

## 6. USE-RELATED PROVISIONS

### 6.0. Overview

Each of the uses listed in Section 6 of these Regulations is subject to:

1. The requirements listed below for that use, and
2. The regulations for each zone, *unless otherwise specifically provided for in this Section.*
3. The requirements of Section 7 of these Regulations including but not limited to:
  - a. Parking;
  - b. Signage;
  - c. Earth removal and filling;
  - d. Access drives and corner visibility; and
  - e. Performance standards.

### 6.1. Multi-Family Standards

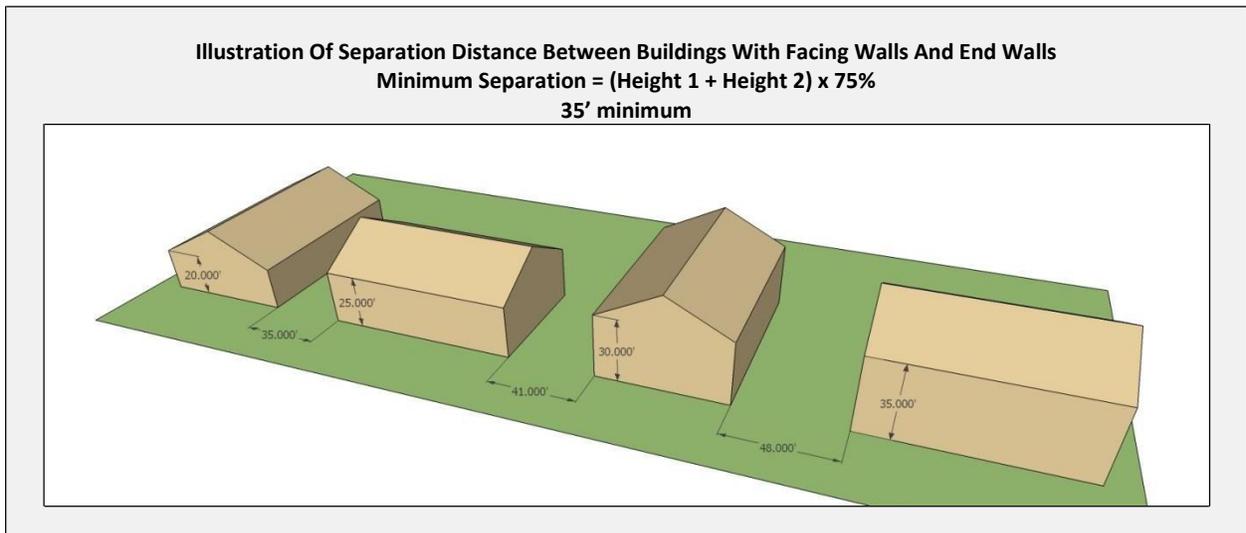
Multi-family dwellings, as defined in these Regulations, are subject to the following conditions:

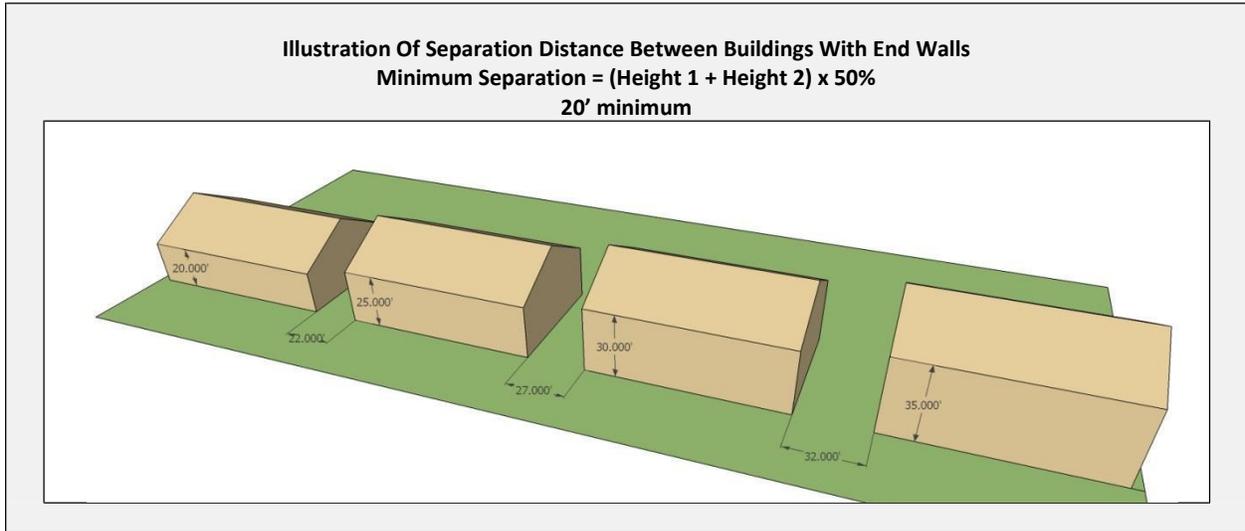
1. **Density** - No multi-family development shall exceed a density of one unit per 4,000 square feet of site area, *excluding wetlands, watercourses, slopes in excess of 15 percent, and 100-year floodplain.*
2. **Size of Buildings** - No building shall exceed 160 feet in horizontal dimension or section.
3. **Floor Area Of Units** - The minimum required floor area for each dwelling unit shall be based on the number of habitable rooms as follows:

<u>Habitable Rooms</u>	<u>Floor Area (square feet)</u>
1	300
2	400
3	550
4	700
<u>5 or more</u>	<u>850</u>

4. **Basement Apartment** - No dwelling units shall be permitted in basements or cellars.

- 5. **Distance Between Buildings** - All minimum distances required below shall be measured in a straight line between the points of the building(s), which are nearest each other.
  - a. **Facing Walls** – The minimum distance between any two front or rear facing walls (long dimension) of any principal building(s) shall not be less than the sum of the heights of the affected buildings or 50 feet, whichever is greater.
  - b. **Facing and End Walls** – The minimum distance between any end wall (short dimension) of any principal building(s) and any front or rear facing wall (long dimension) of any principal building(s) shall not be less than 75% of the sum of the heights of the affected buildings or 35 feet, whichever is greater.
  - c. **End Walls** – The minimum distance between any two end walls (short dimension) of any principal buildings shall be not less than 50% of the sum of the heights of the affected buildings or 20 feet, whichever is greater.
  - d. **Minimum Distances** – In all instances, the minimum distance between any walls or corners of any principal or accessory building(s) shall not be less than 20 feet.





6. **Screens** - Outdoor clothes drying areas and rubbish areas shall be surrounded with complete visual screening.
7. **Rubbish** - Separate rubbish containers shall be provided for recycling items and so denoted on the plans.
8. **Usable Open Space** -
  - a. Usable open space area(s) shall be located on the lot in such a way as to provide easy access from all dwelling units on the lot.
  - b. A minimum of 400 square feet of usable open space shall be provided per dwelling unit.
  - c. Indoor or accessory roof space may be substituted for not more than 25% of the required usable open space, provided such space is developed as a recreational area and is accessible and available to all occupants of the dwellings.
  - d. The minimum dimension of a usable open space area shall not be less than 25 feet.
  - e. At least 25% of the required usable open space shall be developed for and equipped with recreation facilities such as playgrounds, ball fields, tennis courts, or bocce courts, depending on the age group served by the housing.
  - f. All required recreation facilities shall be complete or bonded for by the time Certificates of Occupancy have been issued for 50% of the units.
  - g. If the required recreation facilities are not complete or bonded for at that time, no further Certificates of Occupancy shall be issued until the required recreation facilities are complete.

9. **Garages** - For every ten required parking spaces that shall be provided in a separate garage or under a residential building, one additional dwelling unit above the maximum number of units permitted by Section 3.4.E shall be permitted on the lot provided that:
  - a. The garage is enclosed on all sides by walls; and
  - b. The additional dwelling units have a floor area no greater than the average dwelling unit proposed on the lot; and
  - c. The required parking for any additional dwelling units so created shall also be in enclosed garages or under residential buildings.
  
10. **Private Streets** - Private streets shall be constructed to the following standards:
  - a. Pavement width shall be a minimum of 24 feet where street parking is not allowed. An additional 8 feet shall be added on each side of the street where parking is allowed.
  - b. Pavement shall be a minimum of 2-inch bituminous concrete on a 4-inch process gravel base on an 8-inch bank run gravel submarine base.
  - c. A 4-inch bituminous lip curb shall be provided along both sides of the street and around parking and turning areas.
  - d. A 4-foot-wide concrete sidewalk shall parallel the street or parking lot and shall provide access to the building. Said sidewalks shall be separated from the pavement by at least a 3 ½-foot wide grass strip.
  - e. Stop signs shall be installed at all intersections of City or State highways.

## 6.2. Rear Lots

Rear lots, as defined in these Regulations, are subject to the following conditions:

1. A rear lot shall contain at least twice the minimum lot area as required for the zone where it is located.
2. Rear Lots shall have a landscaped buffer along each property line excluding the driveway access to the property.
3. The landscaped buffer is intended to provide visual screening between the rear lot and adjacent properties and shall include a mix of plantings with a minimum of 10' width strip of evergreen plantings.
4. Building coverage for rear lots shall be a maximum of 12.5 percent of the rear lot area, not including the accessway.
5. No side yard setback associated with a rear lot shall be less than ten (10) feet.

### **6.3. Home-Based Businesses**

Home-based businesses, as defined in these Regulations, are subject to the following conditions:

1. The home office or home occupation shall not occupy more than 25% of the gross floor area or 50% of one floor of the dwelling unit, whichever is less.
2. The home office or home occupation shall not change the exterior residential character of the dwelling in any visible manner and shall not have any outside storage or parking of commercial vehicles unless specifically approved by the Commission.
3. The home office or home occupation shall be clearly incidental to the residential use.
4. The home office or home occupation shall not offer, display or advertise any commodity or service for sale on the premises other than a sign permitted in accordance with Section 7.2, nor shall any materials or products be stored outside of a building.
5. The home office or home occupation shall not create any noise, traffic, odor, vibrations, smoke, gas, fumes, radiation, electromagnetic interference or unsightly conditions noticeable off the lot.
6. A home office or minor home occupation shall be restricted to those occupations that serve clients, patients, customers or patrons by appointment only and that not more than two clients, patients, customers or patrons would be on the premises at any given time.
7. The number of on-site parking spaces shall not be increased for clients, patients, customers or patrons unless specifically approved by the Commission.

### 6.4. Day Care

Day care operations, as defined in these Regulations, are subject to the requirements listed below and other applicable regulations.

1. Family childcare home or group childcare home, located in a residence and licensed by the Office of Early Childhood pursuant to Chapter 368a, shall be treated in the same manner as a single or multifamily dwellings.
2. The operation in a residential zone of any family childcare hope or group childcare home located in a residence shall not require any special zoning permit or special zoning exception for such operation.
3. **Adult Day Care:** For any adult day care operation, a suitably graded and fenced outdoor area of at least 75 square feet for each person who would be using the area at any one time shall be provided.
4. **Child Day Care in Non-Residential Zones:** Group day care homes and child day care centers shall provide a buffer strip within the boundaries of the lot with appropriate fencing and landscaping of suitable type, density and height to effectively screen the daycare activities from the neighboring properties.
  - a. The width of the buffer strip shall be at least as follows:

Commercial Zones:	15 feet
Industrial Zones:	25 feet
  - b. The buffer area shall be designed to mitigate impacts from adjacent uses as well, particularly in cases where centers are located in commercial and industrial zones.
  - c. This buffer requirement shall typically be applied to the portion of the site dedicated to day care use including such items as play area(s).
  - d. The play area or areas shall not be located within the designated buffer area.
  - e. The Commission may, by Special Permit, reduce the width requirement of the buffer area where:
    - Existing topography, landscaping, and/or other features provide an adequate buffer and screening, or
    - Lot size and shape or existing structures make it infeasible to comply with the minimum widths required above, provided screening (planting, fences, berms, etc.) or other methods are utilized to ensure the buffer area meets the intent of the Regulations.
5. Unless otherwise specifically approved by the Commission, day care operations shall only operate from 6:00 AM to 8:00 PM.
6. The applicant shall accommodate all pedestrian and vehicular traffic to and on the site and shall provide an acceptable area for dropping off children or patrons on site. To the extent possible, parking stalls for public use shall be located to preclude pedestrian crossing of interior drives.
7. All State licensing and permit requirements/standards shall be met including special or coastal flood hazard area development standards to demonstrate to the Commission’s satisfaction that hazards to life and property are minimized.

## 6.5. Bed and Breakfast Establishments

Bed and breakfast establishments, as defined in these Regulations, are subject to the following conditions which are intended to balance the desire to provide for short-term overnight accommodations in a residential setting for travelers and visitors to this area while helping to ensure that bed and breakfast establishments are as unobtrusive as possible, i.e., that they are commenced and maintained with little or no impact upon the existing character and appearance of the neighborhoods in which they are located.

1. Bed and breakfast establishment shall generally be accommodated within an existing building.
  - a. Exterior alterations may be made to existing buildings or structures to preserve a valuable historic property, promote adaptive reuse of buildings, or comply with local or State health and safety code requirements.
  - b. No building addition or freestanding building shall be constructed to accommodate or otherwise make room for the bed and breakfast establishment, *except for additions or structures required under local or State health and safety codes.*
  - c. An existing outbuilding may accommodate rooms, but shall not be added onto or enlarged, provided it conforms to the minimum yard setback requirements of the respective zone in which it is located.
  - d. However, in all cases, such alterations must be considered minimal exterior modifications of the building or structure which are compatible with the character of the area, ensure the residential character of the buildings, and preserve the existing features of the building.
2. The gross floor area of that portion of the residence containing the bed and breakfast establishment shall not equal more than 50% of the total gross floor area of the entire building, said bed and breakfast area being defined as guestrooms, dining areas, and bathroom areas used by guests. This provision shall not apply to outbuildings used as part of the bed and breakfast establishment; however, under no circumstances shall an outbuilding contain more guestrooms than the owner-occupied principal residence.
3. No guest shall be accommodated for more than seven nights in any two-week period.

4. Minimum parking space requirements shall be as stated in Section 7.1 of these Regulations. In addition, all spaces shall be on-site, and no guest parking spaces shall be located in any required frontyard setback area of the subject property.
5. All parking and loading areas and other outdoor recreational and/or service activities associated with the Bed and Breakfast Establishment that are located within a residential zone or abut or are located across the street from property within a Residential Zone shall be effectively screened and bordered on all sides by a 10-foot-wide buffer strip; however, the Planning and Zoning Commission may, by Special Permit, reduce the buffer dimension requirement where:
  - a. Existing topography, landscaping, and/or other features provide an adequate buffer and screening, or
  - b. where lot size and shape or existing structures make it infeasible to comply with the buffer width required above, provided screening (planting, fences, berms, etc.) or other methods are utilized to ensure the buffer area meets the intent of these Regulations.
6. All applicable fire, building, health and safety codes and requirement shall be met prior to commencement of operations, and in the cases where proposed sites are located in A and V zones of designated coastal flood areas, the applicant shall demonstrate to the Commission's satisfaction at the time of application that hazards to life and property are being minimized.
7. No more than two non-resident staff shall be employed on any single shift.
8. Access to each guestroom shall be via a main entrance, lobby or foyer within the building. No guestroom shall have a separate exterior access *except as may be required by fire or building codes*.
9. The owner of the Bed and Breakfast Establishment shall maintain a Guest Book to record lengths of stay.
10. The owner of the Bed and Breakfast Establishment shall make the Guest Book available to the City within ten days of receipt of written request for same from the City Planner or the Zoning Official.

## 6.6. Gasoline Stations, Vehicle Dealerships, Vehicle Repair and Service

Gasoline stations, vehicle dealerships, vehicle repair and/or service garages, and similar automotive uses, as defined in these Regulations or by State Statute, are subject to the following conditions:

1. In addition to any approvals required from the Commission, location approval shall be obtained from by the Zoning Board of Appeals as required by CGS Section 14-54.
2. There shall be a minimum lot area of 15,000 square feet and a minimum lot width of 120 feet for gasoline stations, vehicle repair and/or service garages. There shall be a minimum lot area of 30,000 square feet and a minimum width of 150 feet for new and used vehicle dealerships.
3. The storage of petroleum products in underground tanks shall not exceed 40,000 gallons and the storage of fuel oils in above-ground tanks shall not exceed 275 gallons.
4. Provisions shall be made for entering and leaving the lot in such a manner that traffic hazards are minimized. Driveway aprons shall be a minimum distance of 25 feet from any street intersection and 10 feet from any adjacent lot line.
5. Fuel pumps and above-ground fuel storage tanks shall be located 25 feet from any street line or adjacent lot line.
6. Servicing, other than retail sale of gasoline and oil and minor services customarily incidental thereto, shall be conducted within a building. No repair work, *except of an emergency nature*, will be performed out-of-doors. No servicing or storage of any vehicle shall take place on any adjacent public street or sidewalk. Outside storage and display of vehicles shall be restricted to areas no closer than 10 feet from any street line or adjacent lot line.
7. Adequate area for parking, storage and servicing shall be provided on private property.
8. Outdoor lighting shall be in accordance with Section 7.6 and the following:
  - a. Appropriate and necessary lights shall be installed and maintained.
  - b. All free-standing lights shall be indirectly illuminated and shall not exceed 18 feet in height.
  - c. No free-standing light shall be permitted in any required rear or side yard setback adjacent to a residential zone.
9. Appropriate landscape and screening of suitable type, density and height shall be installed and suitably maintained.
10. No application for Approval of Location for any gasoline station, vehicle dealership or vehicle repair and/or service garage, shall be accepted by the Zoning Board of Appeals unless and until the Planning and Zoning Commission has previously approved the Site Plan and authorized the issuance of a Special Permit.

**6.7. *Halfway Houses***

Halfway houses, as defined in these Regulations, are subject to the following conditions:

1. A halfway house shall not be permitted on any lot or parcel which is within 800 feet of any lot or parcel containing a duly licensed or authorized public or private school, park, playground or day care facility.
2. A halfway house shall not be permitted on any lot or parcel which is within 1,500 feet of any lot or parcel containing an existing and duly licensed or authorized halfway house.
3. A halfway house shall not expand, enlarge, add on to intensify or otherwise increase the scope and services of the program authorized by the Commission (such as by adding or taking in more residents or clients) without first receiving approval from the Commission. At the time of application for any approval, the applicant shall:
  - a. Submit a written description of the proposed scope and services of its program, including, but not limited to, security precautions, meals, transportation arrangements and recreation.
  - b. State the maximum number of residents to be served by the facility and the number of staff.
4. The applicant shall present, at the time of application for approval, written authorization from the State of Connecticut to conduct the proposed program, as stated under the definition of “halfway house” in these Regulations, at the proposed site.
5. A staff member shall be on-site at the facility at all times.
6. No halfway house shall be operated without first obtaining all licenses and permits as required by State and federal law.
7. Within the General Commercial zone only, a halfway house may provide counseling services to non-residents as well as residents, providing that the Commission has approved such use and providing the facility includes a separate waiting room and separate meeting room for such non-resident services.

**6.8. Community Residential Counseling Facilities (CRCFs)**

Community Residential Counseling Facilities (CRCFs), as defined in these Regulations, are subject to the following conditions:

1. A CRCF shall not be permitted on any lot or parcel which is within 800 feet of any lot or parcel containing a duly licensed or authorized public or private school, park, playground or day care facility.
2. A CRCF shall not be permitted on any lot or parcel which is within 1,000 feet of any lot or parcel containing an existing and duly licensed or authorized CRCF.
3. A CRCF shall not expand, enlarge, add on to, intensify or otherwise increase the scope and services of the program authorized by the Commission (such as by adding or taking in more residents or clients) without first receiving approval from the Commission. At the time of application for any approval, the applicant shall:
  - a. Submit a written description of the proposed scope and services of its program, including, but not limited to, security precautions, meals, transportation arrangements and recreation.
  - b. Shall state the maximum number of residents to be served by the facility and the number of staff.
4. A staff member shall be on-site at the facility at all times.
5. No CRCF shall be operated without first obtaining all licenses and permits as required by State and federal law.
6. Within the General Commercial zone only, a CRCF may provide counseling services to non-residents, as well as residents provided that the Commission has approved such use and providing the facility includes a separate waiting room and separate meeting room for such non-resident services.

**6.9. Vocational Training Facility**

Vocational Training Facilities (VTF) as defined in these Regulations, are subject to the following conditions:

1. Vocational Training Facilities shall be developed only on sites that contain a minimum of five (5) acres.
2. A VTF shall not be permitted on any lot or parcel that is within 1,000 feet of another VTF.
3. Unless otherwise specifically approved by the Commission, a VTF shall only operate between the hours of 6:00 AM to 8:00 PM.
4. The applicant shall accommodate all pedestrian and vehicular traffic to and on the site and shall provide an acceptable area for dropping off participants on site.
  - a. To the extent possible, parking stalls dedicated to the public shall be located so as to preclude pedestrian crossing of interior drives.
  - b. No overnight storage of more than four multi-passenger vehicles used to transport participants shall be allowed on site.
  - c. Any overnight vehicle storage shall be located in the rear yard of the property and shall be screened appropriately from public view as determined by the Planning and Zoning Commission.
  - d. Any areas designated for overnight vehicle storage shall not count toward the minimum parking spaces required pursuant to Section 7.1.
5. All State and/or local licensing and permit requirements/standards shall be met including special or coastal flood hazard area development standards to demonstrate to the Commission's satisfaction that hazards to life and property are minimized.
6. A VTF shall not expand, enlarge, add on to, intensify or otherwise increase the square feet of use or the scope and services of the program(s) authorized by the Commission (such as by taking on additional participants) without first receiving approval from the Commission. At the time of application for any approval, the applicant shall:
  - a. Submit a written description of the proposed scope and services of all programs, including, but not limited to, services, training, educational, meals, transportation arrangements, any outside participants, agencies served either full or part -time whether permanent or temporary.
  - b. shall state the maximum number of participants to be served at the facility, the number of staff and the total square feet of the facility including all areas to be utilized by the VTF.

7. A VTF may provide for recreational activities on site.
  - a. Said recreational area shall be a minimum of one-half (0.5) acre, free of hazards and regulated wetland soils and contain a suitable surface for the proposed activities at no more than 3% slope.
  - b. The recreational area shall have suitable lighting and fencing and screening to ensure the safety of the users and to mitigate any impacts both to and from adjacent properties as determined by the Commission.
  - c. In the R-5.1, R-5.2 and RM zones outdoor recreational activities shall only take place between the hours of 8:30 AM and 6:00 PM.
  
8. A VTF shall provide a buffer strip within the boundaries of a lot as follows:
  - a. appropriate fencing and landscaping of suitable type, density and height shall be located and maintained in a buffer strip of the following width to effectively screen the facility activities from the neighboring properties:
    - Residential Zones: 25 feet
    - Commercial Zones: 25 feet
    - Industrial Zones: 25 feet
  - b. The buffer area shall be applied to the portion of the site dedicated to vocational facility uses including associated parking, accessory buildings and recreational areas.
  - c. The recreational area shall not be located within the buffer area.
  - d. The buffer area shall include scattered plantings of mixed height of both evergreen and deciduous trees and bushes.
  - e. The Planning and Zoning Commission may, by Special Permit, reduce the width requirement of the buffer area where:
    - existing topography, landscaping, and/or other features provide an adequate buffer and screening, or
    - lot size and shape or existing structures make it infeasible to comply with the minimum widths required above, provided screening (planting, fences, berms, etc.) or other methods are utilized to ensure the buffer area meets the intent of these Regulations.

**6.10. Specialized Classrooms**

Specialized Classrooms, as defined in these Regulations are subject to the following conditions:

1. Specialized Classrooms shall be entirely located within a building and shall not include any activities, other than parking, outside the building.
  - a. The parking areas and entrances to the building shall be of a suitable surface and have adequate lighting to ensure the safety of users.
  - b. The parking lot and exterior of the building shall be suitably fenced and screened to mitigate any impacts both to and from adjacent properties, as determined by the Commission, particularly when the Specialized Classrooms are located in a building adjacent to a residential use or zone.
  - c. Lighting, to the extent feasible, shall be downward directed and confined to the site.
2. Specialized Classrooms shall not expand, enlarge, add on to, intensify, or otherwise increase the square feet of use or scope in services of programs authorized by the Commission (such as by taking on additional participants or subjects) without first receiving approval from the Commission, as appropriate. At the time of application for any approval, the applicant shall submit a written description of the proposed scope of services and all programs, including, but not limited to, the subject matter to be taught, the maximum number of students, the maximum number of instructors and supporting staff, the number and size of classrooms to be occupied, as well as the hours of operation, the internal floor layout, and the total square footage of the areas utilized.
3. The applicant shall accommodate all pedestrian and vehicular traffic to and on the site to the extent possible.
  - a. Specialized Classrooms will not provide overnight parking for any vehicles.
  - b. If the applicant will provide transportation to the site for students, instructors, or staff, it will submit a description of the mode and frequency of transportation. Further, it shall show on the site plan designated drop-off and pick-up sites that are safe and accessible for all vehicles and riders.
4. Specialized Classrooms shall provide a buffer strip within the boundaries of a lot, which is in or adjacent to a residential zone or use and shall maintain appropriate fencing and landscaping of suitable type, density, and height to effectively screen the facility activities from neighboring residential zones or properties.
  - a. Said residential buffer strip shall be 25 feet in width.
  - b. The buffer shall include scattered plantings of mixed height of both evergreen and deciduous trees and bushes.

- c. The Commission may, by Special Permit, reduce the width requirements of the buffer area where:
  - existing topography, landscaping, and/or other features provide an adequate buffer and screening, or
  - lot size and shape or existing structures make it infeasible to comply with the minimum widths required above, provided screening (planting, fences, berms, etc.) or other methods are utilized to ensure the buffer area meets the intent of these Regulations.

### **6.11. Boat Club, Beach Club and Marina**

Boat clubs, beach clubs and/or marinas, as defined in these Regulations, are subject to the following conditions:

1. Properties used for boat clubs, beach clubs and/or marinas shall have at least 150 feet of water frontage.
  2. Boat clubs, beach clubs and/or marinas shall comply with all applicable provisions of the State and City Building, Housing, Health, Sanitation, and Environmental Protection Codes and Ordinances, as approved by the proper official.
  3. Adequate toilet facilities shall be provided on the lot and shall be located so as to be easily accessible to patrons and guests.
  4. The following uses and structures are hereby recognized as being accessory to boat clubs, beach clubs and/or marinas:
    - a. A boat way, ramp or dock.
    - b. Fuel filling facilities for boats.
    - c. Storage garage for boats.
    - d. Repair and/or service garage for boats.
    - e. A boat storage yard.
    - f. Buildings to house storage lockers and related shower facilities.
    - g. A building for retail sales of boats, equipment, material and supplies.
    - h. A refreshment stand or snack bar attached to or inside the principal building with a seating capacity not to exceed twenty seats.
    - i. Other accessory buildings and uses clearly subordinate and customarily incidental to and located on the same lot with the principal use.
  5. Outdoor storage of boats shall not be permitted within required front and side yard setbacks.
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6.12. Telecommunication Towers and Antennas

6.12.A Purposes

This Section of the regulations is intended to:

- Regulate the location and number of telecommunication towers and antenna;
- Minimize the adverse visual effect of telecommunication towers and antenna through careful design, siting, and screening. The design of the equipment, buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting and surrounding buildings;
- Encourage the shared or joint use of telecommunication towers and antenna
- Be consistent with the Federal Telecommunications Act of 1996, as amended;
- Not discriminate among providers of functionally equivalent services;
- Not prohibit or act to prohibit the provisions of personal wireless services; and
- Not regulate the placement and construction of personal wireless service facilities based on environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC regulations regarding such emissions.

6.12.B Permitted Facilities

	No Permit Required From City	Zoning / Building Permit Required	Site Plan Approval Required	Special Permit Required
1. <b>State-Regulated Tower or Antenna</b> – Any new tower or antenna regulated by the Connecticut Siting Council.	<input checked="" type="checkbox"/>			
2. <b>Residential Household/ Amateur Antenna</b> – An antenna used solely for residential television and private radio reception provided any such antenna meets required setbacks and a height no greater than 40 feet above grade or 15 feet above the roof for all uses in all zones.	<input checked="" type="checkbox"/>			
3. <b>Residential Satellite Dish Antenna</b> – A satellite dish antenna in a residential zone provided the dish antenna: a. Measures 1 meter (3.28 feet) or less in diameter; b. Shall not exceed the height of the roof ridgeline; and c. Shall not be located in a required frontyard.	<input checked="" type="checkbox"/>			
4. <b>Amateur Radio Antenna</b> – An amateur radio antenna operated by an amateur radio operator licensed by the FCC provided it is located in the rear yard, meets required setbacks, and is less than 40 feet in total height.	<input checked="" type="checkbox"/>			
5. <b>Other Residential Antenna</b> – An antenna listed in 2, 3, or 4 above that does not comply with the identified standards.		<input checked="" type="checkbox"/>		

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	No Permit Required From City	Zoning / Building Permit Required	Site Plan Approval Required	Special Permit Required
<b>6. Commercial Satellite Dish Antenna</b> – A ground-mounted or roof-mounted satellite dish antenna in a non-residential zone provided the dish antenna measures 2 meters (6.56 feet) or less in diameter; and the dish antenna is either screened from public view or integrated into the site design or approved by the Commission by Special Permit.		<input checked="" type="checkbox"/>		
<b>7. Commercial Satellite Dish Antenna</b> – An antenna listed in 6 above that does not comply with the identified standards.			<input checked="" type="checkbox"/>	
<b>8. Other Antennas on Existing Structures</b> – Any other antenna which is not attached to a tower, provided the antenna complies with all applicable FCC and FAA Regulations.			<input checked="" type="checkbox"/>	
<b>9. New Public Safety Tower or Antenna</b> – A new antenna tower intended and used primarily for the purpose of police, fire ambulance, and/or other emergency services or similar emergency communications.			<input checked="" type="checkbox"/>	
<b>10. New Tower or Antenna on City-Owned Property</b> – A new antenna located on a lot owned, leased or otherwise controlled by the City of Groton.			<input checked="" type="checkbox"/>	
<b>11. Other Tower or Antenna</b> – Any tower or antenna not listed above.				<input checked="" type="checkbox"/>

**6.12.C Basic Standards**

1. **Lot Area** - The lot on which a new telecommunication tower is constructed shall meet the minimum lot area requirements for the underlying zone.
2. **Setbacks** –
  - a. All new tower structures and other facilities shall meet the setback requirements of the respective zone or be set back from all property lines a distance equal to the height of the structure, whichever is greater.
  - b. Guy anchors shall meet the setback requirements of the respective zone.
3. **Height** –
  - a. The tower and/or antenna shall only be erected to the minimum height necessary to satisfy the technical requirements of the telecommunication facility.
  - b. Documentation of the minimum height needed, prepared by a professional telecommunications systems engineer, shall accompany the application for special permit.
  - c. Such documentation may include propagation modeling and/or test results.
4. **Color** - Towers and other telecommunication facilities shall be a subdued, non-reflective color which shall blend in with its surroundings.
5. **Landscaping** –
  - a. Landscape buffers, as appropriate, shall be required around the perimeter of all structures, including guy anchors.
  - b. Such landscape buffers shall include evergreen trees of sufficient height and planted at a sufficient distance to provide visual screening as determined during the site plan approval process.
6. **Illumination** - Signal lights or illumination shall not be permitted unless required by the Federal Communications Commission or the Federal Aviation Administration and the need for such lighting shall be disclosed as part of the application.
7. **Signage** - No advertising or signage, other than warning signs, is permitted on any tower or other telecommunication facility.
8. **Multiple Towers** - Placement of more than one tower on a lot may be permitted if all setbacks, design, and landscape requirements are met for each tower.

9. **Removal –**
  - a. All unused telecommunication towers shall be removed within 12 months of cessation of use.
  - b. In the event that an unused tower is not removed within 12 months of cessation of use, the tower and associated facilities may be removed by the City and the cost of removal assessed against the property.
  - c. As a condition of approval, the Commission may require a bond to ensure removal of abandoned towers where the cost of the removal of the tower may equal or exceed the value of the lot on which it is located.
  
10. **Interference** - No existing or proposed telecommunications service shall interfere with public safety communications or with any existing television or radio signal and all applications for facilities under this regulation shall be accompanied by a study which provides a technical evaluation of existing and proposed transmissions and indicates all potential interference problems.

**6.12.D Locational Standards for Towers**

1. New telecommunication towers shall not be located within:
  - a. Existing local historic districts;
  - b. Existing districts on the State Register of Historic Places;
  - c. Existing districts on the National Register of Historic Places; and
  - d. Along designated scenic roads established under provisions of CGS Sec. 7-149a.
  
2. To discourage the proliferation of telecommunication towers:
  - a. Shared use of tower structures is both permitted and encouraged.
  - b. Applications involving the co-location of antennae on existing telecommunication towers or on other existing structures are encouraged.
  - c. Applications for new towers shall be accompanied by documentation that no existing or planned tower or other structure can accommodate the applicant’s antenna or transmitter.
  
3. It is a condition of any approval issued under this Section that the applicant shall exercise good faith in allowing other providers to share space or co-locate on the tower, provided that such shared use does not impair the technical level or quality of service and, in the event that a dispute arises as to whether the applicant has exercised good faith in accommodating other users, the City may require a third party technical study at the expense of either or both the permit holder and the applicant.

**6.13. Historic/Institutional Adaptive Reuse**

**6.13.A Purpose**

The purpose of this regulation is to allow for the reuse or redevelopment of municipal, state or institution owned buildings to meet the changing needs of technology, the local economy, and shifting demographics. As technology, demographics and the local economy change public and institutional buildings become functionally obsolete, yet the structure continues to be important to the fabric of a neighborhood. This regulation will allow a significant building to remain by allowing uses that may not be allowed by the existing zoning.

This regulation is intended to:

- a. Allow the reuse or redevelopment of buildings owned or most recently owned by the City or Town of Groton, the State of Connecticut or an Institution to a use that may not be allowed by the existing zoning; and
- b. Allow flexible and innovative uses to promote development and preserve historically significant buildings that may be functionally obsolete; and
- c. Ensure that the new use is compatible with the surrounding neighborhood.

**6.13.B Pre-requisite**

To utilize this provision, the applicant must demonstrate that:

- a. The subject building is or has most recently been owned by the City or Town of Groton, the State of Connecticut or an Institution as defined in Section 2.2; and
- b. The building proposed for reuse is structurally capable of being redeveloped for the proposed use; and
- c. The building proposed for reuse contributes to the fabric of the neighborhood and community.

**6.13.C Principal Uses Permitted by Special Permit and Site Plan Approval**

Individually or combined, residential, office, commercial, cultural, educational and community service uses are consistent with the purpose of this regulation and should not be considered detrimental to the physical site characteristics of a neighborhood. *The burden of proof for demonstrating compatibility of uses in a neighborhood shall be upon the applicant.*

In addition to the uses allowed by the underlying zone, and subject to any conditions the Planning and Zoning Commission may impose, the following uses are generally considered compatible with the surrounding neighborhood:

Residential Zones:

- a. Multiple Family Dwelling provided the open space requirements of Section 6.1.8 a, c, d, f and g are met or an equivalent public open space area is located within 1,000 feet of the property.
- b. Retail Business of less than 8,000 square feet
- c. Restaurant or Eating Facility of less than 6,000 square feet provided outdoor seating is not allowed
- d. Business Services and Professional Offices provided drive through facilities and ATMs are not allowed.
- e. Artist Studios and Galleries
- f. Personal Service Establishments
- g. Specialized Classrooms
- h. Community Residential Counseling Facilities and Rooming or Boarding Houses are not considered compatible with the surrounding neighborhood in residential zones.

Business and Industrial Zones:

- a. Multiple Family Dwelling provided the open space requirements of Section 6.1.8 a, c, d, f and g are met or an equivalent public open space area is located within 1,000 feet of the property.
- b. Specialized Classrooms

No minimum lot size is required in order to utilize this historic/adaptive reuse section of the Regulations.

**6.13.D Design Standards**

- 1. The Dimensional Standards for the existing zone shall be used for the proposed use. If the dimensional standards are not clear for the existing zone comparable standards for such proposed use may be used. The Commission may increase the residential density up to twenty percent above what is allowed by the existing zoning if it finds that the increased density is compatible with the neighborhood, the building size is appropriate for such density, and that there are adequate public utilities to accommodate the additional density.
- 2. Nothing in these regulations shall be deemed to prevent additions and new structures on the site as allowed by the Planning and Zoning Commission.
- 3. Nothing in these regulations shall be deemed to require conformance with yard or height regulations where no enlargement, extension, or alteration of the existing building is planned that increases the degree of non-conformity; however, new building or site construction shall conform to the Dimensional Standards of the existing zone.

4. The existing historic or institutional building(s) must be preserved as part of the reuse. Minor alterations or demolitions may be allowed if the Commission finds that the alteration or demolition does not significantly impact the existing building's contribution to the neighborhood or that the building(s) is structurally unsound. No more than 30 percent of the building(s) can be demolished unless the Commission finds that the building(s) to be demolished does not contribute to the historic context of the remaining building or site.
5. The Commission may allow a more flexible use than allowed by the existing zoning if it determines that the existing character of the building will not be substantially changed, that the building is appropriate for the proposed re-use and that the proposed re-use is similar in intensity to the previous use.
6. All applicable State and/or local licensing and permit requirements/standards shall be met.
7. Off Street parking and/or loading requirements shall be determined in accordance with the provisions of Sections 7.1, as needed. The parking space requirements for a use not specifically listed shall be determined by the Commission based on demand generation for a listed use of similar characteristics.
8. Any increase in density as part of the reuse shall adequately address off-site impacts, possibly through improvements that may be required such as roadway and drainage improvements to the access or frontage roadway.
9. A buffer strip shall be provided within the boundaries of the lot if the proposed use is more intense than those allowed by the existing zone.
  - a. The width of the buffer strip shall be at least as follows:

Residential Districts:	25 feet
Commercial Districts:	15 feet
Industrial Districts:	10 feet
  - b. The buffer shall shield the neighboring properties from noise, headlight glare, and visual intrusion and shall provide complete visual screening.
  - c. The Commission may, by Special Permit, reduce or eliminate the width requirement of the buffer strip where:
    - i. Existing topography, landscaping, and/or other features provide an adequate buffer and screening; or
    - ii. Lot size and shape or existing structures make it infeasible to comply with the minimum widths required above, provided screening (planting, fences, berms, etc.) or other methods are utilized to ensure the buffer area meets the intent of the Regulations; or
    - iii. The architectural features of the site are deemed visually important to the neighborhood and the Commission determines that all or some of the property should be left open to be seen.

**6.13.E Decision Considerations**

In evaluating the appropriateness of the proposed new use, the Planning and Zoning Commission, shall consider the following:

1. The historic use of the site.
2. The preservation of all or a portion of the historic building(s).
3. The structural integrity of the building(s).
4. The character and density of the surrounding area.
5. The topography of the site.
6. The bulk of the buildings existing on the site and the impact of the proposed alterations on the surrounding neighborhood.
7. Noise and lighting impacts of the proposed use on the surrounding properties.
8. The impact of traffic from the proposed use on the surrounding neighborhood and the ability of the access roads to adequately handle the proposed traffic from the proposed use.
9. The extent of the benefit to the welfare of the community to be derived by preserving the existing aesthetic appearance of the site.
10. The adequacy of the water supply, sewage disposal, stormwater management and other utility systems.
11. The surrounding zoning as it relates to the proposed uses(s).
12. The allowed and prohibited uses as recommended by the Plan of Conservation and Development.
13. The consideration of the bulk of the building(s) as it relates to the surrounding buildings.

