. Refer to 4.19.1 Entrance Types for more information and a list of permitted entrance types.

Erected. Includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, paving and the like shall be considered a part of erection.

Essential Services. The erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, surface or overhead gas, communication, electrical, steam, fuel or water transmission or distribution systems, collection, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith but not including structures which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general public health, safety, convenience and welfare.

Expression Line. An architectural feature which is a decorative, three-dimensional, linear element, horizontal or vertical, protruding or indented at least 2 inches from the exterior facade or a building typically utilized to delineate floors or stories of a building.

Facade. The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines. The front facade is any building face adjacent to the front property line.

Floodplain. The area of land adjoining a river, stream, water course, lake, or other similar water body within the 100 year frequency flood area defined by Federal Emergency Management Agency or its successor, or as shown on floodplain maps on file with the city clerk or the office of the Greater Hartford Flood Commission, whichever is more inclusive.

Floor Area, Gross. The sum of all gross horizontal areas of a building under the roof, measured from the exterior faces of the exterior walls (and from the center lines of party walls), including basement space where 1/2 of the basement height is above the finished lot grade average along the exterior walls of the building; elevators and stairwells on each floor; attic space with headroom of more than 7 feet; and enclosed porches, interior balconies and mezzanines, and penthouses; and excluding floor space using to mechanical equipment used in the operation and maintenance of a building and floor space devoted to parking space(s) or parking facilities.

Floor Area, Net. The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading, and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

Floor Area, Usable. Any floor area within outside walls of a residential building, which has a minimum height clearance of 7 feet floor to ceiling, exclusive of areas in cellars, basements, unfinished attics, garages, open porches and accessory buildings.

Functional Green Roof. A green roof for which the depth of soil and planted material is at least 2 inches, which is accessible and usable for human activity.

General Statutes. The most recent revision of the general statutes of the State of Connecticut, as from time to time amended.

Grade. The average level of the finished surface of the ground story adjacent to the exterior walls of a building.

Green Roof. The area atop a roof surface on a building, open to the sky and air, which is surfaced with soil and living plant materials for the purpose of retaining rainwater and absorbing heat from sunlight, and which may be accessible by means of a roof entrance if required to maintain plant material.

Historic and Monument Sites. Those locations set aside primarily to commemorate a historical event, activity, architectural style, archaeological period, or person.

Household

(1) One adult, together with up to 2 domestic employees; 2 or more adults, each related to the other by blood, marriage, adoption, custodianship, or guardianship, together with up to 2 domestic employees; up to 2 adults; or 3 adults, of which at least one is unrelated to the others by blood, marriage, adoption, custodianship, or guardianship, living together as a household unit; and, for each of the preceding categories of adults, any children related to any adult in the household by blood, marriage, adoption, custodianship, or guardianship.

(2) A roomer or boarder or bona fide guest shall not be considered a member of a household, nor shall any resident of a group living arrangement as defined in 3.3.1.C.

(3) The household or members of the household shall not be temporary or itinerant.

Household Unit. A collection of individuals occupying the entire dwelling unit, sharing a household budget and expenses, preparing food and eating together regularly, sharing in the work to maintain the premises, and legally sharing in the ownership or possession of the premises.

Impervious Surface. Any hard surface, man-made area that does not absorb water, including roofs (other than green roofs), sidewalks, parking, driveways, and other paved surfaces.

Loading Space. An off-street space on the same lot with a building or group of buildings, for temporary parking for a commercial motor vehicle while loading and unloading merchandise or materials.

Lot. Also referred to as parcel. A plot of land intended to be separately owned, developed, or otherwise used as a unit. Refer to Figure 1.6-A Lots.

Lot Area. The computed area contained within the property lines; it is typically denoted in square feet or acres.

Lot, Corner. A parcel of land abutting at least 2 street rights-of-way, excluding an alley, at their intersection. Refer to Figure 1.6-A Lots.

Lot Frontage. The horizontal distance between the side property lines, measured at the front property lines. Refer to Figure 1.6-A Lots.

Lot, Through. An interior lot having frontage on two approximately parallel street rights-of-way, excluding an alley. Refer to Figure 1.6-A Lots.

Micro-Unit. Also referred to as an Efficiency Unit. Refer to 3.1.1.A.(5).

Occupied Space. Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

Open Space, Usable. That space on the same lot and contiguous to the principal building or buildings which is either landscaped with shrubs, planted with grass, or developed and maintained for recreation purposes, and excludes that portion of the lot which is covered with impervious surface.

Owner. The legal or beneficial title-holder of land or holder of a written option or contract to purchase the land.

Primary Street. A street designated on the zoning map that receives priority over other streets in terms of setting front lot lines and locating building entrances.

Property Line. Also referred to as lot line. A boundary line of a parcel of land or lot. Refer to Figure 1.6-A Lots.

Property Line, Corner. A boundary of a lot that is approximately perpendicular to the front property line and is directly adjacent to a public right-of-way, other than an alley or railroad. Refer to Figure 1.6-A Lots.

Property Line, Front. The boundary abutting a right-of-way, other than an alley, from which the required setback or build-to zone is measured, with the following exceptions:

(1) Corner and through lots that abut a primary street (refer to 2.2 Zoning Map) shall have the Front property line on that primary street.

(2) Corner and through lots that abut 2 primary streets or do not abut a primary street shall utilize the orientation of the 2 directly adjacent lots, or shall have the front property line determined by the zoning administrator.

Property Line, Rear. The boundary of a lot that is approximately parallel to the front property line; this line separates lots from one another or separates a lot from an alley. Refer to Figure 1.6-A Lots.

Property Line, Side. The boundary of a lot that is approximately perpendicular to the front and rear property lines; it is not adjacent to the public right-of-way. Refer to Figure 1.6-A Lots.

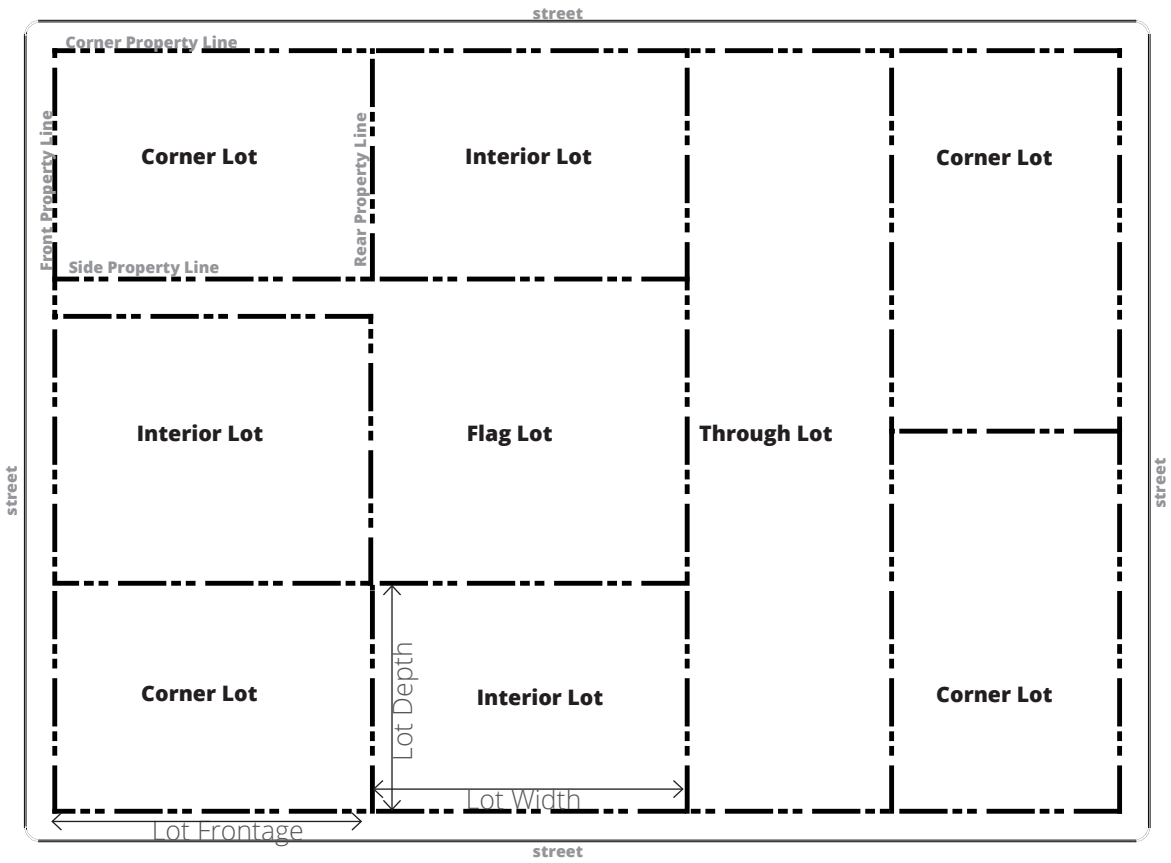


Figure 1.6-A Lots

Right-of-Way. Land dedicated or utilized for a street, trail, pedestrianway, utility, railroad, or other similar purpose.

Roof Type. The detail at the top of a building that finishes a facade, including a pitch roof with various permitted slopes and a parapet. Refer to 4.18.2 Height for more information and a list of the permitted roof types.

Rooming Unit. A room designed for living and sleeping with a separate means of egress which may or may not have a bathroom, and does not have a kitchen.

Scale. The relative size of a building, street, sign, or other element of the built environment.

Semi-Pervious Surface. Also referred to as semi-pervious material. A material that allows for at least 40 percent absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt, permeable concrete, or gravel. Also includes green roofs.

Setback. The horizontal distance from a property line inward, beyond which a structure may be placed. Above-ground structures or other impervious surfaces are not permitted within a setback, unless specifically permitted in these regulations.

Sign. An object, device, or structure used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by such means as words, letters, figures, images, designs, symbols, or colors.

Single Family Residence. A detached or semidetached building in which a single household is located on a single zoning lot, and shall not be construed to mean an individual dwelling unit which may be an accessory unit to another use, or may be located on the same lot as any other use, including but not limited to a mixed-use structure containing both one dwelling unit and commercial uses.

Single Ownership. Possession wherein the owner does not own adjoining property.

Soil Erosion and Sediment Control Plan. A scheme that minimizes soil erosion and sedimentation and includes, but is not limited to, a map and narrative.

Solar Reflectance Index (SRI). A measure of a constructed surface's ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from 0 to 100 and is defined so that a standard black surface is 0 and a standard white surface is 100. To calculate for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E 1980-01 or the latest version.

Specified Anatomical Areas

(1) Less than completely and opaquely covered: human genitals, pubic region; buttock; or female breast below a point immediately above the top of the areola; and

(2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities. Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; or fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts.

Story. A habitable level within a building measured from finished floor to finished floor.

Story, Ground. Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.

Story, Half. A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

Story, Upper. Also referred to as upper floor. The floors located above the ground story of a building.

Street Face. The facade of a building that faces a public right-of-way.

Street Frontage. The portion of a building or Lot directly adjacent to a vehicular right-of-way. Refer to definition of lot frontage.

Street Type. The permitted and regulated types of streets in these regulations. Refer to 9.0 Street Types for more information and a list of the permitted street types.

Structure, Accessory. The general term for a subordinate structure detached from, but located on the same lot as the principal structure; it may or may not be inhabitable. Refer to 1.6 Definitions for more information and a list of the permitted accessory structures.

Structure, Principal. Also referred to as the principal building. A building that contains the dominant use of the lot. It is typically located toward the front of the lot in the front build-to zone or behind the front yard setback.

Subdivision. The division of a tract or parcel of land into 3 or more parts or lots made subsequent to the adoption of subdivision regulations by the commission, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivision.

Transparency. The measurement of the percentage of a facade that has highly transparent, low reflectance glass with a minimum 50 percent transmittance factor and a reflectance factor of not greater than 0.25.

Use. Also referred to as land use. A purpose or activity that may occur within a building or a lot.

Use, Accessory. A use customary, incidental, and subordinate to the principal use or structure and located on the same lot with such principal use or structure.

Use, Principal. The dominant purpose for which a lot or building is utilized.

Veranda Line. A line established by the commission between the building line and the street beyond which no part of a veranda, porch, or stoop can be built. The veranda line location is available at the department of development services.

Visible Basement. A half story partially below grade and partially exposed above with required transparency on the street facade.

Yard. The space on a lot which is unoccupied and unobstructed from the ground to the sky by the principal structure. Refer to Figure 1.6-B Yards. Lots without a structure do not have yard designations.

Yard, Corner Side. A yard extending from the corner side building facade along a corner side property line between the front yard and rear property line. Refer to Figure 1.6-B Yards.

Yard, Front. A yard extending from the front facade of the principal structure along the full length of the front property line, between the side property lines or side and corner side property lines. Refer to Figure 1.6-B Yards.

Yard, Rear. A yard extending from the rear building facade along the rear property line between the side yards or, on a corner lot, the corner side and side yards. Refer to Figure 1.6-B Yards.

Yard, Side. A yard extending from the side building facade along a side property line between the front yard and rear property line. Refer to Figure 1.6-B Yards.

Zoning Administrator. The director of development services, or his or her designee, who will administer these regulations in accordance with their provisions and the general statutes.

Zoning Enforcement Officer. The official designated to enforce these regulations in accordance with their provisions and the general statutes.

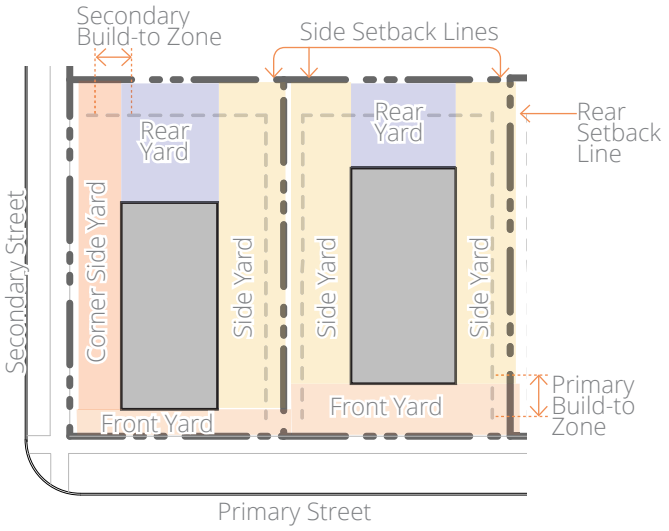


Figure 1.6-B Yards

2.0 DISTRICTS

SECTIONS

2.1 Districts
2.2 Zoning Map

2.1 Districts

2.1.1 PURPOSE & APPLICABILITY

A. Purpose. The city is divided (zoned) into districts as established in this section for the following purposes.

(1) Promoting the health, safety, morals and general welfare of the community;

(2) Protecting the natural environment, including reducing air and water pollution and responding to the threat of climate change;

(3) Providing a framework for greater use of public transit and for the development of transit-oriented neighborhoods where appropriate;

(4) Providing adequate light and air;

(5) Facilitating adequate provision for transportation, water, sewerage, schools, parks and other public requirements;

(6) Conserving the value of buildings and encouraging the most appropriate use of land throughout the city;

(7) Providing for the public health, comfort and general welfare in living and working conditions;

(8) Regulating and restricting the location of trades and industries and the location of buildings designed for specified uses;

(9) Safeguarding the historic character of some neighborhoods through careful attention to form and bulk;

(10) Regulating and limiting the height and bulk of buildings erected;

(11) And regulating and determining the area of yards, courtyards, and other open spaces for buildings erected.

B. Applicability

(1) No building, structure or land shall be used and no building or structure shall be erected or altered, except in conformity with the regulations prescribed in these regulations for the district in which such building, structure or land is located.

(2) The provisions of these regulations shall apply to any use or development of land or buildings that is commenced, recommenced, constructed, reconstructed, rebuilt, relocated, enlarged or expanded after the effective date of these regulations.

2.1.2 ESTABLISHMENT OF DISTRICTS

The districts in Figure 2.2-A Table of Districts are established to regulate the location of distinct mixes of building forms and uses permitted within the city. Refer to 3.0 Uses for uses and 4.0 Building Types for building types permitted within each district.

2.1.3 NUMBER OF DWELLING UNITS IN N DISTRICTS

The maximum number of dwelling units permitted in each House Type A and B is defined for each N district location with an extension (-1, -2, -3, and -4) to the district name. For example, N-2-3 is an N-2 district that permits up to 3 units per House Type B building. As another example, N-1-4 is an N-1 district that permits 4 or more units per House Type A building. Refer to 3.3.1.A. for an explanation of each extension.

2.2 Zoning Map

2.2.1 MAPPED DISTRICTS

The areas and boundaries of the districts in Figure 2.2-A Table of Districts are established as shown on the map entitled "City of Hartford Zoning Map" and referred to as "Zoning Map," as amended and filed in the office of the city clerk. The Zoning Map is part of these regulations and included in this section.

2.2.2 SPECIAL OVERLAYS

Special overlays may be defined on the Zoning Map. Refer to 5.0 Special Overlays for requirements that are additional or may supercede the underlying district requirements.

2.2.3 PRIMARY STREET DESIGNATIONS

A. **DT Districts.** In the downtown (DT) districts, primary and non-primary streets are designated on the Zoning Map in the downtown. Primary street frontage receives priority over other streets in terms of locating principal building entrances, determining vehicular access, and incorporating design requirements associated with a high level of pedestrian orientation.

B. **All Other Districts.** Primary streets in districts outside the downtown are not mapped, but include Main Street, Wethersfield Avenue, Franklin Avenue, Maple Avenue, New Britain Avenue, Park Street, Farmington Avenue, Albany Avenue, and Blue Hills Avenue. Other primary streets and front lot line designations shall be consistent with adjacent parcels and determined by the zoning administrator.

TABLE OF DISTRICTS

DISTRICT TYPE & INTENT	DISTRICT NAME & DESCRIPTION		
Downtown (DT) The DT districts are intended to regulate for the highest intensity of development in the city, while respecting the historic building scale of the downtown and the adjacent blocks. Each district permits a mix of uses and is intended to create an active atmosphere throughout the day and into the evening. Classification of Primary and Secondary Streets (refer to Zoning Map) in these districts defines building orientation and prioritizes a high-quality pedestrian realm.	**DT-1**	The highest-intensity DT district allows the tallest buildings and defines the iconic core of the downtown. Primary streets, including Main Street, Trumbull Street, and Columbus Boulevard, are the major pedestrian routes, lined with Storefronts with commercial uses required in the ground story.	
	DT-2	Designated on the edges of downtown, the DT-2 district allows mid-scale high-rise buildings, providing transitional urban neighborhoods and work environments. Primary streets, including Church Street, Jewell Street, Sheldon Street, and Charter Oak Avenue, may include Storefront Buildings, but a variety of uses are permitted.	
	DT-3	The DT-3 district is intended to preserve and complement the scale of existing buildings, extending out of downtown along Main Street. Major pedestrian routes are defined along primary streets with required groundfloor storefront retail uses, including Allyn Street, Main Street, Trumbull Street, Pratt Street, and Lewis Street.	
Main Street (MS) The MS districts continue the pattern of traditional mixed-use main street development with ground floor storefronts in neighborhood centers, at interior neighborhood nodes and along major corridors.	**MS-1**	Located along historic main streets and at neighborhood nodes, the MS-1 district is characterized by low-scale Storefront Buildings and houses converted to commercial uses, all fronting pedestrian-friendly sidewalks. Ground floor storefronts contain a mix of retail and service uses, while upper stories may include office and residential uses.	
	MS-2	While similar in many ways to the MS-1 district, the MS-2 district includes a wider mix of building types and ground story uses. In addition to Storefront Buildings, Cottage Commercial, General, and Apartment Building Types are also permitted, introducing a mix of retail, service, residential, and office uses at the ground floor.	
	MS-3	The MS-3 district is similar to the MS-2 district in its mix of building types and uses, but also introduces a limited number of vehicle-oriented buildings and uses, including the Commercial Center Building Type. It is intended for commercial corridors that balance the needs of pedestrians and vehicles by limiting driveways and orienting building entrances to the sidewalk.	
Commercial-Industrial Mix (CX) The CX districts are situated along commercial corridors that are transitioning from a historically industrial past. Flexible regulations encourage the re-use of traditional warehouse and factory buildings.	**CX-1**	The CX-1 district is intended to allow an innovative mix of office, residential, and low intensity industrial uses, along with supporting retail and service uses. The form of the area includes large-scale traditional warehouse and factory buildings (General Building Type), and the smaller-scale Workshop/Warehouse Buildings.	
	CX-2	The CX-2 district is intended to allow a highly flexible mix of larger scale, more intensive uses without proximity to residential uses. A wide range of permitted building forms and permitted outdoor storage accommodates such uses as outdoor sales lots, commercial equipment and supply uses, and bars and nightclubs.	

Figure 2.2-A Table of Districts

TABLE OF DISTRICTS			
DISTRICT TYPE & INTENT	DISTRICT NAME & DESCRIPTION		
Industrial (ID) The ID districts provide areas within the city for more intensive manufacturing, warehousing, and distribution in larger-scale Workshop/ Warehouse Buildings.	**ID-1**	The purpose of the ID-1 industrial district in the city is to provide for medium to heavy industry characterized by a minimum of noise, odor, glare, and pollution, and by moderate traffic upon the public streets. It is the purpose of this district to encourage the continuance and expansion of industry of this kind and its creation, and to develop a more compatible relationship between such industry and surrounding residential areas.	
	ID-2	The purpose of the ID-2 district in the city is to provide for the location of the heavier types of industry common to the city. The heavy industrial district is intended as an area for the location of waste processing facilities, motor vehicle wrecking yards and similar uses.	
Multi-Use Mix (MX) The MX districts are either centered around large-scale institutional facilities including the State Capitol area, universities, hospitals, and in other areas where low-scale mixed-use development is appropriate. These districts include a mix of compatible office or residential uses in the General Building Type and residential building types.	**MX-1**	The MX-1 district is a lower intensity district intended to be compatible with adjacent historic neighborhoods. This district includes office, institutional, and/or residential uses in a mix of lower scaled General, Apartment, Row, House A, and House B Building Types.	
	MX-2	The MX-2 district is similar in permitted building forms and uses as the MX-1 district, but is intended for larger, more intensive buildings. This district is often paired with the Campus Overlay to accommodate larger scale users with multiple buildings in one setting.	
Neighborhood Mix (NX) The NX districts include the most intensive mixes of residential building types, all permitting Multi-Unit Dwelling uses and Apartment Building Types in a low-scale neighborhood setting.	**NX-1**	The NX-1 district is intended for neighborhood areas that currently include a mix of Apartment Buildings and House Type B with multiple units in each building. Row Buildings are permitted, though few exist in these areas.	
	NX-2	The NX-2 district is intended for neighborhood areas with a wide mix of building forms, including Apartment Buildings, Stacked Flats, and multi-unit House Type B Buildings. This is the most common NX district.	
	NX-3	The NX-3 district is the most intensive neighborhood mix district, including a mix of Apartment Buildings, Stacked Flats, and Row Buildings. Few House Building Types currently exist in these districts.	

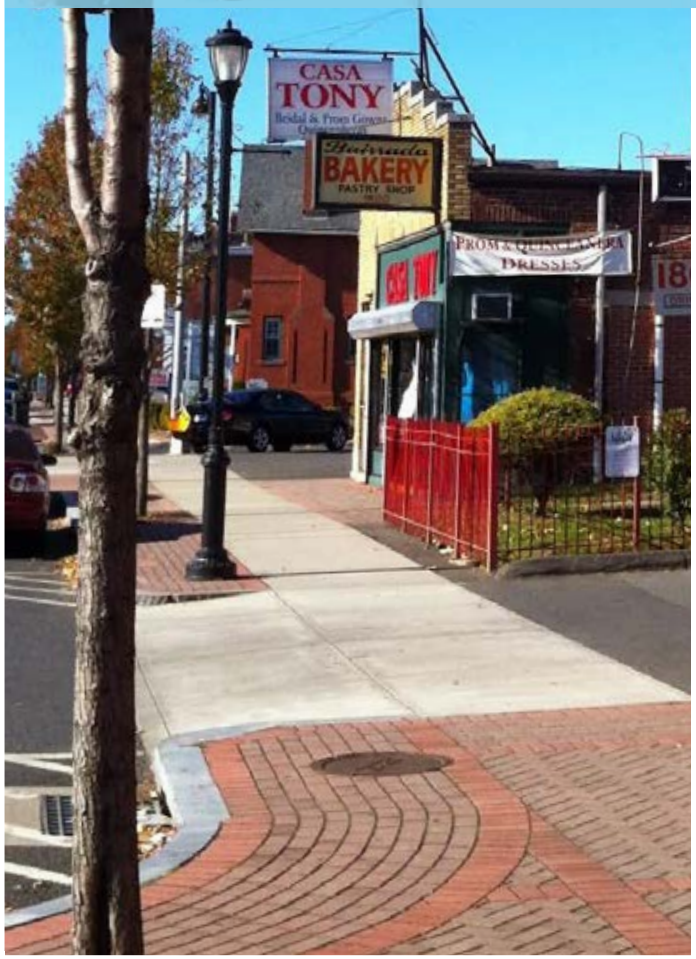
Figure 2.2-A Table of Districts—continued

TABLE OF DISTRICTS

DISTRICT TYPE & INTENT	DISTRICT NAME & DESCRIPTION		
Neighborhood (N) The N districts are intended to serve neighborhoods throughout the city that mainly include residential building types with no more than 3 units. N districts are limited to residential uses with the exception of institutional and community uses as noted in 3.0 Uses and certain accessory uses. Note: Each of the N district locations includes an extension on the district name indicating the number of dwelling units in that location. Refer to 2.1.3 Number of Dwelling Units in N Districts.	**N-1**	The N-1 district is reserved for locations with House Type A only. Typically, these are one-unit dwelling locations with only a single unit per building (N-1-1).	
	N-2	The N-2 district is intended for neighborhoods that consist of House Type B Buildings only. Versions of the N-2 district allow only 1 unit, up to 2 units, or up to 3 units, defined as N-2-1, N-2-2, and N-2-3, respectively.	
	N-3	The N-3 district is intended to allow a mix of 2 to 2.5 story House Type B and lower scaled 1 to 2 story House Type C buildings. These areas are further defined as permitting one-unit dwelling (N-3-1), up to 2 units (N-3-2), and up to 3 units (N-3-3).	
	N-4	The N-4 district is intended for locations of the lower-scaled 1 to 2 story House Type C buildings. These locations are primarily one-unit dwelling (N-4-1), but some locations permit 2 units per building (N-4-2).	
	N-5	The N-5 district is provided for locations with Stacked Flats, Row Buildings, and House Type B buildings, all typically housing multiple units. The N-5-1 district permits only one-unit dwellings in the Row and Type B Buildings and the N-5-3 district permits up to 3-unit dwellings.	
Open Space (OS) The OS district provides a range of open spaces within the city.	**OS**	The OS district allows for the development of active and passive open spaces, typically with a limited amount of parking, lighting, and vehicular traffic.	

Figure 2.2-A Table of Districts—continued

3.0 USES



SECTIONS

3.1 Introductory Provisions
3.2 Principal Uses
3.3 Principal Use Definitions & Use-Specific Conditions
3.4 Accessory Uses
3.5 Accessory Use Definitions & Use-Specific Conditions
3.6 Temporary Uses
3.7 Temporary Use Definitions & Use-Specific Conditions

3.1 Introductory Provisions

3.1.1 GENERAL PROVISIONS

The following general provisions apply to the uses outlined in this section.

A. A lot may contain more than one principal use, unless otherwise specified.

B. Each of the principal uses may function as either a principal use or accessory use on a lot, unless otherwise specified.

C. Uses are either permitted by right in a district, permitted by right with conditions, or require a Special Permit (refer to 1.3.4) in order to be developed.

D. Each use shall be located within a permitted building type (refer to 4.0 Building Types), unless otherwise specified.

E. Each use shall be located indoors (within a building), unless otherwise expressly stated.

3.1.2 APPLICABILITY

No building, structure, or land shall be used in any way other than the uses permitted in the district in which the building, structure, or land is located, with the exception of the following.

A. Continuation of Existing Uses. The continuation of any use existing and permitted at the time of adoption of these regulations is permitted, subject to 1.5.3 Nonconforming Uses.

3.2 Principal Uses

3.2.1 TABLE OF PRINCIPAL USES

Figure 3.2-A Table of Principal Uses identifies the principal uses allowed in each zoning district. Principal uses are defined in 3.3 Principal Use Definitions & Use-Specific Conditions, and each defined use is given one of the following designations.

A. Permitted ("●"). These uses are permitted by right in the districts in which they are listed.

B. Permitted in Upper Stories Only ("◓"). These uses are permitted by right in the districts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located beyond a depth of at least 30 feet from the front facade. For clarification, the language in the preceding sentence prevails even if certain charts in 4.0 Building Types limit uses for Primary Street Ground Story.

C. Permitted Subject to Conditions ("◐"). These uses are permitted by right in the districts in which they are listed, provided that they comply with the listed use-specific conditions (refer to 3.3 Principal Use Definitions & Use-Specific Conditions). These conditions are intended to mitigate potential negative land use impacts, thereby making such uses appropriate in district where they might otherwise not have been appropriate.

D. Requires a Special Permit ("○"). These uses are allowed only if reviewed and approved in accordance with the procedures of 1.3.4 Special Permits. In addition, they must comply with all applicable use-specific conditions associated with the use and comply with any requirements of the Special Permit.

E. Prohibited Use. Uses without a symbol are prohibited in the district because they are

considered incompatible with the intent of the district.

3.2.2 ORGANIZATION

Uses are grouped into general categories, which are further broken into subcategories and specific use types. For example, the Retail Uses category includes a subcategory of uses for Neighborhood Retail and specific uses such as Beer/Wine/Liquor Sales.

3.2.3 UNLISTED USES

A. Unlisted Similar Uses

(1) If a use is not listed but is substantially similar in nature and impact to a use permitted within a zoning district, the commission is authorized to interpret the use as permitted. Such unlisted use is subject to any use-specific conditions applicable to the similar permitted use.

(2) If the unlisted use is substantially similar in nature and impact to a use requiring a Special Permit, the commission is authorized to interpret the use as also requiring a Special Permit.

(3) If the unlisted use is substantially similar in nature and impact to a use that is prohibited, the commission is authorized to interpret the use as prohibited.

B. Unlisted Dissimilar Use. If a use is not listed and cannot be interpreted as similar in nature and impact to a use within a zoning district that is either permitted or requires a Special Permit, the use is prohibited.

3.2.4 BUILDING TYPES

The uses permitted within the district may be further limited within the building types permitted in the district. Refer to 4.0 Building Types.

3.2.5 PROHIBITED USES

The following uses are prohibited in any district.

A. Cemetery. Land dedicated for the internment of human or animal remains, or cremated remains. No new cemeteries are permitted.

B. Sanitary Landfills. A sanitary landfill is a waste disposal facility where layers of garbage are covered, usually with layers of earth and a cap made of a synthetic membrane.

C. Scrapyards. The use of land for the storage or collection or accumulation of used lumber and other used materials, or for the dumping or disposal of scrap iron, junk, garbage, rubbish or other refuse or of ashes, slag or other industrial wastes or byproducts shall be prohibited in any district.

D. Hunting. The use of land to discharge a firearm, bow, or crossbow for the purpose of killing animals for sport, consumption, or pleasure.

E. Outdoor Wood Furnace. An accessory structure or appliance designed to be located outside living space ordinarily used for human habitation and designed to transfer or provide heat, via liquid or other means, through the burning of wood or solid waste, for: heating spaces other than where such structure or appliance is located; heating any other structure or appliance on the premises; or for heating domestic, swimming pool, hot tub or jacuzzi water. 'Outdoor wood-burning furnace' does not include a fire pit, wood-fired barbecue or chiminea.

3.0 USES

TABLE OF PRINCIPAL USES

USES	DISTRICTS																	
	DT-1	DT-2	DT-3	MS-1	MS-2	MS-3	CX-1	CX-2	ID-1	ID-2	MX-1	MX-2	NX-#	N-#-1	N-#-2	N-#-3	OS	Reference
Residential & Lodging Category																		**3.3.1**
Household Living																		3.3.1.A.
One-Unit Dwelling	◓	◓	◓	◓	●	◓	◓				●	●	●	●	●	●		3.3.1.A.
2-Unit Dwelling	◓	◓	◓	◓	●	◓	◓				●	●	●		●	●		3.3.1.A.
3-Unit Dwelling	◓	◓	◓	◓	●	◓	●				●	●	●			●		3.3.1.A.
Multi-Unit Dwelling (4+ Units)	◓	●	◓	◓	●	◓	●				●	●	●					3.3.1.A.
Efficiency/Micro Unit	◓	●	◓									◐						3.3.1.A.
Bed & Breakfast											◐							3.3.1.B.
Group Living							○				○	○	○					3.3.1.C.
Group Living for Health Reasons	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○		3.3.1.D.
Hotel/Apartment Hotel	●	●	●	●	●	●	●				●	●						3.3.1.E.
Residential Care, Large	●	●	●								●	●	◐					3.3.1.F.
Residential Care, Small	●	●	●				●				●	●	●					3.3.1.F.
Roominghouse/Boardinghouse									○	○								3.3.1.G.
Temporary Shelter Facility									◐	◐								3.3.1.H.
Civic & Institutional Category																		**3.3.2**
Assembly, Neighborhood	○	○	○	○	○	○	○	○			○	○	○	○	○	○	○	3.3.2.A.
Assembly, General	○	○	○	○	○	○	○	○	○	○		○					○	3.3.2.A.
Government/Higher Education/Hospital	○	○	○				○	○	○		○	○						3.3.2.B.
Library/Museum	○	○	○	○	○	○	○	○			○	○	○					3.3.2.C.
Police/Fire	○	○	○	○	○	○	○	○	○	○	○	○	○					3.3.2.D.
School: Pre-K, Elementary, Intermediate	○	○	○	○	○	○	○	○			○	○	○	○	○	○		3.3.2.E.
School: High School, Higher Education	○	○	○	○	○	○	○	○			○	○						3.3.2.F.
Stadium/Arena	○	○	○				○	○	○	○		○						3.3.2.G.
Transit Station	○	○	○	○	○	○	○	○	○	○	○	○	○					3.3.2.H.

KEY: ● = Permitted ◓ = Permitted in Upper Stories Only ◐ = Permitted Subject to Use-Specific Conditions ○ = Requires a Special Permit

Figure 3.2-A Table of Principal Uses

USES	DISTRICTS																	
	DT-1	DT-2	DT-3	MS-1	MS-2	MS-3	CX-1	CX-2	ID-1	ID-2	MX-1	MX-2	NX-#	N-#-1	N-#-2	N-#-3	OS	Reference
Open Space Category																		**3.3.3**
Community Garden	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	3.3.3.A.
Honey Beekeeping	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	3.3.3.B.
Intensive Park Uses									○								○	3.3.3.C.
Park	○	○	○	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	3.3.3.D.
River Uses	○						○		○	○							○	3.3.3.E.
Urban Farm						○	○	○	○	○	○	○	○	○	○	○	○	3.3.3.E.
Retail Use Category																		**3.3.4**
Neighborhood Retail	●	●	●	●	●	●		●				◐						3.3.4.A.
General Retail	●	●	●			●		●										3.3.4.B.
Beer/Wine/Liquor Sales	○	○	○	○	○	○		○										3.3.4.C.
Commercial Equipment & Supply						◐	○	◐	◐	◐								3.3.4.D.
Convenience Store	◐	◐	◐	◐	◐	◐		◐	◐	◐								3.3.4.E.
Discount Variety Store									◐	◐								3.3.4.F.
Outdoor Sales Lot								◐	◐									3.3.4.G.
Service Use Category																		**3.3.5**
Neighborhood Service	◐	◐	◐	◐	◐	◐		◐			◐	◐						3.3.5.A.
General Service	●							●										3.3.5.B.
Adult Day Care	●	●	●	●	●			●			◐	◐						3.3.5.C.
Automobile Fueling & Limited Service						○			●									3.3.5.D.
Automobile Service/Car Wash								○	●									3.3.5.E.
Automobile, Truck, Limousine Rental	◐							◐	●	●								3.3.5.F.
Child Day Care	◐	◐	◐	◐	◐	◐	◐	◐			◐	◐						3.3.5.G.
Community Service							●	●	●									3.3.5.H.
Drinking Places	○	○	○	○	○	○		○										3.3.5.I.
Eating Places	●	●	●	●	●	●		●	●	●		●						3.3.5.J.
Entertainment Assembly	○	○						○										3.3.5.K.
Pawn Shop/Check Cashing Establishment									◐									3.3.5.L.
Private Club	◐	◐	◐	◐	◐	◐	◐	◐				◐						3.3.5.M.
Smoking Places	○	○	○	○	○	○		○										3.3.5.N.
Tattoo/Piercing Parlor									◐									3.3.5.O.

KEY: ● = Permitted ◓ = Permitted in Upper Stories Only ◐ = Permitted Subject to Use-Specific Conditions ○ = Requires a Special Permit

Figure 3.2-A Table of Principal Uses (continued)

USES	DISTRICTS																	
	DT-1	DT-2	DT-3	MS-1	MS-2	MS-3	CX-1	CX-2	ID-1	ID-2	MX-1	MX-2	NX-#	N-#-1	N-#-2	N-#-3	OS	Reference
Adult Use Category																		**3.3.6**
Adult Establishment									○									**3.3.6**
Employment Use Category																		**3.3.7**
Office	◓	●	●	◓	●	●	●	●	●	●	●	●						3.3.7.A.
Craftsman/Studio	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐		◐						3.3.7.B.
Infrastructure Use Category																		**3.3.8**
Parking as a Principal Use				○	○	○	○	○	●	●	○	○	○					3.3.8.A.
Transportation & Utilities	○	○	○	○	○	○	○	○	○	○	○	○					○	3.3.8.B.
Transmission Towers	○	○	○	○	○	○	○	○	○	○	○	○	○				○	3.3.8.C.
Industrial Use Category																		**3.3.9**
Heavy Industry									◐	◐								3.3.9.A.
Light Industry							◐	◐	◐	◐								3.3.9.B.
Outdoor Storage Yard									◐	◐								3.3.9.C.
Transportation Facilities									◐	◐								3.3.9.D.
Warehouse/Distribution									◐	◐								3.3.9.E.

KEY: ● = Permitted ◓ = Permitted in Upper Stories Only ◐ = Permitted Subject to Use-Specific Conditions ○ = Requires a Special Permit

Figure 3.2-A Table of Principal Uses (continued)

3.3 Principal Use Definitions & Use-Specific Conditions

3.3.1 RESIDENTIAL & LODGING USES

A category of uses for residential and overnight accommodations.

A. Household Living. Household living means the use of one or more dwelling units located within the principal structure of a lot by a household, in which the units may or may not share a common wall with the adjacent unit or have individual entrances from the outside. Nothing in this section shall be deemed to limit the ability of lawful occupants of a dwelling unit to have bona fide guests.

(1) **One-Unit Dwelling.** One principal dwelling unit located on a lot that does not contain any other principal dwelling units.

(2) **2-Unit Dwelling.** Two principal dwelling units, both of which are located on the same lot, with no other principal dwelling units located on such lot.

(3) **3-Unit Dwelling.** Three principal dwelling units, all 3 of which are located on the same lot, with no other principal dwelling units located on such lot.

(4) **Multi-Unit Dwelling.** Four or more principal dwelling units, all of which are located on the same lot.

(5) **Efficiency/Micro-Unit.** A dwelling unit with at least 300 square feet and no more than 500 square feet of usable floor area, and only one combined living and sleeping room. The unit may also have separate rooms containing only kitchen facilities or bathroom facilities.

(a) When noted as subject to conditions ("6") or requires a special permit ("0") in Figure 3.2-A Table of Principal Uses, efficiency/micro-units shall be part of a campus overlay (refer to 5.0 Special Overlays).

B. Bed & Breakfast. A facility providing temporary lodging to the general public consisting of no more than 6 sleeping rooms with daily room cleaning services, without in-room kitchen facilities, in either an owner-occupied principal structure or in a principal structure on the same lot of an owner-occupied accessory structure.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) The bed & breakfast shall not alter the residential nature of the neighborhood and/or the character of the dwelling as a residence.

(2) The bed & breakfast shall be located in a structure, of 75 years of age or greater, which was historically used for residential purposes.

(3) Access to guestrooms shall be via a main entrance, lobby or foyer within the building. No guestroom shall have a separate exterior access, except as may be required by fire or building codes.

(4) Occupancy by any one guest shall not exceed 21 cumulative nights within any 3 month period. To facilitate enforcement of this requirement, the owner of the bed & breakfast shall maintain a guest book that records the names of guests and the lengths of stay, and shall make such guest book available to a city staff member within 10 days of receipt of written request for same.

(5) No employees who are not otherwise eligible to be a member of the same household with the owner of the bed & breakfast may live on-site. No more than 3 non-resident employees of the bed shall be working on-site during any one shift.

(6) Breakfast must be served daily to guests of the bed & breakfast, and breakfast must be included in the rate paid by guests. No other meals may be served by the facility. Only guests, not the general public, may partake in breakfast.

(7) Accessory dwelling units (as defined in 3.5.1.A.), long-term room rentals (as defined in 3.5.1.D.), and short-term room rentals (as defined in 3.5.1.E), are not permitted on the same lot as a bed & breakfast.

C. Group Living. A facility where a group of persons other than a household resides together with a common purpose or goal. Typically includes a communal kitchen and dining facilities. Includes such uses as fraternity houses, sorority houses, convents, monasteries, foster homes for more than 6 children, orphanages or children's homes. Does not include a roominghouse or boardinghouse or group living for health reasons.

When noted as subject to use-specific conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) There shall be a minimum lot area of one acre for all uses, except orphanages and children's homes are required to have a minimum of 5 acres.

(2) A minimum of 400 square feet of usable open space shall be provided per resident. For fraternity and sorority houses, the open space of the university or college campus on which they are located may be counted toward the usable open space requirement.

(3) Fraternity and sorority houses shall be permitted only on the campus of a college or university.

D. Group Living for Health Reasons. Any state-licensed community residence that houses 6 or fewer mentally retarded (as that term is defined and used by the state legislature) persons and necessary staff persons, any state-licensed child care residential facility that houses 6 or fewer children with mental or physical disabilities and necessary staff persons, and any state-licensed community residence that houses 6 or fewer persons receiving mental health or addiction services and necessary staff persons. Does not include all other group living for health reasons not expressly identified in the preceding sentence.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) All requirements of Chapter 30 Rehabilitation Homes of the city code shall be met.

(2) Pursuant to general statutes section 8-3e(1), group living for health reasons shall be treated the same manner as a single family residence, where such uses are allowed. In addition to other restrictions contained in these regulations, group living for health reasons must abide by the conditions on single family residences in 3.3.1.A.(1).

(3) Pursuant to general statutes section 8-3g, group living for health reasons is allowed anywhere 2-unit dwellings, 3-unit dwellings, or multi-unit dwellings are allowed. However, group living for health reasons shall only be allowed to locate in a single family residence (as defined in 1.6 Definitions) within these districts. However, group living for health reasons shall not alter the residential character of any residential neighborhood in which it may be located or the character of the dwelling as a residence. Group living for health reasons for adults shall not be located within 2,000 feet of a temporary shelter facility, rehabilitation home, group living facility, roominghouse/boardinghouse, hospital, school, or park.

(4) Pursuant to general statutes section 8-3f, no group living for health reasons facility established pursuant to this section may be located within 1,000 feet of any other such facility without the approval of the commission by special permit.

E. Hotel/Apartment Hotel. A facility offering temporary lodging to the general public consisting of 6 or more sleeping rooms with a bathroom for each room and providing daily room cleaning services and other guest services. In-room kitchen facilities may or may not be provided. Includes apartment or residential hotels. Secondary service uses may also be provided, such as restaurants and meeting rooms.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) A private lobby shall be included.

(2) Rooms shall be accessed from the interior of the building, including from interior courtyards, lobbies, or halls.

F. Residential Care. A facility that offers lodging in conjunction with daily care and assistance to members of the public or a specific subset of persons. Includes such uses as convalescent, nursing, or rest home; assisted living facilities; and extended care residence.

(1) **Residential Care, Large.** A residential care use in an institutional or multi-unit-style living arrangement with more than 6 residents or more than 2 staff living or working on site.

(2) **Residential Care, Small.** A residential care use where residents reside together with no more than 6 residents and 2 staff living on-site.

(3) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(a) A large residential care facility shall be allowed as an accessory use of a senior housing development, but only in a Campus Overlay and subject to a special permit pursuant to 5.1.2.

G. Roominghouses and Boardinghouses. A roominghouse is a residential structure whose principal use is to provide lodging, but not meals, for compensation by prearrangement for definite periods, to between 3 and 6 roomers, wherein no

dining facilities are maintained for the roomer and in which bathrooms may or may not be shared. A boarding house is a residential structure where lodging and meals are provided for compensation to between 3 and 6 persons by pre-arrangement for definite periods.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) Such uses are subject to compliance with all applicable provisions of Chapter 18, Article VII. Roominghouses of the city code.

(2) Roominghouses and boardinghouses are distinguished from hotels/apartment hotels and bed & breakfast facilities by the following: the length of stay is typically longer (typically a minimum of two weeks) for roominghouses and boardinghouses; roomers and boarders often have personal household appliances (such as toaster ovens and mini-refrigerators); and there is no daily room cleaning or other guest services provided for rooming or boardinghouses. In addition, in contrast to hotels/apartment hotels, the architectural character of a roominghouse or boardinghouse structure is primarily residential in nature.

H. Temporary Shelter Facility. A public or non-profit facility providing temporary housing, and social, health, and related services for families and/or individuals 18 years of age or older, who are without resources and access to shelter.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) The use shall only be operated by or in conjunction with a governmental, welfare or charitable service.

(2) The maximum number of residents of the lodging shall be based upon a ratio of one person for every 50 square feet of interior space devoted to sleeping area, not to exceed 100 residents total.

(3) The facility shall have staffing on-site during all hours of operation.

(4) At least one toilet and shower must be provided for every 15 shelter beds.

(5) New temporary shelter facilities shall not be located within 2,000 feet of another temporary shelter facility, group living facility, group living facility for health reasons, rehabilitation home, roominghouse/boardinghouse, medical clinic, hospital, school, or park.

(6) The temporary shelter facility must be open to the individuals it serves for 24 hours per day, including the provision of an indoor waiting area for use by individuals when a portion of the facility is not opened for operation. Lodging must be provided on a reservation or referral basis so that clients will not be required or allowed to queue for services outdoors.

(7) All functions associated with the temporary shelter facility, except for children's play areas, outdoor recreation areas, and parking must take place within the building housing the shelter.

(8) There shall be annual licensing by the division of licenses and inspections to ensure the health and safety of residents and neighbors, and compliance with the zoning regulations. Operators of emergency shelters shall comply with the following:

(a) Annually submit to the Zoning Enforcement Officer copies of their up-dated program description.

(b) Annually submit updated listing of board members, proprietors, and responsible government officials.

(c) Annually submit updated neighborhood relations plan.

(d) When there are no changes since the previously filed documents, a statement to this effect is sufficient.

(e) Operators shall also have available for review, if requested, the complaint log for the previous year.

(f) An annual review will occur at the anniversary of the date upon which approval was originally granted.

This page intentionally left blank.

This page intentionally left blank.

3.3.2 CIVIC & INSTITUTIONAL USES

A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and hospitals.

A. Assembly. A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Includes such uses as houses of worship, community centers, auditoriums, civic centers, convention centers, performing arts facilities, and recreation centers.

(1) **Neighborhood Assembly.** An assembly use that occupies a building with less than 10,000 square feet of gross floor area.

(2) **General Assembly.** An assembly use that occupies a building with 10,000 square feet or more gross floor area.

(3) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(a) **Minimum Lot Frontage.** A minimum lot frontage of 100 feet is required for all Neighborhood Assembly Uses. A minimum lot frontage of 150 feet is required for all General Assembly Uses.

(b) **Street Type.** When located in an N or NX district, General Assembly uses shall front a Boulevard or Avenue street type. Refer to 9.0 Street Types.

(c) **Minimum Lot Area.** The following minimum lot areas for all assembly uses, exclusive of any other uses on the same zoning lot, are required: 5 acres in the N-1 district, 4 acres in all other NX and N districts, and 3 acres in every other district, except in the DT districts, where there is no minimum acreage required.

(d) **N-1 District.** In the N-1 district, only existing houses of worship are permitted, and any addition to or expansion of such houses of worship or their accessory parking facilities shall not be permitted.

B. Government/Higher Education/Hospital Facilities. Large-scale community-serving facilities associated with healthcare, universities, colleges, or government functions. Includes such uses as universities, theological schools, city hall, government offices, and hospitals. Does not include vocational or trade schools.

(1) **Government Facility.** A single-purpose public facility used for civic functions, which includes a place for public assembly in a portion of the facility, for the executive, legislative, or judicial branches of the State or a political subdivision thereof. Includes City Hall, council chambers, and courts. Does not include office buildings occupied by a government entity which do not contain assembly areas, or office buildings occupied by a government entity which are also utilized by private or non-governmental occupants.

(2) **Higher Education Facility.** A non-profit institution for post-secondary education, public or private, for higher education that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. Does not include facilities located in a higher education housing overlay zone.

(3) **Hospital.** A licensed institution providing medical care and health services to the community, primarily ill or injured in-patients. These services may be located in one building or clustered in several buildings, one of which must provide emergency services, and may include additional hospital-affiliated accessory uses such as laboratories, in- and out-patient facilities, training facilities, medical offices, staff sleeping quarters (but not full-time residences), food service, heliports, pharmacies, laundry facilities, florists, vendors of medical equipment, opticians, and gift shops.

(4) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(a) When these uses require more than one building on one lot, a Campus Overlay shall be required, and 5.1 shall apply

(b) Higher education and hospital facilities shall be located on lots with a minimum lot area of 10 acres.

(c) Any food service facility, florist, or gift shop shall have a separate entrance open to the public during hours of operation within 25 feet of a public street or right of way, and visible from such public street or right of way. Food service facilities or gift shops exclusively serving a dormitory, faculty department, or campus society are exempt from this requirement.

(d) Any power plant or laundry facility related to government, higher education, and hospital facilities shall be located a minimum of 100 feet from any adjacent residential property.

C. Library/Museum. A structure open to the general public housing educational, cultural, artistic, or historic information, resources, and exhibits. Includes such uses as libraries, museums, aquariums, planetariums, and exhibitions. May also include theater space, food service, and a gift shop.

D. Police and Fire. A facility providing public safety and emergency services; training facilities, locker rooms, and limited overnight accommodations may also be included.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) Police and Fire facilities shall be housed only in permitted building types (refer to 4.0 Building Types), but will have the following additional allowances:

(a) Garage doors are permitted on the front facade.

(b) Police and Fire facilities are exempt from maximum driveway width regulations.

E. School - Pre-Kindergarten, Elementary, Intermediate. Public or private education facilities with classrooms and offices, which may also include associated indoor facilities such as ball courts, gymnasium, theater, and food service.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Minimum Lot Area.** There shall be a minimum lot area of 5 acres for pre-kindergarten and elementary schools, and 10 acres for intermediate schools, except in the DT districts, where there is no minimum acreage required.

F. School - High School, Higher Education. Public or private educational facilities for high school or higher education not considered a university. Facilities may be on a larger-scale campus and include significant traffic and parking. May include gymnasium, theater, cafeteria, offices, classrooms, athletic facilities, and athletic fields. Use does not include stadium; refer to 3.3.2.G. Stadium/Arena.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Minimum Lot Area.** There shall be a minimum lot area of 10 acres for high schools and higher education facilities, except in the DT districts, where there is no minimum acreage required.

G. Stadium/Arena. A building or structure seating more than 1,000 spectators in tiered seating at sporting events, concerts, meetings, and gatherings of large groups. A stadium/arena may be open air or covered by either a fixed or retractable roof.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Building Type.** This use is not required to meet a building type, but the commission shall consider the building type requirements of the district it is located within.

(2) **Major Entrances.** A stadium/arena shall have multiple public entrances, including one major entrance on the facade designated by the property owner as the front setback. Such entrances shall be well-marked to cue access and use through means of enhancement that may include but are not limited to architectural, landscape, or graphic treatments. Where possible, major entrances should take advantage of prominent intersection locations.

(3) **Transparency.** In the DT districts and MX-2 districts, a minimum transparency of 70 percent is required on the ground-floor facade.

(a) Transparency shall be measured between the height of 2 feet and 12 feet on the front facade.

(b) For stadiums/arenas, transparency includes open views into the stadium/arena in addition to the definition of transparency (refer to 1.6 Definitions).

(c) Where transparency into the structure cannot be achieved due to the interior layout required by the use, alternate methods of achieving transparency or architectural design providing appropriate levels of visual relief and interest that is contextually appropriate to the surrounding area may be proposed.

(d) On side streets there is no required level of transparency, but approval is contingent upon providing appropriate levels of visual

relief and interest that is contextually appropriate to the surrounding area.

(e) Blank walls on any street frontage are prohibited.

(f) The commission may impose additional requirements for transparency in any district in which a stadium/arena is allowed.

(4) **Street-Level Experience.** The design of a stadium/arena must avoid visual monotony and relate well with pedestrians through scale, material, and form. Ground floor spaces shall have not less than 12 feet of floor-to-ceiling height, and the exterior architecture shall distinguish the ground floor from upper levels. The commission may require that the facility contain retail or consumer uses, which shall remain open during normal business hours year-round, including on days when the stadium/arena is not in active use for public assembly.

(5) **Materials.** The use of durable, high-quality building materials are required on any façade that faces the public realm.

(a) Materials should provide variety and reinforce massing and changes in the horizontal and vertical planes of the façade.

(b) Materials should be especially durable on ground-floor facades.

(c) Modern building materials and methods as well as historically appropriate materials are encouraged and include but are not limited to steel, glass, stone or similar material, brick, or brick veneer.

(d) Materials and architectural features shall help define the pedestrian environment by providing for a variety of scale and texture at the pedestrian level.

(e) Materials specifically prohibited include: the use of exterior insulation and finishing system (EIFS) as a building cladding material on the ground floor level or lower than 14 feet, whichever is greater; chain link fences visible from the public realm; and dark tinted, overly reflective or opaque glass.

(6) **Lighting.** Lighting shall conform to 6.15 Site Lighting of these regulations and be so designed to prohibit any direct illumination of any adjacent property and so as to not impinge upon any adjoining residential premises, or light trespass, to the greatest extent possible. Direct illumination occurs when light is cast directly onto an object, measured perpendicularly from its origin. In addition, the amount of light trespass shall be limited to a maximum of 25 foot candles at a distance of 25 feet beyond the property lines, provided, however, that the commission may reduce this maximum amount relative to adjacent uses and other circumstances. Glow, as a result of the combination of all light reflected from what is being illuminated and escaped into the night sky, should be minimized.

(7) **School Stadium.** A stadium/arena may be an accessory use to a school only if a stadium/arena is allowed in the district per Figure 3.2-A Table of Principal Uses.

H. Transit Station. A building or permanent platform with an area for passenger boarding and alighting which is roofed for at least 30 feet, and which may include a waiting room, ticket office, ticket machines, restrooms, or concessions. A transit station must serve a passenger railway company, a bus rapid transit service company, or a water transportation company, with or without other forms of transit or transportation at the same facility.

3.3.3 OPEN SPACE USES

A category of uses generally applicable to the use of the land and may not require buildings or other facilities used for active or passive, public or private, outdoor recreation, education, or entertainment.

A. Community Gardens. A space used to grow plants for personal use, education, recreation, community distribution, or beautification by members of the neighboring community. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained or used by community group members.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Requirements for Food Production.**

(a) The site shall have reliable and legal access to an onsite source of water. Use of water storage systems is allowed.

(b) The site shall be operated in a manner that prevents the drainage of water or chemicals onto any neighboring property.

(c) Site operators shall ensure that soils are suitable and shall obtain any permits for operation required by law. Prior to development, soils shall be tested to ensure the viability and safety of the location. This requirement is waived when soils have been remediated and/or demonstrated to meet the Residential Direct Exposure Criteria as specified by the Connecticut Department of Energy and Environmental Protection. At a minimum, soil shall be tested for the following heavy metals: boron, arsenic, mercury, selenium, lead, cadmium, chromium, nickel, zinc and copper. Analytical test shall be conducted with methods and procedures suitable for soil media. Suitable soil shall be defined as soil which meets the regulations set forth by the Connecticut Department of Energy and Environmental Protection. Soil tests results shall be submitted with application.

(d) Tools, supplies, and machinery shall be stored in an enclosed structure or removed from the property daily. All chemicals and fuels shall be stored off the ground in an enclosed, locked structure when the site is unattended.

(e) The site must be maintained using organic agricultural practices, including the use of organic chemicals only. Use of pesticides must meet the regulations detailed in the Connecticut Pesticide Control Act, general statutes section 22a-46.

(f) A composting and waste management plan, a plan for the use of organic agricultural chemicals, and a soil remediation plan (if necessary) must be approved by the city department of health and human services prior to the issuance of any zoning permit.

(g) At the end of the growing season (and no later than December 15 of each year), all plant material must be cut to no more than 6 inches in height, unless there is an agricultural reason for keeping the plant materials uncut.

(h) One identification sign containing the name and phone number of the contact person for the site is required. The sign shall be designed in accordance with 8.0 Signs. The sign shall be visible from the most active adjacent street.

(2) **Operating Rules.** Applicants must establish operating rules addressing the governance structure of the garden, hours of operation, maintenance, assignment of garden plots when applicable, and security requirements.

(3) **Garden Coordinator.** Applicants must identify a garden coordinator to manage the garden and act as the point of contact with the city. The coordinator shall be an employee or volunteer of a public entity, non-profit organization, or other community-based organization. Applicants must file the name and telephone number of the garden coordinator and a copy of the operating rules with the city department of health and human services.

(4) **Farm Stand.** A community garden may have one temporary farm stand selling and/or distributing agriculture and horticultural products produced on site for no more than 2 consecutive days on 2 different occasions during a calendar year. Such stand shall be attended during all hours of sales and/or distribution and shall be permitted in accordance with 4.19 Accessory Structures.

(5) **Shade Pavilions.** A maximum of 2 shade pavilions are permitted per 4.20.4 Accessory Outdoor Structures.

(6) Community gardens are authorized as an accessory use in the same districts in which they are authorized as principal uses, and accessory community gardens shall be subject to the same conditions set forth in this section.

B. Honey Beekeeping. The keeping of one or more colonies of the common domestic honey bee, Apis Mellifera. Colonies include a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Maximum Number of Colonies.**

(a) Any lot containing a residential use shall be limited to 4 colonies. One additional colony is permitted for every 1,000 square feet of lot area over 10,000 square feet, and an absolute maximum of 10 colonies.

(b) Any lot containing a community garden or urban farm, and any lot in the CX-2, ID-2, and ID-1 zoning districts, shall be limited to 10 colonies per lot.

(c) The following exception shall be made for colonies located on rooftops: There shall be no limitation on the number of colonies located on rooftops in the CX-2, ID-1, and ID-2 zoning districts.

(2) **Colony Size.** No colony shall exceed 20 cubic feet in volume.

(3) **Location.** The colony shall be located in a rear or side yard in all N districts or on any lot with a residential use. No colony shall be located closer than 10 feet from any property line, or closer than 10 feet from a public sidewalk or 25 feet from a principal building on an abutting lot.

(4) **Flyaway Barrier.** A flyway barrier of at least 6 feet in height must shield any part of a property line within 25 feet of a colony, unless the base of the colony is located more than 6 feet above the ground.

(a) A required flyway barrier shall consist of a wall, fence, dense vegetation, or a combination thereof.

(b) The barrier shall be positioned to transect both legs of a triangle extending from an apex at the colony to each end point of the part of the property to be shielded.

(5) **Farm Stand.** No sales of honey shall occur on the lot containing the honey bee colony, except in the case of a honey bee colony located on an urban farm where there is a farm stand, in which case the operator of the honey bee colony shall be permitted to sell honey at the farm stand. Such stand shall be permitted in accordance with 4.19.5 Accessory Agricultural Structures.

(6) **State Permit Required.** The property owner shall obtain any necessary permits prior to the installation of any colony and shall annually, on or before the first day of October, make application to the State Entomologist for the registration of bees, as required by Connecticut general statutes section 22-89.

(7) Honey beekeeping is authorized as an accessory use in the same districts in which it is authorized as principal uses, and accessory honey beekeeping shall be subject to the same conditions set forth in this section.

C. Intensive Park Uses. A category of impactful uses which includes buildings (including additions of 1,000 square feet or more to existing buildings), golf courses, riding stables, zoos, campsites, group camps, and, in Keney Park only, a large-scale organic matter composting facility that primarily utilizes natural methods of composting.

(1) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the only type of intensive park use allowed in the ID-1 district is a stable:

D. Park. A use of land for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, parkettes, playfields, playgrounds, recreation centers, and tot lots for general recreation, athletics, and leisure. May include historic structures/monuments, botanical gardens, ornamental gardens, or arboretums. Accessory uses may include picnic areas, fishing, ziplines, and swimming pools. See also: 3.3.3.C. Intensive Park.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **General.** The following is applicable to all parks:

(a) Parks shall be open only between the hours of sunrise to dusk.

(b) Refer to 6.0 Sitework & Landscape for lighting, outdoor furnishings, fencing, stormwater, and landscape requirements.

(2) **Site Design Components, Landscape Furnishings, & Art**

(a) The commission shall review and approve the design of any and all pieces of furniture (including but not limited to benches, chairs, and tables), trash receptacles, drinking water fountains, lighting fixtures, fencing, buildings, structures, historic and monument sites, playground equipment, athletic equipment, decorative fountains, man-made ponds and water features, sculpture, signage programs, and artwork within any park, prior to such items being installed.

(b) Notwithstanding the preceding subsection, the commission may adopt a schedule of approved site furniture, drinking water fountains, lighting fixtures, and fencing for each park or group of parks, and any item on the approved schedule may be installed for the relevant park without requiring additional commission review.

(c) The commission's review of proposals for any artwork to be placed in any park may be conducted simultaneously with the advisory review of the city commission on cultural affairs, or the council if no commission on cultural affairs exists or is available to act, pursuant to section 2-178 of the city code.

(3) **Events.** Park uses may be utilized to host temporary festivals, events, and farmers markets per 3.6 Allowed Temporary Uses and 3.7 Temporary Use Definitions and Use-specific Conditions. Refer to Chapter 7, Article V of the Municipal Code for special events requirements.

(4) **Park Buildings.** A limited number of park buildings may be located in a park per the following:

(a) Buildings visible from the street shall utilize the requirements of 4.10 Civic Building Type.

(b) Kiosks may be used for small-scale food and beverage service uses within parks, provided that the structure is no more than 200 square feet in area.

(c) Uses within park buildings may include community spaces, gyms and other fitness facilities, classrooms, and park offices. Other uses may be approved through a Special Use permit.

(d) Buildings shall occupy no more than 10 percent of a park site.

(5) **Parking.** Parking lots are not permitted in parks other than in the following parks: Colt, Elizabeth, Goodwin, Keney, Pope, and Riverside Parks, and Charter Oak Landing. Refer to 7.0 Parking.

E. River Uses. A boathouse, boat launch, or marina.

(1) **Floating Structure.** Floating structure is a water vessel used or designed to be used as a dwelling unit, office, restaurant, or club for more than merely weekend periods or more than 30 days in any calendar year, whether such vessel is self-propelled or not.

(2) **Marina.** Marina is a dock or base providing public moorings or marine services primarily for power boats, sailboats, floating structures, or other watercraft, and which is also capable of removing any and all crafts moored within the marina out of the water for repair, storage or as a result of emergent conditions.

(3) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(a) River Uses shall only be allowed in the Connecticut River Overlay per 5.4.

(b) Floating structures are not subject to the density, lot dimension, height, and other requirements of 4.0 Building Types or the parking requirements of 7.0 Parking.

(c) Every floating structure shall be inspected and approved by the Director of Public Works or the building inspector for buoyancy, windage, stability, structure, means of egress, sufficiency of lifesaving equipment, and for compliance with these regulations.

(d) Every floating structure shall have: a secure water connection above the waterline with an approved backflow prevention device; a permanent and adequate electrical connection; a secure connection to a public sewer system with adequate vents, tanks and ejector devices or, where direct connections cannot be accomplished, holding tanks accepting all waste discharge and other devices acceptable to the city

department of public works and the Metropolitan District Commission.

(e) A marina shall maintain adequate lines, cleats and other necessary mooring equipment; shall provide firm and substantial walkways to all water vessels; and shall provide adequate trash receptacles and waste management. It shall receive all necessary permits from other city commissions and state agencies prior to operation.

(f) A floating structure marina shall furnish to the city the following information on an annual basis:

(i) The number of floating structures located or proposed to be located within the subject marina;

(ii) A brief physical description of all such floating structures;

(iii) The names of the legal owners and their addresses of all such floating structures; and the location within the marinas of all such floating structures.

(g) A floating structure marina shall provide a permanent holding tank pump-out facility or equivalent services which are operable and available for use at all times and which are capable of servicing all floating structures berthed, docked, or moored at the marina or anchorage area.

F. Urban Farms. A ground or roof-level agricultural operation of any size, excluding agricultural growing (such as aquaculture) occurring in a permanent indoor facility other than a farm structure, which is used for urban agriculture for commercial purposes, whether for profit or non profit, with a single entity serving as the primary operator.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Requirements for Food Production.** All Requirements for Food Production, as defined in 3.3.3.A.(1) under "Community Gardens" shall apply to all urban farms.

(2) **Lighting.** Lighting should be limited to that required for operational and safety purposes of any activity defined as urban agriculture, and shall not create a nuisance through excessive brightness to abutting residential uses.

(3) **Operating Hours.** The urban farm shall only operate between the hours of 7 a.m. and 9 p.m. in any residential (N or NX) district or on any lot abutting a residential district or residential building. In all other locations, the urban farm shall only operate between the hours of 5 a.m. and 9 p.m.

(4) **Odors.** No odors or fumes from a urban farm shall be allowed to escape into the open air in such amounts as to be detrimental to the health of any individuals or the public or create a nuisance.

(5) **Farm Stand.** An urban farm may have one farm stand selling and/or distributing agriculture and horticultural products produced on site, provided. Such stand shall be attended during all hours of sales and/or distribution, and shall be permitted in accordance with 4.20.5 Accessory Urban Agricultural Structures.

(6) **Equipment.** Applicants shall submit a description of the type of equipment intended for use in each season and the frequency and duration of anticipated use.

(a) In any N or NX district where an urban farm is located, the operator of the garden shall utilize no more than one motorized tractor, of a compact utility size or smaller, over the course of any calendar year, shall utilize said tractor for no more than 15 days per calendar year, and shall utilize no other large-scale motorized vehicles. The preceding sentence shall not apply to walk-behind tractors or other small motorized devices (such as snow blowers or tillers) primarily moved by human power.

(7) **Location in N Districts.** In any N district, an urban farm may only be located on college or university campuses or similar institutional settings, in new subdivisions, or on an historic industrial site.

3.3.4 RETAIL USES

A category of uses involving the sale of goods and provision of services to the general public for personal or household consumption. Visibility and accessibility are important to these uses, as most businesses typically rely heavily on walk-in customers or clients and rarely utilize scheduled appointments.

A. Neighborhood Retail. A retail use with a gross floor area of less than 8,000 square feet and outdoor sales limited to no more than 10 percent of the indoor gross floor area of the retail use. Neighborhood retail includes such uses as those listed in Figure 3.3-A Typical Retail Uses.

(1) **Medical Marijuana Dispensary.** A place of business where marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary permit.

Neighborhood Retail

- Antique Shop
- Apparel, Shoes, &/or Accessory Store
- Small Appliance Store
- Art Gallery & Sales
- Art &/or Education Supplies
- Bakery with no distribution
- Bicycle & Accessory Sales
- Book &/or Video Store
- Camera & Photo Supply Store
- China &/or Glassware
- Cigar, Cigarettes, Tobacco Shop
- Coin &/or Philatelic Store
- Craft Store
- Drug &/or Cosmetics Store, including Medical Marijuana Dispensary
- Electronics Sales
- Fabric & Sewing Supply Store
- Florist
- Framing Shop
- Furrier Shop, no storage
- Garden Supply &/or Nursery
- Gift, Novelty, & Souvenir Shop
- Grocery Store
- Hardware Store
- Home Furnishings & Accessories
- Jewelry &/or Gem Store
- Luggage &/or Leather Goods
- Magazine &/or Newspaper Store
- Music &/or Musical Instruments
- Office Machines & Supply
- Optical Goods
- Paint & Wallpaper Store
- Party Supply Shop
- Pet &/or Pet Supplies Shop
- Secondhand sales of any item permitted for sale new
- Specialty Food (Candy, Fish, Produce, Prepared Foods, etc.)
- Sporting Goods
- Stationary & Paper Store
- Toy &/or Baby Supplies

General Retail

All Neighborhood Retail 8,000 sf and over

- Appliance Sales
- Automotive Supply (no service)
- Computer Software Sales & Leasing
- Department Store
- Medical Supply Store
- Motorcycle & Motor Scooter Sales, limited outdoor display
- Nursery
- Outdoor Recreation Equipment
- Public Market

Figure 3.3-A Typical Retail Uses

(2) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the retail use is limited to a maximum of 25 percent of the ground floor area and shall be located at the entrance or on a corner of the building.

B. General Retail. A retail use with a gross floor area of 8,000 square feet or greater and outdoor sales limited to no more than 25 percent of the indoor gross area of the retail use. General retail includes such uses as those listed in Figure 3.3-A Typical Retail Uses.

(1) **Grocery Store.** Any store commonly known as a supermarket, food store, or grocery store, with at least 60 percent of gross square footage dedicated to the retail sale of fresh and/or frozen meat, seafood, poultry, fruits, and vegetables; and dairy and bakery products.

(2) **Public Market.** An indoor or covered, open-air permanent structure dedicated to the sale of local and regional food, flowers, baked goods, and small crafts, excluding secondhand goods.

C. Beer/Wine/Liquor Sales. A use involving the sale of alcoholic liquor not to be consumed on the premises, with such sales to be made only in sealed bottles or other containers. Includes sale of beer and wine.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Proximity to Other Beer/Wine/Liquor Sales.** No beer/wine/liquor sales use shall be located within a 1,500 foot radius in any direction of any lot where beer/wine/liquor sales are located, except that these dispersion requirements shall not apply to prohibit new beer/wine/liquor sales uses: in the DT districts; on a university campus where a university permit or a non-profit theater permit is duly obtained; for beverage and/or food production-related craftsman industrial places in the ID and CX districts, as identified in 3.3.7.B.; or in a full-service grocery store as defined in 3.3.4.B.(1).

(2) **Proximity to Certain Uses.** No beer/wine/liquor sales use shall be located within a 500-foot radius of any part of a lot used or reserved to be used for the purposes of a school, library, park, hospital, funeral home, and assembly, except that these dispersion requirements shall not apply to prohibit new beer/wine/liquor sales

uses: in the DT districts; on a university campus where a university permit or a non-profit theater permit is duly obtained; for beverage and/or food production-related craftsman industrial places in the ID and CX districts, as identified in 3.3.7.B.; or in a full-service grocery store as defined in 3.3.4.B.(1).

(3) **Grocery Store/Convenience Store Beer Permit.** A grocery store or convenience store selling beer under a grocery beer permit shall have no more than 5 percent of its net floor area dedicated to the sale of beer.

(4) **University Permit.** The sale of beer and wine under a university permit issued pursuant to the provisions of the general statutes shall be permitted as an accessory use on a university or college campus. Such use shall be located a minimum of 100 feet from any residential property adjacent to such campus.

(5) **Non-profit Theater Permit.** The sale of alcoholic beverages under a non-profit theater permit issued under the provisions of general statutes section 30-35a (relating to non-profit theater alcohol permits) shall be permitted in connection with a theater located on a university campus and operated by either the university, or a non-profit organization under a lease agreement with the university.

D. Commercial Equipment & Supply. A use involving the large scale sale of goods to residents or businesses within the region. The goods or merchandise sold may be of the same type or a variety of types and typically occupy a space greater than 20,000 square feet. This use may include bulk sales and typically involves frequent commercial vehicle and consumer traffic. This use is primarily located indoors, but may also include accessory outdoor storage of goods. This includes such uses as those listed in Figure 3.3-B Typical Commercial Equipment & Supply Uses.

Commercial Equipment & Supply Uses

- Bottled Gas (such as propane) Sales & Supply
- Building Materials, Hardware, & Lumber Supply
- Cabinet Supply (display only)
- Electrical Supply
- Farm Equipment & Supply
- Heating & Air Conditioning Supply, Sales & Service
- Machine Sales & Rental
- Marine & Aircraft Supply
- Plumbing Sales & Service
- Wholesale Trade

Figure 3.3-B Typical Commercial Equipment & Supply Uses

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) Commercial vehicles shall be limited to no more than 2 deliveries per day, no more than 2 trucks.

(2) Loading docks shall be fully screened from any residential uses. Refer to 6.12 Screening of Necessary Appurtenances.

E. Convenience Store. Any retail store with a wide mix of goods typically used on a daily basis, including household goods, personal health items, cosmetics, candy, and tobacco products, and food.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) At least 5 percent of the net floor area of the retail space dedicated to each of the following products:

(a) Both fresh fruits and vegetables, with no more than one variety of fruit or vegetable comprising 50 percent of the respective category.

(b) Both whole grains (including whole grain bread, corn tortillas, brown rice, or oatmeal, but not including popcorn or white flour tortillas) and whole grain cereal.

(c) Dairy products (including both milk and cheese, but not ice cream) and eggs.

(d) Canned or dried goods, without added fats, oils, meats, or seasoning including canned beans (but not baked beans), canned legumes, dried peas, dried beans, and dried legumes, and excluding soup mixes.

(2) No convenience store over the size of 3,500 square feet of floor area shall be permitted.

(3) No convenience store shall be located within 1,500 feet of another convenience store or grocery store.

(4) Any combination of tobacco and beer sales shall not equal more than 15 percent of the floor area.

F. Discount Variety Store. A use involving the sale of a wide variety of daily consumer retail goods typically at a discount price, especially multiple items for one dollar, and commonly known as dollar stores or five and dime stores.

When noted as subject to conditions ("◐") or

requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) Discount variety stores shall not be located less than 1,500 feet from another discount variety store.

G. Outdoor Sales Lot. A use involving the sale of goods or merchandise to businesses and/or the general public, where the majority of the goods are stored or displayed outdoors. Outdoor sales lots include such uses as: the sale and rental of automobiles, trucks, trailers, boats, and recreational vehicles; and the outdoor sale of building materials, landscape materials, and garden supplies.

(1) For the purposes of off-street parking requirements per 7.2 Parking Requirements, the net floor area devoted to retail space of an outdoor sales lot is the net floor area of the building containing the sales counter, service area, and other related functions.

(2) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(a) Outdoor sales lots are not permitted on corner parcels, except in the ID-1 district.

(b) Outdoor sales lots are allowed only on lots fronting Boulevards or Avenues.

(c) Outdoor sales lots must include permanent construction of a building utilizing one of the permitted building types in the district.

3.3.5 SERVICE USES

A category of uses that provide patrons services and limited retail products related to those services.

A. Neighborhood Service. A service use with a gross floor area of less than 8,000 square feet. Neighborhood service includes such uses as those listed in Figure 3.3-C Typical Service Uses.

(1) **Medical Clinic.** Medical clinic means a licensed institution providing same-day, walk-in, or urgent medical care and health services to the community, primarily ill or injured out-patients, which is not a hospital and which is not a medical office, and which shall not include methadone or drug rehabilitation clinics. Provision of an indoor waiting area for use by individuals when a portion of the facility is not opened for operation

Neighborhood Service	General Service
Arcades & Billiards	All Neighborhood Services over 8,000 square feet
Barber Shop, Beauty Salon, & Spa	
Coffee Shop	Animal Boarding, Daycare, & Training (interior only)
Dry Cleaning (pick-up/outlet ony)	Aquatic Facilities
Financial Depository Institutions/ Banks, chartered and excluding Check Cashing Establishments	Archery Ranges (indoor only)
Fitness Club, Athletic Club, Dance Studio, Yoga Studio, & Gym	Batting Cages
Funeral Home	Bowling Alleys
Home Furniture & Equipment Repair	Miniature Golf Courses
Laundromat	Motion PIcture Theaters
Locksmith	Recreation, Commercial Indoor
Mailing & Delivery Services	Rental of any good permitted to be sold in the district
Medical Clinic	Repair of of any good permitted to be sold in the district
Pet Grooming	Skating Rink
Phone Sales & Service	
Photocopying & Printing	
Photography Studio with Supplies	
Post Office, limited distribution	
Rental of any good permitted to be sold in the district	
Repair &/or servicing of of any good permitted to be sold in the district	
Tailor or Seamstress	
Tanning Salon	
Therapeutic Massage establishment, licensed proprietor	
Travel Agency, Ticketing, & Tour Operator	
Veterinary Services/Animal Hospital (no outdoor kennels)	

Figure 3.3-C Typical Service Uses

is required, so that clients will not be required or allowed to queue for services outdoors.

(2) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(a) Neighborhood service uses may operate only at times during which the use is a not a nuisance to adjacent uses, except for the following uses, which may be open 24 hours: Fitness Club, Athletic Club, Dance Studio, Yoga Studio, & Gym; Mailing & Delivery Services; Medical Clinic; Photocopying & Printing; and Veterinary Services/Animal Hospital (no outdoor kennels).

(b) No barber shop, beauty salon, or spa shall be located within 1,500 feet of another barber shop, beauty salon, or spa, except in a DT district. Upon request by the city, proof shall be presented that all workers performing services in such establishments are duly licensed by the state of Connecticut.

(c) In the MX-2 and NX districts, the service use is limited to a maximum of 25 percent of the ground floor area and shall be located at the entrance or on a corner of the building.

B. General Service. A service use with a gross floor area of 8,000 square feet or greater as well as larger scale indoor and outdoor entertainment uses. General Service includes such uses as those listed in Figure 3.3-C Typical Service Uses.

C. Adult Day Care Center. Adult day care means a non-residential facility in which custodial care is provided for up to 12 adults, related or unrelated, who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention (including drug or alcohol rehabilitation services).

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **The adults are receiving said care on a regular** and recurring basis during a part of the 12 hour period between 7:00 a.m. and 7:00 p.m., for not less than 3 and not more than 12 hours.

(2) Such a facility shall comply with all state and local statutes, codes and/or ordinances regarding licensing, zoning, building, fire, health and housing.

(3) Adult day care centers shall not include roominghouse/boardinghouses, group living for health reasons, or rehabilitation homes.

D. Automobile Fueling & Limited Repair Service. A business involving the sale and distribution of fuel, electric vehicle battery exchange stations, and/or limited repair service for vehicles to residents of the community and region. A convenience store may also be included as a secondary use, as well as the sale of propane and kerosene.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Limited Service.** A maximum of 2 bays for vehicle servicing is permitted, located on the side or rear of the building.

(2) **Proximity Restriction.** No vehicle fueling & limited repair service use shall be located within a 1,200 foot radius of another vehicle fueling & limited repair service use.

(3) **Permitted Types of Repair Service.** Repairs include minor engine repairs and repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing, and repair and replacement of shock absorbers. Engine rebuilding, bodywork, and painting are not included in this definition.

(4) **Outdoor Storage.** Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if all of the following occur:

(a) No more than 4 vehicles are stored for no more than 2 days each.

(b) The storage area is located in the rear yard screened from view of the front lot line.

(c) The storage area is screened per 6.0 Sitework & Landscape, regardless of the adjacent land uses.

(d) The vehicles must be stored in a legitimate parking space, and not in the public right of way or in a part of the lot not specifically designated as a parking space.

(5) **Outdoor Activities.** All repairs or washing activities must occur inside a structure.

(6) **Bathroom Facilities.** At least one bathroom must be provided and open during regular business hours for customers.

E. **Automobile Service/Car Wash.** A business involving the servicing of vehicles and/or the sale and distribution of fuel to residents of the community and region. A convenience store may also be included as a secondary use, as well as the sale of propane and kerosene. Vehicle service includes such uses as automotive filling stations, vehicle repair, car wash facilities, and tire sales and mounting. Engine rebuilding, bodywork, and painting are included in this definition.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Use Limitation.** Repair and wash facilities for vehicles which are not automobiles are not permitted.

(2) **Service Bays.** Vehicular service bays, including garages and car wash bays, shall not be located on the front facade, unless otherwise expressly permitted by the building type.

(3) **Outdoor Storage.** Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors under all of the following conditions:

(a) The vehicles are not stored for more than 2 days.

(b) The storage area is located in the rear yard screened from view of the front lot line.

(c) The storage area is screened per 7.0 Sitework & Landscape, regardless of the adjacent land uses.

(d) The vehicles must be stored in a legitimate parking space, and not in the public right of way or in a part of the lot not specifically designated as a parking space.

(4) **Outdoor Activities**

(a) All repairs or washing activities must occur inside a structure.

(b) Vacuuming activities may occur in open air, but must be located in the side or rear yards, screened from the front lot line.

(c) Temporary outdoor display of seasonal items, such as windshield wiper fluid or salt, is permitted during business hours under the canopy and adjacent to the principal structure.

F. **Automobile/Truck/Limousine Rental Service.** A commercial facility that offers automobiles, trucks, and/or limousines for rent or lease for specific periods of time, including a stand-alone facility for automobile leasing services associated with an off-site automobile dealership.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) Facility is limited to automobile rental service only.

(2) Any such facilities in a DT district must house all associated automobiles, including model automobiles, in a structured parking garage adjacent to the rental counter or leasing office, and not indoors and not on a surface parking lot.

G. **Child Day Care Center.** Child day care center, means a public or private facility, as defined in Connecticut General Statutes section 19a-77 (relating to child day care services), which offers or provides a program of supplementary care to more than 12 related or unrelated children outside of their own homes on a regularly recurring basis for a part of the 24 hours in one or more days in the week. May include accessory tot lots.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **State Requirements.** All provisions of Connecticut General Statutes section 19a-77 (relating to child day care services) shall apply.

(2) **Minimum Lot Size.** There shall be a minimum lot area of 6,000 square feet.

(3) **Area Per Child.** There shall be a minimum lot area for each child of 250 square feet.

(4) **Open Space.** There shall be provided a minimum of 100 square feet of open play space on the lot for each child, or the applicant shall obtain approval from the zoning administrator of a play schedule, which shall identify the number of children that will use the play area at particular times and the proximity of the facility to a public park.

(5) **Additional Setbacks.** In addition to the zoning district setback requirements, every building shall be set back a minimum distance of 25 feet from any adjacent residential property which is located in a Neighborhood (N or NX) District.

H. **Community Service.** A public or not-for-profit service or activity undertaken to advance the welfare

of citizens in need that provides food and goods distribution to private citizens.

I. **Drinking Places.** Establishments selling alcoholic beverages, including beer, wine, and liquor for on-site consumption.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Proximity to Residential.** The establishment shall not be located within 1,200 feet of any residentially used parcel or a district permitting residential uses, unless cooked food is served (including taverns, pubs, or Eating Places).

(2) **Proximity to Certain Uses.** Except in DT and MS districts, no drinking place use shall be located within a 200 foot radius of any part of a lot used or reserved to be used as a temporary shelter facility, group living facility, group living facility for health reasons, rehabilitation home, roominghouse/boardinghouse, funeral home, house of worship, medical clinic, medical office, hospital, school, or park.

(3) **Outdoor Cafe.** In the DT, MS, and CX zoning districts, the sale of alcoholic beverages and food shall be permitted to be extended beyond the building line for outdoor cafes as in accordance with the requirements in 3.5.2.C. Outdoor Cafe.

(4) **Approval of Drinking Places with Eating Places.** The zoning administrator is authorized to administratively approve an application by an Eating Place for the sale of alcoholic beverages subject to all of the following conditions:

(a) The sale of alcoholic beverages shall be subordinate and incidental to the use of the premises as an Eating Place.

(b) The Eating Place to which the sale of liquor is subordinate and incidental shall contain an active commercial floor area of no less than 1,000 square feet, exclusive of kitchen, office and storage areas.

(c) In a mixed-use residential/commercial building, any residential use shall be on a different floor than any Eating Place.

(d) Eating and Drinking Places that do not meet the preceding conditions are permitted with approval of a special permit per 1.3.4 Special Permits.

(e) Incidental entertainment is allowed per 3.5.2 Accessory Commercial Uses.

(5) **Approval of Drinking & Entertainment Assembly Places.** Establishments that combine the sale of alcoholic beverages with Entertainment Assembly uses (refer to 3.3.5.K.) require a separate special permit (per 1.3.4 Special Permits). This includes facilities for banquets, parties, events, dancing, and other entertainment. This use is subject to the following conditions:

(a) These establishments are limited to the locations where Entertainment Assembly uses are permitted per 3.3.5.K. and Figure 3.2-A Table of Principal Uses.

(b) Food is required to be served.

(c) Applicants must submit:

(i) Menu

(ii) Security plan

(iii) Parking management plan, except in the DT-1 zoning district where there shall be no parking requirement for such use

(iv) Floor plan(s)

(v) Noise mitigation plan

(vi) The commission may also require any additional information pertaining to the application that it deems necessary to aid in its decision.

J. **Eating Places.** An establishment selling prepared foods and/or non-alcoholic drinks for on-premise consumption. Includes such uses as restaurants, cafes, coffee shops, diners, delis, fast-food establishments, lunch counters, and cafeterias.

(1) Drive-in or drive-through services may or may not be permitted per 3.5.2 Accessory Commercial Uses and Figure 3.4-A Table of Accessory Uses.

(2) For Eating Places with Drinking Places, refer to 3.3.5.I.(4)

(3) Outdoor dining may or may not be permitted per 3.5.2 Accessory Commercial Uses.

(4) Incidental Entertainment may or may not be permitted per 3.5.2 Accessory Commercial Uses and Figure 3.2-A Table of Principal Uses.

(5) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, Eating Places are required to have a door that opens directly onto the adjacent public right-of-way during all hours of operation.

K. Entertainment Assembly. A facility, other than a stadium/arena (per 3.3.2.G.) or adult entertainment (per 3.3.6 Adult Establishments), for holding events, indoors or outdoors, to which members of the public are invited with or without charge. Events may include theatrical performances; live music performances; dances, balls; shows or exhibitions; or live or broadcasted wrestling, boxing/sparring matches, or other sporting events.

(1) Beer, wine, and liquor beverages may or may not be permitted per 3.3.5.I. Drinking Places and Figure 3.2-A Table of Principal Uses.

L. Pawn Shop/Check Cashing Establishment. An establishment primarily engaged in the businesses of lending money on the security of pledged goods left in pawn; purchasing tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller; or providing cash to patrons for, payroll, personal, and bank checks.

(1) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the use shall be located in a Storefront Building Type only (refer to 4.5 Storefront Building).

M. Private Club. A non-profit association, documented by state or federal records, of persons who are bona fide members paying annual dues, where the use of premises is restricted to members and their guests and as determined by the zoning administrator. When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) A private club may be operated with or without incidental entertainment per 3.5.2.B. Incidental Entertainment.

(2) New clubhouses that abut a residential (N, NX, or MX) zoning district shall not be located within 1,500 feet of another private club;

(3) There shall be no loitering outside of the premises after 10:00 p.m.

(4) An annual license must be obtained from the division of licenses and inspections to ensure the absence of illegal activity on the premises, adequate maintenance of the interior and exterior of the premises, the absence of public disturbance or nuisance, and compliance with the zoning regulations.

N. Smoking Places. Establishments for which the sale of tobacco products for on-site consumption yields at least 75 percent of gross revenues, including such uses as hookah lounges.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) Applicants shall present information to the zoning administrator regarding proper ventilation.

(2) **Outdoor Use Prohibited.** In all districts, this use is prohibited in outdoor spaces.

O. Tattoo/Piercing Parlor. Establishments primarily in the business of applying lettering, art, and other images with permanent and semi-permanent inks, paints, pigments, or piercings to the body of patrons.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) Use shall be located in a building meeting the requirements of 4.5 Storefront Building Type.

3.3.6 ADULT ESTABLISHMENTS

Adult establishment means adult bookstore, adult cabaret, adult mini-motion-picture-theater or adult motion picture theater, or any combination thereof.

A. Adult Bookstore. An establishment having as a substantial or significant portion of its stock in trade motion pictures, video recordings, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to obscene activities for observation by patrons thereof or an establishment with a segment or section devoted to the sale, rental or display of such material.

B. Adult Cabaret. A nightclub, bar, restaurant or similar establishment that regularly features live performances that are characterized by the exposure of specific anatomical areas or by specified sexual activities, or films, motion pictures, video cassettes, slides or other photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by any emphasis upon the depiction or description of specified activities or anatomical areas.

C. Adult Mini-Motion-Picture-Theater. An enclosed building with a capacity for less than 50 persons used for presenting material distinguished or characterized by an emphasis on matters depicting, describing or relating to obscene activities for observation by patrons therein.

D. Adult Motion Picture Theater. An enclosed building with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on matters depicting, describing or relating to obscene activities for observation by patrons therein.

E. Conditions. When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Proximity to Certain Uses.** No building or premises shall be used, and no building shall be erected or altered, which is arranged, intended or designed to be used for an adult establishment if any part of such building or premises is situated on any part of a lot within a 1,000 foot radius in any direction of any lot used for, or upon which is located any building used for any household living use; religious institution, medical clinic, medical office, hospital, school, facility attended by persons under the age of 18 (including but not limited to school programs, children's museums, camps, and athletic leagues), park, or other adult establishment.

Office

- Architecture/Engineering/Design
- Broadcasting, Recording, & Sound Studio
- Business Consulting
- Construction Trade & Contractor (office only)
- Charitable Institutions
- Computer Programming & Support
- Data Processing
- Detective Services
- Educational Services (tutor & testing)
- Employment Agency
- Financial & Insurance
- Government Offices
- Laboratories, Medical, Dental,
- Optical
- Legal Services
- Management Services
- Medical & Dental Offices (other than in hospitals or on a hospital campus, and other than clinics))
- News Agency
- Physical Therapy/Physical Rehabilitation
- PR & Advertising
- Property Development
- Real Estate & Apartment Finders
- Research & Development
- Research Agency
- Support Offices for other uses
- Surveying
- Trade Schools
- Training Center

Figure 3.3-D Typical Office Uses

Craftsman Industrial

- Agricultural Growing, such as Aquaculture or Medical Marijuana Production Facility
- Apparel & Finished Fabric Products
- Bakery & Confections
- Beverages, including Beer, Wine, Liquor, Soft Drinks, Coffee
- Botanical Products
- Brooms & Brushes
- Canning & Preserving Food
- Commercial Scale Copying & Printing
- Cut Stone & Cast Stone
- Dairy Products
- Electronics Assembly
- Electrical Fixtures
- Engraving
- Fabricated Metal Products
- Film Making
- Fire Arms & Ammunition
- Furniture & Fixtures
- Glass
- Household Textiles
- Ice
- Jewelry, Watches, Clocks, &
- Leather Products (no tanning)
- Meat & Fish Products, no Processing
- Musical Instruments & Parts
- Pasta, Chips, & Similar Products
- Pottery, Ceramics, & Related Products
- Printing, Publishing & Allied Industries
- Shoes & Boots
- Signs & Advertising
- Silverware
- Small Goods Manufacturing
- Smithing
- Taxidermy (with incidental tanning)
- Textile, Fabric, Cloth
- Toys & Athletic Goods
- Upholstery
- Woodworking

Figure 3.3-E Typical Craftsman Industrial Uses

3.3.7 EMPLOYMENT USES

A category of uses for businesses involving activities that may not be associated with walk-in customers.

A. Office Uses. A category of uses for businesses that involve the transaction of affairs and/or the training of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times; the businesses do not typically rely on walk-in customers. Office uses include those listed in Figure 3.3-D Typical Office Uses.

B. Craftsman Industrial. A use that includes a showroom or small retail outlet and production space, and involves small scale production, assembly, and/or repair with little to no noxious by-products. Craftsman industrial includes such uses as those found in Figure 3.3-E Typical Craftsman Industrial Uses. This use may also include associated facilities such as offices and small scale warehousing, but distribution is limited as determined by zoning administrator.

(1) **Medical Marijuana Production Facility.** A secure, indoor facility where the production of marijuana occurs and is operated by a person to whom the Connecticut Department of Consumer Protection has issued a production facility permit.

(2) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(a) **Maximum Size.** The maximum overall gross floor area is limited to 20,000 square feet, unless otherwise expressly stated.

(b) **Required Showroom.** A minimum 10 percent of gross floor area shall be dedicated to a showroom located at the front of the space. In MS districts, the showroom is required to be open to the public and include some retail sales.

(c) **Outdoor Activities & Storage.** Outdoor activities and storage of goods are not permitted in any MS district.

(d) **Eating and Drinking Place.** A beverage and/or food production use may have an Eating or Drinking Place, respectively, primarily serving the products of that particular facility, as an accessory use. The gross floor area of the accessory use shall not exceed 15 percent. The Eating or Drinking Place use is subject to conditions in 3.3.5.I. Drinking Places and 3.3.5.J. Eating Places except a separate special permit is not required for a Drinking Place without Entertainment Assembly, and except that the dispersion requirements of 3.3.5.I.(1) and (2) shall not apply to Drinking Places that are accessory to Craftsman Industrial beverage and/or food production uses in the ID district, CX district, Connecticut River Overlay, or Transit Oriented Development Overlay.

(e) **Additional Application Information.** The zoning administrator may request additional information to ensure proper evaluation of such application. Such information may include ventilation plans, materials characteristics, drainage plans, waste disposal plans, and chemical disposition plans.

3.3.8 INFRASTRUCTURE USES

A category of uses for the provision of public and private infrastructure to support other uses. Infrastructure uses typically do not include a principal building meeting the building type requirements. Accessory structures may be included.

A. Parking as a Principal Use. A lot that does not contain a permitted building of more than 1,000 square feet, is not used for open space, and is almost exclusively used for the parking of vehicles.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Corner Lots.** A corner lot shall not be used solely for parking.

(2) **Adjacent Parking Facilities.** Two principal parking facilities shall not be located directly adjacent to one another, with the exception of a new structured parking facility replacing an existing parking lot.

B. Transportation & Utilities. A lot that is primarily utilized for the city's infrastructure needs. Transportation and utilities includes such uses as street rights-of-way, rail rights-of-way, electric or gas services, sewage treatment, water treatment and storage, pumping stations, transmission and receiving stations, and energy conversion systems.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) The total lot coverage of all buildings and structures shall be not more than 30 percent of the area of the lot.

(2) All buildings and structures shall be set back from every adjacent property a minimum distance of 25 feet and, in addition, not closer than 50 feet from any adjacent residential property, except that any tower shall be set back a minimum distance of that equal to the height of the tower from any adjacent residential property.

(3) Transformers shall be located within buildings.

(4) Any electric or other utility lines between the infrastructure and the street shall be underground.

(5) The infrastructure shall be suitably screened from any adjacent residential property by a solid fence or planting screen which shall provide year-round screening. Refer to 6.12 Screening of Necessary Appurtenances

(6) The zoning administrator shall provide the chief of police or his or her designee with the opportunity to provide input on applications for transportation and utilities, and shall provide such input to the commission, which shall take such input into account in making a decision about any transportation and utilities application.

(7) Transportation and utilities are not required to satisfy a building type.

C. Transmission Towers. A structure, which is not a building and which is intended to support equipment used to transmit or receive communications signals, all or part of which may be subject to Connecticut Siting Council review. Examples of such structures include monopoles and lattice construction steel structures.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Minimum Lot Area.** There shall a minimum lot area of 6,000 square feet.

(2) **Fencing and Landscaping.** Unless the communications facility is mounted on an existing structure, a permanent fence with a maximum height of 8 feet shall be required to secure the base of the facility. Landscaping on the perimeter of such fencing, which complies with 6.0 Sitework & Landscape, shall be required to shield the base of any communications facility.

(3) **Design.** All communications facilities shall be designed and constructed to all applicable standards of the American National Standards Institute, ANSI/EIA-222-E manual, as amended, where applicable.

(4) **Special Permit.** The following criteria shall be applied to any special permit for communications towers and certain communications antennas:

(a) **Communications Tower**

(i) If a new communications tower is constructed, the tower shall not exceed the height of 160 feet, shall be a monopole, and shall be located a minimum of 160 feet or the height of the tower from the property line of the nearest residential property, measured from the base of tower to the property line.

(ii) This tower setback provision may be altered based upon engineering documentation prepared by a professional engineer demonstrating to the planning and zoning commission's satisfaction that the proposed design shall prevent collapse of the tower off of the site.

(b) **Communications Antenna**

(i) Only communications antennas subject to Connecticut Siting Council Review shall be required to undergo the special permit review process. If the communications antenna is located on the roof of an existing building or structure (other than a communications tower), the area of such communications antenna shall not occupy more than 25 percent of the roof area.

(ii) Setbacks from roof edge shall be 10 feet, or 10 percent of roof depth (measured from edge facing public street to opposite edge of roof), whichever is greater. The applicant shall demonstrate that the antenna is the minimum height required to function satisfactorily. No antenna that is taller than this minimum height shall be approved.

(c) **Criteria.** In all instances where a special permit is required for a communications facility, the commission shall evaluate the special permit application using the criteria in 1.3.4 Special Permits and the following criteria:

(i) Any topographic or other barriers to transmission;

(ii) Screening potential of existing or proposed vegetation, structures and topographic features;

(iii) Compatibility with adjacent land uses, provided that the commission shall not look favorably on sites proximate to N-#-1 zoning districts;

(iv) Least number of sites to serve desired area;

(v) Proposals to mitigate possible visual impact, including the preservation of view corridors and vistas;

(vi) Potential for preservation of preexisting character of site;

(vii) Minimal impact on residential areas surrounding commercial, business or industrial zoned sites; and

(viii) Accessibility of roads, electric power, land based telephone lines or microwave link capability, other utilities required for the proper functioning of the communication facility.

(d) **Grounds for Denial; Site Selection Criteria.** The commission may deny an application to construct a new communications antenna if it is determined that the applicant has not made a good faith effort to mount the communications antenna on an existing structure. In addition, the commission shall give consideration to the site selection criteria for communications facilities as follows:

(i) On existing buildings, communications towers, and smokestacks.

(ii) In locations where the existing topography, vegetation, buildings or other structures provide the greatest amount of screening.

(iii) In locations that mitigate the visual and operational effects that contribute to blighting or deterioration of the surrounding neighborhood.

(iv) In locations that do not mitigate such visual and operational effects.

(5) **Building Type.** Transmission towers are not required to satisfy a building type.

3.3.9 INDUSTRIAL USES

A category of uses for businesses involving assembly, production, storing, transferring and disposal of goods or products, and which may also include associated facilities such as offices, maintenance facilities, and fuel pumps and both indoor and outdoor activities and storage of goods. All outdoor storage associated with industrial uses shall adhere to the provisions in 3.5.2.D. Outdoor Storage.

A. Heavy Industry. An industrial use with the potential for significant external effects, including noise, odor, and/or other noxious by-products and may involve frequent commercial vehicle access and outdoor storage of materials or products. Heavy Industry includes such uses as:

(1) **Waste.** Waste means a heavy industrial use involving the sorting, storage and disposal of goods and by-products. Facilities may have large-scale outdoor storage; buildings for administrative offices, storage, processing waste or service of machinery and frequent commercial vehicle access. Waste related industries include composting facilities, garbage grinding and extraction, recycling facilities (with or without collection and sorting), refuse disposal, and refuse incineration, but shall not include sanitary landfills.

(2) **Crematory Services.** Crematory services means a structure containing a furnace used or intended to be used for the cremation of human remains. The location of a crematory within the city shall be in accordance with the provisions of general statutes section 19a-320 (relating to erection and maintenance of crematories).

B. Light Industry. A use involving the production of goods from raw materials or the assembly of finished products that can result in limited negative external effects, noise, and other non-noxious by-products. Light Manufacturing Uses include all Craftsman Industrial Uses and those uses identified in Figure 3.3-E Typical Industrial Use Categories.

(1) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(a) **Additional Application Information.** The zoning administrator may request additional information to ensure proper evaluation of such application. Such information may include ventilation plans, materials characteristics, drainage plans, waste disposal plans, and chemical disposition plans.

C. Outdoor Storage Yard. A lot used primarily for the outdoor storage of construction equipment parts, materials and supplies, and parking of wheeled construction equipment. This use does not include associated on-site offices.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) An owner's office shall be located within a quarter mile of the outdoor storage yard location.

Light Industry

Any Craftsman Industrial Use with or without retail outlet and with significant distribution

Agricultural Processing, unless otherwise listed
Aircraft Assembly & Testing
Apparel, Finished Products from Fabric
Automobile, Truck, Boat, RV & Trailer Manufacturing
Bicycle Manufacturing
Biomaterials
Cotton Wadding
Electrical Fixtures
Electronic/Electrical Equipment/ Component Manufacturing
Engines & Motors Manufacturing/ Rebuilding
Lasers & Optics
Laundering, Dry Cleaning, Dyeing
Lumber Mill
Machinery Manufacturing
Medical Equipment Manufacturing
Metal Products Manufacturing
Mobile/Manufactured Homes Manufacturing
Motor Testing
Pharmaceuticals
Plumbing & Heating Products
Printing, Publishing & Allied Industries
Stone Cutting & Distribution
Tool & Die Shop

Warehousing/ Distribution

Air Freight
Contractor – Landscape & Construction
Exterminating & Disinfecting Service
Food Distribution Facility, with or without public market
Freight Forwarding Service
Fuel Distribution
Mail & Parcel Sorting & Distribution
Mail Order House & Warehousing
Newspaper Distribution Facilities
Packing & Crating
Personal Storage
Petroleum Bulk Station
RV & Large Equipment Storage Yard
Recycling Center (Collection & Sort)
Tow or Impound Lot
Truck Terminal or Parking Facilities
Vehicle Staging & Storage (Ambulance, Bus, Limousine, Livery, Taxi, etc.)
Warehousing & Storage (Refrigeration or General)
Water Distribution
Wholesale Trade of Goods

Figure 3.3-E Typical Industrial Use Categories

(2) Frontage, side, and rear buffers are required per 6.0 Sitework & Landscape.

D. Transportation Facilities. A facility that functions either as: a depot for train, bus, or limousine service, which may include maintenance facilities and vehicle storage; or an airport. This is a distinct use from 3.3.2.H. Transit Station, which is primarily dedicated to passenger boarding and alighting. It is also distinguished from 3.3.8.B. Transportation & Utilities, which primarily relates to rights-of-way. Transportation facilities includes such uses as bus or rail terminals, rail yards, and bus or limousine fleet storage.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) All airports, airfields, runways, hangars, beacons and other facilities involved with aircraft operations, where permitted, shall be developed in accordance with the rules and regulations of the Federal Aviation Administration and the state department of transportation, which agencies shall approve the preliminary plans submitted to the city. Land beneath all aircraft approach lanes, as established by appropriate aeronautical authorities or airport zoning, which is not part of any airport, shall be so developed as not to endanger safe flight conditions to and from an established airport. This provision is supplemental to any adopted airport zoning plan, ordinance, or regulation.

E. Warehouse/Distribution. A use involving large-scale indoor or outdoor storage of goods, packaging of goods, and distribution typically between production and the market. May include a small ancillary retail facility. Warehouse, Packing and Distribution uses also include substantial commercial vehicle access, storage, and intermodal exchanges. Warehousing, Packing and Distribution includes such uses as those identified in Figure 3.3-E Typical Industrial Use Categories.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **Transportation Study.** A transportation study is required to determine truck access and paths and address any potential disruptions of surrounding businesses.

3.4 Accessory Uses

3.4.1 ACCESSORY USES: GENERAL PROVISIONS

A. Accessory Uses Allowed. Accessory uses are allowed only in connection with lawfully established principal uses. Accessory uses for nonconforming principal uses and structures are treated under 1.5.3.

B. Allowed Uses. Allowed accessory uses are limited to those expressly regulated in this chapter as well as those that, in the determination of the zoning administrator, satisfy all of the following criteria:

(1) They are customarily found in conjunction with the subject principal use(s) or principal structure;

(2) They are subordinate and clearly incidental to the principal use(s) of the property; and

(3) They serve a necessary function for the comfort, safety or convenience of occupants of the principal use(s).

C. Accessory Structures. Refer to 4.20 Accessory Structures.

D. Time of Construction and Establishment. Accessory uses may be established only after the principal use of the property is in place.

E. Location. Accessory uses must be located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

3.4.2 TABLE OF ACCESSORY USES

Figure 3.4-A Table of Accessory Uses presents a listing of expressly allowed accessory uses. Each of the listed accessory uses is given one of the following designations.

A. Permitted ("●"). These accessory uses are permitted by right in the districts in which they are listed.

B. Permitted Subject to Conditions ("◐"). These accessory uses are permitted by right in the districts in which they are listed, provided that they comply with the use-specific conditions of 3.5. Accessory Use Definitions & Use-Specific Conditions.

C. Requires a Special Permit ("○"). These accessory uses are allowed only if reviewed and approved in accordance with the Special Permit procedures of 1.3.4. In addition, they must comply with all applicable conditions associated with the use and comply with the requirements of the Special Permit.

3.5 Accessory Use Definitions & Use-Specific Conditions

3.5.1 ACCESSORY RESIDENTIAL USES

A. Accessory Dwelling Unit. A dwelling unit that is associated with and is incidental to another dwelling unit on the same lot which serves as the lot's principal use.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.4-A Table of Accessory Uses, the following regulations apply:

(1) A property owner must file a zoning permit for an accessory dwelling unit prior to its recognition as an accessory dwelling unit. The property proposed for an accessory dwelling unit must contain one, but no more than one, residential structure occupied as a one-unit dwelling.

(2) The property must be owner-occupied, either in the principal structure or principal dwelling unit, or in the accessory dwelling unit.

(3) No property shall contain more than one accessory dwelling unit.

(4) The accessory dwelling unit shall be located either: in a detached accessory structure occupied, or formerly occupied, on the first floor by a garage, barn, or similar accessory use; or in a principal structure, provided that there is

ACCESSORY USES	DISTRICTS																	
	DT-1	DT-2	DT-3	MS-1	MS-2	MS-3	CX-1	CX-2	ID-1	ID-2	MX-1	MX-2	NX-#	N-#-1	N-#-2	N-#-3	OS	Reference
Accessory Residential Uses																		3.5.1
Accessory Dwelling Unit											◐	◐	◐	◐	◐	◐		3.5.1.A.
Home Childcare														◐	◐	◐		3.5.1.B.
Home Occupation	◐	◐	◐	◐	◐	◐	◐	◐			◐	◐	◐	◐	◐	◐		3.5.1.C.
Room Rental - Long-Term					◐						◐	◐	◐	◐	◐	◐		3.5.1.D.
Room Rental - Short-Term	◐	◐	◐	◐	◐	◐	◐				◐	◐	◐	◐	◐	◐		3.5.1.E.
Sleeping Quarters for a Caretaker									●	●								3.5.1.F.
Accessory Commercial Uses																		3.5.2
Drive-Through Facility						○		○	●									3.5.2.A.
Incidental Entertainment	◐	◐	◐	◐	◐	◐		◐		◐								3.5.2.B.
Outdoor Cafe	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐						3.5.2.C.
Outdoor Display	◐	◐	◐	◐	◐	◐		◐										3.5.2.D.
Outdoor Storage								◐	◐	◐								3.5.2.E.
Parking	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐				○	3.5.2.F.

● Permitted
◐ Permitted subject to Use-Specific Conditions
○ Requires a Special Permit

Figure 3.4-A Table of Accessory Uses

a separate entrance to the exterior or to an unconditioned porch type space.

(5) The usable floor area of the accessory dwelling unit shall not exceed 50 percent of the usable floor area of the principal dwelling unit or 1,000 square feet, whichever is less. Exterior patios, decks, porches, and staircases providing interior access from the principal unit to the accessory dwelling unit will not be counted toward the usable floor area of the accessory dwelling unit.

(6) Parking for the accessory dwelling unit must be provided on-site in accordance with the requirements in Figure 7.2-A for a 2-Unit Dwelling. No additional curb cuts shall be allowed beyond those permitted by the building type and zoning district.

(7) The orientation of the proposed accessory dwelling unit shall, to the maximum extent practical, maintain the privacy of residents in adjacent dwellings as determined by the physical characteristics surrounding the accessory dwelling unit including landscaped screening, fencing, and window and door placement. The exterior entrance of an accessory dwelling unit located in a principal structure shall not be visible from the front right of way. A separate numeric address for the accessory apartment is prohibited.

(8) No new, separate utility connection may be installed for the accessory dwelling unit in a principal structure, unless more than one utility connection already serves the lot, to the location of the proposed accessory dwelling unit, at the time of the application for the accessory dwelling unit.

(9) The lot size must be a minimum of 7,500 square feet.

(10) At any one time, the number of dwellers in an accessory dwelling unit shall be limited to: (a) 1 adult and minor children related to said adult by blood, marriage, adoption, custodianship, or guardianship, (b) 2 adults (in total) and minor children related to at least one of the adults by blood, marriage, adoption, custodianship, or guardianship.

(11) Only 12 accessory dwelling units are allowed in the N-1-1 district.

(12) Long-term room rentals (as defined in 3.5.1.D.) and short-term room rentals (as defined in 3.5.1.E) are not permitted on the same lot as an accessory dwelling unit.

B. Home Child Care. Supplementary, temporary care of children, unrelated to the caregiver, on a regularly recurring basis for a portion of one or more days in the week, and provided in the home of the caregiver.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.4-A Table of Accessory Uses, the following regulations apply:

(1) **Limited Attendees.** More than 6 and fewer than 12 children may be cared for at a time. Six or fewer children is considered a Home Occupation (refer to 3.5.1.C.). Twelve or more children is considered principal use (refer to 3.3.5.G. Child Day Care Center).

(2) **Outdoor Play Area.** Home Child Care shall include a fenced outdoor play area.

(3) **Accessory Use.** Home Child Care may only be an accessory use to the principal use of Household Living.

(4) **State Licensing Requirements.** All applicable State of Connecticut licensing requirements shall be met.

(5) **Revocation.** The zoning administrator shall have discretion to revoke any permit for home child care if such use is a nuisance to neighboring properties.

(6) **The N-1-1 District.** Home Child Care may not operate in the N-1-1 district.

(7) **Limited Number.** The number of home child care uses on any zoning lot shall not exceed one.

C. Home Occupation. A use that is clearly subordinate to the principal use as a residence, is customarily conducted within the dwelling unit by one or more members of the occupying household, and does not alter the exterior of the building or its appearance.

(1) **Included Uses.** Home Occupation includes the following and other uses deemed similar by the zoning administrator: accountant, artist, attorney, author, computer operator or programmer, child care of 6 or fewer children, designer (computer, graphic, architect, interior, etc.) home crafts, seamstress or tailor, sales person or representative (no on-site retail or wholesale transactions), tutoring, and instruction of craft and fine art.

(2) **Excluded Uses.** Home Occupation excludes such uses, as otherwise defined in these regulations,

as Civic & Institutional Uses; Retail Uses; Service Uses other than photography studio, tailor or seamstress, therapeutic massage establishment (licensed proprietor), travel agency, ticketing & tour operator; Industrial Uses; and Warehouse/ Distribution Uses.

(3) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.4-A Table of Accessory Uses, the following regulations apply:

(a) **Advertisement.** Offering, displaying or advertising any commodity or service for sale on the premises is prohibited, except that an identification sign is permitted in accordance with the regulations of 8.14.2.L Signs for Home Occupations.

(b) **Outside Storage.** No materials or products shall be stored outside of a building.

(c) **Area.** The customary home occupation shall not occupy more than 25 percent of the usable floor area of a dwelling unit in which the home occupation is operated.

(d) **Employees.** Employment is limited to any member of the immediate household residing in the dwelling unit plus one person not residing in the dwelling unit.

(e) **Hours of Operation.** Permitted hours of operation are 7 AM to 8 PM.

(f) **Limited Attendees.** Up to 4 attendees may be served or instructed at a time, except as provided for in Home Child Care.

(g) **Residence.** The operator of the Home Occupation shall reside in the dwelling unit in which the home occupation operates.

(h) **Physical Appearance.** The appearance of the structure shall conform to the character of the area.

(i) **Vehicles.** No more than one motor vehicle shall be used in connection with a Home Occupation.

(i) The vehicle shall be of a type ordinarily used for conventional private passenger transportation, such as a passenger automobile, van, or pickup truck not exceeding a payload capacity of one ton.

(ii) The vehicle shall not be designed to carry more than 12 persons.

(iii) Parking of the vehicle must be accommodated on site.

(j) **The N-1-1 District.** Home Occupations may not operate in the N-1-1 district.

D. Room Rental - Long-Term. The temporary rental of a room to a roomer or boarder for a minimum of 3 months during a 1-year period by a private property owner residing within an on-site, principal residence.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.4-A Table of Accessory Uses, the following regulations apply:

(1) At any one time, the number of persons occupying a room or rooms in a long-term room rental on a lot shall be limited to: (a) 1 adult roomer or boarder and minor children related to him or her by blood, marriage, adoption, custodianship, or guardianship, or (b) 2 adult roomers or boarders (in total) and minor children related to at least one of the adults by blood, marriage, adoption, custodianship, or guardianship.

(2) Such accessory use shall be permitted only in detached or semi-detached one-unit dwelling structures.

(3) Such accessory use shall not be permitted in the N-1-1 district.

(4) Room rentals of a duration of less than 3 months shall be prohibited unless they satisfy the terms of 3.5.1.E.

(5) Short-term room rentals (as defined in 3.5.1.E.) are not permitted on the same lot as a long-term room rental. Long-term room rentals are not allowed in a dwelling unit occupied by a household that includes 3 adults, of which at least one is unrelated to the others by blood, marriage, adoption, custodianship, or guardianship.

E. Room Rental - Short-Term. The temporary rental of part or all of a property to any temporary renters for no more than 21 cumulative days during any 6 month period, with no property being used for such temporary rental more than 3 times during any 6 month period.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.4-A Table of Accessory Uses, , the following regulations apply:

(1) Operators of a short-term room rental offering a portion or all of their property for short-

term room rentals must file a zoning permit prior to offering their properties for short-term room rentals. As short-term room rentals are conducted on a temporary and periodic basis, no nonconforming use rights will be recognized for short-term room rentals existing at the time of the passage of these regulations. The zoning permit application must include either (a) in the case of lots in the N-#-1 districts, the name of the property owner residing on the premises, or, (b) in the case of lots outside of the N-#-1 districts, the name and contact information of the property manager who must live or work within 10 miles of the site and the express written consent of the property owner for such temporary rental."

(2) At any one time, the number of persons occupying a room or rooms in a single dwelling unit authorized for short-term room rentals shall be limited to 4 adults (in total) and minor children related to at least one of the adults by blood, marriage, adoption, custodianship, or guardianship, subject to a minimum square footage of usable floor area of 70 square feet for one person and 50 square feet for each additional person, including children one year of age or older.

(3) If a short-term room rental occurs in a N-#-1 district, or if it occurs in any other district on a lot containing only a one-unit dwelling (and no additional dwelling units or other nonresidential uses), then the property owner must reside on the premises during the duration of the short-term room rental.

(4) Notwithstanding Figure 3.4-A Table of Accessory Uses, an operator of a short-term room rental may submit a special permit application for permission to conduct short-term room rentals in excess of the number of days and frequency required by this section.

(5) Any zoning permit or special permit issued pursuant to this section shall expire within 3 years of approval and may be revoked if the zoning administrator receives information showing that such temporary rentals have imposed a nuisance on neighbors. A special permit issued pursuant to this section may be conditioned on a limitation on the number of days during which temporary rentals may occur.

(6) The requirements in this section shall not apply to sublets or assignments of a possessory interest in the entire portion of a dwelling unit pursuant to a written lease agreement of one month or more in duration.

(7) Accessory dwelling units (as defined in 3.5.1.A.) and long-term room rentals (as defined in 3.5.1.D.) are not permitted on the same lot as a short-term room rental.

F. Sleeping Quarters for a Caretaker. Sleeping quarters for a caretaker of an industrial facility, which shall not include a full kitchen or constitute a dwelling unit.

3.5.2 ACCESSORY COMMERCIAL USES

A. Drive-Through Facility. A type of drive-in establishment related to a Coffee Shop, Eating Place, Financial Depository Institution/Bank, and Laundromat & Dry Cleaning subject to 3.3.5 or to a Drug or Cosmetic Store allowed pursuant to 3.3.4, where part of its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles to either serve patrons food or beverage while in the motor vehicle or else intended to permit consumption in the motor vehicle of food or beverage obtained by a patron from such business establishment.

When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.4-A Table of Accessory Uses, the following regulations apply:

(1) **Layout.** Refer to Figure 3.5-A Drive-Through Facility for one illustration of the following requirements.

(a) **Structure/Canopy.** Drive-through structures or canopies shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The structure shall not be visible from the front lot line or any primary street.

(b) **Stacking Lanes.** Stacking lanes shall be located perpendicular to the front lot line or behind the building.

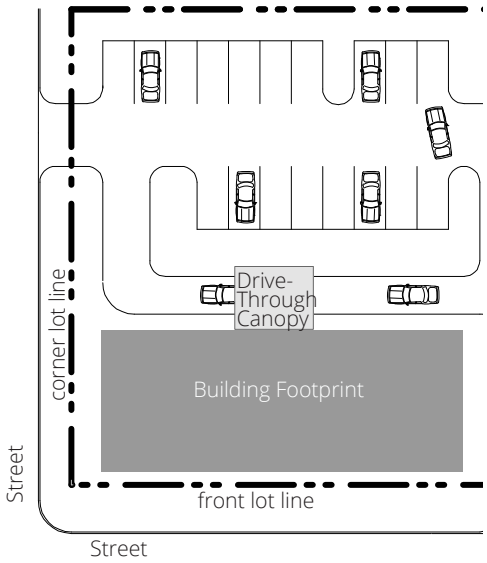


Figure 3.5-A Drive-Through Facility

(c) **Materials.** The canopy and structure shall be constructed of the same materials utilized on the building.

(d) **Drive Locations.** There shall be a minimum distance of 40 feet between any 2 curb cuts and a minimum distance of 25 feet between any curb cut and the corner of any corner lot which is at the intersection of 2 streets.

(2) **Recommendations.** A recommendation in support of the drive-through is required from the director of the department of public works and the chief of police, subject to the conditions of this section. The department of public works shall specifically approve each entrance and exit to any facility.

(3) **Lot Requirements.** There shall be a minimum lot area of 15,000 square feet and a minimum lot width of 120 feet;

(4) **Front Yard Landscape.** The area between the building line and the front lot line not utilized for driveways shall be landscaped with year-round plantings so as to prohibit parking over the building line.

(5) **Proximity to Residential.** The drive-through facility shall not be located directly abutting any lot in a residential district or any lot containing a dwelling.

(6) **Proximity to Schools.** The drive-through facility shall not be located within 1,000 feet of a school.

(7) **Proximity to Other Drive-Through Facilities.** The drive-through facility shall not be located within 300 feet of another drive-through facility.

(8) **Pedestrian Convenience & Safety.** The drive-through facility shall not be located near other uses where the location of such facility would be detrimental to pedestrian convenience or safety.

(9) **Additional Requirements.** In addition to these conditions, the commission may require an applicant to modify a site plan to provide for sufficient pedestrian amenities, reduce the negative visual impact, and/or provide better circulation and parking so as to reduce the potential for accidents and the impact the proposed use may have on neighboring development when the director of the department of public works or the chief of police suggests such modifications are desirable. Such modifications to a site plan may include, but are not limited to, additional landscaping and screening, redesign of parking areas, relocation of

entrances/exits and curb cuts and the limitation of the size and number of signs.

B. Incidental Entertainment. Background music provided at an eating or drinking place, the sole purposes of which shall be to enhance the particular ambiance of the establishment. When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, , the following regulations apply:

(1) **Format of Entertainment.** Incidental entertainment shall be limited to the following formats:

(a) Live music performance in which no more than 3 instruments are played at any one time.

(b) Prerecorded music played from a preselected play list over the permanently installed sound system of the establishment.

(2) **Volume.** Incidental entertainment shall be permissible provided that the maximum volume of incidental entertainment, irrespective of the format, shall be limited so as not to extend beyond the boundaries of the premises at any time.

(3) **Noise Mitigation Plan.** A noise mitigation plan described in 1.3.3.B.(15)(b) is required.

C. Outdoor Cafe. Tables and chairs for patrons of eating and drinking establishments located outdoors and directly adjacent to the structure containing the associated use. When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) **General Location.** The following requirements apply to all outdoor cafes, unless otherwise noted:

(a) Outdoor Cafes may be located anywhere on the lot, or on the adjacent right-of-way, provided that, if it is located in the right of way, a minimum of 4 feet of sidewalk shall remain available and obstacle-free for passing pedestrians.

(b) Outdoor cafes are not subject to building line requirements or front yard or corner side setbacks.

(c) Outdoor cafes not associated with additional construction and located fully on the lot are subject to administrative approval by the zoning administrator.

(d) The outdoor cafe shall be located directly adjacent to the principal use.

(2) **Maximum Size.** The total area occupied by the outdoor cafe shall not exceed 600 square feet in area in the public right of way, and may not exceed 100 percent of the square footage of the active commercial floor area (exclusive of kitchen, office and storage areas) of the indoor portion of the eating and drinking establishment.

(3) **Enclosure.** The outdoor cafe shall be enclosed by a fence with a minimum height 30 inches and a maximum of 42 inches. All construction in the right-of-way shall be fully removable during the off-season or when the outdoor cafe is not in use. No chain link fencing, plastic fencing, or other material not durable enough to endure the season shall be utilized. Steel or colored PVC may be used. For outdoor seating areas of eight chairs or fewer, the preceding enclosure requirements may be waived by the zoning administrator or commission, as applicable, upon a determination that an enclosure may cause undue interference with the public right-of-way or is unnecessary because of site conditions.

(4) **Cover.** The outdoor cafe may have a covering or overhead enclosure and shall be open-air.

D. Outdoor Storage. Permanent outdoor storage of goods not typically housed or sold indoors, such as large scale materials and building and landscape supplies. When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(1) Outdoor storage areas shall be located in the rear or side yard of the lot.

(2) Loose materials shall not be stacked higher than 6 feet.

(3) Loose materials shall at a minimum be stored in a 3-sided shelter and shall be covered.

(4) Materials shall be set back a minimum of 5 feet from any lot line.

(5) All outdoor storage areas shall be screened from view of adjacent parcels and street rights-of-way using the heavy side or rear buffer, refer to 6.9.2 Side & Rear Buffer Requirements.

E. Outdoor Display. The outdoor display of merchandise or other items offered for sale or advertisement. When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A

Table of Principal Uses, the following regulations apply:

(1) Outdoor displays must extend at least 5 feet from the building façade, but in no instance shall merchandise or other items for sale or advertisement be located beyond an established street line. In the case of street lines and building lines being coincident, there shall be no outdoor display;

(2) Merchandise or other items displayed as the accessory use shall be restricted to those items or merchandise which are sold at the principal use;

(3) If associated with a principal use on a corner lot, only a single frontage shall be utilized for accessory outdoor display purposes;

(4) Merchandise or other items, and all temporary structures used for outdoor display, shall be removed and stored indoors from dusk to dawn;

(5) Notwithstanding any provision of this section, the public way, street, sidewalk, curb, and all means of ingress and egress to the structure containing the principal use shall be maintained free of obstructions, merchandise or other items. A minimum of 4 feet of sidewalk shall remain available and obstacle-free for passing pedestrians.

F. Parking. Parking as an accessory use in conjunction with an adjacent principal building use on the lot. Does not include parking for one-unit, 2-unit, and 3-unit dwellings.

(1) **Parking Lot.** A parking lot is a paved surface used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. A parking lot may be uncovered or covered by a solar parking lot canopy per 4.20.6.C. Parking lot locations are regulated by building type. Refer to 4.0 Building Types.

(2) **Parking Structure.** A structure used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking Structures within buildings are regulated per building type. Refer to 4.0 Building Types. Separate accessory parking structures are regulated in 4.20.3.D. Accessory Parking Structure, with the yard location set by the building type. While the parking use may be permitted in a particular district on Figure 3.4-A Table of Accessory Uses, whether the structure is permitted is defined in Figure 4.20-A Accessory Structure Table.

(3) When noted as subject to conditions ("◐") or requires a special permit ("○") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

(a) **Parking Lots in Parks.** New parking lots may be permitted in public parks named in 3.3.3.D.(5) through a special permit application, which shall be referred to the department of public works and the city advisory commission on parks and recreation for a report of their recommendations at least 30 days prior to the date assigned for a public hearing. Such recommendations, if any, shall be publicly read and incorporated into the records of any public hearings held theron.

3.6 Temporary Uses

3.6.1 TEMPORARY USES: GENERAL PROVISIONS

A. Voting Place. The provisions of these regulations shall be so construed as not to interfere with the temporary use of any premises as a voting place in connection with a municipal, state or federal election, or primary.

3.6.2 TABLE OF TEMPORARY USES

Figure 3.6-A Table of Allowed Temporary Uses presents a listing of expressly allowed temporary uses. Each of the listed temporary uses is given the following designation:

Permitted Subject to Conditions ("◐"). These temporary uses are permitted by right in the districts in which they are listed, provided that they comply with the use-specific conditions of 3.7 Temporary Use Definitions & Use-specific conditions.

3.7 Temporary Use Definitions & Use-Specific Conditions

3.7.1 TEMPORARY OUTDOOR EVENT

A temporary event such as a carnival, circus, street celebration, race, bazaar, market or other similar outdoor event. Such events may be on a street, open space, or other public space in which public access is wholly or partially restricted. The event may include the sale of goods.

A. Speeches & Political Events. This temporary use is not intended to include public speeches, political rallies, political marches, protests, demonstrations or similar events.

B. Use-Specific Conditions. When noted as subject to conditions ("◐") in Figure 3.6-A Table of Temporary Uses, the following regulations apply:

(1) Proof of permission for use of the subject property must be obtained from the owner, or other person with authority to grant same, and be submitted to the zoning administrator;

(2) The temporary outdoor event is of a temporary nature;

(3) The temporary outdoor event does not operate nightly beyond the hour of 11:00 p.m.;

(4) The temporary outdoor event shall be operated in accordance with all applicable statutes, ordinances and regulations of the state and the city, and shall have obtained and submitted to the zoning administrator any permits, certificates,

TEMPORARY USES	DISTRICTS																	
	DT-1	DT-2	DT-3	MS-1	MS-2	MS-4/5	CX-1	CX-2	ID-1	ID-2	MX-1	MX-2	NX-#	N-#-1	N-#-2	N-#-3	OS	Reference
Temporary Uses																		
Temporary Outdoor Events	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	3.7.1
Farmers Market	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	3.7.2

● Permitted
◐ Permitted subject to Use-specific conditions
○ Requires a Conditional Use Permit
Prohibited Use

Figure 3.6-A Table of Temporary Uses

permissions, licenses, and authorizations required;

(5) Proper insurance, protecting the city and being evidenced by an insurance certificate, approved by the city's risk manager, shall be submitted to the zoning administrator;

(6) The director of licenses and inspections may issue permits for specific festivals and events, pursuant to the municipal code, provided that such permits shall only be issued if consistent with these regulations, and consistent with any commission decisions regarding the appropriate uses of land.

(7) **Temporary Outdoor Events in the OS District.** For temporary outdoor events in the OS district, the following additional provisions shall apply:

(a) A deposit or bond benefitting the city, in an amount and form determined by the director of the department of public works, shall be tendered by the applicant to the department of development services, and shall be forfeited by the applicant to the department of development services in the event of any damage to any property or person in and around the site of the festival or event during the operation thereof, provided that whether the deposit or bond is forfeited, and the amount of deposit or bond that is forfeited, shall be in the sole discretion of the director of the department of public works.

(b) The commission hereby delegates its authority to determine whether specific festivals and events in the OS district are appropriate uses of land to the park superintendent in the department of public works. In making decisions regarding such uses of land in the OS district, the park superintendent shall consider:

(i) The impact of the proposed activities on existing furniture, lighting fixtures, historic and monument sites, sculptures, artwork, pathways, trees, shrubs, grasses, other landscaping, watersheds, watercourses, inland wetlands, and the environment generally;

(ii) runoff;

(iii) sewage and solid waste management plans of the applicant; suitability of the proposed site for the proposed activities;

(iv) the financial capability and experience of the applicant in managing an event of the proposed nature and scale;

(v) the need for street closures or other impacts on any public rights of way;

(vi) public safety;

(vii) parking;

(viii) fencing materials and the impact thereof;

(ix) and the adequate provision of lighting, drinking water, essential services, and connections to public utilities.

(c) The park superintendent shall base his or her approval of such uses, and any conditions thereon, on careful consideration of each of the preceding matters and in no event shall approve a use that:

(i) is likely to cause irreparable harm to physical property, real or personal, natural or artificial, in the OS district;

(ii) is so poorly planned or managed that significant threats to public safety may occur;

(iii) will result in environmental hazards; or

(iv) is being proposed or run by an individual, business entity, non-profit organization, or other group that has in the past violated any aspect of the code, including the noise ordinance, and appears likely to do so again during its involvement in this activity.

(d) If the park superintendent intends to find a specific festival or event to be an appropriate use of land for property contained within the OS district, he or she must report such an intent to the staff and the chair of the commission prior to any formal approval being given to the applicant for such uses.

(e) Such an intent to approve is reviewable by the commission and may be rejected if the commission determines that the decision to approve was made in error, if the decision to approve was arbitrary or capricious, or if the park superintendent failed to fully consider the concerns in the preceding subsection or the conditions set forth in these regulations.

(f) The park superintendent shall be required to submit quarterly reports to the commission regarding the number, attendance, and impact of any activities approved pursuant to this section on the property contained within the OS district.

3.7.2 FARMERS MARKET

A public market administered by a market manager and held multiple times per year to connect and mutually benefit farmers, communities, and shoppers.
When noted as subject to conditions ("◐") in Figure 3.2-A Table of Principal Uses, the following regulations apply:

A. Permission. Proof of permission for use of the subject property must be obtained from the owner, or other person with authority to grant same, and be submitted to the zoning administrator.

B. Time Limit. The farmers' market is of a temporary nature, namely, in operation only one day or 2 days per week.

C. Minimum Lot Size. A minimum lot area of 100 square feet per stand shall be provided.

D. Operating Hours. The farmers' market operates between the maximum hours of 8 a.m. and 8 p.m.

E. Insurance. Proper insurance, protecting the city and being evidenced by an insurance certificate, approved by the city's risk manager, shall be submitted to the zoning administrator.

F. OS District. For farmers' markets taking place in the OS district, a deposit or bond benefitting the city, in an amount and form determined by the director of the department of public works, shall be tendered by the applicant to the department of development services, and shall be forfeited by the applicant to the department of development services in the event of any damage to any property or person in and around the site of the farmers' market during the operation thereof, provided that whether the deposit or bond is forfeited, and the amount of deposit or bond that is forfeited, shall be in the sole discretion of the director of the department of public works.

G. Local Vendors. The farmers' markets shall allow as vendors predominantly local farmers, farmers' cooperatives and producers selling any of the following: whole produce; value-added agricultural products such as jams, jellies, and pickles; prepared food; all agricultural and horticultural products including but not limited to whole produce, plants, flowers, meats, dairy products, and other food-related products.

H. Parking Plan. A parking plan for attendees of the farmers' market shall be provided and approved by the zoning administrator.

4.0 BUILDING TYPES

SECTIONS

4.1 Introduction to Building Types
4.2 General Design Requirements for All Building Types
4.3 Downtown Storefront Building Type
4.4 Downtown General Building Type
4.5 Storefront Building Type
4.6 Cottage Commercial Building Type
4.7 Commercial Center Building Type
4.8 General Building Type
4.9 Workshop/Warehouse Building Type
4.10 Civic Building Type
4.11 Apartment Building Type
4.12 Stacked Flats Building Type
4.13 Row Building Type
4.14 House A Building Type
4.15 House B Building Type
4.16 House C Building Type
4.17 Auto-Oriented Structures
4.18 Explanation & Measurement of Regulations Specific to Building Types
4.19 Entrance & Roof Types
4.20 Accessory Structures

4.1 Introduction to Building Types

4.1.1 APPLICABILITY

The Building Types detailed in this chapter, 4.0 Building Types, define the required building forms for new construction, renovation of existing structures, and redevelopment within all zoning districts.

4.1.2 GENERAL REQUIREMENTS

All Building Types shall fulfill the following requirements.

A. Zoning Districts. Each Building Type shall be constructed only within districts where the Building Type is permitted. Refer to Figures 4.1-A and 4.1-B for Building Types Permitted by District.

B. Uses. Each Building Type can house a variety of uses depending on the district in which it is located. Refer to 3.0 Uses for uses permitted per district. Some Building Types have additional limitations on permitted uses.

C. No Other Building Types. All buildings constructed must fulfill the requirements of one of the Building Types permitted within the zoning district of the lot.

D. Permanent Structures. All buildings constructed shall be permanent construction without a chassis,

BUILDING TYPES PERMITTED BY DISTRICT — MIXED-USE/NON-RESIDENTIAL DISTRICTS

BUILDING TYPES

DISTRICT		Downtown Storefront	Downtown General Building	Storefront	Cottage Commercial	Commercial Center	General Building	Workshop/Warehouse	Civic Building	Apartment Building	Stacked Flats	Row Building	House A	House B	House C	Notes
DOWNTOWN	DT-1	◑	●						●							Refer to Zoning Map for Primary & Secondary Street locations.
	DT-2	◑	●						●							
	DT-3	◑	●						●							
COMMERCIAL-INDUSTRIAL MIX	CX-1						●	●	●							
	CX-2			●			●	●	●							
MAIN STREET	MS-1			●	●				●							
	MS-2			●	●		●		●	●	●					
	MS-3			●	●	●			●							
MULTI-USE MIX	MX-1						●		●	●	●	●	●	●		
	MX-2						●		●	●		●	●			
INDUSTRIAL	ID-1					●	●	●								
	ID-2						●	●								

● = Permitted
◑ = In DT-1 and DT-3, Building Type required on all Primary Street Frontages. In DT-2, Building Type required on all Bushnell Park frontage (Ford and Jewell Streets)

Figure 4.1-A Permitted Building Types by District for Mixed-Use and Non-Residential Districts

hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.

E. Restoration of Unsafe Buildings. Nothing in these regulations shall prevent the strengthening or restoring to a safe condition of any part of any building declared unsafe by the director of the division of licenses and inspections or where required by any lawful order. .

F. Buildings to Be Moved

(1) Any building or structure which has been wholly or partially erected in the city shall not be moved or placed upon any premises in the city until a permit for such removal shall have been obtained from the director of the division of licenses and inspections. When moved onto new premises, such building or structure shall conform to all the provisions of these regulations. No building or structure shall be moved into the city from outside the city until a permit for such moving shall have been obtained from the director of the division of licenses and inspections.

(2) Before a permit may be issued for moving a building or structure, the director of the division of licenses and inspections shall inspect the building and shall determine if it is in a safe condition to be moved, whether it may be

BUILDING TYPES PERMITTED BY DISTRICT — NEIGHBORHOOD DISTRICTS

DISTRICT		BUILDING TYPES														Notes
		Downtown Storefront	Downtown General Building	Storefront	Cottage Commercial	Commercial Center	General Building	Workshop/Warehouse	Civic Building	Apartment Building	Stacked Flats	Row Building	House A	House B	House C	
NEIGHBORHOOD MIX	NX-1								○	●		●		●		
	NX-2								○	●	●	●		●		
	NX-3								○	●	●					
NEIGHBORHOOD	N-1								○				●			
	N-2								○					●		
	N-3								○					●	●	
	N-4								○						●	
	N-5								○		●	●		●		

● = Permitted
○ = Permitted only on corner lots

Figure 4.1-B Permitted Building Types by District for Residential Districts

reconditioned to comply with the state building code and other city requirements for the use and occupancy for which it is to be used, and whether it will be of similar character with the buildings or structures in the area where it is to be moved. If these conditions can be complied with, a permit shall be issued for the moving of the building or structure.

G. Building Line. For all Building Types, the build-to zones or, in some cases, the setbacks defined in the requirements reference the building line. The building line is defined in 1.6.

H. Treatment of Yards. Paved vehicular areas are limited to specific locations per the Building Type. The following further defines the permitted treatments of the yard areas around the buildings. Refer to 1.6 for definitions of yards.

(1) **Landscape, Patio, Sidewalks.** All yards shall contain either landscape areas, patio space, or sidewalk space, unless otherwise noted, not exceeding the maximum levels of imperviousness and semi-perviousness set per Building Type.

(2) **Driveways.** Driveways may cross through yards as follows:

(a) **Front & Corner Yards.** Where permitted as access to the lot, driveways may cross perpendicularly through the front or corner side yards. Circular drop-off drives may be permitted per the Building Type requirements.

(b) **Perpendicular Crossing of Side & Rear Yards.** In all districts except NX and N districts, driveways are encouraged to and may cross perpendicularly through the side and rear yards to connect to parking on adjacent lots.

(c) **Parallel Crossing of Side & Rear Yards.** Driveways accessing rear yard garages are permitted within the side or rear yard setback, no closer than 2 feet from a side or rear property line, unless the driveway is shared

(3) **Side Yard Parking Lots.** Some building types permit side yard parking lots. Note that side parking lots shall not encroach on the front yard. Parking lots may not encroach upon the minimum side setback. Minimum side setback areas shall be landscaped.

(4) **Rear Yards.** Paved vehicular areas (parking lots, loading areas, drives) are typically required to be located in the rear yard; however, minimum rear yard setbacks apply to parking lots. The minimum rear yard setback area shall only contain landscape, patio space, or sidewalk, unless otherwise noted.

(5) **Through Lots.** Through lots require special consideration with regard to rear and side yard requirements, and the property owner may be allowed or required by the zoning administrator or commission, as applicable: to meet some or all of the requirements of a front yard, front setback line, or front build-to zones on both street frontages of the lot; and to deviate from additional Building Type requirements to ensure that the intent of these regulations with respect to the occupation of the street and the proper functioning of a site for utility and other access is ensured.

I. Vehicular Access. Driveways shall be designed in accordance with 7.5 and shall be minimized to the extent practical and located to have the least impact on pedestrian accessibility, safety, and comfort.

(1) **Driveway Location.** Permitted driveway locations are defined by Building Type, and such driveways may be located on a side property line, provided, however, that required buffers per 6.9 may be reduced or waived by the zoning administrator or commission, as applicable, upon a finding that the shared driveway will result in a net decrease in impervious coverage and that the best location of such shared driveway is along the property line.

(2) **Shared Driveways.** Shared driveways between abutting lots are encouraged.

(3) **Driveways and Curb Cuts.** Refer to 7.5 Site Access & Driveways. Applicants shall comply with curb cut specifications issued by the department of public works.

(4) **Circular Drop-Off Drives.** Where permitted by Building Type in the MX-1, MX-2, and N-1 districts, circular drop-off drives are permitted on lots 100 feet in width and over, with front yards at least 20 feet deep. A minimum 5' wide landscape area is required between the drop-off drive and the front property line.

J. Accessory Structures. Refer to 4.20 Accessory Structures.

(1) Attached accessory structures are considered part of the principal structure.

(2) Detached accessory structures are permitted per each Building Type and shall comply with all setbacks except the following:

(a) Detached accessory structures are not permitted in the front yard.

(b) Detached accessory structures shall be located behind the principal structure in the rear yard.

(c) Detached accessory structures shall not exceed the height of the principal structure.

K. Floor Area for Dwelling Units. No dwelling unit may be less than 300 square feet of usable floor area for efficiency/micro-units, or 500 square feet of usable floor area for all other units. A one-unit dwelling shall have a minimum of 1,000 square feet of usable floor area, and a 2- or 3-unit dwelling building shall have a minimum of 2,000 square feet of usable floor area total for all 2 or 3 units.

4.1.3 HOW TO READ THE BUILDING TYPE REGULATIONS

The following outlines the process for understanding the Building Type regulations.

A. Building Types Permitted by District Table. On the previous pages, Figure 4.1-A Permitted Building Types by District for Mixed-Use and Non-Residential Districts, and Figure 4.1-B Permitted Building Types by District for Residential Districts, define which Building Types are permitted within the districts mapped on the city's Zoning Map.

B. General Design Requirements. Refer to 4.2 General Design Requirements for All Building Types, on the following pages, for design requirements applicable to all Building Types. These requirements include such items as materials, windows, and balcony design requirements.

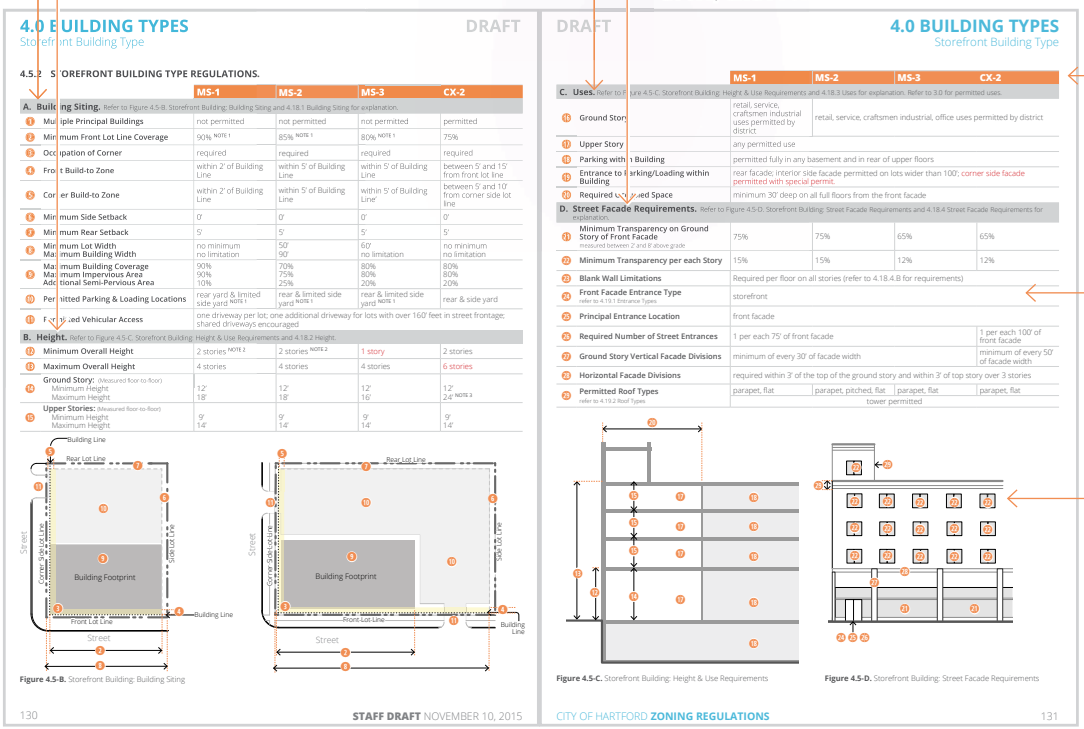
Regulations are organized in 4 categories:

A. **Building Siting** defining where the building & parking is located on the site.

B. **Height** defines the number of stories and height of each story.

C. **Uses** defines how permitted uses may be distributed within the building.

D. **Street Facade Requirements** establishes design requirements for street facades related mainly to windows, doors, and roofs.



Districts in which the building type is permitted are labeled across the top of the table. Regulations may be different for each district.

Tables define the regulations for each building type. Refer to 4.18 Explanation and Measurement of Regulations Specific to Building Types

Graphics related to the tables above. Graphics typically represent one example of building type requirements

Figure 4.1-C How to Read the Building Type Table Spread

C. Building Type Pages. In Sections 4.3 through 4.16, four pages are provided for each of the Building Types:

(1) **Description of Building Type.** The first page for each Building Type provides a general description of the Building Type and several images of typical buildings in Hartford indicative of multiple elements of the Building Type. The images are intended to be illustrative only and may not fully exemplify all of the requirements of the Building Type.

(2) **Table & Diagrams Spread.** The next 2 pages of each Building provides the key spread of information, meant to be viewed simultaneously. Refer to Figure 4.1-C How to Read the Building Type Table Spread, below for an explanation of the Building Type spread.

(3) **Notes.** The final page of each Building Type section contains a page of notes referenced from the table of regulations. Additional graphic diagrams of unique situations may also be provided.

D. Explanation and Measurement of Regulations Specific to Building Types. In Section 4.18, at the end of the Building Types, an explanation of each line item in the tables is provided, defining how to measure the requirement and other reference information.

E. Entrance & Roof Types. In 4.19 Entrance & Roof Types, entrance types and roof types referred to in the Building Type tables are further defined. Additional regulations are included in this section. Graphic diagrams are provided to further illustrate the intent of each entrance and roof type.

F. Accessory Structures. Section 4.20 Accessory Structures establishes the regulations for Accessory Structures, permitted by district in Figure 4.20-A Accessory Structure Table.

4.2 General Design Requirements for All Building Types

The following requirements affect a building's appearance and are intended to improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the each neighborhood, district, node, or corridor.

4.2.1 MATERIALS

A. Primary Facade Materials. 80 percent of each facade shall be constructed of primary materials. For facades over 100 square feet, more than one material shall be used to fulfill the 80 percent requirement.

(1) Permitted primary building materials include: high quality, durable, natural materials, such as stone, brick; wood lap siding; lapped, shingled, or panel fiber cement board siding; glass. Other high quality synthetic materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 4.2-A Primary Materials.

B. Secondary Facade Materials. Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding.

(1) Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.

C. Roof Materials. Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile, as well as membrane for flat roofs, and any additional materials necessary for the proper installation of green roofs. "Engineered" wood or slate may be approved during the site plan process with an approved sample

Primary Materials: Brick

Primary Materials: Siding and brick

Figure 4.2-A Primary Materials

Roof Materials: Asphalt Composite Shingles

Roof Materials: Ceramic Tile

Figure 4.2-B Roof Materials

and examples of successful, high quality local installations. Refer to Figure 4.2-B Roof Materials.

D. Appropriate Grade of Materials. Commercial grade doors, windows, and hardware shall be used on all building types with the exception of the Row Building and the House Building Types used for residential purposes. Refer to Figure 4.2-C Commercial Grade Doors & Windows.

4.2.2 WINDOWS, AWNINGS, & SHUTTERS

A. Windows. All windows on all buildings, other than windows 20 feet above grade in the DT districts, shall fulfill the following:

(1) **Recessed Glass.** All window glass shall be recessed a minimum of 2 inches from the facade.

(2) **Type.** A minimum of 80 percent of all non-storefront window glass on street facades shall be double hung, casement, or vertically oriented.

(3) **Prohibited Windows.** Tinted or reflective glass, and glass block are prohibited on street facades. Blocked or covered windows, whether covered by paint, fabric, plastic, or signage, shall be prohibited except as allowed in 8.9 Window Sign.

(4) **Percent of Transparency.** Percent of transparency is required per building type.

Prohibited: Residential Grade Doors on Commercial Buildings.

Permitted: Commercial Grade Doors & Windows on Commercial Buildings.

Figure 4.2-C Commercial Grade Doors & Windows

Figure 4.2-D Expressed Lintels

Appropriately Scaled Shutters.

Inappropriately Scaled Shutters.

Figure 4.2-E Shutters

(5) **Operable Windows.** A minimum of 60 percent of all transparency on street facades except storefronts shall be operable.

(6) **Lintels.** Lintels shall be expressed above all windows and doors, whether by a change in brick coursing or a separate element. Refer to Figure 4.2-D Expressed Lintels.

B. Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood. "Engineered" wood may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 4.2-E Shutters

C. Window Bars. Exterior bars are prohibited on any window.

D. Awnings. All awnings shall be canvas or metal. Plastic awnings are not permitted. Awning types for each building face shall be coordinated. Refer to Figure 4.2-F Examples of Awnings from Other Cities.

E. Security Grills.

(1) **Definition.** A security grill is a building-mounted grating or screen of metal bars or wires, used as protection or to allow ventilation or discreet observation.

(2) **Interior Mounted.** Security grills shall be located completely within the interior of the building with the window glass on the exterior.

(3) **Fully Retractable.** Grills shall be fully retractable with the housing located above the window on the interior of the building, not visible from the street. Grills mounted to the exterior of the building are prohibited.

(4) **Retracted During the Day.** Grills shall be retracted during the daylight hours, all days except Sunday.

Permitted Awnings: Metal

Permitted Awnings: Canvas

Figure 4.2-F Examples of Awnings from Other Cities

4.2.3 BALCONIES

The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot. Refer to Figure 4.2-G Balcony Examples from Other Cities.

A. Definition. Balconies include any platform that projects from the wall of a building above grade and is enclosed by a parapet or railing.

(1) **Exception: False Balconies.** These regulations do not apply to false balconies a maximum of 16 inches deep, sometimes referred to as juliet balconies or balconets, which are permitted. False balconies consist of a rail and door, with no outdoor platform.

B. Size. Balconies shall be a minimum of 5 feet deep and 6 feet wide.

C. Connection to Building. Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.

D. Facade Coverage. A maximum of 40 percent of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

4.2.4 BUILDING VARIETY

Building design shall vary between vertical facade divisions, where required per the building types, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least 2 of the following. Refer to Figure 4.2-H Examples of Building Variety for illustrations of this requirement.

A. The proportion of recesses and projections.

B. The location of the entrance and window placement, unless storefronts are utilized.

C. Roof type, plane, or material, unless otherwise stated in the building type requirements.

4.2.5 COURTYARDS

Courtyards, defined in 1.6, are permitted in any location on a lot. Minor offsets and recesses intended for architectural effect shall not be considered courtyards. All courtyards, except those provided adjacent to any House Type, shall fulfill the following:

A. No Parking. Courtyards shall not be used for parking.

Balconies: Not Permitted

Balconies Appropriately Attached to or Incorporated into Facade

Balconies Integral with Facade Design

Figure 4.2-G Balcony Examples from Other Cities

B. Courtyards on Street Frontage. Courtyards that open onto any street frontage are regulated as follows:

(1) **Width.** The minimum width of the courtyard for any use shall be 25 feet as measured along the street frontage. The maximum width shall be 1/3 of the building width or 90 feet, whichever is less.

(2) **Depth.** The minimum depth of the courtyard shall be 25 feet and the maximum depth shall be 3 times the width.

(3) **Fence and Landscape.** In all districts except the DT districts, fence and landscaping meeting the requirements of 6.8 Frontage Buffer shall be provided along the building line.

(4) **Impervious Area.** Courtyards in all NX and N districts shall be no more than 25 percent impervious.

C. Other Courtyards. Courtyards other than those fronting a street are regulated as follows:

(1) **Enclosed Courtyards on Residential Buildings.** Courtyards enclosed on all sides shall not be permitted in any building used exclusively for residential purposes.

(2) **Enclosed Courtyards on Mixed-Use Buildings.** In buildings used partly for residential and partly for non-residential uses, enclosed courtyards may be permitted provided the following:

(a) The courtyard shall be not less than 18 feet or 1/3 the average height of the walls surrounding the courtyard, whichever is greater. The depth shall be no greater than 3 times the width.

(b) In those parts of such buildings used for residence, no rooms other than bathrooms or halls shall be dependent for light and air on windows or openings on such enclosed courtyards.

(3) **Courtyards Opening to the Side or Rear Yard.** Courtyards opening to the side or rear of the lot shall have a width not less than 18 feet or 1/3 of the average height of the walls surrounding the courtyard, whichever is greater. In a residential building, the depth shall be no greater than 3 times the width.

Figure 4.2-H Examples of Building Variety

This page intentionally left blank.

4.3 Downtown Storefront Building Type

4.3.1 DESCRIPTION & INTENT

The Downtown Storefront Building is a mid-rise or high-rise building permitted in the downtown core and along Main Street south of downtown. This building type is required in certain locations in the downtown.

Like the Storefront Building Type, the key facade element of Downtown Storefront Buildings is the storefront required on the ground floor front facade, with large amounts of glass and regularly spaced entrances. Parking is provided in parking structures to maximize the building footprint and density.

Figure 4.3-A Illustrative Examples of Downtown Storefront Buildings

4.3.2 DOWNTOWN STOREFRONT BUILDING TYPE REGULATIONS

	DT-1 NOTE 1	DT-2 NOTE 2	DT-3 NOTE 1
A. Building Siting. Refer to Figure 4.3-B Downtown Storefront Building: Building Siting and 4.18.1 Building Siting for explanation.			
1 **Multiple Principal Buildings**	permitted	permitted	permitted
2 **Minimum Primary Lot Line Coverage**	95%	90%	85%
3 **Occupation of Corner**	required	required	required
4 **Primary Build-to Zone**	at or maximum 5′ behind the Building Line		
5 **Secondary Build-to Zone**	at or maximum 5′ behind the Building Line		
6 **Minimum Side Setback** NOTE 8	abutting adjacent building or minimum 7.5′		
7 **Minimum Rear Setback** NOTE 8	10′		
8 **Minimum Lot Width** **Maximum Building Width**	none none		
9 **Building Coverage** **Maximum Impervious Coverage** **Additional Semi-Pervious Coverage**	90% no limitation 10%	90% no limitation 10%	90% no limitation 10%
10 **Permitted Parking & Loading Locations**	rear yard or internal to building (refer to 4.3.2.C. Uses: Building Entrance to Parking requirement)		
11 **Permitted Vehicular Access**	one driveway off each abutting secondary street; if no secondary street exists, the zoning administrator will determine the appropriate primary street access		
B. Height. Refer to Figure 4.3-C Downtown Storefront Building: Height & Use Requirements and 4.18.2 Height for explanation.			
12 **Minimum Overall Height**	3 stories and 40′	2 stories and 40′	2 stories and 40′
13 **Maximum Overall Height**	38 stories; stepback required above 8 stories NOTE 2, NOTE 5	16 stories; stepback required above 8 stories NOTE 2, NOTE 5	8 stories; 5 stories on lower Main Street NOTE 3, NOTE 5
14 **Ground Story:** (Measured floor-to-floor) Minimum Height Maximum Height	 14′ 30′ NOTE 4	 14′ 24′ NOTE 4	 14′ 24′ NOTE 4
15 **Upper Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	 9′ 14′	 9′ 14′	 9′ 14′

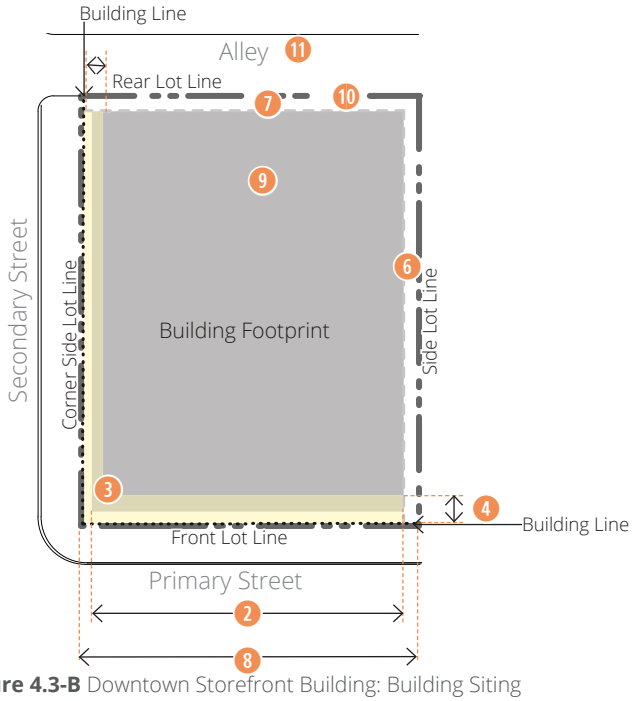


Figure 4.3-B Downtown Storefront Building: Building Siting

	DT-1 NOTE 1	DT-2 NOTE 2	DT-3 NOTE 1
C. Uses. Refer to Figure 4.3-C Downtown Storefront Building: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.			
16 **Primary Street Ground Story**	retail, service, & office category of uses permitted by district, except in DT-2 on Bushnell Park frontage (Ford and Jewell Streets) NOTE 6, NOTE 7		
17 **Secondary Street Ground Story & Other Stories**	any use permitted by district NOTE 7		
18 **Parking/Loading within Building**	permitted fully in any basement and/or in rear of upper floors		
19 **Entrance to Parking/Loading within Building**	any rear, side, or Secondary Street facade		
20 **Required Occupied Space**	minimum 30' deep on all full floors from any Primary Street facade		
D. Street Facade Requirements. Refer to Figure 4.3-D Downtown Storefront Building: Street Facade Requirements and 4.18.4 Street Facade Requirements for explanation.			
21 **Minimum Primary Street Ground Story Transparency** measured between 2' and 8' above grade	75%	65%	65%
22 **Minimum Transparency per each Story**	15%	15%	15%
23 **Blank Wall Limitations**	Required per floor on all stories (refer to 4.18.4.B. for requirements)		
24 **Primary Street Facade Entrance Type** **Secondary Street Facade Entrance Type** refer to 4.19.1 Entrance Types	storefront, arcade storefront, arcade, stoop		
25 **Principal Entrance Location**	Primary Street facade		
26 **Required Number of Street Entrances**	1 per each 75' of Primary Street facade		
27 **Ground Story Vertical Facade Divisions**	every 30' of Primary Street facade width; every 60' of Secondary Street facade		
28 **Horizontal Facade Divisions**	required within 3' of the top of the ground story and 5th floor above the first floor		
29 **Permitted Roof Types** refer to 4.19.2 Roof Types	parapet, pitched, flat; tower permitted		

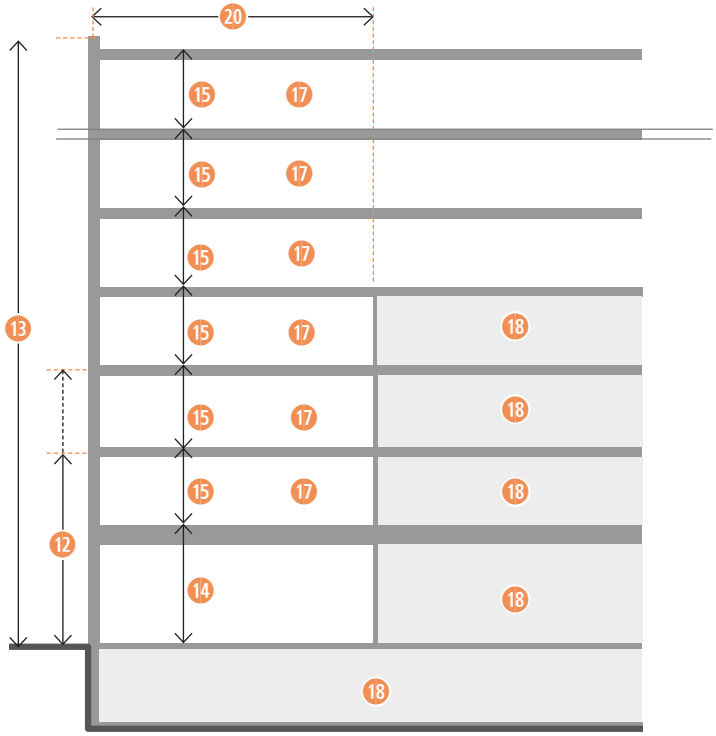


Figure 4.3-C Downtown Storefront Building: Height & Use Requirements

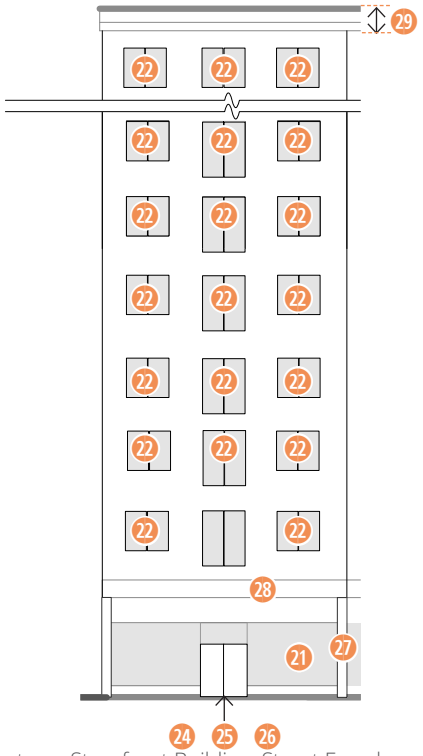


Figure 4.3-D Downtown Storefront Building: Street Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. In DT-1 and DT-3, the Downtown Storefront Building Type is required to front all Primary Streets. Refer to the Zoning Map for the locations of Primary and Secondary Streets adjacent to these districts.

2. Above the 8th story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of 12 feet and a maximum of 30 feet deep.

3. On Main Street south of Elm, the maximum height is 5 stories.

4. If 18 feet or more in height, the ground story shall count as 2 stories towards maximum building height.

5. Property owners may exceed the maximum overall height set forth in 4.3.2.B.(13) by up to 6 stories by providing the following amenities:

- **a.** 2 additional stories permitted by providing a green roof covering 75 percent of the overall roof surface area.
- **b.** 3 additional stories for providing a functional green roof covering 50 percent of the overall roof surface area.
- **c.** 2 additional stories for providing on-site renewable energy fulfilling at least 25 percent of the energy needs of the building occupants.
- **d.** 3 additional stories for a combined heat and power system (cogeneration) fulfilling at least 50 percent of the heating and cooling needs of the building occupants.
- **e.** 2 additional stories for designating 15 percent of residential units to be affordable.

6. In DT-2 along Bushnell Park North (Ford and Jewell Streets) between Pearl and Trumbull Streets, Eating Places (refer to 3.3.5.J.) or Eating Places with Drinking (refer to 3.3.5.I.(4)) shall occupy a minimum of 60 percent of the street frontage of the ground story.

7. Any Eating Places (refer to 3.3.5.J.) open to the public, but within the interior of the building, shall be located only on the first or second stories and shall be directly accessible from a public right of way. If located on the second story, "directly accessible" shall include being accessible through a small ground-story lobby containing an elevator and stairs. Allowed signage marking the entrance of the Eating Place shall be provided on the exterior of the building.

8. Where the wall of a building on an adjacent zoning lot contains windows that have served, since November 1, 2016, as the primary means for obtaining natural light and air for more than 50 percent of the interior living or working spaces (excluding mechanical, storage spaces, and stairways) adjoining said wall, and where such wall is within 5 feet of the property line between the lot subject to the application and the adjacent zoning lot, the zoning administrator or the commission, as applicable, may increase all or some portions of the rear and side setback requirements of the lot subject to the application by to up to 30 feet or may require the design of the building wall on that side to be stepped, upon a finding that the additional distance or a stepped design is required to ensure continued access to light and air to the existing living or working spaces.

4.4 Downtown General Building Type

4.4.1 DESCRIPTION & INTENT

The Downtown General Building Type is a mid-rise or high-rise building located in Hartford's commercial core that generally accommodates office and/or residential uses, including on the ground floor. Facade requirements and a front entrance location make this a pedestrian-friendly building face suitable for secondary and urban neighborhood streets, rather than shopping districts.

It is typically sited with zero-lot lines, with facades meeting the back of the sidewalk, or facing a courtyard along a Primary or a Secondary Street face. Parking is provided in parking structures to maximize the building footprint and density.

Figure 4.4-A Illustrative Examples of General Buildings

4.4.2 DOWNTOWN GENERAL BUILDING TYPE REGULATIONS

	DT-1 NOTE 1	DT-2 NOTE 2	DT-3 NOTE 1
A. Building Siting. Refer to Figure 4.4-B Downtown General Building: Building Siting and 4.18.1 Building Siting.			
1 **Multiple Principal Buildings**	not permitted	not permitted	not permitted
2 **Minimum Primary Lot Line Coverage**	90% NOTE 3	90% NOTE 3	80% NOTE 3
3 **Occupation of Corner**	required	required	required
4 **Primary Build-to Zone**	at or maximum 15′ behind the Building Line		
5 **Secondary Build-to Zone**	at or maximum 15′ behind the Building Line		
6 **Minimum Side Setback** NOTE 9	abutting adjacent building or minimum 7.5′		
7 **Minimum Rear Setback** NOTE 9	10′		
8 **Minimum Lot Width** **Maximum Building Width**	none none		
9 **Building Coverage** **Maximum Impervious Area** **Additional Semi-Pervious Area**	90% no limitation 10%	85% no limitation 10%	90% no limitation 10%
10 **Permitted Parking & Loading Locations**	rear yard or internal to building (refer to 4.4.2.C. Uses: Building Entrance to Parking requirement)		
11 **Permitted Vehicular Access**	one driveway permitted off each abutting secondary street; if no secondary street exists, the zoning administrator will determine the appropriate primary street access; circular drop-off drives permitted in DT-2 only		
B. Height. Refer to Figure 4.4-C Downtown General Building: Height & Use Requirements and 4.18.2 Height.			
12 **Minimum Overall Height**	3 stories and 40′	2 stories and 40′	2 stories and 40′
13 **Maximum Overall Height**	38 stories; stepback required above 8 stories NOTE 4, NOTE 7	16 stories; stepback required above 8 stories NOTE 4, NOTE 7	8 stories; 5 stories on lower Main Street NOTE 5, NOTE 7
14 **Ground Story:** (Measured floor-to-floor) Minimum Height Maximum Height	 14′ 30′ NOTE 6	 9′ 18′	 9′ 14′

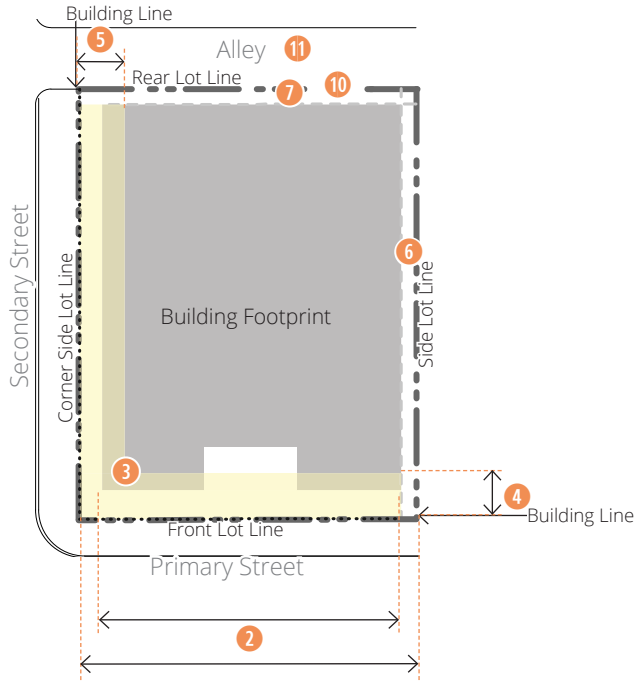


Figure 4.4-B Downtown General Building: Building Siting

	DT-1 NOTE 1	DT-2 NOTE 2	DT-3 NOTE 1
15 **Upper Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	 9′ 14′	 9′ 14′	 9′ 14′
C. Uses. Refer to Figure 4.4-C Downtown General Building: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.			
16 **Ground Story**	any use permitted by district except retail and service uses are limited to no more than 25% of the ground floor area and shall be located at a street facade NOTE 8		
17 **Upper Story**	any use permitted by district except retail and service uses		
18 **Parking within Building**	permitted fully in any basement and in rear of upper floors		
19 **Entrance to Parking/Loading within Building**	any rear, side, or Secondary Street facade		
20 **Required Occupied Space**	minimum 30′ deep on all full floors from the Primary Street front facade		
D. Street Facade Requirements. Refer to Figure 4.4-D Downtown General Building: Street Facade Requirements and 4.18.4 Street Facade Requirements for explanation.			
21 **Minimum Transparency on Ground Story of Front Facade** measured between 2′ and 8′ above grade	20%		
22 **Minimum Transparency per each Story**	15%		
23 **Blank Wall Limitations**	required per floor on all stories (refer to 4.18.4.B. for requirements)		
24 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	stoop; arcade		
25 **Principal Entrance Location**	front, facade		
26 **Required Number of Street Entrances**	1 per each 100′ of front facade		
27 **Ground Story Vertical Facade Divisions**	every 100′ of facade width		
28 **Horizontal Facade Divisions**	required within 3′ of the top of the ground story and 5th floor above the first floor		
29 **Permitted Roof Typ** refer to 4.19.2 Roof Types	parapet, pitched, flat; tower permitted		

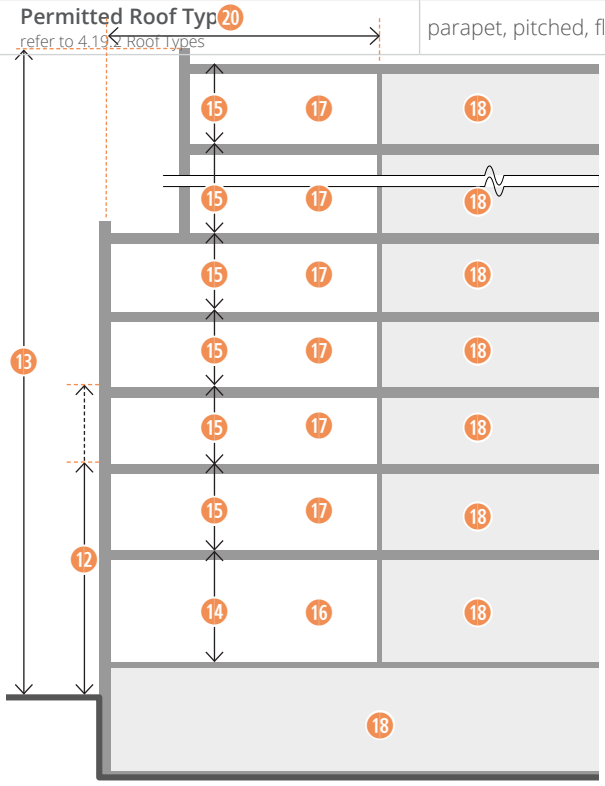


Figure 4.4-C Downtown General Building: Height & Use Requirements

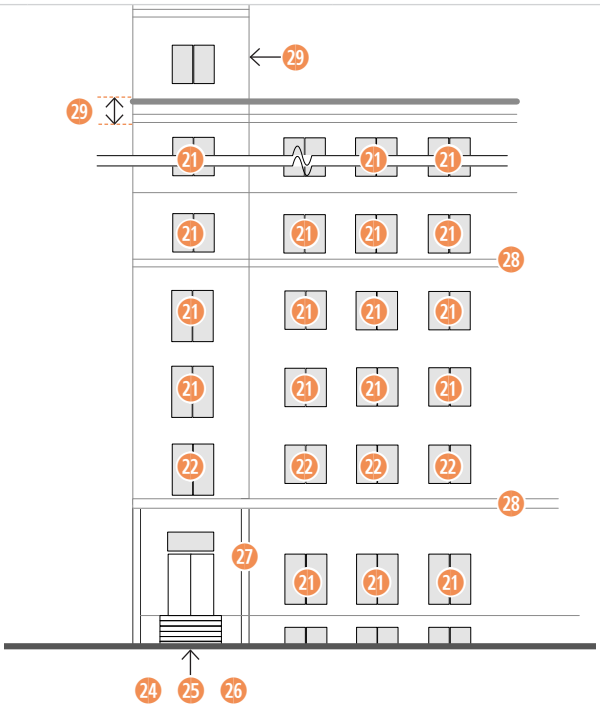


Figure 4.4-D Downtown General Building: Street Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. In DT-1 and DT-3, the Downtown Storefront Building Type is required to front all Primary Streets. Refer to the Zoning Map for the locations of Primary and Secondary Streets adjacent to these districts.

2. In DT-2 along Bushnell Park North (Ford and Jewell Streets) between Pearl and Trumbull Streets, Downtown Storefront Buildings are required to front towards the park.

3. A courtyard covering up to 35 percent of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement, provided that a fence and landscaping fulfilling the requirements of 6.8 Frontage Buffer is provided along the building line. Refer to 4.2.5 Courtyards. Courtyard facades shall fulfill 4.4.2.D. Street Facade Requirements.

4. Above the 8th story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of 12 feet and a maximum of 30 feet deep.

5. On Main Street south of Elm, the maximum height is 5 stories.

6. If 18 feet or more in height, ground story shall count as 2 stories towards maximum building height.

7. Property owners may exceed the maximum overall height set forth in 4.4.2.B.(13) by up to 6 stories by providing the following amenities:

- **a.** 2 additional stories permitted by providing a green roof covering 75 percent of the overall roof surface area.
- **b.** 3 additional stories for providing a functional green roof covering 50 percent of the overall roof surface area.
- **c.** 2 additional stories for providing on-site renewable energy fulfilling at least 25 percent of the energy needs of the building occupants.
- **d.** 3 additional stories for a combined heat and power system (cogeneration) fulfilling at least 50 percent of the heating and cooling needs of the building occupants.
- **e.** 2 additional stories for designating 15 percent of residential units to be affordable.

8. Any Eating Places (refer to 3.3.5.J.) open to the public, but within the interior of the building, shall be located only on the first or second stories and shall be directly accessible from a public right of way. If located on the second story, "directly accessible" shall include being accessible through a small ground-story lobby containing an elevator and stairs. Allowed signage marking the entrance of the Eating Place shall be provided on the exterior of the building.

9. Where the wall of a building on an adjacent zoning lot contains windows that have served, since November 1, 2016, as the primary means for obtaining natural light and air for more than 50 percent of the interior living or working spaces (excluding mechanical, storage spaces, and stairways) adjoining said wall, and where such wall is within 5 feet of the property line between the lot subject to the application and the adjacent zoning lot, the zoning administrator or the commission, as applicable, may increase all or some portions of the rear and side setback requirements of the lot subject to the application by to up to 30 feet or may require the design of the building wall on that side to be stepped, upon a finding that the additional distance or a stepped design is required to ensure continued access to light and air to the existing living or working spaces.

4.5 Storefront Building Type

4.5.1 DESCRIPTION & INTENT

The Storefront Building Type is intended for use as a mixed-use building located close to the front lot line with parking in the rear and sometimes the side of the lot.

The key facade element of this Building Type is the storefront required on the ground floor front facade, with large amounts of glass and regularly spaced entrances.

This building is permitted in a variety of intensities, depending on the district within which it is located.

Figure 4.5-A Illustrative Examples of Storefront Buildings

4.5.2 STOREFRONT BUILDING TYPE REGULATIONS

	MS-1	MS-2	MS-3	CX-2
A. Building Siting. Refer to Figure 4.5-B Storefront Building: Building Siting and 4.18.1 Building Siting for explanation.				
1 **Multiple Principal Buildings**	not permitted	not permitted	not permitted	permitted
2 **Minimum Front Lot Line Coverage**	90% NOTE 1	85% NOTE 1	80% NOTE 1	75%
3 **Occupation of Corner**	required	required	required	required
4 **Front Build-to Zone**	within 2′ of Building Line	within 5′ of Building Line	within 5′ of Building Line	between 5′ and 15′ from front lot line
5 **Corner Build-to Zone**	within 2′ of Building Line	within 5′ of Building Line	within 5′ of Building Line′	between 5′ and 10′ from corner side lot line
6 **Minimum Side Setback**	0′	0′	0′	0′
7 **Minimum Rear Setback**	5′	5′	5′	5′
8 **Minimum Lot Width** **Maximum Building Width**	no minimum no limitation	50′ 90′	60′ no limitation	no minimum no limitation
9 **Maximum Building Coverage** **Maximum Impervious Area** **Additional Semi-Pervious Area**	90% 90% 10%	70% 75% 25%	80% 80% 20%	80% 80% 20%
10 **Permitted Parking & Loading Locations**	rear yard & limited side yard NOTE 1	rear & limited side yard NOTE 1	rear & limited side yard NOTE 1	rear & side yard
11 **Permitted Vehicular Access**	one driveway per lot; one additional driveway for lots with over 160′ feet in street frontage; shared driveways encouraged			
B. Height. Refer to Figure 4.5-C Storefront Building: Height & Use Requirements and 4.18.2 Height.				
12 **Minimum Overall Height**	2 stories NOTE 2	2 stories NOTE 2	1 story	2 stories
13 **Maximum Overall Height**	4 stories	4 stories	4 stories	6 stories
14 **Ground Story:** (Measured floor-to-floor) Minimum Height Maximum Height	 12′ 18′	 12′ 18′	 12′ 16′	 12′ 24′ NOTE 3
15 **Upper Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	 9′ 14′	 9′ 14′	 9′ 14′	 9′ 14′

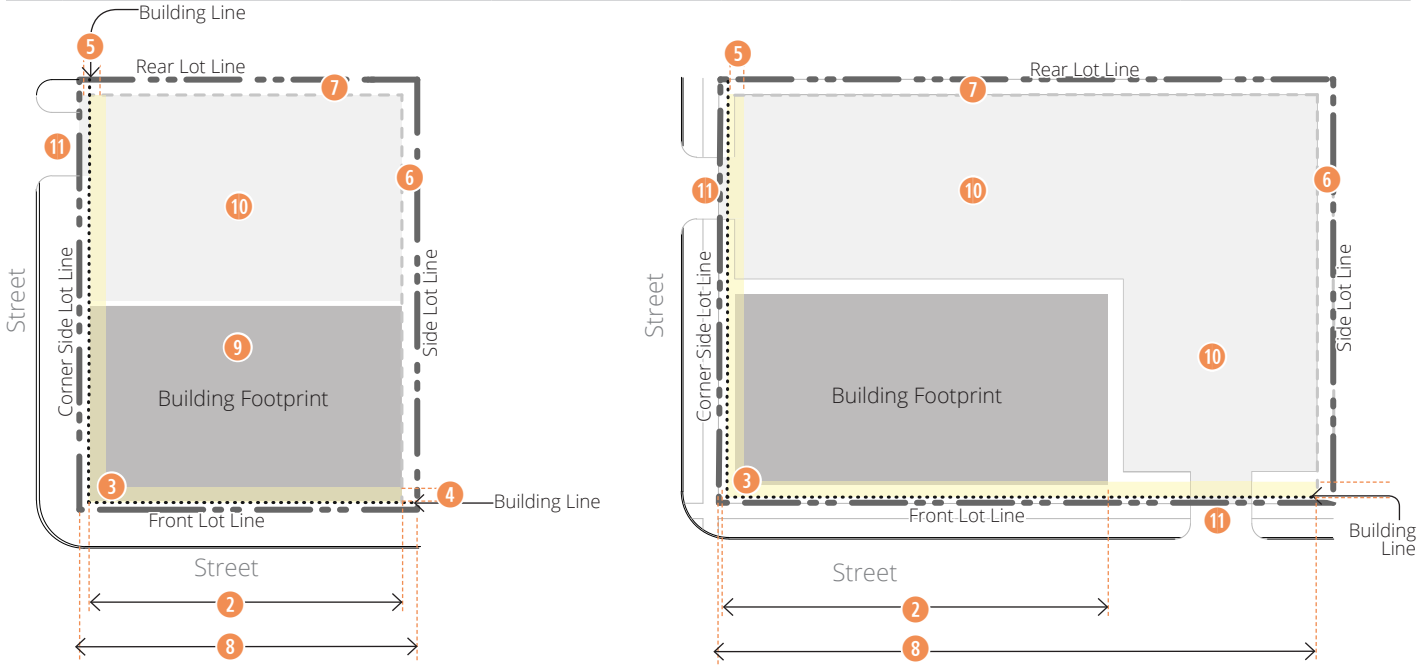


Figure 4.5-B Storefront Building: Building Siting

	MS-1	MS-2	MS-3	CX-2
C. Uses. Refer to Figure 4.5-C Storefront Building: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.				
16 **Ground Story**	retail, service, craftsman industrial uses permitted by district	retail, service, craftsman industrial, office uses permitted by district		
17 **Upper Story**	any permitted use			
18 **Parking within Building**	permitted fully in any basement and in rear of upper floors			
19 **Entrance to Parking/Loading within Building**	rear facade; interior side facade permitted on lots wider than 100'; corner side facade permitted with special permit.			
20 **Required Occupied Space**	minimum 30' deep on all full floors from the front facade			
D. Street Facade Requirements. Refer to Figure 4.5-D Storefront Building: Street Facade Requirements and 4.18.4 Street Facade Requirements for explanation.				
21 **Minimum Transparency on Ground Story of Front Facade** measured between 2' and 8' above grade	75%	75%	65%	65%
22 **Minimum Transparency per each Story**	15%	15%	12%	12%
23 **Blank Wall Limitations**	Required per floor on all stories (refer to 4.18.4.B. for requirements)			
24 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	storefront			
25 **Principal Entrance Location**	front facade			
26 **Required Number of Street Entrances**	1 per each 75' of front facade			1 per each 100' of front facade
27 **Ground Story Vertical Facade Divisions**	minimum of every 30' of facade width			minimum of every 50' of facade width
28 **Horizontal Facade Divisions**	required within 3' of the top of the ground story and within 3' of top story over 3 stories			
29 **Permitted Roof Types** refer to 4.19.2 Roof Types	parapet, flat	parapet, pitched, flat	parapet, flat	parapet, flat
	tower permitted			

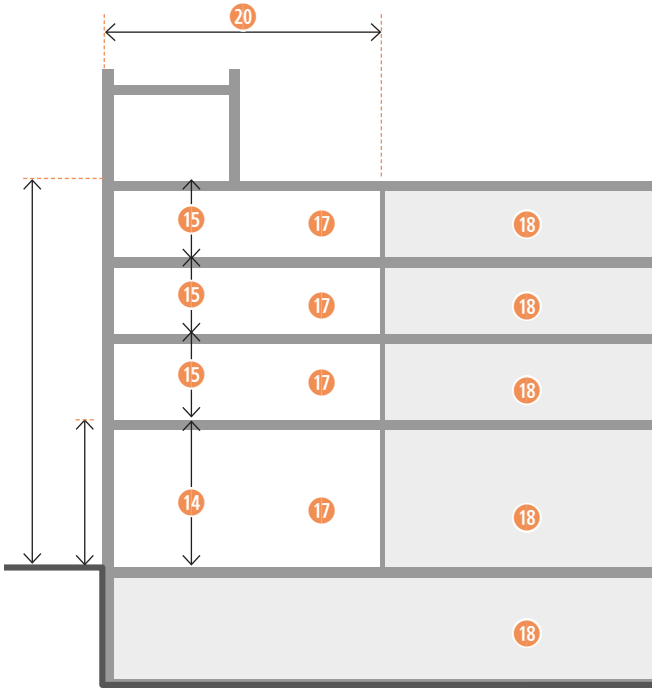


Figure 4.5-C Storefront Building: Height & Use Requirements

Figure 4.5-D Storefront Building: Street Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. Where limited side yard parking is permitted, the following is allowed:

- **a.** On lots wider than 100 feet at the front lot line, one single-loaded aisle of parking (maximum width of 32 feet), located perpendicular to the front lot line, is exempt from Front Lot Line Coverage.
- **b.** On lots wider than 160 feet at the front lot line, one double-loaded aisle of parking (maximum width 65 feet), located perpendicular to the front lot line, is exempt from Front Lot Line Coverage.

2. Where existing at the adoption of these regulations, a single story extension on the front of a previously residential-only structure shall not be considered nonconforming in height. The extension shall fulfill all other requirements of the Storefront Building Type, except the roof type shall be the parapet type. The residential street facade behind the storefront shall fulfill the Street Facade Requirements of House B, with the exception of entrance requirements. Refer to 4.15.2 House B Building Type Regulations.

3. If 18 feet or more in height, ground story shall count as 2 stories towards maximum building height.

4.6 Cottage Commercial Building Type

4.6.1 DESCRIPTION & INTENT

The Cottage Commercial Building allows a wide mix of uses in a building with physical characteristics of a residential cottage, such as a pitched roof and a front stoop or porch.

This lower-scale building has a pedestrian-friendly storefront, stoop, or porch entrance type with moderate transparency and a primary entrance that faces the street. The ground story elevation may be at sidewalk grade or raised. The building may have a small landscaped area in the front yard.

Parking is permitted in the rear yard of the lot and sometimes in the side yard with limited dimensions.

Figure 4.6-A Illustrative Examples of Cottage Commercial Buildings

4.6.2 COTTAGE COMMERCIAL BUILDING TYPE REGULATIONS

	MS-1	MS-2	MS-3
A. Building Siting. Refer to Figure 4.6-B Cottage Commercial Building: Building Siting and 4.18.1 Building Siting for explanation.			
1 Multiple Principal Buildings	permitted NOTE 1		
2 Minimum Front Lot Line Coverage	not applicable		
3 Occupation of Corner	required		
4 Front Build-to Zone	within 7′ of the Building Line		within 15′ of the Building Line
5 Corner Build-to Zone	within 7′ of the Building Line		within 10′ of the Building Line
6 Minimum Side Setback	0′ abutting a Storefront or other Cottage Commercial Building; 10′ abutting all others		
7 Minimum Rear Setback	25′		
8 Minimum Lot Width Maximum Building Width	40′ 55′		
9 Maximum Building Coverage Maximum Impervious Coverage Additional Semi-Pervious Coverage	80% 80% 15%	50% 70% 15%	50% 70% 15%
10 Permitted Parking & Loading Locations	rear yard & limited side yard NOTE 2		
11 Permitted Vehicular Access	one driveway permitted per lot; shared driveways encouraged		
B. Height. Refer to Figure 4.6-C Cottage Commercial Building: Height & Use Requirements and 4.18.2 Height for explanation.			
12 Minimum Overall Height	2.5 stories		1.5 stories
13 Maximum Overall Height	2.5 stories		
14 Ground Story: (Measured floor-to-floor) Minimum Height Maximum Height	 9′ 16′		
15 Upper Stories: (Measured floor-to-floor) Minimum Height Maximum Height	 9′ 12′		

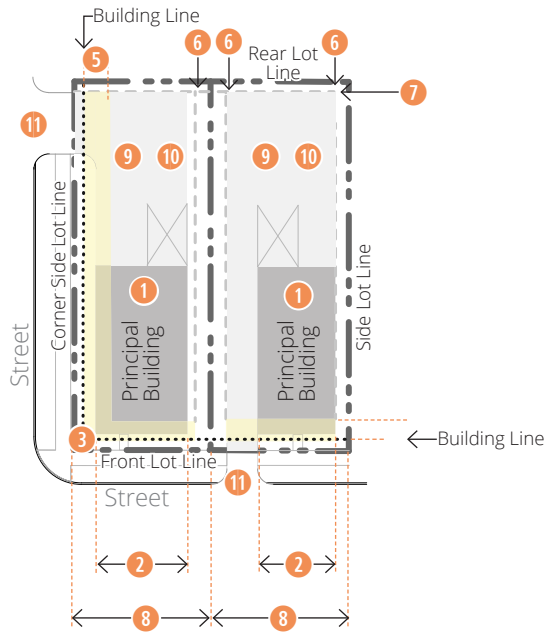


Figure 4.6-B Cottage Commercial Building: Building Siting

	MS-1	MS-2	MS-3
C. Uses. Refer to Figure 4.6-C Cottage Commercial Building: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.			
16 **Ground Story**	any uses permitted by district except residential		
17 **Upper Story**	any uses permitted by district		
18 **Parking within Building**	permitted fully in the basement or in the rear of the ground story		
19 **Required Occupied Space**	minimum 30' deep from the front facade for all full height floors		
D. Street Facade Requirements. Refer to Figure 4.6-D Cottage Commercial Building: Street Facade Requirements and 4.18.4 Street Facade Requirements for explanation.			
20 **Minimum Transparency on Ground Story of Front Facade** measured between 2' and 8' above grade	40%		
21 **Minimum Transparency per each Story**	15%		
22 **Blank Wall Limitations**	required per floor on all stories of street facing facades (refer to 4.18.4.B. for requirements)		
23 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	storefront, stoop, porch		
24 **Principal Entrance Location**	front facade		
25 **Required Number of Street Entrances**	one per building		
26 **Ground Story Vertical Facade Divisions**	none required		
27 **Horizontal Facade Divisions**	none required		
28 **Permitted Roof Types** refer to 4.19.2 Roof Types	pitched		

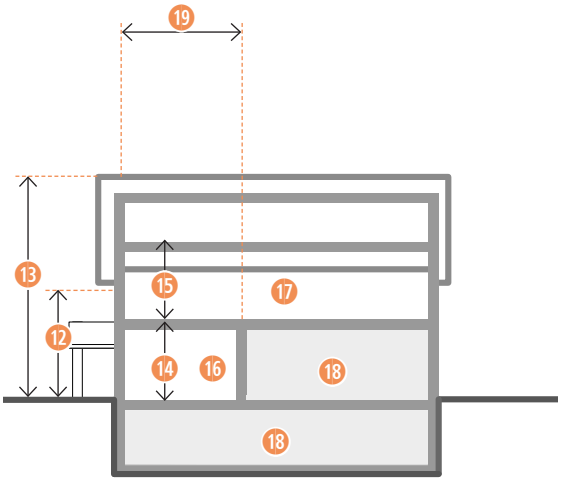


Figure 4.6-C Cottage Commercial Building: Height & Use Requirements

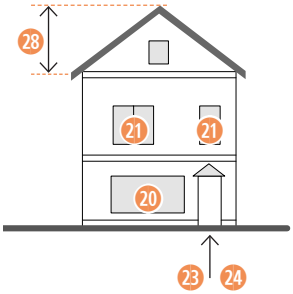


Figure 4.6-D Cottage Commercial Building: Street Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. When noted by district, multiple buildings may be located on a lot. Each building shall fulfill all requirements of the Building Type.

2. On lots wider than 50 feet, one single-loaded aisle of parking (maximum width of 32 feet), located perpendicular to the front lot line, is permitted and shall otherwise have a Front Lot Line Coverage of 50 percent.

4.7 Commercial Center Building Type

4.7.1 DESCRIPTION & INTENT

The Commercial Center Building is designed to be both pedestrian-friendly and convenient for vehicular access. The building is required to provide a percentage of building built close to the street, while allowing parking lots along the street. This type maintains a high level of ground story transparency on the street and requires entrances along the street as well as addressing the facades on the main parking lot.

The Commercial Center may contain only one use, but is permitted to contain a mix of uses.

Multiple buildings are permitted on a single lot, with parking within the rear of the building, or in the rear or side yards that can be accessed by a driveway per street frontage.

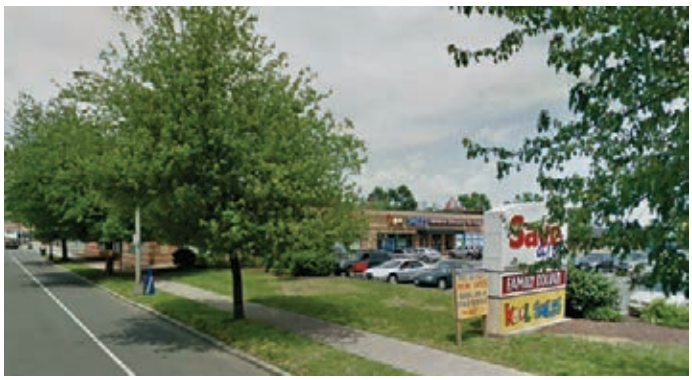


Figure 4.7-A Illustrative Examples of Commercial Center Buildings

4.7.2 COMMERCIAL CENTER BUILDING TYPE REGULATIONS

	MS-3	ID-1
A. Building Siting. Refer to Figure 4.7-B Commercial Center Building: Building Siting and 4.18.1 Building Siting for explanation.		
1 **Multiple Principal Buildings**	permitted NOTE 1	minimum of 2 buildings required NOTE 1
2 **Front Lot Line Coverage**	50%	50%
3 **Occupation of Corner**	required	required
4 **Front Build-to Zone**	within 2′ of Building Line	minimum 15′ setback from front lot line
5 **Corner Build-to Zone**	within 2′ of Building Line	minimum 15′ setback from corner side lot line
6 **Minimum Side Setback**	5′ adjacent to Storefront Building; 15′ all other building types	
7 **Minimum Rear Setback**	5′	
8 **Minimum Lot Width** **Maximum Building Width**	140′ none	
9 **Maximum Building Coverage** **Maximum Impervious Area** **Additional Semi-Pervious Area**	50% 70% 20%	
10 **Permitted Parking & Loading Locations**	rear yard and side yard	
11 **Permitted Vehicular Access**	one driveway is permitted per street frontage	
B. Height. Refer to Figure 4.7-C Commercial Center Building: Height & Use Requirements and 4.18.2 Height for explanation.		
12 **Minimum Overall Height**	1 story	
13 **Maximum Overall Height**	4 stories	
14 **Ground Story:** (Measured floor-to-floor) Minimum Height Maximum Height	 14′ 18′	

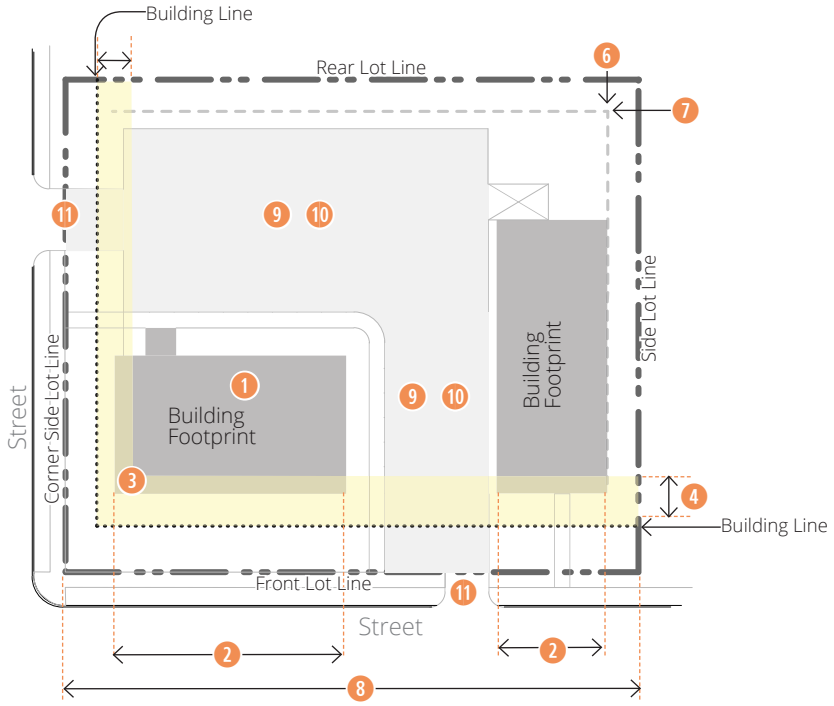


Figure 4.7-B Commercial Center Building: Building Siting

	MS-3	ID-1
15 **Upper Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	 9' 14'	
C. Uses. Refer to Figure 4.7-C Commercial Center Building: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.		
16 **Ground Story**	retail, service uses permitted by district	
17 **Upper Story**	any use permitted by district	
18 **Parking within Building**	permitted fully in any basement and in rear of upper floors	
19 **Required Occupied Space**	minimum 30' deep on all full floors from the front facade	
D. Street Facade Requirements. Refer to Figure 4.7-D Commercial Center Building: Street Facade Requirements and 4.18.4 Street Facade Requirements for explanation .		
20 **Minimum Transparency on Ground Story of Front Facade** measured between 2' and 8' above grade	75%	
21 **Minimum Transparency per each Story**	15%	
22 **Blank Wall Limitations**	Required per floor on all stories of street facing facades (refer to 4.18.4.B. for requirements)	
23 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	storefront, arcade	
24 **Principal Entrance Location**	front facade	
25 **Required Number of Street Entrances**	1 per each 75' of front facade	
26 **Ground Story Vertical Facade Divisions**	every 30' of facade width	
27 **Horizontal Facade Divisions**	required within 3' of the top of the ground story	
28 **Permitted Roof Types** refer to 4.19.2 Roof Types	parapet, pitched, flat; tower permitted	

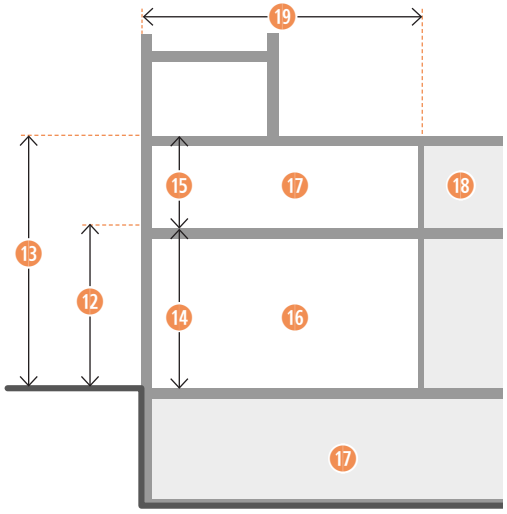


Figure 4.7-C Commercial Center Building: Height & Use Requirements

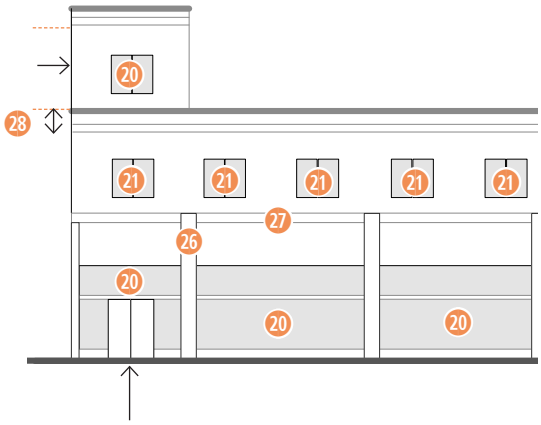


Figure 4.7-D Commercial Center Building: Street Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. Multiple principal buildings are permitted on a single lot. The buildings may work together to fulfill the requirements of the Commercial Center Building Type.

4.8 General Building Type

4.8.1 DESCRIPTION & INTENT

The General Building Type is a less distinctive building than the Storefront or Civic buildings and is typically limited to office, civic, and/or residential uses.

The General Building is intended to be built close to the front and corner lot lines allowing easy access to passing pedestrians and transit riders, but with a landscaped area between the building and sidewalk.

Parking may be provided in the rear of the lot, within the building, or, in some cases, one double-loaded aisle of parking is permitted in the interior or the side yard at the front lot line.

Figure 4.8-A Illustrative Examples of General Buildings

4.8.2 GENERAL BUILDING TYPE REGULATIONS

	MS-2	CX-1	CX-2 & ID	MX-1	MX-2
A. Building Siting. Refer to Figure 4.8-B General Building: Building Siting and 4.18.1 Building Siting for explanation.					
1 **Multiple Principal Buildings**	not permitted	not permitted	permitted	not permitted	permitted with Campus Overlay
2 **Minimum Front Lot Line Coverage**	85% NOTE 1	65% NOTE 1	65% NOTE 1	65% NOTE 1	65% NOTE 1
3 **Occupation of Corner**	required				
4 **Front Build-to Zone**	at or up to 5′ behind the Building Line	within 2′ of the Building Line	between 5′ & 15′ from front lot line	within 5′ of the Building Line	at or up to 15′ behind the Building Line
5 **Corner Build-to Zone**	within 5′ of the Building Line	within 2′ of the Building Line	between 5′ & 10′ from corner lot line′	within 2′ of the Building Line	at or up to 10′ behind the Building Line
6 **Minimum Side Setback**	7.5′	5′	5′	7.5′	15′
7 **Minimum Rear Setback**	5′	5′	5′	15′	35′
8 **Minimum Lot Width** **Maximum Building Width**	50′ 50′	none none	none none	60′ 80′	none none
9 **Maximum Building Coverage** **Maximum Impervious Area** **Additional Semi-Pervious Area**	55% 75% 15%	60% 80% 15%	60% 75% 15%	45% 65% 25%	65% 80% 10%
10 **Permitted Parking & Loading Locations**	rear yard	rear & limited side yard NOTE 2	rear & side yard	rear & limited side yard NOTE 2	rear & side yard
11 **Permitted Vehicular Access**	one driveway per lot; one additional driveway for lots with over 160′ feet in street frontage; circular drop-off drive per 4.1.2.I.(4); shared driveways encouraged				
B. Height. Refer to Figure 4.8-C General Building: Height & Use Requirements and 4.18.2 Height for explanation.					
12 **Minimum Overall Height**	2 stories	2 stories	2 stories	2 stories	2 stories
13 **Maximum Overall Height**	4 stories	5 stories	4 stories	5.5 stories	6 stories
14 **Ground Story:** (Measured floor-to-floor) Minimum Height Maximum Height	9′ 14′	9′ 24′ NOTE 3	9′ 24′ NOTE 3	9′ 14′	9′ 24′ NOTE 3
15 **Upper Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	9′ 14′	9′ 16′	9′ 16′	9′ 14′	9′ 14′

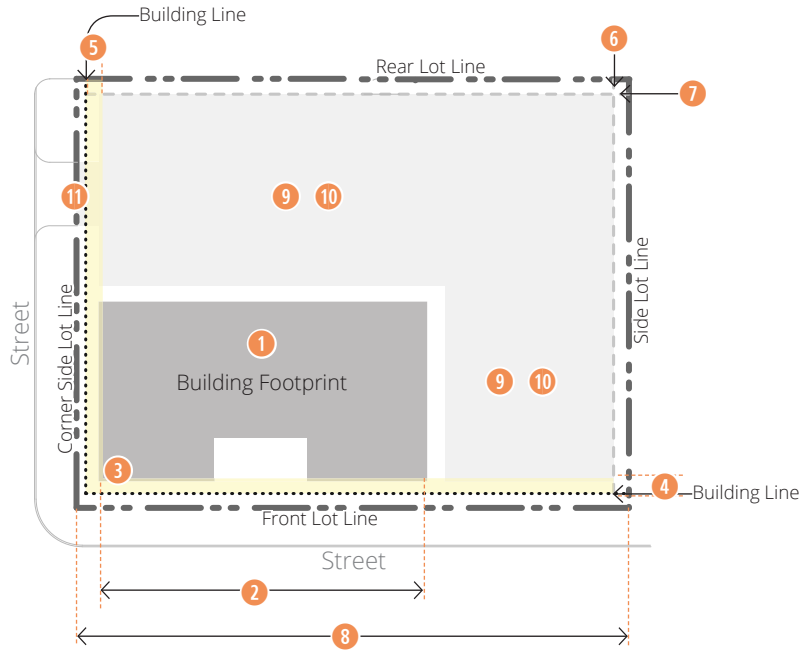


Figure 4.8-B General Building: Building Siting

	MS-2	CX-1	CX-2 & ID	MX-1	MX-2
C. Uses. Refer to Figure 4.8-C General Building: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.					
16 **Ground Story**	any use permitted by district, except retail and service uses are limited to no more than 25% of the ground floor area and shall be located along the street facade NOTE 4				
17 **Upper Story**	any use permitted by district except retail and service uses, except Eating Places and Drinking Places as permitted in the district are allowed on the second story per NOTE 4				
18 **Parking within Building**	permitted fully in any basement and in rear of upper floors				
19 **Entrance to Parking/Loading within Building**	corner side, rear, interior side facade				
20 **Required Occupied Space**	minimum 30' deep on all full floors from the front facade				
D. Street Facade Requirements. Refer to Figure 4.8-D General Building: Street Facade Requirements and 4.18.4 Street Facade Requirements for explanation.					
21 **Minimum Transparency per each Story**	15%				
22 **Blank Wall Limitations**	required per floor on all stories (refer to 4.18.4.B. for requirements)				
23 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	stoop, arcade				
24 **Principal Entrance Location**	front or courtyard facade				
25 **Required Number of Street Entrances**	1 per each 100' of front facade				
26 **Ground Story Vertical Facade Divisions**	every 100' of facade width				
27 **Horizontal Facade Divisions**	required within 3' of the top of any visible basement or the ground story, and within 3' of the top of any fifth floor above the first floor				
28 **Permitted Roof Types** refer to 4.19.2 Roof Types	parapet, pitched, flat	parapet, flat; tower			parapet, pitched, flat; tower

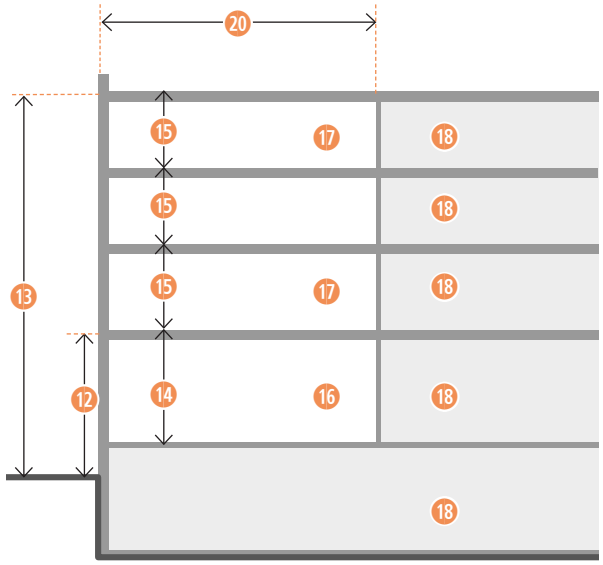


Figure 4.8-C General Building: Height & Use Requirements

Figure 4.8-D General Building: Street Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. A courtyard covering up to 35 percent of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement, provided that a fence and landscaping fulfilling the requirements of 6.8 Frontage Buffer is provided along the building line. Refer to 4.2.5 Courtyards. Courtyard facades shall fulfill 4.8.2.D. Street Facade Requirements.

2. Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 65 feet), located perpendicular to the front lot line.

3. If 18 feet or more in height, ground story shall count as 2 stories towards maximum building height.

4. Any Eating Places (refer to 3.3.5.J.) open to the public, but within the interior of the building, shall be located only on the first or second stories and shall be directly accessible from a public right of way. If located on the second story, "directly accessible" shall include being accessible through a small ground-story lobby containing an elevator and stairs. Allowed signage marking the entrance of the Eating Place shall be provided on the exterior of the building.

4.9 Workshop/Warehouse Building Type

4.9.1 DESCRIPTION & INTENT

The Workshop/Warehouse Building Type provides a street facade similar to the General Building.

This Building Type is still intended to be built fairly close to the front and corner lot lines allowing easy access to pedestrians.

In the Industrial (ID) districts, the regulations for this building are very flexible to allow a wide range of forms, accommodating larger scale truck loading, warehousing, and manufacturing. In other districts, the Workshop/Warehouse Building is defined to work within a more pedestrian oriented area. In those locations, parking is limited to the side and rear, and service bays and loading are limited on the front facade.

Figure 4.9-A Illustrative Examples of Workshop/Warehouse Buildings

4.9.2 WORKSHOP/WAREHOUSE BUILDING TYPE REGULATIONS

	CX-1	CX-2	ID-1	ID-2
A. Building Siting. Refer to Figure 4.9-B Workshop/Warehouse Building: Building Siting and 4.18.1 Building Siting for explanation.				
1 **Multiple Principal Buildings**	not permitted	permitted	permitted	
2 **Minimum Front Lot Line Coverage**	75%	50%	none required	
3 **Occupation of Corner**	required		not required	
4 **Front Build-to Zone**	within 2′ of the Building Line	between 15′ and 25′ of front lot line	minimum 15′ setback from front lot line	
5 **Corner Build-to Zone**	within 2′ of the Building Line	between 5′ and 20′ of front lot line	minimum 15′ setback from corner side lot line	
6 **Minimum Side Setback**	5′	5′	none; except 30 feet from adjacent residential use	
7 **Minimum Rear Setback**	5′	5′	5′	
8 **Minimum Lot Width** **Maximum Building Width**	80′ none	60′ none	60′ none	100′ none
9 **Maximum Building Coverage** **Maximum Impervious Area** **Additional Semi-Pervious Area**	65% 80% 10%	60% 75% 10%	60% 80% 10%	50% 70% 10%
10 **Permitted Parking & Loading Locations**	rear and limited side yard NOTE 1	rear and limited side yard NOTE 1	preferred in rear or side yard	
11 **Vehicular Driveway Access**	one driveway per street frontage			
B. Height. Refer to Figure 4.9-C Workshop/Warehouse Building: Height & Use Requirements and 4.18.2 Height for explanation.				
12 **Minimum Overall Height**	1 story	1 story	1 story	1 story
13 **Maximum Overall Height**	5 stories	3 stories	no maximum	no maximum
14 **Ground Story:** (Measured floor-to-floor) Minimum Height Maximum Height	12′ (16′ for single story building) 30′ NOTE 2		12′ 30′ NOTE 2	
15 **Upper Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	9′ 16′		9′ 16′	

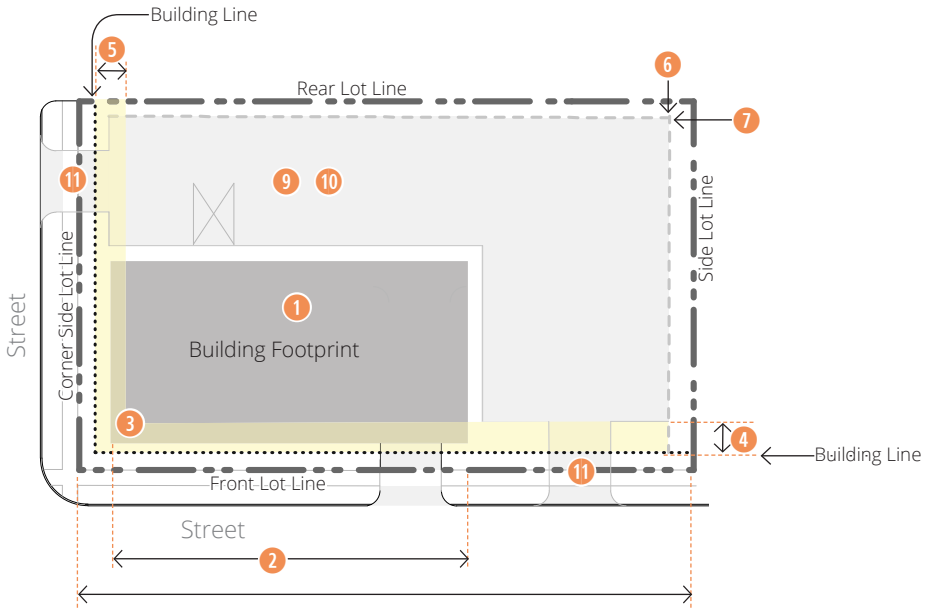


Figure 4.9-B Workshop/Warehouse Building: Building Siting

	CX-1	CX-2	ID-1	ID-2
C. Uses. Refer to Figure 4.9-C Workshop/Warehouse Building: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.				
16 **Ground Story**	all uses permitted by district; any showroom shall be located on the ground story NOTE 3			
17 **Upper Stories**	all uses permitted by district NOTE 3			
18 **Parking within Building**	personal vehicle parking permitted fully in basement and in rear of upper floors		unlimited	
19 **Garage Entrance/Service Bay Location**	one single-vehicle-width permitted on front facade; rear & side facades		unlimited; preferred on rear and/or side facades	
20 **Required Occupied Space**	minimum 30' deep on all full floors from the front facade	minimum 30' deep on ground floor from the front facade	not required	
D. Street Facade Requirements. Refer to Figure 4.9-D Workshop/Warehouse Building: Street Facade Requirements and 4.18.4 Street Facade Requirements for explanation.				
21 **Minimum Transparency per each Story**	15%	12%	none required; 15% preferred	none required
22 **Blank Wall Limitations**	required per floor on all stories (refer to 4.18.4.B. for requirements)		not required	
23 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	stoop		none required	
24 **Principal Entrance Location**	front, corner side, side facade		no requirement	
25 **Required Number of Street Entrances**	one		none required	
26 **Ground Story Vertical Facade Divisions**	not required			
27 **Horizontal Facade Divisions**	required within 3' of the top of any visible basement or the ground story		not required	
28 **Permitted Roof Types** refer to 4.19.2 Roof Types	parapet, flat; tower	parapet, pitched, flat; tower	not required; tower permitted	
29 **Special Materials Requirements** (refer to 4.2.1 Materials for general materials requirements)	primary materials shall be masonry	primary materials on a minimum of 50% of front facade shall be masonry; metal warehouse building permitted on corner side and up to 50% of front facade	metal warehouse building permitted	

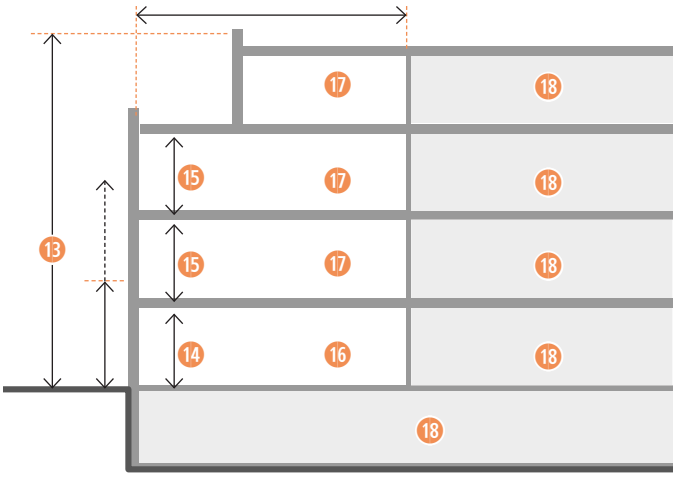


Figure 4.9-C Workshop/Warehouse Building: Height & Use Requirements

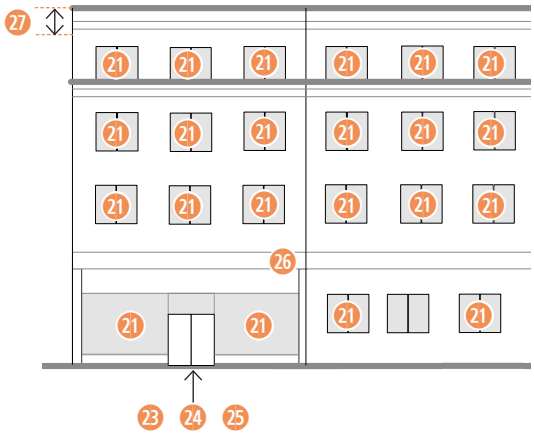


Figure 4.9-D Workshop/Warehouse Building: Street Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. Limited side yard parking is one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front lot line.

2. If 18 feet or more in height, ground story shall count as 2 stories towards maximum building height.

3. Any Eating Places (refer to 3.3.5.J.) open to the public, but within the interior of the building, shall be located only on the first or second stories and shall be directly accessible from a public right of way. If located on the second story, "directly accessible" shall include being accessible through a small ground-story lobby containing an elevator and stairs. Allowed signage marking the entrance of the Eating Place shall be provided on the exterior of the building.

4.10 Civic Building Type

4.10.1 DESCRIPTION & INTENT

The Civic Building is the most flexible Building Type intended only for buildings utilizing the civic and institutional category of uses.

These buildings are distinctive within the urban fabric created by the other Building Types and could be designed as unique and/or iconic structures.

In contrast to most of the other Building Types, a minimum setback line is required instead of a build to zone, though this setback is required to be landscaped. Parking is typically limited to the rear and small side yard lots.

Image from JohnCanningCo.com

Figure 4.10-A Illustrative Examples of Civic Buildings

4.10.2 CIVIC BUILDING TYPE REGULATIONS
SEE NOTE 1

	DT Districts	MS Districts	CX Districts	MX-2 District	MX-1, NX & N Districts
A. Building Siting. Refer to Figure 4.10-B Civic Building: Building Siting Examples and 4.18.1 Building Siting for explanation.					
1 **Multiple Principal Buildings**	not permitted	not permitted	permitted	permitted with 5.1 Campus Overlay	not permitted
2 **Minimum Front Lot Line Coverage**	not required				
3 **Occupation of Corner**	not required				
4 **Minimum Front Setback**	behind the Building Line a minimum of 5′				
5 **Minimum Corner Setback**	behind the Building Line a minimum of 5				
6 **Minimum Side Setback**	5′	10′	5′	15′	5′; 100′ from residential uses
7 **Minimum Rear Setback**	0′	5′	5′	15′	25′; 100′ from residential uses
8 **Minimum Lot Width** **Maximum Building Width**	none none	60′ 140′	none none	100′ none	120′ 80′
9 **Maximum Building Coverage** **Maximum Impervious Area** **Additional Semi-Pervious Area**	no limitation	60% 75% 10%	80% 80% 15%	60% 80% 10%	30% 50% 20%
10 **Permitted Parking & Loading Locations**	shall not front primary streets	rear & limited side yards NOTE 2	rear & side yards	rear & side yards	rear yard & limited side yards NOTE 2
11 **Permitted Vehicular Access**	one driveway per street frontage; in MX-1 and N districts, locate only on side streets.				

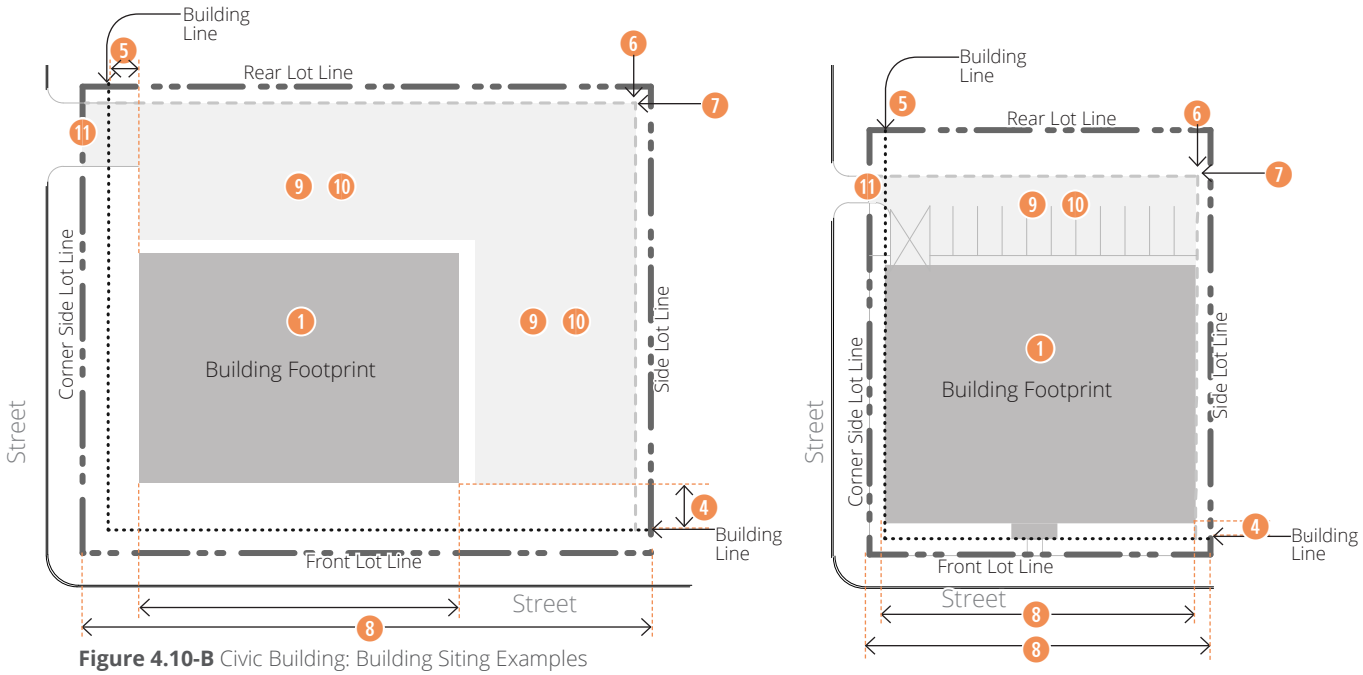


Figure 4.10-B Civic Building: Building Siting Examples

	DT Districts	MS Districts	CX Districts	MX-2 District	MX-1, NX & N Districts
B. Height. Refer to Figure 4.10-C Civic Building: Height & Use Requirements and 4.18.2 Height for explanation.					
12 **Minimum Overall Height**	1 story	1 story	1 story	1 story	1 story
13 **Maximum Overall Height**	8 stories	3 stories	4 stories	6 stories	2 stories
14 **Ground Story:** (Measured floor-to-floor) Minimum Height Maximum Height	 10′ 30′ NOTE 3	 10′ 24′ NOTE 3	 10′ 30′ NOTE 3	 10′ 30′ NOTE 3	 10′ 24′ NOTE 3
15 **Upper Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	 9′ 14′	 9′ 14′	 9′ 14′	 9′ 14′	 9′ 14′
C. Uses. Refer to Figure 4.10-C Civic Building: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.					
16 **All Stories**	only civic and institutional uses permitted by district NOTE 1				
17 **Parking within Building**	permitted fully in any basement and in rear of upper floors				not permitted
18 **Entrance to Parking/Loading within Building**	any non-primary street facing facade	rear or side facade			not applicable
19 **Required Occupied Space**	minimum 30′ deep on all full floors from the front facade				
D. Street Facade Requirements. Refer to Figure 4.10-D Civic Building: Street Facade Requirements and 4.18.4 Street Facade Requirements for explanation.					
20 **Minimum Transparency per each Story**	10%				
21 **Blank Wall Limitations**	required on ground story (refer to 4.18.4.B. for requirements)				
22 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	stoop, arcade				
23 **Principal Entrance Location**	front, corner side, or side facade				
24 **Required Number of Street Entrances**	no requirement				
25 **Ground Story Vertical Facade Divisions**	no requirement				
26 **Horizontal Facade Divisions**	no requirement				
27 **Permitted Roof Types** refer to 4.19.2 Roof Types	parapet, pitched, flat; tower; other roof types permitted with special permit (refer to 4.19.2.A.(4) Other Roof Types)				

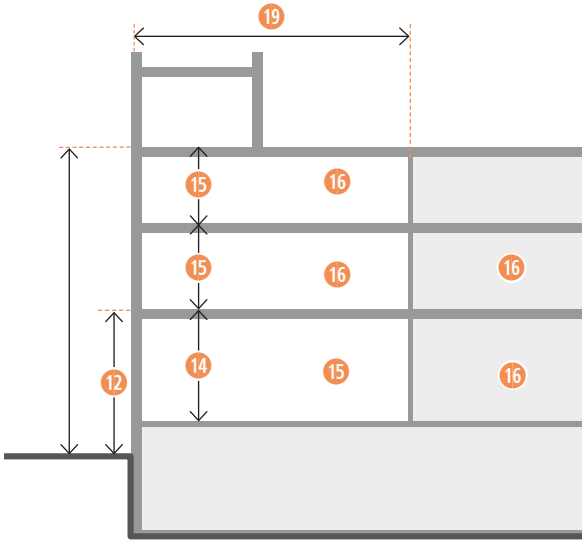


Figure 4.10-C Civic Building: Height & Use Requirements

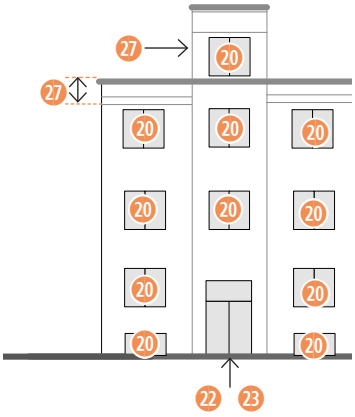


Figure 4.10-D Civic Building: Street Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. The Civic Building Type shall only be utilized for certain uses per the Building Type table. Further, in some districts, the Civic Building may only be used on a corner lot (refer to Figure 4.1-B Permitted Building Types by District for Residential Districts).

2. Lots wider than 140 feet are permitted to have one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front lot line.

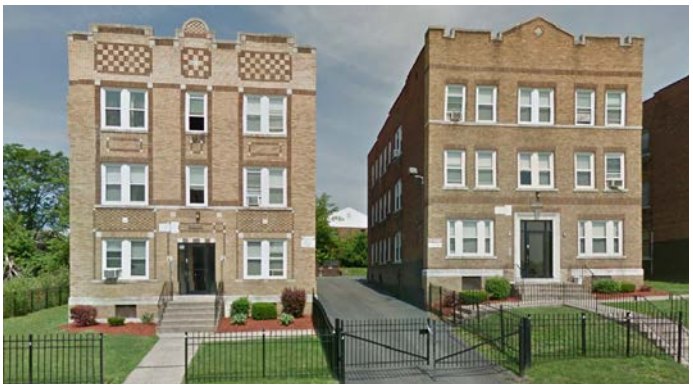
3. If 18 feet or more in height, ground story shall count as 2 stories towards maximum building height.

4.11 Apartment Building Type

4.11.1 DESCRIPTION & INTENT

The Apartment Building is designed to house multiple residential units within multi-unit districts throughout the city.

The Apartment Building includes a landscaped front yard and a front primary entrance, which contributes to a pedestrian-friendly neighborhood.



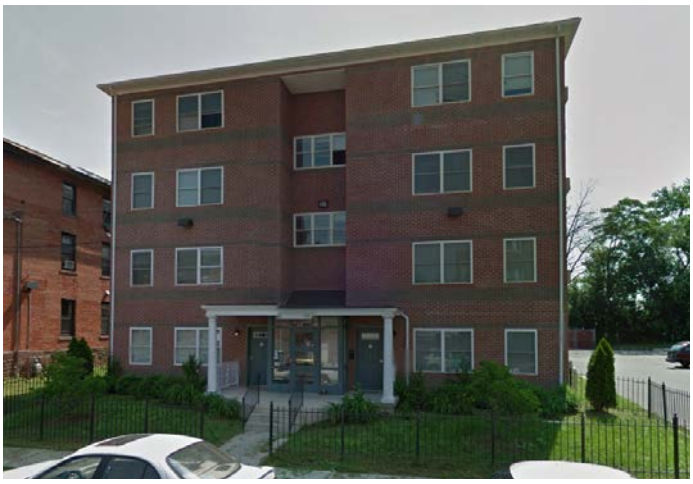


Figure 4.11-A Illustrative Examples of Apartment Buildings in Hartford

4.11.2 APARTMENT BUILDING TYPE REGULATIONS

	MS-2	MX-1	MX-2	NX-1	NX-2	NX-3
A. Building Siting. Refer to Figure 4.11-B Apartment Building: Building Siting and 4.18.1 Building Siting for explanation.						
1 **Multiple Principal Buildings**	not permitted	not permitted	permitted with 5.1 Campus Overlay	permitted with 5.1 Campus Overlay	not permitted	
2 **Minimum Front Lot Line Coverage**	80%	80%	80% NOTE 1	70%		
3 **Occupation of Corner**	required	required	required	required		
4 **Front Build-to Zone**	within 2′ of Building Line, minimum 10′ deep front yard	within 2′ of Building Line	within 5′ of Building Line	within 2′ of Building Line		
5 **Corner Build-to Zone**	within 5′ of Building Line					
6 **Minimum Side Setback**	7.5′	7.5′	10′	5′	5′	7.5′
7 **Minimum Rear Setback**	5′	5′	20′	5′	5′	5′
8 **Minimum Lot Width** **Maximum Building Width**	50′ none	50′ 70′	65′ none	50′ 70′	50′ 70′	50′ 65′
9 **Maximum Building Coverage** **Maximum Impervious Area** **Additional Semi-Pervious Area**	45% 65% 25%	45% 65% 25% NOTE 3	65% 80% 10% NOTE 3	35% NOTE 6 65% 15% NOTE 3		
10 **Parking Lot & Detached Garage Location**	rear yard	rear yard	rear yard; limited side yard NOTE 2	rear yard		
11 **Permitted Vehicular Access**	one driveway per lot off corner side or interior side yard; shared driveways encouraged.					
B. Height. Refer to Figure 4.11-C Apartment Building: Height & Use Requirements. and 4.18.2 Height for explanation.						
12 **Minimum Overall Height**	3 stories	3 stories	3 stories	3 stories		
13 **Maximum Overall Height**	5.5 stories	5.5 stories	6 stories	4 stories		

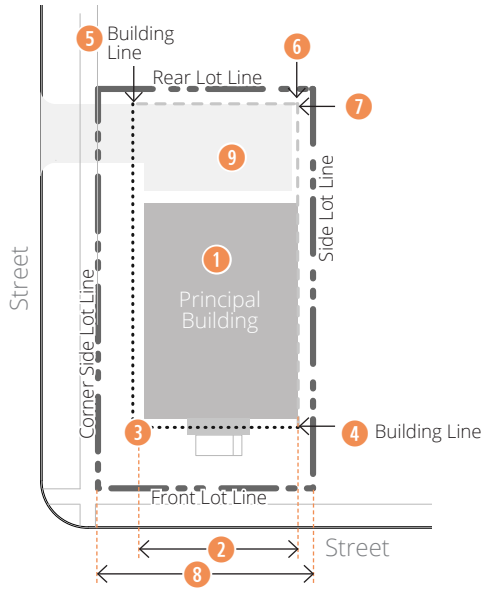


Figure 4.11-B Apartment Building: Building Siting

	MS-2	MX-1	MX-2	NX-1	NX-2	NX-3
14 **All Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	 10′ 14′	 10′ 14′	 9′ 14′; 20′ on ground story NOTE 4	 10′ 14′		
C. Uses. Refer to Figure 4.11-C Apartment Building: Height & Use Requirements. and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.						
15 **Ground Story**	residential & lodging uses permitted by district; maximum number of units per building defined by district NOTE 5					
16 **Upper Stories**	residential & lodging uses permitted by district; maximum number of units per building defined by district					
17 **Parking within Building**	permitted fully in any basement and in rear of upper floors					
18 **Entrance to Parking in Building**	rear facade	rear facade	rear or interior side facade	rear facade		
19 **Required Occupied Space**	minimum 30′ deep on all full floors from the front facade					
D. Street Facade Requirements. Refer to Figure 4.11-D Apartment Building: Facade Requirements. and 4.18.4 Street Facade Requirements for explanation.						
20 **Minimum Transparency per each Story**	15% NOTE 5	15%	20%	15%	15%	15%
21 **Blank Wall Limitations**	required per floor on all stories of street facing facades (refer to 4.18.4.B. for requirements)					
22 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	stoop, porch					
23 **Principal Entrance Location**	front facade; no exterior stairs permitted on the front facade					
24 **Required Number of Street Entrances**	minimum one, maximum of 2 per building; no exterior stairs permitted on any street or side facade					
25 **Ground Story Vertical Facade Divisions**	none required	none required	every 90′ of facade width	none required		
26 **Horizontal Facade Divisions**	required within 3′ of the top of the ground story, and every fifth floor above the first floor					
27 **Permitted Roof Types** refer to 4.19.2 Roof Types	parapet, pitched, flat; tower			parapet, pitched, flat		parapet

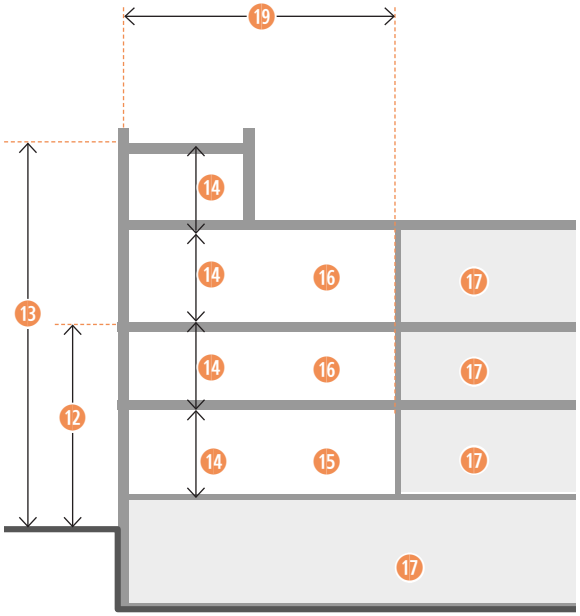


Figure 4.11-C Apartment Building: Height & Use Requirements.

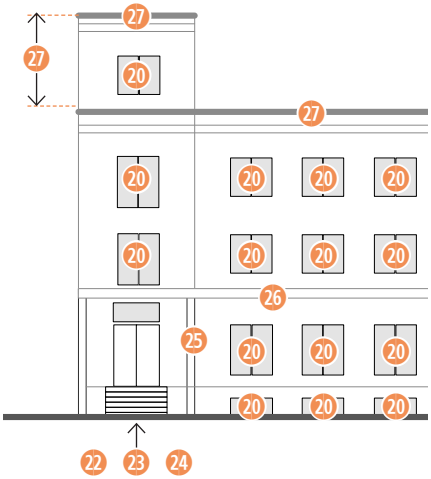


Figure 4.11-D Apartment Building: Facade Requirements.

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. A landscaped court covering up to 35 percent of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement, provided that a fence and landscaping fulfilling the requirements of 6.8 Frontage Buffer is provided along the building line. Refer to 4.2.5 Courtyards. Court facades shall fulfill 4.11.2.D. Street Facade Requirements.

2. Where noted, lots wider than 140' are permitted one double-loaded aisle of parking (maximum width of 65'), located perpendicular to street, which is exempt from Front Lot Line Coverage calculation.

3. Maximum impervious and semi-pervious area in any front yard (refer to 1.6) is 25 percent.

4. If 18 feet or more in height, ground story should count as 2 stories towards maximum building height.

5. In the MS-2 district, buildings located on street corners, may incorporate the following:

a. Uses. Up to 25 percent of the ground story on the corner of the building may be used for permitted retail and service uses.

b. Entrance Type. The storefront entrance type is required for retail or service uses, and may be used on up to 30 percent of any street facing facade.

c. Ground Story Transparency. On the storefront entrance type, a minimum of 50 percent ground story transparency is required.

6. In the NX-1 district, on a lot located on a block that is adjacent to a block not containing any lot zoned to any N district, the maximum building coverage may be 45%. The preceding sentence is intended to allow for greater building coverage where the NX-1 lot is located in a neighborhood of higher density structures.:

4.12 Stacked Flats Building Type

4.12.1 DESCRIPTION & INTENT

The Stacked Flats Building is a narrow, smaller-scale multi-unit building with multiple residential units off of an internal stairway. The units are typically horizontal, stacked on top of each other with one unit per floor.

Historically, the Stacked Flats Building has been either a 3 story wood clad building with one floor located under a gambrel roof, or a "Triple Decker," 3 story, 3 flat brick building with a parapet roof and heavy cornice.

Figure 4.12-A Illustrative Examples of Stacked Flats Buildings from Hartford

4.12.2 STACKED FLATS BUILDING TYPE REGULATIONS

	MS-2 & MX-1	NX-2	NX-3	N-5
A. Building Siting. Refer to Figure 4.12-B Stacked Flats: Building Siting and 4.18.1 Building Siting for explanation.				
1 Multiple Principal Buildings	not permitted			
2 Minimum Front Lot Line Coverage	65%			
3 Occupation of Corner	required			
4 Front Build-to Zone	within 2′ of Building Line, minimum 10′ deep front yard			
5 Corner Build-to Zone	within 5′ of Building Line, minimum 10′ deep corner side yard			
6 Minimum Side Setback	7.5′			
7 Minimum Rear Setback	15′		5′	20′
8 Minimum Lot Width Maximum Building Width	40′ 35′			
9 Maximum Building Coverage Maximum Impervious Area Additional Semi-Pervious Area	35% 60% 15% NOTE 1		40% 65% 15% NOTE 1	35% 60% 15% NOTE 1
10 Parking & Detached Garage Location	rear yard			
11 Permitted Vehicular Access	one driveway per lot off corner side or interior side yard; shared driveways encouraged			
B. Height. Refer to Figure 4.12-C Stacked Flats: Height & Use Requirements and 4.18.2 Height for explanation.				
12 Minimum Overall Height	2 stories			
13 Maximum Overall Height	3 stories			
14 All Stories: (Measured floor-to-floor) Minimum Height Maximum Height	 9′ 12′			

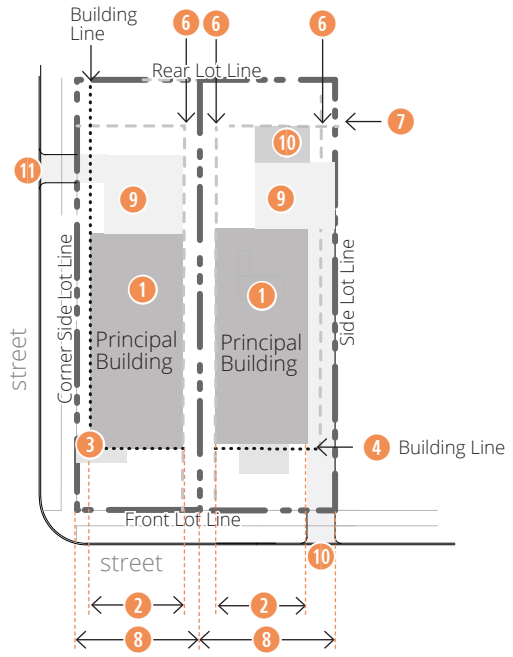


Figure 4.12-B Stacked Flats: Building Siting

	MS-2 & MX-1	NX-2	NX-3	N-5
C. Uses. Refer to Figure 4.12-C Stacked Flats: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.				
15 All Stories	residential, lodging, & office uses permitted by district; maximum number of units per building defined by district	residential & lodging uses permitted by district; maximum number of units per building defined by district		
16 Parking within Building	not permitted			
17 Required Occupied Space	minimum 30′ deep on all full floors from the front facade			
D. Street Facade Requirements. Refer to Figure 4.12-D Stacked Flats: Facade Requirements and 4.18.4 Street Facade Requirements for explanation.				
18 Minimum Transparency per each Story	15%			
19 Blank Wall Limitations	required per floor on all stories of street facing facades (refer to 4.18.4.B. for requirements)			
20 Front Facade Entrance Type refer to 4.19.1 Entrance Types	stoop, porch			
21 Principal Entrance(s) Location	front facade			
22 Required Number of Street Entrances	minimum one, maximum of 2 per building; no exterior stairs permitted on any street or side facade			
23 Ground Story Vertical Facade Divisions	none required			
24 Horizontal Facade Divisions	none required			
25 Permitted Roof Types refer to 4.19.2 Roof Types	pitched, parapet, flat			parapet, flat
26 Special Materials Requirements (refer to 4.2.1 Materials for general materials requirements)	none	none	none	primary building material shall be brick

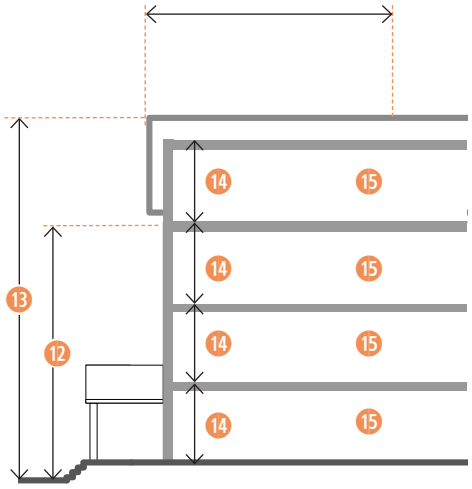


Figure 4.12-C Stacked Flats: Height & Use Requirements

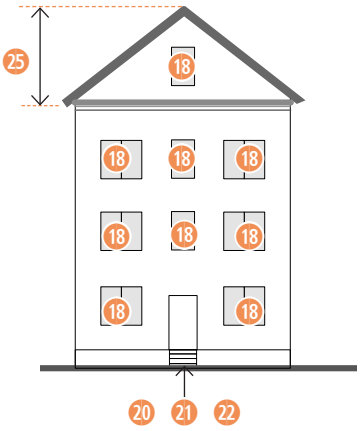


Figure 4.12-D Stacked Flats: Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. Maximum impervious and semi-pervious area in any front yard (refer to 1.6) is 25 percent.

4.13 Row Building Type

4.13.1 DESCRIPTION & INTENT

The Row Building is a building typically comprised of multiple vertical units, each with its own entrance to the street. This building type may be organized as townhouses or rowhouses, or can be utilized for live/work units when non-residential uses are permitted.

Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garage accessed from the rear of the building. However, when the garage is located within the building, a minimum level of occupied space is required on the front facade to ensure that the street facade is active.

Figure 4.13-A Illustrative Examples of Row Buildings from Hartford

4.13.2 ROW BUILDING TYPE REGULATIONS

	MX-1	MX-2	NX-1	NX-2	N-5
A. Building Siting. Refer to Figure 4.13-B Row Building: Building Siting and 4.18.1 Building Siting for explanation.					
1 Multiple Principal Buildings NOTE 1	not permitted	permitted NOTE 2	permitted NOTE 2	permitted NOTE 2	not permitted
2 Minimum Front Lot Line Coverage	90%	90%	80%	80%	85%
3 Occupation of Corner	required	required	required	required	required
4 Front Build-to Zone	within 2′ of Building Line	within 2′ of Building Line NOTE 2	within 2′ of Building Line NOTE 2	within 2′ of Building Line NOTE 2	within 2′ of Building Line
5 Corner Build-to Zone	within 2′ of Building Line	within 2′ of Building Line	within 2′ of Building Line	within 2′ of Building Line	within 2′ of Building Line
6 Building Minimum Side Setback NOTE 4 Minimum Space between Buildings	5′ n/a	5′ 12′	7.5′ 15′	7.5′ 15′	7.5′ n/a
7 Minimum Rear Setback	10′; 5′ on alleys				20′
8 Minimum Lot Width Maximum Building Width	none no limitation	none no limitation	none 4 units; 90′	none 6 units; 140′	none no limitation
9 Maximum Building Coverage Maximum Impervious Area Additional Semi-Pervious Area	60% 70% 20% NOTE 3	70% 80% 15% NOTE 3	55% 65% 15% NOTE 3	55% 65% 15% NOTE 3	50% 60% 15% NOTE 3
10 Parking & Detached Garage Location	rear yard	rear yard	rear yard	rear yard	rear yard
11 Permitted Vehicular Access	one driveway per lot off corner side or interior side yard; shared driveways encouraged				
B. Height. Refer to Figure 4.13-C Row Height & Use Requirements and 4.18.2 Height for explanation.					
12 Minimum Overall Height	2 stories	2 stories	2 stories	2 stories	2 stories
13 Maximum Overall Height	4 stories	4.5 stories	3.5 stories	3.5 stories	2.5 stories

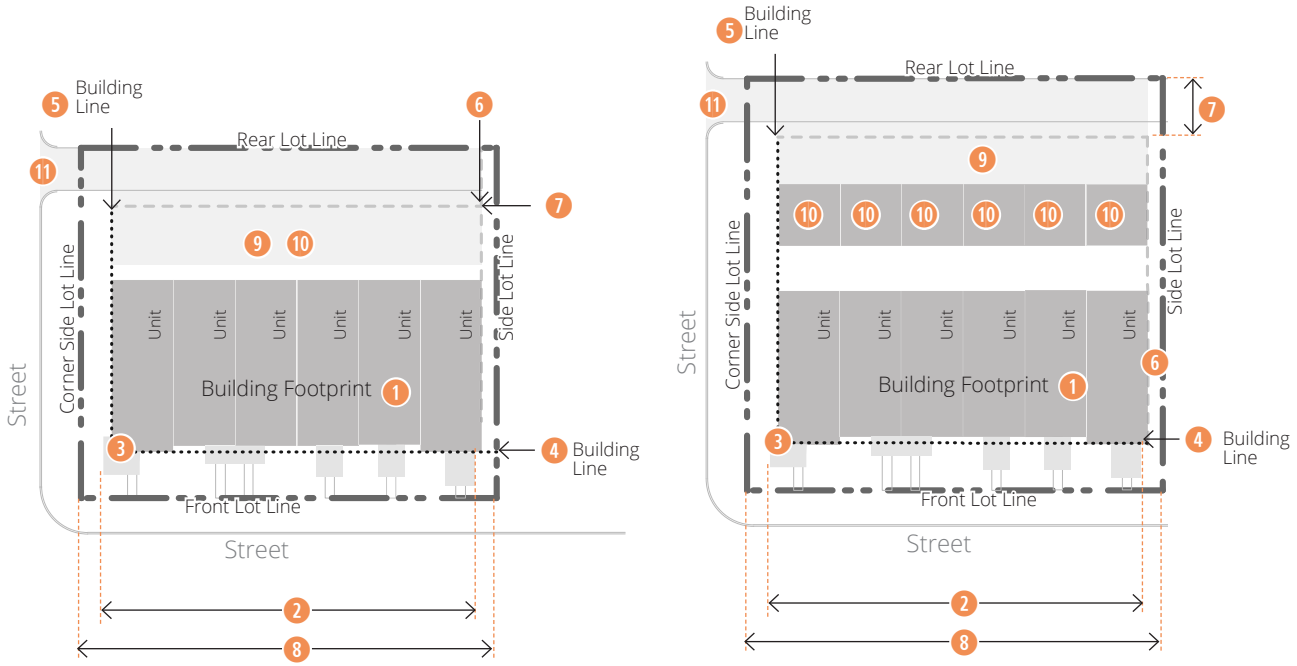


Figure 4.13-B Row Building: Building Siting

	MX-1	MX-2	NX-1	NX-2	N-5
14 **All Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	 9′ 14′	 9′ 14′	 9′ 12′	 9′ 12′	 9′ 12′
C. Uses. Refer to Figure 4.13-C Row Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.					
15 **Ground Story**	any use permitted in the district		residential & lodging uses permitted by district; maximum number of units per building defined by district		
16 **Upper Stories**	residential & lodging uses, office uses				
17 **Parking within Building**	permitted fully in any basement and in rear of ground floor				
18 **Entrance to Parking in Building**	rear facade or interior side facade				
19 **Required Occupied Space**	minimum 30′ deep on all full floors from the front facade				
D. Street Facade Requirements. Refer to Figure 4.13-D Row Building: Facade Requirements and 4.18.4 Street Facade Requirements for explanation.					
20 **Minimum Transparency per each Story**	15%	15%	12%	12%	12%
21 **Blank Wall Limitations**	required per floor on all stories of street facing facades (refer to 4.18.4.B. for requirements)				
22 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	stoop, porch				
23 **Principal Entrance Location per Unit** NOTE 2	front facade				
24 **Required Number of Street Entrances** NOTE 2	minimum one per unit				
25 **Ground Story Vertical Facade Divisions**	none required				
26 **Horizontal Facade Divisions**	none required				
27 **Permitted Roof Types** refer to 4.19.2 Roof Types	parapet, pitched, flat; tower	parapet, flat; tower	parapet, pitched, flat	parapet, pitched, flat	pitched

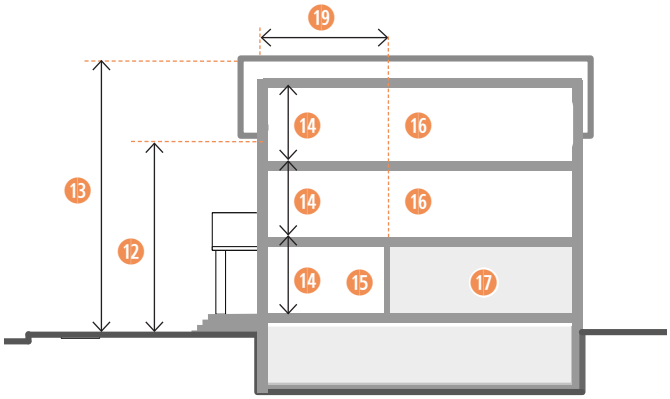


Figure 4.13-C Row Height & Use Requirements

Figure 4.13-D Row Building: Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. For the purposes of the Row Building, a building consists of a series of units. When permitted, multiple buildings may be located on a lot with the minimum required space between them. However, each building shall fulfill all requirements of the Building Type unless otherwise noted.

2. Where multiple buildings are permitted, each building shall fulfill the Front Lot Line Coverage requirement except one of every 2 units may front a courtyard. Refer to 4.2.5 Courtyards for requirements.

- **a.** Entrances to units on courtyard may be off the courtyard.
- **b.** Facades on courtyard shall fulfill the Street Facade Requirements.

3. Maximum impervious and semi-pervious area in any front yard (refer to 1.6) is 25 percent.

4. The building minimum side setback and the minimum space between buildings shall be zero feet where a Row Building occupies the full length of the front lot line and neighboring lots are, or are reasonably anticipated to be, the Row Building type.

4.14 House A Building Type

4.14.1 DESCRIPTION & INTENT

The House A Building is a large, wide residential building on an oversized lot, which can also potentially accommodate non-residential uses.

The House A Building is set back from the front and corner side lot lines to allow for large landscaped yards.

This type includes a range of larger lots, wider than the House B Building Type, and includes several historic homes that have been converted to offices and museums.

Figure 4.14-A Illustrative Examples of House A Buildings from Hartford

4.14.2 HOUSE A BUILDING TYPE REGULATIONS

	MX-1	MX-2	N-1
A. Building Siting. Refer to Figure 4.14-B House A: Building Siting and 4.18.1 Building Siting for explanation.			
1 **Multiple Principal Buildings**	not permitted	permitted with 5.1 Campus Overlay	not permitted
2 **Minimum Front Lot Line Coverage**	50% NOTE 1	50% NOTE 1	not applicable
3 **Occupation of Corner**	required	required	not applicable
4 **Front Build-to Zone**	within 10′ of Building Line	within 20′ of Building Line	Building Line is minimum setback line
5 **Corner Build-to Zone**	within 5′ of Building Line	within 15′ of Building Line	Building Line is minimum setback line
6 **Minimum Side Setback**	10′	15′	10′
7 **Minimum Rear Setback**	15′	20′	30′
8 **Minimum Lot Width** **Maximum Building Width**	80′ 70′	80′ 100′	80′ none
9 **Maximum Building Coverage** **Maximum Impervious Area** **Additional Semi-Pervious Area**	35% 70% 15% NOTE 2	35% 70% 15% NOTE 2	30% 40% 10% NOTE 2
10 **Parking & Detached Garage Location**	rear and/or limited side yard NOTE 3		rear yard; side yard
11 **Permitted Vehicular Access**	one driveway per lot; circular drop-off drive permitted per 4.1.2.I.(4)		

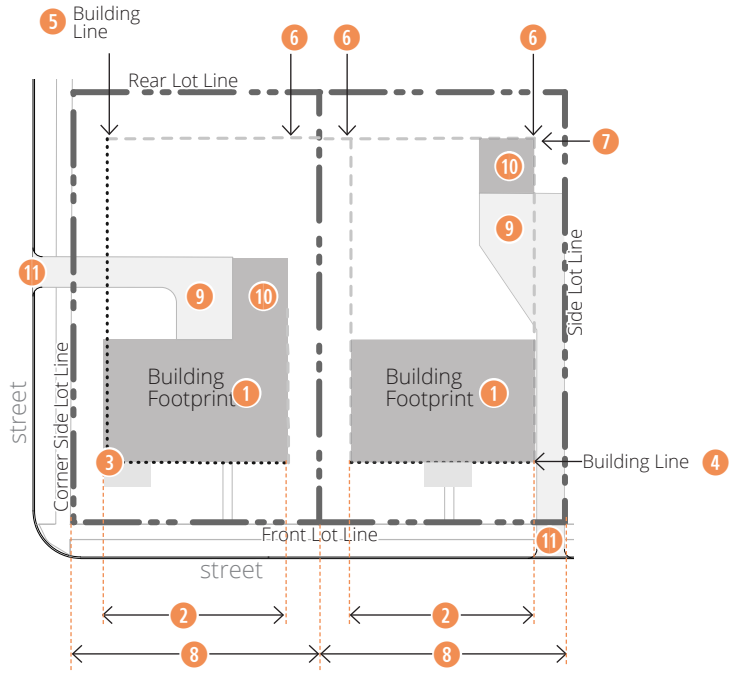


Figure 4.14-B House A: Building Siting

	MX-1	MX-2	N-1
B. Height. Refer to Figure 4.14-C House A: Height & Uses Requirements and 4.18.2 Height for explanation			
12 **Minimum Overall Height**	2 stories	2 stories	2 stories
13 **Maximum Overall Height**	3 stories	3.5 stories	3.5 stories
14 **All Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	 9' 14'	 9' 14'	 9' 14'
C. Uses. Refer to Figure 4.14-C House A: Height & Uses Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.			
15 **All Stories**	any permitted use		residential uses; number of units per district
16 **Parking within Building**	permitted fully in any basement and in rear of all floors		
17 **Entrance to Parking within Building**	rear facade	rear facade, interior side facade	rear facade, interior side facade, limited on front facade NOTE 4
18 **Required Occupied Space**	minimum 30' deep on all full floors from the front facade, where there is parking within the building		
D. Street Facade Requirements. Refer to Figure 4.14-D House A: Facade Requirements and 4.18.4 Street Facade Requirements for explanation.			
19 **Minimum Transparency per each Story**	12%	12%	12%
20 **Blank Wall Limitations**	required per floor on all stories of street facing facades (refer to 4.18.4.B. for requirements		
21 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	stoop, porch		
22 **Principal Entrance Location**	front facade		front facade; on parcels over 110' in width, any facade
23 **Required Number of Street Entrances**	minimum one per building		one; on parcels over 110' in width, no requirement
24 **Ground Story Vertical Facade Divisions**	not required		
25 **Horizontal Facade Divisions**	not required		
26 **Permitted Roof Types** refer to 4.19.2 Roof Types	pitched; tower	pitched; tower	pitched; tower

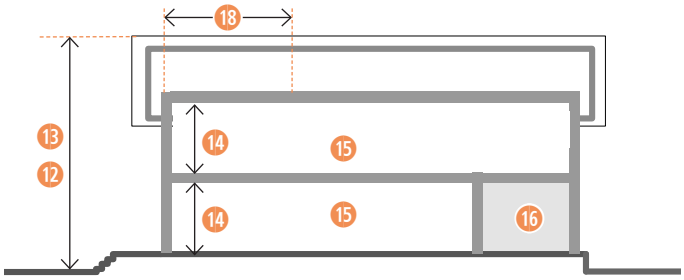


Figure 4.14-C House A: Height & Uses Requirements

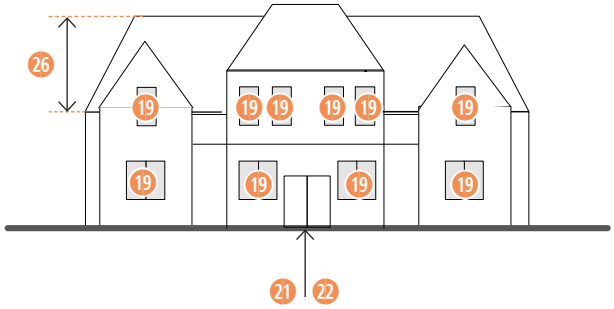


Figure 4.14-D House A: Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. A landscaped court covering up to 35 percent of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement. Refer to 4.2.5 Courtyards. Courtyard facades shall fulfill 4.14.2.D. Street Facade Requirements.

2. Maximum impervious and semi-pervious area in any front yard (refer to 1.6) is 25 percent.

3. In districts where noted, the following limited side yard parking is permitted:

- **a.** In MX-1, lots wider than 150 feet are permitted one single-loaded aisle of parking (maximum width of 45 feet), located perpendicular to the street.
- **b.** In MX-2, lots wider than 150 feet are permitted one double-loaded aisle of parking (maximum width of 62 feet), located perpendicular to the street.

4. In districts where noted, lots wider than 110 feet are permitted garage entrances off front facade.

4.15 House B Building Type

4.15.1 DESCRIPTION & INTENT

The House B Building is the most common building in Hartford, making up a significant number of the residential buildings in neighborhoods throughout the city. It can house 1 to 4 housing units and typically has a porch or stoop entry.

Existing House B buildings are most commonly 2.5 stories and have a pitched roof.

Lot characteristics include a front yard and back yard, and usually a driveway accessed from the street that leads to a detached garage in the rear yard.

Figure 4.15-A Illustrative Examples of House B Buildings from Hartford

4.15.2 HOUSE B BUILDING TYPE REGULATIONS

	MX-1	N-2	N-3	N-5	NX-1	NX-2
A. Building Siting. Refer to Figure 4.15-B House B Building: Siting and 4.18.1 Building Siting for explanation.						
1 Multiple Principal Buildings	not permitted NOTE 1					
2 Minimum Front Lot Line Coverage	75%					
3 Occupation of Corner	required					
4 Front Build-to Zone	within 2′ of Building Line NOTE 2					
5 Corner Build-to Zone	within 2′ of Building Line					
6 Minimum Side Setback	5′	7.5′				
7 Minimum Rear Setback	5′	5′				
8 Minimum Lot Width Maximum Building Width	30′ 65′	30′ 45′			30′ 65′	30′ 65′
9 Maximum Building Coverage Maximum Impervious Area Additional Semi-Pervious Area	45% 75% 15% NOTE 3	45% 65% 15% NOTE 3				52% 65% 15% NOTE 3
10 Parking & Detached Garage Location	rear yard					
11 Permitted Vehicular Access	one driveway per lot					
B. Height. Refer to Figure 4.15-C House B Building: Height & Use Requirements and 4.18.2 Height for explanation.						
12 Minimum Overall Height	2 stories					
13 Maximum Overall Height	3 stories					
14 All Stories: (Measured floor-to-floor) Minimum Height Maximum Height	 9′ 12′					

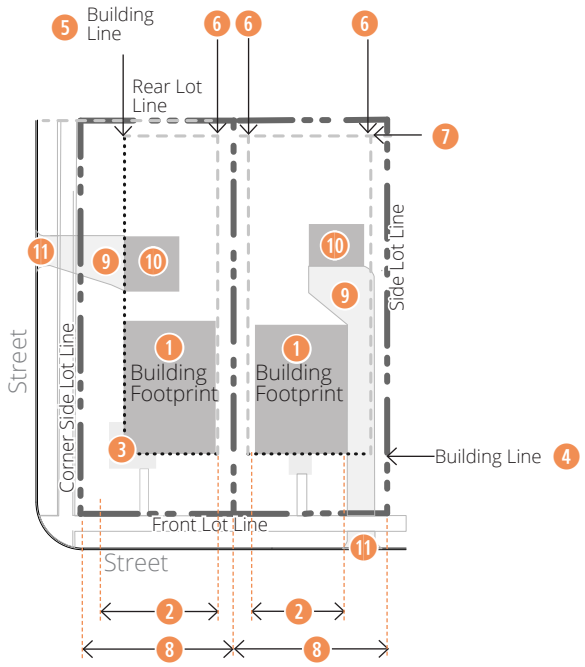


Figure 4.15-B House B Building: Siting

	MX-1	N-2	N-3	N-5	NX-1	NX-2
C. Uses. Refer to Figure 4.15-C House B Building: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.						
15 **All Stories**	any use permitted by district	residential & lodging uses as permitted; number of units permitted by district				
16 **Parking within Building/Attached Garage**	permitted fully in basement and rear of all floors	permitted in rear of building only				
17 **Entrance to Parking within Building**	rear facade	rear facade				
18 **Required Occupied Space**	minimum 30' deep on all full floors from the front facade, where there is parking within the building					
D. Street Facade Requirements. Refer to Figure 4.15-D House B Building: Facade Requirements and 4.18.4 Street Facade Requirements for explanation.						
19 **Minimum Transparency per each Story**	15%					
20 **Blank Wall Limitations**	required per floor on all stories of street facing facades (refer to 4.18.4.B. for requirements)					
21 **Front Facade Entrance Type** refer to 4.19.1 Entrance Types	stoop; porch					
22 **Principal Entrance Location**	front facade					
23 **Required Number of Street Entrances**	minimum one, maximum of 2 per building; stairs shall be located on the interior					
24 **Ground Story Vertical Facade Divisions**	not required					
25 **Horizontal Facade Divisions**	not required					
26 **Permitted Roof Types** refer to 4.19.2 Roof Types	pitched					

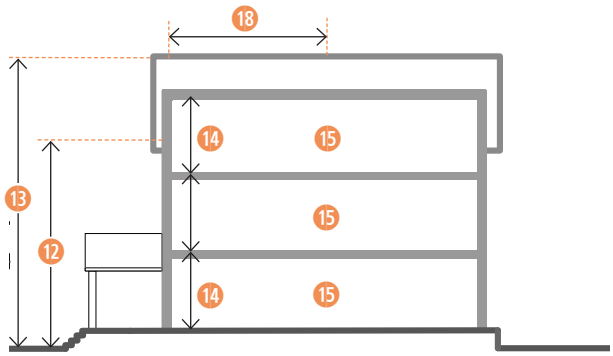


Figure 4.15-C House B Building: Height & Use Requirements

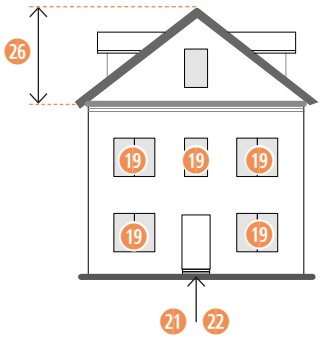


Figure 4.15-D House B Building: Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. When noted by district and multiple houses are planned for the development, for every House B fronting the street located in the build-to zone, up to 3 units may front a courtyard with a minimum width of 30 feet per the following:

- **a.** The courtyard shall be defined on three sides by units and open to the street. Refer to 4.2.5 Courtyards.
- **b.** Refer to Figure 4.15-E. Alternative Layout: Type B House Court for one example of multiple House B Building Types on a development site.
- **c.** Houses on courtyard shall align with the House B buildings on the street.
- **d.** Side and rear setbacks shall apply between buildings for each building. For example, with a 5' side setback, 10' is required between buildings.
- **e.** Street Facade Requirements shall apply to courtyard facades.
- **f.** Use of this courtyard layout requires a special permit approval per 1.3.4. All Building Siting requirements may be varied

2. When approved through a special permit, a 0' side yard setback may be permitted on one side of a lot, allowing for no more than 2 units side-by-side, each unit on their own lot.

3. Maximum impervious and semi-pervious area in any front yard (refer to 1.6) is 25 percent.

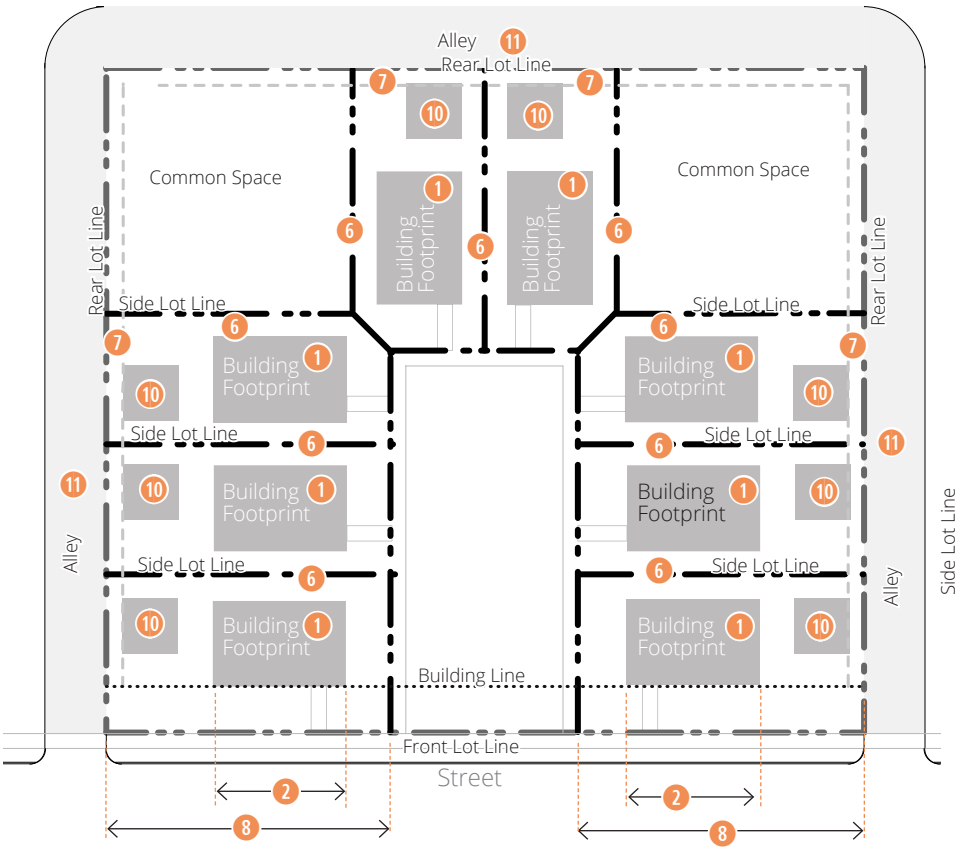


Figure 4.15-E. Alternative Layout: Type B House Court

4.16 House C Building Type

4.16.1 DESCRIPTION & INTENT

The House C Building is a smaller footprint, low-scale residential building type typically housing only one dwelling unit. When 2-unit dwellings are accommodated, the structure typically consists of 2 attached House C buildings on one lot sharing a common wall.

Lot characteristics include a front yard and back yard, and usually a driveway accessed from the street that often leads to a detached garage in the rear yard.

Figure 4.16-A Illustrative Examples of House C Buildings from Hartford

4.16.2 HOUSE C BUILDING TYPE REGULATIONS

	N-3	N-4
A. Building Siting. Refer to Figure 4.16-B House C Building: Building Siting and 4.18.1 Building Siting for explanation.		
1	**Multiple Principal Buildings**	not permitted NOTE 1
2	**Minimum Front Lot Line Coverage**	65%
3	**Occupation of Corner**	required
4	**Front Build-to Zone**	within 2′ of Building Line
5	**Corner Build-to Zone**	within 2′ of Building Line
6	**Minimum Side Setback**	7.5′ NOTE 2
7	**Minimum Rear Setback**	30′
8	**Minimum Lot Width** **Maximum Building Width**	40′ 45′ without attached garage; 60′ with attached garage
9	**Maximum Building Coverage** **Maximum Impervious Area** **Additional Semi-Pervious Area**	25% 50% 10% NOTE 3
10	**Parking/Detached Garage Location**	rear yard
11	**Permitted Vehicular Access**	one driveway per lot
B. Height. Refer to Figure 4.16-C House C Building: Height & Use Requirements and 4.18.2 Height for explanation.		
12	**Minimum Overall Height**	1 stories
13	**Maximum Overall Height**	2 stories

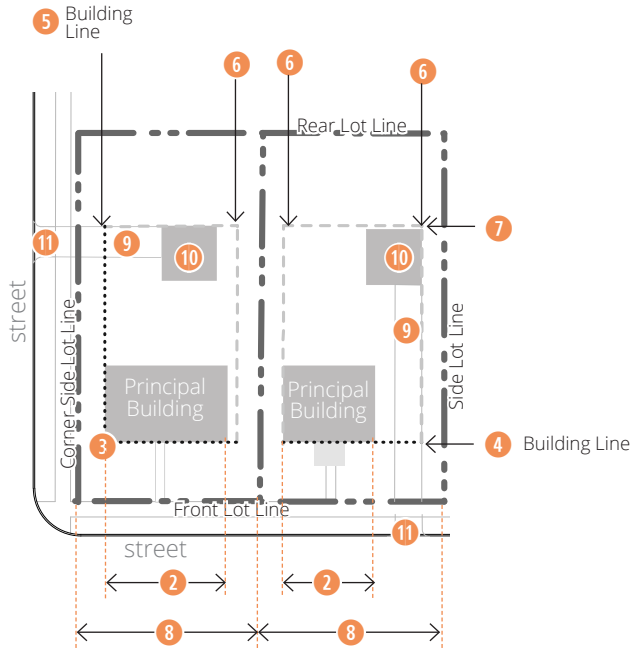


Figure 4.16-B House C Building: Building Siting

	N-3	N-4
14	**All Stories:** (Measured floor-to-floor) Minimum Height Maximum Height	 8' 10'
C. Uses. Refer to Figure 4.16-C House C Building: Height & Use Requirements and 4.18.3 Uses for explanation. Refer to 3.0 for permitted uses.		
15	**All Stories**	residential & lodging permitted by district; number of units permitted by district
16	**Attached Garage**	one single car attached garage is permitted on the front facade; an attached garage is permitted on the corner side, interior side, or rear facade.
D. Street Facade Requirements. Refer to Figure 4.16-D House C Building: Facade Requirements and 4.18.4 Street Facade Requirements for explanation.		
17	**Minimum Transparency per each Story**	10%
18	**Blank Wall Limitations**	required per floor on all stories of street facing facades (refer to 4.18.4.B. for requirements)
19	**Front Facade Entrance Type** refer to 4.19.1 Entrance Types	porch, stoop
20	**Principal Entrance Location**	front or corner side facade
21	**Required Number of Street Entrances**	minimum one per building
22	**Ground Story Vertical Facade Divisions**	not required
23	**Horizontal Facade Divisions**	not required
24	**Permitted Roof Types** refer to 4.19.2 Roof Types	pitched

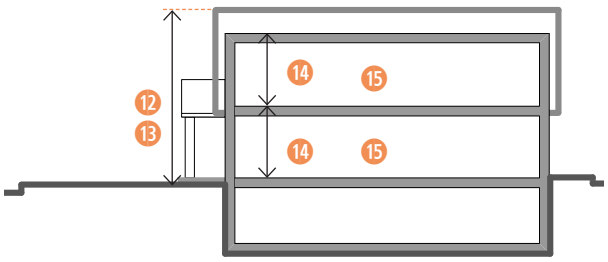


Figure 4.16-C House C Building: Height & Use Requirements

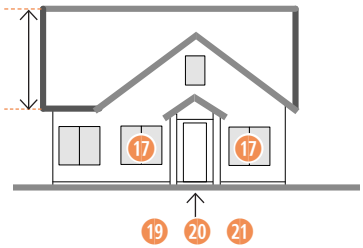


Figure 4.16-D House C Building: Facade Requirements

E. Notes. The following notes are keyed to the requirements in the building type table, A through D:

1. When noted by district and multiple houses are planned for the development, for every House C fronting the street located in the build-to zone, up to 3 units may front a courtyard with a minimum width of 30 feet per the following:

- **a.** The courtyard shall be defined on three sides by units and open to the street. Refer to 4.2.5 Courtyards.
- **b.** Refer to Figure 4.16-E Alternative Layout: Type C House Court for one example of multiple House C Building Types on a development site.
- **c.** Houses on courtyard shall align with the House C buildings on the street.
- **d.** Side and rear setbacks shall apply between buildings for each building. For example, with a 5' side setback, 10' is required between buildings.
- **e.** Street Facade Requirements shall apply to courtyard facades.
- **f.** Use of this courtyard layout requires a special permit approval per 1.3.4. All Building Siting requirements may be varied.

2. When approved through a special permit, a 0' side yard setback may be permitted on one side of a lot, allowing for no more than 2 units side-by-side, each unit on their own lot.

3. Maximum impervious and semi-pervious area in any front yard (refer to 1.6) is 25 percent.

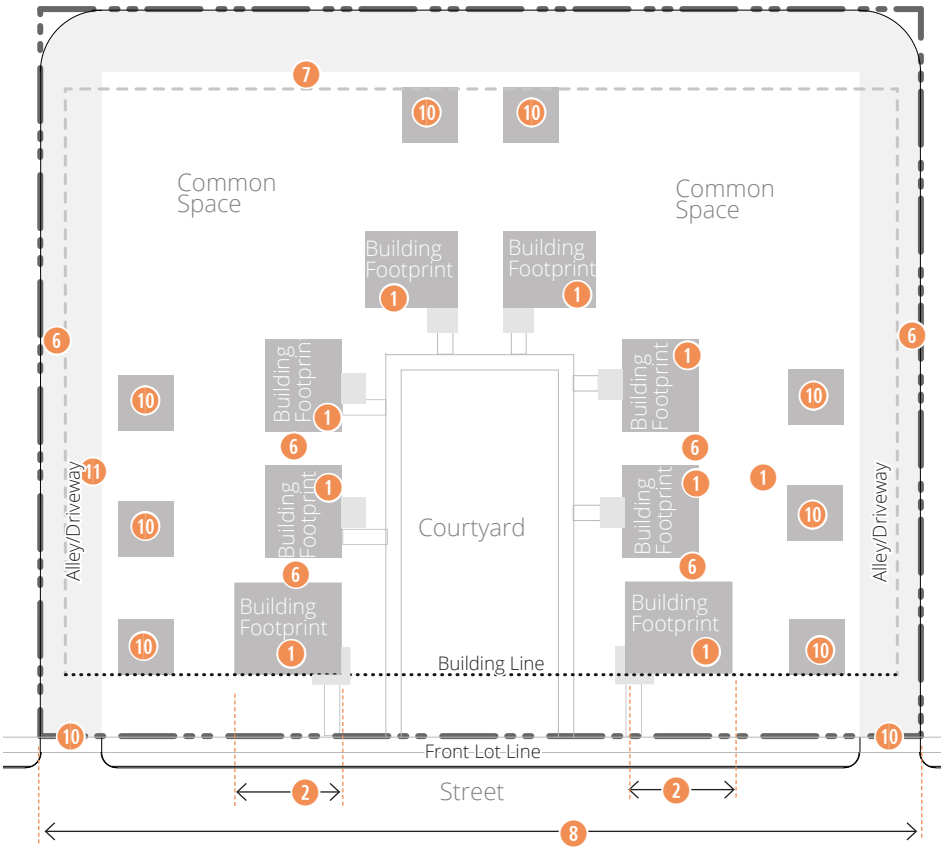


Figure 4.16-E Alternative Layout: Type C House Court

4.17 Auto-Oriented Structures

4.17.1 PARKING STRUCTURES

Parking structures as the principal use on the lot require a special use permit (refer to 3.3.8.A.) and shall meet the following requirements:

A. Materials. Major and minor material requirements shall be met on all street facades. Additional permitted secondary material is stained, finished concrete.

B. Ramps and Slopes. Ramps and slopes shall be located on non-primary street or side street facades.

C. Vertical Divisions. Vertical divisions the full height of the structure are required every 30 feet to de-emphasize the horizontal decks. Divisions shall be a minimum of 2 feet in width with a minimum projection of 2 inches.

D. Blank Wall Limitations. No rectangular area greater than 30 percent of any story's facade, as measured from floor to floor, and no horizontal segment of a story's facade greater than 15 feet in width may be solid, blank wall.

E. Entry Bay. A defined pedestrian entrance/exit is required separate from the vehicular entrance and directly accessing the sidewalk. If the space is enclosed, windows are required to meet a transparency rate of 65 percent. The entry bay shall include a roof type defined in 4.19.2 Roof Types.

F. Vehicular Entrances. Access should be located on a non-primary street, when feasible. No more than 2 access points shall be located on any one street. Refer to 7.5 Site Access & Driveways for driveway widths and additional requirements.

4.17.2 FUELING STATIONS & CAR WASHES

Vehicle Fueling Stations and Car Washes require a special use permit (refer to 3.3.5) and the structures shall meet the following requirements:

A. Fuel Pumps & Canopies. Any fuel pumps and/or canopies shall be located in the rear or interior side yard per 4.20.4.F. Accessory Structure: Fueling Pumps and Canopies.

B. Convenience Store/Building. A building, such as those typically associated with a fueling station, shall be located in the build-to zone and shall occupy any corner. The building shall fulfill all requirements of a building type permitted in the district with the exception of the Minimum Front Lot Line Coverage and the Minimum Height Requirement.

C. Car Wash Facility. Any car wash facility shall be located in the rear or side of the lot. Vehicle entrance doors may be located on the rear yard facade, corner side yard facade, or an interior facade. Vehicular entrances are prohibited on a primary street facade, unless otherwise approved through an exception.

D. Pavement. Site paving shall consist of maximum 22 feet wide driveways and lanes along parking and along pumps, and parking spaces. Car washes may include prepping and finishing pavement areas. All other areas shall be landscaped.

E. Additional Drive Entrance. One driveway entrance, in addition to the driveways permitted by building type, is permitted on the lot.

4.18 Explanation & Measurement of Regulations Specific to Building Types

The following explains and defines the regulations established in the tables for each building type. Refer to 4.3 through 4.16 Building Types.

4.18.1 BUILDING SITING

The following defines the line item requirements within subsection "A. Building Siting" in each Building Type Table. Refer to 4.3 through 4.16 Building Types.

A. Multiple Principal Buildings. The allowance of more than one principal structure on a lot.

(1) **Not Permitted.** When noted as such, the building type is limited to one principal building per lot.

(2) **Permitted.** When noted as such, the building type is permitted to have more than one principal building per lot. Each building shall fulfill the requirements of the building type, and combined shall fulfill the minimum Front Lot Line Coverage requirement, unless otherwise noted.

B. Occupation of Corner. When required, a principal building shall be located at the intersection of the front and corner build-to zones. Refer to Figure 4.18-A Build-to Zone & Occupation of Corner.

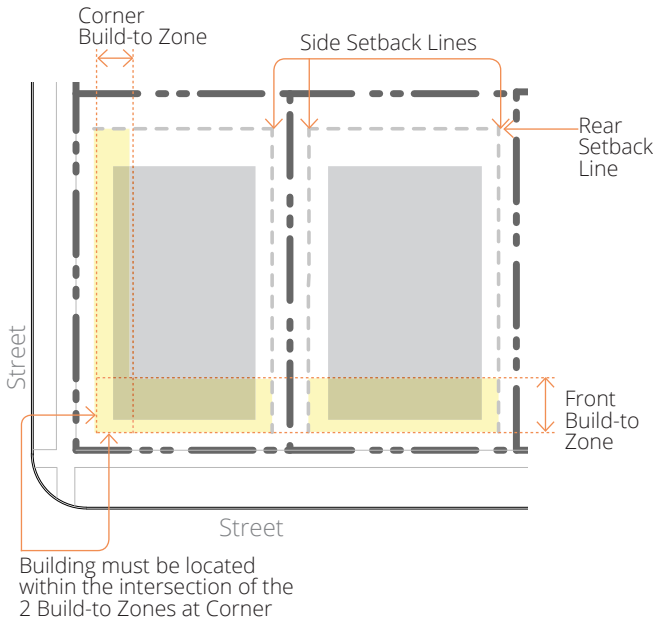


Figure 4.18-A Build-to Zone & Occupation of Corner

C. Minimum Front or Primary Lot Line Coverage. The minimum percentage of street wall or building facade required along the street.

(1) **Measurement.** The width of the principal structure(s) (as measured within the front or Primary Street build-to zone) shall be divided by the maximum width of the front or Primary Street build-to zone. Refer to Figure 4.18-B Measuring Front Lot Line Coverage.

(2) **Exceptions.** Exceptions, such as the following, are noted in the tables.

(a) Some building types have this number set to also allow the development of a courtyard along the front lot line.

(b) Some building types allow side yard parking to be exempted from the Front Lot Line Coverage calculation.

D. Front or Primary Street Build-to Zone. The build-to zone parallel to the front or Primary Street lot line, typically defined in reference to the Building Line. In the downtown districts, this build-to zone is defined by Primary Street designation, located on the city's

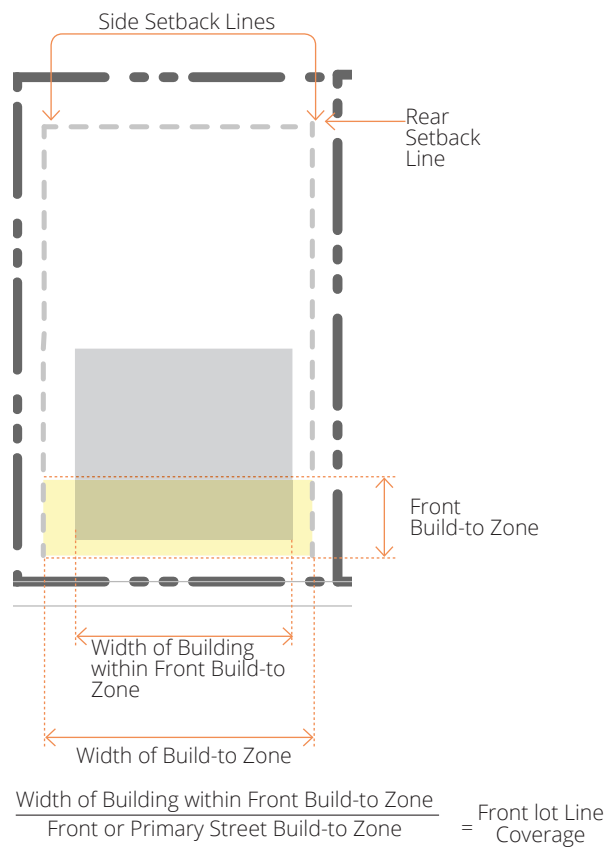


Figure 4.18-B Measuring Front Lot Line Coverage

Zoning Map. Refer to Figure 4.18-A Build-to Zone & Occupation of Corner.

(1) **Encroachments.**

(a) Building-supported awnings, canopies, balconies, eaves, and cornices are permitted to encroach beyond the building line up to 5 feet from the lot line, provided they allow a minimum of 8 feet vertical clearance in any public right-of-way. No additional support is permitted.

(b) A porch or stoop may project into the front yard for a distance not less than 6 feet and not exceeding 10 feet, or the established veranda line, whichever is more restrictive. This shall be interpreted to include porches which may be enclosed by removable windows or fixed canopies.

(2) **Determining Front Lot Line on Corner Lot.** On corner lots, the front lot line is determined first by primary street designation per 2.2.3 Primary Street Designations. If no primary street designation is determined, the front lot line shall be determined by the 2 abutting lots on each side of the lot under the direction of the zoning administrator.

E. Corner or Secondary Street Build-to Zone. The build-to zone or setback parallel to the corner lot line. In the downtown districts, this build-to zone is defined by the Secondary Street designation, located on the city's Zoning Map.

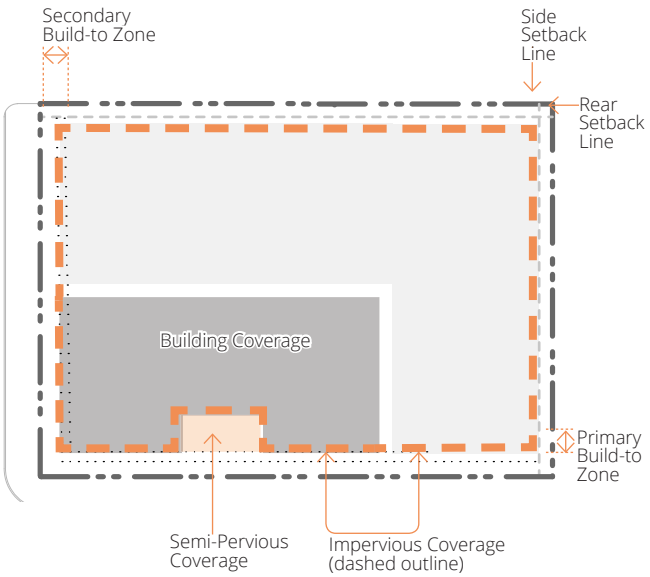


Figure 4.18-C Maximum Impervious & Additional Semi-Pervious Coverage

(1) **Encroachments.** Building-supported awnings, canopies, balconies, bays, eaves, and cornices are permitted to encroach provided they allow a minimum of 8 feet vertical clearance in any public right-of-way. No additional support is permitted.

F. Minimum Side Setback. The minimum required building setback along a side lot line.

(1) **Encroachments.** Building-supported awnings, bays, eaves, and cornices are permitted to encroach beyond the building line up to 2 feet from the lot line. No additional support is permitted.

G. Minimum Rear Setback. The minimum required building setback along a rear lot line.

H. Minimum Lot Width. The minimum width of a lot, measured at the front or Primary Street lot line.

I. Maximum Building Width. The maximum width of the building measured parallel to the front or Primary Street lot line.

J. Maximum Building Coverage. The maximum percentage of a lot permitted to be covered by principal structures and accessory structures.

K. Maximum Impervious Area. The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces. Refer to Figure 4.18-C Maximum Impervious & Additional Semi-Pervious Coverage.

L. Additional Semi-Pervious Area. The additional percentage of a lot beyond the maximum impervious

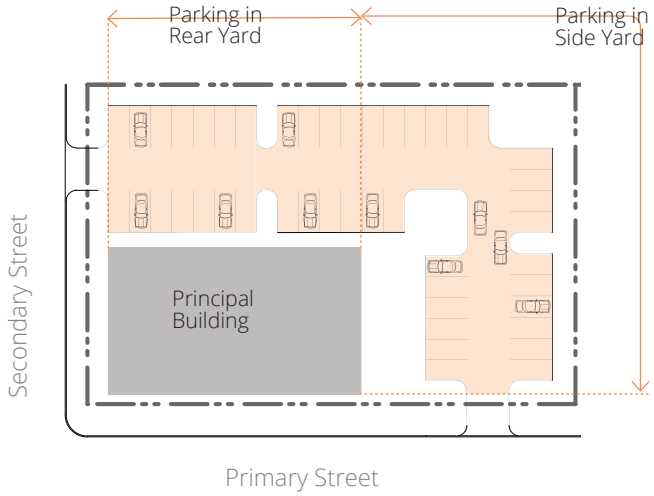


Figure 4.18-D Surface Parking Lot

coverage, which may be covered in a semi-pervious surface, including a green roof or pavers. Refer to 1.6 Definitions for definition of a semi-pervious surface. Refer to Figure 4.18-C Maximum Impervious & Additional Semi-Pervious Coverage.

M. Permitted Parking & Loading Location. Each building type defines yards where surface parking lots and accessory parking structures are permitted. Refer to 1.6 for yard definition and Figure 4.18-D Surface Parking Lot.

(1) **Corner Side & Front Yards.** Parking is not permitted in any corner side or front yard.

(2) **Rear Yard.** Parking is permitted in the rear yard, but may not encroach into the minimum rear and side setback areas. Refer to 6.0 Sitework & Landscape for buffers and parking lot landscape requirements.

(3) **Side Yard.** Parking may be either permitted or limited in the side yard, but may not encroach into the minimum side setback areas.

(4) **Loading Location.** Loading, refuse and recycling collection is defined per permitted yard, typically the rear yard. Refer to 1.6 for yard definition. Refer to 6.12 Screening of Necessary Appurtenances.

N. Permitted Vehicular Access. The permitted means of vehicular ingress and egress to the lot. Refer to 4.1.2.I. for general vehicular access design requirements and 7.5 Site Access & Driveways.

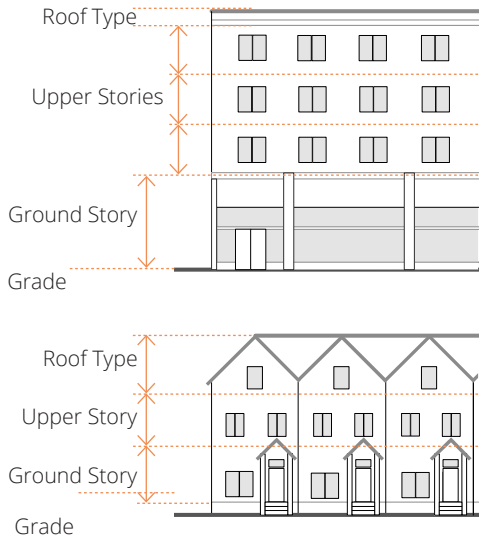


Figure 4.18-E Measuring Height

4.18.2 HEIGHT

The following explains the line item requirements for each Building Type Table within subsection "B. Height." Refer to 4.3 through 4.16 Building Types.

A. Minimum Overall Height. The minimum overall height for the building shall be located within the build-to zone; stories above the required minimum height may be required to be stepped back from the facade.

B. Maximum Overall Height. The sum of a building's maximum total number of stories.

(1) Half stories are located either completely within the roof structure with street-facing windows or in a visible basement exposed a maximum of one half story above grade.

(2) A building incorporating both a half story within the roof and a visible basement shall count the height of the 2 half stories as one full story.

(3) Some building types require a building facade to step back as its height increases. If required, the upper stories of any building facade with street frontage shall be set back a designated amount beyond the building facade of the lower stories.

(4) **Exceptions to Maximum Height.** Accessory rooftop appurtenances permitted in 4.20 Accessory Structures, building mechanicals, skylights, chimneys and smokestacks, communication antennas permitted pursuant to 3.0 Uses, and water tanks or similar structures are permitted to extend above the maximum building height as follows.

(a) **Additional Height Limit.** No such structure may be erected to exceed by more than 15 feet the height limits of the district in which it is located.

(b) **Roof Area.** With the exception of accessory energy generation, the appurtenance extending above the maximum height shall have a total area no greater than 10 percent of the roof area of the building.

(c) **Use.** Any appurtenance extending above the maximum height shall not be used for any use other than a use incidental to the principal use of the building.

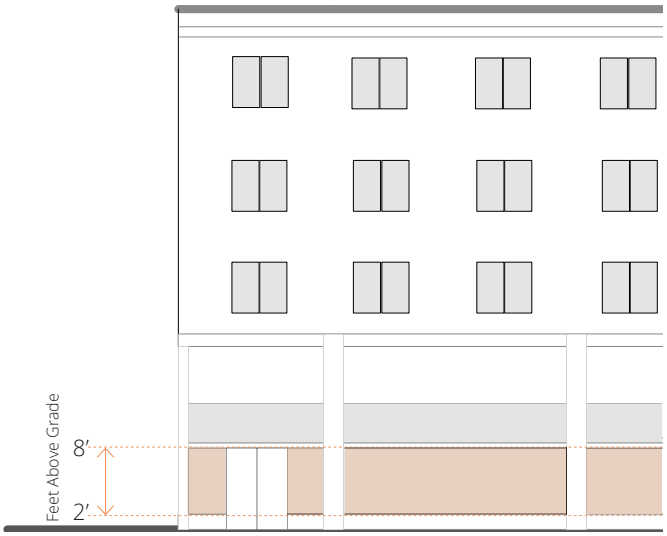
(5) **Towers.** Towers may be permitted by building type are permitted to extend above the maximum building height. Refer to 4.19.2.E. Towers.

C. Ground Story and Upper Story, Minimum and Maximum Height. (Figure 4.18-E Measuring Height.) Each building type includes a permitted range of height in feet for each story.

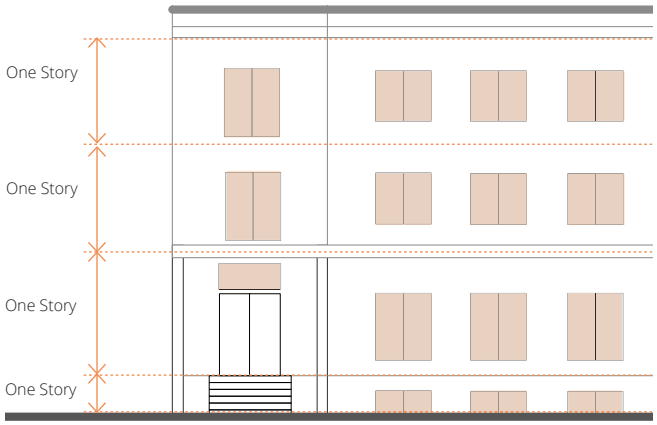
(1) Floor height is measured in feet between the floor of a story to the floor of the story above it.

(2) Floor height requirements apply only to street facing facades.

(3) For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling. One foot may be deducted from the required minimum dimension for top stories.



Measuring Ground Story Transparency



Measuring Transparency for all Stories

Figure 4.18-F Measuring Transparency

4.18.3 USES

The following explains the line item requirements for each Building Type Table within subsection "C. Uses." Refer to 3.0 Uses for uses permitted within each district. The requirements in this section of the Building Type Tables may limit those uses within a specific building type.

A. Ground and Upper Story. The uses or category of uses which may occupy the ground and/or upper story of a building. Uses permitted within the building type are permitted in the basement of the building.

B. Parking Within Building. The area(s) of a building in which parking is permitted within the structure.

C. Entrance to Parking/Loading within Building. Vehicular entrances to structured parking or service areas within the building are permitted per facade.

D. Garage Entrance/Service Bay Location. Vehicular entrances to structured parking, service areas, and/or garage service bays for vehicular maintenance are permitted per facade. These entrances and service bays shall have garage doors.

E. Required Occupied Space. The minimum depth of space, as measured from the front or Primary Street facade into the building required to be designed as occupied space or interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

4.18.4 STREET FACADE REQUIREMENTS

The following explains the line item requirements for each Building Type Table within subsection "D. Street Facade Requirements." Refer to 4.3 through 4.16 Building Types. Street Facade Requirements apply only to building facades facing a public or private street right-of-way. Where noted, courtyards opening up to a street are also required to fulfill these requirements. The rear or interior side yard facades are not required to fulfill these standards unless otherwise stated.

A. Minimum Ground Story and Upper Floor Transparency. (Refer to Figure 4.18-F Measuring Transparency.) The minimum amount of transparency required on street facades with street frontage.

(1) Ground Story Front Facade Transparency, when defined separately from the overall minimum

transparency, shall be measured between 2 feet and 8 feet from the average grade at the base of the front facade.

(2) A general minimum transparency requirement is measured from floor to floor of each story.

B. Blank Wall Limitations. A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:

(1) No rectangular area greater than 30 percent of a story's facade, as measured from floor to floor, may be windowless; and

(2) No horizontal segment of a story's facade greater than 15 feet in width may be windowless.

C. Entrance Type. The Entrance Type(s) permitted for the entrance(s) of a given building type. A mix of permitted Entrance Types may be utilized. Refer to 4.19.1 Entrance Types for definition of and additional requirements for each Entrance Type.

D. Principal Entrance Location. The facade on which the principal building entrance is to be located. Principal building entrance is the main public entrance to the majority of uses in the building.

E. Required Number of Street Entrances. The minimum number of and maximum spacing between entrances on the ground floor building facade with street frontage.

F. Ground Story Vertical Facade Divisions. The use of a vertically oriented expression line or building element to divide the ground story facade into increments no greater than the dimension shown, as measured along the base of the facade, and extending a minimum of 80 percent from the average grade of the facade elevation to the interior ceiling elevation. Elements may include a column, pilaster, or other continuous vertical ornamentation a minimum of one and a half inch depth. Refer to 1.6 for definition of expression line.

G. Horizontal Facade Divisions. The use of a horizontally oriented expression line or building element to divide portions of the facade into horizontal divisions, extending a minimum of 80 percent of the full width of the facade. Elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch depth. Refer to 1.6 for definition of expression line.

H. Permitted Roof Type. The roof type(s) permitted for a given building type. Refer to 4.19.2 Roof Types for more specific requirements.

(1) **Tower.** A vertical building extension, which is a rectilinear or cylindrical vertical element, may be permitted in conjunction with another roof type on certain building types. Refer to 4.19.2.E. Tower in Roof Types.

4.19 Entrance & Roof Types

The following entrance and roof types are permitted by building type, defined in the Building Type Table requirements, sections 4.3 through 4.16.

4.19.1 ENTRANCE TYPES

Entrance type standards apply to the ground story and visible basement of front facades of all building types as defined in this Section. Refer to the Building Type Table Requirements, sections 4.3 through 4.16.

A. General. The following provisions apply to all entrance types.

(1) **Intent.** To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each Building Type Table (refer to Building Types 4.3 through 4.16).

(2) **Applicability.** The entire ground story street-facing facade(s) of all buildings shall fulfill the requirements of at least one of the permitted entrance types, unless otherwise stated.

(3) **Measuring Transparency.** Refer to Figure 4.18-F Measuring Transparency for information on measuring building transparency.

(4) **Visible Basements.** Visible basements, permitted by entrance type, are optional. The visible basement shall be a maximum of one-half the height of the tallest story.

B. Storefront Entrance Type. (Refer to Figure 4.19-A Storefront Entrance Type.) The Storefront entrance type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses.

(1) **Transparency.** Minimum transparency is required per building type.

(2) **Elevation.** Storefront entrance threshold elevation shall be between zero and one foot above sidewalk.

(3) **Visible Basement.** A visible basement is not permitted.

(4) **Horizontal Facade Division.** Horizontally define the ground story facade from the upper stories with an expression line.

(5) **Entrance.** Entries may be recessed from the front facade closest to the street.

(a) Any recessed entrance shall be a minimum of 3 feet and a maximum of 8 feet deep, measured from the portion of the front facade closest to the street.

(b) When the recessed entrance falls behind the front build-to zone, the recess shall be no wider than 8 feet.

C. Arcade Entrance Type. (Refer to Figure 4.19-B Arcade Entrance Type.) An Arcade entrance type is a covered pedestrian walkway within the recess of a ground story.

(1) **Arcade.** An open-air public walkway is required from the face of the building recessed into the building a minimum of 8 and a maximum of 15 feet.

(2) **Build-to Zone.** When the Arcade is utilized, the outside face of the Arcade shall be considered the front facade, located within the required build-to zone.

(3) **Interior Facade.** Storefront entrance type is required on the interior ground story facade provided, however, that the requirement to recess such entrance in 4.19.1.B.(5) does not apply.

(4) **Column Spacing.** Columns shall be spaced between 10 feet and 12 feet on center.

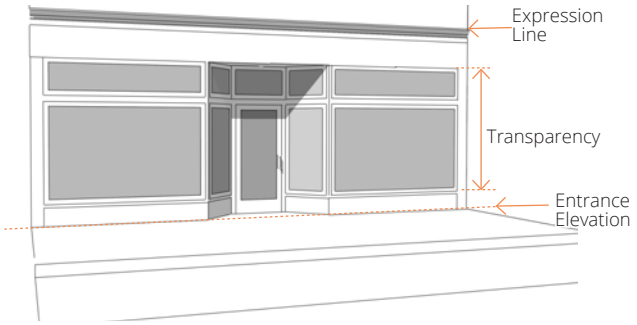


Figure 4.19-A Storefront Entrance Type

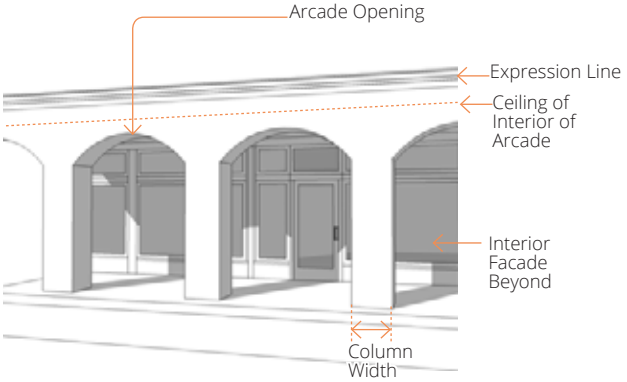


Figure 4.19-B Arcade Entrance Type

(5) **Column Width.** Columns shall be a minimum of 1′-8″ and a maximum 2′-4″ in width.

(6) **Arcade Opening.** Opening shall not be flush with interior arcade ceiling and may be arched or straight.

(7) **Horizontal Facade Division.** Horizontally define the ground story facade from the upper stories with an expression line.

(8) **Visible Basement.** A visible basement is not permitted.

D. Stoop Entrance Type. (Refer to Figure 4.19-C Stoop Entrance Type.) A stoop is an unroofed, open platform.

(1) **Stoop Size.** Stoops shall be a minimum of 4 feet deep and 6 feet wide.

(2) **Elevation.** Stoop elevation shall be located a maximum of 2′-6″ above the sidewalk without visible basement and a maximum of 4′-6″ above the sidewalk with a visible basement.

(3) **Visible Basement.** A visible basement is permitted and shall be separated from the ground story by an expression line.

(4) **Entrance.** All front facade entries shall be located off a stoop.

E. Porch Entrance Type. (Refer to Figure 4.19-D Porch Entrance Type.) A porch is a raised, roofed platform that may or may not be enclosed on all sides. If enclosed, the space shall not be climate controlled.

(1) **Transparency.**

(a) Minimum transparency per building type is required.

(b) If enclosed, a minimum of 40 percent of the enclosed porch shall be comprised of highly transparent, low reflectance windows.

(2) **Porch Size.** The porch shall be a minimum of 6 feet deep and 8 feet wide.

(3) **Elevation.** Porch elevation shall be located a maximum of 2′-6″ above the sidewalk without a visible basement and a maximum of 4′-6″ above the sidewalk with a visible basement.

(4) **Visible Basement.** A visible basement is permitted.

(5) **Height.** Porches up to 3 stories are permitted for Apartment Building or Stacked Flats Building Types, up to 2 stories for Row and House Building Types, and one story for Cottage Commercial Building Types. An upper story of any porch structure which is used either as an open-air balcony or as a roofed balcony or porch counts as a story when calculating the number of stories of the porch.

(6) **Entrance.** All front facade entries shall be located off a porch.

(7) **Encroachment.** Refer to 4.18.1.D.(1) Encroachments.

(8) **Heat and Use.** No facilities for providing heat shall be permitted on a porch, and a porch shall not be used as a sleeping room.

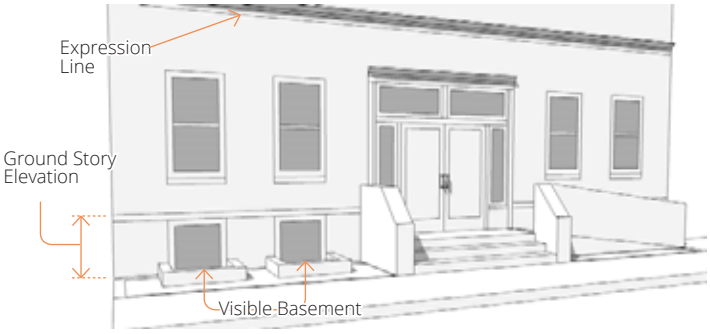


Figure 4.19-C Stoop Entrance Type

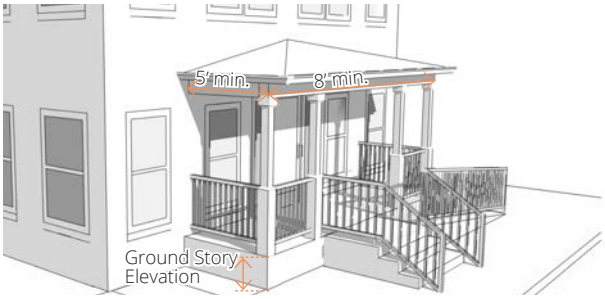


Figure 4.19-D Porch Entrance Type

4.19.2 ROOF TYPES

Roof type standards apply to the roof and cap of all building types as defined in this section. Refer to sections 4.3 through 4.16 Building Types.

A. General Provisions. The following provisions apply to all roof types.

(1) **Intent.** To guide the design of the cap of all buildings.

(2) **Applicability.** All buildings shall fulfill the requirements of one of the roof types permitted for the building type.

(3) **Measuring Height.** Refer to 4.18.2 Height for information on measuring building height.

(4) **Other Roof Types.** Other building caps not listed as a specific type may be made by a request to the zoning administrator with the following requirements:

(a) The roof type shall not create additional occupiable space beyond that permitted by the building type.

(b) The shape of the roof type shall be significantly different from those defined in this section 4.19.2 Roof Types, i.e. a dome, spire, vault.

(c) The building shall warrant a separate status within the community from the fabric of surrounding buildings, with a correspondence between the form of the roof type and the meaning of the building use.

B. Parapet Roof Type. (Refer to Figure 4.19-E Parapet Roof Type) A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit the view of roof-top mechanical systems from the street.

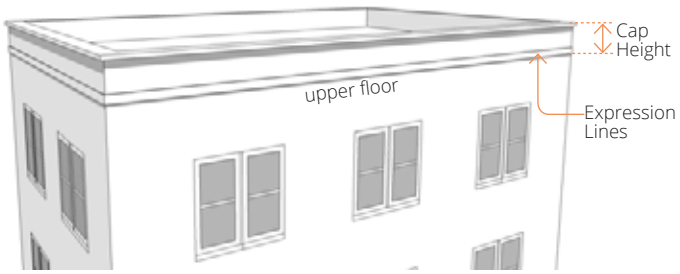


Figure 4.19-E Parapet Roof Type

(1) **Parapet Height.** Height is measured from the top of the upper story to the top of the parapet.

(a) Minimum height is 2 feet with a maximum height of 6 feet.

(b) Roof appurtenances shall be located a distance behind the parapet so as not to be visible from any street sidewalk.

(2) **Horizontal Expression Lines.** An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.

(3) **Occupied Space.** Occupied space shall not be incorporated behind this roof type.

C. Pitched Roof Type. (Refer to Figure 4.19-F Pitched Roof Types.) This roof type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run.

(1) **Pitch Measure.** The roof may not be sloped less than a 4:12 (rise:run) or more than 16:12.

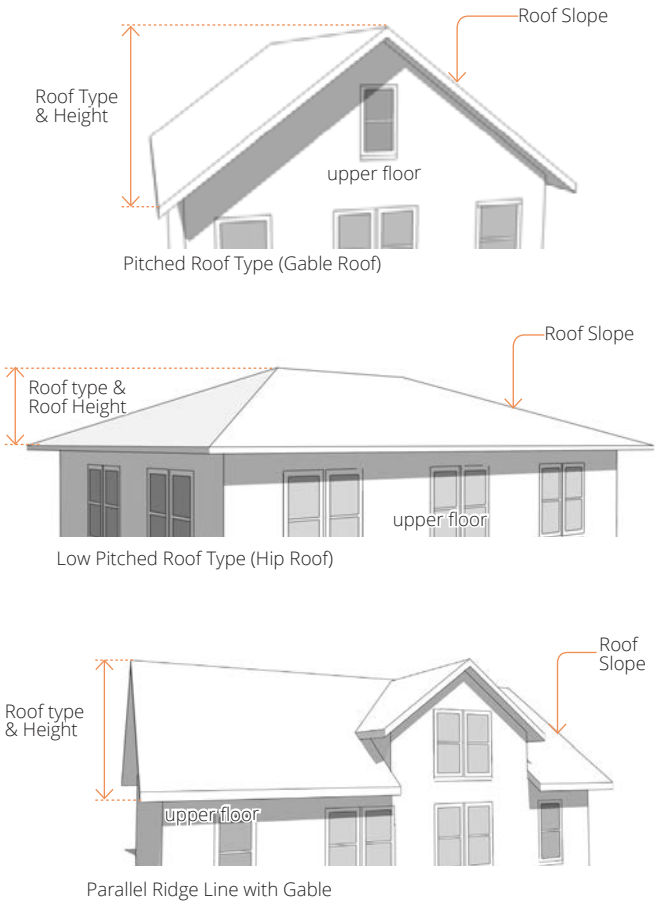


Figure 4.19-F Pitched Roof Types

(a) Slopes less than 4:12 are permitted to occur on second story or higher roofs.

(2) **Configurations.**

(a) Hipped, gabled, and combination of hips and gables with or without dormers are permitted.

(b) Butterfly roofs (inverted gable roof) are permitted with a maximum height of 8 feet, inclusive of overhang.

(c) Gambrel roofs and mansard roofs are permitted only on House Types A, B, and C and the Stacked Flats Building Type.

(3) **Parallel Ridge Line.** A gabled end or perpendicular ridge line shall occur at least every 100 feet of roof when the ridge line runs parallel to the front lot line. (Refer to Figure 4.19-F Pitched Roof Types.)

(4) **Roof Height.** Roofs without occupied space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the building type.

(5) **Occupied Space.** Occupied space may be incorporated behind this roof type.

D. Flat Roof Type. (Refer to Figure 4.19-G Flat Roof Type.) This roof type has a flat roof with overhanging eaves.

(1) **Configuration.** Roofs with no visible slope are acceptable. Eaves are required on all street facing facades.

(2) **Eave Depth.** Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least 14 inches.

(3) **Eave Thickness.** Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of 8 inches thick.

(4) **Interrupting Vertical Walls.** Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.

(a) No more than one-half of the front facade can consist of an interrupting vertical wall.

(b) Vertical walls shall extend no more than 4 feet above the top of the eave.

(5) **Occupied Space.** Occupied space shall not be incorporated behind this roof type.

E. Towers. (Refer to Figure 4.19-H Tower.) When utilized, a tower must be used in conjunction with other roof types.

(1) **Quantity.** All building types, with the exception of the Civic Building, are limited to one tower per building.

(2) **Tower Height.** Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one upper floor of the building to which the tower is applied.

(3) **Tower Width.** Maximum width along all facades is one-third the width of the front facade or 30 feet, whichever is less.

(4) **Horizontal Expression Lines.** An expression line shall define the tower from the upper stories, except on House or Row Building Types.

(5) **Occupied Space.** Towers may be occupied by the same uses allowed in upper stories of the building type to which it is applied.

(6) **Application.** May be combined with all other roof types.

(7) **Tower Cap.** The tower may be capped by the parapet, pitched, or flat roof types may cap the tower.

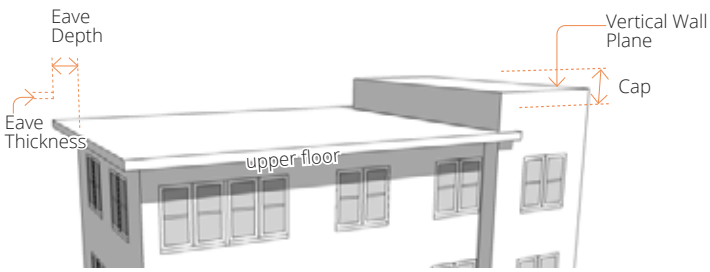


Figure 4.19-G Flat Roof Type

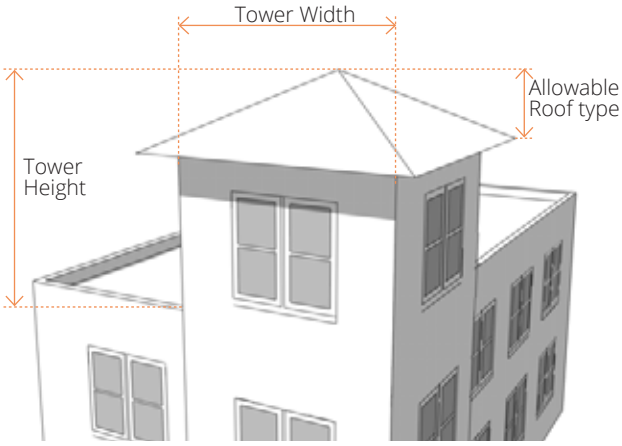


Figure 4.19-H Tower

4.20 Accessory Structures

4.20.1 ACCESSORY STRUCTURES TABLE

Figure 4.20-A Accessory Structure Table establishes the permitted accessory structures in each district.

A. Accessory structures are divided into 3 categories: Accessory Buildings, Accessory Outdoor Structures, and Accessory Utility Structures.

B. Each accessory structure is permitted by right in the districts in which it is listed, provided that it is developed utilizing any development standards detailed below.

4.20.2 GENERAL DEVELOPMENT STANDARDS

All accessory structures shall fulfill the following development standards, unless otherwise stated.

A. Yard. Accessory structures shall be located in the side and rear yards unless located within the OS district without a principal building.

B. Setback. Accessory structures shall comply with the following setbacks:

(1) **Front and Corner Lot Lines.** Accessory structures shall not extend closer to the front or corner lot line than the principal structure. In the absence of a principal structure, accessory structures shall be set back a minimum of 15 feet. Refer to Building Siting requirements of the associated Building Type (refer to 4.3 through 4.16).

(2) **Side and Rear lot Lines.** Minimum setback of an accessory structure shall be 5 feet.

(3) **OS Districts.** When a principal structure is not required in association with an OS district, an accessory structure shall be set back from all lot lines a minimum of 10 feet.

C. Building Coverage. All roofed accessory structures contribute to the maximum building coverage for the site, as noted in the associated Building Type (refer to refer to 4.3 through 4.16).

D. Impervious Site Area. All accessory structures with roofs or impermeable paving contribute to the maximum impervious coverage for the site, as noted in the associated Building Type (refer to 4.3 through 4.16).

E. Height. The maximum height is 15 feet, except where a higher maximum height is otherwise expressly permitted.

F. Roof Type. Roof type should match that of the principal structure when the accessory structure is greater than 300 square feet. Refer to the roof type requirements of the associated Building Type (refer to 4.19.2 Roof Types and 4.3 through 4.16 Building Types).

G. Materials. Materials shall match those of the principal structure when the accessory structure is greater than 300 square feet. Refer to the building material requirements of the associated Building Type (refer to 4.3 through 4.16).

ACCESSORY STRUCTURES	DISTRICTS																	
	DT-1	DT-2	DT-3	MS-1	MS-2	MS-3	CX-1	CX-2	ID-1	ID-2	MX-1	MX-2	NX-#	N-#-1	N-#-2	N-#-3	OS	Reference
Accessory Buildings																		4.20.3
Construction Structures	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.3.A.
Kiosk				◐	◐	◐	◐	◐	◐	◐	◐	◐	◐				◐	4.20.3.B.
Out Building & Garage				◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.3.C.
Parking Structure	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐						4.20.3.D.
Temporary Building	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.3.E.
Accessory Outdoor Structures																		4.20.4
Ball Court	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.4.A.
Deck & Patio	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.4.B.
Dog Run								◐	◐	◐							◐	4.20.4.C.
Flag Pole	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.4.E.
Fuel Pumps & Canopies						◐			◐									4.20.4.F.
Gazebo											◐	◐	◐	◐	◐	◐	◐	4.20.4.G.
Landscape Features	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.4.H.
Temporary Storage Container	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.4.I.
Accessory Urban Agriculture Structures																		4.20.5
Accessory Farm Structures	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.5.A.
Compost Bins	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.5.B.
Henhouses	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.5.C.
Accessory Renewable Energy Structures																		4.20.6
Solar - Building-Mounted	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.6.A.
Solar - Freestanding						◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.6.B.
Solar - Parking Lot Canopy				◐	◐	◐	◐	◐	◐	◐	◐	◐						4.20.6.C.
Wind - Freestanding						◐		◐	◐	◐		◐						4.20.6.D.
Wind - Roof-Mounted	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.6.E.

● Permitted
◐ Permitted subject to Use-Specific Regulations

Figure 4.20-A Accessory Structure Table

ACCESSORY STRUCTURES	DISTRICTS																	
	DT-1	DT-2	DT-3	MS-1	MS-2	MS-3	CX-1	CX-2	ID-1	ID-2	MX-1	MX-2	NX-#	N-#-1	N-#-2	N-#-3	OS	Reference
Accessory Utility Structures																		4.20.7
Antenna & Satellite Dish						◐		◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.7.A.
Electric Vehicle Charging Stations, Levels 1 & 2	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.7.B.
Electric Vehicle Charging Stations, Levels 3	◐	◐	◐				◐	◐	◐	◐								4.20.7.B.
Freestanding Radio or Wireless Tower						◐	◐	◐	◐	◐		◐						4.20.7.C.
Mechanical Equipment	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	4.20.7.D.
Rainwater Collection/Cistern	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	◐	4.20.7.E.

● Permitted
◐ Permitted subject to Use-Specific Regulations

Figure 4.20-B Accessory Structure Table (continued)

4.20.3 ACCESSORY BUILDINGS

Accessory Buildings are fully enclosed, unless otherwise stated. The following are classified as Accessory Buildings:

A. Construction Structures. Temporary structures associated with a construction project, including: temporary buildings used to house offices associated with construction and/or sales and marketing for the development; and temporary storage and waste containers.

(1) Construction Structures are permitted in all yards.

(2) Construction Structures are only permitted in conjunction with open building permits and shall be removed when building permits are closed.

(3) Two Construction Structures are permitted per development project with one additional structure per every 2 acres of lot area.

(4) Wheels and chassis on temporary buildings shall be screened from the street by skirting.

B. Kiosk. An accessory building with limited space for the proprietor and associated goods and no space for customers to enter the structure, with the exception of bathrooms. A Kiosk is not permitted when a principal structure is located on the lot. Refer to Figure 4.20-C Kiosk.

(1) **Yard.** Permitted in all yards.

(2) **Use.**

(a) In the OS district, a Kiosk may contain a Neighborhood Retail or Service Use (refer to 3.0 Uses).

(b) In the MS, CX, ID, MX, or NX districts, a Kiosk may only be utilized to house attendants for parking lots as principal uses, as defined in 3.3.8.A., and not for any other use. For such parking lots in such districts, any accessory structure on the lot must satisfy the requirements of this section.

(3) **Area.** Maximum of 500 square feet floor area.

(4) **Height.** Maximum of one story or 15 feet (refer to 4.18.2 Height).

(5) **Facade Requirements.** A Kiosk shall fulfill the following facade requirements:

(a) Front and corner facades shall have a minimum transparency of 20 percent (refer to 4.18.4.A.).

(b) The kiosk shall be oriented toward the front of corner lot line. The primary sales or service windows or principal entrance shall be located on the front or corner facade.

(6) **Roof Type.** Pitched roof type is required.

(7) **Permanent Structure.** No wheels, hitch, or chassis shall be located on a kiosk.

(8) **Materials.** Permitted materials include durable, natural materials, such as stone, brick, stucco, metal, concrete, and painted or stained wood.

C. Out Building and Garage. A fully enclosed building on a lot that is detached from the principal structure on the same lot. A principal structure is required, unless otherwise stated. Typical Out Buildings include garages, pool houses, workshops, barns, or sheds.

(1) **Side and Rear Setback.** Minimum side and rear setback of an Out Building shall be 5 feet.

(2) **Height.** The height of the Out Building may be one story lower than the principal building utilizing the floor to floor heights of the principal building.

(3) **Residential Districts.** A maximum of one Out Building shall be located on a lot zoned Neighborhood (N) or Neighborhood Mix (NX).

(4) **OS Districts.** No principal structure is required. Uses may not include retail sales or service.

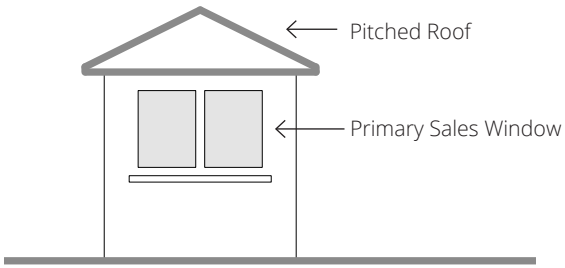


Figure 4.20-C Kiosk

D. Parking Structure. A stand alone accessory structure for decked, multi-level parking (refer to Figure 4.20-D and Figure 4.20-E). A parking structure is not necessarily fully enclosed.

(1) **Location.** An accessory parking structure shall be located as follows:

(a) Parking Structures shall be located in the rear yard only and shall be screened from view from the front of the lot or any Primary Street by the principal building.

(b) Parking Structures shall not extend closer to the front, corner, or side lot line than the principal structure.

(2) **Height.** The overall height of a Parking Structure shall be one story lower than the majority height of the principal structure, not including the roof type.

E. Temporary Building. A temporary structure typically associated with a temporary event, such as a circus or temporary sale (refer to 3.6 Temporary Uses).

(1) **Yard.** Permitted in all yards.

(2) Temporary buildings associated with a temporary event shall be removed within 24 hours of the close of the event.

(3) Wheels and chassis shall be screened by skirting.

(4) Tents are considered a type of Temporary Building.

(a) Tents are permitted in all districts and are the only Temporary Building permitted in districts MX-1 and NX districts.

(b) Height shall not exceed that of the permitted Building Type(s) (refer to 4.3 through 4.16).

(c) Tents must be constructed of fire retardant material.

(d) Guy wires, stakes, and other supports must be clearly marked and secured.

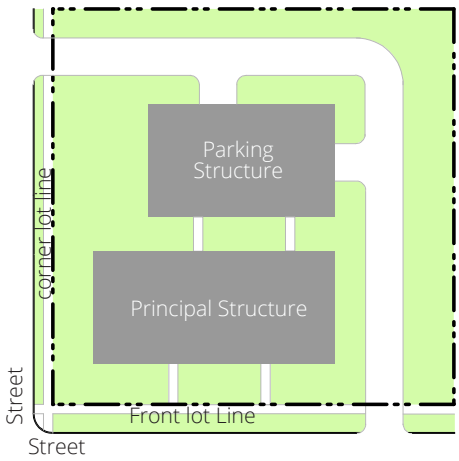


Figure 4.20-D Plan of Parking Structure.

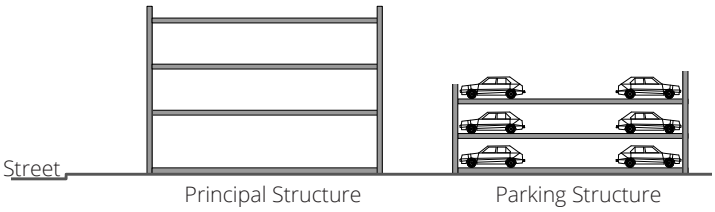


Figure 4.20-E Section of Parking Structure.

4.20.4 ACCESSORY OUTDOOR STRUCTURES

The following accessory structures are classified as Accessory Outdoor Structures. Refer to Figure 4.20-A Accessory Structure Table for permitted locations.

A. Ball Court. Athletic facilities such as tennis and basketball courts.

B. Deck and Patio. An unenclosed outdoor space that could be roofed.

(1) **Yards.** Permitted in all yards.

(2) **Non-Residential Deck and Patio.** Any deck or patio associated with a non-residential use shall be located in the rear, side, corner side yard. When located in the front yard, the deck or patio shall not occupy more than 30 percent of the front facade. Refer to Figure 4.20-F Deck and Patio for Non-Residential Use.

C. Dog Run. An enclosed outdoor area intended for containment and/or exercise of dogs and other domestic animals.

(1) A Dog Run must be screened from view of the street by the principal structure or through fencing or landscape buffers.

(2) A Dog Run shall be associated with a residential use or commercial animal boarding use. Refer to 3.3.5.B. General Service Uses.

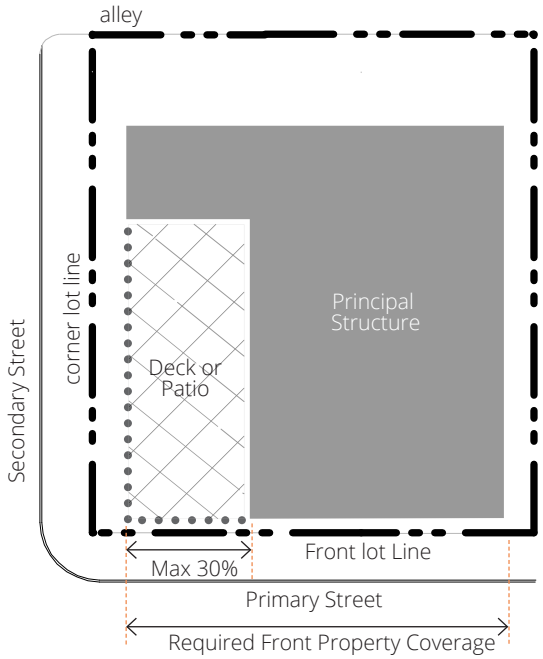


Figure 4.20-F Deck and Patio for Non-Residential Use

D. Drive-Through Facility. Refer to 3.5.2.A. for Drive-Through Facility in Accessory Uses.

E. Flag Pole. A freestanding pole, usually constructed of wood or metal, installed for the sole purpose of flying a flag.

(1) **Yard.** Permitted in all yards.

(2) **Height.** A flag pole shall not exceed the following height limits:

(a) **MX-1, N, NX Districts.** The maximum height is 15 feet or the two-thirds the height of the primary structure, whichever is shorter .

(b) **All Other Districts.** The maximum height is 60 feet.

(3) **Setback.** A setback of 10 feet from all lot lines is required.

(4) **Flag Size.** The dimensions of any flag shall be proportional to the flagpole height such that the hoist side of the flag shall not exceed 50 percent of the vertical height.

(5) **Quantity of Flags.** More than 2 flags on a lot requires a sign permit and all flags shall be counted towards the maximum signage per lot.

F. Fuel Pumps and Canopies. Facility associated with a commercial or industrial use that distributes fuel.

(1) **Yard.** Permitted in side and rear yards.

(2) Areas outside the drive, access, parking, and passing areas shall not be paved (refer to 7.3 Parking Design Standards).

(3) A frontage buffer is required (refer to 6.8 Frontage Buffer).

G. Gazebo. A freestanding, roofed structure with open sides.

(1) **Yard.** Permitted in all yards.

(2) **Setback.** Must be set back at least 15 feet from front and corner side lot lines.

H. Landscape Features.

(1) **Definitions.** This category of residential recreational and aesthetic landscape outdoor structures includes the following:

(a) **Play Equipment.** Recreational equipment for children, such as a sandbox, slide, climbing apparatus, skate board ramp, or swings.

(b) **Ponds.** Water gardens or fish ponds; small ponds that consistently contain water during the summer and warmer months; and any pond containing plants and/or aquatic life.

(c) **Swimming Pool or Hot Tub.** Any basin or other structure containing a minimum of 2 feet of water at any point in time for use by the resident, their family or guests. Temporarily erected plastic, canvas, or rubber pools that do not fulfill the depth requirement do not apply.

(2) **Yard.** Permitted in all yards.

(3) **Setback.** Must be set back at least 15 feet from front and corner side lot lines.

I. Temporary Storage Container. Temporary and transportable container for personal storage.

(1) The container's size is limited to no greater than 825 cubic feet or covering an area no greater than 180 square feet of area.

(2) Only one storage container is permitted per lot at a time.

(3) Unless being used in conjunction with a valid building permit, the container may be located on a lot for no more than 7 consecutive days, no more than twice in a calendar year.

(4) Any container must be stored in a side or rear yard.

4.20.5 ACCESSORY URBAN AGRICULTURAL STRUCTURES

A. Accessory Farm Structures. Accessory Farm Structures include, but are not limited to, sheds (tool and packing), shade pavilions, farm stands, trellises, or other vertical supports for growing crops, and structures used to extend the growing season such as greenhouses, hoophouses, coldframes, or similar structures.

(1) **Location.** Such structure shall be located in a rear yard in residential (N or NX) districts and any residential property.

(2) **Lot Coverage.** Such structure shall not occupy more than 25 percent of the lot on which it is located.

(a) If located on a lot used primarily for residential purposes, the accessory farm structure shall not occupy more than 25 percent of the required rear setback, provided that the total area of agricultural structures on any lot in a residential district shall not exceed 500 square feet in size.

(3) **Maximum Height.** Such structure shall not exceed 20 feet in height in the case of greenhouses, hoophouses, coldframes, and similar structures which are located on the site of an approved urban farm or community garden not in a residential district, or 10 feet in height in the case of all other farm structures, unless a lower height is required by the building code.

B. Compost Bins. A structure used to contain organic wastes as they decompose to result in compost, which is constructed of metal, blocks, bricks, wood, or plastic.

(1) **Design.** Bins shall be constructed and situated in such a way as to control odor, prevent rodent or other pest infestation, eliminate runoff into waterways and onto adjacent properties, and not otherwise create a nuisance for nearby properties.

(2) **Plant Materials Only.** Bins shall be used only to compost plant-based materials, and not used for cooked foods, animal proteins, and fats.

(3) **Screening.** Screening, shall be provided in accordance with 6.12 Screening of Necessary Appurtenances.

(4) **Location.** Bins shall be located in the rear yard, and shall be a minimum of 20 feet from any residential building.

C. Henhouses. An enclosed structure for keeping hens only.

(1) **Permits Required.** The property owner or henhouse operator shall obtain any and all necessary permits prior to the operation of any henhouse.

(2) **Size & Quantity.** Henhouses shall be no larger than 200 square feet.

(a) **Residential Uses.** No more than one henhouse holding a maximum of 6 hens is permitted per lot.

(3) **Community Garden or Urban Farm.** One henhouse holding a maximum of 6 hens is permitted per lot. The number of hens allowed on such lot shall be increased by one additional hen for every 1,000 square feet of lot area over 10,000 square feet with a maximum of 12 hens on any lot.

(4) **Location.** The henhouse shall be located in a rear yard at least 25 feet from any street line, at least 15 feet from any residential dwelling, and at least 15 feet from any property line. In the instance that more than one distance requirement shall apply, the greater distance requirements shall apply.

(5) **Materials.** The henhouse shall be made of washable and sanitizable material such as fiberglass reinforced plastic, and no part of the henhouse (including the area for a run) shall exceed 8 feet in height.

(6) **Design.** The henhouse shall be: predator proof, thoroughly ventilated, watertight, and easily accessed and cleaned. Direct access from the coop to an outdoor enclosure shall be provided with the outdoor enclosure designed to be: predator proof, easily accessed and cleaned, and fenced to contain the chickens.

(7) **Prohibited Activities**

(a) No rooster shall be kept on any lot.

(b) The on-site slaughtering of chickens is prohibited.

(8) **Biosecurity.** The flock shall be cared for using consistent biosecurity practices as detailed by the U.S. Department of Agriculture Animal and Plant Health Inspection Service to prevent the spread of diseases.

(9) **Water & Waste.** No discharge of water or waste from the henhouse shall occur on any neighboring property or on a public way.

(10) **Screening.** All outdoor roaming areas shall be enclosed and screened from public ways and from neighboring properties by a fence which is 60 percent opaque or year-round landscaping at least 4 feet in height.

(11) **Farm Stand.** No sales of eggs shall occur on the lot containing the henhouse, except in the case of a henhouse operator located on a urban farm where there is a farm stand, in which case the henhouse operator shall be permitted to sell eggs at the farm stand. Such stand shall be permitted in accordance with 4.20.5.A. Accessory Farm Structures.

(12) **Public Nuisance.** The presence of obnoxious odors or unsanitary conditions which annoy the immediate neighborhood, is hereby declared to be a public nuisance and may be summarily abated by the proper city officials.

4.20.6 ACCESSORY RENEWABLE ENERGY STRUCTURES

A. Solar - Building-Mounted. A solar energy system that is affixed to or an integral part of a principal or accessory building, including but not limited to photovoltaic or hot water solar energy systems which are contained within roofing materials, windows, skylights, and awnings.

(1) **Quantity.** The total square footage may not exceed the total area of roof surface of the structure to which the system is attached.

(2) **Flush Mounted System.** Systems should be less than 4 inches from the roof surface whenever possible.

(3) **Height**

(a) Systems shall not extend beyond 3 feet parallel to the roof surface of a pitched roof.

(b) Systems shall not extend beyond 4 feet parallel to the roof surface of a flat roof.

(c) Systems shall not extend more than 5 feet above the highest peak of a pitched roof.

(4) **Location on Structure.** Allowed on the following:

(a) Principal and accessory structures.

(b) Any roof face.

(c) Side and rear building facades.

(5) **Projection.** The system may project off a roof edge or building facade as follows.

(a) May project laterally from a building facade or roof edge a maximum of 3.5 feet.

(b) May project into an interior side or interior rear setback, but shall be no closer than 5 feet to the interior side or interior rear property line.

(6) **Signs.** Signage or writing of any kind is not permitted on any portion of system, other than required manufacturer plates and safety labeling.

B. Solar - Freestanding. A solar energy system with a supporting framework that is placed on, or anchored in, the ground and that is independent of any building or other structure other than parking lot canopy solar energy systems described in 4.20.6.B.

(1) **Output.** The system shall produce less than one megawatt of electricity.

(2) **Size.** A system in any MX, N, or NX district shall not exceed either the area of 50 percent of the principal building footprint or 600 square feet, whichever is greater.

(3) **Maximum Height.** The system shall be as close to the ground as practicable, and not taller than 20 feet on lots of at least 5 acres in the ID districts, 12 feet on lots of at least 5 acres, and 6 feet on all other lots, all measured from the grade at the base of the pole to the highest edge of the system.

(4) **Clearance.** Minimum clearance between the lowest point of the system and the surface on which the system is mounted is 3 feet.

(5) **Location.** Allowed in the interior side yard and interior rear yard only.

(a) For any property designated as historic or located within a historic district, such system shall be located in the rear yard.

(6) **Setbacks.** All parts of the freestanding system shall be set back a minimum of 5 feet from the interior side and interior rear property lines and shall not be located in a public utility easement.

(7) **Appearance.** Such system must be gray, natural green, or beige in color, with the exception of the solar photovoltaic panels which are usually black, or system must be screened from view from surrounding residential properties.

(8) **Materials.** Such system shall not include any unfinished lumber.

C. Solar - Parking Lot Canopy. A solar energy system with a supporting framework that is placed on, or anchored in, the ground and that is independent of any building or other structure, which is used in a parking lot or the top story of a parking structure to shade vehicles parked in such lot or structure.

(1) **Size.** A system in any residential district (MX, N, or NX) shall not exceed either the area of 50 percent of the principal building footprint or 600 square feet, whichever is greater.

(2) **Maximum Height.** The system shall be between 8 and 15 feet in height, so as to provide for parking underneath the system.

(3) **Clearance.** Minimum clearance between the lowest point of the system and the surface on which the system is mounted is 7.5 feet.

(4) **Location.** Allowed in the interior side yard and interior rear yard only, if applicable.

(a) For any property designated as historic or located within a historic district, such system shall be located in the rear yard, if applicable.

(b) Shall not cover more than 50 percent of the parking lot or story of the parking structure in which it is located.

(5) **Setbacks.** All parts of the freestanding system shall be set back a minimum of 5 feet from the interior side and interior rear property lines and shall not be located in a public utility easement.

(6) **Appearance.** Such system must be gray, natural green, or beige in color, with the exception of the solar photovoltaic panels which are usually black, or system must be screened from view from surrounding residential properties. Signage or writing of any kind is not permitted on any portion of any parking lot canopy solar energy system, other than required manufacturer plates or safety labeling.

(7) **Materials.** Such system shall not include any unfinished lumber.

D. Wind - Freestanding. Small wind energy systems that stand independent of a building structure.

(1) **Output.** The system shall produce less than one megawatt of electricity.

(2) **Location in City.** System shall be located within 1,000 feet of an interstate or the Connecticut River.

(3) **Height.** The height of any component of a small wind energy system shall not exceed 200 feet, as measured from the ground to highest point of the blade arc.

(4) **Permitted Yard Location.** Allowed only in the interior side and interior rear yards.

(a) Front, exterior side, and exterior rear yards may be allowed in non-residential districts with a special use permit provided there are no residential districts within 120 feet of any property line of the zoning lot where the turbine will be located.

(b) System shall not be visible from the street when installed on any property designated as historic or located within a historic district.

(5) **Setbacks.** The base of the system shall be setback 1.1 times the height of the highest edge of the system from all property lines, overhead utility line poles, public sidewalks or trails, and public rights-of-way. Any system or any ancillary equipment shall not be located within any required setbacks of the respective zoning district

(6) **Installation.** Small wind energy systems shall be installed only by professional installers certified to install wind turbines, and only pursuant to manufacturer specifications.

(7) **Signs.** Signage or writing of any kind is not permitted on any portion of any wind turbine, other than required manufacturer plates or safety labeling.

(8) **Lighting.** Small wind energy systems shall provide lighting per Federal Aviation Administration (FAA) regulations. Lighting shall be red and may not be of the incandescent variety, unless FAA regulations otherwise allow or require.

(9) **Clearance.** Minimum clearance between the lowest tip of the rotor or blade and the ground is 10 feet.

(10) **Access.** Climbing access (rungs or foot pegs) to the tower shall not start until 12 feet above grade to prevent unauthorized access.

E. Wind - Roof-Mounted. Wind energy systems that are attached to the roof of a building.

(1) **Quantity.** One turbine is allowed for every 750 square feet of the combined roof area of all structures on a zoning lot. For a pitched roof, each surface of the roof shall be included in the roof area calculation.

(2) **Rated Capacity.** A maximum rated capacity of 3 kilowatts per turbine is allowed.

(3) **Height**

(a) The maximum height of 15 feet is measured from the roof surface on which the system is mounted to the highest edge of the system with the exception of any pitches 10:12 or greater.

(b) The system shall not extend more than 5 feet above the highest peak of a pitched roof.

(4) **Location.** Roof-mounted wind energy systems are only permitted on structures that are a minimum of 4 stories tall or 40 feet.

(a) Roof-mounted wind energy systems must be set back from the roof or parapet wall one foot for every foot in height of the device above the roof or parapet wall.

(b) Roof-mounted wind energy systems shall only be permitted on roofs with a slope of one inch per foot or less.

(c) A roof-mounted wind energy system shall not be visible from the street when installed on any property designated as historic or located within a historic district.

(5) **Installation.** Roof-mounted wind energy systems shall be installed only by professional installers certified to install wind turbines, and only pursuant to manufacturer specifications.

4.20.7 ACCESSORY UTILITY STRUCTURES

The following accessory structures are classified as Accessory Utility Structures:

A. Antenna and Satellite Dish. An apparatus, detached or attached to the exterior of a building, together with any supporting structure, for sending or receiving electromagnetic waves.

(1) **Size.** The smallest practical size shall be used for any Antenna or Satellite Dish.

(a) A stand-alone antenna or satellite dish shall not exceed a maximum of 10 feet in its outside diameter.

(b) An antenna or satellite dish that is attached to the exterior of a building shall not be larger than 36 inches in diameter.

(c) Additional size may be approved through the special permit process (refer to 1.3.4).

(2) **Location.** Antennae and Satellite Dishes shall be located as follows:

(a) Stand-alone antennae and satellite dishes shall be located in the side and rear yards.

(b) Antennae and satellite dishes may be attached to the roof and side and rear facades of buildings.

(c) If these permitted locations will not allow the antenna or satellite dish to fully function, it may be located in the front or corner side yards or on the front or corner facades.

(d) Evidence shall be provided to the zoning administrator prior to installation in the front or corner yards or on the front or corner facades that the antenna or satellite dish cannot fully function in either the side or rear yards or on the side or rear facades.

(e) When a stand-alone antenna or satellite dish occurs adjacent to a residential district, the Side & Rear Buffer with a solid fence is required (refer to 6.9 Side & Rear Buffer).

B. Electric Vehicle Charging Stations. An electric vehicle charging station is a public or private parking space that is served by battery charging equipment with the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.

(1) **Types**

(a) Level 1, slow charging, operates on a 15 to 20 amp breaker on a 120 volt AC circuit.

(b) Level 2, medium charging, operates on a 40 to 100 amp breaker on a 208 volt or 240 volt AC circuit.

(c) Level 3, fast or rapid charging, operates on a 60 amp or higher breaker on a 480 volt or higher 3-phase circuit with special grounding equipment.

(2) **Siting & Setbacks.** The siting and setbacks for stations shall be the same as the parking facility within which they are associated.

(3) **Design**

(a) Except when located in one, 2-, and 3-unit dwelling locations, stations shall be reserved for parking and charging of electric vehicles only, with signage as described in 4.20.7.B.(3)(b), below.

(b) **Signage.** Each station shall be marked with signage indicating the space is only for electric vehicle charging purposes. Signage shall include the following items:

(i) Voltage and amperage levels

(ii) Hour of operations if time limits or tow-away provisions are to be enforced by the property owner

(iii) Usage fees

(iv) Safety information

(v) Contact information for reporting when the equipment is not operating or other problems.

(c) **Accessibility.** At least one accessible station shall be provided for every 20 electric vehicle charging stations. Such accessible stations shall be located in proximity to the buildings or facility entrances and shall be connected to a barrier-free accessible route of travel.

(d) **Equipment.**

(i) Equipment mounted on pedestals, lighting posts, bollards, or other devices

for on-street charging station shall be designed and located as to not impede pedestrian travel or create trip hazards within the right-of-way.

(ii) Charging station outlets and connector shall be no less than 36 inches or no higher than 48 inches from the top of the surface where mounted and shall contain a retraction device or a place to hang cords and connectors above the ground surface.

(iii) Equipment shall be protected by wheel stops or concrete-filled bollards.

(iv) Stations located within parking lots or garages may be included in the calculation of the minimum required parking spaces required.

(e) The station shall be designed to be:

(i) Safe for use during inclement weather,

(ii) Tamper-resistant to prevent injury, particularly to children,

(iii) Resistant to potential damage by vandalism, and

(iv) Equipped with a mechanism to prevent the theft of electricity by an unauthorized user.

(f) The station shall have complete instructions and appropriate warnings posted in an unobstructed location next to each station.

(g) Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle or wheelchair movement, or create safety hazards on sidewalks.

(4) **Maintenance.** Electric vehicle charging stations must be maintained in all respects, including the functioning of the equipment.

C. Freestanding Radio or Wireless Tower. A freestanding tower associated with a wireless transmission facility or a commercial radio station fully licensed by the Federal Communications Commission.

(1) **Yard.** Towers that are accessory to a principal structure shall be located in the rear yard.

(2) **Setback.** Freestanding radio or wireless towers shall have the following setbacks:

(a) Towers shall be set back a minimum of 50 feet from any lot line.

(b) Towers shall be set back from any MX-1, N, or NX district a minimum of 100 feet.

(3) **Height.** Freestanding radio or wireless towers shall have the following heights:

(a) **CX Districts.** Towers shall not exceed 50 feet in height.

(b) **ID Districts.** Towers shall not exceed 75 feet in height. Additional height may be permitted by special permit (refer to 1.3.4).

(4) **Screening.** Refer to 6.12 Screening of Necessary Appurtenances.

(5) **Co-Location and Stealth Installations.** New facilities shall be developed using the following techniques unless otherwise authorized for good cause during the required site plan review (refer to 1.3.5).

(a) **Co-Location.** A wireless service antenna support structure designed, constructed, and installed to be of a sufficient size and capacity to allow the location of additional personal wireless service antennas to accommodate at least 2 additional personal wireless service provider in the future.

(b) **Stealth Installation.** A wireless service antenna whose appearance is concealed or disguised to appear like another object, such as a tree or steeple.

(6) Towers shall comply with all Federal Communications Commission and Federal Aviation Authority regulations.

D. Mechanical Equipment. Heating and air conditioning equipment and outdoor utility equipment stored on the ground for the ordinary function of a building or use.

(1) **Screening.** Refer to 6.12 Screening of Necessary Appurtenances.

E. Cistern and Rainwater Collection System. A container or series of containers for the collection and reuse of rainwater.

(1) A cistern is exempted from inclusion in the site impervious area calculation.

(2) **Front Yard.** In the CX and ID districts, a cistern may be located in the front yard of the principal structure, but shall still fulfill the required setbacks.

This page intentionally left blank.

5.0 SPECIAL OVERLAYS

SECTIONS

5.1 Campus Overlay
5.2 Higher Education Housing Overlay
5.3 Transit Oriented Development Overlay
5.4 Connecticut River Overlay

5.1 Campus Overlay

The Campus Overlay is intended to apply to sites occupied by civic, institutional, or large office uses. These sites contain multiple buildings on one or more lots that work together to create a walkable campus with inter-related uses.

5.1.1 GENERAL

A. Intent. The Campus Overlay is intended to apply to sites occupied by civic; institutional; clustered one-, 2-, and 3-unit dwellings; multi-unit residences; or large office uses. These sites contain multiple buildings on one or more lots that work together to create a walkable campus with inter-related uses. A Campus Overlay is intended to permit greater flexibility for the development of larger zoning lots than otherwise is allowed by these regulations, provided, however, that such development is consistent with the comprehensive plan for development, including the goals of more economic and efficient use of the land, a harmonious variety of uses, a higher level of urban amenities, and preservation of natural and scenic qualities of open spaces. These regulations aim to assist campus planners in achieving the intent of the building type regulations, relating to their surrounding context, maintaining the interior focus of the campuses, and creating a welcoming public face to the streets surrounding the campus.

B. Applicability. The following regulations apply to all locations noted on the zoning map with the Campus Overlay and shall be applied to lots adjacent to each other, or across streets from each other, which operate as a single campus.

C. Phasing. A Campus Overlay may be developed in phases, pursuant to a master plan approved by the commission.

5.1.2 APPLICATION

The Campus Overlay requires applicants to file the following types of applications, as applicable to the relevant type of activity that is the subject of the application:

A. Special Permit. Special permit for a master plan for the entire campus, showing the location of buildings, landscaping, and other development features, in accordance with special permit application requirements outlined in 1.3.4 Special Permits, except that a master plan application shall not be required to include the following documents:

(1) Final plans for "lighting, landscape and retaining walls" contemplated by 1.3.3.B.(7);

(2) Interior floor plans, building elevations, and parking plans contemplated by 1.3.3.B.(8), (10), and (12), other than concept floor plans, building elevations, and parking plans;

(3) Landscape plans for vegetation other than for trees, contemplated by 1.3.3.B.(11);

(4) Sign plans contemplated by 1.3.3.B.(13);

(5) Soil erosion and sediment control plan contemplated by 1.3.3.B.(14);

(6) All provided that such documents shall be provided with any site plan contemplated in 5.1.2.B. and further provided that no work may commence on the portion of the site requiring additional site plan review until a site plan has been approved.

B. Site Plan Review. Site plan review for buildings shown on a previously approved master plan; or

C. Special permit review for buildings not shown on a previously approved master plan, as may be amended from time to time.

5.1.3 REGULATIONS

Staff or the commission, as applicable, may approve construction in a Campus Overlay for zoning lots in the NX-1 and MX-2 districts, subject to the following conditions:

A. Lot Configuration

(1) **Lot Area.** A minimum zoning lot area of one acre is required for Campus Overlays planned to be primarily residential, or 2 acres for campuses with mixed residential/non-residential uses or non-residential uses.

(2) **Lot Width.** The zoning lot must have a minimum width of 100 feet.

(3) **Number of Buildings.** There shall be a minimum of 2 detached principal structures.

B. Streets. New private streets within a Campus Overlay may be created, provided that they are shown in the master plan and approved by the director of the department of public works and the commission.

(1) **Approval.** When approving new streets, the commission shall follow the criteria required in 1.3.11 Decisions on Streets, Street Lighting, & Building Lines.

(2) **Define Primary Streets.** Primary and non-primary streets (refer to 1.6 Definitions) shall be defined for all streets surrounding and passing through the campus. Consideration shall be given to the orientation of adjacent parcels when defining these streets.

(3) **New Streets.** New street, whether public or private, within the campus shall utilize the street types defined in 9.0 Street Types.

(4) **Alleys.** Alleys should be utilized to provide parking and service access within the campus.

C. Buildings. Buildings within the campus shall utilize the Building Types permitted by the underlying zoning. Building Type regulations apply to all buildings with the following exceptions:

(1) Building Siting requirements provided, however, that:

(a) All corners on designated Primary Streets shall be occupied by buildings.

(b) Side and rear setbacks shall be applied to the overall zoning lot, but not individual buildings.

(c) Maximum building coverage, maximum impervious area, and additional semi-pervious area shall be applied to the overall zoning lot.

(d) The commission shall review the master plan to ensure that the intent of the Building Siting requirements is achieved, particularly with respect to the front build-to zone and vehicular access, where strict application of the Building Siting requirements would be impracticable.

(e) Building heights may be a maximum of 12 stories.

(2) The blank wall limitation shall be applied to all sides of any detached building.

(3) Number of street entrances requirement.

D. Parking

(1) **Yard Location.** Parking lots or structures shall be located in the rear yard or corner side yard on non-primary streets.

5.1.4 USES

Allowed uses include all of those uses allowed by the underlying zoning district.

5.1.5 BUILDINGS & LOTS INDIVIDUALLY SOLD

Individual buildings and lots may be sold during the construction of or following the completion of a Campus Overlay development, in accordance with the subdivision regulations.

5.1.6 SEVERANCE

If at any point this section is voided by a court, the requirements for underlying zoning district shall apply in full.

5.2 Higher Education Housing Overlay

The Higher Education Housing Overlay is intended to enable development principally for higher education housing on land of or abutting state-accredited graduate schools.

5.2.1 GENERAL

A. Intent. The intent of this overlay is to support the city's institutions of higher learning, by creating flexibility in the zoning regulations that enables housing to be provided for students and others, where such housing would not otherwise be able to be built.

B. Applicability. The following regulations apply to all locations noted on the zoning map with the Higher Education Housing Overlay."

5.2.2 APPLICATION.

The Higher Education Housing Overlay requires applicants to file the following types of applications, as applicable to the relevant type of activity that is the subject of the application:

A. Special permit for a master plan for the entire site, showing the location of buildings, landscaping, and other development characteristics, in accordance with special permit application requirements outlined in 1.3.4 Special Permits;

B. Site plan review for buildings shown on a previously approved master plan; or

C. Special permit review for buildings not shown on a previously approved master plan, as may be amended from time to time.

5.2.3 REGULATIONS

Staff or the commission, as applicable, may approve an application in a Higher Education Housing Overlay, subject to the following conditions:

A. Lot Configuration

(1) **Lot Area.** A minimum zoning lot area of 10 acres is required for Higher Education Housing Overlays.

(2) **Lot Width.** The zoning lot must have a minimum width of 100 feet.

B. Streets. New private streets within a Higher Education Housing Overlay may be created, provided that they are shown in the master plan and approved by the director of the department of public works and the commission. New streets, whether public or private, within the Higher Education Housing Overlay shall utilize the street types defined in 9.0 Street Types. When approving new streets, the commission shall follow the criteria required in 1.3.11 Decisions on Streets, Street Lighting, & Building Lines.

C. Buildings. Buildings within the Higher Education Housing Overlay shall utilize the Building Types permitted by the underlying zoning. Building Type regulations apply to all buildings with the following exceptions:

(1) Building Siting requirements, provided, however, that:

(a) Side and rear setbacks shall be applied to the overall zoning lot, but not individual buildings.

(b) Maximum building coverage, maximum impervious area, and additional semi-pervious area shall be applied to the overall zoning lot.

(c) The commission shall review the master plan to ensure that the intent of the Building Siting requirements is achieved, particularly with respect to the front build-to zone and vehicular access, even if the specific requirements of the Building Siting requirements may not be achieved due to the existence of multiple buildings or site conditions.

(2) The blank wall limitation shall be applied to all sides of any detached building.

(3) Number of street entrances requirement.

(4) Maximum Overall Height, which shall be capped at 4.5 stories.

5.2.4 USES

Allowed uses include one-, 2-, 3-, and multi-unit dwellings. Other uses related to higher education — including classroom, auditoriums, labs, offices, cafeterias, or recreational facilities — not to exceed 15 percent of the total floor area of all buildings on the zoning lot may be permitted with approval by the commission through the special permit process.

5.3 Transit Oriented Development Overlay

5.3.1 GENERAL

A. Intent. The Transit Oriented Development Overlay is intended to allow for greater flexibility and require greater density in the vicinity of fixed nodes of public transportation. Structures that are appropriate for the district are located near transit stations as defined in 3.3.2.H.

B. Applicability. The following regulations apply to all locations noted on the zoning map with the Transit Oriented Development Overlay, which may be overlain on lots located in any district, other than the DT districts, which are within one-half (1/2) of a mile of any existing or proposed transit station.

5.3.2 APPLICATION

The Transit Oriented Development Overlay requires applicants to file a zoning permit application, unless a special permit application is otherwise required by other provisions in these regulations (for example, in the case of an Assembly Use). The staff or commission may require a transportation management plan to be submitted as part of the application.

5.3.3 REGULATIONS

Staff or the commission, as applicable, may approve a development with the Transit Oriented Development Overlay which meets the following conditions:

A. Streets. New private streets within a Transit Oriented Overlay may be created, provided that they are shown in the master plan and approved by the director of the department of public works and the commission.

(1) **Approval.** When approving new streets, the commission shall follow the criteria required in 1.3.11 Decisions on Streets, Street Lighting, & Building Lines.

(2) **Subdivision.** If new public streets are created, the lot shall be subdivided in accordance with the subdivision regulations. Where possible, blocks should be a maximum of 500 feet in length.

(3) **Street Types.** New street, whether public or private, shall utilize the street types defined in 9.0 Street Types.

(4) **Alleys.** Alleys should be utilized to provide parking and service access within the campus.

B. Define Primary Streets. Primary and non-primary streets (refer to 1.6 Definitions) shall be defined for all streets surrounding and passing through the development. Consideration shall be given to the orientation of adjacent parcels when defining these streets. Primary Streets shall be located along at least 2 of the block frontages, preferably the longest block faces, and shall determine the front lot lines and locations of alley access and/or driveways.

C. Buildings. Permitted building types shall include the following:

(1) **Downtown Storefront Building Type.** The requirements for the Downtown Storefront Building Type as defined for the DT-3 district shall be utilized with the bonuses offered by 4.3.2. Note 5.

(2) **Downtown General Building Type.** The requirements for the Downtown General Building Type as defined for the DT-3 district shall be utilized with the bonuses offered by 4.4.2. Note 7.

(3) **Apartment Building Type.** The requirements of the Apartment Building Type as defined for the MX-2 shall be utilized.

(4) **Row Building.** The requirements of the Row Building Type as defined for the MX-2 district shall be utilized.

D. Uses. The uses shall be any of the uses allowed in the DT districts, but not uses allowed in the underlying zoning district which are not also allowed in the DT districts. Such uses are either permitted, permitted with conditions, or special permitted, in the same manner as in the DT districts.

E. Parking. Parking is required per Figure 7.2-A Required Off-Street Automobile Parking. The DT district exemption noted on the table does not apply. Refer to 7.2.4 Parking Credits for a transit-related parking credit.

F. Required Mix of Residential Building Types. For parcels or a development of combined parcels totalling over 4 acres, a mix of at least 2 types of residential building types is required, including residential units in the upper stories of a Storefront Building Type, in an Apartment Building Type, or in a Row Building Type.

5.4 Connecticut River Overlay

5.4.1 GENERAL

A. Intent. The Connecticut River Overlay is intended to improve access and enjoyment of the Connecticut River through carefully planned, use-specific development that is sensitive to the ecology of an urban waterway.

B. Applicability. The following regulations apply to all locations noted on the zoning map with the Connecticut River Overlay, which may be overlain on lots located in any district, which are within 2,000 feet landward from the Connecticut River, measured horizontally on a line perpendicular to the location of the annual average stream bank of the western side of the waterway.

5.4.2 APPLICATION

The Connecticut River Overlay requires applicants to file a zoning permit application, unless a special permit application is otherwise required by other provisions in these regulations. A special permit shall be required if the constructed improvements is proposed to be located within 75 feet landward from the Connecticut River, measured horizontally on a line perpendicular to the location of the annual average stream bank of the western side of the waterway.

5.4.3 REGULATIONS

Staff or the commission, as applicable, may approve a development with the Connecticut River Overlay which meets the following conditions:

A. Buildings. Buildings within the Connecticut River Overlay shall utilize the Building Types permitted by the underlying zoning. Building Type regulations apply to all buildings with the following exceptions:

(1) Minimum Overall Height shall be 3.5 stories.

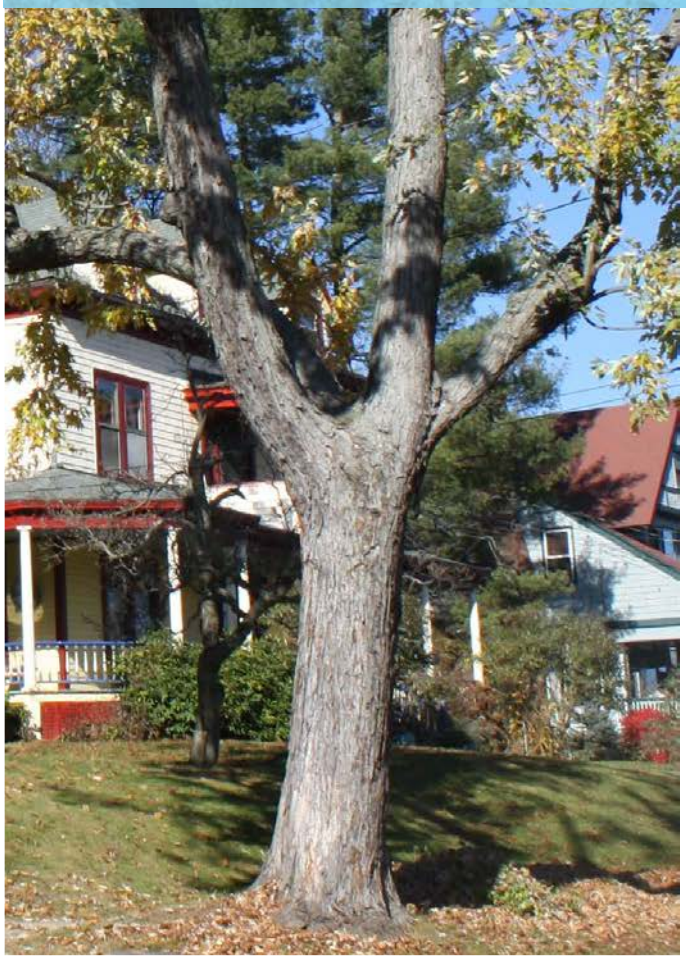
(2) Maximum Overall Height shall be 30 percent greater than the Building Type otherwise allows.

B. Uses. Uses shall include only Multi-Unit Dwelling, Bed & Breakfast, Hotel/Apartment Hotel, Assembly, School, Transit Station, Airport, Neighborhood Retail, Neighborhood Service, Child Day Care, Drinking Place, Eating Place, Office, Craftsman/Studio, Park, Intensive Park Uses, and Temporary Events, as well as Accessory Uses to these Principal Uses.

C. Parking. Off-street parking spaces shall be required per 7.0 Parking, provided, however, that the minimum and maximum requirements shall be reduced by 25 percent.

D. Sustainability. Approval may be conditioned on the use of construction methods and building materials which reduce negative environmental impacts, including in the areas of stormwater runoff, energy usage, and water and air quality.

6.0 SITEWORK & LANDSCAPE



SECTIONS

6.1 Introductory Provisions
6.2 General Installation Requirements
6.3 Ground Plane Vegetation
6.4 Trees
6.5 General Maintenance Requirements
6.6 Tree Removal & Protection
6.7 Street Trees
6.8 Frontage Buffer
6.9 Side & Rear Buffer
6.10 Interior Parking Lot Landscape
6.11 Waterway Buffers
6.12 Screening of Necessary Appurtenances
6.13 Fence Requirements
6.14 Stormwater & Low Impact Development
6.15 Site Lighting

6.1 Introductory Provisions

6.1.1 INTENT

The landscape standards outlined in this section are designed to meet the following set of goals.

A. To provide for healthy, long-lived street trees within all public ways to improve the appearance of streets and create a buffer between pedestrian and vehicular travel lanes.

B. To increase the compatibility of adjacent uses and minimize the adverse impacts created by adjoining or neighboring uses.

C. To promote the prudent use of water and energy resources by achieving and maintaining sustainable, functional landscapes.

D. To shade large expanses of pavement and reduce the urban heat island effect.

E. To mitigate the impacts of climate change through prudent management of natural resources and wildlife habitat.

6.1.2 APPLICABILITY

Landscaping, trees, and buffers shall be installed as detailed in this section.

A. General Compliance. Application of this section to existing uses shall occur with the following developments.

(1) Any development of new or significant improvements to existing parking lots, loading facilities, and driveways. Significant improvements include new driveways, new spaces, new medians, new loading facilities, or complete reorganization of the parking and aisles.

(2) Alteration to an existing principal or accessory structure that results in a change of 15 percent or more in the structure's gross floor area.

(3) When compliance is triggered for existing parking lots, landscape improvements shall take precedence over parking requirements.

B. Buffers. Landscape buffers are required according to the provisions in this section with the following exceptions.

(1) **Shared Driveways.** Buffers shall not be required along a property line where a curb cut or aisle is shared between 2 adjoining lots.

(2) **Points of Access.** Buffering is not required at driveways or other points of access to a lot.

C. Temporary Uses. These provisions do not apply to temporary uses, unless determined otherwise by the zoning administrator.

6.1.3 EXCAVATION

A. Removal of soil, sand or other material. The use of land for the removal of topsoil, sand, gravel or other material from the land is permitted in any district, solely under a temporary certificate from the city engineer, and on condition that such removal of soil will not be below the normal building grade as established from the nearest existing or proposed street, when such building grade has been established and approved by the city engineer. A temporary certificate may be issued in appropriate cases upon filing of an application accompanied by a suitable agreement or bond that such removal will not cause stagnant water to collect, or leave the surface of the land at the expiration of such permit in an unstable condition or unfit for the growing of turf or for other land uses permitted in the district in which such removal occurs. This regulation shall not prohibit the normal removal of soil for the construction of an approved building or structure when such plans have been approved by the director of the division of licenses and inspections and a building permit has been issued and shall not prohibit the installation of a stormwater management system.

B. Excavations or Holes. The construction, maintenance or existence within the city of any unprotected, unbarricaded, open or dangerous excavations, holes, pits or wells, or of any excavations, holes or pits which constitute or are reasonably likely to constitute a danger or menace to the public health, safety or welfare are hereby prohibited. However, this section shall not prevent any excavation under a permit issued under these regulations or the state building code, where such excavations are properly protected and warning signs posted in such manner as may be approved by the director of the division of licenses and inspections.

C. Permitted Earthen Materials Fill. The filling of soil, sand, gravel, or other earthen material is permitted in any district, provided that:

(1) Such use or activity is in compliance with all applicable environmental laws and regulations, and

(2) The surface of such material is graded within a reasonable time in a manner preventing the

collection of stagnant water, and leaving the ground surface in a condition suitable for the growing of turf or for other land uses permitted in a district; and

(3) In a residential district, on an area of up to 10,000 square feet a volume of no more than one cubic yard of material per 100 square feet of lot shall be allowed; and

(4) In a non-residential district, on an area of up to 10,000 square feet a volume of no more than 5 cubic yards of material per 100 square feet of lot shall be allowed; and

(5) Fill covering an area of 10,000 square feet or more shall be permitted in any zoning district only with a permit from the zoning administrator. In addition to such other information required by the zoning administrator, the applicant shall submit a soil erosion and sediment control plan with the application. A permit shall be issued if the zoning administrator receives a report from the city engineer stating that the soil erosion and sediment plan is satisfactory and that the requirements set forth in (1) and (2) above shall be met. The zoning administrator shall specify the commencement and expiration dates of the permit, provided that no permit shall expire more than one year after its commencement date.

6.1.4 SLOPING GRADES

Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building but in such a manner as not to cause runoff of surface water to cause injury to adjacent properties.

6.1.5 VISIBILITY AT INTERSECTIONS

No wall, fence, shrubbery or trees shall be erected, maintained or planted on any lot which unreasonably or dangerously obstructs or interferes with visibility of drivers of vehicles on a curve or at any street intersection. At the intersection of 2 streets, there shall be no obstruction (other than a building required to be built within the sight triangle per the district and Building Type) exceeding 3 feet above the street grade within the sight triangle created between the following points: the point of the intersection of the curb lines of the two streets and the two points along each street that are located 15 feet from the intersection of the curb lines.

6.2 General Installation Requirements

6.2.1 INTENT

The following provisions aid in ensuring that all required landscaping is installed and maintained properly.

6.2.2 APPLICABILITY

These provisions apply to landscape installation as required by this section.

6.2.3 GENERAL INSTALLATION REQUIREMENTS

The installation of landscaping shall adhere to the following standards.

A. National Standards. Best management practices and procedures according to the nationally accepted standards shall be practiced.

(1) **Installation.** All landscaping and trees shall be installed in conformance with the practices and procedures established by the most recent edition of the American Standard for Nursery Stock (ANSI Z60.1) as published by the American Association of Nurserymen.

(2) **Maintenance and Protection.** All landscaping and trees shall be maintained according to the most recent edition of the American National Standards Institute, including its provisions on pruning, fertilizing, support systems, lighting protection, and safety.

PLANT MATERIAL SIZE AT INSTALLATION

Plant Material Type	Minimum Size
Street Tree[1]	2" caliper
Deciduous Shade/Overstory Tree	
Single Trunk	1.5" caliper
Multi Trunk	10' in height
Evergreen Tree	8' in height
Understory Tree	6' in height
Ornamental Tree	1.5" caliper
Shrubs - Deciduous	5 gallon container or 18" balled & burlaped
Shrubs - Evergreen	5 gallon container or 18" balled & burlaped
Groundcover	3" in height

[1] Required size for street trees supersedes other tree size requirements.

Figure 6.2-A Plant Material Size at Installation

B. Installation. Landscaping shall be fully installed prior to the issuance of a certificate of completeness.

(1) If seasonal conditions preclude the complete installation, a cash escrow or irrevocable letter of credit, equal to 1.5 times the installation costs as estimated by a qualified professional.

(2) Complete installation is required within 9 months of the issuance of the temporary certificate of completeness or occupancy permit or the cash escrow or letter of credit may be forfeited.

(3) For trees that were transported to the site with root balls contained with wire basket, burlap, or similar materials, as much of such materials as possible shall be removed from the planting location, to avoid girdling of roots as the tree matures.

(4) A root flare must be exposed and at grade.

C. Tree Measurement. Caliper is the measured diameter (inches) of the tree trunk as follows:

(1) Caliper measurement of the trunk shall be taken 6 inches above the ground or top of the rootball up to and including 4 inch caliper size.

(2) If the caliper at 6 inches above the ground exceeds 4 inches, the caliper should be measured at 12 inches above the ground or top of the rootball.

(3) Caliper should be an average of measurements when a tree's trunk deviates significantly from a true circle.

D. Plant Size Requirements. Plant material shall be sized according to Figure 6.2-A Plant Material Size at Installation unless otherwise noted in this section.

E. Condition and Selection of Planting Materials. The landscaping materials used shall be free from visible signs of disease, infestation, or physical defect at the time of planting. Plant materials shall:

(1) Be appropriate for the conditions of the location, including sun and wind exposure, air quality, salt exposure, soil type, expected moisture content of soil, and slope.

(2) Not be an invasive or a potentially invasive species as identified by the Connecticut Invasive Plant Working Group, the Connecticut Invasive Plants Council, as authorized in Connecticut Statute 22a-381b, or the State of Connecticut Department of Energy and Environmental Protection.

(3) Be, wherever possible, native or naturalized to Connecticut.

F. Compost, Mulch, and Organic Matter. Compost, mulch, and organic matter may be utilized within the soil mix to reduce the need for fertilizers and increase water retention.

G. Establishment. All installed plant material shall be fully maintained until established, including watering, fertilization, and replacement as necessary.

6.3 Ground Plane Vegetation

All unpaved areas shall be covered by one of the following.

6.3.1 PLANTING BEDS

A. Planting beds may include shrubs, ornamental grasses, ground cover, vines, annuals, or perennials.

B. A minimum of 60 percent of the bed area shall be covered in plant material. The remaining portion of the bed shall be covered with non-living permeable materials, such as mulch or landscape aggregate.

C. Annual beds must be maintained seasonally, replanting as necessary.

6.3.2 GRASS

Seeded, plugged, or sodded grass may be planted throughout landscaped areas. Grass shall be established within 90 days of planting or the area must be reseeded, replugged, or resodded.

6.3.3 ARTIFICIAL TURF

A. Definitions

(1) **Artificial Turf.** Any man-made surface manufactured from synthetic materials which simulate the appearance of live turf, grass, sod, or lawn.

(2) **Synthetic Infill Material.** Any man-made infill from recycled or virgin materials including but not limited to ambient and cryogenic crumb rubber, coated crumb rubber, ethylene propylene diene monomer granules, thermoplastic elastomer granules, and recycled footwear.

(3) **Organic Infill Material.** Any material utilizing organic components such as cork, coconut husks, rice husks, silica sand, or acrylic coated sand.

B. Regulations

(1) The use of artificial turf containing synthetic infill materials shall be prohibited.

(2) The use of artificial turf containing organic infill materials or containing no infill material shall be permitted, provided that:

(a) Such use is in compliance with all applicable environmental laws and regulations; and

(b) Any infill is composed completely of organic materials; and

(c) The use of artificial turf does not exceed the impervious coverage requirements.

6.4 Trees

6.4.1 REQUIRED QUANTITY OF LOT TREES

Sufficient trees shall be retained or planted on a lot so that the square footage of vegetative canopy of such trees, when mature, creates a significant canopy over the city as a whole.

A. Quantity of Trees by Canopy Coverage. The percentage of canopy coverage required for each zoning district is listed in Figure 6.4-A Quantity of Trees Required, provided that more specific regulations for particular uses, such as buffers required in 6.8 Frontage Buffer, 6.9 Side & Rear Buffer, and 6.10 Interior Parking Lot Landscape, shall apply in addition to, and may be used to satisfy, the applicable requirements in Figure 6.4-A Quantity of Trees Required. Where a solar parking lot canopy is constructed in accordance with 4.20.6.C., the quantity of trees required by these regulations may be adjusted by the zoning administrator or the commission, as applicable, guided by the intent statements in 6.1.1, 6.4.1.E., and other provisions of these regulations.

B. Measurement. The total canopy coverage for a lot is the sum of the canopy, at maturity, of the individual trees located on the lot. Refer to Figure 6.4-B Typical Canopy Size by Tree Size for Measuring.

(1) Street trees located in the public right-of-way directly adjacent to the property line of the lot may be counted toward the canopy coverage for the lot.

(2) For developments that encompass more than one lot, the percentage shall be calculated for the total canopy for the total area of all of the lots.

(3) For developments that span multiple blocks, the percentage required shall be calculated separately for each contiguous area of the development within a block.

C. Credit for Existing Trees. Additional credit for canopy coverage may be granted for retaining healthy trees of appropriate species and location, subject to the approval of the city forester, as shown in Figure 6.4-C Existing Tree Canopy Credits.

D. Alternative Compliance. Where existing conditions or other provisions of this section make it impracticable to meet the canopy coverage requirement on or adjacent to the site, the applicant shall plant sufficient trees to make up the shortfall with the location to be determined by the city forester. Impracticability may be proven by an

applicant's submission of a daylighting study that shows insufficient sunlight to support trees or shrubs on the parcel.

E. Negative Impacts. No new tree shall have a significant negative impact on any adjacent or nearby property owner. A property owner may not plant any tree which, when fully grown, will shade a solar collector existing at the time of the planting of the tree.

QUANTITY OF TREES REQUIRED	
District	Quantity
DT & MS-1 Districts	Continuous canopy coverage along the street
MS-2, MS-3, CX, & I Districts	15% of the square footage of the lot
MX, NX, & N Districts	Minimum 1 medium or large tree per quarter acre of lot
N-1 District	30% of the square footage of the lot
Overlay districts	The canopy coverage requirement of the base zoning district(s) shall apply.

Figure 6.4-A Quantity of Trees Required

CANOPY COVERAGE BY TREE SIZE	
Tree Size	Canopy Size
Large	1,000 square feet
Medium	700 square feet
Small	300 square feet

Figure 6.4-B Typical Canopy Size by Tree Size for Measuring

EXISTING TREE CANOPY CREDITS	
Tree Diameter at 4.5 Feet Above Ground	Additional Canopy Credit
≥ 10 inches	300 square feet
≥ 20 inches	700 square feet
≥ 30 inches	1,000 square feet

Figure 6.4-C Existing Tree Canopy Credits

6.4.2 TREE TYPES

The types of trees permitted to be planted and their classification are listed in Figure 6.4-D Permitted Tree Types. Deviations or modifications to this list may be approved by the city forester from time to time. Planted trees shall be a combination of permitted species, where possible.

6.4.3 TREE SPACING

Trees shall be planted at least 25, 15, and 5 feet apart for large, medium, and small trees, respectively.

6.4.4 TREE MAINTENANCE

Tree trimming, fertilization, and other similar work shall be performed by or under the management of an ISA certified arborist.

6.4.5 PERMEABLE SURFACE

For each tree preserved or planted, a minimum amount of permeable surface area is recommended, unless otherwise stated in these regulations. Refer to Figure 6.4-E Recommended Soil Volumes & Permeable Area per Tree.

A. At least 70 percent of the canopy limits of preserved trees should have a permeable surface.

B. Permeable area for one tree cannot count toward that of another tree.

6.4.6 STRUCTURAL SOIL

A. When the soil surface area of a tree will extend below any pavement, structural soil may be used underneath that pavement. Refer to Figure 6.4-E Recommended Soil Volumes & Permeable Area per Tree.

B. Structural soil is a medium that can be compacted to pavement design and installation requirements while still permitting root growth. It is a mixture of gap-graded gravels (made of crushed stone), clay loam, and a hydrogel stabilizing agent to keep the mixture from separating. It provides an integrated, root penetrable, high strength pavement system that shifts design away from individual tree pits.

PERMITTED LARGE TREES	
Maple, Red	*Acer rubrum*
Maple, Sugar	*Acer saccharum*
Horse Chestnut	*Aesculus hippocatanum*
Katsura Tree	*Cercidiphyllum japonicum*
Ginkgo	*Ginkgo biloba*
Coffee Tree	*Gymnocladus dioicus*
Sweet Gum	*Liquidambar styraciflua*
Tulip Tree	*Liriodendron tulipifera*
Magnolia	*Magnolia spp.*
London Planetree	*Platanus acerifolia*
Oak, White	*Quercus alba*
Oak, Swamp White	*Quercus bicolor*
Oak, Scarlet	*Quercus coccinea*
Oak, Shingle	*Quercus imbricaria*
Oak, Bur	*Quercus macrocarpa*
Oak, Pin	*Quercus palustris*
Oak, Willow	*Quercus phellos*
Oak, Chestnut	*Quercus prinus*
Oak, English	*Quercus robur*
Oak, Red	*Quercus rubra*
Linden, American	*Tilia americana*
Linden spp.	*Tilia spp.*
Elm, American	*Ulmus americana*
Zelkova	*Zelkova serrata*

PERMITTED MEDIUM TREES	
Maple, Trident	*Acer buergeranum*
Maple, Hedge	*Acer capestre*
Hornbeam, European	*Carpinus betulus*
Hackberry	*Celtis laevigata*
Yellowwood	*Cladrastis kentukea*
Turkish Filbert	*Corylus colurna*
Hawthorn	*Crataegus spp.*
Hardy Rubber Tree	*Eucommia ulmoides*
Honey Locust	*Gleditsia triacanthos*
Goldenrain Tree	*Koelreuteria paniculata*
Magnolia	*Magnolia spp.*
Black Gum	*Nyssa sylvatica*
Hophornbeam	*Ostrya virginiana*
Fastigiate Oak	*Quercus fastigiata*
Pagoda Tree	*Styphnolobium japonicum*
Elm, Lacebark	*Ulmus parvifolia*

PERMITTED SMALL TREES	
Maple, Paperbark	*Acer griseum*
Serviceberry	*Amelanchier spp.*
Hornbeam, American	*Carpinus caroliniana*
Redbud, Eastern	*Cercis canadensis*
Dogwood, Flowering	*Cornus florida*
Dogwood, Kousa	*Cornus kousa*
Amur maackia	*Maackia amurensis*
Crabapple Species	*Malus spp.*
Sourwood	*Oxydendron arboreum*
Plum, Purpleleaf	*Prunus cerasifera Thunderleaf*
Cherry Species	*Prunus spp.*
Stewartia, Japanese	*Stewartia pseudocamellia*
Lilac Tree	*Syringa reticulata*

Figure 6.4-D Permitted Tree Types

RECOMMENDED SOIL VOLUMES & PERMEABLE AREA			
Tree Size	Soil Volume	Soil Surface Area with 2.5' Soil Depth	Permeable Surface Area Requirement
Very Small	181 cubic feet	72 square feet (approx. 8.5' x 8.5')	25 square feet (5' x 5')
Small	736 cubic feet	294 square feet (approx. 17' x 17')	100 square feet (10' x 10')
Medium	2852 cubic feet	1141 square feet (approx. 34' x 34')	225 square feet (15' x 15')
Large	6532 cubic feet	2681 square feet (approx. 50' x 50')	400 square feet (20' x 20')

Figure 6.4-E Recommended Soil Volumes & Permeable Area per Tree

6.5 General Maintenance Requirements

6.5.1 LANDSCAPE MAINTENANCE

All landscaping shall be maintained in good condition at all times to ensure a healthy and orderly appearance.

A. Applicability. All required landscape shall be maintained to adhere to all requirements of these regulations.

B. Replacing Unhealthy Landscaping. Unhealthy landscaping shall be replaced with healthy, live plants by the end of the next applicable growing season. This includes all plant material that shows dead branches over a minimum of 25 percent of the normal branching pattern.

C. Maintenance Responsibility. The owner is responsible for the maintenance, repair, and replacement of all landscaping, screening, and curbing required herein.

D. Maintain Quality and Quantity. Maintenance shall preserve at least the same quantity, quality, and screening effectiveness as initially installed.

E. City Inspection. All landscaped areas regulated by these regulations may be inspected by the city.

6.5.2 TREE MAINTENANCE

Tree trimming, fertilization, and other similar work shall be performed by or under the management of an ISA certified arborist.

A. Tree Topping. Tree topping is not permitted. When necessary, crown reduction thinning or pruning is permitted. Refer to 6.7.3.B. for clear branch height of street trees.

B. Tree Pruning. Nothing in this section shall be construed to prevent tree pruning to promote the health of a tree or for public safety purposes.

6.6 Tree Removal & Protection

6.6.1 REMOVAL OF SIGNIFICANT TREES

No significant tree shall be removed without a permit from the city forester, pursuant to city code section 28-160. A significant tree is any tree with a diameter at breast height of 13 inches or more, or grove of trees or any tree type designated significant by the city forester, who shall determine significance on the basis of a tree's age, species, health, meaning within the community, historical importance, and similar factors; and, for the purposes of this section, a "significant tree" shall also mean a city tree or a grove of trees, as those terms are defined in municipal code section 28-154.

A. Application. Any person wishing to remove a significant tree shall file a request to do so with the city forester.

B. Required Findings for Approval. In order to grant permission to remove a significant tree, the city forester must make one or more of the following findings within 20 business days of receipt of the application:

(1) The tree is in poor health or diseased with an expected life span less than 2 years.

(2) The removal of the tree is unavoidable because the tree poses a danger to human safety, health and welfare.

(3) The negative impact on the urban canopy of the removal of the significant tree can be adequately mitigated either by:

(a) The planting of a tree or trees with the cumulative equivalent diameter at breast height as the removed tree, or

(b) The deposit of money into the Hartford Tree Account which leads to the planting of a tree or trees with the cumulative equivalent diameter at breast height as the removed tree.

6.6.2 TREE PROTECTION DURING DEVELOPMENT ACTIVITY

A. During development, all precautions shall be undertaken to prevent construction damage to existing trees, in accordance with ANSI guidelines.

B. Protection shall not only include prevention of injury to the trunk and branches of existing trees, but also include the protection of the root systems.

C. No person shall create a trench through the root system of an existing tree, expose the roots to the air overnight without a method for maintaining moisture, change the soil grade within the dripline of the tree, or cause soil compaction with the use of vehicles, machinery, or other method.

D. The root systems of trees on adjacent lots shall also be protected.

E. Before, during, and after the start of construction activity, the city forester shall have full access to the site to ensure that work is being done in accordance with these regulations and any additional requirements imposed on the project.

6.6.3 PENALTIES

Any person who removes a significant tree without prior permission from the city forester, causes significant root damage likely to lead to the death of a significant tree within 2 years, or causes the death of a significant tree through negligent construction practices or other means as determined by the city forester, shall be subject to a one-time fine equivalent to the value of the tree. The tree value shall be established using the Trunk Formula Method set forth in the latest edition of Guide for Plant Appraisal authored by the Council of Tree and Landscape Appraisers. Fines shall be held by the department of public works for forestry-related uses in the Hartford Tree Account, in accordance with municipal code section 28-164.

6.7 Street Trees

A street tree is defined as any tree lining a street to achieve the purpose described in the following intent and which otherwise meets the requirements of this section.

6.7.1 INTENT

To line all streets with a consistent and appropriate planting of trees to establish tree canopy for environmental and aesthetic benefits for all streets.

6.7.2 APPLICABILITY

The requirements of this section 6.7 Street Trees apply to tree planting along all new streets, realignments of existing streets, major renovations of sidewalks, and new construction of principal uses.

6.7.3 MINIMUM STREET TREE REQUIREMENTS

The following standards apply to the installation of street trees.

A. Exception. Street Trees are not required on alleys.

B. Clear Branch Height. The clear branch height of a tree is the distance between the ground plane and the lowest branch of the tree at maturity. Minimum clear branch height is 8 feet for the portion of trees overhanging sidewalks and 15 feet for the portions of trees overhanging streets.

C. Street Tree Type. Refer to Figure 6.4-D Permitted Tree Types.

D. Street Tree Spacing. Street trees shall be planted as follows:

Figure 6.7-A Example of Tree Well Fencing.
(photo credit: District Department of Transportation, DC.gov)

(1) **Minimum per Street Frontage.** Each lot is required to have one tree for every 40 feet of street frontage with a minimum of one street tree per street frontage.

(2) **Spacing.** Street trees must be located a minimum of 2 feet and a maximum of 10 feet from the street, measured perpendicular to the curb.

(3) **Limited Space.** Notwithstanding anything to the contrary in this section, the requirement to provide street trees shall be waived when there is less than 6 feet between the back of the curb and the front facade of the building.

(4) **Tree Wells.** For trees installed within the public right of way which are not within a continuous, landscaped buffer strip, a tree well shall be used. Such tree well shall be a minimum of 4 feet wide (the distance perpendicular to the curb) and 8 feet in length. The opening of such tree well must include one of the following:

(a) The tree well opening shall be covered with an expandable iron tree grate.

(b) The tree well opening shall be fenced with an ornamental iron fence 18 inches above grade, with a top row of rings topped with a horizontal bar, which meets or exceeds the following specifications, as revised: ASTM A-787, ASTM A-653, and ASTM A-607. Such fences must be welded and painted black, and must be 3-sided, with the open side facing the curb. Refer to Figure 6.7-A Example of Tree Well Fencing.

(c) Continuous granite curbing approximately 4 inches wide and 6 inches above the height of the sidewalk immediately adjacent to the well.

(d) Granite posts at corners and every 4 feet along the perimeter of the well, such posts being approximately 8 to 10 inches above the height of the sidewalk immediately adjacent to the well, 4 inches wide, and 4 inches deep, with steel bracing on 3 sides of the tree well between such posts, with the open side facing the curb.

(e) Other durable, long-lasting protective fencing or materials as the city forester deems appropriate given site conditions.

6.8 Frontage Buffer

6.8.1 INTENT & APPLICABILITY

A. Intent. To lessen the visual impact of certain uses or activities visible from the street.

B. General Applicability. Applies to properties in all DT, MS, CX, MX, NX, and N districts for the following types of uses:

(1) Off-street surface parking areas located adjacent to a right of way, except:

(a) Parking areas along alleys, other than when a residential district is located across the alley.

(b) Parking areas for one- and 2-unit dwellings.

(2) Transportation and utilities facilities identified in 3.3.8.B.

(3) Ground-mounted transmission towers identified in 3.3.8.C.

(4) Outdoor Sales Lots identified in 3.3.4.G.

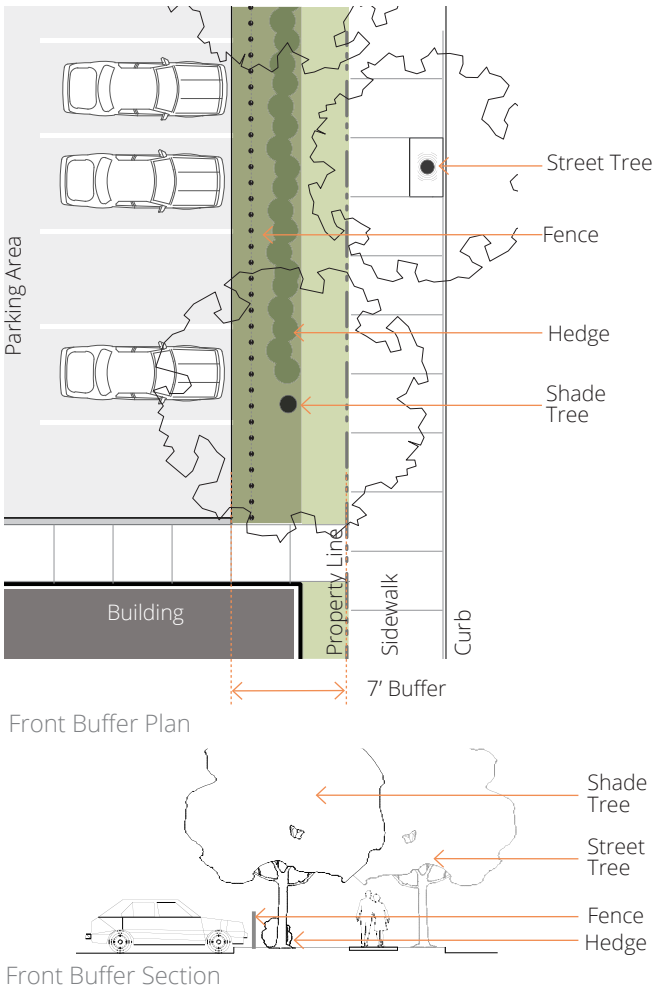


Figure 6.8-A Frontage Buffer Plan & Section

6.8.2 FRONTAGE BUFFER REQUIREMENTS	
A. Buffer Depth & Location	
Depth	Minimum 7' from street facing property line for parking areas or minimum 7' from the sidewalk for other uses covered by this section.
Driveways/ Walkways	This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.
B. Buffer Landscape Requirements	
Uses & Materials	Uses and materials other than those indicated are prohibited in the buffer
Shade Trees	Medium or large shade tree required at least every 40', located on the street side of the fence. Where feasible in the opinion of the zoning administrator, spacing should alternate between trees on the lot and trees in the public right of way.
Hedge	Required continuous hedge on street side of fence, between shade trees & in front of vehicular areas
Hedge Composition	Individual shrubs with a minimum width of 24", spaced no more than 36" on center, height maintained no more than 48".
Existing Vegetation	May be credited toward buffer area
C. Fence	
Location	2' from back of curb of vehicular area for parking areas or 3' from hedge trunk for other uses covered by this section.

6.8.2 FRONTAGE BUFFER REQUIREMENTS	
Materials	Steel or colored PVC; masonry columns (maximum width 2'6") and base (maximum 18" height) permitted
Minimum Height	3'
Maximum Height	4'
Colors	Black, gray, or dark green
Opacity	Minimum 30%; maximum 60%
Gate/Opening	One gate permitted per street frontage; opening width maximum 6'

6.9 Side & Rear Buffer

6.9.1 INTENT & APPLICABILITY

A. Intent. To minimize the impact that one zoning district may have on a neighboring district and to provide a transition between districts.

B. General Applicability. Applies to properties in all districts for the following types of uses:

(1) Civic and Institutional Uses identified in 3.3.2 abutting a lot used for residential purposes.

(2) Off-street surface or structured parking abutting a lot used for residential purposes.

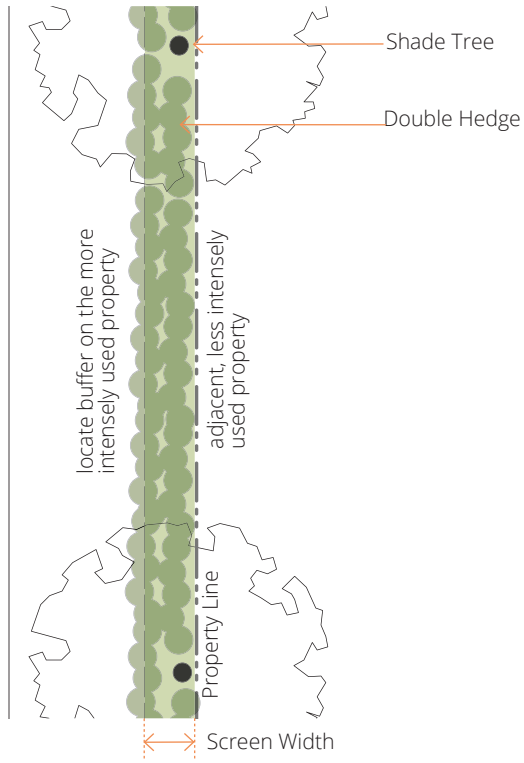
(3) General Retail Uses identified in 3.3.4.B, provided that the zoning administrator may deem these buffer requirements to be satisfied when reasonably applied to a single parcel containing more than one General Retail Use.

(4) Zoning lots subject to a Campus Overlay pursuant to 5.1, only along property lines adjacent to other zoning lots, and not along property lines adjacent to public rights of way.

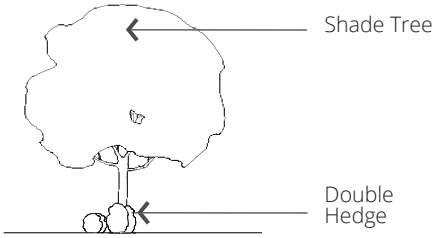
(5) Any uses for which Frontage Buffers are required by 6.8 Frontage Buffer.

6.9.2 SIDE & REAR BUFFER REQUIREMENTS

A. Buffer Depth & Location	
Depth	Minimum 5' from property line
B. Buffer Landscape Requirements	
Uses and Materials	Uses and materials other than those indicated are prohibited within the buffer
Shade Trees	At least 1 medium or large shade tree every 40' within the buffer
Hedge	Continuous double row of shrubs required between shade trees
Hedge Composition	Double row of individual shrubs with a minimum width of 24", spaced no more than 36" on center; mature height in one year of 24"
Existing Vegetation	May be credited toward buffer area



Landscape Screen Plan



Landscape Screen Section

Figure 6.9-A Landscape Screen within Side & Rear Buffer

6.10 Interior Parking Lot Landscape

Parking lot interior is defined as the area dedicated to parking on a given parcel as measured from edge of pavement to edge of pavement.

6.10.1 INTENT & APPLICABILITY

A. Intent. To provide shade, minimize paving & associated stormwater runoff, & improve the aesthetic look of parking lots.

B. General Applicability. All off-street surface parking lots in all districts with more than one double-loaded aisle. For clarity, this section applies to parking lots with a double-loaded aisle plus a single-loaded aisle, as well as parking lots with a double-loaded aisle plus one travel lane additional to the travel lane used for parking.

C. Other Internal Parking Lot Areas. Canopy coverage shall be provided in accordance with Figure 6.4-A Quantity of Trees Required, provided, however, that canopy coverage of 10 percent is required for any internal parking lot area.

D. Existing Vegetation. Existing vegetation may be credited toward these requirements in accordance with Figure 6.4-C Existing Tree Canopy Credits.

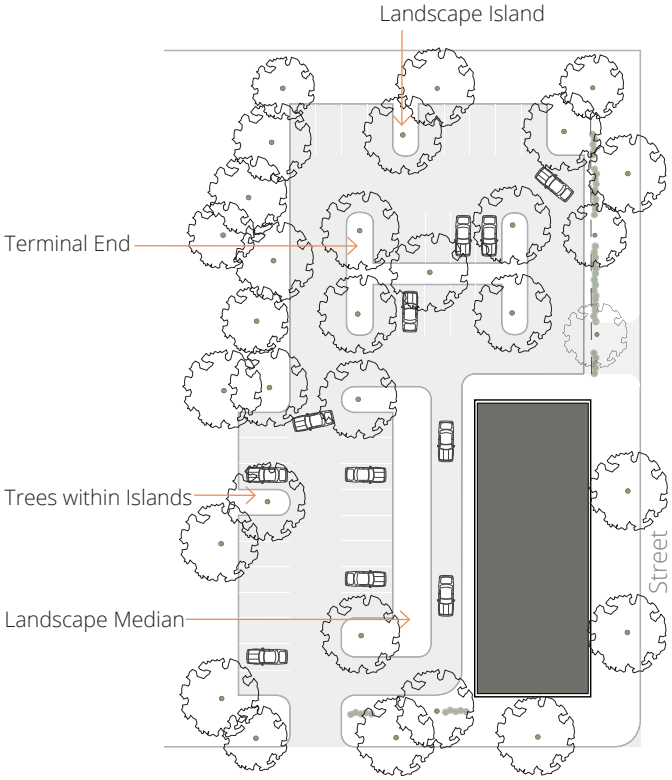


Figure 6.10-A Interior Parking Lot Landscaping.

6.10.2 INTERIOR PARKING LOT LANDSCAPE REQUIREMENTS

A. Landscape Island Requirements	
Required Island Locations	1. At terminal ends of freestanding rows or bays of parking. Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking. 2. After every 9th parking space for rows of parking greater than 8 spaces in length. There shall be no more than 8 continuous parking spaces in a row without a landscape island.
Minimum Width	5'; islands less than 15' must utilize structural soil under any paved surface within a tree's critical root zone; Islands under 9' must install an aeration system and utilize permeable pavement
Slotted Curbs	Slotted curbs are encouraged on parking lot islands to allow stormwater runoff into islands where appropriate, and proper island design to infiltrate runoff
Required Trees Within Islands	Minimum of 1 medium or large shade tree per island
B. Landscape Median Requirements	
Required Median Location	Required in each free-standing bay of parking along the length of the bay
Slotted Curbs	Slotted curbs are encouraged on parking lot islands to allow stormwater runoff into medians where appropriate, and proper island design to infiltrate runoff
Minimum Width	5'; medians less than 15' must utilize structural soil under any paved surface within a tree's critical root zone. Medians under 9' must install an aeration system and utilize permeable pavement
C. Tree Requirements	
Tree Requirements per Parking Space	Each parking space must be located within 50' of a tree planted within parking lot interior
	Minimum of 1 shade tree must be planted within parking lot interior or within 4' of parking lot's edge for every 5 parking spaces
	Trees within any required buffer area may not be utilized to meet these requirements

6.11 Waterway Buffers

6.11.1 INTENT & APPLICABILITY

A. Intent. To establish minimum acceptable standards for the design of waterway buffers in order to: protect riparian habitat; reduce land development impacts on water quality and flows; provide for the environmentally sound use of our natural resources; remove pollutants delivered in urban stormwater; reduce erosion and control sedimentation; prevent or minimize loss of life, injuries, property damage, and other losses; and furnish scenic value and recreational opportunity. This section achieves these purposes by: restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities; requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; and controlling the alteration of natural flood plains, stream channels, and natural protective barriers that help accommodate or channel flood waters and provide other benefits as described in the preceding sentence.

B. General Applicability. Applies to perennial waterways of the Connecticut River, North Branch, South Branch, Cemetery Brook, Gully Brook, and Meadow Brook, as well as intermittent streams, defined as streams that flow at least 6 months out of a year but do not flow during part or all of the summer and may carry water during or after a rainstorm; and does not apply to portions of a waterway which are contained on 3 or 4 sides by a man-made structure, such as a concrete channel or underground pipe. Perennial and intermittent streams may be identified through site inspection or by United States Geological Survey maps, whichever is more inclusive and more updated.

6.11.2 WATERWAY BUFFER REQUIREMENTS

A. Parking, Structures, & Driveways. Unless otherwise specified by state or federal law, no parking, structures, or new driveways are permitted within the following waterway buffers:

(1) Any floodplain.

(2) 50 lateral feet landward from the Connecticut River or North Branch, or 30 lateral feet landward from any other waterway, measured horizontally on a line perpendicular to the location of the annual average stream bank of both sides of a waterway.

(3) 25 lateral feet landward from the intermittent stream, measured horizontally on a line perpendicular to the location of the normal high water mark of both sides of an intermittent stream.

B. Prohibited Uses. In addition, the following uses are prohibited within waterway buffers, except where incidental to an allowable use identified in 6.11.2.D: clearing of vegetation; grading, stripping, or other soil-disturbing practices; filling or dumping; draining the buffer area by ditching, underdrains or other systems; use, storage or application of pesticides; and storage or operation of motorized vehicles except for maintenance or emergency use.

C. Vegetation. The waterway buffer shall include trees and plant material of a type and quantity sufficient to protect the physical and ecological integrity of the waterway ecosystem, provide distance between upland development and the waterway, and filter stormwater runoff from land development. Underbrush in the waterway buffer may not be removed or maintained, except for the maintenance of waterways within the flood control system by a public body; however, exotic and invasive species may be removed.

D. Allowable Uses. The following allowable uses are authorized within the waterway buffer:

(1) A paved walking or bicycle path installed more than 25 lateral feet landward from the waterway, or an unpaved walking or bicycle path installed more than 15 lateral feet landward from the waterway, measured horizontally on a line perpendicular to either the location of the annual average stream bank of both sides of a waterway or the location of the normal high water mark of both sides of an intermittent stream

(2) Access to docks, piers, or beaches, provided that any impervious surface utilized to facilitate such access shall be as minimal as is required to accommodate the access

(3) Encroachments of duly permitted sewer and underground utility systems, provided that such systems must cross the buffer area as close to perpendicular as practically possible

(4) Fencing that does not interfere with the flow of the waterway, provided that any vegetation disturbed by the installation of the fence shall be restored.

(5) Public streets duly authorized by the Commission or city council, as applicable.

(6) Dikes, embankments, walls, reservoirs, pumping stations or drainage works approved by the Greater Hartford Flood Control Commission. Installation should be encouraged as far back from the Connecticut River as possible, to allow for more natural buffer/floodplain processes.

(7) No allowable use may be permitted within the Waterway Buffer unless adequate and proper measures are specifically undertaken in connection with the location and/or construction of such use or uses to ensure that the water holding capacity of the floodplain is substantially maintained without upstream flooding, without endangering properties of adjacent owners, and without interfering or diminishing the basic flow of the waterway.

6.12 Screening of Necessary Appurtenances

6.12.1 INTENT & APPLICABILITY

A. Intent. To reduce the visibility of open storage, refuse areas, loading, and utility appurtenances from public areas and adjacent properties.

B. General Applicability. All dumpsters, loading areas, open storage, refuse areas, mechanical equipment, for-profit or non-profit donation bins (including temporary bins), and utility appurtenances and certain non-motorized vehicular equipment and marine equipment parking/storage areas (see 7.1.3.C.) in all districts.

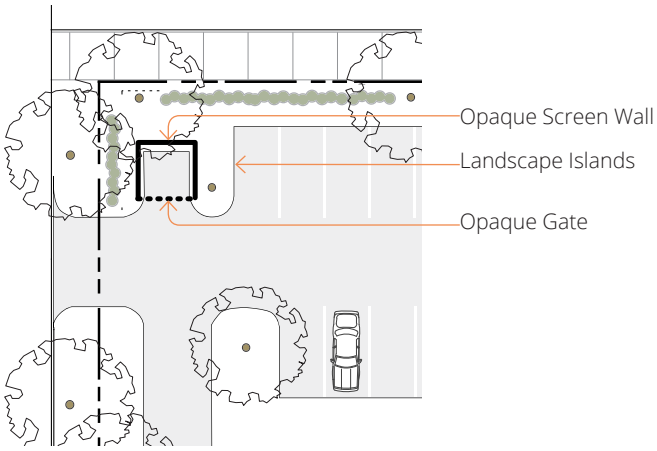


Figure 6.12-A Screening of Open Storage & Refuse Areas.

6.12.2 SCREENING REQUIREMENTS

A. Open Storage, Loading, & Refuse Area Screening Requirements	
Location on the Site	Not permitted in front or corner side yards
Opaque Screen Wall [1]	Required around 3 sides of the appurtenance to be screened
Screen Wall Height	Height shall be the higher of the following: 1. 6' 2. Height of use to be screened 3. Height as determined by city to accomplish objective of the screen
Visible Openings	Openings visible from the public way or adjacent properties must be furnished with opaque gates
Landscape Requirement	If refuse area is located within larger paved area, such as a parking lot, landscape islands must be located on 3 sides of the area, with at least 1 medium or large shade tree in at least 1 of the landscape areas [2]
B. Utility Appurtenance Screening Requirements	
Large Private Mechanical Equipment [3]	Shall be fenced with opaque wood or brick-faced masonry on all sides facing right-of-way
Small Private Mechanical Equipment [4]	Shall have landscape screening and a shrub bed containing shrubs spaced no more than 36" on center

Notes:
[1] Vertical structured barrier to visibility at all times such as a fence or wall
[2] This tree, if located within 50' of a parking space, may be utilized to meet the minimum shade requirements
[3] Large private mechanical equipment is equal to or greater than 4' in height
[4] Small private mechanical equipment is smaller than 4' in height

6.13 Fence Requirements

6.13.1 LOCATION & PLACEMENT

A. Front and Corner Side Yards. No fence may be constructed closer than one foot to the front property line or corner side property lines, provided, however, that the requirements of 6.1.5 prevail. No fence greater than 50 percent opacity may be located in any front or corner side yard in the NX or N districts, or on the lot of any property used for residential purposes.

B. Side and Rear Yards. Fences in side and rear yards may be located anywhere on the lot. However, property owners are encouraged to consult with neighboring property owners prior to installation when proposed along a property line.

C. Face Direction. All fences shall be erected with the "good," "decorative," or "finished" side facing outward.

D. Unauthorized Placement Prohibited. It is unlawful for any person to place or maintain any post, rail, fence, wires or other similar obstruction upon any street, sidewalk or public right-of-way in the city, except as otherwise expressly provided in these regulations, such as in an Outdoor Cafe per 3.5.2.C.

6.13.2 HEIGHT

A. Minimum Height. The minimum height in any district for any fence is 3 feet, other than fencing for Outdoor Cafes per 3.5.2.C.

B. Maximum Height.

(1) **Front & Corner Side Yards.** No fence more than 4 feet high shall be constructed in a front yard or corner side yard in any district other than fencing for Outdoor Cafes per 3.5.2.C. and fencing that is part of a required buffer per 6.8 Frontage Buffer. In the ID and CX-2 districts, on lots not abutting a lot assigned to any other zoning district, no fence more than 6 feet high shall be constructed in a front yard.

(2) **Industrial & Commercial Districts.** In the ID-1, ID-2 and CX-2 districts, the maximum height of side and rear yard fences is 8 feet, except where the property is used for residential purposes.

(3) **Other Districts.** In the DT, MS, CX-1, MX, NX, and N districts, and on any property used for residential purposes in any other district, the maximum height of any fence in a rear, side, or corner side yard is 6 feet except as otherwise provided in these regulations, such as in 6.8 Frontage Buffer.

6.13.3 TYPES & MATERIALS

A. No person shall install or maintain any barbed wire, razor wire or ribbon, concertina wire, electrified wire or any other similar type of wire on any fence in the city.

B. Chain link fencing is prohibited in any front yard in any district and shall not satisfy fencing requirements of 6.8 through 6.12, inclusive.

6.13.4 MAINTENANCE

Fences shall be kept in good repair and replaced if they become prone to collapse or visual deterioration. Fences shall be free of rust, flaking paint, and graffiti.

6.13.5 DEVIATIONS

Notwithstanding the provisions of these fence requirements, the commission can approve deviations of these regulations as a special permit to an overall site plan.

6.14 Stormwater & Low Impact Development

6.14.1 INTENT

A. **Stormwater Management.** Stormwater management on developed sites is necessary to maintain public health and safety and improve water quality for the people of the city.

B. **Maintenance & Restoration of Natural Systems.** Streams, drainage systems, and floodplains are essential for the maintenance of the health and general welfare of the people of the city. Accordingly, these regulations shall require the maintenance, where feasible, of the natural environment of city streams and drainage systems by the control of pollutants from storm runoff from entering the systems and through reduction of flow quantities resulting from redevelopment and new development and, where feasible, restoration of the floodplain to its natural functional purpose.

6.14.2 REGULATIONS

A. **Low-Impact Development.** These regulations require, where feasible, employment of measures in accordance with the latest version of the Low-Impact Development Appendix to the Connecticut Stormwater Quality Manual to control stormwater at its source and to minimize the generation of runoff collected by the municipal storm sewer system.

B. **Adjoining Properties.** Sites shall be graded, drained, and landscaped as to dispose of all surface water accumulation on site, and to prohibit surface water draining onto an adjoining property.

C. **No Net Volume Increase.** In no case shall any zoning permit, including a zoning permit for a parking lot, allow the volume of stormwater runoff from a site to exceed the volume existing prior to the application for such permit or approval.

D. **Innovative Design Solutions.** These regulations and decisions made by the commission in accordance with these regulations shall encourage innovative design solutions to control the quality of storm runoff from development sites during and after construction.

E. **Natural Landscape Solutions.** Natural landscape solutions such as minimization of impervious surfaces, undisturbed buffers, and filter strips are preferred over structural solutions such as detention ponds.

F. **Encroachment on Existing Natural Systems.** Any encroachment upon, or filling or destruction of streams, drainage systems, or floodplains, unless approved by the city, is a violation of these regulations.

G. **Approval of Adequate Facilities.** In order to provide for the development of property for its best use, the city engineer, or the Greater Hartford Flood Commission within its jurisdiction, shall determine what facilities are adequate to maintain the prime purpose of the stream, drainage channel or floodplain.

6.15 Site Lighting

6.15.1 INTENT & APPLICABILITY

A. Intent. To provide adequate light for safety and security; promote efficient lighting that conserves energy; reduce light pollution, light trespass, glare and offensive light sources; and provide an environmentally sensitive nighttime environment that includes the ability to view the stars against a dark sky so that people can see the Milky Way Galaxy.

B. Applicability. These regulations apply to the installation of new outdoor lighting fixtures or the replacement of existing outdoor fixtures other than outdoor fixtures erected and maintained by the city. Replacement of a fixture shall mean a change of fixture type or change to the mounting height or location of the fixture, including fixtures mounted on the exterior of buildings or structures, freestanding lights, and ground lights. Routine lighting maintenance, such as changing lamps or light bulbs, ballast, starter, photo control, housing, lenses, and other similar components, does not constitute replacement and is permitted, provided such changes do not result in a higher lumen output.

6.15.2 DESIGN STANDARDS

Outdoor lighting fixture shall satisfy the following requirements:

A. General. In general, all exterior light sources shall be directed downward and the illumination confined to necessary or useful areas.

B. Maximum Light Levels at Property Line

(1) The maximum light level at any point on a property line shall not exceed: 0.1 footcandles within or adjacent to a residential property or a property in the N or NX districts, or 0.2 footcandles in other properties.

(2) The zoning administrator or commission, as applicable, may determine that certain light fixtures are exempt from these requirements because they do not adversely affect an adjacent property owner, or because they are necessary for the functioning of the use.

C. Type of Bulb. White light sources that include, without limitation, metal halide, fluorescent, or induction lamps, but excluding incandescent and halogen lamps, are required for any light fixture which exceeds 2,400 lumens that is within a parking lot, vehicular circulation, or pedestrian use area. Full cutoff high pressure sodium lamps, not exceeding a maximum lumen rating of 16,000 lumens, may be used in outdoor storage areas and other similar use areas not accessible to the general public and the need for good color rendering capabilities for safety and security is not necessary.

D. Location. Light poles may be located as follows:

(1) Light fixtures mounted on buildings or structures and light poles less than 7 feet in height may locate in any yard on any lot.

(2) Light poles taller than 7 feet in height may be permitted through the site plan review process, depending on site conditions.

E. Architectural Lighting of Building Facades. The lighting of a building facade for architectural, aesthetic, or decorative purposes is permitted subject to the following restrictions:

(1) Upward aimed building facade lighting shall not exceed 900 lumens. All upward aimed light shall be fully shielded, fully confined from projecting into the sky by eaves, roofs, or overhangs, and mounted as flush to a wall as possible.

(2) Building facade lighting exceeding 900 lumens shall be fully shielded, aimed downward, and mounted as flush to a wall as possible.

(3) Building facade lighting shall be fully contained within the vertical surface of the wall being illuminated.

(4) Building facade lighting that is measurable at the ground level shall be included in the maximum allowable light levels.

F. Unshielded Lighting

(1) **Motion-Activated Lighting.** Unshielded, motion-activated lighting that emits more than 2,000 lumens but less than or equal to 6,000 lumens is permitted provided that it is activated by a motion sensor and provided it is aimed and located in such a manner as to prevent glare and light trespass. The light shall only go on when activated and go off within 5 minutes of activation. Motion sensor activated lighting shall not be triggered by any movement or activity located off the property on which the light is located.

(2) Other unshielded lighting is prohibited, unless it can be shown that the type of fixture proposed is not objectionable because of the light distribution characteristics of the fixture.

G. Parking Lot Lighting Curfews. On all non-residentially developed lots which contain a

minimum of 4 parking lot light poles, parking lot lighting levels for ground surface parking lots and the top levels of parking decks or structures must be reduced by at least 50 percent of full operational levels within 30 minutes after the close of business. Lighting levels may be reduced by turning off 50 percent of the parking lot lights or by dimming parking lot lighting levels to no more than 50 percent of the levels used during business or activity hours within 30 minutes of the close of business, or by some combination thereof. Given that a certain minimum lighting level is recommended for safety and security purposes, this provision does not require parking lot lighting levels to be reduced to less than 0.2 footcandles as measured horizontally at the surface on which the light pole is mounted.

6.15.3 EXEMPT LIGHTING

This section shall not apply to:

A. Lighting fixtures and standards required by federal, state or county agencies, including street lights within the public right-of-way.

B. Temporary lighting fixtures for the purpose of performing nighttime road construction work on major thoroughfares.

C. Holiday lighting fixtures and displays, for no more than 40 days per year on a single zoning lot.

D. Aircraft warning lights and navigation beacons.

E. Marine lighting may be used if directed at or toward a body of water not visible on other land areas.

F. Lighting for special events, when permitted in conjunction with a special permit.

G. Low voltage (12 or fewer volts), low wattage ornamental landscape lighting fixtures, and solar operated light fixtures having self-contained rechargeable batteries, where any single light fixture does not exceed one hundred lumens.

6.15.4 PROHIBITED LIGHTING

The following types of lighting are prohibited, unless otherwise exempted from these provisions per 6.15.3 Exempt Lighting:

A. Mercury vapor lamps.

B. Unshielded lighting, subject to 6.15.2.F.

C. Searchlights, beacons, and laser source light fixtures, including when directed upward at such an angle that neither buildings, trees, shrubs or site surfaces are lit.

D. Animated, flashing, moving and festooned lighting and lighting producing changing colors.

Photo by Jose Rodriguez

7.0 PARKING

SECTIONS

7.1 Introductory Provisions
7.2 Parking Requirements
7.3 Parking Design Standards
7.4 Loading Requirements
7.5 Site Access & Driveways

7.1 Introductory Provisions

7.1.1 INTENT

The following provisions are established to accomplish these goals:

A. Ensure an appropriate level of vehicle parking, loading, and storage to support a variety of land uses.

B. Provide appropriate site design standards to mitigate the impacts of parking lots on adjacent land uses and zoning districts.

C. Provide specifications for vehicular site access.

D. Reduce the amount of impervious surface, including parking lot paving, in the city through tandem parking, multiple use reduction strategies, and bicycle parking, which will reduce the urban heat island effect and provide other environmental benefits.

E. Protect against unnecessary reductions in landscaped green space, negative impacts on historic resources, and impairment of the urban design objectives of the city.

7.1.2 APPLICABILITY

This section shall apply to off-street parking for all new development and changes in use or intensity of use for existing development, in all districts.

A. Compliance. Compliance with the standards outlined shall be attained in the following circumstances:

(1) Development of all new parking facilities, loading facilities, and driveways.

(2) Improvements to existing parking facilities, loading facilities, and driveways, including reconfiguration, enlargement, or the addition of curbs, walkways, fencing, or landscape installation.

(3) Change in use requiring a change in the amount of parking.

B. Damage or Destruction. When a use that has been damaged or destroyed by fire, collapse, explosion, or other cause is reestablished, any associated off-street parking spaces or loading facilities must be reestablished based on the requirements of this section.

C. Site Plan Approval Required. Parking quantities and parking design and layout shall be approved through the Site Plan Review process. Refer to 1.3.3 Site Plan Review for more information.

7.1.3 AUTHORIZED VEHICLES

A. Permitted Vehicles. Except as otherwise provided in this article, off-street parking spaces required may be occupied by automobiles owned by the occupants, employees or patrons of the property or by visitors, or by delivery vehicles incidental to the principal use, but not by motor vehicles being repaired, stored or displayed for sale or hire or for any other purpose which is classified by these regulations as a principal use, and not by inoperable motor vehicles.

B. Parking of Other Motor Vehicles. Motor vehicles that are not automobiles may not be parked in any district, except in the following circumstances:

(1) Brief, infrequent outdoor parking of such motor vehicles, when such motor vehicles are providing a direct service, such as a delivery, to an occupant of a building

(2) Authorized loading and unloading pursuant to the terms of section 957.

(3) Authorized construction-related motor vehicles.

(4) Garaging (interior storage) of lightweight motor vehicles that are not automobiles but that are used primarily on the premises on which they are stored.

C. Parking of Vehicular and Marine Equipment. No non-motorized vehicular equipment (including a travel trailer, tent trailer, horse trailer, pickup camper or coach, cycle trailer, or utility trailer) or marine equipment (including a boat or boat trailer) shall be parked in any district unless the following requirements are met:

(1) Such vehicular and marine equipment shall be parked inside a structure, or in a rear or side yard in an area that is either not visible from adjacent public rights of way or is buffered from view with a 6.12 Screening of Necessary Appurtenances buffer.

(2) Such vehicular and marine equipment shall be adequately blocked or tied down or otherwise secured so that such vehicle does not roll off the lot, does not move about during high winds, and is not susceptible to theft.

(3) Any vehicular and marine equipment parked outside must be in a condition for safe and effective performance of the functions for which it is intended.

(4) No travel trailer, tent trailer, pickup camper or coach may be used for the conduct of business or for living purposes on the zoning lot on which

it is parked except temporarily in the case of an emergency caused by a natural disaster.

(5) **Exceptions.** Any vehicular or marine equipment may be parked in a permitted outdoor sales lot or warehouse/distribution facility where such equipment is sold or permitted. Horse trailers may be parked where a stable (an intensive park use) has been permitted. Boats and boat trailers may be parked in a marina.

7.1.4 CONTINUING CHARACTER OF OBLIGATIONS

A. The requirement for off-street parking space and off-street loading space shall be the continuing obligation of the owner of the real estate on which any such structure or use is located as long as the structure or use is in existence and its use requiring parking or loading facilities continues.

B. It shall be unlawful for an owner of any structure or use affected by this article to discontinue, change or dispense with, or to cause the discontinuance or change of the required parking or loading space apart from an alternative parking or loading space which meets with the requirements of and is in compliance with the section.

C. It shall be unlawful for any business entity to use such structure without acquiring such land or other suitable land for parking or loading space which meets with the requirements of and is in compliance with these regulations.

D. Where a final transportation management plan is approved by the commission, the applicant shall covenant to ensure continued compliance with the final transportation management plan. The covenant shall be recorded on the land records and shall endure for a term of 20 years unless the commission specifically finds that another period of time would be in accordance with the purposes set forth in this section.

7.2 Parking Requirements

7.2.1 GENERAL REQUIREMENTS FOR PARKING

A. Required Accessible Parking. Parking facilities accessible for persons with disabilities shall be in compliance with or better than the standards detailed in the state and federal building or accessibility requirements, including quantity, size, location, and accessibility.

B. Requirements for Unlisted Uses. Upon receiving a site plan approval, occupancy certificate, or other permit application for a use not specifically addressed in this section, the zoning administrator is authorized to apply off-street parking standards specified for the Use deemed most similar to the proposed Use. In instances where an equivalent may not be clearly determined, the zoning administrator may require the applicant to submit a parking study or transportation management plan or other evidence that will help determine the appropriate requirements.

C. Private Off-Premises Parking. Where private off-site parking facilities are approved, such facilities shall be possessed by the same possessor as the zoning lot occupied by the building or use to which the parking facilities are accessory. Stand-alone off-premise parking shall be regulated as a principal use pursuant to Figure 3.2-A Table of Principal Uses.

(1) Such possession may be either by deed or by lease, guaranteeing availability of the parking commensurate with the use served by the parking.

(2) The agreement providing for the use of off-site parking, executed by the parties involved, shall be in a form approved by the city attorney and filed with the zoning administrator.

(3) The deed or lease shall require the owner to maintain the required number of parking facilities for the duration of the use served.

(4) **Location of Parking.** Any off-premise parking must be within the following number of feet, measured from the closest parking space along a dedicated pedestrian path:

(a) 500 feet from a Multi-Unit Dwelling use.

(b) 1,000 feet from a residential use other than household living.

(c) 1,000 feet from a non-residential use.

(d) **Exception.** The parking may be located beyond these linear feet minimums where

USES	REQUIRED NUMBER OF OFF-STREET PARKING SPACES
Residential & Lodging Uses	
One-Unit Dwelling/Group Living for Health Reasons	Minimum 1 space, maximum 4 spaces per zoning lot For One-Unit Dwelling Building in N-1-1, maximum 6 spaces per zoning lot
2- & 3- Unit Dwelling	Minimum .5 space, maximum 2 spaces per unit
Multi-Unit Dwelling (4+ Dwelling Units)	Minimum 1 spaces, maximum 3 spaces per unit
Efficiency/Micro Unit	Maximum 2 spaces per unit
Bed & Breakfast, Hotel/ Apartment Hotel	Minimum 1 space, maximum 2 spaces per 2 guest rooms
Temporary Shelter Facility	Minimum 1 space per 2 employees
Group Living	Minimum 1 space, maximum 1.5 spaces per adult resident. For foster homes and children's homes: minimum 1 space, maximum 2 spaces per 4 children residents
Residential Care, Large	Minimum 1 space, maximum 4 spaces for every 4 beds (excluding bassinets)
Residential Care, Small	Minimum 1 space, maximum 2 spaces per resident
Roominghouse/ Boardinghouse	Minimum .5 space, maximum 1 space per rooming unit; plus minimum .5 space, maximum 1.5 spaces per dwelling unit of owner or manager
Civic & Institutional Uses	
Hospital	Minimum 1 space, maximum 4 spaces for every 4 beds (excluding bassinets)
Library/Museum	None
All Other Civic & Institutional Uses	In accordance with special permit review
Open Space Uses	
Park	In accordance with special permit review
Urban Farm	In accordance with special permit review
Retail Uses	
Outdoor Sales Lot for Vehicles	1 space for each unregistered vehicle permitted to be sold, plus 1 additional space per minimum 10, maximum 5 such vehicles, reserved for visitors/ employees
All Other Retail Uses	Maximum 3 spaces per 1,000 square feet net floor area devoted to retail space
Service Uses	
Automobile Fueling & Limited Service, Automobile Service/Car Wash, Drinking Places, Entertainment Assembly, & Smoking Places	In accordance with special permit review
Eating Places	Maximum 3 spaces for every 5 persons based on maximum capacity
All Other Service Uses	Maximum 3 spaces per 1,000 square foot of net floor area devoted to customer service
Adult Uses	
Adult Establishment	Minimum 1 space, maximum 3 spaces per 600 square feet net floor area devoted to retail space; OR for assembly-type uses: minimum 1 space for every 4 persons based on maximum capacity
Employment Uses	
All Employment Uses	Minimum 1 space, maximum 4 spaces per 1,000 square feet
Infrastructure Uses	
All Infrastructure Uses	In accordance with special permit review
Industrial Uses	
All Industrial & Warehouse Uses	Minimum 1 space per 4 employees, maximum 4 spaces per 4 employees

Notes:
These off-street automobile parking requirements shall not be applied to zoning lots in the DT-1, DT-2, and DT-3 districts.

Where special permit review is required for particular projects, these off-street automobile parking requirements shall be used as guidance but are not binding.

Figure 7.2-A Required Off-Street Automobile Parking

a regular means of mass transportation is provided specifically for conveyance from such parking facility to the use.

(5) No off-premises parking shall be allowed for one-, 2-, and 3-unit dwelling structures.

D. Tandem Parking. Tandem parking is permitted with approval of the zoning administrator through the site plan review process. Tandem parking is most appropriate where there are small numbers of users or where cars are parked by a professional parking manager.

7.2.2 REQUIRED AUTOMOBILE & BICYCLE PARKING

A. Organized by Use. The parking requirements are organized by use, in a similar fashion to Figure 3.2-A Table of Principal Uses in 3.0 Uses.

(1) Parking rates are provided for general use categories; these numbers are applicable for all of the uses within these categories.

(2) If a specific use requires a different parking rate than its use category, it is also listed in Figure 7.2-A Required Off-Street Automobile Parking and Figure 7.2-B Bicycle Parking.

B. Parking Spaces Required. The "Required Number of Off-Street Parking Spaces" column indicates the required number of off-street parking spaces in Figure 7.2-A Required Off-Street Automobile Parking, which may be subject to credits and other reductions as are detailed in this section.

C. Maximum Allowable Parking Spaces. When a use requires more than 10 spaces and a maximum number is not specified Figure 7.2-A, it is not permitted to provide more than 110 percent of the minimum parking requirement.

D. Required Bicycle Parking.

(1) **Purpose.** The purpose of this section is to encourage bicycle use as a mode of transportation and lessen the impacts of automobile use, by ensuring quick, convenient and safe access to secure bicycle parking. To achieve this purpose, this section provides for long-term bicycle parking, meant for residents and employees to store bicycles for long periods of time, and short-term bicycle parking, intended to serve users who will quickly store bicycles, for a period of several hours.

(2) **Applicability.** Bicycle parking requirements apply to the following projects:

(a) Construction of a new building.

(b) Establishment of a new use, on any zoning lot, other than an open-air use such as a farmers' market or bazaar.

(c) Projects that increase the number of residential dwelling units in any building or on any zoning lot by 15 percent or more.

(d) Projects that increase the floor area of non-residential uses in any building or on any zoning lot by 15 percent or more.

(3) **Required Quantity of Spaces.** Minimum long-term and short-term bicycle parking spaces for specified land uses are set forth in Figure 7.2-B Bicycle Parking.

BICYCLE PARKING

Use	Minimum Long-Term Bicycle Spaces	Minimum Short-Term Bicycle Spaces
One-Unit Dwellings, 2- Unit Dwellings 3-Unit Dwellings	No minimum requirement	No minimum requirement
Bed & Breakfast, Hotel/Apartment Hotel	1 per every 60 sleeping rooms	1 per every 30 sleeping rooms, with 4 minimum
All Other Residential Uses	1 per every 30 dwelling units, rooming units, or beds, as applicable	1 per every 15 dwelling units, rooming units, or beds, as applicable, with 4 minimum
Assembly Use & Stadium/Arena	1 per every 500 seats	1 per every 50 seats
Higher Education Facility	1 per every 15,000 square feet of building area	1 per every 5,000 square feet of building area
Transit Station	30 spaces within a .125-mile radius	100 spaces
All Other Civic & Institutional Uses	1 per 15 employees	1 per every 10,000 square feet, with 10 minimum
Parks & Urban Farms	1 per every 15,000 square feet, with 15 minimum	1 per every 15,000 square feet, with 15 minimum
Retail & Service Uses	No minimum requirement	1 per every 3,000 square feet
Office/ Employment Uses	1 per 15 employees	1 per every 10,000 square feet
Commercial parking lots and garages	1 per every 30 automobile parking spaces	1 per every 15 automobile parking spaces

Figure 7.2-B Bicycle Parking

(4) **Required Quantity of Showers and Changing Facilities.** For new office uses, retail uses, hospital and hospital-related uses, colleges, and universities, one shower and changing facility shall be provided for every full-time occupant, up to 0.5 percent of full-time occupants. For example, a site with 100 employees must provide one shower and changing facility (using the rounding rules set forth in 7.2.2.E.(2)); a site with 1,000 employees must provide 5 shower and changing facilities.

E. Required Electric Vehicle Charging Stations. New development shall provide for electric vehicle charging stations designed in accordance with 4.20.7.B. in the following prescribed manner:

(1) For Residential and Lodging Uses, Government/ Higher Education/Hospital Uses, Police/Fire, Schools, Employment Uses, Parking as a Principal Use, and Industrial Uses with 35 or more parking spaces, 3 percent of the total number of parking spaces required shall have Level 1 or Level 2 charging stations.

(2) For Assembly, Library/Museum, Stadiums/Arenas, Transit Station, Retail Uses, and Service Uses with 35 or more parking spaces, at least 3 percent of the total number of parking spaces shall be wired to support a Level 2 charging station, if one is not installed initially, or shall have Level 1 or Level 2 charging stations.

(3) For Automobile Fueling & Limited Service Stations, at least one Level 2 charging station shall be installed.

(4) Level 3 charging stations are not required, but may be installed to satisfy the electric vehicle charging station requirements described herein.

(5) The number of parking spaces upon which these electric vehicle charging station requirements are based shall not include any parking spaces designated for tractor-trailers or storage of trailers or other equipment that is not self-propelled.

(6) Any electric vehicle charging stations required by this section shall be functional, except for reasonable periods during maintenance, repairs, installation, or grid connectivity problems. Charging stations shall be repaired or replaced if damaged or otherwise rendered non-functional.

F. Computation. Off-street automobile or bicycle parking spaces, or showers or changing facilities shall be calculated using the following information.

(1) **Area Measurements.** The following units of measurements shall be utilized to calculate parking requirements.

(a) **Gross Square Footage.** Unless otherwise expressly stated, parking standards for non-residential uses shall be computed on the basis of gross floor area in square feet.

(b) **Occupancy- or Capacity-Based Measurements.** Parking spaces or shower and changing facilities required per available seat or per employee, student, or occupant shall be based on the greatest number of persons on the largest shift, the maximum number of students enrolled, or the maximum fire-rated capacity, whichever measurement is applicable.

(c) **Employees.** The calculation of the number of employees of a use for purposes of calculating requirements under this article

PARKING TIME PERIODS PER USE

Use Category	Weekdays			Weekends		
	Midnight-7:00 am	7:00 am-6:00 pm	6:00 pm-Midnight	Midnight-7:00 am	7:00 am-6:00 pm	6:00 pm-Midnight
Residential	100%	50%	80%	100%	80%	80%
Retail & Service	5%	100%	80%	5%	100%	60%
Hotel & Inn	100%	65%	100%	100%	65%	100%
Assembly	0%	30%	50%	0%	100%	75%
Eating & Drinking Establishment	50%	70%	100%	70%	60%	100%
Office	5%	100%	5%	5%	5%	5%
Theater / Entertainment	5%	30%	100%	5%	80%	100%

Figure 7.2-C Parking Time Periods per Use

shall be based on the estimated maximum daily or maximum 8 hour shift requirements in a 24 hour period.

(d) **Bench Seating.** For uses in which users occupy benches, pews, or other similar seating facilities, each 24 inches of such seating shall be counted as one seat.

(2) **Fractions.** When computation of the number of required off-street parking spaces or shower and changing facilities results in a fractional number, any result of 0.5 or more shall be rounded up to the next consecutive whole number. Any fractional result of less than 0.5 may be rounded down to the previous consecutive whole number.

(3) **Multiple Uses on a Lot.** When there are multiple uses on a lot, required spaces or shower and changing facilities shall be calculated as an amount equal to the total requirements for all uses on the lot, unless the uses qualify for shared, cooperative, or other credits to reduce parking. (Refer to 7.2.3 Multiple Use Reduction.)

7.2.3 MULTIPLE USE REDUCTION

When 2 or more categories of non-single unit residential uses share a parking lot and are located on the same lot or proximate lots, the following applies:

A. General Provisions. A multiple use reduction will be approved in accordance with the following.

(1) For each applicable land use category, calculate the number of spaces required as if it were the only use. Refer to Figure 7.2-A Required Off-Street Automobile Parking.

(2) Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in Figure 7.2-C Parking Time Periods per Use. This table establishes 6 time periods per use.

(3) For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the 6 time periods.

(4) Select the time period with the highest total parking requirement and use that as the total number of parking spaces required and use that as the total number of parking spaces required for the site on a share parking basis.

B. Location of Multiple Use Parking. Refer to 7.2.1C. (4) Location of Parking.

C. Off-Site Parking Agreement. An agreement providing for shared use of off-site parking spaces or parking for different buildings on different lots, executed by the parties involved, shall be reviewed by the zoning administrator during review of the site plan.

(1) Off-site cooperative parking allowance shall be permitted on the site only as long as the agreement remains in force.

(2) If the agreement is no longer in force, then parking must be provided as otherwise required in this section.

7.2.4 PARKING CREDITS

Vehicular parking standards in Figure 7.2-A Required Off-Street Automobile Parking may be reduced by achieving one or all of the following credits, provided, however, that if any conditions or agreements required by this section are no longer available or in force, then parking must be provided as otherwise required in this chapter.

A. Bicycle Parking Credit. For all uses, the provision of bicycle parking over and above the requirements of Figure 7.2-B Bicycle Parking may be credited against the vehicular parking requirement at a rate of one credit for every 5 bicycle parking spaces.

(1) No fee shall be required for the bicycle parking subject to the credit.

(2) Required parking spaces may be reduced up to 15 percent.

B. Sustainably Designed Parking Facility Credit. In parking garages or parking lots where over 50 percent of the lot is covered by freestanding solar energy systems (permitted per 4.20.6), the required vehicular parking spaces may be reduced by 15 percent if the applicant achieves 2 of the following measures or 30 percent if the applicant achieves 4 of the following measures:

(1) Applies only low- or no-volatile organic compound coatings to all surfaces and utilizes either an open-air design with no ventilation system in the parking areas or ventilates the decks with variable controlled air flow or sensor-activated technology.

(2) Has a green roof (vegetation) or blue roof (retains water).

(3) Generates more than a de minimis amount of renewable energy through use of solar panels or wind turbines.

(4) Uses exclusively energy-efficient lighting fixtures, as well as lighting controls such as timers, photo sensors, or occupancy sensors.

C. Transit Credit. For all uses, vehicular parking requirements may be reduced with proximity to any transit station as defined in 3.3.2.H. or bus stop served by 2 or more public bus service routes with frequencies every 20 minutes or less during normal business hours. Proximity is measured from any point along the property line to the transit station or bus stop, subject to this section.

(1) Within 1,000 feet of a transit station, a reduction of 50 percent of the required off-street parking.

(2) Within 1,000 feet of a bus stop subject to this section or 2,000 feet of a transit station, a reduction of 20 percent of the required off-street parking.

(3) Within 2,000 feet of a bus stop subject to this section, a r**e**duction of 10 percent of the required off-street parking**.**

D. Car-Share Parking Credit. For all uses, the vehicular parking requirements may be reduced by designating parking spaces as car-share parking spaces or if an off-site car-share parking facility is located within 800 feet of the site. Car-share parking spaces are defined as spaces that house vehicles owned by a car-share company which can be directly accessed by drivers without the need for a customer service counter, and thus a distinct use from an automobile rental service.

(1) Per each car-share parking space provided, required parking spaces shall be reduced by 4 spaces.

(2) Required parking spaces may be reduced up to 40 percent.

(3) **Approval.** Applicant must provide documentation of an agreement with a car-share company, providing services to building tenants. If this agreement should terminate at any point, the applicant shall be required to provide parking as otherwise required herein.

E. Transportation Management Reductions. For all uses, when an applicant submits a transportation management plan, the required automobile parking spaces may be reduced by 15 percent if the applicant achieves 2 of the following measures, or 30 percent if the applicant achieves 4 of the following measures:

(1) Ensure that 10 percent of employees participate in a regional ride matching system.

(2) Institute a monthly, market-rate parking charge for all off-street parking, without permitting such charge to be employer-subsidized, with a discount for vehicles containing 3 or more persons.

(3) Provide a vanpool or subscription bus service for at least 10 percent of employees.

(4) Provide subsidized transit passes for 10 percent of employees.

(5) Subsidize at least 25 percent of costs for employee use of high-occupancy motor vehicles such as carpools and vanpools, if there are no parking charges.

(6) Prove that at least 10 percent of employees will walk or bike to work.

7.3 Parking Design Standards

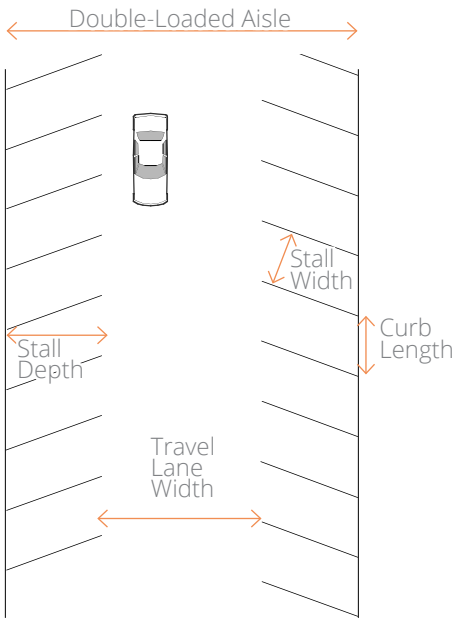
7.3.1 OFF-STREET PARKING LOTS

The design or redesign of all off-street parking facilities shall be subject to the site plan approval procedure.

A. Automobile Parking Space Dimensions. The appropriate dimensions for parking spaces are outlined in Figure 7.3-A Parking Space Dimensions.

(1) The width of a parking space shall be measured from the center of a stripe.

(2) Each space shall have a vertical clearance of at least 7 feet.



MINIMUM PARKING SPACE DIMENSIONS[1]					
				Travel Lane Width	
Angle	Curb Length	Stall Width	Stall Depth	One-Way	Two-Way
0 degrees	18 feet	8 feet	18 feet	12 feet	24 feet
45 degrees	12 feet	8.5 feet	17 feet	12 feet	24 feet
60 degrees	10 feet	8.5 feet	18 feet	18 feet	24 feet
90 degrees	8.5 feet	8.5 feet	18 feet[2]	24 feet	24 feet

[1] Maximum dimensions shall not exceed 10 percent of the minimum dimensions.
[2] Stall depth may be reduced 2' when stall directly abuts an interior parking lot median that includes an additional area beyond the minimum width, permitting the overhang of the adjacent parked vehicle's front bumper.

Figure 7.3-A Parking Space Dimensions.

B. Wheel Stops. Install wheel stops or bumper guards when parking is adjacent to a pedestrian pathway to limit vehicle overhang that reduces the sidewalk width. Such stops or guards shall be properly anchored or secured.

C. Location of Parking. Refer to 4.0 Building Types and for information on the location of on-site parking facilities and 7.2.1.C.(4) for location of off-site parking facilities.

D. Access. All off-street parking and loading facilities shall open directly onto an aisle, alley, or driveway designed to provide safe access to such facilities. Exceptions include:

(1) **Tandem Parking.** No more than 2 spaces may be included in a tandem parking spot, and the rear space must meet the access requirement.

(2) **Parking Lifts.** The lift exit shall meet the access requirement.

E. Slopes. All parking and driveway or sidewalk access shall meet the requirements of the Connecticut Accessibility Code.

F. Landscape Screening and Buffer Zones. All parking areas shall meet the requirements of 6.0 Sitework & Landscape.

G. Landscape Areas. Areas not used specifically for sidewalks, parking spaces, driving aisles, loading, or refuse shall be built and maintained as a raised landscaped area and shall not be paved.

H. Pavement Construction. All parking and driveways shall be constructed using asphalt, concrete, pavers, or other semi-pervious surfaces approved by the zoning administrator. One of the following shall be met:

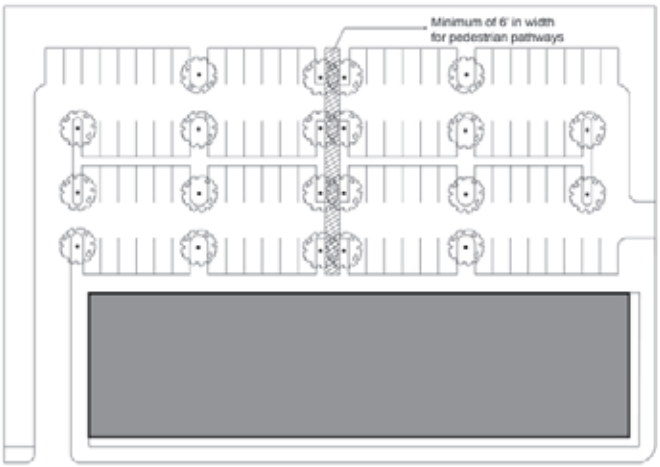


Figure 7.3-B Parking Lot Pedestrian Walkway

(1) Paving materials with a solar reflectance index (SRI) of at least 29.

(2) Pervious pavement material, such as permeable asphalt, permeable concrete, or permeable pavers.

(3) Recycled content of 15 percent or more.

I. **Sidewalk Crossings.** Sidewalk pavement elevation, width, design, scoring, and material shall extend continuously over any driveway pavement with the intent of prioritizing the sidewalk path over the driveway and distinguishing the sidewalk path from the driveway.

J. **Illumination.** All off-street parking lots or parking structures and their related pedestrian areas and pathways shall provide a level of illumination at any point in the parking lot or parking structure not less than one foot-candle measured at the pavement. All lighting shall be shielded or otherwise optically controlled to provide glare-less illumination and limit trespass on adjacent properties.

(1) **Inter-Lot Drives.** In all districts except NX and N, when 2 or more parking lots are located adjacently in the rear and each lot contains the same building type, the parking lots shall be connected with a drive perpendicularly crossing the minimum setback.

7.3.2 PEDESTRIAN ACCESS

All parking lots with 2 or more double-loaded aisles shall provide internal pedestrian pathway(s) within the parking area and outside of the parking drive aisle. Refer to Figure 7.3-B Parking Lot Pedestrian Walkway.

A. **Dimension.** The pathway shall be a minimum of 6 feet in width.

B. **Quantity.** One pathway is required for every 2 double-loaded aisles.

C. **Location.** The pathway shall be centrally located within the parking area to serve a maximum number of parking stalls.

(1) Pathways shall provide direct connections to the principal structure(s) entrances from the spaces furthest from the entrance.

(2) At least one pathway shall provide a direct connection between adjacent street rights-of-way and/or trails and the principal structure's entrance.

D. **Pathway Delineation.** Pedestrian pathways should be clearly marked with striping or through the use of alternative materials, such as pavers.

7.3.3 BICYCLE PARKING DESIGN

Bicycle parking (refer to Figure 7.2-B Bicycle Parking for quantity required) shall be designed and located as follows.

A. **Dimensions.**

(1) An aisle a minimum of 5 feet wide shall be provided adjacent to any bicycle parking facilities to allow for maneuvering.

(2) Racks shall be installed a minimum of 2 feet from any wall or other obstruction, except for wall-mounted bicycle racks, which may be mounted directly on a wall.

B. **Location.** Bicycle parking should be located within 50 feet of the entrance of the use on the same zoning lot as the use served by such parking.

(1) Short-term bicycle parking may be indoors or outdoors. Long-term bicycle spaces must be located in a limited-access enclosure protecting bicycles from precipitation and theft, such as: enclosed indoor bicycle rooms, bicycle sheds, bicycle lockers, and weather-protected bicycle parking spaces that are monitored by an attendant or security system, such as bike boxes.

(2) Spaces located within individual dwelling units may not be counted toward bicycle parking requirements.

(3) Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.

C. **Racks and Structures.** Racks and structures shall be provided for each unprotected parking space, and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at 2 points. Racks may be floor-mounted or wall-mounted, and they must be securely affixed or bolted to the floor or wall.

D. **Surface.** The parking surface shall be designed and maintained to be mud and dust free. The use of rock or gravel areas for bicycle parking is permitted provided that edging materials, so that the bicycle parking area is clearly demarcated and the rock material is contained.

E. **Signage.** If required bicycle parking for public use is not visible from the street, signs must be posted indicating their location.

F. **Maintenance and Lighting.** Areas used for required bicycle parking must be well-lit with acceptable drainage to be reasonably free of mud and standing water. Accessory off-street parking for bicycles shall include provision for secure storage of bicycles. Such facilities shall provide lockable enclosed lockers or racks or equivalent structures in or upon which a bicycle may be locked by the user.

7.4 Loading Requirements

7.4.1 GENERAL REQUIREMENTS

All loading facilities shall adhere to the following requirements, unless otherwise approved during Site Plan Review (refer to 1.3.3).

A. Use of Off-Street Loading Areas. Space allocated to any off-street loading use shall not be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

B. Location. Unless otherwise specified, all required loading facilities shall be located on the same lot as the use to be served. No loading space shall block or project into a street, alley, access drive, or parking area.

C. Building Frontage. Loading facilities shall be located per 4.0 Building Type requirements.

D. Access. Loading facilities shall have clear access onto an alley or be connected to an alley or street via a driveway.

(1) Direct access to a public way, other than an alley, is prohibited.

(2) Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.

7.4.2 LOADING REQUIREMENTS

All uses except in the residential and lodging, open space, and civic and institutional categories shall provide off-street loading spaces in compliance with Figure 7.4-A Required Loading Facilities.

REQUIRED LOADING FACILITIES	
Gross Floor Area	**Loading Spaces Required**
0-1,400 square feet	0 spaces
1,401-20,000 square feet	1 space
20,001 to 100,000 square feet	One space plus one space for every 20,000 square feet in excess of 20,000 square feet
100,001-500,000 square feet	5 spaces plus one space for every 40,000 square feet in excess of 100,000 square feet
500,001+	15 spaces plus one space for every 80,000 square feet

Figure 7.4-A Required Loading Facilities.

7.4.3 COMPUTATION

Loading facilities shall be calculated using the following information.

A. Gross Square Footage. Unless otherwise expressly stated, loading standards for non-residential buildings shall be computed on the basis of gross floor area in square feet.

B. Fractions. When computation of the number of required off-street loading spaces results in a fractional number, any result of 0.5 or more shall be rounded up to the next consecutive whole number. Any fractional result of less than 0.5 may be rounded down to the previous consecutive whole number.

C. Shared or Central Loading Facilities. Shared or central loading facilities are permitted if the following conditions are met.

(1) Each zoning lot served shall have direct access to the central loading area without crossing streets or alleys.

(2) Total off-street loading spaces provided shall meet the minimum requirements herein specified, based on the sum of the several types of uses served unless reviewed and approved by the zoning administrator through site plan review.

(3) No zoning lot served shall be more than 500 feet from the central loading area.

7.4.4 DIMENSIONS

A standard off-street loading space shall be a minimum of 10 feet in width by 26 feet in length and an oversized loading space shall be a minimum of 12 feet in width and 40 feet in length, exclusive of aisle and maneuvering space and shall have a minimum vertical clearance of 15 feet.

7.4.5 PAVEMENT CONSTRUCTION

Pavement construction standards of 7.3.1.H. shall apply to all loading spaces.

7.5 Site Access & Driveways

7.5.1 GENERAL REQUIREMENTS

These standards shall supplement the provisions for access provided in 4.0 Building Types. Each driveway providing site access from a street, alley, or other vehicular right-of-way shall be designed, constructed, and permanently maintained as follows.

7.5.2 QUANTITY & LOCATION OF DRIVEWAYS

The number of driveways permitted for each building type and the location of the driveways is established in 4.0 Building Types. Refer to 4.1.2.I. Vehicular Access for general design requirements associated with building types.

7.5.3 DIMENSIONS & DESIGN

A. Curb Cuts and Driveway Width at Property Line. All driveways shall have a maximum width as required by the department of public works. Maximum driveway width shall be 22', unless a turning lane is required by Public Works. The following specific requirements apply based up on use:

(1) Curb cuts in any NX and N district shall be no wider than 10 feet at the property line and within any front or corner side yard, except buildings with more than 12 units are permitted up to an 18 foot driveway in this location.

B. Distance Between Curb Cut and Intersections. For corner properties, the minimum distance permitted between any curb cut and the property line forming the adjoining street extended to the curbline shall be 40 feet, unless otherwise approved by the department of public works.

C. Distance Between Two Curb Cuts. The minimum distance between 2 curb cuts shall be 10 feet.

D. Distance from Side Lot Line

(1) A minimum distance of 2 feet from side property lines shall be maintained at the curbline for all curb cuts in residential districts.

(2) A minimum distance of 5 feet from side property lines shall be maintained at the curbline for all curb cuts in all districts other than residential districts.

E. Public Works Review Required. Any curb cut for any use other than dwellings with 3 units or fewer, which connects to, or crosses, any public street or public right of way must be reviewed and approved in writing by the director of the department of public works.

F. Maximum Width at Garages. When a garage door is located on the front facade of the structure, the driveway shall be no more than 2 feet wider than the garage door at any location.

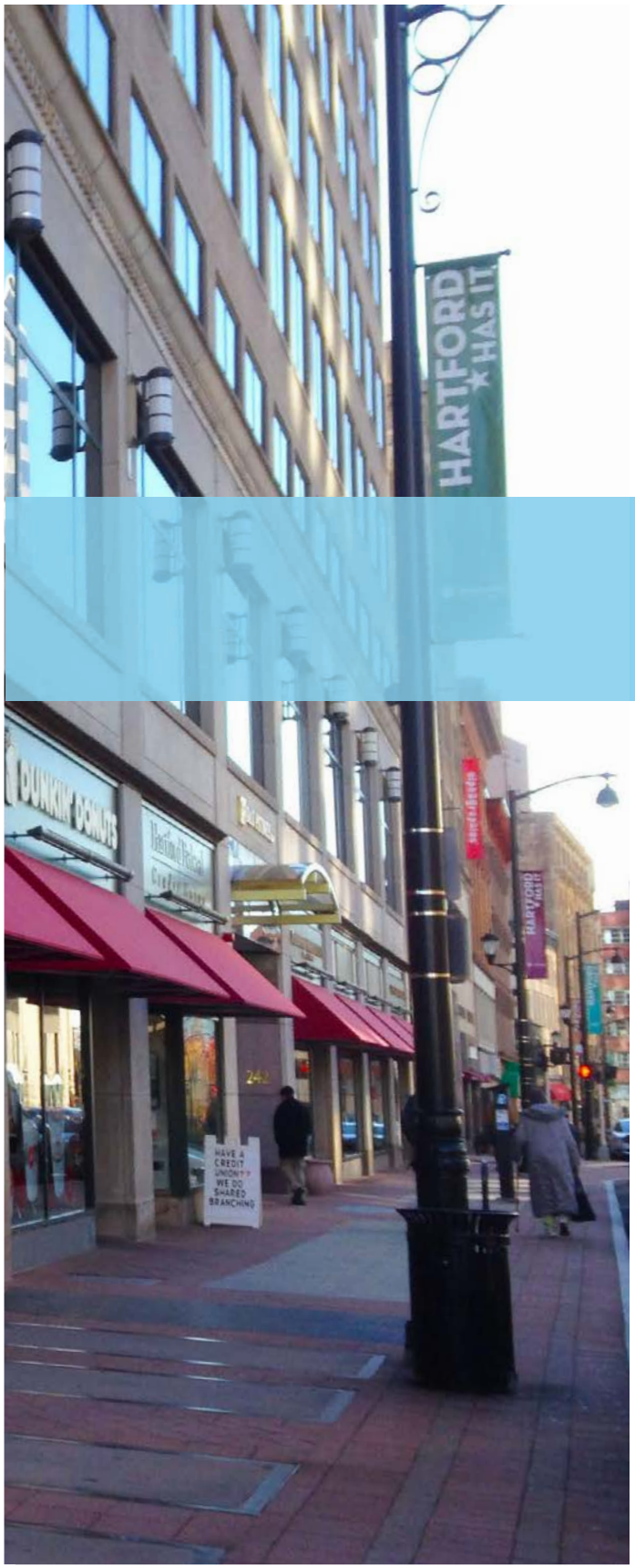
G. Shared Access. When possible, adjacent developments should share points of access to minimize impervious surface.

H. Circular Drop-Off Drives. Circular drop-off drives may be permitted by building type in 4.0 and per 4.1.2.I.(4) Circular Drop-Off Drives. Maximum width of the driveway shall be 15 feet.

I. Curb Cut Specifications. Applicants shall comply with curb cut specifications issued by the department of public works.

J. Intersection with Sidewalks. A driveway intersecting with a sidewalk shall be designed to favor the sidewalk, including ensuring that the sidewalk is level over the driveway and that the sidewalk is not lowered to match the driveway height.

This page intentionally left blank.



8.0 SIGNS

SECTIONS

8.1 General Requirements
8.2 Permitted Types & Quantity of Lot Signage
8.3 Wall Sign
8.4 Projecting Sign
8.5 Projecting Marquee Sign
8.6 Awning Sign
8.7 Canopy-Mounted Sign
8.8 Roof Sign
8.9 Window Sign
8.10 Monument Sign
8.11 Ped-Scale Pole-Mounted Sign
8.12 Dynamic Display
8.13 Temporary Signs
8.14 Exempt Signs
8.15 Prohibited Signs

8.0 SIGNS

8.1 General Requirements

8.1.1 PURPOSE

Regulation of the location, size, placement, and certain features of signs is necessary to:

A. Enable the public to locate goods, services, and facilities in the city without difficulty and confusion;

B. Improve the general attractiveness of the community;

C. Take advantage of the beauty of the community's natural environment;

D. Protect property values; and

E. Facilitate and aid in the identification and location of businesses in the city in the event of police, fire, or other emergencies and to avoid confusion and delay in response to such emergencies.

8.1.2 INTENT

This chapter regulates both permanent signage (see 8.3 through 8.11) and temporary signage (see 8.13), and specifies which signs are exempt from regulation or prohibited. The intent of this section is to:

A. Balance the rights of individuals to convey their messages through signs with the right of the public to be protected against the unrestricted proliferation of signs;

B. Protect public health, safety, and welfare;

C. Reduce traffic and pedestrian hazards;

D. Protect property values by minimizing the possible adverse effects and visual blight caused by signs;

E. Promote economic development; and

F. Ensure the fair and consistent enforcement of sign regulations.

8.1.3 APPLICABILITY

These standards shall apply to all signs within the city under the following situations:

A. Newly Constructed or Reconstructed Signage. All new signs and structural improvements to existing signs.

B. Change in Use for Single Business Signage. For signage serving one business, whenever the existing use is changed to a new use resulting in a change in signage, including rewording.

C. Multiple-Business Signage. For signage serving multiple businesses, whenever 50 percent or more of the existing uses are changed to new uses resulting in a change in signage, including rewording.

8.1.4 SIGN PERMIT PROCESS

When compliance with this section is required per 8.1.3, an applicant must submit an application for a sign permit except where expressly exempt from such application by this Chapter 8. Refer to 8.14 Exempt Signs. With regard to the fee schedule noted in 1.3.1.H., an application for a sign only shall cost the same as a zoning permit; however, signage may be approved as part of a site plan review or a special permit review without requiring an additional fee.

8.1.5 NONCONFORMING SIGNS

Refer to 1.5.5 Nonconforming Signs.

8.1.6 ABANDONED SIGNS

A. A sign which is not a temporary sign shall be deemed to be abandoned when one of the following occurs:

(1) The business, service, product, or activity being advertised has ceased to exist for a period of 6 months or more;

(2) The sign has not been utilized for a period of 6 months or more; or

(3) The sign is a nonconforming sign and the owner has been notified by the zoning administrator of the need to conform to these regulations.

B. Abandoned signs shall be completely removed and the site of such sign shall be restored within one month of the date the zoning administrator gives notice of such designation to the owner of the sign.

8.1.7 SIGN LOCATION

Unless otherwise specified, signs shall only be located within the boundaries of the lot and not in the right-of-way or on public property.

A. Certain sign types may extend beyond a property line into the right-of-way or public property with permission from the city and in accordance with the regulations outlined in this section.

B. No sign shall be attached to a utility pole, tree, standpipe, gutter, or drain.

C. Signs shall be erected so as to permit free ingress to or egress from any door, window, the roof, or any other exit-way required by the building code or by fire department regulations.

D. No sign shall be erected or maintained in such a manner as to obstruct free and clear vision of, interfere with, or be confused with any authorized traffic sign, signal, or device.

8.1.8 ILLUMINATION

All signs shall be illuminated according to the following provisions unless otherwise stated.

A. Signs shall be illuminated only by steady, stationary light sources directed solely at the sign or internal to it.

B. Individual letters or logos may be internally illuminated as permitted per each sign type; no other portion of the sign shall be internally illuminated.

C. When an external artificial light source is used to illuminate a sign, the lamp (or bulb) shall be located, shielded, and directed so as to not be visible from any public street or private residence.

(1) No receptacle or device housing a permitted light source which is attached to the sign itself shall extend more than 18 inches from the face of the sign.

(2) If ground lighting is used to illuminate a sign, the receptacle or device should not extend more than 12 inches above ground and must be fully screened and housed.

D. The illumination of any sign, resulting from any internal or external artificial light source, shall not exceed 250 nits at the sign face during the day and 125 nits at the sign face after sunset, with no light trespass onto adjacent property.

(1) Signs located within DT, MS, and CX districts are exempt from this standard.

E. Sign illumination shall otherwise conform with the lighting design standards contained in 6.15 Site Lighting, where such standards do not conflict with this section 8.1.8 Illumination.

8.1.9 CONSTRUCTION, DESIGN, & MAINTENANCE STANDARDS

A. All signs shall meet the construction, design standards, and maintenance requirements of the state basic building code.

B. All signs, together with their supporting structure, shall be kept in good repair and in safe condition. The owner of the premises on which a sign is erected or located shall be directly responsible for keeping such sign and premises in a safe and neat condition.

8.2 Permitted Types & Quantity of Lot Signage

8.2.1 PERMITTED SIGN TYPES BY DISTRICT

Figure 8.2-A Permitted Sign Types by District establishes the sign types permitted and permitted with conditions by district. Refer to 2.0 Districts for more information about each district.

A. Exempt/Temporary Signs. Figure 8.2-A Permitted Sign Types by District does not apply to exempt (see 8.14 Exempt Signs) or temporary signs (see 8.13 Temporary Signs) unless otherwise specified.

B. Prohibited Signs. In addition to the signs listed in 8.15 Prohibited Signs, when a sign type is not listed as permitted or permitted with conditions in the district on Figure 8.2-A Permitted Sign Types by District, the sign is prohibited in the district.

C. Mixing Multiple Sign Types. Mixing multiple types of signs, including wall, projecting projecting marquee, awning, and canopy-mounted signs, on a single building is prohibited, unless:

(1) A mix of wall and canopy-mounted signs is permitted if similar materials, colors, design, and scale of letters is utilized.

(2) If the mix includes projecting signs with wall, projecting marquee, awning, and/or canopy-mounted signs, the projecting signs shall be a maximum of 4 square feet per face, hung no higher than 15 feet above the sidewalk, and oriented to the pedestrian.

(3) This limitation shall not apply to additional roof, window, monument, or ped-scale pole-mounted signs which would, when combined with the sign types in subsections 8.2.1.C.(1) and (2) above, otherwise meet the size and quantity limitations of section 8.2.2 Maximum Permitted Quantity of Signage by District.

D. Organization of Multiple Signs on a Facade. Multiple signs on a facade shall be organized in a coherent way and located in a space on the facade designated for signs. The application of signs to a facade without any reference to architectural features or alignment of signs is not permitted.

8.2.2 MAXIMUM PERMITTED QUANTITY OF SIGNAGE BY DISTRICT

Figure 8.2-B Maximum Quantity and Size of Signage by District establishes the overall maximum amount of signage of all types permitted on a lot within each

district. Refer to 2.0 Districts for more information about each district. The quantity and size of signage shall be calculated per 8.2.3 Computation.

A. Exempt/Temporary Signs. Figure 8.2-B Maximum Quantity and Size of Signage by District does not apply to exempt (see 8.14 Exempt Signs) or temporary signs (see 8.13 Temporary Signs) unless otherwise specified.

B. Window Signs. Window Signs shall not count towards a lot's maximum permitted amount of signage. Refer to 8.9 Window Sign.

C. Through Lots. In addition to the maximum amount of signage permitted per lot, through lots may incorporate an additional 30 square feet of signage permitted for the lot located in either the rear yard or along the rear facade.

D. Corner Lots. In addition to the maximum amount of signage permitted per lot, corner lots may incorporate an additional 1.5 square feet per 1 linear foot of corner side lot length with a maximum of 100 square feet, with the exception of Residential & Lodging Uses.

8.2.3 COMPUTATION

The following standards generally apply to computing the area and height of signs by type and by building lot. Refer to the Sign Types 8.3 through 8.11 for more information.

A. Sign Area

(1) Exempt and temporary signs are not included in the maximum signage area calculations, unless otherwise specified.

(2) For the purposes of determining area, lot width or frontage is measured along the front property line.

(a) If the lot is a corner lot, the width shall be measured along the front yard.

(b) Building frontage is the width of the front facade of a building.

B. Sign Height

(1) The height of a sign shall be measured as the vertical distance from the grade at the adjacent public sidewalk of the sign to the top of the highest component of the sign.

(2) The ground clearance of a sign under these regulations shall be measured as the vertical distance from the grade at the base of the sign to the top of the lowest component of the sign.

(3) For the purposes of this article, grade shall be computed as the average finished ground level of the land around the base of the sign, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

PERMITTED SIGN TYPES BY DISTRICT

	Downtown Districts		Main Street Districts			Commercial Industrial Mix Districts		Industrial Districts		Multi-Use Mix Districts		Neighborhood Mix Districts	Neighborhood Districts	Open Space Districts
	DT-1, DT-2	DT-3	MS-1	MS-2	MS-3	CX-1	CX-2	ID-1	ID-2	MX-1	MX-2	NX-1, NX-2, NX-3	N-1, N-2, N-3, N-4, N-5	OS
Wall Sign	●	●	●	●	●	●	●	●	●	●	●			●
Projecting Sign	●	●	●	●	●	●	●	●	●	●	●			●
Projecting Marquee Sign	●	●	●	●	●	●								
Awning Sign	●	●	●	●	●	●	●	●	●	●	●			
Canopy-Mounted Sign	●	●	●	●	●	●	●	●	●	●	●			●
Roof Sign	●	●				●	●	●	●					
Window Sign	●	●	●	●	●	●	●	●	●	●	●			
Monument Sign	◐	◐	◐	◐	◐	◐	●	●	●	◐	○	○		●
Ped-Scale Pole-Mounted Sign	◐	◐	◐	●	◐	◐				◐	◐			●

● = Permitted, subject to the conditions of this chapter.
◐ = In DT and MS districts, permitted for Commercial Center and Civic Building Types only. In all other districts, permitted for non-residential uses in all building types.
○ = Special permit pursuant to 1.3.4., subject to Figure 8.2-B.

Figure 8.2-A Permitted Sign Types by District

MAXIMUM QUANTITY AND SIZE OF SIGNAGE BY DISTRICT

Downtown Districts & Transit Oriented Development Overlay (DT-1, DT-2, DT-3)	Main Street Districts (MS-1, MS-2, MS-3)	Commercial Districts (CX-1, CX-2)	Multi-Use Mix Districts (MX-1, MX-2)	Neighborhood Mix Districts (NX-1, NX-2, NX-3)	Neighborhood Districts
3 square feet per 1 linear foot of front lot length with a maximum of 200 square feet, excluding either one roof sign or up to 2 wall signs placed higher than the 12th story of a building.	3 square feet per 1 linear foot of front lot length with a maximum of 150 square feet.	2 square feet per 1 linear foot of lot width with a maximum of 200 square feet. An additional 40 square feet per additional commercial tenant over 3 tenants permitted up to an additional 200 square feet.	One permitted sign per lot, or if a campus setting or campus overlay district in an MX-2 district, one sign per building or as otherwise allowed pursuant to permit.	One permitted sign per lot, except if a one-, 2-, or 3-unit dwelling lot, no sign is permitted, or if a campus overlay district in an NX-1 district, as otherwise allowed pursuant to permit.	One permitted sign per lot, except if a one-, 2-, or 3-unit dwelling lot, no sign is permitted.

Figure 8.2-B Maximum Quantity and Size of Signage by District

8.3 Wall Sign

8.3.1 DESCRIPTION

Wall Signs, also known as flat or band signs, are mounted directly to the building face to which the sign is parallel. Refer to Figure 8.3-B Example of Wall Sign.

8.3.2 GENERAL REQUIREMENTS

Wall Signs shall be developed according to the standards in Figure 8.3-A Wall Sign Requirements.

A. Building Openings. Wall Signs shall not cover windows or other building openings. The zoning administrator or commission, as applicable, may allow or require a Wall Sign to cover non-operable windows above 8' above grade if doing so would contribute to architectural harmony, while still ensuring proper functioning of the sign.

B. Architectural Features. Wall Signs shall not cover significant architectural building features, such as sculptural elements, windows, doors, cornices, or other expression lines.

C. Murals. Murals, a type of Wall Sign painted onto the building face displaying the business name or activity, are prohibited on front facades.

D. Dynamic Display. Refer to 8.12 Dynamic Display.

8.3.3 COMPUTATION

The area of a Wall Sign is calculated using the following information.

A. Wall Signs. Area is calculated by drawing the smallest possible square or rectangle around the largest letters and/or graphic elements, as is illustrated in Figure 8.3-C Area Calculation for Wall Sign.

(1) **Area Credit.** All areas that utilize individual alphanumeric characters or logos (including only those using wood, wood substitute, metal, or masonry) may use a total area of 90 percent of the calculation as outlined above.

B. Mural Sign. Area is calculated by measuring the area of the smallest square or rectangle that can be drawn around all of the sign elements, including any painted background.

WALL SIGN REQUIREMENTS	
Permitted Districts	Refer to 8.2.1 Permitted Sign Types by District.
Sign Area	Maximum area for each wall sign is 180 sf or 10% of the ground story wall face, whichever is less, on each street facing wall provided that maximum area for each wall sign in the top 30 feet of a building between 12 and 15 stories tall is 250 sf, between 15 to 20 stories is 350 sf, and over 20 stories is 500 sf. Refer to 8.2.2 Maximum Permitted Quantity of Signage by District for maximum per lot.
Height	2 ft maximum letter or element height
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	1 foot maximum projection from building face; shall not project above the roofline
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot; provided, however, that only 2 wall signs mounted at the 12th story or above may be placed on one building
Internal Illumination	Permitted for individual letters and logos and permitted for dynamic displays
Permitted Materials	Solid wood, metal, and masonry; plastic & synthetics permitted only as separate alphanumeric characters or logos.

Figure 8.3-A Wall Sign Requirements

Figure 8.3-B Example of Wall Sign

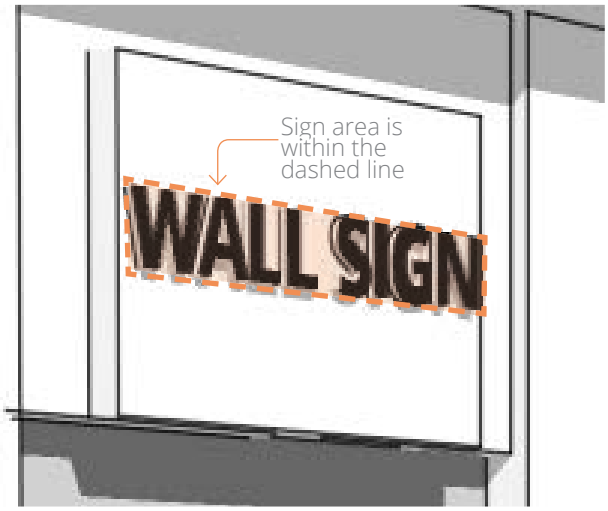


Figure 8.3-C Area Calculation for Wall Sign

8.4 Projecting Sign

8.4.1 DESCRIPTION

A Projecting Sign is attached to and projects from a building face or hangs from a support structure attached to the building face. Sign faces are typically perpendicular to the building face, but may be at an angle greater than 45 degrees from the facade. The sign may be vertically or horizontally oriented. Refer to Figure 8.4-B Example of Projecting Sign.

8.4.2 GENERAL REQUIREMENTS

Projecting Signs shall be developed according to the standards in Figure 8.4-A Projecting Sign Requirements.

A. Dynamic Display. Refer to 8.12 Dynamic Display.

8.4.3 COMPUTATION

The area of a Projecting Sign is equal to the area of one of the sign's faces. Refer to Figure 8.4-C Area Calculation for Projecting Sign.

PROJECTING SIGN REQUIREMENTS	
Permitted Districts	Refer to 8.2.1 Permitted Sign Types by District.
Sign Area	Maximum size for each projecting sign is 20 sf per face. Refer to 8.2.2 Maximum Permitted Quantity of Signage by District for maximum per lot
Height	12 ft maximum sign length; 8 feet minimum clearance to walk required
Location on the Building or Site	Permitted on all facades; sign and structural supports shall not extend above the eave or parapet
Placement on the Building or Site	Shall not project more than 3 ft from building face or closer than 3 ft from back of curb
Quantity	1 per building per street frontage; 1 per building per parking lot frontage; 1 additional projecting sign permitted per tenant, maximum 4 sq ft. for each tenant sign
Internal Illumination	Permitted for individual letters and logos and permitted for dynamic displays
Materials	Solid wood, metal, and masonry; plastic & synthetics permitted only as separate alphanumeric characters or logos

Figure 8.4-A Projecting Sign Requirements

Figure 8.4-B Example of Projecting Sign

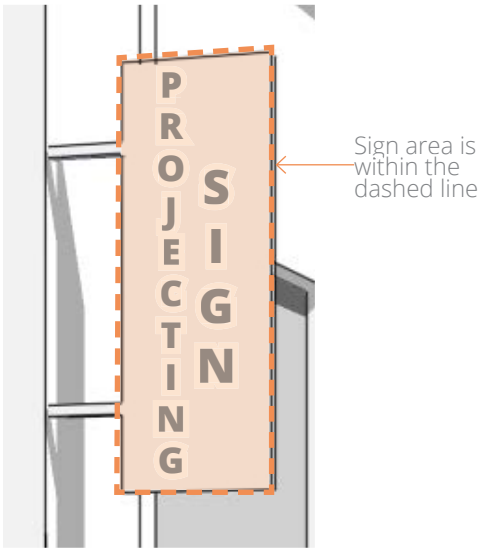


Figure 8.4-C Area Calculation for Projecting Sign

8.5 Projecting Marquee Sign

8.5.1 DESCRIPTION

A Projecting Marquee Sign is a projecting sign designed to have manually changeable copy or, where permitted, dynamic display, and 2 to 3 sign faces. Refer to Figure 8.5-B Examples of Projecting Marquee Signs.

8.5.2 GENERAL REQUIREMENTS

Projecting Marquee Signs shall be developed according to the standards in this section and Figure 8.5-A Projecting Marquee Sign Requirements.

A. Manually Changeable Copy Boards. Manually Changeable Copy Boards are permitted on Projecting Marquee Signs, provided the following conditions are met:

(1) The area of the boards cannot be greater than 30 percent of the area of the sign face on which it is located or 32 square feet, whichever is less.

(2) One sign of any type containing a Manually Changeable Copy Board is permitted per lot.

B. Dynamic Display. Refer to 8.12 Dynamic Display.

8.5.3 COMPUTATION

The sign area is calculated by combining the area of all exposed sign faces and the cabinet or structure surrounding them.

PROJECTING MARQUEE SIGN REQUIREMENTS	
Permitted Districts	Refer to 8.2.1 Permitted Sign Types by District. Limited to Assembly Uses per 3.0 Uses.
Sign Area	Maximum area for each marquee sign is 40 sf per face with 2 or more faces, or 1 curved face, maximum 60 sf per sign. Refer to 8.2.2 Maximum Permitted Quantity of Signage by District for maximum per lot
Height	8 ft minimum clearance to walk required
Location on the Building or Site	Front and corner side facades only
Placement on the Building or Site	Maximum projection from building is 6 ft; Shall not project closer than 1 ft from back of curb
Quantity	1 per lot
Internal Illumination	Permitted for individual letters and logos and permitted for Manually Changeable Copy Boards & Dynamic Displays
Materials	Solid wood, metal, masonry & neon glass; plastic synthetics for Manually Changeable Copy Boards and, where Dynamic Displays are permitted, electronic display boards.

Figure 8.5-A Projecting Marquee Sign Requirements

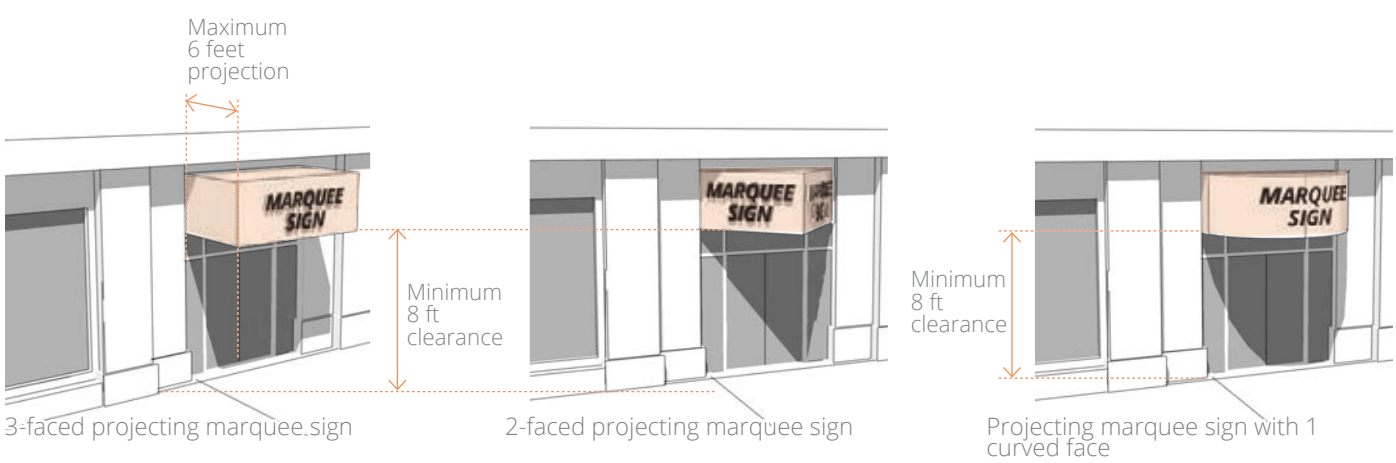


Figure 8.5-B Examples of Projecting Marquee Signs

8.6 Awning Sign

8.6.1 DESCRIPTION

A sign that is mounted, painted, or otherwise applied on or attached to an awning or canopy. Refer to Figure 8.6-B Example of Awning Sign.

8.6.2 GENERAL REQUIREMENTS

Awning Signs shall be developed according to the standards in Figure 8.6-A Awning Sign Requirements. See also 4.2.2 Windows, Awnings, & Shutters.

8.6.3 COMPUTATION

The area of an Awning Sign is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements of the sign portion of the awning, as is illustrated in Figure 8.6-C Area Calculation for Awning Sign.

AWNING SIGN REQUIREMENTS	
Permitted Districts	Refer to 8.2.1 Permitted Sign Types by District.
Sign Area	Maximum area for each awning sign is 100 sq ft, and no more than 30% of the awning may be used for signage; Refer to 8.2.2 Maximum Permitted Quantity of Signage by District for maximum per lot
Height	8 ft minimum clearance to walk required; maximum letter or logo height is 3 ft. Shall not project above the second story floor or window sill, or roof line, whichever is closer to the ground plane.
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Maximum projection from building is 6 ft; shall not project closer than 2 ft from back of curb; shall not block any window, door, or the building roof. All projections beyond property line are subject to approval by the zoning administrator in coordination with Public Works.
Quantity	1 per tenant per street frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Not permitted
Materials	Cloth, canvas, metal, or wood; all supports shall be made of metal or wood

Figure 8.6-A Awning Sign Requirements

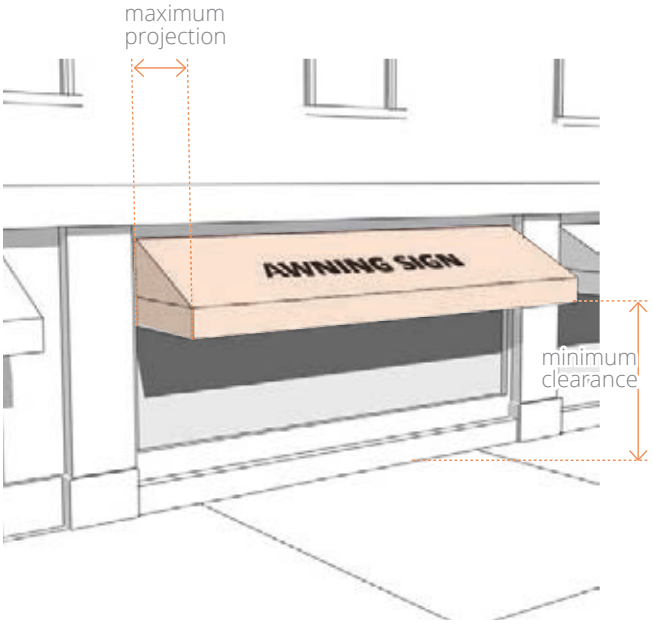


Figure 8.6-B Example of Awning Sign

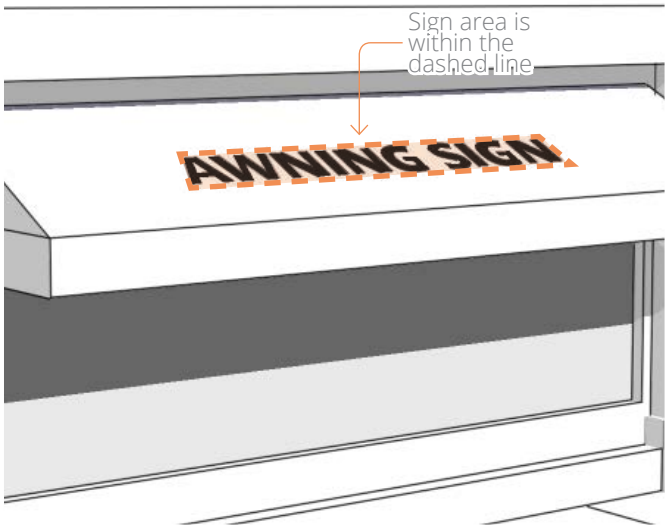


Figure 8.6-C Area Calculation for Awning Sign

8.7 Canopy-Mounted Sign

8.7.1 DESCRIPTION

A sign with individual alphanumeric characters and/or logos that is mounted on top of a permanent canopy. Refer to Figure 8.7-B Example of Canopy-Mounted Sign.

8.7.2 GENERAL REQUIREMENTS

Canopy-Mounted Signs shall be developed according to the standards in Figure 8.7-A Requirements for Canopy-Mounted Signs.

8.7.3 COMPUTATION

The area of a Canopy-Mounted Sign is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements of the sign portion of the Canopy-Mounted Sign, as is illustrated in Figure 8.7-C Area Calculation for Canopy-Mounted Sign.

CANOPY-MOUNTED SIGN REQUIREMENTS	
Permitted Districts	Refer to 8.2.1 Permitted Sign Types by District.
Sign Area	Maximum area for each canopy-mounted sign is 30 sq ft; Refer to 8.2.2 Maximum Permitted Quantity of Signage by District for maximum per lot
Height	2 ft maximum letter or element height; cannot project more than 2.5 ft above second story floor or window sill, or roof line, whichever is closer to the ground plane.
Location on the Building or Site	Permitted on all facades; prohibited on the principal roof of the building
Placement on the Building or Site	Shall not project beyond the front edge of the canopy; shall not block any window, door, or the building roof.
Quantity	1 per tenant per street frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood or metal; plastic & synthetics permitted only as separate alphanumeric characters or logos

Figure 8.7-A Requirements for Canopy-Mounted Signs

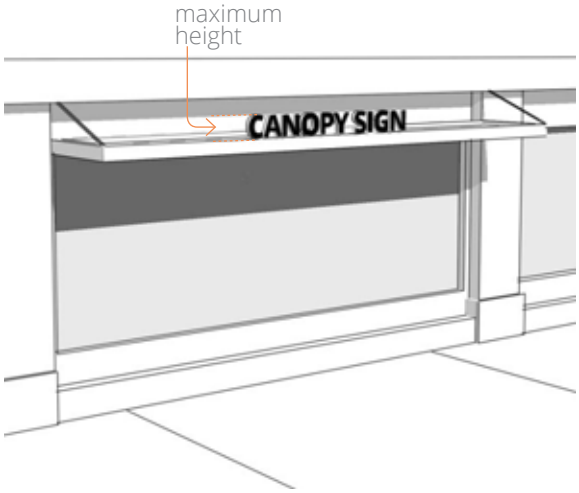


Figure 8.7-B Example of Canopy-Mounted Sign

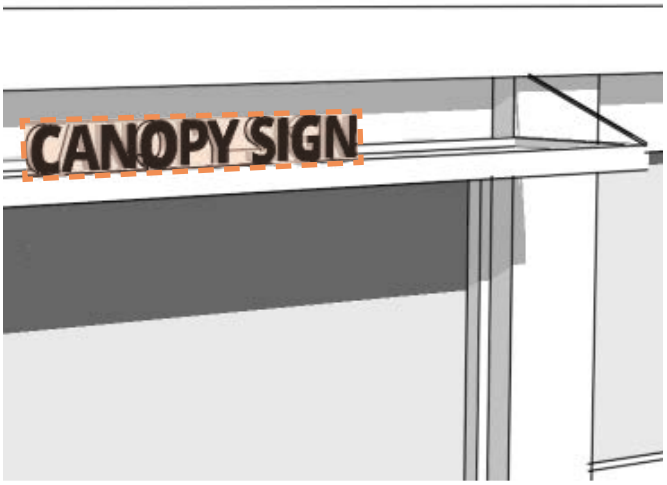


Figure 8.7-C Area Calculation for Canopy-Mounted Sign

8.8 Roof Sign

8.8.1 DESCRIPTION

A Roof Sign consists of individual letters or elements. It is erected on the roof of a building and projects above the highest point of the roof line or parapet of the building. It is typically situated parallel to the adjacent street and does not project beyond the front facade of the building. Refer to Figure 8.8-B Example of Roof Sign.

8.8.2 GENERAL REQUIREMENTS

Roof Signs shall be developed according to the standards in Figure 8.8-A Roof Sign Requirements.

8.8.3 COMPUTATION

The area of a Roof Sign is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements as is illustrated in Figure 8.8-C Area Calculation for Roof Sign.

ROOF SIGN REQUIREMENTS	
Permitted Districts	Refer to 8.2.1 Permitted Sign Types by District.
Sign Area	Maximum area for each roof sign is 1.5 sq ft per 1 ft building frontage, 100 sq ft maximum except that when placed on a building over 20 stories high, area may be 200 sq ft. Refer to 8.2.2 Maximum Permitted Quantity of Signage by District for maximum per lot.
Height	3.5 ft maximum height of letters & elements; cannot project more than 4 ft above roof line or top of parapet; except in the DT district, 8 or more stories in height, maximum height is 10 ft.
Location on the Building or Site	Above parapet or eave of roof type on any building. Roof Signs shall not be visible from any one-unit dwelling district.
Placement on the Building or Site	Shall not project beyond the front or corner facade of the building
Quantity	1 per lot
Internal Illumination	Permitted for individual letters and logos. External illumination is not permitted.
Materials	Solid wood, metal, masonry; plastic & synthetics permitted only as separate alphanumeric characters or logos. Neon glass is permitted provided the neon is not visible from the rear of the sign.

Figure 8.8-A Roof Sign Requirements

Figure 8.8-B Example of Roof Sign

Figure 8.8-C Area Calculation for Roof Sign

8.9 Window Sign

8.9.1 DESCRIPTION

A Window Sign is posted, painted, placed, or affixed in or on a window exposed for public view or is a sign hung inside the building facing the window for public view. Figure 8.9-B Example of Window Sign.

8.9.2 GENERAL REQUIREMENTS

Window Signs shall be developed according to the standards in Figure 8.9-A Window Sign Requirements. See also 4.2.2 Windows, Awnings, & Shutters.

8.9.3 COMPUTATION

A series of windows that are separated by frames or supporting material of less than 6 inches in width shall be considered a single window for the purposes of computation.

A. Measurement. To measure sign area percentage, divide the total sign area, by the total window area, as illustrated in Figure 8.9-C Area Calculation for Window Sign.

(1) Sign area is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements.

B. Maximum Allowance. Window Signs are not counted toward a site's maximum signage allowance per Figure 8.2-B Maximum Quantity and Size of Signage by District

C. Exempt Signs. Address and hours of operation are considered exempt signs and are not counted in the Window Sign area calculation. Refer to 8.14 Exempt Signs.

D. Temporary Window Signs. Temporary Window Signs must be included in the total percentage of signage per window calculation per Figure 8.9-A Window Sign Requirements. Refer also to 8.13.2.E. under Temporary Sign Types.

WINDOW SIGN REQUIREMENTS	
Permitted Districts	Refer to 8.2.1 Permitted Sign Types by District.
Sign Area	Up to 30% of a set of continuous windows may be covered with signs; no more than 50% of any one window panel may be covered with signs; no more than 10% of the square footage of windows on any facade may be covered with signs.
Height	No maximum
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Ground or upper story windows; may be affixed to window or hung/mounted behind glass
Quantity	Ground story: no maximum quantity, limit is based on window sign area. Upper Story: 1 per tenant per floor
Internal Illumination	Not permitted, except on neon or similarly illuminated window signs
Materials	Drawn, painted, or affixed on the glass; wood, metal, neon glass, plastic, or other similar materials also permitted. LED ropes or similar lights are prohibited.

Figure 8.9-A Window Sign Requirements

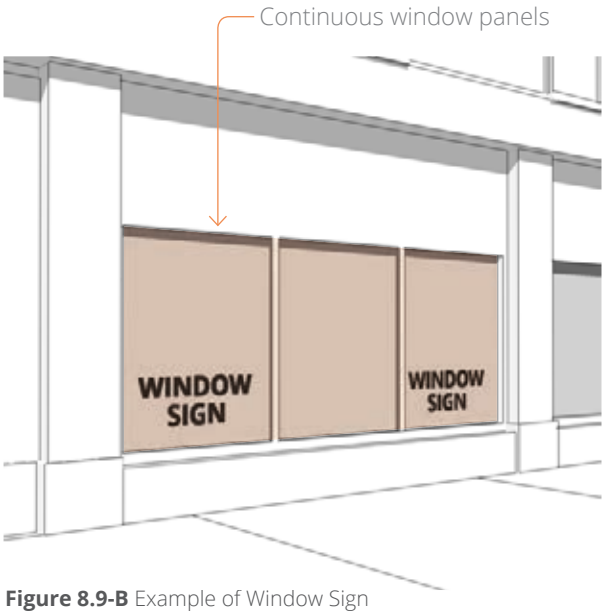


Figure 8.9-B Example of Window Sign

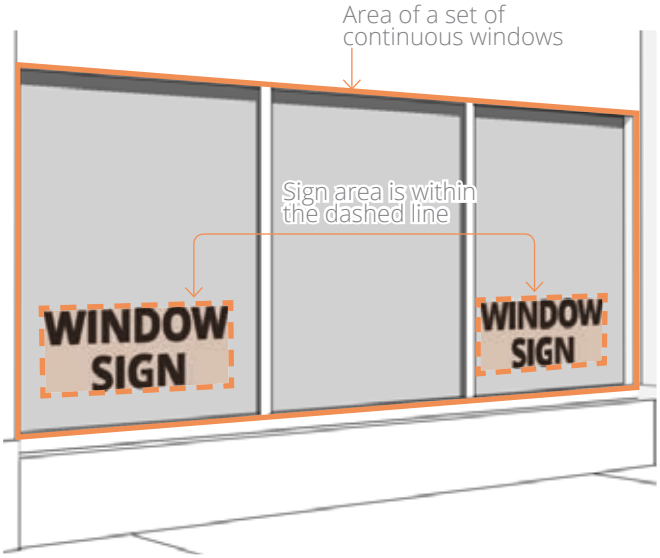


Figure 8.9-C Area Calculation for Window Sign

8.10 Monument Sign

8.10.1 DESCRIPTION

A Monument Sign is freestanding; it is located in a front or side yard of a lot. Refer to Figure 8.10-B Example of Monument Sign.

8.10.2 GENERAL REQUIREMENTS

Monument Signs shall be developed according to the standards in Figure 8.10-A Monument Sign Requirements.

A. Multiple Tenants. Multiple tenant buildings on a lot with a width of greater than 300 feet, measured across the front property line, may have signage with the following parameters:

(1) Up to 2 Monument Signs on one frontage.

(2) Signs shall be at least 150 feet apart.

B. Pole-Mounted Signs. Monument Signs may not be pole-mounted.

C. Manually Changeable Copy. The area of any Manually Changeable Copy Board cannot equal greater than 50 percent of the area of the sign face on which it is located or 20 square feet, whichever is less.

8.10.3 COMPUTATION

Sign area is calculated per sign face. This measurement includes the sign, any cabinet in which it is enclosed and any changing sign portions, but excludes the base of the sign. Refer to Figure 8.10-C Area Calculation for Monument Sign.

A. Measuring Height. Height shall include the sign face, base, cabinet, and ornamental cap.

MONUMENT SIGN REQUIREMENTS	
Permitted Districts	Refer to 8.2.1 Permitted Sign Types by District. Not allowed for lots primarily containing Residential or Lodging Uses.
Sign Area	Maximum area for each monument sign is 60 sq ft per face; Refer to 8.2.2 Maximum Permitted Quantity of Signage by District for maximum per lot
Height	Maximum height 5'
Location on the Building or Site	Front or Side Yards
Placement on the Building or Site	10 ft setback from driveways and side property line; 3 ft setback from property lines. Signs shall not be located in a sight triangle extending 10 feet from either side of an intersection of a driveway and a street, or 2 streets. Figure 8.10-B Example of Monument Sign.
Quantity	1 per street frontage
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal & masonry; plastic & synthetics permitted on sign face. Foundation shall be of concrete, masonry, or similar opaque and sturdy materials that permanently attach sign to the ground.

Figure 8.10-A Monument Sign Requirements.

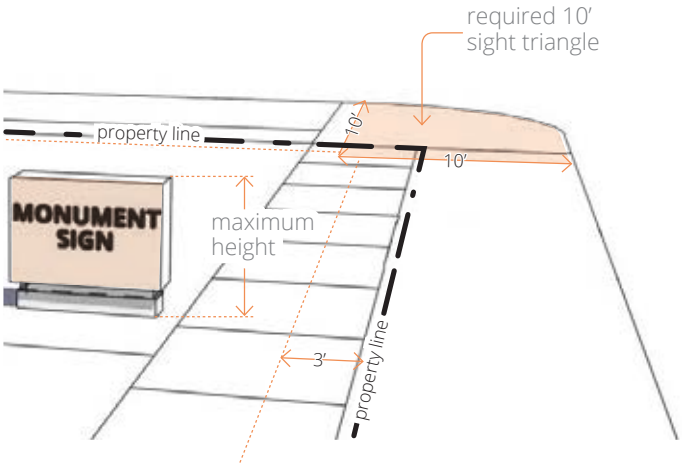


Figure 8.10-B Example of Monument Sign

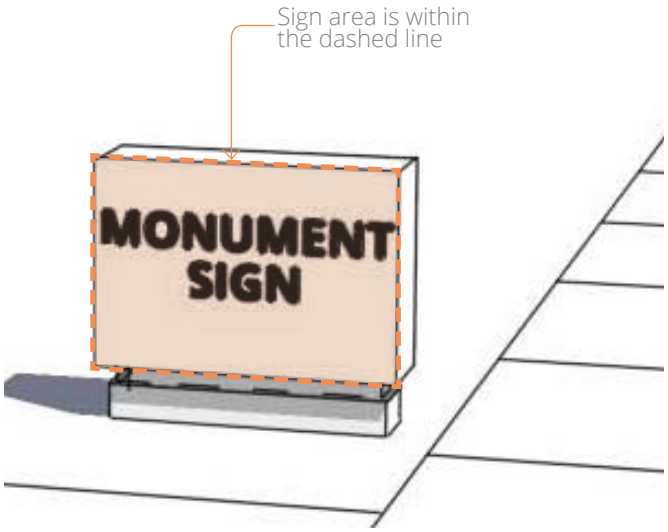


Figure 8.10-C Area Calculation for Monument Sign

8.11 Ped-Scale Pole-Mounted Sign

8.11.1 DESCRIPTION

A Ped-Scale Pole-Mounted Sign is freestanding and may be mounted on 1 or 2 poles. Three configurations are permitted. Refer to Figure 8.11-C Examples of Ped-Scale Pole-Mounted Signs.

A. A sign mounted onto a double set of poles.

B. A sign mounted on a single pole.

C. A sign hanging from a single pole.

8.11.2 GENERAL REQUIREMENTS

Ped-Scale Pole-Mounted Signs shall be developed according to the standards in Figure 8.11-A Ped-Scale Pole-Mounted Sign Requirements.

8.11.3 COMPUTATION

The area of a Pole-Mounted Sign is equal to the area of one sign face. Refer to Figure 8.11-B Area Calculation for Ped-Scale Pole-Mounted Sign.

PED-SCALE POLE-MOUNTED SIGN REQUIREMENTS	
Permitted Districts	Refer to 8.2.1 Permitted Sign Types by District. Not allowed for lots primarily containing Residential or Lodging Uses, except for Multi-Unit Dwellings.
Sign Area	Maximum area for each sign is 8 sq ft per sign face. Refer to 8.2.2 Maximum Permitted Quantity of Signage by District for maximum per lot
Height	8 ft maximum height for sign mounted or hanging on a single pole; 5 ft for sign mounted on double set of poles; each pole shall have a maximum diameter of 3 inches.
Location on the Building or Site	Front or Corner Yards with minimum average depth of 10 feet
Placement on the Building or Site	2 ft setback from front and corner property lines; cannot overhang property lines
Quantity	1 per lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal & masonry; plastic & synthetics permitted on sign face

Figure 8.11-A Ped-Scale Pole-Mounted Sign Requirements

Figure 8.11-B Area Calculation for Ped-Scale Pole-Mounted Sign

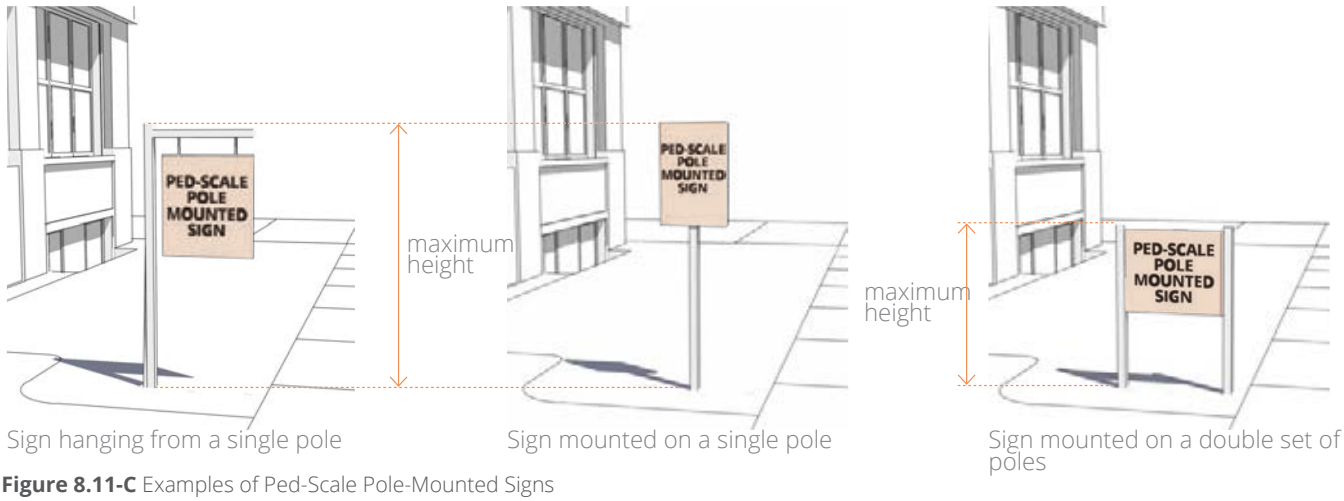


Figure 8.11-C Examples of Ped-Scale Pole-Mounted Signs

8.12 Dynamic Display

8.12.1 DEFINITION

Any element of a sign or sign structure capable of displaying words, symbols, figures, images or messages that can be electronically or mechanically changed by remote or automatic means. This also includes any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows a sign to present a series of images, messages or displays. This does not include signs with Manually-Changeable Copy Boards.

8.12.2 APPLICABILITY

Any sign with a dynamic display that is visible from the public right-of-way shall be subject to these regulations.

8.12.3 GENERAL REQUIREMENTS

A. Permitted Districts. Dynamic displays are permitted only within the DT districts.

B. Special Permit. An approved Special Permit (refer to 1.3.4) is required for installation of any sign with a dynamic display.

C. Documentation Required. Proposals for dynamic displays must be reviewed and approved for compliance with all applicable building, safety and electrical codes. Applications must include appropriate documentation from a licensed design professional of the sign structure's ability to accommodate the dynamic display technology.

D. Allowable Sign Types. A dynamic display may be incorporated into any permitted Wall Sign, Projecting Sign, or Projecting Marquee Sign in a Downtown (DT) district (refer to sections 8.3, 8.4, and 8.5, respectively).

E. Display. The following applies to all dynamic displays.

(1) The images and messages displayed on a dynamic display must have a minimum dwell time of at least 8 seconds and may not contain any movement, animation, audio, video, pyrotechnics, or other special effects.

(2) The transition or change from one message to another must occur in one second or less and involve no animation or special effects.

(3) The images and messages displayed must be complete in and of themselves within the required dwell time.

(4) Dynamic displays must be equipped with a default mechanism that freezes the display in one position or presents a static or blank display if a malfunction occurs.

(5) Dynamic displays may not have a brightness of such intensity or brilliance that they impair the vision or endanger the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle.

(6) Dynamic displays must be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

(7) The maximum brightness level of a dynamic display may not exceed 5,000 nits (candelas per square meter) during daylight hours or 250 nits between 30 minutes after sunset and 30 minutes before sunrise, as those times are determined by the National Weather Service (Actual Time). Brightness must be measured from the brightest element of the sign's face. Before the issuance of a sign permit, the applicant must provide written certification from the sign manufacturer that the light intensity has been factory pre-set so that it will not exceed 5,000 nits (candelas per square meter).

(a) This maximum brightness may be reduced as a condition of the Special Permit.

(b) For the purpose of verifying compliance with maximum brightness level requirements, the zoning administrator will measure brightness levels with the dynamic display sign set to run full white copy with a luminance meter positioned at a location perpendicular to the sign face center. When taking the luminance reading, the sign face must be the only subject visible in the viewfinder.

(c) If the measurement is more than the maximum allowed, the brightness level is in violation of these regulations and must be adjusted downward. Failure to make such adjustments may result in other available enforcement actions to be taken by the city.

(8) Light trespass from any dynamic display may not cause the light level along any Neighborhood (N) district, as measured at a height of 60 inches above grade in a plane at any angle of inclination, to exceed 0.1 footcandles above ambient light levels at the property line of any property in an N district

F. Modified Regulations. Regulations governing dynamic displays are subject to ongoing monitoring and future modification in the exercise of the city's police powers. No vested right is ever created in an existing dynamic display. If regulations governing operational aspects of dynamic displays (e.g., dwell time, transitions, illumination/brightness, etc.) are modified by the city, then sign owners and operators are required to bring dynamic display advertising signs into compliance with all applicable dynamic display regulations.

8.13 Temporary Signs

8.13.1 GENERAL REQUIREMENTS

These signs are temporarily permitted for promoting special community or non-profit activities, special events, or grand openings for businesses. Temporary signs shall adhere to the following general requirements, unless otherwise specified.

A. Permitted Display Time

(1) Temporary signs shall be permitted only for a period of one month prior to and including the duration of the activity which such sign describes, except where specific permissions are stated in 8.13.2 Temporary Sign Types.

(2) Temporary signs shall be removed within one week after the completion of the activity which the sign describes.

(3) Once removed, a temporary sign shall not be reinstalled on same lot until after the expiration of an interim period of 90 days, provided, however, that nothing shall prohibit a property owner from erecting a new temporary sign for a real estate sign defined in 8.13.2 in place of an old temporary sign merely because the property owner changed real estate agents.

B. Location. The following regulations apply to locating temporary signs.

(1) Temporary signs shall be allowed in all districts.

(2) Temporary signs must be located on private property and shall not be posted, attached or placed on any tree, utility pole, street sign post, light post, or any official traffic control sign or signal post on the public right-of-way.

(3) Temporary signs located within the public right-of-way may be removed by the city.

(4) In all N districts, temporary signs shall be set back a minimum of 10 feet from any property line.

C. Quantity. One temporary sign is permitted per lot frontage on a public right-of-way per permitted display period.

D. Size. All temporary signage on a lot shall not exceed an area greater than 32 square feet at one time and is not counted in the determination of the total permitted area of signage on a lot.

(1) In all N districts, all temporary signs shall be no greater than 12 square feet in area.

E. **Maintenance & Materials.** All temporary signs must be properly maintained and of a material able to withstand the elements.

F. **Permit Required.** The display of all temporary signs erected in conformance with this section does not require a permit unless a permit is specifically required by another provision in this section, 8.13 Temporary Signs.

G. **Specific Temporary Sign Requirements.** The general requirements contained in 8.13.1 shall be superseded by the requirements for specific temporary signs set forth in 8.13.2, where the requirements in 8.13.2 directly contradict the requirements of 8.13.1.

8.13.2 TEMPORARY SIGN TYPES

The following are permitted types of temporary signs. Requirements defined in 8.13.1 General Requirements, above, shall be met, unless otherwise specified below.

A. **Real Estate Signs.** Real estate signs are for the sale, lease, or rental use of a lot, building, or dwelling unit. For real estate signs advertising rooms or rooming units, refer to the requirements of 8.13.2.E. Window Signs. For real estate signs in the form of a banner, refer to the requirements of 8.13.2.G. Banners.

(1) **Permitted Display Time.** Real estate signs are permitted for the period during which the property is actively marketed for sale, rental, or lease, and shall be removed within 7 days of a signed agreement, in accordance with 8.13.1.A.

(2) **Open House Signs.** Open house signs are permitted up to 4 hours before the event and shall be removed immediately after its end.

(3) **Quantity.** One sign pertaining to the sale, lease, rental use of a lot or building, or availability of a rental unit in a building is permitted per lot frontage.

(4) **Size.** Real estate signs shall not exceed 6 square feet in area, except for the following pertaining to non-residential uses:

(a) **Lots with 100 to 300 feet of frontage.** Real estate signs for properties with lot frontages between 100 and 300 feet shall not exceed 12 square feet, in total, per lot frontage.

(b) **Lots with over 300 feet of frontage.** Real estate signs for properties with lot frontages over 300 feet shall not exceed 24 square feet, in total, per lot frontage.

(5) **Height.** The maximum height of such signs is 7 feet.

(6) **Permit.** A permit is required only for signs larger than 6 square feet in area.

B. **Construction Signs.** Construction signs identify the name of the project developers, contractors, engineers, and architects on a site being developed. Construction signs do not include public safety signs, exempt from these regulations in accordance with 8.14.2.D. Public Service Signs.

(1) **Permitted Display Time.** Signs shall be removed no later than 7 days after the completion of construction or issuance of a certificate of occupancy, whichever is sooner.

(2) **Size.** For every one project developer, contractor, engineer, or architect, 4 additional square feet of area is permitted up to a total sign area of 32 square feet in non-residential and mixed-use districts, and 12 square feet in residential districts without a permit.

(3) **Quantity.** One sign is permitted per street frontage for each construction project.

(4) **Height.** The maximum height of such signs is 10 feet.

(5) **Permit.** A permit for a construction sign is not required unless the proposed sign exceeds the size and height requirements of this subsection 8.13.2.B. The zoning administrator has discretion to approve a construction sign that exceeds the size and height otherwise allowed by this section based on the specific characteristics of the project and site.

C. **Political Signs.** Political signs are permitted in all districts incidental to a city, state, or federal election or referendum, or signs which are political in nature.

(1) **Material.** Such signs shall be constructed of durable material, and shall be prohibited being attached to from trees, traffic signs or utility poles.

(2) **Permitted Display Time.** Such signs shall be erected not more than 60 days prior to such election or referendum, and in any event, no premises shall have a sign erected for more than 120 days in any calendar year. Political signs relating to any election or referendum shall be removed within 7 days after said election or referendum.

(3) **Size.** In all residential districts, such signs shall not exceed 16 square feet in area per sign face.

D. Special Event Signs. A special event sign is permitted for promoting special community activities, special promotional sales, grand openings, special events, or activities as described in this section.

(1) **Permitted Display Time.** Signs shall be displayed for no more than 30 days and removed no later than 7 days after completion of the special event.

(2) **Location.**

(a) Special events signs may be located in the right-of-way in the DT, MS, and CX districts where the pedestrian walkway is at least 5 feet in width, and shall not be placed within 10 feet of an intersection or crosswalk. Such sign location is subject to approval by the zoning administrator in coordination with Public Works.

(b) In all N districts, such signs shall be set back a minimum of 10 feet from any property line.

(3) **Streamers and Pennants.** Outside streamers, pennants, and other fluttering, non-verbal decorations intended to draw attention, shall only be allowed as temporary signs in conjunction with a special event, and shall be specified in the required permit.

(4) **Size.** The size of special event signs shall not exceed 16 square feet in area, in total for the lot, without a permit.

(5) **Permit.** A permit is required for all special event signs larger than 16 square feet in area, in total for the lot. The zoning administrator has discretion to approve a special event sign that exceeds the size and height otherwise allowed by this section based on the specific characteristics of the project and site.

E. Window Signs. Temporary window signs are those signs that do not exceed 1 square foot in size, are located wholly in the window of the structure housing the use being referenced by the sign, and are composed of paper or other temporary materials not specified in Figure 8.9-A Window Sign Requirements, pertaining to permanent window signs. Such signage may, for example, include advertisement of rooms or rooming units available for rent or "now hiring" signs.

(1) **Multiple Signs.** Multiple temporary window signs are considered one sign for the purposes of computing the quantity of temporary signs on a lot.

(2) **Permit.** No permit shall be required.

F. Sandwich Board Signs. A sandwich board is a set of 2 signs set up in a triangular shape and hinged along the top or a T-frame or I-frame sign.

(1) **Permitted Display Time.** Sandwich boards are not restricted to the 30 day display time restriction.

(a) Signs shall only be displayed during business hours and must be removed by close of business each day.

(b) Signs shall not be displayed when winds exceed 20 miles per hour.

(2) **Location.** Sandwich board signs may be located in the right-of-way in the DT, MS, CX, and MX districts where the pedestrian walkway is at least 5 feet in width and shall not be placed within 10 feet of an intersection or crosswalk. Such sign location is subject to approval by the zoning administrator in coordination with Public Works.

(a) Sandwich board signs shall be located within 15 feet of the entrance to the business and no more than one foot from the building line.

(b) Signs shall not be attached to the sidewalk or to city-owned property, including but not limited to electric light poles and traffic signs.

(3) **Size.** Signs shall not be greater than 3 feet in height and no more than 6 square feet in area per sign face.

(4) **Quantity.** No more than one sandwich board sign is permitted per building lot.

(5) **Materials.** Signs shall be constructed of wood, metal, or other durable materials to withstand the elements. Signs shall not be reflective.

(6) **Liability.** The owner of any sandwich board sign has an absolute duty to prevent such sign from causing any property damage or personal injuries.

G. Banners. A sign made of fabric or other similar non-rigid material with no enclosing framework or electrical components that is supported or anchored on 2 or more edges or at all 4 corners.

(1) **Permit.** A permit shall be required for all banners, other than banners that are used as construction signs and political signs that are allowed as of right without a permit in accordance with this section 8.13 Temporary Signs.

(2) **Requirements per Use or District**

(a) **Multi-Unit Dwelling Uses.** Temporary banners are allowed on lots with Multi-Unit Dwelling buildings, provided that no more than one temporary banner is allowed for each 50 dwelling units in the building, up to a maximum of 3 banners. Temporary banners may not exceed 32 square feet in area and no more than one may be attached to each building wall. The mounted height of the temporary banner may not exceed 24 feet. Temporary banners on multi-unit buildings may be in place for no more than 180 days in any calendar year.

(b) **Non-residential Uses.** One temporary banner is allowed on lots with allowed non-residential uses. Such banners may not exceed 32 square feet in area and may remain in place for no more than 180 days per calendar year.

(c) **Downtown, Main Street, and Commercial Industrial Mix Districts.** Temporary banners in all DT, MS, and CX districts are subject to the standards applicable to permanent signs and are counted in the total square footage of signage allowed on the site.

(3) **Location.** Banners must be mounted to the face of a building and may not cover any window or other building opening.

8.14 Exempt Signs

8.14.1 GENERAL REQUIREMENTS

Exempt signs meeting the standards of this section are subject to the following:

A. Exempt signs are permitted in all districts.

B. Exempt signs do not require a sign permit for installation, unless otherwise specified.

C. Exempt signs are not required to meet any sign type standards, unless otherwise specified.

D. Exempt signs are not counted in the determination of the total permitted area of signage on a lot per the requirements of 8.2.2 Maximum Permitted Quantity of Signage by District.

8.14.2 EXEMPT SIGNS

The following are considered exempt signs.

A. Identification Signs

(1) Identification signs indicating names of residents and dwelling or dwelling unit numbers shall have a maximum area of one square foot, and shall be limited to one sign per dwelling unit

(2) Identification signs indicating the name and purpose of a structure and the name of its management shall have a maximum area of 3 square feet, and shall be limited to one sign per structure.

B. Hours of Operation. Hours of operation, not exceeding 2 square feet in area.

C. Official Signs. Any official sign, public notice sign, or warning sign required by a valid and applicable federal, state, or local law, regulation, or ordinance or by order of a court of competent jurisdiction; or signs consisting of fabric or plastic banners which the department of public works has approved for mounting on publicly owned or operated streetlights or within public rights of way.

D. Public Service Signs. Signs used for safety purposes relative to the repair or maintenance of streets, sidewalks, or utilities in a public right-of-way.

E. Traffic Control Signs. Traffic and other official signs of any public or governmental agency, such as traffic

control signs, railroad crossing signs, trespass signs, signs indicating danger, or signs used as aids to service or safety.

F. Flags. A sign made of fabric or other similar non-rigid material supported or anchored along only one edge or supported or anchored at only 2 corners.

(1) One or 2 flags may be displayed per lot without a sign permit, provided that any Flag Pole used to mount such flag or flags complies with 4.20.4.E., regulating flag poles as an accessory outdoor structure.

(2) All flags shall be counted towards the maximum signage per lot.

G. Signs Inside Buildings. Any sign which is located completely within an enclosed building, when such sign is not readable from 10 feet or more outside the building.

H. Informational Signs. Any sign not exceeding 4 square feet and not legible beyond the property line of the lot upon which it is situated or from any right-of-way and signs oriented inward upon a lot and intended solely for the information of employees, students, faculty, or visitors.

I. Directional Signs. Signs directing vehicular ingress and egress to off-street parking facilities. These signs shall meet the following requirements:

(1) No more than 2 signs are permitted for each lot per right-of-way frontage.

(2) One sign per parking lot per right-of-way frontage identifying the facilities and the conditions of use.

(3) Each sign face shall not exceed 2 square feet in area.

(4) Signs shall not exceed 3 feet in height.

(5) Signs shall be set back a minimum of 2 feet from property lines and are not permitted to overhang any property line.

(6) Logos or other advertising are not permitted.

(7) A sign permit is required.

J. Historical Markers. Memorial signs, tablets, or cornerstones including the name of building or date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible materials.

(1) Historical markers shall not exceed 4 square feet in area.

(2) Historical markers may be placed only by a bona fide historical organization or by a governmental agency.

K. Temporary Decorations or Displays. Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic, ethnic, or religious holidays, as well as national, state, and city holidays as differentiated from temporary signs regulated by 8.13.

L. Signs for a Home Occupations. These signs shall meet the following requirements:

(1) One sign per dwelling unit is permitted.

(2) Sign shall be mounted flat against the building.

(3) Sign shall be no larger than one square foot in area.

(4) Sign shall not be directly or indirectly illuminated other than by those lights incidental to the residential use of the premises.

8.15 Prohibited Signs

8.15.1 GENERAL REQUIREMENTS

Prohibited signs shall not be constructed in any district.

8.15.2 PROHIBITED SIGNS

The following signs are prohibited.

A. Animated or Moving Signs. Signs not erected by bona fide public traffic officials which move or give the appearance of movement, including but not limited to signs which flutter, undulate, swing, rotate, oscillate, or otherwise move by natural or artificial means. Moving signs shall not include flags, signs displaying time and temperature, and electronic message board signs as permitted in this section.

B. Similarity to Traffic Control Signs. Signs that include words such as "Stop", "Danger", "Warning", "Caution", or "Go Slow," unless such language is part of the name of the business, or any other words, phrases, symbols, or characters that imitate any authorized traffic sign by shape, color, or character or employs any red, yellow, green, or other colored lamps or lights in such a manner as to interfere with, mislead, or confuse traffic.

C. Vehicles as Signs. Any sign attached to or placed on a vehicle or trailer parked on public or private property that is prominently visible from public streets, except during the following conditions:

(1) The primary purpose of such a vehicle or trailer is not the display of signs.

(2) The vehicle or trailer is in operating condition, currently registered and licensed to operate on public streets, and actively used or available for use in the daily function of the business to which such signs relate.

D. Portable or Wheeled Signs. Any sign permanently mounted on wheels.

E. Inflatable or Balloon Signs. Temporary or permanent signs that are inflatable or balloon-like are not permitted.

F. Off-Site Advertising. Signs utilized to market, promote, or draw attention to an activity, business, person, entity, or thing not located or offered on the site on which the sign is located, are prohibited.

G. Obscene Signs. Signs that contain words, pictures, or statements that are obscene, as defined by the general statutes, section 53a-193.

H. Signs with Sound. Signs that emit or utilize in any manner any sound capable of being detected from any public right-of-way by a person with normal hearing.

I. Rope Lighting. Rope lighting, or other similar linear lighting with small lights (usually incandescent bulbs or light emitting diodes (LEDs)) covered in heavy-duty plastic tubing, and installed to outline signs, merchandise, windows, buildings, or building elements, where such lighting is intended to be visible from the exterior of the building, is prohibited.

J. Other Signs. Signs not addressed in this section shall not be permitted.

K. Streamers and Pennants. Streamers and pennants are not allowed unless they have been approved as part of a permit for a special event sign.

This page intentionally left blank.

9.0 STREET TYPES

SECTIONS

9.1 General Requirements
9.2 General Street Type Standards
9.3 General Street Layout Requirements
9.4 Neighborhood Street
9.5 Residential Connector
9.6 Commercial Connector Street
9.7 Avenue
9.8 Boulevard

9.1 General Requirements

9.1.1 INTENT

The standards outlined in this section are intended to:

A. Create complete streets that address all modes of travel, including people walking, biking, taking transit, or driving.

B. Address all features of the right-of-way, including sidewalks, buffer areas, parking lanes, traffic lanes, bicycle lanes, and medians.

C. Provide adequate access to all lots for people walking, biking, and driving.

D. Create streets that are appropriate for their surroundings in residential, commercial, or mixed-use districts and are designed to encourage travel at appropriate volumes and safe speeds.

E. Create streets and public rights-of-way that result in a reduced quantity of stormwater runoff, a diminished heat island effect, and improved quality of stormwater runoff.

F. Support road types and infrastructure design that increases sustainable transportation options, namely pedestrian traffic, bicycle traffic, and transit use which would in turn decrease the carbon footprint of the city.

G. Develop stronger connections between city right of ways and the buildings and structures which line them.

H. Help achieve, to the extent possible by planning and zoning requirements, "Vision Zero" principles which aim to eliminate traffic-related fatalities.

9.1.2 APPLICABILITY

The standards in this chapter apply to all new streets and to the substantial improvement (including milling and repaving) of an entire block length of a roadway or sidewalk of an existing street, unless the zoning administrator finds that applying this chapter in a particular instance is either practically infeasible or detrimental to the safety of people who walk or bike and these detrimental effects cannot be mitigated.

9.1.3 GENERAL REQUIREMENTS

All streetscape improvements made in accordance with this chapter shall be located in public rights-of-way.

A. Street Types. All streets shall match one of the street types (refer to 9.4 through 9.8), whether publicly dedicated or privately held.

B. Public Use. All streets shall be available for public use at all times, except gated and private streets approved by the commission and except for streets duly authorized for a temporary use per 3.7 Temporary Use Definitions & Use-Specific Conditions.

9.1.4 STREET CONSTRUCTION SPECIFICATIONS

Any construction related to streets shall follow these regulations and the department of public works construction specification standards, which shall be consistent with these regulations. The principles contained in the Urban Street Design Guide of the National Association of City Transportation Officials published in 2013, as amended, shall serve as a guide for these regulations and decisions made pursuant thereto.

9.1.5 SELECTION OF A STREET TYPE

A. Selection of Street Types for New Streets. For new streets, the commission shall select the applicable street type as part of the review process for an overall development or as part of any decision on streets made pursuant to 1.3.11 Decisions on Streets, Street Lighting, & Building Lines.

B. Selection of Street Types for Existing Streets. When an existing street becomes subject to this section in accordance with 9.1.2 Applicability, the zoning administrator, in consultation with the department of public works, shall select the applicable street type for the design of the street. If the zoning administrator and department of public works disagree on the appropriate street type, then the selection of the street type shall be made by the commission as an item of regular business at any meeting.

C. Selection Criteria. When selecting the street type for a new or existing street, the decision-maker shall take into account the following factors:

(1) The intent of the street types.

(2) The street requirements for the street types.

(3) The most recent average daily traffic counts available to the city.

(4) Existing and projected intersection counts for pedestrians and bicyclists, if available.

(5) Existing and projected on-street parking utilization and demand data, if available.

(6) Existing land uses and zoning districts on adjacent parcels.

(7) The streets identified in Figure 9.1-A Map of Bicycle Lanes and Cycle Tracks (Existing & Proposed).

9.1.6 STREETSCAPE DESIGN SUBMITTAL

Once a street type has been selected, the city or a private property owner, as applicable, must develop a streetscape design, to be approved by the zoning administrator in consultation with the department of public works, which includes articulation of the following elements:

A. Landscape Zone or Furnishings Zone. Refer to the street type requirements for the street to determine which type of buffer area is required or allowed.

B. Street Trees. Trees must be planted and installed in accordance with 6.7 Street Trees.

C. Sidewalk Pavement Design. Sidewalk paving materials and pattern shall be identified in the submittal.

D. Street Furnishings. For buildings with commercial or mixed uses, benches, seatwalls, planters, planter fences, trash receptacles, and bicycle racks shall be specified and quantities and locations listed.

E. Landscape Design. Ground plane vegetation shall be designated for any landscape bed areas, planter areas, and tree wells.

F. Lighting. Lighting in the right-of-way shall be specified, and locations and quantities noted. Installation shall be coordinated with the department of public works and be consistent with the principles of 6.15 Lighting.

G. Identity Elements. Any other elements designed to establish the identity of each street, such as banners, pavement markers, way-finding, artwork, or signage, shall be included in the streetscape design submittal.

Figure 9.1-A Map of Bicycle Lanes and Cycle Tracks (Existing & Proposed)

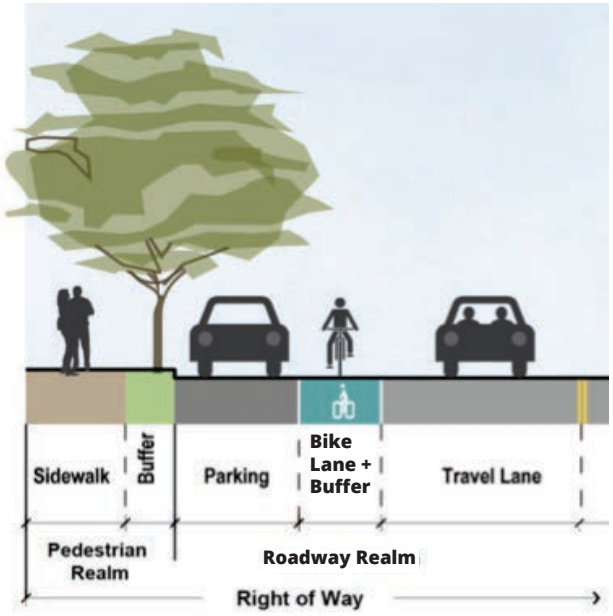


Figure 9.2-A Typical Right-of-Way Elements

Angle (degrees)	Curb Length (feet)	Stall Width (feet)	Stall Depth (feet)
0	18	8	20
45	12	9	17
60	10	9	18

Figure 9.2-B On-Street Parking Dimensions

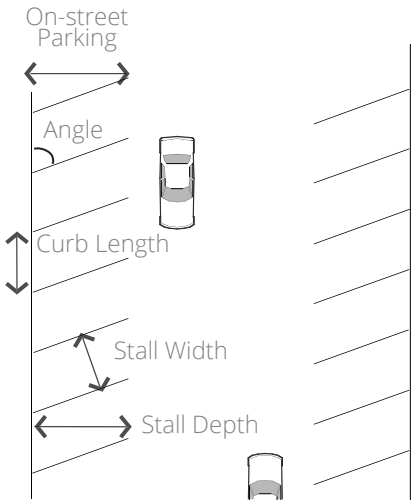


Figure 9.2-C On-Street Parking Layout

9.2 General Street Type Standards

9.2.1 GENERAL

The standards in this section outline acceptable street configurations for each street type.

9.2.2 DEVIATIONS

Deviations from these standards may be granted by the decision-making body to address site-specific conditions, provided that the deviations are consistent with the intent of the street type selected. Figures depicting street sections are meant to be illustrative of the acceptable street type configurations and are not meant to be exclusive.

9.2.3 TYPICAL STREET ELEMENTS

Typical elements of a public right-of-way are divided into the roadway realm and pedestrian realm. Each street type detailed in this article outlines which facilities are applicable. Refer to Figure 9.2-A Typical Right-of-Way Elements.

A. Roadway Realm. The roadway realm is comprised of travel lanes for vehicles and/or bicycles and parking lanes.

B. Pedestrian Realm. The pedestrian realm is typically comprised of pedestrian facilities, such as sidewalk, shared use path, or off-street bicycle path, and a buffer area that serves to buffer people walking and biking from vehicles in the roadway realm.

(1) **Sidewalk.** Sidewalks shall be installed along every street frontage per the following.

(a) **Sidewalk Width.** A minimum sidewalk width of 5 feet is recommended on residential streets and 6 feet minimum width on narrow commercial streets. A minimum sidewalk width of 10 feet is recommended in: the DT districts; the Transit Oriented Development Overlay; and busy pedestrian areas, such as near the primary entrances of theaters, schools, stadiums/arenas, and buildings exceeding 4 stories in height when those entrances are located within 50' of the property line. A minimum sidewalk width of 15 feet is recommended where Outdoor Cafes or similar uses are anticipated.

(b) **Sidewalk Material.** Sidewalks shall be constructed of concrete or other material acceptable to the department of public works.

(c) **Ramps.** Ramps and crosswalks shall be designed in accordance with 9.3.3.B.

(d) **Location.** The outermost edge of the sidewalk as determined by the edge furthest from the curb shall be located within one foot of the abutting property line as is feasible, given site constraints such as topography, mature trees, and utility structures.

(2) **Tactile Warning Tiles.** Tactile warning tiles, crosswalk striping requirements, and pedestrian crossing signage shall be provided in accordance with street construction guidelines of the department of public works. Buffer Area. The buffer area is between the roadway realm and the sidewalk within the pedestrian realm. Refer to the street type for minimum sizes and allowable types of buffer areas. The buffer area shall consist of one or both of the following:

(a) **Landscape Zone.** A landscape zone is a landscaped area between the back of curb and edge of the sidewalk in which street trees, swales, lighting, and signage may be located. Landscape zones are typically used along the frontage of residential buildings.

(b) **Furnishings Zone.** A furnishings zone is a hardscape area that extends from the sidewalk to the back of curb, in which street trees in wells or planters, street furniture, lighting, and signage may be located. Furnishings zones are typically used adjacent to mixed-use, commercial, or office buildings.

(i) Any raised planters shall be less than 20 feet long and at least 1.5 feet away from the edge of a sidewalk adjacent to on-street parking (and 2.5 feet away from the edge of a sidewalk adjacent to angled on-street parking), with the exception of 3-sided tree wells as shown in 6.7.3.D.(4), which shall not be subject to the distance requirement from the edge of a sidewalk.

(ii) Space occupied by street furnishings listed in 9.1.6.D. and any furnishings related to an Outdoor Cafe, which are placed on the sidewalk for more than 6 hours per day for 4 months per year, may not be counted toward the calculation of sidewalk clear space required per each Street Type.

(c) **Utilities.** Above-ground utility boxes shall not be located anywhere in the pedestrian realm, unless absolutely necessary. The preferred locations for utility boxes are: underground, incorporated into a building structure, or set back from the pedestrian realm and screened per 6.12. Underground conduits and lines are discouraged from being located underneath the pedestrian realm. The preferred location of underground conduits and lines is in the roadway realm.

9.2.4 VEHICULAR TRAVEL LANES

The number and width of vehicular travel lanes are determined by the street type.

9.2.5 ON-STREET PARKING

On-street parking, as permitted on designated street types, shall meet the following requirements.

A. Parallel and diagonal parking is permitted on designated street types.

B. The appropriate dimensions for on-street parking spaces are outlined in Figure 9.2-B On-Street Parking Dimensions and Figure 9.2-C On-Street Parking Layout.

C. A decision-maker may approve deviations from these dimensions as circumstances require. For example, an on-street parking space adjacent to a bicycle lane buffer may be only 7 feet wide.

D. The width of a parking space shall be measured from the center of a stripe to either a center stripe or a curb, as applicable.

E. On-street parking may also be dedicated to bicycle parking, which shall be provided with the use of bicycle racks protected from cars by a raised curb, railing, bollards, or other physical demarcation.

9.2.6 BICYCLE FACILITIES

The following types of bicycle accommodations are permitted in the roadway realm per street type.

A. Cycle Track. A cycle track is a separate on-road bicycle facility that is typically adjacent to, but physically separated from, vehicular traffic and parking by a barrier, and is typically two-way traffic.

(1) Bidirectional cycle tracks should be used in exceptional conditions where the provision of bicycle lanes is undesirable due to traffic or other roadway conditions.

(2) The protection between travel lanes for a cycle track may be a rumble strip, flexible bollards, concrete median, or a parking lane.

(3) Cycle tracks, sometimes called buffered bike lanes, require special design features at intersections, driveways, and mid-block destinations to permit cyclists to safely leave the cycle track and maneuver around turning vehicles.

(4) A cycle track is best utilized when there are limited intersections and driveway interfaces.

B. Dedicated Bicycle Lane. Dedicated bicycle lanes are striped lanes, typically on the outside of the outermost travel lanes, that are designated for only bicycle use.

(1) This lane occurs on both sides of the street and shall be 5 to 6 feet wide.

(2) This lane has standard street marking symbols and roadside signs that note the use of the lane for bicycles. In some cases, the dedicated bicycle lane may be painted to further reinforce the dedicated bicycle use, provided that painted lanes may be less preferred if they are difficult to maintain.

(3) Bicycle lane buffers shall be a minimum of 2' wide and should be used, where space allows, between a bicycle lane and a traffic lane on roadways with an average daily traffic count of 10,000 or greater, and between a bicycle lane and a parking lane if parking time is limited to 2 or fewer hours or if a fee is charged for parking.

C. Shared Lane. A shared lane refers to a street that does not have bicycle lanes or a cycle track, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.

(1) Streets with average daily traffic count of 4,000 or less are good candidates for shared lanes, except where sight-line limitations or roadway geometry require the use of a centerline or shoulder markings to improve safety.

(2) Particularly at intersections with larger streets, a shared lane must have post-mounted signage that clearly states that drivers and bicyclists are sharing the road (stating "Share the Road," "Bicycle May Use Full Lane," or similar) and may include corresponding figures or striping at intersections painted on the travel lane (also known as sharrows).

D. Shared Use Path. A facility shared by people biking or walking that is physically separated from the roadway.

(1) Shared use paths are bidirectional and may be placed only on one side of the street or through a park, public space, or rail corridor.

(2) Shared use paths should not be used if the pathway will be frequently be interrupted by crossing streets and driveways.

(3) Design of the shared use pathway should account for both bicycle and pedestrian users and must be a minimum width of 8 feet.

(4) Shared use paths are not appropriate directly adjacent to building developments with pedestrian exits.

(5) Shared use paths may be used to provide strategic connections where roadway conditions do not favor bicycle lanes or cycle tracks.

(6) Shared use paths shall be clear of obstruction from utility poles and boxes, drainage grates, street trees, bus shelters, and other furnishings.

(7) Shared use paths may incorporate a centerline that separates opposing bicycle and pedestrian traffic flow.

9.2.7 STORMWATER MANAGEMENT

Street design should adhere to the low impact development principles described in 6.14 Stormwater & Low Impact Development. Design elements may include drainage swales and slotted curbs into the landscape zone or permeable paving in the parking lane.

9.2.8 MEDIANS

Median islands are used to calm wide roadways and provide space for the establishment of a tree canopy. Median islands may also be used as pedestrian refuge islands to aid in pedestrian crossing of wide roadways or to prohibit pedestrian crossing in mid-block locations.

A. Use

(1) Median islands should be used in areas where the presence of left turn lane pockets or a 2-way center left turn lane creates a continuous separation of opposing traffic lanes.

(2) Median islands should be located in areas that do not conflict with left turn demand or areas where the desired effect is to prohibit left turns.

B. Existing Median Islands. Existing landscaped median islands, with a width greater than or equal to

6 feet, may not be removed or substantially reduced in size without consideration of factors contained in 9.1.5.C.

C. New Median Islands

(1) Median islands shall have a minimum width of 6 feet.

(2) The exterior face of the curb for median islands shall be offset a minimum of one foot from adjacent traffic lane.

(3) Median islands shall be landscaped as feasible of at least 75 percent of the island, and should be landscaped and maintained in a way that ensures proper driver sightlines. In the absence of a fixed water supply to maintain plantings in the median, plantings should be low-maintenance and native to the area.

(4) Median island pavement surfaces, when applied, shall be composed of concrete, brick, or stone, or shall be of pervious concrete, brick, or stone surfaces approved for durability by the department of public works.

(5) Median islands shall incorporate pedestrian refuges at crosswalks as feasible.

9.3 General Street Layout Requirements

9.3.1 GENERAL LAYOUT STANDARDS

The following standards apply to new streets or newly platted streets.

A. Treatment of Natural Features. Streets shall be designed to respect natural features, such as rivers, woodlands, or slopes.

B. Street Network. The network of streets shall form an interconnected pattern with multiple intersections. Closely spaced offset intersections should be avoided.

C. Existing Streets. The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new subdivisions and retail areas.

9.3.2 DISCONNECTED STREETS

Disconnected streets may take either of the following forms:

A. Stub Streets. Where adjoining areas are not subdivided, streets in new subdivisions shall be extended to the boundary line of the tract to make provision for the future extension of streets into adjacent areas.

(1) Stub streets shall be provided at intervals no greater than the maximum block length and width per the Subdivision Regulations or any applicable overlay (refer to 5.0 Special Overlays).

(2) Existing stub streets adjacent to a proposed subdivision shall be connected.

(3) If a stub street is created, every effort shall be made to maintain a bicycle and pedestrian connection to the adjacent street.

(4) Wherever possible, stub streets should be provided with a feature, such as a hammerhead or temporary cul-de-sac, which would allow vehicles (including large trucks used for waste pickup and emergency services) to turn around.

B. Cul-de-Sac Streets. Cul-de-sac streets are not permitted except where natural features prohibit the inclusion of a U-shaped street accessing the location. The following parameters shall be incorporated when the exception is taken:

(1) The cul-de-sac shall not be more than 300 feet in length as measured along the centerline from the closest intersection.

(2) The cul-de-sac is encouraged to have a maximum outside turning radius of 50 feet.

(3) A narrow Neighborhood Street section shall be utilized for the pavement and the remaining center of the circular area shall be landscaped.

(4) A pedestrian sidewalk connection should be provided from the cul-de-sac through to the next closest street or sidewalk.

9.3.3 INTERSECTIONS

A. Curb Radii. The following curb radii shall be utilized unless otherwise authorized by the zoning administrator.

(1) Intersections should be designed for actual turning radius of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, thereby balancing the ease of travel of the vehicles and pedestrians. Refer to Figure 9.3-A Actual Right Turn Radius with On-Street Parking.

(2) **Neighborhood and Connector Streets.** At the intersection of any street with a Neighborhood or a Connector Street, the following curb radii shall be utilized.

(a) With on-street parking on both streets, a radius no greater than 5 feet shall be required.

(b) Without on-street parking, a radius no greater than 10 feet is required.

(3) **Avenue Streets.** At the intersection of Avenues to Avenues or Boulevards, the following curb radii shall be utilized.

(a) With on-street parking on both streets, a 5 foot radius is required.

(b) Without on-street parking on either street, a radius no greater than 10 feet is required.

(4) **Larger Radius.** When the design vehicle requires a larger curb radius and no on-street parking exists, a radius no greater than 25 feet is required.

(5) **Alley Intersections.** The curb radius at intersections involving Alleys shall be no greater than 5 feet.

B. Crosswalks. Crosswalks shall be required at all intersections involving Connectors, Avenues, and Boulevards.

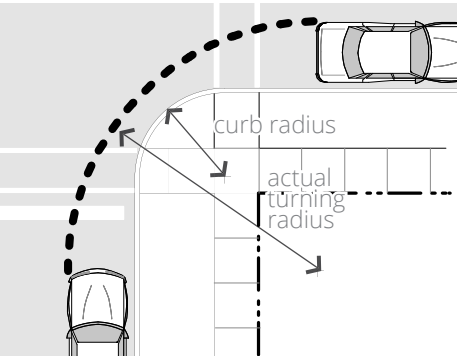


Figure 9.3-A Actual Right Turn Radius with On-Street Parking

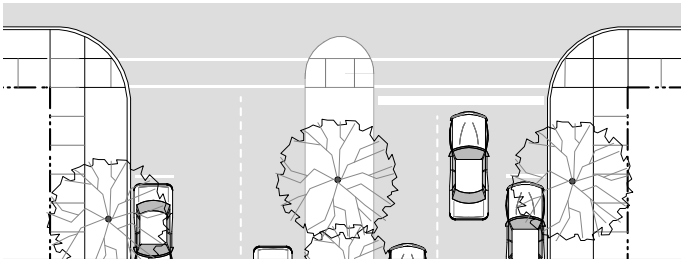


Figure 9.3-B Wide Street Crossing with Pedestrian Refuge Median

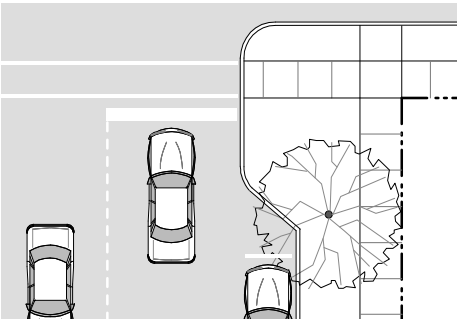


Figure 9.3-C Illustration of Bulb-Out

(1) **Dimensions.** Crosswalks shall be minimum 6 feet in width, measured from mid-stripe to mid-stripe, per MUTCD.

(2) **Markings.** Crosswalks shall be appropriately indicated on the finished street surface with painted markings and/or textured or colored pavement. Crosswalks shall be comprised of retroreflecive pavement markings and/or textured or colored pavement.

(3) **Crossing Distances.** To encourage walking, typical crosswalks shall not extend over 48 feet without a landscape median or other pedestrian refuge to mitigate the effects of vehicular traffic on crossing and increase pedestrian safety and comfort. Refer to Figure 9.3-B Wide Street Crossing with Pedestrian Refuge Median.

(4) **Accessible Ramps.** Accessible ramps and tactile warning strips, per the American Disabilities Act or any more stringent state requirement, are required where all sidewalks or trails terminate at a crosswalk or curb.

(5) **Ramp Orientation.** Ramps shall be oriented perpendicular to traffic, requiring two ramps per corner at intersecting streets. Alternative designs as outlined in Americans with Disabilities Act publications and the Manual on Uniform Traffic Control Devices are allowed when approved by the department of public works.

(6) **Mid-Block Crosswalks.** Mid-block crosswalks with average daily traffic counts of 4,000 should utilize additional notification for drivers such as a button activated flashing crosswalk warning. Such devices shall be compliant with recommendations of the Manual on Uniform Traffic Control Devices, and such crosswalks shall comply with the Americans with Disabilities Act.

C. Bulb-outs. To shorten pedestrian crossing distances and improve visibility, bulb-outs (also known as curb extensions) should be used at intersections where on-street parking is permitted in proximity to the crossing on the street perpendicular to the crossing (unless otherwise required by the department of public works). Refer to Figure 9.3-C Illustration of Bulb-Out.

(1) The depth of the bulb-out shall be two-thirds to three-quarters of the depth of the utilized on-street parking.

(2) The radius of the bulb-out shall match the requirements for the intersection.

D. Roundabouts. Roundabout intersections are encouraged, where conditions allow, for intersections involving Commercial Connectors, Avenues, and Boulevards. When well-designed, roundabouts reduce crashes between walkers, bikers, and vehicle drivers, dispense with electric power, and create a place to pile snow. The publication "Context-Sensitive Solutions in Designing Major Urban Thoroughfares" may be used for guidance in roundabout design.

9.4 Neighborhood Street

9.4.1 INTENT

The Neighborhood Street is a very low capacity street designed for slow speeds that primarily serves those properties directly adjacent to it. It exists in residential neighborhoods with building stock largely composed of row houses, condominiums, and single family homes. Refer to the following typical proposed sections in Figure 9.4-A Neighborhood Street.

9.4.2 GENERAL REQUIREMENTS

Neighborhood Streets shall be developed using the standards in Figure 9.4-B Neighborhood Street Requirements.

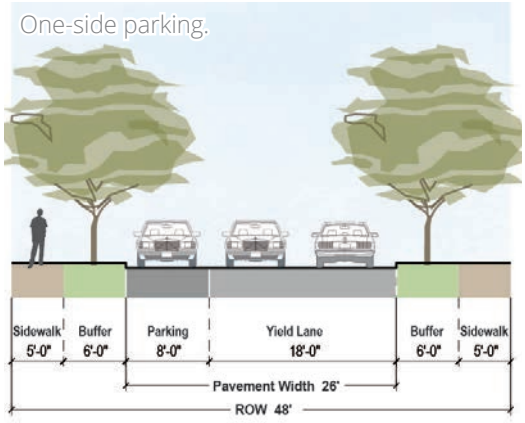
9.4.3 EXAMPLE NEIGHBORHOOD STREETS

Examples of Neighborhood Streets include: Andover Street, Broadview Terrace, Mather Street, Preston Street, and Sargeant Street.

NEIGHBORHOOD STREET REQUIREMENTS	
Permitted Adjacent Building Types	Apartment Building Stacked Flats Row Building House A House B House C Civic Building
Typical Right-of-Way Width	48' - 60'
ROADWAY REALM	
Travel Lanes	2 unmarked lanes, each with a width of approximately 8-9'
Lane Width	See above
Allowable Turn Lanes	Not applicable
Parking Lanes [1]	Parallel required on one side of street
Pavement Width	28' - 34'
Median	Not applicable
Bicycle Facilities [2]	Shared, dedicated bicycle lane
PEDESTRIAN REALM	
Sidewalk	Minimum 5' wide clear on both sides
Buffer Area	Minimum 8' wide landscape zone

[1] Refer to 9.2.5 for on-street parking requirements
[2] Refer to 9.2.6 for bicycle facility types and requirements

Figure 9.4-B Neighborhood Street Requirements



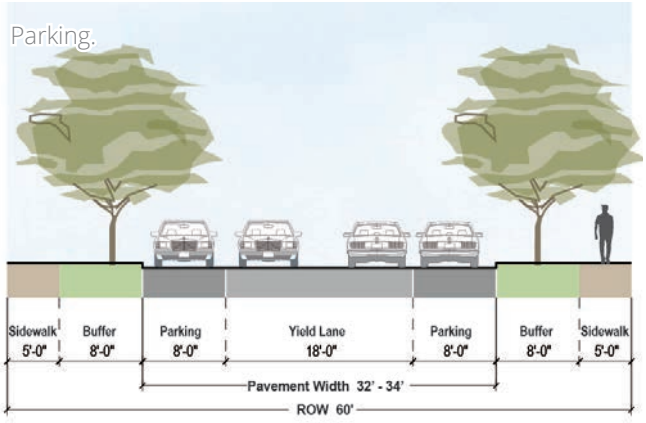


Figure 9.4-A Neighborhood Street

9.5 Residential Connector

9.5.1 INTENT

The Residential Connector is a low capacity street for slow speeds with a standard right-of-way. It primarily serves residences and a small number of businesses directly adjacent to it. In addition, it serves as a main street within the neighborhood. Refer to the typical proposed sections in Figure 9.5-A Typical Residential Connector (1 of 2) and Figure 9.5-C Typical Residential Connector (2 of 2).

9.5.2 GENERAL REQUIREMENTS

The Residential Connector shall be developed using the standards in Figure 9.5-B Residential Connector Requirements.

9.5.3 EXAMPLE RESIDENTIAL CONNECTORS

Examples of Residential Connectors include: Blue Hills Avenue, Garden Street, Hillside Avenue, Scarborough Street, and West Boulevard.

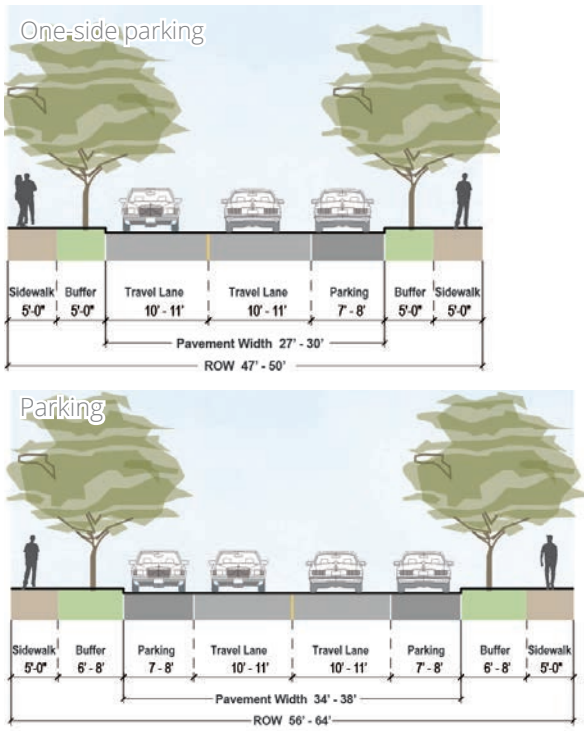
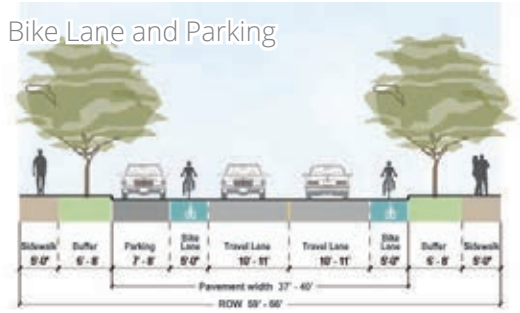


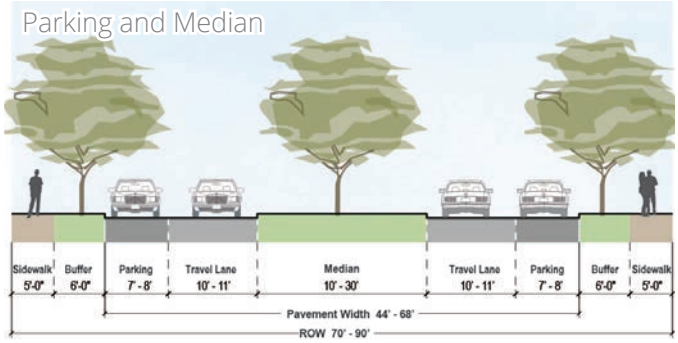
Figure 9.5-A Typical Residential Connector (1 of 2)

RESIDENTIAL CONNECTOR REQUIREMENTS	
Permitted Adjacent Building Types	General Building Apartment Building Stacked Flats Row Building House A House B House C Civic Building
Typical Right-of-Way Width	55' - 75'
ROADWAY REALM	
Travel Lanes	2; one lane in each direction
Lane Width	10' - 11'
Allowable Turn Lanes	Allowable left-turn only lane in place of parking at most intersections
Parking Lanes [1]	Parallel permitted on one or both sides of the street
Pavement Width	40' - 55'
Median	Allowed with 80' or greater ROW
Bicycle Facilities [2]	Dedicated bike lane when possible. Alternative: shared
PEDESTRIAN REALM	
Sidewalk	Minimum 5' wide clear on both sides
Buffer Area	Minimum 2', preferred 5' landscape zone

[1] Refer to 9.2.5 for on-street parking requirements
[2] Refer to 9.2.6 for bicycle facility types and requirements

Figure 9.5-B Residential Connector Requirements





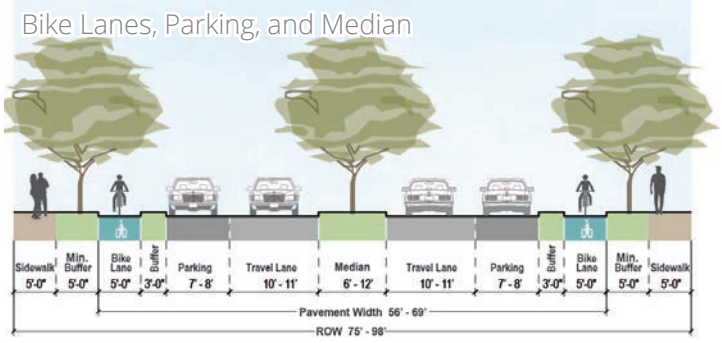


Figure 9.5-C Typical Residential Connector (2 of 2)

9.6 Commercial Connector Street

9.6.1 INTENT

The Commercial Connector is a low to medium capacity street for medium speeds and it primarily serves businesses, many of which are large offices or auto-related. It provides multi-modal crosstown connections. Refer to the following typical proposed sections in Figure 9.6-A Typical Commercial Connector Street and Figure 9.6-C Alternative Commercial Connector.

9.6.2 GENERAL REQUIREMENTS

Commercial Connectors shall be developed using the standards in Figure 9.6-B Commercial Connector Requirements.

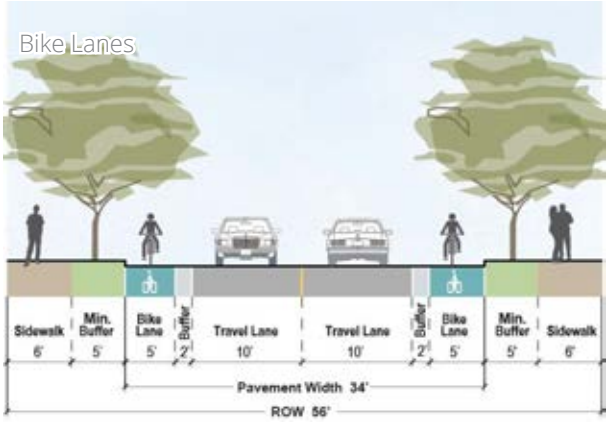
9.6.3 EXAMPLE COMMERCIAL CONNECTORS

Examples of Commercial Connectors include: Barbour Street, Broad Street, Homestead Avenue, New Britain Avenue, and Park Street.

COMMERCIAL CONNECTOR STREET REQUIREMENTS	
Permitted Adjacent Building Types	All
Typical Right-of-Way Width	55' - 80'
ROADWAY REALM	
Travel Lanes	1 lane in each direction
Lane Width	10' - 11'
Allowable Turn Lanes	Right permitted in place of parking at intersections with Avenue; left only with median alternative
Parking Lanes [1]	Parallel or angled allowed on both sides of street
Pavement Width	30' - 55'
Median	Permitted with 80' or greater right-of-way.
Bicycle Facilities [2]	Dedicated bike lanes or cycle track
PEDESTRIAN REALM	
Sidewalk	Minimum 6' wide clear on both sides
Buffer Area	Minimum 3' wide landscape zone or furnishings zone; adjacent to residential & OS districts, a landscape zone is required

[1] Refer to 9.2.5 for on-street parking requirements
[2] Refer to 9.2.6 for bicycle facility types and requirements

Figure 9.6-B Commercial Connector Requirements



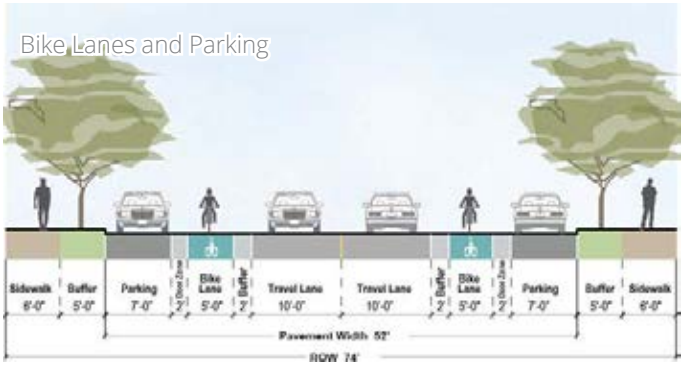


Figure 9.6-A Typical Commercial Connector Street

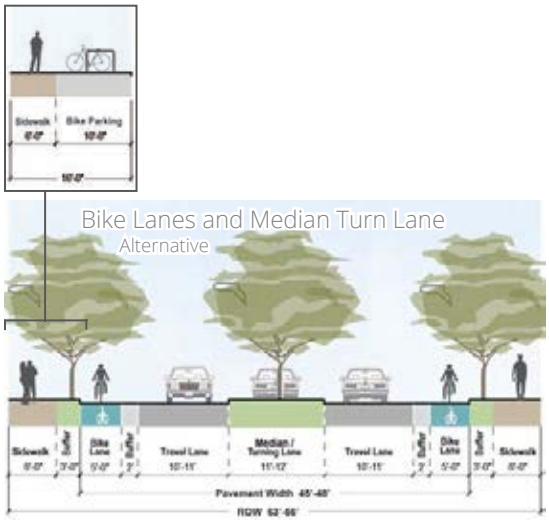


Figure 9.6-C Alternative Commercial Connector

9.7 Avenue

9.7.1 INTENT

The Avenue is a medium capacity street for low to medium speeds. The buildings directly adjacent to it are primarily 2-3 story mixed-use with the ground floor dedicated to neighborhood and general retail and services. It is designed to function as a multi-modal key retail corridor for the city. Refer to the following typical proposed sections in Figure 9.7-A Typical Avenue.

9.7.2 GENERAL REQUIREMENTS

Avenues shall be developed using the standards in Figure 9.7-B Avenue Requirements.

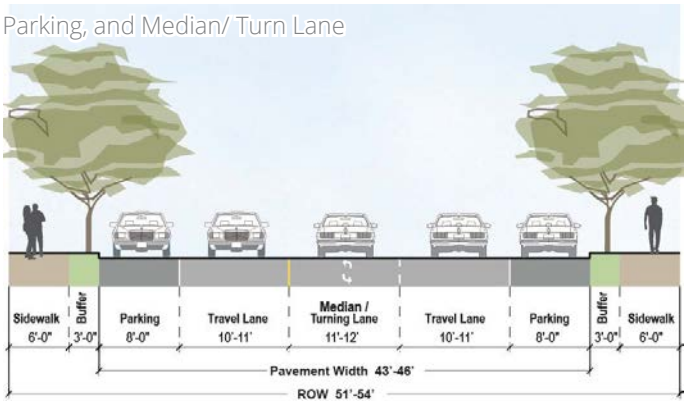
9.7.3 EXAMPLE AVENUES

Examples of Avenues include: Albany Avenue, Farmington Avenue, Maple Avenue, Washington Street, and Wethersfield Avenue.

AVENUE REQUIREMENTS	
Permitted Adjacent Building Types	All
Typical Right-of-Way Width	66' - 80'
ROADWAY REALM	
Travel Lanes	1 lane in each direction
Lane Width	10' - 11'
Allowable Turn Lanes	Right permitted in place of parking at intersections with Connector; left with median; continuous center left turn lane
Parking Lanes [1]	Parallel required on both sides of street; angled permitted for alternative
Pavement Width	50' - 65'
Median	Permitted with 80' or greater right-of-way
Bicycle Facilities [2]	Dedicated bike lane or cycle track
PEDESTRIAN REALM	
Sidewalk	Minimum 6' wide clear on both sides
Buffer Area	Minimum 3' wide landscape zone or furnishings zone; adjacent to residential & OS districts, the landscape zone is required

[1] Refer to 9.2.5 for on-street parking requirements
[2] Refer to 9.2.6 for bicycle facility types and requirements

Figure 9.7-B Avenue Requirements



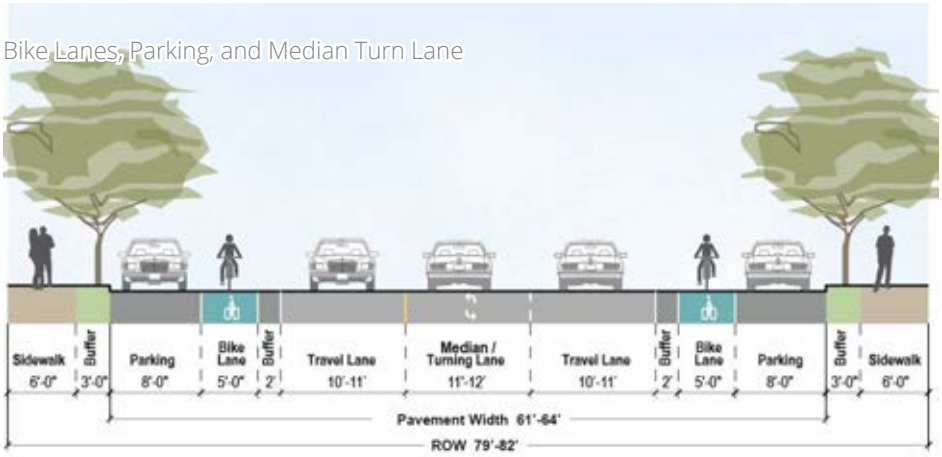


Figure 9.7-A Typical Avenue

9.8 Boulevard

9.8.1 INTENT

The Boulevard is a high capacity street for medium to high speeds. The buildings directly adjacent to it are primarily 1-2 story general and neighborhood retail, and residential. It functions as a key corridor that connects neighborhoods and residents within the city as well as a destination in itself for the community to gather. Refer to the following typical proposed section in Figure 9.8-A Typical Boulevard.

9.8.2 GENERAL REQUIREMENTS

Boulevards shall be developed using the guidelines in Figure 9.8-B Boulevard Requirements.

9.8.3 EXAMPLE BOULEVARDS

Examples of Boulevards include: Airport Road, Franklin Avenue, Mark Twain Drive, North Main Street, and Trumbull Street.

BOULEVARD REQUIREMENTS	
Permitted Adjacent Building Types	All
Typical Right-of-Way Width	85' and over
ROADWAY REALM	
Travel Lanes	up to 2 lanes each direction
Lane Width	11' or 12' with truck traffic
Allowable Turn Lanes	Permitted in place of parking and bulb out at intersections
Parking Lanes[1]	Both sides, parallel only
Pavement Width	55 - 70'
Median	Permitted, minimum 5' wide, preferably 12' wide
Bicycle Facilities[2]	Dedicated bicycle lane, or cycle track
PEDESTRIAN REALM	
Sidewalk	Minimum 6' wide clear on both sides with bulb-outs
Buffer Area	Minimum 4' wide landscape zone or furnishings zone, both sides; adjacent to residential & OS districts, landscape zone is required

[1] Refer to 9.2.5 for on-street parking requirements
[2] Refer to 9.2.6 for bicycle facility types and requirements

Figure 9.8-B Boulevard Requirements

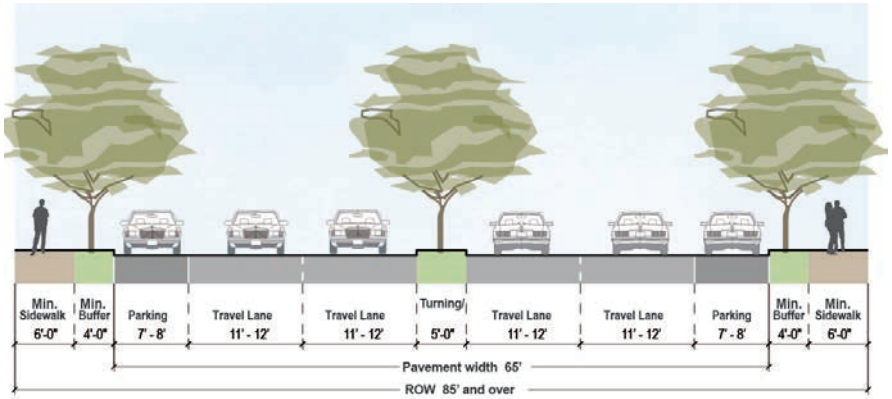


Figure 9.8-A Typical Boulevard