City of Hartford

Planning and Zoning Commission

Zoning Regulations

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Planning Division

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HARTFORD PLANNING & ZONING COMMISSION
LAND USE REGULATIONS
PART I. ZONING REGULATIONS

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HARTFORD PLANNING & ZONING COMMISSION
LAND USE REGULATIONS
PART I. ZONING REGULATIONS

Charter reference: Mandate to establish planning and zoning commission, and adopt planning and zoning provisions of the General Statutes, Ch. VII, § 2 (d); zoning board of appeals, Ch. VII, § 2 (e).

ARTICLE I. IN GENERAL

Sec. 1. History and purpose; plan of conservation and development.

(a) As of January 1, 2004, as provided in chapter VII, section 2 of its revised charter, the city established the planning and zoning commission by ordinance no. 54-03. Pursuant to the revised charter and said ordinance, the planning and zoning commission has the powers and duties of a combined planning and zoning commission under the Connecticut general statutes.

The planning and zoning commission has adopted these zoning regulations, in accordance with the general statutes, in order to carry out its powers and duties and to provide for the public health, safety and welfare. These regulations are derived from, and continue unless inconsistent therewith, ordinance no. 5-68, adopted February 26, 1968, which zoning ordinance, as amended from time to time, constituted Hartford municipal code chapter 35.

(b) The achievement of goals by a community requires that many actions be undertaken; these zoning regulations are intended to help the city achieve its community development goals.

(c) It shall be the duty of the planning and zoning commission to prepare and recommend from time to time, but no less than every ten (10) years as required by the general statutes, a plan of conservation and development for the city. Said plan shall include all requirements of the general statutes pertaining to such plans as well as other elements set forth by the commission.

Sec. 2. Definitions.

The following words, terms and phrases, when used in these regulations, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Administrative review plan means a set of plans, elevations, specifications, and a narrative, submitted to the zoning administrator in order for a determination to be made concerning compliance with these regulations by the zoning administrator, including, but not limited to, the materials required to be submitted with an application for a zoning permit under section 68.

Adult establishments: See definitions at section 27, below.

Alley means a public way which affords only a secondary means of access to abutting property.

Alteration means any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls, partitions, columns, beams, girders, or any change which may be referred to in these regulations as "altered" or "reconstructed".

Animal services includes dog training schools, dog and cat grooming establishments, animal day care, animal hospitals, veterinarians and kennels.

Apartment means a room or suite of rooms used as a dwelling unit for one (1) family who does its cooking therein.

Artist means a person who is skilled and regularly engaged in one (1) or more art forms such as, but not limited to, visual, performing, literary, architectural, crafts, photographic, film and video.

Automobile laundry means a building, or portion thereof, containing facilities for washing more than two (2) automobiles using production line methods ordinarily with a chain conveyor, blower, steam cleaning device or other mechanical devices.

Bakery, retail/manufacturing, means a bakery which produces on the premises some or all of the products that are sold on the premises.

Bakery, retail/nonmanufacturing, means a bakery which does not produce on the premises any of the products that are sold on the premises.

Basement means a story partly underground and having at least one-half (½) of its height aboveground.

Biomedical waste means untreated solid waste, any disposable container thereof and any reusable container thereof which has not been decontaminated, generated during the administration of medical care or the performance of medical research involving humans or animals, including infectious waste, pathological waste and chemotherapy waste.

Biomedical waste treatment facility means a solid waste facility capable of storing, treating or disposing of any amount of biomedical waste, excluding any facility where the only biomedical waste stored, treated or disposed of is biomedical waste generated at the site where such facility is located.

Block means the property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets, or between the nearest such street and railroad right-of-way, unsubdivided acreage, river, or live stream, or between any of the foregoing and any other barrier to the continuity of development.

Board means the design review board, established under code section 2-296 (relating to the establishment of the design review board).

Boardinghouse, roominghouse, or *lodginghouse* means a building where lodging or lodging and meals are provided for compensation to three (3) or more persons by prearrangement for definite periods. A boardinghouse, roominghouse or lodginghouse is to be distinguished from a hotel, a hostel, or rehabilitation home.

Buildable area means the space remaining after the minimum open space requirements of these regulations have been complied with.

Building means 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. "Building" includes the word "structure".

Building, accessory, means a subordinate building or a portion of a principal building, the use of which is incidental to that of the principal building and which is located on the same lot as the principal building.

Building, accessory (residential), means a subordinate building attached to or detached from the principal building and used for purposes customarily incidental to the residential occupancy of the principal building and not involving the conduct of a business or the sale of a service.

Building, height of, means the vertical distance from the established grade of the center of the front of the building to the highest point of the roof surface of a flat roof, to the deck line for a mansard roof, to the mean height level between the eaves and ridge for hip, gabled and gambrel roofs.

Building height of adjacent wall means for the purposes of determining the width and/or depth of setbacks the height of the adjacent wall shall be measured from the average level of the ground adjacent to the exterior wall of the building to the highest point of the roof surface of a flat roof, to the deck line for a mansard roof, to the mean height level between the eaves and ridge for hip, gabled and gambrel roofs.

Building line means the building lines established by the City.

Building, principal, means a building in which is conducted the principal use of the lot on which it is situated.

Carport means space for the housing or storage of motor vehicles and enclosed on not more than two (2) sides by walls.

Carry out service--prepared foods means an establishment which by design of physical facilities or by service or packaging procedures permits the purchase of prepared ready-to-eat foods to be consumed off the premises, and where the consumption of food in motor vehicles on the premises is not permitted. All prepared food shall be ordered and purchased from within the facility and, in no instance, shall a patron receive service or obtain a product without entering the facility. This shall not preclude a patron from placing an order by telephone or having a product delivered to an off-premises location.

Cellar means a portion of a building having more than one-half of its height belowground.

Charter means the current charter of the city of Hartford, as it may be revised and amended from time to time.

Check Cashing means an establishment primarily engaged in the business of providing cash to patrons for, payroll, personal, and bank checks.

City means the city of Hartford.

Clubhouse means a building to house a club or social organization not conducted for private profit, as documented by state or federal records, and which is not an adjunct to or operated by or in connection with a public tavern, cafe or other public place.

Code means the municipal code of the city of Hartford, as it may be amended from time to time.

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

Community center means a building to be used as a place of meeting, recreation or social activity and not operated for profit and in which neither alcoholic beverages nor meals are normally dispensed or consumed.

Community health center means a medical care facility as defined by general statutes § 19a-490a (relating to community health centers): "a public or nonprofit private medical care facility which (1) is not part of a hospital and is organized and operated to provide comprehensive primary care service; (2) is located in an area which has demonstrated need for services based on geographic and economic factors; (3) serves low income, uninsured, minority and elderly persons; (4) makes its services available to individuals regardless of their ability to pay; (5) employs a charge schedule with a discount based on income; (6) provides, on an ongoing basis, primary health services by physicians and where appropriate, mid-level practitioners, diagnostic laboratory and x-ray or through firm arrangement; (7) has at least one-half (½) of the full-time equivalent primary care providers as full time members of its staff; (8) maintains an ongoing quality assurance program; (9) is a participating title XIX and Medicare provider; (10) has a governing board of at least nine (9) and no more than twenty-five (25) members with authority and responsibility for policy and conduct of the center, the majority of whom are active users of the center and of the nonuser board members, nor more than half may derive more than ten (10) percent of their annual income from the health care industry; (11) provides primary care services at least thirty-two (32) hours per week; and (12) has arrangements for professional coverage during hours when the center is closed."

For purposes of these regulations, none of the medical institutions or organizations defined in general statutes § 19a-490 shall be considered a "community health center."

Convalescent, nursing or rest home means a private home for the care of five (5) or more children, aged or infirm persons or a place of rest for those suffering bodily disorders. Such home does not contain equipment for surgical care or for the treatment of injury.

Council means the court of common council of the city of Hartford, the city's legislative body, established and operating pursuant to chapter IV of the charter.

Court means an open unoccupied space other than a yard on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such buildings.

Court, inner, means an open, unoccupied space, other than a yard, on the same lot with a building and not extending to the street or yard.

Court, outer, means an open, unoccupied space, other than a yard, on the same lot with a building and extending to the street or yard.

Day care home, adult, means a nonresidential facility consisting of a private family home in which custodial care is provided for not more than six (6) 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, where the adults are receiving said care on a regular and recurring basis during a part of the twelve-hour period between 7:00 a.m. and 7:00 p.m., for not less than three (3) and not more than twelve (12) hours. Such a facility shall comply with all state and local statutes, codes and/or ordinances regarding licensing, zoning, building, fire, health and housing.

Day care center, adult, means a nonresidential facility in which custodial care is provided for not fewer than seven (7) nor more than twelve (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, where the adults are receiving said care on a regular and recurring basis during a part of the twelve (12) hour period between 7:00 a.m. and 7:00 p.m., for not less than three (3) and not more than twelve (12) hours. Such a facility shall comply with all state and local statutes, codes and/or ordinances regarding licensing, zoning, building, fire, health and housing.

Day care center, child, means a facility as defined in general statutes § 19a-77 (relating to child day care services) which offers or provides a program of supplementary care to more than twelve (12) related or unrelated children outside of their own homes on a regularly recurring basis for a part of the twenty-four (24) hours in one or more days in the week. Such a facility shall comply with all state and local statutes, codes and/or ordinances regarding licensing, zoning, building, fire, health and housing.

Day care home, family, means a facility as defined in general statutes § 19a-77 (relating to child day care services) which consists of a private family home caring for not more than six (6) children, including the provider's own children not in school full time, where the children are cared for not fewer than three (3) nor more than twelve (12) hours during a twenty-four (24) hour period and where care is given on a regularly recurring basis. Such a facility shall be maintained as the operator's main residence and shall comply with all state and local statutes, codes and/or ordinances regarding licensing, zoning, building, fire, health and housing.

Day care home, group, means a facility, as defined in general statutes § 19a-77 (relating to child day care services) which offers or provides a program of supplementary care to not fewer than seven (7) nor more than twelve (12) related or unrelated children on a regularly recurring basis for a part of the twenty-four (24) hours in one (1) or more days in the week. Such a facility shall comply with all state and local statutes, codes and/or ordinances regarding licensing, zoning, building, fire, health and housing.

Density (of population on a particular lot) consists of the number of persons permitted to reside on an acre of land or the proportionate number of persons permitted to reside on a portion of an acre of land in the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2 and R-3 zoning districts; and shall consist of the number of families permitted to reside on an acre of land or the proportionate number of families permitted to reside on a portion of an acre of land in the R-4, R-5, R-6, R-7 and R-8 zoning districts. When, in determining the number of persons or families, whichever the case may be, permitted to reside on an acre of land or the proportionate number of persons or families, whichever the case may be, permitted to reside on a portion of an acre of land, the result is a fractional number (of persons or families), any fraction up to and including one-half shall be disregarded and any fraction

over one-half shall be considered to be one (1) person or one (1) family, whichever the case may be. In determining the number of dwelling units which may be constructed to house the number of persons permitted to reside on an acre of land, or portion thereof in the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2 and R-3 districts, the following table I showing the average number of persons estimated to occupy a particular dwelling at the time of construction shall be used.

Dwelling unit by type	Number of persons
Efficiency--studio	1.5
1 bedroom	2.0
2 bedrooms	3.0
3 or more bedrooms	4.0

In the case of certain uses, table II shall be used in lieu of table I.

Use	Number of persons
Group quarters	One (1) person for each bed
Residential or apartment hotel	One (1) person for each bed
Transient lodgings	One and one-half (1½) persons for each guest- room or residence unit

Distance is measured horizontally.

District, zoning, means a portion of the city within which, on a uniform basis, certain uses of land and buildings are permitted and certain other uses of land and buildings are not permitted as set forth in these regulations, and within which certain setbacks and other open spaces are required and within which certain lot areas are established or within which a combination of such conditions are applied.

Drive-in establishment means a business establishment so developed that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to either serve patrons 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.

Driveway means a private way which affords vehicular access from a public or private street into abutting property.

Dwelling means any building or portion thereof which is designed or used exclusively for residential purposes and containing one (1) or more dwelling units.

Dwelling, attached, means a dwelling having any portion of each of two (2) walls in common with adjoining dwellings.

Dwelling, detached, means a dwelling which is entirely surrounded by open space on the same lot.

Dwelling, group, means a group of two (2) or more single-family, two-family, three-family or multiple-family structures occupying a lot.

Dwelling, multiple, means a dwelling having four (4) or more dwelling units.

Dwelling, semidetached, means a dwelling having any portion of one (1) wall in common with an adjoining dwelling.

Dwelling, single-family, means a dwelling used or designed exclusively for one (1) dwelling unit.

Dwelling, three-family, means a dwelling having three (3) dwelling units.

Dwelling, two-family, means a dwelling having two (2) dwelling units. See the illustration following the definition of " *dwelling unit, efficiency* ".

Dwelling unit means one (1) room or a suite of two (2) or more rooms designed for or occupied by one (1) family for living and sleeping purposes, and having only one (1) kitchen or kitchenette.

Dwelling unit, efficiency, means a dwelling unit consisting of one (1) room exclusive of bathroom, kitchen, hallway, closets or dining alcove directly off the principal room.

Eating places includes both establishments serving only food as well as those serving both food and alcoholic beverages.

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 means 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.

Existing Use (R-8) means a use in the R-8 district legally existing as of February 26, 1968 that by the terms of the 1968 Zoning Ordinance may continue provided that any additions to or expansions of such use shall be subject to the conditions, excepting lot area, set forth for such uses in article IV, division 2 (relating to required condition for certain uses). If no such provisions are set forth in article IV, division 2, any additions to or expansions of such uses shall comply with the development provisions for the R-8 district set forth in article III, division 19 (relating to the R-8 district). Existing uses shall not be construed to be nonconforming uses.

Expressway means a divided highway for through traffic with full or partial control of access with grade separations at major crossroads.

Extended care residence means a residential facility for people who have a debilitating or terminal illness such as cancer or HIV/AIDS who have a diminished physical capacity to manage their activities of daily living (ADLs) and require assistance and support for managing. These facilities may or may not include health care services.

Family means, in the R-4, R-5, R-6, R-7 and R-8 districts, one (1) person; a group of two (2) or more persons living together and interrelated by consanguinity, marriage, civil union, or legal adoption; or a group of not more than two (2) persons who need not be so related, occupying the whole or part of a dwelling unit as a separate housekeeping unit with a common set of cooking facilities. The persons constituting a family may also include up to six (6) foster children, and domestic servants live-in domestic employees. A roomer, boarder or lodger shall not be considered a member of a family. In all other zoning districts a family may consist of the number of persons designated to occupy a dwelling unit as described in the definition of "density" in this section.

Floor area means, in the floor area of a building or buildings, the sum of the gross horizontal areas of the several floors of all buildings on the lot, measured from the exterior faces of exterior walls or from the centerline of walls separating two (2) buildings. Floor area includes the area of basements when used for residential, commercial or industrial purposes but need not include a basement or portion of a basement used for storage or housing of mechanical or central heating equipment or the basement apartment of a custodian in a multifamily dwelling, except that portion of such custodian's dwelling unit which is in excess of fifty (50) percent of the total basement area.

Floor area, net, means 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 ratio (FAR) means the floor area of the building or buildings on any lot divided by the area of such lot, or, in the case of planned developments, by the net site area. Where off-street parking is provided in the principal building or in a building on a lot across a street or alley from the principal building, the area of the lot upon which such building providing off-street parking is provided may be included in determining the permitted floor area of the principal building. Space provided within a building for off-street parking shall not be counted in determining the floor area of such building. The zoning administrator shall take appropriate action to assure the continued availability of such parking.

area, usable, means any floor area within outside walls of a residential building exclusive of areas in cellars, basements, unfinished attics, garages, open porches and accessory buildings.

Freeway means a divided highway for through traffic with full control of access and no cross traffic at grade.

Garage, commercial parking and storage, means a garage used exclusively for the parking and storage of self-propelled vehicles and where such vehicles are not serviced or repaired.

Garage, community, means a garage used for the storage of vehicles for occupants of lots in the same or adjacent block or blocks, and providing only incidental services to such vehicles as are stored therein.

Garage, private, means an accessory building used only for the storage of self-propelled vehicles for the use of occupants of a lot on which such building is located and with a capacity of not more than three (3) motor-driven vehicles. The foregoing definition shall be construed to permit the storage on any one (1) lot within such garage, for the occupants thereof, of not more than one (1) commercial vehicle having not more than a one-and-one-half-ton capacity. Not more than one (1) space may be rented for a passenger vehicle.

Garage, public storage, means an accessory building or portion of a principal building used only for the storage of four (4) or more self-propelled vehicles for the use of occupants of a lot on which such building is located and providing only incidental services to such vehicles as are stored therein.

Garage, repair: See "motor vehicle, general repair and service" and "motor vehicle, limited repair and service."

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

Grade means the established grade of the street or sidewalk as prescribed by the city.

Health club means any corporation, partnership, unincorporated association or other business enterprise offering at least the following facilities for the preservation, maintenance, encouragement or development of physical features, health or well being in return for the payment of a fee entitling the buyer to the use of such facilities:

(1) Swimming pool; (2) Sauna room;
(3) Showers, lockers and dressing room; (4) Classrooms;
(5) Exercise equipment and exercise rooms.

Historic and *monument sites* means those locations set aside for no other purpose than to commemorate a historical event, activity or person.

Home occupation means any use customarily conducted entirely within the dwelling unit and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of such dwelling unit for dwelling purposes and does not change the residential character thereof, such as dressmaking and millinery and including consultation by such professions as a physician, dentist, lawyer, clergyman, architect, musician, engineer, teacher, insurance agent or real estate broker provided no classroom, studio or outdoor teaching activity not normally permitted in the district shall be conducted in connection with such home occupation, and excluding such uses as barber, beautician, tearoom and animal hospital. A customary home occupation shall not offer, display or advertise any commodity or service for sale on the premises, nor shall it store any materials or products outside of a building. A customary home occupation shall occupy not more than twenty-five (25) percent of the gross floor area of such dwelling unit. A customary home occupation may involve the employment only of any member of the immediate family residing in such dwelling unit plus one (1) person not residing in such dwelling unit. Signs shall be limited to one (1) professional announcement sign per dwelling unit, such sign to exceed not more than one (1) square foot in area.

Hotel means a building occupied or used as a more or less temporary abiding place of twenty-five (25) or more individuals with or without board and/or in which there are thirteen (13) or more sleeping rooms and in which no provision is made for cooking in any individual room, where individuals pay, without public subsidy, market rate as determined by the city assessor for temporary accommodations.

Hotel, residential or apartment, means a hotel which has self-contained dwelling units with kitchens and bathrooms, where individuals pay, without public subsidy, market rate as determined by the city assessor for temporary accommodations.

Junk or scavenger yard means a lot, land or structure or part thereof used primarily for the collecting, temporary storage, and sale of wastepaper, rags, scrap metal or discarded metal, other than used building materials.

Laboratory means a place devoted to experimental study such as testing and analyzing. Manufacturing of a product or products is not permitted within this definition.

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

Local district heating and cooling system means any local system consisting of a pipeline or network, which may be connected to a heating or cooling source, providing hot water, chilled water, or steam to two (2) or more users.

Local district heating or cooling facility means any property or structure used as an integral part of a local district heating or cooling system

Lot means land occupied or to be occupied by a principal building or buildings and its or their accessory buildings, together with such open spaces as are required under the provisions of these regulations, and having not less than the minimum area required by these regulations for a lot in the district in which it is located and having its principal frontage upon a street, except as provided for in section 890 (relating to group dwellings) and article VIII (relating to planned developments and special development districts) of these regulations, and except in the case of an individual lot associated with an individual attached or semidetached dwelling, provided the zoning lot of which such individual lot forms a part meets the requirements set forth in these regulations for the zoning district in which such lot is located for permitted lot coverage, required lot area, principal lot frontage, lot width, front setback, side setbacks, rear setback, required usable open space and parking. "Lot" includes the word "plot."

Lot, corner, means a lot located at the intersection of two (2) streets or a lot bounded on two (2) sides by a curving street and any two (2) chords of which form an angle of one hundred twenty (120) degrees or less. The point of intersection of the street lot lines is the "corner." In the case of a corner lot with curved street lines, the corner is that point on the street lot line nearest to the point of intersection of the tangents described above.

Lot coverage means the part or percent of the lot occupied by buildings or structures, including accessory buildings or structures.

Lot depth means the mean horizontal distance from the front lot line to the rear lot line.

Lot, interior, means a lot other than a corner lot. Any portion of a corner lot more than one hundred fifty (150) feet from the "corner," measured along a front street lot line, shall be considered an interior lot.

Lot line, front, means, in the case of a lot abutting upon one (1) street, the line separating such lot from such street. In the case of any other lot, the owner shall, for the purpose of these regulations, have the privilege of electing any street lot line as the front lot line, providing that such choice, in the opinion of the zoning enforcement officer, will not be injurious to the existing, or to the desirable future development of adjacent properties.

Lot line, rear, means, ordinarily, that lot line which is opposite and most distant from the front lot line of the lot. In the case of an irregular, triangular or gore-shaped lot, a line ten (10) feet in length entirely within the lot, parallel to and at the maximum distance from the front lot line of the lot shall be considered to be the rear lot line for the purpose of determining depth of rear setback. In cases where none of these definitions are applicable, the zoning administrator shall designate the rear lot line.

Lot line, side, means any lot line other than a front or rear lot line.

Lot of record means a lot which actually existed as shown on the records of the town and city clerk on February 26, 1968, provided that if a lot or lots were merged with a contiguous lot or lots subsequent to February 26, 1968, and remained continuously so merged to the date of the adoption of these regulations, such merged lot shall be deemed a lot of record and the constituent lots so merged shall not be deemed lots of record.

Lot, through, means any interior lot having frontages on two (2) more or less parallel streets as distinguished from a corner lot.

Lot width means the mean horizontal distance between the sidelines, measured at right angles to the side lot line. Where the lot lines are not parallel the lot size shall be considered as the average width between such side lot lines.

Lot, zoning, means a lot or a series of contiguous lots forming a single tract of contiguous land located within a single block, or immediately abutting blocks, which, at the time of filing for a zoning permit, is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single control or ownership and having its principal frontage upon a street. Individual buildings, dwellings or lots may be sold during the construction of or following the completion of a development on a zoning lot, except that any such building, dwelling or lot individually sold shall not be altered in any manner from that shown on the plans filed and approved by the zoning administrator for such zoning lot or any part thereof. Therefore, a zoning lot may or may not coincide with a lot of record. Any land in a public street right-of-way within a zoning lot shall not be included in computing the area of the zoning lot. Notwithstanding the above provisions, the city may, in the case of the construction of a new public facility or the expansion of an existing public facility, involving the acquisition of property by the city through its powers of eminent domain, apply for a zoning permit for an entire zoning lot prior to acquiring or executing a written option for the property.

Lumber and other building material--retail means an establishment where lumber and other building materials such as brick, tile, cement, insulation, roofing materials and the like are sold at retail. The sale of items such as heating and plumbing supplies, electrical supplies, paint, glass, hardware, and wallpaper is permitted at retail and deemed to be customarily incidental to the sale of lumber and other building materials--retail.

Motel means an establishment consisting of a group of living or sleeping accommodations with bathroom and closet space, located on a single lot, and designed for use by transient automobile tourists. A motel furnishes customary hotel services such as maid service and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture. In a motel, less than fifty (50) percent of the living and sleeping accommodations are occupied or designed for occupancy by persons other than transient automobile tourists. In the I-2 and C-1 districts the density provision for motels shall be as set forth for residential uses in B-2 district.

Motor freight terminal means a building or arena in which freight brought by motor truck is assembled and/or stored for routing in intrastate and interstate shipment by motor truck.

Motor vehicle, general repair and service means the business of repairing, overhauling, removing, adjusting, replacing, assembling or disassembling parts of any motor vehicle.

Motor vehicle, limited repair and service means the business of minor repairs to any motor vehicle, including 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.

Motor vehicle or gasoline fueling station means any lot or parcel of land or portion thereof used partly or entirely for storing or dispensing flammable liquids, combustible liquids, liquefied flammable gas or flammable gas into the fuel tanks of motor vehicles.

Motor vehicle or gasoline service station means a building designated or used for the retail sale or supply of fuels (stored only as prescribed by existing legal regulations), lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats, and including the customary space and facilities for the installation of such commodities on or in such vehicles, and including space for facilities for the storage, minor repair, or servicing, but not including bumping, body repair, painting, refinishing, steam cleaning and rustproofing where the primary use of the premises is such, or high speed washing thereof.

Motor vehicle wrecking or *junk yard* means any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two (2) or more unregistered motor vehicles which are no longer intended or in condition for legal use on the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two (2) or more motor vehicles. Such terms shall also include any place of business or storage or deposit of motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to burn material which are parts of a motor vehicle or cut up the parts thereof.

Nonconforming building or structure means any building, structure or part thereof legally in existence:

(a) on February 26, 1968, the adoption date of Ordinance No. 5-68, or

(b) at the adoption date of an amendment to said ordinance, or

(c) at the adoption date of these regulations, or

(d) at the adoption date of an amendment to these regulations,

that is not in conformity with the building and development regulations so adopted or amended of the zoning district in which it is located, such as, but not limited to, building bulk, lot coverage, height, setbacks, density or off-street parking or loading.

Nonconforming lot means a parcel of land legally in existence:

(a) on February 26, 1968, the adoption date of Ordinance No. 5-68, or

(b) at the adoption date of an amendment to said ordinance, or

(c) at the adoption date of these regulations, or

(d) at the adoption date of an amendment to these regulations,

that is not in conformity with the dimensional requirements so adopted or amended of the zoning district in which it is located, such as, but not limited to, area, shape, frontage or locational requirements.

Nonconforming use means a use of land or a building or structure legally in existence:

(a) on February 26, 1968, the adoption date of Ordinance No. 5-68, or

(b) at the adoption date of an amendment to said ordinance, or

(c) at the adoption date of these regulations, or

(d) at the adoption date of an amendment to these regulations,

that is not in conformity with the use regulations so adopted or amended for the zoning district in which it is located.

Open space, usable landscaped, means that space on the same lot and contiguous to the principal building or buildings (except as otherwise provided in article VIII of these regulations, relating to planned developments and special development districts) 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 utilized for off-street parking or loading purposes. The area of usable roof gardens available to the residents of the buildings and the area of usable balconies available to the residents of the building may be included in computing the required usable open space. See also section 9 (relating to usable open space) .

Parkettes means very small areas or parks devoted to scenic or leisure purposes.

Parking lot, commercial, means a public parking lot for which a fee is charged for the parking or storage of motor vehicles.

Parking lot, private, means any tract of land which is used for the parking or storage of motor vehicles for the occupants, tenants, visitors, employees or patrons of a use or uses and is located on the same zoning lot as such use or uses or is located in accordance with the provisions of section 943 (relating to location of parking spaces). A private parking lot shall be permitted either on or off the same zoning lot as the use to which it is associated is located as a matter of right, subject to the conditions of article V (relating to off-street parking and off-street loading) and/or article IV, division 2 (relating to required conditions for certain uses), in the I-1, I-2, C-1, B-1, B-2, B-3, B-4 and P zoning districts. In the RO and R zoning districts, a private parking lot shall be permitted either on or off the same zoning lot as the use to which it is associated is located, as a matter of right, subject to the conditions of article V, and only in the same zoning districts as the use to which it is associated is permitted. In the RO and R zoning districts, a private parking lot may be permitted off the zoning lot as the use to which it is associated is located and in a zoning district which does not permit the use to which the parking lot is associated, only in accordance with the provisions of section 952 (relating to parking lots in residence districts). No commercial repair work or service of any kind shall be conducted on such a parking lot, and no display of vehicles for the purpose of sale shall be carried on or permitted upon such parking lot. There shall be no parking or storage of inoperable or unregistered motor vehicles on such parking lot. A private parking lot shall be open only during the hours of operation of the use to which it is associated unless a joint use agreement regarding the use of the parking lot is recorded in the offices of the zoning administrator.

Parking lot, public, means any tract of land which is used for the parking or storage of motor vehicles for the occupants, tenants, visitors, employees or patrons of a use or uses and is not a private parking lot.

Parking space means an area of not less than eight (8) feet wide by eighteen (18) feet long, for each automobile or motor vehicle, such space being exclusive of necessary drives, aisles, entrances or exits and being fully accessible for the storage or parking of permitted vehicles.

Parks, general recreation, means or includes, but is not limited to picnic areas, bathing beaches, playfields, hiking trails, golf courses and other manmade recreation facilities.

Parks, leisure and ornamental, means such as are largely for scenic or leisure purposes.

Parkway means a highway for noncommercial traffic, with full or partial control of access. They are located within a park or within a ribbon or parklike development.

Planned development means a tract of land which is developed as a unit under single ownership or control, which includes two (2) or more principal buildings, and which is at least one (1) acre in area for a planned residential development and ten (10) acres or an entire city block in area for a planned area development.

Pawnbroker/Pawnshops means establishments primarily in the business of lending money on the security of pledged goods left in pawn, or in the business of purchasing tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller.

Play lot or *tot lot* means a small area developed especially for preschool or elementary school aged children. It may contain such facilities as sandboxes, slides, teeters, swings, climbing apparatus, and the like.

Playfield or *athletic field* means a developed recreation area which may contain a playground as well as fields for competitive sports such as baseball, football or soccer. Bleachers or grandstands may be provided.

Playground means an area which has been developed for active play and recreation, and may contain courts for such games as basketball or tennis.

Porch, open, means a porch open on three (3) sides except for wire screening. A porch shall not be considered open if enclosed by either permanent or detachable glass sash.

Public utility means an electric, electric distribution, gas, telephone, telegraph, pipeline, sewage, water and community antenna television companies, owning, leasing, maintaining, operating, managing or controlling plants or parts of plants or equipment.

Recreation center means a building including diversified recreation for a wide variety of activities for all ages and interests. It may contain, but is not limited to, a gymnasium, social rooms or playrooms, gamerooms, arts and craft shops, and the like.

Recycling means the process of sorting, cleansing, treating and reconstituting waste or other discarded material for the purpose of using the altered form.

Recycling facility or plant means any facility at which recyclable material is processed or stored, separated or prepared for reuse or resale.

Regulations means these zoning regulations, adopted by the planning and zoning commission pursuant to and in accordance with the charter and the general statutes.

Rehabilitation home means a dwelling housing a group of persons during a period in which such persons are being housed for periods of more than one (1) day in that dwelling for the purpose of undertaking a program of social rehabilitation or other similar program.

Restaurant means a business establishment, in a suitable and permanent building, kept, used, maintained and advertised to the public to be a place whose principal business is the regular sale of hot, unpackaged meals to the customer in a ready-to-consume state, and where the customer consumes these foods while seated at tables within the

establishment. A restaurant shall be provided with an adequate and sanitary kitchen and dining room and any sale of alcoholic beverages shall be from a service bar only and incidental to the sale of meals. No sleeping accommodations for the public shall be provided in any restaurant.

Roominghouse: See definition of "boarding- house".

Scrap metal processor means any place of business and any place of storage or deposit which has facilities for preparing and processing iron, steel and nonferrous metals into a form suitable for remelting by a foundry, steel mill or other remelter, and which does not buy or receive whole cars from any person, except the holder of a motor vehicle [junkyard] recycler's license pursuant to general statutes § 14-67l (relating to motor vehicle recyclers), and which does not sell automobile parts for reuse as parts.

Semi finished electronic products assembly means the assembly of component electronic parts manufactured elsewhere into a semifinished product. This includes the conduct of training courses for employees or trainees in connection therewith.

Service bar means a designated location or counter situated within a restaurant at which alcoholic beverages are maintained and supplied to waitresses/waiters for delivery to patrons awaiting the purchase of or engaged in the consumption of meals prepared on the premises.

Setback means an open space of generally uniform width or depth on the same land with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward except as otherwise provided in these regulations. In measuring a setback the line of a building means a line parallel to the nearest lot line, drawn through the point of the building or the point of a group of buildings nearest to such lot line.

Setback, front, means a setback extending across the full width of the lot and lying between the front property line of the lot and the building line of the lot, and in which there shall be no parking of motor vehicles.

Setback, rear, means a setback extending the full width of the lot beginning at the rear property line of the lot and extending toward the front of the lot for the distance specified for minimum rear setback in article III, division 1 (relating to districts generally), of these regulations for the zoning district in which the property is located.

Setback, side, means a setback between the side line of the lot and the nearest line of the principal building and extending from the front setback to the rear setback, or, in the absence of either of such setbacks, to the front or rear lot line, as the case may be, except that on a corner lot the side setback adjacent to a street shall extend the full depth of the lot.

Single ownership means possession wherein the owner does not own adjoining property.

Soil erosion and sediment control plan means a scheme that minimizes soil erosion and sedimentation and includes, but is not limited to, a map and narrative. The map shall show topography, cleared and graded areas, proposed area alterations and the location of and detailed information concerning erosion and sediment measures and facilities. The narrative shall describe the project, the schedule of major activities on the land, the application of conservation practices, design criteria, construction details and the maintenance program for any erosion and sediment control facilities that are installed;

Soil removal means removal of any kind of soil or earth matter, including topsoil, sand, gravel, clay, rock or similar materials, or combination thereof, except common household gardening.

Story means that portion of a building, other than a cellar or mezzanine, included between the surface of any floor and the floor next above it or if there is no floor above it, then the space between the floor and the ceiling next above it. A mezzanine is a full story when it covers more than thirty-three (33) percent of the area of the story underneath such mezzanine, or if the vertical distance from the floor next below it to the floor next above it is twenty-four (24) feet or more. For the purpose of these regulations, a basement or cellar shall be counted as a story if its ceiling is over five (5) feet above the level from which the height of the building is measured or if it is used for business purposes, or if it is used for dwelling purposes by other than a janitor or domestic servants employed in the same building, including the family of the same.

Story, ground, means the lowest story of a building, the floor of which is not more than twelve (12) inches below the level of the lowest abutting finished grade.

Story, half, means the part of a building between a pitched roof and the uppermost full story, such part having a finished floor area which does not exceed one-half (½) the floor area of the full story.

Street, arterial, means a street which serves movement of traffic and is not a freeway, expressway or parkway. Generally there is no control of access.

Street, collector and distributor, means a street which collects traffic from the local streets and channels it into the arterial system. These streets also provide necessary cross-connections between arterials. The collector/distributor street does not handle long through trips, and it is not continuous for any great length.

Street, local access, means a street used primarily for access to residences, businesses, or other abutting activities.

Street, public or private, means a public or private thoroughfare, except an alley or driveway, which affords vehicular traffic circulation and principal means of access to abutting property.

Structural alteration means any change in the supporting members of a building or structure, such as bearing walls, or partitions, columns, beams or girders or any change in the width or number of exits or any substantial change in the roof.

Structure means anything constructed or erected including a building which requires permanent location on the ground or attachment to something having location.

Subdivision means the division of a tract or parcel of land into three 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.

Resubdivision means a change in a map of an approved or recorded subdivision or resubdivision if such change (a) affects any street layout shown on such map, (b) affects any area reserved thereon for public use or (c) diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.

Swimming pools are separately identified if they are independent of other functions (such as public assembly or household units). They may be indoor or outdoor pools.

Tattoo Parlors means establishments primarily in the business of applying lettering, art, and other images with permanent and semi-permanent inks, paints pigments to the body of patrons.

Tax-exempt organization means an organization that is formed for a designated charitable, nonprofit purpose, and is exempt from income tax.

Therapeutic massage establishment means any establishment where massage therapy is performed under a license from the state pursuant to general statutes § 20-206b.

Tourist home means a dwelling in which overnight accommodations are provided or offered for three (3) or more transient guests.

Transient lodging is a subsidized temporary shelter, including the YMCA and YWCA, when fifty (50) percent or more of the floor area is devoted to lodging and associated activities and when less than seventy-five (75) percent of the accommodations are occupied by permanent guests. If fifty (50) percent or more of the floor area is devoted to recreational activity it shall be considered to be a recreation center.

Transportation ticket services includes the ticket offices of any of the transportation systems. The ticket offices are identified only when they are a separate and distinct activity, not located within a transportation terminal.

Travel-arranging services are identified only when they are a separate and distinct activity, not located within a transportation terminal.

Use of property is the purpose or activity for which the land, or structure thereon, is designed, arranged or intended, or for which it is occupied or maintained, and includes any manner of performance of such activity with respect to the performance standards of these regulations. A use, therefore, is classified within a category of use activities, as set forth in article IV, division 1, table of permitted uses, and subject to any provisions set forth or referred to therein.

Use, accessory, means a use of land or a portion of the structure customarily incidental to the actual principal use of the land or building and located on the same lot with such principal use.

Use, continuation of, means a use which has ceased to exist or operate in a structure or on a parcel of land for a period less than six (6) months and which is reestablished in such structure or parcel.

Use, recommencement of, means a use which has ceased to exist or operate in a structure or on a parcel of land for a period of time equal to or exceeding six (6) months, and which is reestablished in such structure or parcel.

Used includes the phrase "designed, intended or arranged to be used."

Veranda line means a line between which and the street on which such line is established, no part of a veranda can be built.

Warehousing and storage services includes only those facilities that are used by or are open to the public. When warehousing and storage is functionally and organizationally linked to another use (e.g., a general contractor or an apparel manufacturer), and located on the same zoning lot as the principal use, the facilities are identified and classified as accessory to the principal use.

Welfare and charitable service means a nonprofit and nonresidential facility which provides goods and/or comestibles to indigent persons at no or reduced costs.

Work studio/dwelling means a combination work place and dwelling unit for artists consisting of one (1) or more floors which are arranged and designed for use by an individual or family maintaining a common household with lawful cooking space and lawful sanitary facilities and including adequate working space for the persons residing therein.

Zoning administrator means the official designated in Article II of these regulations (relating to administration and enforcement) to administer these regulations in accordance with their provisions and the general statutes.

ZBA means the zoning board of appeals, established and operating pursuant to general statutes § 8-5 et seq. (relating to zoning boards of appeals), chapter VII of the charter (relating to boards and commissions), and these regulations.

Zoning enforcement officer means the official designated pursuant to Article II of these regulations (relating to administration and enforcement) to enforce these regulations in accordance with their provisions and the general statutes.

Zoning permit means a permit issued by the official or officials designated in Article II of these regulations (relating to administration and enforcement) to issue such permits to the applicant before the applicant may proceed with any work affected by any provision of these regulations.

Sec. 3. Conflicting regulations.

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.

Sec. 4. Construction begun prior to adoption of regulations.

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.

Sec. 5. Covenants not annulled.

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

Sec. 6. Permitted uses.

(a) No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or structure or land be used, designed or arranged for any purpose other than the uses permitted in the district in which the building or structure or land is located, except as provided in section 40(c) (relating to changes in nonconforming uses) and provided that the provisions of these regulations shall not prohibit the continuance of any use existing and permitted at the time of adoption of these regulations.

(b) Any change of use in an existing building or structure within a particular zoning district when both the original and new uses are permitted in such district and both uses are listed within the same one-digit category, as set forth in article IV, division 1 (relating to permitted uses), of these regulations, shall not require compliance with the provisions of such zoning district except as set forth in sections 7 (relating to permitted area, setbacks or lot coverage) and 8 (relating to permitted height, density, or bulk) of this article and article III, divisions 5, 6, and 21 (relating to the B-1, B-2, and B-3 districts) of these regulations and except in the case of residential uses, or if the new use requires additional provisions as set forth in article IV, division 2 (relating to required conditions for certain uses), of these regulations.

(c) Any change of use within the residential uses category or any change of use from one (1) one-digit category to another one-digit category shall require full compliance with the provisions of these regulations, except that in a building or structure containing two (2) or more nonresidential uses, a change of a nonresidential use to another permitted nonresidential use or uses in a different one-digit category than the original use when such change of use involves not more than twenty-five (25) percent of the gross nonresidential floor area of the building or structure, which figure is additive from the time of adoption of these regulations, shall not require compliance with the provisions of such zoning district, except as set forth in sections 7 and 8 of this article. After the total gross floor area of all such nonresidential changes of use reaches twenty-five (25) percent of the

gross nonresidential floor area of the building or structure, any additional changes of use shall require full compliance with the provisions of these regulations.

Sec. 7. Permitted area, setbacks or lot coverage.

No structure shall be erected, enlarged, reconstructed or structurally altered except in conformity with the area, setback, lot coverage and floor area ratio regulations of the district in which the structure is located, except as provided in section 40(j) of this article (relating to nonconforming building or structures).

Sec. 8. Permitted height, density, or bulk.

No structure shall be erected, enlarged, reconstructed or structurally altered to exceed the height limit, density provisions or bulk provisions established for the district in which the structure is located except as provided in section 40(j) of this article (relating to nonconforming building or structures) and except that penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, smokestacks, individual domestic radio, television aerials and wireless masts, water tanks or similar structures may be erected above the height limits prescribed in these regulations. No such structure may be erected to exceed by more than fifteen (15) feet the height limits of the district in which it is located; nor shall such structure have a total area greater than ten (10) percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial or industrial purpose other than a use incidental to the principal use of the building, except as provided in section 40(j).

Sec. 9. Usable open space.

(a) There shall be provided in all residential developments such usable open space as is set forth in these regulations for the zoning district in which the development is located, which open space shall be used for landscaping and/or recreational purposes and which may not be used for off-street parking or loading purposes. The area of the front, side or rear setbacks which is not used for driveways and parking or loading purposes may be computed in determining the required usable open space. See also "open space, usable landscaped," in section 2 of this article (relating to definitions).

(b) In the case of plazas and decks developed for usable open space, the side setback, rear setback and lot coverage provisions, for a principal building where required, of these regulations shall not apply to such plaza or deck provided:

(1) Such plaza or deck is a portion of such principal building;

(2) Such plaza or deck does not exceed a height equal to the floor level of the first story of the principal building;

(3) Such plaza or deck has direct access to grade;

(4) Only customary accessory uses such as vehicular parking or mechanical equipment required to operate and maintain the principal building may be located beneath such plaza or deck;

(5) Such plaza or deck shall be accessible on a normal basis to all the occupants, tenants, visitors, employees or patrons of the use or uses located in the principal building;

(6) Such plaza or deck is furnished with benches, chairs, plantings, works of art, adequate

illumination and/or other appropriate features conducive to usable open space purposes;

(7) Such furniture, furnishings, kiosks and other obstructions shall occupy not more than a total of fifty (50) percent of the floor area of such plaza or deck and shall be so located as not to impede the free flow of pedestrian traffic or be of such a nature, material or design as to endanger the health or safety of the users of the plaza or deck, the users of the principal building or the general public;

(8) If no exterior walls are provided from grade level to the plaza or deck level, the parking or other accessory uses located beneath such plaza or deck shall be permanently screened in accordance with the screening provisions of section 951 (relating to development and maintenance of parking areas);

(9) The entire plaza or deck perimeter, except where access is provided or required shall be enclosed by adequate fencing, railings or plantings having a minimum height of three and one-half (3 ½) feet;

(10) In those zoning districts where side and rear setbacks are required for the principal building, there shall be minimum side and rear setbacks for the plaza or deck of eight (8) feet or one-fourth (1/4) the height of the adjacent wall of such plaza or deck, and the height of the adjacent wall of the principal building shall be measured from the level of the plaza or deck for the purpose of determining the required side and rear setbacks for the principal building.

Sec. 10. Lots, setbacks, and open spaces.

a) No space which for the purpose of a structure or dwelling group has been counted or calculated as part of a side setback, rear setback, front setback, court or other open space required by these regulations may, by reason of change in ownership or otherwise, be counted or calculated to satisfy or comply with a setback, court or other open space requirement of or for any other structure.

(b) The minimum setbacks or other open spaces required by these regulations for each and every structure existing at the time of the passage of these regulations or for any structure hereafter erected shall not be encroached upon or considered as setback or open space requirements for any other structure.

Sec. 11. Projections into setbacks.

(a) Architectural features, not including vertical projections, may extend or project into a required side setback not more than two (2) inches for each one (1) foot of width of such side setback and may extend or project into a required front yard or rear setback not more than three (3) feet. Architectural features do not include those details which are normally demountable.

(b) Notwithstanding the above, works of art approved by the city's commission on cultural affairs may be located in the front setback forward of the building line providing authorization shall be obtained from the director of public works, in accordance with section 9-2 of the code (relating to obstructing area between building line and street line), prior to erection of the work of art. A work of art which is solid and extends more than two (2) feet above grade or which has a solid base which extends more than two (2) feet above grade may be located forward of the building line, but shall be set back a minimum distance of five (5) feet from the property or street line. The area of the lot occupied by the work of art shall not be included in the calculation of lot coverage.

Sec. 12. Porches.

A porch or paved terrace may project into a front setback for a distance not exceeding ten (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, but no facilities for providing heat shall be permitted on such porch, and such porch shall not be used as a sleeping room. A one-story bay window may project not more than three (3) feet beyond the front line of the building.

Sec. 13. Nonconforming lots.

Any nonconforming lot in single ownership, which lot was a lot of record, 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.

Sec. 14. Lot limitations.

In all residential districts only one (1) principal structure shall be placed on a zoning lot or lot of record, with the exception of lots of record which may be so arranged or subdivided as to provide for one (1) or more principal structures when the land areas allocated to each structure are equal to or greater than the lot area required for the district and the structure and land complies with all other requirements of the district in which it is located. This requirement shall not apply to group dwelling developments, planned area developments or planned residential developments, or in the case of an individual lot associated with an individual attached or semidetached single-family dwelling as provided for in the definition of "lot" in section 2 of this article (relating to definitions).

Sec. 15. Lot and building frontage.

Every lot or zoning lot shall front upon a public or private street for the full width of the lot, except as provided in section 890 (relating to group dwellings) and article VIII (relating to planned developments and special development districts) of these regulations and except in the case of an individual lot associated with an individual attached or semidetached single-family dwelling as provided for in the definition of "lot" in section 2 of this article (relating to definitions).

Sec. 16. Floor area.

Except as provided in section 736 (relating to R-8 residential district floor space requirements), every dwelling unit shall contain not less than one thousand (1,000) square feet of usable floor area if in an attached, detached or semidetached single-family dwelling, not less than one thousand six hundred (1,600) square feet of usable floor area with one (1) dwelling unit containing not less than one thousand (1,000) square feet of usable floor area and the remaining unit containing not less than six hundred (600) square feet of usable floor area if in a two-family dwelling, or dwelling converted to two-family use, not less than two thousand one hundred (2,100) square feet of usable floor area with one (1) dwelling containing not less than one thousand (1,000) square feet of usable floor area and no remaining dwelling unit containing less than five hundred (500) square feet of usable floor area if in a three-family dwelling, or dwelling converted to three-family use, and not less than four hundred (400) square feet of usable floor

area per family if in a multiple-family dwelling converted to a multiple-family use, exclusive of basements, cellars and unfinished attics.

Sec. 17. Dwellings in other than principal structure.

No residential dwelling shall be permitted in any accessory building, except that in a two-story garage with living quarters upon the second floor, such quarters may be occupied by a servant, and such servant's family, of the family occupying the principal structure.

Sec. 18. Dwellings in nonresidential districts.

No dwelling shall be erected in any industrial district. However, the sleeping quarters of a caretaker or watchman may be permitted.

Sec. 19. Accessory structures in residential districts.

See Article VI, sections 983 (relating to accessory uses in residential districts) and 984 (relating to limitations on accessory uses in residential districts).

Sec. 20. Building 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.

Sec. 21. 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.

Sec. 22. Buildings to be moved.

(a) 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.

(b) 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 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.

Sec. 23. Streets, alleys and railroad rights-of-way.

All streets, alleys and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same district as the property immediately abutting upon such streets, alleys, or railroad rights-of-way. Where the centerline of a street or alley serves as a district boundary, the zoning of such street or alley, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such centerline.

Sec. 24. Streets closings.

Upon the closing or vacating of any street, road, highway, avenue, alley or public way or any portion thereof, the zoning district immediately adjoining the closed or vacated area shall be automatically extended to the centerline of such closed, vacated or abandoned street, road, highway, avenue, alley or other public way or portion thereof, unless otherwise specifically zoned.

Sec. 25. Width of private streets.

No private street or easement of access for vehicular traffic, except driveways, providing direct access to or from a public street shall have a width of less than twenty-four (24) feet.

Sec. 26. 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. The minimum vision clearance shall require a height not exceeding three (3) feet above the street grade within twelve (12) feet of the intersecting street lines bordering corner lots.

Sec. 27. Adult establishments; definitions.

The following words, terms and phrases, when used in these regulations, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult bookstore means 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.

Adult cabaret means 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.

Adult establishment means adult bookstore, adult cabaret, adult mini-motion-picture-theater or adult motion picture theater, or any combination thereof.

Adult mini-motion-picture-theater means an enclosed building with a capacity for less than fifty (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.

Adult motion picture theater means an enclosed building with a capacity of fifty (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.

Obscene activity means patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated and/or patently offensive representations or descriptions of masturbation, excretory functions, and lewd exhibition of the genitals.

Specified anatomical areas means:

(1) Less than completely and opaquely covered:
   a. Human genitals, pubic region;
   b. Buttock; or
   c. 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 means:

(1) Human genitals in a state of sexual stimulation or arousal;
(2) Acts of human masturbation, sexual intercourse or sodomy; or
(3) Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts.

Sec. 28. Drainage channels and floodplains.

Streams, drainage channels and floodplains are essential for the maintenance of the health and general welfare of the people of the city. Any encroachment upon, filling or destruction of these streams, drainage channels or floodplains, unless approved by the city, is a violation of these regulations. 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.

Sec. 29. Storage, dumping of waste, junk, garbage, etc.

(a) 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, except as specifically permitted in these regulations and under a temporary certificate from the city engineer. The city engineer may issue such temporary certificate upon the filing of an application accompanied by a suitable agreement and bond that such dumping or disposal will not pollute the waters of the city or cause stagnant water to collect, or leave the surface of the land at the expiration date 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 dumping occurs, provided that such use or activity is in compliance with all applicable environmental laws and regulations.

(b) The dumping of dirt, sand, rock or other material excavated from the earth 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 zone, on an area of up to 10,000 square feet a volume of no more <u>than</u> one (1) cubic yard of material per 100 square feet of lot shall be allowed; and

(4) In a non-residential zone, on an area of up to 10,000 square feet a volume of no more than five (5) cubic yards of material per 100 square feet of lot shall be allowed; and

(5) Dumping covering an area of 10,000 square feet or more shall be permitted in any zone 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 (1) year after its commencement date.

Sec. 30. 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.

Sec. 31. 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.

Sec. 32. Airports.

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.

Sec. 33. Commercial radio and television towers.

Commercial radio, television and other transmitting or relay antenna towers, when permitted, shall sit back from all abutting streets and adjacent property a distance of not less than one and one-half (1 ½) times the height of the tower.

Sec. 34. 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.

Sec. 35. Approval of plats.

No proposed plat of a new subdivision or resubdivision shall be approved unless the lots within such plat equal or exceed the minimum size and width requirements set forth in the various zoning districts.

Sec. 36. District boundary line.

Where a district boundary line shown on the zoning map divides a lot of record, as in the case of a residence district on one (1) side and a business district on the other, the regulations applying to the business district shall be construed as extending to the entire lot provided that such extension shall not include any part of such lot more than thirty-five (35) feet beyond the district boundary line.

Sec. 37. Courts.

(a) In nonresidential buildings any court, whether partly or entirely enclosed by surrounding walls, shall have a minimum dimension perpendicular to any wall of not less than twelve (12) feet or one-quarter of the average height of the surrounding walls, whichever is the greater.

(b) Courts enclosed on all sides shall not be permitted in any building used exclusively for residential purposes. Courts between wings or projections of residential buildings shall have a width between such wings or projections of not less than eighteen (18) feet or one-third of the average height of the walls surrounding the court, whichever is the greater. In no case shall a court in a residential building have a depth greater than three (3) times the width.

(c) In buildings used partly for residential and partly for nonresidential uses, enclosed courts may be permitted as provided above; except 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 courts. Minor offsets and recesses intended for architectural effect shall not be considered courts.

Sec. 38. Setbacks on corner lots.

On corner lots, the owner shall have the option of designating from that land fronting on a street, which shall be considered the front setback and which shall be considered the side setback. The side setback which abuts a street shall be deemed to be the area between the street line and the established building line, and no other setback shall be required. The side setback not abutting a street and the rear setback shall be provided in accordance with the requirements of these regulations.

Sec. 39. Location of parking and service area entrances and exits.

In the case of a zoning lot divided into two (2) or more portions by a zoning district boundary line or lines, any entrance or exit to a parking or service area associated with the use of the zoning lot shall be located only on that portion or portions of the zoning lot where the use is permitted, except that if the use is located on a portion of the zoning lot not having street frontage, any exit or entrance may be located on any other portion of the lot.

Sec. 40. Nonconforming uses; nonconforming building or structure.

(a) *Declaration*. Any nonconforming use or nonconforming building or structure, is hereby declared not in violation of these regulations, provided, however, that nonconforming uses and nonconforming buildings and structures shall be subject to the regulations set forth in this section.

(b) Reserved.

(c) *Change of a nonconforming use*. A nonconforming use may be changed to a conforming use or to a nonconforming use in the same two-digit category of the table in section 854 (relating to the table of permitted uses) as the existing nonconforming use. Any change of an existing nonconforming use to another nonconforming use shall comply with subsections (d), (e), (f) and (g) of this section regarding extension, moving, alteration and restoration of buildings and structures containing nonconforming uses. In addition, any new nonconforming use must comply with any special conditions as may be required for such use in article IV, division 2, of these regulations (relating to required conditions for certain uses). Whenever a nonconforming use has been changed to a conforming use, it shall not thereafter be changed to a nonconforming use.

(d) *Extension of a nonconforming use*. No nonconforming use 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.

(e) *Moving of a nonconforming use*. No nonconforming use may be moved to any other part of a parcel of land upon which the use is conducted, 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 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, or as provided in subsections (c) and (d) of this section.

(g) *Restoration*. Any building or structure containing a nonconforming use, which has been destroyed or damaged by fire, explosion, act of God or by public enemy to the extent of sixty (60) percent or more of its existing replacement cost at the time such damage occurred, shall thereafter be made to conform with the provisions of these regulations, except that in the I-1, I-2, C-1, B-1 and B-2 districts, such building or structure may be restored to the same dimensions and volume existing prior to such destruction or damage. Where more than forty (40) percent of the existing replacement value of the building or structure remains after such damage, such building or structure may be restored to the same dimensions and volume as existed before such damage, provided such 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) *Discontinuance or abandonment of nonconforming use.* Any nonconforming use which has ceased by voluntary discontinuance or abandonment for a period of six (6) months shall thereafter, provided that the property owner intended to discontinue or abandon such use, conform to the provisions of these regulations.

Sec. 41. Amendments - Procedures.

(a) *Provided for; hearings; notice*; *applications.*

(1) *Provided for.* The commission may from time to time amend, supplement, change, modify or repeal the regulations, restrictions and zoning district boundaries established by these regulations.

(2) *Hearings.* No change in the regulations, restrictions or zoning district boundaries shall become effective until after a public hearing in relation thereto, held by a majority of the members of the commission. All applications proposing changes in the map or text of the zoning regulations shall be accompanied by a fee to be set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary). Such fee shall be payable in advance to the commission unless such request for change is made by some department of the city, in which case the fee shall be waived. Such hearing shall commence within sixty-five (65) days after receipt of such application and shall be completed within thirty-five (35) days after such hearing commences.

(3) *Notice; sign.*

(i) The commission shall publish every proposed change together with notice of such hearing in a newspaper having a general circulation in the city at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days, before the date set for the hearing. A copy of the application and maps and documents relating thereto shall be filed (i) in the office of the city clerk and (ii) in the office of the commission and be available for public inspection at least ten (10) days before such hearing. Notice of the time and place of such hearing shall also be given by mail to the owners of all lots included within the area proposed to be changed and the owners of all lots within one hundred fifty (150) feet of the boundary of such area by the applicant. The notices shall be sent to the best obtainable addresses of such owners at least ten (10) days prior to the date of such hearing. Before the hearing on such application, the applicant shall file a certificate of mailing or equivalent with the commission affirming that said notice has been timely given. No errors made in the giving of such notices shall invalidate the proposed change.

(ii) The commission shall notify the clerk of any adjoining municipality of the pendency of any application concerning any project on any site in which: (1) any portion of the property affected by a decision of the commission is within five hundred (500) feet of the boundary of the adjoining municipality; (2) 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; (3) 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 (4) water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven days of the date of receipt of the application. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application.

(iii) In any matter pending before the commission involving a zoning change the commission shall supply to the applicant a suitable sign for posting by the applicant on the property to be affected in a conspicuous place visible from the public street. Such applicant shall deposit an amount to be set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary), with the commission at the time the applicant receives such sign from the commission for posting. Such fee shall be held by the commission as a security deposit for the return of the sign. The security deposit will be returned to the applicant at the time the sign is returned and found to be in good condition. If such sign is not returned to the commission prior to the hearing, is substantially damaged or has been lost, the security deposit shall be

forfeited and shall be forwarded to the city treasurer. Before any hearing on such zone change application, the applicant shall return the sign to the commission and file with it an affidavit that such sign has been posted continuously as required for a period of ten (10) days, to commence no later than five (5) days after the date of receipt of the application by the commission. Failure to sign and file the affidavit as required shall be considered withdrawal of such zone change application.

(4) *Rejection*. In the event of the rejection of the proposed change by the commission, such change may not again be proposed for twelve (12) months.

(5) *Form of proposed amendments.* When the change proposed is in the text of these regulations, the form of the regulations containing such change as submitted to the commission shall contain the text of the portion of the regulations which it is proposed to amend and the text of the proposed amendment. When the amendment is of the map, the form of the amendment shall contain the designation of the zoning district which it is proposed to change and a description of the land which it is proposed to include in such change, and the proposed amendment shall be accompanied by a map of such land and the streets contiguous thereto. The existing zoning district boundaries and the proposed zoning district boundaries shall be precisely indicated on such map, which shall be at a scale corresponding with that of the set of maps declared to be a part of these regulations in article III, division 1 hereof (relating to districts generally). No change of zoning district boundaries shall be made so as to include less than the entire area fronting on the same street in one (1) block, but this change in boundaries of such frontage need not include such portions of corner lots as may be within one hundred fifty (150) feet of the street line of the intersecting streets which bound the block, and in blocks where the frontage on the same street exceeds twelve hundred (1200) feet the change in boundaries need not include more than eight hundred (800) continuous feet thereof. Changes involving lesser areas than the above may be made where the change consists of the inclusion of the balance of the frontage on the same street in any one (1) block in the same zoning district in which the major portion of such frontage is already included. In determining the bounds of a block for the purpose of this section, the right-of-way of a railroad, the Park River or its north or south branches, the boundary of a public park and the city boundary line may be treated as intersecting streets.

(6) *Applications.* All applications to amend, supplement, change, modify or repeal the regulations, restrictions and zoning district boundaries established by these regulations shall also contain the following information: The names and addresses of the applicants, the owner of the premises involved therein and any and all parties known to the applicant that may have an interest in the change whether or not such parties have a written or oral agreement to purchase any premises that may be affected thereby. If a business entity is involved as an applicant, owner or party-in-interest, the application shall include such other information regarding the entity as the commission shall specify on its application form.

(b) *Protests.*

(1) In case, however, of a protest petition against a change signed by the owners of twenty (20) percent or more of the total area of the lots included within the proposed change or of the total area of the lots within five hundred (500) feet in all directions of the property included in the proposed change, and filed with the commission at or before the public hearing, such change shall not be adopted except by a vote of two-thirds (2/3) of all the members of the commission.

(2) Any and all petitions in protest of any proposed amendments to zoning district maps or boundaries shall be completed and filed in the following manner: Petitions in protest shall be submitted on a printed form to be provided by the commission to any interested party requesting same. Such printed form shall contain space for signatures, which signatures shall be deemed final and conclusive; no invalid signature shall invalidate remaining authentic signatures contained in the same petition; space for addresses of property owned by

those signing; a form for attestation by the circulator of the petition and acknowledgment as provided by law. Such petition and form shall be duly attested and acknowledged and shall be filed with the commission at or before the hearing on such amendment. Any petition which fails in any respect to conform to the regulations as set forth in this subsection shall be held to be invalid. For the purpose of this section, all amendments to proposed zoning regulations or changes to the zoning map shall be considered newly proposed zoning regulations or map amendments.

(c) *Time for adoption of amendments; extensions*. The commission may take action on any proposed amendment or change following the public hearing on such matter, provided that decisions shall be rendered within sixty-five (65) days after completion of the hearing, unless a shorter period is required by the general statutes. Amendments shall become effective at such time as is fixed by the commission, provided a copy of such amendment is filed in the office of the city clerk, and notice of the decision shall have been published in a newspaper having a substantial circulation in the city before such effective date. In any case in which such notice is not published within the fifteen (15) day period after a decision has been rendered, any applicant may provide for the publication of such notice within ten (10) days thereafter. Whenever the commission makes any change in the regulations or the boundaries of a zoning district it shall state upon its records the reasons why such change is made. In making its decision on a proposed change, the commission shall take into consideration the plan of conservation and development and state on the record its findings on the consistency of the proposed change with such plan. The applicant may consent to extension(s) of the periods provided for hearing and for adoption or denial, or may withdraw such application, all in accordance with the general statutes.

(d) *Applicability; state law governs.*

(1) To the extent provided in the general statutes, the provisions of this section setting time limits for hearings and decisions shall not apply to any action initiated by the commission to adopt or amend any zoning regulation or boundary.

(2) The provisions of subsection (a) (3) of this section requiring mail notice and posting of signs shall not apply to a comprehensive revision of the zoning regulations or maps initiated by the commission or the director of planning.

(3) In the event of a conflict between this section and the provisions of the general statutes governing the adoption or amendment of zoning regulations and boundaries, the provisions of the general statutes shall govern.

Sec. 42. Notice of proposed zone changes to capitol region council of governments.

Upon receipt, the commission shall determine whether any part of the land involved in a proposed zone change or any portion of the zone affected by a proposed change in the regulations affecting the use of such zone is within five hundred (500) feet of an adjoining town or municipality. The determination shall be made on the basis of official city maps. If the commission determines that any of the land involved in the proposed zone change or any portion of the zone affected by the proposed change in the regulation affecting the use of the zone is within five hundred (500) feet of an adjoining town or municipality, then the commission, not later than thirty (30) days before the public hearing to be held in relation thereto, shall notify in writing, by certified mail, return receipt requested, the capitol region council of governments of such proposed zone change or such proposed change in the regulation for its findings and recommendations, and such report shall be made a part of the record of the public hearing on the proposed zone change or the proposed change in the regulation. If such report of the capitol region council of governments is not submitted at or before the hearing, it shall be presumed that the agency does not disapprove of the proposal. The report of the council of governments shall be purely advisory.

Sec. 43. Interpretation of regulations.

(a) In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. It is not intended by these regulations to repeal, abrogate, annul or in any way impair or interfere with any existing provisions of the law or ordinances or any rules, regulations or permits previously adopted or issued or which shall be adopted or issued pursuant to law, relating to the use of buildings or premises; nor is it intended by these regulations to interfere with or abrogate or annul any easements, covenants or other agreements between parties; providing, however, that where these regulations impose a greater restriction upon the use of the buildings or premises or upon the height of buildings or require larger setbacks, courts or other open spaces than are imposed or required by such existing provisions of law or ordinance, or by such rules, regulations or permits, or by such easements, covenants or agreements, the provisions of these regulations shall control.

(b) 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 district 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.

(c) 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.

Sec. 44. Separability.

(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.

Sec. 45. Effective date.

The effective date of these regulations shall be 10 days after adoption by the Commission

ARTICLE II.
ADMINISTRATION, ENFORCEMENT, AND SITE PLAN REVIEW

DIVISION 1. GENERALLY

Sec. 66. Department of development services; zoning administrator.

(a) These regulations shall be administered and enforced by the department of development services.

(b) The director of planning shall have overall responsibility for the administration of the regulations, and shall be the zoning administrator.

(c) Each application for a zoning permit shall be accompanied by a fee to be set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary), and shall include the information and exhibits required in section 68 (relating to applications for zoning permits). All applications shall be filed with the division of licenses and inspections.

(d) The zoning administrator shall coordinate administration of the regulations with the director of licenses and inspections.

Sec. 67. Zoning enforcement officer.

(a) The zoning administrator shall designate an individual to be the zoning enforcement officer. The zoning enforcement officer shall be responsible for enforcement of these regulations, and shall have such powers and duties as are set forth in this article and the general statutes.

(b) Zoning permits shall be issued by the zoning enforcement officer acting on behalf of the zoning administrator.

(c) The zoning enforcement officer shall maintain current and permanent records relative to the administration and enforcement of the zoning regulations and maps including, but not limited to, all maps, applications, variances, conditional uses, appeals and the disposition thereof.

Sec. 68. Applications for zoning permits.

(a) Zoning permits shall be required: 1) prior to the issuance of a building permit, by notation on the building permit form, or 2) if no building permit is required, at the time of a change of use. If no building permit is required, a separate zoning permit will be issued. Prior to issuance, the zoning administrator must find that the application and plans conform to all provisions of these regulations. A fee to be set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary) will be charged for each zoning permit.

(b) (1) If a zoning permit application involves an activity regulated pursuant to general statutes sections 22a-36 through 22a-45 (relating to inland wetlands), inclusive, the applicant shall submit an application for a permit to the inland wetlands agency not later than the day such application is filed. The decision of the zoning administrator shall not be rendered on the site plan application until the inland wetlands agency has submitted a report with its final decision. In making a decision on the site plan, the zoning administrator shall give due consideration to the report of the inland wetlands agency.

(2) Notwithstanding the other provisions of this section, the zoning administrator may, in the case of an

application for a zoning permit by the city involving a zoning lot which includes property to be acquired by the city through its powers of eminent domain as set forth in the definition of "lot, zoning" in section 2 (relating to definitions), issue a partial zoning permit, as set forth in section 114.7 of the state building code relating to partial building permits, for any portion of the property within the zoning lot owned by the city at the time of issuance of the partial zoning permit, provided a suitable site plan, as required by paragraph (e)(1) of this section, indicating the proposed development for the entire zoning lot is filed prior to the issuance of a zoning permit or partial zoning permit for the proposed facility or any portion thereof.

(3) As required by general statutes section 22a-329, if a proposed development would disturb an area of more than one-half (½) acre, the applicant for a zoning permit shall submit to the zoning administrator a soil erosion and sediment control plan containing provisions to control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site. A single family dwelling that is not a part of a subdivision shall be exempt from this requirement. Prior to the issuance of a zoning permit, the zoning administrator shall certify that said plan complies with these regulations. The zoning enforcement officer shall inspect the measures being installed pursuant to the plan.

Said plan shall conform with the methods and techniques for minimizing erosion and sedimentation found in the "Connecticut Guidelines for Soil Erosion and Sediment Control," January 1985, as amended. Said plan shall be prepared by a professional engineer registered in the state of Connecticut unless a waiver is granted by the city engineer. Said plan shall contain, but not be limited to:

i. A narrative describing:

a. The project;

b. The schedule for grading and construction activities including: start and completion dates; sequence of grading and construction activities; sequence for installation and/or application of soil erosion and sediment control measures; and sequence for final stabilization of the project site;

c. The design criteria for proposed soil erosion and sediment control measures and storm water management facilities;

d. The construction details for proposed soil erosion and sediment control measures and storm water management facilities;

e. The installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities;

f. The operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities;

ii. A site plan map at 1" = 100' or larger scale to show:

a. The location of the proposed development and adjacent properties;

b. The existing and proposed topography including soil types, wetlands, watercourse and water bodies;

c. The existing structures on the project site, if any;

d. The proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines;

e. The location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;

f. The sequence of grading and construction activities;

g. The sequence of installation and/or application of soil erosion and sediment control measures;

h. The sequence for final stabilization of the development site.

iii. Any other information deemed necessary and appropriate by the zoning administrator or the city engineer.

(c) Every application for a zoning permit shall be accompanied by an administrative review plan as well as such information and exhibits as are required in these regulations or may be reasonably required by the zoning administrator in order that the proposal of the applicant may be adequately interpreted and judged as to its conformity with the provisions set forth in these regulations.

(d) The Design Review Board, when required under these regulations to review an application for a zoning permit, shall advise the commission, the zoning administrator or the director of Licenses and Inspections, as the case may be, whether the applicant has demonstrated that the project:

(1) creates an attractive environment that is in harmony with the zoning district in which it is to be located,

(2) is compatible with and enhances the design concept of adjacent buildings, and

(3) encourages an active and vital pedestrian environment.

In making its recommendations, the board will consider criteria such as massing, height, materials, color, harmony and proportion of overall design, architectural style, siting, scale and fenestration.

(e) Every application for a zoning permit, including those associated with an application for a variance or a special permit, shall include the following information and exhibits, which shall constitute the administrative review plan:

(1) A site plan of the property, in triplicate, to a scale not to exceed twenty (20) feet to one (1) inch, prepared by a registered engineer, architect or land surveyor illustrating the proposed development of the property and including the following:

a. Property boundaries, existing and proposed, and their dimensions;

b. Location of all structures, existing and proposed, and the distances between adjacent structures;

c. Dimensions of all yards and setbacks;

d. Location of all streets, driveways and entrances, existing and proposed, and their dimensions;

e. Location of all parking areas and parking stalls with each stall numbered sequentially and each stall not less than nine (9) feet by eighteen (18) feet or seven (7) feet nine (9) inches by eighteen (18) feet;

f. Location and dimensions of all off-street loading areas;

g. Location, size and amount of usable open space;

h. Proposed location, type and size of plantings;

i. Position and dimensions of fences and walls;

j. Position and dimensions of screen planting;

k. Proposed means of surface drainage;

l. Location and dimensions of all easements, rights-of-way, conduits and the like;

m. Percentage of lot area to be covered by proposed structures, i.e., lot coverage;

n. Location, type and size of all signs;
o. Height of all structures, existing and proposed;
p. Location and dimensions of all outside trash storage areas and/or facilities plus a description of the type of equipment to be utilized in these areas, existing and proposed;
q. Location, size of all existing and proposed lighting for parking areas, walkways, etc.;
r. Location and size of all existing and proposed sidewalks and walkways;
s. Location and description of all existing and proposed recreational facilities and equipment;
t. Location, size and elevation of all designated inland wetlands and watercourses, and proposed wetlands and watercourses, if any;
u. Present and proposed topography of the property;
v. Location and size of all existing and proposed utilities, including water, sewage, electricity, gas, steam, etc.;
w. Zoning district designation, north arrow and graphic scale;
x. Architectural drawings at a scale of at least one-eighth inch equals one (1) foot which show elevations and proposed signs and which are developed in detail to assist in determining conformity with zoning regulations;
y. Exterior building materials and their colors.
z. Soil erosion and sediment control plan,

(2) Housing design sketches, in triplicate, at a scale of not less than eight (8) feet to one (1) inch, illustrating:

a. Typical elevation of proposed dwellings
b. Typical floor plan of proposed dwellings
c. Typical section through proposed dwellings
d. Elevation of any proposed garages,

(3) Optionally, at the applicant's discretion, unless otherwise required by the commission or the zoning administrator: Renderings, perspectives, isometric drawings or models, in scale, depicting height, bulk, fenestration, construction materials and other massing qualities of the proposed structure and/or addition;

(f) All developments shall conform to the provisions of these regulations as indicated on the zoning permit issued for such development.

(g) Special permit applications. Whenever a special permit is applied for under these regulations, the following procedures shall govern the application and decision process:

(1) If an application for a special permit involves an activity regulated pursuant to general statutes sections 22a-36 to 22a-45, inclusive (relating to inland wetlands), the applicant shall submit an application for a permit to the inland wetlands agency not later than the day such application is filed.

(2) The commission shall hold a public hearing on an application for a special permit.

(i) Notice of such hearing shall be published in a newspaper having a general circulation in the city at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days, before the date set for the hearing. A copy of the special permit application and maps and documents relating thereto shall be filed (i) in the office of the city clerk and (ii) in the office of the commission and be available for public inspection at least ten (10) days before such hearing.

(ii) Notice of the time and place of such hearing shall also be given by mail to the owners of all lots included within the area that is the subject of the special permit application and the owners of all lots within one hundred fifty (150) feet of the boundary of such area by the applicant. The notices shall be sent to the best obtainable addresses of such owners at least ten (10) days prior to the date of such hearing. Before the hearing on such application, the applicant shall file a certificate of mailing or equivalent with the commission affirming that said notice has been timely given. No errors made in the giving of such notices shall invalidate the proposed change.

(iii) The commission shall notify the clerk of any adjoining municipality of the pendency of any application concerning any project on any site in which: (1) any portion of the property affected by a decision of the commission is within five hundred (500) feet of the boundary of the adjoining municipality; (2) 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; (3) 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 (4) water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven (7) days of the date of receipt of the application. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application.

(iv) such hearing shall be held in accordance with the provisions of general statutes section 8-7d. The commission shall not render a decision on the application until the inland wetlands agency has submitted a report with its final decision to the commission. In making its decision the commission shall give due consideration to the report of the inland wetlands agency. The commission shall decide upon the application within the period of time permitted under general statutes section 8-7d.

(v) When the commission grants, grants with conditions, or denies a special permit, it shall state upon its records the reason for its decision. Notice of the decision of the commission shall be published in a newspaper having a substantial circulation in the city and written notice thereof shall be addressed by certified mail to the person who applied for the special permit by its secretary, under the secretary's signature, within fifteen (15) days after such decision has been rendered. In any case in which such notice is not published within such fifteen-day period, the person who applied for the special permit may provide for the publication of such notice within ten days thereafter.

(vi) Before a special permit is granted, the commission may require the applicant 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. If the applicant fails to comply with any requirements of the special permit, the commission may declare the special permit to be null and void and may declare the project to be in default and call the bond. The commission may take whatever steps are needed to bring the site into compliance with the special permit, and may pay for such work from the bond proceeds. The bond will be released by the commission upon certification by the applicant's engineer, through submission of detailed "as built" plans, that all work is in accordance with the special permit. "As built" plans shall include grading plans, as well as erosion and sedimentation control details. Notwithstanding any other provision of this paragraph, the bond terms may provide for partial release of the bond as work is completed.

(vii) A special permit shall become effective upon the filing of a copy thereof (1) in the office of the city clerk and (2) in the land records of the city in accordance with the provisions of general statutes section 8-3d.

(h) Every application for a zoning permit filed in accordance with an approved special permit for a special development district shall include the maps, plans, information and exhibits required in section 1038(b) (14) and approved by the commission, and no construction or other work shall be authorized under any zoning permit for such project unless it is in strict conformance with such approved maps, plans, information and exhibits. Any deviation from the approved special permit and the maps, plans, information and exhibits made part of the permit shall first require approval from the commission in accordance with the provisions of section 1038(b) (21) of these regulations.

Sec. 69. Certificates of zoning compliance.

(a) No land shall be occupied or used, and no building hereafter erected or altered shall 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.

(b) A certificate of zoning compliance shall be issued within ten (10) days after the erection or alteration of the building shall have been completed if, after inspection, the zoning enforcement officer determines the work to be in conformity with the provisions of these regulations. A record of all certificates shall be kept on file in the division of licenses and inspections. A fee to be set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary) shall be charged for each original certificate.

Secs. 70 – 90. Reserved.

DIVISION 2. VIOLATION AND PENALTIES

Sec. 91. Inspection of premises; written order.

The zoning enforcement officer may cause any building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereon in violation of any provisions of these regulations.

Sec. 92. Abatement of violations.

If any building or structure has been erected, constructed, altered, converted or maintained, or any building, structure or land has been used in violation of any provision of these regulations, the zoning enforcement officer, in addition to other remedies, may institute an action or proceeding to prevent such unlawful erection, construction, alteration, conversion, maintenance or use or to restrain, correct or abate such violation or to prevent the occupancy of such building, structure or land or to prevent any illegal act, conduct, business or use in or about such premises.

Sec. 93. Penalties; procedure when zoning regulations violated.

The owner or agent of any building or premises where a violation of any provision of these regulations has been committed or exists; or the lessee or tenant of an entire building or entire premises where such violation has been committed or exists; or the owner, agent, lessee or tenant of any part of the building or premises in which such violation has been committed or exists; or the agent, architect, builder, contractor or any other person who commits, takes part or assists in any violation or who maintains any building or premises in which such violation exists, shall:

(a) Be fined not less than ten dollars ($10.00) or more than one hundred dollars ($100.00) for each day that such violation continues. But, if the offense is willful, the person convicted thereof shall be fined not less than one hundred dollars ($100.00) nor more than two hundred fifty dollars ($250.00) for each day that such violation continues, or imprisoned not more than ten (10) days for each day such violation continues or both. The superior court shall have jurisdiction of 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 ten (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 twenty-five hundred dollars ($2,500.00) payable to the treasurer of the city; or

(b) Be issued a municipal citation and shall be subject to a penalty of one hundred fifty dollars ($150.00). Any person issued a citation for violating the provisions of these regulations may, within ten (10) days of receipt of the citation, appeal in writing to a citation hearing officer in accordance with code section 1-5 (relating to hearing procedures for citations).

Sec. 94. Criminal defense by interpretation of regulation in civil action.

In any criminal prosecution under this division, the defendant may plead in abatement that such criminal prosecution is based on a regulation which 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.

Secs. 95 -- 115. Reserved.

DIVISION 3. ZONING BOARD OF APPEALS

Sec. 116. Regular and alternate members.

The zoning board of appeals, hereinafter referred to as the "ZBA," shall consist of five regular members and three alternate members. Such alternate members may be referred to as "the panel of alternates," and shall, when seated as herein provided, have all the powers and duties set forth in the general statutes relating to zoning boards of appeals and their members. The regular members and alternate members of the ZBA shall be electors of the city and shall not be members of the commission. Regular members and alternate members of the ZBA shall be appointed by the mayor in the manner provided in the charter for appointment of members of city commissions. Any vacancy in the ZBA, including any vacancy in the panel of alternates, shall be filled by the mayor in the manner provided in the charter for the filling of vacancies on city commissions.

Sec. 117. Officers.

The ZBA, by vote of its regular members only, shall elect from its membership a chairperson, vice-chairperson, and secretary, each to serve for a term of one (1) year and each to be eligible for reelection. The chairperson or in his or her absence, the vice-chairperson, shall have power to administer oaths and compel the attendance of witnesses.

Sec. 118. Rules of procedure.

The ZBA shall adopt such rules, regulations and procedures, consistent with the general statutes, as may be deemed necessary to carry into effect the provisions of these regulations. Each rule or regulation and each amendment or repeal thereof and each order, requirement or decision of the ZBA shall immediately be filed in the office of the ZBA and shall be a public record.

Sec. 119. Meetings.

The ZBA shall meet at the call of the chairperson and at such other times as the ZBA may determine. All meetings of the ZBA shall be open to the public and shall be held in accordance with the state freedom of information act, general statutes sections 1-200 *et seq*. or any successor thereto. Records of the ZBA may be examined in the offices of the ZBA at any reasonable time. Executive meetings of the ZBA may be held but any record of such meetings shall also be open to public inspection.

Sec. 120. Minutes and findings.

(a) The ZBA shall keep minutes of its proceedings, recording each action of the ZBA 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 promptly in the office of the ZBA and shall be open to public examination at reasonable hours. All findings and actions of the ZBA shall be in writing and shall set forth the reasons for the action taken whether it be in favor of the granting of an application or petition or against the granting of such application or petition. Findings shall be complete, detailed and in specific terms setting forth the reasons for the decision and shall go beyond such generalities as "in the interest of public health, safety and the general welfare."

(b) If an application for a variance based on hardship is granted, the statement of findings shall specifically state the nature of the findings found and specific evidence proving the same. In every instance a statement of the facts upon which such action is based shall appear in the minutes.

(c) If the ZBA grants a variance conditioned on satisfying conditions, such conditions shall be explicitly set forth in writing. A variance holder who fails to comply with said conditions is ineligible for a certificate of occupancy.

(d) A zoning permit granted in the absence of full compliance with said conditions shall be invalid and shall be revoked by the zoning enforcement officer.

(e) All actions taken by the ZBA without making the findings required by this section shall be invalid.

Sec. 121. Vote required.

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

Sec. 122. Assistance from other officials.

As provided in the code, the ZBA may call upon any city department for assistance in the performance of its duties and it shall be the duty of such department to render such assistance to the ZBA as may be reasonably required.

Sec. 123. Advisory opinion before hearings.

(a) The staff of the commission shall submit an advisory opinion on any matter before the ZBA at least four (4) days prior to the public hearing assigned for such matter, and such findings of the staff of the commission shall be read into the record at such public hearing. The failure of the staff of the commission to submit its report to the ZBA prior to the public hearing shall not prevent the ZBA from reaching a decision on any matter before it.

(b) As provided in the code, the traffic engineer shall submit to the ZBA a written opinion, and upon request, a verbal opinion at the public hearing, on the traffic and on-street parking implications of applications pending before the ZBA. This opinion shall be made part of the record at the public hearing. The failure of the traffic engineer to submit a report to the ZBA prior to the public hearing shall not prevent the ZBA from reaching a decision on any matter before it.

Sec. 124. Powers.

(a) The ZBA shall have the following powers and duties:

(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the official charged with the enforcement of these regulations;

(2) To hear and decide all matters, including special permits and special exceptions, upon which it is required to pass by the specific terms of these regulations; and

(3) To determine and vary the application of these zoning regulations in harmony with their general purpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured, provided that these zoning regulations may specify the extent to which uses shall not be permitted by variance in districts in which such uses are not otherwise allowed. The ZBA shall not be required to hear any application for the same variance or substantially the same variance for a period of six (6) months after a decision by the ZBA or by a court on an earlier such application.

(b) Any variance granted by the ZBA shall run with the land and shall not be personal in nature to the person who applied for and received the variance. A variance shall not be extinguished solely because of the transfer of title to the property or the invalidity of any condition attached to the variance that would affect the transfer of the property from the person who initially applied for and received the variance.

(c) Exercise such powers and perform such duties as are provided for zoning boards of appeal in the general statutes.

Sec. 125. Appeals.

An appeal may be taken to the ZBA by any person aggrieved or by any officer, department, board or bureau of any municipality aggrieved and shall be taken within fifteen (15) days, by filing with the commission or the officer from whom the appeal has been taken and with the ZBA a notice of appeal specifying the grounds thereof. Such appeal period shall commence for an aggrieved person at the earliest of the following: (1) Upon receipt of the order, requirement or decision from which such person may appeal, (2) upon the publication of a notice in accordance with subsection (f) of general statutes section 8-3 (relating to certification of building permits) or (3) upon actual or constructive notice of such order, requirement or decision. The officer from whom the appeal has been taken shall forthwith transmit to the ZBA all the papers constituting the record upon which the action appealed from was taken.

Sec. 126. Applications.

Every application for variance or other approval shall be made on a form prepared by the ZBA providing space for showing the ownership of the property involved, the dimensions of the property and the reasons for the application. Such application shall be filed with the ZBA in accordance with section 68 (relating to applications for zoning permits). Each application to the ZBA shall be subject to a fee to be set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary)**.**

Sec. 127. Required information.

Every application for a variance or other approval shall also contain the following information: The names and addresses of the applicants, and of any and all parties known to the applicant who may have an interest in the application, whether or not such parties have a written or oral agreement to purchase any premises that may be affected thereby. If a business entity is involved as an applicant, owner or party-in-interest, the application shall include such other information regarding the entity as the ZBA shall specify on its application form.

Sec. 128. Stay of proceedings.

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 such extent that the ZBA grants a stay thereof. An appeal from any other order, requirement or decision shall stay all proceedings in the action appealed from unless the commission or the officer from whom the appeal has been taken certifies to the ZBA 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 which case proceedings shall 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 officer from whom the appeal has been taken and on due cause shown.

Sec. 129. Hearings.

(a) Upon receipt of an application or appeal, the ZBA shall fix a time for the hearing of the appeal or application and give notice thereof to the parties in accordance with the requirements of the general statutes. At such hearing any person may appear and be heard and may be represented by agent or by attorney. Notice shall also be sent by the appellant or applicant by postcard to the owners of record of all property within three hundred (300) feet of the property affected by the application or appeal at least ten (10) days prior to the date of such hearing. It shall be sufficient if such notice is sent by the applicant or appellant to the owner listed upon the last available maps of the department of public works. Before the hearing on such application or appeal, the applicant or appellant shall file an affidavit with the ZBA affirming that said notice has been timely given.

(b) The ZBA shall give notice to adjoining municipalities of an application or appeal when required by, and in accordance with, the general statutes.

(c) A fee to be set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary) shall be charged by the ZBA to cover the cost of all notices given by the ZBA. The secretary of the ZBA shall, prior to the hearing, file an affidavit of publication of notices published in the newspaper.

Sec. 130. Posting of signs.

(a) In any matter pending before the ZBA, other than an appeal, the ZBA staff shall make available to the applicant a suitable sign for posting by the applicant on the property to be affected by the application in a conspicuous place visible from the public street. Before any hearing on such matter, the applicant shall return the sign to the ZBA and shall file an affidavit with the ZBA that the sign has been posted continuously, as required, for a period of seven (7) days prior to the hearing.

(b) Notwithstanding the provisions of subsection (a), in the event the sign and affidavit are not returned prior to the

date of the hearing, the ZBA may hear the case provided the applicant testifies under oath that all the requirements of this section have been met and that the sign will be returned forthwith. All such signs procured from the zoning enforcement officer shall be subject to a deposit fee to be set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary), which fee shall be returned on the date specified in the applicant's affidavit. Failure to return the sign on the date specified in the affidavit shall result in the imposition of a late penalty in an amount to be set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary).

Sec. 131. Decision of the zoning board of appeals; extensions.

(a) The ZBA shall render its decision on appeals within sixty-five (65) days after completion of the hearing.

(b) The ZBA may reverse or affirm, wholly or partly, or may modify any order, requirement, decision or determination appealed from and shall make such order, requirement or decision as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer from whom the appeal is taken.

(c) Notice of decisions of the ZBA shall be given in accordance with the general statutes.

(d) The applicant or appellant may consent to one or more extensions of any period specified or provided for in this division as permitted by, and in accordance with, the general statutes.

Sec. 132. Agenda.

The agenda for any meeting of the ZBA shall be released not less than ten (10) days prior to the meeting at which matters so listed are to be considered.

Sec. 133. Reserved.

Sec. 134. Opportunity to be heard before the ZBA.

Abutting property owners and other persons shall be given full opportunity to respond to and rebut both applicants and appellants before the ZBA. Any party who wishes to address the ZBA shall be heard. All parties, including opponents of an application or proponents of a decision being appealed, shall be given time at least equal to the time given to the applicant or appellant, as the case may be, to respond to any and all issues raised during the course of the hearing. Nothing in this section shall be deemed to limit the ZBA's power to control the proceedings.

Sec. 135. Training for members of the zoning board of appeals.

Each commissioner appointed to the ZBA must complete, within one (1) calendar year of his or her appointment, training in the fields of zoning and parliamentary procedure, provisions for which will be made by the department of development services.

Secs. 136 – 162. Reserved.

DIVISION 4. SITE PLAN REVIEW.

Sec. 163. Commission site plan review.

The following requirements shall apply to all applications for site plan review, except for applications for site development plan review in connection with special permit applications in the B-1 and B-2 districts:

(a) Applications shall be in such form and shall be received in such manner as determined by the commission. All applications shall be accompanied by a fee to be set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary) which shall be payable to the commission, and shall include the following information and exhibits: A site plan of the property, in triplicate, in a scale not to exceed twenty (20) feet equals one (1) inch, prepared by a registered engineer, architect or land surveyor illustrating the proposed development of the property and including the following:

(1) Property boundaries, existing and proposed, and their dimensions;

(2) Location of all structures, existing and proposed, and the distances between adjacent structures;

(3) Dimensions of all yards and setbacks;

(4) Location of all streets, driveways and entrances, existing and proposed, and their dimensions;

(5) Location of all parking areas and parking stalls with each stall numbered sequentially and each stall not less than nine (9) feet by eighteen (18) feet or seven (7) feet nine (9) inches by eighteen (18) feet for compact cars;

(6) Location and dimensions of all off-street loading areas;

(7) Location, size and amount of usable open space;

(8) Proposed location, type and size of plantings;

(9) Position and dimensions of fences and walls with the materials specified;

(10) Position and dimensions of screen planting with the type of planting specified;

(11) Proposed means of surface drainage;

(12) Location and dimensions of all easements, rights-of-way, conduits and the like;

(13) Percentage of lot area to be covered by proposed structures, i.e., lot coverage;

(14) Location, type and size of all signs;

(15) Height of all structures, existing and proposed;

(16) Location and dimensions of all outside trash storage areas and facilities plus a description of the type of equipment to be utilized in these areas, existing and proposed;

(17) Location, size of all existing and proposed lighting for parking areas, walkways, etc.;

(18) Location and size of all existing and proposed sidewalks and walkways with the materials specified;

(19) Location and description of all existing and proposed recreational facilities and equipment;

(20) Location, size and elevation of all designated inland wetlands and watercourses, and proposed wetlands and watercourses, if any;

(21) Present and proposed topography of the property;

(22) Location and size of all existing and proposed utilities, including water, sewage, electricity, gas,

steam, etc.;

(23) Exterior building materials and their colors;

(24) Zoning district designation, north arrow and graphic scale;

(25) Architectural drawings in a scale of at least one-eighth inch equals one (1) foot which show elevations and proposed signs and which are developed in sufficient detail to clearly show proposed materials and design intent;

(26) Any other materials, information or drawings the commission may deem appropriate.

(b) If a site plan application involves an activity regulated pursuant to general statutes sections 22a-36 through 22a 45 (relating to inland wetlands), inclusive, the applicant shall submit an application for a permit to the inland wetlands agency not later than the day such application is filed with the commission. The decision of the commission shall not be rendered on the site plan application until the inland wetlands agency has submitted a report with its final decision. In making its decision on the site plan, the commission shall give due consideration to the report of the inland wetlands agency.

(c) The commission shall hear and decide all applications for site plan approval. When required, a public hearing shall be noticed and held in accordance with the general statutes. A site plan may be modified or denied only if it fails to comply with requirements already set forth in the zoning or inland wetlands regulations. Approval of the site plan shall be presumed unless a decision to deny or modify it is rendered within the time period specified in the general statutes. A certificate of approval of any plan for which the period for approval has expired and on which no action has been taken shall be sent to the applicant within fifteen (15) days of the date on which the period for approval has expired. A decision to deny or modify a site plan shall set forth the reasons for such denial or modification. A copy of any decision shall be sent by certified mail to the person who submitted such plan within fifteen (15) days after such decision is rendered. The commission may, as a condition of approval of any modified site plan, require a bond in an amount and with surety and conditions satisfactory to it, securing that any modifications of such site plan are made. The commission shall publish notice of the approval or denial of site plans in a newspaper having a general circulation in the city.

(d) When a change is adopted in the zoning regulations or boundaries of any zoning district, no improvements or proposed improvements shown on a site plan for residential property which has been approved prior to the effective date of such change, and filed or recorded with the city clerk, shall be required to conform to such change.

(e) (1) All work in connection with an approved site plan shall be completed within five (5) years after the approval of the plan. The certificate of approval of such site plan shall state the date on which such five-year period expires. Failure to complete all work within such five-year period shall result in automatic expiration of the approval of such site plan, except 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 ten (10) years from the date such site plan is approved. "Work" for purposes of this subsection means all physical improvements required by the approved plan.

(2) In the case of any site plan for a project consisting of four hundred (400) or more dwelling units, all work in connection with such site plan shall be completed within ten (10) years after the approval of the plan. In the case of any commercial, industrial or retail project having an area equal to or greater than four hundred thousand (400,000) square feet, the commission shall set a date for the completion of all work in connection with such site plan, which date shall be not less than five (5) nor more than ten (10) years from the date of

approval of such site plan, provided such commission approving such plan and setting a date for completion which is less than ten (10) years from the date of approval may extend the date of completion for an additional period or periods, not to exceed ten (10) years in the aggregate from the date of the original approval of such site plan. The certificate of approval of such site plan shall state the date on which such work shall be completed. Failure to complete all work within such period shall result in automatic expiration of the approval of such site plan. "Work" for purposes of this subsection means all physical improvements required by the approved plan".

(f) In reviewing the application the commission shall consider all aspects of the proposal as set forth in this section and in particular the grouping and arrangement of the structures, the location and orientation of permitted uses and their relationship to adjacent properties, the development and distribution of open spaces, the pedestrian and vehicular circulation pattern, the zoning districts in which the development and adjacent properties are located, whether any modification will provide for a better arrangement of buildings and open space and will permit better site planning, and whether the proposed development is in context with and compatible with adjacent properties and uses and does not deprive such properties or uses of adequate light and air, and whether the proposed location and development is in harmony with the plan of conservation and development.

(g) Any person aggrieved by the action of the commission concerning a site plan review, order, requirement or decision may take an appeal in accordance with the general statutes.

(h) Site plan review shall be required in the RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, and R-8 districts if one (1) or more of the following conditions are created:

(1) The footprint of an existing structure is expanded by more than twenty percent (20%) or a new footprint is created.

(2) The number of dwellings on the lot is increased by one (1) or more dwelling units.

(3) A parking facility for five (5) or more vehicles is created.

(i) This section shall not apply to any project subject to a special permit for a planned area development, planned residential development or a special development project in accordance with sections 1036 (relating to planned area development), 1037 (relating to planned residential development) and 1038 (relating to special development districts) of these regulations.

(j) Before site plan approval is granted, the commission may require the applicant 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 site plan approval. If the applicant fails to comply with any requirements of the site plan approval, the commission may declare the approval to be null and void and may declare the project to be in default and call the bond. The commission may take whatever steps are needed to bring the site into compliance with the site plan approval, and may pay for such work from the bond proceeds. The bond will be released by the commission upon certification by the applicant's engineer, through submission of detailed "as built" plans, that all work is in accordance with the site plan approval. "As built" plans shall include grading plans, as well as erosion and sedimentation control details. Notwithstanding any other provision of this paragraph, the bond terms may provide for partial release of the bond as work is completed

Secs. 164 -- 180. Reserved.

ARTICLE III. DISTRICTS

DIVISION 1. GENERALLY

Sec. 181. City divided into districts; number; map adopted; exceptions.

a) For the purposes of promoting the health, safety, morals and general welfare of the community; lessening congestion in the streets; securing safety from fire, panic and other dangers; providing adequate light and air; preventing the overcrowding of land and avoiding undue concentration of population; facilitating adequate provision for transportation, water, sewerage, schools, parks and other public requirements; conserving the value of buildings and encouraging the most appropriate use of land throughout the city; providing for the public health, comfort and general welfare in living and working conditions; regulating and restricting the location of trades and industries and the location of buildings designed for specified uses; regulating and limiting the height and bulk of buildings erected; and regulating and determining the area of yards, courts and other open spaces for buildings erected, the city is divided into twenty-two (22) classes of districts as follows:

I-1	Industrial district
I-2	Industrial district
C-1	Commercial district
B-1	Downtown development district
B-2	Downtown development perimeter district
B-3	Business district (general-linear business)
B-4	Business district (neighborhood business)
RO-1	Residence-office district
RO-2	Residence-office district
RO-3	Residence-office district
R-1	Residence district (high density)
R-2	Residence district (medium density)
R-3	Residence district (medium density)
R-4	Residence district (three-family)
R-5	Residence district (one- and two-family)
R-6	Residence district (one-family)
R-7	Residence district (one-family)
R-8	Residence district (one-family)
P	Public property and cemetery district
FP	Floodplain district

HOD	Housing overlay district
IROD	Industrial re-use overlay district

(b) The boundaries of such districts shall be as shown on the set of zoning district maps, as amended from time to time, which are filed in the office of the city clerk. Such maps are hereby declared to be a part of these regulations as fully as if set out in this section. 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.

(c) 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 the regulations]. The provisions of these regulations shall not apply to any application for a building permit or certificate of occupancy, which application has been filed pursuant to applicable provisions of the Code [insert date].

(d) The provisions of these regulations shall not apply to any application for a building permit or certificate of occupancy for city public school facilities filed by the city or the board of education.

HARTFORD PLANNING & ZONING COMMISSION
LAND USE REGULATIONS
PART I. ZONING REGULATIONS

Sec. 182. Summary Schedule of District Requirements

(a) The summary schedule is as follows:
Summary schedule. In all instances reference shall be made to the specific provisions of these regulations.

Zoning District	Maximum Permitted Residential Density	Maximum Permitted Floor Area Ratio	Minimum Required Lot Area (square feet)	Maximum Permitted Lot Coverage (percent)	Minimum Required Lot Width (feet)	Minimum Required Setback Principal Building (feet) Front	Side	Rear	Maximum Permitted Height	Minimum Required Usable Open Space (sq. ft./ person)
I-1	N.A.	N.A.	6,000	40(80) [1]	60	B.L.	N.R. [2]	N.R. [2]	N.R.	N.A.
I-2	N.A.	N.A.	15,000	50(70) [1]	100	B.L.	N.R. [2]	N.R. [2]	N.R.	N.A.
C-1	N.A.	N.A.	10,000	60	60	B.L.	N.R. [2]	N.R. [2]	N.R.	N.A.
B-1 Non-Res. 2	N.A.		N.R.	N.R.	N.R.	B.L.	N.R.	N.R.	N.R.	N.A.
Res. 3		N.A. [14]	N.R.	N.R.	N.R.	B.L.	N.R.		N.R.	
B-2 Non-Res. 3	N.A.	7 15	N.R.	N.R.	N.R.	B.L.	N.R.	N.R.	N.R.	N.A.
Res. 3	N.R.		N.R.	N.R.	N.R.	B.L.	(30)4NR	N.R.	N.R.	40 6
B-3 Non-Res. 3	N.A.	2 5	6,000 18	50	50	B.L.	N.R. 10	20	4 stories 18	N.A.
Res. 3	180 PPA 4		6,000 18	30(50) 4	50	B.L.	20 & 8 or 1/4 9+11	30 4	4 stories 18	50 6
B-4 Non-Res. 3	N.A.	2 5	6,000 18	50	50	B.L.	N.R. 10	20	4 stories 18	N.A.
Res. 3	180 PPA 4		6,000 18	30(50) 4	50	B.L.	20 & 8 or 1/4 9+11	30 4	4 stories 18	50 6
RO-1 Office 3	N.A.	3 5	7,500	30(50) 3	60	B.L.	1/4 9	30	N.R.	N.A.
Res. 3	300 PPA 4		7,500	30(50) 3	60	B.L.	25 & 10 or 1/4 9+11	30	N.R.	40 6
RO-2 Office 3	N.A.	2 5	7,500	30(50) 3	50	B.L.	8 or 1/4 10	30	N.R.	N.A.
Res. 3	225 PPA 4		7,500	30(50) 3	50	B.L.	20 & 8 or 1/4 9+11	30	N.R.	50 6

HARTFORD PLANNING & ZONING COMMISSION
LAND USE REGULATIONS
PART I. ZONING REGULATIONS

Zoning District	Maximum Permitted Residential Density	Maximum Permitted Floor Area Ratio	Minimum Required Lot Area (square feet)	Maximum Permitted Lot Coverage (percent)	Minimum Required Lot Width (feet)	Minimum Required Setback Principal Building (feet) Front	Side	Rear	Maximum Permitted Height	Minimum Required Usable Open Space (sq. ft./ person)
RO-3 Office	N.A.	0.5	6,000	30(50) 3	50	B.L.	15 & 5 or 1/4 9+11	30	3 1/2 stories	N.A.
Res.	75 PPA4		6,000	30(50) 3	50	B.L.	15 & 5 or 1/4 9+11	30	3 1/2 stories	150
R-1	150 PPA	N.A.	6,000 19	30(45) 3	50	B.L.	15 & 5 or 1/4 9+11	30	4 stories 19	50
R-2	100 PPA	N.A.	6,000 19	25(40) 3	50	B.L.	15 & 5 or 1/4 9+11	30	4 stories 19	90
R-3	75 PPA	N.A.	6,000	25(40) 3	50	B.L.	15 & 5 or 1/4 9+11	30	3 1/2 stories	150
R-4	18.9 FPA	N.A.	7,000 20	25(40) 3	50	B.L.	15 & 5 or 1/4 9+11	30	3 1/2 stories	800/ family
R-5	11.6 FPA	N.A.	7,000	25 3	50	B.L.	30 & 6 12	30	3 1/2 stories	N.A. 13
R-6	7.3 FPA	N.A.	6,000	25 3	50	B.L.	30 & 6 12	30	3 1/2 stories	N.A. 13
R-7	5.8 FPA	N.A.	7,500	25 3	60	B.L.	30 & 6 12	30	3 1/2 stories	N.A. 13
R-8	3.6 FPA	N.A.	12,000	25 3	0	B.L.	15	30	3 1/2 stories	N.A. 13

P - See specific development provisions
HOD - See specific development provisions
PPA - Persons Per Acre
B.L. - Building Line (existing)
N.R. - No Requirement
FP - See specific development provisions
IROD - See specific development provisions
N.A. - Not Applicable
FPA - Families Per Acre

NOTES: Correspond with the paragraph numbers in subsection (b).

(b) Notes regarding subsection (a) are as follows:

(1) The first number indicates the maximum permitted lot coverage of all structures. The number in parentheses indicates the maximum permitted lot coverage of all structures together with open storage of materials;

(2) No requirement, except a minimum of thirty (30) feet when property abuts an RO, R or P district;

(3) For combination residential-commercial or residential-office structures, see specific development provision of particular district;

(4) Requirement for residential structures or residential portion of a structure. The number in parentheses, if any, indicates the maximum permitted lot coverage if covered parking is provided as set forth in divisions 2 through 22, in this article;

(5) The maximum floor area ratio (FAR) for all structures on any one (1) lot;

(6) Requirement for any lot occupied by a structure used in whole or in part for residential purposes;

(7) No requirement, except where one (1) is provided, it shall be a minimum of twenty (20) feet;

(8) The first number indicates the maximum permitted lot coverage of all principal structures. The number in parentheses, if any, indicates the maximum permitted lot coverage of all structures and the maximum permitted lot coverage of a principal structure if covered parking is provided as set forth in divisions 2 through 22, in this article;

(9) Fraction refers to that portion (residential, commercial or office) of the height of the adjacent wall of the structure; setback shall be whichever is greater;

(10) No requirement, except when provided for or where property abuts a residential property, shall be a minimum of eight (8) feet;

(11) The first number indicates the minimum total side setback requirement; the second number indicates the minimum requirement of either side setback; the fraction, if any, refers to the individual setback and is as explained in paragraph (9);

(12) The first number indicates the minimum total percent of lot frontage which shall be in side setback, the second number indicates the minimum requirement for each side setback;

(13) Not applicable, except in certain instances as set forth in article IV, division 2 (relating to required conditions for certain uses) of these regulations;

(14) The minimum floor area ratio (FAR) for all structures shall be two (2) for any lot or zoning lot. The commission may grant permission to develop a structure with a floor area ratio (FAR) of less than two (2) if a lower floor area ratio (FAR) conforms to the downtown development plan. The maximum floor area ratio (FAR) permitted for non-bonus projects shall be ten (10) for any lot or zoning lot. For bonus projects there shall be no maximum floor area ratio (FAR);

(15) The minimum floor area ratio (FAR) for all structures shall be two (2) for any lot or zoning lot. The commission may grant permission to develop a structure with a floor area ratio (FAR) of less than two (2) if a lower floor area ratio (FAR) conforms to the provisions of section 322 (relating to purposes of the B-2 district) and the plan of conservation and development. The maximum floor area ratio permitted shall be seven (7) for any lot or zoning lot except that space provided within the building for residential use, in accordance with the mandate of section 817 (relating to HOD district permitted uses) shall be exempt and not counted in the calculation of the floor area ratio (FAR).

(16) No requirement, except a maximum permitted height of ten (10) stories or one hundred twenty (120) feet, whichever is less, for lots containing fifty thousand (50,000) square feet or less of lot area.

(17) No requirements, except a maximum permitted height of seven (7) stories or eighty-four (84) feet, whichever is less, for lots containing thirty-five thousand (35,000) square feet or less of lot area.

(18) Maximum permitted height shall be four (4) stories or forty-eight (48) feet, whichever is less, except in the case of a special permit application filed and acted on in accordance with section 68 (relating to applications for zoning permits). The commission may modify the maximum permitted height requirement after receiving a report of its recommendations from the design review board. The minimum required lot area for a building or structure which exceeds four (4) stories or forty-eight (48) feet in height shall be eight thousand five hundred (8,500) square feet.

(19) Maximum permitted height shall be four (4) stories or forty (40) feet, whichever is less, except in the case of a special permit application filed and acted on in accordance with section 68 (relating to applications for zoning permits). The commission may modify the maximum permitted height requirement. The minimum required lot area for a building or structure which exceeds four (4) stories or forty (40) feet in height shall be ten thousand (10,000) square feet.

Secs. 183— 200. Reserved.

DIVISION 2. I-1 INDUSTRIAL DISTRICT

Sec. 201. Purpose.

The purpose of the I-1 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 the city incinerator, automobile wrecking yards and similar uses.

Sec. 202. Uses permitted.

Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the I-1 column of the table of permitted uses subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

Sec. 203. Permitted accessory uses.

In addition to customary accessory uses the following uses shall be permitted in the I-1 district where accessory to a permitted principal use: Guardhouses, cafeterias, dining rooms, recreational facilities, clinics, and the sleeping quarters of a caretaker or watchman.

Sec. 204. Required parking and loading areas.

Off-street parking and off-street loading in the I-1 district shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading provisions) of these regulations.

Sec. 205. Required lot area.

Every parcel of property to be utilized for an I-1 use shall have a minimum lot area of six thousand (6,000) square feet.

Sec. 206. Permitted lot coverage.

All principal structures, with their accessory structures, shall occupy not more than forty (40) percent of the area of the lot. The total lot coverage of all structures together with the accessory open storage of materials shall exceed not more than eighty (80) percent of the area of the lot.

Sec. 207. Lot width.

Every I-1 lot shall have a minimum width at the street line of sixty (60) feet.

Sec. 208. Front setback.

There shall be a front setback for every I-1 principal structure in conformance with the existing building line and veranda line.

Sec. 209. Side setback.

No side setback in I-1 use shall be required except where such property abuts upon an RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, or P district, in which case every use of property, except automobile parking, shall be set back from the side property line a minimum distance of thirty (30) feet.

Sec. 210. Rear setback.

No I-1 rear setback shall be required except where such property abuts upon an RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, or P district, in which case every use of property, except automobile parking, shall be set back from the rear property line a minimum distance of thirty (30) feet.

Sec. 211. Maximum height limit.

There shall be no I-1 maximum height requirement.

Sec. 212. Lots abutting upon a residential district.

Where an I-1 lot abuts upon a district listed in sections 209 (relating to side setbacks) and 210 (relating to rear setbacks) and where a side setback or rear setback is required, such industrial property shall be screened on the abutting sides by a solid fence not less than eight (8) feet in height or, in the alternative, by a continuous screen of plants adjacent to the property line, which screen shall be adequately maintained at all times and shall provide year-round screening.

Sec. 213. Administrative Review Plan.

In addition to any other required application materials, the applicant for a zoning permit for an I-1 use shall submit an administrative review plan to the zoning administrator.

Secs. 214 — 230. Reserved.

DIVISION 3. I-2 INDUSTRIAL DISTRICT

Sec. 231. Purpose.

The purpose of the I-2 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.

Sec. 232. Uses permitted.

I-2 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the I-2 column of the table of permitted uses subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses) of these regulations.

Sec. 233. Permitted accessory uses.

In addition to customary accessory uses the following I-2 uses shall be permitted where accessory to a permitted principal use: Guardhouses, cafeterias, dining rooms, recreational facilities, clinics, and the sleeping quarters of a caretaker or watchman.

Sec. 234. Required parking and loading areas.

Off-street parking and off-street loading in I-2 use shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 235. Required lot area.

Every parcel of property to be utilized for an I-2 use shall have a minimum lot area of fifteen thousand (15,000) square feet.

Sec. 236. Permitted lot coverage.

All I-2 principal structures, with their accessory structures, shall occupy not more than fifty (50) percent of the area of the lot. The total lot coverage of all structures together with the accessory open storage of materials shall exceed not more than seventy (70) percent of the area of the lot.

Sec. 237. Lot width.

Every I-2 lot shall have a minimum width at the street line of one hundred (100) feet.

Sec. 238. Front setback.

There shall be a front setback for every I-2 principal structure in conformance with the existing building line and veranda line.

Sec. 239. Side setback.

No I-2 side setback shall be required except where such property abuts upon an RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, or P district, in which case every use of property, except automobile parking, shall be set back from the side property line a minimum distance of thirty (30) feet.

Sec. 240. Rear setback.

No I-2 rear setback shall be required except where such property abuts upon an RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, or P district, in which case every use of property, except automobile parking, shall be set back from the rear property line a minimum distance of thirty (30) feet.

Sec. 241. Maximum height limit.

There shall be no I-2 maximum height requirement.

Sec. 242. Lots abutting upon a residential district.

Where an I-2 lot abuts upon a district listed in sections 239 (relating to side setbacks) and 240 (relating to rear setbacks), and where a side setback or rear setback is required, such industrial property shall be screened on the abutting sides by a solid fence not less than eight (8) feet in height or, in the alternative, by a continuous screen of plants adjacent to the property line, which screen shall be adequately maintained at all times and shall provide year-round screening.

Sec. 243. Administrative Review Plan.

In addition to any other required application materials, the applicant for a zoning permit for an I-2 use shall submit an administrative review plan to the zoning administrator.

Secs. 244— 260. Reserved.

DIVISION 4. C-1 COMMERCIAL DISTRICT

Sec. 261. Purpose.

The purpose of the C-1 district in the city is to provide locations for uses such as storage warehouses, wholesalers, laboratories, computer centers and display rooms and offices of equipment manufacturers where the equipment is medium or large in size.

Sec. 262. Uses permitted.

C-1 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the C-1 column of the table of permitted uses subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses), of these regulations.

Sec. 263. Permitted accessory uses.

Customary C-1 accessory uses are permitted.

Sec. 264. Required parking and loading areas.

C-1 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading provisions) of these regulations.

Sec. 265. Required lot area.

Every parcel of property to be utilized for a C-1 use shall have a minimum lot area of ten thousand (10,000) square feet.

Sec. 266. Permitted lot coverage.

Not more than sixty (60) percent of the area of a C-1 lot may be used for building or the storage of equipment other than required off-street parking.

Sec. 267. Lot width.

Every C-1 lot shall have a minimum width at the street line of sixty (60) feet.

Sec. 268. Front setback.

There shall be a front setback for every C-1 principal structure in conformance with the existing building line and veranda line.

Sec. 269. Side setbacks.

No C-1 side setback shall be required except where such property abuts upon an RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, or P district, in which case every use of property, except automobile parking, shall be set back from the side property line a minimum distance of thirty (30) feet.

Sec. 270. Rear setback.

No C-1 rear setback shall be required except where such property abuts upon an RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, or P district, in which case every use of property, except automobile parking, shall be set back from the rear property line a minimum distance of thirty (30) feet.

Sec. 271. Maximum height limit.

There shall be no C-1 maximum height requirement.

Sec. 272. Lots abutting upon a residential district.

Where a C-1 lot abuts upon a district described in sections 269 (relating to side setbacks) and 270 (relating to rear setbacks), and where a side setback or rear setback is required, such commercial property shall be screened on the abutting sides by a solid fence not less than eight (8) feet in height or, in the alternative, by a continuous screen of plants adjacent to the property line, which screen shall be adequately maintained at all times and shall provide year-round screening.

Sec. 273. Administrative Review Plan.

In addition to any other required application materials, the applicant for a zoning permit for a C-1 use shall submit an administrative review plan to the zoning administrator.

Secs. 274-- 290. Reserved.

DIVISION 5. B-1 DOWNTOWN DEVELOPMENT DISTRICT

Sec. 291. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means the owner of a legal or an equitable interest in property located in the B-1 downtown development district or an agency of the city.

Bonus means the construction of floor area in excess of that permitted as of right in the B-1 downtown development district.

Bonus project means a project for which the applicant is seeking any one (1) or more of the bonuses provided in section 295 (relating to bonus eligibility).

Complex project means the erection, facade alteration or enlargement of a building on a lot or zoning lot where the floor area of such complex project exceeds one hundred fifty thousand (150,000) square feet, or which building height exceeds seventy five (75) feet, or which zoning lot exceeds twenty thousand (20,000) square feet. All bonus projects shall be considered complex projects. A complex project shall not include the alteration or enlargement of an existing project by less than ten (10) percent, nor a facade alteration which affects less than ten (10) percent of the facade of an existing building or structure. Signage shall be regulated under sections 1006 through 1014 (relating to signs and outdoor advertising) of these regulations.

Conforms to the downtown development plan means an application which furthers and enhances the goals and policies of the downtown development plan and does not obstruct their attainment.

Downtown development plan means the sections entitled "Downtown Development Plan" of the city's plan of conservation and development, as defined in general statutes section 8-23 (relating to preparation, amendment or adoption of plan of conservation and development) and Chapter VII, section 2(d) (relating to planning and zoning commission) of the Charter.

Facade alteration means a change on any exterior wall facing a street or visible from a street upon which a major architectural feature is added, altered, or removed. Such features may include but are not limited to cornices, window frames, entryways, columns and decorative wall treatments. Changes to the opacity of window glass shall be considered a facade alteration. Changes to signage shall not be considered a facade alteration.

Standard project means the erection, facade alteration or enlargement of a building on a lot or zoning lot where the floor area of such standard project does not exceed one hundred fifty thousand (150,000) square feet, or which building height does not exceed seventy five (75) feet, or which zoning lot does not exceed twenty thousand (20,000) square feet. A standard project shall not include the alteration or the enlargement of an existing structure by less than ten (10) percent, nor a facade alteration which affects less than ten (10) percent of the facade of an existing building or structure. Signage shall be regulated under sections 1006 through 1014 (relating to signs and outdoor advertising) of these regulations.

Sec. 292. Purpose.

The purpose of the B-1 downtown development district is to promote the health, safety, social and economic welfare of the residents of the city by increasing the city's tax base and promoting the long-term economic growth of the downtown area. By implementing an expeditious administrative process the city desires to encourage development that will be compatible with the character of the downtown area and conform to the downtown development plan. These regulations further the additional goals to:

(1) Foster and promote the orderly expansion of commercial office development so that the city will enhance its position as a center for economic and business affairs;

(2) Provide for an expanding source of employment opportunities for the city's inhabitants and encourage the development of a desirable working environment;

(3) Implement a plan for improved pedestrian and vehicular circulation and parking management;

(4) Retain and promote the establishment of a variety of retail consumer and service businesses so that the needs of the area's residential and working population will be satisfied;

(5) Encourage excellence in urban design;

(6) Preserve the unique character and historic fabric of the downtown;

(7) Reinforce the role of the downtown as a community center and a meeting place for people from all walks of life and all economic groups;

(8) Provide an incentive for development in a manner consistent with the objectives of the section; and

(9) Provide for an increased presence and integration of the arts and related cultural activities in the downtown development district.

Sec. 293. Uses permitted.

B-1 land and water areas shall be used and buildings shall be erected, altered, enlarged or used only for one (1) or more of the uses permitted in the B-1 downtown development district by the table of permitted uses, article IV, division 1 (relating to permitted uses generally), of these regulations, subject to those standards and special requirements listed in the table of permitted uses and by article IV, division 2 (relating to required conditions for certain uses) of these regulations.

Sec. 294. Basic requirements.

All B-1 district projects shall comply with the following requirements:

(1) *Uses mandated.* For all buildings, at least fifteen (15) percent of the floor area of those floors which front on or connect to the pedestrian circulation system as shown in the downtown development plan shall be used for uses that are designated as retail trade under the table of permitted uses and permitted in the B-1 downtown development district. The retail trade use shall front on the pedestrian circulation system as shown in the downtown development district plan. The commission may waive this requirement, or reduce the required percentage of retail trade uses, if it specifically finds that no requirement or a lesser percentage is in accordance with the purposes set forth in section 292 (relating to purposes of B-1 district). The applicant shall covenant to ensure the continued use of such retail trade use for at least twenty (20) years, unless the commission specifically finds that a lesser period of time would be in accordance with the purposes set forth in section 292 (relating to purposes of B-1 district). Such covenant shall be recorded on the land records and run with the land.

(2) *Permitted accessory uses.* Customary accessory uses are permitted.

(3) *Required parking and loading areas.* Off-street parking shall be provided for nonresidential and residential uses in accordance with the provisions of article V (relating to off-street parking and off-street loading provisions) of these regulations.

(4) *Floor area ratio (FAR).* In the B-1 downtown development district the floor area ratio shall be the floor area of the building on any lot or zoning lot divided by the area of such lot or zoning lot. Where off-street parking is provided, the space provided within the building or accessory building for parking shall be counted in determining the floor area of that building, with the exception of required parking for household units, transient parking provided in accordance with an approved transportation management plan, as defined in article V (relating to off-street parking and off-street loading provisions), or transportation analysis as described in section 297(2) (relating to application procedure for standard projects) and parking provided in a structure which has less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground. The minimum total FAR for all buildings shall be two (2) for any lot or zoning lot. An applicant may request, and the commission may grant, permission to develop a project with an FAR of less than two (2) if a lower minimum FAR conforms to the downtown development plan and the purposes set forth in section 292 (relating to purposes of B-1 district). The maximum FAR permitted for non-bonus projects shall be ten (10) for any lot or zoning lot. For bonus projects there shall be no maximum FAR.

(5) *Limitations on persons per acre.* There shall be no per acre requirement.

(6) *Permitted lot coverage.* There shall be no lot coverage requirement.

(7) *Requirements of floor space per dwelling unit.* Every dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area).

(8) *Required lot area.* There shall be no lot area requirement.

(9) *Lot width.* There shall be no lot width requirement.

(10) *Front setback.* There shall be a front setback for all principal buildings in conformance with the existing building and veranda lines.

(11) *Side setback.* There shall be no side setback requirement.

(12) *Rear setback.* There shall be no rear setback requirement.

(13) *Maximum height limit.* There shall be no maximum height requirement.

(14) *Required usable open space.* There shall be no usable open space requirement.

(15) *Transportation report.* A transportation management plan as described in section 960 (relating to transportation management plans) shall be submitted for complex projects. A transportation analysis as described in section 297(2) (relating to application procedures for standard projects) shall be submitted for standard projects.

Sec. 295. Bonus eligibility.

Except as provided in subsection (11) for the location of neighborhood investment projects, a project shall be eligible for a bonus if space is provided within the project for the uses, improvements, or facilities set forth in this section according to the schedule in section 296 (relating to schedule of bonuses).

(1) *Residential uses* refers to all uses classified as household units under the table of permitted uses, article IV, division 1 (relating to permitted uses generally), of these regulations, and permitted as-of-right in the B-1 downtown development district.

(2) *Pedestrian-oriented retail uses* refers to uses that are designated as retail trade under the table of permitted uses and permitted in the B-1 downtown development district. Such uses shall be located in accordance with the recommendations of the pedestrian circulation element of the downtown development plan and be visible from and have their major entrance on the pedestrian circulation system.

(3) *Transient parking* refers to parking spaces provided for short-term parking in a parking garage. The applicant shall submit to the commission a plan for ensuring that such spaces shall be used for transient parking. The commission shall not grant a bonus for transient parking unless it has specifically found that the plan is satisfactory and conforms to the downtown development plan.

(4) *Cultural/entertainment facilities* shall be open to the public on a regular basis. Such improvements shall include and be limited to visual arts space, performing arts space and motion picture theaters.

a. *Visual arts space* means facilities that provide space for the visual arts, including but not limited to exhibition halls and galleries, which are visible from and directly accessible to the pedestrian circulation system as shown on the pedestrian circulation element of the downtown development plan.

b. *Performing arts space* means facilities that provide spaces for the performing arts, including but not limited to concert halls and legitimate theaters, which are visible from (or have signage on) and are accessible to the pedestrian circulation system as shown on the pedestrian circulation element of the downtown development plan.

c. *Motion picture theaters* means facilities that provide indoor space for the showing of motion pictures, which are visible from (or have signage on) and are accessible to the pedestrian circulation system as shown on the pedestrian circulation element of the downtown development plan.

(5) *Visitor and convention-related housing* refers to hotels furnishing lodging and food to travelers and other guests on a regular basis and providing exhibition space, assembly rooms and meeting rooms.

(6) *Pedestrian circulation improvements* refers to improvements to which the public is assured access on a regular basis, or an area that is dedicated to and accepted by the city for public access purposes. Such improvements shall be directly accessible to the pedestrian circulation system, which system is shown on the pedestrian circulation element of the downtown development plan. Such improvements shall include and be limited to sidewalk widening, arcades, through-block arcades, plazas and urban parks.

a. *Sidewalk widening* means the widening of a paved walk at the side of a street. The widened area shall extend along the entire length of the lot or zoning lot and shall be open to the public at all times.

b. *Arcade* means a continuous covered but not necessarily enclosed space which extends along the facade of a building and has at least two (2) entrances opening directly to a street, open space area, or sidewalk.

c. *Through-block arcade* means a continuous covered space which runs through a building and connects a street, open space area or sidewalk to a street, open space area or sidewalk.

d. *Plaza* means a continuous area which is open from the ground level to the sky for its entire width and length, which fronts on a street, sidewalk, or sidewalk widening, and which is directly accessible to the

public at all times for use by the public for passive recreational purposes. The ground level of the plaza shall be constructed principally of hard-surfaced materials. An existing space between or next to a building or buildings shall not qualify.

e. *Urban park* means a continuous area of land which is open from the ground level to the sky for its entire width and length, with the exception of recreational equipment or pedestrian amenities such as benches or lighting, which fronts on a street, sidewalk or sidewalk widening and which is directly accessible to the public during daylight hours for scenic or leisure purposes. The ground level of this area shall be covered principally with plantings.

(7) *Day care centers/nurseries* refers to private and public establishments enrolling young children for care, instruction or recreation during or after school hours.

(8) *Preservation of historic buildings* refers to a building listed in the National Register or located in a registered historic district and certified by the secretary of the interior as being in compliance with the standards for rehabilitation and guidelines for rehabilitating old buildings, for which the applicant donates a preservation restriction whose purpose is the preservation of the external nature of the building as of the date of the conveyance of such restriction to a governmental body or a charitable organization or trust whose purposes include preservation of buildings of historical significance.

(9) *Employment and job training* refers to provision of employment or job training programs for city residents, either as part of the construction phase or upon completion of a project, which shall be in accordance with a hiring and employment agreement between the city and the applicant. In determining the FAR bonus for each permanent job pursuant to this paragraph, twenty-five (25) percent of the total employment in the occupancy phase of a project reserved for city residents shall be equal to six hundred twenty-five (625) square feet of bonus floor area. Failure to meet the employment reserved for city residents shall subject the applicant to a payment as provided in section 296 (relating to bonuses) for applicants who choose to make a payment to the linkage trust fund in lieu of providing residential uses or employment and job training.

(10) *Streetscape improvements* refers to those physical improvements within the public right-of-way that lies between building frontages and which is part of, adjoins or is adjacent to the lot or zoning lot. Such improvements shall include, but not be limited to the use of unit pavers; street lighting which achieves a one-foot candle minimum at a maximum-to-minimum ratio of ten (10) to one (1) and which also achieves cut off at a maximum of seventy (70) degrees above nadir; street trees, which shall be a minimum of six (6) inches in caliper with an average of seven (7) inches in caliper, shall be of a species approved by the city forester, shall be placed with a flush grating such that one (1) tree is provided for every thirty (30) lineal feet of frontage and shall be installed in accordance with accepted city standards; curbing and catchbasins which shall be granite; benches, bollards, kiosks, moveable or fixed planters, drinking fountains, litter receptacles, walls and ledges, signage, etc., which shall be considered on a case-by-case basis. Depending on the physical constraints of the development area, the requirements of this paragraph may be modified upon recommendation of the board.

(11) *Neighborhood investment project* refers to a project located outside the B-1 downtown development district or a residential project within the B-1 downtown development district designated by the commission as having strategic priority in achieving the objective of a neighborhood plan or the downtown development plan, and may but need not be a private development project or a project for which the city or the redevelopment agency has previously designated a developer.

Sec. 296. Schedule of bonuses.

(a) *Eligibility.* If a proposed use, improvement, or facility complies with the standards set forth in section 295 (relating to bonus eligibility) and this section, it shall be eligible for bonus floor space. The bonus ratio is the ratio of the area in square feet of the bonus use, improvement, or facility to the floor area permitted for bonus projects in excess of an FAR of ten (10). A bonus ratio of one (1) to three (3) means that for each square foot of the improvement, use, or facility the project shall be eligible for three (3) additional square feet of floor area for permitted uses. The FAR cap shall be the maximum increase in the FAR that shall be permitted for each category or subcategory of bonus, with the exception of pedestrian circulation improvements and cultural/entertainment facilities, where the FAR cap applies to the entire category. In a project as a park, a plaza, an arcade and a through block arcade, the combined maximum FAR cap for these improvements shall be one (1).

Use, improvement or facility	Bonus ratio	FAR cap
Residential uses	1:8	4
Pedestrian-oriented retail uses	1:3	2
Transient parking	1:4	2
Cultural/entertainment facilities:		
Visual arts space	1:4	1
Performing arts space	1:4	1
Motion picture theaters	1:4	1
Visitor and convention-related housing	1:1	1
Pedestrian circulation improvements:		
Sidewalk widening	1:4	1
Arcades	1:4	1
Through-block arcade	1:4	1
Plazas	1:4	1
Urban parks	1:4	1
Day care centers/nurseries	1:6	1
Preservation of historic buildings	1:3	2.5
Employment	1:625	6
Streetscape improvements		
Street	1:2	1
Sidewalk	1:1.5	1

Neighborhood improvement project	1:8	4

(b) *Payment in lieu of providing residential uses or employment and job training.* Applicants for residential and/or employment bonuses may choose to receive additional floor area in lieu of residential construction and/or the provision of employment by contribution to the linkage trust fund an amount equal to fifteen dollars ($15.00) per square foot for each foot of bonus floor area. In determining the amount of additional FAR that can be permitted under these categories, the FAR cap for residential uses and/or employment shall apply.

(c) *Neighborhood improvement project bonus.* Applicants for a neighborhood investment project bonus may include an offer of an equity investment in a neighborhood investment project which shall include a specified amount of floor area in a project in addition to that otherwise authorized under these regulations. Should the commission authorize additional floor area on such a basis, it shall specify in its resolution approving the special permit no fewer than three (3) eligible neighborhood investment projects. Applicants shall make investment in a neighborhood investment project so specified at such time determined by commission, but in no event later than the fifth anniversary of issuance of the zoning permit for the bonus special permit project. Applicants shall provide and maintain with the city treasurer a cash deposit, letter of credit or surety bond from the date of issuance of the zoning permit for the bonus special permit project until substantial completion of the neighborhood investment project or until such fifth anniversary, on which date the cash deposit, letter of credit or surety bond shall be forfeited to the neighborhood investment fund. The eligible bonus floor area for investment in a neighborhood investment project shall be eight (8) square feet of gross floor area for each one (1) square foot of gross floor area of residential use based on the applicant's fractional equity interest in the entity owning the neighborhood investment project or one (1) square foot of gross floor area for each ten dollars ($10.00) of equity investment in developing nonresidential uses up to the FAR cap.

(d) *Combined FAR cap for specified uses.* Applicants shall not be eligible to receive bonus floor area for residential uses, employment and job training or through investment in a neighborhood investment project, or any combination of the foregoing, in an amount greater than an FAR cap of ten (10).

Sec. 297. Procedures for standard projects.

Applicants for standard B-1 projects shall apply for a special permit. Such projects shall be reviewed by the commission and the board.

(1) *Informal review.* Potential applicants at the beginning of the conceptual phase of a project are encouraged to seek preliminary informal review of the proposed project with the city staff, before an application for a special permit is submitted. Potential applicants should be prepared to discuss the proposed site plan, basic massing, location of proposed uses, pedestrians and vehicular circulation, parking and access.

(2) *Application procedure* Applicants shall submit to the commission an application for special permit approval. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). The fee for such application shall be as set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary). The commission shall, upon receipt of a complete application, refer it to the board. A complete application shall include all items listed below:

a. An application shall include four (4) copies of the following:

1. A location map at a scale of one (1) inch to two hundred (200) feet showing the location of the proposed buildings and all property within three (3) city blocks of the lot and/or zoning lot on which the proposed project is to be located,
2. A location map at a scale not to exceed one (1) inch to fifty (50) feet showing the applicant's property and all property within one (1) city block of the lot and/or zoning lot on which the proposed project is to be located, along with the following information:
   i. All lots, lot lines, their dimensions and lot area
   ii. Location and use of all buildings
   iii. Existing zoning classifications of the area
   iv. All streets, alleys, and rights-of-way and their dimensions
   v. Elevations of all buildings on the block on which the project fronts and
   vi. All parking areas and the relationship of the existing and proposed buildings to the vehicular and pedestrian circulation systems;
3. Perspective sketches at pedestrian eye level of proposed buildings from at least four (4) locations from which such buildings would be most visible;
4. A site development plan of the applicant's property at a scale not to exceed one (1) inch to twenty (20) feet prepared by a registered engineer, architect or land surveyor illustrating the proposed project development and including:
   i. Property boundaries (existing and proposed) certified to the standards of a class A-2 survey as defined in the Code of Practices for Standards of Accuracy of Surveys and Maps, adopted December 10, 1975, and as amended to date by the Connecticut Association of Land Surveyors, Inc., and their dimensions;
   ii. Location of all buildings (existing and proposed) and the existing and proposed uses for each building;
   iii. Height of all buildings (existing and proposed);

iv. Location and dimension of all yards and setbacks;

v. Location and dimensions of all existing and proposed off-street parking areas and parking spaces, designating those spaces which are for handicapped persons or for compact cars (each space to be numbered sequentially);

vi. Location and dimensions of all driveways, delivery areas, and entrances/exits to such areas;

vii. Location and dimensions of all off-street loading areas (present and proposed);

viii. Location, dimensions, and description of all outside solid waste storage areas, facilities and equipment (existing and proposed);

ix. Location and amount of all usable open space (existing and proposed);

x. Location, size and type of all plantings, trees, landscaping and ground cover (existing and proposed);

xi. Location and size of all existing and proposed walls and fences (materials specified);

xii. Location, size and type of all existing and proposed lighting;

xiii .Location and size of all existing and proposed sidewalks and walkways (materials specified);

xiv. Location and description of all existing and proposed recreational facilities and equipment;

xv. Existing and proposed topography of the property with contours at intervals of not more than two (2) feet;

xvi. Location and size of all existing and proposed utilities;

xvii. Location and size (capacity) of all drainage facilities;

xviii. Existing and proposed vehicular and pedestrian circulation patterns;

xix. Location, size and type of existing and proposed public amenities;

xx. All existing and proposed easements, rights-of-way, and conduits;

xxi. Location and size of all dwelling units accessible to the handicapped or units adaptable for access by the handicapped; and

xxii. Location, size and elevation of all designated inland wetlands and watercourses, and proposed wetlands and watercourses, if any.

5. Preliminary building plans at a scale not to exceed one (1) inch to eight (8) feet, illustrating:

   i. Typical floor plans indicating use and size of all spaces;

   ii. Typical elevations including all signs, showing their shape, size, materials, and approximate design;

   iii. Typical section;

   iv. Exterior elevation and outline;

   v. Total floor area of each floor and entire building;

   vi. Elevation of roof of building at its lowest and highest points;

   vii. Proposed lot coverage; and

   viii. Exterior building materials, their colors, and the texture palette.

6. An architect's statement regarding the shadows to be cast by all buildings, and of wind, sun and noise impacts.

7. A transportation analysis which shall include the following information:

i. The number of on-site parking spaces required by the provisions of section 954 (relating to application of off-street parking standards);

ii. The number and types of parking spaces to be provided on-site such as: employee parking, transient parking for on-site uses, transient parking for off-site uses, parking for high occupancy vehicles, parking for compact cars 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, vanpools available and to be provided;

v. Expected usage of the alternative modes of transportation;

vi. Location of all vehicular and pedestrian entrances and exits;

vii. A trip generation study which shall estimate the number and type of trips generated by the project, the time of day of such trips and the expected modes of transportation used;

viii. Construction details of all proposed signs, street furniture, plantings, exterior lighting, special paying treatments, walls, fences, and other features which affect the pedestrian environment;

ix. Any other information which the commission or board, may reasonably require or which the applicant may wish to submit.

b. Applications for special permit approval shall be referred, at least thirty-five (35) days prior to the date assigned for public hearing by the commission, to the board for a report on its recommendations. The failure of the board to report to the commission at least five (5) days before the public hearing shall be considered as a favorable recommendation on the application by the board. A statement of the vote of the board approving, approving with modifications, or disapproving a proposal shall be publicly read at the public hearing. The report of the board regarding such application shall include the reasons for the recommendation thereon, and shall be incorporated into the record of the public hearing. The board, in making its recommendation, shall consider whether the application complies with the standards set forth in code section 2-299 (relating to project review).

c. The commission may grant a special permit if the applicant conforms to the downtown development plan; complies with the purposes set forth in section 292 (relating to purposes of B-1 district) complies with the basic requirements in sections 293 (relating to B-1 district permitted uses) and 294 (relating to B-1 district basic requirements); provides pedestrian amenities in conformance with the downtown development plan; will not be detrimental to existing development in the B-1 downtown development district because of its location, bulk, scale or design; and the proposed vehicular and pedestrian circulation pattern does not create safety hazards.

Sec. 298. Reserved.

Sec. 299. Procedures for complex and bonus projects.

Applicants for B-1 complex and bonus projects shall apply for a special permit.

(1) *Informal review.* A potential applicant is encouraged to follow the procedures outlined in section 297(1) (relating to informal review for B-1 district standard projects). The potential applicant also should be prepared to discuss proposed bonus uses, facilities and improvements.

(2) *Preapplication review.*

a. Applicants for a special permit for a complex or bonus project shall request a preapplication review by the commission and board. Such request shall include two (2) copies of the following:

1. A location map at a scale of one (1) inch to two hundred (200) feet showing the location of the proposed buildings and all property within three (3) city blocks of the lot and/or zoning lot on which the proposed project is to be located.

2. A location map at a scale not to exceed one (1) inch to fifty (50) feet showing the applicant's property and all property within one (1) city block of the lot and/or zoning lot on which the proposed project is to be located, along with the following information:

i. All lots, lot lines, their dimensions and lot area;

ii. Location and use of all buildings;

iii. Existing zoning classifications of the area;

iv. All streets, alleys, and rights-of-way and their dimensions;

v. Elevations of all buildings on the block on which the project fronts; and

vi. All parking areas and the relationship of the existing and proposed buildings to the vehicular and pedestrian circulation systems.

3. Perspective sketches at pedestrian eye level of proposed buildings from at least four (4) locations from which such buildings would be most visible.

4. A site development plan of the applicant's property at a scale not to exceed one (1) inch to twenty (20) feet prepared by a registered engineer, architect or land surveyor illustrating the proposed project development and including:

i. Property boundaries (existing and proposed) certified to the standards of a class A-2 survey as defined in the Code of Practices for Standards of Accuracy of Surveys and Maps, adopted December 10, 1975, and as amended to date by the Connecticut Association of Land Surveyors, Inc., and their dimensions;

ii. Location of all buildings (existing and proposed) and the existing and proposed uses for each building;

iii. Height of all buildings (existing and proposed);

iv. Location and dimension of all yards and setbacks;

v. Location and dimensions of all existing and proposed off-street parking areas and parking spaces, designating those spaces which are for handicapped persons or for compact cars (each space to be numbered sequentially);

vi. Location and dimensions of all driveways, delivery areas, and entrances/exits to such areas;

vii. Location and dimensions of all off-street loading areas (present and proposed);

viii. Location, dimensions, and description of all outside solid waste storage areas, facilities and equipment (existing and proposed);

ix. Location and amount of all usable open space (existing and proposed);

x. Location, size and type of all plantings, trees, landscaping and ground cover (existing and proposed);

xi. Location and size of all existing and proposed walls and fences (materials specified);

xii. Location, size and type of all existing and proposed lighting;

xiii. Location and size of all existing and proposed sidewalks and walkways (materials specified);

xiv. Location and description of all existing and proposed recreational facilities and equipment;

xv. Existing and proposed topography of the property with contours at intervals of not more than two (2) feet;

xvi. Location and size of all existing and proposed utilities;

xvii. Location and size (capacity) of all drainage facilities;

xviii. Existing and proposed vehicular and pedestrian circulation patterns;

xix. Location, size and type of existing and proposed public amenities;

xx. All existing and proposed easements, rights-of-way, and conduits;

xxi. Location and size of all dwelling units accessible to the handicapped or units adaptable for access by the handicapped; and

xxii. Location, size and elevation of all designated inland wetlands and watercourses, and proposed wetlands and watercourses, if any.

5. Preliminary building plans at a scale not to exceed one (1) inch to eight (8) feet, illustrating:

   i. Typical floor plans indicating use and size of all spaces;

   ii. Typical elevations including all signs, showing their shape, size, materials, and approximate design;

   iii. Typical section;

   iv. Exterior elevation and outline;

   v. Total floor area of each floor and entire building;

   vi. Elevation of roof of building at its lowest and highest points;

   vii. Proposed lot coverage; and

   viii. Exterior building materials, their colors, and the texture palette.

6. An analysis of the shadows to be cast by all buildings, and of wind, sun and noise impacts.

7. A transportation management plan as defined in section 960 (relating to transportation management plans).

8. Construction details of all proposed signs, street furniture, plantings, exterior lighting, special paving treatments, walls, fences, and other features which affect the pedestrian environment.

9. Any other information which the commission or board, may reasonably require or which the applicant may wish to submit.

b. The commission and the board shall make a report of their recommendations to the applicant no less than thirty five (35) days after the receipt of the applicant's request. This period may be extended by an additional thirty-five (35) days at the request of the applicant. The failure of the commission or the board to report within the established time period, shall be considered as a favorable recommendation on the application, by the no reporting agency.

(3) *Application procedure*

a. Applicants shall submit to the commission an application for a special permit. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). The fee for such application shall be as set by the commission, and adopted by council (as shown on the fee schedule on file with the commission secretary). The commission shall, upon receipt of a complete application, refer it to the board. A complete application shall include the following:

1. Four (4) copies of all items listed in subparagraph (2) a. of this section.
2. The reports of the recommendations of the board under subparagraph (2) b. of this section.
3. A report describing how the project addresses each of the recommendations of the board under subparagraph (2) b. of this section.

b. The commission may grant a special permit if the applicant conforms to the downtown development plan; complies with the purposes set forth in section 292 (relating to purposes of B-1 district); complies with the basic requirements in sections 293 (relating to B-1 district permitted uses) and 294 (relating to B-1 district basic requirements); provides pedestrian amenities in conformance with the downtown development plan; will not be detrimental to existing development in the B-1 downtown development district because of its location, bulk, scale or design; and the proposed vehicular and pedestrian circulation pattern does not create safety hazards.

c. The commission shall grant bonuses in accordance with sections 295 (relating to B-1 district bonus eligibility) and 296 (relating to bonuses) if the use, improvement, or facility is located in areas delineated for the particular use, improvement or facility in the downtown development plan and conforms to the downtown development plan and the application complies with the special permit standards set forth in subparagraph (3)b. of this section.

d. Applications for a special permit shall be referred, at least thirty-five (35) days prior to the date assigned for public hearing by the commission, to the board for a report on its recommendations. The failure of the board to report to the commission at least five (5) days before the public hearing shall be considered as a favorable recommendation on the application by the board. A statement of the vote of the board approving, approving with modifications, or disapproving a proposal shall be publicly read at the public hearing. The report of the board regarding such application shall include the reasons for the recommendation thereon, and shall be incorporated into the record of the public hearing. The board, in making its recommendation, shall consider whether the application complies with the standards set forth in code section 2-299 (relating to project review).

e. The commission may approve an application for a special permit if it complies with the standards set forth in subparagraph (3)b of this section. The commission shall grant bonuses if the use, improvement, or facility complies with the standards set forth in subparagraph (3)c, of this section.

Sec. 300. Bonuses, continuing character of obligation.

(a) Where a bonus is granted pursuant to this division, the applicant shall covenant to ensure the continued use of the use, facility or improvement for the purpose for which the bonus was granted. The covenant shall be for a term of twenty (20) years, unless the commission specifically finds that another period of time would be in accordance with the purposes set forth in section 292 (relating to purposes of B-1 district). Such covenant shall be recorded on the land records and shall run with the land.

(b) An applicant who constructs a pedestrian circulation improvement shall be responsible for the maintenance, upkeep and provision of insurance for the improvement, unless it has been dedicated to and accepted by the city. If the improvement is not maintained, the city may, at its sole option, place a lien on the property, maintain the improvement, and seek reimbursement from the owner.

Sec. 301. Amendments.

A major amendment to a special permit approved under this division shall be processed and considered as a new application. Minor amendments may be approved by the zoning administrator.

Sec. 302. Enforcement.

(a) The applicant shall, before commencing any substantial work on the B-1 site in accordance with an approved special permit or site plan, meet with the director of licenses and inspections, or the director's designee, and establish construction and inspection schedules.

(b) To ensure strict adherence to the approved B-1 plans, all construction shall be inspected by the zoning enforcement officer according to the schedule established pursuant to subsection (a) of this section. Any deviation from the approved site plan or special permit shall be sufficient cause for the zoning enforcement officer to issue a cease and desist order and for revocation by the commission of the approved site plan or special permit.

(c) A certificate of occupancy shall not be granted until the zoning enforcement officer finds that the construction, erection, rehabilitation, use or alteration complies with the approved special permit or site plan.

(d) A certificate of occupancy shall not be issued for bonus floor area, until the use, facility or improvement for which the bonus was granted has been completed in accordance with the approved special permit.

(e) If the use, improvement or facility for which the commission granted the bonus is not suitably maintained, the city may, at its sole option, place a lien on the property, do the maintenance or repair work, and seek reimbursement from the owner.

Secs. 303-- 320. Reserved.

DIVISION 6. B-2 DOWNTOWN DEVELOPMENT PERIMETER DISTRICT

Sec. 321. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means the owner of a legal or an equitable interest in property located in the B-2 downtown development perimeter district, or an agency of the city.

Project means the erection, alteration or enlargement of a building on a lot or zoning lot. The provisions of sections 333(2) (relating to application procedure for B-2 district projects) shall not apply when alteration does not increase the gross square footage of the structure by greater than ten (10) percent. However, any change which affects more than ten (10) percent of the facade of an existing building or structure in the B-2 downtown development perimeter district shall require review and approval by the board.

Sec. 322. Purpose.

The purpose of the B-2 district in the city is to provide for a high quality, stimulating, mixed use urban environment defined by a strong residential, office, cultural and commercial presence which enhances the visual character and provides a vibrant pedestrian ambiance. The city desires to encourage development that will provide sensitive transitions in the scale, use and intensity of the B-1 downtown development district relative to surrounding residential areas. These regulations further the following goals:

(1) Provide an incentive for residential development in close proximity to the city's central business core; and

(2) Encourage excellence in urban design by:

a. Reinforcing active streets with retail and commercial uses and pedestrian amenities,

b. Encouraging development which avoids large gaps or open spaces in block frontages,

c. Improving the physical and psychological transition between the B-1 downtown development district and nearby residential neighborhoods,

d. Encouraging garage structures which are not visible from the pedestrian active streets, except for their entrances and exits, and

e. Preserving views to important landmarks such as Bushnell Park, the state capitol, the downtown skyline.

Sec. 323. Uses permitted.

B-2 land and water areas shall be used and buildings shall be erected, altered, enlarged or used only for one (1) or more of the uses permitted in the B-2 district by the table of permitted uses in article IV, division 1 (relating to permitted uses generally), of these regulations, subject to those standards and special requirements listed in the table of permitted uses and by article IV, division 2 (relating to required conditions for certain uses). Residential uses shall be mandated within the B-2 district in accordance with the provisions of sections 181 (relating to districts) and 816 (relating to purposes of HOD district).

Sec. 324. Permitted accessory uses.

Customary B-2 accessory uses are permitted.

Sec. 325. Required parking and loading areas.

B-2 off-street parking shall be provided for nonresidential and residential uses in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 326. Floor area ratio (FAR).

(a) In the B-2 district the floor area ratio shall be the floor area of the building on any lot or zoning lot divided by the area of such lot or zoning lot or, in the case of planned developments, by the net site area. Where off-street parking is provided, the space provided within the building or accessory building for parking shall be counted in determining the floor area of that building, with the exception of required parking for household units, and parking provided in a structure which has less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground. Space provided within the building for residential use, in accordance with the mandate of section 816 (relating to purposes of HOD district), shall be exempt and not counted in the calculation of the floor area ratio (FAR).

(b) The minimum total FAR for all buildings shall be two (2) for any lot or zoning lot. An applicant may request, and the commission may grant, permission to develop a project with an FAR of less than two (2) if a lower minimum FAR conforms to the city plan of conservation and development and the purposes set forth in section 322 (relating to purposes of B-2 district).

(c) The maximum FAR permitted shall be seven (7) for any lot or zoning lot.

Sec. 327. Areas with no requirements.

There shall be no requirements in the following B-2 areas:

(1) Limitations on persons per acre;
(2) Permitted lot coverage;
(3) Required lot area;
(4) Lot width;
(5) Side setback;
(6) Rear setback.

Sec. 328. Requirements of floor space per dwelling unit.

Every B-2 dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area).

Sec. 329. Front setback.

There shall be a front setback for all B-2 principal buildings in conformance with the existing building and veranda lines.

Sec. 330. Maximum height limit.

No portion of a B-2 structure which is located on land which fronts on a street bounded by a public park containing in excess of one (1) acre shall exceed a height of ninety (90) feet for a depth of sixty (60) feet from the front street line, except that certain architectural features such as church spires, roof structures for the housing of elevators, stairways, fans or similar equipment required to operate or maintain the building and fire or parapet walls, skylights, steeples, flagpoles and chimneys or similar structures are permitted beyond the ninety-foot height limit. Residential portions of a building or structure may be increased beyond ninety (90) feet if a setback from the building line at a ratio of one (1) foot for each two (2) feet of increased building height is provided.

Sec. 331. Required usable open space.

There shall be provided, in B-2 uses, a minimum of forty (40) square feet of usable open space per person in accordance with the table of densities set forth in the definition of "density" in section 2 (relating to definitions) and in accordance with the provisions under the definition of "open space, usable landscaped" in section 2 (relating to definitions) and section 9 (relating to usable open space), except that there shall be no requirement for usable open space for transient lodgings.

Sec. 332. Reserved.

Sec. 333. Procedures for projects.

Applicants for projects in the B-2 district shall apply to the commission for a special permit. Such projects shall be reviewed by the commission and the board.

(1) *Informal review.* Potential applicants at the beginning of the conceptual phase of a project are encouraged to seek preliminary informal review of the proposed project with the city staff, before an application for preliminary special permit approval is submitted. Potential applicants should be prepared to discuss the proposed site organization, basic massing, location of proposed uses, pedestrian and vehicular circulation, parking and access and egress. At this time, use of schematic drawings is recommended.

(2) *Application procedure.* Applicants shall submit to the commission an application for special permit approval. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). The fee for such application shall be as set by the commission and adopted by council (as shown on the fee schedule on file with the commission secretary). The commission shall, upon

receipt of a complete application, refer it to the board. A complete application shall include one (1) original and four (4) copies of the following:

(a) A location map at a scale of one (1) inch to two hundred (200) feet showing the location of the proposed buildings and all property within three (3) city blocks of the lot and/or zoning lot on which the proposed project is to be located;

(b) A location map at a scale not to exceed one (1) inch to fifty (50) feet showing the applicant's property and all property within one (1) city block of the lot and/or zoning lot on which the proposed project is to be located, along with the following information:

1. All lots, lot lines, their dimensions and lot area;
2. Location and use of all buildings;
3. Existing zoning classifications of the area;
4. All streets, alleys, and rights-of-way and their dimensions;
5. Elevations of all buildings on the block on which the project fronts; and
6. All parking areas and the relationship of the existing and proposed buildings to the vehicular and pedestrian circulation systems;

(c) Perspective sketches of the proposed development taken at eye level. Sketches shall be from those vantage points at which the development would be most visible. Sketches shall also demonstrate the urban design intent of the submission with adjacent structures shown and delineated in the same style as the principal building;

(d) A site development plan of the applicant's property at a scale not to exceed one (1) inch to twenty (20) feet prepared by a registered engineer, architect or land surveyor illustrating the proposed project development and including:

1. Property boundaries (existing and proposed) certified to the standards of a class A-2 survey as defined in the Code of Practices for Standards of Accuracy of Surveys and Maps, adopted December 10, 1975, and as amended to date by the Connecticut Association of Land Surveyors, Inc., and their dimensions;
2. Location of all buildings (existing and proposed) and the existing and proposed uses for each building;
3. Height of all buildings (existing and proposed);
4. Location and dimension of all yards and setbacks;
5. Location and dimensions of all existing and proposed off-street parking areas and parking spaces, designating those spaces which are for handicapped persons or for compact cars, each space to be numbered sequentially;
6. Location and dimensions of all driveways, delivery areas, and entrances/exits to such areas;
7. Location and dimensions of all off-street loading areas (present and proposed);
8. Location, dimensions and description of all outside solid waste storage areas, facilities and equipment (existing and proposed);
9. Location and amount of all usable open space (existing and proposed);
10. Location, size and type of all plantings, trees, landscaping and ground cover (existing and proposed);
11. Location and size of all existing and proposed walls and fences (materials specified);

12. Location, size and type of all existing and proposed lighting;
13. Location and size of all existing and proposed sidewalks and walkways (materials specified);
14. Location and description of all existing and proposed recreational facilities and equipment;
15. Existing and proposed topography of the property with contours at intervals of not more than two (2) feet;
16. Location and size of all existing and proposed utilities;
17. Location and size (capacity) of all drainage facilities;
18. Existing and proposed vehicular and pedestrian circulation patterns;
19. Location, size and type of existing and proposed public amenities;
20. All existing and proposed easements, rights-of-way and conduits;
21. Location and size of all dwelling units accessible to the handicapped or units adaptable for access by the handicapped; and
22. Location, size and elevation of all designated inland wetlands and watercourses, and proposed wetlands and watercourses, if any.

(e) Preliminary building plans at a scale not to exceed one (1) inch to eight (8) feet, illustrating:

1. Typical floor plans indicating use and size of all spaces;
2. Typical elevations including all signs, showing their shape, size, materials, and approximate design;
3. Typical section;
4. Exterior elevation and outline;
5. Total floor area of each floor and entire building;
6. Elevation of roof of building at its lowest and highest points;
7. Proposed lot coverage; and
8. Exterior building materials, their colors and the texture palette;

(f) An architect's statement regarding wind, sun, and noise impacts;

(g) An architect's statement regarding an analysis of the shadows to be cast by all existing and proposed buildings; and

(h) A transportation analysis which shall include the following information:

1. The number of on-site parking spaces required by the provisions of section 954 (relating to application of off-street parking standards);
2. The number and types of parking spaces to be provided on-site such as: employee parking, transient parking for on-site uses, transient parking for off-site uses, parking for high occupancy vehicles, parking for compact cars and handicapped parking;
3. 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;
4. Alternative modes of transportation such as mass transit, carpools, and vanpools, available and to be provided;
5. Expected usage of the alternative modes of transportation;
6. Location of all vehicular and pedestrian entrances and exits;

7. A trip generation study which shall estimate the number and type of trips generated by the project, the time of day of such trips and the expected modes of transportation used;

(i) Any other information which the commission or board may reasonably require or which the applicant may wish to submit.

(3) *Referral for recommendations.* Applications for special permit approval shall be referred, at least thirty-five (35) days prior to the date assigned for public hearing by the commission, to the board for a report on its recommendations. The failure of the board to report to the commission at least five (5) days before the public hearing shall be considered as a favorable recommendation on the application by the board. A statement of the vote of the board approving, approving with modifications, or disapproving, a proposal shall be publicly read at the public hearing. The report of the board regarding such application shall include the reasons for the recommendation thereon, and shall be incorporated into the record of the public hearing.

The board, in making its recommendation, shall consider whether the application complies with the standards set forth in code section 2-299 (relating to project review);

(4) *Decision.* The commission shall approve a special permit if the application complies with sections 323 through 331 (relating to B-2 district uses and requirements).

Sec. 334. Residential development; continuing character of obligation.

Where B-2 residential units are provided the applicant shall covenant to ensure the continued use of the use, facility or improvement. The covenant shall be for a term of twenty (20) years, unless the commission specifically finds that another period of time would be in accordance with the purposes set forth in section 322 (relating to purposes of B-2 district). Such covenant shall be recorded on the land records and shall run with the land.

Sec. 335. Amendments.

A major amendment to a special permit approved under this division shall be processed and considered as a new application. Minor amendments may be approved by the zoning administrator.

Sec. 336. Enforcement.

(a) All covenants required under the provisions of section 334 (relating to residential development; continuing character of obligation) shall be in place prior to issuance of the B-2 building permit.

(b) The applicant shall, before commencing any substantial work on the site in accordance with an approved special permit, meet with the director of licenses and inspections, or the director's designee and establish construction and inspection schedules.

(c) To ensure strict adherence to the approved plans, all construction shall be inspected by the zoning enforcement officer according to the schedule established pursuant to subsection (b) of this section. Any deviation from the approved special permit shall be sufficient cause for the zoning enforcement officer to issue a cease and desist order and for revocation by the commission of the approved special permit.

(d) A certificate of occupancy shall not be granted until the zoning enforcement officer finds that the construction, erection, rehabilitation, use, or alteration complies with the approved special permit.

(e) A certificate of occupancy shall not be issued for residential units, until the use, facility or improvement has been completed in accordance with the approved special permit.

(f) If the residential use, improvement or facility is not suitably maintained, the city may, at its sole option, place a lien on the property, do the maintenance or repair work, and seek reimbursement from the owner.

Secs. 337-- 355. Reserved.

DIVISION 7. B-3 LINEAR BUSINESS DISTRICT

Sec. 356. Purpose.

The purpose of the B-3 district in the city is to improve the serviceability of linear, "strip" or "shoestring" commercial streets by:

(1) The concentration of shopping areas;

(2) Provision of convenient and adequate parking;

(3) Development of greenways, landscaped areas, attractive building groups and small play lots;

(4) Encouragement of uses compatible with the adjacent residential areas; and

(5) Improvement of traffic patterns.

Sec. 357. Uses permitted.

(a) B-3 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the B-3 column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses), of these regulations.

(b) In the case of an individual lot associated with an individual attached or semidetached dwelling, the provisions set forth in this division for permitted lot coverage, required lot area, lot width, front setback, side setback, rear setback, required usable open space and parking shall apply to the zoning lot of which such individual lot forms a part, rather than to such individual lot.

(c) Single-family (one-unit) and two-family (two-unit) structures are permitted in this district. Three-family (three-unit) structures may be erected or established upon approval of an application for a special permit (Section 937).

Sec. 358. Permitted accessory uses.

(a) Customary B-3 accessory uses are permitted.

(b) Accessory structures exceeding a height of fifteen (15) feet shall conform to the setback provisions set forth in this division for principal nonresidential structures, provided that in no instance shall the accessory structure exceed the ground floor area of the principal structure.

Sec. 359. Required parking and loading areas.

B-3 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 360. Floor area ratio.

The maximum total B-3 floor area ratio for all structures shall be two (2) for any lot.

Sec. 361. Limitation of persons per acre.

The maximum number of persons per acre for B-3 residential structures, or residential portions of structures, shall not exceed one hundred eighty (180).

Sec. 362. Permitted lot coverage.

(a) All B-3 principal nonresidential structures, with their accessory structures, shall occupy not more than a total of fifty (50) percent of the area of the lot.

(b) All principal residential structures, with their accessory structures, shall occupy not more than a total of thirty (30) percent of the area of the lot.

(c) Combined residential and nonresidential structures are permitted, provided the requirements for maximum floor area ratio and maximum persons per acre are satisfied for the structure as a whole. Such structures shall occupy not more than a total of fifty (50) percent of the area of the lot.

(d) The nonresidential portions of such structures shall occupy not more than a total of fifty (50) percent of the area of the lot and the residential portions of such structures shall occupy not more than a total of thirty (30) percent of the area of the lot, and shall meet all other residential requirements set forth in these regulations for the B-3 district. The nonresidential portions of such structures shall be located below the second story of the structure, except that a restaurant or dining room shall be permitted on the top story or on the roof of such structures.

(e) The lot coverage of principal residential structures or the residential portions of combined residential/nonresidential structures may be increased beyond the permitted lot coverage of thirty (30) percent of the area of the lot up to a maximum of fifty (50) percent of the area of the lot at the rate of three hundred (300) square feet of additional lot coverage beyond the permitted thirty (30) percent of the area of the lot for each covered parking space provided the principal residential structure or the residential portions of combined residential/nonresidential structures on site.

(f) In no instance shall the total lot coverage of all structures, with their accessory structures, exceed more than fifty (50) percent of the area of the lot.

Sec. 363. Requirements of floor space per dwelling unit.

Every B-3 dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area).

Sec. 364. Required lot area.

Every parcel of property to be utilized in the B-3 district shall have a minimum lot area of six thousand (6,000) square feet, except as provided in section 369 (relating to maximum height limits).

Sec. 365. Lot width.

Every B-3 lot shall have a minimum width at the street line of not less than fifty (50) feet.

Sec. 366. Front setback.

There shall be a front setback for every B-3 principal structure in conformance with the existing building line and veranda line.

Sec. 367. Side setback.

(a) There shall be no requirement for B-3 principal nonresidential structures, except if any side setback is provided, whether required or not, it shall have a minimum width of eight (8) feet, or where a principal nonresidential structure, or nonresidential portion of the structure abuts a residential property, in which case such structure or portion of the structure shall be set back from the side property line a minimum distance of eight (8) feet.

(b) There shall be a minimum total width for side setback for every principal residential structure, or residential portion of the structure, of twenty (20) feet, with a minimum side setback requirement of eight (8) feet, or one-fourth the height of the adjacent wall of the principal residential structure or residential portion of the structure, whichever is greater.

Sec. 368. Rear setback.

(a) There shall be a minimum rear setback of twenty (20) feet for every principal nonresidential structure, or nonresidential portion of the structure.

(b) There shall be a minimum rear setback of thirty (30) feet for every principal residential structure or residential portion of the structure.

Sec. 369. Maximum height limit.

No building or structure in the B-3 district shall exceed a height of four (4) stories or forty-eight (48) feet, whichever is less. Application may be made to commission for a special permit to exceed this height limit for parcels containing in excess of eight thousand five hundred (8,500) square feet. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). The commission may modify the height requirement if it finds that such an adjustment will provide a better arrangement of buildings and open space or in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of adjacent properties, with due regard to the protection of such properties and their access to light and air, the zoning districts in which such properties are located, and the public interest.

Sec. 370. Required usable open space.

There shall be provided a minimum of fifty (50) square feet of usable open space per person in accordance with the table of densities set forth in the definition of "density" in section 2 (relating to definitions), and in accordance with the provisions under the definition of "open space, usable landscaped" in section 2 and section 9 (relating to usable open space) of these regulations.

Sec. 371. Approval process.

(a) In the B-3 zoning district, the zoning administrator shall refer all applications for zoning permits that meet one or more of the following criteria to the commission for site plan review in accordance with section 163 (relating to commission site plan review) and to the design review board for its recommendations in accordance with section 68 (relating to applications for zoning permits): (1) a footprint or a lot area expansion of greater than twenty percent (20%), (2) alterations to more than fifty percent (50%) of a façade, (3) a change to a more intensive use, (4) an increase of five (5) or more parking spaces, or (5) new construction of a principal structure.

(b) In no instance shall any building, structure, sign or parking lot be constructed, erected, altered, extended, enlarged or rehabilitated unless the zoning administrator certifies that the proposed activity is in conformity with the zoning regulations.

(c) Every application meeting the criteria set forth in subsection (a) above for site plan and board review in the B-3 zoning district shall include the following information and exhibits:

(1) A plan and other materials meeting the criteria set forth in section 163 (relating to commission site plan review);

(2) Color photographs of the existing structure and of adjoining property; and

(3) Architectural drawings in a scale of at least one-eighth inch equals one (1) foot, which show floor plans, elevations and proposed signs, and which are developed in sufficient detail to clearly show proposed materials and design intent.

Rendered elevations and eye level perspectives may be required.

Secs. 372-- 390. Reserved.

DIVISION 8. B-4 NEIGHBORHOOD SHOPPING DISTRICT

Sec. 391. Purpose.

The purpose of the B-4 district in the city is to provide for retail centers in which will be found the convenience shopping goods required by the average household. These neighborhood shopping centers will be limited in area and in the number of permitted uses.

Sec. 392. Uses permitted.

(a) B-4 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the B-4 column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

(b) In the case of an individual lot associated with an individual attached or semidetached dwelling, the provisions set forth in this division for permitted lot coverage, required lot area, lot width, front setback, side setback, rear setback, required usable open space and parking shall apply to the zoning lot of which such individual lot forms a part, rather than to such individual lot.

(c) Single-family (one-unit) and two-family (two-unit) structures are permitted in this district. Three-family (three-unit) structures may be erected or established upon approval of an application for a special permit (Section 937).

Sec. 393. Permitted accessory uses.

(a) Customary B-4 accessory uses are permitted.

(b) Accessory structures exceeding a height of fifteen (15) feet shall conform to the setback provisions set forth in this division for principal nonresidential structures, provided that in no instance shall the accessory structure exceed the ground floor area of the principal structure.

Sec. 394. Required parking and loading areas.

B-4 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 395. Floor area ratio.

The maximum total floor area ratio for all B-4 structures shall be two (2) for any lot.

Sec. 396. Limitation of persons per acre.

The maximum number of persons per acre for B-4 residential structures, or residential portions of structures, shall not exceed one hundred eighty (180).

Sec. 397. Permitted lot coverage.

(a) All B-4 principal nonresidential structures, with their accessory structures, shall occupy not more than a total of fifty (50) percent of the area of the lot.

(b) All principal residential structures, with their accessory structures, shall occupy not more than a total of thirty (30) percent of the area of the lot.

(c) Combined residential and nonresidential structures are permitted, provided the requirements for maximum floor area ratio and maximum persons per acre are satisfied for the structure as a whole. Such structures shall occupy not more than a total of fifty (50) percent of the area of the lot.

(d) The nonresidential portions of such structures shall occupy not more than a total of fifty (50) percent of the area of the lot and the residential portions of such structures shall occupy not more than a total of thirty (30) percent of the area of the lot, and shall meet all other residential requirements set forth in these regulations for the B-4 district. The nonresidential portions of such structures shall be located below the second story of the structure, except that a restaurant or dining room shall be permitted on the top story or on the roof of such structures.

(e) The lot coverage of principal residential structures or the residential portions of combined residential/nonresidential structures may be increased beyond the permitted lot coverage of thirty (30) percent of the area of the lot up to a maximum of fifty (50) percent of the area of the lot at the rate of three hundred (300) square feet of additional lot coverage beyond the permitted thirty (30) percent of the area of the lot for

each covered parking space provided the principal residential structure or the residential portions of combined residential/nonresidential structures on site.

(f) In no instance shall the total lot coverage of all structures, with their accessory structures, exceed more than fifty (50) percent of the area of the lot.

Sec. 398. Requirements of floor space per dwelling unit.

Every B-4 dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area).

Sec. 399. Required lot area.

Every parcel of property to be utilized in the B-4 district shall have a minimum lot area of six thousand (6,000) square feet, except as provided in section 404 (relating to maximum height limit).

Sec. 400. Lot width.

Every B-4 lot shall have a minimum width at the street line of not less than fifty (50) feet.

Sec. 401. Front setback.

There shall be a front setback for every B-4 principal structure in conformance with the existing building line and veranda line.

Sec. 402. Side setback.

(a) There shall be no requirement for principal nonresidential structures, except if any side setback is provided, whether required or not, it shall have a minimum width of eight (8) feet, or where a principal nonresidential structure or nonresidential portion of the structure abuts a residential property, in which case such structure or portion of the structure shall be set back from the side property line a minimum distance of eight (8) feet.

(b) There shall be a minimum total width for side setback for every principal residential structure, or residential portion of the structure, of twenty (20) feet, with a minimum side setback requirement of eight (8) feet, or one-fourth the height of the adjacent wall of the principal residential structure or residential portion of the structure, whichever is greater.

Sec. 403. Rear setback.

(a) There shall be a minimum rear setback of twenty (20) feet for every principal nonresidential structure, or nonresidential portion of the structure.

(b) There shall be a minimum rear setback of thirty (30) feet for every principal residential structure or residential portion of the structure.

Sec. 404. Maximum height limit.

No building or structure in the B-4 district shall exceed a height of four (4) stories or forty-eight (48) feet, whichever is less. Application may be made to commission for a special permit to exceed this height limit for parcels containing

in excess of eight thousand five hundred (8,500) square feet. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). The commission may modify the height requirement if it finds that such an adjustment will provide a better arrangement of buildings and open space or in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of adjacent properties, with due regard to the protection of such properties and their access to light and air, the zoning districts in which such properties are located, and the public interest.

Sec. 405. Required usable open space.

There shall be provided, in B-4 use, a minimum of fifty (50) square feet of usable open space per person in accordance with the table of densities set forth in the definition of "density" in section 2 (relating to definitions) and in accordance with the provisions under the definition of "open space, usable landscaped" in sections 2 and 9 (relating to usable open space).

Sec. 406. Approval process.

(a) In the B-4 zoning district, the zoning administrator shall refer all applications for zoning permits that meet one or more of the following criteria to the commission for site plan review in accordance with section 163 (relating to commission site plan review) and to the design review board for its recommendations in accordance with section 68 (relating to applications for zoning permits): (1) a footprint or a lot area expansion of greater than twenty percent (20%), (2) alterations to more than fifty percent (50%) of a façade, (3) a change to a more intensive use, (4) an increase of five (5) or more parking spaces, or (5) new construction of a principal structure.

(b) In no instance shall any building, structure, sign or parking lot be constructed, erected, altered, extended, enlarged or rehabilitated unless the zoning administrator certifies that the proposed activity is in conformity with the zoning regulations.

(c) Every application meeting the criteria set forth in subsection (a) above for site plan and board review in the B-4 zoning district shall include the following information and exhibits:

(1) A plan and other materials meeting the criteria set forth in section 163 (relating to commission site plan review);

(2) Color photographs of the existing structure and of adjoining property; and

(3) Architectural drawings in a scale of at least one-eighth inch equals one (1) foot, which show floor plans, elevations and proposed signs, and which are developed in sufficient detail to clearly show proposed materials and design intent.

Rendered elevations and eye level perspectives may be required.

Secs. 407-- 425. Reserved.

DIVISION 9. RO-1 RESIDENTIAL--OFFICE DISTRICT

Sec. 426. Purpose.

The purpose of the RO-1 district in the city is to provide for financial, insurance, government, personal services and other similar offices together with multiple residence structures, boardinghouses and rooming houses, provided that in all instances the maximum number of persons per acre for residential structures shall not exceed three hundred (300) persons per acre. Commercial uses which are accessory to such principal uses are permitted as accessory uses within a principal structure. Thus, such uses as drugstores, beauty shops and barbershops, and restaurants required to properly serve offices, and grocery stores, delicatessens, and tailor shops required to serve high-rise multiple residences are permitted within the principal structure.

These regulations also promote excellence in urban design by:

(1) Encouraging development which does not disrupt the existing character of development; and

(2) Improving the physical and psychological transition between large office and institutional complexes and nearby residential neighborhoods.

Sec. 426.1. Definitions.

(a) *Applicant:* The owner of a legal or an equitable interest in property located in the RO-1 district, or an agency of the city.

(b) *Project:* The erection, alteration or enlargement of a building or structure on a lot or a zoning lot, or the use of a lot or a zoning lot for a new use except as otherwise provided in section 6 (relating to permitted uses). Projects containing one hundred fifty thousand (150,000) square feet or more of gross floor area shall require application to the commission for a special permit. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). The provisions of sections 442 through 445 (relating to RO-1 district application procedures) shall not apply when the alteration or enlargement does not increase the gross square footage of the building or structure by greater than ten (10) percent or fifteen thousand (15,000) square feet, whichever is lesser.

Sec. 427. Uses permitted.

(a) Land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the RO-1 column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2.

(b) In the case of an individual lot associated with an individual attached or semidetached dwelling, the provisions set forth herein for permitted lot coverage, required lot area, lot width, front setback, side setback, rear setback, required usable open space and parking shall apply to the zoning lot of which the individual lot forms a part, rather than to the individual lot.

(c) Single-family (one-unit) and two-family (two-unit) structures are permitted in this district. Three-family (three-unit) structures may be erected or established upon approval of an application for a special permit (Section 937).

Sec. 428. Permitted accessory uses.

(a) Customary RO-1 accessory uses are permitted and those permitted in accordance with the provisions of article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI, except that accessory structures exceeding a height of fifteen (15) feet shall, in addition to the provisions of article VI, conform to the setback provisions set forth in this division for principal office structures.

Sec. 429. Required parking and loading areas.

RO-1 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 430. Floor area ratio.

The maximum total floor area ratio for all RO-1 structures shall be three (3) for any lot.

Sec. 431. Limitations on persons per acre.

The maximum number of persons per acre for RO-1 residential structures or residential portions of structures shall not exceed three hundred (300).

Sec. 432. Permitted lot coverage.

(a) All RO-1 principal structures shall occupy not more than a total of thirty (30) percent of the area of the lot.

(b) Combined office and residential structures are permitted, provided the requirements for maximum floor area ratio and maximum persons per acre are satisfied for the structure as a whole. Such structures shall occupy not more than a total of thirty (30) percent of the area of the lot and the residential portions of such structures shall meet all other residential requirements set forth in these regulations for the RO-1 district.

(c) The residential portions of combined office and residential structures shall be located above the office portions of such structures.

(d) The lot coverage of principal residential, office or combined residential/office structures may be increased beyond the permitted lot coverage of thirty (30) percent of the area of the lot up to a maximum of fifty (50) percent of the area of the lot at the rate of three hundred (300) square feet of lot coverage beyond the permitted thirty (30) percent of the area of the lot for each on-site covered parking space provided for the principal residential, office or combined residential/office structure.

(e) In no instances shall the total lot coverage of all structures, with their accessory structures, exceed more than fifty (50) percent of the area of the lot.

Sec. 433. Requirements for floor space per dwelling unit.

Every dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area) of these regulations.

Sec. 434. Required lot area.

(a) Every parcel of property to be utilized for residential purposes in the RO-1 district shall have a minimum lot area of seventy-five hundred (7,500) square feet.

(b) Every parcel of property to be utilized for office or nonresidential purposes in the RO-1 district shall have a minimum lot area of seventy-five hundred (7,500) square feet.

(c) Every parcel of property to be utilized for a combination of office and residential purposes in the RO-1 district shall have a minimum lot area of twenty thousand (20,000) square feet.

Sec. 435. Lot width.

Every RO-1 lot shall have a minimum lot width at the street line of not less than sixty (60) feet.

Sec. 436. Front setback.

There shall be a front [yard] <u>setback</u> for every RO-1 principal structure in conformance with the existing building line and veranda line.

Sec. 437. Side setback.

(a) There shall be a minimum side setback for every RO-1 principal office or nonresidential structure, or office portion of a combined residential/office structure, of one-fourth the height of the adjacent wall of the principal office or nonresidential structure or office portion of a combined residential/office structure.

(b) There shall be a minimum total width for side setback for every principal residential structure, or residential portion of the structure, of twenty-five (25) feet, with a minimum side [yard] <u>setback</u> requirement of ten (10) feet, or one-fourth the height of the adjacent wall of the principal residential structure, or residential portion of the structure, whichever is greater.

(c) Where either side setback of a lot located in an RO-1 district abuts upon property used for residential purposes and located in an R-6, R-7 or R-8 district, such side [yard] <u>setback</u> shall be equal in width to three (3) times the height of the adjacent wall of the principal structure, except that in no instance shall such side [yard] <u>setback</u> be less than one hundred (100) feet, and except that that portion of the principal structure used for parking purposes and not exceeding a height of twenty (20) feet above grade may be located a minimum distance of one hundred (100) feet from the side property line abutting the R-6, R-7 or R-8 district.

Sec. 438. Rear setback.

(a) There shall be a minimum rear setback of thirty (30) feet for every RO-1 principal structure.

(b) Where any rear setback of a lot located in an RO-1 district abuts upon property used for residential purposes and located in an R-6, R-7 or R-8 district, such rear setback shall be equal in width to three (3) times the height

of the adjacent wall of the principal structure, except that in no instance shall such rear setback be less than one hundred (100) feet, and except that that portion of the principal structure used for parking purposes and not exceeding a height of twenty (20) feet above grade may be located a minimum distance of one hundred (100) feet from the rear property line abutting the R-6, R-7 or R-8 district.

Sec. 439. Maximum height limit.

There shall be no RO-1 maximum height requirement.

Sec. 440. Required usable open space.

There shall be provided a minimum of forty (40) square feet of usable open space per person in accordance with the table of densities set forth in the definition of "density" in section 2 (relating to definitions), and in accordance with the provisions under the definition of "open space, usable landscaped" in sections 2 and 9 (relating to usable open space).

Sec. 441. Reserved.

Sec. 442. Procedures for projects containing one hundred fifty thousand (150,000) square feet or more of gross floor area in the RO-1 district.

Applicants for projects in the RO-1 district for a building or structure containing one hundred fifty thousand (150,000) square feet, or more, of gross floor area shall apply to the commission for a special permit. Such projects shall be reviewed by the commission and the board. The applicant is encouraged to follow the procedures set forth below:

(1) *Informal review.* At the beginning of the conceptual phase of a project, potential applicants are encouraged to seek preliminary informal review of the proposed project with the city staff, before an application for formal special permit approval is submitted. Potential applicants should be prepared to discuss the proposed site organization, basic massing, location of proposed uses, pedestrian and vehicular circulation, parking and access/egress. At the time, use of schematic drawings is recommended.

(2) *Formal review.* Applicants shall submit to the commission an application for special permit approval. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). The fee for such application shall be an amount to be set by the commission and adopted by council (as shown on the fee schedule on file with the commission secretary). The commission shall, upon receipt of a complete application, refer it to the director of public works and the board. A complete application shall include all items listed in subsection (a):

(a) An application shall include one (1) original and four (4) copies of the following:

1. A location map at a scale of 1":200' showing the location of the proposed buildings and all property within three (3) city blocks of the lot and/or zoning lot on which the proposed project is to be located.
2. A location map at a scale not to exceed 1":50' showing the applicant's property and all property within one (1) city block of the lot and/or zoning lot on which the proposed project is to be located, along with the following information:
   i. All lots, lot lines, their dimensions and lot area;
   ii. Location and use of all buildings;

iii. Existing zoning classification(s) of the area;

iv. All streets, alleys, and rights-of-way and their dimensions;

v. Elevations of all buildings on the block on which the project fronts; and

vi. All parking areas and the relationship of the existing and proposed buildings to the vehicular and pedestrian circulation systems.

3. Perspective sketches of the proposed development taken at eye level. Sketches shall be from those vantage points at which the development would be most visible. Sketches shall also demonstrate the urban design intent of the submission with adjacent structures shown and delineated in the same style as the principal building.

4. A site development plan of the applicant's property at a scale not to exceed 1":20' prepared by a registered engineer, architect or land surveyor illustrating the proposed project development and including:

i. Property boundaries (existing and proposed) certified to the standards of a class A-2 survey as defined in the Code of Practices for Standards as Accuracy of Surveys and Maps, adopted December 10, 1975, and as amended to date by the Connecticut Association of Land Surveyors, Inc., and their dimensions;

ii. Location of all buildings (existing and proposed and the existing and proposed uses for each building;

iii. Height of all buildings (existing and proposed);

iv. Location and dimension of all yards and setbacks;

v. Location and dimensions of all existing and proposed off-street parking areas and parking spaces, designating those spaces which are for handicapped persons or for compact cars (each space to be numbered sequentially);

vi. Location and dimensions of all driveways, delivery areas, and entrances/exits to such areas;

vii. Location and dimensions of all off-street loading areas (present and proposed);

viii. Location, dimensions and description of all outside solid waste storage areas, facilities and equipment (existing and proposed);

ix. Location and amount of all usable open space (existing and proposed);

x. Location, size and type of all plantings, trees, landscaping and ground cover (existing and proposed);

xi. Location and size of all existing and proposed walls and fences (materials specified);

xii. Location, size and type of all existing and proposed lighting;

xiii. Location and size of all existing and proposed sidewalks and walkways (materials specified);

xiv. Location and description of all existing and proposed recreational facilities and equipment;

xv. Existing and proposed topography of the property with contours at intervals of not more than two (2) feet;

xvi. Location and size of all existing and proposed utilities;

xvii. Location and size (capacity) of all drainage facilities;

xviii. Existing and proposed vehicular and pedestrian circulation patterns;

xix. Location, size and type of existing and proposed public amenities;

xx. All existing and proposed easements, rights-of-way and conduits;

xxi. Location and size of all dwelling units accessible to the handicapped or units adaptable for access by the handicapped; and

xxii. Location, size and elevation of all designated inland wetlands and watercourses, and proposed wetlands and watercourses, if any.

5. Preliminary building plans at a scale not to exceed 1":8', illustrating:
   i. Typical floor plans indicating use and size of spaces;
   ii. Typical elevations, including all signs, showing their shape, size, materials and approximate design;
   iii. Typical section;
   iv. Exterior elevation and outline;
   v. Total floor area of each floor and entire building;
   vi. Elevation of roof of building at its lowest and highest point;
   vii. Proposed lot coverage; and
   viii. Exterior building materials, their colors, and the texture palette.
6. An architect's statement regarding the shadows to be cast by all buildings, and of wind, sun and noise impacts.
7. A transportation analysis which shall include the following information:
   i. The number of on-site parking spaces required by the provisions of section 954 (relating to application of off-street parking standards);
   ii. The number and types of parking spaces to be provided on-site such as: employee parking, transient parking for on-site uses, transient parking for off-site uses, parking for high occupancy vehicles, parking for compact cars 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 available and to be provided;
   v. Expected usage of the alternative modes of transportation;
   vi. Location of all vehicular and pedestrian entrances and exits;
   vii. A trip generation study which shall estimate the number and type of trips generated by the project, the time of day of such trips and the expected modes of transportation used.
8. Construction details of all proposed signs, street furniture, plantings, exterior lighting, special paving treatments, walls, fences and other features which affect the pedestrian environment.
9. Any other information which the commission or board may reasonably require or which the applicant may wish to submit.

(b) Applications for special permit approval shall be referred, at least thirty-five (35) days prior to the date assigned for public hearing by the commission, to the board for a report on its recommendations. A statement of the vote of the board approving, approving with modifications, or disapproving a proposal shall be publicly read at the public hearing. The report of the board regarding such application shall include the reasons for the recommendation thereon, and shall be incorporated into the record of the public hearing. The board, in making its recommendation, shall consider whether the application complies with the standard set forth in code section 2-299 (relating to project review).

(c) The commission may grant a special permit if the application conforms to the plan of conservation and development; complies with sections 427 through 440 (relating to RO-1 district uses and requirements); provides pedestrian amenities; will not be detrimental to existing development in the RO-1 district because of its location, bulk, scale or design; and the proposed vehicular and pedestrian circulation pattern does not create safety hazards, if the application conforms to the purposes set forth in section 426 (relating to purposes of RO-1 district), and after consideration of its impact on the pedestrian and vehicular circulation systems and city services such as police, fire and public works.

Sec. 443. Amendments.

(a) A major amendment to a special permit approved under this division shall be processed and considered as a new application. Minor amendments may be approved by the zoning administrator.

(b) When a change is adopted in the zoning regulations or boundaries of the zoning districts, no improvements or proposed improvements shown on the plans and documents submitted as part of a special permit application in the RO-1 district and approved by commission prior to the effective date of such change shall require conformance to such change unless three (3) years has expired from the date of the special permit approval and all work in connection with the special permit has not been completed.

Sec. 444. Period of completion.

All work in connection with the approved special permit in the RO-1 district shall be completed within three (3) years after the date of approval. The approval of such special permit shall state the date on which the three-year period expires. Failure to complete all work within the three-year period shall result in automatic expiration of the special permit approval. "Work" for purposes for this means all physical improvements required by the approved special permit.

Sec. 445. Enforcement.

(a) The applicant shall, before commencing any substantial work on the site in accordance with an approved special permit, meet with the director of licenses and inspections, or the director's designee, and establish construction and inspection schedules.

(b) To ensure strict adherence to the approved plans, all construction shall be inspected by the zoning enforcement officer according to the schedule established pursuant to subsection (a) of this section. Any deviation from the approved special permit, unless approved as an amended special permit, shall be sufficient cause for the zoning

enforcement officer to issue a cease and desist order and for revocation by the commission of the approval special permit.

(c) A certificate of occupancy shall not be granted until the zoning enforcement officer finds that the construction, erection, rehabilitation, use or alteration complies with the approved special permit.

(d) A certificate of occupancy shall not be issued for residential units, until the use, facility or improvement has been completed in accordance with the approved special permit.

Secs. 446-- 460. Reserved.

DIVISION 10. RO-2 RESIDENTIAL -- OFFICE DISTRICT

Sec. 461. Purpose; Administrative Review Plan.

(a) The purpose of the RO-2 district in the city is to provide for residential-office structures and uses similar to those permitted in the RO-1 district, but at a lower intensity of development than the RO-1 district and with a maximum number of two hundred twenty-five (225) persons per acre.

(b) In addition to any other required application materials, the applicant for a zoning permit for an RO-2 use shall submit an administrative review plan to the zoning administrator.

Sec. 462. Uses permitted.

(a) RO-2 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the RO-2 column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

(b) In the case of an individual lot associated with an individual attached or semidetached dwelling, the provisions set forth in this division for permitted lot coverage, required lot area, lot width, front setback, side setback, rear setback, required usable open space and parking shall apply to the zoning lot of which the individual lot forms a part, rather than to such individual lot.

(c) Single-family (one-unit) and two-family (two-unit) structures are permitted in this district. Three-family (three-unit) structures may be erected or established upon approval of an application for a special permit (Section 937).

Sec. 463. Permitted accessory uses.

(a) Customary RO-2 accessory uses are permitted and those permitted in accordance with the provisions of article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI, except that accessory structures exceeding a height of fifteen (15) feet shall, in addition to the provisions of article VI, conform to the setback provisions set forth in this division for principal office structures.

Sec. 464. Required parking and loading areas.

RO-2 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 465. Floor area ratio.

The maximum total floor area ratio for all RO-2 structures shall be two (2) for any lot.

Sec. 466. Limitation on persons per acre.

The maximum number of persons per acre for RO-2 residential structures or residential portions of structures shall not exceed two hundred twenty-five (225).

Sec. 467. Permitted lot coverage.

(a) All RO-2 principal structures shall occupy not more than a total of thirty (30) percent of the area of the lot.

(b) Combined office and residential structures are permitted, provided the requirements for maximum floor area ratio and maximum persons per acre are satisfied for the structure as a whole. Such structures shall occupy not more than a total of thirty (30) percent of the area of the lot and the residential portions of such structures shall meet all other residential requirements set forth in these regulations for the RO-2 district.

(c) The residential portions of combined office and residential structures shall be located above the office portions of such structures.

(d) Except on a lot adjoining property located in an R-5, R-6, R-7 or R-8 district, the lot coverage of principal residential, office or combined residential/office structures may be increased beyond the permitted lot coverage of thirty (30) percent of the area of the lot up to a maximum of fifty (50) percent of the area of the lot at the rate of three hundred (300) square feet of lot coverage beyond the permitted thirty (30) percent of the area of the lot for each on-site covered parking space provided for the principal residential, office or combined residential/office structure.

(e) On an RO-2 lot adjoining property located in an R-5, R-6, R-7 or R-8 zoning district, all principal structures shall occupy not more than a total of thirty (30) percent of the area of the lot, but plazas and decks may be developed in accordance with the provisions of section 9 (relating to usable open space), provided the total lot coverage of all principal structures, accessory structures, plazas and decks does not exceed fifty (50) percent of the total lot area.

(f) On all RO-2 lots the total lot coverage of all structures, with their accessory structures, shall exceed not more than fifty (50) percent of the area of the lot.

Sec. 468. Requirements for floor space per dwelling unit.

Every RO-2 dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area) of these regulations.

Sec. 469. Required lot area.

(a) Every parcel of property to be utilized for residential purposes in the RO-2 district shall have a minimum lot area of seventy-five hundred (7,500) square feet.

(b) Every parcel of property to be utilized for office or nonresidential purposes in the RO-2 district shall have a minimum lot area of seventy-five hundred (7,500) square feet.

(b) Every parcel of property to be utilized for a combination of office and residential purposes in the RO-2 district shall have a minimum lot area of twenty thousand (20,000) square feet.

Sec. 470. Lot width.

Every RO-2 lot shall have a minimum lot width at the street line of not less than fifty (50) feet.

Sec. 471. Front setback.

There shall be a front setback for every RO-2 principal structure in conformance with the existing building line and veranda line.

Sec. 472. Side setback.

(a) There shall be a minimum side setback for every RO-2 principal office or nonresidential structure, or office portion of a combined residential/office structure of eight (8) feet, or one-fourth the height of the adjacent wall of the principal office or nonresidential structure, or office portion of a combined residential/office structure, whichever is greater, except that where a lot adjoins property located in an R-5, R-6, R-7 or R-8 district, the minimum side setback requirement shall be eight (8) feet or one-half the height of the adjacent wall of the principal office or nonresidential structure, or office portion of a combined residential/office structure, whichever is greater.

(b) There shall be a minimum total width for side setback for every principal residential structure, or residential portion of the structure, of twenty (20) feet, with a minimum side setback requirement of eight (8) feet, or one-fourth the height of the adjacent wall of the principal residential structure or residential portion of the structure, whichever is greater, except that where a lot adjoining the property located in an R-5, R-6, R-7 or R-8 district, the minimum side setback requirement shall be eight (8) feet or one-half the height of the adjacent wall of the principal residential or residential portion of the structure, whichever is greater.

Sec. 473. Rear setback.

(a) There shall be a minimum rear setback of thirty (30) feet for every RO-2 principal structure, and where a lot adjoins property located in an R-5, R-6, R-7 or R-8 residence district, any portion of the principal structure exceeding thirty (30) feet in height shall be set back from the rear property line a minimum distance equal to its height.

(b) Where the required rear [yard] <u>setback</u> abuts property located in an R-5, R-6, R-7 or R-8 residence district, such required rear setback shall not be used for parking notwithstanding the provisions of section 941(8)

(relating to off-street parking), except to the extent it may be occupied by a plaza or deck developed in accordance with the provisions of section 9 (relating to usable open space), wherein parking is provided underneath such plaza or deck. The required rear setback area not occupied by a plaza or deck, and the roof of such plaza or deck shall be completely landscaped with trees, other plantings or continuous ground cover, except that up to fifty (50) percent of such required rear area and/or plaza or deck may be designed and used for access and recreation purposes.

Sec. 474. Maximum height limit.

There shall be no RO-2 maximum height requirement.

Sec. 475. Required usable open space.

There shall be provided for RO-2 use, a minimum of fifty (50) square feet of usable open space per person in accordance with the table of densities set forth in the definition of "density" in section 2 (relating to definitions), and in accordance with the provisions under the definition of "open space, usable landscaped" in sections 2 and 9 (relating to usable open space).

DIVISION 11. RO-3 RESIDENTIAL--OFFICE DISTRICT

Sec. 476. Purpose.

The purpose of the RO-3 district in the city is to provide for small offices and medium density residential structures with a maximum residential density of seventy-five (75) persons per acre. The district is designed to retain the neighborhood scale of areas of the city which are located near large office and hospital campuses.

Sec. 477. Uses permitted.

(a) RO-3 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the RO-3 column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

(b) In the case of an individual lot associated with an individual attached or semi-detached dwelling, the provisions set forth in this division for permitted lot coverage, required lot area, lot width, front setback, side setback, rear setback, required usable open space and parking shall apply to the zoning lot of which the individual lot forms a part, rather than to such individual lot.

(c) Single-family (one-unit) and two-family (two-unit) structures are permitted in this district. Three-family (three-unit) structures may be erected or established upon approval of an application for a special permit (Section 937).

Sec. 478. Permitted accessory uses.

(a) Customary RO-3 accessory uses are permitted and those permitted in accordance with the provisions of article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI, except that accessory structures exceeding a height of fifteen (15) feet shall, in addition to the provisions of article VI, conform to the setback provisions set forth in this division for principal office structures.

Sec. 479. Required parking and loading areas.

RO-3 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 480. Floor area ratio.

The maximum floor area ratio for all RO-3 buildings shall be one-half (0.5) for any lot.

Sec. 481. Limitations on persons per acre.

The maximum number of persons per acre for RO-3 residential structures or residential portions of structures shall not exceed seventy-five (75).

Sec. 482. Permitted lot coverage.

(a) All RO-3 principal structures shall occupy not more than a total of thirty (30) percent of the area of the lot.

(b) Combined office and residential structures are permitted, provided the requirements for maximum floor area ratio and maximum persons per acre are satisfied for the structure as a whole. Such structures shall occupy not more than a total of thirty (30) percent of the area of the lot and the residential portions of such structures shall meet all other residential requirements set forth in these regulations for the RO-3 district.

(c) The residential portions of combined office and residential structures shall be located above the office portions of such structures.

(d) On an RO-3 lot adjoining property located in an R-5, R-6, R-7 or R-8 zoning district, all principal structures shall not occupy more than thirty (30) percent of the area of the lot, but plazas and decks may be developed in accordance with the provisions of section 9 (relating to usable open space), provided the total lot coverage of all principal structures, accessory structures, plazas and decks does not exceed fifty (50) percent of the total lot area.

(e) On all RO-3 lots the total lot coverage of all structures, with their accessory structures shall not exceed more than fifty (50) percent of the area of the lot.

Sec. 483. Requirements for floor space per dwelling unit.

Every RO-3 dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area) of these regulations.

Sec. 484. Required lot area.

(a) Every parcel of property to be utilized for residential purposes in the RO-3 district shall have a minimum lot area of six thousand (6,000) square feet.

(c) Every parcel of property to be utilized for office or nonresidential purposes in the RO-3 district shall have a minimum lot area of six thousand (6,000) square feet.

Sec. 485. Lot width.

Every RO-3 lot shall have a minimum lot width at the street line of not less than fifty (50) feet.

Sec. 486. Front setback.

There shall be a front setback for every RO-3 principal structure in conformance with the existing building line and veranda line.

Sec. 487. Side setback.

There shall be a minimum total width of side setback for every RO-3 principal residential or nonresidential structure of fifteen (15) feet with a minimum side setback of five (5) feet or one-fourth (1/4) of the height of the adjacent wall of the principal structure, whichever is greater.

Sec. 488. Rear setback.

(a) There shall be a minimum rear setback of thirty (30) feet for every RO-3 principal structure and where a lot adjoins property located in an R-5, R-6, R-7 or R-8 residence district, any portion of the principal structure exceeding thirty (30) feet in height shall be set back from the rear property line a minimum distance equal to its height.

(b) Where the required rear setback abuts property located in an R-5, R-6, R-7 or R-8 residence district, such required rear setback shall not be used for parking notwithstanding the provisions of section 941(8) (relating to off-street parking), except to the extent it may be occupied by a plaza or deck developed in accordance with the provisions of section 9 (relating to usable open space), wherein parking is provided underneath such plaza or deck. The required rear setback area not occupied by a plaza or deck shall be completely landscaped with trees, other plantings or continuous ground cover, except that up to fifty (50) percent of such required rear area and/or plaza or deck maybe designed and used for access and recreation purposes.

Sec. 489. Maximum height limit.

No building or structure in the RO-3 district shall exceed a height of three and one-half (3 1/2) stories or thirty-five (35) feet, whichever is less.

Sec. 490. Required usable open space.

There shall be provided in the RO-3 district a minimum of one hundred fifty (150) square feet of usable open space per person in accordance with the table of densities set forth in the definition of "open space, usable landscaped" in sections 2 (relating to definitions) and 9 (relating to usable open space).

Sec. 491. Site plan review.

Application for site plan review shall be made in the RO-3 district in accordance with the provisions of section 163 (relating to commission site plan review) if one (1) or more of the conditions described in section 163 (g) is created.

Secs. 492 -- 495. Reserved.

DIVISION 12. R-1 HIGH DENSITY RESIDENTIAL DISTRICT

Sec. 496. Purpose.

The purpose of the R-1 district in the city is to provide for high density (one hundred fifty (150) persons per acre), multiple-family residential structures required to serve the city's insurance, finance, government and retail trade. Areas of the city designated for the R-1 district are on the perimeter of the downtown development district, on Asylum Hill, and in other areas which are desirable sites because of their close proximity to parks, commerce, transportation and the like.

Sec. 497. Uses permitted.

(a) R-1 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the R-1 column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

(b) In the case of an individual lot associated with an individual attached or semidetached dwelling, the provisions set forth in this division for permitted lot coverage, required lot area, lot width, front setback, side setback, rear setback, required usable open space and parking shall apply to the zoning lot of which such individual lot forms a part, rather than to such individual lot.

(c) Single-family (one-unit) and two-family (two-unit) structures are permitted in this district. Three-family (three-unit) structures may be erected or established upon approval of an application for a special permit (Section 937).

Sec. 498. Permitted accessory uses.

(a) Customary R-1 accessory uses are permitted as set forth in article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI, except that accessory structures exceeding a height of fifteen (15) feet shall, in addition to the provisions of article VI, conform to the setback provisions set forth herein for principal structures.

Sec. 499. Required parking and loading areas.

R-1 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 500. Limitations on persons per acre.

The maximum number of persons per acre for R-1 residential structures shall not exceed one hundred fifty (150).

Sec. 501. Permitted lot coverage.

(a) All R-1 principal residential structures shall occupy not more than a total of thirty (30) percent of the area of the lot.

(b) The lot coverage of principal residential structures may be increased beyond the permitted lot coverage of thirty (30) percent of the area of the lot up to a maximum of forty-five (45) percent of the area of the lot at the rate of three hundred (300) square feet of lot coverage beyond the permitted thirty (30) percent of the area of the lot for each on-site covered parking space provided for the principal residential structures.

(c) In no instances shall the total lot coverage of all structures, with their accessory structures, exceed more than forty-five (45) percent of the area of the lot.

Sec. 502. Requirements for floor space per dwelling unit.

Every R-1 dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area) of these regulations.

Sec. 503. Required lot area.

Every parcel of property to be utilized for residential purposes in the R-1 district shall have a minimum lot area of six thousand (6,000) square feet.

Sec. 504. Lot width.

Every R-1 lot shall have a minimum lot width at the street line of not less than fifty (50) feet.

Sec. 505. Front setback.

There shall be a front setback for every R-1 principal structure in conformance with the existing building line and veranda line.

Sec. 506. Side setback.

There shall be a minimum total width of R-1 side setback for every principal residential structure of fifteen (15) feet with a minimum side setback requirement of five (5) feet, or one-fourth the height of the adjacent wall of the principal residential structure, whichever is greater.

Sec. 507. Rear setback.

There shall be a minimum R-1 rear setback of thirty (30) feet for every principal residential structure.

Sec. 508. Maximum height limit.

No building or structure in the R-1 district shall exceed a height of four (4) stories or forty (40) feet, whichever is less. Application may be made to the commission for a special permit to exceed this height limit for parcels containing in excess of ten thousand (10,000) square feet. The application shall be filed and acted on in accordance

with the procedures set forth in section 68 (relating to applications for zoning permits). The commission may modify the height requirement if it finds that such an adjustment will provide a better arrangement of buildings and open space or in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of adjacent properties, with due regard to the protection of such properties and their access to light and air, the zoning districts in which such properties are located, and the public interest.

Sec. 509. Required usable open space.

There shall be provided a minimum of fifty (50) square feet of R-1 usable open space per person in accordance with the table of densities set forth in the definition of "density" in section 2 (relating to definitions) and in accordance with the provisions under the definition of "open space, usable landscaped" in sections 2 and 9 (relating to usable open space).

Sec. 510. Site plan review.

Application for site plan review shall be made in the R-1 district in accordance with the provisions of section 163 (relating to commission site plan review) if one (1) or more of the conditions described in section 163 (g) is created.

Secs. 511-- 530. Reserved.

DIVISION 13. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

Sec. 531. Purpose.

The purpose of the R-2 district in the city is to provide for medium density residential structures outside the Asylum Hill and central areas where greater open space and a lower residential density (one hundred (100) persons per acre) are appropriate.

Sec. 532. Uses permitted.

(a) R-2 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the R-2 column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

(b) In the case of an individual lot associated with an individual attached or semidetached dwelling, the provisions set forth in this division for permitted lot coverage, required lot area, lot width, front setback, side setback, rear setback, required usable open space and parking shall apply to the zoning lot of which the individual lot forms a part, rather than to the individual lot.

(c) Single-family (one-unit) and two-family (two-unit) structures are permitted in this district. Three-family (three-unit) structures may be erected or established upon approval of an application for a special permit (Section 937).

Sec. 533. Permitted accessory uses.

(a) Customary R-2 accessory uses are permitted as set forth in article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI, except that accessory structures exceeding a height of fifteen (15) feet shall, in addition to the provisions of article VI, conform to the setback provisions set forth herein for principal structures.

Sec. 534. Required parking and loading areas.

R-2 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 535. Limitation on persons per acre.
The maximum number of persons per acre for R-2 residential structures shall not exceed one hundred (100).

Sec. 536. Permitted lot coverage.

(a) All principal residential structures shall occupy not more than a total of twenty-five (25) percent of the area of the lot.

(b) The lot coverage of principal residential structures may be increased beyond the permitted lot coverage of twenty-five (25) percent of the area of the lot up to a maximum of forty (40) percent of the area of the lot at the rate of three hundred (300) square feet of lot coverage beyond the permitted twenty-five (25) percent of the area of the lot for each on-site covered parking space provided for the principal residential structures.

(c) In no instances shall the total lot coverage of all structures, with their accessory structures, exceed more than forty (40) percent of the area of the lot.

Sec. 537. Requirements for floor space per dwelling unit.

Each R-2 dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area).

Sec. 538. Required lot area.

Every parcel of property to be utilized for residential purposes in the R-2 district shall have a minimum lot area of six thousand (6,000) square feet.

Sec. 539. Lot width.

Every R-2 lot shall have a minimum lot width at the street line of not less than fifty (50) feet.

Sec. 540. Front setback.

There shall be a front setback for every R-2 principal structure in conformance with the existing building line and veranda line.

Sec. 541. Side setback.

There shall be a minimum total width of R-2 side setback for every principal residential structure of fifteen (15) feet with a minimum side setback requirement of five (5) feet or one-fourth of the height of the adjacent wall of the principal residential structure, whichever is greater.

Sec. 542. Rear setback.

There shall be a minimum R-2 rear setback of thirty (30) feet for every principal residential structure.

Sec. 543. Maximum height limit.

No building or structure in the R-2 district shall exceed a height of four (4) stories or forty (40) feet, whichever is less. Application may be made to the commission for a special permit to exceed this height limit for parcels containing in excess of ten thousand (10,000) square feet. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). The commission may modify the height requirement if it finds that such an adjustment will provide a better arrangement of buildings and open space or in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of adjacent properties, with due regard to the protection of such properties and their access to light and air, the zoning districts in which such properties are located, and the public interest.

Sec. 544. Required usable open space.

There shall be provided in the R-2 district a minimum of ninety (90) square feet of usable R-2 open space per person in accordance with the table of densities set forth in the definition of "density" in section 2 (relating to definitions), and in accordance with the provisions under the definition of "open space, usable landscaped" in sections 2 and 9 (relating to usable open space).

Sec. 545. Site plan review.

Application for site plan review shall be made in the R-2 district in accordance with the provisions of section 163 (relating to commission site plan review) if one (1) or more of the conditions described in section 163 (g) is created.

Secs. 546-- 565. Reserved.

DIVISION 14. R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT

Sec. 566. Purpose.

The purpose of the R-3 district in the city is to provide for housing at a maximum density of seventy-five (75) persons per acre, allow for new forms of medium density multiple residences and encourage new and modern construction by limiting the conversion of older structures.

Sec. 567. Uses permitted.

(a) R-3 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the R-3 column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

(b) In the case of an individual lot associated with an individual attached or semidetached dwelling, the provisions set forth in this division for permitted lot coverage, required lot area, lot width, front setback, side setback, rear setback, required usable open space and parking shall apply to the zoning lot of which the individual lot forms a part, rather than to the individual lot.

(c) Single-family (one-unit) and two-family (two-unit) structures are permitted in this district. Three-family (three-unit) structures may be erected or established upon approval of an application for a special permit (Section 937).

Sec. 568. Permitted accessory uses.

(a) Customary R-3 accessory uses are permitted as set forth in article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI, except that accessory structures exceeding a height of fifteen (15) feet shall, in addition to the provisions of article VI, conform to the setback provisions set forth herein for principal structures.

Sec. 569. Required parking and loading areas.

R-3 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading provisions) of these regulations.

Sec. 570. Limitation on persons per acre.

The maximum number of persons per acre for R-3 residential structures shall not exceed seventy-five (75).

Sec. 571. Permitted lot coverage.

(a) All principal residential structures shall occupy not more than a total of twenty-five (25) percent of the area of the lot.

(b) The lot coverage of principal residential structures may be increased beyond the permitted lot coverage of twenty-five (25) percent of the area of the lot up to a maximum of forty (40) percent of the area of the lot at the

rate of three hundred (300) square feet of lot coverage beyond the permitted twenty-five (25) percent for each on-site covered parking space provided for the principal residential structures.

(c) In no instances shall the total lot coverage of all structures, with their accessory structures, exceed more than forty (40) percent of the area of the lot.

Sec. 572. Requirements for floor space per dwelling unit.

Every R-3 dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area).

Sec. 573. Required lot area.

Every parcel of property to be utilized for residential purposes in the R-3 district shall have a minimum lot area of six thousand (6,000) square feet.

Sec. 574. Lot width.

Every R-3 lot shall have a minimum lot width at the street line of not less than fifty (50) feet.

Sec. 575. Front setback.

There shall be a front setback for every principal structure in conformance with the existing building line and veranda line.

Sec. 576. Side setback.

There shall be a minimum total width of side setback for every R-3 principal residential structure of fifteen (15) feet with a minimum side setback requirement of five (5) feet or one-fourth of the height of the adjacent wall of the principal structure, whichever is greater.

Sec. 577. Rear setback.

There shall be a minimum R-3 rear setback of thirty (30) feet for every principal residential structure.

Sec. 578. Maximum height limit.

No building or structure in the R-3 district shall exceed a height of three and one-half (3 1/2) stories or thirty-five (35) feet, whichever is less.

Sec. 579. Required usable open space.

There shall be provided in the R-3 district a minimum of one hundred fifty (150) square feet of usable open space per person in accordance with the table of densities set forth in the definition of "density" in section 2 (relating to definitions), and in accordance with the provisions under the definition of "open space, usable landscaped" in sections 2 and 9 (relating to usable open space).

Sec. 580. Site plan review.

Application for site plan review shall be made in the R-3 district in accordance with the provisions of section 163 (relating to commission site plan review) if one (1) or more of the conditions described in section 163 (g) is created.

Secs. 581-- 600. Reserved.

DIVISION 15. R-4 THREE-FAMILY RESIDENTIAL DISTRICT

Sec. 601. Purpose.

The purpose of the R-4 district in the city is to provide for three-family dwellings on a lot having a minimum area of seven thousand (7,000) square feet, and to protect, conserve and allow for the private rehabilitation of low density residence areas by restricting the upward conversion of the dwellings to accommodate a larger number of families.

Sec. 602. Uses permitted.

(a) R-4 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the R-4 column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

(b) In the case of an individual lot associated with an individual attached or semidetached dwelling, the provisions set forth in this division for permitted lot coverage, required lot area, lot width, front setback, side setbacks, rear setback, required usable open space and parking shall apply to the zoning lot of which the individual lot forms a part, rather than to the individual lot.

(c) Single-family (one-unit) and two-family (two-unit) structures are permitted in this district. Three- family (three-unit) structures may be erected or established upon approval of an application for a special permit (Section 937).

Sec. 603. Permitted accessory uses.

(a) Customary R-4 accessory uses are permitted as set forth in article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI, except that accessory structures exceeding a height of fifteen (15) feet shall, in addition to the provisions of article VI, conform to the setback provisions set forth in this division for principal structures.

Sec. 604. Required parking and loading areas.

R-4 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 605. Permitted lot coverage.

(a) All principal residential structures shall occupy not more than a total of twenty-five (25) percent of the area of the lot.

(b) The lot coverage of principal residential structures may be increased beyond the permitted lot coverage of twenty-five (25) percent of the area of the lot up to a maximum of forty (40) percent of the area of the lot at the rate of three hundred (300) square feet of lot coverage beyond the permitted twenty-five (25) percent of the area of the lot for each on-site covered parking space provided for the principal residential structures.

(c) In no instances shall the total lot coverage of all structures, with their accessory structures, exceed more than forty (40) percent of the area of the lot.

Sec. 606. Requirements for floor space per dwelling unit.

Every R-4 dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area).

Sec. 607. Required lot area.

Every parcel of property to be utilized for residential purposes in the R-4 district shall have a minimum lot area of seven thousand (7,000) square feet.

Sec. 608. Lot width.

Every R-4 lot shall have a minimum lot width at the street line of not less than fifty (50) feet.

Sec. 609. Front setback.

There shall be an R-4 front setback for every principal structure in conformance with the existing building line and veranda line.

Sec. 610. Side setbacks.

There shall be a minimum total width of side setbacks for every principal residential structure of fifteen (15) feet with a minimum side setback requirement of five (5) feet or one-fourth of the height of the adjacent wall of the principal residential structure, whichever is greater.

Sec. 611. Rear setback

There shall be a minimum R-4 rear setback of thirty (30) feet for every principal residential structure.

Sec. 612. Maximum height limit.

No building or structure in the R-4 district shall exceed a height of three and one-half (3 1/2) stories or thirty-five (35) feet, whichever is less.

Sec. 613. Required usable open space.

There shall be provided in the R-4 district a minimum of eight hundred (800) square feet of usable open space per family in accordance with the table of densities set forth in the definition of "density" in section 2 (relating to definitions), and in accordance with the provisions under the definition of "open space, usable landscaped" in sections 2 and 9 (relating to usable open space).

Sec. 614. Site plan review.

Application for site plan review shall be made in the R-4 district in accordance with the provisions of section 163 (relating to commission site plan review) if one (1) or more of the conditions described in section 163 (g) is created.

Secs. 615-- 635. Reserved.

DIVISION 16. R-5 LOW DENSITY RESIDENTIAL DISTRICT

Sec. 636. Purpose.

The purpose of the R-5 district in the city is to provide for one- and two-family dwellings sited on a lot having a minimum area of seven thousand (7,000) square feet, and to protect the basic single-family character of areas developed with a mixture of one- and two-family dwellings. Conversion is permitted only from a one-family to a two-family dwelling.

Sec. 637. Uses permitted.

(a) R-5 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the R-5 column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

(b) In the case of an individual lot associated with an individual semidetached dwelling, the provisions set forth in this division for permitted lot coverage, required lot area, lot width, front setback, side setbacks, rear setbacks, required usable open space and parking shall apply to the zoning lot of which the individual lot forms a part, rather than to the individual lot.

Sec. 638. Permitted accessory uses.

(a) Customary R-5 accessory uses are permitted and those permitted in accordance with the provisions set forth in article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI of these regulations.

Sec. 639. Required parking and loading areas.

R-5 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 640. Permitted lot coverage.

All R-5 principal residential structures shall occupy not more than a total of twenty-five (25) percent of the area of the lot.

Sec. 641. Requirements for floor space per dwelling unit.

Every dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area) of these regulations.

Sec. 642. Required lot area.

Every parcel of property to be utilized for residential purposes in the R-5 district shall have a minimum lot area of seven thousand (7,000) square feet, and there shall be provided a minimum lot area of three thousand five hundred (3,500) square feet per dwelling unit.

Sec. 643. Lot width.

Every R-5 lot shall have a minimum lot width at the street line of not less than fifty (50) feet.

Sec. 644. Front setback.

There shall be a front setbacks for every principal structure in conformance with the existing building line and veranda line.

Sec. 645. Side setbacks.

There shall be a minimum total width of side setbacks for every principal residential structure of thirty (30) percent of the lot frontage with a minimum side setback requirement of six (6) feet.

Sec. 646. Rear setback.

There shall be a minimum rear setback of thirty (30) feet for every principal residential structure.

Sec. 647. Maximum height limit.

No R-5 residential structure shall exceed a height of three and one-half (3 1/2) stories.

Sec. 648. Site plan review.

Application for site plan review shall be made in the R-5 district in accordance with the provisions of section 163 (relating to commission site plan review) if one (1) or more of the conditions described in section 163 (g) is created.

Secs. 649 -- 665. Reserved.

DIVISION 17. R-6 LOW DENSITY RESIDENTIAL DISTRICT

Sec. 666. Purpose.

The purpose of the R-6 district in the city is to provide for and protect moderate sized single-family residences sited on a lot having a minimum area of six thousand (6,000) square feet. No conversions are permitted and roomers are limited to a maximum of two (2) per dwelling unit.

Sec. 667. Uses permitted.

R-6 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the R-6 column of the table of permitted uses subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

Sec. 668. Permitted accessory uses.

(a) Customary R-6 accessory uses are permitted and those permitted in accordance with the provisions set forth in article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI of these regulations.

Sec. 669. Required parking and loading areas.

R-6 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 670. Permitted lot coverage.

All R-6 principal residential structures shall occupy not more than a total of twenty-five (25) percent of the area of the lot.

Sec. 671. Requirements for floor space per dwelling unit.

Every R-6 dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area).

Sec. 672. Required lot area.

Every parcel of property to be utilized for residential purposes in the R-6 district shall have a minimum lot area of six thousand (6,000) square feet per dwelling unit.

Sec. 673. Lot widths.

Every lot shall have a minimum lot width at the street line of not less than fifty (50) feet.

Sec. 674. Front setbacks.

There shall be an R-6 front setback for every principal structure in conformance with the existing building line and veranda line.

Sec. 675. Side setbacks.

There shall be a minimum total width of R-6 side setbacks for every principal residential structure of thirty (30) percent of the lot frontage with a minimum side setback requirement of six (6) feet.

Sec. 676. Rear setbacks.

There shall be a minimum R-6 rear setback of thirty (30) feet for every principal residential structure.

Sec. 677. Maximum height limit.

No R-6 residential structure shall exceed a height of three and one-half (3 1/2) stories.

Sec. 678. Site plan review.

Application for site plan review shall be made in the R-6 district in accordance with the provisions of section 163 (relating to commission site plan review) if one (1) or more of the conditions described in section 163 (g) is created.

Secs. 679-- 695. Reserved.

DIVISION 18. R-7 LOW DENSITY RESIDENTIAL DISTRICT

Sec. 696. Purpose.

The purpose of the R-7 district in the city is to provide for and protect single-family residences sited on a lot having a minimum area of seventy-five hundred (7,500) square feet, and to conserve the single-family character of these areas by prohibiting conversions or rooming houses and limiting roomers to a maximum of two (2) per dwelling unit.

Sec. 697. Uses permitted.

R-7 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the R-7 column of the table of permitted uses subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

Sec. 698. Permitted accessory uses.

(a) Customary R-7 accessory uses are permitted and those permitted in accordance with the provisions set forth in article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI of these regulations.

Sec. 699. Required parking and loading areas.

R-7 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading provisions) of these regulations.

Sec. 700. Permitted lot coverage.

All R-7 principal residential structures shall occupy not more than a total of twenty-five (25) percent of the area of the lot.

Sec. 701. Requirements for floor space per dwelling unit.

Every dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area).

Sec. 702. Required lot area.

Every parcel of property to be utilized for residential purposes in the R-7 district shall have a minimum lot area of seventy-five hundred (7,500) square feet per dwelling unit.

Sec. 703. Lot width.

Every R-7 lot shall have a minimum lot width at the street line of not less than sixty (60) feet.

Sec. 704. Front setbacks.

There shall be an R-7 front setback for every principal structure in conformance with the existing building line and veranda line.

Sec. 705. Side setbacks.

There shall be a minimum total width of R-7 side setbacks for every principal residential structure of thirty (30) percent of the lot frontage with a minimum side setback requirement of six (6) feet.

Sec. 706. Rear setbacks.

There shall be a minimum R-7 rear setback of thirty (30) feet for every principal residential structure.

Sec. 707. Maximum height limit.

No residential structure shall exceed a height of three and one-half (3 1/2) stories.

Sec. 708. Site plan review.

Application for site plan review shall be made in the R-7 district in accordance with the provisions of section 163 (relating to commission site plan review) if one (1) or more of the conditions described in section 163 (g) is created.

Secs. 709-- 730. Reserved.

DIVISION 19. R-8 LOW DENSITY RESIDENTIAL DISTRICT

Sec. 731. Purpose.

The purpose of the R-8 district in the city is to provide for and protect single-family residences sited on a lot having a minimum area of twelve thousand (12,000) square feet. The R-8 district provisions encourage the future development of these very low density residential areas for primarily residential purposes by prohibiting conversions, roomers, most institutional uses and all business uses.

Sec. 732. Uses permitted.

R-8 land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the R-8 column of the table of permitted uses subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

Sec. 733. Permitted accessory uses.

(a) Customary R-8 accessory uses are permitted and those permitted in accordance with the provisions set forth in article VI (relating to accessory uses) of these regulations.

(b) Accessory structures shall conform to the provisions set forth in article VI of these regulations.

Sec. 734. Required parking and loading areas.

R-8 off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 735. Permitted lot coverage.

All R-8 principal residential structures shall occupy not more than a total of twenty-five (25) percent of the area of the lot.

Sec. 736. Requirements for floor space per dwelling unit.

Every R-8 dwelling unit shall contain not less than fifteen hundred (1,500) square feet of floor space for living quarters.

Sec. 737. Required lot area.

Every parcel of property to be utilized for residential purposes in the R-8 district shall have a minimum lot area of twelve thousand (12,000) square feet per dwelling unit.

Sec. 738. Lot width.

Every R-8 lot shall have a minimum lot width at the street line of not less than eighty (80) feet.

Sec. 739. Front setbacks.

There shall be an R-8 front setback for every principal structure in conformance with the existing building line and veranda line.

Sec. 740. Side setbacks.

There shall be a minimum total width of R-8 side setbacks for every principal residential structure of thirty (30) feet with a minimum side setback requirement of fifteen (15) feet.

Sec. 741. Rear setbacks.

There shall be a minimum R-8 rear setback of thirty (30) feet for every principal residential structure.

Sec. 742. Maximum height limit.

No R-8 residential structure shall exceed a height of three and one-half (3 1/2) stories.

Sec. 743. Site plan review.

Application for site plan review shall be made in the R-8 district in accordance with the provisions of section 163 (relating to commission site plan review) if one (1) or more of the conditions described in section 163 (g) is created.

Secs. 744 -- 760. Reserved.

DIVISION 20. P PUBLIC PROPERTY AND CEMETERY DISTRICT

Sec. 761. Purpose.

The purpose of the P district in the city is to establish a separate category for park and recreational uses so that appropriate regulations may apply including as permitted uses, skating rinks, public swimming pools, refectories and zoos. Residential structures (except those of a caretaker), general commercial and industrial uses are not permitted. Large cemeteries and expressways and highways are included in this district.

Sec. 762. Uses permitted.

P land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the P column of the table of permitted uses subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses).

Sec. 763. Permitted accessory uses.

Customary P accessory uses are permitted.

Sec. 764. Required parking and loading areas.

P off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading provisions) of these regulations.

Sec. 765. Maximum height limit.

There shall be no P maximum height requirement.

Sec. 766. Administrative Review Plan.

In addition to any other required application materials, the applicant for a zoning permit for a P use shall submit an administrative review plan to the zoning administrator.

Secs. 767-- 785. Reserved.

DIVISION 21. FP FLOODPLAIN DISTRICT

Sec. 786. Purpose.

(a) The purpose of the FP district in the city is to apply special regulations to the use of the land in the floodplains of all rivers, streams, and bodies of water in the city which have or tend to have flooded or overflowed their banks. These special regulations are designed to:

(1) Prevent or minimize loss of life, injuries, property damage and other losses, both private and public;

(2) Promote the health, public safety, and general welfare of the people; and

(3) Help control and minimize the extent of floods and reduce the depth and violence of flooding.

(b) The provisions of this section shall apply in any zoning district which is located within a floodplain area. The boundaries of any floodplain district will be indicated on floodplain maps which shall be on file in the office of the city clerk and the office of the Greater Hartford Flood Commission or its successor. The rules and regulations governing the use and occupancy of a floodplain district shall be on file at the office of the city clerk, and the office of the Greater Hartford Flood Commission or its successor.

Sec. 787. Uses permitted.

(a) The floodplain district is superimposed upon the other districts provided for by these regulations. Permitted uses are only those allowed in the underlying districts and in accordance with the requirements thereof, limited further by the provisions of the special regulations governing the floodplain district. Land and water areas shall be used as a matter of right and buildings or structures shall be erected, altered, enlarged or used as a matter of right only for one (1) or more of the uses indicated with an "F" in the FP column of the table of permitted uses, subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses), and subject to the approval, in writing, of the Greater Hartford Flood Commission, or its successor.

(b) Other uses allowed in the underlying districts, which may require the erection of structures and are therefore not permitted as a matter of right in the floodplain district and are not designated with an "F" in the FP column of the table of permitted uses may be permitted upon approval, in writing, of the Greater Hartford Flood Commission, or its successor, subject to the standards and regulations set forth by the Flood Commission, or its successor, in the FP district along minor brooks subject to flooding and in areas subject to flooding from headwater pools, except that no such uses may be permitted within the floodplain district along the North and South Branches of the Park River, unless adequate and proper measures, as recommended and approved by the Greater Hartford Flood Commission, or its successor, are specifically undertaken in connection with the location and/or construction of such use or uses to ensure that the water storage volume as required by the July 1966 U.S. Army Corps of Engineers' Report on the Park River Basin is substantially maintained without upstream flooding, without endangering properties of adjacent owners and without interfering or diminishing the basic flow of the Park River.

(c) Any land filling, grading, or excavating shall be permitted only upon approval, in writing, by the Greater Hartford Flood Commission, or its successor.

Sec. 788. Floodplain elevation.

The elevation of the flood plain district, except for the area north of Albany Avenue and the Connecticut River, shall be contour level fifty-four (54) feet, Metropolitan District Commission (MDC) datum. In the area north of Albany

Avenue and the Connecticut River the elevation of the flood plain district shall be based on the base flood elevations as shown in the flood insurance study (FIS) and the flood insurance rate map (FIRM) prepared by the Federal Emergency Management Agency. The FIS and FIRM are hereby adopted by reference and declared to be a part of these regulations as fully as if set out in this section.

Sec. 789. Required parking and loading areas.

FP off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading provisions) of these regulations.

Sec. 790. Density.

For the purpose of computing the permitted density on an FP lot, the total area of such lot may be used, including such portion as may be included in the floodplain district.

Sec. 791. Approval by flood commission.

Prior to the issuance of a zoning or building permit for any structure, use or filling in the floodplain district, the Greater Hartford Flood Commission, or its successor, shall approve, in writing, such structure, use or filling in accordance with the Flood Commission's general powers and duties as set forth in section 39 of the appendix to the Charter (relating to general powers and duties of the flood control commission) or any other rules and regulations the Flood Commission or its successor may adopt from time to time. In so certifying, the Flood Commission shall indicate any changes which are necessary in the boundaries of the floodplain district and shall institute the appropriate action to implement such changes.

Secs. 792-- 815. Reserved.

DIVISION 22. HOD HOUSING OVERLAY DISTRICT

Sec. 816. Purpose.

The purpose of the housing overlay district in the city is to establish a residential development requirement for land areas determined to be desirable for housing development but designated for mixed use/office development by the underlying zoning district designation and the city's plan of conservation and development.

Sec. 817. Uses permitted.

HOD land and water areas shall be used and buildings or structures shall be erected, altered, enlarged or used only for one (1) or more of the uses indicated in the B-1 and B-2 columns of the table of permitted uses subject to such standards as may be referred to in that column and in the special requirements column of such table and in article IV, division 2 (relating to required conditions for certain uses). For buildings located within the districts noted in this section and upon land on which the housing overlay district has been superimposed, at least twenty-five (25) percent of the gross floor area proposed for an office or parking structure shall be provided on the same lot or zoning lot for uses that are designated as residential uses under the table of permitted uses, article IV, division 1 (relating to permitted uses generally), and permitted in the B-1 and B-2 districts.

Sec. 818. Required parking and loading areas.

HOD off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) of these regulations.

Sec. 819. Floor area ratio.

The minimum total floor area ratio (FAR) for all buildings shall be five (5) for any lot or zoning lot in the B-1 downtown development district and the B-2 downtown development perimeter district. Space used for residential purposes, in accordance with the mandate of section 817 (relating to HOD district permitted uses), shall be exempt and not counted in the calculation of the floor area ratio (FAR).

Sec. 820. Limitations on persons per acre.

The maximum number of persons per acre for all HOD structures shall be that permitted by the underlying zoning district.

Sec. 821. Permitted lot coverage.

The permitted lot coverage for all structures shall be that permitted by the underlying zoning district.

Sec. 822. Requirements for flood space per dwelling unit.

Every HOD dwelling unit shall meet the requirements of floor space per unit as set forth in article IV, division 1 (relating to permitted uses generally) of these regulations.

Sec. 823. Required lot area.

Every parcel of property to be utilized for HOD residential purposes under section 817 (relating to HOD district permitted uses) shall have a minimum lot area of ten thousand (10,000) square feet.

Sec. 824. Lot width.

Every HOD lot shall have a minimum lot width at the street line as required by the underlying zoning district.

Sec. 825. Front setback.

There shall be a front setback for every HOD principal structure in conformance with the existing building line.

Sec. 826. Side setback.

The minimum required HOD side setback shall be that required by the underlying zoning district.

Sec. 827. Rear setback.

The minimum required HOD rear setback shall be that required by the underlying zoning district.

Sec. 828. Maximum height limit.

There shall be no HOD maximum height limit.

Sec. 829. Required usable open space.

Required HOD usable open space shall be provided in accordance with the provisions of the underlying zoning district.

DIVISION 23. INDUSTRIAL RE-USE OVERLAY DISTRICT

Sec. 830. Purpose.

The purpose of the Industrial Re-use Overlay District in the city is to allow for the re-use of industrial structures built generally before World War II that have become obsolete for modern single story production processes. Structures that are appropriate for the district are located primarily in the industrial corridors that were developed along the railroad lines that branch out from the center of the city. IROD's shall be overlain only on properties located in the I-2 and C-1 zoning districts.

Sec. 831. Uses permitted.

IROD land and water areas shall be used and buildings or structures shall be erected or altered, enlarged or used only for one (1) or more of the uses indicated by an "I" in the C-1 and I-2 columns of the table of permitted uses. All spaces used for residential purposes shall be physically separated, when on the same floor, or shall be located above existing commercial or industrial uses which may be part of a mixed occupancy building or structure; in no instance shall space utilized for residential purposes be located below any such commercial or industrial uses.

Sec. 832. Required parking and loading areas.

Currently, IROD off-street parking and leading conform to the parking requirements for the proposed uses delineated in the code. The new change allows this Commission to reduce the requirement for a specific proposal if the proposal is consistent with the objectives of the IROD i.e. the re-use of industrial buildings, and public health, welfare and safety is protected. IN determining whether a waiver is appropriate the staff may require an Alternative Transportation Plan.

Sec. 833. Limitations on persons per acre.

The maximum density for an IROD is seventy-five people per acre (75). The new change in this provision allows the Commission to allow for higher densities for a specific proposal if the Commission finds the proposal consistent with the surrounding uses and that the health, welfare and safety of the residents is protected.

Sec. 834. Permitted lot coverage.

The permitted lot coverage for all structures shall be that permitted by the underlying zoning district.

Sec. 835. Requirements for floor space per dwelling unit.

Every IROD dwelling unit shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area) of these regulations.

Sec. 836. Required lot area.

The minimum lot size of every parcel of property to be utilized for IROD purposes shall be that of the underlying zoning district.

Sec. 837. Lot width.

Every IROD lot shall have a minimum lot width at the street line as required by the underlying zoning district.

Sec. 838. Front setback.

There shall be a front setback for every IROD principal structure in conformance with the existing building line.

Sec. 839. Side setback.

The minimum required IROD side setback shall be that required by the underlying zoning district.

Sec. 840. Rear setback.

The minimum required IROD rear setback shall be that required by the underlying zoning district.

Sec. 841. Maximum height limit.

There shall be no IROD maximum height limit.

Sec. 842. Required usable open space.

The current regulations require 150 square feet of usable o pen space per person in accordance with definitions in the ordinance. The Text change allows the Planning and Zoning Commission to reduce this requirement for a specific proposal if the project is consistent with the neighborhood and adequate open space exists in the neighborhood.

Secs. 843 -- 850. Reserved.

ARTICLE IV. PERMITTED USES

DIVISION 1. GENERALLY

Sec. 851. Description of tables.

(a) Land, water, buildings and structures may be used only for the purposes set forth in the following tables of permitted uses and only within those districts specified in the table of permitted uses.

(b) Unless otherwise indicated, the table of permitted uses designates only the principal or primary uses permitted and all uses customarily incidental to the actual principal use are permitted on the same lot with such principal use.

(c) In the I-1, I-2 and C-1 districts, retail sales is a permitted accessory use.

Sec. 852. Interpretation of table.

(a) In the interpretation of the table of permitted uses, where a use is not specifically listed in the table, its status under this section shall, upon application, be determined by the commission by reference to that listed use, if any, which is so like the use in question in purpose, function, character, and effect as to be substantially similar to such listed use.

(b) If the commission determines that the use in question is substantially similar to a use specifically listed in the table, such use shall be permitted in the zoning districts in the same manner as the substantially similar listed use and subject to the same conditions and requirements controlling the substantially similar listed use.

(c) If the commission determines that the use in question is not substantially similar to a use specifically listed in the table, such use may be permitted and added to the table only by amending these regulations as provided for in section 41 (relating to amendments).

(d) In determining the status of the use in question, the commission shall consider all other codes, ordinances, laws and statutes.

Sec. 853. Key to tables.

The symbols used in the tables of permitted uses are as follows:

P - means that the use is permitted as a matter of right in the designated district.

C - means that the use is permitted in the designated district, but subject to conditions as set forth in article IV, division 2 and the applicable provisions of the zoning regulations.

A - means that the use is permitted as an accessory use in the designated district, subject to the conditions set forth in article VI and the applicable provisions of the zoning regulations.

E - means [that only those uses existing as of February 28, 1968, are permitted in the R-8 district. Such existing uses shall not be construed to be nonconforming uses, but any additions to or expansions of such uses shall be subject to the conditions, excepting lot area, set forth for such uses in article IV, division 2 (relating to required condition for certain uses). If no such provisions are set forth in article IV, division 2, such uses shall comply with the development provisions for the R-8 district set forth in article III, division 18 Existing Use (R-8), as defined in section 2.

F - means that the use is permitted as a matter of right in the floodplain district. Additional uses may be permitted in the floodplain district, subject to the conditions set forth in article III, division 21 (relating to the floodplain district).

G - means that only those uses which have been operating as a rehabilitation home prior to May 31, 1972, and continuously to the time of filing an application for a certificate of occupancy, are permitted in the indicated districts. Such existing uses shall not be construed to be nonconforming uses, but no additions to or expansions of such uses shall be permitted.

H - means that the use is permitted as a matter of right in the designated district, but only after the adoption of an Industrial Re-use Overlay District (IROD) and subject to the conditions set forth in article III, division 23 (relating to the industrial re-use overlay district).

Section 854
A. RESIDENTIAL DISTRICTS USE TABLE

USES	RO1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Culture, Entertainment and Recreational Uses											
Amusement											
Bazaars and festivals	A	A	A	A	A	A	A	A	A	A	A
Cultural Activities											
Art Galleries	P	P	P								
Historic and Monument Sites	P	P	P	P	P	P	P	P	P	P	P
Libraries	P	P	P								E
Museums	P	P	P								E
Parks											
Parks – Leisure and Ornamental	C	C	C	C	C	C	C	C	C	C	C
Parkettes	C	C	C	C	C	C	C	C	C	C	C
Public Assembly											
Community Center	C	C	C	C	C	C	C				
Playgrounds and Athletic Areas											
Athletic Clubs	C	C									
Playgrounds	C	C	C	C	C	C	C	C	C	E	
Play lots or tot lots	C	C	C	C	C	C	C	C	C	C	
Recreation Centers	C	C	C	C	C	C	C	C			
Swimming Pools	A	A	A	A	A	A	A	A	A	A	A
Tennis Courts	A	A	A	A	A	A	A	A	A	A	A

P= Permitted A= Accessory C= Conditional I= Industrial Overlay District Required SP=Special Permit

RESIDENTIAL DISTRICTS

USES	RO1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Office, General and Professional Uses	P	P	P								
Single -Family											
Detached	P	P	P	P	P	P	P	P	P	P	P
Semidetached	P	P	P	P	P	P	P	P			C
Attached	P	P	P	P	P	P	P				C
Two -Family											
Detached	P	P	P	P	P	P	P	P			
Semidetached	P	P	P	P	P	P	P	P			
Attached	P	P	P	P	P	P	P				
Three – Family											
Detached	SP	SP	SP	SP	SP	SP	SP				
Semidetached	SP	SP	SP	SP	SP	SP	SP				
Attached	SP	SP	SP	SP	SP	SP	SP				
Multiple	SP	SP	SP	SP	SP	SP	SP				C
Group Dwelling Development	C	C	C	C	C	C	C				C
Accessory Residential Uses											
Customary Accessory Uses	A	A	A	A	A	A	A	A	A	A	A
Customary Home Occupations	A	A	A	A	A	A	A	A	A	A	

P= Permitted A= Accessory C= Conditional I= Industrial Overlay District Required SP=Special Permit

RESIDENTIAL DISTRICTS

USES	RO1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Group Quarters											
- Boarding, rooming or lodging house											
- Convalescent, nursing or rest home	C	C	C	C	C	C	C	C			
- Dormitory or residence hall	C	C	C	C	C	C	C	C	C	C	C
- Extended Care residence	C	C	C			C	C	C			
- Foster Home	P	P	P	P	P	P	P	C	C	C	C
- Fraternity or Sorority house	C	C	C	C	C	C	C	C	C	C	C
- Maternity home	P	P	P	P	P	P	P				
- Orphanage or children home	P	P	P	P	P	P	P	C	C	C	E
- Rehabilitation home											
- Religious Quarters	P	P	P	P	P	P	P	C	C	C	E
- Retirement Center	C	C	C	C	C	C	C	C			
Residential or Apartment Hotel	P	P									
Transient Lodgings											
- Hotel	P	P									
- Motel	P	P									
- Tourist Home	P	P	P	P	P	P	P				
- Transient Lodgings	C										

P= Permitted
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C= Conditional
I= Industrial Overlay District Required

RESIDENTIAL DISTRICTS

USES	RO1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Business Service											
- Adjustment and Collection Service	P	P	P								
- Advertising Services (excepting signs, billboards, etc	P	P	P								
- Business and Management Consulting services	P	P	P								
- Consumer and mercantile Credit reporting services	P	P	P								
- Detective and Protective Service	P	P									
- Employment Service	P	P	P								
- News Syndicate services	P	P	P								
- Office equipment rental and Leasing services	P	P									
- Research, developmental and Testing services	P	P	P								
- Stenographic Services	P	P	P								
Contract Construction Service											
- Equipment and materials, Outside storage	C	C	C	C	C	C	C	C	C	C	C
Special Construction Services											
-Equipment and materials Outside storage	C	C	C	C	C	C	C	C	C	C	C

P= Permitted
A= Accessory
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I= Industrial Overlay District Required

RESIDENTIAL DISTRICTS

USES	RO 1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Educational Services											
- Day care center	C	C	C	C	C	C	C	C	C	C	E
Schools											
- Barber	A	A									
- Beauty	A	A									
- Business	P	P									
- Correspondence	P	P									
- Handicapped	C	C	C	C	C	C	C	C	C	C	E
- Mentally Retarded	C	C	C	C	C	C	C	C	C	C	E
- Nursery	C	C	C	C	C	C	C	C	C	C	E
Private and Parochial											
- Elementary	C	C	C	C	C	C	C	C	C	C	E
- Intermediate	C	C	C	C	C	C	C	C	C	C	E
- Secondary	C	C	C	C	C	C	C	C	C	C	E
Physically Handicapped	C	C	C	C	C	C	C	C	C	C	E
Public											
- Elementary	C	C	C	C	C	C	C	C	C	C	E
- Intermediate	C	C	C	C	C	C	C	C	C	C	E
- Secondary	C	C	C	C	C	C	C	C	C	C	E
- Secretarial and Stenographic	P	P									
- Special Education	P	P	C	C	C	C	C	C	C	C	E
- Theological	C	C	C	C	C	C	C	C	C	C	E
- University, College, Junior College, and professional School education	C	C	C	C	C	C	C	C	C	C	E

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

RESIDENTIAL DISTRICTS

USES	RO1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Finance, Insurance, and Real Estate Services											
Banking and bank related Functions	P	P									
Bonding Services	P	P									
Credit Service	P	P									
Holding and Investment Services	P	P									
Insurance carriers, agents, Brokers, and service	P	P	P								
Real estate and related Services	P	P	P								
Savings and Loan Association	P	P									
Security and commodity Brokers, dealers, exchanges And services	P	P									
Other Finance, Insurance And real estate services	P	P									
Governmental Services											
Executive, legislative and Judicial Functions	P	P	P								
Military Bases and Reservations											
Administrations or Command Centers	P										
Armory	P										
Protective Functions & Related Services											
Civil Defense	P										
Fire Stations	P	P	C	C	C	C	C	C	C	C	

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

RESIDENTIAL DISTRICTS

USES	RO1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Personal Services											
Beauty, barber and hairdressing Services	A	A									
Funeral Service	P	P									
Laundry and dry cleaning, Self service	A	A									
Laundry and dry cleaning (pick-up and delivery only)	A	A									
Shoeshining	A	A									
Professional Services											
Legal Services	P	P	P								
Medical and other Health Service											
- Convalescent and rest home services	C	C	C	C	C	C	C	C			
- Dental service	P	P	P								
- Community Health Center	P	P									
- Hospital Services	C	C									
- Medical clinics – outpatient Services	C	C									
- Physicians' and surgeons' services	P	P	P								

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

RESIDENTIAL DISTRICTS

USES	RO1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Miscellaneous Services											
Business Associations	C	C	C								
Civic, social, private, religious And fraternal associations, Nonprofit	C	C	C								
Churches, synagogues and temples	P	P	C	C	C	C	C	C	C	C	E
Labor Unions and similar labor Associations	C	C	C								
Professional membership Organizations	C	C	C								
Retail Trade – Apparel and Accessories											
Custom tailoring	A	A									
Retail Trade-Eating and Drinking											
Drinking places (alcoholic beverages)	C	C	C	C	C	C	C	C	C	C	C
Eating places without drive-in or Curb service	A	A									
Eating places serving liquor	C	C									
Eating places serving beer and wine Only	P	P									

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

RESIDENTIAL DISTRICTS

USES	RO1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Retail Trade – Food											
Bakeries - retail											
- non manufacturing – retail	A	A									
Delicatessen	A	A									
Groceries – retail	A	A									
Other Retail Trade		C									
Cigars, cigarettes and tobacco - Retail	A	A									
Drug and proprietary – retail	A	A									
Florists – retail	A	A									
Gifts, novelties, and souvenirs – Retail	A	A									
Newspaper and magazines – retail	A	A									
Aircraft Transportation											
Heliport landing – takeoff pads	P										
Automobile Parking											
Parking Garage											
- commercial	C	C									
- community				C	C	C	C				
- Private	A	A	A	A	A	A	A	A	A	A	A
- public storage	A	A	A	S	A	A	A	A	A	A	A

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

RESIDENTIAL DISTRICTS

USES	RO1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Parking Lot											
Private	C	C	C	C	C	C	C	C	C	C	C
Public	C	C	C	C	C	C	C	C	C	C	
Commercial	C	C									
Communications											
Radio Communication											
- Broadcasting Studios (only)	P	P									
- Transmitting Stations	C	C	C	C	C	C	C	C	C	C	
- Message Center	P	P									
- Transmitting and receiving Stations (only)	C	C	C	C	C	C	C	C	C	C	
Telephone Communication											
- Exchange stations	C	C	C	C	C	C	C	C	C	C	
Television Communication											
- Broadcasting studios (only)	P	P									
- Transmitting Stations	C	C	C	C	C	C	C	C	C	C	
Radio and Television Communications (Combined Systems)											
- Broadcasting studios (only)	P	P	P								
Other Communication											
- Studios (only)	P	P	P								

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

RESIDENTIAL DISTRICTS

USES	RO1	RO2	RO3	R1	R2	R3	R4	R5	R6	R7	R8
Highway and Street Right-of-Way											
Arterial Streets	P	P	P	P	P	P	P	P	P	P	P
Collector/Distributor Streets	P	P	P	P	P	P	P	P	P	P	P
Local Access Streets	P	P	P	P	P	P	P	P	P	P	P
Alleys	P	P	P	P	P	P	P	P	P	P	P
Other highway and street Rights-of-Way	P	P	P	P	P	P	P	P	P	P	P
Motor Vehicle Transportation											
Taxicab Transportation											
- Stands	P	P									
Utilities											
Ele*ctric Utility*											
- Regulating Substations	C	C	C	C	C	C	C	C	C	C	
Other Transportation, Communication and Utilites											
Transportation Services and Arrangements											
- Trans ticket services	A	A									
- Travel arranging	A	A									

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

Section 854 B PUBLIC PROPERTY& FLOOD PLAIN DISTRICTS PERMITTED USE TABLE

USES	P	FP		
Culture, Entertainment and Recreational Uses				
Bazaars and festivals	C			
Carnivals and Circuses	C			
Go-Cart Tracks		F		
Golf Driving Range	P	F		
Miniature Golf		F		
Cultural Activities				
Aquariums	P			
Art Galleries	P			
Botanical gardens/ Arboretums	P	F		
Historic and Monument Sites	P	F		
Museums	P			
Planetariums	P			
Zoos	C			

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

PUBLIC PROPERTY & FLOOD PLAIN DISTRICTS

USES	P	FP		
Parks				
Parks – General Recreation	P	F		
Parks – Leisure and Ornamental	P	F		
Parkettes	P	F		
Public Assembly				
Amphitheaters	P			
Band Shell	P			
Sport Race Tracks	P			
Stadiums	P			
Other Entertainment Assembly	P			
Recreational Activites				
Camping and picnicking Areas	P	F		
Marinas	P	F		
Playgrounds and Athletic Areas				
Playgrounds	P	F		
Playfields or Athletic Fields	P	F		
Recreation Centers	P			

P= Permitted
A= Accessory
C= Conditional
I=Industrial Overlay District Required

PUBLIC PROPERTY & FLOOD PLAIN DISTRICTS

USES	P	FP		
Sports Activites				
Archery ranges, indoor	P			
Archery ranges, outdoors	P	F		
Firing ranges, indoor	P			
Firing ranges, outdoor	P	F		
Golf Courses	P	F		
Ice skating	P	F		
Riding Stables	P			
Roller Skates	P			
Swimming Pools	P	F		
Tennis Courts	P	F		
Resorts and Group Camps				
Group or organized camps	P			
Agriculture				
Horticultural Specialties	P	F		
Contract Construction Service				
General contract Construction services				
- Equipment and Materials Outside Storage	C			

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

PUBLIC PROPERTY & FLOOD PLAIN DISTRICTS

USES	P	FP		
Special Construction Trade Service				
-Equipment and materials, Outside Storage	C			
Education Services				
- Day Care Center	C			
Public				
- Elementary	C			
- Intermediate	C			
- Secondary	C			
Personal Services				
Crematory Services	C			
Automobile parking				
Parking Lot				
- Private	C	F		
- Public	C	F		
- Commercial	C	F		

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

PUBLIC PROPERTY & FLOOD PLAIN DISTRICTS

USES	P	FP		
Highway and Street Right Of Way	P	F		
Freeways	P	F		
Expressway	P	F		
Parkways	P	F		
Arterial streets	P	F		
Collector/distributor streets	P	F		
Local access streets	P	F		
Alleys	P	F		
Other Highway and Street Right-of-way	P	F		
Marine Craft Transportation				
Marine Terminals				
- passenger	P			

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

Section 854 C COMMERCIAL, BUSINESS AND INDUSTRIAL PERMITTED USE TABLE

USES	I-1	I-2	C-1	B1	B2	B3	B4
Culture, Entertainment and Recreational Uses							
Amusement		P					
Billiards and Pool Halls		P	P	P	P		
Bazaars and festivals		C		A	A	A	A
Carnivals and Circuses		C					
Go-Cart Tracks		P	P				
Gold Driving Range		P	P				
Miniature Golf		P	P				
Penny Arcades		P			P		
Cultural Activities							
Aquariums		P	P				
Art Galleries		I	I	P	P	P	P
Botanical gardens/ Arboretums							
Historic and Monument Sites	P	P	P	P	P	P	P
Libraries		I	I	P	P	P	P
Museums		I	I	P	P	P	P
Planetariums		P	P				
Zoos							

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Parks							
Parks – General Recreation							
Parks – Leisure and Ornamental	P	P	P	P	P	P	P
Parkettes	P	P	P	P	P	P	P
Public Assembly							
Amphitheaters							
Auditoriums and Coliseums		P	P	P	P		
Band Shell				P	P		
Civic Center		P	P	P	P		
Clubhouse		C	C	C	C	C	
Veterans Posts		P	P		P	P	P
Community Center		I	I			C	C
Drive - In Movies		C					
Exhibition Halls		P	P	P	P		
Legitimate Theaters		I	P	P	P	P	P
Motion Picture Theaters		I	P	P	P	P	P
Sports Arenas and Field House		P	P	P	P		
Sport Race Tracks		P					
Stadiums		P					
Other Entertainment Assembly		P	P				

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Recreational Activities							
Camping and picnicking Areas							
Marinas							
Playgrounds and Athletic Areas							
Athletic Clubs			P	P	P	P	P
Gymnasiums		P	P	P	P	P	P
Playgrounds						P	P
Playfields or Athletic Fields							
Play lots or tot lots						P	P
Recreation Centers			P	P	P	P	P
Sports Activities							
Archery ranges, indoor		P	P		P		
Archery ranges, outdoors	P	P					
Bowling		P	P	P	P	P	C
Firing ranges, indoor		P	P				
Firing ranges, outdoor	P	P					
Golf Courses							
Ice skating		P	P	P	P	P	
Riding Stables							
Roller Skates		P	P		P		
Swimming Pools		P	P	P	P	P	P
Tennis Courts		P	P	P	P	P	P

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Resorts and Group Camps							
Group or organized camps							
Manufacturing Uses							
Apparel and Other Finished Products, Manufacturing							
Apparel – stitching		P	P		P	P	C
Fur Goods – Manufacturing		P					
Hats, Caps and millinery – Manufacturing		P					
Leather and leather products Excepting leather tanning Finishing - Manufacturing		P					
Men's, youths', and boys' Suits, coats and overcoats – Manufacturing		P					
Women's. , misses', juniors', girls', children's and infants' outerwear – manufacturing		P					
Women's. ,misses', juniors', girls', children's and infants' undergarments – manufacturing		P					
Miscellaneous apparel and Accessories – manufacturing		P					

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Other Fabricated textile Products – manufacturing		P					
Chemicals and Allied Products, Manufacturing							
Agricultural chemicals, Excepting corrosive, Poisonous or malodorous Acids and chemicals – Manufacturing	P						
Drug – Manufacturing	P	P					
Gum and Wood chemicals Excepting corrosive, Poisonous or malodorous Acids and chemicals – Manufacturing	P						
Industrial inorganic and Organic chemicals, Excepting corrosive, Poisonous or malodorous Acids and chemicals – Manufacturing	P						
Paints, varnishes, lacquers Enamels and allied products - manufacturing	P						

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Plastics materials and Synthetic and other Manmade fibers – Manufacturing	P						
Soap, detergents, and Cleaning preparations, Perfumes, cosmetics and Toilet preparations – Manufacturing	P						
Other chemicals and allied Products, excepting Corrosive, poisonous or Malodorous acids and Chemicals and excepting Glue, size, gelatin, fertilizer, Fat rendering, explosives (other than firearms or small arms ammunition), printing ink and carbon black – manufacturing	P						

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Fabricated Metal Products – Manufacturing							
Electrical machinery, Equipment and supplies – Manufacturing	P	P					
Machinery – manufacturing	P	P					
Ordinance and accessories, Excepting explosives other Than firearms or small arms Ammunition – Manufacturing	P	P					
Transportation equipment – Manufacturing	P	P					
Other fabricated metal Products – Manufacturing	P	P					
Food and Kindred Products– Manufacturing							
Abattoir and Slaughterhouse	P						
Bakery products – Manufacturing		P					
Beverages – Manufacturing		P					

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Beverage-bottling and Canning soft drinks and Carbonated waters only		P	P				
Canning and preserving Of fruits, vegetables and Seafood		P					
Confectionary and related Products – manufacturing		P					
Dairy products - Manufacturing		P					
Grain Mill Products – Manufacturing		P					
Ice – Manufacturing	P	P					
Macaroni, spaghetti, Vermicelli and noodles – Manufacturing		P					C
Meat Products – Manufacturing	P	P					
Sugar Manufacturing		P					

P= Permitted
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I= Industrial Overlay District Required

COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Furniture and Fixture, Manufacturing							
Household furniture – Manufacturing		P					
Office Furniture – Manufacturing		P					
Partitions, shelving, lockers And office and store Fixtures – manufacturing		P					
Public building and related Furniture – manufacturing		P					
Other Furniture – Manufacturing		P					
Lumber and wood Products – manufacturing							
Millwork, veneer, plywood And prefabricated structural Wood products – Manufacturing	P	P					
Paper and Allied Products							
Building Paper & Board Manufacturing	P	P					
Converted paper and Paperboard products – Manufacturing	P	P					
Paper – Manufacturing	P						
Paperboard – Manufacturing	P	P					

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Paperboard containers and Boxes- manufacturing	P	P					
Primary Metal Industries							
Iron and Steel foundries	P						
Nonferrous foundries	P						
Rolling, drawing and Extruding of nonferrous Metals- manufacturing	P						
Printing, Publishing, and Allied Industries							
Bookbinding and related Industries – manufacturing		P	P		P	P	
Books, publishing and Printing		P	P		P	P	
Commercial printing		P	P		P	P	C
Greeting Card – Manufacturing		P	P		P	P	
Manifold business forms – Manufacturing		P	P		P	P	
Newspapers, publishing and Printing		P	P		P	P	
Periodicals, publishing Printing		P	P		P	P	P

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Printing trade service Industries		P	P		P	P	
Other printing and Publishing		P	P		P	P	
Professional, Scientific and Controlling Instruments; photographic and Optical Goods; Watches and Clocks; Manufacturing							
Engineering, laboratory and Scientific and research Instruments and associated Equipment – manufacturing		P					
Instruments for measuring Controlling and indicating Physical characteristics – Manufacturing		P					
Ophthalmic goods- Manufacturing		P					
Optical instruments – Manufacturing		P					
Optical Lenses – grinding And manufacturing		P	P	P	P	P	

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Optical lenses – grinding Not manufacturing		P	P	P	P	P	P
Photographic equipment And supplies-manufacturing		P					
Surgical, medical and dental Instruments and supplies – Manufacturing		P					
Watches, clocks, clockwork Operative devices and parts - manufacturing		P					
Rubber and Miscellaneous Plastic Products, Manufacturing							
Reclaiming Rubber	P						
Rubber footwear – Manufacturing	P						
Tires and Inner Tubes – Manufacturing	P						
Miscellaneous plastic Products – Manufacturing	P	P					
Other Fabricated rubber Products – Manufacturing	P	P					

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Stone, Clay and Grass Products, Manufacturing							
Abrasive, asbestos and Miscellaneous nonmetallic Mineral products – Manufacturing	P						
Concrete, gypsum and Plaster products – Manufacturing	P						
Cut Stone and Stone Products – Manufacturing	P	P					
Flat Glass- Manufacturing	P						
Glass and Glassware Manufacturing	P	P					
Pottery, earth ware, Porcelain and related products –Manufacturing	P	P					
Structural Clay Products – Manufacturing	P	P					

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Textile Mill Products, Manufacturing							
Broad and narrow woven Fabrics and other small Wares (cotton, manmade Fibers, silk and wool) – Manufacturing	P	P					
Dyeing and finishing of Textiles	P	P					
Floor coverings (rugs and Carpets)- manufacturing	P	P					
Knit goods – manufacturing	P	P					
Yarns and threads – Manufacturing	P	P					
Other Textile goods – Manufacturing	P	P					

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Miscellaneous Manufacturing							
Costume Jewelry, Costume Novelties, buttons and Miscellaneous notions – Manufacturing		P					
Jewelry, Silverware and Plated ware – Manufacturing		P					
Motion Picture Production		P	P				
Musical Instruments and Parts – manufacturing		P					
Pens, pencils and other Office and artists' materials - manufacturing		P					
Signs and advertising Display – manufacturing		P					
Tobacco – Manufacturing	P	P					
Toys, amusements, sporting And athletic goods – Manufacturing		P					

P= Permitted
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C= Conditional
I= Industrial Overlay District Required

COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Other miscellaneous Manufacturing excepting that which is dangerous by reason of fire, radiation or explosion, or injurious, noxious or detrimental to the surrounding neighborhood by reason of the possible emission of excessive dust, odor, fumes, gas, smoke, wastes, refuse matter, noise, vibration or because of any other objectionable feature, or is presently or in the future is likely to be a hazard or nuisance to adjacent property or the community at large, as determined by the zoning administrator, fire marshal, or director of health.	P	P					
Office, General and Professional Uses		P	P	P	P	P	P

P= Permitted
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I= Industrial Overlay District Required

COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Residential Uses							
Accessory Residential Uses							
Customary accessory uses				A	A	A	A
Customary home occupation				A	A	A	A
Household Units							
Single-family							
detached						P	P
Semidetached						P	P
Attached						P	P
Two-family							
detached						P	P
semidetached						P	P
attached						P	P
Three-family							
detached						SP	SP
semidetached						SP	SP
attached						SP	SP
Multiple	I	I	I	P	P	SP	SP
Group				C	C	C	C
Group Quarters							
Boarding, rooming or Lodging house					SP	SP	SP
Convalescent, nursing or Rest home						C	
Dormitory or Resident Hall			C		C	C	
Extended Care Residence							
Foster home							
Fraternity or Sorority House			C			C	
Maternity Home					P	P	P
Orphanage or Childrens Home							
Rehabilitation home						SP	
Religious Quarters					P	P	P
Retirement Center						C	C
Work Studio/dwelling		C	C	C	C		
Residential or Apartment Hotel				P	P	P	P

P= Permitted
A= Accessory
C= Conditional
SP=Special Permit
I= Industrial Overlay District Required

COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Transient Lodgings							
Hotel		P		P	P	P	
Motel		P	P	P	P	P	
Tourist home						P	P
Transient Lodgings		C	C	C	C		
Resource Production and Extraction Uses							
Agriculture							
Agriculture Processing	P	P					
Animal Husbandry services	P	P					
Farming	P	P					
Horticultural Specialties	P	P	P				
Service Uses							
Animal Services	P	P	P			P	

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Business Service							
Adjustment and collection Services		P	P	P	P	P	P
Advertising services (Except signs and billboards		P	P	P	P	P	P
Automobile Rental Services		P	P	P	P	P	C
Blueprinting and Photocopying services		P	P	P	P	P	P
Business and Management Consulting services		P	P	P	P	P	P
Consumer and Mercantile Credit Reporting Services		P	P	P	P	P	P
Data processing services Center		P	P		P	P	
Delivery Service		P	P	P	P	P	C
Detective and Protective Services		P	P	P	P	P	P
Direct mail advertising Services		P	P	P	P	P	P
Duplicating and mailing Services		P	P	P	P	P	P

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Dwelling and other building Services		P	P		P	P	
Employment Services		P	P	P	P	P	P
Limousine Service		P	P	P	P	P	C
Motion Picture distribution And services		P	P	P	P	P	
News Syndicate Services		P	P	P	P	P	P
Office equipment rental and Leasing services		P	P	P	P	P	P
Photofinishing Services		P	P	P	P	P	P
Research, development And testing services		P	P	P	P	P	P
Semi finish electronic Products; assembly		P	P		P	C	C
Stenographic Services		P	P	P	P	P	P
Trading Stamp Service			P	P	P	P	P
Truck Rental Service		P	P				

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Warehousing and Storage Services							
Acetylene, bottles and Propane gas storage		P	P				
Farm Products, inside Storage		P	P				
Farm products, inside Storage		P	P				
Food Lockers		P	P				
General warehousing and Inside storage		P	P				
Household goods, inside Storage		P	P				
Outside Storage		P					
Other warehousing and Inside storage		P	P				
Other business Services		P	P		P	P	

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Contract Construction Service							
Concrete Service	P	P					
Crane and Crane Services	P	P					
General contract Construction services	P	P	P				
Equipment and materials, Inside storage	P	P	P				
Equipment and Materials, Outside Storage	P	P	C	C	C	C	C
Salvage and Wrecking Services	C						
Special Construction Trade Service	P	P	P		P	P	P
Equipment and materials, Inside Storage	P	P	P			A	A
Equipment and materials, Outside Storage	P	P	C	C	C	C	C
Water Well Drilling Services	P	P					

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Education Services							
Day Care Center		P	P	P	P	C	C
Schools							
Art		I	I	P	P	P	P
Aviation		P					
Barber		I	I	P	P	P	P
Beauty		I	I	P	P	P	P
Business		I	I	P	P	P	P
Correspondence		I	I	P	P	P	P
Dancing		I	I	P	P	P	P
Dramatic		I	I	P	P	P	P
Driving, automobile		I	P	P	P	P	P
Driving, Truck		P	P				
Handicapped						C	C
Mentally retarded						C	C
Music/conservatory		I	I	P	P	P	P
Nursery				P		C	C

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Private and Parochial							
Elementary						C	C
Intermediate						C	C
Secondary						C	C
Physically handicapped						C	C
Public							
Elementary						C	C
Intermediate						C	C
Secondary						C	C
Secretarial and Stenographic				P	P	P	P
Special Education				P	P	P	P
Technical, Trade and Vocational		P	P	P	P	P	
Theological						C	
University, College, Junior college, and p Professional Education			P	P	P	P	

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Finance, Insurance, and Real Estate Services							
Banking and bank related Functions		P	P	P	P	P	P
Bonding Services		P	P	P	P	P	P
Credit Service		P	P	P	P	P	P
Holding and Investment Services		P	P	P	P	P	P
Insurance carriers, agents, Brokers, and service		P	P	P	P	P	P
Real estate and related Services		P	P	P	P	P	P
Savings and Loan Association		P	P	P	P	P	P
Security and commodity Brokers, dealers, exchanges And services		P	P	P	P	P	P
Other Finance, Insurance And real estate services		P	P	P	P	P	P

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Governmental Services							
Correctional Institutions		P					
Executive, legislative and Judicial Functions				P	P	P	
Military Bases and Reservations							
Administration or command Centers		P	P	P	P		
Armory		P	P				
Communication Center		P	P				
Defense Installations	P	P	P				
Maintenance Centers		P	P				
Storage Depots and Transportation Centers		P	P				
Training bases	P	P					
Postal Service		P	P	P	P	P	P
Protective Functions and related activities							
Civil defense and related Activates		P	P	P	P		
Fire Station	P	P	P	P	P	P	P
Police Station	P	P	P	P	P	P	P

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Personal Service							
Beauty, Barber and Hairdressing services		I	I	P	P	P	P
Cemeteries							
Crematory Services		C					
Diaper Service		P	P			P	
Funeral Service						P	
Fur Repair and Storage Services			P		P	P	P
Laundering, dry cleaning And dyeing services		P	P		P	P	P
Laundry and dry Cleaning, Self-service		I	P	P	P	P	P
Laundry and Dry Cleaning (Pick up and delivery only)		I	I	P	P	P	P
Linen Supply and Industrial Laundry Services		P	P			P	
Photographic Services		P	P	P	P	P	P
Therapeutic message Establishment				P	P		

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Pressing, alteration and Garment repair services		I	I	P	P	P	P
Rug cleaning and repair Services		P	P			P	
Show repair and hat Cleaning services		I	I	P	P	P	P
Shoe shining				P	P	P	P
Other personal services		I	I	P	P	P	
Professional Services							
Legal services		P	P	P	P	P	P
Medical and other health Services							
Convalescent and rest home Services						C	
Dental laboratory Services		P	P	P	P	P	P
Dental Services		P	P	P	P	P	P
Community health Centers		P	P	P	P	P	P
Hospital Services							
Medical Clinics – outpatient Services		C	C	C	C	C	C
Medical laboratory services	P	P	P	P	P	C	
Physicians' and surgeons Services		P	P	P	P	P	P

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Repair Services							
Automobile Repair and Services							
Automobile laundry		P	P		P		
General Repair and Services		P	P				
Limited Repair and Service		P	P		P	P	
Wash, self service		C	C			C	
Other Repair Service		P	P		P	P	P
Miscellaneous Services							
Ambulance Service		P	P			P	P
Business Associations		P	P	P	P	P	P
Civic, social, private, Religious and fraternal Associations, nonprofit				P	P	P	P
Churches, synagogues and Temples				P	P	P	P
Dog pound	P	P					
Junk and scavenger yards	C						
Laborer unions and similar Associations		P	P	P	P	P	P
Motor vehicle wrecking and Junkyards	C						

P= Permitted
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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Professional membership Organizations		P	P	P	P	P	P
Scrap metal processing	C						
Sign painters		P	P		P	P	P
Welfare and charitable Services		C	C		C		
Signs and Outdoor Advertising (See Article VII)							
Trade uses							
Retail Trade – Apparel and Accessories							
Children's and infants' Wear – retail		I	I	P	P	P	P
Custom Tailoring		I	I	P	P	P	P
Family clothing – retail		I	I	P	P	P	P
Furriers and fur apparel – Retail		I	I	P	P	P	P
Men's and boy's clothing And furnishings – retail		I	I	P	P	P	P
Shoes retail		I	I	P	P	P	P
Women's accessories and Specialties – retail		I	I	P	P	P	P

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Women's ready to wear – Retail		I	I	P	P	P	P
Other retail trade – apparel And accessories				P	P	P	P
Retail Trade – Automotive, Marine Craft, Aircraft and Accessories							
Aircraft and accessories – Retail		P	P				
Marine craft and accessories - retail		P	P			P	
Motor vehicles – retail							
New and used cars		P	P				
Used cars only		P	P				
New and used trucks		P	P				
Motor vehicles or gasoline Fueling stations	C	C	C	C	C	C	
Motor vehicles or gasoline Service stations	C	C	C	C	C	C	
Tires, batteries and Accessories – retail		P	P		P	P	P

P= Permitted
A= Accessory
C= Conditional
I= Industrial Overlay District Required

COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Other retail trade – Automotive, marine craft, Aircraft and accessories		P	P		P	P	P
Retail trade – Building Materials, Hardware and Farm Equipment							
Electrical supplies – retail		I	P	P	P	P	P
Farm equipment – retail		P	P				
Hardware – retail		I	P	P	P	P	P
Heating and plumbing Equipment – retail		I	P	P	P	P	P
Lumber and other building Materials – retail		P	P			P	
Paint, glass and wallpaper -Retail		I	P	P	P	P	P
Retail Trade – Eating and Drinking							
Brew pubs		P	I	C			
Drinking places (alcoholic beverages)		P	C	P	C	C	C
Eating Places with Drive-In or Curb Service		P	P			C	
Eating places without Drive-in or curb service		P	P	P	P	P	P

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Eating places serving liquor		P	C	P	C	C	C
Eating places serving beer And wine only		P	P	P	P	P	P
Retail Trade - Food							
Alcoholic beverages – retail		C	C	C	C	C	C
Bakeries – retail							
Manufacturing – retail			P		P	P	P
Non manufacturing – retail		I	I	P	P	P	P
Candy, nut and Confectionary – retail		I	I	P	P	P	P
Carry–out service – Prepared Foods		I	I	P	P	P	P
Dairy products – retail		I	I	P	P	P	P
Delicatessen		I	I	P	P	P	P
Eggs and Poultry – retail				P	P	P	P
Fish and seafood – retail		I	I	P	P	P	P
Fruits and vegetables – Retail		I	I	P	P	P	P
Groceries – retail		I	I	P	P	P	P

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Meats – retail		I	I	P	P	P	P
Other retail trade – food		I	I	P	P	P	P
Retail Trade – Furniture, Home Furnishing and Equipment							
Furniture, home furnishings And equipment – retail			P	P	P	P	P
Household appliances – Retail			P	P	P	P	P
Music supplies – retail		I	P	P	P	P	P
Radios and television – Retail			P	P	P	P	P
Retail Trade General Merchandise							
Department stores – retail			P	P	P	P	P
Direct selling organizations - retail			P	P	P	P	P
Dry goods and general Merchandise – retail			P	P	P	P	P
General Stores – Retail			P	P	P	P	P
Limited price variety Stores – retail			P	P	P	P	P

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Mail order house – retail			P	P	P	P	P
Merchandise vending Machine operators – retail			P			P	
Other retail Trade							
Adult establishments	C	C					
Antiques – retail		I	P	P	P	P	p
Bicycles – retail		I	P	P	P	P	P
Books – retail		I	I	P	P	P	P
Bottled gas – retail		P	P			P	
Cameras and photographic Supplies – retail		I	I	P	P	P	P
Cigars, cigarettes and Tobacco – retail		I	I	P	P	P	P
Drug and proprietary – retail		I	I	P	P	P	P
Farm and garden supplies - retail		P	P			P	P
Florists – retail		I	P	P	P	P	P
Fuel oil – retail		P	P			P	
Gifts, novelties, and Souvenirs – retail		I	I	P	P	P	P
Jewelry –retail		I	I	P	P	P	P
Liquor – retail			C	C	C	C	C

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Newspapers and magazines - retail		I	I	P	P	P	P
Nursery – retail		P	P			P	P
Optical goods – retail		I	I	P	P	P	P
Pet shops – retail		I	I	P	P	P	P
Secondhand mechanics -retail		P	P		P	P	C
Sporting goods – retail		I	I	P	P	P	P
Stationary – retail		I	I	P	P	P	P
Other retail trade		I	I	P	P	P	P
Retail Trade – Outdoor Display of merchandise Or other items for sale or Advertisement						A	A

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Wholesale trade							
Air conditioning, Refrigerated equipment and Supplies – wholesale		P	P				
Alcoholic beverages		P	P				
Drugs, chemicals and Allied products – wholesale		P	P				
Dry goods and apparel - wholesale		P	P				
Electrical goods – wholesale		P	P				
Farm products – wholesale		P					
Furniture and home Furnishings – wholesale		P	P				
Groceries and related Products – wholesale		P	P				
Hardware – wholesale		P	P				
Heating and plumbing Equipment and supplies – Wholesale		P	P				
Lumber and construction Materials – wholesale		P	P				

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Machinery, equipment and Supplies – wholesale		P	P				
Metals and minerals – Wholesale		P	P				
Motor vehicles and Automotive equipment - wholesale		P	P				
Paper and paper products - wholesale		P	P				
Petroleum bulk stations and Terminals – wholesale	P	P	P				
Scrap and waste material - wholesale	P						
Tobacco and tobacco Products – wholesale		P	P				
Other wholesale trade		P	P				
Aircraft Transportation							
Airport and flying fields		P					
Heliport landing takeoff pads		P	P	P	P		
Other aircraft transportation		P					
Automobile parking							
Parking Garage							
Commercial		P	P	C	P	P	C
Community							
Private	P	P	P	P	P	P	P
Public storage	P	P	P	C	P	P	C

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Parking lot							
Private	P	P	P	P	P	P	P
Public	P	P	P	P	P	P	P
Commercial	P	P	P	P	P	P	P
Communications							
Radio Communication							
- Broadcasting studios				P	P	P	P
- Transmitting stations	P	P	P	P	P	P	P
- Transmitting towers	P	P					
Telegraph Communications							
Message centers				P	P	P	P
Transmitting and Receiving stations (Only)	P	P	P	P	P	P	P
Telephone Communication							
Exchange stations	P	P	P	P	P	P	P
Relay towers (microwave)	P	P	P	P	P		

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Television Communication							
Broadcasting studios (only)				P	P	P	P
Transmitting Stations	P	P	P	P	P	P	P
Relay Towers	P	P	P	P	P		
Radio and television Communications (combined systems)							
Broadcasting studios only (combined systems)				P	P	P	P
Other Communication							
Studios (Only)				P	P	P	P
Transmitting stations and Towers	P	P	P	P	P		
Highway and Street Right Of Way							
Freeways							
Expressway							
Parkways							
Arterial streets	P	P	P	P	P	P	P
Collector/distributor streets	P	P	P	P	P	P	P
Local access streets	P	P	P	P	P	P	p

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Alleys	P	P	P	P	P	P	P
Other Highway and Street Right-of-way	P	P	P	P	P	P	P
Marine Craft Transportation							
Marine Terminals							
-freight	P	P					
- passenger	P	P					
- passenger and freight	P	P					
Motor Vehicle Transportation							
Bus Transportation							
-Garage and equipment Maintenance		P					
-Passenger Terminals (Intercity)		P	P	P	P		
-Passenger terminals (local)				P	P	P	
-Passenger Terminals (intercity and local)		P	P	P	P		

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Motor Freight Transportation							
Garaging and equipment Maintenance		P					
Terminals		P	P				
Taxicab transportation							
Garaging and equipment Maintenance		P	P			P	
Stands			P	P	P	P	P
Transport center		P	P	P	P		
Railroad, Rapid Rail Transit and Street Railroad Tranportation							
Railroad transportation							
-Equipment maintenance and storage	P	P					
- Freight Terminal	P	P	P		P		
- Freight and passenger terminal		P	P		P		
- Passenger Terminal		P	P		P		
- Right of Way	P	P	P				
- Switching and Marshalling yards	P	P					

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Rapid rail transit and street railway transportation							
Equipment maintenance And storage	P	P					
Passenger Terminal		P	P	P	P		
Right Of Way	P	P	P				
Utilities							
Electric Utility							
-Generation plants	P	P					
- Regulating substations	P	P	P	P	P	P	P
Gas Utility							
- natural or manufactured gas storage and distribution points	P	P	P				
- pressure control stations	P	P	P				
- production plants	P	P					
Sewage Disposal							
- Pressure control stations	P	P	P				
- Sludge drying beds	P						

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
- Treatment plants	P	P					
Solid Waste Disposal							
- central garbage grinding /extraction	P	P					
- compositing plants	P						
- bio-medical waste treatment facility							
- recycling facility or plant	C	C					
- refuse disposal	P						
- refuse incineration	P						
- sanitary landfills	P	P					
Water Utilites and Irrigation							
- pressure control station	P	P	P				
- storage	P	P	P				
- treatment plants (purification)	P	P					

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COMMERCIAL, BUSINESS AND INDUSTRIAL

USES	I-1	I-2	C-1	B1	B2	B3	B4
Other Transportation, Communications and Utilities							
Petroleum pressure control Stations	P	P	P				
Transportation services and Arrangements							
-freight-forwarding service		P	P				
- packing and crating s service		P	P				
- transportation ticket services		P	P	P	P	P	P
- travel-arranging services		P	P	P	P	P	P
Local district heating or Cooling facility	P	P	C				
Other non-classified uses							
Check cashing						C	
Pawnshop						C	
Tattoo Parlor						C	

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DIVISION 2. REQUIRED CONDITIONS

Sec. 876. General provisions.

Every use listed in this division shall comply with the regulations of the district in which it is located as is shown on the table of permitted uses in division 1 of this article, and, in addition, with the conditions and requirements specified in this division for the districts in which the use is listed as "C" in the table of permitted uses. Every application for the use of property subject to conditions set forth in this division shall be filed with the zoning administrator in accordance with the provisions of section 68 (relating to applications for zoning permits) and shall be subject to approval by the zoning administrator and any other commission, board or agency stipulated in this division.

Sec. 877. Expansion of or addition to existing uses.

The ZBA shall have the power to grant a special exception, as set forth in article II, division 3 (relating to zoning board of appeals), to permit the expansion of or addition to any use existing at the time of adoption of these regulations and subject to the conditions and requirements specified in this division, which use does not or will be unable to comply with such conditions and requirements specified in this division either prior or subsequent to such expansion or addition, provided the expansion or addition shall comply as closely as possible to such conditions and requirements specified in this division.

Sec. 878. Alcoholic beverages, sale of.

(a) The sale of alcoholic beverages is a permitted use as indicated in the table of permitted uses and, in the C-1, B-2, B-3 and B-4 zoning districts, the following conditions shall apply:

(1) 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 a:

a. Restaurant, grill, cafe, clubhouse or tavern serving alcoholic liquor as defined in the Liquor Control Act, Chapter 545 of the general statutes, if any part of such building or premises is situated on any part of a lot within a fifteen hundred-foot radius in any direction of any lot upon which is located a building or premises used for the purpose of a restaurant, grill, cafe, clubhouse or tavern serving alcoholic liquor;

b. Package store selling alcoholic liquor if any part of such building or premises is situated on any part of a lot within a fifteen-hundred-foot radius in any direction of any lot upon which is located a building or premises used for the purpose of a package store selling alcoholic liquor;

c. Restaurant, grill, cafe, tavern, clubhouse or package store if any part of such building or premises is situated on any part of a lot within a two-hundred-foot radius of any part of a lot used or reserved to be used for the purposes of a public school or library, a school other than a public school operated as a benevolent institution and not for profit, a hospital operated as a benevolent institution, a medical clinic, a funeral home, a church or a charitable institution whether supported by public or private funds.

(2) Paragraph (a)(1) shall not be deemed to be retroactive except that where an existing restaurant, grill, cafe, tavern, clubhouse or package store serving or selling alcoholic liquor shall discontinue such use for a period of thirty (30) days, such use shall not be resumed except in conformity to paragraph (a)(1).

(3) Paragraph (a)(1) shall not apply to stores chiefly engaged in the sale of groceries which sell beer under a package store beer permit.

(4) The fifteen-hundred-foot requirement of subparagraphs (a)(1)a., and (a)(1)b., shall be reduced to a seven-hundred-fifty-foot requirement in the case of any restaurant, grill, cafe, tavern, clubhouse or package store selling alcoholic liquor where the permit tee of the restaurant, grill, cafe, tavern, clubhouse or package store selling alcoholic liquor has been forced to relocate said permit tee's business because the premises where said business was located has been taken by condemnation or other governmental action, whether by any federal, state, municipal or quasi-governmental agency.

(5) In the B-2 zoning district, the provisions of paragraphs (a)(1) and (a)(4) shall not apply to structures having a gross floor area of fifty thousand (50,000) square feet exclusive of garages. Such structures shall be permitted one (1) permit for each fifty thousand (50,000) square feet of gross floor area exclusive of garage area.

(6) Paragraphs (a)(1)a., (a)(1)c. and (a)(4) shall not apply to a restaurant, grill or cafe chiefly engaged in the sale of food and the serving of beer and wine as an accessory to the sale of food under a beer and wine permit.

(7) Notwithstanding paragraphs (a)(1)a., (a)(1)c. and (a)(4), the zoning administrator shall refer every application by a restaurant for the sale of liquor, exclusive of beer and wine, to the commission. The commission is authorized to grant a special permit to allow the sale of liquor, exclusive of beer and wine, in the B-3 and B-4 zoning districts, subject to the following conditions:

a. The sale of liquor shall be subordinate and incidental to the use of the premises as a restaurant as defined in section 2 (relating to definitions);

b. The restaurant to which the sale of liquor is subordinate and incidental shall contain an active commercial floor area of no less than one thousand (1,000) square feet, exclusive of kitchen, office and storage areas;

c. Liquor shall only be served to restaurant patrons from a service bar as defined in section 2 (relating to definitions); and

d. In a mixed use residential/commercial structure the restaurant use shall be restricted to the first or ground floor in existing or new structures or portions thereof.

(b) In the C-1, B-1, B-2 and B-3 zoning districts the sale of beer and wine under a university permit issued pursuant to the provisions of the general statutes shall be permitted on a university or college campus as defined in paragraph 909(1). Such university permit shall not be subject to the paragraphs (a)(1) through (a)(5) above, but shall be subject to the provisions of subparagraph 909(2)l.

(c) In the RO-1 and RO-2 zoning districts, the following conditions shall apply:

(1) The sale of alcoholic beverages is a permitted use as indicated in the table of permitted uses and subject to the provisions of section 982 (relating to accessory uses). Paragraphs (1)--(4) of subsection (a) shall apply to such uses except that in the case of nonresidential structures having one hundred thousand (100,000) square feet or more of gross floor area exclusive of garages and twenty thousand (20,000) square feet or more of lot area, the sale of alcoholic beverages shall be subject to the distance requirements set forth as follows. For a:

a. Restaurant, grill, cafe or tavern serving alcoholic liquor as defined in the Liquor Control Act, no part of a lot on which such structure is situated shall be within a one-thousand-foot radius in any direction of any lot upon which is located a building or premises used for the purpose of a restaurant, grill, cafe or tavern serving alcoholic liquor;

b. Package store selling alcoholic liquor, no part of a lot on which such structure is situated shall be within a one-thousand-foot radius in any direction of any lot upon which is located a building or premises used for the purpose of a package store selling alcoholic liquor;

c. Restaurant, grill, cafe, tavern or package store, no part of a lot on which such structure is situated shall be within a one-hundred-foot radius in any direction of any lot used or reserved to be used for the purposes of a public school or library, a school other than a public school operated as a benevolent institution and not for profit, a hospital operated as a benevolent institution, a church, or a charitable institution whether supported by public or private funds.

(2) The sale of beer and wine under a university permit issued pursuant to the provisions of the general statutes shall be permitted on a university or college campus as defined in paragraph 909(1) (relating to university, college uses). Such university permit shall not be subject to the provisions of paragraph (1) of this subsection, but shall be subject to the provisions of subparagraph 909(2)l.

(3) Paragraphs (c)(1), (c)(1)a. and (c)(1)c. shall not apply to a restaurant, grill or cafe chiefly engaged in the sale of food and the serving of beer and wine as an accessory to the sale of food under a beer and wine permit.

(d) In the RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, and R-8 districts, the following conditions shall apply:

(1) The sale of beer and wine as defined under a university permit issued pursuant to the provisions of the general statutes shall be permitted on a university or college campus as defined in paragraph 909(1) (relating to university, college uses). Such university permit shall be subject to the provisions of subparagraph 909(2)l;

(2) The sale of alcoholic beverages under a nonprofit theater permit issued under the provisions of general statutes section 30-35a (relating to nonprofit theater alcohol permits) shall be permitted in connection with a theater located on a university or college campus and operated by either the university/college, or a nonprofit organization under a lease agreement with the university/college.

(e) In the B-1 zoning district, the following conditions shall apply:

(1) 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 a:

a. Package store selling alcoholic liquor if any part of such building or premises is situated on any part of a lot within a fifteen-hundred-foot radius in any direction of any lot upon which is located a building or premises used for the purpose of a package store selling alcoholic liquor;

b. Package store if any part of such building or premises is situated on any part of a lot within a two-hundred-foot radius of any part of a lot used or reserved to be used for the purposes of a public school or library, a school other than a public school operated as a benevolent institution and not for profit, a hospital operated as a benevolent institution, a church or a charitable institution whether supported by public or private funds.

(2) Paragraph (e)(1) shall not be deemed to be retroactive, except that where an existing package store serving or selling alcoholic liquor shall discontinue such use for a period of thirty (30) days, such use shall not be resumed except in conformity to such provisions;

(3) The fifteen-hundred-foot requirement of subparagraphs (e)(1)a., and (e)(1)b., shall be reduced to a seven-hundred-fifty-foot requirement in the case of any package store selling alcoholic liquor where the permittee of such package store selling alcoholic liquor has been forced to relocate said permittee's business because the premises where said business was located has been taken by condemnation or other governmental action, whether by any federal, state, municipal or quasi-governmental agency.

(f) In the B-3 and B-4 zoning districts, the sale of alcoholic beverages and food shall be permitted to be extended beyond the building line for outdoor cafes under the following conditions:

(1) The outdoor cafe shall be an accessory to an existing use which serves alcoholic beverages;

(2) The total area occupied by the outdoor cafe shall not exceed six hundred (600) square feet in area, provided the existing use and cafe extension shall occupy not more than sixty (60) percent of the area of the lot;

(3) The outdoor cafe shall not extend fifteen (15) feet beyond the building line;

(4) The outdoor cafe shall not extend beyond the street line and where the street line and the building line are coincident, no outdoor cafe shall be permitted;

(5) The outdoor cafe shall be enclosed by a fence enclosure with a minimum height of four (4) feet and a maximum height of six (6) feet, which may include a one-foot high masonry wall under the fence;

(6) The outdoor cafe shall not have a covering or overhead enclosure and shall be open-air;

(7) Any encroachment over the building line shall require the permission of the director of public works pursuant to code section 9-2 (relating to obstructions between building lines and street lines);

(8) The outdoor cafe must comply with paragraph (a)(1) of this section and the building and health provisions of the code;

(9) If associated with a principal use on a corner lot, only one (1) frontage shall be utilized for outdoor cafe purposes.

Sec. 879. Automobile car wash, self-service.

Automobile self-service car washes are a permitted use in the I-2, C-1 and B-3 districts, subject to the following conditions:

(1) Every self-service automobile car wash shall be screened from any adjacent residential property by a planting screen or suitable fence not less than six (6) feet in height and providing year-round screening;

(2) The premises shall be properly lighted with particular attention to the proper shielding thereof in order to prevent any direct illumination of any adjacent residential property;

(3) Entrance and exit to the premises shall be from and to a major street;

(4) Vehicular entrance to the car wash structure shall be from the rear of the structure in order that vehicles will exit from the structure toward the street;

(5) All entrances and exits shall be approved by the city traffic engineer, and where required, by the director of public works.

Sec. 880. Automobile parking garage--Commercial.

Commercial parking and storage garages are a permitted use in the B-1, B-4, RO-1 and RO-2 districts, subject to the following conditions:

(1) In the B-1 district there shall be no exits or entrances on Main Street and all exits and entrances shall be so located as to provide the least amount of interference with the movement of pedestrians and vehicular traffic;

(2) In the B-4, RO-1 and RO-2 districts:

a. The garages shall conform to all standards required for nonresidential structures in the zoning district in which they are located, except as provided in section 404 (relating to maximum height limit) for the B-4 zoning district,

b. All exits and entrances shall be on predominantly nonresidential streets, except where this is not possible, on the streets having the higher residential density. Each entrance and exit shall be at least twenty (20) feet distant from any adjacent residential property or residential district,

c. Such parking garage shall be used solely for the parking of passenger vehicles,

d. There shall be no commercial repair work or service of any kind conducted in such garage and there shall be no display of vehicles for purposes of sale or rent on such premises,

e. No sign of any kind, other than those designating entrances, exits and conditions of use shall be maintained on such garage. Such signs shall not exceed fifteen (15) square feet in area each, and an overall height of ten (10) feet;

(3) Every exit and entrance shall be located a minimum distance of seventy-five (75) feet from any street intersection;

(4) No exit or entrance shall be located within designated bus loading or unloading zones;

(5) Every entrance and exit shall be approved by the city traffic engineer, and where required, by the director of public works.

(6) In addition to the above, garages located in the B-4 district, and abut an R-4, R-5, R-6, R-7 or R-8 district shall require a special permit from the commission, applied for and acted on in accordance with section 68 (relating to applications for zoning permits). In reviewing the special permit application, the commission shall consider all aspects of the proposal and in particular the arrangement of the structures, the location of permitted uses and their relationship to adjacent properties, the landscaping and distribution of open spaces, the pedestrian and vehicular circulation, whether the proposed development is compatible with adjacent properties and does not deprive such properties or uses of adequate light and air, and whether the proposed location is consistent with the plan of conservation and development and in the public interests of the city. Furthermore:

a. During all open hours the garage shall be naturally or artificially lighted to an average minimum level of five (5) footcandles. Artificial lighting shall be so arranged as to not impinge upon adjoining residential premises to the greatest extent practical. If the owner or operator of the garage segregates areas of the garage as not available for parking at a given time, then only those areas available for parking shall be lighted as required by this section.

b. All such garages shall have all wall openings within ten (10) feet or less of grade other than pedestrian doorways and vehicle entries and exits, fenced with chain-link fencing or other materials designed to prevent access through such openings. In the event part of such opening is within ten (10) feet of grade and part is beyond, the entire continuous opening shall be so fenced to prevent access through such space. In addition, during the time the facility is closed, all pedestrian doorways and all vehicle entrances and exits shall be capable of being closed to pedestrian vehicle access by doors, gates or other means designed to prevent such access. If such garage is open twenty-four (24) hours per day and every day of the year, the requirement for such doors, gates or other means of preventing pedestrian and/or vehicle access shall be waived for the purposes of this section only.

c. All such garages to be constructed after the effective date of this subsection or for which a permit has not been issued shall be required to submit a plan setting forth the security provisions for such project. The security plan shall be submitted to the division of licenses and inspections at the time an application for a building permit is made. A copy of the security plan shall also be forwarded to the chief of police for review. The chief shall, within thirty (30) days, issue written comments to the zoning administrator concerning the security plan, which recommendations shall be incorporated into the project wherever possible.

Sec. 881. Automobile parking garage--Community.

A community garage is a permitted use in the RO-3, R-1, R-2, R-3 and R-4 districts, subject to the following conditions:

(1) Every community garage shall occupy not more than forty (40) percent of the area of the lot;

(2) Every community garage shall be set back from abutting property in accordance with the setback provisions of the zoning district in which such community garage is located;

(3) Every community garage shall be used for the storage of vehicles only for the occupants of lots in the same or adjacent block or blocks;

(4) Every community garage shall be used solely for the parking of passenger vehicles;

(5) There shall be no commercial repair work or service of any kind conducted in a community garage and there shall be no display of vehicles for purposes of sale or rent on such premises;

(6) No sign of any kind other than those designating entrances, exits, and conditions of use shall be maintained in or on a community garage. Such signs shall not exceed fifteen (15) square feet in area each, and an overall height of ten (10) feet;

(7) No exit or entrance shall be located within any designated bus loading or unloading zone;

(8) Every entrance and exit shall be approved by the city traffic engineer and, where required, by the director of public works;

(9) Every community garage shall conform to the height limit required for residential structures in the zoning district in which it is located, except as provided in sections 508 (relating to maximum height limit) and 543 (relating to maximum height limit) for the R-1 and R-2 zoning districts.

Sec. 882. Automobile parking garage--Public storage.

Public storage garages are a permitted use in the B-1 and B-4 districts, subject to the following conditions:

(1) In the B-1 district:

a. There shall be no exit or entrance on Main Street;

b. All exits and entrances shall be so located as to provide the least amount of interference with the movement of pedestrians and vehicular traffic;

c. For provisions regarding floor area ratio (FAR), see section 2 (relating to definitions).

(2) In the B-4 district:

a. The garages shall conform to all standards required for nonresidential structures in the zoning district in which they are located, except as provided in section 404 (relating to maximum height limit);

b. All exits and entrances shall be on predominantly nonresidential streets, except where this is not possible, on the streets having the higher residential density; each entrance and exit shall be at least twenty (20) feet distant from any adjacent residential property or residential district;

c. Such parking garage shall be used solely for the parking of passenger vehicles;

d. There shall be no commercial repair work or service of any kind conducted in such garage and there shall be no display of vehicles for purposes of sale or rent on such premises;

e. No sign of any kind, other than those designating entrances, exits and conditions of use shall be maintained on such garage; such signs shall not exceed fifteen (15) square feet in area each, and an overall height of ten (10) feet;

f. Every exit and entrance shall be located a minimum distance of seventy-five (75) feet from any street intersection;

g. No exit or entrance shall be located within designated bus loading or unloading zones;

h. Every entrance and exit shall be approved by the city traffic engineer, and where required, by the director of public works;

i. Garages located on a lot or zoning lot which abuts an R-4, R-5, R-6, R-7 or R-8 district shall require a special permit from the commission, applied for and acted on in accordance with section 68 (relating to applications for zoning permits). In reviewing the special permit application, the commission shall consider all aspects of the proposal and in particular the arrangement of the structures, the location of permitted uses and their relationship to adjacent properties, the landscaping and distribution of open spaces, the pedestrian and vehicular circulation, whether the proposed development is compatible with adjacent properties and does not deprive such properties or uses of adequate light and air, and whether the proposed location is consistent with the plan of conservation and development and in the public interests of the city. Furthermore:

1. During all open hours the garage shall be naturally or artificially lighted to an average minimum level of five (5) foot candles. Artificial lighting shall be so arranged as to not impinge upon adjoining residential premises to the greatest extent practical. If the owner or operator of the garage segregates areas of the garage as not available for parking at a given time, then only those areas available for parking shall be lighted as required by this section.
2. All such garages shall have all wall openings within ten (10) feet or less of grade other than pedestrian doorways and vehicle entries and exits, fenced with chain-link fencing or other materials designed to prevent access through such openings. In the event part of such opening is within ten (10) feet of grade and part is beyond, the entire continuous opening shall be so fenced to prevent access through such space. In addition, during the time the facility is closed, all pedestrian doorways and all vehicle entrances and exits shall be capable of being closed to pedestrian vehicle access by doors, gates or other means designed to prevent such access. If such garage is open twenty-four (24) hours per day and every day of the year, the requirement for such doors, gates or other means of preventing pedestrian and/or vehicle access shall be waived for the purposes of this section only.
3. All such garages to be constructed after the effective date of this subsection or for which a permit has not been issued shall be required to submit a plan setting forth the security provisions for such project. The security plan shall be submitted to the division of licenses and inspections at the time an application for a building permit is made. A copy of the security plan shall also be forwarded to the chief of police for review. The chief shall, within thirty (30) days, issue written comments to the zoning administrator concerning the security plan, which recommendations shall be incorporated into the project wherever possible.

Sec. 883. Automobile parking lot; private, commercial and/or public.

Private, commercial and/or public parking is a permitted use in the RO-1, RO-2, and RO-3 districts, subject to the following conditions:

(1) Commercial and/or public automobile parking in the RO-1, RO-2, and RO-3 districts may be conducted within a structure or at the surface,

(2) Surface parking shall meet all the requirements set forth in article V of these regulations (relating to off-street parking and off-street loading) for parking in residential districts, except such lot may be open twenty-four (24) hours a day,

(3) All exits and entrances shall be located a minimum of seventy-five (75) feet distant from any street intersections;

(4) There shall be no exits or entrances located within a designated bus loading or unloading zone,

(5) All entrances and exits shall be approved by the city traffic engineer, and where required, by the director of public works.

Sec. 884. Bazaar, festival, carnival or circus.

(a) Bazaars, festivals, carnivals or circuses are permitted in the I-2 and P districts, subject to the following conditions:

(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) A minimum lot area of one-half (1/2) acre shall be required;

(3) The bazaar, festival, carnival or circus 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, permissions, licenses, and authorizations required.

(4) 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.

(b) Bazaars or festivals only are permitted in the B-1, B-2, B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7 and R-8 districts, subject to the following conditions:

(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 bazaar or festival is of a temporary nature;

(3) The bazaar or festival is accessory to, directly associated with and sponsored by a nonprofit organization, as defined in general statutes section 7-172 (relating to qualifications for sponsorship of or participation in bazaar or raffle);

(4) The bazaar or festival is located on the same zoning lot as the organization which it is accessory to, associated with and sponsored by;

(5) The bazaar or festival does not operate nightly beyond the hour of 11:00 p.m.;

(6) The bazaar or festival 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, permissions, licenses, and authorizations required.

(7) 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.

Sec. 885. Churches, synagogues and temples.

Churches, synagogues and temples and the like are permitted uses in the RO-3, R-1, R-2, R-3, R-4, R-5, and R-6, subject to the following conditions:

(1) In the RO-3, R-1, R-2, R-3, R-4, R-5, R-6 districts:

a. There shall be a minimum lot area of three (3) acres in the RO-3, R-1, R-2, R-3 and R-4 districts, a minimum lot area of four (4) acres in the R-5 district and a minimum lot area of five (5) acres in the R-6 and R-7 districts,

b. No church, including accessory structures, shall occupy more than thirty (30) percent of the area of the lot,

c. There shall be minimum side and rear setbacks of twenty-five (25) feet, with a minimum setback of one hundred (100) feet from all adjacent residential properties,

d. Entrances and exits to the parking lot shall be located, where possible, on nonresidential streets,

e. Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening,

f. All exits and entrances shall be located a minimum of seventy-five (75) feet distant from any street intersections,

g. There shall be no exits or entrances located within a designated bus loading or unloading zone,

h. All entrances and exits shall be approved by the city traffic engineer, and where required, by the director of public works,

i. Density and open space requirements for residential structures are as set forth for religious quarters in section 902 (relating to religious quarters),

j. Bazaars and festivals shall be a permitted accessory use, provided they are of a temporary nature, are associated with a nonprofit organization and do not operate beyond the hour of 11:00 p.m.

(2) In the R-7 and R-8 districts, only existing churches, synagogues and temples are a permitted use, and any addition to or expansion of such churches, synagogues or temples or their accessory parking facilities shall not be permitted.

Sec. 886. Clubhouse for nonprofit associations.

Clubhouses for use by nonprofit athletic clubs, business associations, civic, social, private, religious and fraternal associations, professional membership organizations and labor unions are a permitted use in the I-2, C-1, B-1, B-2 and B-3 districts, subject to the following conditions:

(1) There shall be a minimum lot area of ten thousand (10,000) square feet;

(2) There shall be minimum side and rear setbacks of twenty-five (25) feet;

(3) In addition to the setback requirements above, every building, except those existing at the time of adoption of these regulations, shall be set back a minimum distance of fifty (50) feet from any adjacent residential property;

(4) No new structure shall be erected to a height in excess of two (2) stories;

(5) Off-street parking, on site or adjacent to the clubhouse, shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening;

(6) New clubhouses, which abut a residential zone, shall not be located within fifteen hundred (1,500) feet of another clubhouse;

(7) There shall be no loitering outside of the premises after 10:00 p.m.;

(8) There shall be annual licensing by 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.

Sec. 887. Community centers.

Community centers are a permitted use in the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3 and R-4 districts, subject to the following conditions:

(1) There shall be a minimum lot area of one (1) acre;

(2) The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot;

(3) There shall be minimum side and rear setbacks of twenty-five (25) feet;

(4) In addition to the setback requirements above, every building except those existing at the time of adoption of these regulations, shall be set back a minimum distance of fifty (50) feet from any adjacent residential property;

(5) No new structure shall be erected to a height in excess of two (2) stories;

(6) In the B-3 and B-4 zoning districts, the provisions of paragraphs (1) through (5) shall not apply;

(7) Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening;

(8) There shall be adult on-site supervision during all hours of operation;

(9) There shall be annual licensing to ensure a schedule of supervisors for the center, adequate maintenance of the interior and exterior of the premises, and the absence of public disturbance or nuisance.

Sec. 888. Convalescent home; rest home; nursing home; retirement center.

Convalescent homes, rest homes, nursing homes, and retirement centers are permitted uses in the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4 and R-5 districts, subject to the following conditions:

(1) There shall be a minimum lot area of one (1) acre;

(2) The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot;

(3) There shall be minimum side and rear setbacks of twenty-five (25) feet;

(4) In addition to the setback requirements above, every building shall be set back a minimum distance of fifty (50) feet from any adjacent residential property which is located in an R-5, R-6, R-7 or R-8 district;

(5) The maximum number of persons permitted on any one (1) lot and the minimum amount of usable open space required on any lot shall be determined by the district in which the home or center is located and shall be calculated in accordance with the table of densities set forth under the definition of "density" in section 2 (relating to definitions) except in the R-5 district where the maximum number of persons per acre shall not exceed thirty-five (35), and where there shall be provided four hundred (400) square feet of usable open space per person;

(6) Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening;

(7) Every convalescent home, rest home, nursing home or retirement center shall conform to the height limit of the zoning district in which it is located, except as provided in sections 369 (relating to maximum height limit), 404 (relating to maximum height limit), 508 (relating to maximum height limit) and 543 (relating to maximum height limit) for the B-3, B-4, R-1 and R-2 zoning districts.

Sec. 889. Dormitory or residence hall.

Dormitory or residence halls are a permitted use in the C-1, B-2, B-3, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7 and R-8 districts, subject to the following conditions:

(1) Dormitory or residence halls shall be permitted only on the campus of a college or university in the C-1 district and shall abide by the provisions set forth for residential structures in the B-2 district;

(2) Dormitory or residence halls shall be permitted on- or off-campus of a college or university or the site of a hospital in the B-2, B-3, RO-1, RO-2, RO-3, R-1, R-2, R-3 and R-4 districts:

a. Dormitories or residence halls, whether on or off a campus or site of a hospital, shall abide by the standards set forth for residential structures in the district in which such dormitory or residence hall is located, except as provided in sections 369 (relating to maximum height limit), 508 (relating to maximum height limit) and 543 (relating to maximum height limit) for the B-3, R-1 and R-2 zoning districts.

b. In addition, there shall be minimum side and rear setbacks of twenty-five (25) feet for every dormitory or residence hall off a campus or hospital site and, further, every dormitory or residence hall, whether on or off a campus or hospital site, shall be set back a minimum distance of fifty (50) feet from any adjacent residential property which is located in an RO-1, RO-2, RO-3, R-1, R-2, R-3 or R-4 district and a minimum distance of one hundred (100) feet from any adjoining residential property which is located in an R-5, R-6, R-7 or R-8 district.

(3) Dormitory or residence halls shall be permitted only on the campus of a college or university in the R-5, R-6, R-7 and R-8 districts:

a. There shall be minimum side and rear setbacks of fifty (50) feet except that every side setback shall be at least equal in width and every front and rear setback at least equal in depth to the height of the adjacent wall of the dormitory or residence hall,

b. In addition to the setback requirements set forth in subparagraph (3)a. above, every dormitory or residence hall shall be set back a minimum distance of one hundred (100) feet from any adjacent residential property which is located in an R-5, R-6, R-7 or R-8 district, and a minimum distance of fifty (50) feet from any adjacent residential property which is located in an RO-1, RO-2, RO-3, R-1, R-2, R-3 or R-4 district,

c. There shall be no height requirement for dormitory or residence halls,

d. The maximum number of persons per acre in the R-5 district shall not exceed thirty-five (35), and the maximum number of persons per acre in the R-6, R-7 and R-8 districts shall not exceed twenty (20),

e. In addition to the setback requirements above, there shall be provided four hundred (400) square feet of usable open space per person in the R-5 district and five hundred (500) square feet of usable open space per person in the R-6, R-7 and R-8 districts.

(4) When a dormitory or residence hall is located on a campus, the lot area of such campus may be counted toward the lot area and usable open space requirements for such dormitory or residence hall, except that the total lot coverage of all structures on the campus shall be not more than thirty (30) percent of the lot area of the campus and the total density of all residential structures on the campus shall not exceed that set forth above and the

total usable open space on the campus shall meet the requirements set forth in this section above. See also section 909 (relating to university, college uses);

(5) Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading), and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening. The location of off-street parking may be as provided in section 909 (relating to university, college uses).

Sec. 890. Dwelling development, group.

Every application for a group dwelling development having a floor area ratio (FAR) of five (5) or more in the B-1 downtown development district, or three (3) or more, in the B-2 downtown development perimeter district, shall be filed in accordance with the provisions of sections 297 (relating to procedures for standard projects) and 333 (relating to procedures for projects). In all other instances, the zoning administrator shall refer every application for a group dwelling development to the commission. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). The commission is authorized to grant a special permit to allow a group dwelling development in the B-1, B-2, B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4 and R-8 districts, subject to the following conditions:

(1) *Required lot area.* There shall be a minimum zoning lot area of twenty thousand (20,000) square feet (one (1) acre in the B-2 district) but not more than one (1) acre. In the R-8 district, only lots of record containing not less than ten (10) acres nor more than fifteen (15) acres, as of the date of adoption of this section, shall be utilized for group dwelling developments. Group dwelling developments located on a zoning lot of one (1) acre or more in area shall be considered planned residential developments and shall conform to the provisions set forth in article VIII of these regulations (relating to planned developments).There shall be no requirement for lot area and lot width for an individual lot associated with an individual dwelling (attached, semidetached, etc.), provided that each such individual lot shall front onto a public street, private street, alley, driveway or pedestrian way having a permanent hard-surface finish with minimum width of twelve (12) feet. Except in the case of a lot of record in the R-8 district, the zoning lot, rather than the individual lot, shall be used in applying the provisions set forth in this section;

(2) *Required structures.* There shall be a minimum of two (2) principal residential structures within a group dwelling development;

(3) *Uses permitted.* Within a group dwelling development only those residential structures which are permitted in the zoning district in which such development is located shall be permitted, in addition to such accessory uses as are permitted in the zoning district in which the development is located. Any combination of the permitted dwellings may be erected as long as they meet the requirements set forth in this section;

(4) *Permitted lot occupancy.* The total zoning lot occupancy of all structures within a group dwelling development shall exceed not more than the permitted lot occupancy requirement for the zoning district in which the group dwelling development is located;

(5) *Density.* The maximum number of persons or families per acre within a group dwelling development shall exceed not more than the limitations on persons or families per acre requirement for the zoning district in which the group dwelling development is located;

(6) *Floor area ratio.* The maximum total floor area ratio for all structures within a group dwelling development shall exceed not more than the floor area ratio requirement for the zoning district in which the group dwelling development is located;

(7) *Requirements of floor space per dwelling unit.* Every dwelling unit within a group dwelling development shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area);

(8) *Minimum lot width.* Every group dwelling development zoning lot shall have a minimum width at the street line of not less than that required for a lot in the zoning district in which the group dwelling development is located, except in the case of a lot of record in an R-8 district, the minimum width at the street line shall be not less than two hundred (200) feet;

(9) *Required usable open space.* Any arrangement of structures is permitted, subject to the grouping provisions set forth in paragraph (10), and provided the total amount of usable open space within a group dwelling development is equal to or greater than the required usable open space requirements for the zoning district in which the group dwelling development is located, and as long as adequate light and air are provided each dwelling.

(10) *Grouping.*

a. The minimum distance between any two (2) front or rear facing walls (long dimension) of any principal structure or structures shall be not less than twice the height of the highest adjacent facing wall where no such facing wall exceeds three (3) stories in height, and where any such facing wall does exceed three (3) stories in height the minimum distance as required herein between any two (2) facing walls shall be not less than the sum of twice the total height of the first three (3) stories plus the total height of all stories above the first three (3) stories of the highest adjacent facing wall,

b. The minimum distance between any end wall (short dimension) of any principal structure or structures and any front or rear facing wall (long dimension) of any principal structure or structures shall be as set forth for facing walls in subparagraph (10)a.,

c. The minimum distance between any two (2) end walls (short dimension) of any principal structure or structures shall be not less than the height of the highest adjacent end wall when either or both end walls contain fenestration, and not less than fifteen (15) feet when neither end wall contains any fenestration,

d. If all the walls of a principal structure have the same horizontal dimension all such walls shall be considered facing walls for the purpose of this section, except that if any complete vertical portion (from ground to roof) of a circular structure or a complete wall of any other such structure contains no fenestration for its entire height, such vertical portion or wall shall be considered an end wall for the purposes of this division,

e. All minimum distances required in this section shall be measured in a straight line between the points of the structure or structures which are nearest each other, provided such line is perpendicular to at least one (1) of the walls, except that in all instances the minimum distance between any two (2) facing walls, end walls, or facing and end walls, or any two (2) corners, shall be fifteen (15) feet,

f. The commission may modify the grouping requirements in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of the adjacent properties, with due regard to the protection of such properties, the zoning district in which such group dwelling development is to be located, and the public interest.

(11) *Setbacks.* The commission may modify all setback requirements in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of adjacent properties, with due regard to the protection of such properties the zoning district in which such group development is to be located, and the public interest, except that where a group dwelling development fronts upon a public street or streets, the front setback requirement of such street or streets shall be met;

(12) *Maximum height limit.* The maximum height of any structure in a group dwelling development shall not exceed the height limit of the zoning district in which such group dwelling development is located;

(13) *Landscaping.* The commission shall require that group dwelling developments provide suitable planting and screening of structures and landscaping at its perimeter so as to provide protection for adjacent properties on a year-round basis;

(14) *Required parking.* Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening;

(15) *Application and hearing.* Every application for a special permit for a group dwelling development shall be filed and acted on in accordance with the provisions of section 68 (relating to applications for zoning permits).

(16) In reviewing such proposal the commission shall consider all aspects of the proposal as set forth in this section and in particular the grouping and arrangement of the structures, landscaping and whether any modification in the setback or grouping provisions will permit better site planning and whether the proposed development is compatible with adjacent properties and uses and whether the proposed location is in harmony with the plan of conservation and development;

(17) Group dwelling developments shall conform to all the provisions of the zoning district in which such group dwelling development is located unless otherwise specifically provided for in this section.

Sec. 891. Fire station.

Fire stations are a permitted use in the R-1, R-2, R-3, R-4, R-5, R-6 and R-7 districts, subject to the following conditions:

(1) There shall be a minimum lot area of fifteen thousand (15,000) square feet;

(2) The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot;

(3) All buildings shall be set back from every adjacent property a minimum distance of twenty-five (25) feet and, in addition, not closer than fifty (50) feet from any adjacent residential property;

(4) There shall be no exterior car washing;

(5) There shall be no parking or storage of automobiles or trucks in the front setback and off-street parking shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening;

(6) All fire stations shall conform to the height limit of the zoning district in which they are located except as provided in sections 369 (relating to maximum height limit), 508 (relating to maximum height limit) and 543 (relating to maximum height limit) for the B-3, R-1 and R-2 zoning districts.

Sec. 892. Fraternity houses and sorority houses.

Fraternity houses and sorority houses are permitted uses in the C-1, B-3, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7 and R-8 districts, subject to the following conditions:

(1) In the C-1 district fraternity or sorority houses shall be permitted only on the campus of a college or university and shall abide by the provisions set forth for residential structures in the B-3 district;

(2) Fraternity and sorority houses shall be permitted on or off the campus of a college or university in the B-3, RO-1, RO-2, RO-3, R-1, R-2, R-3 and R-4 districts:

a. Fraternity and sorority houses in these districts, whether on or off a campus, shall abide by the standards set forth for residential structures in the district in which the fraternity or sorority house is located, except as

provided in sections 369 (relating to maximum height limit), 508 (relating to maximum height limit) and 543 (relating to maximum height limit) for the B-3, R-1 and R-2 zoning districts.

b. In addition, there shall be minimum side and rear setbacks of twenty-five (25) feet and, further, every fraternity and sorority house shall be set back a minimum distance of fifty (50) feet from any adjacent residential property which is located in an R-5, R-6, R-7 or R-8 district.

(3) Fraternity and sorority houses shall be permitted only on the campus of a college or university in the R-5, R-6, R-7 and R-8 districts:

a. There shall be minimum side and rear setbacks of twenty-five (25) feet,

b. In addition to the setback requirements above, every fraternity and sorority house shall be set back a minimum distance of fifty (50) feet from any adjacent residential property which is located in an R-5, R-6, R-7 or R-8 district,

c. No fraternity or sorority house shall exceed a height of three and one-half ($3^{½}$) stories,

d. The maximum number of persons per acre in the R-5 district shall not exceed thirty-five (35) and the maximum number of persons per acre in the R-6, R-7 and R-8 districts shall not exceed twenty (20),

e. In addition to the setback requirements in this section, there shall be provided four hundred (400) square feet of usable open space per person in the R-5 district and five hundred (500) square feet of usable open space per person in the R-6, R-7 and R-8 districts;

(4) When a fraternity or sorority house is located on a campus, the lot area of such campus may be counted toward the lot area and usable open space requirements for the fraternity or sorority house, except that the total lot coverage of all structures on the campus shall not be more than thirty (30) percent of the lot area of the campus and the total density of all residential structures on the campus shall not exceed that set forth above, and the total usable open space on the campus shall meet the requirements set forth in this section. See also section 909 (relating to university, college uses);

(5) Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening. The location of on-campus parking shall be as provided in section 909 (relating to university, college uses).

Sec. 893. Hospitals, public and private.

Public and private hospitals are a permitted use in the RO-1 and RO-2 districts, subject to the following conditions:

(1) There shall be a minimum lot area of fifteen (15) acres;

(2) The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot;

(3) All buildings shall be set back from every adjacent property a minimum distance of twenty-five (25) feet and, in addition, shall be no closer than fifty (50) feet from any adjacent residential property;

(4) Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening;

(5) Any facilities used for blood donors shall be approached through a major street;

(6) The emergency entrance shall be approached through a major street;

(7) The power plant may utilize only gas, oil or electricity as fuel and shall be located a minimum distance of one hundred (100) feet from any adjacent residential property;

(8) The hospital laundry, if located in a separate building, shall be located a minimum distance of one hundred (100) feet from any adjacent residential property;

(9) In addition to customary accessory uses, the following accessory uses shall be permitted within the hospital complex: Drugstore, gift shop, restaurant, snack bar, cafeteria, florist shop, optician, and sale of orthopedic equipment.

Sec. 894. Junk, salvage company, scavenger and wrecking companies.

Junk, salvage company, scavengers and wrecking company uses are permitted uses in the I-1 district, subject to the following conditions:

(1) There shall be a minimum lot area of twenty thousand (20,000) square feet;

(2) The property shall be surrounded by a solid fence not less than eight (8) feet high which shall bear no advertising other than the name of the premises;

(3) All structures shall occupy not more than a total of forty (40) percent of the area of the lot and the total lot coverage of all structures and material shall exceed not more than eighty (80) percent of the area of the lot;

(4) There shall be no burning of any materials on the property unless carried out in a properly designed incinerator as approved by the director of licenses and inspections, the director of health and the city fire marshal, and all goods shall be stored in such a fashion as to avoid the inviting of rodents;

(5) Heavy machinery, compacting and shearing machinery shall be located on a solid foundation to avoid vibration.

(6) No inoperable or unregistered motor vehicles shall be stored or otherwise kept at the premises.

Sec. 895. Motor vehicle or gasoline service stations/motor vehicle or gasoline fueling stations.

The zoning administrator shall refer each application for a new or expanded motor vehicle or gasoline service station/motor vehicle or gasoline fueling station to the commission. The commission is authorized to grant a special permit to allow a new motor vehicle or gasoline service station/motor vehicle or gasoline fueling station in the I-2 district or a motor vehicle or gasoline service station/motor vehicle or gasoline fueling station which is being structurally expanded or is installing additional nozzles, pumps, pump islands, fuel tanks or increasing fuel tank capacity in the C-1, B-1, B-2 and B-3 districts and subject to the following conditions:

(1) In the I-2 district:

a. There shall be a minimum lot area of fifteen thousand (15,000) square feet for motor vehicle or gasoline service stations and thirty thousand (30,000) square feet for motor vehicle or gasoline fueling stations.

b. There shall be a minimum lot width of one hundred twenty (120) feet.

c. All buildings shall be set back from every adjacent property a minimum distance of ten (10) feet and, in addition, not closer than twenty (20) feet from any adjacent residential property.

d. There shall be a minimum distance of forty (40) feet between any two (2) curb cuts and a minimum distance of twenty-five (25) feet between any curb cut and the corner of any lot which is adjacent to two (2) streets.

e. There shall be no products displayed in front of the building line.

e. A landscaped area at least three (3) feet in width shall be provided between the pump areas and the front lot line and side street lot line (if any) for the full length of the frontages including the area required for curb cuts.

f. There shall be no more than one (1) freestanding identification sign per frontage.

g. All signs shall be located behind the building line.

h. There shall be no streamers or fin signs on the lot or structures.

i. Every motor vehicle or gasoline service station/motor vehicle or gasoline fueling station shall be screened from any adjacent residential property by a suitable opaque fence (which shall bear no advertising), or planting screen, not less than six (6) feet in height and providing year-round screening.

j. Any trash or storage area shall be enclosed by a suitable opaque fence not less than six (6) feet in height.

k. All entrances and exits shall be approved by the city traffic engineer, and where required, by the director of public works.

l. There shall be no outside storage of inoperable or unregistered motor vehicles.

m. No building or structure shall exceed a height of eighteen (18) feet above grade to the highest point of the roof or canopy.

n. The special permit shall not be issued if it is found that the proposed location is unsuitable due to the proximity of schools, churches, theaters or other places of public assembly, the location and character of intersecting streets, traffic conditions, width of highway, and effect on public travel, or that the proposed location will otherwise imperil the safety of the public.

(2) In the C-1, B-1, B-2 and B-3 districts:

a. Only motor vehicle or gasoline service stations/motor vehicle or gasoline fueling stations which have been operating prior to the effective date of this section and continuously thereafter are permitted.

b. The area of the lot or zoning lot shall not exceed that which exists as of the effective date of this section.

c. All buildings shall be set back from every adjacent property a minimum distance of ten (10) feet and, in addition, not closer than twenty (20) feet from any adjacent residential property.

d. There shall be a minimum distance of forty (40) feet between any two (2) curb cuts and a minimum distance of twenty-five (25) feet between any curb cut and the corner of any lot which is adjacent to two (2) streets.

e. There shall be no products displayed in front of the building line.

f. A landscaped area at least three (3) feet in width shall be provided between the pump areas and the front lot line and side street lot line (if any) for the full length of the frontages excluding the area required for curb cuts.

g. There shall be no more than one (1) freestanding identification sign per frontage.

h. All signs shall be located behind the building line.

i. There shall be no streamers or fin signs on the lot or structures.

j. Every motor vehicle or gasoline service station/motor vehicle or gasoline fueling station shall be screened from any adjacent residential property by a suitable opaque fence (which shall bear no advertising), or planting screen, not less than six (6) feet in height and providing year-round screening.

k. Any trash or storage area shall be enclosed by a suitable opaque fence not less than six (6) feet in height.

l. All entrances and exits shall be approved by the city traffic engineer, and where required, by the director of public works.

m. There shall be no outside storage of inoperable motor vehicles.

n. No building or structure shall exceed a height of eighteen (18) feet above grade to the highest point of the roof or canopy.

o. In reviewing a special permit application, the commission shall consider all aspects of the proposal including, but not limited to, the location and number of pump islands, the location and number of pumps, the capacity and location of fuel tanks, lighting, signage, landscaping, screening, the arrangement of structures, the location of permitted uses and their relationship to adjacent properties, the pedestrian and vehicular circulation pattern, whether any modification of the site plan will permit better site planning, whether the proposed development is compatible with adjacent properties and does not deprive such properties or uses of adequate light and air and whether the proposed development is in harmony with the plan of conservation and development and in the public interests of the city.

Any drawings, sketches, or renderings voluntarily offered as evidence by the applicant during any presentation to the commission may be considered as part of the application; and no zoning permit will be issued unless such motor vehicle or gasoline service station/motor vehicle or gasoline fueling station conforms to such drawings, sketches, or renderings.

Sec. 896. Motor vehicle wrecking yard or junkyard.

The zoning administrator shall refer every application for a motor vehicle wrecking yard or junkyard to the commission, which commission is authorized to grant a special permit to allow a motor vehicle wrecking yard or junkyard in the I-1 district, subject to the following conditions:

(1) Every motor vehicle wrecking yard or junkyard shall have a minimum lot area of one (1) acre;

(2) Every motor vehicle wrecking yard or junkyard shall be completely surrounded by a solid fence not less than eight (8) feet in height which shall bear no advertising other than the name of the owner and the use of the premises, with a suitable gate which shall be closed and locked except during the working hours of such junkyard. All unregistered motor vehicles, used parts, old iron, metal, glass, paper, and any other material which may have been parts of such vehicles shall be enclosed within this location. Any dismantling and any burning of material or cutting up of parts of such vehicles must be carried on within this enclosure;

(3) All structures shall occupy not more than a total of forty (40) percent of the area of the lot and the total lot coverage of all structures and material shall exceed not more than eighty (80) percent of the area of the lot;

(4) Motor vehicles may be stored in a motor vehicle wrecking yard or junkyard at a height not to exceed that of one (1) automobile piled upon another;

(5) The salvaging of motor vehicles and the retail sales of used parts of motor vehicles shall be conducted entirely within a structure, which structure shall be of such a nature to screen the operation or operations from public view;

(6) Heavy machinery, compacting and shearing machinery shall be located on a solid foundation to avoid vibration;

(7) There shall be no outside burning of motor vehicle parts or bodies on the premises. Any inside burning shall be carried out in a properly designed incinerator as approved by the director of licenses and inspections, the director of health, and the city fire marshal;

(8) All parking, loading and storage of motor vehicles must be entirely upon private property;

(9) Each motor vehicle wrecking yard or junkyard shall be in compliance with all applicable state laws and regulations including but not limited to, general statutes section 14-67g et seq. Each motor vehicle wrecking

yard or junkyard licensee shall maintain a suitable office and keep accurate records of all motor vehicles received and dismantled;

(10) In considering each application for a motor vehicle wrecking yard or junkyard, the commission shall take into account the nature and development of surrounding property; the proximity of churches, schools, hospitals, public buildings or other places of public gathering; the sufficiency in number of other such yards or businesses in the vicinity; the health, safety and general welfare of the public and the suitability of the applicant to establish, maintain or operate such yard or business and to receive a license therefor.

Sec. 897. Movies, drive-in.

Drive-in movies are a permitted use in the I-2 district, subject to the following conditions:

(1) Any projection screen which is so oriented that its face (i.e., that portion of the screen on which the picture is projected) is visible in any way from any point on an interstate highway, which point is located within one thousand (1,000) feet from the lot on which the drive-in movie is located, shall be located a minimum distance of one thousand (1,000) feet from any point on such interstate highway; any projection screen, the face of which is not visible in any way from any point on an interstate highway, which point is located within one thousand (1,000) feet from the lot on which the drive-in movie is located, shall be located a minimum distance of one hundred (100) feet from any point on the interstate highway;

(2) Every lot containing a drive-in movie shall be completely surrounded by a solid fence not less than six (6) feet in height which shall bear no advertising other than the name of the owner and the use of the premises;

(3) All buildings and structures, except the perimeter fence, shall be located a minimum distance of thirty (30) feet from any property line;

(4) Plans shall be subject to the approval of the city traffic engineer with respect to the adequacy of entrances, exits, acceleration or deceleration lanes and space for patrons in automobiles awaiting admission to the theater or any other feature of vehicular circulation which may affect the flow of traffic upon adjacent streets.

Sec. 898. Nurseries, children's day (child day care centers).

Children's day nurseries (child day care centers) are a permitted use in the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, and P districts, subject to the following conditions:

(1) In the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, and R-7 districts:

a. There shall be a minimum lot area of six thousand (6,000) square feet,

b. There shall be a minimum lot area for each child of two hundred fifty (250) square feet,

c. There shall be provided a minimum of one hundred (100) square feet of open play space on the lot for each child,

d. The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot,

e. In addition to the zoning district setback requirements, every building shall be set back a minimum distance of twenty-five (25) feet from any adjacent residential property which is located in an R-5, R-6, R-7, or R-8 district,

f. Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening,

g. No new structure shall be erected to a height in excess of two (2) stories or twenty-four (24) feet, whichever is less, in the B-3, B-4, R-1, R-2, R-3, R-4, R-5, R-6 and R-7 districts.

(2) In the P district:

a. There shall be a minimum lot area of five (5) acres,

b. Every proposal shall be approved by the director of parks and recreation,

c. Every building utilized for a child day care center as well as its associated open play area shall be set back a minimum distance of one hundred (100) feet from any adjacent property located in a residential district or property used for residential purposes,

d. In reviewing such proposal, the commission shall consider all aspects of the proposal, in particular, the location of the structure or structures, outdoor play areas, parking, the vehicular and pedestrian circulation pattern, landscaping, screening, and whether the proposal is compatible with adjacent land uses and does not adversely impact public use of the park facilities.

Sec. 899. Orphanages or children's home.

Orphanages or children's homes are a permitted use in the R-5, R-6, R-7 and R-8 districts, subject to the following conditions:

(1) In the R-5, R-6 and R-7 districts:

a. There shall be a minimum lot area of five (5) acres,

b. There shall be minimum side and rear setbacks of fifty (50) feet,

c. In addition to the setback requirements above, every building shall be set back a minimum distance of one hundred (100) feet from any adjacent residential property,

d. The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot,

e. The maximum number of persons per acre in the R-5 district shall not exceed thirty-five (35), and the maximum number of persons per acre in the R-6 and R-7 districts shall not exceed twenty (20),

f. In addition to the setback requirements of this section, there shall be provided four hundred (400) square feet of usable open space per person in the R-5 district and five hundred (500) square feet of usable open space per person in the R-6 and R-7 districts,

g. Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening.

(2) In the R-8 district, only existing orphanages and children's homes shall be permitted, and any expansion of or addition to thereof shall be in accord with the provisions set forth in paragraph (1) for orphanages and children's homes in the R-7 district, subject to the provisions of section 877 (relating to expansions of existing uses).

Sec. 900. Parks, parkettes, playfields, playgrounds and tot lots.

Parks and parkettes are permitted uses in the RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7 and R-8 districts and playfields, playgrounds and tot lots are permitted uses in the RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6 and R-7 districts, subject to the following conditions:

(1) A park, general recreation, shall have a minimum lot area of five (5) acres;

(2) A park, leisure and ornamental, and a parkette, shall have no minimum lot area, except that there shall be a minimum lot area of six thousand (6,000) square feet for tot lot facilities, ten thousand (10,000) square feet for playground facilities exclusive of court facilities, and twenty thousand (20,000) square feet for court facilities;

(3) A playfield shall have a minimum lot area of one (1) acre;

(4) A playground shall have a minimum lot area of ten thousand (10,000) square feet, except that court facilities shall be provided only in playgrounds containing twenty thousand (20,000) square feet or more of lot area;

(5) A tot lot shall have a minimum lot area of six thousand (6,000) square feet except where it is an accessory use;

(6) All permanent service structures shall occupy not more than ten (10) percent of the total area of the lot;

(7) All play structures shall be located at least ten (10) feet from any adjacent residential property. Play structures shall include, but are not limited to, sandboxes, tree houses, swings, basketball courts, skating rinks, slides, jungle gyms, horseshoe pits, and the like;

(8) Signs identifying the use and directing traffic shall be allowed, provided that they are located behind the building line;

(9) There shall be no electrically operated amusement devices, unless otherwise permitted by the director of parks and recreation and the director of licenses and inspections;

(10) Playfields, playgrounds and tot lots which have a substantial portion of their area within one hundred (100) feet of any residential property shall comply with the requirements of this section and, in addition, shall be:

a. Surrounded by a chain link or opaque wood fence at least six (6) feet in height,

b. Open only between the hours of 9:00 a.m. to dusk, and

c. Properly lighted, as required by the board, with particular attention to proper shielding thereof in order to prevent any direct illumination of any abutting residential property;

(11) In the R-8 district, only existing playgrounds shall be permitted. Such existing uses shall not be construed to be nonconforming uses, but any additions or expansions of such uses shall not be permitted.

Sec. 901. Recreation centers.

Recreation centers are a permitted use in the RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4 and R-5 districts, subject to the following conditions:

(1) There shall be a minimum lot area of six thousand (6,000) square feet, except in the R-5 district there shall be a minimum lot area of seventy-five hundred (7,500) square feet;

(2) The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot;

(3) All buildings shall be set back from any adjacent residential property a minimum distance of thirty (30) feet;

(4) Off-street parking shall be provided in accordance with the provisions set forth in article V (relating to off-street parking and off-street loading), and shall be set back a minimum distance of ten (10) feet from any adjacent residential property;

(5) No structure shall exceed the height limit of the zoning district in which it is located;

(6) All recreation activities shall be conducted inside the recreation center, except in the case of recreation centers which are located in a park, playground or recreation area;

(7) In the case of buildings existing on the effective date of these regulations, which have not previously been used as a recreation center and which do not or are unable to comply with the conditions set forth herein for recreation centers, the commission shall have the power to grant a special permit to use such building for a recreation center provided such building shall be made to comply as closely as possible to the conditions and requirements for a recreation center specified in this section. The application for the special permit shall be filed and acted on in accordance with section 68 (relating to applications for zoning permits).

Sec. 902. Freestanding group dwellings for 6 or more non-related individuals.

Freestanding group dwellings for six (6) or more non-related individuals are a permitted use in the R-5, R-6, and R-7 districts, subject to the following conditions:

a. There shall be a minimum lot area of one (1) acre,

b. There shall be minimum side and rear setbacks of twenty-five (25) feet,

c. In addition to the setback requirements of subparagraphs (1) a. and (1) b., every building shall be set back a minimum distance of fifty (50) feet from any adjacent residential property,

d. The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot,

e. The maximum number of persons per acre in the R-5 district shall not exceed thirty-five (35), and the maximum number of persons per acre in the R-6 and R-7 districts shall not exceed twenty (20),

f. In addition to the setback requirements of this section, there shall be provided four hundred (400) square feet of usable open space per person in the R-5 district and five hundred (500) square feet of usable open space per person in the R-6 and R-7 districts,

g. Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening.

Sec. 903. Schools, public, private and parochial elementary (primary) and special education.

Public, private and parochial elementary schools and special education schools are permitted uses in the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8 and P districts, subject to the following conditions:

(1) In the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6 and R-7 districts:

a. There shall be a minimum lot area of five (5) acres,

b. There shall be minimum side and rear setbacks of fifty (50) feet,

c. In addition to the setback requirements above, every building shall be set back a minimum distance of one hundred (100) feet from any adjacent residential property which is located in an R-5, R-6, R-7 or R-8 district,

d. The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot,

e. Playgrounds shall be separated from any adjacent R-3, R-4, R-5, R-6, R-7 or R-8 district by a planting strip not less than twenty (20) feet in width,

f. All off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening,

g. All buildings or structures shall conform to the height limit for the zoning district in which they are located, except as provided in sections 369 (relating to maximum height limit), 404 (relating to maximum height limit), 508 (relating to maximum height limit) and 543 (relating to maximum height limit) for the B-3, B-4, R-1 and R-2 districts.

(2) In the R-8 district only schools existing at the effective date of these regulations shall be permitted and any expansion of or addition to thereof shall be in accordance with the provisions set forth in paragraph (1) for schools in the R-7 district, subject to the provisions of section 877 of these regulations (relating to expansion of existing uses);

(3) In the P district, if a public school is located adjacent to or within a public park, the area of such park may be counted toward a maximum of fifty (50) percent of the minimum lot area requirement set forth in this section.

Sec. 904. Schools, public, private and parochial intermediate (middle).

Public, private and parochial intermediate schools are permitted uses in the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8 and P districts, subject to the following conditions:

(1) In the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6 and R-7 districts:

a. There shall be a minimum lot area of ten (10) acres,

b. There shall be minimum side and rear setbacks of fifty (50) feet,

c. In addition to the setback requirements of this paragraph, every building shall be set back a minimum distance of one hundred (100) feet from any adjacent residential property which is located in an R-5, R-6, R-7 or R-8 district,

d. The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot,

e. Playgrounds shall be separated from any adjacent R-3, R-4, R-5, R-6, R-7 or R-8 district by a planting strip not less than twenty (20) feet in width,

f. All off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening,

g. All buildings or structures shall conform to the height limit for the zoning district in which they are located, except as provided in sections 369 (relating to maximum height limit), 404 (relating to maximum height limit), 508 (relating to maximum height limit) and 543 (relating to maximum height limit), for the B-3, B-4, R-1 and R-2 districts.

(2) In the R-8 district only schools existing at the effective date of these regulations shall be permitted and any expansion of or addition to thereof shall be in accordance with the provisions set forth in paragraph (1) for schools in the R-7 district, subject to the provisions of section 877 (relating to expansion of existing uses);

(3) In the P district, if a public school is located adjacent to or within a public park, the area of such park may be counted toward a maximum of fifty (50) percent of the minimum lot area requirement set forth in this section.

Sec. 905. Schools, public, private and parochial secondary (high school).

Public, private and parochial secondary schools are permitted uses in the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8 and P districts, subject to the following conditions:

(1) In the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6 and R-7 districts:

a. There shall be a minimum lot area of fifteen (15) acres,

b. There shall be minimum side and rear setbacks of fifty (50) feet,

c. In addition to the [yard] <u>setback</u> requirements above, every building shall be set back a minimum distance of one hundred (100) feet from any adjacent residential property which is located in an R-5, R-6, R-7 or R-8 district,

d. The total lot coverage of all structures shall be not more than thirty (30) percent of the area of the lot,

e. Playgrounds shall be separated from any adjacent R-3, R-4, R-5, R-6, R-7 or R-8 district by a planting strip not less than twenty (20) feet in width,

f. All off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening,

g. All buildings or structures shall conform to the height limit for the zoning districts in which they are located, except as provided in sections 369 (relating to maximum height limit), 404 (relating to maximum height limit), 508 (relating to maximum height limit), and 543 (relating to maximum height limit) for the B-3, B-4, R-1, and R-2 districts.

(2) In the R-8 district only schools existing at the effective date of these regulations shall be permitted and any expansion of or addition to thereof shall be in accordance with the provisions set forth above for schools in the R-7 district, subject to the provisions of section 877 (relating to expansion of existing uses);

(3) In the P district, if a public school is located adjacent to or within a public park, the area of such park may be counted toward a maximum of fifty (50) percent of the minimum lot area requirement set forth in this section.

Sec. 906. Scrap metal processing.

Scrap metal processing is a permitted use in the I-1 district, subject to the following conditions:

(1) There shall be a minimum lot area of ten (10) acres;

(2) The property shall be surrounded by a solid fence not less than eight (8) feet high which shall bear no advertising other than the name of the premises;

(3) All structures shall occupy not more than a total of forty (40) percent of the area of the lot and the total lot coverage of all structures and material shall exceed not more than eighty (80) percent of the area of the lot;

(4) There shall be no burning of any materials on the property unless carried out in a properly designed incinerator as approved by the director of licenses and inspections, the director of health and the city fire marshal, and all goods shall be stored in such a fashion as to avoid the inviting of rodents;

(5) Heavy machinery, compacting and shearing machinery shall be located on a solid foundation to avoid vibration.

Sec. 907. Substations, electrical.

Electrical substations are a permitted use in the RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6 and R-7 districts, subject to the following conditions:

(1) There shall be a minimum lot area of six thousand (6,000) square feet;

(2) The total lot coverage of all buildings and structures shall be not more than thirty (30) percent of the area of the lot;

(3) All buildings and structures shall be set back from every adjacent property a minimum distance of twenty-five (25) feet and, in addition, not closer than fifty (50) feet from any adjacent residential property;

(4) Transformers shall be located within buildings;

(5) The lines between the substation and the street shall be underground;

(6) The substation shall be suitably screened from any adjacent residential property by a solid fence or planting screen which shall provide year-round screening.

Sec. 908. Transmitting and exchange stations, relay towers, etc.

Transmitting and exchange stations, relay towers, etc., are permitted uses in the RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6 and R-7 districts, subject to the following conditions:

(1) There shall a minimum lot area of six thousand (6,000) square feet;

(2) The total lot coverage of all buildings and structures shall be not more than thirty (30) percent of the area of the lot;

(3) All buildings and structures shall be set back from every adjacent property a minimum distance of twenty-five (25) feet and, in addition, not closer than fifty (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;

(4) Transformers shall be located within buildings;

(5) The lines between the station and the street shall be underground;

(6) The station shall be suitably screened from any adjacent residential property by a solid fence or planting screen which shall provide year-round screening.

Sec. 909. University, college, etc., profit and nonprofit.

Profit and nonprofit colleges and universities are permitted uses in the RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7 and R-8 districts, subject to the following conditions:

(1) *Definitions:* For the purposes of this section, a "campus" is defined as all that contiguous land owned by the institution including land which may be separated from other areas of the campus only by streets or other public rights-of-way. Fraternity and sorority houses or other similar student organizations which may be separately owned but which are qualified organizations under the rules and regulations of the school with which they are associated may be calculated as accessory uses and part of the campus area when located on property which is contiguous to or separated only by the property of other similar uses, streets or other public rights-of-way from the principal campus area. However, before such separate organization may utilize the entire campus area in calculating its own maximum permitted density, an authorization from the school shall be required before the issuance of any zoning, building or occupancy permit for such use;

(2) In the RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6 and R-7 districts:

a. There shall be a minimum lot area in the RO-1, RO-2, RO-3, R-1 and R-2 districts of ten (10) acres,

b. There shall be a minimum lot area in the R-3, R-4, R-5, R-6 and R-7 districts of twenty (20) acres,

c. The total coverage of all structures shall be not more than thirty (30) percent of the area of the campus. However, land which is owned by separate but associated organizations shall not be calculated in determining maximum permitted building coverage on any campus. Any building occupied by a separate but associated organization as set forth in paragraph (1), which is located upon a lot in separate ownership shall cover not more than thirty (30) percent of the lot which it occupies,

d. Residential uses, whether on or off a campus, shall abide by the standards for density and open space set forth for residential uses in the district in which the school is located. The maximum number of persons per acre in the R-5 district shall not exceed thirty-five (35), and the maximum number of persons per acre in the R-6 and R-7 districts shall not exceed twenty (20). There shall be provided four hundred (400) square feet of usable open space per person in the R-5 district and five hundred (500) square feet of usable open space per person in the R-6 and R-7 districts,

e. All buildings shall be set back from every adjacent property a minimum distance of twenty-five (25) feet and, in addition, not closer than fifty (50) feet from any adjacent residential property,

f. Any building used for musical instruction shall be located a minimum of one hundred (100) feet from any adjacent residential property,

g. Any powerhouse or heating plant shall be located not less than one hundred (100) feet from any adjacent residential property and shall use only gas, oil or electricity for fuel,

h. All stadia must be located a minimum of one hundred (100) feet from any adjacent residential property,

i. Accessory uses may include, but are not limited to, a bookstore, restaurant or dining room within the interior of a building only, but there shall be no exterior show windows or exterior signs advertising such use,

j. Off-street parking shall be provided in accordance with the provisions of article V of these regulations (relating to off-street parking and off-street loading) and shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening, except that parking areas need not be located in any particular relationship to particular buildings they may serve. However, separate but associated organizations as described in paragraph (1) above which are located upon property in separate ownership shall provide their required parking upon the lot they occupy in the amount and in the manner specified by article V of these regulations unless alternate parking arrangements are provided and authorized upon the campus at the time a zoning, building or occupancy permit is issued. Such alternate parking area shall be identified and designated and made a matter of record at the time a zoning, building or occupancy permit is issued,

k. Before a building permit is issued, the director of licenses and inspections shall certify that sewer and water facilities in the area are adequate to meet the needs of the educational institution,

l. The sale of beer and wine is permitted on a university or college campus as an accessory use under a university permit. Such use shall be located a minimum of one hundred (100) feet from any residential property adjacent to such campus,

m. All buildings or structures shall conform to the height limit for the zoning district in which they are located, except as provided in sections 508 (relating to maximum height limit) and 543 (relating to maximum height limit) for the R-1 and R-2 districts.

(3) In the R-8 district any colleges and universities existing at the time of adoption of these regulations shall be permitted and any expansion of or addition to thereof shall be in accordance with the provisions set forth above for colleges and universities in the R-7 district, subject to the provisions of this division.

Sec. 910. Zoos.

Zoos are a permitted use in the P district, subject to the conditions that they shall be permitted only in public parks and only upon approval of the director of public works, the director of health, and the director of licenses and inspections.

Sec. 911. Macaroni, spaghetti, vermicelli and noodles; manufacturing.

Macaroni, spaghetti, vermicelli and noodles manufacturing is a permitted use in the B-4 zoning district, subject to the following conditions:

(1) The manufacturing of macaroni, spaghetti, vermicelli and noodles shall be conducted in conjunction with the wholesale and retail sales of such products;

(2) The area devoted to manufacturing shall not exceed four thousand (4,000) square feet of gross floor area.

Sec. 912. Repealed.

Sec. 913. Eating places with drive-in or curb service.

(a) The zoning administrator shall refer each application for an eating place with drive-in or curb service in the B-3 zoning district to the commission. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). The commission is authorized to

grant a special permit to allow eating places with drive-in or curb service in the B-3 zoning district after receiving a report of recommendations from the traffic engineer and chief of police, and, subject to the following conditions:

(1) There shall be a minimum lot area of fifteen thousand (15,000) square feet;

(2) There shall be a minimum lot width of one hundred twenty (120) feet;

(3) There shall be a minimum distance of forty (40) feet between any two (2) curb cuts and a minimum distance of twenty-five (25) feet between any curb cut and the corner of any corner lot which is at the intersection of two (2) streets;

(4) 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.

(b) In addition to the conditions listed in subsection (a), the commission may require an applicant to modify a site plan to provide for 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 traffic engineer or chief of police 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.

(c) In receiving such proposal the commission shall consider all aspects of the proposal as set forth in this section, and in particular, the location and design of entrances, and exits, the parking layout, surface marking and lighting, screening and landscaping, the restaurant's impact on the traffic circulation system, and its compatibility with adjacent properties and uses and whether the proposed use is in harmony with the plan of conservation and development.

(d) Every application for a special permit for a restaurant with drive-in or curb service shall be filed and acted on in accordance with the provisions of section 68 (relating to applications for zoning permits).

Sec. 914. Semi finished electronic products; assembly.

The assembly of semi finished electronic products is a permitted use in the B-3 and B-4 zoning districts, subject to the following conditions:

(1) The semi finished products shall be composed of component parts manufactured by the assembler, the parent company of the assembler or a subsidiary company of the assembler which parts are manufactured at another location;

(2) The area devoted to such assembly of semi finished products shall not exceed ten thousand (10,000) square feet of gross floor area.

Sec. 915. Work studio/dwelling.

The zoning administrator shall refer every application for a work studio/dwelling use to the commission, which commission is authorized to grant a special permit to allow a work studio/dwelling. The application shall be filed and acted on in accordance with the procedures set forth in section 68 (relating to applications for zoning permits). In the I-2, C-1, B-1 and B-2 zoning districts, a work studio/dwelling shall be permitted, subject to the following conditions:

(1) The use shall be authorized for a period of not more than two (2) years and shall be renewable by the zoning administrator upon satisfactory demonstration by the occupant and/or owner that such premises has been, and shall continue to be, utilized for joint work studio/dwelling purposes;

(2) The use shall be confined to structures existing at the time of adoption of this section;

(3) No building or structure containing the use shall be enlarged or structurally altered, except in accordance with the development provisions of the underlying zoning district and such as may be required for safety, or as may be necessary to secure or insure the continued advantageous use of the building or structure;

(4) No buildings or structures adaptable for joint work studio/dwelling purposes shall be subdivided into joint residential/work quarters having a combined gross floor area of less than six hundred fifty (650) square feet. The residential portion of the work studio/dwelling quarters shall contain a minimum of four hundred (400) square feet of usable floor area;

(5) All spaces used for work studio/dwelling purposes shall be physically separated, when on the same floor, or shall be located above existing commercial or industrial uses which may be part of a mixed-occupancy building or structure; in no instance shall space utilized for work studio/dwelling purposes be located below any such commercial or industrial use;

(6) All work activity shall be conducted within the existing building or structure.

Sec. 916. Apparel-stitching.

Apparel-stitching is a permitted use in the B-4 zoning district, subject to the conditions that the area devoted to manufacturing shall not exceed four thousand (4,000) square feet of gross floor area.

Sec. 917. Crematory services.

Crematory service is a permitted use in the I-2 and P zoning districts, subject to the condition that 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).

Sec. 918. Secondhand merchandise; retail.

The retail sale of secondhand merchandise is a permitted use in the B-4 zoning district, subject to the following conditions:

(1) Secondhand merchandise offered for sale may include clothing and household furnishings but shall not include major household appliances such as refrigerators, dishwashers, stoves and clothes washers and/or dryers;

(2) All goods, offered for sale or display, shall be contained within the structure and no outdoor display shall be permitted.

Sec. 919. Transient lodgings.

Transient lodging is a permitted use in the I-2, C-1, B-1, B-2 and RO-1 zoning districts, subject to the following conditions:

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

(2) All outside storage, if any, shall be set back twenty (20) feet from any adjacent residential district or property used for residential purposes and shall be screened by a suitable opaque fence (which shall bear no advertising), or a year-round planting screen. Such fence or planting, notwithstanding other provisions of these regulations, shall be not less than eight (8) feet in height.

(3) The maximum number of residents of the lodging shall be based upon a ratio of one (1) person for every fifty (50) square feet of interior space devoted to sleeping area.

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

(5) There shall be one (1) parking space for every two (2) staff members who are present at the facility at any time.

(6) For new construction, the lot and setback requirements shall conform to the zone districts where such facility is located. Where there are no such requirements, there shall be minimum rear and side of twenty (20) feet required.

(7) 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.

(8) New transient lodgings shall not be l+7ated within one thousand (1,000) feet of another transient lodging, rehabilitation home, boarding house, rooming house or lodging house.

(9) There shall be an indoor waiting area for use by residents when the facility is not opened for operation.

(10) There shall be a maximum occupancy of one hundred (100) persons.

(11) There shall be a minimum lot size of ten thousand (10,000) square feet.

Sec. 920. Local district heating or cooling facility.

A local district heating or cooling facility is a permitted use in the C-1 zoning district, subject to the following conditions:

(1) There shall be a minimum lot area of twenty thousand (20,000) square feet;

(2) The total lot coverage of all structures shall be not more than fifty (50) percent of the area of the lot. This provision shall not apply to the adaptive reuse of existing structures for a local district heating or cooling facility when such structures predate adoption of this subsection of the regulations and provided such structures meet the requirements of paragraph (3);

(3) Every building used for a local district heating or cooling facility shall be set back a minimum distance of one hundred (100) feet from any adjacent property used for residential purposes or zoned for residential use;

(4) All structures shall be suitably screened from any adjacent property used for residential purposes, or zoned for residential use, by a solid fence or planting screen which shall provide year-round screening and be at least six (6) feet in height;

(5) All activity associated with this facility shall be wholly within an enclosed structure and there shall be no open storage of materials associated with the facility;

(6) On the lot, there shall be provided and maintained adequate space for standing and turning, loading and unloading in order to avoid interference with public use of the streets;

(7) Noise levels incident to facility operation shall not exceed 55dB (day) or 45dB (night) measured at the property lines;

(8) Control of air pollution for a local district heating or cooling facility in the city shall be in accordance with the provisions of general statutes, title 22a, chapter 446c (relating to air pollution control).

Sec. 921. Adult establishments.

Adult establishments are a permitted use in the I-1 and I-2 zones subject to the following conditions: 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 one-thousand-foot radius in any direction of any lot used for, or upon which is located any building used for:

(1) Any single-family or multiple-family residential use;

(2) Any public or private school, or any other educational facility attended by persons under the age of eighteen (18), including, but not limited to, after school programs, children's museums, camps and athletic leagues;

(3) Any church or other religious facility or institution;

(4) Any public park; or

(5) Any other adult establishment.

Sec. 922. Recycling facility or plant.

A recycling facility or plant is a permitted use in the I-1 and I-2 zoning districts subject to the following conditions:

(1) *Special permit; conditions.* The commission is authorized to grant a special permit to allow a recycling facility or plant for the purpose of meeting the requirements of this section in the I-1 and I-2 zoning districts, subject to the following conditions:

a. *Required lot area.* There shall be a minimum lot area of one (1) acre.

b. *Minimum lot width.* Every lot shall have a minimum width at the street line of one hundred fifty (150) feet.

c. *Landscaping.* The commission shall require that a recycling facility or plant provide suitable screening of structures and planting and landscaping at its perimeter so as to provide protection for adjacent properties on a year-round basis.

d. *Application, hearing and vote.* Every application for a special permit for a recycling facility or plant shall be filed and acted on in accordance with the provisions of sections 68 (relating to applications for zoning permits).

e. *Commission review.* In reviewing such proposal the commission shall consider all aspects of the proposal as set forth in this section and in particular the grouping and arrangement of the structures, the location of permitted uses and their relationship to adjacent properties, the pedestrian and vehicular circulation pattern, the zoning district or districts in which the recycling facility or plant and adjacent properties are located, and whether the proposed recycling facility or plant is compatible with adjacent properties and uses and does not deprive such properties or uses of adequate light and air, and whether the proposed location and development is in harmony with the plan of conservation and development and in the public interests of the city.

f. *Property ownership.* An application for a special permit to allow a recycling facility or plant may be filed by the owners or lessees of all property included within the recycling facility or plant zoning lot. The holder of a written option or contract to purchase or lease property shall, for the purposes of such application, be deemed the owner or lessee of the property covered by such option or contract.

g. *Failure to begin recycling facility or plant.* If no construction has begun or no use established on the recycling facility or plant lot within six (6) months from the approval of the commission, the zoning permit for the recycling facility or plant shall become null and void. In its discretion, and for good cause, the commission may, upon request of the applicant, extend for an additional six (6) months the period for the beginning of construction or establishment of a use.

h. *Failure to complete recycling facility or plant.* If any recycling facility or plant or portion thereof is not completed within three (3) years from the issuance of the zoning permit, the zoning permit for the incomplete portion shall become null and void. In its discretion, and for good cause, the commission

may, upon request of the applicant, extend for one (1) additional year the period within which the recycling facility or plant or portion thereof shall be completed. Any buildings constructed which do not meet the terms of the zoning permit issued for the recycling facility or plant shall be demolished and removed.

i. *Amendments and changes.* Any and all amendments or changes to the special permit, as approved by the commission, shall be considered and processed as a new application in accordance with the provisions set forth in this section and shall require the issuance of an additional zoning permit by the zoning administrator in accordance with the provisions set forth in this section.

(2) *State regulations.* All activities in connection with the use of the recycling facility or plant shall be conducted in accordance with all regulations relating to recycling facilities promulgated by the state commissioner of environmental protection.

(3) *District specifications to apply.* Unless otherwise provided for in the provisions of this section for recycling facilities or plants, the provisions of the existing zoning districts in which the recycling facility or plant is located shall apply and govern.

Sec. 923. Retail trade-Automotive, marine craft, aircraft and accessories.

Automotive, marine craft, aircraft and accessories is a permitted use in the B-4 zoning district, subject to the following conditions:

(1) There shall be no commercial repair work or service of any kind and there shall be no display of vehicles for purposes of sale or rent on the premises.

(2) There shall be no outdoor storage of vehicles or parts thereof on the premises.

(3) There shall be no outdoor storage of vehicles or parts thereof on the premises.

Sec. 924. Brew pub.

A brew pub is a permitted use in the B-1 district subject to the following conditions:

(1) Manufactured beer is for on-premises consumption only.

(2) The area devoted to manufacturing shall not exceed two thousand (2,000) square feet of gross floor area

Sec. 925. Commercial printing.

Commercial printing is a permitted use in the B-4 district subject to the condition that the area devoted to manufacturing shall not exceed four thousand (4,000) square feet of gross floor area.

Sec. 926. Bowling.

Bowling is a permitted use in the B-4 district subject to the condition that there be no more than sixteen (16) lanes or alleys in any bowling establishment.

Sec. 927. Automobile rental services.

Automobile rental services is a permitted use in the B-4 district subject to the condition that the number of automobiles stored on-site for rental purposes shall not exceed three (3) vehicles.

Sec. 928. Delivery service.

Delivery service is a permitted use in the B-4 district subject to the condition that on-site storage of delivery vehicles shall not exceed three (3) vehicles.

Sec. 929. Limousine service.

Limousine service is a permitted use in the B-4 district subject to the condition that the number of limousines stored on-site shall not exceed three (3) vehicles.

Sec. 930. Medical laboratory services.

Medical laboratory services is a permitted use in the B-4 district subject to the condition that no animals be maintained nor tests be conducted on animals on the premises.

Sec. 931. Funeral services.

Funeral services is a permitted use in the B-4 district subject to the condition that no crematory services be performed on the premises.

Sec. 932. Extended care residence.

Extended care residences are a permitted use in the RO-1, RO-2, RO-3, R-3, R-4 and R-5 districts, subject to the following conditions:

(1) There shall be a maximum of six (6) dwelling units in a building;

(2) In the RO-1, RO-2, and RO-3 districts, there shall be a maximum of twenty (20) residents;

(3) There shall be on-site staffing and supervision.

Sec. 933. Welfare and charitable services.

Welfare and charitable services are a permitted use in the I-2, C-1 and B-2 districts, subject to the following conditions:

(1) There shall be a public restroom;

(2) New welfare and charitable services shall not be located within one thousand (1,000) feet of another welfare and charitable service, except where there is a single owner of side-by-side zoning lots;

(3) If food is served on site, there shall be a furnished interior space having a minimum area of two hundred seventy-five (275) square feet to serve as a waiting room for clients, not used for the preparation, service, or consumption of food or beverages.

Sec. 934. Medical clinics.

Medical clinics--outpatient services are a permitted use in the I-2, C-1, B-1, B-2, B-3, B-4, RO-1 and RO-2 zones subject to the following conditions: 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 a medical clinic--outpatient services if any part of such

building or premises is situated on any part of a lot within a seven-hundred-fifty-foot radius in any direction of any lot used for, or upon which is located any building used for any single-family or multiple-family residential use.

Sec. 935. Temporary outside storage of equipment and materials associated with specified construction projects.

Temporary outside storage of equipment and materials associated with a specified construction project is permitted in the C-1, B-1, B-2, B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, and P districts subject to the following conditions:

(1) That the equipment and materials are stored on the same zoning lot as the specified construction project only for the duration of the specified construction project.

(2) Storage of equipment and materials on a separate zoning lot is permitted subject to the following conditions:

a. That the director of licenses and inspections and the director of public works both concur that it is in the public interest to allow a temporary outside storage use for the duration of the specified construction project. In making this decision the director of licenses and inspections and the director of public works shall consider the impacts said outside storage shall have on, the safety of the general public as well as persons in proximity to the storage site, traffic flow, the duration of the specified construction project, the inconvenience to the public due to specified construction project and use of the outside storage site, the elimination of obstructions in the public right of way, reasonable alternatives to the temporary outside storage use, if any, and measures proposed to improve the security and aesthetics of the storage site. The director of licenses and inspections and the director of public works may require reasonable measures to improve the security, safety of the general public and aesthetics of the storage site as a condition of approving a temporary outside storage use.

b. An application for the approval of a temporary outside storage use shall be submitted to the division of licenses and inspections. All applications shall be accompanied by the fee established for a certificate of zoning compliance.

c. The approval shall be valid for a specific period of time not to exceed one (1) year or the duration of the specified construction project whichever is less. An application must be submitted annually if the duration of construction exceeds one (1) year.

d. The zoning lot on which the temporary outside storage is requested is within five hundred (500) feet of the zoning lot containing the specified construction project, or within five hundred (500) feet of the geographic extent of the specified construction project if located in the public right-of-way.

e. No equipment or materials shall be stored on or within twenty (20) feet of any property used for residential purposes.

f. The applicant shall erect and maintain a sign on the storage site, which shall indicate the name and contact information of the person or entity responsible for the maintenance and operation of the storage site, the name and location of the specified construction project and the date on which the approval expires. This sign shall be placed in a location visible to the general public.

Sec. 936. Canopies for gasoline pumps.

Notwithstanding all other provisions in these regulations, a canopy built to cover a gasoline pump in a gasoline station in a B-3, C-1 or I-2 zoning district may extend up to twelve (12) feet over the building line; provided that, this provision applies only to gasoline stations in operation at the effective date of this section.

Sec. 937. Residential Structures Containing Three (3) or More Units

In the R1, R2, R3, R4, RO-1, RO-2, RO-3, B-3 and B-4 districts every application for new construction of a structure containing three or more dwelling units, or for the change of use of an existing structure to three or more dwelling units, shall be referred to the Planning and Zoning commission, which commission is authorized to grant a special permit to allow three or more dwelling units. In reviewing such special application permits, the commission shall consider all aspects of the proposal, including, but not limited to: Compatibility with surrounding uses; urban design standards; neighborhood-specific issues; traffic circulation; consistency with the Generalized Land Use Map; and compliance and consistency with the Plan of Conservation and Development and the standards and purposes set forth in the Zoning Regulations.

Sec. 938 Other non-classified uses

1. **Pawnshop**

In the B-3 district every application for a pawnshop use shall be referred to the Planning and Zoning Commission, which commission is authorized to grant a special permit to conditionally allow such a use.
In reviewing such special permit application the following conditions shall apply:

a. A pawnshop shall not be located within 1500 feet of another pawnshop.
b. A pawnshop shall not be located within 1500 feet of a package store.
c. A pawnshop shall not be located within 1500 feet of an establishment primarily engaged in check cashing.
d. A pawnshop shall not be located within 400 feet of a church, non-profit institution, or school.

Additionally, the commission shall consider all aspects of the proposal, including, but not limited to: Compatibility with surrounding uses; urban design standards; neighborhood-specific uses; traffic circulation; consistency with the Generalized Land Use Map; and compliance and consistency with the Plan of Conservation and Development and the standards and purposes set forth in the Zoning Regulations.

2. **Check Cashing**

In the B-3 district every application for a check cashing use shall be referred to the Planning and Zoning Commission, which commission is authorized to grant a special permit to conditionally allow such a use.
In reviewing such special permit application the following conditions shall apply:

a. A check cashing use shall not be located within 1500 feet of another check cashing use.
b. A check cashing use shall not be located within 1500 feet of a package store.
c. A check cashing use shall not be located within 1500 feet of an establishment primarily engaged in pawn shop.
d. A check cashing use shall not be located within 400 feet of a church, non-profit institution, or school.

Additionally, the commission shall consider all aspects of the proposal, including, but not limited to: Compatibility with surrounding uses; urban design standards; neighborhood-specific uses; traffic circulation; consistency with the

Generalized Land Use Map; and compliance and consistency with the Plan of Conservation and Development and the standards and purposes set forth in the Zoning Regulations.

3. Tattoo Parlor

In the B-3 district every application for a tattoo parlor shall be referred to the Planning and Zoning Commission, which commission is authorized to grant a special permit to conditionally allow such a use.
In reviewing such special permit application the following conditions shall apply:

a. A tattoo parlor shall not be located within 1500 feet of another tattoo parlor.
b. A tattoo parlor shall not be located within 1500 feet of a package store.
c. A tattoo parlor shall not be located within 1500 feet of an establishment primarily engaged in check cashing.
d. A tattoo parlor shall not be located within 400 feet of a church, non-profit institution, or school.

Additionally, the commission shall consider all aspects of the proposal, including, but not limited to: Compatibility with surrounding uses; urban design standards; neighborhood-specific uses; traffic circulation; consistency with the Generalized Land Use Map; and compliance and consistency with the Plan of Conservation and Development and the standards and purposes set forth in the Zoning Regulations.

Secs. 939-940. Reserved.

ARTICLE V.
OFF-STREET PARKING AND
OFF-STREET LOADING PROVISIONS

Sec. 941. General provisions relating to off-street parking.

(a) The off-street parking requirements set forth in this section shall be required in all instances for residential uses, except the remodeling of existing structures without any increase in the number of dwelling units, and shall be required in the case of nonresidential uses for new structures or new additions to existing structures and not for the remodeling of existing structures or the relocation of existing uses unless a new structure is constructed; however, any change of use from one (1) one-digit category to another one-digit category shall require full compliance with the off-street parking requirements of this section unless such change of use involves not more than twenty-five (25) percent of the gross nonresidential floor area of a building or structure containing two (2) or more nonresidential uses as set forth in section 6 (relating to permitted uses).

(b) Every parcel of property used in part or in whole as a parking garage and/or parking lot, whether required or not, shall, for that portion used as a parking garage and/or parking lot, be developed, maintained and used in accordance with the provisions set forth in this article.

(1) For the purpose of this article, a parking space shall have an area of:

a. Not less than eighteen (18) feet by nine (9) feet (the width to be measured from the center of the dividing line between adjacent spaces) in the case where vehicles are not parked by an attendant, or

b. Not less than eighteen (18) feet by eight (8) feet (the width to be measured from the centerline between adjacent spaces) in the case where all vehicles are parked by an attendant,

c. Notwithstanding the provisions of subparagraphs (b)(1)a., and (b)(1)b., up to thirty (30) percent of the total number of spaces in a lot or garage, whether attended or not, may have a minimum width

of seven (7) feet nine (9) inches, provided they are marked and located in accordance with the provisions of paragraph (b)(5),

d. Notwithstanding the other provisions of this subsection (1), each space designated for persons who have mobility impairments shall be not less than fifteen (15) feet in width, including three (3) feet of crosshatch. Each space shall be designated by above-grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking--State Permit Required" and "Violators Will be Fined". Such signs shall also bear the international symbol of access. Such signs shall be purchased or created, installed and maintained by and at the expense of the owner, operator, lessee or tenant of the site.

(2) For the purpose of permitting an increase in the permitted lot coverage as set forth in article III (relating to districts), a "covered" parking space shall be considered to be one which is located underneath (either at grade or below grade) or within the principal structure on the lot;

(3) All parking spaces shall be provided adequate access by means of a maneuvering lane;

(4) Adequate ingress and egress to a parking lot by means of clearly limited and defined drives shall be provided for all vehicles;

(5) All spaces and means of ingress and egress shall be laid out on the parking surface with paint or plastic striping which shall provide a permanent delineation between spaces, drives and surrounding structures and land. All spaces having a width less than nine (9) feet in the case of unattended parking and less than eight (8) feet in the case of attended parking shall be marked and located separately from full-sized spaces so as clearly to distinguish between full-sized and smaller spaces;

(6) Development and maintenance of any parking facility shall be in conformance with provisions set forth in section 951 (relating to development and maintenance of parking areas);

(7) Plans for the layout of a parking facility shall show a total dimension across two (2) tiers of spaces and one (1) aisle (maneuvering lane) of at least the following for the various patterns:

a. Ninety-degree pattern--fifty-six (56) feet for two (2) tiers of spaces and one (1) aisle (maneuvering lane) with the minimum aisle being twenty (20) feet in width,

b. Sixty-degree pattern--fifty-one (51) feet for two (2) tiers of spaces and one (1) aisle (maneuvering lane) with the minimum aisle being fifteen (15) feet in width,

c. Forty-five-degree pattern--forty-eight (48) feet for two (2) tiers of spaces and one (1) aisle (maneuvering lane) with the minimum aisle being twelve (12) feet in width,

d. Forty-five-degree herringbone pattern--forty-eight (48) feet for two (2) tiers of space and one (1) aisle (maneuvering lane) with the minimum aisle being twelve (12) feet in width;

(8) Parking spaces shall not occupy any part of any front setback, but where open may be included as a part of a required open space for a rear setback, provided such space does not occupy any part of any required usable open space as set forth in these regulations;

(9) On corner or through lots, parking spaces may not be included as part of setbacks lying adjacent to either street;

(10) Loading space, as required in section 957 (relating to off-street loading), shall not be construed as supplying off-street parking space;

(11) There shall be no parking of any vehicle on a lot between any established building line and the street line in any zoning district. In the B-3 district and the B-4 district, no vehicle shall be parked on any lot within twenty-five (25) feet of the front lot line provided that in any case where vehicles were permitted to park

within twenty-five (25) feet of the front lot line in a B-3 district or a B-4 district prior to March 26, 1984 such parking shall continued as a permitted use;

(12) Parking facilities shall be at all times subject to entry and inspection by authorized city officials in the performance of their duties.

Sec. 942. Reduction of parking space.

Off-street parking required under this article may be reduced at a time the capacity or use of a building is changed in such a manner that the new use or capacity would require less space than before the change. Such reduction may not be below the standards set forth in this article.

Sec. 943. Location of parking space.

(a) The parking spaces required for one-, two- and three-family dwellings shall be located on the same lot as the dwelling.

(b) Parking spaces for multifamily residential uses shall be located not more than five hundred (500) feet from a main entrance to the structure in which the people reside for whom the parking is being provided.

(c) Parking space for nonresidential uses and transient lodgings shall be located not more than one thousand (1000) feet from a main entrance to the structure in which the nonresidential use or transient lodging is located. This section shall not preclude the continued use of present employee, customer or resident parking lots or structures, beyond the one thousand foot requirement, or the construction and use of such lots or structures where a means of private or public mass transportation is provided specifically for conveyance from such parking lot or structure to the nonresidential use or transient lodgings, and such perimeter parking lot or structure may be used in determining the parking requirement.

Sec. 944. Passenger vehicles.

Except as otherwise provided in this article, off-street parking spaces required may be occupied by self-propelled motor vehicles owned by the occupants, employees or patrons of the property or by visitors, or by self-propelled delivery vehicles incidental to the principal use, but not by 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.

Sec. 945. Floor area defined.

For the purpose of this article, "floor area" in the case of offices, trade or service types of uses means the (gross) floor area used, or intended to be used for service to the public as customers, patrons, clients or patients, including areas occupied by fixtures and equipment used for display or sale of merchandise. It shall not include areas used principally for nonpublic purposes such as storage, incidental repair, processing or packaging of merchandise, for show windows, for offices incidental to the management or maintenance of stores or buildings, for toilets or rest rooms, for utilities, for required stairways or elevators, or for dressing rooms, fitting or alteration rooms. See also definition of "floor area ratio" in section 2 (relating to definitions).

Sec. 946. Hospitals; parking.

For purposes of this article, in hospitals, bassinets shall not be counted as beds.

Sec. 947. Places of assembly.

In stadiums, sports arenas, churches and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each twenty (20) inches of such seating facilities shall be counted as one (1) seat for the purpose of determining requirements for off-street parking facilities under these regulations.

Sec. 948. Units of measurement.

When units of measurements determining the number of required parking spaces pursuant to this article result in the requirement of a fractional space, any fraction up to and including one-half (½) shall be disregarded and fractions over one-half (½) shall require one (1) parking space.

Sec. 949. Collective provision.

Nothing in this article shall be construed to prevent collective provision of off-street parking facilities for two (2) or more structures or uses, provided that the total of such off-street parking spaces supplied collectively shall be not less than the sum of the requirements for the various uses computed separately; provided also that the requirements set forth in this article as to maximum distances between parking facilities and structures or uses served shall apply to each structure or use participating in the collective provision for parking.

Sec. 950. Joint uses.

(a) *Churches.* Parking spaces already provided to meet off-street parking requirements for theaters, stadiums, auditoriums and other places of public assembly, stores, office buildings and industrial establishments, lying within one thousand (1,000) feet from a main entrance of the church, and that are not normally used between the hours of 6:00 a.m. and 6:00 p.m. on Sundays, and that are made available for other parking, may be used to meet not more than seventy-five (75) percent of the off-street parking requirements of a church.

(b) *Other types of places of public assembly.* Parking spaces already provided to meet off-street parking requirements for stores, office buildings and industrial establishments, lying within one thousand (1,000) feet from a main entrance of the place of public assembly that are not normally in use between the hours of 6:00 p.m. and midnight and are made available for other parking, may be used to meet not more than fifty (50) percent of the total requirements of parking space.

(c) *Mixed occupancies and uses.* In the case of mixed uses (e.g., colleges, multipurpose buildings, etc.), the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one (1) use shall not be considered as providing required parking facilities for any other use except as specified in subsections (a) and (b) for joint use.

Sec. 951. Parking areas; development and maintenance.

(a) Every parcel of property used in part or in whole as a parking garage and/or parking lot, whether required or not, shall, for that portion used as a parking garage and/or parking lot, be developed and maintained by the owner in accordance with the requirements of this article. Employee parking lots are distinguished from non-employee parking lots and are subject to different development standards. For the purposes of this section, an employee parking lot is defined as a lot having fifty (50) percent or more of the total parking spaces of such lot utilized by or designated for employees.

(b) The following shall pertain to development standards for parking garages and non-employee parking lots:

(1) *Screening and landscaping.* Off-street parking for more than five (5) vehicles shall be effectively screened on each side which adjoins or faces premises situated in any residential district, or premises used for residential purposes in any district, by a fence of acceptable design, wall or compact hedge. Such fence, wall or hedge shall not be less than four (4) feet and no solid portion shall be more than six (6) feet in height and shall be maintained in good condition and shall provide year-round screening. The space, if any, between any fence, wall or hedge and the side lot line of adjoining premises shall be landscaped with grass, shrubs or evergreen ground cover and maintained in good condition. In case the capacity of such parking garage and/or parking lot exceeds thirty (30) vehicles, the screening required by this paragraph shall consist of heavy year-round evergreen plantings of sufficient density to form a continuous screen;

(2) *Minimum distances and setbacks.* No part of any parking garage and/or parking lot for more than five (5) vehicles shall be closer than ten (10) feet to any dwelling, school, hospital or other institution for human care, unless the parking lot is covered (i.e., within or under the principal structure). If on the same lot, with a principal structure, the parking garage and/or parking lot shall not be located within the front setback or side street setback required for such structure. If not on the same lot with a principal structure, the parking lot shall not be closer to any street line than the least depth of the setback which would be required for a principal structure of one (1) story height. The fence, wall or hedge required by paragraph (b)(1) shall be set back from each street, the same as if it were a building wall, so as to observe the front setback and side street side setback requirements of these regulations;

(3) *Bumper guards.* There shall be provided a bumper guard of either wood, metal or concrete not more than two (2) feet in height and securely anchored into the ground on all sides of the parking lot where there is required a protective fence or wall. Such bumper guard shall be located at such a distance so that automobiles will not strike the protective fence or wall. As an alternative, a concrete or asphalt berm serving the same purpose may be provided;

(4) *Surfacing of parking area.* Any off-street parking lot for more than five (5) vehicles shall be surfaced with asphalted, bituminous, cement or other properly bound pavement so as to provide a durable and dustless surface, and shall be so graded and drained as to dispose of all surface water accumulation within the area. No surface water from any parking lot shall be permitted to drain onto adjoining property. The foregoing requirements with respect to the type of surfacing shall not apply to a parking lot located in any industrial district, and district not less than one hundred (100) feet from any lot in any residential district, except that a dustless surface shall be provided in any case;

(5) *Lighting.* Any lighting used to illuminate any off-street parking lot shall be so arranged as to reflect the light away from adjoining premises located in any residential district, or any premises used for residential purposes in any district.

(c) The following shall pertain to development standards for employee parking lots:

(1) *Screening and landscaping.* Off-street employee parking lots of more than five (5) vehicles shall be screened on each side by means of a landscaped area a minimum of four (4) feet in width along the perimeter of such parking lot. Such landscaped area shall be planted with shrubs, hedges or other plants so as to provide year-round (evergreen) screening. Such planting shall be no less than four (4) feet in height. A landscaped strip a minimum of four (4) feet in width shall be provided between each two (2) tiers of parking spaces and planted with trees, shrubs or other appropriate evergreen plant life so as to provide for natural drainage where feasible and beautify such parking lots to the extent possible;

(2) *Minimum distances and setbacks.* No part of any employee parking lot for more than five (5) vehicles shall be closer than ten (10) feet to any dwelling, school, hospital or other institution for human care, unless the parking lot is covered (i.e., within or under the principal structure). If the parking lot is on the same lot with the principal structure, the lot shall not be located within the front setback or side setbacks required for such structure. If not on the same lot with the principal structure, the parking lot shall not be closer to any street line than the least depth of the setback which would be required for a principal structure of one (1) story height. The landscaping required by paragraph (c)(1) shall be set back from each street, the same as if it were a building wall, so as to observe the front setback and side street side requirements of these regulations;

(3) *Bumper guards.* There shall be provided a bumper guard of either wood, metal or concrete not more than two (2) feet in height and securely anchored in the ground for all areas of the parking lot where the required landscaped areas abut parking spaces. Such bumper guards shall be located so that automobiles will not strike plantings in the required landscaped area. A concrete or asphalt berm may also be utilized for the same purpose as a bumper guard;

(4) *Surfacing of parking area.* Any employee parking lot for more than five (5) vehicles shall be surfaced with asphalted, bituminous, cement or other properly bound pavement so as to provide a durable and dustless surface. Such parking lots shall be graded and drained so as to dispose of all surface water accumulation within the area, and to prohibit surface water from draining onto adjoining property, the sidewalk or into the street;

(5) *Lighting.* Any lighting used to illuminate any employee parking lot shall be arranged so as to reflect the light away from adjoining premises.

Sec. 952. Parking lots in residence districts.

(a) The commission is authorized to grant a special permit to allow a public or private parking lot in a residential district for the purpose of meeting the requirements of this article, subject to the following conditions:

(1) The parking lot shall be accessory to and for use in connection with one (1) or more establishments located in an adjoining business, residential/office, commercial or industrial zone, or in connection with one (1) or more nonconforming institutional buildings on adjoining premises;

(2) Such parking lot shall contain not less than five thousand (5,000) square feet, which shall abut at least fifty (50) feet, either directly or across an alley or street, on a business, residential/office, commercial or industrial zone, or the premises of a nonconforming institutional building to which the parking lot is an accessory. Such parking lot shall be used solely for the parking of passenger vehicles;

(3) No commercial repair work or service of any kind shall be conducted on such parking lot, and no display of vehicles for purposes of sale shall be carried on or permitted upon such premises;

(4) No sign of any kind, other than those designating entrances, exits and conditions of use shall be maintained on such parking lot. Such signs shall not exceed nine (9) square feet in area each, and an overall height of ten (10) feet;

(5) Such parking lots may be open during the hours of operation of the use or uses to which the lot is associated, except that the commission may, if it deems necessary and appropriate, stipulate the hours of operation of such parking lots, and provided that such parking lot may be open and used at all times as a parking area accessory to a principal use permitted in any residential district in which it is located, under agreement with the owners or tenants of such use or uses, but only on a weekly or monthly rental basis;

(6) Each entrance to and exit from such parking lot shall be at least twenty (20) feet distant from any adjacent property located in any residential district.

(b) The commission may modify the foregoing requirements in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of adjacent properties, with due regard to the protection of such properties, the residential district in which such parking lot is to be located, and the public interest. The commission may also impose such additional requirements as it may deem necessary in view of the aforesaid consideration.

(c) Reserved.

(d) In reviewing such proposal the commission shall consider all aspects of the proposal as set forth in this section, and in particular the location and design of entrances and exits, the parking layout, surface marking and lighting, screening and landscaping, the parking lot's impact upon the traffic circulation system, and its compatibility with adjacent properties and uses and whether the proposed location is in harmony with the plan of conservation and development.

(e) Public notice must be given and public hearing held on the application for a special permit in accordance with section 68 (relating to applications for zoning permits).

(f) Every application for a special permit for a parking lot in a residential district shall be filed in accordance with the provisions of section 68 (relating to applications for zoning permits).

Sec. 953. Continuing character of off-street parking and off-street loading 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 vehicle parking or vehicle loading facilities continues. 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 vehicle parking or loading space apart from the alternative vehicle parking or loading space which meets with the requirements of and is in compliance with the section. It shall be unlawful for any business entity to use such structure without acquiring such land or other suitable land for vehicle parking or loading space which meets with the requirements of and is in compliance with these regulations.

(b) Whenever off-street parking is required and cannot be provided within the principal structure or on the same lot as the principal structure and is located on another parcel of property as permitted by this article, such parcel of property provided for and utilized for off-street parking shall be owned by the owner of the principal structure or, by special permit, shall be restricted by a recorded agreement to off-street parking purposes as long as the off-street parking is required for such principal structure in accordance with the terms of this article. The

commission may grant a special permit allowing for the use of the principal structure with parking in another adjacent parcel, provided that there is a written lease or license agreement for at least three (3) years allowing the use of the adjacent parcel for parking. This special permit is valid only for the specific use listed in the zoning permit application. Any special permit granted under this subsection is valid only for the duration of the lease or license agreement between the owner of the principal structure and the owner of the adjacent property. At the time of the expiration of such lease or license agreement the property owner may apply for a new special permit which is subject to the same condition specified above.

Sec. 954. Application of off-street parking standards.

a. The off-street parking requirement for structures or uses shall be determined by applying one of the standards under this section to each use. In the case of mixed occupancies or uses, the zoning administrator shall compute separately the requirements for each occupancy or use, taking into account all existing and proposed uses.

Parking Requirements Table

Manufacturing Uses
One space for every four employees

Retail Uses
One space for every 600 square feet ground floor over.

Office Uses
Direct Walk-In
One space per 500 square floor
General Office
One space per every 1000 square feet of net office space

Residential (non age restricted)
All districts except B1 and B2
One and one half space per dwelling or rooming unit

B1 and B2
One and one quarter space per dwelling unit or rooming unit

Age restricted (62 and older) Residential
One space per every three dwelling units.

Hospitals and Hospital related
One space for every four beds

Dormitories, fraternity, sorority and religious quarters
One space per every 2 beds
Hotel/Motels
One (1) space for each guestroom or residence unit, plus required parking for any restaurant, assembly space or other nonresidential use located within the development, except that in the B-1 and B-2 districts there shall be required one (1) space for each two (2) guestrooms or residence units. In the I-2 and C-1 districts there shall be required one and one half space per employee for other transient lodgings

Public Assembly
One (1) space for every four (4) persons based on maximum capacity to be determined as set forth in section 956 (relating to capacity of structures and uses);

Amusements and related
One (1) space for every four (4) persons based on maximum capacity to be determined as set forth in section 956 (relating to capacity of structures and uses);

Playfields, Athletic Facilities, Parks and related.
The zoning administrator shall determine which of the requirements of this subsection or what combination of the requirements of this subsection shall apply;

b. Accessible Parking Spaces

Parking for persons with disabilities shall be provided on all private, public and commercial parking lots and in all public, private and commercial parking garages in accordance with the following table:

Total parking on site	Required number of reserved accessible parking spaces
Up to 25	1
26--50	2
51--75	3
76--100	4
101--150	5
151--200	6
201--300	7
301--400	8
401--500	9
501--1000	2% of total
Over 1000	20 plus 1 for each 100 over 1000

All such spaces shall be designated as reserved for the exclusive use of persons who have mobility impairments and shall be as close as possible to elevators, ramps, walkways and entrances, and so located

that the handicapped person is not compelled to wheel or walk behind parked vehicles to reach entrances, ramps, walkways and elevators.

c. Parking garage; height of entrance and exit. All parking garages constructed on or after adoption of this subsection shall have a nine-foot six-inch vertical clearance at its entrance and exit as well as along the route to and from at least two (2) handicapped accessible parking spaces which also shall have a nine-foot six-inch vertical clearance. These spaces shall be clearly reserved for drivers of high-topped vans with a permit or license plate with access symbol.

d. The commission is authorized to allow, by special permit, the reduction or elimination of the off-street parking required in this section in instances where:

(1) The reduction or elimination of such parking will reduce traffic and congestion on city streets;

(2) Alternative modes of transportation are available to the public to get to and from a proposed facility; and

(3) The reduction or elimination of such parking will provide land for a more appropriate form of land development.

In reviewing any application for such special permit, the commission shall consider all aspects of the proposed development, particularly the condition of the streets and roadways and the traffic and congestion thereon in the area of the proposed development and the impact the proposed special permit will have on these conditions and the overall development goals and objectives of the city as expressed in the plan of conservation and development.

Sec. 955. Number of employees; parking requirements.

The calculation of the number of employees of a use for purposes of calculating requirements under this article shall be based on the estimated maximum daily or maximum eight-hour shift requirements in a twenty four hour-period.

Sec. 956. Capacity of structures and uses; parking requirements.

The capacity of structures and uses for purposes of calculating requirements under this article shall be based upon the maximum permitted occupancy capacity..

Sec. 957. Off-street loading requirements.

(a) On the same premises with every building, structure or part thereof, erected and occupied for manufacturing, storage, warehouse, goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, turning, loading and unloading services in order to avoid interference with public use of the streets and alleys.

(b) Such loading and unloading space, unless otherwise adequately provided for, shall be an area ten (10) feet by fifty (50) feet, with fifteen-foot height clearance, and shall be provided according to the following schedule:

Gross floor area in square feet	Loading and unloading spaces required in terms of square feet of usable floor area
0-- 1,400	None
1,401-- 20,000	One (1) space
20,001--100,000	One (1) space plus one (1) space for each 20,000 square feet
100,001--500,000	Five (5) spaces plus one (1) space for each 40,000 square feet in excess of 100,000 square feet
Over 500,000	Fifteen (15) spaces plus one (1) space for each 80,000 square feet.

Sec. 958. Use of park land for occasional parking.

The parking provisions of sections 954 (relating to off-street parking standards) and 957 (relating to off-street loading requirements) shall not apply to areas in a city park associated with a municipally owned and operated sports stadium used for occasional parking, provided such use is in accordance with a parking plan which has been approved by the director of public works. The parking plan shall include location, method of operation, and provisions for supervision. Such approval shall be required for each occasion during which park land is to be used for occasional parking.

Sec. 959. Special permits for parking lots in the P zoning district.

(a) The commission is authorized to grant a special permit to allow a public, private or commercial parking lot in the P zoning district for the purpose of meeting the requirements of this article, subject to the following conditions and after receiving a report of its recommendations from the department of public works:

(1) For the purpose of this section, a parking space shall have an area of:

a. Not less than eighteen (18) feet by nine (9) feet (the width to be measured from the center of the dividing line between adjacent spaces) in the case where vehicles are not parked by an attendant, or

b. Not less than eighteen (18) feet by eight (8) feet (the width to be measured from the center of the dividing line between adjacent spaces) in the case where all vehicles are parked by an attendant;

(2) Adequate ingress and egress to a parking lot by means of clearly limited and defined drives shall be provided for all vehicles;

(3) All spaces and means of ingress and egress shall be laid out on the parking surface with paint, plastic striping, or other manner which shall provide a permanent delineation between spaces, drives and surrounding structures and land;

(4) Plans for the layout of a parking facility shall show a total dimension across two (2) tiers of spaces and one (1) aisle (maneuvering lane) of at least the following for the various patterns:

a. Ninety-degree pattern--fifty-six (56) feet for two (2) tiers of spaces and one (1) aisle (maneuvering lane) with the minimum aisle being twenty (20) feet in width,

b. Sixty-degree pattern--fifty-one (51) feet for two (2) tiers of spaces and one (1) aisle (maneuvering lane) with the minimum aisle being fifteen (15) feet in width,

c. Forty-five-degree pattern--forty-eight (48) feet for two (2) tiers of spaces and one (1) aisle (maneuvering lane) with the minimum aisle being twelve (12) feet in width,

d. Forty-five-degree herringbone pattern--forty-eight (48) feet for two (2) tiers of spaces and one (1) aisle (maneuvering lane) with the minimum aisle being twelve (12) feet in width;

(5) Screening and landscaping, as required by section 951 (relating to development and maintenance of parking areas), shall be required for those portions of parking lots in park land or cemeteries which is contiguous to residential property;

(6) Parking lots shall be provided with a properly bound and dustless surface, which in the opinion of the department of public works will remain serviceable for the anticipated duration of the lot. The department of public works shall advise the commission of any potential problems involving the accumulation of surface water which may arise from the development of the lot. The commission shall approve no application for a development in which such problems cannot be resolved satisfactorily;

(7) A site plan shall be submitted to the commission, in three (3) copies, showing the proposed parking layout, method of surface treatment, method of delineation between parking spaces and aisles, and any other data which may be required by the commission in the application of these standards;

(8) The provisions of this subsection shall apply only in the P zoning district and shall replace all other development and maintenance provisions for parking lots contained in these regulations.

(b) Every application for a special permit to allow a parking lot in the P zoning district shall be referred to the department of public works for a report of its recommendations at least thirty (30) days prior to the date assigned for a public hearing to be held thereon. Failure of the department of public works to report prior to or at the public hearing shall be taken as approval of the proposal. A statement of the recommendations of the department of public works approving, disapproving or modifying such proposal shall be publicly read and incorporated into the records of any public hearing held thereon.

(c) In reviewing such proposal the commission shall consider all aspects of the proposal as set forth in this section, and in particular the location and design of entrances and exits, the parking layout, the parking lot's impact upon the traffic circulation system, and its compatibility with adjacent properties and uses and whether the proposed location is in harmony with the plan of conservation and development.

(d) In reviewing such proposal the department of public works shall consider all of the technical aspects of the proposal, and in particular the adequacy of surface and drainage treatment.

(e) Public notice must be given and public hearing held on the request for a special permit in accordance with section 68 (relating to applications for zoning permits).

(f) Every application for a special permit for a parking lot in the P zoning district shall be filed in accordance with the provisions of section 68 (relating to applications for zoning permits).

Sec. 960. Transportation management plan.

All applications a special permit for complex projects in the B-1 downtown development district shall include a transportation management plan. The purpose of the transportation management plan is to clearly indicate access to and from the site; pedestrian and vehicular circulation and parking; the impact of the proposed access, circulation and parking on the city's pedestrian and vehicular circulation system; and conformity to the downtown development plan and the plan of conservation and development.

(1) *Transportation management plan.* A transportation management plan shall include, at a minimum, a written statement with appropriate supporting documentation, describing the following information:

a. The number of on-site parking spaces required by the provisions of section 954 (relating to off-street parking standards).

b. The number and types of parking spaces to be provided on-site such as: employee parking, transient parking for on-site uses, transient parking for off-site uses, parking for high occupancy vehicles, parking for compact cars and handicapped parking.

c. 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.

d. Alternative modes of transportation such as mass transit, carpools, vanpools, and available and to be provided.

e. Expected usage of the alternative modes of transportation.

f. Location of all vehicular and pedestrian entrances and exits.

g. 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 three (3) blocks of the project site.

h. How the proposed access and pedestrian and vehicular circulation and parking conform to and implement the recommendations of the transportation and circulation elements of the downtown development plan.

(2) *Reduction in required number of on-site parking spaces.* The commission is authorized to allow the reduction of the on-site, off-street parking spaces required in the B-1 downtown development district in accordance with the provisions of this section in instances where the reduction is in accord with an approved transportation management plan and will reduce traffic and congestion on city streets; where alternative modes of transportation are provided to get to and from the site; and where the reduction of the on-site parking is in conformance with the downtown development plan and will provide for a more appropriate form of development:

a. Up to ten (10) percent reduction in the number of required non-transient off-street parking spaces is permitted when the applicant and/or employers who are tenants of the applicant's project agree to the following:

1. Designation of an employee transportation coordinator responsible for promoting ridesharing and public transit use among employees.

2. Participate in area-wide ride matching system or provide a ride-matching program at the site.

3. Designate a minimum of twenty (20) percent of the non-transient off-street parking spaces to be offered at a discount parking rate for vehicles containing three (3) or more persons. If there is to be no charge for parking, then reserve a minimum of twenty (20) percent of the non-transient off-street parking spaces for vehicles with three (3) or more persons. The reserved preferential spaces

shall be located in close proximity to the building entrances, relative to other spaces, and shall be clearly signed or marked "Reserved--Minimum Three Persons Per Vehicle."

b. Up to a thirty (30) percent reduction in the number of required non-transient off-street parking spaces is permitted when the applicant submits a transportation management plan demonstrating a comprehensive approach to reducing the parking demand at the site. The reduction granted shall be commensurate with the parking demand reduction projected by the transportation management plan. The plan will be reviewed by the commission to determine the adequacy in reducing parking demand through increased ridesharing and applicant and/or employer commitment to the program. Reductions shall be computed based on levels of auto occupancy and transit ridership determined by the commission to be applicable to the area in which the site is located. In addition to the techniques required in subparagraph a. of this paragraph (2), a minimum of three (3) of the following techniques shall be provided to qualify as an acceptable comprehensive transportation management plan for the purposes of parking space reduction:

1. Provision of vanpools or subscription bus service for employees.
2. Subsidy of employee use of high occupancy vehicles such as carpools and vanpools.
3. Instituting a parking charge and not permitting such charge to be employer-subsidized.
4. Provision of parking cost subsidies for high occupancy vehicles, if a parking charge exists.
5. Provision of or participation in shuttle services from off-site parking facilities owned or leased by the applicant or employers who are tenants of the applicant's project.
6. Provision of subsidized transit passes.
7. Provision for bicycle commuters including but not limited to bike racks.
8. Any other technique or combination of techniques acceptable to the director of planning and capable of reducing non transient parking demand at the work site.

c. A reduction of one (1) required on-site non-transient parking space may be permitted for each non-transient parking space provided in an off-site parking facility in accordance with the following conditions:

1. The facility must be owned or leased by the applicant or employer tenants of the applicant's project.
2. Regular shuttle service between the off-site facility and the project site must be provided by the applicant or employers who are tenants of the applicant or employers who are tenants of the applicant's project.
3. The off-site facility must be located in conformity with the downtown development plan.
4. The off-site facility must be developed in accordance with all other applicable provisions of this article.

(3) *Transportation management, continuing character of obligation.* 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 for a term of twenty (20) years unless the commission specifically finds that another period of time would be in accordance with the purposes set forth in this section. Such covenant shall be recorded on the land records and shall run with the land.

Secs. 961 -- 980. Reserved.

ARTICLE VI.
ACCESSORY USES

Sec. 981. Purpose.

(a) Accessory uses which are customarily found in the low density residential districts consist for the most part of garages and other minor structures. They are allowed as a matter of right.

(b) These zoning regulations also provide for residential-office districts in which districts the principal uses will be high and medium density residential structures as well as office buildings. If these districts are to be assured of the potential of a high type of development, they must be restricted to these uses. At the same time, there must be permitted in the RO-1 and RO-2 districts those ancillary uses that are required to serve the high-density residential structures and office buildings in the two (2) districts. One (1) method would be the establishment of a great number of small spots in which customary commercial uses are permitted. An alternative method, and that in these regulations, is to permit those necessary by limited commercial uses as accessory uses, subject to limitations of space and location occupied in the buildings which they serve.

Sec. 982. Accessory uses in the RO-1 and RO-2 districts.

(a) The following uses are established as accessory uses in the RO-1 and RO-2 districts and are permitted under the stated conditions listed in this subsection:

(1) Such uses must be conducted within the principal residential or office structure;

(2) They must be conducted on or below the ground floor of the structure except that a barbershop, beauty shop or office service shop may be conducted elsewhere in the structure, and a restaurant or dining room shall be permitted on the top story or on the roof of the structure;

(3) The total area of such uses shall not exceed more than five (5) percent of the gross floor area of the structure;

(4) There shall be a minimum lot area of forty thousand (40,000) square feet and a minimum number of one hundred (100) dwelling units in the principal residential structure or residential portion of the structure on the lot to allow the permitted accessory uses, other than customary accessory uses, in the principal residential structure or residential portion of the structure;

(5) There shall be a minimum lot area of twenty thousand (20,000) square feet and a minimum floor area of forty thousand (40,000) square feet in the principal office structure or office portion of the structure on the lot to allow the permitted accessory uses, other than customary accessory uses, in the principal office structure or office portion of the structure.

(b) In addition to customary accessory uses, the following are permitted accessory uses in principal residential structures:

Automobile dead storage

Bakery, non manufacturing

Barbershop

Beauty shop

Cleaners, self-service
Delicatessen
Drugstore
Dry-cleaning establishment, depot only
Grocery store
Hairdressing
Laundry and dry-cleaning
Pickup and delivery
Self-service
Pharmacy
Restaurant
Shoeshine stand
Tailor (custom)
Barber school
Beauty school.
In addition to customary accessory uses, the following are permitted accessory uses in principal office structures:
Automobile dead storage
Bakery, non manufacturing
Barbershop
Beauty shop
Cafeteria
Candy or nut shop
Cigar and tobacco shop
Drugstore
Florist shop
Hairdressing
Lunchroom
News and magazine stand
Pharmacy
Pipes and smokers' articles shop
Refreshment stand
Restaurant
Sandwich shop
Shoeshine stand
Snack bar
Tailor (custom)

Tearoom

Barber school

Beauty school.

(d) In addition to customary accessory uses, the sale of alcoholic beverages for consumption on the premises shall be a permitted accessory use to a public art museum organized for nonprofit, charitable, literary and educational purposes and having over one hundred thousand (100,000) square feet of floor area for public display purposes. Any requirements set forth in these regulations pertaining to distances between liquor dispensing outlets and/or distances between liquor dispensing outlets and a lot used or reserved to be used for the purposes of a public school or library, a school other than a public school operated as a benevolent institution and not for profit, a hospital operated as a benevolent institution, a church, or a charitable institution whether supported by public or private funds shall not apply to such sale of alcoholic beverages.

Sec. 983. Customary accessory uses in residential districts.

(a) Customary accessory residential uses shall include, but are not limited to: Private dog house, private garden, private garages and public storage garages, private greenhouse, private playground and recreation area, private swimming pool, private tennis court, private laundry room, hobby room and mechanical room.

(b) In the R-5, R-6 and R-7 residential districts the renting of rooms and furnishing of table board for not more than two (2) roomers or boarders shall be permitted as an accessory use in single-family dwellings.

Sec. 984. Limitations on accessory structures and uses in residential districts.

All accessory buildings shall be located in the rear of a principal building, except for corner lots as provided for as follows:

(1) When an accessory building is located on a corner lot, the accessory building shall not project beyond the front setback line required on the lot in the rear of such corner lot;

(2) Where the accessory structure is structurally attached to a principal structure, it shall be subject to, and must conform to all zoning regulations applicable to principal structures;

(3) Where utility easements exist, no accessory structures shall be built over them;

(4) In the RO-3 residential--office, R-1, R-2, R-3 and R-4 residential districts, an accessory structure, not exceeding fifteen (15) feet in height, may occupy not more than a total of twenty-five (25) percent of a required rear setback plus forty (40) percent of any non required rear setback provided that in no instance shall the accessory structure exceed the ground floor area of the principal structure;

(5) In the R-5, R-6, R-7, and R-8 residential districts, accessory structures and uses may occupy a maximum of twenty-five (25) percent of the area of the rear setback and shall be located not nearer than three (3) feet from a rear lot line and not nearer than three (3) feet from a side lot line, and except as provided in section 8 (relating to permitted height, density or bulk), shall not exceed a height of fifteen (15) feet.

Sec. 985. Accessory uses of outdoor displays.

The outdoor display of merchandise or other items offered for sale or advertisement is a permitted accessory use in the B-3 and B-4 zoning districts five (5) feet beyond the building line, 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. The display of merchandise or other items offered for sale or advertisement in the B-3 and B-4 zoning districts shall, however, be subject to the following conditions:

(1) Merchandise or other items displayed as the accessory use shall be restricted to those items or merchandise which are sold at the principal use;

(2) The outdoor display must be confined to an area no greater than five (5) feet directly in front of, or to the side of, the principal use to which it is accessory. In no instance shall the merchandise or other items be located beyond an established street line. In the case of building lines and street lines being coincident, there shall be no outdoor display;

(3) If associated with a principal use on a corner lot, only one (1) frontage shall be utilized for accessory outdoor display purposes;

(4) Merchandise or other items shall only be displayed during daylight hours;

(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.

(6) Businesses in B-3 and B-4 zoning districts may obtain a yearly license to extend their business and display their wares with a temporary outdoor structure up to the property line; and those whose property line and building line are the same can share in this temporary extension but only to their property line. This temporary extension is allowed only between the first day of May and the last day of October of each year.

Business owners, to utilize this temporary outdoor extension, must register with the city division of licenses and inspections and obtain an annual license for a fee to be established by council. Owners must also present to the division of licenses and inspections plans and specifications of the intended use, and if the business owner is not the property owner, the business owner must present a notarized letter of permission from the owner(s) of the business property.

For purposes of this section only, "temporary structure" means an outdoor business area with tables, chairs or shelves, and any canopy or tent covering such an area or any temporary, removable fencing.

Sec. 986. Limitations on accessory uses in the B-3 and B-4 business districts.

Inside storage of equipment and materials, associated with special construction trade services, shall be permitted as an accessory use in the B-3 and B-4 districts, subject to the following conditions:

(1) Inside storage shall be accessory to the operation of a contractor's office and located on the same lot or zoning lot;

(2) There shall be no inside storage permitted for heavy duty trucks or equipment generally associated with earth-moving operations such as, but not limited to, a backhoe, bulldozer, grader, roller, payloader, asphalt spreader, etc.;

(3) Inside storage shall be limited to commercial vehicles, materials and small tool storage and, in no instance, shall more than four (4) light trucks or vans be stored within the structure;

(4) No new structure for inside storage of equipment and materials shall be erected to a height in excess of three (3) stories or twenty-eight (28) feet, whichever is less;

(5) Outside storage of commercial vehicles and equipment shall not be permitted except that parking of commercial vehicles shall be permitted during normal business hours;

(6) Any off-street parking provided shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening.

Secs. 987--1005. Reserved.

ARTICLE VII.

SIGNS AND OUTDOOR ADVERTISING

Sec. 1006. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Banners, streamers and pennants are non-reflective signs or decorations made of cloth or plastic.

Marquee means any hood, canopy, awning or permanent construction that projects from a wall of a building, usually above an entrance.

Marquee Sign, Theater - Means signage that consists of changeable copy that is affixed to the marquee of a Stage Theater, or Movie Theater displaying events taking place at said theater.

Portable sign is any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising, except those associated with established outdoor cafes; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

Roof sign, integral is any identification sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six (6) inches.

Sign means any device and all parts thereof which are used to advertise products, goods, services or otherwise promote the sale or rental of objects or identify objects for sale or for rent or the occupancy or use of any land, structure or building, including signs painted on windows and paper signs attached to windows. Window displays shall not be considered signs.

Sign, abandoned means any sign whose use is discontinued, provided that the owner of the sign intended to discontinue such use

Sign, business means a sign which directs attention only to a business, commodity, service, activity, or product sold, conducted or offered upon the premises where such sign is located and permanently affixed.

Sign, directional means a sign which guides or directs pedestrian or vehicular traffic.

Sign, double-faced means a sign with two (2) faces, neither face exceeding the maximum area allowed for the zoning district in which it is located, and where the faces are mounted back to back not more than eighteen (18) inches apart and parallel, or where the interior angle formed by the intersection of the two (2) faces is thirty (30) degrees or less.

Sign, changeable electronic means any type of sign displayed or illuminated by electronic or digital means whereby the content can be changed automatically at short intervals controlled either on site or remotely.

Sign face means a plane defined by the continuous perimeter enclosing the extreme limits of the message or messages of the sign, including other representation or material or color lying within the plane that draws attention to a message or messages. Any structural element lying within the sign face and not forming an integral part of the sign content, or any molding which is eighteen (18) inches or less in width and lies within the sign face, shall not be considered part of the area of the sign face.

Sign, gross area of means as defined by the following table:

Single-faced sign: gross area = area of the single face,

Double-faced sign: gross area = area of largest face or area of one (1) face if both faces have equal area,

Multiple-faced sign: gross area = combined area of all faces.

Sign, ground means a sign suspended or supported by one or more uprights or braces anchored in the ground with no more than thirty (30) inches clearance from the bottom of the sign to the ground below.

Sign, identification means a sign on the premises, bearing the name of a subdivision, the name of a group housing project or of a school, college, park, church or other public or quasi-public facility, or of a professional or firm nameplate, or the name of the business, or name of the person, firm or business entity occupying the premises, but bearing information pertaining only to the premises on which such sign is located.

Sign, multiple-faced means a sign with two (2) or more faces, except a double-faced sign.

Sign, outdoor advertising means a sign which directs attention to a business, commodity, service or activity which is generally sold, offered or conducted elsewhere than upon the premises where such sign is located.

Sign, pole means a sign on a freestanding pole.

Sign, projecting means a sign attached to a building or other structure extending in whole or in part more than eighteen (18) inches beyond the building or structure.

Sign, roof means a sign erected on a roof or signs that project above the highest point of a roofline, parapet or fascia.

Sign, single-faced means a sign with one (1) face.

Sign, temporary means a sign which is intended to advertise community or civic projects, construction projects, real estate for sale or lease, or other special events on a temporary basis. See section 1010(g) (relating to temporary signs).

Sign, wall means a sign fastened to the wall or other surface of a building with a sign face approximately parallel to such wall or surface.

Structure, outdoor advertising means any structure of any kind or character erected or maintained for outdoor advertising purposes, upon or to which any outdoor advertising sign may be placed or attached.

Sec. 1007. Zoning districts where signs are permitted

Signs shall be permitted in the zoning districts as set forth below and subject to the conditions of this section:

(1) Business signs are permitted only in the I-1, I-2, C-1, B-1, B-2, B-3 and B-4 districts;

(2) Directional signs are permitted in each and every zoning district;

(3) Identification signs are permitted in each and every zoning district;

(4) Outdoor advertising signs are permitted only in the I-1, I-2, C-1, and B-3 districts;

(5) Temporary signs are permitted in each and every zoning district;

(6) Integral roof signs are permitted in all zoning districts, except that no integral roof signs shall be permitted on a residential structure containing fewer than five (5) units. Roof signs, other than integral roof signs, are not permitted in any zoning district.

(7) Changeable electronic signs which change more than once in a day and/or the conversion on an existing outdoor advertising sign to a changeable electronic sign are allowed by special permit only, in I-1, I-2, C-1, and P districts subject to the following conditions:

a. The content of the sign does not change more frequently than once every 10 seconds

b. The static phase of display does not display any illumination that moves, appears to move or changes in intensity,

c. The illumination from the sign does not direct illumination at or intrude upon a residential neighborhood or residential district,

d. The brightness level of the illumination is found to be in harmony with the location of the sign,

e. The sign is found to be in harmony with adjacent and surrounding uses,

f. Changeable electronic outdoor advertising signs are restricted to locations within 250 feet of I-91, I-84 and Routes 5 and 15;

g. The size and height of changeable electronic outdoor advertising signs are the same as outdoor advertising signs that are allowed by special permit in I-1, I-2, and C-1 zoning districts.

(8) Marquee signs are permitted in the B-1, B-2, B-3, and B-4 zoning districts by zoning permit

(9) Theater Marquee signs with copy that changes at an interval of more than once every 24 hours shall be allowed in the B-1 zoning district by special permit only.

Sec. 1008. Size of Signs.

Signs shall be subject to the following limitations of size:

(1) *I-1, I-2 and C-1 districts.* Outdoor advertising signs shall have a maximum area of seven hundred fifty (750) square feet. The combined total area of all other permitted signs of a lot shall exceed not more than five (5) square feet of sign area per linear foot of lot frontage;

(2) *B-1 and B-2 districts.* The combined total area of all other permitted signs on a lot shall exceed not more than three (3) square feet of sign area per linear foot of lot frontage;

1. Lots fronting on two (2) or more streets are allowed the permitted square footage of sign area for each street frontage; however, the square footage of sign area cannot be accumulated and used on one street in excess of the square footage of sign area allowed for that street frontage.

(3) *B-3 district.* Outdoor advertising signs shall have a maximum area of one hundred (100) square feet per face and only one (1) outdoor advertising sign per face shall be permitted. The combined total area of all other permitted signs on a lot shall exceed not more than two (2) square feet of sign area per linear foot of lot frontage. Lots fronting on two (2) or more streets are allowed the permitted square footage of sign area for each street frontage; however, the square footage of sign area cannot be accumulated and used on one (1) street in excess of the square footage of sign area allowed for that street frontage.

(4) *B-4 district.* The combined total area of all permitted signs on a lot shall exceed not more than one (1) square foot of sign area per linear foot of lot frontage. Lots fronting on two (2) or more streets are allowed the permitted square footage of sign area for each street frontage; however, the square footage of sign area cannot be accumulated and used on one (1) street in excess of the square footage of sign area allowed for that street frontage.

(5) Marquee signage shall count against the overall allowable square footage for the property as permitted by the zoning district.

(6) *RO-1, RO-2, and RO-3 districts.* The combined total area of all permitted signs on a lot shall exceed not more than twenty (20) square feet on each street frontage; except that the total area of all permitted signs on an RO-1 campus shall be computed on the basis of thirty (30) square feet on each street frontage. Signs shall be permitted on an RO-1 campus in accordance with section 1014 of these regulations (relating to campus signage).

Notwithstanding all of the above, identification signs up to three hundred ninety (390) square feet are allowed in RO-1 and RO-2 districts, as long as the lowest extremity of the sign is affixed no more than twenty (20) feet below a roof line on a building that is six (6) or more stories high and its total gross square footage exceeds two hundred fifty thousand (250,000) square feet. Said identification signs shall be attached to the outside surface of the building and shall not protrude more than twelve (12) inches from the facade.

(7) *R-1, R-2, R-3, R-4, R-5, R-6, R-7 and R-8 districts:*

a. Identification signs for home occupations indicating only names of persons and their professions shall have a maximum area of one (1) square foot, and shall be limited to one (1) sign per dwelling unit,

b. Identification signs indicating names of residents and dwelling or dwelling unit numbers shall have a maximum area of one (1) square foot, and shall be limited to one (1) sign per dwelling unit,

c. Identification signs indicating the name and purpose of a structure and the name of its management shall have a maximum area of three (3) square feet, and shall be limited to one (1) sign per structure,

d. Directional signs solely for the control of traffic and parking shall have a maximum area of four (4) square feet,

e. Identification signs for churches, schools, colleges and universities, convalescent homes and community centers shall have a maximum area of twelve (12) square feet, and shall be limited to one (1) sign per major entrance to such use,

f. "For Sale" signs and "For Rent" signs shall have a maximum area of four (4) square feet and shall be located on the premises offered for sale or for rent, and shall be limited to one (1) sign per street frontage,

g. Temporary signs, other than "For Sale" or "For Rent" signs shall have a maximum area of twelve (12) square feet, and shall be limited to one (1) sign per lot,

h. Historical markers shall have a maximum area of four (4) square feet and may be placed only by a bona fide historical organization or by a governmental agency;

(8) *P district.* Permitted signs shall have a maximum area of twelve (12) square feet, except for highway signs.

(9) Notwithstanding the above, in all districts pole signs shall have sign faces no larger than thirty-six (36) square feet, unless otherwise specified in another article of these regulations.

Sec. 1009. Location and height of Signs

Signs shall be subject to the following limitations on location and height:

(1) No ground sign or pole sign, including its structure, shall exceed a height of thirty-five (35) feet in the I-1 and I-2 districts, thirty (30) feet in the C-1, B-1 and B-2 districts, twenty-five (25) feet in the B-3 district, twenty (20) feet in the B-4, RO-1, RO-2 and P districts, fifteen (15) feet in the RO-3, R-1, R-2, R-3 and R-4 districts, and ten (10) feet in the R-5, R-6, R-7 and R-8 districts. A pole sign shall have a minimum clearance of three (3) feet between the bottom of the sign and the ground;

(2) No business sign, including its structure, shall be attached to any building used in whole for residential purposes or situated on any property used in whole for residential purposes.

(3) No business sign, including its structure, shall, exceed the height of the window sill line of the second story of the building to which such sign is attached or of any adjacent building used in whole of in part for residential purposes. If the walls have no such window sill line, then the height provisions set forth in paragraph (1) shall govern;

(4) A maximum of one (1) outdoor advertising sign shall be permitted per facing on an outdoor advertising structure.

(5) Outdoor advertising signs shall be spaced at a radius of not less than one thousand (1,000) feet from each other and except that two (2) or more such signs may be arranged to form a double-faced sign.

(6) Business signs in the B-3 and B-4 districts may be located forward of the building line provided that all business signs shall be required to be set back a minimum of five (5) feet from the street line. The maximum sign height, including any sign pole, for a business sign located forward of the building line shall be thirteen (13) feet. A business sign located forward of the building line shall be required to have

a minimum clearance of three (3) feet between the bottom of the sign and the ground. Ground signs in the B-3 and B-4 districts may be located forward of the building line and shall be limited to directional and identification signs, shall be set back a minimum of eight (8) feet from the street line and shall not be subject to the minimum ground to sign clearance of three (3) feet stated above. Notwithstanding the provisions of section 1010(f) (relating to landscaping), business and ground signs located forward of the building line shall be provided with a suitable, unpaved, properly maintained landscaped island of sufficient dimension to afford protection to the sign from all directions;

(7) No outdoor advertising sign shall be located within fifty (50) feet of an adjoining residential district if designed to face directly into such district and be visible therefrom;

(8) Historical markers may be placed only by a bona fide historical organization or by a governmental agency;

(9) The total area of all signs painted on or otherwise affixed to all windows shall be limited to not more than ten (10) percent of the total gross area permitted to the premises; and no signage on windows shall exceed 35 percent of the total window area;:

(10) Computation of sign height and ground clearance. The height of a sign shall be measured as the vertical distance from the grade at the base of the sign to the top of the highest component of the sign. 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. 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.

(11) Except as otherwise provided in this section, all signs shall be located behind the building line.

Notwithstanding the above, in determining the height of outdoor advertising signs located within six hundred sixty (660) feet of state highway right-of-way lines, grade shall be computed as the median height between the road surface of both travel lanes measured perpendicularly to the outdoor advertising sign structure. Should there be only one (1) travel lane, grade shall be computed as the median height between the road surface of the travel lane and normal grade measured perpendicularly to the outdoor advertising sign structure.

(12) Outdoor advertising signs and changeable electronic signs shall be limited to free standing pole or structure signs.

Sec. 1010. General type and use restrictions.

(a) Flashing, revolving, or animated signs and signs that make noise shall be prohibited, except that animated time, date, and temperature signs may be permitted. No sign shall use the word, "Stop," "Danger," or any other word, phrase, symbol or character that might be misconstrued to be a public safety warning or traffic signal.

(b) Illuminated signs shall be so shielded as not to cast direct light onto any residential district or onto any property or building used in whole or in part for residential purposes.

(c) No sign shall violate the corner visibility provisions set forth in section 26 (relating to visibility at intersections).

(d) Signs not defined in this article shall not be permitted.

(e) In addition to the provisions set forth in these regulations, signs shall be subject to the provisions set forth in the state basic building code.

(f) Every ground or pole sign shall be provided with suitable properly maintained landscaping, covering the area between such sign and all adjacent property lines, except for any such area that is actively devoted to some other use. No more than one pole sign shall be located on any zoning lot, except that a shopping center may locate one pole sign at each vehicular entrance.

(g) Temporary signs other than "For Sale" or "For Rent" signs shall be permitted only for a period of one (1) month prior to and including the duration of the activity which such sign describes and such signs shall be removed within one (1) week after the completion of the activity which such sign describes.

(h) 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.

(i) Nonconforming signs are existing signs of a size and type not permitted in the district in which they are located or which do not conform to all the provisions of these regulations. No nonconforming sign shall be altered or changed in any way unless it is made to conform to these regulations. A change shall not include the changes on a theatre marquee or changeable copy sign or copy billboards and shall not include normal maintenance activities. No sign described above shall be relocated, unless such relocation results in eliminating or reducing the nonconformity. Notwithstanding the provisions of section 40(g) (relating to restoration), any nonconforming sign, including its structure, which has been destroyed or damaged to the extent of fifty (50) percent or more of its replacement cost at the time such damage occurred, shall thereafter be made to conform to the provisions of these regulations. No new sign, of any type, shall be located, installed, mounted, painted or erected on a lot or zoning lot while a nonconforming sign, located thereon, remains. Notwithstanding the provisions of section 1009(5) (relating to spacing), the one thousand (1,000) foot radius requirement shall not apply to nonconforming outdoor advertising signs which are forced to be relocated due to condemnation or other federal, state, municipal or quasi-governmental agency action, provided the relocated outdoor advertising sign shall comply as closely as possible to the conditions and requirements set forth in section 1009 (relating to location and height).

(j) Signs applicable to a business which is temporarily suspended because of a change of ownership or management of such business for a period of six (6) months or more or any outdoor advertising sign which ceases to identify or advertise a bona fide business, service, owner, product or activity for a period of six (6) months or more shall be deemed abandoned. Such signs shall be removed by the owner of the premises on which the abandoned sign is located.

(k) Any sign, located forward of the building line shall be removed at no cost to the city should a land taking for p-public purposes be necessary.

(l) Banners, pennants and streamers shall be permitted only for a period of one (1) month prior to and including the duration of the activity which such sign describes and such sign shall be removed within one (1) week after the completion of the activity which such sign describes.

(m) Portable signs shall be permitted in the I-1, I-2, C-1, B-1, B-2, B-3, and B-4 districts, subject to the following restrictions: no more than one (1) portable sign per building lot. No portable sign shall be: larger than eight (8) square feet; displayed when winds exceed twenty (20) miles per hour; attached to the sidewalk or to city-owned property, including but not limited to electric light poles and traffic signs; reflective; displayed after sundown or before sunrise; or displayed more than one (1) foot from the building line. The owner of any portable sign has an absolute duty to prevent such sign from causing any property damage or personal injuries.

If the zoning enforcement officer determines that a portable sign is unsafe or does not meet any of the conditions herein, the zoning enforcement officer shall issue a written warning to its owner requesting the correction of the unsafe or nonconforming condition. Only after this written warning is issued may the zoning

enforcement officer proceed with the formal citation process set forth in Article II, Division 2 of these regulations (relating to violation and penalties).

Sec. 1011. Abandonment; removal.

Signs which are abandoned shall be completely removed, and the site of such sign shall be restored, within one (1) month of the date the zoning administrator gives notice of such designation to the owner of the sign.

Sec. 1012. Application.

Every application for a sign shall include the following information and exhibits, in triplicate:

(1) Position of sign and its structure in relation to adjacent buildings or structures;

(2) The design and size, structural details, and the dimensions proposed, and the proposed location on the premises of such sign and/or sign structure;

(3) Statement showing the size, dimensions and location of all signs existing on the premises at the time of making the application;

(4) Such other information as the zoning administrator shall require to show full compliance with these regulations and all applicable ordinances of the city.

Sec. 1013. Resolution for approval _ City Signs

The provisions of this article shall not apply to an application filed by the city for a zoning permit for any sign located on city-owned property, provided such application is accompanied by a certified copy of a resolution adopted by the council approving the design, size, location and use of such sign.

Sec. 1014. Campus signage.

(a) *RO-1 district.* A campus shall be defined as any lot or zoning lot which contains ten (10) acres or more, contains two (2) or more principal structures and fronts on two (2) or more public streets.

(1) The zoning administrator may refer an application for a campus signage permit to the design review board for its recommendation. A comprehensive signage plan shall be required as part of all applications for a campus signage permit. When the board receives a referral, the board shall assist the zoning administrator by reviewing the comprehensive signage plan relative to size, height, context, materials, color, location, lighting and landscaping. The comprehensive signage plan shall include, but not be limited to:

a. A plot plan of the lot or zoning lot at a scale not less than 1" = 40';

b. The location of all buildings, parking lots, driveways and landscaped areas on the lot or zoning lot;

c. The location of all existing and proposed signs and their relationship to buildings and structures as well as to the building, veranda and street lines;

d. Computation of the total maximum sign area, the maximum area for individual signs, the height of all signs and the number of free standing signs allowed on the lot or zoning lot;

e. Standards for consistency among all signs on the lot or zoning lot with particular regard to color scheme, lettering or graphics style, lighting, location of each sign on the building or lot, materials and sign proportions.

(4) The total permitted square footage of sign area on a campus shall not exceed the aggregate of the total square footage permitted on each street frontage.

(5) The aggregate square footage permitted may be utilized anywhere on the lot or zoning lot in accordance with the approved comprehensive signage plan and provided no more than fifty (50) percent of the permitted gross square footage of sign area shall be used on any single street frontage.

(6) The following signs shall be exempt from the requirements of this section except that such signage shall be detailed as to location and size in the comprehensive signage plan:

a. Any public notice or warning required by a valid and applicable federal, state or municipal law, regulation or ordinance;

b. Any sign inside a building or structure, not attached to a window or door, that is not legible from a distance of more than three (3) feet beyond the lot line of the lot or zoning lot upon which such sign is located;

c. Traffic control signs on private property such as Stop, Yield, One Way and similar signs, the face of which contains no commercial message of any sort; however, the existence of a de minimums corporate logo or corporate name which is used to denote ownership of the sign shall not constitute a commercial message;

d. Publicly-owned memorial tablets, plaques or signs;

e. Signs displayed for convenience of the public including signs which identify restrooms, location of public telephones, public entrances, handicapped accessible entrance and exit locations, freight entrances or the like with a total surface area not to exceed four (4) square feet per surface; and

f. Any work of art which does not contain a commercial message.

(6) Any substantial changes or amendments to the approved comprehensive signage plan, as filed with the zoning administrator, shall be considered and processed as a new application.

Secs. 1015--1035. Reserved.

ARTICLE VIII.
PLANNED DEVELOPMENTS AND SPECIAL DEVELOPMENT DISTRICT

Sec. 1036. Planned area development.

(a) *Purpose.* Planned area developments are permitted in order that large areas, that may encompass a number of zoning districts, may be developed on a comprehensive basis with a wide range of uses. Flexibility in the arrangement of structures, open space, and the pedestrian and vehicular circulation pattern is permitted in order to encourage the best utilization of the land on which the development is being constructed.

(b) *Special permit; conditions.* The commission is authorized to grant a special permit to allow a planned area development for the purpose of meeting the requirements of this article in the I-1, I-2, C-1, B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3 and R-4 districts, subject to the following conditions:

(1) *Required lot area.* There shall be a minimum zoning lot area of ten (10) acres, or an entire city block, whichever is the lesser. There shall be no requirement for lot area and lot width for an individual lot associated with an individual dwelling (attached, detached, etc.) provided that each such individual lot shall front onto a public street, private street, alley, driveway, or pedestrian way having a permanent hard-surface finish with a minimum width of twelve (12) feet. The zoning lot, rather than the individual lot, shall be used in applying the provisions set forth below;

(2) *Required structures.* There shall be a minimum of two (2) principal buildings within a planned area development and existing buildings may be included in such developments;

(3) *Uses permitted.* Within a planned area development, any principal or accessory use is permitted which is already permitted in the zoning district or districts in which such planned area development is located. The distribution of these uses, however, shall not be affected by existing zoning district boundaries, but shall be subject to the approval of the commission. In reviewing the distribution of the permitted uses, the commission shall consider in particular the use and character of adjacent properties, with due regard to the protection of such properties and their access to light and air, the zoning district or districts in which such properties and the planned area development or portion thereof are located, and the public interest;

(4) *Permitted lot coverage.* The total zoning lot coverage of all structures within a planned area development shall not exceed the permitted lot coverage requirement for the zoning district or districts in which the planned area development is located. The permitted lot coverage in terms of square feet shall be separately calculated for each use in each zoning district in which the planned area development or portion thereof is located, and then shall be combined to determine the maximum permitted lot coverage in terms of square feet for each use for the entire planned area development;

(5) *Density.* Any combination or types of dwellings may be erected as long as the maximum number of persons per acre within a planned area development shall not exceed the limitations on persons per acre requirement for the zoning district or districts in which the planned area development is located. The permitted density in terms of the number of persons per acre shall be separately calculated for each zoning district in which the planned area development or portion thereof is located, and then shall be combined to determine the maximum permitted density in terms of the number of persons per acre for the entire planned area development;

(6) *Floor area ratio.* The maximum total floor area ratio for all structures within a planned area development shall not exceed the floor area ratio requirement for the zoning district or districts in which the planned area development is located. The permitted floor area in terms of square feet shall be separately calculated for each use in each zoning district in which the planned area development or portion thereof is located, and then shall be combined to determine the maximum permitted floor area in terms of square feet for each use for the entire planned area development;

(7) *Requirements of floor space per dwelling unit.* Every dwelling unit within a planned area development shall meet the requirements of floor space per unit as set forth in section 16 (relating to floor area);

(8) *Minimum lot width.* Every zoning lot shall have a minimum width at the street line of not less than that required for a lot in the zoning district in which the planned area development or portion thereof is located;

(9) *Required usable open space.* Any arrangement of structures is permitted, subject to the grouping provisions and with the approval of the commission and provided the total amount of usable open space within a planned area development is equal to or greater than the required usable open space requirement for the zoning district or districts in which the planned area development is located and as long as adequate light and air are provided each dwelling. The required usable open space in terms of square feet shall be separately calculated for each use in each zoning district in which the planned area development or portion thereof is located, and then shall be combined to determine the minimum required usable open space in terms of square feet for each use for the entire planned area development. Common open spaces shall be used for amenity or recreational purposes only and shall be suitably improved for their intended use;

(10) *Grouping.* Grouping requirements shall be as set forth in section 890(10) (relating to group dwellings). The commission may modify the grouping requirements if it finds that such an adjustment will provide a better arrangement of buildings and open space, or in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of adjacent properties, with due regard to the protection of such properties and their access to light and air, the zoning district or districts in which such properties and the planned area development or portion thereof are located, and the public interest;

(11) *Setbacks and height.* The commission may modify all setback, court and height requirements if it finds that such an adjustment will provide a better arrangement of buildings and open space or in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of adjacent properties, with due regard to the protection of such properties and their access to light and air, the zoning district or districts in which such properties and the planned area development or portion thereof are located, and the public interest;

(12) *Landscaping.* The commission shall require that planned area developments provide suitable screening of structures and planting and landscaping at its perimeter so as to provide protection for adjacent properties on a year-round basis;

(13) *Required parking and off-street loading.* Off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading), and off-street parking shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening;

(14) *Application process.* Except as provided below, an application for a special permit for a planned area development shall be filed, heard, and decided on in accordance with the provisions of section 68 (relating to applications for zoning permits). A plan describing the concept of the proposed development in such detail as to allow a determination as to the appropriateness of the proposed use shall be submitted with the application.

At the applicant's discretion, an applicant, prior to filing an application, may submit said concept plan to the commission, and request that the commission approve said plan before applicant's submission of an application for a special permit. Such submission and approval are optional, and applicant may apply for a special permit for a planned area development at any time, regardless of whether said concept plan has been approved or otherwise acted on by the commission.

(15) *Review of the proposal.* In reviewing a proposal the commission shall consider all aspects of the proposal as set forth in this section and in particular the grouping and arrangement of the structures, the location of permitted uses and their relationship to adjacent properties, the development and distribution of open spaces, the pedestrian and vehicular circulation pattern, the zoning district or districts in which the planned area development and adjacent properties are located, whether any modification in the setback and/or grouping provisions will provide for a better arrangement of dwellings and open space and will permit better site planning, and whether the proposed development is compatible with adjacent properties and uses and does not deprive such properties or uses of adequate light and air, and whether the proposed location and development is in harmony with the plan of development and in the public interests of the city;

(16) *Property ownership.* An application for a special permit to allow a planned area development may be filed by the owners or lessees of all property included within the planned area development zoning lot, or any governmental agency including the Hartford Redevelopment Agency. The holder of a written option or contract to purchase or lease property shall, for the purposes of such application, be deemed the owner or lessee of the property covered by such option or contract. Notwithstanding this paragraph, the Hartford Redevelopment Agency may apply for a planned area development for an entire redevelopment area prior to acquiring or executing a written option for the property, and the zoning administrator may issue zoning permits to individual developers within a redevelopment planned area development providing the developer has taken title to or owns a binding option for the property and the plans are in harmony with the approved redevelopment planned area development plan, and have been approved by the commission;

(17) *Phasing.* Planned area developments may be constructed and occupied in stages, as approved by the commission. Whether constructed in stages or not, upon approval by the commission, the provisions for the entire planned area development shall be in effect and controlling. Notwithstanding this paragraph, the provisions of planned area developments in certified redevelopment areas shall be applied only to the property acquired by the redevelopment agency, the remaining property continuing under the regulations of the existing zoning districts until such time as the property is acquired by the redevelopment agency. Upon acquisition by the redevelopment agency the provisions of the planned area development shall be in effect and controlling for such acquired property;

(18) *Failure to begin planned area development.* If no construction has begun or no use established in the planned area development within eighteen (18) months from the approval of the commission, the zoning permit for the planned area development shall become null and void. In certified redevelopment areas the time period within which construction must start or a use established shall commence with the issuance of the zoning permit to the developer of the redevelopment planned area development or portion thereof. In its discretion, and for good cause, the commission may, upon request of the applicant, extend for an

additional twelve (12) months the period for the beginning of construction or establishment of a use. If the zoning permit becomes null and void under the provisions of this section, the regulations applicable before the zoning permit was issued shall be revived and in effect;

(19) *Failure to complete planned area development.* If any planned area development, or portion thereof, is not completed within three (3) years from the issuance of the zoning permit, the zoning permit for the incomplete portion shall become null and void. In certified redevelopment areas the time period within which the planned area development or portion thereof shall be completed shall commence with the issuance of the zoning permit to the developer of the redevelopment planned area development or portion thereof. In its discretion, and for good cause, the commission may, upon request of the applicant, extend for one (1) additional year the period within which the planned area development or portion thereof shall be completed. If the zoning permit becomes null and void under the provisions of this section, the zoning regulations applicable before the zoning permit was issued shall be revived and in effect. Any buildings constructed which do not meet the terms of the zoning permit issued for the planned area development shall be demolished and removed;

(20) *Amendments and changes.* Any and all amendments or changes to the planned area development, as approved by the commission, shall be considered and processed as new applications in accordance with the provisions set forth in this section and shall require the issuance of an additional zoning permit by the zoning administrator in accordance with the provisions set forth in this section;

(21) *Buildings and lots individually sold.* Individual buildings and lots may be sold during the construction of or following the completion of a planned area development, except that any such building or lot individually sold shall not be altered in any manner from that shown on the planned area development plans as approved by the commission unless such planned area development plan is amended as provided for in paragraph (20);

(22) *Map of planned area developments.* Each and every planned area development, or amendment thereto, approved by the commission, shall be so indicated on the zoning maps for the city and filed in the office of the city clerk;

(23) *Signs.* Notwithstanding the provisions of subsection (c) of this section, the commission may modify the signage requirements of article VII of these regulations (relating to signs) and section 982(a)(4) (relating to RO-1 and RO-2 accessory uses) if it finds that such adjustment will facilitate access to and egress from, as well as movement within the planned area development; will provide for proper identification of the uses contained in a mixed use planned area development; will provide aesthetically pleasing signage which compliments overall project design with due regard to the use and character of adjacent properties and their access to light and air, the zoning district or districts in which such properties and the planned area development or portion thereof are located, and the public interest.

(c) *District specifications to apply.* Unless otherwise provided for in the provisions of this section for planned area developments, the provisions of the existing zoning districts in which the planned area development is located shall apply and govern.

Sec. 1037. Planned residential development.

(a) *Purpose.* Planned residential developments are permitted in order that modern concepts of residential development may be applied. Discretion is permitted in the design of residential units and permitted accessory uses so as to allow taking the greatest advantage of the land upon which the development is being constructed and so as to provide for the best arrangement of structures, open space, and the pedestrian and vehicular circulation pattern.

(b) *Special permit; conditions.* The commission is authorized to grant a special permit to allow a planned residential development for the purpose of meeting the requirements of this section in the B-3, B-4, RO-1, RO-2, RO-3, R-1, R-2, R-3, R-4 and R-8 districts, subject to the following conditions:

(1) *Required lot area.* There shall be a minimum zoning lot area of one (1) acre for planned residential development. In the R-8 district, only lots of record containing not less than ten (10) acres nor more than twenty (20) acres, as of the date of adoption of this section, shall be utilized for planned residential developments. There shall be no requirement for lot area and lot width for an individual lot associated with an individual dwelling (attached, semidetached, detached, etc.), provided that each such individual lot shall front onto a public street, private street, alley, driveway, or pedestrian way having a permanent hard-surface finish with a minimum width of twelve (12) feet. Except in the case of a lot of record in the R-8 district, the zoning lot, rather than the individual lot, shall be used in applying the provisions set forth in this section;

(2) *Required structures.* There shall be a minimum of two (2) principal residential structures within a planned residential development;

(3) *Uses permitted.* Within a planned residential development, residential structures of any kind and combination may be constructed in addition to such nonresidential and accessory uses as are permitted in the zoning district or districts in which the planned residential development is located, and in accordance with the provisions of such uses set forth therein. Multifamily uses shall be permitted in structures which are on the National Register of Historic Places or have been designated as historic by the Connecticut Historic Commission provided such structures are being rehabilitated and provided the number of multifamily units does not exceed fifteen (15) percent of the total number of units in the planned residential development.

(4) *Permitted lot coverage.* The total zoning lot coverage of all structures within a planned residential development shall not exceed the permitted lot coverage requirement for the zoning district or districts in which the planned residential development is located. The permitted lot coverage in terms of square feet shall be separately calculated for each zoning district in which the planned residential development or portion thereof is located, and then shall be combined to determine the maximum permitted lot coverage in terms of square feet for the entire planned residential development;

(5) *Density.* Any combination of types of dwellings may be erected as long as the maximum number of persons or families per acre within a planned residential development shall not exceed the limitation on persons or families per acre requirement for the zoning district or districts in which the planned residential development is located. The permitted density in terms of the number of persons or families per acre shall be separately calculated for each zoning district in which the planned residential development or portion thereof is located, and then shall be combined to determine the maximum permitted density in terms of the number of persons or families per acre for the entire planned residential development;

(6) *Floor area ratio.* The maximum total floor area ratio for all structures within a planned residential development shall not exceed the floor area ratio required for the zoning district or districts in which the planned residential development is located. The permitted floor area in terms of square feet shall be separately calculated for each zoning district in which the planned residential development or portion thereof is located, and then shall be combined to determine the maximum permitted floor area in terms of square feet for the entire planned residential development;

(7) *Requirements of floor space per dwelling unit.* Every dwelling unit shall meet the requirements of floor space per unit as set forth for the existing zoning district or districts in which the planned residential development is located;

(8) *Minimum lot width.* Every zoning lot shall have a minimum width at the street line of not less than one hundred (100) feet, except in the case of a lot of record in the R-8 district, the minimum width at the street line shall be not less than two hundred (200) feet;

(9) *Required usable open space.* Any arrangement of permitted structures is permitted with the approval of the commission as long as the total amount of usable open space equals that which would be required if a single structure as permitted within the zoning district were constructed, and as long as adequate light and air are provided each structure. The required usable open space in terms of square feet shall be separately calculated for each zoning district in which the planned residential development or portion thereof is located, and then shall be combined to determine the minimum required usable open space in terms of square feet for the entire planned residential development. Common open spaces shall be used for amenity or recreation purposes only and shall be suitably improved for their intended use;

(10) *Grouping.* Grouping requirements shall be as set forth in section 890(10) (relating to group dwellings). The commission may modify the grouping requirements if it finds that such an adjustment will provide a better arrangement of buildings and open space, or in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of adjacent properties, with due regard to the protection of such properties and their access to light and air, the zoning district or districts in which such properties and the planned residential development or portion thereof are located, and the public interest;

(11) *Setbacks and height.* The commission may modify all setback, court and height requirements if it finds that such an adjustment will provide a better arrangement of buildings and open space or in specific cases where desirable or warranted, owing to unusual topography or other physical conditions and the use and character of adjacent properties, with due regard to the protection of such properties and their access to light and air, the zoning district or districts in which such properties and the planned residential development or portion thereof are located and the public interest;

(12) *Landscaping.* The commission shall require that planned residential developments provide suitable screening of structures and planting and landscaping at its perimeter so as to provide protection for adjacent properties on a year-round basis;

(13) *Required parking and off-street loading.* Off-street parking and off-street loading shall be provided in accordance with the provisions of article V (relating to off-street parking and off-street loading) and off-street parking shall be located a minimum distance of ten (10) feet from any adjacent residential property and shall be screened by a planting screen or suitable fence providing year-round screening;

(14) *Application process.* Every application for a special permit for a planned residential development shall be filed, heard, and decided on in accordance with the provisions of section 68 (relating to

applications for zoning permits). In addition, a plan describing the concept of the planned residential development and a detailed site plan shall accompany the application;

(15) *Review of the proposal.* In reviewing a proposal the commission shall consider all aspects of the proposal as set forth in this section and in particular the grouping and arrangement of the structures, the location of permitted uses and their relationship to adjacent properties, the development and distribution of open spaces, the pedestrian and vehicular circulation pattern, the zoning district or districts in which the planned residential development and adjacent properties are located, whether any modification in the setback and/or grouping provisions will provide for a better arrangement of buildings and open space and will permit better site planning, and whether the proposed development is compatible with adjacent properties and uses and does not deprive such properties or uses of adequate light and air, and whether the proposed location and development is in harmony with the plan of conservation and development and in the public interests of the city;

(16) *Property ownership.* An application for a special permit to allow a planned residential development may be filed by the owner or owners or lessee or lessees of all property included within the planned residential development zoning lot, or any governmental agency including the Hartford Redevelopment Agency. The holder of a written option or contract to purchase or lease property shall for the purposes of such application be deemed the owner or lessee of the property covered by such option or contract. Notwithstanding the above provision, the Hartford Redevelopment Agency may apply for a planned residential development for an entire redevelopment area prior to acquiring or executing a written option for the property, and the zoning administrator may issue zoning permits to individual developers within a redevelopment planned residential development provided the developer has taken title to or owns a binding option for the property and the plans are in harmony with the approved redevelopment planned residential development plan, and have been approved by the commission;

(17) *Phasing.* Planned residential developments may be constructed and occupied in stages, as approved by the commission. Whether constructed in stages or not, upon approval by the commission, the provisions for the entire planned residential development shall be in effect and controlling. Notwithstanding this paragraph, the provisions of planned residential developments in certified redevelopment areas shall be applied only to the property acquired by the redevelopment agency, the remaining property continuing under the regulations of the existing zoning districts until such time as the property is acquired by the redevelopment agency. Upon acquisition by the redevelopment agency the provisions of the planned residential development shall be in effect and controlling for such acquired property;

(18) *Failure to begin planned residential development.* If no construction has begun or no use established in the planned residential development within eighteen (18) months from the approval of the commission, the zoning permit for the planned residential development shall become null and void. In certified redevelopment areas the time period within which construction must start or a use established shall commence with the issuance of the zoning permit to the developer of the redevelopment planned residential development or portion thereof. In its discretion, and for good cause, the commission may, upon request of the applicant, extend for an additional twelve (12) months the period for the beginning of construction or establishment of a use. If the zoning permit becomes null and void under the provisions of this section, the zoning regulations applicable before the zoning permit was issued shall be revived and in effect;

(19) *Failure to complete planned residential development.* If any planned residential development, or portion thereof, is not completed within three (3) years from the issuance of the zoning permit, the

zoning permit for the incomplete portion shall become null and void. In certified redevelopment areas the time period within which the planned residential development or portion thereof shall be completed shall commence with the issuance of the zoning permit to the developer of the redevelopment planned residential development or portion thereof. In its discretion, and for good cause, the commission may, upon request of the applicant, extend for one (1) additional year the period which the planned residential development or portion thereof shall be completed. If the zoning permit becomes null and void under the provisions of this section, the zoning regulations applicable before the zoning permit was issued shall be revived and in effect. Any buildings constructed which do not meet the terms of the zoning permit issued for the planned residential development shall be demolished and removed;

(20) *Amendments and changes.* Any and all amendments or changes to the planned residential development, as approved by the commission, shall be considered and processed as new applications in accordance with the provisions set forth in this section and shall require the issuance of an additional zoning permit by the zoning administrator in accordance with the provisions set forth in this section;

(21) *Buildings and lots individually sold.* Individual buildings and lots may be sold during the construction of or following the completion of a planned residential development, except that any such building or lot individually sold shall not be altered in any manner from that shown on the planned residential development plans as approved by the commission unless such planned residential plan is amended as provided for in paragraph (20);

(22) *Map of planned residential developments.* Each and every planned residential development, or amendment thereto, approved by the commission, shall be so indicated on the zoning maps for the city and filed in the office of the city clerk.

(c) *District specifications to apply.* Unless otherwise provided for in the provisions of this section, for planned residential developments, the provisions of the existing zoning districts in which the planned residential development is located shall apply and govern.

Sec. 1038. Special development district.

(a) *Purpose.* The purpose of the special development district is to provide a procedure that allows the increased flexibility of land development contemplated by provisions of the plan of conservation and development of the city for areas of the city designated therein as appropriate for "development zoning," in a manner that best relates the type, design, layout and use of land to a particular zoning lot or lots consistent with the plan of conservation and development and applicable zoning laws. This section delineates the area within which special development districts may be established by regulations enacted pursuant to this section. Within districts thus established the basic standards of these regulations may be modified pursuant to the procedure outlined in this section.

(b) *Special permit; conditions.* The commission is authorized to amend the zoning map of the city to establish special development districts within the area hereinafter designated for such districts and is authorized to grant a special permit for special development projects within such special development districts subject to the following procedures and conditions:

(1) *Definitions.*

a. *Special development district* means an overlay district, in which property may be developed in accordance with the standards of the underlying zoning district and/or the district development standards adopted under this section, provided that in the latter case a special permit allowing a special development project has been granted under this section and remains in effect. A special

development district may be established only pursuant to the provisions of these regulations and applicable zoning laws relating to a change of zone, and the specific requirements set forth in paragraphs (b)(2) through (b)(11).

b. *Special development project* means a tract of land within a special development district under single or common ownership or control which is to be developed or which has been developed in accordance with a special permit granted by the commission pursuant to paragraphs (b)(2) through (b)(5) and (b)(12) through (b)(21).

c. *Underlying zoning district* means the zoning district or districts existing on the property to be designated special development district at the time of the enactment of the special development district as it or they may be modified or amended from time to time;

(2) *Zoning requirements applicable.* After a special development district has been created by regulation pursuant to this section, property within such special development district for which no special permit for a special development project has been granted may be used in accordance with the requirements of the underlying zoning district. Any property for which a special permit for a special development project has been granted and which is still in effect may be used only in accordance with the requirements of such special permit;

(3) *Conditions and standards.* The district development standards enacted pursuant to subparagraph (b)(12)c., and any special permit granted pursuant to paragraph (b)(16) shall conform to the type of uses, buildings, structures and densities proposed in the area of the special development district in one (1) or more current plans for the development of the city promulgated by the commission; shall relate properly to adjacent properties, in particular the grouping and arrangement of the structures, the location of existing and permitted land uses and their economic and physical relationship to the proposed special development district, the development and distribution of open spaces, the pedestrian and vehicular circulation pattern, and the underlying zoning district or districts in which the special development district and adjacent properties are located; and shall be compatible with such adjacent properties and uses and not deprive such properties or uses of adequate light and air; shall be in the public interests of the city; and shall protect the property values of the surrounding neighborhoods;

(4) *Preliminary consideration.* An applicant may review with the commission or appropriate planning staff members in a preliminary and informal manner any proposal for a special development district or a special development project prior to the submission of a formal application;

(5) *Review of the proposal.* In reviewing a proposal the commission shall consider and comment upon all aspects of the proposed special development district or special development project as it affects the plan of conservation and development of the city, as well as the conditions and standards for establishment of such a district or granting of a special permit for such a project as set forth in paragraph (b)(3);

(6) *Special development district; areas for designation.* The provisions of this section with respect to establishment of a special development district may only apply to tracts of land in an I-1, I-2, C-1, B-1, B-2, B-3, B-4, or RO-1 zone under single or multiple ownership with a minimum size of three (3) or more acres, which area shall be delineated on the appropriate building district maps on file in the office of the city clerk;

(7) *Special development district; modification of underlying standards.* The standards contained in any and all sections of these regulations applicable to the zoning district or districts underlying the special development district may be modified or waived by the district development standards enacted as part of the regulations establishing a special development district pursuant to subparagraph (b)(9)c., except that uses permitted in industrial or commercial districts (or in any combination of such districts) but not in

any other zoning districts may not be permitted in a special development district unless the underlying zoning district is an industrial or commercial district;

(8) *Special development district; applicant.* Any person having an interest in or contract to acquire an interest in a zoning lot or lots within a proposed or existing special development district or an agency of the city may apply to the commission for the enactment of regulations establishing, or amending a special development district in accordance with the procedure of sections 41(a) and 41(d) (relating to amendments);

(9) *Special development district; application.* An application for the enactment of regulations establishing a special development district shall be submitted in form and content consistent with the procedure established for amendments to the zoning regulations and shall be accompanied by the following:

a. A map at a scale not exceeding one (1) inch to two hundred (200) feet of the proposed special development district and the land within one hundred fifty (150) feet of such district showing the following:

1. Existing lot lines and their dimensions
2. The assessor's street and lot number of each such lot
3. The area of each lot
4. All existing zoning district classifications of the area.

b. A statement of proposed district development standards listing the regulations, limitations and conditions of the underlying zoning district or districts that are to be modified or eliminated within the proposed special development district and all new regulations, limitations and conditions applicable to such special development district. All words and terms which are defined in these regulations shall be used as defined, in the statement. The district development standards may divide the district into areas which are consistent with the purposes of these regulations and assign different standards to different areas, provided that such assignment is consistent with the conditions and standards of paragraph (b)(3),

c. A statement of the total population density possible in the special development district under the district development standards, and of the total land coverage possible utilizing the maxima permitted under the district development standards for lot coverage, and building density, and the minima permitted for buffer areas, open spaces, and setback widths,

d. A statement of how the proposed special development district and district development standards would meet the conditions and standards of paragraph (b)(3) and the requirements of paragraph (b)(10);

(10) *Special development district; approval and findings.* The commission may approve an application to establish a special development district provided that findings of fact are made that the:

a. Standards and conditions of article III, division 1 of these regulations (relating to districts) and the laws of the state relating to a change of zone have been met,

b. Regulations have been applied to the proper tract of land in relationship to size, location and ownership,

c. District development standards required by subparagraph (b)(9)c., are sufficient, complete and adequate to satisfy the conditions and standards of paragraph (b)(3) for the establishment of a special development district;

(11) *Special development district; effect of approval.* Upon approval, such special development district shall be indicated on the official zoning map as an overlay of the underlying zone, and the regulations with

district development standards shall be filed in the office of city clerk in accordance with the procedure for amendment of these regulations. No zoning permit which is inconsistent with the standards of the underlying zoning district or districts shall be granted except to the extent it is consistent with a special permit for a special development project approved by the commission as set forth in paragraphs (b)(12) through (b)(21);

(12) *Special development project; applicants.* Any person having an interest in, or contract to acquire an interest in, property within a special development district may apply for a special permit to allow a special development project. The Hartford Redevelopment Agency may apply for a special development project for a portion of or for an entire redevelopment area prior to or without acquiring the property therein;

(13) *Special development project; application, notice and hearing.* Application for a special permit allowing a special development project shall be filed, heard, and decided on in accordance with the provisions of sections 68 (relating to applications for zoning permits) and shall conform to the requirements and conditions of the district development standards submitted and approved pursuant to subparagraph (b)(9)b., and shall include a special development project plan and a statement showing how the special development project meets the criteria for approval as set forth in paragraph (b)(16). Nothing in this section shall prohibit an applicant from simultaneously applying for the enactment of a special development district and for approval of a special permit for a special development project. Hearings and approval of such simultaneous applications may all occur on the same date, with the hearing and decision on the enactment of the special development district immediately preceding those on the approval of the special permit;

(14) *Special development project plan.* A special development project plan shall by appropriate maps and exhibits show how the project would relate to existing structures and uses in and within one hundred fifty (150) feet of the special development district. The plan shall contain the following elements:

a. A location map at a scale not to exceed one (1) inch to two hundred (200) feet showing the applicant's property, the special development district and all property within one hundred fifty (150) feet of the special development district along with the following information:

1. All lots, lot lines, their dimensions and lot areas,
2. Location of all structures,
3. Existing zoning classifications of the area,
4. All streets and roadways and their dimensions.

b. A site plan of the applicant's property to a scale not to exceed one (1) inch to twenty (20) feet prepared by a registered engineer, architect or land surveyor illustrating the proposed project development and including the following:

1. Property boundaries (existing and proposed) and their dimensions,
2. Location of all structures (existing and proposed) and the existing and proposed uses in each structure,
3. Height of all structures (existing and proposed),
4. Location and dimension of all yards and setbacks,
5. Location and dimensions of all existing and proposed off-street parking areas and parking stalls (each stall to be numbered sequentially),
6. Location and dimensions of all driveways, delivery areas, and entrances/exits to such areas,

7. Location and dimensions of all off-street loading areas (present and proposed),
8. Location and dimensions of all outside trash storage areas and/or facilities plus a description of the type of equipment to be utilized in these areas (existing and proposed),
9. Location and dimensions of all usable open space, where applicable (existing and proposed),
10. Location, size and type of all plantings, trees, landscaping, ground cover, etc. (existing and proposed),
11. Location and size of all existing and proposed walls and fences (materials specified),
12. Location, size and type of all existing and proposed lighting for parking areas, walkways, etc.,
13. Location and size of all existing and proposed sidewalks and walkways (materials specified),
14. Location and description of all existing and proposed recreational facilities and equipment,
15. Location, size and elevation of all designated inland wetlands and watercourses, and proposed wetlands and watercourses, if any,
16. Present and proposed topography of the property,
17. Location and size of all existing and proposed utilities including water, sewage, electricity, gas, steam and any others,
18. Location and size (capacity) of all surface drainage facilities,
19. Location, size and type of all signs,
20. Existing and proposed vehicular and pedestrian circulation patterns,

c. Preliminary building plans at a scale of not less than one (1) inch to eight (8) feet, illustrating:
   1. Typical floor plan indicating use and size of all spaces,
   2. Typical elevations,
   3. Typical section,
   4. Exterior elevation and outline,
   5. Total floor area of each floor and entire structure,
   6. Elevation of roof of structure at its lowest and highest points,
   7. Proposed lot coverage,
   8. Exterior building materials and their colors,

d. Any other information which the commission or its staff may reasonably require or the applicant may wish to submit;

(15) *Special development project; reports.* At the hearing before the commission on the special permit allowing a special development project, in addition to the information required by these regulations and the zoning laws of the state the applicant shall submit the following statements or documentation for the records:

a. A report from the fire marshal with respect to the firefighting feasibility of the proposed project,

b. A report from the chief of police and traffic engineer with respect to the impact of the project on the security and traffic systems of the area and the city,

c. A report from the director of public works with respect to the adequacy of drainage, public street design, elements to be served by the department of public works and the engineering soundness of the project as it relates to roads and utilities of the city,

d. Reports from other departments as requested by the commission or its staff with respect to the impact of the project on the facilities and services of the city;

(16) *Special development project; approval.* The commission may grant a special permit for a special development project provided that findings of fact are made that the standards and conditions set forth in paragraph (b)(3) of this section have been met with regard to the proposed special development project;

(17) *Special development project; mapping.* The zoning maps of the city, which are required to be filed in the office of the city clerk, shall be notated to clearly indicate those properties for which special permits allowing special development projects have been granted;

(18) *Special development project; phasing and completion.* A special permit for a special development project shall provide time requirements during which each type of construction which is permitted under the special permit and which is not permitted under the requirements of the underlying zoning district must be commenced and completed and during which each are permitted under the special permit which is not permitted under the requirements of the underlying zoning district must be established. Failure to comply with any such time requirement shall cause such special permit, and any zoning permit issued pursuant thereto, to become null and void. In its discretion and for good cause shown, the commission may, at the request of the grantee of a special permit for a special development project, or at the request of a successor of any such grantee, prior to the expiration of any such time requirement, extend such time requirement. Such an extension shall not constitute an amendment to such a special permit and shall not be required to be granted pursuant to paragraph (b)(21);

(19) *Special development project; surrender of permit.* Any grantee or the successor of any such grantee of a special permit for a special development project may surrender such permits to the town and city clerk at any time, in which case such special permit, and any zoning permit issued pursuant thereto, shall immediately become null and void;

(20) *Special development project; voiding of permit.* If at any time a special permit for a special development project shall become null and void, any zoning permit issued pursuant thereto shall also become null and void, and the grantee of such special permit, or the successor of any such grantee, shall be required to:

a. Remove from the property covered by such special permit any construction not permitted under the requirements of the underlying zoning district within three (3) months of the date on which any such permit became null and void, and

b. Eliminate from the property covered by such special permit any use not permitted under the requirements of the underlying zoning district within fourteen (14) days of the date on which any such permit became null and void;

(21) *Special development project; amendments.* An application for amendment of a special permit allowing a special development project shall be submitted and considered as a new application in accordance with the provisions set forth in this section and shall require the issuance of an additional special permit.

ARTICLE IX
FENCES

Sec. 1039-1045. Reserved

Sec. 1046. Permits & Fees

a) *Required.* No person shall construct, place or maintain any fence without first obtaining a zoning permit. A fence permit must be obtained prior to erecting a new fence or replacing an existing fence.
b) *Application.* Each application for a fence permit shall be signed by the owner of the subject real property or the owner's authorized agent, and shall be made on such forms as are prescribed by the Planning and Zoning Commission.
c) *Fee.* The permit fee for a fence permit shall be paid at the time the application is filed. The fee for such permit shall be the same as the fee for a fence conditioned building permit.

Sec. 1047. Location/Placement

a) *Front Yards.* No fence in any zoning district may be constructed closer than one (1) foot to the front property line. No solid fence may be located in any front yard in any residential district, or on any property used for residential purposes.
b) *Side Yards*. No fence in any zoning district may be constructed in a side yard closer than 6 inches to a side property line.
c) *Rear Yards*. No fence in any zoning district may be constructed in a rear yard closer than 6 inches to a rear property line.
d) *Property line.* Common property line fences may be constructed provided signature by both property owners on the application for a fence permit.
e) *Face direction.* All fences shall be erected with the “good,” “decorative,” or “finished” side facing outward.
f) *Unauthorized placement prohibited.* It shall be 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.

Sec. 1048. Height

a) *Minimum height*. The minimum height in any district for any fence is four (4) feet.
b) *Maximum height*.
    1) *Front Yards*. No fence more than four (4) feet high shall be constructed in a front yard in any zone without the approval of the Planning and Zoning Commission.
    2) *Industrial and Commercial Districts*: In the I-1, I-2 and C-1 zones, the maximum height of any fence shall be eight (8) feet, except where property is used for residential purposes (Section 1049. b) 3)).
    3) *Business, Flood Plain, Public Property, Residential Districts and Residential Property*. In the B-1, B-2, B-3, B-4, FP, P, RO-1, RO-2, R-1, R-2, R-3, R-4, R-5, R-6, R-7, and R-8 zones, and on any property used for residential purposes in any other district, the maximum height of any fence shall be six (6) feet, but in front yards, the maximum height shall be four (4) feet.

Sec. 1049. Types & Materials

a) *Barbed wire, razor wire, or ribbon, concertina wire, electrified wire or other similar wires.* 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 of Hartford.

Sec. 1050. Maintenance

Fences shall be kept in good repair or replaced when they become prone to collapse or visual deterioration.

Notwithstanding the provisions of the regulations, the Planning and Zoning Commission can approve variations of these regulations as a Special Permit to an overall site plan.

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