

ARTICLE 30, Use Regulations Controlling Residence Zones

§ 118-300. Island Conservation Zone. [Added effective 1-22-1974]

A. Declaration of necessity and purpose.

(1) It is declared that a need has developed for the protection of the fragile environment of the Norwalk Islands while permitting their development for limited residential uses.

(2) In order to permit such development and to protect the islands, the following provisions are declared to be necessary in the public interest.

B. Special definitions. As used in these regulations, the following terms shall have the meanings indicated:

CLUSTER HOUSING -- Any combination of either attached or detached one-family dwellings, to a maximum of four (4), constructed on a single lot or parcel which is designed and intended for single ownership, including condominium ownership.

C. Regulations for development.

(1) Permitted uses. [Amended effective 7-15-1976; 9-14-1977; 8-25-1978]

(a) One-family dwellings.

(b) Parks and playgrounds.

(c) Boathouses, landings and docks when not conducted as a business.

(2) Minimum lot area: two (2) acres per dwelling unit.

(3) Height: two and one-half (2 1/2) stories and twenty-five (25) feet.

(4) Yards.

(a) Single-family detached: twenty-five (25) feet from any lot line.

(b) Cluster housing: twenty-five (25) feet from any lot line but may be increased at the discretion of the Commission in order to preserve some natural feature of the landscape, including existing trees or shrubs, waterways, topographic or other features.

NOTE: No main structure shall be located closer than fifty (50) feet from the mean high-water line, and all accessory structures, if located within fifty (50) feet of the mean high-water line, shall be constructed in such manner as to permit the free flow of pedestrians and tidal waters along the beach or shores.

(5) Walkways and terraces. All exterior walkways and terraces shall be constructed in such manner as will permit the permeation of rainwater and so as to avoid the concentration of drainage runoff.

(6) Parking. Lots in this zone shall be exempted from the provisions of §§ 118-1200 and 118-1220.

(7) [Added effective 8-25-1978] Sign regulations. The following nonilluminated signs and no others shall be permitted on each lot, provided that they are set back a minimum of ten (10) feet from the street line and do not exceed a height of six (6) feet if a ground sign or ten (10) feet if a wall sign:

(a) One (1) sign a maximum of six (6) square feet in area, advertising the sale, rental, exchange, lease, construction, repair or other disposal of a building or premises on which such sign is maintained.

- (b) One (1) sign a maximum of two (2) square feet in area, announcing the existence of a permitted home occupation.
- (c) One (1) sign a maximum of two (2) square feet in area, having the name and address of the occupant of the dwelling or the name of such property.
- (8) Special Permit uses and structures. The following uses and structures shall be permitted by Special Permit, in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule of Residential Uses and any additional standards set forth herein:
 - (a) Waterfront clubs. [Added effective 3-11-1983]
 - (b) Public museums. [Added effective 6-12-1987]
- D. Review and approval. The construction of an attached or detached one-family dwelling in the Island Conservation Zone shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450. Additions of less than five hundred (500) square feet, modifications to existing structures and accessory uses and structures shall be exempt from a Special Permit. [Amended effective 8-13-1982]

§ 118-310. AAA Residence Zones. [Added effective 7-15-1976, amended effective 3-28-03, 2-26-2007, 9-24-2010, 1-27-2017]

A. Purpose and intent. It is the purpose of this zone to provide areas for single-family dwellings and other compatible uses on large lots. In addition, it is proposed that certain other uses, consistent with the low-density nature of this zone, be permitted by Special Permit. It is intended that all uses permitted in this zone be consistent with local street characteristics, the use of private water and sewer facilities (where public facilities are unavailable) and the level of other public services.

B. Uses and structures.

- (1) Principal uses and structures. In an AAA Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others:
 - (a) Single-family detached dwelling.
 - (b) Parks and playgrounds.
 - (c) Farms, truck gardens and nurseries provided that all produce is cultivated on the premises and that there are no more than two (2) beehives per one quarter (1/4) acre. Seasonal farm stands for the sale of products grown on the premises, up to four hundred (400) square feet in size, subject to annual renewal of required zoning approval and to permission by required city agencies. [Amended effective 2-2-1990, 3-1-2013, 9-4-2015]
 - (d) Neighborhood clubhouses, existing at the time of adoption of this subsection, are declared to be conforming. If an existing clubhouse is destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of its assessed value, it may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Commission, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 9-24-2010]

(2) Special Permit uses and structures. The following uses and structures shall be permitted by Special Permit, in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule of Residential Uses and any additional standards set forth herein:

- (a) Public museums. [Added effective 6-12-1987]
- (b) Places of worship, churches and church buildings.
- (c) Schools.
- (d) Public utility supply or storage facilities, provided that facilities operated by a licensed contractor who works exclusively for and in support of public utility companies, shall be permitted subject to the following conditions: [Amended effective 1-27-2017]
 - (1) The subject property has a minimum of eleven (11) acres since the date of adoption of this amendment; and
 - (2) The property shall have direct ingress and egress to a state highway; and
 - (3) All equipment shall disable backup alarms while on the property or utilize another backup warning system that does not amplify sound; and
 - (4) While on property, all vehicles must comply with CT. DOT Idling rules; and
 - (5) All such equipment and material shall be stored in an environmentally safe manner behind the front setback line and no closer than twenty-five feet (25') to the side or rear property lines; and
 - (6) Any stockpiles of materials shall be limited to a maximum height of ten feet (10') and shall be effectively screened from view from a public road and from adjacent properties; and
 - (7) The owner shall comply with Chapter 68 Noise ordinance and except in emergencies the hours of operation shall be limited to weekdays from 6:00 am to 6:00 pm; and
 - (8) All lighting shall be fully shielded and shall not trespass onto adjoining properties and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line and all lights shall be directed away from surrounding residential properties.
- (e) Firehouses. [Added effective 9-14-1977]
- (f) Conservation development. [Added effective 3-13-1981]
- (g) Waterfront clubs. [Added effective 3-11-1983]
- (h) A full-service, all-season restaurant shall be permitted in a public park having one hundred twenty-five (125) acres or more and which has a standard eighteen-hole golf course by Special Permit. [Added effective 12-28-1984]
- (i) Golf clubs. [Added effective 9-12-1986]
- (j) Nursery schools or child day-care centers, provided that the facility is an accessory use which is incidental to the principal use of the premises, which shall be limited to public museums or a place of worship which has an existing or former school, as herein defined, located on the premises. [Added effective 12-28-1990; amended effective 9-28-2012]

- (k) A full-service, all-season restaurant shall be permitted in a public park having thirty (30) acres or more which adjoins Long Island Sound by Special Permit. [Added effective 3-28-2003]
- (l) Athletic field facilities, subject to the following conditions: [Added effective 2-25-2011]
 - (1) All lighting shall be shielded and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line; and
 - (2) All lights shall be directed away from surrounding residential properties; and
 - (3) All audio systems shall be limited to the broadcast of athletic field events and half time shows only; no pre game or post game music shall be permitted; and
 - (4) All lighting and audio systems shall be turned off by 10:00 p.m. and not turned back on until 7:00 a.m.
- (3) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in an AAA Residence Zone. [Added effective 4-24-1992 [EN6](#)]
- (4) Accessory uses and structures. Accessory uses and structures, which are incidental to and customarily associated with the principal use of the premises, shall be permitted, subject to the provisions of § 118-910, as follows:
 - (a) Home occupations shall be conducted entirely within the dwelling and shall be limited to no more than one (1) per dwelling. The home occupation shall not alter the residential character of the dwelling, provided furthermore that such home occupations: [Amended effective 2-2-1990]
 - (1) Shall employ not more than (1) person not residing in such dwelling unit.
 - (2) Shall not involve storage of a stock-in-trade or sale of commodities on the premises.
 - (3) Shall use an area equal to not more than twenty-five percent (25%) of the floor area of the first floor of such dwelling, up to a maximum of five hundred (500) square feet.
 - (4) Shall not include a barber, beautician or the sale or care of animals.
 - (5) Shall not involve the manufacture, conversion or fabrication of any material or product.
 - (b) Garage for not more than four (4) motor vehicles owned by occupants of the dwelling.
 - (c) Deleted. [Amended effective 11-30-1984; 8-10-2018]
 - (d) Storage of recreational vehicles owned or leased by the occupant of the dwelling, provided that such vehicles are located in accordance with the front, side and rear yard requirements of this zone. Recreational vehicles shall not be used for living, recreation or business purposes while stored.
 - (e) Storage of not more than one (1) commercial vehicle, as defined in Chapter 246, Section 14-1, of the Connecticut General Statutes, which does not exceed one-ton rated capacity.
 - (f) A driveway or walk used for access to a building or industrial use shall not be permitted as an accessory use.
 - (g) Accessory apartments, subject to § 118-420. [Added effective 6-4-1982]

- (h) Family day-care homes in single-family and two-family dwellings and group day-care homes in single-family dwellings, subject to the conditions that a state license or registration is obtained by the provider and the outdoor play areas shall be fenced and/or adequately screened from adjacent properties to the satisfaction of the Zoning Inspector. [Added effective 6-12-1987]
- (i) Greenhouses, provided that any structures are clearly accessory to the main dwelling unit. No roadside stands shall be permitted. [Added effective 2-2-1990]
- (j) Tag sales, not to exceed three (3) per calendar year per property, shall be allowed as an accessory use to a permitted residential use, provided that each tag sale event shall be limited to a maximum of three (3) days and is operated during daytime hours only by a resident of the property. This is inclusive of tag sales, garage sales, yard sales and other similar types of sales. [Added effective 2-26-2007]
- (k) Portable storage container, other than those used during construction for which a valid Building permit has been issued, shall be permitted for a maximum period of one (1) month in any calendar year and limited to one (1) such container placed on an individual property at any one time and such container shall not exceed eight (8) feet in height or one hundred and sixty (160) square feet in size. [Added effective 5-29-2009]
- (l) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- (m) Storage of not more than one (1) unregistered motor vehicle, provided that such vehicle is located in accordance with the front, side and rear yard requirements of this zone. [Added effective 5-27-2011]

C. Lot and building requirements. See the Schedule of Residential Uses and all other applicable sections of these regulations. [Amended effective 2-13-1980]

(1) Rear lots shall be permitted subject to the following:

- (a) Rear lots shall have a minimum area of forty-three thousand five hundred sixty (43,560) square feet, exclusive of the area of the accessway.
- (b) A setback line of forty (40) feet shall be established on all sides of a rear lot.
- (c) Accessways to rear lots shall be a minimum of twenty-five (25) feet in width.

(2) Lots shall be large enough to contain a circle one hundred (100) feet in diameter located behind the front setback line. [Added effective 6-24-1983]

D. Off-street parking and loading requirements. (See §§ 118-1200 through 118-1260.)

E. Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 9-13-1985]

§ 118-320. AA Residence Zones. [Added effective 9-14-1977, Amended effective 2-26-2007]

A. Purpose and intent. It is the purpose of this zone to provide areas for single-family dwellings and other compatible uses on lots with an area of one-half (1/2) acre or more. Certain other uses consistent with the allowed density may be permitted by Special Permit. It is intended that all uses be harmonious with local street characteristics and the limitation of available utilities and other public services.

B. Uses and structures.

- (1) Principal uses and structures. In an AA Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others:
 - (a) Single-family detached dwelling.
 - (b) Parks and playgrounds.
 - (c) Farms, truck gardens and nurseries provided that all produce is cultivated on the premises and that there are no more than two (2) beehives per one quarter (1/4) acre. Seasonal farm stands for the sale of products grown on the premises, up to four hundred (400) square feet in size, subject to annual renewal of required zoning approval and to permission by required city agencies. [Amended effective 2-2-1990, 3-1-2013, 9-4-2015]
 - (d) Neighborhood clubhouses, existing at the time of adoption of this subsection, are declared to be conforming. If an existing clubhouse is destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of its assessed value, it may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Commission, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 9-24-2010]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule of Residential Uses and any additional standards set forth herein:
 - (a) Public museums. [Added effective 6-12-1987]
 - (b) Places of worship, churches and church buildings.
 - (c) Schools.
 - (d) Public utility supply or storage facilities.
 - (e) (Reserved) [EN7](#)
 - (f) Public and private colleges and universities.
 - (g) Schools or institutions for the mentally retarded, physically handicapped or the emotionally or developmentally disabled.
 - (h) (Reserved) [EN8](#)
 - (i) Cemeteries.
 - (j) Golf clubs.
 - (k) Youth day camps. [Added effective 6-12-1987]
 - (l) Firehouses.
 - (m) Conservation development. [Added effective 3-13-1981]
 - (n) Waterfront clubs. [Added effective 3-11-1983]

- (o) Convalescent or nursing homes, subject to a minimum lot size of three (3) acres. Off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]
- (p) Congregate housing, subject to a minimum lot size of three (3) acres and off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]
- (q) Nursery schools or child day-care centers, provided that the facility is an accessory use which is incidental to the principal use of the premises, which shall be limited to a place of worship which has an existing or former school, as herein defined, located on the premises. [Added effective 12-28-1990]
- (r) Athletic field facilities, subject to the following conditions: [Added effective 2-25-2011]
 - (1) All lighting shall be shielded and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line; and
 - (2) All lights shall be directed away from surrounding residential properties; and
 - (3) All audio systems shall be limited to the broadcast of athletic field events and half time shows only; no pre game or post game music shall be permitted; and
 - (4) All lighting and audio systems shall be turned off by 10:00 p.m. and not turned back on until 7:00 a.m.
- (3) Uses which are not permitted in Subsections B(1) and (2) above shall not be permitted by variance in AA Residence Zones. [Added effective 7-20-1984 [EN9](#)]
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the provisions of § 118-910, and subject to the following restrictions:
 - (a) Home occupations shall be conducted entirely within the dwelling and shall be limited to no more than one (1) per dwelling. The home occupation shall not alter the residential character of the dwelling, provided furthermore that such home occupations: [Amended effective 2-2-1990]
 - (1) Shall employ not more than one (1) person not residing in such dwelling unit.
 - (2) Shall not involve storage of a stock-in-trade or sale of commodities on the premises.
 - (3) Shall use an area equal to not more than twenty-five percent (25%) of the floor area of the first floor of such dwelling, up to a maximum of five hundred (500) square feet.
 - (4) Shall not include a barber, beautician or the sale or care of animals.
 - (5) Shall not involve the manufacture, conversion or fabrication of any material or product.
 - (b) Garage for not more than four (4) motor vehicles owned by occupants of the dwelling.

- (c) Deleted. [Amended effective 11-30-1984; 8-10-2018]
 - (d) Storage of recreational vehicles owned or leased by the occupant of the dwelling, provided that such vehicles are located in accordance with the front, side and rear yard requirements of this zone. Recreational vehicles shall not be used for living, recreation or business purposes while stored.
 - (e) Storage of not more than one (1) commercial vehicle, as defined in Chapter 246, Section 14-1, of the Connecticut General Statutes, which does not exceed one-ton rated capacity.
 - (f) A driveway or walk used for access to a business or industrial use shall not be permitted as an accessory use.
 - (g) Accessory apartments, subject to § 118-420. [Added effective 6-4-1982]
 - (h) Family day-care homes in single-family and two-family dwellings and group day-care homes in single-family dwellings, subject to the conditions that a state license or registration is obtained by the provider and the outdoor play areas shall be fenced and/or adequately screened from adjacent properties to the satisfaction of the Zoning Inspector. [Added effective 6-12-1987]
 - (i) Greenhouses, provided that any structures are clearly accessory to the main dwelling unit. No roadside stands shall be permitted. [Added effective 2-2-1990]
 - (j) Tag sales, not to exceed three (3) per calendar year per property, shall be allowed as an accessory use to a permitted residential use, provided that each tag sale event shall be limited to a maximum of three (3) days and is operated during daytime hours only by a resident of the property. This is inclusive of tag sales, garage sales, yard sales and other similar types of sales. [Added effective 2-26-2007]
 - (k) Portable storage container, other than those used during construction for which a valid Building permit has been issued, shall be permitted for a maximum period of one (1) month in any calendar year and limited to one (1) such container placed on an individual property at any one time and such container shall not exceed eight (8) feet in height or one hundred and sixty (160) square feet in size. [Added effective 5-29-2009]
 - (l) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (m) Storage of not more than one (1) unregistered motor vehicle, provided that such vehicle is located in accordance with the front, side and rear yard requirements of this zone. [Added effective 5-27-2011]
- C. Lot and building requirements. See the Schedule of Residential Uses and all other applicable sections of these regulations.[Amended effective 2-13-1980]
- (1) Rear lots shall be permitted subject to the following:
 - (a) Rear lots shall have a minimum area of thirty-two thousand six hundred seventy (32,670) square feet, exclusive of the area of the accessway.
 - (b) A setback line of forty (40) feet shall be established on all sides of a rear lot.
 - (c) Accessways to rear lots shall be a minimum of twenty-five (25) feet in width.

(2) Lots shall be large enough to contain a circle eighty (80) feet in diameter located behind the front setback line. [Added effective 6-24-1983]

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260.

E. Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 9-13-1985]

§ 118-330. A Residence Zones. [Added effective 9-14-1977, Amended effective 2-26-2007]

A. Purpose and intent. It is the purpose of this zone to provide areas for single-family dwellings and other compatible uses on lots with an area of twelve thousand five hundred (12,500) square feet or more. Certain other uses consistent with the allowed density may be permitted by Special Permit. It is intended that all uses be harmonious with local street characteristics and the limitation of available utilities and other public services.

B. Uses and structures.

(1) Principal uses and structures. In an A Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others:

(a) Single-family detached dwelling.

(b) Parks and playgrounds.

(c) Farms, truck gardens and nurseries provided that all produce is cultivated on the premises and that there are no more than two (2) beehives per one quarter (1/4) acre. No roadside stands shall be permitted. [Amended effective 2-2-1990, 3-1-2013]

(d) Neighborhood clubhouses, existing at the time of adoption of this subsection, are declared to be conforming. If an existing clubhouse is destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of its assessed value, it may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Commission, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 9-24-2010]

(2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule of Residential Uses and any additional standards set forth herein:

(a) Public museums. [Added effective 6-12-1987]

(b) Places of worship, churches and church buildings.

(c) Schools.

(d) Public utility supply or storage facilities.

(e) (Reserved)[EN10](#)

(f) Public and private colleges and universities.

(g) Schools or institutions for the mentally retarded, physically handicapped or the emotionally or developmentally disabled.

(h) (Reserved)[EN11](#)

- (i) Cemeteries.
- (j) Golf clubs.
- (k) Youth day camps. [Added effective 6-12-1987]
- (l) Firehouses.
- (m) Conservation development. [Added effective 3-13-1981]
- (n) Waterfront clubs. [Added effective 3-11-1983]
- (o) Convalescent or nursing homes, subject to a minimum lot size of three (3) acres. Off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]
- (p) Congregate housing, subject to a minimum lot size of three (3) acres, and off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]
- (q) Nursery schools or child day-care centers, provided that the facility is an accessory use which is incidental to the principal use of the premises, which shall be limited to colleges and universities, schools or a place of worship, and subject to the provisions of § 118-910. [Added effective 1-15-1988]
- (r) Commercial communication antennas are permitted as an accessory use when located on an existing public utility structure and may extend above the existing structure by no more than fifteen (15) feet. In addition, the color of the utility structure shall be incorporated into design of the antenna and any equipment structures shall meet building setbacks and be effectively screened from adjacent properties. [Added effective 4-25-1997]
- (s) Athletic field facilities, subject to the following conditions: [Added effective 2-25-2011]
 - (1) All lighting shall be shielded and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line; and
 - (2) All lights shall be directed away from surrounding residential properties; and
 - (3) All audio systems shall be limited to the broadcast of athletic field events and half time shows only; no pre game or post game music shall be permitted; and
 - (4) All lighting and audio systems shall be turned off by 10:00 p.m. and not turned back on until 7:00 a.m.
- (3) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in A Residence Zones. [Added effective 7-20-1984 [EN12](#)]
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the provisions of § 118-910, and subject to the following restrictions:
 - (a) Home occupations shall be conducted entirely within the dwelling and shall be limited to no more than one (1) per dwelling. The home occupation shall not alter the residential character of the dwelling, provided furthermore that such home occupations: [Amended effective 2-2-1990]

- [1] Shall employ not more than one (1) person not residing in such dwelling unit.
 - [2] Shall not involve storage of a stock-in-trade or sale of commodities on the premises.
 - [3] Shall use an area equal to not more than twenty-five percent (25%) of the floor area of the first floor of such dwelling, up to a maximum of five hundred (500) square feet.
 - [4] Shall not include a barber, beautician or the sale or care of animals.
 - [5] Shall not involve the manufacture, conversion or fabrication of any material or product.
- (b) Garage for not more than four (4) motor vehicles owned by occupants of the dwelling.
- (c) Deleted. [Amended effective 11-30-1984; 8-10-2018]
- (d) Storage of recreational vehicles owned or leased by the occupant of the dwelling, provided that such vehicles are located in accordance with the front, side and rear yard requirements of this zone. Recreational vehicles shall not be used for living, recreation or business purposes while stored.
- (e) Storage of not more than one (1) commercial vehicle, as defined in Chapter 246, Section 14-1, of the Connecticut General Statutes, which does not exceed one-ton rated capacity.
- (f) A driveway or walk used for access to a business or industrial use shall not be permitted as an accessory use.
- (g) Accessory apartments, subject to § 118-420. [Added effective 6-4-1982]
- (h) Family day-care homes in single-family and two-family dwellings and group day-care homes in single-family dwellings, subject to the conditions that a state license or registration is obtained by the provider and the outdoor play areas shall be fenced and/or adequately screened from adjacent properties to the satisfaction of the Zoning Inspector. [Added effective 6-12-1987]
- (i) Greenhouses, provided that any structures are clearly accessory to the main dwelling unit. No roadside stands shall be permitted. [Added effective 2-2-1990]
- (j) Tag sales, not to exceed three (3) per calendar year per property, shall be allowed as an accessory use to a permitted residential use, provided that each tag sale event shall be limited to a maximum of three (3) days and is operated during daytime hours only by a resident of the property. This is inclusive of tag sales, garage sales, yard sales and other similar types of sales. [Added effective 2-26-2007]
- (k) Portable storage container, other than those used during construction for which a valid Building permit has been issued, shall be permitted for a maximum period of one (1) month in any calendar year and limited to one (1) such container placed on an individual property at any one time and such container shall not exceed eight (8) feet in height or one hundred and sixty (160) square feet in size. [Added effective 5-29-2009]

- (l) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- (m) Storage of not more than one (1) unregistered motor vehicle, provided that such vehicle is located in accordance with the front, side and rear yard requirements of this zone. [Added effective 5-27-2011]
- C. Lot and building requirements. See the Schedule of Residential Uses and all other applicable sections of these regulations.[Amended effective 2-13-1980]
 - (1) Rear lots shall be permitted subject to the following:
 - (a) Rear lots shall have a minimum area of thirty-two thousand six hundred seventy (32,670) square feet, exclusive of the area of the accessway.
 - (b) A setback line of forty (40) feet shall be established on all sides of a rear lot.
 - (c) Accessways to rear lots shall be a minimum of twenty-five (25) feet in width.
 - (2) Lots shall be large enough to contain a circle seventy-five (75) feet in diameter located behind the front setback line. [Added effective 6-24-1983]
- D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260.
- E. Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 9-13-1985]

§ 118-340. B Residence Zones. [Amended effective 6-24-1946; 5-16-1962; 6-16-1962; 4-12-1966; 5-10-1973; 7-31-1973; 1-22-1974; 6-27-1974; 6-11-1975; 7-15-1976; 9-14-1977; 8-25-1978, 4-28-2006, 2-26-2007]

- A. Purpose and intent. It is the purpose of this zone to provide areas for single-family dwellings and other compatible uses on lots with an area of six thousand two hundred fifty (6,250) square feet or more. Certain other uses consistent with the allowed density may be permitted by Special Permit. It is intended that all uses be harmonious with local street characteristics and the limitation of available utilities and other public services.
- B. Uses and structures.
 - (1) Principal uses and structures. In a B Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others:
 - (a) Single-family detached dwelling.
 - (b) Parks and playgrounds.
 - (c) Farms, truck gardens and nurseries, provided that all produce is cultivated on the premises, are located on a parcel having a minimum area of twelve thousand five hundred (12,500) square feet and that there are no more than two (2) beehives per one quarter (1/4) acre. No roadside stands shall be permitted. [Amended effective 2-2-1990, 3-1-2013]
 - (d) Neighborhood clubhouses, existing at the time of adoption of this subsection, are declared to be conforming. If an existing clubhouse is destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of its assessed value, it may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the

Commission, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 9-24-2010]

- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule of Residential Uses and any additional standards set forth herein:
- (a) Public museums. [Added effective 6-12-1987]
 - (b) Places of worship, churches and church buildings.
 - (c) Schools.
 - (d) Public utility supply or storage facilities.
 - (e) (Reserved)[EN13](#)
 - (f) Public and private colleges and universities.
 - (g) Schools or institutions for mentally retarded, physically handicapped or the emotionally or developmentally disturbed.
 - (h) Halfway houses allowing a maximum of ten (10) persons with no less than three hundred (300) square feet of living area per person, except that a halfway house for persons under the jurisdiction of the Department of Corrections shall not be permitted.[EN14](#) [Added effective 6-12-1987; amended effective 6-29-1990]
 - (i) Cemeteries.
 - (j) Youth day camps. [Added effective 6-12-1987]
 - (k) Firehouses.
 - (l) Nursery schools or child day-care centers, subject to a maximum occupancy of thirty-five (35) children, with no less than five hundred (500) square feet of lot area per child. No occupancy limitations shall be required when the facility is an accessory use that is incidental to the principal use of the premises, which shall be limited to schools, places of worship, congregate housing facilities and community centers. In all cases, outdoor play areas and off-street parking areas shall comply with the building setbacks set forth in the Schedule of Residential Uses. If facilities in existence at the time of adoption of this section are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform to the Flood Hazard Zone and coastal management provisions of these regulations. The owners of such property shall document by A-2 survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 6-12-1987; amended effective 6-26-1998]
 - (m) Convalescent or nursing homes, subject to a minimum lot size of one (1) acre, and off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]

- (n) [EN15](#) Planned residential development, subject to § 118-400, approved prior to December 31, 1990. [Amended effective 6-30-1989; 5-25-1990; 1-27-1990]
- (o) Group homes. [EN16](#) [Added effective 6-12-1987]
- (p) Congregate housing, subject to a minimum lot size of one (1) acre, and off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]
- (q) Athletic field facilities, subject to the following conditions: [Added effective 2-25-2011]
 - (1) All lighting shall be shielded and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line; and
 - (2) All lights shall be directed away from surrounding residential properties; and
 - (3) All audio systems shall be limited to the broadcast of athletic field events and half time shows only; no pre game or post game music shall be permitted; and
 - (4) All lighting and audio systems shall be turned off by 10:00 p.m. and not turned back on until 7:00 a.m.
- (r) Elderly Housing Units, provided that:
 - (1) The subject property(s) has a minimum of two (2) acres, as of the date of adoption of this amendment,
 - (2) The residential density shall not exceed 1 unit per 6,250 sq ft of lot area,
 - (3) Structures shall be either single family dwellings or duplex units,
 - (4) The structures shall comply with all requirements of the Schedule Limiting Height and Bulk of Buildings within the B Residence Zone,
 - (5) A minimum of 25% of the property must be set aside as conservation area, which may be in the form of an easement in favor of the City and a total of 40% of the site is open area or green space,
 - (6) Stormwater shall be mitigated using Low Impact Development (LID) techniques,
 - (7) All dwellings or principal structures shall have rooftop solar installed, unless it is determined to be not feasible as determined by a feasibility report. [Added effective 2-19- 2021]
- (3) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in a B Residence Zone. [Added effective 4-24-1992 [EN17](#)]
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the provisions of § 118-910, and subject to the following restrictions:
 - (a) Home occupations shall be conducted entirely within the dwelling and shall be limited to no more than one (1) per dwelling. The home occupation shall not alter the residential character of the dwelling, provided furthermore that such home occupations: [Amended effective 2-2-1990]

- [1] Shall employ not more than one (1) person not residing in such dwelling unit.
 - [2] Shall not involve storage of a stock-in-trade or sale of commodities on the premises.
 - [3] Shall use an area equal to not more than twenty-five percent (25%) of the floor area of the first floor of such dwelling, up to a maximum of five hundred (500) square feet.
 - [4] Shall not include a barber, beautician or the sale or care of animals.
 - [5] Shall not involve the manufacture, conversion or fabrication of any material or product.
- (b) Garage for not more than four (4) motor vehicles owned by occupants of the dwelling.
- (c) Deleted. [Amended effective 11-30-1984; 8-10-2018]
- (d) Storage of recreational vehicles owned or leased by the occupant of the dwelling, provided that such vehicles are located in accordance with the front yard requirements of this zone and are effectively screened from view from the street and adjacent properties to the satisfaction of the Zoning Inspector.
- (e) Storage of not more than one (1) commercial vehicle, as defined in Chapter 246, Section 14-1, of the Connecticut General Statutes, which does not exceed one-ton rated capacity.
- (f) A driveway or walk used for access to a business or industrial use shall not be permitted as an accessory use.
- (g) Accessory apartments, subject to § 118-420. [Added effective 6-4-1982]
- (h) Family day-care homes in single-family and two-family dwellings and group day-care homes in single-family dwellings, subject to the conditions that a state license or registration is obtained by the provider and the outdoor play areas shall be fenced and/or adequately screened from adjacent properties to the satisfaction of the Zoning Inspector. [Added effective 6-12-1987]
- (i) Greenhouses, provided that any structures are clearly accessory to the main dwelling unit. No roadside stands shall be permitted. [Added effective 2-2-1990]
- (j) Tag sales, not to exceed three (3) per calendar year per property, shall be allowed as an accessory use to a permitted residential use, provided that each tag sale event shall be limited to a maximum of three (3) days and is operated during daytime hours only by a resident of the property. This is inclusive of tag sales, garage sales, yard sales and other similar types of sales. [Added effective 2-26-2007]
- (k) Farmers markets shall be allowed as an accessory use in a public park a minimum of five (5) acres in size. [Added effective 5-30-2008]
- (l) Portable storage container, other than those used during construction for which a valid Building permit has been issued, shall be permitted for a maximum period of one (1) month in any calendar year and limited to one (1) such container placed on an individual property at any one time and such container shall not exceed eight (8) feet in height or one hundred and sixty (160) square feet in size. [Added effective 5-29-2009]

(m) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]

(n) Storage of not more than one (1) unregistered motor vehicle, provided that such vehicle is located in accordance with the front, side and rear yard requirements of this zone. [Added effective 5-27-2011]

C. Lot and building requirements. See the Schedule of Residential Uses and all other applicable sections of these regulations. [Amended effective 2-13-1980, 4-28-2006]

- (1) Rear lots shall not be permitted in the B Residence Zone.
- (2) Lots shall be large enough to contain a circle fifty (50) feet in diameter located behind the front setback line. [Added effective 6-24-1983]
- (3) Structures permitted by special permit shall comply with the residential schedule except that the maximum height for such structures shall not exceed 2 1/2 stories and 35 feet to the midpoint of a pitched roof, maximum of 40 feet to the peak. [Added effective 8-25-2006]
- (4) The maximum building area permitted shall be determined by the lot size as indicated in the chart below: [Added effective 4-28-2006]

Zoning District	Size of Lot Square Feet	% Maximum Building Area	Examples of Maximum Building Footprint Square Feet
B Residence	UP TO 6,250	35%	6,250 sq ft lot X .35 = 2,187 sq ft
	6,251 – 8,250	35% for first 6,250 sq ft, 30% for excess lot area above 6,250 sq ft	8,250 sq ft lot: 2,187 sq ft footprint for first 6,250 sq ft + (2,000 x .30 = 600) = 2,787 sq ft
	MORE THAN 8,250	35% for first 6,250 sq ft, 30% for excess lot area above 6,250 sq ft, and 25% for excess lot area over 8,250 sq ft	10,250 sq ft lot: 2,187 sq ft footprint for first 6,250 sq ft + 600 sq ft for second 2,000 sq ft + (2,000 x .25 = 500) = 3,287 sq ft

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260.

E. Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 9-13-1985]

§ 118-350. C Residence Zones. [Added effective 8-25-1978, Amended effective 2-26-2007]

A. Purpose and intent. It is the purpose of this zone to provide areas for single-family dwellings on lots with an area of five thousand (5,000) square feet or more and two-family dwellings on lots with an area of six thousand (6,000) square feet or more and other compatible uses. Certain other uses consistent with the allowed density may be permitted by Special Permit. It is intended that all uses be harmonious with local street characteristics and the limitation of available utilities and other public services.

B. Uses and structures.

- (1) Principal uses and structures. In a C Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others:

- (a) Single-family detached dwelling.
 - (b) Two-family detached dwelling.
 - (c) Parks and playgrounds.
 - (d) Farms, truck gardens and nurseries, provided that all produce is cultivated on the premises, are located on a parcel having a minimum area of twelve thousand five hundred (12,500) square feet and that there are no more than two (2) beehives per one quarter (1/4) acre. No roadside stands shall be permitted. [Amended effective 2-2-1990, 3-1-2013]
 - (e) Neighborhood clubhouses, existing at the time of adoption of this subsection, are declared to be conforming. If an existing clubhouse is destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of its assessed value, it may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Commission, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 9-24-2010]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule of Residential Uses and any additional standards set forth herein:
- (a) Public museums. [Added effective 6-12-1987]
 - (b) Places of worship, churches and church buildings.
 - (c) Schools.
 - (d) Public utility supply or storage facilities.
 - (e) (Reserved)[EN18](#)
 - (f) Public and private colleges and universities.
 - (g) Schools or institutions for the mentally retarded, physically handicapped or the emotionally or developmentally disabled.
 - (h) Halfway houses allowing a maximum of twelve (12) persons with no less than two hundred fifty (250) square feet of living area per person, except that a halfway house for persons under the jurisdiction of the Department of Corrections shall not be permitted. EN [Added effective 6-12-1987; amended effective 6-29-1990]
 - (i) Cemeteries.
 - (j) Youth day camps. [Added effective 6-12-1987]
 - (k) Firehouses.
 - (l) Nursery schools or child day-care centers, subject to a maximum occupancy of thirty-five (35) children, with no less than five hundred (500) square feet of lot area per child. No occupancy limitations shall be required when the facility is an accessory use that is incidental to the principal use of the

premises, which shall be limited to schools, places of worship, congregate housing facilities and community centers. In all cases, outdoor play areas and off-street parking areas shall comply with the building setbacks set forth in the Schedule of Residential Uses. If facilities in existence at the time of adoption of this section are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform to the Flood Hazard Zone and coastal management provisions of these regulations. The owners of such property shall document by A-2 survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 6-12-1987; amended effective 6-26-1998]

- (m) Convalescent or nursing homes, subject to a minimum lot size of one (1) acre, and off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]
- (n) [EN19](#) Planned residential developments, subject to § 118-400, approved prior to March 1992. [Amended effective 3-27-1992]
- (o) Group homes. [EN20](#) [Added effective 6-12-1987]
- (p) Community residences. [EN21](#) [Added effective 6-12-1987]
- (q) Public or nonprofit community center. [Added effective 6-12-1987]
- (r) Congregate housing, subject to a minimum lot size of one (1) acre, and off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]
- (s) Elderly housing, provided that the site is an existing or former school site, as herein defined, of one and five-tenths (1.5) acres or more and that the building shall comply with the building setbacks set forth in the Schedule of Residential Uses. The number of dwelling units permitted for such elderly housing shall not exceed a density of one (1) unit per one thousand four hundred (1,400) square feet of lot area. [Added effective 4-30-1993]
- (t) Waterfront clubs. [Added effective 6-27-1997]
- (u) Athletic field facilities, subject to the following conditions: [Added effective 2-25-2011]
 - (1) All lighting shall be shielded and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line; and
 - (2) All lights shall be directed away from surrounding residential properties; and
 - (3) All audio systems shall be limited to the broadcast of athletic field events and half time shows only; no pre game or post game music shall be permitted; and
 - (4) All lighting and audio systems shall be turned off by 10:00 p.m. and not turned back on until 7:00 a.m.

(3) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in a C Residence Zone. [Added effective 4-24-1992 [EN22](#)]

(4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the provisions of § 118-910, and subject to the following restrictions:

(a) Home occupations shall be conducted entirely within the dwelling and shall be limited to no more than one (1) per dwelling. The home occupation shall not alter the residential character of the dwelling, provided furthermore that such home occupations: [Amended effective 2-2-1990]

[1] Shall employ not more than one (1) person not residing in such dwelling unit.

[2] Shall not involve storage of a stock-in-trade or sale of commodities on the premises.

[3] Shall use an area equal to not more than twenty-five percent (25%) of the floor area of the first floor of such dwelling, up to a maximum of five hundred (500) square feet.

[4] Shall not include a barber, beautician or the sale or care of animals.

[5] Shall not involve the manufacture, conversion or fabrication of any material or product.

(b) Garage for not more than four (4) motor vehicles owned by occupants of the dwelling.

(c) Deleted. [Amended effective 11-30-1984; 8-10-2018]

(d) Storage of recreational vehicles owned or leased by the occupant of the dwelling, provided that such vehicles are located in accordance with the front yard requirements of this zone and are effectively screened from view from the street and adjacent properties to the satisfaction of the Zoning Inspector.

(e) Storage of not more than one (1) commercial vehicle, as defined in Chapter 246, Section 14-1, of the Connecticut General Statutes, which does not exceed one-ton rated capacity.

(f) A driveway or walk used for access to a business or industrial use shall not be permitted as an accessory use.

(g) Family day-care homes in single-family and two-family dwellings and group day-care homes in single-family dwellings, subject to the conditions that a state license or registration is obtained by the provider and the outdoor play areas shall be fenced and/or adequately screened from adjacent properties to the satisfaction of the Zoning Inspector. [Added effective 6-12-1987]

(h) Greenhouses, provided that any structures are clearly accessory to the main dwelling unit. No roadside stands shall be permitted. [Added effective 2-2-1990]

(i) Tag sales, not to exceed three (3) per calendar year per property, shall be allowed as an accessory use to a permitted residential use, provided that each tag

sale event shall be limited to a maximum of three (3) days and is operated during daytime hours only by a resident of the property. This is inclusive of tag sales, garage sales, yard sales and other similar types of sales. [Added effective 2-26-2007]

(j) Portable storage container, other than those used during construction for which a valid Building permit has been issued, shall be permitted for a maximum period of one (1) month in any calendar year and limited to one (1) such container placed on an individual property at any one time and such container shall not exceed eight (8) feet in height or one hundred and sixty (160) square feet in size. [Added effective 5-29-2009]

(k) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]

(l) Storage of not more than one (1) unregistered motor vehicle, provided that such vehicle is located in accordance with the front, side and rear yard requirements of this zone. [Added effective 5-27-2011]

C. Lot and building requirements. See the Schedule of Residential Uses and all other applicable sections of these regulations.[Amended effective 2-13-1980]

(1) Rear lots shall not be permitted in the C Residence Zone.

(2) Lots shall be large enough to contain a circle fifty (50) feet in diameter behind the front setback line. [Added effective 6-24-1983]

(3) Structures permitted by special permit shall comply with the residential schedule except that the maximum height for such structures shall not exceed 2 1/2 stories and 35 feet to the midpoint of a pitched roof, maximum of 40 feet to the peak. [Added effective 8-25-2006]

(4) The maximum building area permitted shall be determined by the lot size as indicated in the chart below: [Added effective 4-28-2006]

Zoning District	Size of Lot Square Feet	% Maximum Building Area	Examples of Maximum Building Footprint Square Feet
C Residence 1-2 dwelling units	UP TO 6,000	35%	6,000 sq ft lot X .35 = 2,100 sq ft
	6,001 – 8,000	35% for first 6,000 sq ft, 30% for excess lot area above 6,000 sq ft	8,000 sq ft lot: 2,100 sq ft footprint for first 6,000 sq ft + (2,000 x .30 =600) = 2,700 sq ft
	MORE THAN 8,000	35% for first 6,000 sq ft, 30% for excess lot area above 6,000 sq ft, and 25% for excess lot area over 8,000 sq ft	10,000 sq ft lot: 2,100 sq ft footprint for first 6,000 sq ft + 600 sq ft for second 2,000 sq ft + (2,000 x .25 = 500) = 3,200 sq ft

D. Off-street parking and loading requirements. (See §§ 118-1200 through 118-1260.)

E. Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 9-13-1985]

§ 118-360. D Residence Zones. [Added effective 8-25-1978; Amended effective 11-24-2006, 2-26-2007, 3-30-2007, 9-26-2008, 2-25-2011, 2-15-2019]

A. Purpose and intent. It is the purpose of this zone to provide areas for multifamily dwellings, as well as single- and two-family dwellings and other compatible uses. Certain other uses consistent with the allowed density may be permitted by Special Permit. It is intended that all uses be harmonious with local street characteristics and the limitation of available utilities and other public services.

B. Uses and structures.

(1) Principal uses and structures. In a D Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others:

(a) Single-family detached dwelling.

(b) Two-family detached dwelling.

(c) Multifamily dwelling containing less than twelve (12) dwelling units, subject to Section 118-360 (C)(6). All multifamily dwellings shall provide an open recreation area of not less than two hundred (200) square feet per dwelling unit and shall be located with due concern for the safety and convenience of the residents for whose use it is intended. The site plan shall indicate the manner of development, for example, play equipment, swimming pools, picnic tables, tennis courts, landscaping, etc. [Amended effective 7-11-1980, Amended effective 11-14-2006]

(d) Parks and playgrounds.

(e) Farms, truck gardens and nurseries, provided that all produce is cultivated on the premises, are located on a parcel having a minimum area of twelve thousand five hundred (12,500) square feet and that there are no more than two (2) beehives per one quarter (1/4) acre. No roadside stands shall be permitted. [Amended effective 2-2-1990, 3-1-2013]

(f) Neighborhood clubhouses, existing at the time of adoption of this subsection, are declared to be conforming. If an existing clubhouse is destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of its assessed value, it may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Commission, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 9-24-2010]

(2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule of Residential Uses and any additional standards set forth herein:

(a) Public museums. [Added effective 6-12-1987]

(b) Places of worship, churches and church buildings.

- (c) Schools.
- (d) Public utility supply or storage facilities.
- (e) (Reserved)[EN23](#)
- (f) Public and private colleges and universities.
- (g) Schools or institutions for the mentally retarded, physically handicapped or the emotionally or developmentally disabled.
- (h) Halfway houses allowing a maximum of sixteen (16) persons with no less than two hundred (200) square feet of living area per person, except that a halfway house for persons under the jurisdiction of the Department of Corrections shall not be permitted.[EN24](#) [Added effective 6-12-1987; amended effective 6-29-1990]
- (i) Cemeteries.
- (j) Youth day camps.
- (k) Firehouses.
- (l) Nursery schools or child day-care centers, subject to a maximum occupancy of thirty-five (35) children, with no less than five hundred (500) square feet of lot area per child. No occupancy limitations shall be required when the facility is an accessory use that is incidental to the principal use of the premises, which shall be limited to schools, places of worship, congregate housing facilities and community centers. In all cases, outdoor play areas and off-street parking areas shall comply with the building setbacks set forth in the Schedule of Residential Uses. If facilities in existence at the time of adoption of this section are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform to the Flood Hazard Zone and coastal management provisions of these regulations. The owners of such property shall document by A-2 survey or other means the height, bulk, location and use of the building as it had previously existed. [Amended effective 6-12-1987; 6-26-1998]
- (m) Convalescent, nursing or rest homes.
- (n)[EN25](#) Planned residential development, subject to § 118-400.
- (o) Multifamily dwelling containing twelve (12) or more dwelling units, subject to Section 118-360 (C)(7). All multifamily dwellings shall provide an open recreation area of not less than two hundred (200) square feet per dwelling unit and shall be located with due concern for the safety and convenience of the residents for whose use it is intended. The site plan shall indicate the manner of development, for example, play equipment, swimming pools, picnic tables, tennis courts, landscaping, etc. [Amended effective 7-11-1980, 11-14-2006]
- (p) Elderly housing. All elderly housing shall provide an open recreation area of not less than one hundred twenty-five (125) square feet per dwelling unit and shall be located with due concern for the safety and convenience of the

residents for whose use it is intended. The site plan shall indicate the manner of development, for example, fireplaces, picnic tables, benches, shuffleboard courts, etc.

- (q) Congregate housing. All congregate housing shall provide a recreation area of not less than one hundred (100) square feet per dwelling unit and shall be located with due concern for the safety and convenience of the residents for whose use it is intended. The site plan shall indicate the manner of development, including the location of specific facilities such as benches, walkways and landscaping. Roof terraces and interior recreational spaces may be included in the calculation of required recreation area. [Added effective 7-25-1980]
- (r) Public or nonprofit community centers, subject to a minimum lot size of one (1) acre. [Added effective 6-12-1987; amended effective 5-28-1993]
- (s) Group homes. [EN26](#) [Added effective 6-12-1987]
- (t) Community residences. [EN27](#) [Added effective 6-12-1987]
- (u) Boarding- or rooming houses.
- (v) Nonprofit technical schools providing training or educational programs certified by the State of Connecticut, subject to the following requirements: [Added effective 10-4-1991]
 - [1] Shall have a minimum lot size of fifteen thousand (15,000) square feet.
 - [2] Shall not exceed twenty-five (25) persons undergoing training.
 - [3] Use of a technical school shall be limited to members of a trade or profession enrolled in apprenticeship and upgrading programs as defined in the Connecticut General Statutes Annotated Title 31, §§ 31-51a to 31-51e.
- (w) Waterfront clubs. [Added effective 3-17-1995]
- (x) Athletic field facilities, subject to the following conditions: [Added effective 2-25-2011]
 - (1) All lighting shall be shielded and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line; and
 - (2) All lights shall be directed away from surrounding residential properties; and
 - (3) All audio systems shall be limited to the broadcast of athletic field events and half time shows only; no pre game or post game music shall be permitted; and
 - (4) All lighting and audio systems shall be turned off by 10:00 p.m. and not turned back on until 7:00 a.m.
- (y) In order to encourage the preservation of structures contributing to positive aspects of community character, the Commission may allow minimum area or dimensional requirements (such as yard setback, buffer, width, or recreation area) or parking requirements to be reduced or a maximum

requirement to be increased (such as height, residential density or maximum building area), provided that: [Added effective 2-15-2019]

- i. the subject property has a minimum area of *twelve thousand (12,000) square feet*;
 - ii. the subject property contains a structure(s) listed in the state or national register of historic places or in a local historic resources inventory;
 - iii. the extent of the requirement to be increased or reduced shall be clearly identified on the application presented to the Commission;
 - iv. a narrative, prepared by a Historic Architect, shall be submitted with the application describing in detail the proposed work to be done to the exterior of the historic structure, and the Historic Architect shall be qualified for "Historic Architecture" as listed under 35 CFR Part 61 of the Secretary of Interior's Professional Qualification Standards and submit proof of same; and
 - v. for maximum building area, the calculation shall exclude the area of the existing building to be preserved provided the resulting maximum building area is no greater than thirty five percent (35%) for buildings and no greater than seventy-five percent (75%) for buildings and parking . For all other requirements, the resulting standards shall not be reduced or increased by more than twenty-five percent (25%) from the originating standard;
 - vi. these developments are exempt from the provisions of Section 118-360(C)7;
 - vii. the Commission shall refer the application to the Historical Commission for review and recommendations. If the Historical Commission does not endorse the application, a 2/3 majority vote of the Zoning Commission is required for approval;
 - viii. the Commission may seek outside peer review regarding architectural design;
 - ix. the Commission determines the structure(s) in question contribute to community character or possesses a degree of historic significance (to be evidenced by its age, architectural uniqueness, or cultural value);
 - x. the Commission determines that even if building materials are proposed to be substituted and modernized, the method and degree of preservation maintains the character, aesthetic and architecture of the historic building.
 - xi. the special permit granted by the Commission shall only remain effective so long as the subject structure(s) is preserved and maintained as a principal structure on the property;
- (3) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in a D Residence Zone. [Added effective 4-24-1992 [EN28](#)]
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be

permitted subject to the provisions of § 118-910, and subject to the following restrictions:

- (a) [Amended effective 2-2-1990] Home occupations shall be conducted entirely within the dwelling and shall be limited to no more than one (1) per dwelling. The home occupation shall not alter the residential character of the dwelling, provided furthermore that such home occupations:
 - [1] Shall employ not more than one (1) person not residing in such dwelling unit.
 - [2] Shall not involve storage of stock-in-trade or sale of commodities on the premises.
 - [3] Shall use an area equal to not more than twenty-five percent (25%) of the floor area of the first floor of such dwelling, up to a maximum of five hundred (500) square feet.
 - [4] Shall not include a barber, beautician or the sale or care of animals.
 - [5] Shall not involve the manufacture, conversion or fabrication of any material or product.
- (b) Garage for motor vehicles owned by occupants of the dwelling.
- (c) Deleted. [Amended effective 8-10-2018]
- (d) Recreational vehicles.
 - [1] Storage of recreational vehicles owned or leased by the occupant of the dwelling, provided that such vehicles are located in accordance with the front yard requirements of this zone and are effectively screened from view from the street and adjacent properties to the satisfaction of the Zoning Inspector.
 - [2] The open storage of recreational vehicles shall be prohibited as an accessory use for multifamily dwellings.
- (e) Storage of not more than one (1) commercial vehicle, as defined in Chapter 246, Section 14-1, of the Connecticut General Statutes, which does not exceed one-ton rated capacity.
- (f) A driveway or walk used for access to a business or industrial use shall not be permitted as an accessory use.
- (g) Family day-care homes in single-family and two-family dwellings and group day-care homes in single-family dwellings, subject to the conditions that a state license or registration is obtained by the provider and the outdoor play areas shall be fenced and/or adequately screened from adjacent properties to the satisfaction of the Zoning Inspector. [Added effective 6-12-1987]
- (h) Greenhouses, provided that any structures are clearly accessory to the main dwelling unit. No roadside stands shall be permitted. [Added effective 2-2-1990]
- (i) Tag sales, not to exceed three (3) per calendar year per property, shall be allowed as an accessory use to a permitted residential use, provided that each tag

sale event shall be limited to a maximum of three (3) days and is operated during daytime hours only by a resident of the property. This is inclusive of tag sales, garage sales, yard sales and other similar types of sales. [Added effective 2-26-2007]

(j) Portable storage container, other than those used during construction for which a valid Building permit has been issued, shall be permitted for a maximum period of one (1) month in any calendar year and limited to one (1) such container placed on an individual property at any one time and such container shall not exceed eight (8) feet in height or one hundred and sixty (160) square feet in size. [Added effective 5-29-2009]

(k) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]

(m) Storage of not more than one (1) unregistered motor vehicle, provided that such vehicle is located in accordance with the front, side and rear yard requirements of this zone. [Added effective 5-27-2011]

(n) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Added effective 9-26-2014]

C. Lot and building requirements. See the Schedule of Residential Uses and all other applicable sections of these regulations.[Amended effective 2-13-1980, 4-28-2006]

- (1) Rear lots shall not be permitted in the D Residence Zone.
- (2) Lots shall be large enough to contain a circle fifty (50) feet in diameter located behind the front setback line. [Added effective 6-24-1983]
- (3) Parcels which contain a body of water, a designated inland wetland or watercourse or tidal wetland shall include only fifty percent (50%) of said body of water or designated wetland area in arriving at the maximum number of multifamily dwelling units permitted. [Added effective 1-29-1988, Amended effective 11-14-2006]
- (4) Structures permitted by special permit shall comply with the residential schedule except that the maximum height for such structures shall not exceed 2 1/2 stories and 35 feet to the midpoint of a pitched roof, maximum of 40 feet to the peak. [Added effective 8-25-2006, Amended effective 11-14-2006]
- (5) The maximum building area permitted for single and two family dwellings shall be determined by the lot size as indicated in the chart below: [Added effective 4-28-2006]

Zoning District	Size of Lot Square Feet	% Maximum Building Area	Examples of Maximum Building Footprint Square Feet
D Residence 1-2 dwelling units	UP TO 6,000	35%	6,000 sq ft lot X .35 = 2,100 sq ft
	6,001 – 8,000	35% for first 6,000 sq ft, 30% for excess lot area above 6,000 sq ft	8,000 sq ft lot: 2,100 sq ft footprint for first 6,000 sq ft + (2,000 x .30 =600) = 2,700 sq ft

	<p>MORE THAN 8,000</p>	<p>35% for first 6,000 sq ft, 30% for excess lot area above 6,000 sq ft, and 25% for excess lot area over 8,000 sq ft</p>	<p>10,000 sq ft lot: 2,100 sq ft footprint for first 6,000 sq ft + 600 sq ft for second 2,000 sq ft + (2,000 x .25 = 500) = 3,200 sq ft</p>
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(6) Additional standards for multifamily developments of three – six units [Added effective 11-24-2006, Amended effective 3-30-2007, 9-26-2008]

(a) All properties shall provide a building along the street not to exceed two and one half (2 1/2) stories and twenty-six (26) feet in height, as measured from the average elevation of the finished grade around the front and sides of such structure, provided that:

1. All such building(s) shall be located thirty (30) feet from the front property line with entry doors facing the street, shall not exceed thirty (30) feet in depth, and may have an unenclosed porch or deck extending not more than eight (8) feet from the conforming front wall of said structure, and
2. The combined length of such building(s) shall occupy a minimum of fifty percent (50 %) of the lot width at the front setback line, provided that individual buildings do not exceed 60 (sixty) feet in length, and
3. All required parking shall be located behind such structure and adequately screened with a five (5) foot landscaped buffer strip, with no garage openings directly facing the street.
4. An unenclosed front porch or deck may be exempt from building area calculations where such structure is designed to promote pedestrian activity along the street and enhance the residential character of the building and neighborhood, subject to approval by the Commission. [Added effective 3-30-2007]

(b) That portion of a building not exceeding one and one half (1 1/2) stories adjacent to the exterior wall of the building that faces the rear yard and sixteen (16) feet in height as measured from the average elevation of the finished grade around that portion of the building which extends into the rear yard, may extend into the required rear yard, provided that a minimum setback of fifteen (15) feet from the rear property line is maintained.

(c) Existing structures that do not comply with above requirements are hereby declared to be in conformance with these regulations provided that such structures are maintained, rehabilitated and integrated into the proposed development.

(7) Additional standards for multifamily developments with over six (6) units [Added effective 11-24-2006, amended effective 3-30-2007, 9-26-2008]

(a) All properties shall provide a building or buildings along the street not to exceed two and one half (2 1/2) stories and twenty-six (26) feet in height, as measured from the average elevation of the finished grade around the front and sides of such structure, provided that:

1. All such building(s) shall be located thirty (30) feet from the front property line with entry doors facing the street, shall not exceed thirty (30) feet in

- depth, and may have an unenclosed porch or deck extending not more than eight (8) feet from the conforming front wall of said structure, and
2. The combined length of such building(s) shall occupy a minimum of fifty five percent (55 %) of the lot width at the front setback line, provided that individual buildings do not exceed 80(eighty) feet in length, and
 3. All required parking shall be located behind such structure and adequately screened with a five (5) foot landscaped buffer strip, with no garage openings directly facing the street.
 4. An unenclosed front porch or deck may be exempt from building area calculations where such structure is designed to promote pedestrian activity along the street and enhance the residential character of the building and neighborhood, subject to approval by the Commission. [Added effective 3-30-2007]
- (b) That portion of a building not exceeding two and one half (2 1/2) stories adjacent to the exterior wall of the building that faces the side and rear yard and twenty-six (26) feet in height as measured from the average elevation of the finished grade around that portion of the building which extends into the side or rear yard, may extend into the required side or rear yard, provided that a minimum setback from the property line of twenty (20) feet from the side and thirty (30) feet from the rear is maintained.
- (c) Existing structures that do not comply with above requirements are hereby declared to be in conformance with these regulations provided that such structures are maintained, rehabilitated, and integrated into the proposed development.
- (8) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion or act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform with the flood hazard zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 survey or other means, the height, bulk, location and use of the building as it had previously existed. [Added effective 11-24-2006]
- D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, and, in addition:
- (1) Where two (2) properties are adjoining, the required buffer strip for parking may be waived and a single shared driveway established, not to exceed 24 feet in width; provided that both property owners file an easement on the Norwalk Land Records granting the owner(s) of the adjacent property permanent access to that portion of the driveway and parking facility located on the subject property and that an additional five (5) feet be added to the required side setback on the opposite side of each parcel. Under these circumstances, where a multifamily building has a garage facing the shared driveway, such garage shall not count as a story. [Added effective 7-28-2006, amended eff 9-26-2008]
- E. Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 9-13-1985]

Editor's Note 6: This enactment also provided for the renumbering of former Subsection B(3) as B(4).

Editor's Note 7: Former Subsection B(2)(e), Orphanage or children's home, was repealed effective 1-27-1984.

Editor's Note 8: Former Subsection B(2)(h), Halfway houses, was repealed effective 1-27-1984.

Editor's Note 9: This amendment also provided that former Subsection B(3) be redesignated as B(4).

Editor's Note 10: Former Subsection B(2)(e), Orphanage or children's home, was repealed effective 1-27-1984.

Editor's Note 11: Former Subsection B(2)(h), Halfway houses, was repealed effective 1-27-1984.

Editor's Note 12: This amendment also provided that former Subsection B(3) be redesignated a B(4).

Editor's Note 13: Former Subsection B(2)(e), Orphanage or children's home, was repealed effective 1-27-1984.

Editor's Note 14: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 15: Former Subsection B(2)(n), Hospitals, was repealed effective 12-24-1992. This enactment also provided for the renumbering of former Subsection B(2)(o) through (q) as Subsection B(2)(n) through (p), respectively.

Editor's Note 16: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 17: This enactment also provided for the renumbering of former Subsection B(3) as B(4).

Editor's Note 18: Former Subsection B(2)(e), Orphanage or children's home, was repealed effective 1-27-1984.

Editor's Note 19: Former Subsection B(2)(n), Hospitals, was repealed effective 12-24-1992. This enactment also provided for the renumbering of former Subsection B(2)(o) through (s) as Subsection B(2)(n) through (r), respectively.

Editor's Note 20: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 21: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 22: This enactment also provided for the renumbering of former Subsection B(3) as B(4).

Editor's Note 23: Former Subsection B(2)(e), Orphanage or children's home, was repealed

effective 1-27-1984.

Editor's Note 24: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 25: Former Subsection B(2)(n), Hospitals, was repealed effective 12-24-1992. This enactment also provided for the renumbering of former Subsection B(2)(o) through (w) as Subsection B(2)(n) through (v), respectively.

Editor's Note 26: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 27: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 28: This enactment also provided for the renumbering of former Subsection B(3) as B(4).