

ZONE BOLD•ZONE SMART
ZONE
BRIDGEPORT

ADOPTED NOVEMBER 29, 2021
EFFECTIVE JANUARY 1, 2022
AMENDED JULY 25, 2022

[page intentionally blank]

CONTENTS

- 1.0 INTRODUCTORY PROVISIONS.....1-1
- 2.0 ZONES2-1
- 3.0 SITE & BUILDING TYPES3-1
- 4.0 USES.....4-1
- 5.0 MASTER PLAN DEVELOPMENTS (MPD)5-1
- 6.0 BUILDING DESIGN6-1
- 7.0 LANDSCAPE & SITE DESIGN7-1
- 8.0 PARKING, MOBILITY, & ACCESS8-1
- 9.0 SIGNS9-1
- 10.0 SUPPLEMENTAL USE & DEVELOPMENT REGULATIONS..... 10-1
- 11.0 PROCEDURES 11-1
- 12.0 ADMINISTRATION 12-1
- 13.0 NONCONFORMITIES 13-1
- 14.0 MEASURING & DEFINITIONS 14-1
- 15.0 AMENDMENTS..... 15-1

[page intentionally blank]

1.0 INTRODUCTORY PROVISIONS

- 1.10 Legal Framework 1-2
- 1.20 Zoning Map 1-3
- 1.30 Transitional Provisions 1-3

1.0 Introductory Provisions

1.10 Legal Framework

1.10 Legal Framework

1.10.1 TITLE

These regulations are officially known as the Zoning Code of the City of Bridgeport.

1.10.2 AUTHORITY

This zoning code is adopted pursuant to the city charter and in accordance with the General Statutes in order to achieve the purposes set forth in and elsewhere in these zoning regulations.

1.10.3 EFFECTIVE DATE

This zoning code becomes effective on January 1, 2021, except as otherwise expressly stated.

1.10.4 APPLICABILITY AND JURISDICTION

This zoning code applies to all public and private use and development of properties within the corporate limits of the city, except as otherwise provided by state or federal law or as otherwise expressly stated in this zoning code.

1.10.5 PURPOSES

This zoning code is adopted for the purposes of:

- A. Protecting and promoting the public health, safety and general welfare;
- B. Implementing the policies and goals of the master plan of conservation and development and other relevant, officially adopted plans of the city; and
- C. Achieving all of the other stated purposes set forth in this zoning code.

1.10.6 MINIMUM REQUIREMENTS

- A. The regulations of this zoning code are the minimum requirements deemed necessary to carry out their stated purpose.
- B. In addition to the requirements of this zoning code, all uses, buildings and structures must comply with all other applicable codes, laws and regulations and with decisions made by other governmental or quasi-governmental bodies with jurisdiction.
- C. All references in this zoning code to other governmental regulations are for informational purposes only and do not constitute a complete list of such regulations. These references do not imply any responsibility for the city to enforce regulations imposed by other authorities.

1.10.7 COMPLIANCE REQUIRED

- A. All lots created or modified must comply with all applicable provisions of this zoning code.

- B. Land may not be used for any purpose other than ones that are allowed by the provisions of this zoning code.
- C. A building or structure may not be erected, located, moved, reconstructed, extended, or structurally altered except as allowed by this zoning code.
- D. Buildings, structures and land may be used and occupied only in compliance with the provisions of this zoning code.

1.10.8 CONFLICTING PROVISIONS

- A. **General Statutes.** If the provisions of this zoning code conflict with the provisions in the General Statutes, the General Statutes govern.
- B. **Other City Regulations.** If the provisions of this zoning code are inconsistent with one another or if they conflict with provisions found in other adopted codes or regulations of the city, the more restrictive provision governs unless otherwise expressly stated. The more restrictive provision is the one that imposes more stringent controls.
- C. **Private Agreements and Restrictions.** The regulations of this zoning code are not intended to abrogate or annul any easements, covenants, or other private agreements or restrictions.
- D. **Text and Illustrations.** In case of any difference of meaning or implication between the text of this zoning code and any heading, drawing, table, figure or illustration, the text governs.

1.10.9 DELEGATION OF AUTHORITY

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

1.10.10 SEVERABILITY

- A. If one or more provisions of this zoning code, or the application of this zoning code to specific properties is held by a court of competent jurisdiction to be unlawful, invalid, unenforceable, or preempted by applicable state or federal law or regulations, such provisions are deemed to be severed from this zoning code. Remaining provisions remain in full force and effect.
- B. If any requirement or condition attached to an approval given under this zoning code is found to be invalid by a court of competent jurisdiction, it will be presumed that the approval would not have been given without

the requirement or condition and, therefore, the subject approval will also be deemed invalid.

1.20 Zoning Map

1.20.1 ESTABLISHMENT

The location and boundaries of the zones defined in this zoning code must be established by code and shown on the city's official zoning map, which must be available for inspection in the office of the zoning administrator or the city clerk.

1.20.2 INTERPRETATION

If the street or lot layout actually on the ground, or as recorded, differs from the street or lot lines as shown on the zoning map, the zoning administrator is authorized to interpret the map in a way that will best carry out the purposes and intent of this zoning code for the subject area or district.

1.20.3 SPLIT-ZONED PARCELS

- A.** The zoning map may not be amended to classify a single parcel into 2 or more base zones.
- B.** No new parcel may be created, whether by division or combination of multiple parcels, that would result in a split-zoned parcel. Approval of a zoning map amendment (rezoning) classifying any proposed new parcel or parcels must be approved before the parcel is created.
- C.** No permits may be issued for a split-zoned parcel until the subject parcel is rezoned into a single base zone classification.

1.30 Transitional Provisions

- A.** The adoption of this zoning code does not require any change in the plans, construction or designated use of any building or structure upon which actual construction was lawfully begun prior to the adoption of this zoning code and upon which building or structure actual construction has been diligently pursued.
- B.** The zoning administrator is authorized to issue permits for construction or development approved before the effective date specified in [1.10.3](#) and for developments pending approval before that effective date even if such building, development or structure does not fully comply with provisions of this zoning code. If building is not commenced and completed within the time allowed under the issued permit and any authorized permit extension, then the building, development, or structure

may be constructed, completed, and occupied only if it complies with the regulations of this zoning code.

- C.** The adoption of this zoning code does not affect any pending or future prosecution of, or action to abate, violations of the previous zoning and subdivision regulations that occurred before the effective date specified in [1.10.3](#).

[page intentionally blank]

2.0 ZONES

- 2.10 Mixed-Use & Commercial Zones 2-2
- 2.20 Neighborhood Zones 2-3
- 2.30 Industrial Zones 2-3
- 2.40 Public-Institutional Zones 2-3
- 2.50 Overlay Zones 2-4
- 2.60 Legacy Zones 2-5
- 2.70 Allowed Site & Building Types 2-6
- 2.80 Allowed Uses 2-6
- 2.90 Allowed Accessory Structures 2-6

2.0 Zones

2.10 Mixed-Use & Commercial Zones

2.10 Mixed-Use & Commercial Zones

2.10.1 ZONES ESTABLISHED

The city’s mixed-use zones are listed in [Table 2-1](#). When this zoning ordinance refers to “mixed-use” zones or “X” zones, it is referring to these zones.

2.10.2 ZONE DESCRIPTIONS

- A. DX1, Downtown Core.** The DX1 zone is intended for the highest intensity of activity in the downtown, where mixed-use buildings include ground-floor storefronts and upper story offices, residential, and other commercial uses.
- B. DX2, Downtown Support.** The DX2 zone is intended for the areas surrounding the downtown core, where buildings may be single- or mixed-use with mainly offices, residences, and other commercial uses.
- C. MX1, Mixed-Use Corridor.** The MX1 zone is intended for the mixed-use corridors throughout the city, where walkable storefronts provide shopping and services for neighborhood residents.
- D. MX2, Mixed-Use Centers.** The MX2 zone is intended for mixed-use, regional-scale nodes within the city, where residents and visitors may access multiple uses by walking and automobile.
- E. MXN, Mixed-Use Neighborhood Corners.** The MXN zone is intended for nodes at corners where existing storefront buildings have served the neighborhood with daily shopping and service needs.
- F. RX1, Residential-Office Corridor.** The RX1 zone is intended for locations along corridors and neighborhood edges, where residential, office, and other low intensity commercial and production uses can mix comfortably.
- G. RX2, Residential-Office Centers.** The RX2 zone is intended for more intense locations, where residential, office, and other commercial and production uses can mix comfortably.
- H. CX, Heavy Commercial.** The CX zone is intended for heavy commercial, low-impact production and manufacturing, and warehouse uses with more automobile and truck traffic, and located in nodes outside of commercial corridors.

Table 2-1. Zones

SYMBOL	ZONE NAME
MIXED-USE & COMMERCIAL ZONES	
DX1	Downtown Core
DX2	Downtown Support
MX1	Mixed-Use Corridor
MX2	Mixed-Use Centers
MXN	Mixed-Use Neighborhood Corners
RX1	Residential-Office Corridor
RX2	Residential-Office Centers
CX	Heavy Commercial
NEIGHBORHOOD ZONES	
N1	Neighborhood: Traditional
N2	Neighborhood: Mid-Century
N3	Neighborhood: Large Lot
N4	Neighborhood: Suburban
NX1	Neighborhood Mix
NX2	Neighborhood Mix
NX3	Mixed Residential
NX4	Mixed Residential
INDUSTRIAL ZONES	
IX	Office-Industrial
I	Industrial
CIVIC-INSTITUTIONAL ZONES	
P1	Parks and Open Space
P2	Civic and Institutional Buildings
P3	Large Institutions
P4	Utility and Energy Infrastructure
P5	Detention and Correction Facilities
OVERLAY ZONES	
OH	Historic Overlay
LEGACY ZONES	
PDD	Planned Development District
MU-W	Mixed-Use Waterfront

2.20 Neighborhood Zones

2.20 Neighborhood Zones

2.20.1 ZONES ESTABLISHED

The city's neighborhood zones are listed in [Table 2-1](#). When this zoning ordinance refers to "neighborhood" zones or "N" zones, it is referring to these zones.

2.20.2 ZONE DESCRIPTIONS

- A. N1, Neighborhood: Traditional.** The N1 neighborhood zone is intended to preserve the physical form of the existing neighborhoods with traditional houses on small and mid-sized lots.
- B. N2, Neighborhood: Mid-Century.** The N2 zone is intended to preserve the physical form of the existing neighborhoods with lower height houses, typical of the mid-twentieth century, on mid-sized lots.
- C. N3, Neighborhood: Large Lot.** The N3 zone is intended to preserve the physical form of the existing neighborhoods with houses on large-sized lots.
- D. N4, Neighborhood: Suburban.** The N4 zone is intended to preserve the physical form of the existing neighborhoods with a wide range of house types on mid- and large-sized lots.
- E. NX1, Neighborhood Mix.** The NX1 zone is intended to preserve the physical form of existing neighborhoods with a mix of housing types, including single-unit houses and multi-unit houses.
- F. NX2, Neighborhood Mix.** The NX2 zone is intended to preserve the physical form of existing neighborhoods with a wider mix of housing types, including single-unit houses, multi-unit houses, rowhouses, and small apartment buildings.
- G. NX3, Mixed Residential.** The NX3 zone is intended for mixed residential areas along corridors and in nodes with a wide mix of multi-unit housing types, including multi-unit houses, rowhouses, small apartment buildings, and larger apartment buildings.
- H. NX4, Mixed Residential.** The NX4 zone is intended for nodes of taller multi-unit residential areas with rowhouses and larger apartment buildings.

2.30 Industrial Zones

2.30.1 ZONES ESTABLISHED

The city's industrial zones are listed in [Table 2-1](#). When this zoning ordinance refers to "industrial" zones or "I" zones, it is referring to these zones.

2.30.2 ZONE DESCRIPTIONS

- A. IX, Office-Industrial Centers.** The IX zone is intended for more intense locations, where production and warehouse uses have office and/or retail uses along street frontages.
- B. I, Industrial.** The I zone is intended for general industrial uses, warehousing, and transportation terminals.

2.40 Public-Institutional Zones

2.40.1 ZONES ESTABLISHED

The city's public-institutional zones are listed in [Table 2-1](#). When this zoning ordinance refers to "public-institutional" zones or "P" zones, it is referring to these zones.

2.40.2 ZONE DESCRIPTIONS

- A. P1, Parks and Open Space.** The P1 zone is intended for open space, including permanent parks, recreation spaces, cemeteries, and water buffers.
- B. P2, Civic and Institutional Buildings.** The P2 zone is intended for civic and institutional facilities, such as houses of worship, cultural or arts centers, city hall, community centers, and schools.
- C. P3, Institutional Campuses.** The P3 zone is intended for large institutions of multiple buildings on contiguous land with an approved development plan providing a framework for buildings and sites in a campus-like setting. Examples include hospitals, colleges, zoos, botanical gardens, and universities. See [3.140.10](#) for development plan requirements.
- D. P4, Utility and Energy Infrastructure.** The P4 zone is intended for utility and energy infrastructure, such as power plants, electrical substations, and treatment plants.
- E. P5, Detention and Correction Facilities.** The P5 zone is intended specifically for detention and correction facilities.

2.0 Zones

2.50 Overlay Zones

2.50 Overlay Zones

2.50.1 GENERAL

As the name implies, overlay zones “over-ly” applicable base zoning district classifications to alter some or all of the base zone regulations that apply to particular sites. Overlay zones work to modify or supplement the regulations imposed by the base zone when necessary to address special situations or accomplish specific city goals. Overlay zoning is intended to be used when the base zoning district applied to an area remains generally appropriate, but when an additional requirements could help implement the city’s planning goals or address an area-specific planning, design or land use regulation issue.

2.50.2 ZONES ESTABLISHED

The city’s overlay zones are listed in [Table 2-1](#). When this zoning ordinance refers to “overlay” zones, it is referring to these zones.

2.50.3 HISTORIC OVERLAY (OH) ZONE

A. Intent. The Historic Overlay (OH) zone is intended to foster important and irreplaceable resources; review

properties affecting the city’s historic resources; and promote a balance between the need to protect the resource and the potential for development that will enhance the economic vitality and livability of the city.

B. Applicability. Lots included in the OH zone are identified on the zoning map and include properties within local historic districts established in chapter 12.32 of the municipal code.

C. Standards & Guidelines

- (1) All buildings and sites within the OH zone must be reviewed for compliance with the historic district commission standards and guidelines.
- (2) Standards and guidelines include those established by the Secretary of the Interior’s Standards for the Treatment of Historic Properties.
- (3) Buildings and sites within the OH zone must also comply with the regulations of the underlying base zone.

Table 2-2. Allowed Site and Building Types by Zone

Site and Building Types	MIXED-USE & COMMERCIAL ZONES								INDUSTRIAL ZONES		Reference
	DX1	DX2	MX1	MX2	MXN	RX1	RX2	CX	IX	I	
Storefront Building	●	–	●	●	●	–	–	–	–	–	3.20
Commercial Center	–	–	–	●	–	–	–	–	–	–	3.30
Commercial House	–	–	●	●	●	●	●	–	–	–	3.40
General Building	–	●	–	–	–	–	●	●	●	●	3.50
Small General Building	–	–	–	–	–	●	–	–	–	–	3.60
Row Building	–	–	–	–	–	●	●	–	–	–	3.70
Double House A	–	–	–	–	–	–	–	–	–	–	3.80
House A	–	–	–	–	–	–	–	–	–	–	3.90
House B	–	–	–	–	–	–	–	–	–	–	3.100
House C	–	–	–	–	–	–	–	–	–	–	3.110
House D	–	–	–	–	–	–	–	–	–	–	3.120
Workshop	–	–	–	–	–	–	–	●	–	●	3.130
Civic Building	●	●	●	●	–	●	●	●	–	–	3.140
Patio Outdoor Site	●	–	●	●	–	–	–	–	–	–	3.150
Open Outdoor Site	–	–	–	–	–	–	–	●	–	●	3.160

KEY: ● = Allowed ○DP = Requires Development Plan Approval

D. Certificate of Appropriateness. As provided in Section 7-147d of the General Statutes, and notwithstanding any uses otherwise permitted under an applicable underlying base zone classification, a building or structure located within an OH zone may not be erected, altered, demolished, or removed and no area within an OH zone may be used for industrial, commercial, business, home industry or occupational parking until a certificate of appropriateness has been issued for such activity by the historic district commission.

2.60 Legacy Zones

2.60.1 PDD AND MU-W LEGACY ZONES

A. Legacy Classifications

- (1) Land classified in a Planned Development District (PDD) or Mixed-Use Waterfront (MU-W) zone on the effective date specified in [1.10.3](#) will continue to be classified in the applicable PDD/MU-W zone and be subject to the recorded general development plan applicable to such property until such time as the property is rezoned.
- (2) No applications to establish new PDD or MU-W zones or to expand the boundaries of existing PDD or MU-W zones may be accepted for processing after the effective date specified in [1.10.3](#), except that PDD or MU-W rezoning applications that were in process on the effective date specified in [1.10.3](#) may continue to be processed and may be approved (see the transitional provisions of [1.30](#)).

Table 2-2 (continued). Allowed Site and Building Types by Zone

Site and Building Types	NEIGHBORHOOD ZONES								PUBLIC & INSTITUTIONAL ZONES					Reference
	NX4	NX3	NX2	NX1	N1	N2	N3	N4	P1	P2	P3	P4	P5	
Storefront Building	-	-	-	-	-	-	-	-	-	-	-	-	-	3.20
Commercial Center	-	-	-	-	-	-	-	-	-	-	-	-	-	3.30
Commercial House	-	-	-	-	-	-	-	-	-	-	-	-	-	3.40
General Building	●	●	-	-	-	-	-	-	-	●	-	-	-	3.50
Small General Building	-	-	●	-	-	-	-	-	-	-	-	-	-	3.60
Row Building	●	●	●	●	-	-	-	-	-	-	-	-	-	3.70
Double House A	-	-	●	●	-	-	-	-	-	-	-	-	-	3.80
House A	-	-	●	●	●	-	-	-	-	-	-	-	-	3.90
House B	-	-	-	-	-	●	-	-	-	-	-	-	-	3.100
House C	-	-	-	-	-	-	●	-	-	-	-	-	-	3.110
House D	-	-	-	-	-	-	-	●	-	-	-	-	-	3.120
Workshop	-	-	-	-	-	-	-	-	-	-	-	-	-	3.130
Civic Building	●	●	-	-	-	-	-	-	●	●	○DP	●	●	3.140
Outdoor Patio Site	-	-	-	-	-	-	-	-	-	-	-	-	-	3.150
Open Outdoor Site	-	-	-	-	-	-	-	-	●	●	-	-	-	3.160

KEY: ● = Allowed ○DP = Requires Development Plan Approval

2.0 Zones

2.70 Allowed Site & Building Types

- B. Applicable Regulations.** The approved, recorded general development plan governs the use and development of the subject PDD- or MU-W-zoned property unless and until the subject PDD or MU-W is rezoned to a zone classification included in this zoning code.
- C. Amendments to Approved Plans.** Amendments to the regulations applicable in a legacy PDD or MU-W zone require an amendment to the applicable general development plan for the subject property, which must accompany and be processed in accordance with the zoning map amendment procedures of [11.40](#).

2.70 Allowed Site & Building Types

All buildings and sites must comply with a building or site type allowed in the zone per [Table 2-2](#), unless otherwise expressly stated by this ordinance. See [3.0](#) for site and building type regulations. See [13.0](#) for existing buildings that do not fully conform to a building type.

2.80 Allowed Uses

Principal and accessory uses are allowed in zones in accordance with the building type regulations of this article. See [4.0](#) for use definitions and supplemental regulations.

2.90 Allowed Accessory Structures

Accessory structures are allowed in zones in accordance with the building type regulations of [3.0](#).

3.0 SITE & BUILDING TYPES

3.10	Applicable to All Site & Building Types	3-2
3.20	Storefront Building Type	3-5
3.30	Commercial Center Building Type	3-13
3.40	Commercial House Building Type	3-21
3.50	General Building Type	3-29
3.60	Small General Building Type	3-37
3.70	Row Building Type	3-45
3.80	Double House A Building Type	3-53
3.90	House A Building Type	3-61
3.100	House B Building Type	3-69
3.110	House C Building Type	3-77
3.120	House D Building Type	3-85
3.130	Workshop Building Type	3-93
3.140	Civic Building Type	3-101
3.150	Patio Outdoor Site	3-109
3.160	Open Outdoor Site	3-115
3.170	Accessory Structures	3-120

3.0 Site & Building Types

3.10 Applicable to All Site & Building Types

3.10 Applicable to All Site & Building Types

The regulations of this subsection apply to all site and building types, unless otherwise stated.

3.10.1 APPLICABILITY & INTENT

The regulations of this article, [3.0](#), apply to all buildings and sites and are intended to:

- A. Preserve and Maintain Architectural Character of the City.** The building and site types are intended to preserve the architectural character and identity of the neighborhoods, districts, and corridors of the community, while allowing for modernization, promotion of adaptive reuse of buildings, improvement of the physical quality of buildings, and increasing the long-term value and sustainability of buildings.
- B. Promote Buildings for People.** The building and site types are intended to enhance the pedestrian experience, protect the historic, human-scaled building form of the city, promoting clearly articulated, well-organized facades along public ways, and yielding building proportions and details comfortable to and in line with the scale of people.

3.10.2 SITE & BUILDING TYPES

Building types are allowed in zones per [Table 2-2](#). All buildings and site development must comply with one of the site and building types in this article, unless otherwise expressly stated in these zoning regulations.

3.10.3 PERMANENT STRUCTURES

All buildings must be of permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise expressly stated in this ordinance, and except as follows:

- A. Temporary Buildings on Outdoor Sites.** Temporary buildings are allowed by right only on the Patio Outdoor site and the Open Outdoor site. See [3.150](#) and [3.160](#).
- B. Temporary Construction Buildings.** Temporary construction buildings are allowed through the construction permitting process.
- C. Other Temporary Buildings.** Temporary buildings, other than temporary construction buildings, may be allowed on sites other than the Patio Outdoor site or Open Outdoor site with PZC approval.

3.10.4 ACCESSORY STRUCTURE REGULATIONS

Except as defined in the site and building type regulations, accessory structures are subject to the regulations of [3.170](#).

3.10.5 NUMBER OF PRINCIPAL BUILDINGS

One principal building is allowed per lot, unless otherwise stated in the site and building type regulations.

3.10.6 PZC APPROVAL

Modifications to specific building and site type regulations noted in this article, [3.0](#), may be approved by the PZC, provided the design meets the intent of the building and site type.

3.10.7 EXISTING BUILDINGS AND LOTS

See [13.0](#) for buildings constructed and lots established prior to the adoption of these regulations that do not conform to these regulations.

3.10.8 TREATMENT OF YARDS

All yards must consist of landscape areas, patio space, or sidewalk space, unless otherwise expressly stated. See [7.0](#) for landscape and site design regulations.

- A. Parking Locations.** Paved vehicular areas (parking lots, loading areas, drives) are located per the site and building regulations.
- B. Side Yard Parking Lots.** Some zones permit side yard parking lots. Side yard parking lots must not encroach into the primary yard and minimum side setback, except as otherwise expressly stated.
- C. Driveways Crossing Yards.** Paved vehicular areas are limited to specific locations per the applicable zone site and building regulations. Driveways may cross through yards as follows:
 - (1) Where permitted as access to the lot, driveways may cross perpendicularly through the primary or non-primary street yards, except as otherwise expressly stated.
 - (2) In all zones, driveways may cross perpendicularly through the side and rear yards to connect to parking on adjacent lots.

3.10.9 TRASH & RECYCLING LOCATIONS

Unless otherwise defined by the building or site type, all trash, recycling, and other waste areas for buildings and sites must comply with the regulations of this subsection, [3.10.9](#). Recycling includes any donation collections containers for clothing or goods.

- A. Rear Yard.** Trash, recycling, and other waste areas must be located in the rear yard of the lot, except as allowed by this subsection, [3.10.9](#).

3.10 Applicable to All Site & Building Types

B. Other Yards.

- (1) When no rear yard exists or when the rear yard is less than 5 feet in depth, trash, recycling, and other waste areas may be located in the rear portion of an interior side yard.
- (2) When no rear or side yard exists, trash, recycling, and other waste areas may be located in a non-primary street yard, provided the containers are fully screened from the street by an opaque fence, high enough to fully screen the receptacles from the sidewalk across the street.
- (3) Where no yards exist, the containers may be located in the street right-of-way with PZC approval and an encroachment permit.

C. Interior Location Access Doors. Trash, recycling, and other waste areas may be located inside the building with access doors off the rear or interior side facade. Access doors may be located off a non-primary street facade if no other option exists. Access doors must be opaque, screening a minimum of 80% of the opening.

D. Screening. See [7.130](#) for required screening of trash, recycling, and other waste areas.

3.10.10 LOADING LOCATIONS

Unless otherwise defined by the building type, all loading areas must be located as follows.

- A. Rear Yard.** All loading activities must occur in the rear or interior yard except as allowed in any IX and I zone buildings.
- B. Access Doors and Docks.** All loading docks and access doors must be located on a rear facade or interior yard facade, except as allowed on any IX or I zone building types.
- C. Screening.** See [7.0](#) for required buffers and [7.130](#) for required screening.

3.10.11 PRIMARY FRONTAGES

Primary frontages generally establish the fronts of lots and buildings, and determine where to locate the principal entrance to the building. Per the site and building type regulations, primary frontages require the highest level of facade treatment and restrict the location of parking, driveways, and garage entrances.

A. Designation. Lots may have multiple primary frontages. Primary frontages are generally defined by primary street, waterway frontage, and civic space frontage as follows:

- (1) Map. Primary streets define primary frontages for downtown zones and along commercial corridors. Primary streets may be designated on the zoning map, maintained as a geographic layer on the City's geographic information system (GIS), under the direction of the IT director.
- (2) Neighborhood Primary Streets. Within neighborhoods, primary streets are those where the majority of buildings along the street have front facades and principal building entrances facing the street.
- (3) Waterfronts. Lots with frontage along waterfronts must treat facades facing the waterway as primary frontages in addition to any primary street frontage. Lots with frontage on inland waterways may treat that frontage as primary in addition to the primary street frontage.
- (4) Civic or Open Space Frontage. Lots containing or abutting civic spaces or public open spaces must treat frontages abutting that space as primary frontages, unless otherwise approved by the PZC.

B. One Primary Street Frontage Required. All lots must treat at least one street frontage as primary. If no primary street abuts the lot, the zoning official will designate the frontage(s) to be treated as primary.

C. Through-Lots with Two Primary Frontages. Where a parcel extends from one primary street through the block to another primary street, two primary frontages exist and the following applies:

- (1) N, NX1, and NX2 Zones. In N, NX1, and NX2 zones, the zoning official will designate one frontage to be treated as primary based upon the location of front entrances on abutting and adjacent lots.
- (2) All Zones Other than N, NX1, and NX2. Through-lots extending between two primary streets must treat each street as a primary frontage, unless otherwise approved through a special permit.
 - (a) Supplemental regulations for the building type may include additional regulations for through-lots.
 - (b) Any MX1, MX2, RX2, CX, IX, or I zoned through-lot facing any N, NX1, or NX2 zone across a street must incorporate the following:
 - i. At least one frontage and the frontage across the street from a similar zone must

3.0 Site & Building Types

3.10 Applicable to All Site & Building Types

be developed with an allowed building type for the subject lot's zone.

- ii. Within the first 50 feet of lot depth across from an N, NX1, or NX2 zone primary frontage, all regulations of any building type allowed in any N, NX1, NX2, or RX1 zone must be applied.
- iii. Uses permitted in those building types are allowed except no retail or consumer service category uses.

(c) Refer to the allowed building types for through-lots in DX zones.

- D. Intersecting Primary Streets.** Where two primary streets intersect on the subject lot, the street with the most existing primary frontage treatments, as determined by the zoning official, may be treated as the primary frontage of the lot. Primary frontage treatments include such items as front/primary facades, front entrances, no parking, and no garage entrances.
- E. Non-Primary Frontages.** Non-primary frontages allow for a lower level of facade treatment as well as permit locations for garage and parking lot driveways entrances. Non-primary frontages may always be treated at the higher level of a primary frontage.

3.10.12 MINIMUM STREETSCAPE AREA

A minimum area between the street pavement and the lot line is required to ensure adequate pedestrian facilities are provided along all streets, including, at a minimum, sidewalks and street trees.

- A. Applicability.** The following applies when the total development (one or more lots) includes at least 200 feet of total, contiguous street frontage, or a development with less street frontage is located abutting vacant parcels (under similar or separate ownership), where the development plus the vacant parcels totals 200 feet of contiguous street frontage.
- B. All N, NX1, and NX2 Zones.** Where the area from the back of curb/edge of pavement to the lot line is less than 9 feet, the build-to zone/setback must be measured from 9 feet off the back of curb/edge of pavement.
- C. All Other Zones.** Where the area from the back of curb/edge of pavement to the lot line is less than 12 feet, the build-to zone/setback must be measured from 12 feet off the back of curb/edge of pavement.

D. Streetscape. The extended streetscape area must be treated with streetscape per [7.70](#).

E. Easement. A public easement may be required per the zoning official where the sidewalk would be located on private property.

3.10.13 FLOOD LOCATIONS

In locations where the ground story of the building is required to be elevated above 3 feet due to floodplain designations, the following applies:

- A. Entrance Type.** The elevated version of an allowed entrance type is required per [6.30](#).
- B. Elevations Below BFE.** Story elevations below the base flood elevation (BFE) and visible from the street must be enclosed [6.30](#).
- C. Structured Parking.** Screening of parking vehicles in structured parking along primary and non-primary facades and below BFE may be by breakaway walls per [6.30.2](#). See [6.50.12](#) for structured parking design on primary facades.
- D. Height.** Stories or basements below BFE, for the purposes of measuring building height, count as a half story.

3.20 Storefront Building Type

3.20.1 DESCRIPTION AND INTENT

With a variety of available scales depending on the zone, the Storefront building type is intended for use in the downtown, along corridors, and at neighborhood nodes, accommodating shopping, services, and eating establishments in a mixed-use building. Oriented to the street with narrow or no side setbacks, this building type is highly accessible to the pedestrian. Ground story storefront glass, entrances along the sidewalk, and windows in upper stories facing the street make these buildings interesting and inviting to pedestrians. Parking, where provided, is located in the rear yard.

3.20.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.20-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.20.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.20.4	Building Siting
3.20.5	Parking & Accessory Structures
3.20.6	Height
3.20.7	Roofs
3.20.8	Primary & Non-Primary Facades
3.20.9	Allowed Uses Table
3.20.10	Supplemental Regulations

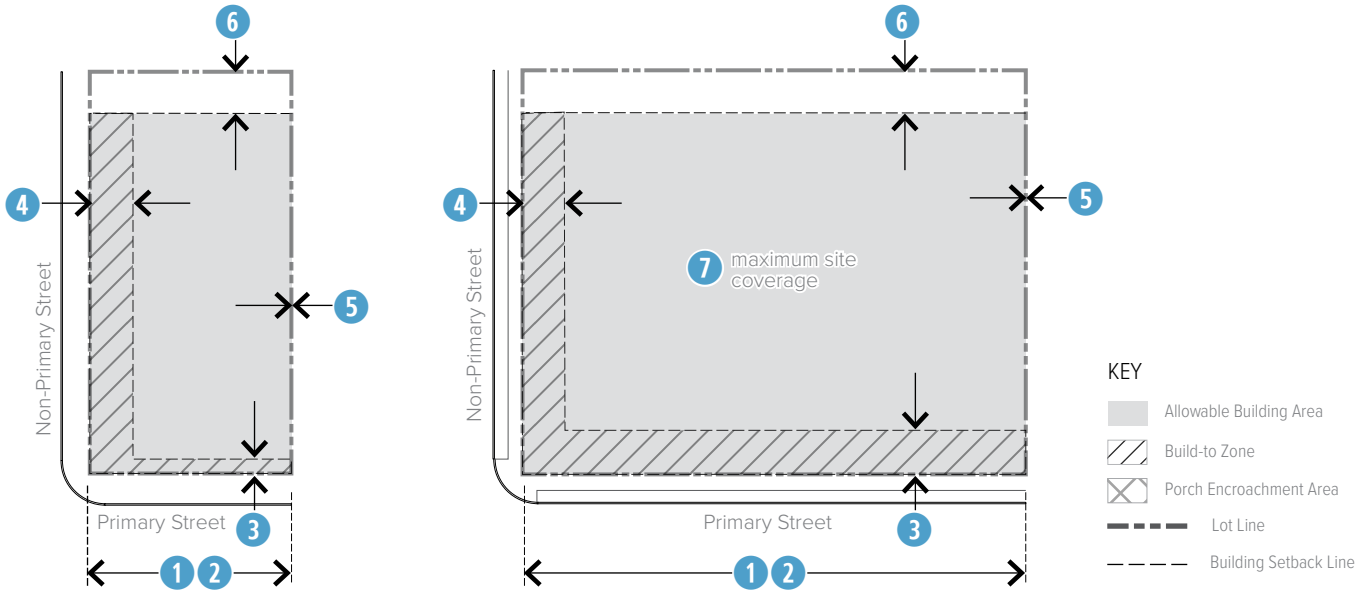


Figure 3.20-A. Examples of Storefront Building Type

3.0 Site & Building Types

3.20 Storefront Building Type

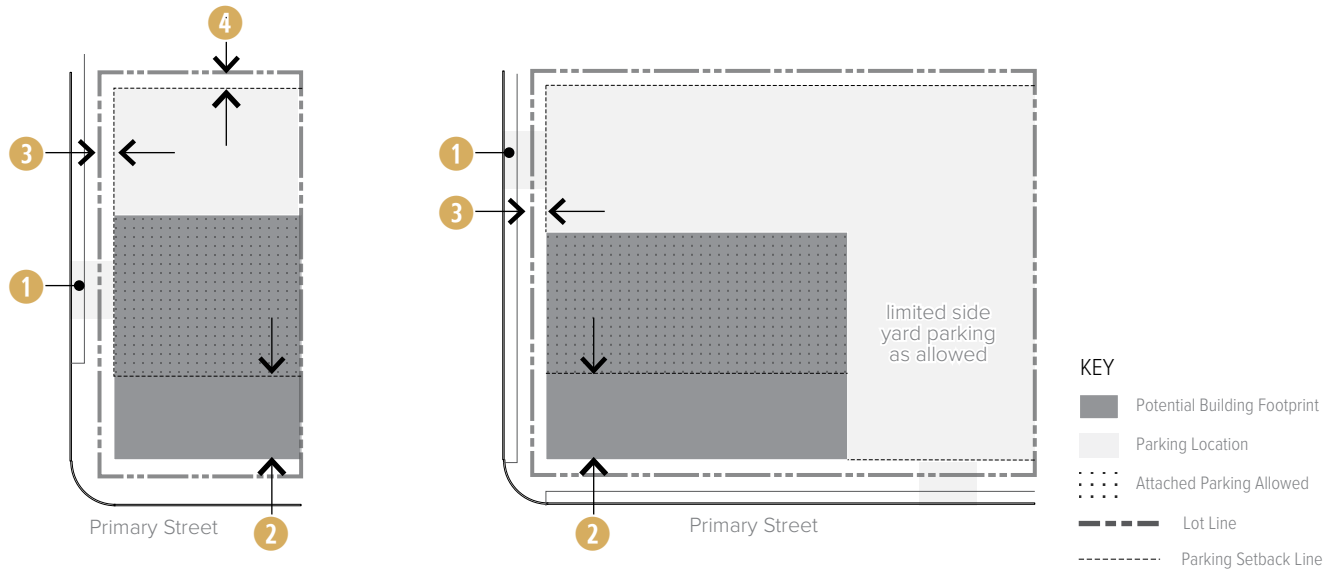
Figure 3.20-B. Storefront Building Siting



ZONES

	DX1	MX1, MX2	MXN	Additional/References
3.20.4. BUILDING SITING. See Figure 3.20-B				
1	Lot Width	18 ft.	—	50 ft. min.
2	Primary Streetwall	90% min.	75% min.	75% min. 100 ft. max.
3	Primary Street Build-to Zone	0 min. 5 ft. max.	0 min. 15 ft. max.	0 min. 15 ft. max.
4	Non-Primary Street Build-to Zone	0 min. 10 ft. max.	0 min. 15 ft. max.	0 min. 15 ft. max.
5	Side Setback	0 min. or, if set back, min. 5 ft.	0 min. Min. 5 ft. adjacent to other building type	0 min.
6	Rear Setback	15 ft. min.	15 ft. min.	20 ft. min.
7	Site Coverage	95% max.	95% max.	85% max.

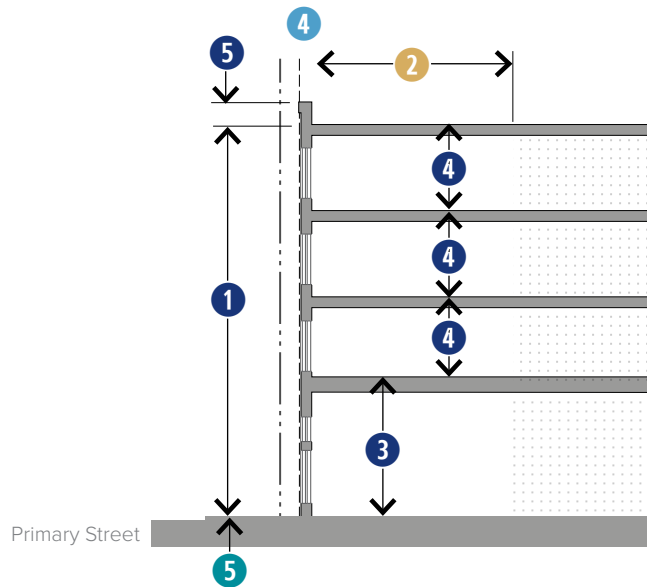
Figure 3.20-C. Storefront Building Parking Siting



		ZONES				
		DX1	MX1, MX2	MXN	Additional/References	
3.20.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.20-C						
1	Parking & Driveway Access	Non-primary street; if no non-primary street, primary street; max. 22 ft. width at sidewalk without median; max. 1 access per street			See 8.0 for parking.	
2	Attached Garage Setback Attached Garage Door Location	30 ft. min. behind primary facade above any basement Rear, side, non-primary street facade			See 6.50.11 for garage door design regulations.	
3	Surface Parking Location	Rear yard	Rear yard, limited side yard	Rear yard, limited side yard	See 14.20.9 for allowed limited side yard parking layout	
	Street Setback	No closer to lot line than principal building				
	Side & Rear Setback	3 ft. min.	3 ft. min.	3 ft. min.		
4	Accessory Structure Location	Rear yard; see accessory structure regulations				
	Street Setback	No closer to lot line than principal building				
	Side & Rear Setback	3 ft. min.	3 ft. min.	3 ft. min.		
ALLOWED ACCESSORY STRUCTURES		DX1	MX1	MX2	MXN	See 3.170 for accessory structures and 4.70 for accessory uses. KEY: ● = Allowed ○ SP = Requires a Special Permit
	Backyard Cottage	–	–	–	–	
	Outbuildings & Garages	●	●	●	●	
	Drive-Through Facilities	○ SP	○ SP	●	–	
	Fuel Pumps	–	–	●	–	
	Parking Structure	●	●	●	–	
	Temporary Storage Container	–	–	●	–	
	Building-Mounted Utilities	●	●	●	●	
	Ground-Mounted Utilities	○ SP	○ SP	○ SP	○ SP	

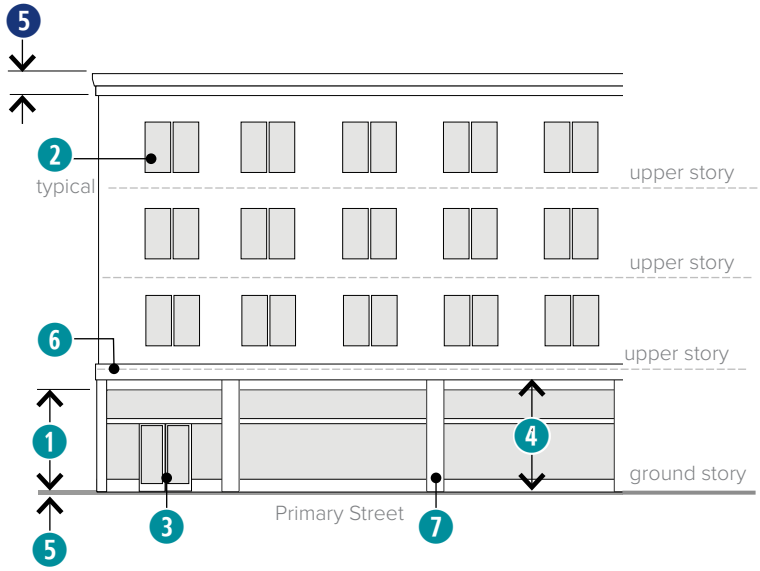
3.0 Site & Building Types
3.20 Storefront Building Type

Figure 3.20-D. Storefront Building Height



		ZONES			
		DX1	MX1, MX2	MXN	Additional/References
3.20.6. HEIGHT. See Figure 3.20-D					
1	Height	2 stories min. 10 stories max. base	2 story min. 3 stories max.	1 story min. 3 stories max.	See regulations on high-rises in 6.70 . Step-backs required adjacent to N zones per 3.20.10 . Major corridors defined in 14.50 .
2	Additional High-Rise or Stepped-Back Height	15 additional stories in high-rise per 6.70	2 stories additional stories along major corridors	—	
3	Ground Story Height	12 ft. min. 18 ft. max.; up to 24 ft. max. with PZC approval	12 ft. min. 14 ft. max. 14 ft. min. height for single-story building with max. 6 ft. height parapet	12 ft. min. 14 ft. max.	
4	Upper Story Height	9 ft. min. 14 ft. max.	9 ft. min. 14 ft. max.	9 ft. min. 14 ft. max.	
3.20.7. ROOFS. See Figure 3.20-D					
5	Roof Types	Flat, parapet	Flat, parapet	Flat, parapet	See 6.20 for roof types and tower regulations
	Tower	Allowed	Allowed	Not allowed	

Figure 3.20-E. Storefront Building Facade



ZONES		DX1	MX1, MX2	MXN	Additional/References
-------	--	-----	----------	-----	-----------------------

3.20.8. PRIMARY & NON-PRIMARY FACADES. See [Figure 3.20-E](#)

1	Ground Story Transparency on Primary Facades	60% min.	75% min.	75% min. on first 50 feet from street corner, 18% min. remaining facade	See 14.20.11 for measuring transparency.
		Measured between 2 ft. and 10 ft. from sidewalk grade			
		No bays or 15 ft. wide sections of any story on a primary facade may be without transparency			
		Ground story transparency must extend min. 30 ft. around the corner down any street-side facades			
2	Transparency: Primary Facades Non-Primary Facades	18% min. 15% min.	20% min. 18% min.	18% min. 15% min.	Measured per story, includes any half stories, visible basement, or towers with full height stories. See 14.20.11 for measuring transparency.
		No bays or 15 ft. wide sections of any story on a primary facade may be without transparency			
3	Building Entrance Location	One per every 60 feet of primary facade			See 14.20.12 for measuring building entrance location.
4	Entrance Transition Type	Storefront, Elevated Entrance	Storefront, Elevated Entrance	Storefront, Elevated Entrance	See 6.30 for entrance types. See 3.10.13 for flood locations.
5	Ground Story Elevation	Within 24 in. of sidewalk elevation, except in floodplain locations			
6	Horizontal Divisions with Shadow Lines	Within 3 ft. of the top of any story between the basement and 3rd; for buildings over 5 stories, one within 3 ft. of any story between 3rd and 6th			Horizontal shadow lines to run a min. 80% of length of facade. See 14.210 for definition of shadow lines.
7	Vertical Divisions with Shadow Lines	One per every 60 ft. of ground story street facade	One per every 30 ft. of street facade		

3.0 Site & Building Types

3.20 Storefront Building Type

	ZONES				Reference
	DX1	MX1	MX2	MXN	
3.20.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.					
RESIDENTIAL					4.30
Number of Principal Units	No limits	No limits	No limits	8 max.	
Number of Accessory Units	–	–	–	–	
Household Living	●	●	●	●	4.30.1
Group Living	●	●	●	●	4.30.2
Short-Term Rental	●	●	●	●	4.30.3
COMMERCIAL					4.40
Office	●	●	●	● 5,000 s.f. max./unit	4.40.1
Retail & Entertainment	●	●	●	● 5,000 s.f. max./unit	4.40.2
Live Entertainment Venue	●	○ SP	○ SP	–	4.40.3
Consumer Service, Indoor	●	●	●	● 5,000 s.f. max./unit	4.40.4
Funeral & Mortuary Service	–	–	–	–	4.40.5
Self-Service Storage, Indoor	–	–	–	–	4.40.6
Consumer Service, Outdoor	○ SP	●	●	–	4.40.7
Light Vehicle Sales & Service	–	–	○ CL	–	4.40.8
Heavy Sales & Service	–	–	–	–	4.40.9
Wholesale Sales	–	–	–	–	4.40.10
Controlled Sales & Service	○ CL	○ CL	○ CL	–	4.40.11
Cannabis Sales	–	–	–	–	4.40.12
Cannabis Growing	–	–	–	–	4.40.12
Parking, Non-Accessory	○ SP	○ SP	○ SP	–	4.40.13
Sexually Oriented Business	–	○ CL	○ CL	–	4.40.14
MANUFACTURING & INDUSTRY					4.50
Manufacturing, Low-Impact	●	●	●	●	4.50.1
Manufacturing, Moderate-Impact	–	–	–	–	4.50.2
Warehousing & Distribution	–	–	–	–	4.50.3
Heavy Industry	–	–	–	–	4.50.4
CIVIC & INSTITUTIONAL					4.60
Civic, Large	–	–	–	–	4.60.1
Civic, Small	●	●	●	●	4.60.2
Civic, Campus	–	–	–	–	4.60.3
Transportation Facilities	–	–	–	–	4.60.4
Detention & Correctional Facilities	–	–	–	–	4.60.5
Parks & Open Space	–	–	●	●	4.60.6
Minor Utilities	●	●	●	●	4.60.7

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

3.0 Site & Building Types
3.20 Storefront Building Type

[table continued from previous page]

	ZONES				Reference
	DX1	MX1	MX2	MXN	
Major Utilities	–	–	–	–	4.60.8
ACCESSORY USES					4.70
Accessory Apartments	–	–	–	–	4.70.2
Home Occupations	●	●	●	●	4.70.3
Sidewalk Cafes	●	●	●	●	4.70.4
Outdoor Display Areas	●	●	●	●	4.70.5
Outdoor Storage	–	–	–	–	4.70.6

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

3.20.10 SUPPLEMENTAL REGULATIONS

A. Primary Streetwall Exceptions. One of the following may be utilized for every 150 feet of building frontage:

- (1) Courtyards. One courtyard may count towards primary streetwall when abutting the build-to zone or line. See definition of courtyard in [14.50](#).
 - (a) Parking lots in courtyards are not allowed.
 - (b) A U-shaped drop-off drive with parallel parking within the courtyard may be approved by the PZC.
 - (c) Courtyard facades must be treated as primary frontage per facade regulations for the building type and any design regulations in [6.0](#).
- (2) Seating and Dining. The build-to zone may be expanded up to 20 feet for a maximum of 20% of

the facade to allow for permanent outdoor seating or outdoor dining area.

- B. DX1 Through-Lots.** On DX1 through-lots, any primary frontage facing a DX2, P2, or RX zone may use DX2 frontage and facade regulations, provided the Storefront regulations are met on the other primary frontage.
- C. Treatment Turning Corners.** At all intersections of primary and non-primary streets, primary facade regulations must be met along the first 30 feet of facade, measured horizontally, on the non-primary street from the corner.
- D. Mezzanines.** Interior mezzanines are allowed within the floor-to-floor heights of the building type and zone. See [14.20.11](#) for measuring mezzanines and applying transparency to the building exterior.
- E. Transition at N Zones.** Facades abutting an N zone above the third story must be stepped back a minimum

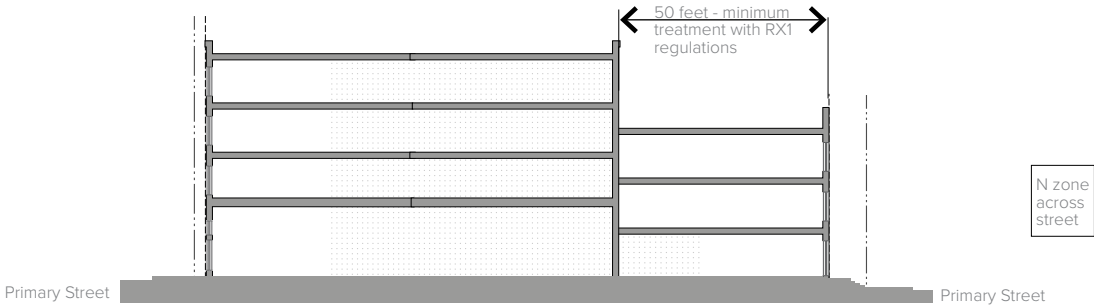


Figure 3.20-F. Through-Lot Illustration (section)

of 12 feet from the lower facades. Side and rear buffer required per [7.110](#).

[page intentionally blank]

3.30 Commercial Center Building Type

3.30 Commercial Center Building Type

3.30.1 DESCRIPTION AND INTENT

The Commercial Center is a single building or collection of buildings accommodating both vehicular and pedestrian access comfortably. Some buildings must be built up to the sidewalk to some degree; however, additional buildings may be located set back from the front lot line. Vehicular uses, such as fueling stations and service stations, may be located within this building type, along with shopping centers and larger grocery stores.

3.30.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.30-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.30.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

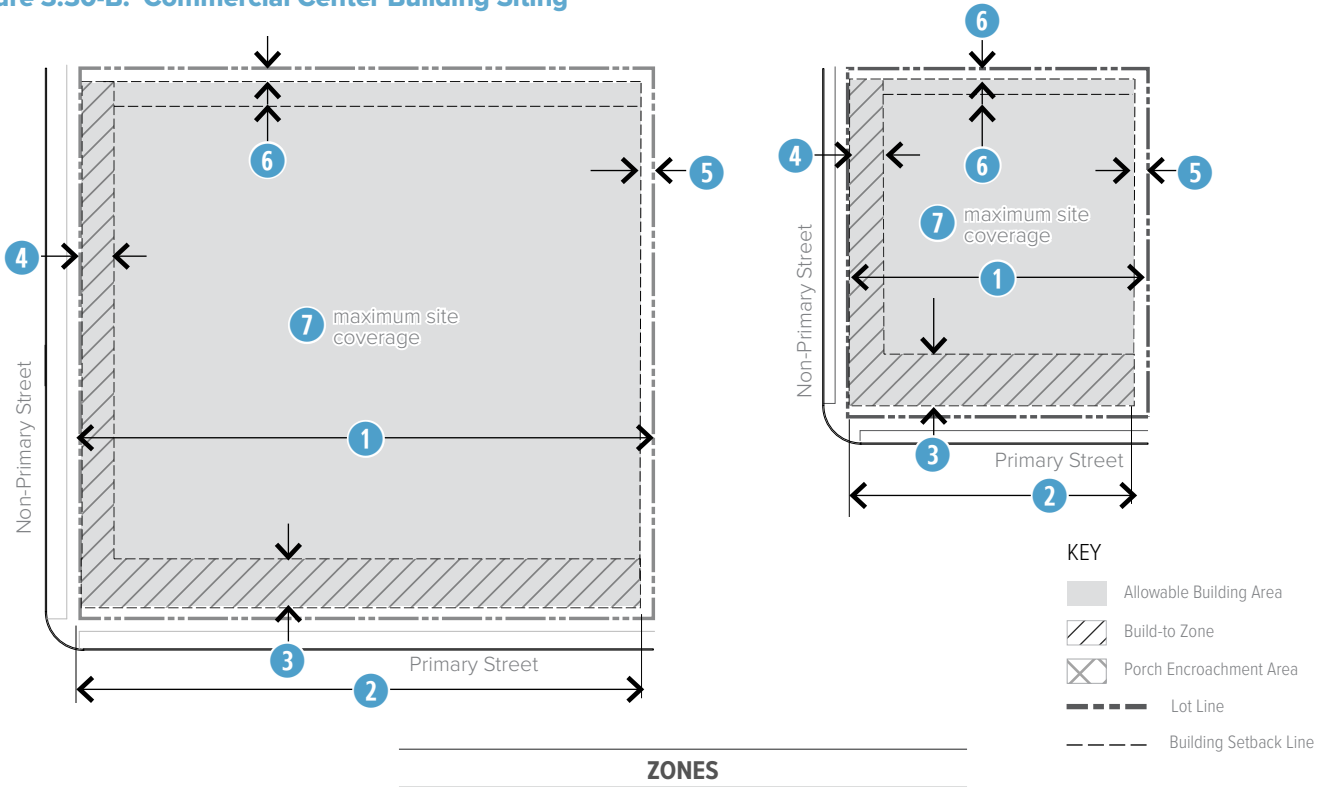
LINK	SUBSECTION
3.30.4	Building Siting
3.30.5	Parking & Accessory Structures
3.30.6	Height
3.30.7	Roofs
3.30.8	Primary & Non-Primary Facades
3.30.9	Allowed Uses Table
3.30.10	Supplemental Regulations



Figure 3.30-A. Examples of Commercial Center Building Type

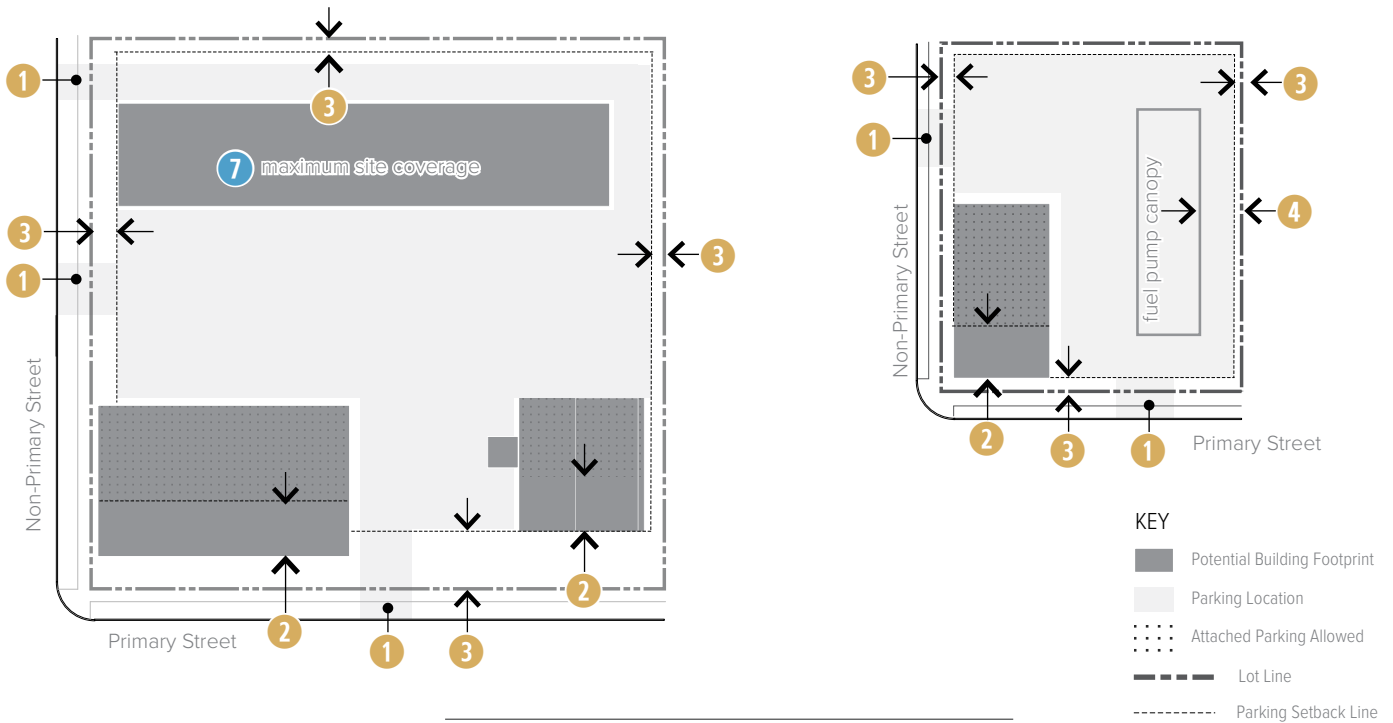
3.0 Site & Building Types
3.30 Commercial Center Building Type

Figure 3.30-B. Commercial Center Building Siting



3.30.4. BUILDING SITING. See Figure 3.20-B		Additional/References	
	Multiple Principal Buildings	allowed	
1	Lot Width	60 ft. min.	
2	Primary Streetwall	60% min.	Courtyards, outdoor dining, side parking allowances per 3.30.10 , measured in build-to zone along any street frontage.
3	Primary Street Build-to Zone	5 ft. min. 20 ft. max.	Min. streetscape area required per 3.30.10 .
4	Non-Primary Street Build-to Zone	0 ft. min. 15 ft. max.	Courtyards, outdoor dining, side parking allowances per 3.30.10 .
5	Side Setback	5 ft. min.	
6	Rear Setback	5 ft. min., 15 ft. min. adjacent to N zone	Buffer required adjacent to N zones per 3.30.10 .
7	Site Coverage	80% max.	See 14.20.7 for measuring site coverage.

Figure 3.30-C. Commercial Center Parking Siting



ZONES

MX2

Additional/References

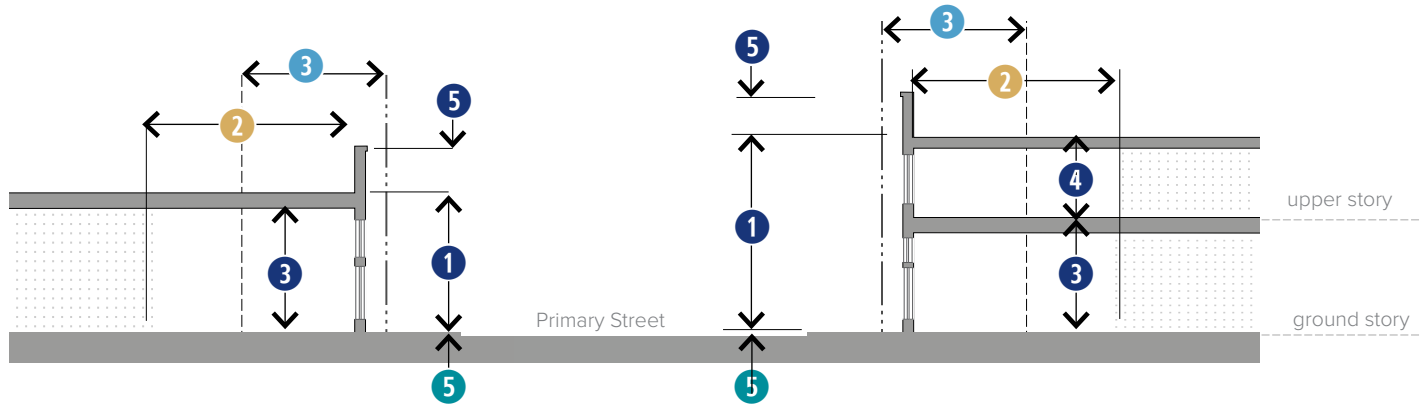
3.30.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.20-C.

1	Parking & Driveway Access	1 access per 120 feet of street frontage; max. 22 ft. width at sidewalk	See 8.0 for parking.
2	Attached Garage Setback	30 ft. min. behind primary facade in rear of building above any basement	See 6.50.11 for garage door design regulations.
	Attached Garage Door Location	Rear, side, internal, non-primary facade	
3	Surface Parking Location	Rear yard, internal yard, side yard	See 14.270 for definition of yards.
	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min.	
4	Accessory Structure Location	Rear yard only	See 3.170 for accessory structures.
	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min.; 15 ft. min. adjacent to N zone	
ALLOWED ACCESSORY STRUCTURES		MX2	See 3.170 for accessory structures and 4.70 for accessory uses.
	Backyard Cottage	–	
	Outbuildings & Garages	●	
	Drive-Through Facilities	●	
	Fuel Pumps	●	
	Parking Structure	●	
	Temporary Storage Container	●	
	Building-Mounted Utilities	●	
	Ground-Mounted Utilities	○ SP	

KEY:
 ● = Allowed
 ○ SP = Requires a Special Permit

3.30 Commercial Center Building Type

Figure 3.30-D. Commercial Center Height



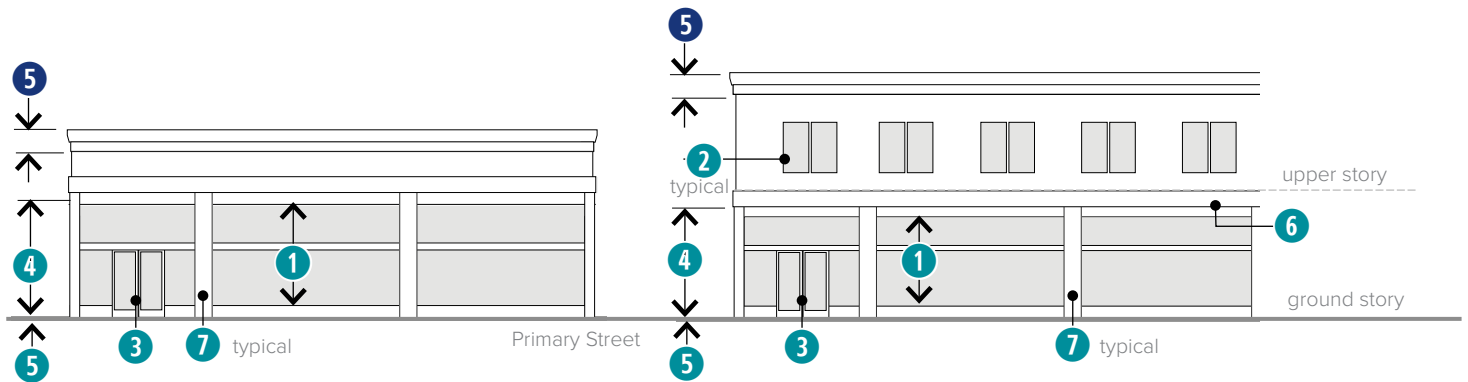
ZONES

MX2

Additional/References

3.30.6. HEIGHT. See Figure 3.20-D			
1	Height	1 story min. 3 stories max.	See 3.30.10 for additional height for taller spaces (large format). Story height measured floor-to-floor. See 14.20.10 for measuring height.
3	Ground Story Height	12 ft. min. 14 ft. max.; additional height for taller spaces	
		14 ft. min., 18 ft. max. for single-story building with max. 6 ft. height parapet	
4	Upper Story Height	9 ft. min. 14 ft. max.	
3.30.7. ROOFS. See Figure 3.20-D			
5	Roof Types	Flat, parapet, pitched	See 6.20 for roof types and tower regulations. See 3.30.10 for pitched roof on single-story building.
6	Tower	Allowed	

Figure 3.30-E. Commercial Center Facade



ZONES

MX2

Additional/References

3.30.8. PRIMARY & NON-PRIMARY FACADES. See Figure 3.20-E

1	Ground Story Transparency on Primary Facades	75% min.	Ground story transparency measured between 2 ft. and 10 ft. from sidewalk grade. See 14.20.11 for measuring transparency.
		No bays or 15 ft. wide sections of any story on a primary facade may be without transparency	
		Ground story transparency must extend a min. 30 ft. around the corner, down any street-side facades	
2	Transparency: Primary Facades Non-Primary Facades	18% min. 15% min.	Measured per story, includes any half stories, visible basement, or towers with full-floor height. See 14.20.11 for measuring transparency.
		No bays or 15 ft. wide sections of any story on a primary facade may be without transparency	
3	Building Entrance Location	One per every 60 feet of primary and main parking lot facade	See 14.20.12 for measuring building entrance location.
4	Entrance Transition Type	Storefront	See 6.30 for entrance types included elevated entrance for floodplain locations. See 3.10.13 for flood locations.
5	Ground Story Elevation	Within 24 in. of sidewalk elevation, except in floodplain locations	
6	Horizontal Divisions with Shadow Lines	Within 3 ft. of the top of any story between the basement and 3rd; for buildings over 5 stories, one within 3 ft. of any story between 3rd and 6th	Horizontal shadow lines to run a min. 80% of length of facade. See 14.210 for definition of shadow lines.
7	Vertical Divisions with Shadow Lines	One per every 60 ft. of ground story street facade	

3.0 Site & Building Types

3.30 Commercial Center Building Type

		ZONES	
		MX2	Reference
3.30.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.			
RESIDENTIAL			4.30
Number of Principal Units		No limits	
Number of Accessory Units		–	
Household Living		●	4.30.1
Group Living		●	4.30.2
Short-Term Rental		●	4.30.3
COMMERCIAL			4.40
Office		●	4.40.1
Retail & Entertainment		●	4.40.2
Live Entertainment Venue		○ SP	4.40.3
Consumer Service, Indoor		●	4.40.4
Funeral & Mortuary Service		–	4.40.5
Self-Service Storage, Indoor		○ SP	4.40.6
Consumer Service, Outdoor		●	4.40.7
Light Vehicle Sales & Service		○ CL see 3.170.7 for fuel pumps	4.40.8
Heavy Sales & Service		–	4.40.9
Wholesale Sales		–	4.40.10
Controlled Sales & Service		○ CL	4.40.11
Cannabis Sales		○ CL	4.40.12
Cannabis Growing		–	4.40.12
Parking, Non-Accessory		○ SP	4.40.13
Sexually Oriented Business		○ CL	4.40.14
MANUFACTURING & INDUSTRY			4.50
Manufacturing, Low-Impact		●	4.50.1
Manufacturing, Moderate-Impact		–	4.50.2
Warehousing & Distribution		–	4.50.3
Heavy Industry		–	4.50.4
CIVIC & INSTITUTIONAL			4.60
Civic, Large		–	4.60.1
Civic, Small		●	4.60.2
Civic, Campus		–	4.60.3
Transportation Facilities		–	4.60.4
Detention & Correctional Facilities		–	4.60.5
Parks & Open Space		●	4.60.6
Minor Utilities		●	4.60.7
Major Utilities		–	4.60.8

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

3.0 Site & Building Types

3.30 Commercial Center Building Type

[table continued from previous page]

ZONES		
	MX2	Reference
ACCESSORY USES		4.70
Accessory Apartments	–	4.70.2
Home Occupations	●	4.70.3
Sidewalk Cafes	●	4.70.4
Outdoor Display Areas	●	4.70.5
Outdoor Storage	–	4.70.6
KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed		

3.30.10 SUPPLEMENTAL REGULATIONS

A. Treatment Turning Corners. At all intersections of primary and non-primary streets, primary facade regulations must be met along the first 30 feet of facade, measured horizontally, on the non-primary street from the corner.

B. Large-Format Spaces. Large-format spaces have taller floor-to-floor heights, large building footprints, and few or no windows. Examples include such stores as grocery stores, department stores, warehouse retail stores, movie theaters.

One large-format space is allowed in a Commercial Center for every 600 feet of building length, per the following:

- (1) A ground story up to 30 feet in height is allowed for the large format space.
- (2) The facade of the large format space is limited to a maximum horizontal distance along any primary street or main parking lot frontage of 60 feet. See [Figure 3.30-F](#).
- (3) Lower scaled commercial spaces may front the large-format space to achieve the maximum

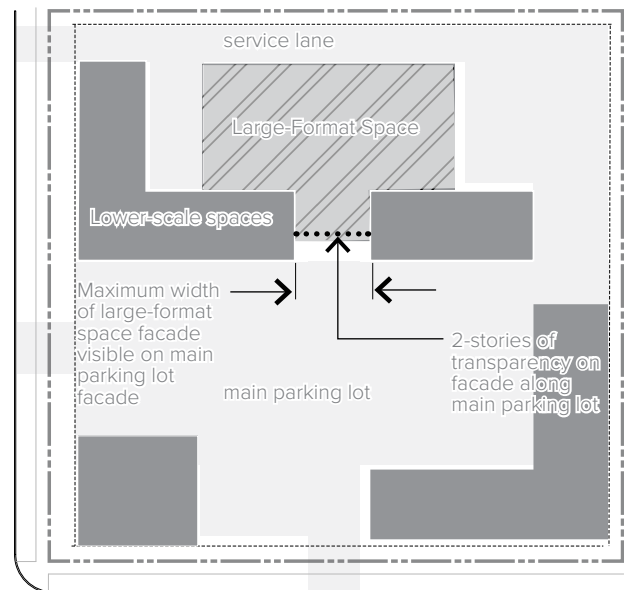


Figure 3.30-F. Large-Format Space

3.0 Site & Building Types

3.30 Commercial Center Building Type

frontage and number of entrances required along the frontage.

- (4) Any heights over 18 feet located on the primary facade, main parking lot facade, or non-primary street facade must apply transparency regulations as if the building is 2 stories along those facades.

C. Pitched Roof on Single-Story Building. A pitched roof on a single-story building must have a minimum pitch of 1:5. Where the ridge is parallel to a street, dormer windows must be provided, one, minimum 6 feet wide, for every 30 feet of roof length. See [Figure 3.30-G](#).

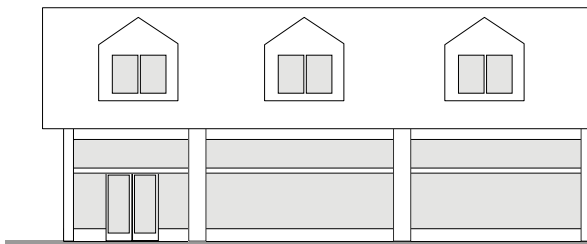


Figure 3.30-G. Pitched Roof on Single Story Commercial Center.

3.40 Commercial House Building Type

3.40 Commercial House Building Type

3.40.1 DESCRIPTION AND INTENT

The Commercial House is a single building or collection of buildings with characteristics of a house and including commercial uses. Many examples were once houses converted to offices, but newly constructed Commercial Houses may also occur. Characteristics include small yards or patios surrounding the building, entrances on the front, and pitched roofs. Parking is located mainly in the rear, though some side yard parking is allowed.

3.40.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.40-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.40.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.40.4	Building Siting
3.40.5	Parking & Accessory Structures
3.40.6	Height
3.40.7	Roofs
3.40.8	Primary & Non-Primary Facades
3.40.9	Allowed Uses Table
3.40.10	Supplemental Regulations

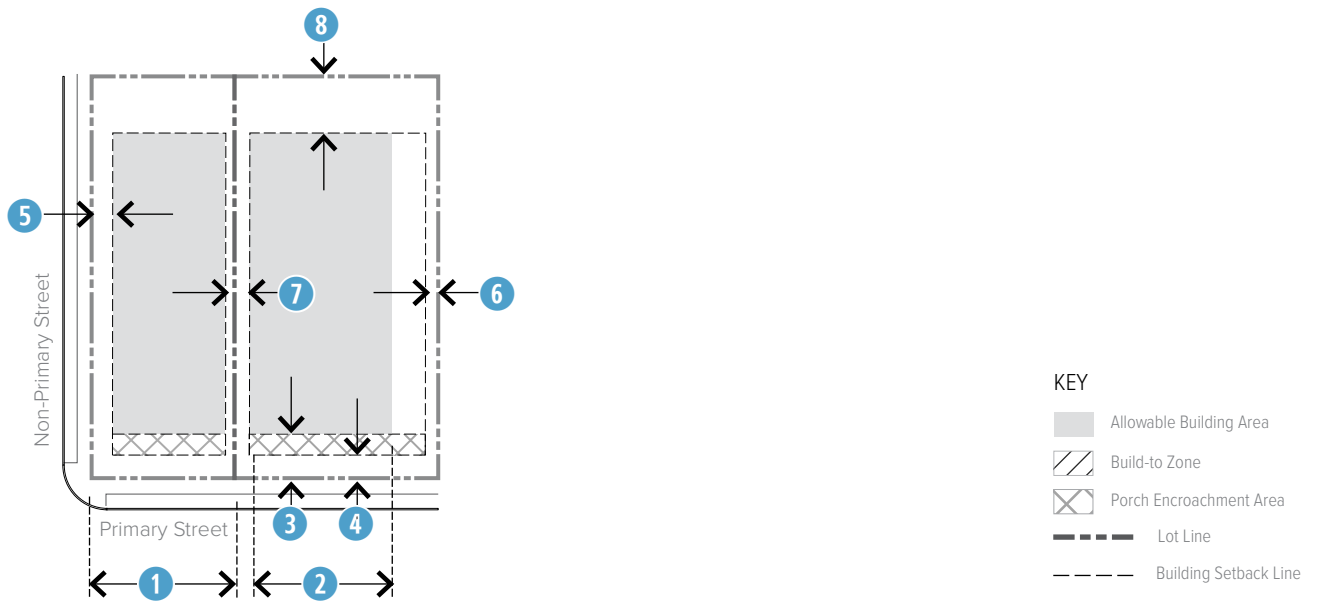


Figure 3.40-A. Examples of Commercial House Building Type

3.0 Site & Building Types

3.40 Commercial House Building Type

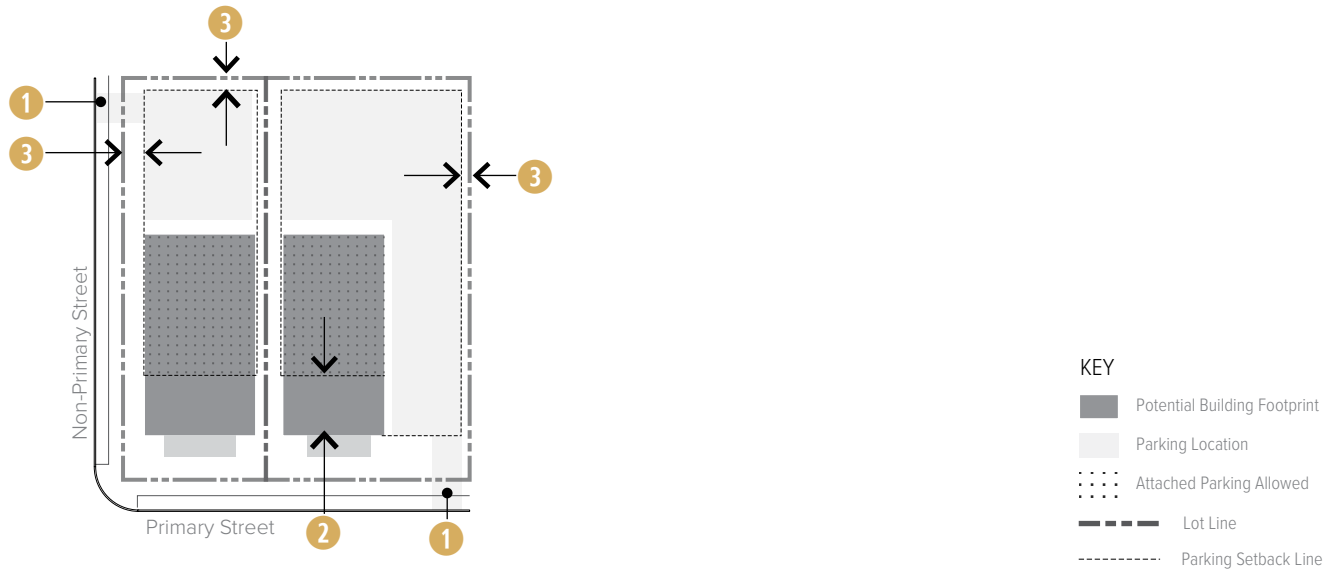
Figure 3.40-B. Commercial House Building Siting



ZONES

		MX1, MXN, MX2	RX1, RX2	Additional/References
3.40.4. BUILDING LOCATION. See Figure 3.90-B				
	Multiple Principal Buildings	allowed per 3.40.10.A		
1	Lot Width	50 ft. min. per principal building	45 ft. min. per principal building	
2	Primary Streetwall	65 ft. max. per principal building	70 ft. max. per principal building	See 3.40.10 for multiple buildings on a lot and allowed connections between buildings.
3	Primary Street Setback	15 ft. min.	10 ft. min.	Prevailing setbacks apply. See 14.20.6 for measuring prevailing setbacks. See 3.40.10 for Porch, Enclosed Porch, Bay setbacks.
4	Porch, Enclosed Porch, Bay Setback	7 ft. min.	5 ft. min.	
5	Non-Primary Street Setback	8 ft. min.	8 ft. min.	
6	Side Setback	2 ft. min.; 10 ft. min. combined	2 ft. min.; 8 ft. min. combined	
7	Space between Adjacent Buildings	6 ft. min.	6 ft. min.	
8	Rear Setback	20 ft. min.	15 ft. min.	
9	Site Coverage	80% max.	80% max.	See 14.20.7 for measuring site coverage.

Figure 3.40-C. Commercial House Parking Siting



ZONES

MX1, MXN, MX2

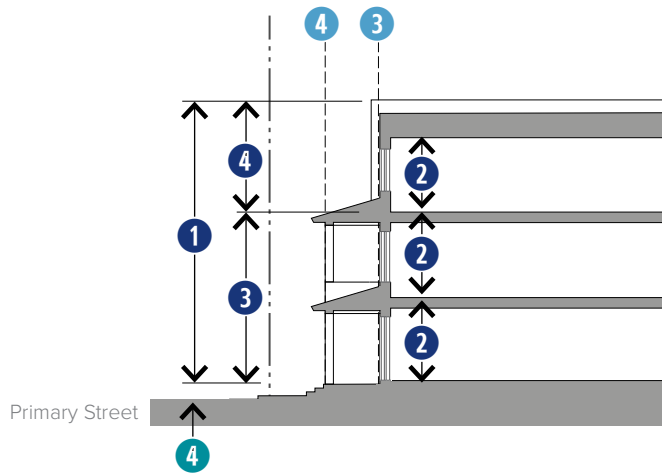
RX1, RX2

Additional/References

3.40.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.90-C							
1	Parking & Driveway Access	Non-primary street; if no non-primary street, max. 12 ft. width at street lot line; max. 1 driveway per building				See 8.0 for parking.	
2	Attached Garage Setback Allowed Garage Door Location	20 ft. min. behind primary facade in rear of building Rear or non-primary facade				See 6.50.11 for garage door design regulations.	
3	Surface Parking Location	Rear yard, limited side yard except in MXN				See 14.20.9 for allowed limited side yard parking layout.	
	Street Setback	No closer to lot line than principal building					
	Side & Rear Setback	3 ft. min.	3 ft. min.				
3	Accessory Structure Location	Rear yard	Rear yard		See 3.170 for accessory structures.		
	Street Setback	No closer to lot line than principal building					
	Side & Rear Setback	3 ft. min.	3 ft. min.				
ALLOWED ACCESSORY STRUCTURES		MX1	MXN	MX2	RX1	RX2	See 3.170 for accessory structures and 4.70 for accessory uses. KEY: ● = Allowed ○ SP = Requires a Special Permit
Backyard Cottage		●	●	●	●	●	
Outbuildings & Garages		●	●	●	●	●	
Drive-Through Facilities		–	–	●	–	–	
Fuel Pumps		–	–	●	–	–	
Parking Structure		–	–	–	–	–	
Temporary Storage Container		●	●	●	●	●	
Building-Mounted Utilities		●	●	●	●	●	
Ground-Mounted Utilities		○ SP	○ SP	○ SP	○ SP	○ SP	

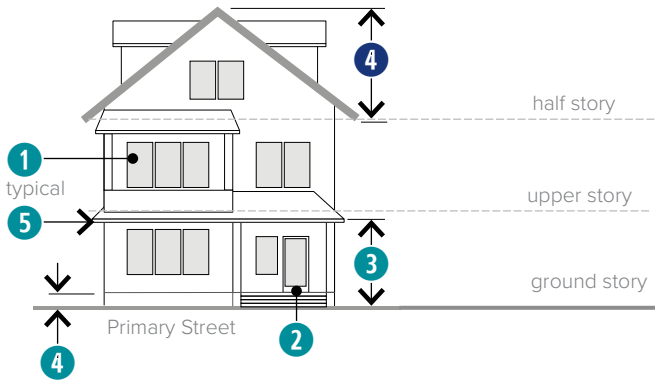
3.40 Commercial House Building Type

Figure 3.40-D. Commercial House Height



		ZONES		
		MX1, MXN, MX2	RX1, RX2	Additional/References
3.40.6. HEIGHT. See Figure 3.90-D				
1	Height	1.5 stories min. 2.5 stories max.	2 stories min. 2.5 stories max.	See supplemental regulations on half stories in 3.40.10 . See 14.20.10 for measuring height.
2	Story Height	9 ft. min. 12 ft. max.	9 ft. min. 12 ft. max.	Measure floor-to-floor per 14.20.10 .
3	Height to Eaves	20 ft. max.	20 ft. max.	Height to eaves is measured from the first floor to the bottom of the eave. See 14.20.10 for measuring height to eaves.
3.40.7. ROOFS. See Figure 3.90-E				
4	Roof Types	Pitched	Pitched	See 6.20 for roof types and tower regulations.
5	Tower	Allowed	Allowed	

Figure 3.40-E. Commercial House Facade



ZONES	
MX1, MXN, MX2	RX1, RX2

3.40.8. PRIMARY & NON-PRIMARY FACADES. See Figure 3.90-E			Additional/References
1	Transparency: Primary Facades	18% min.	Measured per story, includes any half stories, visible basement, or towers with full-floor height. See 14.20.11 for measuring transparency.
	Non-Primary Facades	12% min.	
		No bays or 10 ft. wide sections of any story may be without transparency	
2	Building Entrance Location	Primary facade or bay, max. 2 doors	
3	Entrance Transition Type	Porch or Stoop; Elevated Storefront with special permit	Porch or Stoop
4	Ground Story Elevation above Grade	Between 12 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement; except in floodplain locations	
5	Horizontal Divisions with Shadow Lines	At ground story floor elevation; and between 2nd and half story	
			See 6.30 for entrance types, including elevated entrances for floodplain locations. See 3.10.13 for flood locations.
			See 14.210 for definition of shadow lines.

3.0 Site & Building Types

3.40 Commercial House Building Type

	ZONES					Reference
	MX1	MX2	MXN	RX1	RX2	
3.40.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.						
RESIDENTIAL						4.30
Number of Principal Units	No limits	No limits	6 max.	6 max.	No limits	
Number of Accessory Units	–	–	–	–	–	
Household Living	⊖	⊖	⊖	●	●	4.30.1
Group Living	⊖	⊖	⊖	●	●	4.30.2
Short-Term Rental	⊖	⊖	⊖	●	●	4.30.3
COMMERCIAL						4.40
Office	●	●	● 5,000 s.f. max. /unit	●	●	4.40.1
Retail & Entertainment	●	●	● 5,000 s.f. max. /unit	–	–	4.40.2
Live Entertainment Venue	–	–	–	–	–	4.40.3
Consumer Service, Indoor	●	●	● 5,000 s.f. max. /unit	●	●	4.40.4
Funeral & Mortuary Service	–	–	–	●	●	4.40.5
Self-Service Storage, Indoor	–	–	–	–	–	4.40.6
Consumer Service, Outdoor	○SP	●	–	●	●	4.40.7
Light Vehicle Sales & Service	–	○CL	–	–	–	4.40.8
Heavy Sales & Service	–	–	–	–	–	4.40.9
Wholesale Sales	–	–	–	–	–	4.40.10
Controlled Sales & Service	–	–	–	–	–	4.40.11
Cannabis Sales	○CL	○CL	–	–	–	4.40.12
Cannabis Growing	–	–	–	–	–	4.40.12
Parking, Non-Accessory	○SP	○SP	–	–	–	4.40.13
Sexually Oriented Business	–	–	–	–	–	4.40.14
MANUFACTURING & INDUSTRY						4.50
Manufacturing, Low-Impact	●	●	–	–	–	4.50.1
Manufacturing, Moderate-Impact	–	–	–	–	–	4.50.2
Warehousing & Distribution	–	–	–	–	–	4.50.3
Heavy Industry	–	–	–	–	–	4.50.4
CIVIC & INSTITUTIONAL						4.60
Civic, Large	–	–	–	–	–	4.60.1
Civic, Small	●	●	●	●	●	4.60.2
Civic, Campus	–	–	–	–	–	4.60.3
Transportation Facilities	–	–	–	–	–	4.60.4
Detention & Correctional Facilities	–	–	–	–	–	4.60.5
Parks & Open Space	–	●	●	●	●	4.60.6
Minor Utilities	●	●	●	●	●	4.60.7
Major Utilities	–	–	–	–	–	4.60.8

KEY: ● = Allowed Use ⊖ = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○SP = Requires Special Permit ○CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

3.0 Site & Building Types

3.40 Commercial House Building Type

[table continued from previous page]

	ZONES					Reference
	MX1	MX2	MXN	RX1	RX2	
ACCESSORY USES						4.70
Accessory Apartments	-	-	-	-	-	4.70.2
Home Occupations	●	●	●	●	●	4.70.3
Sidewalk Cafes	●	●	●	●	●	4.70.4
Outdoor Display Areas	●	●	●	●	●	4.70.5
Outdoor Storage	-	-	-	-	-	4.70.6

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval - = Not Allowed

3.40.10 SUPPLEMENTAL REGULATIONS

A. Multiple Commercial Houses on a Lot. See [Figure 3.40-F](#) for one layout of the following requirements. When multiple principal buildings are located on a development site, the following applies:

- (1) Multiple abutting lots may be aggregated to be considered a single development site. All lots must be submitted and developed at the same time.
- (2) For every Commercial House fronting the street and located within 5 feet of the primary setback, one building may be located on the interior of the lot.
- (3) The primary frontage on the lot shall have a minimum 60% total streetwall, utilizing multiple Commercial House buildings without exceeding the maximum building width for each building.
- (4) Parking along any street frontage is limited to one limited side yard parking lot per building located along the frontage. Limited side yard parking lots may not be located next to each other. See [14.20.9](#) for allowed limited side yard parking layout.
- (5) Any Commercial House buildings located fully on the interior of the lot must meet street facade

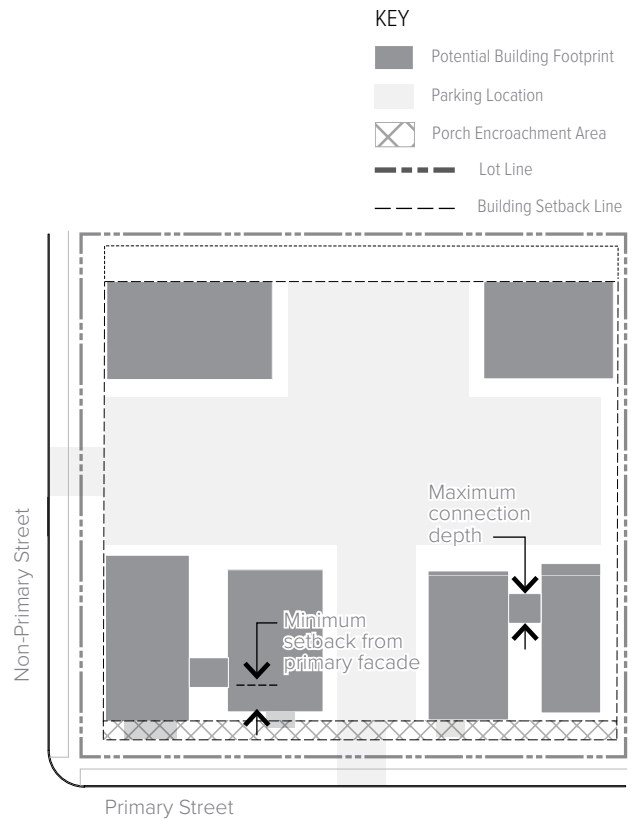


Figure 3.40-F. Multiple Commercial Houses on a Lot

3.0 Site & Building Types

3.40 Commercial House Building Type

requirements for facades facing the parking and facades visible from the street.

- (6) The interior side yard setback shall apply to spaces between buildings.
- (7) Connections. Multiple Commercial House buildings may be connected by a single-story enclosed building segment, maximum 15 feet in depth, setback from the primary facade a minimum of 12 feet.

B. Porch, Enclosed Porch, Bay Street in Street Yards.

Porches, enclosed porches, and bays allowed within the street yard per [3.40.4](#), [4](#), must meet the following:

- (1) Height. Porches, enclosed porches, and bays located in the street yard may be 1 story on a 1 or 2 story building, and up to 2 stories on a 2.5 story building.
- (2) Enclosed Porches. Enclosed porches must meet 2 times the minimum transparency regulation for street-facing facades.
- (3) Other Allowed Encroachments. See [14.20.6.D](#) for other allowed encroachments into setbacks or beyond build-to lines or build-to zones.

C. Half Stories in Roof. See [14.20.10.F](#) for definition of half story.

- (1) The occupiable footprint of half stories in the roof is limited to no more than 65% of the footprint of story below.
- (2) Dormers or gabled ends of roofs on half stories are limited to no more than 50% of the facade length of the story below, and must be set back from any street facade a minimum of 9 feet. See [Figure 3.80-E](#).

3.50 General Building Type

3.50.1 DESCRIPTION AND INTENT

The General Building is a basic urban building, typically housing multiple residential units, office, laboratory spaces, classrooms, and similar spaces, with a central main entrance and windows delineating each story. Parking is located in the rear yard with attached garages entered from the rear of the building. Buildings vary in length depending on the zone and are 2, 2.5, or 3 stories in height with the half story located within a pitched roof.

3.50.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.50-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.50.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.50.4	Building Siting
3.50.5	Parking & Accessory Structures
3.50.6	Height
3.50.7	Roofs
3.50.8	Primary & Non-Primary Facades
3.50.9	Allowed Uses Table
3.50.10	Supplemental Regulations

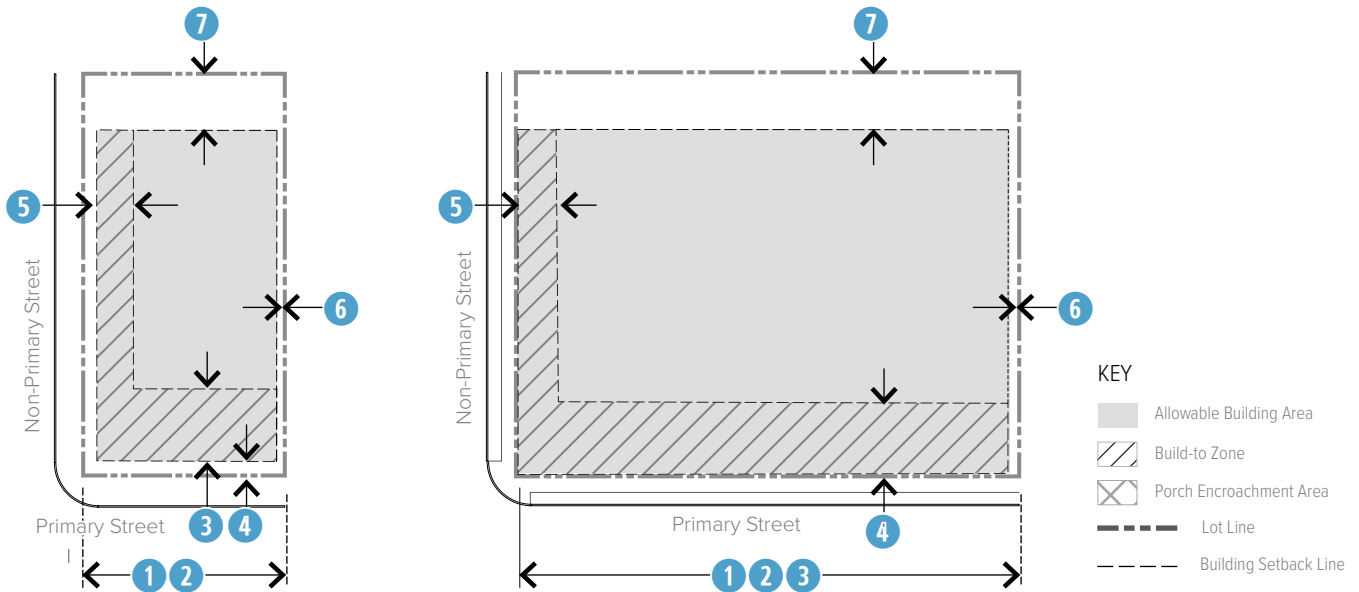


Figure 3.50-A. Examples of General Building Type

3.0 Site & Building Types

3.50 General Building Type

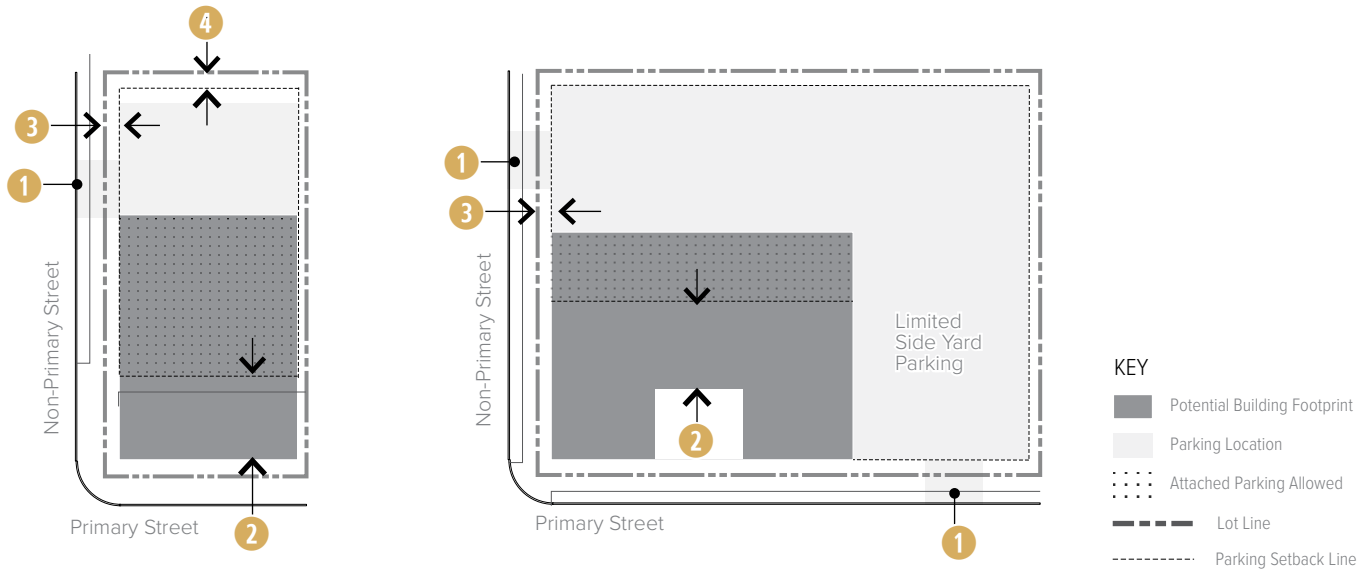
Figure 3.50-B. General Building Siting



ZONES

	DX2	RX2, P2, IX, NX4	NX3	CX, I	Additional/ References
3.50.4. BUILDING LOCATION. See Figure 3.50-B					
Multiple Principal Buildings	allowed	allowed	allowed	allowed	
1 Lot Width	—	—	—	—	
2 Primary Streetwall	80% min.	80% min.	75% min. 150 ft. max.	—	See 3.50.10 for courtyard allowance and double frontage lots.
3 Primary Street Build-to Zone	5 ft. min. 35 ft. max.	0 ft. min. 25 ft. max.	8 ft. min. 30 ft. max.	15 ft. min. 30 ft. max.	See 3.50.10 minimum streetscape area and allowed plaza exception to build-to zone.
4 Stoop, Bay Encroachment	—	—	5 ft. max.	—	
5 Non-Primary Street Build-to Zone	5 ft. min. 15 ft. max.	0 ft. min. 25 ft. max.	10 ft. min. 25 ft. max.	0 ft. min. 25 ft. max.	
6 Side Setback	3 ft. min.	3 ft. min.	2 ft. min., min. 10 ft. total both sides	3 ft. min.	
Space between Adjacent Buildings	12 ft. min.	12 ft. min.	6 ft. min.	12 ft. min.	
7 Rear Setback	20 ft. min.	20 ft. min.	20 ft. min.	20 ft. min.	See 3.50.10 for treatment adjacent to N zones.
8 Site Coverage	95% max.	85% max.	80% max.	85% max.	See 14.20.7 for measuring site coverage.

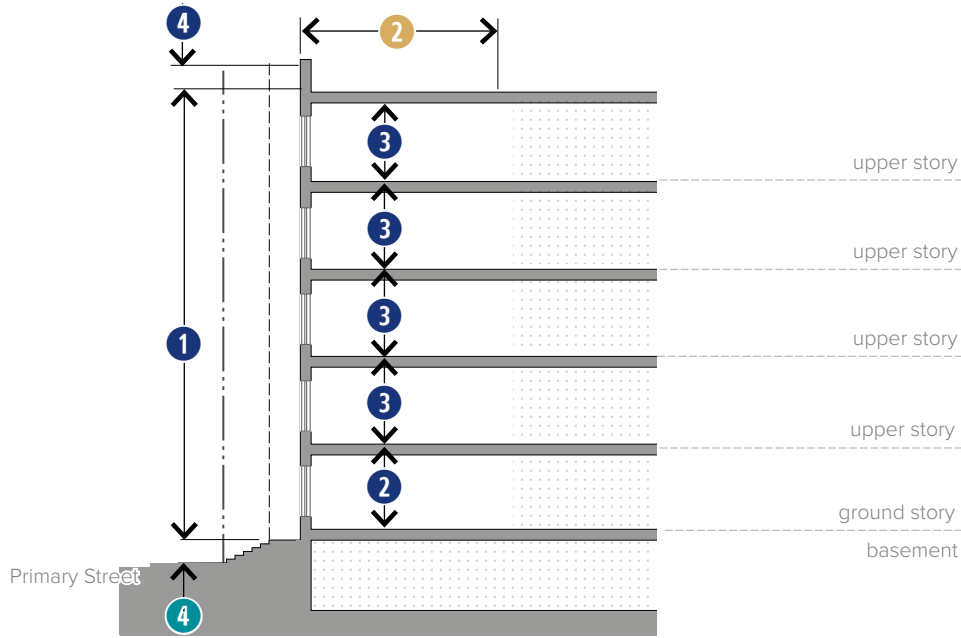
Figure 3.50-C. General Building Parking Siting



ZONES						Additional/ References
DX2	RX2, P2, IX, NX4	NX3	CX, I			
3.50.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.50-C						
1	Parking & Driveway Access	Non-primary street; if no non-primary street, primary street; max. 22 ft. width at sidewalk; max. 1 driveway access point per building				See 8.0 for parking.
2	Attached Garage Setback Allowed Garage Door Location	20 ft. min. behind primary facade in rear of building Rear, interior side, and side facades				See 6.50.11 for garage door design regulations.
3	Surface Parking Location	Rear yard	Rear yard, limited side yard	Rear yard, limited side yard	Rear yard, limited side yard	See 14.20.9 for allowed limited side yard parking layout.
	Street Setback	No closer to lot line than principal building				
	Side & Rear Setback	3 ft. min.	3 ft. min.	3 ft. min.	3 ft. min.	
4	Accessory Structure Location	Rear yard	Rear yard	Rear yard	Rear yard	See 3.170 for accessory structures regulations.
	Street Setback	No closer to lot line than principal building				
	Side & Rear Setback	3 ft. min.	3 ft. min.	3 ft. min.	3 ft. min.	
ALLOWED ACCESSORY STRUCTURES		DX2	RX2	NX3, NX4	IX, I	See 3.170 for accessory structures and 4.70 for accessory uses. KEY: ● = Allowed ○ SP = Requires a Special Permit
	Backyard Cottage	–	–	–	–	
	Outbuildings & Garages	●	●	●	●	
	Drive-Through Facilities	●	●	–	●	
	Fuel Pumps	–	–	–	●	
	Parking Structure	●	●	●	●	
	Temporary Storage Container	–	●	●	●	
	Building-Mounted Utilities	●	●	●	●	
	Ground-Mounted Utilities	○ SP	○ SP	○ SP	○ SP	

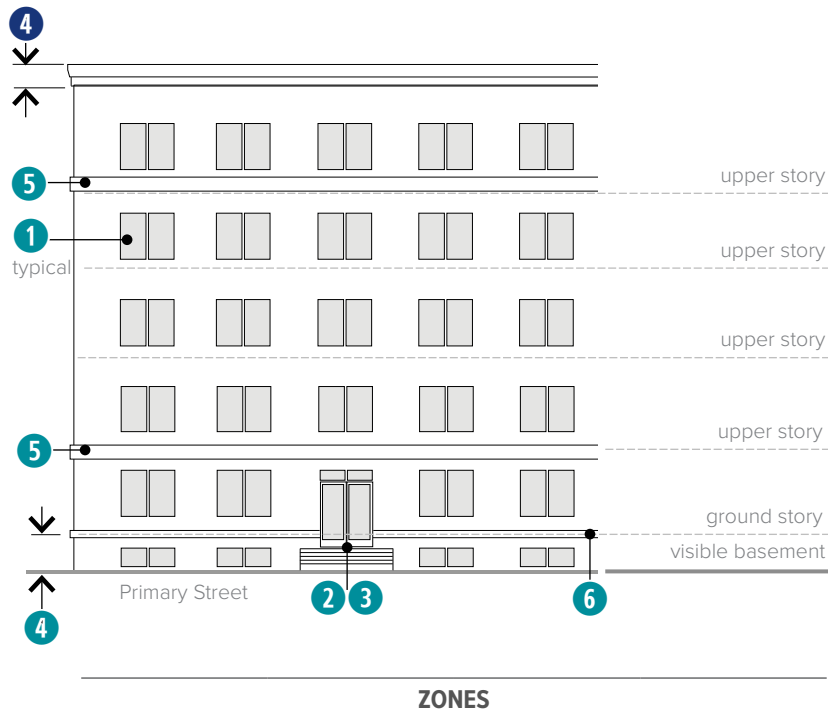
3.0 Site & Building Types
3.50 General Building Type

Figure 3.50-D. General Building Height and Roofs



		ZONES				Additional/ References
		DX2	RX2, P2, IX, NX4	NX3	CX, I	
3.50.6. HEIGHT. See Figure 3.50-D						
1	Height	3 stories min. 15 stories max.	2 stories min. 5.5 stories max.	2 stories min. 3.5 stories max.	3 stories max.	See 3.50.10 for step-back regulations. See 14.20.10 for measuring height. See regulations on high-rises in 6.70.
	Additional High-Rise or Stepped-Back Height	20 additional stories in high-rise per 6.70	RX2: 3 additional stories allowed with special permit; NX4: 7 additional stories allowed stepped back from lower 5.5 stories per 3.50.10.C	–	–	
2	Ground Story Height	12 ft. min. 16 ft. max.	10 ft. min. 18 ft. max.	9 ft. min. 12 ft. max.	9 ft. min. 12 ft. max.	Measured floor-to-floor.
3	All Other Stories Height	10 ft. min. 14 ft. max.	10 ft. min. 14 ft. max.	9 ft. min. 12 ft. max.	9 ft. min. 12 ft. max.	
3.50.7. ROOFS. See Figure 3.50-D						
4	Roof Types	Flat, parapet	Flat, parapet	Flat, parapet, pitched	Flat, parapet	See 6.20 for roof types and tower regulations.
5	Tower	Allowed	Allowed	Allowed	Allowed	

Figure 3.50-E. General Building Facades



ZONES					Additional/ References
DX2	RX2, P2, IX, NX4	NX3	CX, I		

3.50.8. PRIMARY & NON-PRIMARY FACADES. Figure 3.50-E						
1	Transparency: Primary Facades Non-Primary Facades	20% min. 18% min.	20% min. 18% min.	18% min. 18% min.	20% min. 18% min.	Measured per story, includes any half stories, visible basements, or towers with full floor height. See 14.20.11 for measuring transparency.
		No bays or 15 ft. wide sections of any story may be without transparency				
2	Building Entrances Location	One per every 150 ft. of primary facade	One per every 120 ft. of primary facade	Primary facade or courtyard	One per every 120 ft. of primary facade	See 14.20.12 for measuring building entrance location.
3	Entrance Transition Type	Stoop	Stoop	Porch or stoop	Stoop	See 6.30 for entrance types, including elevated entrances at floodplain locations. See 3.10.13 for flood locations. See 14.40 for definition of visible basement.
4	Ground Story Elevation	Between 18 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement, except in floodplain locations				
5	Horizontal Divisions with Shadow Lines	Within 3 ft. of the top of any story between the basement and 3rd and for buildings over 5 stories, one within 3 ft. of any story between 3rd and 6th				Horizontal shadow lines to run a min. 80% of length of facade. See 14.210 for definition of shadow lines.
6	Vertical Divisions with Shadow Lines	One per every 120 ft. of street facade		One per every 90 ft. of street facade	One per every 120 ft. of street facade	

3.0 Site & Building Types

3.50 General Building Type

	ZONES						Reference
	DX2	RX2	P2	CX	IX, I	NX3, NX4	
3.50.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.							
RESIDENTIAL							4.30
Number of Principal Units	3 min.	3 min.	–	–	–	3 min.	
Number of Accessory Units	–	–	–	–	–	–	
Household Living	●	●	–	–	–	●	4.30.1
Group Living	◐	●	–	–	–	●	4.30.2
Short-Term Rental	◐	●	–	–	–	–	4.30.3
COMMERCIAL							4.40
Office	●	●	–	●	●	–	4.40.1
Retail & Entertainment	●	◐ allowed in full footprint with special permit	–	◐	◐	–	4.40.2
Live Entertainment Venue	–	–	–	–	–	–	4.40.3
Consumer Service, Indoor	●	●	–	●	◐	–	4.40.4
Funeral & Mortuary Service	–	●	–	●	●	–	4.40.5
Self-Service Storage, Indoor	–	–	–	○ SP	○ SP	–	4.40.6
Consumer Service, Outdoor	◐	●	–	●	●	–	4.40.7
Light Vehicle Sales & Service	–	–	–	○ CL	–	–	4.40.8
Heavy Sales & Service	–	–	–	●	●	–	4.40.9
Wholesale Sales	–	●	–	●	●	–	4.40.10
Controlled Sales & Service	–	–	–	–	–	–	4.40.11
Cannabis Sales	○ CL	○ CL	–	○ CL	○ CL	–	4.40.12
Cannabis Growing	○ CL	○ CL	–	○ CL	○ CL	–	4.40.12
Parking, Non-Accessory	○ SP	○ SP	○ SP	○ SP	○ SP	–	4.40.13
Sexually Oriented Business	–	–	–	–	–	–	4.40.14
MANUFACTURING & INDUSTRY							4.50
Manufacturing, Low-Impact	●	●	–	●	●	–	4.50.1
Manufacturing, Moderate-Impact	–	–	–	●	●	–	4.50.2
Warehousing & Distribution	–	–	–	●	●	–	4.50.3
Heavy Industry	–	–	–	–	–	–	4.50.4

KEY: ● = Allowed Use ◐ = Allowed in Upper Stories Only ◐ = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

[table continued from previous page]

	ZONES						Reference
	DX2	RX2	P2	CX	IX, I	NX3, NX4	
CIVIC & INSTITUTIONAL							4.60
Civic, Large	–	–	–	–	–	–	4.60.1
Civic, Small	●	●	●	●	●	–	4.60.2
Civic, Campus	–	–	–	–	–	–	4.60.3
Transportation Facilities	○ SP	○ SP	–	–	–	–	4.60.4
Detention & Correctional Facilities	–	–	–	–	–	–	4.60.5
Parks & Open Space	–	●	●	●	●	●	4.60.6
Minor Utilities	●	●	●	●	●	●	4.60.7
Major Utilities	–	–	–	–	–	–	4.60.8
ACCESSORY USES							4.70
Accessory Apartments	–	–	–	–	–	–	4.70.2
Home Occupations	●	●	–	–	–	●	4.70.3
Sidewalk Cafes	●	●	–	–	–	–	4.70.4
Outdoor Display Areas	–	–	–	●	●	–	4.70.5
Outdoor Storage	–	–	–	○ SP	○ SP	–	4.70.6

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

3.50.10 SUPPLEMENTAL REGULATIONS

A. Primary Streetwall Exceptions. One of the following may be utilized for every 150 feet of building frontage:

- (1) Courtyards. One courtyard may count towards primary streetwall when abutting the build-to zone or line. See definition of courtyard in [14.50](#).
 - (a) Parking lots in courtyards are not allowed.
 - (b) A U-shaped drop-off drive with parallel parking within the courtyard may be approved by the PZC.
 - (c) Courtyard facades must be treated as primary frontage per facade regulations for the building type and any design regulations in [6.0](#).
- (2) Seating and Dining. The build-to zone may be expanded up to 20 feet for a maximum of 20% of the facade to allow for permanent outdoor seating or outdoor dining area.

B. Transition at N Zones. Facades abutting an N zone above the third story must be stepped back a minimum of 12 feet from the lower facades. Side and rear buffer required per [7.110](#).

C. Stepped-Back Stories. Stepped-back stories must be set back from any street facade a minimum of 12 feet and from any lot line abutting an N zone a minimum of 50 feet.

[page intentionally blank]

3.60 Small General Building Type

3.60.1 DESCRIPTION AND INTENT

The Small General building is a basic urban building, typically housing multiple residential units, office, laboratory spaces, classrooms, and similar spaces. Oriented to the street with an entrance to the public sidewalk, the building often has a small front setback. The scale of the building is smaller than the General building, lower in height. Parking is located in the rear yard.

3.60.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.60-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.60.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

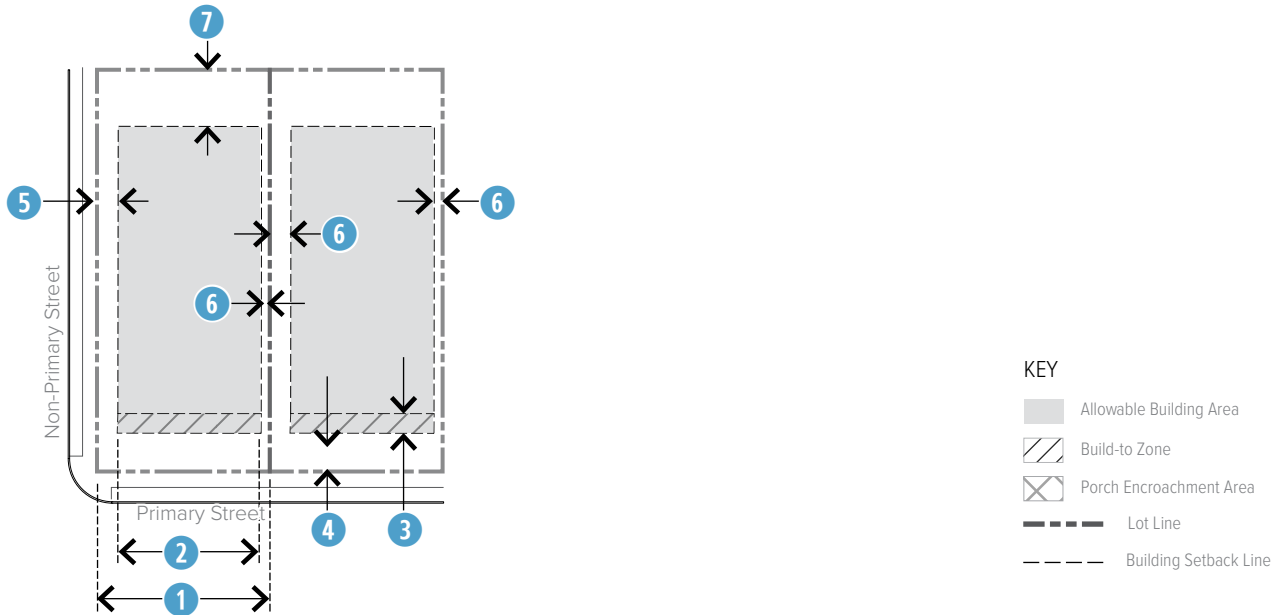
LINK	SUBSECTION
3.60.4	Building Siting
3.60.5	Parking & Accessory Structures
3.60.6	Height
3.60.7	Roofs
3.60.8	Primary & Non-Primary Facades
3.60.9	Allowed Uses Table
3.60.10	Supplemental Regulations



Figure 3.60-A. Examples of Small General Building Type

3.0 Site & Building Types
3.60 Small General Building Type

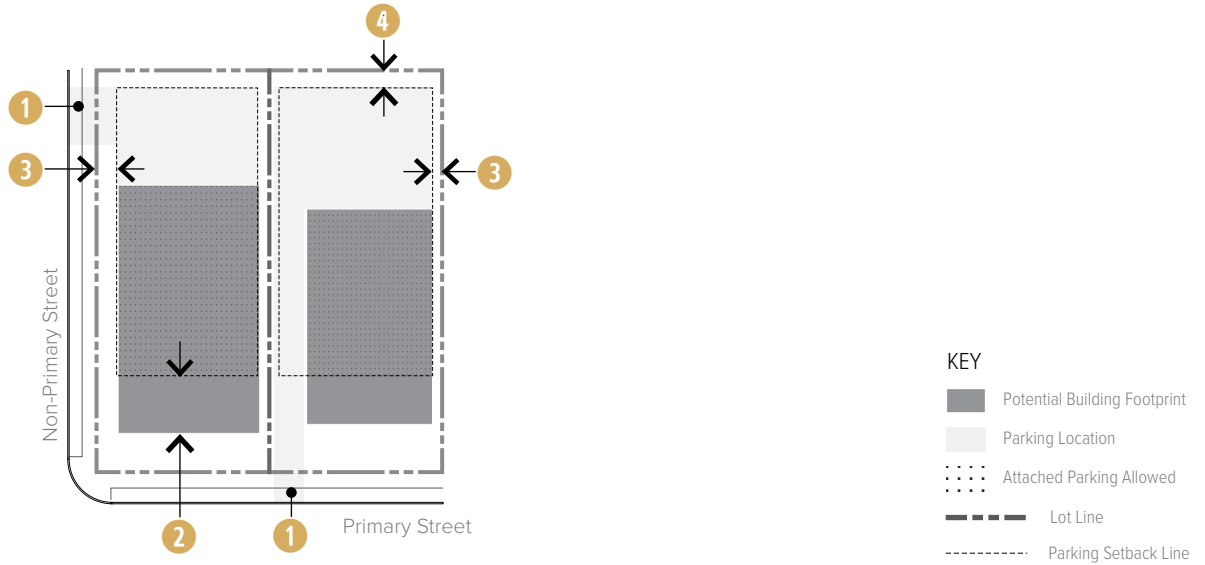
Figure 3.60-B. Small General Building Siting



ZONES

		NX2	RX1	Additional/References
3.60.4. BUILDING LOCATION. See Figure 3.60-B				
1	Lot Width	50 ft. min.	—	
2	Primary Streetwall	85 ft. max.	100 ft. max.	Measured in build-to zone along any street frontage.
3	Primary Street Build-to Zone	14 ft. min. 20 ft. max.	0 ft. min. 15 ft. max.	Prevailing setbacks apply in NX2. See 14.20.6 for measuring prevailing setbacks.
4	Stoop, Bay Encroachment	7 ft. max.	—	
5	Non-Primary Street Setback	8 ft. min.	0 ft. min. 15 ft. max.	
6	Side Setback Building Space between Adjacent Buildings	2 ft. min.; min. 10 ft. total both sides 6 ft. min.	2 ft. min.; min. 10 ft. total both sides 6 ft. min.	
7	Rear Setback	20 ft. min.	15 ft. min.	
8	Site Coverage	80% max.	85% max.	See 14.20.7 for measuring site coverage.

Figure 3.60-C. Small General Building Parking Siting



KEY

- Potential Building Footprint
- Parking Location
- Attached Parking Allowed
- Lot Line
- Parking Setback Line

ZONES

NX2

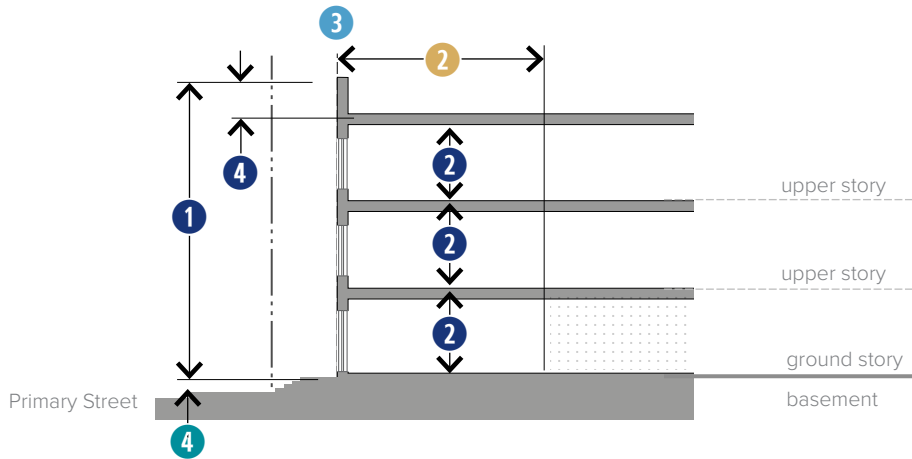
RX1

Additional/References

3.60.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.60-C			
	NX2	RX1	Additional/References
1 Parking & Driveway Access	Non-primary street; if no non-primary street, primary street; max. 12 ft. width at sidewalk; max. 1 driveway access point per principal building		See 8.0 for parking.
2 Attached Garage Setback (Allowed Garage Door Location)	20 ft. min. behind primary facade in rear of building Rear and street-side facades		See 6.50.11 for garage door design regulations.
3 Surface Parking Location	Rear yard, limited side yard	Rear yard, limited side yard	See 14.20.9 for allowed limited side yard parking layout.
Street Setback	No closer to lot line than principal building		
Side & Rear Setback	3 ft. min.	3 ft. min.	
4 Accessory Structure Location	Rear yard	Rear yard	See 3.170 accessory structures.
Street Setback	No closer to lot line than principal building		
Side & Rear Setback	3 ft. min.	3 ft. min.	
ALLOWED ACCESSORY STRUCTURES	NX2	RX1	See 3.170 for accessory structures and 4.70 for accessory uses. KEY: ● = Allowed ○ SP = Requires a Special Permit
Backyard Cottage	●	●	
Outbuildings & Garages	●	●	
Drive-Through Facilities	–	–	
Fuel Pumps	–	–	
Parking Structure	–	–	
Temporary Storage Container	●	●	
Building-Mounted Utilities	●	●	
Ground-Mounted Utilities	–	–	

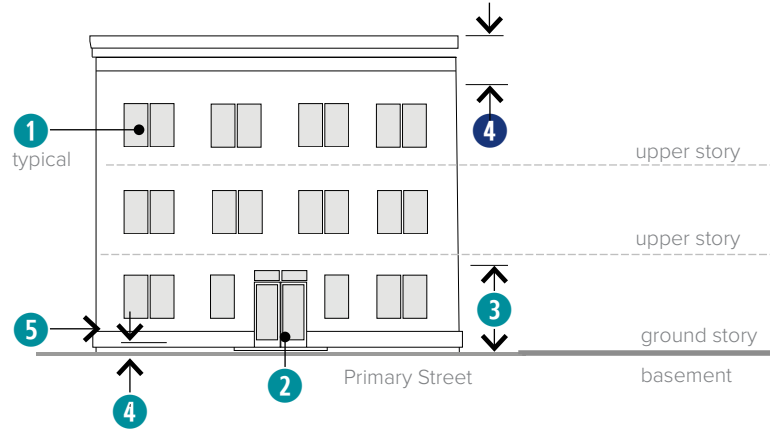
3.60 Small General Building Type

Figure 3.60-D. Small General Building Height



		ZONES		
		NX2	RX1	Additional/References
3.60.6. HEIGHT. See Figure 3.60-D				
1	Height	2 stories min. 3 stories max.	1 story min. 3 stories max.	See 14.20.10 for measuring height.
2	Story Height	9-12 ft.	10-14 ft. 14 ft. min. height for single-story building with max. 6 ft. height parapet	Measured floor-to-floor.
3.60.7. ROOFS. See Figure 3.60-D				
3	Roof Types	Flat, parapet	Flat, parapet	See 6.20 for roof types and tower regulations.
4	Tower	Not allowed	Not allowed	

Figure 3.60-E. Small General Building Facades



ZONES

		NX2	RX1	Additional/References
3.60.8. PRIMARY & NON-PRIMARY FACADES. Figure 3.60-E				
1	Transparency: Primary Facades Non-Primary Facades	18% min. 12% min.	20% min. 12% min.	Measured per story, including any half stories, visible basement, or towers with full-floor height. See 14.20.11 for measuring transparency.
		On the primary facade, no bays or 10 ft. wide sections of any story may be without transparency		
2	Building Entrances Location	Primary facade	Primary facade	
3	Entrance Transition Type	Porch or Stoop	Porch or Stoop	See 6.30 for entrance types, including elevated entrances in floodplain locations. See 3.10.13 for flood locations. See 14.40 for definition of visible basement.
4	Ground Story Elevation above Grade	Between 0 and 30 in. above grade or between 30 in. and 4 ft. with a visible basement, except in floodplain locations		
5	Horizontal Divisions with Shadow Lines	At base or within 3 ft. of the top of any basement		Horizontal shadow lines to run a min. 80% of length of facade. See 14.210 for definition of shadow lines.
6	Vertical Divisions with Shadow Lines	None required	One per every 50 ft. of facade	

3.0 Site & Building Types

3.60 Small General Building Type

	ZONES		Reference
	NX2	RX1	
3.60.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.			
RESIDENTIAL			4.30
Number of Principal Units	3 min., 6 max., up to 8 units with special permit	3 min.	
Number of Accessory Units	–	–	
Household Living	●	●	4.30.1
Group Living	●	●	4.30.2
Short-Term Rental	–	●	4.30.3
COMMERCIAL			4.40
Office	–	●	4.40.1
Retail & Entertainment	–	–	4.40.2
Live Entertainment Venue	–	–	4.40.3
Consumer Service, Indoor	–	●	4.40.4
Funeral & Mortuary Service	–	●	4.40.5
Self-Service Storage, Indoor	–	–	4.40.6
Consumer Service, Outdoor	–	●	4.40.7
Light Vehicle Sales & Service	–	–	4.40.8
Heavy Sales & Service	–	–	4.40.9
Wholesale Sales	–	–	4.40.10
Controlled Sales & Service	–	–	4.40.11
Cannabis Sales	–	–	4.40.12
Cannabis Growing	–	○ CL	4.40.12
Parking, Non-Accessory	–	–	4.40.13
Sexually Oriented Business	–	–	4.40.14
MANUFACTURING & INDUSTRY			4.50
Manufacturing, Low-Impact	–	●	4.50.1
Manufacturing, Moderate-Impact	–	–	4.50.2
Warehousing & Distribution	–	–	4.50.3
Heavy Industry	–	–	4.50.4
CIVIC & INSTITUTIONAL			4.60
Civic, Large	–	–	4.60.1
Civic, Small	–	●	4.60.2
Civic, Campus	–	–	4.60.3
Transportation Facilities	–	–	4.60.4
Detention & Correctional Facilities	–	–	4.60.5
Parks & Open Space	●	●	4.60.6
Minor Utilities	●	●	4.60.7
Major Utilities	–	–	4.60.8

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint

○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

3.0 Site & Building Types
3.60 Small General Building Type

[table continued from previous page]

	ZONES		Reference
	NX2	RX1	
ACCESSORY USES			4.70
Accessory Apartments	–	–	4.70.2
Home Occupations	●	●	4.70.3
Sidewalk Cafes	–	●	4.70.4
Outdoor Display Areas	–	●	4.70.5
Outdoor Storage	–	–	4.70.6
KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed			

3.60.10 SUPPLEMENTAL REGULATIONS

A. [reserved]

[page intentionally blank]

3.70 Row Building Type

3.70.1 DESCRIPTION AND INTENT

The Row Building is comprised of multiple vertical units with shared side walls. Each unit is typically oriented to the street with an entrance off the public sidewalk. Parking is located in the rear yard with attached garages entered from the rear of the building. Buildings vary in length depending on the zone and are 2, 2.5, or 3 stories in height with the half story located within a pitched roof.

3.70.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.70-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.70.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. For the purposes of the Row building, a building consists of a series of units. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

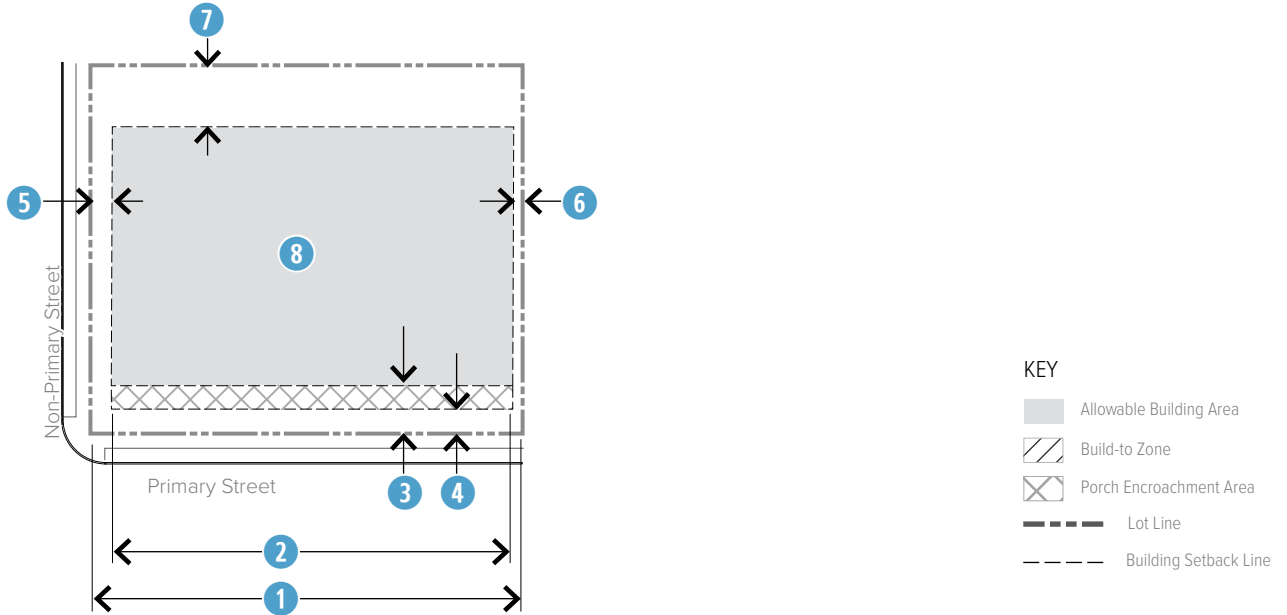
LINK	SUBSECTION
3.70.4	Building Siting
3.70.5	Parking & Accessory Structures
3.70.6	Height
3.70.7	Roofs
3.70.8	Primary & Non-Primary Facades
3.70.9	Allowed Uses Table
3.70.10	Supplemental Regulations



Figure 3.70-A. Examples of Row Building Type

3.0 Site & Building Types
3.70 Row Building Type

Figure 3.70-B. Row Building Siting



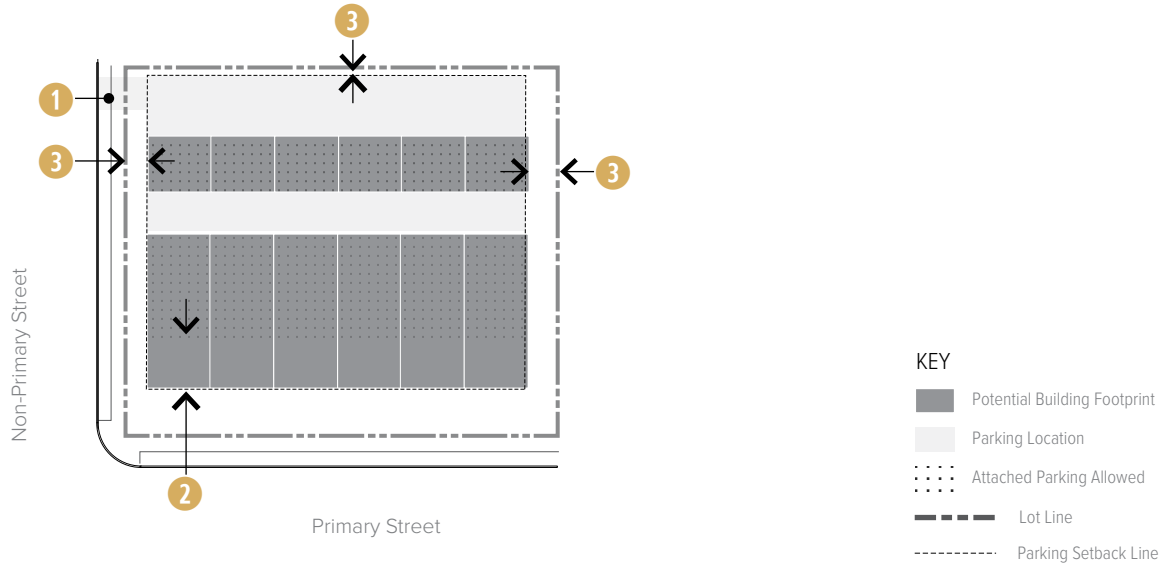
KEY

- Allowable Building Area
- Build-to Zone
- Porch Encroachment Area
- Lot Line
- Building Setback Line

ZONES			
	NX1	NX2	NX3, NX4, RX1, RX2

3.70.4. BUILDING LOCATION. See Figure 3.70-B				
Configuration	Multiple side-by-side units sharing common side walls			Additional/References
Multiple Principal Buildings	not allowed	not allowed	allowed per 3.40.10.A	
1 Lot Width	60 ft. min.	60 ft. min.	60 ft. min.	
2 Primary Streetwall	70% min.	80% min.	85% min.	See 3.70.10 for courtyards. Measured in build-to zone along any street frontage.
Facade Width per Street Frontage	3 units min. 4 units max.	3 units min. 8 units max.	3 units min. 10 units max.	
3 Primary Street Build-to Line	20 ft.	15 ft.	10 ft.	Prevailing setbacks apply. See 14.20.6 for measuring prevailing setbacks.
4 Porch, Enclosed Porch, Bay Setback	10 ft. min.	7 ft. min.	5 ft. min.	
5 Non-Primary Street Setback	12 ft. min.	8 ft. min.	5 ft. min.	
6 Side Setback	6 ft. min. and min. 15 ft. total both sides	2 ft. min. and min. 10 ft. total both sides	2 ft. min. and min. 8 ft. total both sides	
Space between Adjacent Buildings	15 ft. min.	6 ft. min.	6 ft. min.	
7 Rear Setback	30 ft. min.	20 ft. min.	20 ft. min.	
8 Site Coverage	75% max.	80% max.	80% max.	See 14.20.7 for measuring site coverage.

Figure 3.70-C. Row Building Parking Siting

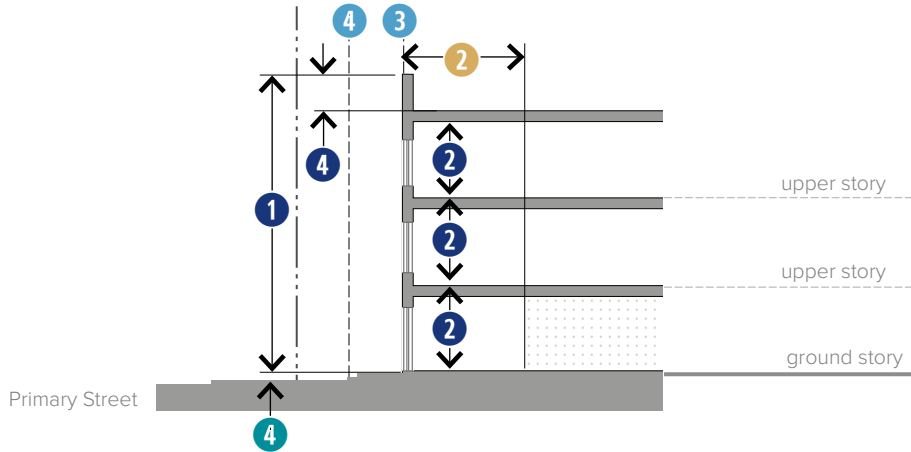


					ZONES			
					NX1	NX2	NX3, NX4, RX1, RX2	Additional/References
3.70.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.70-C								
1	Parking & Driveway Access	Non-primary street; if no non-primary street, primary street; max. 12 ft. width at sidewalk; max. 1 driveway access point per building			See 8.0 for parking.			
2	Attached Garage Setback Allowed Garage Door Location (facade)	Rear of building; min. 15 ft. behind primary facade Rear; not visible from a primary street and screened from non-primary streets			See supplemental regulations in 3.70.10 for garage door screening. See 6.50.11 for garage door design regulations.			
3	Parking Lot & Accessory Structure Location	Rear yard	Rear yard	Rear yard	See 3.170 for accessory structures.			
	Street-Side Setback	No closer to lot line than principal building						
	Side & Rear Setback	3 ft. min.	3 ft. min.	3 ft. min.				
ALLOWED ACCESSORY STRUCTURES		NX1	NX2	NX3, RX1, RX2	See 3.170 for accessory structures and 4.70 for accessory uses.			
	Backyard Cottage	–	–	–	KEY: ● = Allowed ○ SP = Requires a Special Permit			
	Outbuildings & Garages	●	●	●				
	Drive-Through Facilities	–	–	–				
	Fuel Pumps	–	–	–				
	Parking Structure	–	–	–				
	Temporary Storage Container	●	●	●				
	Building-Mounted Utilities	●	●	●				
	Ground-Mounted Utilities	–	–	–				

3.0 Site & Building Types

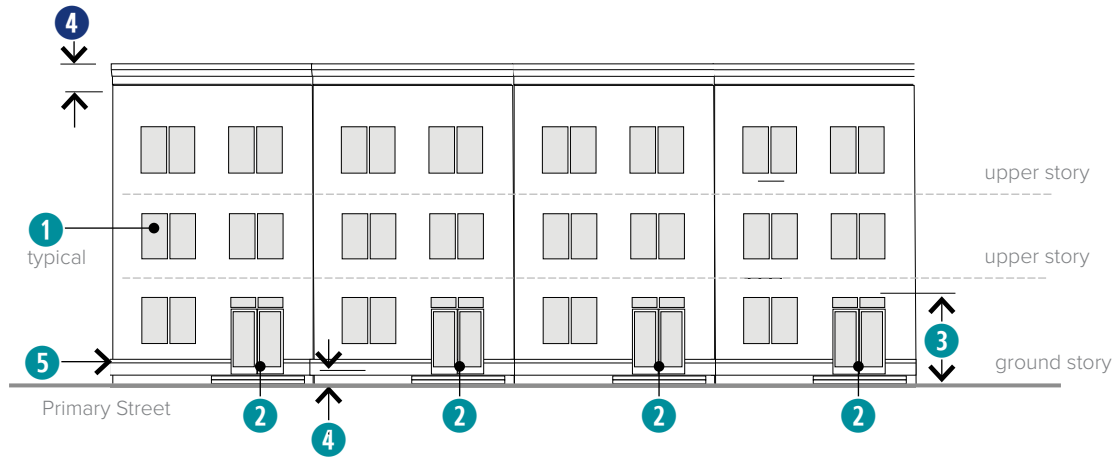
3.70 Row Building Type

Figure 3.70-D. Row Building Height



		ZONES			
		NX1	NX2	NX3, NX4, RX1, RX2	Additional/References
3.70.6. HEIGHT. See Figure 3.70-D					
1	Height	1.5 stories min. 2.5 stories max.	1.5 stories min. 2.5 stories max.	1.5 stories min. 3 stories max.	See supplemental regulations on half stories in 3.70.10. See 14.20.10 for measuring height.
2	Floor-to-Floor Height	9 ft. min. 11 ft. max.	9 ft. min. 11 ft. max.	9 ft. min. 11 ft. max.	Measured floor-to-floor.
3	Height to Eaves (Pitched Roof)	20 ft. max.	—	—	Height to eaves is measured from the first floor to the bottom of the eave. See 14.20.10 for measuring height to eaves.
3.70.7. ROOFS. See Figure 3.70-D					
4	Roof Types	Pitched	Pitched, flat, parapet	Pitched, flat, parapet	See 6.20 for roof types and tower regulations.
5	Tower	Not allowed	Not allowed	Allowed	

Figure 3.70-E. Row Building Facades and Roofs



ZONES

		NX1	NX2	NX3, NX4, RX1, RX2	Additional/References
3.70.8. PRIMARY & NON-PRIMARY FACADES. See Figure 3.70-E					
1	Transparency: Primary Facades Non-Primary Facades	15% min. 10% min.	15% min. 10% min.	20% min. 10% min.	Measured per story, including any half stories, visible basement, or towers with full-floor height. See 14.20.11 for measuring transparency.
		On the primary facade, no bays or 10 ft. wide sections of any story may be without transparency			
2	Building Entrances Location	One per unit on primary facade except 1 per every 3 units may be located off a courtyard			See 3.70.10 for courtyards.
3	Entrance Transition Type	Porch or Stoop	Porch or Stoop	Porch or Stoop	See 6.30 for entrance types, including elevated entrances in floodplain locations. See 3.10.13 for flood locations.
4	Ground Story Elevation above Grade	Between 18 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement except in floodplain locations			
5	Horizontal Divisions with Shadow Lines	On primary & non-primary facades, at ground story floor elevation; and, on primary facades, between 2nd and any upper story			See 14.210 for definition of shadow lines.
6	Vertical Divisions with Shadow Lines	One for every 60 ft. of facade on the ground story.			

3.0 Site & Building Types

3.70 Row Building Type

	ZONES			Reference
	NX1, NX2	NX3, NX4	RX1, RX2	
3.70.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.				
RESIDENTIAL				4.30
Number of Principal Units	3 minimum	3 minimum	3 minimum	
Number of Accessory Units	–	–	–	
Household Living	●	●	●	4.30.1
Group Living	●	●	●	4.30.2
Short-Term Rental	–	–	●	4.30.3
COMMERCIAL				4.40
Office	–	–	●	4.40.1
Retail & Entertainment	–	–	–	4.40.2
Live Entertainment Venue	–	–	–	4.40.3
Consumer Service, Indoor	–	–	● Limited to 400 s.f., ground story only	4.40.4
Funeral & Mortuary Service	–	–	–	4.40.5
Self-Service Storage, Indoor	–	–	–	4.40.6
Consumer Service, Outdoor	–	–	–	4.40.7
Light Vehicle Sales & Service	–	–	–	4.40.8
Heavy Sales & Service	–	–	–	4.40.9
Wholesale Sales	–	–	–	4.40.10
Controlled Sales & Service	–	–	–	4.40.11
Cannabis Sales,	–	–	–	4.40.12
Cannabis Growing	–	–	–	4.40.12
Parking, Non-Accessory	–	–	–	4.40.13
Sexually Oriented Business	–	–	–	4.40.14
MANUFACTURING & INDUSTRY				4.50
Manufacturing, Low-Impact	–	–	● Limited to 400 s.f., ground story only	4.50.1
Manufacturing, Moderate-Impact	–	–	–	4.50.2
Warehousing & Distribution	–	–	–	4.50.3
Heavy Industry	–	–	–	4.50.4
CIVIC & INSTITUTIONAL				4.60
Civic, Large	–	–	–	4.60.1
Civic, Small	–	–	–	4.60.2
Civic, Campus	–	–	–	4.60.3
Transportation Facilities	–	–	–	4.60.4
Detention & Correctional Facilities	–	–	–	4.60.5
Parks & Open Space	●	●	●	4.60.6
Minor Utilities	●	●	●	4.60.7
Major Utilities	–	–	–	4.60.8

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

[table continued from previous page]

	ZONES			Reference
	NX1, NX2	NX3, NX4	RX1, RX2	
ACCESSORY USES				4.70
Accessory Apartments	–	–	–	4.70.2
Home Occupations	●	●	●	4.70.3
Sidewalk Cafes	–	–	–	4.70.4
Outdoor Display Areas	–	–	–	4.70.5
Outdoor Storage	–	–	–	4.70.6

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

3.70.10 SUPPLEMENTAL REGULATIONS

A. Multiple Buildings on a Lot. Multiple buildings may be located on a lot with the following regulations:

- (1) The minimum space between buildings is met.
- (2) Each building must fulfill all of the requirements of the building type unless otherwise expressly stated.
- (3) Each building must be located in the build-to zone, contributing to the primary streetwall requirements, except one of every 2 units may front a courtyard. See [Figure 3.70-F](#).
 - (a) The courtyard counts as primary streetwall as long as 3 sides are enclosed at the minimum primary streetwall percentage.
 - (b) Parking is not allowed in the courtyard, except as approved by the PZC. As part of the approval, no more than 6 parking spaces may be included, and masonry or concrete unit pavers are required for the parking areas. A frontage buffer with a 2-foot height masonry wall is required. See [7.100](#) for additional frontage buffer regulations.

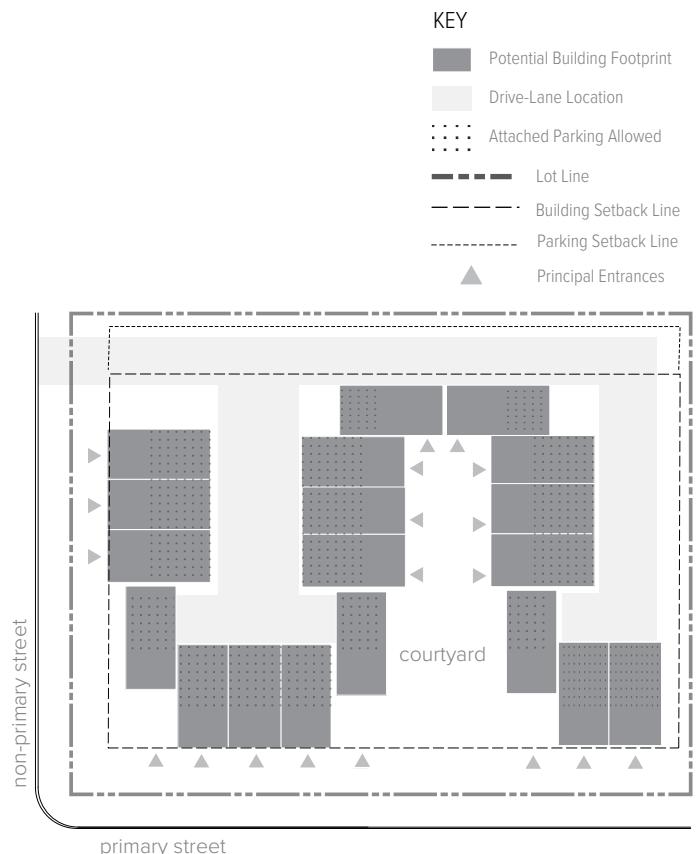


Figure 3.70-F. Courtyard Layout for Row Buildings

3.0 Site & Building Types

3.70 Row Building Type

- (c) Facade requirements apply to courtyard facades. If a unit is located on the corner of the courtyard and the street, the entrance must be located on the street.

B. Garage Door Visibility. Garage doors must be screened from any street by building or by a wing wall.

C. Half Stories in Roof. See [14.20.10.F](#) for definition of half story.

- (1) The occupiable footprint of half stories in the roof is limited to no more than 65% of the footprint of story below.
- (2) Dormers or gabled ends of roofs on half stories are limited to no more than 50% of the facade length of the story below, and must be set back from any street facade a minimum of 9 feet. See [Figure 3.80-E](#).

3.80 Double House A Building Type

3.80.1 DESCRIPTION AND INTENT

Double House A is essentially two House A types located side-by-side, sharing a common wall or central stairwell, housing multiple units. Parking is located in the rear yard and accessed off a narrow, side driveway. The double houses are 2 and 2.5 stories in height with the half story located within a pitched roof. Front facades on the street include windows on all stories and entrances located off front porches.

3.80.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.80-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.80.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

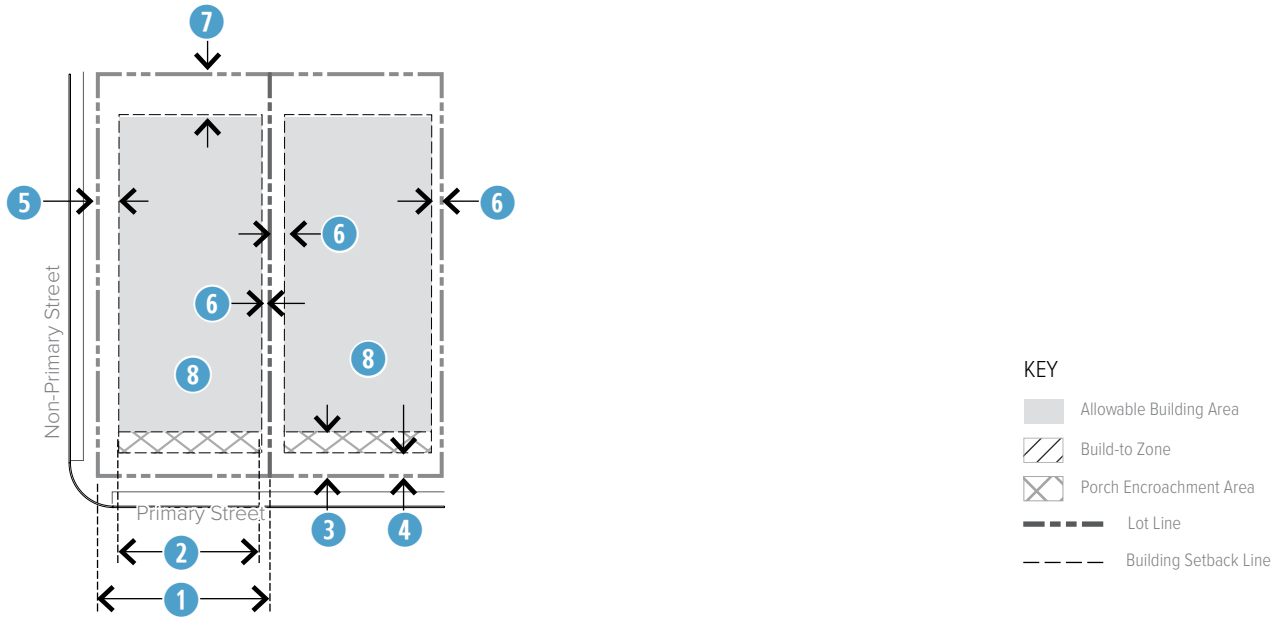
LINK	SUBSECTION
3.80.4	Building Siting
3.80.5	Parking & Accessory Structures
3.80.6	Height
3.80.7	Roofs
3.80.8	Primary & Non-Primary Facades
3.80.9	Allowed Uses Table
3.80.10	Supplemental Regulations



Figure 3.80-A. Examples of Double House A Building Type

3.0 Site & Building Types
3.80 Double House A Building Type

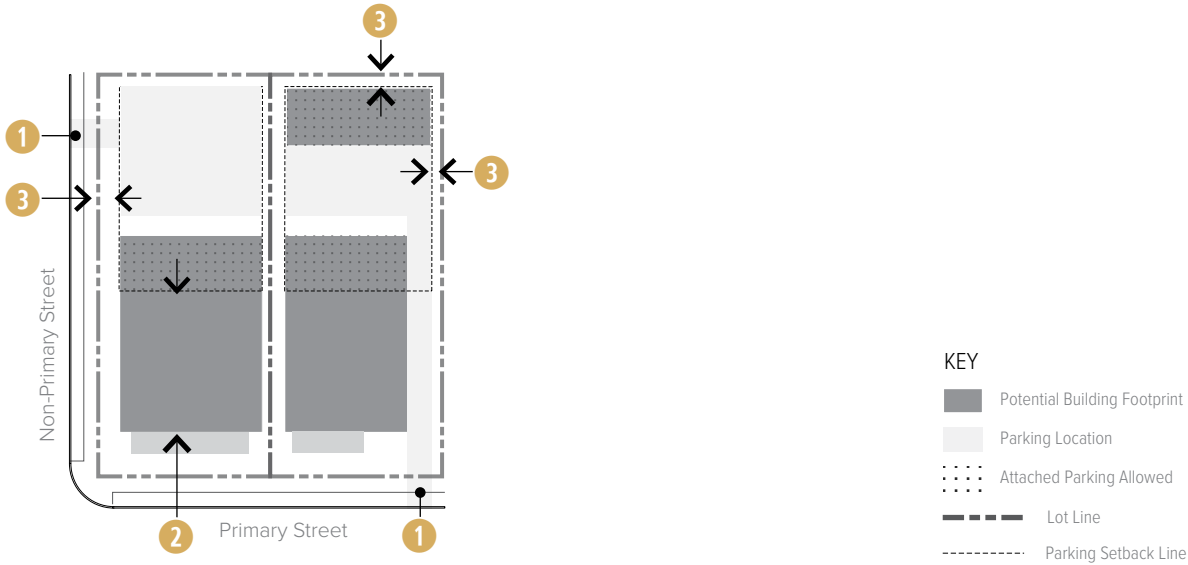
Figure 3.80-B. Double House A Building Siting



ZONES

		NX1	NX2	Additional/References
3.80.4. BUILDING LOCATION. See Figure 3.80-B				
1	Lot Width	50 ft. min.	50 ft. min.	
2	Primary Streetwall	50 ft. max.	70 ft. max.	Measured in build-to zone along any primary street.
3	Primary Street Build-to Line	15 ft.	10 ft.	Prevailing setbacks apply. See 14.20.6 for measuring. See 3.80.10 for allowed encroachments.
4	Porch, Enclosed Porch, Bay Setback	7 ft. min.	5 ft. min.	
5	Non-Primary Street Setback	8 ft. min.	8 ft. min.	
6	Side Setback	2 ft. min.; min. 8 ft. total both sides	2 ft. min.; min. 8 ft. total both sides	
	Space between Adjacent Buildings	6 ft. min.	6 ft. min.	
7	Rear Setback	20 ft. min.	15 ft. min.	
8	Site Coverage	80% max.	90% max.	See 14.20.7 for measuring site coverage.

Figure 3.80-C. Double House A Parking Siting

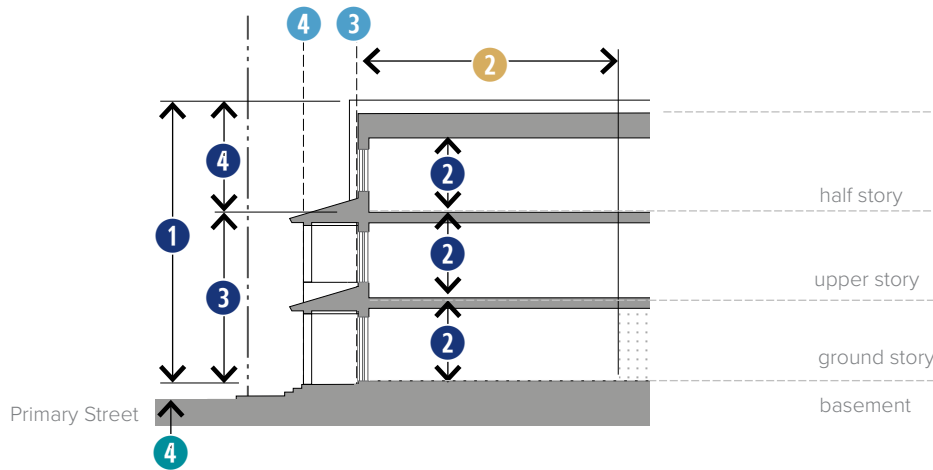


ZONES

		NX1	NX2	Additional/References
3.80.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.80-C				
1	Parking & Driveway Access	Non-primary street; if no non-primary street, primary street; max. 9 ft. width at sidewalk; max. 1 driveway per building		See 8.0 for parking.
2	Attached Garage Setback	50 ft. min. behind primary facade in rear of building, ground story only		
	Allowed Garage Door Location	Rear facade or non-primary facade		
3	Parking Lot and Accessory Structure Location	Rear yard only	Rear yard only	See 3.170 for accessory structures.
	Street-Side Setback	No closer to lot line than principal building		
	Side & Rear Setback	3 ft. min.	3 ft. min.	
ALLOWED ACCESSORY STRUCTURES		NX1	NX2	See 3.170 for accessory structures and 4.70 for accessory uses. KEY: ● = Allowed ○ SP = Requires a Special Permit
	Backyard Cottage	●	●	
	Outbuildings & Garages	●	●	
	Drive-Through Facilities	–	–	
	Fuel Pumps	–	–	
	Parking Structure	–	–	
	Temporary Storage Container	●	●	
	Building-Mounted Utilities	●	●	
	Ground-Mounted Utilities	–	–	

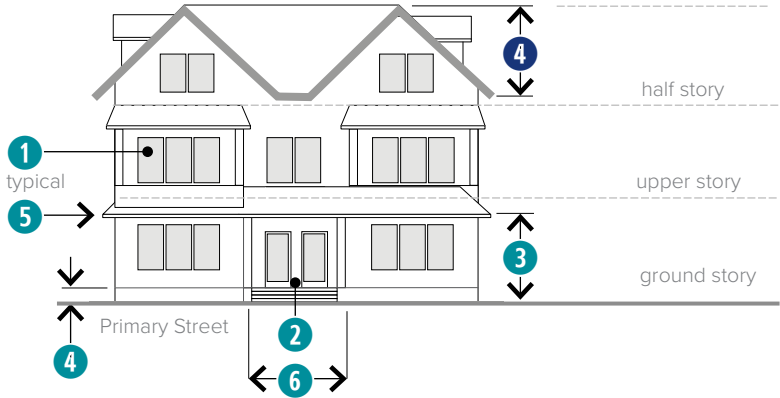
3.80 Double House A Building Type

Figure 3.80-D. Double House A Height



		ZONES		
		NX1	NX2	Additional/References
3.80.6. HEIGHT. See Figure 3.80-D				
1	Height	2 stories min. 2.5 stories max.	2 stories min. 2.5 stories max.	See 3.80.10 for half stories. See 14.20.10 for measuring height.
2	Story Height	9 ft. min. 11 ft. max.	9 ft. min. 11 ft. max.	Measured floor-to-floor.
3	Height to Eaves	20 ft. max.	20 ft. max.	Height to eaves is measured from the first floor to the bottom of the eave. See 14.20.10 for measuring height to eaves.
3.80.7. ROOFS. See Figure 3.80-D				
4	Roof Types	Pitched	Pitched	See 6.20 for roof types and tower regulations.
	Tower	Not allowed	Not allowed	

Figure 3.80-E. Double House A Facades and Roofs



ZONES

NX1

NX2

Additional/References

3.80.8. FACADES. See Figure 3.80-E

		NX1	NX2	Additional/References
1	Transparency: Primary Facades Non-Primary Facades	20% min. 10% min.	20% min. 10% min.	Measured per story, including any half stories, visible basement, or towers with full-floor height. See 14.20.11 for measuring transparency.
		No bays or 10 ft. wide sections of any story may be without transparency		
2	Building Entrance Location	Primary facade or bay, max. 2 doors on primary facade		
3	Entrance Transition Type	Porch	Porch or Stoop	See 6.30 for entrance types, including elevated entrances in floodplain locations. See 3.10.13 for flood locations.
4	Ground Story Elevation above Grade	Between 18 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement except in floodplain locations		
5	Horizontal Divisions with Shadow Lines	On primary & non-primary facades, at ground story floor elevation; and, on primary facades, between 2nd and any half story		See 14.210 for definition of shadow lines.
6	Vertical Divisions with Shadow Lines	One bay required on primary facade with stoop entrance		

3.0 Site & Building Types

3.80 Double House A Building Type

	ZONES		Reference
	NX1	NX2	
3.80.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.			
RESIDENTIAL			4.30
Number of Principal Units	up to 4, 6 with special permit in House; plus 1 unit in backyard cottage	up to 6, 8 with special permit in House; plus 1 unit in backyard cottage	
Number of Accessory Units	–	–	
Household Living	●	●	4.30.1
Group Living	●	●	4.30.2
Short-Term Rental	–	–	4.30.3
COMMERCIAL			4.40
Office	–	–	4.40.1
Retail & Entertainment	–	–	4.40.2
Live Entertainment Venue	–	–	4.40.3
Consumer Service, Indoor	–	–	4.40.4
Funeral & Mortuary Service	–	–	4.40.5
Self-Service Storage, Indoor	–	–	4.40.6
Consumer Service, Outdoor	–	–	4.40.7
Light Vehicle Sales & Service	–	–	4.40.8
Heavy Sales & Service	–	–	4.40.9
Wholesale Sales	–	–	4.40.10
Controlled Sales & Service	–	–	4.40.11
Cannabis Sales	–	–	4.40.12
Cannabis Growing	–	–	4.40.12
Parking, Non-Accessory	–	–	4.40.13
Sexually Oriented Business	–	–	4.40.14
MANUFACTURING & INDUSTRY			4.50
Manufacturing, Low-Impact	–	–	4.50.1
Manufacturing, Moderate-Impact	–	–	4.50.2
Warehousing & Distribution	–	–	4.50.3
Heavy Industry	–	–	4.50.4
CIVIC & INSTITUTIONAL			4.60
Civic, Large	–	–	4.60.1
Civic, Small	–	–	4.60.2
Civic, Campus	–	–	4.60.3
Transportation Facilities	–	–	4.60.4
Detention & Correctional Facilities	–	–	4.60.5
Parks & Open Space	●	●	4.60.6
Minor Utilities	●	●	4.60.7

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint

○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

3.0 Site & Building Types

3.80 Double House A Building Type

[table continued from previous page]

	ZONES		Reference
	NX1	NX2	
Major Utilities	-	-	4.60.8
ACCESSORY USES			4.70
Accessory Apartments	-	-	4.70.2
Home Occupations	●	●	4.70.3
Sidewalk Cafes	-	-	4.70.4
Outdoor Display Areas	-	-	4.70.5
Outdoor Storage	-	-	4.70.6

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval - = Not Allowed

3.80.10 SUPPLEMENTAL REGULATIONS

A. Porch, Enclosed Porch, Bay Street in Street Yards.

Porches, enclosed porches, and bays allowed within the street yard per [3.80.4](#), [4](#), must meet the following:

- (1) Height. Porches, enclosed porches, and bays located in the street yard may be 1 story on a 1 or 2 story building, and up to 2 stories on a 2.5 story building.
- (2) Enclosed Porches. Enclosed porches must meet 2 times the minimum transparency regulation for street-facing facades.
- (3) Other Allowed Encroachments. See [14.20.6.D](#) for other allowed encroachments into setbacks or beyond build-to lines or build-to zones.

B. Half Stories in Roof. See [14.20.10.F](#) for definition of half story.

- (1) The occupiable footprint of half stories in the roof is limited to no more than 65% of the footprint of story below.
- (2) Dormers or gabled ends of roofs on half stories are limited to no more than 50% of the facade length of the story below, and must be set back from the any street facade a minimum of 9 feet. See [Figure 3.80-F](#).

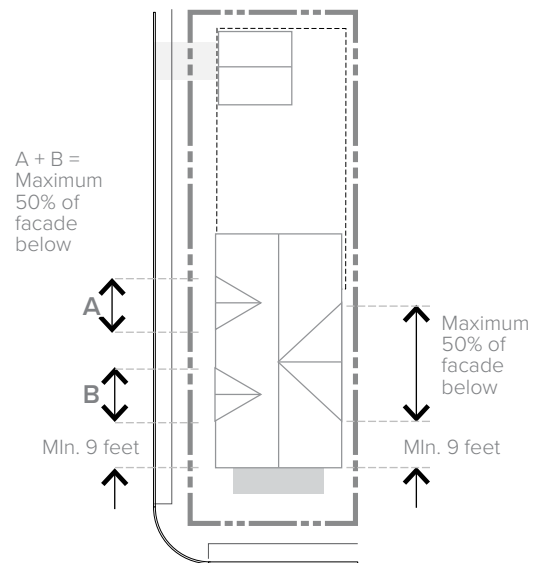


Figure 3.80-F. Dormers and Gable Ends on Half Stories.

[page intentionally blank]

3.90 House A Building Type

3.90.1 DESCRIPTION AND INTENT

House A incorporates characteristics typical of houses at the turn of the century and those built prior to World War II, including a footprint that is generally either square or rectangular, oriented on the block perpendicular to the street. Parking, when provided, is located in the rear yard and accessed off a narrow, side driveway. The houses are 2 or 2.5 stories in height with the half story located within a pitched roof. Narrow front facades on the street include windows on all stories and entrances located off front porches or stoops.

3.90.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.90-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.90.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.90.4	Building Siting
3.90.5	Parking & Accessory Structures
3.90.6	Height
3.90.7	Roofs
3.90.8	Primary & Non-Primary Facades
3.90.9	Allowed Uses Table
3.90.10	Supplemental Regulations

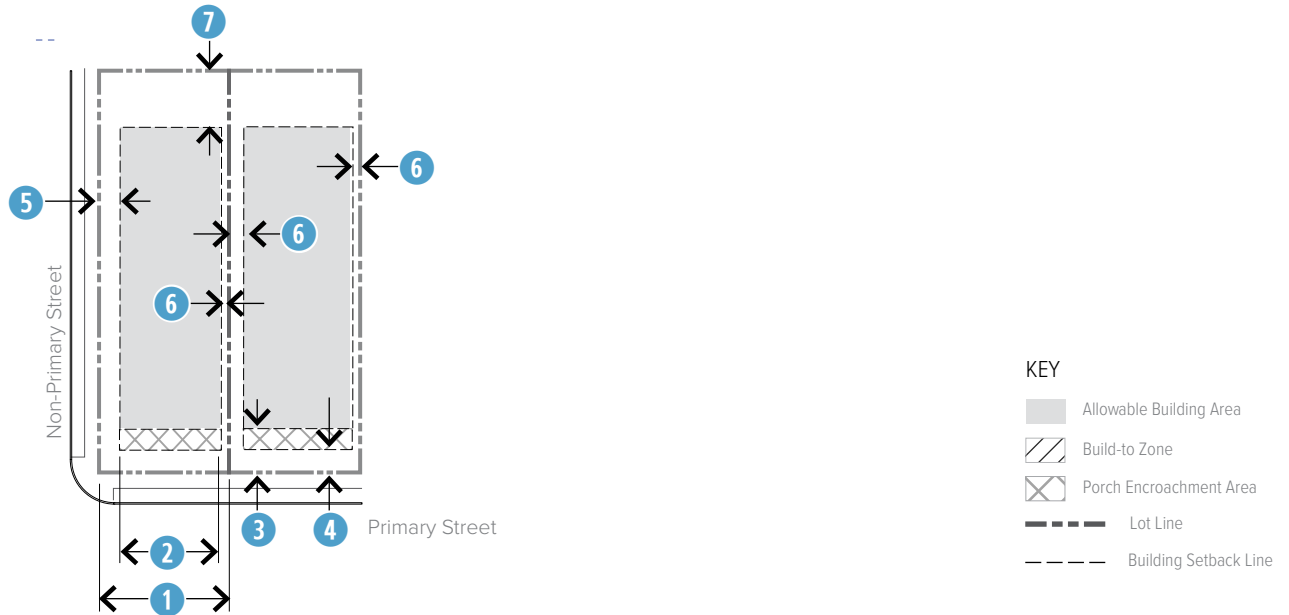


Figure 3.90-A. Examples of House A Building Type

3.0 Site & Building Types

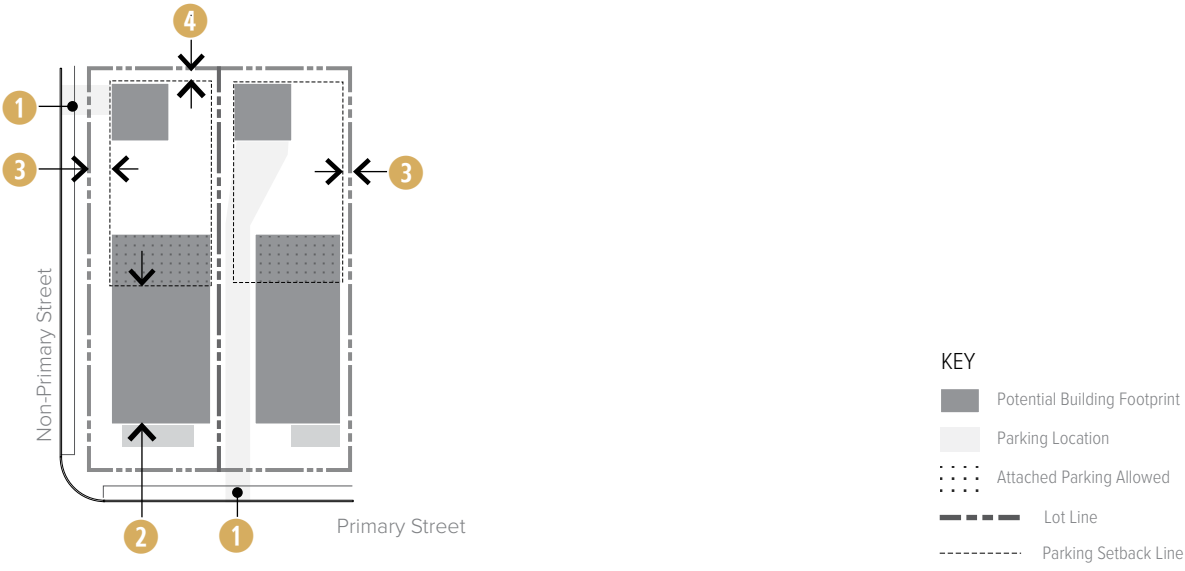
3.90 House A Building Type

Figure 3.90-B. House A Building Siting



		ZONES			
		N1	NX1	NX2	Additional/References
3.90.4. BUILDING LOCATION. See Figure 3.90-B					
1	Lot Width	45 ft. min.	45 ft. min.	35 ft. min.	
2	Primary Streetwall	45 ft. max.	40 ft. max.	40 ft. max.	Measured at build-to line along any primary street.
3	Primary Street Build-to Line	20 ft.	15 ft.	10 ft.	Prevailing setbacks apply. See 14.20.6 for measuring.
4	Porch, Enclosed Porch, Bay Setback	10 ft. min.	7 ft. min.	5 ft. min.	See 3.90.10 for allowed encroachments and enclosed porch configurations.
5	Non-Primary Street Setback	12 ft. min.	8 ft. min.	8 ft. min.	
6	Side Setback	6 ft. min.; min. 15 ft. total both sides	2 ft. min.; 10 ft. min. combined	2 ft. min.; 8 ft. min. combined	
	Space between Adjacent Buildings	15 ft. min.	6 ft. min.	6 ft. min.	
7	Rear Setback	30 ft. min.	20 ft. min.	15 ft. min.	
8	Site Coverage	75% max.	80% max.	80% max.	See 14.20.7 for measuring site coverage.

Figure 3.90-C. House A Parking Siting



KEY

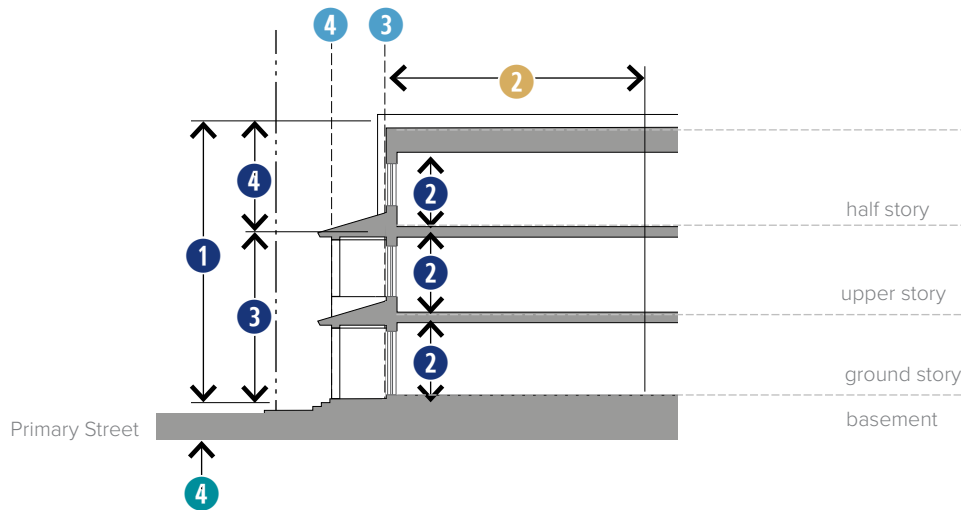
- Potential Building Footprint
- Parking Location
- Attached Parking Allowed
- Lot Line
- Parking Setback Line

ZONES

	N1	NX1	NX2	Additional/References
3.90.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.90-C				
1 Parking & Driveway Access	Non-primary street; if no non-primary street, primary street; max. 9 ft. width at primary lot line; max. 1 driveway per building			See 8.0 for parking.
2 Attached Garage Setback Allowed Garage Door Location	20 ft. min. behind primary facade in rear of building Rear or non-primary facade			
3 Surface Parking and Accessory Structure Location	Rear yard	Rear yard	Rear yard	See 3.170 for accessory structures.
Street-Side Setback	No closer to lot line than principal building			
Side & Rear Setback	3 ft. min.	3 ft. min.	3 ft. min.	
ALLOWED ACCESSORY STRUCTURES	N1	NX1	NX2	See 3.170 for accessory structures and 4.70 for accessory uses. KEY: ● = Allowed ○ SP = Requires a Special Permit
Backyard Cottage	●	●	●	
Outbuildings & Garages	●	●	●	
Drive-Through Facilities	–	–	–	
Fuel Pumps	–	–	–	
Parking Structure	–	–	–	
Temporary Storage Container	●	●	●	
Building-Mounted Utilities	●	●	●	
Ground-Mounted Utilities	–	–	–	

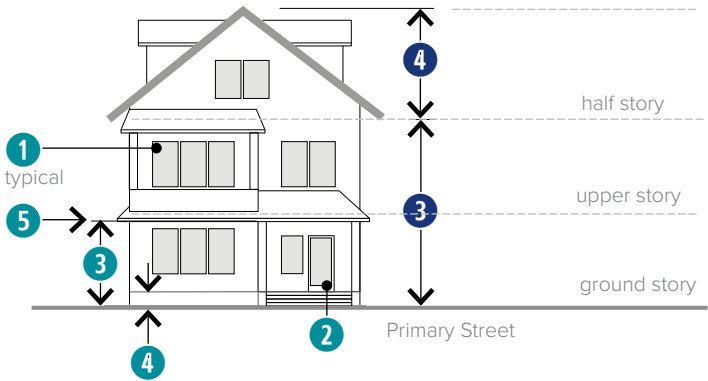
3.0 Site & Building Types
3.90 House A Building Type

Figure 3.90-D. House A Height



		ZONES			
		N1	NX1	NX2	Additional/References
3.90.6. HEIGHT. See Figure 3.90-D					
1	Height	1.5 stories min. 2.5 stories max.	2 stories min. 2.5 stories max.	2 stories min. 2.5 stories max.	See 3.90.10 for half story regulations. See 14.20.10 for measuring height.
2	Story Height	9 ft. min. 11 ft. max.	9 ft. min. 11 ft. max.	9 ft. min. 11 ft. max.	Measured floor-to-floor.
3	Height to Eaves	20 ft. max.	20 ft. max.	20 ft. max.	Height to eaves is measured from the first floor to the bottom of the eave. See 14.20.10 for measuring height to eaves.
3.90.7. ROOFS. See Figure 3.90-E					
4	Roof Types	Pitched	Pitched	Pitched, flat, parapet	See 6.20 for roof types and tower regulations.
5	Tower	Allowed	Not allowed	Not allowed	

Figure 3.90-E. House A Facades



ZONES				Additional/References
N1	NX1	NX2		

3.90.8. PRIMARY & NON-PRIMARY FACADES. See Figure 3.90-E					
1	Transparency: Primary Facades Non-Primary Facades	18% min. 12% min.	18% min. 12% min.	18% min. 12% min.	Measured per story, including any half stories, visible basement, or towers with full-floor height. See 14.20.11 for measuring transparency.
		No bays or 10 ft. wide sections of any story may be without transparency			
2	Building Entrance Location	Primary facade or bay	Primary facade or bay, max. 2 doors		
3	Entrance Transition Type	Porch or Stoop	Porch or Stoop	Porch or Stoop	See 6.30 for entrance types, including elevated entrances in floodplain locations. See 3.10.13 for flood locations.
4	Ground Story Elevation above Grade	Between 12 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement except in floodplain locations			
5	Horizontal Divisions with Shadow Lines	None required	At ground story floor elevation; and between 2nd and half story		See 14.210 for definition of shadow lines.

3.0 Site & Building Types

3.90 House A Building Type

	ZONES			Reference
	N1	NX1	NX2	
3.90.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.				
RESIDENTIAL				4.30
Number of Principal Units	1 in House	up to 3 in House plus 1 in Backyard Cottage	up to 4 in House plus 1 in Backyard Cottage	
Number of Accessory Apartments	1 in House or Backyard Cottage	–	–	
Household Living	●	●	●	4.30.1
Group Living	●	●	●	4.30.2
Short-Term Rental	–	–	–	4.30.3
COMMERCIAL				4.40
Office	–	–	–	4.40.1
Retail & Entertainment	–	–	–	4.40.2
Live Entertainment Venue	–	–	–	4.40.3
Consumer Service, Indoor	–	–	–	4.40.4
Funeral & Mortuary Service	–	–	–	4.40.5
Self-Service Storage, Indoor	–	–	–	4.40.6
Consumer Service, Outdoor	–	–	–	4.40.7
Light Vehicle Sales & Service	–	–	–	4.40.8
Heavy Sales & Service	–	–	–	4.40.9
Wholesale Sales	–	–	–	4.40.10
Controlled Sales & Service	–	–	–	4.40.11
Cannabis Sales	–	–	–	4.40.12
Cannabis Growing	–	–	–	4.40.12
Parking, Non-Accessory	–	–	–	4.40.13
Sexually Oriented Business	–	–	–	4.40.14
MANUFACTURING & INDUSTRY				4.50
Manufacturing, Low-Impact	–	–	–	4.50.1
Manufacturing, Moderate-Impact	–	–	–	4.50.2
Warehousing & Distribution	–	–	–	4.50.3
Heavy Industry	–	–	–	4.50.4
CIVIC & INSTITUTIONAL				4.60
Civic, Large	–	–	–	4.60.1
Civic, Small	–	–	–	4.60.2
Civic, Campus	–	–	–	4.60.3
Transportation Facilities	–	–	–	4.60.4
Detention & Correctional Facilities	–	–	–	4.60.5
Parks & Open Space	●	●	●	4.60.6
Minor Utilities	●	●	●	4.60.7
Major Utilities	–	–	–	4.60.8

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

3.0 Site & Building Types
3.90 House A Building Type

[table continued from previous page]

	ZONES			Reference
	N1	NX1	NX2	
ACCESSORY USES				4.70
Accessory Apartments	●	–	–	4.70.2
Home Occupations	●	●	●	4.70.3
Sidewalk Cafes	–	–	–	4.70.4
Outdoor Display Areas	–	–	–	4.70.5
Outdoor Storage	–	–	–	4.70.6
KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed				

3.90.10 SUPPLEMENTAL REGULATIONS

A. Porch, Enclosed Porch, Bay Street in Street Yards.

Porches, enclosed porches, and bays allowed within the street yard per [3.90.4](#), [4](#), must meet the following:

- (1) Height. Porches, enclosed porches, and bays located in the street yard may be 1 story on a 1 or 2 story building, and up to 2 stories on a 2.5 story building.
- (2) Enclosed Porches. Enclosed porches must meet 2 times the minimum transparency regulation for street-facing facades.
- (3) Other Allowed Encroachments. See [14.20.6.D](#) for other allowed encroachments into setbacks or beyond build-to lines or build-to zones.

B. Half Stories in Roof. See [14.20.10.F](#) for definition of half story.

- (1) The occupiable footprint of half stories in the roof is limited to no more than 65% of the footprint of story below.

- (2) Dormers or gabled ends of roofs on half stories are limited to no more than 50% of the facade length of the story below, and must be set back from any street facade a minimum of 9 feet. See [Figure 3.80-F](#).

[page intentionally blank]

3.100 House B Building Type

3.100.1 DESCRIPTION AND INTENT

House B incorporates characteristics typical of mid-century houses built after World War II, including a footprint that is generally either square or rectangular, oriented on the block parallel to the street. Parking, when provided, is located in the rear yard and accessed off a narrow, side driveway. The houses are 1, 1.5, or 2 stories in height with the half story located within a pitched roof having a ridge parallel to the street, so the half story is not always visible on the front facade. Story heights are lower than House A, making these houses lower in overall height.

3.100.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.100-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.100.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.100.4	Building Siting
3.100.5	Parking & Accessory Structures
3.100.6	Height
3.100.7	Roofs
3.100.8	Primary & Non-Primary Facades
3.100.9	Allowed Uses Table
3.100.10	Supplemental Regulations

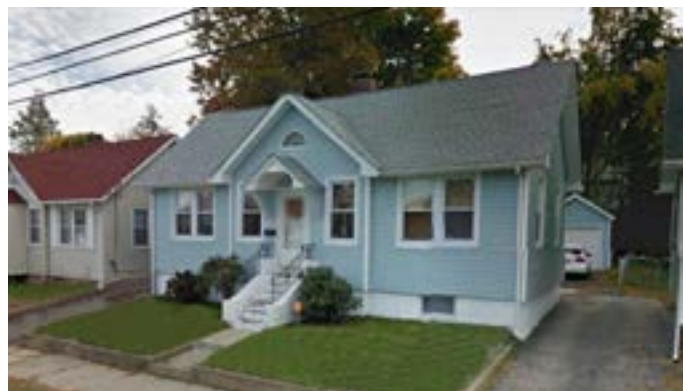
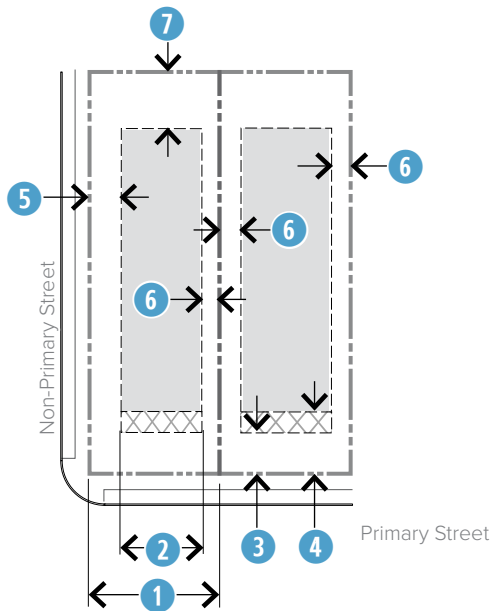


Figure 3.100-A. Examples of House B Building Type

3.0 Site & Building Types

3.100 House B Building Type

Figure 3.100-B. House B Building Siting



KEY

- Allowable Building Area
- Build-to Zone
- Porch Encroachment Area
- Lot Line
- Building Setback Line

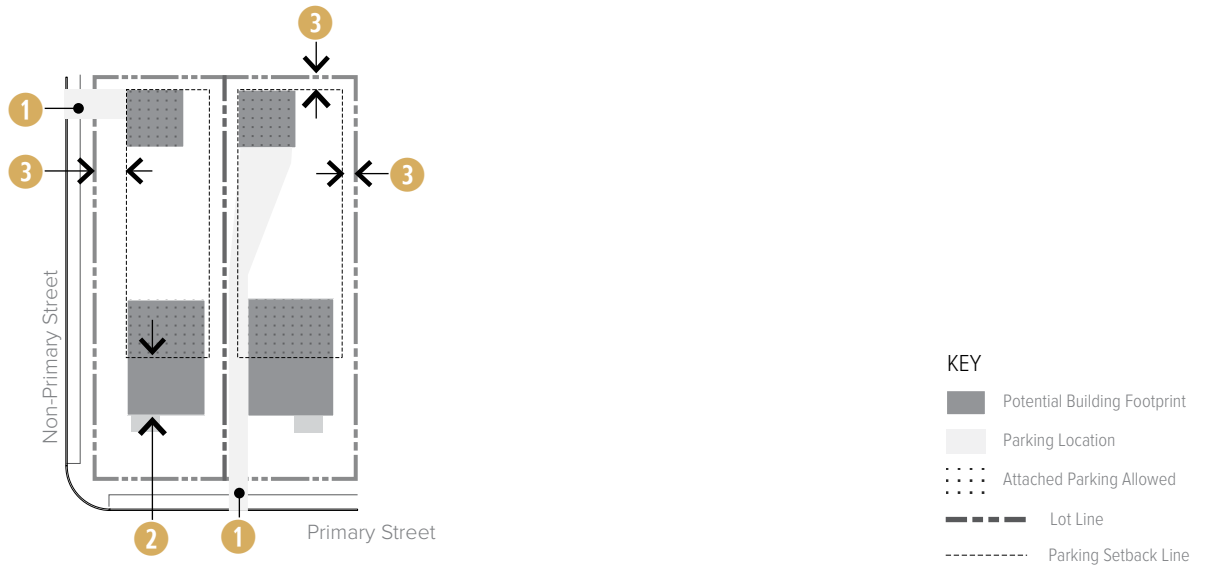
ZONES

N2

Additional/References

3.100.4. BUILDING LOCATION. See Figure 3.100-B			
	Multiple Principal Buildings	allowed per 3.100.10.A	
1	Lot Width per Principal Building	45 ft. min.	
	Lot Size	No min.	
2	Primary Streetwall	No max. for 1-unit; 50 ft. max. for 2-unit	Measured at minimum setback along any primary street.
3	Primary Street Setback	20 ft. min. 30 ft. max.	Prevailing setbacks apply. See 14.20.6 for measuring. See 3.100.10 for allowed encroachments.
4	Porch, Steps, Bay Encroachment	8 ft. max.; porch or bay width of 16 ft. max.	
5	Non-Primary Street Setback	12 ft. min.	
6	Side Setback Space between Adjacent Buildings	6 ft. min.; min. 15 ft. total both sides 15 ft. min.	
7	Rear Setback	20 ft. min.	
8	Site Coverage	65% max.	See 14.20.7 for measuring site coverage.

Figure 3.100-C. House B Parking Siting



ZONES

N2

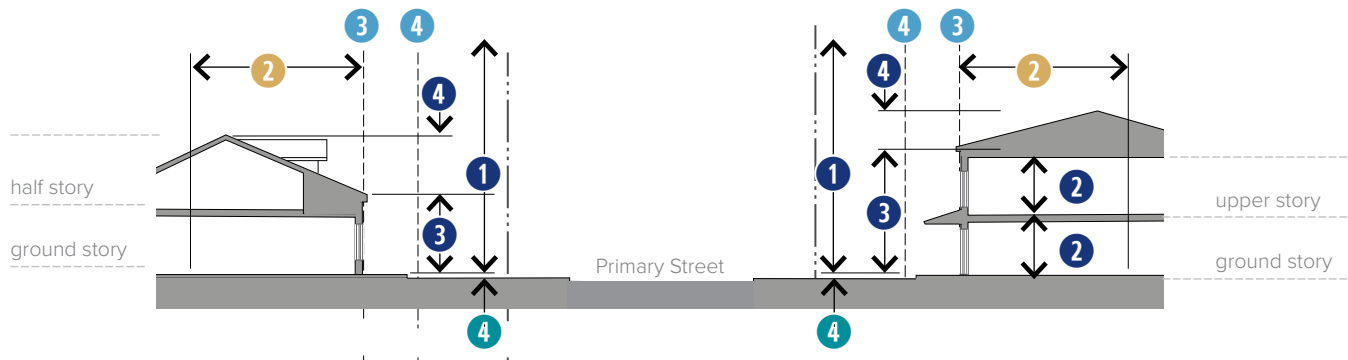
Additional/References

3.100.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.100-C			
1	Parking & Driveway Access	Max. 9 ft. width at primary street lot line; max. 1 driveway per building	See 8.0 for parking.
2	Attached Garage Setback Allowed Garage Door Location	20 ft. min. behind primary facade Rear facade, street-side facade	
3	Surface Parking & Accessory Structure Location	Rear yard only	See 3.170 for accessory structures.
	Street-Side Setback	No closer to lot line than principal building	
	Side & Rear Setback	3 ft. min.	
ALLOWED ACCESSORY STRUCTURES		N2	See 3.170 for accessory structures and 4.70 for accessory uses.
	Backyard Cottage	●	
	Outbuildings & Garages	●	
	Drive-Through Facilities	–	
	Fuel Pumps	–	
	Parking Structure	–	
	Temporary Storage Container	●	
	Building-Mounted Utilities	●	
	Ground-Mounted Utilities	–	

KEY:
 ● = Allowed
 ○ SP = Requires a Special Permit

3.0 Site & Building Types
3.100 House B Building Type

Figure 3.100-D. House B Height



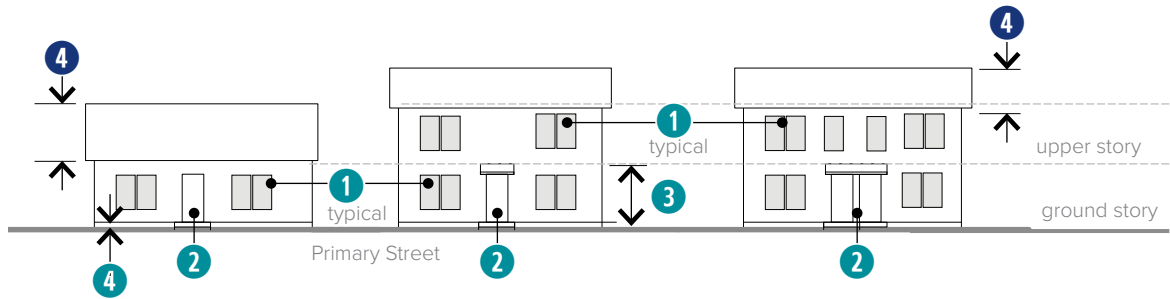
ZONES

N2

Additional/References

3.100.6. HEIGHT. See Figure 3.100-D			
1	Height	1 story min. 2 stories max.	See 14.20.10 for measuring height. See 3.100.10 for basement garage allowance.
2	Story Height	8 ft. min. 9 ft. max.	Measured floor-to-floor.
3	Height to Eaves	16 ft. max.	Height to eaves is measured from the first floor to the bottom of the eave. See 14.20.10 for measuring height to eaves.
3.100.7. ROOFS. See Figure 3.100-D			
4	Roof Types	Pitched	See 6.20 for roof types.
5	Tower	Not allowed	

Figure 3.100-E. House B Facades



ZONES

N2

Additional/References

3.100.8. PRIMARY & NON-PRIMARY FACADES. See [Figure 3.100-E](#)

			Additional/References
1	Transparency: Primary Facades Non-Primary Facades	12% min. 10% min.	Measured per story, including any half stories, visible basement, or towers with full-floor height. See 14.20.11 for measuring transparency.
		On primary facades, no bays or 10 ft. wide sections of any story may be without transparency	
2	Building Entrance Location	Primary facade, 2 doors allowed on primary facade for 2-unit building	
3	Entrance Transition Type	Porch or stoop	See 6.30 for entrance types.
4	Ground Story Elevation above Grade	Between 12 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement	See 3.100.10 for basement garage allowance.

3.0 Site & Building Types

3.100 House B Building Type

		ZONES	
		N2	Reference
3.100.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.			
RESIDENTIAL			4.30
Number of Principal Units		1 in House, 2 with special permit	
Number of Accessory Apartments		1 in Backyard Cottage with special permit	
Household Living		●	4.30.1
Group Living		●	4.30.2
Short-Term Rental		-	4.30.3
COMMERCIAL			4.40
Office		-	4.40.1
Retail & Entertainment		-	4.40.2
Live Entertainment Venue		-	4.40.3
Consumer Service, Indoor		-	4.40.4
Funeral & Mortuary Service		-	4.40.5
Self-Service Storage, Indoor		-	4.40.6
Consumer Service, Outdoor		-	4.40.7
Light Vehicle Sales & Service		-	4.40.8
Heavy Sales & Service		-	4.40.9
Wholesale Sales		-	4.40.10
Controlled Sales & Service		-	4.40.11
Cannabis Sales		-	4.40.12
Cannabis Growing		-	4.40.12
Parking, Non-Accessory		-	4.40.13
Sexually Oriented Business		-	4.40.14
MANUFACTURING & INDUSTRY			4.50
Manufacturing, Low-Impact		-	4.50.1
Manufacturing, Moderate-Impact		-	4.50.2
Warehousing & Distribution		-	4.50.3
Heavy Industry		-	4.50.4
CIVIC & INSTITUTIONAL			4.60
Civic, Large		-	4.60.1
Civic, Small		-	4.60.2
Civic, Campus		-	4.60.3
Transportation Facilities		-	4.60.4
Detention & Correctional Facilities		-	4.60.5
Parks & Open Space		●	4.60.6
Minor Utilities		●	4.60.7
Major Utilities		-	4.60.8

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval - = Not Allowed

[table continued on following page]

3.0 Site & Building Types

3.100 House B Building Type

[table continued from previous page]

ZONES		
	N2	Reference
ACCESSORY USES		4.70
Accessory Apartments	●	4.70.2
Home Occupations	●	4.70.3
Sidewalk Cafes	-	4.70.4
Outdoor Display Areas	-	4.70.5
Outdoor Storage	-	4.70.6

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval - = Not Allowed

KEY

- Potential Building Footprint
- Drive-Lane Location
- Attached Parking Allowed
- Lot Line
- Building Setback Line
- Parking Setback Line

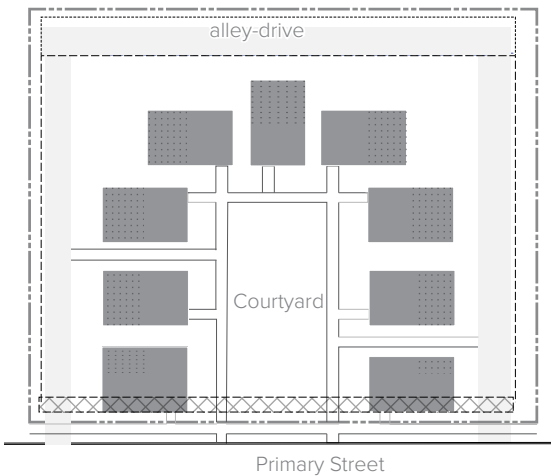


Figure 3.100-F. House B Court Layout Example

3.100.10 SUPPLEMENTAL REGULATIONS

A. House B Court. See [Figure 3.100-F](#) for one layout of the following regulations. Multiple principal House B buildings may be located on a development lot meeting the following:

- (1) Multiple abutting lots may be aggregated to be considered a single development site. All lots must be submitted and developed at the same time.
- (2) For every House B fronting the street and meeting the primary setback, 2 houses may be located on the interior of the lot, fronting a courtyard.
- (3) The minimum space between adjacent buildings must be met.
- (4) Each building must fulfill all of the requirements of the building type unless otherwise expressly stated.
- (5) Courtyard Frontage.
 - (a) The courtyard must be enclosed on 3 sides by primary facades of House B buildings.
 - (b) The courtyard must be treated as landscape area and may not include any parking.

3.0 Site & Building Types

3.100 House B Building Type

- (c) Facade requirements apply to courtyard facades. If a unit is located on the corner of the courtyard and the street, the entrance must be located on the street.

B. Primary Street-Accessed Garage in Basement. A garage door in a basement may be located on the primary facade under the following conditions:

- (1) Where Allowed. Where the lot grade is generally 3 feet or more higher above the average curb or edge of pavement elevation along the primary lot line, a basement garage door may be located on the primary facade.
- (2) Maximum Width. The garage door may be no wider than 35% of the ground story facade width. The remaining portions of the basement facade may be no more than 4 feet above grade.



Figure 3.100-G. Basement Garage on House B Building

3.110 House C Building Type

3.110.1 DESCRIPTION AND INTENT

The large lot is the most important characteristic of House C with deeper front setbacks, allowing a wide range of house characteristics. The houses are oriented on the lot parallel to the street and are 1.5 or 2.5 stories in height with the half story located within a pitched roof. The front facade includes windows and an entrance.

3.110.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.110-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.110.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.110.4	Building Siting
3.110.5	Parking & Accessory Structures
3.110.6	Height
3.110.7	Roofs
3.110.8	Primary & Non-Primary Facades
3.110.9	Allowed Uses Table
3.110.10	Supplemental Regulations

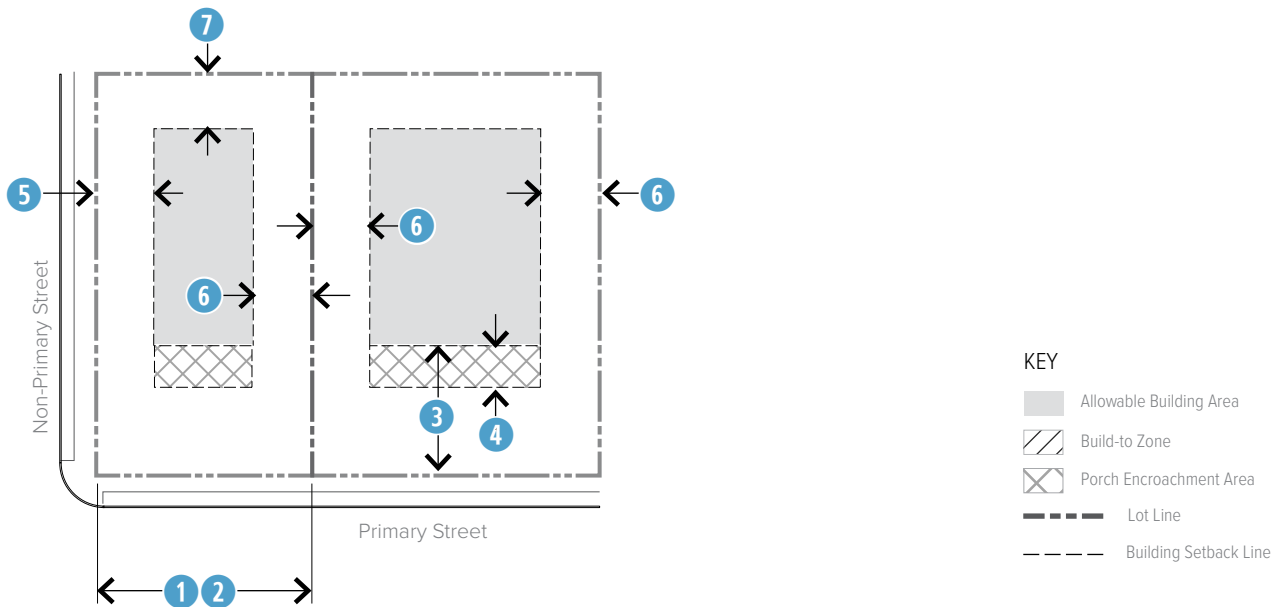


Figure 3.110-A. Examples of House C Building Type

3.0 Site & Building Types

3.110 House C Building Type

Figure 3.110-B. House C Building Siting



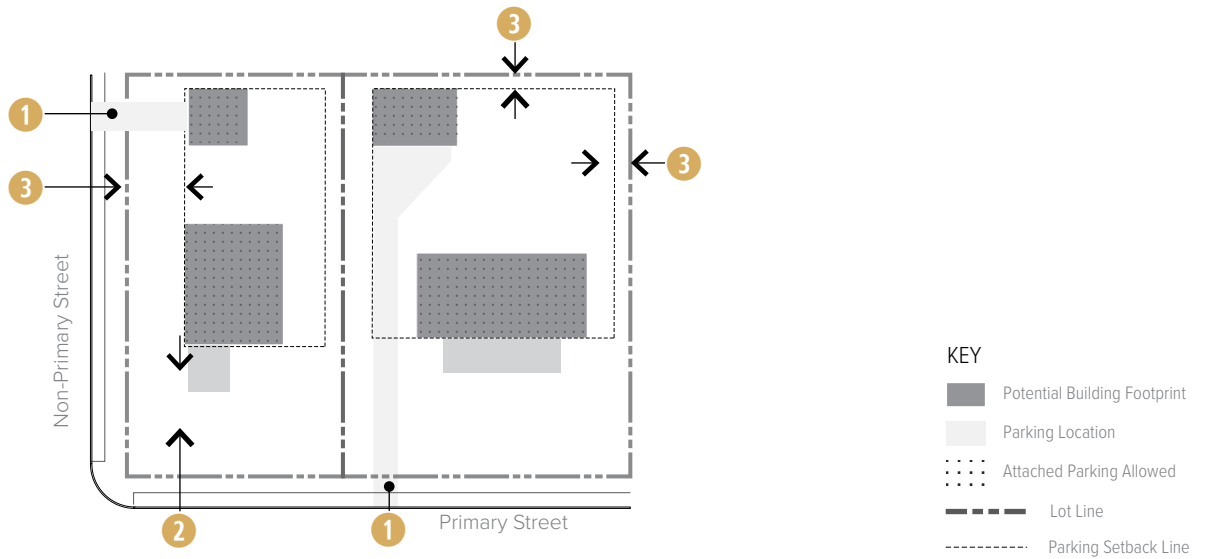
ZONES

N3

Additional/References

3.110.4. BUILDING LOCATION. See Figure 3.110-B			
1	Lot Width	75 ft. min.	
2	Lot Size	9000 sq. ft. min.	
3	Primary Street Setback	45 ft. min.	Prevailing setbacks apply. See 14.20.6 for measuring. See 3.110.10 for allowed encroachments.
4	Porch, Steps, Bay Primary Encroachment	15 ft. max.	
5	Non-Primary Street Setback	20 ft. min.	Match depth of abutting primary yards on street.
6	Side Setback	20 ft. min.	
7	Rear Setback	20 ft. min.	
8	Site Coverage	65% max.	See 14.20.7 for measuring site coverage.

Figure 3.110-C. House C Parking Siting



ZONES

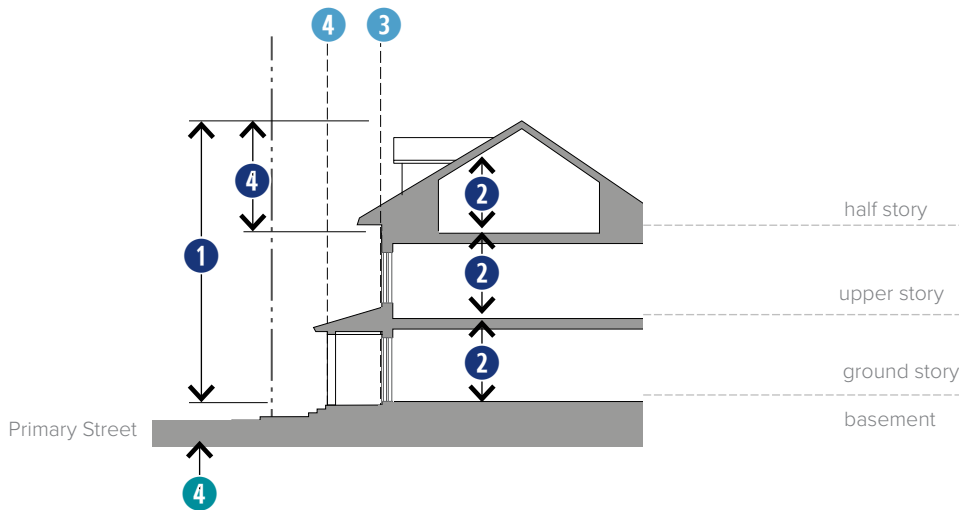
N3

Additional/References

3.110.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.110-C			
1	Parking & Driveway Access	10 ft. max. width at primary lot line; max. 2 driveways per lot	See 8.0 for parking.
2	Attached Garage Setback Allowed Garage Door Location	— Any facade, max. 35% of primary facade	
3	Accessory Structure Location	Rear yard only	See 3.170 for Accessory Structures.
	Street-Side Setback	No closer to lot line than principal building	
	Side & Rear Setback	3 ft. min.	
ALLOWED ACCESSORY STRUCTURES		N3	See 3.170 for accessory structures and 4.70 for accessory uses.
	Backyard Cottage	●	KEY: ● = Allowed ○ SP = Requires a Special Permit
	Outbuildings & Garages	●	
	Drive-Through Facilities	—	
	Fuel Pumps	—	
	Parking Structure	—	
	Temporary Storage Container	●	
	Building-Mounted Utilities	●	
	Ground-Mounted Utilities	○ SP	

3.0 Site & Building Types
3.110 House C Building Type

Figure 3.110-D. House C Height



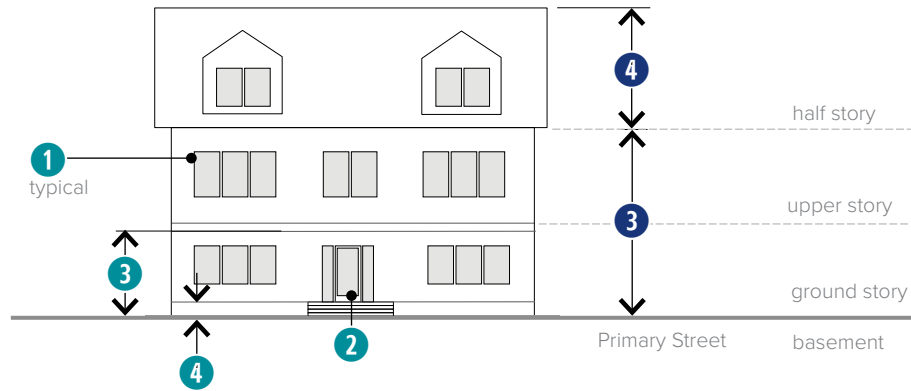
ZONES

N3

Additional/References

3.110.6. HEIGHT. See Figure 3.110-D			
1	Height	1.5 stories min. 2.5 stories max.	Half stories are located fully within roof with dormer and/or area limitations per 3.110.10 . See 14.20.10 for measuring height.
2	Story Height	9 ft. min. 14 ft. min.	Story heights are measured floor-to-floor.
	Height to Eaves	—	Height to eaves is measured from the first floor to the bottom of the eave. See 14.20.10 for measuring height to eaves.
3.110.7. ROOFS. See Figure 3.110-D			
4	Roof Types	Pitched, flat, parapet	See 6.20 for roof type regulations.
5	Tower	Allowed	

Figure 3.110-E. House C Facades



ZONES

N3

Additional/References

3.110.8. PRIMARY & NON-PRIMARY FACADES. See Figure 3.110-E			
1	Transparency: Primary Facades Non-Primary Facades	12% min. 10% min.	Measured per story, including any half stories, visible basement, or towers with full-floor height. See 14.20.11 for measuring transparency.
		On the primary facade, no bays or 10 ft. wide sections of any story may be without transparency	
2	Building Entrances Location	Primary or courtyard facade	
3	Entrance Transition Type	Porch or stoop	See 6.30 for entrance types.
4	Ground Story Elevation above Grade	Between 12 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement	

3.0 Site & Building Types

3.110 House C Building Type

		ZONES		
		N3		Reference
3.110.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.				
RESIDENTIAL				4.30
Number of Principal Units		1 in House		
Number of Accessory Apartments		up to 2; 1 in House and/or 1 in Backyard Cottage		
Household Living		●		4.30.1
Group Living		●		4.30.2
Short-Term Rental		–		4.30.3
COMMERCIAL				4.40
Office		–		4.40.1
Retail & Entertainment		–		4.40.2
Live Entertainment Venue		–		4.40.3
Consumer Service, Indoor		–		4.40.4
Funeral & Mortuary Service		–		4.40.5
Self-Service Storage, Indoor		–		4.40.6
Consumer Service, Outdoor		–		4.40.7
Light Vehicle Sales & Service		–		4.40.8
Heavy Sales & Service		–		4.40.9
Wholesale Sales		–		4.40.10
Controlled Sales & Service		–		4.40.11
Cannabis Sales		–		4.40.12
Cannabis Growing		–		4.40.12
Parking, Non-Accessory		–		4.40.13
Sexually Oriented Business		–		4.40.14
MANUFACTURING & INDUSTRY				4.50
Manufacturing, Low-Impact		–		4.50.1
Manufacturing, Moderate-Impact		–		4.50.2
Warehousing & Distribution		–		4.50.3
Heavy Industry		–		4.50.4
CIVIC & INSTITUTIONAL				4.60
Civic, Large		–		4.60.1
Civic, Small		–		4.60.2
Civic, Campus		–		4.60.3
Transportation Facilities		–		4.60.4
Detention & Correctional Facilities		–		4.60.5
Parks & Open Space		●		4.60.6
Minor Utilities		●		4.60.7
Major Utilities		–		4.60.8

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

[table continued from previous page]

		ZONES	
		N3	Reference
ACCESSORY USES			4.70
Accessory Apartments		●	4.70.2
Home Occupations		●	4.70.3
Sidewalk Cafes		–	4.70.4
Outdoor Display Areas		–	4.70.5
Outdoor Storage		–	4.70.6
KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed			

3.110.10 SUPPLEMENTAL REGULATIONS

A. Half Stories in Roof. See [14.20.10.F](#) for definition of half story.

- (1) The occupiable footprint of half stories in the roof is limited to no more than 65% of the footprint of story below.
- (2) Dormers or gabled ends of roofs on half stories are limited to no more than 50% of the facade length of the story below, and must be set back from any street facade a minimum of 9 feet. See [Figure 3.80-F](#).

B. [reserved]

[page intentionally blank]

3.120 House D Building Type

3.120.1 DESCRIPTION AND INTENT

House D incorporates basic characteristics of a wide range of single- and two-story houses built since the middle of the last century, including a footprint that is generally oriented on the block parallel to the street. Garages may be included on the front facade, unlike most other house building types.

3.120.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.120-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.120.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.120.4	Building Siting
3.120.5	Parking & Accessory Structures
3.120.6	Height
3.120.7	Roofs
3.120.8	Primary & Non-Primary Facades
3.120.9	Allowed Uses Table
3.120.10	Supplemental Regulations

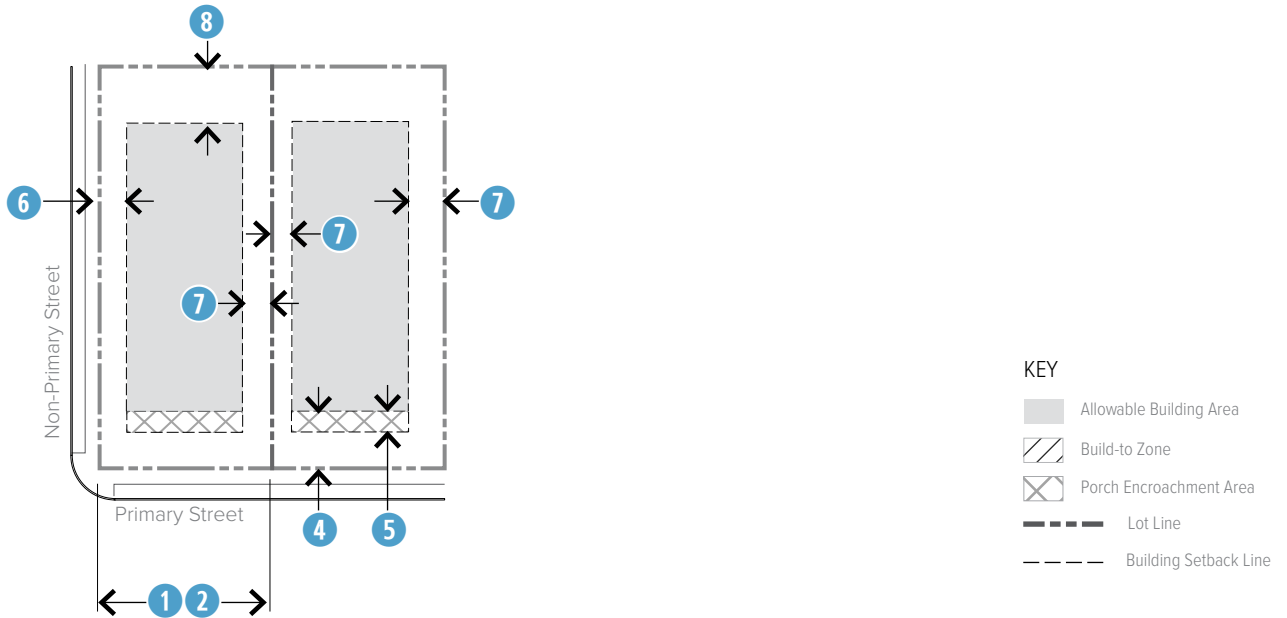


Figure 3.120-A. Examples of House D Building Type

3.0 Site & Building Types

3.120 House D Building Type

Figure 3.120-B. House D Building Siting



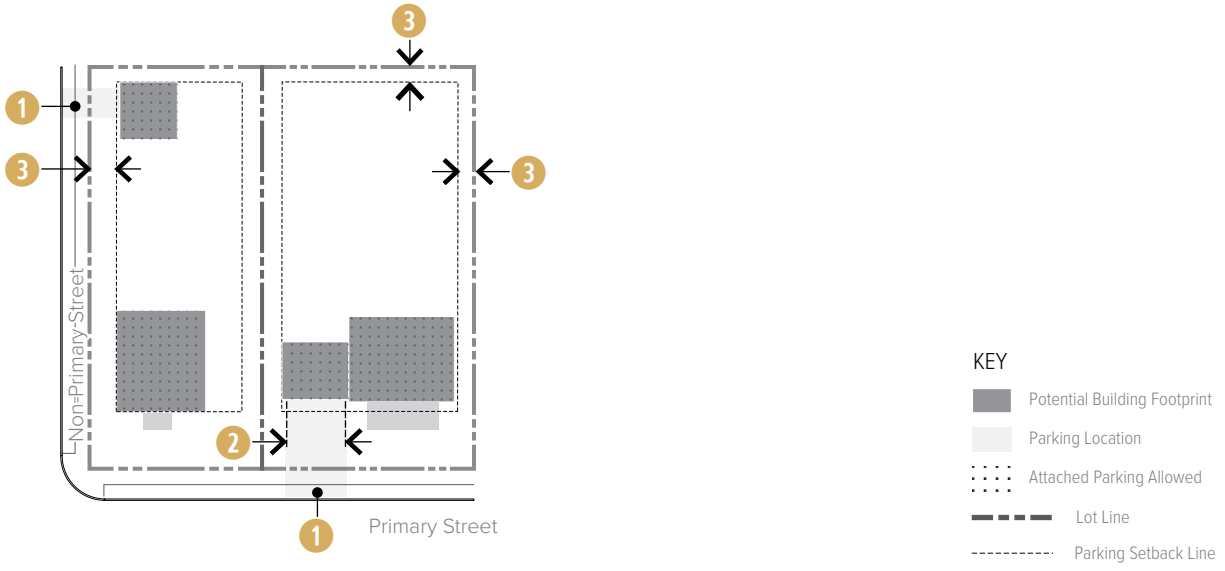
ZONES

N4

Additional/References

3.120.4. BUILDING LOCATION. See Figure 3.120-B			
1	Lot Width	60 ft. min.	
2	Lot Size	7500 sq. ft. min.	
3	Primary Street Setback	20 ft. min.	Prevailing setbacks apply. See 14.20.6 for measuring.
4	Porch, Steps, Bay Primary Encroachment	8 ft. max.	See 3.120.10 for allowed encroachments.
5	Non-Primary Street Setback	10 ft. min.	Match depth of abutting primary yards on street.
6	Side Setback Space between Adjacent Buildings	6 ft. min.; min. 20 ft. total both sides 12 ft. min.	
7	Rear Setback	20 ft. min.	
8	Site Coverage	65% max.	

Figure 3.120-C. House D Parking Siting



ZONES

N4

Additional/References

3.120.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.120-C		
1	Parking Access	12 ft. max. width at primary lot line; max. 1 driveway per building
2	Attached Garage Setback Allowed Garage Door Location	No closer to lot line than primary facade Any facade; max. 35% of primary facade
3	Accessory Structure Location	Rear yard
	Street-Side Setback	No closer to lot line than principal building
	Side & Rear Setback	3 ft. min.
ALLOWED ACCESSORY STRUCTURES		N4
	Backyard Cottage	●
	Outbuildings & Garages	●
	Drive-Through Facilities	–
	Fuel Pumps	–
	Parking Structure	–
	Temporary Storage Container	●
	Building-Mounted Utilities	●
	Ground-Mounted Utilities	○ SP

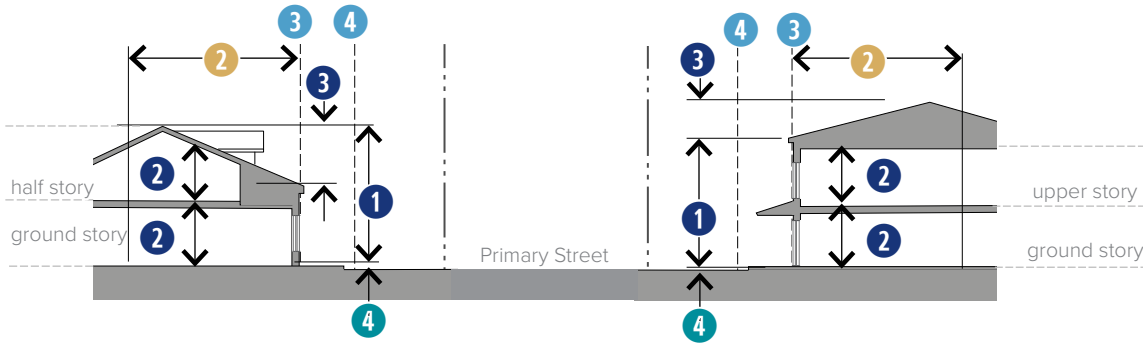
See 3.170 for accessory structures.

See 3.170 for accessory structures and 4.70 for accessory uses.

KEY:
 ● = Allowed
 ○ SP = Requires a Special Permit

3.0 Site & Building Types
3.120 House D Building Type

Figure 3.120-D. House D Height



ZONES

N4

Additional/References

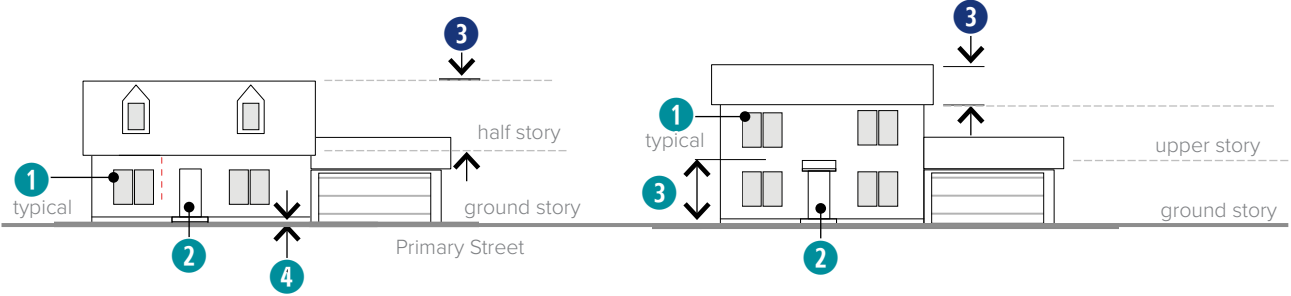
3.120.6. HEIGHT. See [Figure 3.120-D](#)

1	Height	1 story min. 2 stories max.	See 14.20.10 for measuring height.
2	Story Height	9 ft. min. 12 ft. max.	Measured floor-to-floor per 14.20.10 .
	Height to Eaves	—	

3.120.7. ROOFS. See [Figure 3.120-D](#)

3	Roof Types	Pitched	See 6.20 for roof types and tower regulations.
4	Tower	Allowed	

Figure 3.120-E. House D Facades



ZONES

N4

Additional/References

3.120.8. PRIMARY & NON-PRIMARY FACADES. See Figure 3.100-E			
1	Transparency: Primary Facades Non-Primary Facades	15% min. 10% min. On primary facades, no bays or 10 ft. wide sections of any story may be without transparency	Measured per story, including any half stories, visible basement, or towers with full-floor height. See 14.20.11 for measuring transparency.
2	Building Entrance Location	Primary or courtyard facade	
3	Entrance Transition Type	Porch or stoop	See 6.30 for entrance types.
4	Ground Story Elevation above Grade	Between 12 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement	

3.0 Site & Building Types

3.120 House D Building Type

		ZONES		
		N4		Reference
3.120.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.				
RESIDENTIAL				4.30
Number of Principal Units		1 in House		
Number of Accessory Apartments		1 in House or Backyard Cottage		
Household Living		●		4.30.1
Group Living		●		4.30.2
Short-Term Rental		–		4.30.2
COMMERCIAL				4.40
Office		–		4.40.1
Retail & Entertainment		–		4.40.2
Live Entertainment Venue		–		4.40.3
Consumer Service, Indoor		–		4.40.4
Funeral & Mortuary Service		–		4.40.5
Self-Service Storage, Indoor		–		4.40.6
Consumer Service, Outdoor		–		4.40.7
Light Vehicle Sales & Service		–		4.40.8
Heavy Sales & Service		–		4.40.9
Wholesale Sales		–		4.40.10
Controlled Sales & Service		–		4.40.11
Cannabis Sales		–		4.40.12
Cannabis Growing		–		4.40.12
Parking, Non-Accessory		–		4.40.13
Sexually Oriented Business		–		4.40.14
MANUFACTURING & INDUSTRY				4.50
Manufacturing, Low-Impact		–		4.50.1
Manufacturing, Moderate-Impact		–		4.50.2
Warehousing & Distribution		–		4.50.3
Heavy Industry		–		4.50.4
CIVIC & INSTITUTIONAL				4.60
Civic, Large		–		4.60.1
Civic, Small		–		4.60.2
Civic, Campus		–		4.60.3
Transportation Facilities		–		4.60.4
Detention & Correctional Facilities		–		4.60.5
Parks & Open Space		●		4.60.6
Minor Utilities		●		4.60.7
Major Utilities		–		4.60.8

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

3.0 Site & Building Types
3.120 House D Building Type

[table continued from previous page]

ZONES		
	N4	Reference
ACCESSORY USES		4.70
Accessory Apartments	●	4.70.2
Home Occupations	●	4.70.3
Sidewalk Cafes	-	4.70.4
Outdoor Display Areas	-	4.70.5
Outdoor Storage	-	4.70.6
KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval - = Not Allowed		

3.120.10 SUPPLEMENTAL REGULATIONS
 A. [reserved]

[page intentionally blank]

3.130 Workshop Building Type

3.130.1 DESCRIPTION AND INTENT

The Workshop building is a modified General building with a minimum level of orientation to the sidewalk and pedestrians, while allowing loading or garage bays on the front facade. In some zones, the number of bays on the front facade are limited.

3.130.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.130-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.130.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.130.4	Building Siting
3.130.5	Parking & Accessory Structures
3.130.6	Height
3.130.7	Roofs
3.130.8	Primary & Non-Primary Facades
3.130.9	Allowed Uses Table
3.130.10	Supplemental Regulations

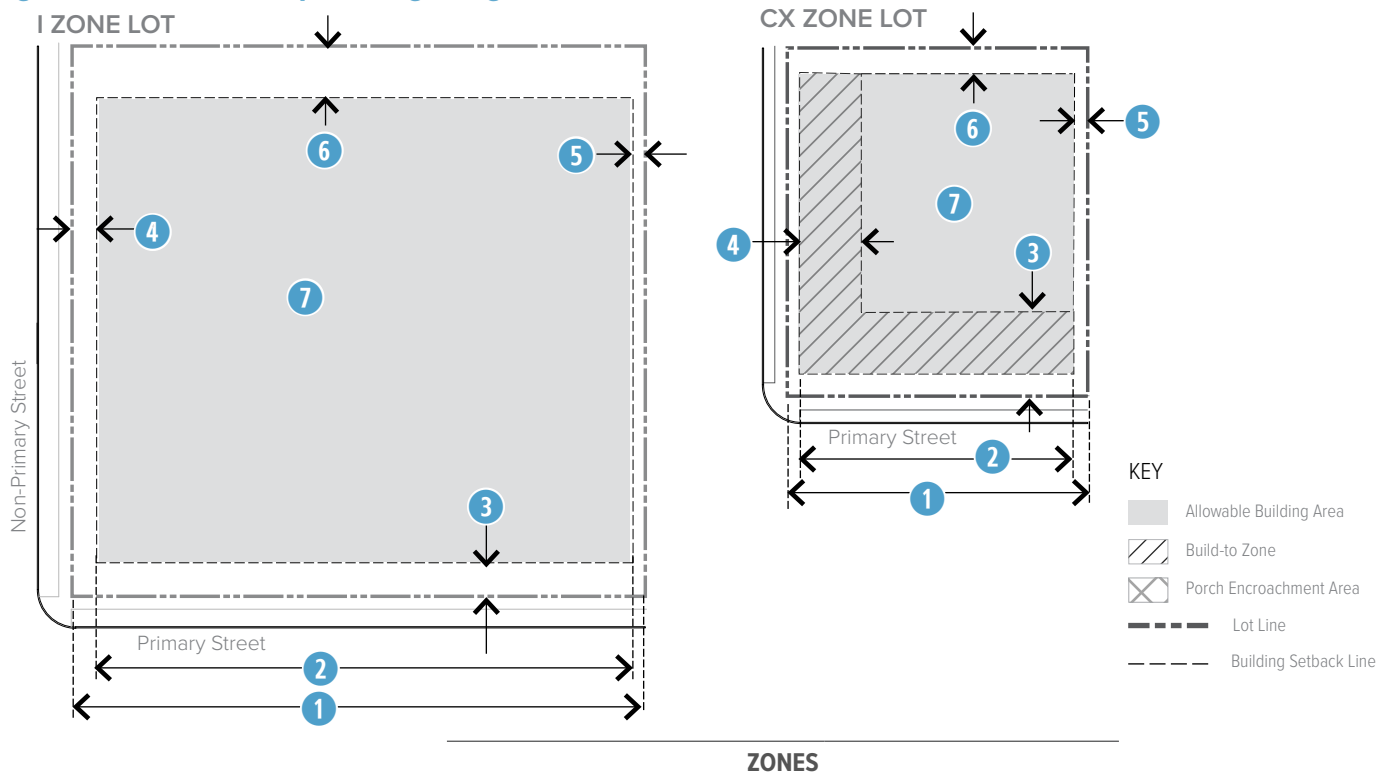


Figure 3.130-A. Examples of Workshop Building Type

3.0 Site & Building Types

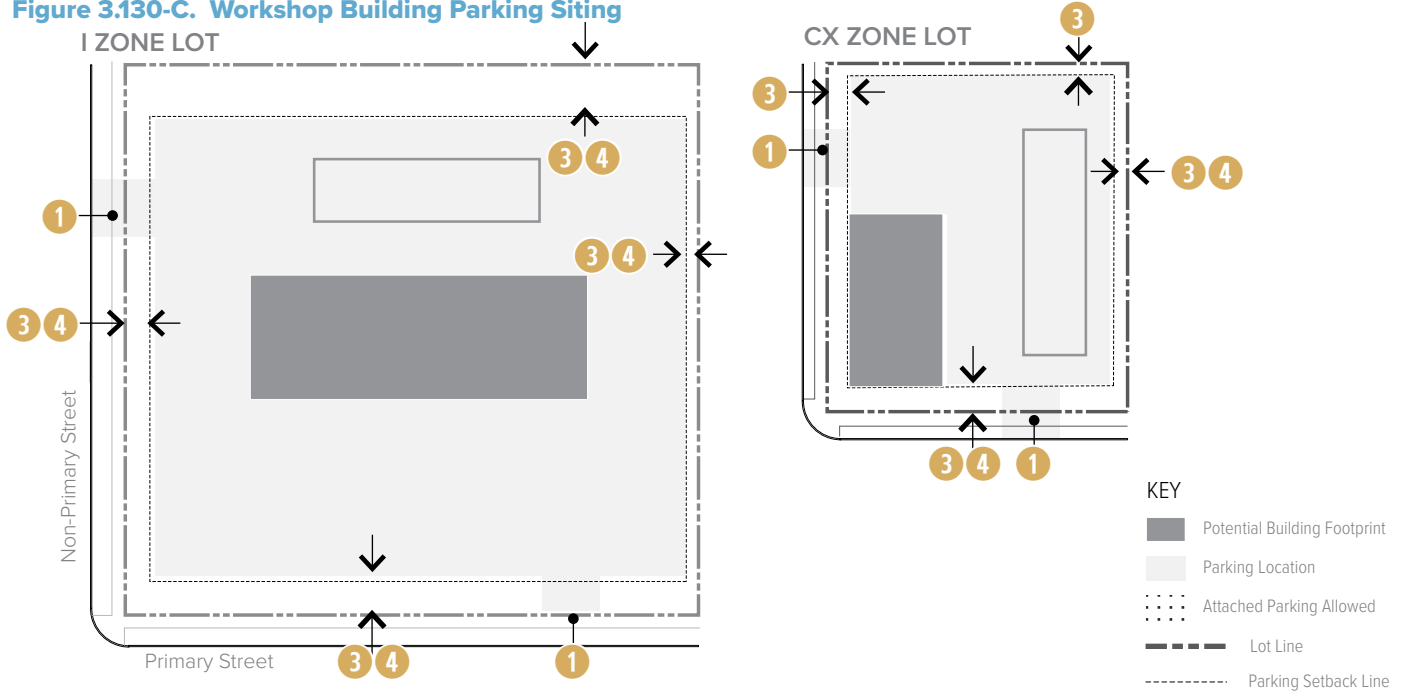
3.130 Workshop Building Type

Figure 3.130-B. Workshop Building Siting



3.130.4. BUILDING LOCATION. See Figure 3.50-B		CX	I	Additional/References
	Multiple Principal Buildings	allowed	allowed	
1	Lot Width	25 ft. min.	25 ft. min.	
2	Primary Streetwall	45% min.	none	
3	Primary Street Build-to Zone or Setback	10 ft. min. 35 ft. max.	15 ft. min. setback -	See 3.130.10 minimum streetscape area.
4	Non-Primary Street Build-to Zone or Setback	5 ft. min. 35 ft. max.	10 ft. min. setback -	
5	Side Setback Side Setback Adjacent to Residential Space between Buildings	5 ft. min. 15 ft. min. 12 ft. min.	5 ft. min. 15 ft. min. 12 ft. min.	See 7.110 for landscape buffer adjacent to N and NX zones.
6	Rear Setback Rear Setback Adjacent to Residential	10 ft. min. 20 ft. min.	10 ft. min. 20 ft. min.	
7	Site Coverage	90% max.	85% max.	See 14.20.7 for measuring site coverage.

Figure 3.130-C. Workshop Building Parking Siting



ZONES

CX

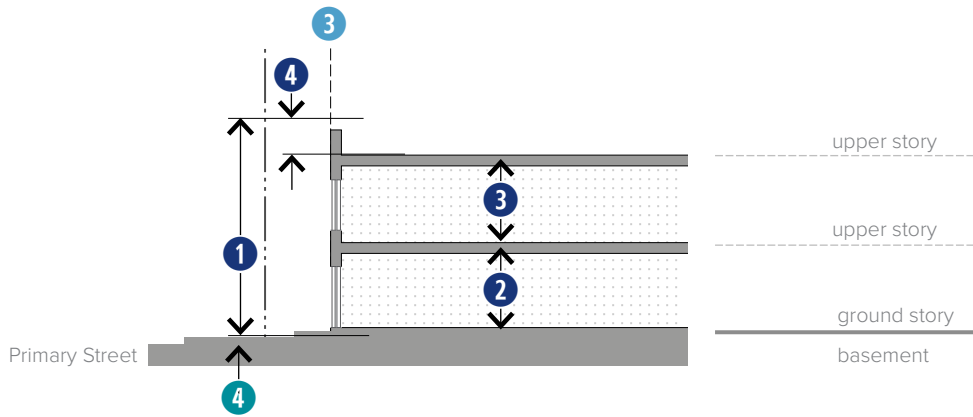
I

Additional/References

3.130.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.50-C			
	CX	I	Additional/References
1 Parking & Driveway Access	1 per every 300 feet of street frontage		See 8.0 for parking.
2 Attached Garage Setback Allowed Garage Door Location	Any facade; limited to no more than 1 bay per 60 ft. of primary facade	Any facade	See 6.50.11 for garage door design regulations.
3 Surface Parking Location	Rear, side yard	Any yard	
Street Setback	No closer to lot line than principal building	same as building setback	
Side & Rear Setback	same as building setback	same as building setback	
4 Accessory Structure Location	Rear, side yard	Rear, side yard	See 3.170 for accessory structures.
Street Setback	No closer to lot line than principal building	same as building setback	
Side & Rear Setback	same as building setback	same as building setback	
ALLOWED ACCESSORY STRUCTURES	CX	I	See 3.170 for accessory structures and 4.70 for accessory uses.
Backyard Cottage	–	–	
Outbuildings & Garages	●	●	
Drive-Through Facilities	●	●	
Fuel Pumps	●	●	
Parking Structure	●	●	
Temporary Storage Container	●	●	
Building-Mounted Utilities	●	●	
Ground-Mounted Utilities	○ SP	●	KEY: ● = Allowed ○ SP = Requires a Special Permit

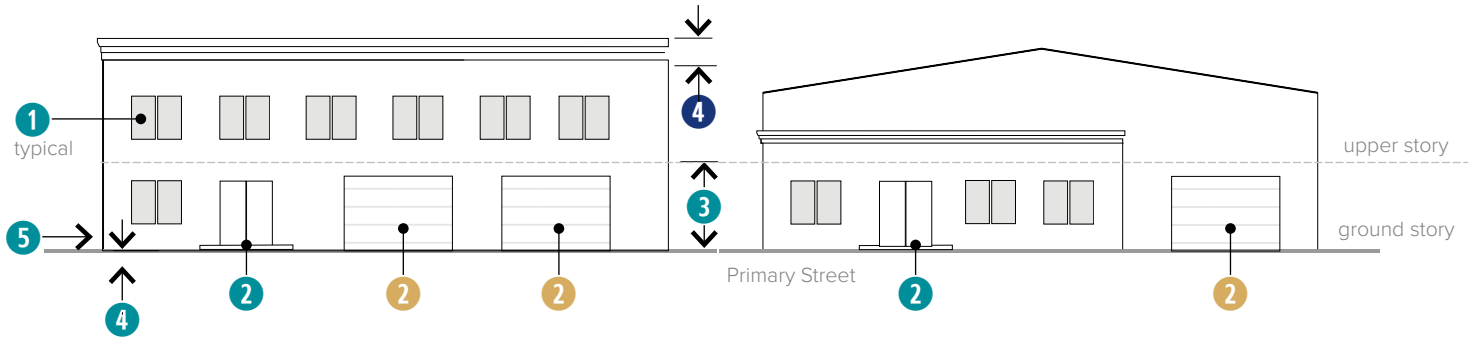
3.0 Site & Building Types
3.130 Workshop Building Type

Figure 3.130-D. Workshop Building Height



ZONES				
		CX	I	Additional/References
3.130.6. HEIGHT. See Figure 3.50-D				
1	Height	3 stories max.	3 stories max.	See 14.20.10 for measuring height.
2	Ground Story Height	10 ft. min. 16 ft. max.	10 ft. min. 24 ft. max.	Measured floor-to-floor.
3	All Other Stories Height	9 ft. min. 14 ft. max.	10 ft. min. 14 ft. max., additional story height allowed with PZC approval	
3.130.7. ROOFS. See Figure 3.50-D				
4	Roof Types	Flat, parapet, pitched	n.a.	See 6.20 for roof types and tower regulations.
5	Tower	Allowed	Not allowed	

Figure 3.130-E. Workshop Building Facades



ZONES

		CX	I	Additional/References
3.130.8. PRIMARY & NON-PRIMARY FACADES. <i>Figure 3.50-E</i>				
1	Transparency: Primary Facades Non-Primary Facades	12% min. 12% min.	12% min. –	Measured per story, including any half stories, visible basements, or towers with full-floor height. See 14.20.11 for measuring transparency.
		No bays or 15 ft. wide sections of any story on the primary facade may be without transparency	–	
2	Building Entrances Location	One per every 150 ft. of primary facade	One on primary facade	See 14.20.12 for measuring building entrance location.
3	Entrance Transition Type	Stoop	–	See 6.30 for entrance types.
4	Ground Story Elevation	Less than 30 in. above grade or between 30 in. and 4 ft. with a visible basement	–	See 14.40 for definition of visible basement.
5	Horizontal Divisions with Shadow Lines	Within 3 ft. of the top of any story between the basement and 3rd story	–	Horizontal shadow lines to run a min. 80% of length of facade. See 14.210 for definition of shadow lines.
6	Vertical Divisions with Shadow Lines	One per every 120 ft. of street facade	–	

3.0 Site & Building Types

3.130 Workshop Building Type

	ZONES		Reference
	CX	I	
3.130.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.			
RESIDENTIAL			4.30
Number of Principal Units	–	–	
Number of Accessory Units	–	–	
Household Living	–	–	4.30.1
Group Living	–	–	4.30.2
Short-Term Rental	–	–	4.30.3
COMMERCIAL			4.40
Office	–	●	4.40.1
Retail & Entertainment	–	–	4.40.2
Live Entertainment Venue	–	–	4.40.3
Consumer Service, Indoor	●	–	4.40.4
Funeral & Mortuary Service	–	–	4.40.5
Self-Service Storage, Indoor	○ SP	○ SP	4.40.6
Consumer Service, Outdoor	●	–	4.40.7
Light Vehicle Sales & Service	○ CL	○ CL	4.40.8 ; see 3.170.7 for fuel pumps
Heavy Sales & Service	●	●	4.40.9
Wholesale Sales	●	●	4.40.10
Controlled Sales & Service	○ CL	○ CL	4.40.11
Cannabis Sales	○ CL	○ CL	4.40.12
Cannabis Growing	○ CL	○ CL	4.40.12
Parking, Non-Accessory	○ SP	○ SP	4.40.13
Sexually Oriented Business	○ CL	○ CL	4.40.14
MANUFACTURING & INDUSTRY			4.50
Manufacturing, Low-Impact	●	●	4.50.1
Manufacturing, Moderate-Impact	–	●	4.50.2
Warehousing & Distribution	–	●	4.50.3
Heavy Industry	–	○ SP	4.50.4
CIVIC & INSTITUTIONAL			4.60
Civic, Large	–	–	4.60.1
Civic, Small	–	–	4.60.2
Civic, Campus	–	–	4.60.3
Transportation Facilities	–	–	4.60.4
Detention & Correctional Facilities	–	–	4.60.5
Parks & Open Space	–	–	4.60.6
Minor Utilities	●	●	4.60.7

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

3.0 Site & Building Types
3.130 Workshop Building Type

[table continued from previous page]

	ZONES		Reference
	CX	I	
Major Utilities	–	–	4.60.8
ACCESSORY USES			4.70
Accessory Apartments	–	–	4.70.2
Home Occupations	–	–	4.70.3
Sidewalk Cafes	–	–	4.70.4
Outdoor Display Areas	●	●	4.70.5
Outdoor Storage	○ SP	○ SP	4.70.6

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

3.130.10 SUPPLEMENTAL REGULATIONS

A. [reserved]

[page intentionally blank]

3.140 Civic Building Type

3.140.1 DESCRIPTION AND INTENT

The Civic building is the most flexible building type, but is limited to buildings with civic and institutional uses. This building type is intended to allow distinctive buildings within the urban fabric, set back within a landscape setting or designed as unique, iconic structures.

A front entrance and multiple windows on the street promote walking to the buildings, while parking is located on the side or in the rear.

3.140.2 ILLUSTRATIVE IMAGES

The images shown in [Figure 3.140-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

3.140.3 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [3.10](#) for general regulations for all building types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.140.4	Building Siting
3.140.5	Parking & Accessory Structures
3.140.6	Height
3.140.7	Roofs
3.140.8	Primary & Non-Primary Facades
3.140.9	Allowed Uses Table
3.140.10	Supplemental Regulations

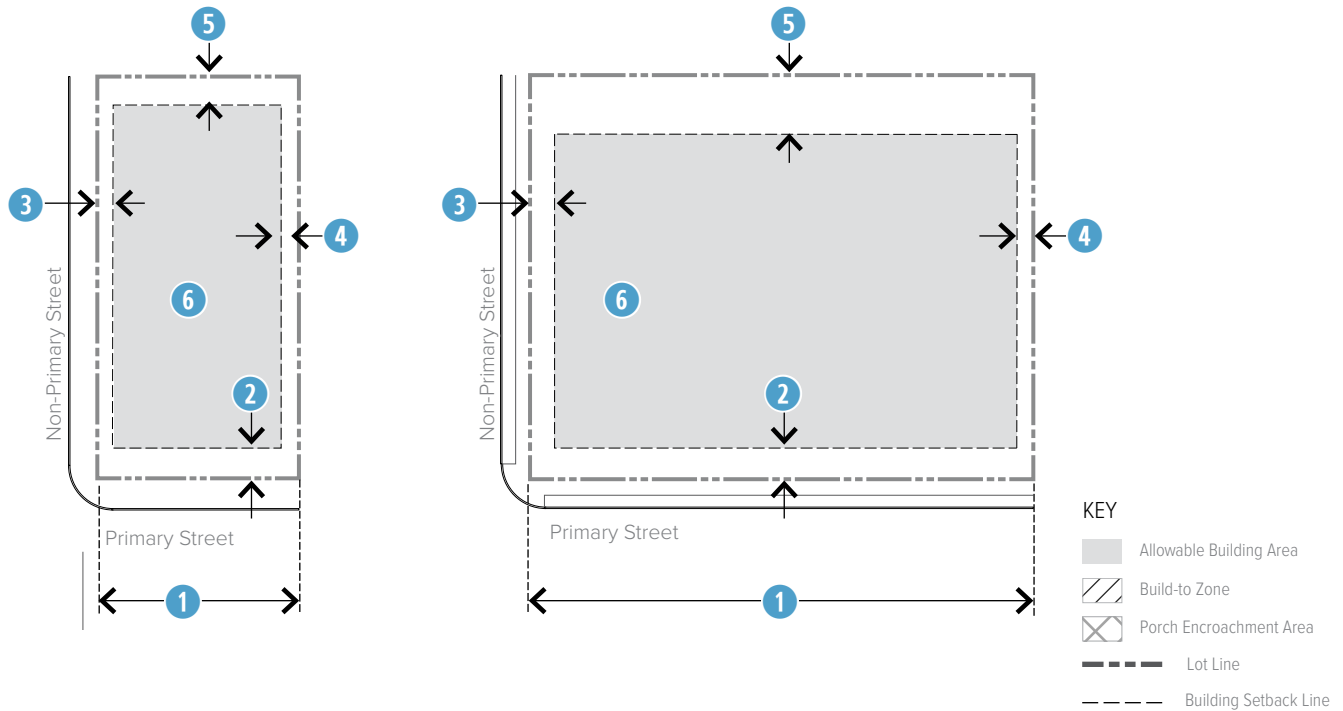


Figure 3.140-A. Examples of Civic Building Type

3.0 Site & Building Types

3.140 Civic Building Type

Figure 3.140-B. Civic Building Siting



ZONES

DX1, DX2, MX1,
MX2, RX1, RX2, CX,
NX3, NX4, P2

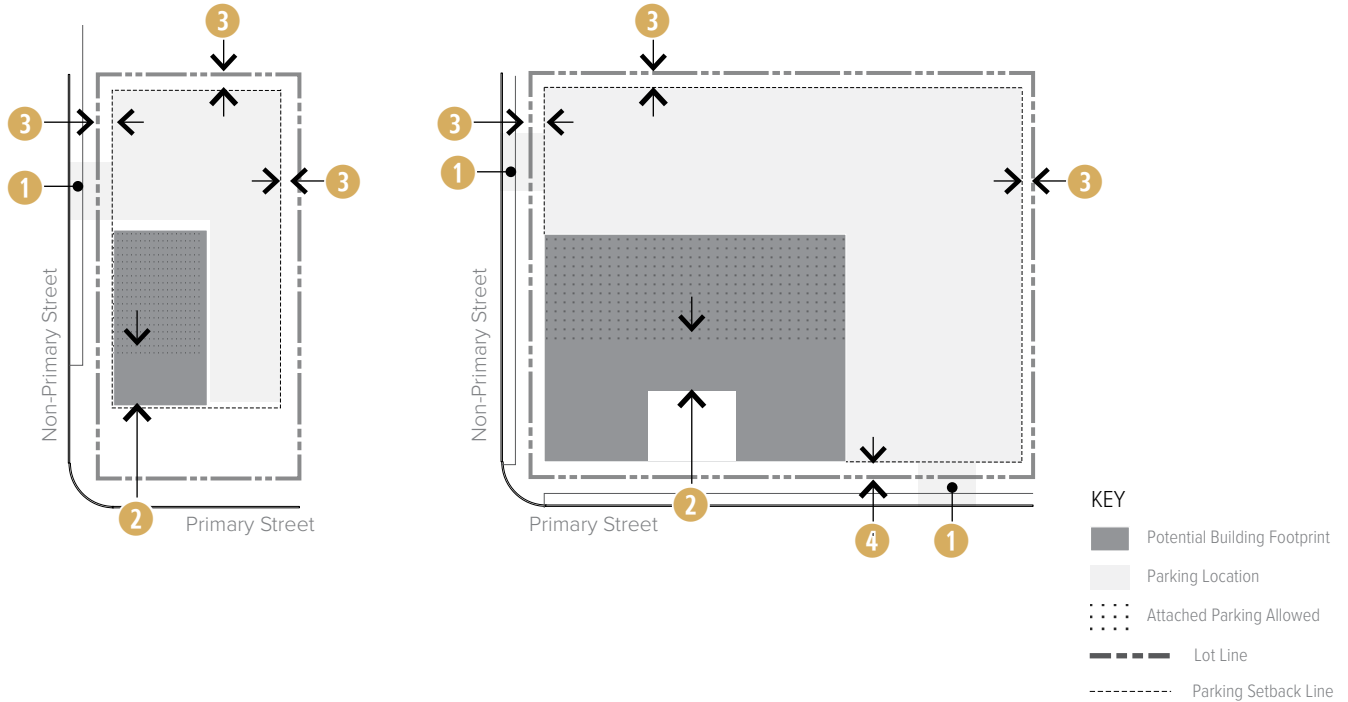
P1, P4, P5

P3

Additional/References

3.140.4. BUILDING LOCATION. See Figure 3.50-B					Additional/References
	Multiple Principal Buildings	Allowed	Not allowed	Allowed; development plan approval required for use of building type in zone	See 3.140.10 for P3 master plan requirements.
1	Lot Width	50 ft. min.	50 ft. min.	120 ft. min.	
	Primary Streetwall	–	–	–	
2	Primary Street Setback	10 ft. min.	10 ft. min.	0 ft. min.	See 3.140.10 minimum streetscape area.
3	Non-Primary Street Setback	5 ft. min.	5 ft. min.	30 ft. min.	
4	Side Setback Space between Buildings	5 ft. min. 12 ft. min.	5 ft. min. 12 ft. min.	5 ft. min. 12 ft. min.	See 7.110 for landscape buffer adjacent to N zones.
5	Rear Setback	10 ft. min.	10 ft. min.	20 ft. min.	
6	Site Coverage	90% max.	90% max.	85% max.	See 14.20.7 for measuring site coverage.

Figure 3.140-C. Civic Building Parking Siting



ZONES			
DX1, DX2, MX1, MX2, RX1, RX2, CX, NX3, NX4, P2	P1, P4, P5	P3	

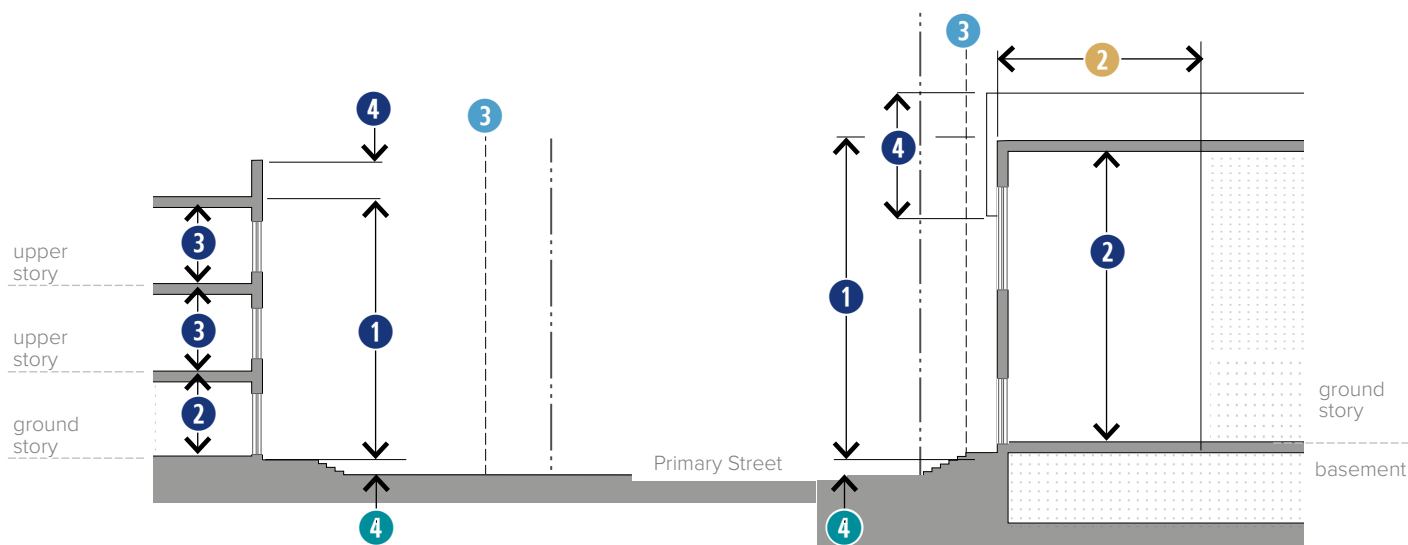
Additional/References

3.140.5. PARKING & ACCESSORY STRUCTURES. See Figure 3.50-C			
1	Parking & Driveway Access	1 per every 300 feet of street frontage	See 8.0 for parking.
2	Attached Garage Setback Allowed Garage Door Location	Rear of building; minimum 20 feet from primary facade Side, rear, interior side facade	See 6.50.11 for garage door design regulations.
3	Surface Parking Location	Rear, limited side yard, internal	See 14.20.9 for allowed limited side yard parking layout.
	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min. 5 ft. min. 5 ft. min.	
4	Accessory Structure Location	Rear yard Rear yard Rear yard	See 3.170 for accessory structures.
	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	3 ft. min. 3 ft. min. 3 ft. min.	
ALLOWED ACCESSORY STRUCTURES			
	Backyard Cottage	–	See 3.170 for accessory structures and 4.70 for accessory uses. KEY: ● = Allowed ○ SP = Requires a Special Permit
	Outbuildings & Garages	●	
	Drive-Through Facilities	–	
	Fuel Pumps	–	
	Parking Structure	●	
	Temporary Storage Container	●	
	Building-Mounted Utilities	●	
	Ground-Mounted Utilities	○ SP	
		○ SP	
		○ SP	

3.0 Site & Building Types

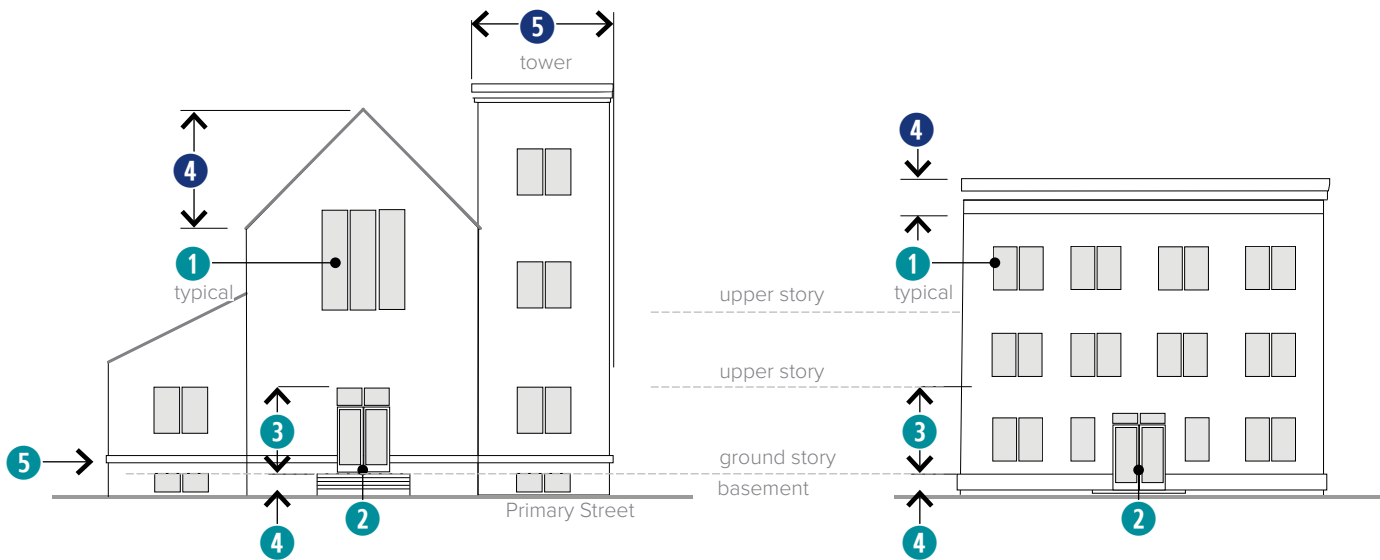
3.140 Civic Building Type

Figure 3.140-D. Civic Building Height



		ZONES			
		DX1, DX2, MX1, MX2, RX1, RX2, CX, NX3, NX4, P2	P1, P4, P5	P3	Additional/References
3.140.6. HEIGHT. See Figure 3.50-D					
1	Height	3 stories max.; additional height may be approved by PZC		12 stories max	See 14.20.10 for measuring height.
2	Ground Story Height	10 ft. min. 24 ft. max., additional height may be approved by PZC		10 ft. min. 24 ft. max., additional story height allowed with development plan	Measured floor-to-floor.
3	All Other Stories Height	9 ft. min. 14 ft. max.	9 ft. min. 14 ft. max.	9 ft. min. 14 ft. max., additional story height allowed with development plan	
3.140.7. ROOFS. See Figure 3.50-D					
4	Roof Types	Flat, parapet, pitched; other types may be approved by the PZC		–	See 6.20 for roof types and tower regulations.
5	Tower	Allowed	Allowed	–	

Figure 3.140-E. Civic Building Facades



ZONES		
DX1, DX2, MX1, MX2, RX1, RX2, CX, NX3, NX4, P2	P1, P4, P5	P3

Additional/References

3.140.8. PRIMARY & NON-PRIMARY FACADES. [Figure 3.50-E](#)

	DX1, DX2, MX1, MX2, RX1, RX2, CX, NX3, NX4, P2	P1, P4, P5	P3	Additional/References
1 Transparency: Primary Facades Non-Primary Facades	10% min. 10% min.	10% min. 10% min.	12% min. 10% min.	Measured per story, including any half stories, visible basements, or towers with full-floor height. See 14.20.11 for measuring transparency.
	Lower transparency may be approved by PZC			
	No bays or 15 ft. wide sections of any story on the primary facade may be without transparency			
2 Building Entrances Location	One per every 100 ft. of primary facade	One per every 100 ft. of primary facade	One on primary facade	See 14.20.12 for measuring building entrance location.
3 Entrance Transition Type	Stoop, porch	Stoop, porch	–	See 6.30 for entrance types.
4 Ground Story Elevation	Less than 30 in. above grade or between 30 in. and 4 ft. with a visible basement			See 14.40 for definition of visible basement.
5 Horizontal Divisions with Shadow Lines	–	–	–	
6 Vertical Divisions with Shadow Lines	–	–	–	

3.0 Site & Building Types

3.140 Civic Building Type

	ZONES							Reference
	DX1, MX1, MX2, RX1, CX, NX3, NX4	DX2, RX2	P1	P2	P3	P4	P5	
3.140.9. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.								
RESIDENTIAL								4.30
Number of Principal Units	–	–	–	–	–	–	–	
Number of Accessory Units	–	–	–	–	–	–	–	
Household Living	–	–	–	–	○ SP	–	–	4.30.1
Group Living	–	–	–	–	○ SP	–	–	4.30.2
Short-Term Rental	–	–	–	–	○ SP	–	–	4.30.3
COMMERCIAL								4.40
Office	–	–	–	–	○ SP	–	–	4.40.1
Retail & Entertainment	–	–	○ SP	○ SP	○ SP ●	–	–	4.40.2
Live Entertainment Venue	–	–	–	○ SP	○ SP ●	–	–	4.40.3
Consumer Service, Indoor	–	–	○ SP	–	○ SP ●	–	–	4.40.4
Funeral & Mortuary Service	–	–	–	–	–	–	–	4.40.5
Self-Service Storage, Indoor	–	–	–	–	–	–	–	4.40.6
Consumer Service, Outdoor	○ SP	○ SP	○ SP	○ SP	○ SP	–	–	4.40.7
Light Vehicle Sales & Service	–	–	–	–	–	–	–	4.40.8
Heavy Sales & Service	–	–	–	–	–	–	–	4.40.9
Wholesale Sales	–	–	–	–	–	–	–	4.40.10
Controlled Sales & Service	–	–	–	–	–	–	–	4.40.11
Cannabis Sales	–	–	–	–	–	–	–	4.40.12
Cannabis Growing	–	–	–	–	–	–	–	4.40.12
Parking, Non-Accessory	○ SP	○ SP	○ SP	○ SP	○ SP	○ SP	○ SP	4.40.13
Sexually Oriented Business	–	–	–	–	–	–	–	4.40.14
MANUFACTURING & INDUSTRY								4.50
Manufacturing, Low-Impact	–	–	–	–	–	–	–	4.50.1
Manufacturing, Moderate-Impact	–	–	–	–	–	–	–	4.50.2
Warehousing & Distribution	–	–	–	–	–	–	–	4.50.3
Heavy Industry	–	–	–	–	–	–	–	4.50.4
CIVIC & INSTITUTIONAL								4.60
Civic, Large	–	–	–	○ SP	–	–	–	4.60.1
Civic, Small	●	●	–	●	●	–	–	4.60.2
Civic, Campus	–	–	–	●	●	–	–	4.60.3
Transportation Facilities	–	○ SP	–	–	–	–	–	4.60.4
Detention & Correctional Facilities	–	–	–	–	–	–	○ SP	4.60.5
Parks & Open Space	●	●	●	●	●	●	●	4.60.6
Minor Utilities	●	●	●	●	●	●	●	4.60.7

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

[table continued from previous page]

	ZONES							Reference
	DX1, MX1, MX2, RX1, CX, NX3, NX4	DX2, RX2	P1	P2	P3	P4	P5	
Major Utilities	–	–	–	–	–	○ SP	–	4.60.8
ACCESSORY USES								4.70
Accessory Apartments	–	–	–	–	–	–	–	4.70.2
Home Occupations	–	–	–	–	–	–	–	4.70.3
Sidewalk Cafes	○ SP	○ SP	○ SP	○ SP	○ SP	–	–	4.70.4
Outdoor Display Areas	–	–	–	–	–	–	–	4.70.5
Outdoor Storage	–	–	–	○ SP	–	–	–	4.70.6

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

3.140.10 SUPPLEMENTAL REGULATIONS

A. P3 Development Plan Requirements. The use of the P3 zone requires approval of a development plan by the PZC (see [11.60](#)).

- (1) Intent. The P3 development plan and the use of the Civic building is intended to provide flexibility in site development and building design for a wide range of uses in a campus setting, especially where public street frontages are few. The campus plan must also address the integrity of adjacent areas.
- (2) Campus Layout. The development plan establishes the approved campus layout, illustrating existing and future buildings, structures, and site elements.
 - (a) A list of submittal requirements is available from the City.
 - (b) Each building to be subsequently developed must be approved as part of the site plan process (see [11.70](#)), using the approved campus layout as guidance, in order to be constructed.
 - (c) Minor or major revisions to the development plan may be approved per [11.60](#).
- (3) Primary Frontages. The development plan must designate streets or pathways to serve as primary

frontages to serve as the "fronts" of buildings. Non-primary frontages must also be designated to serve as the rear or sides of buildings, specifying locations refuse, recycling, utilities, and parking entrances. Every building, except accessory structures or utility structures, must include at least one primary frontage.

- (4) Building Layout. The PZC may approve other building layout and location regulations than those defined in [3.140.4](#), provided the following:
 - (a) The development plan must address the relationship between the buildings and any surrounding sites outside the campus while meeting the intent of the regulations. For example, the campus plan may utilize a pedestrian promenade through the campus as the primary street, providing a process for measuring the primary frontage.
 - (b) The treatment of primary streets on the exterior edges of the campus must be addressed by the development plan, respecting the surrounding sites.
 - (c) Waterfronts must always be treated as primary frontage.

3.0 Site & Building Types

3.140 Civic Building Type

- (5) Parking and Accessory Structures. The location of parking, driveway, and accessory structures per [3.140.5](#) must be shown on the campus plan with any anticipated deviations from the regulations outlined.
 - (a) Parking structures must not be located on primary streets that serve as primary frontage for other buildings outside the campus.
 - (b) Driveway access must be limited on primary streets that serve as primary frontage for other buildings outside the campus.
 - (c) Number of off-street parking spaces must be shown on the campus plan.
- (6) Height. Heights in stories for the buildings shown on the campus development plan must be included. Deviations to the number of stories beyond the regulations of [3.140.6](#) are not allowed. Deviations anticipated for story heights above 24 feet must be clearly defined in the campus development plan with reductions in overall heights to accommodate the increase floor-to-floor height.
- (7) Facades. The regulations in [3.140.8](#) represent the allowable minimums and must be applied to any primary frontages designated by the development plan as well as all street frontages.
- (8) Uses. The campus plan must define the anticipated uses for each building on the site, including those requiring a special permit per [3.140.9](#).

B. [reserved]

3.150 Patio Outdoor Site

3.150.1 DESCRIPTION AND INTENT

The Patio Outdoor Site is intended for commercial activities that occur mainly outdoors. The site includes allowances for smaller kiosk buildings and temporary buildings organized around an outdoor plaza area. Landscape and fencing provide an edge to the site. Parking is accommodated in the rear.

3.150.2 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific site type. See [3.10](#) for general regulations for all building and site types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.150.3	Site Regulations
3.150.4	Optional Kiosk Building Siting
3.150.5	Optional Temporary Building Siting
3.150.6	Parking & Accessory Structures
3.150.7	Allowed Uses
3.150.8	Supplemental Regulations



Figure 3.150-A. Examples of Patio Outdoor Site Type

3.0 Site & Building Types

3.150 Patio Outdoor Site

	ZONES		Additional/References
	DX1, MX1	MX2	
3.150.3. SITE REGULATIONS. See Figure 3.50-B			
Lot Width	No min. 120 ft. max.	150 ft. min. 300 ft. max.	
Outdoor Plaza Area: An unenclosed outdoor area, paved with concrete, brick, or stone unit pavers.	Required for all sites except infrastructure uses and fueling stations		
	The minimum plaza area must be located in the front half of the site		
	Plaza must occupy at least 45% of parcel area		
Frontage Buffer Required	Along 80% of primary and non-primary frontages per 7.100		
Site Coverage: All	95% max.	75% max.	
3.150.4. OPTIONAL KIOSK BUILDING SITING REGULATIONS. See Figure 3.50-B			
Kiosk: A permanent building with limited space for the proprietor and associated goods and no interior space for customers with the exception of bathrooms.	One allowed. An additional kiosk building may be allowed for every 1500 s.f. of outdoor plaza with a special permit		
	Walk-up service only	Walk-up and drive-up service allowed	
Street Build-to Zone	5 ft. min. 30 ft. max.	5 ft. min. 30 ft. max.	
Side and Rear Setback	5 ft. min.	5 ft. min.	
Floor Area	500 sq. ft. max.	500 sq. ft. max.	
Height	1 story, 15 ft. max.	1 story, 15 ft. max.	
Transparency: Primary & Non-Primary Facades	20% min.	20% min.	
Allowed Facade Materials	Major and minor materials as allowed for any other building type in the zone; required on all 4 sides		See 6.40 for facade materials.
Roof Type	Pitched, parapet, or flat	Pitched, parapet, or flat	See 6.20 for roof types.
3.150.5. OPTIONAL TEMPORARY BUILDING SITING REGULATIONS. See Figure 3.50-B			
A temporary building intended to be utilized for up to 3 years.	One per site allowed		
	Wheels and chassis shall be screened by skirting		
	Drive-up service is not permitted with a temporary building		
	Major and minor materials on primary and non-primary facades are those allowed for any other building type in the zone		
Street Setback	60 ft. min.; 15 ft. min. with kiosk building design elements, but with wheels & chassis		
Side and Rear Setback	5 ft. min.	5 ft. min.	
Floor Area	800 sq. ft. max.	1,400 sq. ft. max.	

3.0 Site & Building Types
3.150 Patio Outdoor Site

		ZONES		
		DX1, MX1	MX2	Additional/References
3.150.6. PARKING AND ACCESSORY STRUCTURES. See Figure 3.50-B				
1	Parking & Driveway Access	1 allowed	1 per every 300 feet of street frontage	See 8.0 for parking.
3	Surface Parking Location	Rear, limited side yard	Rear, limited side yard, internal	Yards are defined by outdoor plaza. See 14.20.9 for allowed limited side yard parking layout.
4	Accessory Structure Location	—	Rear yard	
ALLOWED ACCESSORY STRUCTURES				See 3.170 for accessory structures and 4.70 for accessory uses. KEY: ● = Allowed ○ SP = Requires a Special Permit
	Backyard Cottage	—	—	
	Outbuildings & Garages	—	—	
	Drive-Through Facilities	—	○ SP	
	Fuel Pumps	—	○ SP	
	Parking Structure	—	—	
	Temporary Storage Container	—	—	
	Building-Mounted Utilities	○ SP	○ SP	
	Ground-Mounted Utilities	○ SP	○ SP	

3.0 Site & Building Types

3.150 Patio Outdoor Site

	ZONES		Reference
	DX1, MX1	MX2	
3.150.7. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.			
RESIDENTIAL			4.30
Number of Principal Units	–	–	
Number of Accessory Units	–	–	
Household Living	–	–	4.30.1
Group Living	–	–	4.30.2
Group Living	–	–	4.30.2
COMMERCIAL			4.40
Office	–	–	4.40.1
Retail & Entertainment	●	●	4.40.2
Live Entertainment Venue	–	–	4.40.3
Consumer Service, Indoor	–	–	4.40.4
Funeral & Mortuary Service	–	–	4.40.5
Self-Service Storage, Indoor	–	–	4.40.6
Consumer Service, Outdoor	●	●	4.40.7
Light Vehicle Sales & Service	–	○ CL fueling stations only	4.40.8 ; see 3.170.7 for fuel pumps
Heavy Sales & Service	–	–	4.40.9
Wholesale Sales	–	–	4.40.10
Controlled Sales & Service	–	–	4.40.11
Cannabis Sales	–	–	4.40.12
Cannabis Growing	–	–	4.40.12
Parking, Non-Accessory	–	–	4.40.13
Sexually Oriented Business	–	–	4.40.14
MANUFACTURING & INDUSTRY			4.50
Manufacturing, Low-Impact	–	–	4.50.1
Manufacturing, Moderate-Impact	–	–	4.50.2
Warehousing & Distribution	–	–	4.50.3
Heavy Industry	–	–	4.50.4
CIVIC & INSTITUTIONAL			4.60
Civic, Large	–	–	4.60.1
Civic, Small	–	–	4.60.2
Civic, Campus	–	–	4.60.3
Transportation Facilities	–	–	4.60.4
Detention & Correctional Facilities	–	–	4.60.5
Parks & Open Space	–	–	4.60.6
Minor Utilities	●	●	4.60.7

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

3.0 Site & Building Types
3.150 Patio Outdoor Site

[table continued from previous page]

	ZONES		Reference
	DX1, MX1	MX2	
Major Utilities	–	–	4.60.8
ACCESSORY USES			4.70
Accessory Apartments	–	–	4.70.2
Home Occupations	–	–	4.70.3
Sidewalk Cafes	●	●	4.70.4
Outdoor Display Areas	●	●	4.70.5
Outdoor Storage	–	–	4.70.6

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

3.150.8 SUPPLEMENTAL REGULATIONS

A. [reserved]

[page intentionally blank]

3.160 Open Outdoor Site

3.160.1 DESCRIPTION AND INTENT

The Open Outdoor Site accommodates sites without a principal building and uses that occur mainly outdoors. The site includes allowances for smaller kiosk buildings and temporary buildings. Landscape and fencing provide an edge to the site. Parking is accommodated in the rear and partially in the front part of the site.

3.160.2 SITE AND BUILDING REGULATIONS

The following tables and illustrations regulate this specific site type. See [3.10](#) for general regulations for all building and site types. See [14.0](#) for definitions and measuring table regulations.

LINK	SUBSECTION
3.160.3	Site Regulations
3.160.4	Optional Kiosk Building Siting
3.160.5	Optional Temporary Building Siting
3.160.6	Parking & Accessory Structures
3.160.7	Allowed Uses
3.160.8	Supplemental Regulations

3.0 Site & Building Types

3.160 Open Outdoor Site

		ZONES			Additional/References
		CX	I	P1, P2	
3.160.3. SITE REGULATIONS. See Figure 3.50-B					
1	Lot Width	75 ft. min. No max.	120 ft. min. No max.	No min. No max.	
2	Landscape & Fence Edge	Along 80% of street frontages per 3.160.2.G			
3	Site Coverage: All	75% max.	85% max.	Not required	
3.160.4. OPTIONAL KIOSK BUILDING SITING REGULATIONS. See Figure 3.50-B					
	Description	A permanent accessory building with limited space for a proprietor or attendant and associated goods located towards the front of the lot. Interior space for customers or visitors is not allowed with the exception of bathrooms.			
	Street Setback	5 ft. min.	5 ft. min.	5 ft. min.	
	Side and Rear Setback	5 ft. min.	5 ft. min.	5 ft. min.	
	Floor Area	500 sq. ft. max.	500 sq. ft. max.	500 sq. ft. max.	
	Height	1 story, 15 ft. max. in all zones	1 story, 15 ft. max. in all zones	1 story, 15 ft. max. in all zones	
	Transparency: Primary & Non-Primary Facades	20% min.	Not required	Not required	
	Facade Materials	Major and minor materials as allowed on any other building type in the zone; required on all 4 sides	Not required	Not required	See 6.40 for facade materials.
	Roof Type	Pitched, parapet, or flat	Not required	Not required	See 6.20 for roof types.
3.160.5. OPTIONAL TEMPORARY BUILDING SITING REGULATIONS. See Figure 3.50-B					
	Description	A temporary accessory building located towards the rear of the lot, intended to be utilized for up to 3 years. Wheels and chassis shall be screened by skirting. Drive-up service is not permitted with a temporary building.		Not allowed	
	Street Setback	60 ft. min.	60 ft. min.	N/A	
	Side and Rear Setback	5 ft. min.	5 ft. min.	N/A	
	Floor Area	1,200 sq. ft. max.	No max.	N/A	

3.0 Site & Building Types
3.160 Open Outdoor Site

						ZONES			
						CX	I	P1, P2	Additional/References
3.160.6. PARKING AND ACCESSORY STRUCTURES. See Figure 3.50-B									
1	Parking & Driveway Access	1 per street frontage allowed; one additional allowed per every 200 l.f. of street frontage	1 allowed per every 200 l.f. of street frontage	1 allowed per every 200 l.f. of street frontage	See 8.0 for parking.				
3	Surface Parking Location	Rear half of the lot	Any location	Any location	Yards are defined by outdoor plaza. See 3.160.2 .				
4	Accessory Structure Location	40 ft. min. setback from any street; 5 ft. min. setback from side or rear lot lines		Rear half of lot					
ALLOWED ACCESSORY STRUCTURES						See 3.170 for accessory structures and 4.70 for accessory uses.			
	Backyard Cottage	–	–	–	KEY: ● = Allowed ○ SP = Requires a Special Permit				
	Outbuildings & Garages	●	●	●					
	Drive-Through Facilities	●	–	–					
	Fuel Pumps	●	●	–					
	Parking Structure	–	–	–					
	Temporary Storage Container	–	–	–					
	Building-Mounted Utilities	○ SP	○ SP	○ SP					
	Ground-Mounted Utilities	○ SP	○ SP	○ SP					

3.0 Site & Building Types

3.160 Open Outdoor Site

	ZONES			Reference
	CX	I	P1, P2	
3.160.7. ALLOWED USES. See Article 4.0 for use definitions, specific use limitations, and other use-related regulations.				
RESIDENTIAL				4.30
Number of Principal Units	–	–	–	
Number of Accessory Units	–	–	–	
Household Living	–	–	–	4.30.1
Group Living	–	–	–	4.30.2
Short-Term Rental	–	–	–	4.30.3
COMMERCIAL				4.40
Office	–	–	–	4.40.1
Retail & Entertainment	–	–	○ SP	4.40.2
Live Entertainment Venue	–	–	–	4.40.3
Consumer Service, Indoor	–	–	–	4.40.4
Funeral & Mortuary Service	–	–	–	4.40.5
Self-Service Storage, Indoor	–	–	–	4.40.6
Consumer Service, Outdoor	–	–	○ SP	4.40.7
Light Vehicle Sales & Service	○ CL	–	–	4.40.8 ; see 3.170.7 for fuel pumps
Heavy Sales & Service	–	–	–	4.40.9
Wholesale Sales	–	–	–	4.40.10
Controlled Sales & Service	–	–	–	4.40.11
Cannabis Sales	–	–	–	4.40.12
Cannabis Growing	–	–	–	4.40.12
Parking, Non-Accessory	○ SP	○ SP	○ SP	4.40.13
Sexually Oriented Business	–	–	–	4.40.14
MANUFACTURING & INDUSTRY				4.50
Manufacturing, Low-Impact	●	●	–	4.50.1
Manufacturing, Moderate-Impact	●	●	–	4.50.2
Warehousing & Distribution	–	●	–	4.50.3
Heavy Industry	–	○ SP	–	4.50.4
CIVIC & INSTITUTIONAL				4.60
Civic, Large	–	–	–	4.60.1
Civic, Small	–	–	–	4.60.2
Civic, Campus	–	–	–	4.60.3
Transportation Facilities	–	–	–	4.60.4
Detention & Correctional Facilities	–	–	–	4.60.5
Parks & Open Space	–	–	●	4.60.6
Minor Utilities	●	●	●	4.60.7
Major Utilities	–	–	–	4.60.8

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
 ○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

[table continued on following page]

3.0 Site & Building Types
3.160 Open Outdoor Site

[table continued from previous page]

	ZONES			Reference
	CX	I	P1, P2	
ACCESSORY USES				4.70
Accessory Apartments	–	–	–	4.70.2
Home Occupations	–	–	–	4.70.3
Sidewalk Cafes	–	–	○ SP	4.70.4
Outdoor Display Areas	–	–	–	4.70.5
Outdoor Storage	○ SP	○ SP	○ SP	4.70.6

KEY: ● = Allowed Use ● = Allowed in Upper Stories Only ● = Limited to No More than 25% of Footprint
○ SP = Requires Special Permit ○ CL = Requires Certificate of Location Approval – = Not Allowed

3.160.8 SUPPLEMENTAL REGULATIONS

A. [reserved]

3.0 Site & Building Types

3.170 Accessory Structures

3.170 Accessory Structures

3.170.1 GENERAL APPLICABLE REGULATIONS

Accessory structures are allowed only as accessory to a principal structure on the lot and as designated on the building type tables for the principal structure on the lot.

A. Compliance with Building Type Accessory Structure Regulations. Accessory structures are subject to compliance with the accessory structure regulations on the building type tables for the principal structure on the lot.

B. Compliance with Any Zone Regulations. Accessory structures are subject to all applicable regulations of the zone in which they are located, unless otherwise expressly stated in this ordinance.

3.170.2 BACKYARD COTTAGE

A. Description. A backyard cottage is a small accessory residential building located on the same lot as, but not attached to, a detached house or small apartment building type. A principal structure is required, unless otherwise stated.

B. Allowed per Building Type. The accessory structure tables for each building type designate where backyard cottages are allowed.

C. Number. No more than one backyard cottage is permitted on a single lot.

D. Additional Lot and Building Regulations

- (1) Height.** The maximum height is one story or, where principal buildings are 2 or more stories, 1.5 stories. Floor to floor heights of the principal building apply.
- (2) Floor Area.** Maximum floor area is 800 square feet or maximum 50% of the rear yard area, whichever is smaller.
- (3) Minimum Backyard Depth.** Minimum 45-foot deep back yard required, measured from rear of principal building to rear lot line.
- (4) Spacing from Principal Building.** Minimum 20 feet wide by 20 feet deep landscape area required between principal building and backyard cottage.
- (5) Materials.** The backyard cottage must utilize similar facade materials as the principal building.
- (6) Roof Type.** The backyard cottage must utilize a roof type allowed on the principal building.

E. Utilities. All utilities for the backyard cottage must feed from the principal building.

F. Allowed Uses. Refer to [4.0](#) for description and additional regulations of uses.

(1) Allowed uses in backyard cottages include any uses accessory to the principal dwelling unit (such as a pool house, home office, additional bedroom), home occupation uses, and accessory apartment.

(2) Only one accessory apartment use is allowed in a backyard cottage.

G. Sale of Backyard Cottage. Backyard cottages shall not be sold separately from the principal detached house.

3.170.3 OUTBUILDINGS AND GARAGES

A. Description. A fully enclosed, unconditioned building on a lot that is detached from the principal structure on the same lot. A principal structure is required, unless otherwise stated. Typical outbuildings include small residential garages with a single level of parking, workshops, barns, or sheds; greenhouses, whether conditioned space or not.

B. Where Allowed. The accessory structure tables for each building type designate where outbuildings and garages are allowed.

C. Allowed Uses. Allowed uses in outbuildings and garages include any accessory use allowed with the principal use.

D. Site Coverage. All outbuildings and garages contribute to the maximum site coverage of the site or building type.

E. Height. The maximum height of the outbuilding is one story or, where principal buildings are 2 or more stories, 1.5 stories, calculated based upon the floor-to-floor heights used on the principal building.

F. N, NX, and RX1 Zone Regulations. The following applies to outbuildings and garages with a single level of parking in all N, NX, and RX1 zones.

(1) Floor Area. The maximum floor area is 650 square feet or 50% of the rear yard area, whichever is smaller.

(2) Materials. The outbuilding or detached garage must utilize similar facade materials as the principal building.

(3) **Roof Type.** The outbuilding or detached garage must utilize a roof type allowed on the principal building.

G. DX, MX, CX, RX2, IX, P2, and P3 Zone Regulations.

The following applies to outbuildings in all DX, MX, CX, RX2, P2, and P3 zones. See [3.170.4](#) for parking structures.

- (1) **Floor Area.** The maximum floor area is 50% of the principal building footprint.
- (2) **Materials.** The outbuilding or detached garage must utilize similar facade materials as the principal building, where visible from a street.
- (3) **Roof Type.** Outbuildings or detached garage must utilize a roof type allowed on the principal building, except for parking garages.

H. I Zone Regulations. The following applies in all IX and I zones:

- (1) **Number.** No maximum number applies.
- (2) **Floor Area.** No maximum floor area applies.

I. P1 and P4 Zone Regulations. Outbuildings and garages are allowed as accessory to park and open space principal uses in the P1 zone. The following applies in the P1 zones:

- (1) **Number.** No maximum number applies.
- (2) **Building Footprint.** The maximum footprint of each accessory building is 5,000 square feet. Larger buildings are allowed, but must meet the civic building regulations in [3.140](#).
- (3) **Site Coverage.** The maximum footprint of all accessory buildings is 2% of the site.

3.170.4 PARKING STRUCTURE

- A. Description.** A stand-alone, accessory structure for decked, multi-level parking.
- B. Where Allowed.** The accessory structure tables for each building type designate where parking structures are allowed.
- C. Location.** Accessory parking structures must be located in the rear yard only and shall be screened from view from the front of the lot or any primary street by the principal building. Parking structures on lots with multiple primary frontages shall be screened from all primary streets.

D. Additional Lot and Structure Regulations.

- (1) **Setback.** Parking structures must not extend closer to any street or side lot line than the principal structure.
- (2) **Height.** The overall height of a parking structure must be one story lower than the majority height of any principal structure, not including the roof type.
- (3) **Facade Design.** On non-primary frontages, accessory parking structures must meet the facade regulations of a principal parking structure in [6.50.12](#).

3.170.5 DRIVE-THROUGH FACILITY

- A. Description.** A drive-through facility is a structure or portion of a building that permits patrons to purchase goods or services while remaining in their vehicle. Refer to [Figure 3.170-A](#) for one illustration of a compliant drive-through facility.
- B. Allowed per Building Type.** The accessory structure tables for each building type designate where drive-through facilities are allowed.
- C. Location.** The drive-through shall be located in the rear yard or on the rear of the building, fully screened by the building from the primary street, except in MX2 the drive-through is permitted on the interior side of the building.
- D. Additional Lot and Structure Regulations.**

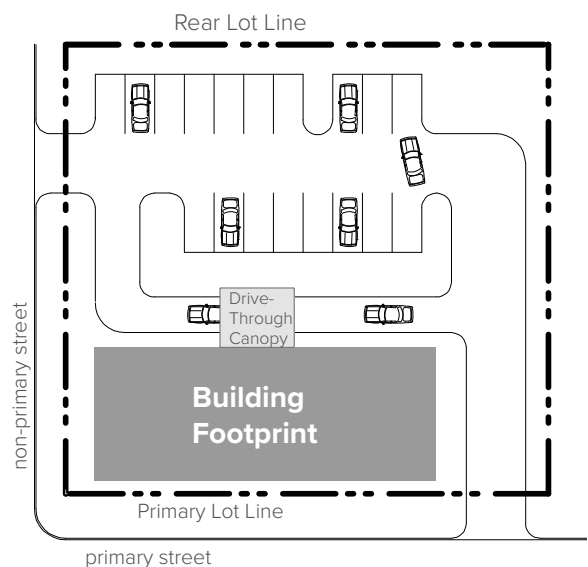


Figure 3.170-A. Example of Drive-Through Structure

3.0 Site & Building Types

3.170 Accessory Structures

- (1) **Stacking.** Stacking of cars shall be fully accommodated in the rear or interior side yard.
- (2) **Accessory Structures/Signs.** The menu board and speaker shall be located in the rear or interior side yard
- (3) **Rear Buffer.** Where the rear of the lot abuts an N zone, the drive-through facility, including the window, any canopy, and any standing area for vehicles, shall be located a minimum of 70 feet from the rear lot line. A side and rear landscape buffer per [7.110](#) is required.
- (4) **Structure.** Drive-through canopies and roofs shall match the roof of the principal building. Materials used for the drive-through supports or other features shall be repeated from the principal building design.
- (5) **Lighting.** See [6.50.13](#) for exterior building and site lighting.

3.170.6 ELECTRIC VEHICLE CHARGING

A. General

- (1) Private (restricted-access) electric-vehicle (EV) charging stations are permitted as accessory uses in all zones.
- (2) Public EV charging stations are permitted as accessory uses to allowed nonresidential uses in all zones.

B. Parking. Public electric vehicle charging stations must be reserved for parking and charging electric vehicles. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that apply to any other motor vehicle.

C. Equipment. Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle or wheelchair movement or create safety hazards on sidewalks.

D. Posted Information

- (1) Information must be posted identifying voltage and amperage levels and any type of use, fees, or safety information related to the electric vehicle charging station.

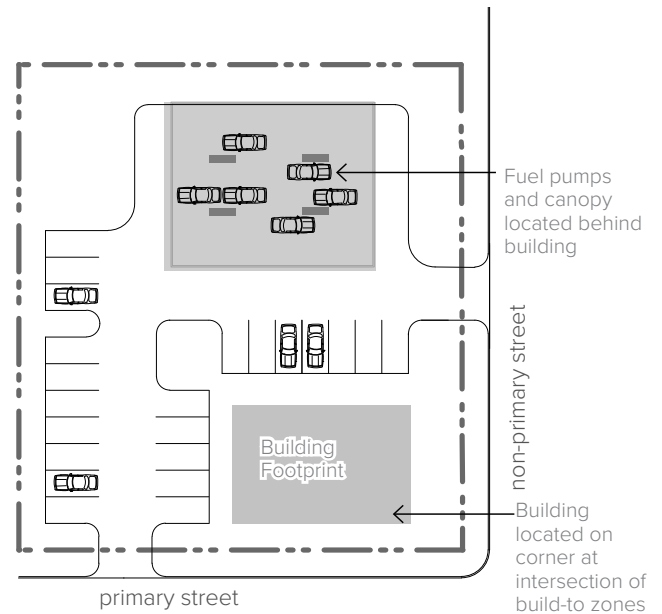


Figure 3.170-B. Example of Fuel Station

3.0 Site & Building Types

3.170 Accessory Structures

- (2) Public electric vehicle charging stations must be posted with signs indicating that the space is reserved for electric vehicle charging purposes only. For the purposes of this provision, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging equipment.

E. Maintenance. Electric vehicle charging stations must be maintained in all respects, including the functioning of the equipment. A phone number or other contact information must be provided on the equipment for reporting when it is not functioning, or other problems are encountered.

3.170.7 FUEL PUMPS

- A. Description.** Fuel pumps include canopies and pumps providing fuel, not including electric charging, for motor vehicles. Refer to [Figure 3.170-B](#) for one illustration of a compliant fueling station.
- B. Where Allowed.** The accessory structure tables for each building type designate where fuel pumps are allowed.
- C. Principal Building.** Fuel pumps must be accessory to a principal building, utilizing one of the building types allowed on the site. Use of the Open Outdoor Site may be allowed for fuel pumps with a kiosk building with an approved special permit. All regulations for the site or building type must be fulfilled.
- D. Additional Lot and Building Regulations**
- (1) **Height.** Maximum overall height of canopy is 18 feet.
 - (2) **Materials.** The roof of the pumping canopy shall match the building in type and material. Columns and supports shall be clad in a major material used on the building facade.
 - (3) **Lighting.** See [6.50.13](#) for exterior building and site lighting.
 - (4) **Car Wash Facility.** Accessory car wash facilities are considered outbuildings per [3.170.3](#).

3.170.8 TEMPORARY STORAGE CONTAINER

- A. Description.** Temporary and transportable containers for personal storage.
- B. Where Allowed.** The accessory structure tables for each building type designate where temporary storage containers are allowed.

C. Number. Only one storage container is permitted per lot at any time.

D. Additional Lot and Building Regulations

- (1) **Size.** The container’s size is limited to no greater than 825 cubic feet or covering an area no greater than 180 square feet of area.
- (2) **Time Limit.** Unless being used in conjunction with a valid building permit, the container may be located on a lot for no more than 30 consecutive days, no more than twice in a calendar year.
- (3) **Location.** Any container must be stored in a side or rear yard.

3.170.9 BUILDING-MOUNTED UTILITIES

- A. Description.** Building-mounted utilities includes the following utility types that are mounted either on a principal or accessory structure’s roof or exterior wall, as allowed.
- B. Building-Mounted Solar Energy System.** A solar energy system that is affixed to or an integral part of a principal or accessory building, and including but not limited to photovoltaic or hot water solar energy systems which are contained within roofing materials, windows, skylights, and awnings.
- (1) **Quantity.** The total square footage may not exceed the total area of roof surface of the structure to which the system is attached.
 - (2) **Flush Mounted System.** Systems should be less than 4 inches from the roof surface whenever possible.
 - (3) **Height**
 - (4) **Systems shall not extend beyond 3 feet parallel to the roof surface of a pitched roof.**
 - (5) **Systems shall not extend beyond 4 feet parallel to the roof surface of a flat roof.**
 - (6) **Systems shall not extend more than 5 feet above the highest peak of a pitched roof.**
 - (7) **Location on Structure.** Allowed on the following:
 - (8) **Any roof face.**
 - (9) **Side and rear building facades.**
 - (10) **Roof of any parking canopy.**

3.0 Site & Building Types

3.170 Accessory Structures

- (11) Projection.** The system may project off a roof edge or building facade a maximum of 18 inches.
- (12) Signs.** Signage or writing of any kind is not permitted on any portion of system, other than required manufacturer plates and safety labeling.
- C. Building-Mounted Wind.** Small wind energy systems that are attached to the roof of a principal or accessory building.
- (1) Minimum Building Height Required.** Roof-mounted wind energy systems are only permitted on structures that are a minimum of 4 stories tall or 40 feet.
- (2) Quantity.** One turbine is allowed for every 750 square feet of the combined roof area of all structures on a zoning lot. For a pitched roof, each surface of the roof shall be included in the roof area calculation.
- (3) Rated Capacity.** A maximum rated capacity of 3 kilowatts per turbine is allowed.
- (4) Height.**
- (a)** The maximum height of 15 feet is measured from the roof surface on which the system is mounted to the highest edge of the system with the exception of any pitches 10:12 or greater.
- (b)** The system shall not extend more than 5 feet above the highest peak of a pitched roof.
- (5) Location.**
- (a)** Roof-mounted wind energy systems must be set back from the roof or parapet wall one foot for every foot in height of the device above the roof or parapet wall.
- (b)** A roof-mounted wind energy system shall not be visible from the street when installed on any property designated as historic or located within a historic district.
- (6) Installation.** Roof-mounted wind energy systems shall be installed only by professional installers certified to install wind turbines, and only pursuant to manufacturer specifications.
- D. Building-Mounted Antenna and Satellite Dish.** An apparatus, detached or attached to the exterior of a building, together with any supporting structure, for sending or receiving electromagnetic waves.
- (1) Size.** The smallest practical size shall be used for any Antenna or Satellite Dish and no larger than 36 inches in diameter.
- (2) Location.** Antennae and Satellite Dishes shall be located as follows:
- (a)** Antennae and satellite dishes may be attached to the roof and side and rear facades of buildings.
- (b)** If these permitted locations will not allow the antenna or satellite dish to fully function, it may be located in any street yards or on any street facades.
- (c)** Evidence shall be provided to the zoning administrator prior to installation in any street yards or on any street facades that the antenna or satellite dish cannot fully function in either the side or rear yards or on the side or rear facades.

3.170.10 FREESTANDING, GROUND-MOUNTED UTILITIES

- A. Principal Use.** See [4.60.8](#) for infrastructure uses, utility, major or minor, for principal use, freestanding, ground-mounted utilities such as a solar or wind farm or array.
- B. Freestanding Solar Energy System.** A solar energy system with a supporting framework that is placed on, or anchored in, the ground and that is independent of any building or other structure.
- (1) Output.** The system shall produce less than one megawatt of electricity.
- (2) Size.** A system in any MX or NX zone shall not exceed either the area of 50 percent of the principal building footprint or 600 square feet, whichever is greater.
- (3) Maximum Height.** The system shall be as close to the ground as practicable, and not taller than 20 feet on lots of at least 5 acres in the I zones, 12 feet on lots of at least 5 acres, and 6 feet on all other lots, all measured from the grade at the base of the pole to the highest edge of the system.
- (4) Clearance.** Minimum clearance between the lowest point of the system and the surface on which the system is mounted is 3 feet.
- (5) Location.** Allowed in the interior side yard and rear yard only. For any property designated as historic

3.0 Site & Building Types

3.170 Accessory Structures

or located within a historic district, such system shall be located in the rear yard.

- (6) **Setbacks.** All parts of the freestanding system shall be set back a minimum of 5 feet from the interior side and rear property lines and shall not be located in a public utility easement.
- (7) **Appearance.** Such system must be gray, natural green, or beige in color, with the exception of the solar photovoltaic panels which are usually black, or system must be screened from view from surrounding properties.
- (8) **Materials.** Such system shall not include any unfinished lumber.

C. Wind - Freestanding.

Small wind energy systems that stand independent of a building structure.

- (1) **Output.** The system shall produce less than one megawatt of electricity.
- (2) **Height.** The height of any component of a small wind energy system shall not exceed 100 feet, as measured from the ground to highest point of the blade arc.
- (3) **Permitted Yard Location.** Allowed only in interior side and rear yards.
 - (a) Street yard locations may be allowed in MX zones if there are no N zones within 120 feet of any property line of the lot where the turbine will be located.
 - (b) Systems shall not be visible from the street when installed on any property designated as historic or located within a historic district.
- (4) **Setbacks.** The base of the system shall be set back 1.1 times the height of the highest edge of the system from all property lines, overhead utility line poles, public sidewalks or trails, and public rights-of-way. Any system or any ancillary equipment shall not be located within any required setbacks of the respective zone.
- (5) **Installation.** Small wind energy systems shall be installed only by professional installers certified to install wind turbines, and only per manufacturer specifications.
- (6) **Signs.** Signage or writing of any kind is not permitted on any portion of any wind turbine, other than required manufacturer plates or safety labeling.
- (7) **Lighting.** Small wind energy systems must provide lighting per Federal Aviation Administration (FAA) regulations. Lighting must be red and may not be of the incandescent variety, unless FAA regulations otherwise allow or require.
- (8) **Clearance.** Minimum clearance between the lowest tip of the rotor or blade and the ground is 10 feet.
- (9) **Access.** Climbing access (rungs or foot pegs) to the tower shall not start until 12 feet above grade to prevent unauthorized access.

[page intentionally blank]

4.0 USES

- 4.10 Use Tables 4-2
- 4.20 Use Classification System 4-2
- 4.30 Residential Use Group 4-3
- 4.40 Commercial Use Group 4-4
- 4.50 Manufacturing & Industry Use Group 4-11
- 4.60 Civic & Institutional Use Group 4-12
- 4.70 Accessory Uses 4-14

4.0 Uses

4.20 Use Tables

4.10 Use Tables

4.10.1 GENERAL

Each of the building types included in [3.0](#) includes a table of allowed uses. This section explains how to interpret the use tables.

4.10.2 USE CLASSIFICATION SYSTEM

Uses are listed in the first column of the use tables. These uses are further described and defined in this article.

4.10.3 PERMITTED USES

Uses identified with a “●” are permitted as-of-right in the subject zone, subject to compliance with all other applicable regulations of this zoning code.

4.10.4 PERMITTED IN UPPER STORIES ONLY

Uses identified with a “◐” are permitted as-of-right in the subject zone but only when located in the rear of the ground story, above the ground-floor in upper stories of the building, and in any basement.

4.10.5 PERMITTED IN LIMITED AREA

Uses identified with a “◑” are permitted as-of-right in the subject zone but such use may not occupy an area in excess of 25% of the building's ground floor area (i.e. building footprint).

4.10.6 CONDITIONAL USES

- A. Uses identified with a “○_{SP}” are allowed only if reviewed and approved in accordance with the special permit procedures of [11.50](#).
- B. Uses identified with a “○_{CL}” must obtain a certificate of location approval in accordance with the procedures of [11.120](#).

4.10.7 PROHIBITED USES

Uses identified with a “—” are expressly prohibited. Uses that are not listed in the table and that cannot be reasonably interpreted (as stated in [4.20.5](#)) to fall within any defined use category or subcategory are also prohibited.

4.10.8 REFERENCE

The final column of the use tables includes a cross-reference to the use definition.

4.10.9 ACCESSORY USES

Many customary accessory uses and structures are allowed in conjunction with principal uses. See [4.70](#) for regulations.

4.20 Use Classification System

This section establishes and describes the use classification system used to categorize principal uses.

4.20.1 USE GROUPS

This zoning code classifies principal land uses into 4 major groupings. These are referred to as “use groups.” The use groups are as follows:

- A. Residential (see [4.30](#)).
- B. Commercial (see [4.40](#)).
- C. Manufacturing & Industry (see [4.50](#)).
- D. Civic & Institutional (see [4.60](#)).

4.20.2 USE CATEGORIES

Each use group is further divided into more specific categories. Use categories classify principal land uses and activities based on common functional, product or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, or relevant building or site conditions.

4.20.3 USE SUBCATEGORIES

Some use categories are further broken down to identify specific subcategories of uses.

4.20.4 BUILDING REGULATIONS

The building regulations in [3.0](#) identify which uses are allowed in which building types and zones.

4.20.5 CLASSIFICATION OF USES

The zoning administrator is authorized to classify individual uses on the basis of the use group, category, and subcategory descriptions of this article. When a use cannot be reasonably classified into a use group, category, or subcategory, or appears to fit multiple groups, categories, or subcategories, the zoning administrator is authorized to assign the use to the most similar and thus most appropriate group, category, or subcategory based on the actual or projected characteristics of the principal use or activity in relationship to the use group, category, or subcategory descriptions. In making such determinations, the development administrator or land use administrator must consider:

- A. The types of activities that will occur in conjunction with the use;
- B. The types of equipment and processes to be used;
- C. The existence, number and frequency of residents, customers or employees;
- D. Parking demands associated with the use; and
- E. Other factors deemed relevant to a use determination.

4.30 Residential Use Group

- F. If a use can reasonably be classified in multiple groups, categories, or subcategories, the zoning administrator is authorized to categorize each use in the category, subcategory that provides the most exact, narrowest and appropriate “fit.”
- G. Appeals of use classification determinations may be taken to the zoning board of appeals in accordance with the procedures of [11.140](#).

4.30 Residential Use Group

The residential use group includes uses that provide living accommodations for one or more persons. The residential use categories and subcategories are as follows.

4.30.1 HOUSEHOLD LIVING

The household living use category is characterized by a single household occupying a dwelling unit that is self-contained, with facilities for cooking, eating, sleeping, and hygiene. Tenancy is typically 60 days or longer. Examples of household living uses include living in houses, residential buildings containing multiple dwelling units, mixed-use buildings, and other buildings with self-contained dwelling units. Types of housing that include shared facilities (e.g., assisted living facilities, co-housing, and intentional communities) are considered household living uses if residents live in self-contained dwelling units.

4.30.2 GROUP LIVING

The group living use category is characterized by residential occupancy of all or a portion of a building by a group other than a household. Individuals typically occupy rooms or units that do not include separate cooking, eating, or hygiene facilities necessary to provide for self-contained living. Group living uses typically have a common eating area for residents. Tenancy is typically 60 days or longer. Examples of group living uses include convents, dormitories, monasteries, fraternity and sorority houses, nursing homes, assisted living facilities, rooming houses, and similar uses, including the following subcategories:

A. Group Home.

- (1) **Definition.** Group homes provide communal room and board, personal care, and habilitation services in a household-like environment. Group homes include:
 - (a) Licensed group homes housing adults with intellectual disabilities;
 - (b) Licensed group homes housing individuals receiving mental health or addiction services

paid for or provided by the Department of Mental Health and Addiction Services;

- (c) Licensed child-care residential facilities housing children with intellectual or physical disabilities; and
- (d) Licensed facilities providing hospice care to 6 or fewer people, under conditions identified in Sec. 8-3e of the General Statutes.

(2) Supplemental Use Regulations.

- (a) Pursuant to section 8-3f of the General Statutes, special permit approval is required to establish a new group home housing adults with intellectual disabilities or children with intellectual or physical disabilities on a lot located within 1,000 feet of a lot occupied by an existing group home housing adults with intellectual disabilities or an existing group home housing children with intellectual or physical disabilities.
- (b) Special permit approval is required to establish a licensed group home housing individuals receiving mental health or addiction services on a lot located within 1,000 feet of a lot occupied by an existing group home housing individuals receiving mental health or addiction services whether or not they are paid for or provided by the Department of Mental Health and Addiction Services.

B. Supportive Housing. Housing occupied by persons with low incomes who have one or more disabilities and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. The housing is linked to on- or off-site support services, which are necessary to obtain and maintain housing, such as case management, health care, employment services, and benefits advocacy. Any on-site floor area used for such support services is considered accessory to the supportive housing use.

C. Transitional Housing. Housing used to facilitate the movement of homeless individuals and households to permanent housing. Transitional housing typically offers on- or off-site case management and support services to residents. Any on-site floor area used for such support services is considered accessory to the transitional housing use. Tenancy is typically 6 months to 2 years.

4.0 Uses

4.40 Commercial Use Group

- D. Emergency or Protective Shelter.** A temporary, short-term residence providing housing with minimal supportive services for homeless or displaced families or individuals where tenancy is generally limited to 6 months or less.
- E. Re-Entry Facility.** A facility operated by the city, the state, the federal government, or a private party under contract with the city, the state or the federal government and used for rehabilitation and overnight accommodation of individuals, including staff, who are (a) under the jurisdiction of a court, but not under confinement, or (b) individuals recently released from the jurisdiction of a court. Re-entry facilities are operated for the purpose of providing treatment or rehabilitation intended to assist such individuals with their re-entry into the community.
- F. Bed and Breakfast Inn.** A detached house in which a full-time resident and owner/operator offers up to 6 sleeping rooms and meal service to overnight guests for compensation. Larger establishments are considered a form of lodging under the indoor consumer service use category.

4.30.3 SHORT-TERM RENTAL

All or a portion of a residential dwelling unit offered for rent to overnight guests for fewer than 30 consecutive days. There are 2 types of short-term rentals: those in which no on-site events are held ("Type A" short-term rentals) and those in which on-site events are held, such as weddings, receptions, anniversaries, parties, banquets, and business seminars ("Type B" short-term rentals). Type B short-term rentals require review and approval of a special permit in accordance with [11.50](#). All short-term rentals are subject to the following supplemental regulations:

- A.** Since short-term rentals are conducted on a temporary and periodic basis, short-term rentals in existence on or before the effective date specified in [1.10.3](#) do not have nonconforming use status.
- B.** Short-term rentals must comply with all licensing requirements of the city and an approved license number (if required) must be included with any material advertising the short-term rental.
- C.** No more than 6 adults and their dependent children may occupy rooms within a short-term rental.
- D.** Short-term rentals are not permitted on lots occupied by an accessory apartment (see [4.70.2](#)).
- E.** External structural alterations or site improvements that change the residential character of the lot upon which

a short-term rental is located are prohibited. Examples of such prohibited alterations include the construction of a parking lot, the addition of commercial-like exterior lighting, and signage.

- F.** A register of short-term rental guests must be maintained and made available to city code enforcement upon request.

4.40 Commercial Use Group

The commercial use group includes uses that provide a business service or involve the selling, leasing, or renting of merchandise to the general public. The commercial use categories and subcategories are as follows.

4.40.1 OFFICE

The office use category includes workplaces of private companies, organizations (for-profit and non-profit), and public agencies providing professional, executive, management, medical, administrative, or design services, including the following subcategories:

- A. Business & Professional Office.** Workplaces of firms, organizations, or agencies providing professional, executive, management, administrative, financial, accounting, or legal services, but excluding walk-in offices. Examples of business and professional offices include accounting, architecture, computer software design, engineering, graphic design, interior design, investment, insurance, and law offices.
- B. Medical & Dental Office.** Workplaces of medical doctors, dentists, and similar practitioners of medical and healing arts for humans licensed for such practice by the State of Connecticut. This subcategory includes outpatient clinics, but excludes hospitals providing inpatient care.
- C. Walk-In Office.** Workplaces primarily providing direct services to patrons or clients, typically not requiring appointments. This subcategory classification includes employment agencies, insurance agencies, real estate agent offices, travel agencies, utility company offices, and offices for elected officials. It does not include medical or dental offices or uses more specifically classified as financial services.
- D. Broadcast or Recording Studio.** Establishments that provide for audio or video production, recording or broadcasting.
- E. Financial Service.** Establishments involved in the exchange, lending, borrowing and safe-keeping of money. Examples include banks and credit unions.

4.40 Commercial Use Group

Automatic teller machines, kiosks and similar facilities that do not have on-site employees or amplified sound are not classified in the financial service subcategory if they meet the criteria for classification as an accessory use.

F. Research Service. Establishments engaged in scientific research and testing services leading to the development of new products and processes. Uses that involve the mass production, distribution, or sale of products, or that produce odors, dust, noise, vibration, or other external impacts that are detectable beyond the property lines of the subject property are classified in the manufacturing and industry use group.

G. Business Training. Establishments and facilities, including classrooms, providing vocational, trade, business, or professional training services in a completely enclosed building.

4.40.2 RETAIL & ENTERTAINMENT

The retail and entertainment use category includes establishments involved in the sale, lease or rental of products or goods to the ultimate consumer and those that provide food, beverage, or entertainment services. All retail & entertainment uses that sell or serve alcohol, except full-service restaurants, must obtain a certificate of location approval in accordance with the procedures of [11.120](#) and are subject to compliance with all applicable alcoholic liquor control regulations of [10.10](#). Examples of retail & entertainment uses include the following subcategories:

- A. Retail Sales.** Establishments that sell or otherwise provide pharmaceuticals, groceries, sundry goods, convenience goods, consumer shopping goods, household goods, plants and flowers, or hardware. Outdoor markets, such as farmers markets and flea markets are classified under the outdoor consumer service use category. Package (liquor) stores are classified under the controlled sales and service use category.
- B. Eating and Drinking Places.** Establishments that prepare and serve food or beverages for on- or off-premise consumption. Includes prepared food shops, full-service restaurants, take-out restaurants, brewpubs, banquet halls, bars, taverns, and off-street mobile food truck venues. Outdoor seating/dining areas are allowed as an accessory use to eating and drinking places, subject to approval of an administrative review permit. Establishments that provide live entertainment are classified as "live entertainment venues."

- (1) **Full-Service Restaurant.** An establishment that serves full-course the general public and includes all of the following:
- A sit-down dining room with at least 400 square feet of floor area;
 - Seating capacity for at least 20 persons; and
 - Separate toilet facilities for men and women accessed without passing through a barroom.
- NOTE: A health department restaurant license does not constitute a City of Bridgeport zoning approval for a restaurant.
- (2) **Consumer Bar.** A counter that is typically 42 inches to 44 inches in height and used for the dispensing of alcoholic beverages to patrons of the facility. Stools or chairs are typically placed in front of the consumer bar for use by the patrons.
- (3) **Service Bar.** A table or counter that is typically 28 to 44 inches in height with a total length of no more than 10 feet. Service bars do not include seating and are not used for dispensing of beverages to the public.

C. Entertainment, General. Establishments that provide indoor gathering places for participant or spectator entertainment other than live entertainment venues. Typical uses include cinemas, bowling centers, game rooms, and video arcades. Includes accessory outdoor seating areas, but general entertainment uses with significant outdoor operations are classified in the outdoor consumer service use category. Establishments that provide live entertainment are classified as "live entertainment venues."

4.40.3 LIVE ENTERTAINMENT VENUES

Establishments that provide indoor gathering places for live entertainment. Typical uses include dance clubs (DJ, recorded, or live music), music halls, theaters, comedy clubs, karaoke clubs, and similar establishments. Such establishments are subject to the city's noise control regulations (Chapter 8.80 of the municipal code of ordinances), Conn. Gen. Stat. Sec. 30-545, and all other applicable noise-related regulations.

4.40.4 CONSUMER SERVICE, INDOOR

The indoor consumer service use category includes establishments that provide personal or small business-oriented services to individuals or small businesses. Indoor consumer service uses are conducted from completely enclosed buildings, except that customary accessory activities that are customary and incidental to the principal use may be permitted. Examples of indoor consumer service

4.0 Uses

4.40 Commercial Use Group

uses include the following subcategories:

- A. Day Care.** Establishments licensed by the State of Connecticut that provide care, protection, and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day. Examples include adult day care facilities child day care centers, preschools, nursery schools, Head Start programs, and latch key programs. Expressly includes "group day care homes" and "child day care centers," as defined in section 19a-77 of the General Statutes. State-licensed day care homes for 6 or fewer children or "family day care homes," as defined in section 19a-77 of the General Statutes, are not included in the day care subcategory; they are allowed as accessory uses in conjunction with household living uses.
- B. Personal Improvement Service.** Establishments that provide personal grooming, cosmetic or health and well-being-related services. Typical uses include barbers, hair and nail salons, tanning salons, day spas, body art services and fortune telling services.
- C. Studio, Artist, or Instructional Service.** Establishments that focus on providing individual or small group instruction or training in fine arts, music, dance, drama, fitness, language, or similar activities. Also includes dance studios, ballet academies, yoga studios, martial arts instruction, tutoring, artist studios and photography studios.
- D. Business Support Service.** Establishments that provide personnel services, printing, copying, package (delivery) drop-off, photographic services or communication services to businesses or consumers. Examples include employment agencies, copy and print shops, delivery/courier service drop-off location for consumers, and photo developing labs.
- E. Lodging.** Establishments that provide temporary lodging for less than 30 days to transient guests who maintain a permanent place of residence elsewhere. Examples include hotels and motels, but not bed and breakfast inns or short-term rentals, both of which are classified in the group living category.
- F. Consumer Maintenance & Repair Service.** Establishments that provide maintenance, cleaning, and repair services for consumer goods on a site other than that of the customer (i.e., customers bring goods to the site of the repair/maintenance business). Examples include laundry and dry cleaning pick-up shops, tailors, taxidermists, dressmakers, shoe repair, picture framing shops, gunsmiths, locksmiths, vacuum repair shops, electronics repair shops and similar establishments. Businesses that offer repair and maintenance service for large equipment are classified in the heavy sales and service use category.
- G. Animal Care.** Establishments that provide medical (veterinary) services for domesticated animals and animal grooming services for animals, such as dog bathing and clipping salons. Includes 24-hour accommodation of animals receiving medical services but not animal boarding or kennels, which are classified under the outdoor consumer service use category.
- H. Social Service.** Facilities providing a variety of supportive services for disabled or homeless individuals or other targeted groups for less than 24 hours per day. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished for establishments providing 24-hour or overnight care.
- I. Club or Membership Association.** A not-for-profit association of members or a club organized for the purpose of providing services to the community, and engaging in charitable activities, and providing a meeting place for social interaction of its members. Such associations are typically organized for a common purpose to pursue common goals, interests, or activities, usually for social, recreational, charitable, or educational purposes. Such associations are typically known or organized as clubs, lodges, and civic clubs, or fraternal, trade, union, political, veteran, or religious organizations, or local chapters of national organizations. This use subcategory does not include establishments operated for gain, such as tennis or health clubs, and no part of the net earnings of such club or association may inure to the benefit of any private individual. Social clubs and banquet halls must comply with the following supplemental regulations or be approved as a special use:
 - (1) Social clubs and banquet halls that serve alcohol must obtain a certificate of location approval in accordance with the procedures of [11.120](#) and are subject to compliance with all applicable alcoholic liquor control regulations of [10.10](#).
 - (2) The lot on which a social clubs or banquet hall is located must have frontage on a major corridor.
 - (3) When located on a lot located within 750 feet of an N or NX zone, the hours of operation of social clubs and banquet halls may not extend past 2:00am on Saturday and Sunday and 1:00am all other days.

4.40 Commercial Use Group

J. Personal Credit Establishment. Any one or more of the following:

- (1) **Bail Bond.** A use that provides surety and pledged money or property as bail for the appearance of persons accused in court.
- (2) **Check Cashing Establishment.** An establishment that (1) is not a bank or financial institution subject to federal or state regulation; and (2) that charges either a flat fee or a fee based on a percentage of the face value of a check to be cashed or processed by such establishment; and (3) provides such services to the public.
- (3) **Payday Lender.** Any person or entity that is substantially in the business of negotiating, arranging, aiding, or assisting a consumer in procuring payday loans.
- (4) **Pawnshop.** An establishment that is engaged to any extent in any of the following business or activities:
 - (a) The lending of money on the deposit or pledge of personal property, other than chosen in action, securities or written evidence of indebtedness;
 - (b) The purchase of personal property either from an individual, another pawn business or any other business with an expressed or implied agreement or understanding to offer the property for sale to the public, and if that sale is unsuccessful, then to sell it back to the previous owner at a subsequent time at a stipulated price or negotiated price;
 - (c) The purchase of precious metals with the intent to melt down, provided that such activity is not clearly incidental to the principal use of the establishment; or
 - (d) The lending of money upon personal property, goods, wares, or merchandise pledge, stored or deposited as collateral security.

4.40.5 FUNERAL & MORTUARY SERVICE

The funeral and mortuary service use category includes establishments that provide services related to the death of a human or domestic, household pet, including funeral homes and mortuaries. Funeral and mortuary services may include crematoriums as an accessory use.

4.40.6 SELF-SERVICE STORAGE, INDOOR

The indoor self-service storage facility use category includes completely enclosed establishments providing separate, small-scale, self-service storage areas leased or rented to

individuals or small businesses. Such facilities are designed and used primarily to accommodate interior access to individual storage lockers. Indoor self-service storage facilities may include storage spaces with direct external access provided that (1) such external-access units do not face the street and (2) the total floor area of such external access units does not exceed 20% of the total floor area of all buildings on the subject lot. All other self-storage facilities (mini-warehouses) with individual external entrances to storage spaces or outdoor storage areas for consumers or small businesses are classified under the warehouse and distribution use category.

4.40.7 CONSUMER SERVICE, OUTDOOR

The outdoor consumer service use category includes establishments that provide personal or small business-oriented services to individuals or small businesses and that involve substantial amounts of outdoor storage or activity. Examples of outdoor consumer service uses includes the following subcategories:

- A. Boarding or Shelter, Minor.** A facility for keeping, boarding, training, or breeding of dogs, cats, or other household pets not owned by the kennel owner or operator and located on a site with an area of 20,000 square feet or less. This classification includes animal shelters and animal hospitals that provide boarding services for animals not receiving services on the site but excludes veterinarians and animal hospitals providing overnight or 24-hour keeping of animals receiving on-site medical services. This subcategory includes pet day cares but excludes dog walking and similar pet care services not carried out at a fixed location. Boarding or shelter uses on sites with an area of more than 20,000 square feet are classified and regulated as heavy sales and service uses.
- B. Farmers Market.** Outdoor establishments in which the primary activity is the sale of agricultural products directly from producers to consumers.
- C. Marina.** Facilities that provide moorage, launching, storage, supplies, servicing, maintenance, and a variety of water-based and landside services for recreational and commercial watercraft. Marinas are differentiated from docks and moorages by their larger scale, the provision of significant land-side services, or the use of a solid breakwater. This subcategory includes functionally related facilities for eating and drinking and retail sales.
- D. Outdoor Entertainment, Minor.** Establishments on sites of 50,000 square feet or less that provide outdoor gathering places for participant or spectator entertainment. Examples include mini-golf courses, batting cages, go-cart tracks. Does not include

4.0 Uses

4.40 Commercial Use Group

accessory outdoor seating areas associated with indoor entertainment uses (see retail and entertainment use category). Outdoor entertainment uses on sites with an area of more than 50,000 square feet are classified and regulated as heavy sales and service uses.

4.40.8 LIGHT VEHICLE SALES & SERVICE

The light vehicle sales and service use category includes uses that provide for the sale, rental, ordinary maintenance, or limited repair of new or used passenger vehicles. Examples of light vehicle sales & service uses include the following subcategories:

- A. Fueling Station.** Establishments engaged in retail sales of vehicle fuels for personal vehicles, other than fleet fueling facilities and truck stops. Fueling stations may dispense conventional vehicle fuels and/or alternative vehicle fuels. Fleet vehicle fueling facilities and truck stops are classified in the industrial use category. See [3.170.7](#) for accessory structure fueling pumps.
- B. Personal Vehicle Repair and Maintenance, Minor.** The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as well as emissions testing, quick-service oil, tune-up and brake and muffler shops in which service is provided in enclosed bays and no vehicles are stored overnight. Does not include disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles; automotive body and fender work, vehicle painting or other operations that generate excessive noise, objectionable odors, or hazardous materials.
- C. Personal Vehicle Sales and Rentals.** Establishments that provide for the sale or rental of new or used autos, small trucks or vans, trailers, motorcycles, motor homes or recreational vehicles, including recreational watercraft. Typical examples include automobile dealers, auto malls, car rental agencies. Car-share vehicles that are parked or stored when not being used by members of a car-share program are not regulated as personal vehicle sales and rental uses, but are instead considered accessory parking. Personal vehicle sales and rental establishments that occur in completely enclosed buildings with no outdoor storage or display are classified in the "retail sales" subcategory. All personal vehicle sales and rental uses are subject to the following supplemental regulations:
 - (1) Rental or for-sale vehicles may not occupy required off-street parking areas and may not interfere with

pedestrian or automobile traffic on the subject lot or on public rights-of-way.

- (2) The maximum number of vehicles that may be stored or displayed outside of completely enclosed buildings may not exceed 1 vehicle per 300 square feet of lot area after deducting areas covered by buildings and required parking and maneuvering areas from the gross area of the lot.
- (3) All outdoor vehicle display and storage areas must be paved with asphalt, concrete, or other hard-surface material approved by the zoning official.

4.40.9 HEAVY SALES & SERVICE

The heavy sales and service use category includes establishments that sell, lease, or rent products or goods primarily to other businesses or that provide consumer goods or services that are likely to generate adverse visual or operational impacts. Examples of heavy sales & service uses include the following subcategories:

- A. Commercial Vehicle Repair and Maintenance.** Establishments that repair, install, or maintain the mechanical components or the bodies of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft or similar large vehicles and vehicular equipment. Includes truck stops and fleet vehicle fueling facilities, which may dispense conventional vehicle fuels and/or alternative vehicle fuels.
- B. Commercial Vehicle Sales and Rentals.** Establishments that provide for the sale or rental of large trucks, moving equipment (e.g., U-Haul and Ryder) construction or agricultural equipment, aircraft, or similar large vehicles and vehicular equipment.
- C. Personal Vehicle Repair and Maintenance, Major.** Repair of automobiles, light-duty trucks, motor homes, boats, and recreational vehicles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes transmission shops, wheel and brake shops, auto glass services, vehicle painting, tire sales and installation, and installation of car alarms, sound, and electronic equipment.
- D. Vehicle Equipment and Supplies Sales and Rentals.** Establishments involved in the sale, lease or rental of new or used parts, tools or supplies for the purpose of repairing or maintaining motor vehicles.
- E. Vehicle Body and Paint Finishing Shop.** Establishments that primarily conduct motor vehicle body work and repairs or that apply paint to the exterior or interior

4.40 Commercial Use Group

surfaces of motor vehicles by spraying, dipping, flow-coating or other similar means.

F. **Equipment and Materials Sales and Storage, Outdoor.**

Uses primarily involved in outdoor sales, distribution, or storage of equipment, products or materials, or goods, whether or not stored in containers. Examples include bottled gas and fuel oil sales, monument sales, portable storage building sales, and construction material and equipment storage yards.

G. Boarding or Shelter, Major. A facility for keeping, boarding, training, or breeding of dogs, cats, or other household pets not owned by the kennel owner or operator and located on a site with an area of more than 20,000 square feet. Boarding or shelter uses on sites with an area of 20,000 square feet or less are classified and regulated as outdoor consumer service uses.

H. Outdoor Entertainment, Major. Establishments on sites with an area of more than 50,000 square feet that provide outdoor gathering places for participant or spectator entertainment. Outdoor entertainment uses on sites with an area of 50,000 square feet or less are classified and regulated outdoor consumer service uses.

4.40.10 WHOLESALE SALES

The wholesale sales use category includes uses that provide and distribute goods in large quantities, principally to retail sales, commercial services, or industrial establishments, stored in enclosed buildings. May also include incidental retail sales and wholesale showrooms. Wholesale sales uses that include more than 2 loading docks/bays or outdoor storage are classified in the "warehouse and distribution" use category.

4.40.11 CONTROLLED SALES & SERVICE

The controlled sales and service use category includes specific use types with operating characteristics that pose high potential for adverse land use impacts. Uses classified as controlled sales & service uses pursuant to this section may not be deemed to constitute any other use described or permitted under this zoning code. All new and expanded controlled sales & service uses must obtain a certificate of location approval in accordance with the procedures of [11.120](#). The following are expressly classified as controlled sales & service uses:

A. Package Store. Any establishment for which a package store permit is required, as set forth at sections 30-14 et seq. of the General Statutes. Package stores are subject to compliance with all applicable liquor control regulations of [10.10](#).

B. Firearms Sales. Any establishment engaged in the sale, lease, or purchase of firearms or ammunition.

C. Hookah Lounge. An establishment whose business operation, whether as a principal use or as an accessory use, includes the smoking of tobacco or other substances through one or more hookah pipes (also commonly referred to as a hookah, waterpipe, shisha or narghile), including establishments known variously as hookah bars, hookah parlors, and hookah cafés. All hookah lounges are subject to the following supplemental regulations:

- (1) Hookah lounges are prohibited within a 500-foot radius of any school (as defined in [4.60.2](#)) located within the City of Bridgeport, as measured from the entrance of the school to the entrance of the building occupied by the hookah lounge.
- (2) The certificate of location approval application must include a map identifying the location of all schools located within a 500-foot radius of the new or expanded hookah lounge.

D. Tobacco Bar. Any establishment that meets the definition of a "tobacco bar," as defined in the General Statutes. All tobacco bar establishments are subject to the following supplemental regulations:

- (1) Tobacco bars are prohibited within a 500-foot radius of any school (as defined in [4.60.2](#)) located within the City of Bridgeport, as measured from the entrance of the school to the entrance of the building occupied by the cannabis sales establishment.
- (2) The certificate of location approval application must include a map identifying the location of all schools located within a 500-foot radius of the new or expanded cannabis sales establishment.

4.40.12 CANNABIS SALES AND GROWING

Any establishment that meets one or more of the following definitions, as such terms are defined in the General Statutes: Sales includes "dispensary facility," (cannabis) "retailer," (cannabis) "hybrid retailer,". Growing includes (cannabis) "micro-cultivator," (cannabis) "cultivator," or (cannabis) "producer." All new and expanded cannabis sales, cultivation, and production establishments must obtain a certificate of location approval in accordance with the procedures of [11.120](#) and are subject to the following supplemental regulations:

A. Cannabis establishments which are licensed for on-site customer retail sales must provide a viable traffic management plan to address parking and traffic

4.0 Uses

4.40 Commercial Use Group

control for the first six months of retail operations. Said plan shall consider the temporary need for additional parking, shuttles to and from remote parking areas, traffic flaggers and crossing guards to sufficiently accommodate the potential influx of customers.

- B. Cannabis sales establishments are prohibited within a 750-foot radius of any school (as defined in [4.60.2](#)) located within the city of Bridgeport, as measured from the entrance of the school to the entrance of the building occupied by the cannabis sales establishment.
- C. The certificate of location approval application must include a map identifying the location of all schools located within a 750-foot radius of the new or expanded cannabis sales establishment.

4.40.13 PARKING, NON-ACCESSORY

Passenger vehicle parking facilities that constitute the principal use of the subject property. Includes both surface (open-air) parking lots and parking garages.

4.40.14 SEXUALLY ORIENTED BUSINESS

The sexually oriented business category expressly includes all of the following specific use types (see also the supplemental use regulations of paragraph [I](#) of this subsection):

- A. **Adult Cabaret.** A night club, bar, restaurant, or similar commercial establishment that regularly features: (1) persons who appear in areas of the establishment open to patrons in a "state of nudity" or "state of semi-nudity" so as to expose to view "specified anatomical areas"; or (2) any live entertainment, exhibition, performance, or dance by persons whose entertainment, exhibition, performance, or dance is characterized by an emphasis on the depiction or description of "specified anatomical areas" or "specified sexual activities"; or (3) live entertainment of an erotic nature including exotic dancers, strippers, male or female impersonators, or similar entertainment; or (4) exhibiting films, motion pictures, video cassettes, video discs, DVDs, CDs, slides or other photographic or electronic reproductions, whether analog or digital, that are characterized by the depiction or description of specified sexual activities or specified anatomical areas.
- B. **Adult Media Store.** Any establishment that rents and or sells adult media and that meets any of the following criteria: (1) more than 40% of the gross public floor area is devoted to adult media; or more than 40% of the stock in trade consists of adult media; or (2) a media store which advertises or holds itself out in any forum as a sexually oriented business by use of such terms as "X-Rated," "XXX," "adult," "sex," "nude," or otherwise advertises or holds itself out as a sexually oriented business.
- C. **Adult Motion Picture Theater.** A commercial establishment occupying a building or portion of a building (including any portion of a building which contains more than 150 square feet) where, for any form of consideration, film, motion pictures, video cassettes, slides or similar photographic reproductions, or other projected images in any format are regularly shown, if such establishment as a prevailing practice excludes minors by virtue of age, regardless of whether the minor is accompanied by a parent or a guardian, or if, as a prevailing practice, the films, motion pictures, video cassettes, slides or similar photographic reproductions, or other projected images presented are characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
- D. **Adult Novelty Store.** A business offering goods for sale or rent and that meets any of the following tests: (1) it offers for sale items from any two of the following categories: "adult media," "sexually-oriented novelties or toys," lingerie, leather goods marketed or presented in a context to suggest their use for sadomasochistic practices, and the combination of such items constitutes more than 10% of the stock in trade of the business or occupies more than 10% of the gross public floor area of the business; or (2) more than 5% of the stock in trade of the business consists of "sexually-oriented novelties or toys"; or (3) more than 5% of the gross public floor area of the business is devoted to the display of "sexually-oriented novelties or toys"; or (4) which advertises or holds itself out in any forum as a sexually oriented business by use of such terms as "sex toys," "marital aids," "X-Rated," "XXX," "adult," "sex," "nude," or otherwise advertises or holds itself out as a sexually oriented business.
- E. **Adult Theater.** A theater, concert hall, auditorium, or similar commercial establishment that regularly features persons who appear in a state of nudity or semi-nudity, live performances which are characterized by an emphasis on the depiction or description of "specified anatomical area," "specified sexual activities," or live entertainment of an erotic nature including exotic dancers, strippers, male or female impersonators, or similar entertainment that is characterized by an emphasis on the depiction or the description of "specified anatomical areas," or "specified sexual activities."

4.50 Manufacturing & Industry Use Group

- F. Nude Model Studio.** Any place where a person who appears semi-nude or who displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. This does not include: (1) a proprietary school licensed by the State of Connecticut or a college, junior college or university supported entirely or in part by public taxation; (2) a private college or university that offers educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; (3) an establishment holding classes in a structure that has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; where in order to participate in a class a student must enroll at least 3 days in advance of the class; and where no more than one semi-nude model is on the premises at any one time.
- G. Video Booth.** Any private or semi-private booth or viewing room of less than 150 square feet of floor space or area to which the public may gain admittance, wherein a still or motion picture machine, projector, video monitor, or similar equipment is available for the purpose of showing still or motion pictures, videos, DVDs, or images or photographic reproductions to 5 or fewer persons at any one time.
- H. Viewing Booth.** A live viewing booth or video booth, or combination thereof of less than 150 square feet of floor space to which the public may gain admittance, wherein a live semi-nude or nude performance is presented to 5 or fewer persons at any one time.
- I. Supplemental Use Regulations.** In order to control the negative secondary effects associated with sexually oriented business in a manner that promotes the public health, safety, and general welfare, all sexually oriented businesses are subject to the following supplemental regulations:
- (1) A sexually oriented business must be separated from any another existing sexually oriented business by a minimum distance of 1,500 feet.
 - (2) A sexually oriented business must be separated from any school, public library, public park, hospital, licensed group day care center, or recreation center by a minimum distance of 400 feet.
 - (3) A sexually oriented business must be separated from N and NX zones by a minimum distance of 500 feet.
 - (4) A sexually oriented business must be separated from DX1, DX2, RX1, RX2, and PDD zones by a minimum distance of 400 feet.
 - (5) The minimum required separation distances for sexually oriented businesses must be measured in a straight line, without regard to intervening structures or objects, from the nearest property line of the lot occupied by the proposed use to the nearest property line of the existing use or zone.
 - (6) All sexually oriented businesses require site plan approval and a certificate of location approval (see [11.70](#) and [11.120](#)).
 - (7) These supplemental regulations do not apply to existing lawfully established uses, but any use that is discontinued for a period of 30 days or more must comply with these supplemental use regulations before being reestablished.

4.50 Manufacturing & Industry Use Group

The manufacturing and Industry use group includes uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage and handling of these products and the materials from which they are produced. The manufacturing and industry use categories and subcategories are as follows.

4.50.1 MANUFACTURING, LOW-IMPACT

The low-impact manufacturing use category includes uses that do not, as part of their normal operations, generate noticeable off-site impacts in terms of noise, smoke, particulate matter, odors, or vibration. The low-impact manufacturing use category expressly includes the following subcategories:

- A. Artisan Manufacturing.** Indoor work spaces used by artists for creation of art or the practice of their artistic endeavors or by craftspeople that produce consumer goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations, storage or regular commercial truck parking/loading. Typical uses include woodworking; custom furniture shops; cabinet-making; ceramic studios; jewelry manufacturing; confections and custom-made food items; and artwork including painting, printmaking and sculpture.
- B. Limited Manufacturing.** Indoor work spaces used for processing, fabricating, assembling, recycling, treating, or packaging of finished parts or products that

4.0 Uses

4.60 Civic & Institutional Use Group

customarily have very limited external impacts in terms of noise, vibration, odor, heavy truck traffic or other public safety impacts. Microbreweries (i.e., those with an annual production of no more than 15,000 barrels or 465,000 gallons) and micro-distilleries (i.e., those with an annual production of no more than 40,000 proof gallons) are classified as limited manufacturing uses. Large breweries and large distilleries are classified as moderate-impact manufacturing uses.

- C. Urban Farm, Indoor.** Growing, washing, packaging and storage of fruits, vegetables, and other plant products in enclosed buildings. Typical operations include greenhouses, vertical farming, hydroponic systems and aquaponic systems. Composting is limited solely to materials generated on site. May include accessory retail or wholesale sales areas limited to 3,000 square feet in area, except as prohibited by law. Outdoor urban farms are classified as parks and open space. See [4.60](#). Use types more specifically defined and regulated under the Cannabis Sales, Cultivation, or Production use subcategory of [4.40.12](#) are not classified or regulated as urban farm uses.

4.50.2 MANUFACTURING, MODERATE-IMPACT

The moderate-impact manufacturing use category includes establishments that manufacture products from extracted or raw materials or recycled or secondary materials or that, as part of their normal operations, generate noticeable off-site impacts in terms of noise, smoke, particulate matter, odors, or vibration. The moderate-impact manufacturing use category includes lumber and wood products manufacturing; metal and metal products manufacturing, including enameling and galvanizing; large breweries (i.e., those with an annual production of more than 15,000 barrels or 465,000 gallons); and large distilleries (i.e., those with an annual production of more than 40,000 proof gallons).

4.50.3 WAREHOUSING & DISTRIBUTION

The warehousing and distribution use category includes uses that store, deliver, or transport goods in large quantities, principally to other commercial, manufacturing, or industrial businesses. The warehousing and distribution use category expressly includes the following subcategories:

- A. Trucking and Transportation Terminal.** Uses engaged in the dispatching and long-term or short-term storage of trucks, buses, and other vehicles, including parcel service delivery vehicles, taxis and limousines. Minor repair and maintenance of vehicles stored on the premises is also included. Includes uses engaged in the moving of household or office furniture, appliances, and equipment from one location to another, including the temporary on-site storage of those items.

- B. Marine-Related Industrial.** Uses such as docks, wharves, piers, and related facilities, used in connection with the transfer, storage-in-transit, and incidental processing of commercial cargo from or to waterborne craft.

- C. Warehouse.** Uses conducted within a completely enclosed building that are engaged in long-term and short-term storage of goods and that do not meet the definition of a self-service storage facility.

4.50.4 HEAVY INDUSTRY

The heavy industry use category includes establishments that use hazardous chemicals or procedures; generate hazardous byproducts or explosive hazards; or otherwise have high potential for adverse land use impacts related to community appearance, public safety, environmental impacts, or nearby residents' quality of life. The heavy industry use category includes junk and salvage yards; resource production, mining, quarrying, and extraction operations; waste disposal, processing, incineration, and transfer operations; tire retreading or recapping; mulching and wood-splitting; fuel storage yards; and processing, storage, or stockpiling of soil, rock, concrete, brick, block, gravel, sand, and similar raw or recycled material. Uses involved in processing, storage, or stockpiling of raw or recycled material, resource production and extraction activities, or the construction of ponds, lakes, or stormwater detention facilities, are subject to the supplemental use regulations of [10.50](#).

4.60 Civic & Institutional Use Group

The civic and institutional use group includes public, quasi-public, and institutional uses that provide services that benefit the public at-large. The civic and institutional use categories and subcategories are as follows:

4.60.1 CIVIC, LARGE

The large civic use category includes community- or region-serving public, civic, and institutional uses on large sites or that have off-site impacts. The large civic use category includes convention centers, sports stadiums, and arenas.

4.60.2 CIVIC, SMALL

The small civic use category includes neighborhood-, community-, or region-serving public, civic and institutional uses. The civic use category includes courthouses, city halls, government offices, and the following subcategories:

- A. School.** Public and private schools at the primary, elementary, middle school or high school level that provide basic, compulsory education. Typical uses include public schools, charter schools, private schools, and parochial schools. Uses include customary

4.60 Civic & Institutional Use Group

accessory and support functions for schools, such as cafeterias, stadiums, and auditoriums.

- B. Safety Service.** Establishments that provide fire, police, or public safety services, together with the incidental storage and maintenance of necessary vehicles. Typical uses include fire stations, police stations, ambulance services and storm or civil defense shelters.
- C. Cultural Facility.** Facilities engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This classification includes performing arts centers for theater, music, dance, and events; spaces for display or preservation of objects of interest in the arts or sciences; libraries; historical sites; art galleries; and museums.
- D. Community Assembly.** A facility for public or private meetings including senior centers, community centers, and religious assembly facilities. This use subcategory includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include stadiums, convention centers, arenas, or sports facilities that are separately classified and regulated.

4.60.3 CIVIC, CAMPUS

The campus civic use category includes very large public, civic and institutional uses, typically housed in multiple buildings in a campus-like setting. The campus civic use category includes zoos and the following subcategories:

- A. Hospital.** State-licensed public, private, and non-profit facilities providing inpatient medical, surgical, mental health, or emergency medical services. Hospitals may also provide outpatient treatment.
- B. College or University.** Institutions of higher learning that offer courses of general or specialized study and are authorized to grant academic degrees. The college or university use subcategory includes classrooms and instructional spaces, as well as on-campus residence halls, fraternity and sorority houses, administrative buildings, auditoriums, sports stadium, and other on-campus uses and facilities that provide customary accessory and support functions for college or university uses.

4.60.4 TRANSPORTATION FACILITIES

Stations, passenger docks, off-street passenger waiting areas, and loading/unloading areas for local and regional transit and transportation service. Typical uses include rail and bus stations, heliport landing facilities, seaplane facilities, passenger transfer facilities, ferry terminals, ticket purchasing

and waiting areas out of the public right-of-way, restrooms, and accessory uses such as cafés. Street-side boarding locations, such as bus stops, are not classified or regulated as transit stations.

4.60.5 DETENTION OR CORRECTIONAL FACILITIES

The detention or correctional facility use includes institutions operated by the city, the state, the federal government, or a private party under contract with the city, the state, or the federal government for the confinement and punishment and treatment or rehabilitation of offenders under the jurisdiction of a court. Includes alternative incarceration programs, as described in section 53a-39a of the General Statutes. Detention and correctional facilities are prohibited within a 750-foot radius of any school (as defined in [4.60.2](#)) located within the City of Bridgeport, as measured from the entrance of the school to the entrance of the building occupied by the detention or correctional facility.

4.60.6 PARKS & OPEN SPACE

The parks and open space use category includes recreational, social, or multi-purpose uses associated with public parks, public open spaces, public play fields, public or private golf courses, or other outdoor open space or recreation areas. It also includes urban agriculture uses, such as community gardens, outdoor urban farms, and beekeeping. The parks and open space use category includes the following subcategories:

- A. Community Garden.** An area of land managed and maintained by a public or non-profit organization or a group of individuals to grow and harvest food crops and/or ornamental crops, such as flowers, for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Community gardens may be principal uses or accessory to other public or semi-public uses, such as parks, schools, community centers, or community assembly uses. This classification does not include gardens that are accessory to residential uses when access is limited to those who reside on the subject property. Sales of products produced in association with a community garden is permitted as an accessory use in zones in which retail sales & entertainment uses are allowed.
- B. Natural Resource Preservation.** Undeveloped land left in a natural state for specific use as visual open space or environmental purposes. Typical uses include wildlife or nature preserves, arboretums, flood management projects and reservoirs.

4.0 Uses

4.70 Accessory Uses

- C. Parks and Recreation.** Parks, playgrounds, recreation facilities, and related open spaces that are open to the general public. This subcategory also includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, tennis courts, boat docks, and golf courses, as well as related food concessions or clubhouses within a primary structure or in an accessory structure on the same site.
- D. Cemetery.** Land or structures used for burial or permanent storage of the dead or their cremated remains. Typical uses include cemeteries and mausoleums. Also includes pet cemeteries.
- E. Urban Farm, Outdoor.** Growing, washing, packaging and storage of fruits, vegetables and other plant products in unenclosed areas or partially enclosed structures. Typical operations include growing beds, growing fields, hoop houses, and orchards. Composting is limited solely to materials generated on site. May include accessory retail or wholesale sales areas limited to 3,000 square feet in area. Indoor urban farms are classified as low-impact manufacturing uses. See [4.50](#).

4.60.7 MINOR UTILITIES

The minor utilities use category includes utilities and essential public service uses that need to be located in or very close to the area where the service is provided. Minor utilities generally do not have regular employees at the site and typically have few if any buildings or large structures and no adverse impacts on surrounding areas. Typical uses include water and sewer pump stations; gas regulating stations; underground electric distribution substations; electric distribution lines and transformers; water conveyance systems; stormwater storage and conveyance systems; and emergency communication warning/broadcast facilities.

4.60.8 MAJOR UTILITIES

The major utilities use category includes major utility facilities that typically have substantial visual, operational, or land use impacts on nearby areas. Typical uses include water and wastewater treatment facilities, high-voltage electric substations, regional electrical transmission lines, regional gas or oil pipelines, and utility-scale power generation facilities (including wind, solar and other renewable and nonrenewable energy sources).

4.70 Accessory Uses

4.70.1 GENERALLY APPLICABLE REGULATIONS

- A. Accessory Uses Allowed.** Accessory uses and structures are allowed only in connection with lawfully established principal uses. Allowed accessory uses are limited to those expressly regulated in this section as

well as those that, in the determination of the zoning administrator, satisfy all of the following criteria:

- (1) They are customarily found in conjunction with the subject principal use;
- (2) They are subordinate and clearly incidental to the principal use of the property;
- (3) They are operated and maintained under the same ownership or by lessees or concessionaires of the principal use; and
- (4) They serve a necessary function for or contribute to the comfort, safety or convenience of occupants of the principal use.

- B. Time of Establishment.** Accessory uses may be established only after the principal use of the property is in place.
- C. Where Allowed.** Accessory uses are allowed per the use tables for each building type in Article 3.
- D. Location.** Accessory uses must be located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

4.70.2 ACCESSORY APARTMENTS

- A. Purpose.** The accessory apartment regulations of this section are intended to help advance the city's housing and land use goals and policies by:
- (1) Accommodating additional housing units while also preserving the physical form of existing neighborhoods;
 - (2) Allowing efficient use of the city's existing housing stock and infrastructure;
 - (3) Providing housing options and choices that respond to varying income levels, household sizes, and lifestyle choices;
 - (4) Providing a means for residents to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and assistance; and
 - (5) Promoting a broader range of accessible and more affordable housing.
- B. General Regulations for all Accessory Apartments.** All accessory apartments are subject to the regulations of this subsection.

4.70 Accessory Uses

- (1) **Zoning District Regulations.** Accessory apartments are subject to all applicable regulations of the zone in which they are located, unless otherwise expressly stated in this ordinance.
 - (2) **Number.** No more than one accessory apartment is allowed per lot.
 - (3) **Methods of Creation.** An accessory apartment may be created through any of the following methods:
 - (a) Converting existing area within the interior of a principal dwelling unit (e.g., attic or basement) to an accessory apartment;
 - (b) Adding floor area to an existing dwelling unit to accommodate an accessory apartment;
 - (c) Constructing a new detached backyard cottage accessory structure on a parcel with an existing principal dwelling unit;
 - (d) Converting space within an existing accessory building to accommodate an accessory apartment; or
 - (e) Constructing a new principal dwelling unit with an internal accessory apartment or a backyard cottage with an accessory apartment.
 - (4) **Rental**
 - (a) No more than one of the dwelling units on a lot occupied by an accessory apartment may be a rental dwelling unit.
 - (b) Accessory apartments may not be used as short-term rentals and may not be rented for periods of less than 31 consecutive days.
 - (c) Before issuance of a permit establishing an accessory apartment, the owner must file with the town clerk's office a deed restriction stating that the owners of the subject property agree to the accessory apartment rental restrictions of this subsection and to notify all prospective purchasers of these requirements. The deed restriction must run with the land and be binding upon the property owner, their heirs and assigns, and upon any parties subsequently acquiring any right, title, or interest in the property. The deed restriction must be in a form prescribed by the zoning administrator. Proof of recording must be provided to the zoning administrator before any permits are issued for the accessory apartment.
 - (5) **Size.** The floor area of an accessory apartment may not exceed 49% of the gross floor area of the principal dwelling unit on the subject lot (excluding any attached garage), or 800 square feet, whichever is less. For purposes of this provision, the following are excluded from the definition of "gross floor area":
 - (a) Garage areas;
 - (b) Basement areas where the ceiling height measured from the floor is less than 7 feet; and
 - (c) Any other non-living space within the principal building.
 - (6) **Parking.** No additional parking is required for an accessory apartment. Any existing required parking for the principal dwelling unit must be maintained or replaced on-site.
- C. Building Regulations.** Only one entrance to a principal dwelling unit containing an accessory apartment may be located on a façade that faces a street, unless the principal dwelling unit contained an additional street-facing entrance before the accessory apartment was created. New detached accessory apartments and building additions to accommodate accessory apartments are subject to compliance with all applicable building type and accessory structure regulations.
- D. Building Permit Approval.** Before the issuance of a building permit for the construction of any new accessory apartment, plans must be reviewed and approved by the building official to determine compliance with all applicable building and life safety codes.
- ### 4.70.3 HOME OCCUPATIONS
- A. Description.** Home occupations are jobs or professions conducted wholly or partly from a residential dwelling as an accessory use to an allowed household living use.
- B. Purpose.** The home occupation regulations of this section are intended to allow residents to engage in customary home-based work activities, while also helping to ensure that neighbors are not subjected to adverse operational and land use impacts (e.g., noise levels, traffic patterns or public safety hazards) that are not typical of residential neighborhoods.
- C. Types of Home Occupations.** These regulations establish regulations for 2 types of home occupations: home offices and home businesses.
- (1) **Home Offices.** Home offices are home occupations in which household residents use their home as a place of work, with no employees, customers or clients coming to the site. Typical examples include

4.0 Uses

4.70 Accessory Uses

telecommuting office workers, writers, consultants, and artists. Home offices require a certificate of zoning compliance in accordance with [11.110](#).

- (2) **Home Businesses.** Home businesses are home occupations in which household residents use their home as a place of work and in which either employees or customers come to the site. Typical examples include tutors, teachers, photographers, counselors, and real estate agents. Home businesses require special permit approval in accordance with [11.50](#).
- D. Exemptions.** Nonresidential uses that are expressly allowed in conjunction with residential uses (e.g., bed and breakfast inns and family day care homes for 6 or fewer children) are not subject to home occupation regulations.
- E. Allowed Uses.** The home occupation regulations of this section establish performance standards for all home occupations rather than listing specific uses and activities allowed to be conducted as part of a home occupation.
- F. Prohibited Uses.** The following uses are expressly prohibited as home occupations:
- (1) Any type of assembly, cleaning, maintenance, painting or repair of vehicles or equipment with internal combustion engines or of large appliances (such as washing machines, clothes dryers or refrigerators);
 - (2) Dispatch centers or other businesses where employees come to the site and are dispatched to other locations;
 - (3) Equipment or supply rental businesses;
 - (4) Taxi, limo, van or bus services;
 - (5) Tow truck services;
 - (6) Restaurants;
 - (7) Funeral or interment services;
 - (8) Animal care, shelter or boarding establishments;
 - (9) Commercial food preparation;
 - (10) Home-based day care for more than 6 children;
 - (11) Any use involving the use or storage of vehicles, products, parts, machinery, or similar materials or equipment outside of a completely enclosed building; and
- (12) Any home-based work activity that does not comply with regulations of this section.
- G. Home Offices.** Home offices are allowed as an accessory use to a principal use in the household living use category upon issuance of a certificate of zoning compliance in accordance with [11.110](#). Home offices are subject to the following regulations:
- (1) Home offices must be accessory and subordinate to the principal residential use of the property.
 - (2) No clients, customers, patients, or students are allowed in conjunction with a home office.
 - (3) Only residents of the dwelling in which the home office is located may be engaged in a home office use. No nonresident owners, employees or contractors may be present on the property.
 - (4) Home offices that change the physical form of the residential building they occupy or that adversely affect the surrounding neighborhood are prohibited. Home offices may not, for example, produce light, noise, vibration, odor, parking demand, or traffic impacts that are not typical of a residential neighborhood. Home offices must be operated so as not to create or cause a nuisance.
 - (5) External structural alterations or site improvements that change the residential character of the lot upon which a home office is located are prohibited. Examples of such prohibited alterations include construction of parking lots, the addition of commercial-like exterior lighting, the addition of a separate building entrance that is visible from abutting streets or the exterior display of signs.
 - (6) No display of any material or merchandise is allowed in conjunction with a home office.
 - (7) The use or storage of hazardous substances is prohibited, except at the "consumer commodity" level, as that term is defined in 49 C.F.R. Sec. 171.8.
 - (8) Home offices and all related activities must be conducted entirely within the principal residential building or an allowed accessory building.
 - (9) Deliveries or pickups of supplies or products associated with a home office are allowed only between 8:00 a.m. and 6:00 p.m. Vehicles used for delivery and pickup are limited to those normally serving residential neighborhoods.

4.70 Accessory Uses

- (10) More than one home office is allowed, but the home office regulations of this section apply to the combined home office uses.

H. Home Businesses. Home businesses are allowed as an accessory use to a principal use in the household living use category only if approved in accordance with the special permit procedures of [11.50](#). Home businesses are subject to the following regulations:

- (1) Home businesses must be accessory and subordinate to the principal residential use of the property and may not occupy more than 49% of the gross floor area of the principal building, whether the home business is located in the principal residential building, an accessory building, or both.
- (2) At least one individual engaged in the home business must reside in the dwelling unit in which the home business is located as their primary place of residence.
- (3) A maximum of 2 nonresident employees are allowed with a home business. For the purpose of this provision, the term “nonresident employee” includes an employee, contractor, business partner, co-owner or any other person affiliated with the home business, who does not live at the site, but who visits the site as part of the home business.
- (4) No more than 8 clients or customers may visit the site of a home business in a single day. Customer or client visits are limited solely to the hours of 8:00 a.m. to 8:00 p.m.
- (5) Face-to-face or walk-in retail sales activities are prohibited as a principal home business activity. Any face-to-face or walk-in retail sales of goods must be entirely accessory to any services provided on the site. This retail sales restriction is not intended to prohibit on-line retail sales.
- (6) Home businesses that change the physical form of the residential building they occupy or that adversely affect the surrounding neighborhood are prohibited. Home businesses may not, for example, produce light, noise, vibration, odor, parking demand, or traffic impacts that are not typical of a residential neighborhood. Home businesses must be operated so as not to create or cause a nuisance.
- (7) External structural alterations or site improvements that change the physical residential form of the lot upon which a home business is located are

prohibited. Examples of such prohibited alterations include construction of parking lots, the addition of commercial-like exterior lighting, the addition of a separate building entrance that is visible from abutting streets or the exterior display of signs.

- (8) Any tools or equipment used as part of a home business must be operated in a manner or sound-proofed so as not to be audible beyond the lot lines of the subject property.
- (9) The use or storage of hazardous substances is prohibited, except at the “consumer commodity” level, as that term is defined in 49 C.F.R. Sec. 171.8.
- (10) Home businesses and all related activities, including storage (other than the lawful parking of passenger vehicles), must be conducted entirely within the principal residential building or an allowed accessory building.
- (11) Deliveries or pickups of supplies or products associated with a home office are allowed only between 8:00 a.m. and 6:00 p.m. **Vehicles used for delivery and pickup are limited to those normally serving residential neighborhoods.**
- (12) No more than one home business is allowed on a single property, and a home business may not be conducted on a lot occupied by an accessory apartment.

4.70.4 SIDEWALK CAFES

Sidewalk cafes are allowed as an accessory use to an eating or drinking place or other food service establishment upon approval of a temporary zoning permit and an application for a franchise or concession to use the public right-of-way.

- A. Sidewalk Definition.** Solely for the purpose of administering, enforcing, and interpreting the sidewalk cafe regulations of this subsection, the term “sidewalk” means the area within a public street right-of-way that is designed for pedestrian travel by the public. Includes the streetscape area of the right-of-way and any portion of a street that the city has authorized for use by sidewalk cafes (e.g., parklets).
- B. Application.** Applications for approval of sidewalk cafes must be submitted to the zoning department.
- (1) The application must include a temporary zoning permit application and an application for a franchise or concession to use the public right-of-way.
 - (2) The completed application must be accompanied by the required fee, which includes the established

4.0 Uses

4.70 Accessory Uses

application/permit fee plus any other applicable city or state fees.

- (3) The completed application must be accompanied by proof of any required bond.
- (4) Planning and zoning commission approval is required for outdoor liquor service in all zones. Outdoor liquor service is subject to all applicable regulations of the State of Connecticut Liquor Commission.

C. Conditions. Sidewalk cafes are subject to all of the following conditions:

- (1) The sidewalk cafe must be located in a manner that ensures a minimum 5-foot sidewalk clear zone that allows safe, unobstructed passage by pedestrians.
- (2) The sidewalk cafe must have tables and chairs for patrons, and may be used only for the purpose of consuming food and not as a waiting area or bar area. Patrons must be seated at tables. Food or beverages may not be served to or consumed by customers or patrons who are standing.
- (3) Sidewalk cafe areas in which liquor service is provided must have a railing or other continuous separation between the tables and the open area of the sidewalk.
- (4) The sidewalk cafe may not remain open beyond the hours of operation of the indoor dining area.
- (5) Sidewalk cafes that constitute a nuisance to surrounding properties or neighbors are prohibited. They are expressly subject to the city's noise control regulations (Chapter 8.80 of the municipal code of ordinances), Conn. Gen. Stat. Sec. 30-545, and all other applicable noise-related regulations.

D. Permit. A sidewalk cafe permit must be posted on the main entrance of the establishment, subject to the following:

- (1) The permit must state:
 - (a) The name of the business or property owner;
 - (b) The number of tables and chairs approved for the sidewalk cafe; and
 - (c) The expiration date of the permit.
- (2) Permits are not assignable and must be renewed annually.

- (3) Permit may be revoked by the zoning enforcement officer upon determination that any of the regulations of this section have been violated.

4.70.5 OUTDOOR DISPLAY

A. Description. The outdoor display of merchandise or other items offered for viewing and sale as part of the principal use of the property.

B. Building and Site Regulations. The following regulations apply to all outdoor display areas other than vending machines:

- (1) Outdoor displays are subject to all applicable setback regulations that apply to the principal building unless otherwise expressly stated in this zoning code.
- (2) Outdoor displays on corner lots must be confined to a single frontage.
- (3) Merchandise or other items may only be displayed during hours of operation of the principal use.
- (4) Outdoor display areas may not interfere with pedestrian or automobile traffic on the subject lot or on public rights-of-way, and may not interfere with the enjoyment or operation of adjacent properties and uses.

C. Outdoor Vending Machines. Vending machines, including ice merchandisers, as an accessory use located outside the building require an administrative exception, subject to compliance with the following regulations:

- (1) Outdoor vending machines and ice merchandisers may be located only in the rear, side, or non-primary street yard. Outdoor vending machines and ice merchandisers may not be located in the front or primary street yard.
- (2) The back of any outdoor vending machine must be located parallel and adjacent to an exterior wall of the principal structure, no more than 18 inches from the wall.
- (3) When located in the non-primary street yard, the vending machines and ice merchandisers must be screened from view of the primary street.
- (4) Outdoor vending machines may not be lit after 9:00pm.
- (5) Outdoor vending machines may not obstruct pedestrian pathways, driving aisles, parking spaces,

4.70 Accessory Uses

or any areas necessary for proper vehicular circulation or loading activities. A clear path of travel at least 5 feet in width must be provided around outdoor vending machines.

- (6) Outdoor vending machines may not be located within 5 feet of the public right-of-way, or located in such a manner as to encourage or require customers to stand or park in the right-of-way in order to use the machine.
- (7) No more than 2 outdoor vending machines are allowed.
- (8) The area occupied by outdoor vending machines may not exceed 15% of the width of the building elevation along which they are located, nor may the combined width of all vending machines on any site exceed 30 feet.
- (9) If exposed conduits or pipes are required (e.g., to supply the outdoor vending machine with power, coolant for refrigeration, or the product being dispensed), they must be secured to the building and painted or otherwise screened to match the building exterior. Exposed conduits, pipes, and utility connections may not bridge a span or gap greater than 18 inches.
- (10) All outdoor vending machines must be maintained in a clean and attractive condition. Any graffiti on an outdoor vending machine must be removed within 24 hours. If the outdoor vending machine is removed, the area must be cleaned and restored to its previous condition, including the removal of any abandoned pipes, conduits, or other connecting hardware.

4.70.6 OUTDOOR STORAGE

A. Description. The outdoor storage of goods that are not typically stored or sold indoors.

B. General Building and Site Regulations. The following regulations apply to all outdoor storage areas:

- (1) Outdoor storage areas are subject to all applicable setback regulations that apply to the principal building unless otherwise expressly stated in this zoning code.
 - (2) Outdoor storage areas count toward maximum building coverage limitations.
 - (3) All materials or wastes stored outdoors that cause fumes or dust or that constitute a fire hazard or that may be edible by or otherwise attractive to rodents or insects must be stored in closed containers.
 - (4) No materials or wastes may be stored or deposited upon a lot in such form or manner that they may be transferred off the lot by wind or natural causes or forces.
 - (5) All outdoor storage areas must be screened from view of neighborhood zones in accordance with the screening and buffering regulations of [7.0](#).
- C. Parking and Storage of RVs and Inoperable and Heavy Vehicles.** See [8.40](#).
- D. Industrial Zone Building and Site Regulations.** Outdoor storage is allowed in industrial zones, subject to the following regulations:
- (1) Each application for outdoor storage areas in industrial zones must be accompanied by a site plan, which includes the following additional information:
 - (a) Locations and types of containers for all volatiles and all enclosures for outdoor storage;
 - (b) Traffic aisles and parking for the establishment;
 - (c) An operating plan indicating types of materials to be accepted at the facility and estimates of the volume and number of trips of incoming and outgoing materials daily and during peak periods;
 - (d) A plan for preventing and controlling offensive noises, odors, and rodents and other disease vectors;
 - (e) A plan for preventing and controlling fire and explosions occurring at the site;
 - (f) A plan for keeping the area immediately around the facility free and clear of debris;
 - (g) A plan for managing dust and other airborne particles and debris, which may include covering or enclosing the stored material, and controlling dust and dirt on the vehicles (including tires) that enter and leave the site; and
 - (h) Stormwater management plans.
 - (2) No material may be received at the facility that is not permitted for the facility except as provided in this ordinance or the General Statutes.
 - (3) All materials and activities not within fully enclosed buildings must be surrounded (except along a

4.0 Uses

4.70 Accessory Uses

wharf, dock or other water-dependent structure used by the facility) by an opaque fence or wall of uniform color, at least 6 feet in height, surfaced so as to be resistant to damage from the elements, and maintained in good condition. Any gate in such fence must be similarly constructed and maintained (except that a view hole maybe left in each such gate) and must be kept locked at all times when the facility is not in operation.

- (4) All materials must be stored in such a manner as to prevent the breeding or harboring of rats, insects, or other vermin. When necessary, this must be accomplished by enclosure in containers, raising of materials above the ground, separation of types of materials, preventing the collection of stagnant water, extermination procedures, or other means.
- (5) A cleared fire lane must be maintained to facilitate access by firefighting equipment, as approved by the fire department.
- (6) Nothing in this section precludes the planning and zoning commission from imposing additional requirements or stricter conditions pertaining to design, screening, buffering, lighting, soundproofing, signs, or other matters necessary to protect adjacent property.
- (7) No goods, materials or equipment may be stored outdoors on any lot in an industrial zone within 15 feet of any lot line along which such lot abuts a neighborhood zone, either directly or across a street or alley.
- (8) Any goods, materials or equipment stored outdoors on a lot in an industrial zone must be screened from view of neighborhood zones and public rights-of-way in accordance with the screening regulations of [7.100](#) and [7.110](#).

5.0 MASTER PLAN DEVELOPMENTS (MPD)

- 5.10 Generally 5-2
- 5.20 Blocks and Streets 5-3
- 5.30 Civic Space 5-9
- 5.40 Waterfront Access 5-10
- 5.50 Layout & Location of Zones 5-11

5.0 Master Plan Developments (MPD)

5.10 Generally

5.10 Generally

5.10.1 INTENT

The Master Plan Development (MPD) regulations are intended to implement the goals of the city's most recent master plan of conservation and development (POCD), waterfront plan, complete streets manual, and other planning documents. These regulations are intended to apply to existing parcels larger than a typical, walkable block and to result in a site-specific master plan that:

- A. Addresses the surrounding existing and planned context, relationships to other parcels, and transportation continuity, and other interactions.
- B. Results in an interconnected system of streets and blocks, which provides access and mobility to all users via multiple modes of transportation.
- C. Incorporates a variety of smaller, usable, accessible open space for residents and visitors to the sites.
- D. Implements the waterfront plan, providing access, visibility, and stewardship to the waterfront.
- E. Provides an appropriate, finer grade mix of zones and potential uses, creating new, walkable urban districts.

5.10.2 APPLICABILITY

A. 3 Acre Developments. All developments on a single parcel or combination of parcels totaling 3 acres or more must meet the MPD regulations, prior to any subdivision, rezoning, or submittal of a site plan for review, except as follows:

- (1) Parcels currently designated as I, IX, or P on the zoning map are not required, but may elect, to submit an MPD.
- (2) Rezoning any parcel to I, IX, or P does not require an MPD.

B. The following must be included in the MPD:

- (1) All adjacent and abutting land under the same or similar ownership must be included. Similar ownership means parcels that have any common owners with legal rights.
- (2) All parcels considered to be part of the same development or phases of a development.
- (3) All adjacent and abutting parcels under separate ownership that are either vacant or anticipated to be developed within 10 years of the submittal must be included for planning purposes and noted as

such. Planning purposes include such items as access to those sites, incorporation into the blocks of the MPD, continuity of waterfront access and visibility, mixing of uses.

- (4) All parcels the director of the Office of Planning and Economic Development requests to be included for planning purposes.

C. Alternative Plan. The PZC may approve a Master Plan Development that meets the intent of the MPD requirements (see [5.10.1](#)) and is consistent with the most recent master plan of conservation and development (POCD), but modifies specific regulations of this article, [5.0](#). The submittal must include a clear description of the modifications to be approved.

5.10.3 SUBMITTALS

All MPDs must be approved as a development plan per [11.60](#). The required submittals must illustrate compliance with this article, [5.0](#), and any other requirements of the city.

A. Project Information. The development application must be complete and include, at a minimum, the following:

- (1) Total area in the development project including legal description.
- (2) Ownership and contact information.
- (3) Intent of development.
- (4) Brief narrative explaining how adjacent and abutting properties were considered during the development of the master plan.

B. Project Phasing & Guarantees. Description and mapping of anticipated project timing and phasing, including all components (such as utilities, streets, parking, civic spaces, landscaping, uses, building types). Proposed mechanisms (such as financial guarantees) must be included to ensure completion of all site components, such as streets and civic spaces, phased in conjunction with buildings.

C. Plans and Details. List of plan and detail submittal requirements is available from the City.

D. Master Development Plan Components. The submittal plans must include all components defined in [5.0](#).

- (1) **Boundary Lines.** All streets, civic space, waterfront buffers, and building sites must be located on separate lots, rights-of-way, or easements. These lines provide the baseline for measuring locations of building types.

5.20 Blocks and Streets

- (2) **Zones and Building Types.** The regulating plan must locate all proposed new zones on lots and consider the regulations for building types in [3.0](#) to ensure the areas designated can accommodate buildings meeting the regulations. Building plans and elevations meeting the regulations of [3.0](#) are not required for the MPD approval; however, building and parking footprints are encouraged.

5.20 Blocks and Streets

5.20.1 BLOCK LAYOUT

An interconnected system of streets and blocks is required for all development sites. Refer to [Figure 5-A](#) and [Figure 5-B](#) for illustrations of example layouts of these regulations. Other configurations that meet the regulations are possible.

- A. Block Size.** Block length must be no more than 600 feet, with a maximum perimeter of 1800 feet, except as follows:
- (1) Blocks with natural or existing site constraints, such as those abutting rail corridors, highways, steep grades, and waterways, may be longer.
 - (2) Where blocks are longer than 800 feet, pedestrian access easements, minimum 20 feet in width with minimum 5-foot sidewalks, must be located approximately mid-block, effectively reducing the resulting pedestrian blocks to dimensions less than the block sizes defined in [A](#), above.
- B. Access Points.** An access point is a new street connecting to an existing street. A minimum of two access points must be provided for the MPD, with a minimum of one per every 1,500 feet of boundary, except along rail corridors, waterways, or limited access highways.
- C. Extend Existing Streets.** Streets must connect and continue existing streets from adjoining areas. Future connections must be considered and temporary dead-end streets may be supplied for future extension with zoning official and city engineer approval.
- D. Shape of Blocks.** The shape of a block should be generally rectangular in order to accommodate typically rectilinear buildings, but may vary due to natural features or site constraints.
- E. Civic Space Frontage.** Refer to [5.30](#) for civic space requirements, including street frontage requirements. Open space, existing and new, shall be fronted with streets to provide more visibility and access.
- F. Cul-de-Sacs and Dead-End Streets.** Cul-de-sac and temporary dead-end streets are not allowed, except when approved by the PZC and necessitated by natural features or site constraints, including but not limited to waterways, or highways. If approved, pedestrian connections and landscape plantings may be required.
- G. Lot Configuration.** All lots must have frontage along a street per the building type requirements, unless otherwise specified. See [3.0](#) for building types.
- (1) Lots must front at least 2 street faces of any block, preferably the longest faces, with the exception of blocks containing open space or civic space. See [3.0](#) for building type regulations regarding through lots.
 - (2) Flag lots, located on the interior of the block with street frontage only for driveway access, are not allowed.
 - (3) Regulations for anticipated building types shall be considered when setting block depth and width to avoid the need for future variances or exceptions.
 - (4) Consider lot and block orientation for maximum energy efficiency, depending on the building type. For example, block orientation along an east-west longitudinal axis will encourage development of long mixed-use buildings oriented along an east-west axis, with smaller east and west facing facades, able to take advantage of passive solar technology.
- H. Service Access.** The configuration of the lots and blocks must include alleys or service drives per [5.20.3](#) to accommodate parking and garage access, refuse and recycling pickup, and utilities.
- I. Existing Lots.** Blocks may be established to include already existing lots within them and those lots may retain their existing zone designation.
- J. Vistas.** Views down streets that terminate at parcels (referred to as "vistas" in these regulations), including where a street might angle at less than 90 degrees, must be considered when laying out streets and blocks, and locating open space, parking, and buildings. See [6.50.10](#) for vista regulations.

5.20.2 STREET CONFIGURATION

Complete streets provide for multiple modes of access throughout the city. All streets, whether publicly dedicated or privately held, must meet the following requirements.

- A. Base Street Requirements.** The base street type is illustrated in [Figure 5-C](#). The zoning official and

5.0 Master Plan Developments (MPD)
5.20 Blocks and Streets



Figure 5-A. Example Blocks, Streets, and Civic Space Layout for MPD



Figure 5-B. Example Blocks, Streets, and Civic Space Layout for MPD

5.0 Master Plan Developments (MPD)
5.20 Blocks and Streets

**RESIDENTIAL STREETScape
 SIDEWALK & BUFFER
 ILLUSTRATED**

**NON-RESIDENTIAL STREETScape
 SIDEWALK & BUFFER ILLUSTRATED**

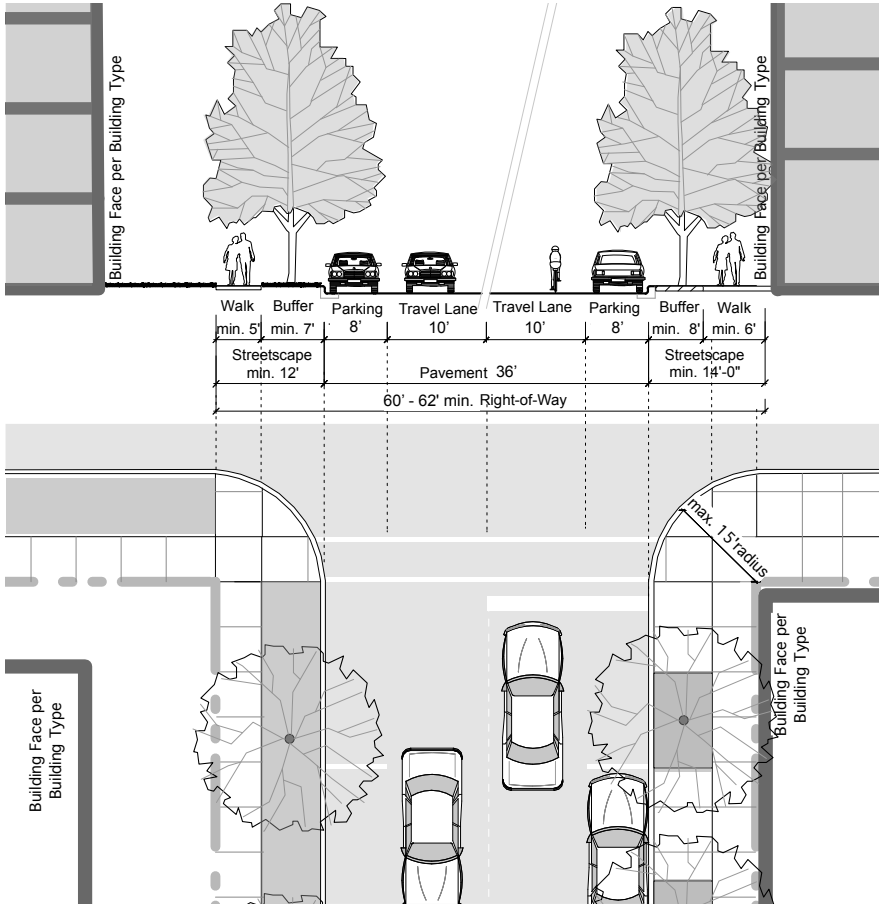


Figure 5-C. Typical Base Street

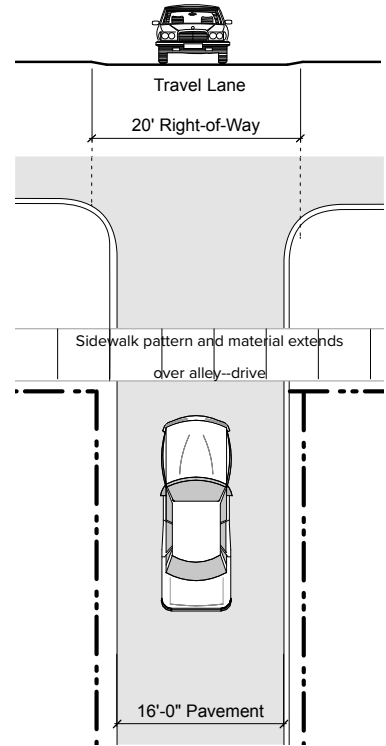


Figure 5-E. Typical Alley or Service Drive

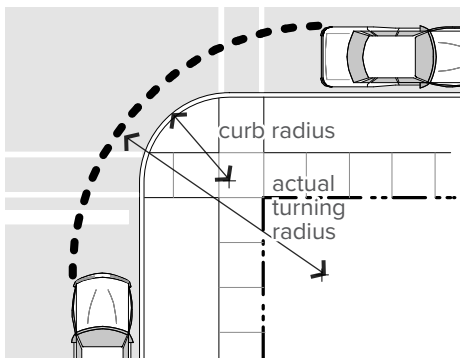


Figure 5-D. Illustration of Actual Turning Radius vs. Curb Radius

5.20 Blocks and Streets

city engineer may require additional street right-of-way or configuration based on existing context and circulation needs. The base street defines the minimum components of any new street on the interior of the development and includes the components outlined in this section, [5.20.2](#).

B. PZC Approval. The PZC may approve alternate street configurations with recommendation of the city engineer.

C. Streetscape

- (1) Non-Residential Streetscape Width. The minimum dimension required for streetscapes along non-residential ground stories is 14 feet, with a clear sidewalk width of at least 6 feet and a minimum 8-foot street tree buffer zone.
- (2) Residential Streetscape Width. Along residential ground stories, the minimum is 12 feet with a clear sidewalk of at least 5 feet and a minimum 7-foot street tree buffer.
- (3) Landscape. See [7.70](#) for streetscape area regulations, including references to sidewalk and street tree regulations.

D. Travel Lanes & Pavement Width. Pavement width must accommodate travel lanes, on-street parking, and any on-street bicycle accommodations.

- (1) Travel Lanes. Travel lanes of 10 feet are required, except the following may be approved by the PZC with recommendation of the city engineer:
 - (a) A shared, single 12-foot two-way travel lane for local residential streets with N zones and appropriately spaced pull-offs to allow vehicles to pass are provided.
- (2) On-Street Parking. On-street parking provides convenient parking for businesses and for parks and open space users, decreases the need for off-street parking, and buffers pedestrians on the sidewalk from vehicular traffic on the street.
 - (a) On-street parking should be provided on both sides of the street. When only one lane of on-street parking is approved, the minimum pavement width for a two-way street is 30 feet and the minimum right-of-way width is 54 feet.
 - (b) Minimum width of on-street parking is 8 feet, except in N, NX1, and NX2 zones, minimum width is 7 feet.

(c) Back-in or head-in angled parking is acceptable in lieu of parallel parking with additional width to the right-of-way.

- (3) Maximum Pavement Width. The maximum crossing width for all streets internal to the development is 38 feet. Wider pavement widths must include a median in the middle to provide pedestrian refuge and/or bulb-outs to reduce the crossing widths to less than 38 feet.

E. Mid-Block Pedestrian Paths. Where the maximum block size is exceeded as allowed per [5.20.1.A](#) or approved by the PZC, mid-block pedestrian paths are required.

F. Street Crosswalks. Crossings at all street intersections shall include a clear pedestrian path across streets (crosswalks) with accessibility ramps at curbs, demarcated by paint, stamped patterns, or pavers. Raised crosswalks are required for upland connections crossing streets to waterfront access.

G. Curb Radii. Intersections should be designed for actual turning radius of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning speeds, increasing pedestrian safety. See [Figure 5-D](#) for illustration.

- (1) Where on-street parking is provided with no bulb-out, a radius no greater than 10 feet is required.
- (2) Where on-street parking is provided with a bulb-out or where no on-street parking is provided, a radius no greater than 15 feet is required.

H. Bicycle Accommodations. New streets within the development shall accommodate bicycle access per the city's most recent complete streets manual. Bicycle accommodations shall be included on through streets and higher activity streets. On non-commercial and lower activity streets, bicycles may share vehicular lanes. Refer to the City's complete streets manual for further details.

5.20.3 ALLEYS OR SERVICE DRIVES

Alleys or service drives (see [Figure 5-E](#)) must be provided through all blocks to provide vehicular access, refuse and recycling, and service access to all lots, except as follows:

A. Parking Drives. Parking lot drives and parking structure drives may serve as alleys if the drive is continuous through the block with at least 2 access points and serves all lots on the block.

5.0 Master Plan Developments (MPD)

5.20 Blocks and Streets

B. Single Access. A single point of access is allowed where a parking structure requires only one access and the access is located off a non-primary street.

C. Constraints. Where natural or existing site constraints (e.g. a waterway, rail line, or highway) limit the block depth and no more than 2 vehicular access points are provided for the lots on the block, alleys and service drives are not required.

(1) **Perpendicular.** A new primary street located generally perpendicular to the existing major street.

(2) **Frontage Street.** A new primary street located essentially parallel to the major street with a landscape buffer island or boulevard median of at least 10 feet separating the streets.

5.20.4 PRIMARY STREET DESIGNATION

The orientation and location of buildings on lots is determined by the primary street designation. Many building type requirements are specific to the primary street frontage. Primary street frontages are treated as the front of the building.

A. Minimum Designation. A minimum of 45% of a combination of the new streets on the MPD and existing streets fronting the development must be designated as primary streets.

B. Building Frontage. Primary streets must be designated so that all building lots front at least one primary street, except up to 20 percent of the lots may front a non-primary street.

C. Civic Space Frontage. Where practicable, streets along civic space, required per [5.30](#), must be designated as primary streets to ensure buildings front the civic space.

D. Alleys, Driveways, and Service Access.

(1) **Driveways and Service Access.** Driveways and service access to lots must not be located off a primary street.

(2) **Alleys.** Alleys providing access to more than 2 lots may be located off a primary street. Otherwise, alley access off a primary street should be avoided.

(3) **No Non-Primary Street.** When the parcel is fronted by more than two primary streets and/or there is no non-primary street or alley access, the zoning official must designate which street may have driveway and service access. See [3.10.11](#) for primary frontages in building types.

E. Major Streets. When the development abuts a street with a right-of-way wider than 120 feet, one of the following layouts may be utilized to create slower, more accessible, and more walkable streets for fronting commercial or mixed-use buildings than the major street might provide:

5.30 Civic Space

All developments where a master plan development (MPD) is required must provide the following civic space.

5.30.1 REQUIRED AMOUNT

The following minimum amount of civic space must be provided:

- A. Overall Minimum.** A minimum of 10% of the total master plan development must be provided as one of the civic space types.
- B. Distance from Principal Entrances.** One type of civic space is required within a 500-foot distance, as measured continuously along a sidewalk, from the principal entrance of all buildings and any residential and live-work units with entrances on the street. The intent is to provide usable open space within a short walkable distance for all occupants and visitors.
- C. Mix of Civic Space Types.** A mix of types is required, with not more than 2 of any one type utilized.
- D. Existing Civic Spaces.** Existing open space may be counted towards the civic space required proximate to entrances in [5.30.1.B](#), provided the existing spaces meet the regulations of one of the types in [5.30.2](#) and the space is publicly accessible.

5.30.2 TYPES OF CIVIC SPACE

The following types of civic space are allowed. Refer to [Figure 5-F](#) for example images.

- A. Plaza.** A plaza is a generally hardscaped area (minimum 60 percent coverage), minimum 5,000 square feet in size, with either street, pedestrian, or river right-of-way or building frontage on all sides and at least one side the equivalent of 25 percent of the perimeter fronting a primary street. A single plaza may not fulfill the minimum open space requirements; if a plaza is utilized to meet the distance requirement, another open space must be incorporated in another location on the site.
- B. Square.** A square is a combination of hardscape and landscape (approximately 50% and 50% respectively), minimum 1/4 acre in size, and surrounded by street frontage on all sides.
- C. Green.** A green is a generally landscaped space (minimum 70 percent), minimum 1/2 acre with street right-of-way on at least 50 percent of the perimeter.
- D. Greenway.** A greenway is a linear landscape space, minimum 2 acres in total, minimum 30 feet wide and a

minimum 70-foot average width, and with street right-of-way on at least 30 percent of the perimeter.

- E. Park.** A park is a larger, generally landscaped space, a minimum of 2 acres in size, with at least 25 percent of the perimeter on a street right-of-way.

5.30.3 TRAILS

Refer to any city open space and/or trail plans, and any existing trails surrounding the site, to provide connections through and within the site for continuous trails.



Example of a PLAZA



Example of a GREEN



Example of a GREENWAY

Figure 5-F. Examples of Civic Space Types

5.0 Master Plan Developments (MPD)

5.40 Waterfront Access

5.40 Waterfront Access

See [7.90](#) inland waterways and waterfronts on or abutting the site. Additionally, for any MPD abutting a waterway (see [14.250](#) for definition), the following is required:

- A. Waterfront Buffer.** All requirements of [7.90](#) apply for the waterfront. The minimum width for the waterfront buffer on an MPD is 50 feet. Dedicated waterfront access per [7.90](#). The waterfront buffer and access must occur continuously along all waterfront edges.
- B. Upland Connection.** See [7.90.6](#) for upland connection regulations. A minimum of one upland connection is required for the MPD, irrespective of the linear footage of waterfront edge.

- C. Greenway Along Waterfront.** Where the waterfront edge measures more than 250 feet, a minimum 50-foot wide Greenway civic space type is required along a minimum of 75% of the waterfront, meeting all other minimum size requirements for the Greenway. The waterfront buffer may be located within the Greenway. See [5.20.1.E](#) for street frontage requirements of civic open space. Where this Greenway is required, an additional civic space type must be located on the site.

Table 5-1. Master Plan Development Types

MPD Type to be Applied	Current Designation on Zoning Map	MIX OF ALLOWED ZONES TO BE DESIGNATED ON MPD														ADDITIONAL REGULATIONS/ REFERENCE	
		DX1	DX2	MX1	MX2	MXN	RX1	RX2	N1	N2	NX1	NX2	NX3	NX4	P1		P2
Mixed-Use MPD	MX1, MX2	-	-	R	L	L	A	A	-	-	-	L	A	L	R	L	5.50.3
Downtown MPD	DX1, DX2	L	R	-	-	-	-	A	-	-	-	-	-	A	R	L	5.50.4
Residential-Office MPD	RX2	-	-	L	-	L	A	R	-	-	-	-	A	A	R	L	5.50.5
Mixed Residential MPD	RX1, NX3, NX4	-	-	L	-	L	R/A	L	-	-	-	L	R/A	A	R	L	5.50.6
Neighborhood MPD	NX1, NX2, N	-	-	-	-	L	L	-	R/A	R/A	R/A	R/A	R/A	-	R	L	5.50.7

KEY: **R** = Required on site **R/A** means at least one of the zones designated R/A is required and all are allowed **A** = Allowed or permitted on site
L = Allowed but limited on site

5.0 Master Plan Developments (MPD)

5.10 Layout & Location of Zones

5.50 Layout & Location of Zones

The MPD must designate locations of zones to meet the following requirements. Refer to [Figure 5-G](#) and [Figure 5-H](#) for illustrations of site layouts fulfilling these regulations.

5.50.1 DETERMINATION OF MPD TYPE

A. Existing Zoning Designation. The type of Master Plan Development (MPD) to be applied to the site is determined by the existing zoning designation(s) on the parcel on the zoning map. See [Table 5-1](#) for types.

B. Multiple Designations. Where multiple zone designations exist on the zoning map within the limits of the Master plan development, one of the following must be met:

- (1) One of the development types allowed on the site may be utilized for the entire development.
- (2) Multiple development types allowed on the site may be utilized for the development with a clear delineation on the MPD plan where each applies. All zoning regulations must be met for each development type.

C. PZC Approval. The PZC may approve a different MPD type for a site, or a different mix of new zones applied to the site, provided the proposed development is consistent with the POCD or any City-adopted plan for the area, and the development meets the intent of the zoning ordinance per [1.10.5](#).

5.50.2 REGULATIONS APPLICABLE TO ALL MPDs

The following regulations apply to all MDP types.

- A. Rezoning.** Rezoning of portions of the site per this section, [5.50](#), is required to implement new zones applied to the site beyond the current designation on the zoning map. See [11.40](#).
- B. Platting.** The general location of all zones proposed for the MDP must be located within lot lines on the plan. See [11.100](#) for subdivision and platting process.
- C. General Layout of Zones.** The following general layout requirements apply:
- (1) The same zone types should generally face each other across streets, including existing buildings, e.g. MX1 zones should be across the street from MX1 or MX2 zones. MXN is an exception to this rule, intended for use on neighborhood corners.
 - (2) More intense zones located on blocks with less intense zones should be located on block ends.

More intense zones include those allowing taller, bigger buildings or relatively more intensive uses, e.g. commercial uses are more intensive than residential uses.

- (3) Changes in zone types should generally occur at a rear lot line, at an alley, or at corner parcels or corner sets of parcels (creating a node).

D. Specific Layout of Zones. The following layout requirements are applicable to these specific zones applied to a site.

- (1) MX zones should be clustered into areas or nodes at street intersections or linearly along a primary street corridor.
- (2) MX zones shall be uninterrupted and continuous with the exception of MXN zones.
- (3) MXN zones must be located on a corner lot or abutting another MXN zone on a corner lot.
- (4) RX zones may be used as transition zones, located between MX, and NX or N zones.
- (5) P1 must be used for all civic space required per [5.30](#).

E. Building and Site Types. See [3.0](#) for permitted building and site types and descriptions and regulations.

5.50.3 MIXED-USE MPD

The Mixed-Use MPD is required on applicable parcels per [5.10.2.D](#) where an MX zoning designation is currently shown on the zoning map.

A. Minimum Number of Building and Site Types. In addition to the required MX1 zone, at least one RX or NX zone area must be provided for at least 20% of the MPD development site.

B. Required Zones. [Table 5-1](#) lists zones required to be used in this MPD type. See [5.50.2.D](#) for specific layout requirements for zones.

- (1) MX1 Zone. A minimum of 20,000 square feet of lot area must be zoned MX1, fronting a major corridor-primary street. If MX1 exists on a lot adjacent to the MPD site along a major corridor, the MX1 located on the MPD site must be located adjacent to any existing MX1.
- (2) P1 Zones. Required civic space must be zoned P1 per [5.30](#).

5.0 Master Plan Developments (MPD)

5.10 Layout & Location of Zones

C. Allowed Zones. Zones allowed with no limitations, and not required, are listed in [Table 5-1](#).

D. Limited Zones. [Table 5-1](#) lists zones allowed with the following limitations in this MPD type.

- (1) MX2 Zone. When at least 60,000 square feet total of MX zone lot area remains or is newly designated on the development site, a maximum of 40,000 square feet of MX2 zone lot area is allowed to be designated.
- (2) P2 Zone. P2 zones are limited to no more than 20% of the lot area. The use of the P2 zone, by definition, is limited to public and institutional uses only. See [3.0](#) for building and site regulations, including uses.

5.50.4 DOWNTOWN MPD

The Downtown MPD is required on applicable parcels per [5.10.2](#) where a DX2 zoning designation is currently shown on the zoning map.

A. Required Zones. [Table 5-1](#) lists zones required to be used in this MPD type. See [5.50.2.D](#) for specific layout requirements for zones.

- (1) DX2 Zone. At least 25% of the MPD lot area must remain zoned as DX2 and an additional 25% must either remain as DX2 or be newly designated as an allowed RX2 zone.
- (2) P1 Zones. Required civic space must be zoned P1 per [5.30](#).

B. Allowed Zones. Zones allowed with no limitations, and not required, are listed in [Table 5-1](#).

C. Limited Zones. [Table 5-1](#) lists zones allowed with the following limitations in this MPD type.

- (1) DX1 Zone. A maximum of 60,000 square feet of lot area per 12 acre increment of MPD land may be zoned to DX1. DX1 must be fronting a primary street or a waterfront.
- (2) P2 Zone. P2 zones are limited to no more than 20% of the lot area. The use of the P2 zone, by definition, is limited to public and institutional uses only. See [3.0](#) for building and site regulations, including uses.

5.50.5 RESIDENTIAL-OFFICE MPD

The Residential-Office MPD is required on applicable parcels per [5.10.2](#) where an RX2 zoning designation is currently shown on the zoning map.

A. Required Zones. [Table 5-1](#) lists zones required to be used in this MPD type. See [5.50.2.D](#) for specific layout requirements for zones.

- (1) RX2 Zone. At least 35% of the MPD lot area must remain as RX2 and an additional 25% must either remain as RX2 or be newly designated as an allowed NX zone.
- (2) P1 Zones. Required civic space must be zoned P1 per [5.30](#).

B. Allowed Zones. Zones allowed with no limitations, and not required, are listed in [Table 5-1](#).

C. Limited Zones. [Table 5-1](#) lists zones allowed with the following limitations in this MPD type.

- (1) MX1 or MXN Zone. A maximum of 60,000 square feet of lot area per 12 acre increment of MPD land may be zoned MX1 or MXN, combined, fronting a primary street or a waterfront. MXN may be used for a smaller node, less than 20,000 square feet of lot area.
- (2) P2 Zone. P2 zones are limited to no more than 20% of the lot area. The use of the P2 zone, by definition, is limited to public and institutional uses only. See [3.0](#) for building and site regulations, including uses.

5.50.6 MIXED RESIDENTIAL MPD

The Mixed Residential MPD is required on applicable parcels per [5.10.2](#) where an RX1, NX3, or NX4 zoning designation is currently shown on the zoning map.

A. Required Zones. [Table 5-1](#) lists zones required to be used in this MPD type. See [5.50.2.D](#) for specific layout requirements for zones.

- (1) NX3 or RX1 Zone. At least 60% of the MPD site must be zoned as an NX or RX1 zone or any combination of the two. RX1 must be located either on a corner, abutting another RX1 located on a corner, or on a major corridor.
- (2) P1 Zones. Required civic space must be zoned P1 per [5.30](#).

B. Limited Zones. [Table 5-1](#) lists zones allowed with the following limitations in this MPD type.

- (1) MX1 or MXN Zone. MX1 or MXN zones are limited to no more than 40,000 square feet of lot area or 10% of the total net land area, whichever is greater. MX1

and MXN zones must be located on a corner or along a major corridor.

- (2) NX2 Zone. NX2 is limited to no more than 20% of the MPD site area.
- (3) P2 Zone. P2 zones are limited to no more than 10% of the lot area. The use of the P2 zone, by definition, is limited to public and institutional uses only. See [3.0](#) for building and site regulations, including uses.

C. Minimum Required Building Type Mix. A minimum of 2 building and site types is required on the Mixed Residential MPD site.

5.50.7 NEIGHBORHOOD MPD

The Neighborhood MPD is required on applicable parcels per [5.10.2](#) where an NX1, NX2, N1, or N zoning designation is currently shown on the zoning map.

A. Required Zones. [Table 5-1](#) lists zones required to be used in this MPD type. See [5.50.2.D](#) for specific layout requirements for zones.

- (1) N, NX Zones. At least 65% of the MPD lot area must be zoned in allowed N or NX zones, in any combination utilizing at least 2 zones.
- (2) Minimum Required Residential Mix. At least two N or NX zones must be designated with each zone constituting at least 20% of the MPD site area.
- (3) P1 Zones. Required civic space must be zoned P1 per [5.30](#).

B. Limited Zones. [Table 5-1](#) lists zones allowed with the following limitations in this MPD type.

- (1) MXN or RX1 Zone. MXN or RX1 zones are limited to no more than 20,000 square feet of lot area or 10% of the total net land area, whichever is greater. MXN and RX1 zones must be located on a corner or along a major corridor.
- (2) P2 Zone. P2 zones are limited to no more than 10% of the lot area. The use of the P2 zone, by definition, is limited to public and institutional uses only. See [3.0](#) for building and site regulations, including uses.

5.0 Master Plan Developments (MPD)
5.10 Layout & Location of Zones

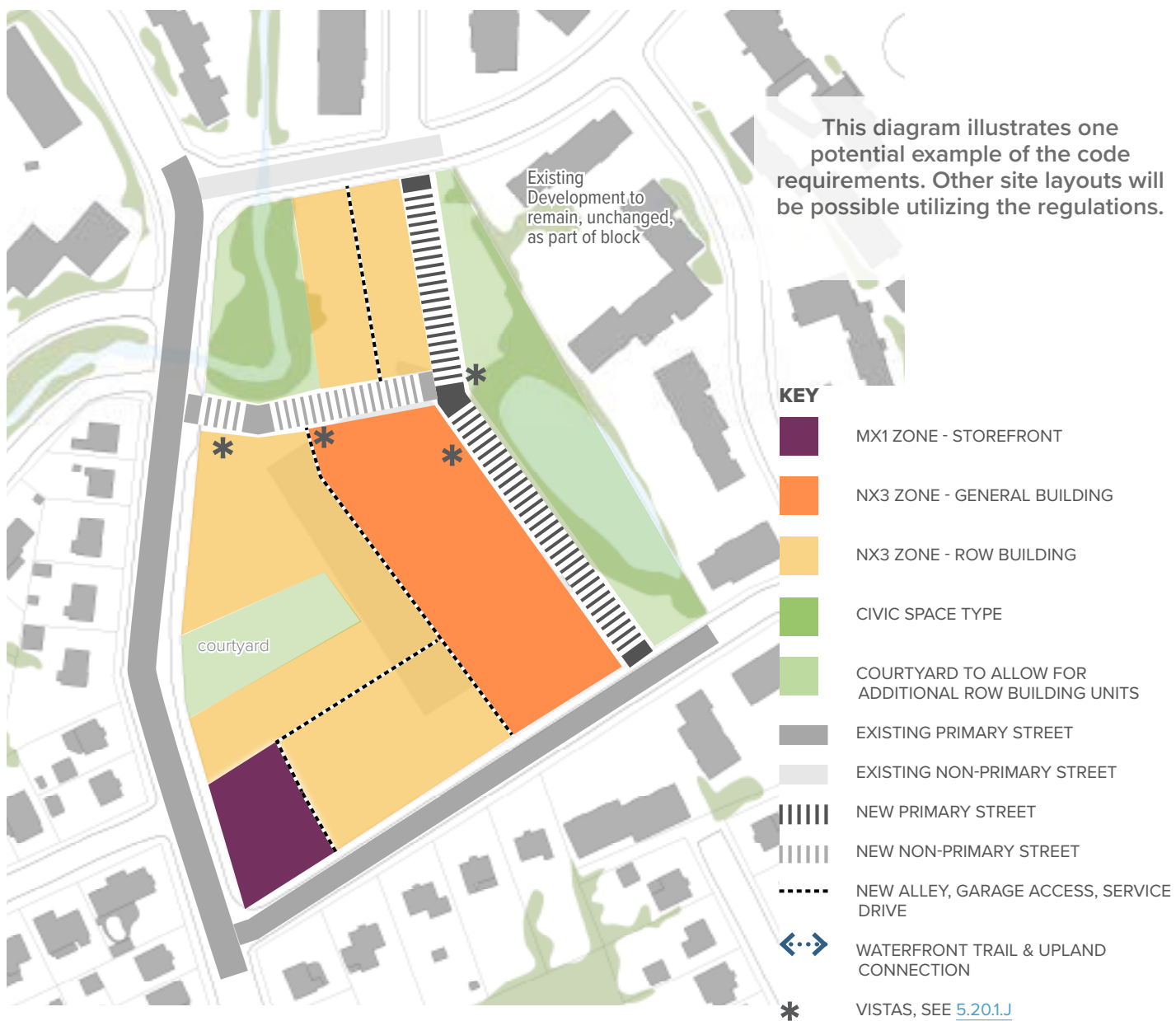


Figure 5-G. Example Regulating Plan for Mixed Residential MPD

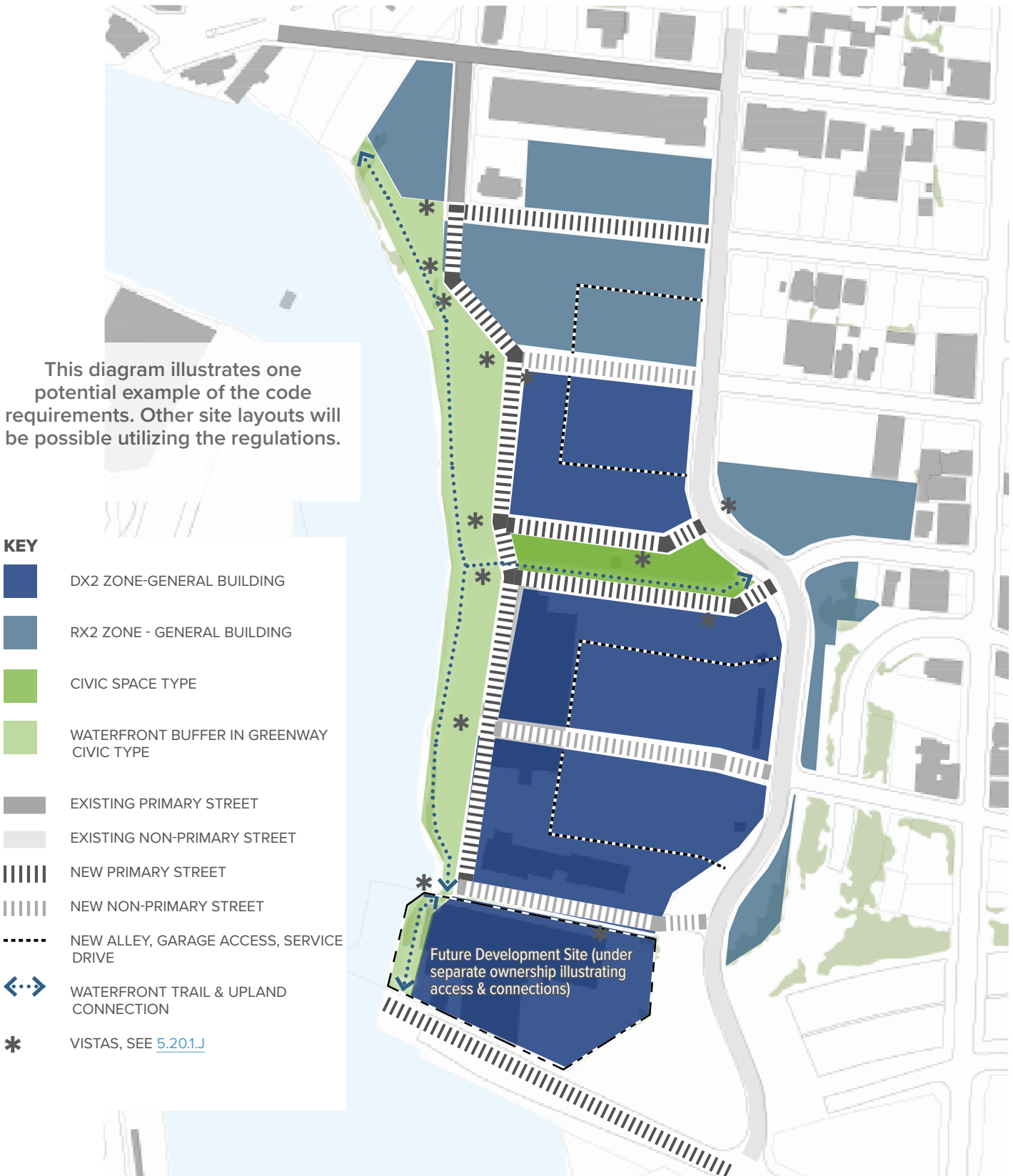


Figure 5-H. Example Regulating Plan for Residential-Office MPD

[page intentionally blank]

6.0 BUILDING DESIGN

- 6.10 Generally 6-2
- 6.20 Roof Types 6-2
- 6.30 Entrance Types 6-6
- 6.40 Facade Materials 6-10
- 6.50 Facade Elements 6-15
- 6.60 Mechanical Equipment 6-23
- 6.70 Downtown High-Rise Stories 6-26

6.0 Building Design

6.20 Generally

6.10 Generally

6.10.1 APPLICABILITY

The regulations of this article apply to all buildings in all zones, unless otherwise stated.

6.10.2 INTENT

The regulations of this article, [6.0](#), along with the building type regulations in [3.0](#), are intended to improve the physical quality of buildings, improve the long-term value and durability of buildings, enhance the pedestrian experience, and protect the historic form and scale of the city.

- A. Durable, High Quality.** Ensure the use of well-tested, high quality, durable, weather-resistant, exterior grade materials on the majority of finished building surfaces, while permitting a wider range of materials for details. High quality materials can improve how well buildings weather, reduce material failure rate, require lower maintenance, have a longer life cycle and sense of permanence, and maintain longer term value.
- B. Human-Scaled Facades.** Promote clearly articulated, well-organized facades that are easy to understand, have a clear hierarchy, and yield building proportions and details comfortable to and in line with the scale of people.

6.10.3 PZC APPROVAL

Modifications to specific building design regulations noted in this article, [6.0](#), may be approved by the PZC, provided the design meets the intent of the building design regulations.

6.20 Roof Types

6.20.1 REGULATIONS APPLICABLE TO ALL ROOF TYPES

- A.** The major components of any roof shall meet the requirements of one of the roof types permitted per building type.
- B.** Roofs for bay or bow windows and dormers are not required to meet a roof type.
- C.** Terraces, green roofs, rooftop gardens, and other outdoor facilities are and are allowed on any roof and are not considered a roof type, except as follows:
 - (1) Any permanently covered, open-air area applies to the overall height as regulated by the building type regulations ([3.0](#)), or may be treated as an interior building tower per [6.20.6](#).
 - (2) Any fully enclosed structure on a roof must meet the tower regulations per [6.20.6](#).

- (3) Where any canopy or cover is visible from any public way or open space, the cover must comply with a roof type per this section, [6.20](#).

- D.** Roofs, including all eaves or overhangs, must be fully located within the property lines of the lot. See [3.0](#) for setback regulations and [14.20.6](#) for allowed encroachments into yards.

6.20.2 OTHER ROOF TYPES

Other roof designs not defined in this section may be approved by the PZC during the site plan review process with the following requirements:

- A. Occupied Building Space.** The roof type must not create additional occupiable floor space beyond that permitted by the building type.
- B. Other Design.** The shape of the roof should be different from those defined in this section, [6.20](#), such as a dome, spire, or vault and not a gabled roof, hipped roof, parapet roof, or flat roof.

6.20.3 PARAPET ROOF TYPE

A parapet is a low wall projecting above a building's roof along the perimeter of the building on all street facades and other primary facades. See [Figure 6-A](#) Example of a Parapet Roof.

- A. Parapet Height.** Height is measured from the top of the upper story to the top of the parapet.
 - (1) Minimum height is 1.5 feet with a maximum height of 6 feet.
 - (2) A shadow line must be located within 2 feet of the top of the uppermost story. See [14.210](#) for definition of shadow line.
 - (3) A shadow line must be located at the top of the parapet. See [14.210](#) for definition of shadow line.
- B. Occupied Building Space.** Occupied building space must not be incorporated behind this roof type. See [14.170](#) for definition of occupied building space.
- C. Rooftop Appurtenances.** With the exception of solar panels and small wind, any rooftop appurtenances must be located towards the rear or interior of the parapet roof. Rooftop appurtenances should be located such that the parapet blocks their view from the sidewalk across the street or may be located within a tower per [6.20.6](#). See [6.60.4](#) for additional regulations of mechanical equipment.

6.20.4 FLAT ROOF TYPE

This roof type is a visibly flat roof with overhanging eaves. See [Figure 6-B](#) Example of a Flat Roof.

- A. Maximum Slope.** The maximum slope is 2:12; however, the roof must not appear to be visibly sloped from the street or other primary frontage.
- B. Eaves.** Eaves are required on all street and other primary frontages.
 - (1) **Eave Depth.** Eaves must have a depth of at least 14 inches. Eave depth is measured from the building facade to the outside edge of the eave.
 - (2) **Eave Thickness.** Eaves must be a minimum of 6 inches thick. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave.
- C. Interrupting Vertical Walls.** Vertical walls may interrupt the flat roof and extend above the top of the eave with no discernible roof type.
 - (1) No more than one-third or 30 feet, whichever is less, of any primary facade may consist of an interrupting vertical wall.



Figure 6-A. Example of a Parapet Roof Type

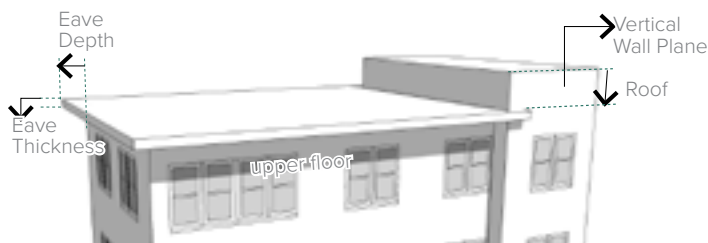


Figure 6-B. Example of a Flat Roof Type

- (2) Vertical walls shall extend no more than 8 feet above the top of the eave.

- D. Occupied Building Space.** Occupied building space shall not be incorporated behind this roof type, including the flat roof and vertical wall. See [14.170](#) for definition of occupied building space.
- E. Rooftop Appurtenances.** With the exception of solar panels, rooftop appurtenances may not be located on the flat portion of this roof type. Any rooftop appurtenances may be located behind the interrupting vertical wall with no visibility from the sidewalk across the street per [6.60.4](#) or may be located within a tower per [6.20.6](#).

6.20.5 PITCHED ROOF TYPE

This roof type is a sloped or pitched roof, where the slope occurs on all street and other primary facades. Slope is measured with the vertical rise divided by the horizontal span or run. See [Figure 6-C](#) Examples of Pitched Roof type.

- A. Pitch Measure.** The roof may not be sloped less than a 4:12 (rise:run) or more than 14:12. Slopes less than 4:12 are permitted to occur on second story or higher roofs.

B. Configurations.

- (1) Hipped, gabled, and combination of hips and gables with or without dormers are allowed. When the ridge line runs parallel to any primary frontage, (a) or (b), below, must occur:
 - (a) A gabled end or perpendicular ridge line must occur at least every 100 feet of roof; or
 - (b) One dormer must be provided for every 15 feet of ridge line on any street or primary frontage with at least one dormer per frontage.
 - (c) Occupied building space within the roof is allowed and counts as a half or full story. See [14.20.10.F](#) for definition of half story and any half story limitations per the building type regulations. See [14.170](#) for definition of occupied building space.
- (2) Butterfly (or inverted gable or V-shaped roof) and shed roofs are allowed only with PZC approval and provided the following:
 - (a) Negative impacts on neighboring properties, such as shading or glare, are mitigated.
 - (b) The butterfly or shed roof must not exceed 8 feet in total height, inclusive of overhang.
 - (c) The roof must not be significantly higher than the surrounding context, unless the visibility of the roof from the street and neighbors is

6.0 Building Design

6.20 Roof Types

limited or the distance between the roof and neighboring structures is more than 25 feet.

- (d) Occupied building space within the roof is allowed and counts as a half or full story. See [14.20.10.F](#) for definition of half story and any half story limitations per the building type regulations. See [14.170](#) for definition of occupied building space.

- (3) Gambrel and mansard roofs are allowed per the following:
 - (a) Gambrel roofs with the ridge line perpendicular to the street are allowed.
 - (b) Gambrel roofs with the ridge parallel to the street and mansard roofs are allowed where one dormer is provided for every 15 feet of ridge line on any street or primary frontage with at least one dormer per frontage.
 - (c) The steepest portion of the roof must be no greater than the tallest permitted height of one upper story.
 - (d) Occupied building space is required beneath the roof and counts as a half or full story, based upon the percentage of footprint allowed for a half story within the building type regulations. See [14.20.10.F](#) for definition of half story. See [14.170](#) for definition of occupied building space.

C. Maximum Roof Height. Roofs without occupied building space and/or dormers must have a maximum height on primary and non-primary frontage facades equal to no more than 1.5 times the upper story floor to floor height utilized on the building.

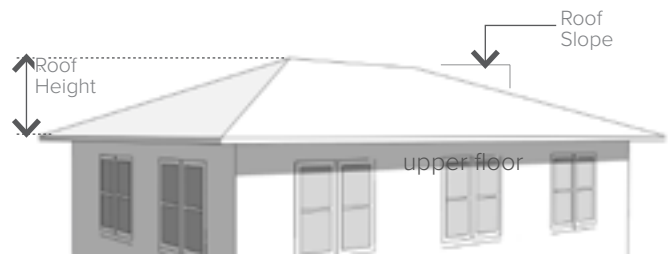
D. Rooftop Appurtenances. With the exception of solar panels, antennae, and wind turbines, any rooftop appurtenances must be recessed within the pitched roof with no visibility on any street elevation drawing. See [6.60.4](#) for additional regulations of rooftop mechanical equipment.

6.20.6 TOWERS

A tower is a vertical element that must be used with other roof types. See [Figure 6-D](#) Example of Tower.

A. Degree of Enclosure. A street facade tower must be fully enclosed. Any interior building tower may be partially or fully enclosed. A fully open structure, such as a rooftop gazebo is not a tower.

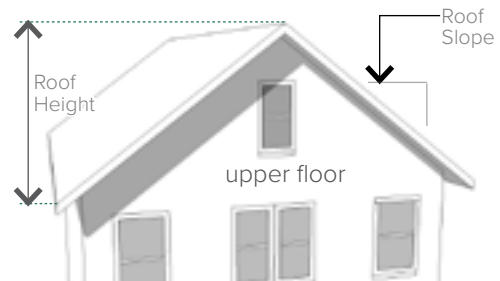
B. Quantity. Unless otherwise defined in the building type regulations, the following is allowed:



Low Pitched Roof Type (Hip Roof)



Parallel Pitched Roof Type



Pitched Roof Type (Gable Roof)



Figure 6-D. Example of Tower

- (1) Street Facade Towers. A maximum of 2 towers located within 15 feet of any street facade is permitted on any building. Street facade towers enhance the facade design.
- (2) Interior Building Towers. Two additional towers are permitted provided the towers are located a minimum of 30 feet from any street facade. Interior towers are typically functional, providing housing for utilities or access to the roof.

C. Tower Height.

- (1) Maximum height, measured from the top of the uppermost floor of the building to the top of the tower shaft, not including the tower roof, is the equivalent of the height of one upper floor of the building to which the tower is applied.
- (2) A tower allows for up to one additional story of height within the tower footprint to any building type where permitted.

D. Tower Footprint.

- (1) A tower footprint may be polygonal (simple, e.g. hexagonal or octagonal), rectilinear, or cylindrical in plan.
- (2) The maximum width in any direction of the footprint of any tower is 1/3 the width of any street or primary facade or 30 feet, whichever is less.

E. Tower Spacing. Street facade towers, within 15 feet of any street facade, must be spaced a minimum of 120 feet from other street facade towers. Interior building towers must be located a minimum of 60 feet from any other tower.

F. Transparency. Towers that meet the minimum floor-to-floor to height of the building type and are located within 30 feet of a street facade shall meet the minimum primary street facade transparency requirements of an upper story of the building type to which the tower is applied.

G. Horizontal Shadow lines. If the tower extends the building up to a 5th or higher story, a shadow line is required between the 4th and 5th stories on any tower. Shadow lines required by the roof type used on the tower also apply.

H. Occupied Building Space. Towers may be occupied by the same uses allowed in upper stories of the building type to which it is applied. See [14.170](#) for definition of occupied building space.

I. Rooftop Appurtenances. No rooftop appurtenances are permitted on tower roofs. Roof appurtenances may be housed within a tower.

J. Tower Roof. The tower may be roofed by the parapet, pitched, or flat roof types.

6.0 Building Design

6.30 Entrance Types

6.30 Entrance Types

6.30.1 ENTRANCE TYPES GENERALLY

The following applies to entrance types in street yards, on the exterior of any building type except House types.

- A. Step Layout.** The following applies to exterior steps associated with an entrance type:
- (1) When located perpendicular to the facade and street, steps must be a minimum of 4 feet in width.
 - (2) In narrower front yards, step runs longer than 4 feet should be located with the centerline parallel to the building.
 - (3) Step runs should be limited to no more than 5 risers with landings in between for ease of use.
- B. Step Sizes.** Risers on exterior steps associated with an entrance type must be the minimum height required to reach the required height, ideally between 4 and 7 inches. Treads must be as deep as possible for a comfortable walk, typically between 10 and 12 inches.
- C. Retaining Walls.** The following applies to all retaining walls in any street yard due to entrance type elevations:
- (1) Retaining walls must be no more than 2.5 feet in height above grade. Multiple 2.5-foot retaining walls with sloped landscape in between may be used to accommodate taller elevations.
 - (2) Retaining walls must be faced in an allowable major facade material.
 - (3) Landscape beds may not be sloped greater than 3:1.
- D. Railings.** Railings must be constructed of steel on all building types except House types.
- E. Other Entrance Type Configurations.** Other configurations for similar entrance types may be approved by the PZC, provided the intent of the entrance type is maintained.

6.30.2 STOREFRONT ENTRANCE TYPE

- A. Intent.** Storefront entrance types are intended to provide at grade access between the store and adjacent sidewalk creating a high level of permeability. See [Figure 6-E](#).
- B. Recessed Entrance.** Where the sidewalk outside the storefront is less than 7 feet in width, measured perpendicular to the facade, entrances must be recessed as follows:

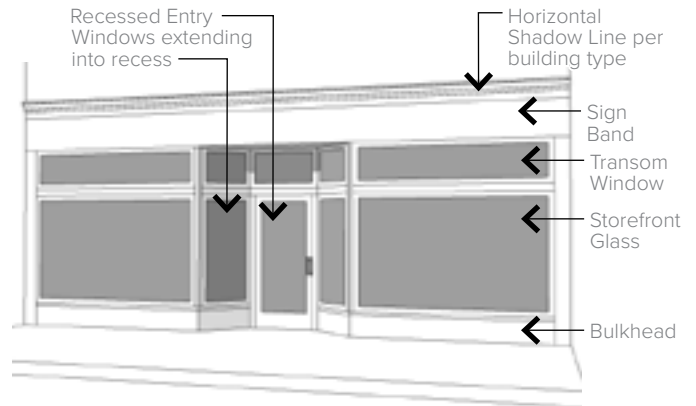


Figure 6-E. Example of a Storefront Entrance

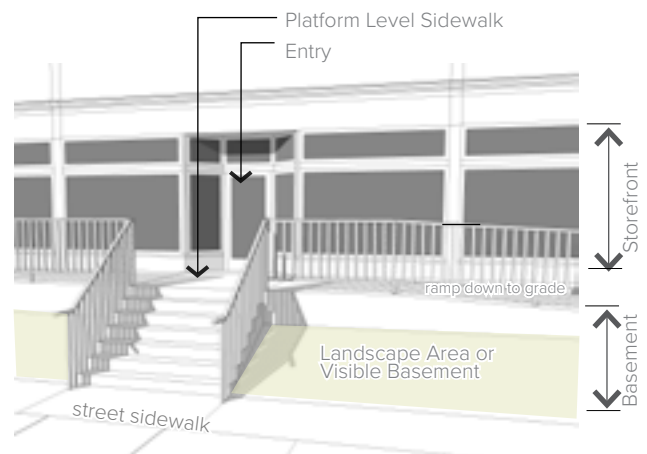


Figure 6-F. Example of Elevated Storefront

6.0 Building Design

6.30 Entrance Types



Elevated Storefront with Visible Basement (Garage) Below



Elevated Storefront with Combination of Platform and Retaining Walls



Elevated Storefront with Adjacent Ramp



Porch Elevated with Retaining Walls, Sloped Landscape, and Visible Basement

- (1) The door must be recessed between 3 and 8 feet deep, measured from the facade.
- (2) The maximum width of the recess is 10 feet.

C. Transparency. A minimum amount of ground story storefront glass is required per the building type regulations.

- (1) The storefront entrance must meet the minimum transparency requirements.
- (2) The glass shall turn the corner of the recessed entry as shown in [Figure 6-E](#).
- (3) Transom windows above doors are encouraged. Transom windows are encouraged to extend along all storefront windows.
- (4) See [6.50.1](#) for general window regulations.

D. Bulkhead. Where a bulkhead is incorporated, the maximum height is 30 inches. A bulkhead is the lower set of panels or low wall upon which the storefront windows rest. See [Figure 6-E](#). The bulkhead may be constructed of wood, metal, concrete, spandrel glass, or masonry. Concrete masonry units may not be exposed. See [6.40](#) for allowed facade materials.

E. Elevated Storefronts. This subtype is allowed only when permitted by building type [\(3.0\)](#) as an entrance type and under the following conditions. See [Figure 6-F](#).

- (1) **Applicability.** Storefronts elevated more than 6 inches are allowed only under the following conditions:
 - (a) New construction in a floodplain, where the flood elevation requires the ground story to be elevated more than 6 inches.
 - (b) Locations where the street or grade slopes significantly and only a portion of the ground story will be within 30 inches of the adjacent sidewalk or curb. See [6.50.8](#) for facades along sloped sidewalks.
 - (c) Locations where the existing building's ground story is elevated above the sidewalk.
- (2) **Configurations.** The following configurations are allowed:
 - (a) Steps and Retaining Walls. Refer to step and retaining wall regulations in [6.30.1](#).
 - (b) Interior Steps. For elevations 6 feet or more above the sidewalk, steps or a portion of steps should be located on the interior of the

6.0 Building Design

6.30 Entrance Types

building. This configuration allows for fewer steps on the exterior of the building.

- (c) **Storefront Platform.** For elevations 4 feet or more above the sidewalk, a storefront platform elevated above the public sidewalk and extending parallel to the building facade is required. The maximum height of a platform is 8 feet above the sidewalk elevation.
- (d) **Storefront Windows.** Storefront windows are intended to be walked up to and, therefore, must be located either adjacent to the sidewalk or the storefront platform. If the ground story is located less than 4 feet above the sidewalk, display windows must be located at the sidewalk elevation. Ground story transparency per the building type must be measured from the sidewalk level.

- (3) **Visible Basements.** Any building facade below the storefront elevation and visible must be counted as a half story. See [3.0](#) for building type and allowed height in stories.

- (a) Street facade requirements of the General building apply to the visible basement, including transparency, entrance regulations, and facade divisions. See [3.50.3](#). Required flood louver openings do not count towards transparency requirements.
- (b) Uses allowed in the basement of the building type, including parking, apply, but may be limited by FEMA.
- (c) Allowed major facade materials must be used on the exterior of any exposed platform walls.
- (d) Where required below base flood elevation (BFE), breakaway walls or enclosures with louvers may be substituted for street facade requirements. Breakaway walls on street facades may not be solid and may be constructed of wood or PV open lattice, slats, slanted louvers, or shutters. All lattice, slats, and louvers must be within a frame, constructed as panels.
- (e) Openings without glass or louvers are not allowed on a primary street visible basement facade.
- (f) Decorative concrete or masonry work on the base, such as shallow alcoves, archways, or brick patterns, is encouraged.

- (4) **Platform Material.** Any platform must be a masonry or concrete structure, faced with an allowed major facade material if exposed. Wood decking or open metal platforms attached to the building are not

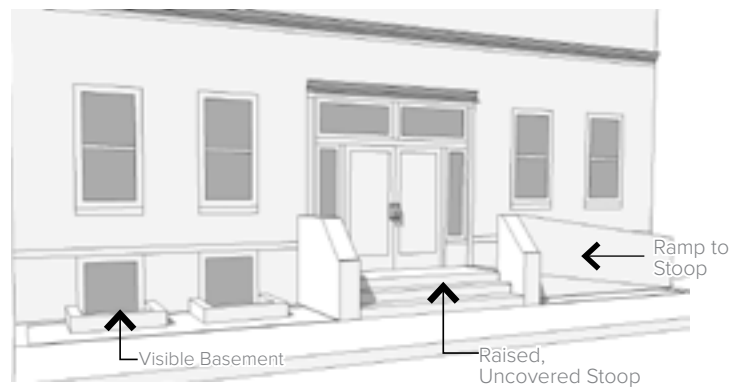


Figure 6-G. Example of Stoop Entrance



Figure 6-H. Example of Porch Entrance

allowed on primary facade except through approval of the PZC.

6.30.3 STOOP ENTRANCE TYPE

A stoop is a small, open platform that may include a canopy or roof cantilevered off the building. See [Figure 6-G](#).

A. Stoop Size. Stoops must be a minimum of 4 feet wide and 3 feet deep.

B. Steps. See [6.30.1](#) for general step regulations on entrance types.

C. Floodplain Elevations. Where a stoop entrance is located above 2.5 feet due to floodplain elevations, the lower level is considered a visible basement and the following applies:

- (1) See [6.30.1](#) for general step and retaining wall regulations.
- (2) Street facade requirements of the building type ([3.0](#)) apply to any visible basement facade, including transparency and facade divisions. See [14.40](#) for definition of visible basement. Openings without windows or doors are not allowed on primary street facades.
- (3) Where required below base flood elevation (BFE), breakaway walls or enclosures with louvers may be substituted for street facade requirements. Breakaway walls on street facades may not be solid and may be constructed of wood or PV open lattice, slats, slanted louvers, or shutters. All lattice, slats, and louvers must be within a frame, constructed as panels.
- (4) Uses allowed in the basement of the building type, including parking, apply, but may be limited by FEMA.
- (5) Elevated Stoops must be a masonry or concrete structure, faced with an allowed major facade material if exposed. Wood decking or open metal platforms attached to the building are not allowed.

6.30.4 PORCH ENTRANCE TYPE

A porch is a raised, roofed platform that may or may not be enclosed on all sides. See [Figure 6-H](#).

A. Transparency. If a porch is enclosed, refer to the building type for minimum transparency requirements.

B. Porch Size. The porch shall be a minimum of 5 feet deep and 8 feet wide.

C. Floodplain Elevations. Where a porch entrance is located more than 2.5 feet above the public sidewalk due to floodplain elevations, the lower level is considered a visible basement and the following applies:

- (1) See [6.30.1](#) for general step and retaining wall regulations.
- (2) Street facade requirements of the building type ([3.0](#)) apply to any visible basement facade, including transparency and facade divisions. See [14.40](#) for definition of visible basement. Openings without windows or doors are not allowed on primary street facades.
- (3) Where required below base flood elevation (BFE), breakaway walls or enclosures with louvers may be substituted for street facade requirements. Breakaway walls on street facades may not be solid and may be constructed of wood or PV open lattice, slats, slanted louvers, or shutters. All lattice, slats, and louvers must be within a frame, constructed as panels.
- (4) Uses allowed in the basement of the building type, including parking, apply, but may be limited by FEMA.

D. Height. Porch may be 2 stories to provide a balcony on the second floor.

6.40 Facade Materials

6.40 Facade Materials

6.40.1 MAJOR FACADE MATERIALS

Allowed major facade materials are listed in [Table 6-2](#).

- A. Street and Other Primary Facades.** Major materials are required on all street and other primary facades, unless otherwise stated, and are intended to serve as the primary surface material on street-facing facades. See [3.10.11](#) for other primary facades.
- B. CX, I with Deep Setbacks.** For the purposes of major material requirements in the CX and I, street facades located more than 100 feet from the street or waterfront are considered non-street, non-primary facades.
- C. Side and Rear Facades.** For any rear and side facades that are generally perpendicular to a street or other primary facade, allowed major materials on the street facade must extend along that side or rear facade a distance equal to the horizontal distance to the side facade of the adjacent building.
- D. Original Facade Materials.** Where brick or stone is an existing building's original facade material, the following applies:
 - (1) The original brick or stone may be maintained if in good condition or repaired or the brick or stone may be replaced by new brick or stone.
 - (2) A different major material may not be installed over the original brick or stone except by approval of the PZC.

6.40.2 MINOR FACADE MATERIALS

A. Maximum Minor Materials for Street Facades.

A maximum of 35 percent of each street facade surface, not including window and door areas, may be composed of minor facade materials per [Table 6-3](#).

- B. Accents and Details.** Additional materials are allowed for trim, accents, and details per [Table 6-4](#), not included in the maximum facade area.

6.40.3 PITCHED ROOF MATERIALS

Allowed pitched roof materials include dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, ceramic tile, engineered wood or slate.

6.40.4 APPROPRIATE GRADE OF MATERIALS

All doors, windows, and hardware must be of commercial grade quality with the exception of those on Row and House buildings.

6.40.5 MATERIALS INSTALLATION

The following materials installation requirements are intended to advance the quality of construction, durability, and aesthetics of new buildings, specifically related to application and detailing of facade materials.

- A. Changes in Facade Materials.** Changes in facade materials, whether major materials or minor materials, should occur mainly at concave corners or changes in building planes.
- B. Materials Hierarchy.** A hierarchy of materials must be maintained on the building facade, where "heavier," articulated unit materials (brick, concrete masonry units,



Figure 6-1. Example of Major and Minor Materials on a Facade

6.0 Building Design

6.40 Facade Materials

stone) are located at the base of the facade and "lighter," constant surface materials with fewer seams (stucco, panels) are located above those on the facade.

C. Shadow Lines on Surfaces. Shadow lines must delineate changes in materials with solid materials of a thickness that is greater than 1.5 inches, such as cast stone, masonry, or stone. For example, cast stone elements or brick may be offset to create a shadow.

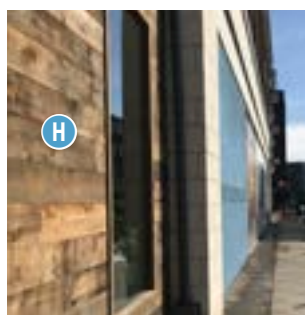
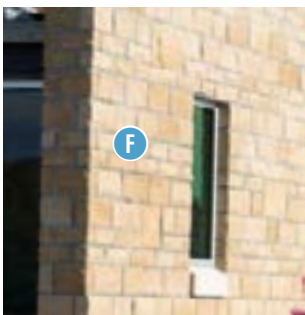
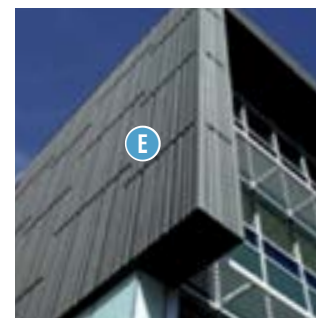
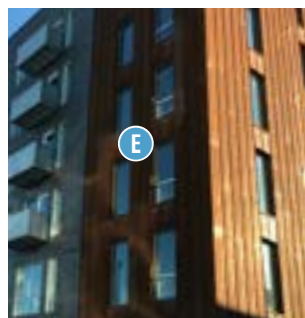
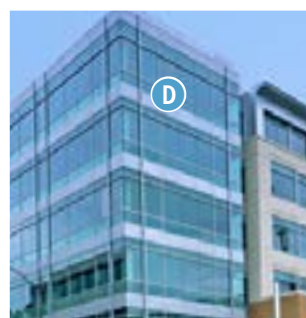
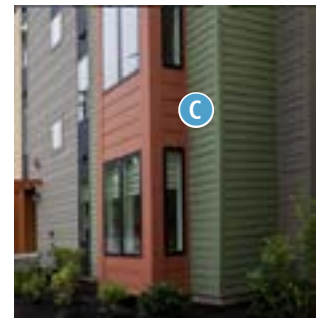
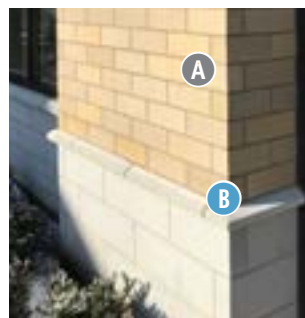
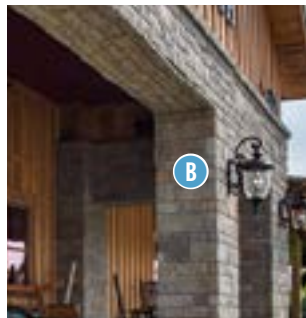
6.40.6 OTHER MATERIALS

Materials that are not listed in this section as allowed major, minor, accent/detail, or roof materials may not be installed on any facade or roof unless approved by the PZC.

A. Intent. Other materials may be allowed if the applicant demonstrates the material in its proposed application meets the intent of the facade material standards.

B. Examples. Samples and examples of successful high-quality local installation and the manufacturer's warranty and industry ratings must be provided by the applicant.

C. Prohibited Materials. Materials listed on [Table 6-5](#) may not be approved as acceptable materials.



6.0 Building Design
6.40 Facade Materials

Table 6-2. Allowed Major Facade Materials

		ZONES					
		NOTE: MATERIALS MAY NOT APPLY IN ANY HISTORIC OVERLAY ZONE. SEE 2.50.3 .					
		DX, P	MX1, MX2, MXN	RX2, IX, NX3, NX4	RX1, NX2	NX1, N	CX, I
MAJOR FACADE MATERIAL (alphabetical)		STOREFRONT, GENERAL BUILDING	STOREFRONT	GENERAL, ROW BUILDINGS	SMALL GENERAL, GENERAL, ROW BUILDINGS	ROW, HOUSE BUILDINGS	GENERAL, WORKSHOP BUILDINGS
A	Brick full dimensional, economy, unit, face brick	●	●	●	●	●	●
B	Concrete Masonry Units architectural, minimum 3 inch depth, “artisan stone” look, varied sizes, (Echelon Masonry or approved equal), “stone” face, “hewn stone”, rock cut	●	-	●	-	-	●
C	Fiber Cement Board panels, finished lap siding or shingles	-	●	-	●	●	●
D	Glass curtain wall	●	-	●	-	-	●
E	Metal, Architectural architectural panel, cladding system (steel, titanium, zinc)	●	-	-	-	-	●
F	Stone natural, units	●	●	●	●	●	●
G	Vinyl & PVC Siding minimum .040 in. thick	-	-	-	●	●	-
H	Wood or Composite Wood painted, stained, charred, or treated lap siding, shingles, board & batten, rainscreen	-	●	-	●	●	-

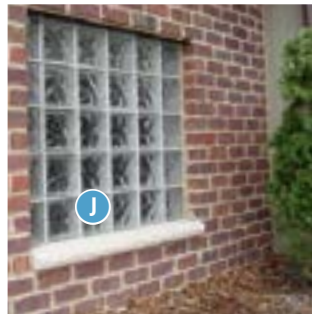
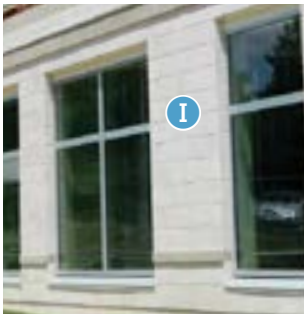


Table 6-3. Allowed Minor Facade Materials

All allowed major facade materials may be used for minor facade materials, unless otherwise listed as prohibited in [Table 6-5](#).

	MINOR FACADE MATERIAL (alphabetical)	ALLOWED ON BUILDINGS IN THESE ZONES	ALLOWED FACADES	MAXIMUM AMOUNT ON ALLOWED FACADES
-	Brick thin, veneer	All	Non-street & non-primary facades only	100%
-	Concrete Surfaces unfinished, untreated, unstained, unpainted	IX, CX & I zone buildings only	Non-street & non-primary facades only, including any facades located more than 100 feet from any street	100%
-	Concrete Surfaces finished, stained, painted, treated	All except RX1, NX & N zone buildings	All, below ground floor, unless otherwise stated in this ordinance	20%
B	Concrete Masonry Units architectural, minimum 3 inch depth, “artisan stone” look, varied sizes, (Echelon Masonry or approved equal), “stone” face, “hewn stone,” rock cut	All	All, below ground floor	20%
I	Concrete Masonry Units minimum 3 inch depth, split-faced, burnished/ground face, glazed, or honed,	All except RX1, NX & N zone buildings	Non-street and non-primary facades only	100%
C	Fiber Cement Board finished panels	All	All, except a major material is required at grade up to 2 feet and adjacent to entrances	40%
D	Glass curtain wall	All	All facades	20%
J	Glass Block clear or patterned units without color	All	Non-street and non-primary facades only	20%
E	Metal Architectural architectural panel, cladding system (steel, titanium, zinc, corten steel)	All	All, except a major material is required at grade up to 2 feet and adjacent to entrances	30%
K	Metal, Aluminum Composite aluminum composite materials (ACM) or panels (ACP)	All	Non-street and non-primary facades only	30%
S	Metal, Corrugated, Other ribbed, corrugated, sheet	IX, CX, I only	Non-street and non-primary facades only	100%
-	Stucco synthetic or with elastomeric finishes	All	Only 3rd or higher stories all facades	30%
L	Stucco cement-based, 2-3 layer hard coat	All	All	30%
	Terra Cotta or Ceramic tiles or panels	All	All	20%
G	Vinyl & PVC Siding minimum .040 in. thick	MX1, MX2, MXN	All; above ground floor only on street & primary facades	30%
H	Wood painted, stained, treated, natural, or aged lap siding, shingles, board & batten	All	All	20%
H	Wood, Composite lap siding, shingles, board & batten, rainscreen system	All	All	40%

NOTE: MATERIALS MAY NOT APPLY IN ANY HISTORIC OVERLAY ZONE. SEE [2.50.3](#).

6.0 Building Design
6.40 Facade Materials

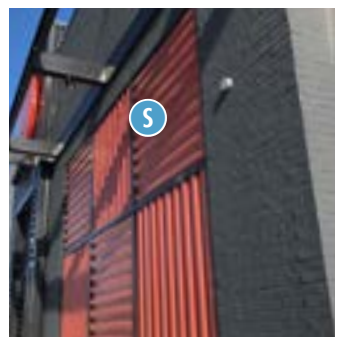
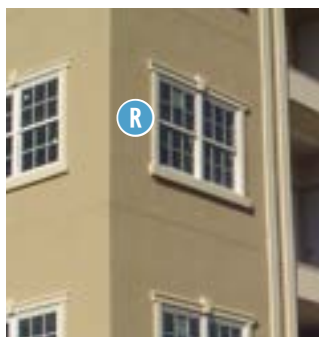
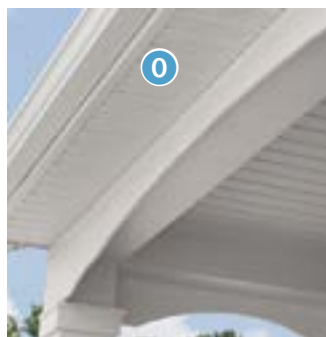
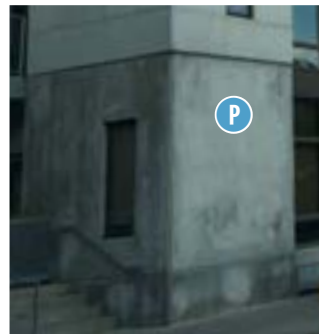
Table 6-4. Allowed Detail & Accent Materials

All permitted major and minor facade materials may be used for details, trim, and accents.

M	Concrete Details precast stone ornamentation, lintels, sills, banding, columns, beams
-	Fiber Cement Details trim, soffits
N	Metal Details trim, ornamentation, lintels, beams, columns
-	Wood and Wood Composite Details painted/treated trim, soffits, other approved details
O	Vinyl Details limited to soffits, window trim; minimum .04 inches thick

Table 6-5. Prohibited Materials

P	Concrete, Unfinished (except as allowed in Table 6-2) untreated, unstained, unpainted
-	Fiberglass and Acrylic Panels all
Q	Plastic Panels all, including high-density polyethylene and polycarbonate panels
R	Stucco Moldings or Synthetic Stucco Moldings trim, sills, cornices, banding, columns, pilasters or other 3 dimensional details
-	Wood unfinished, untreated plywood siding or panels



6.50 Facade Elements

6.50.1 WINDOWS

Windows on street and other primary facades of all buildings must be consistent with the following requirements:

- A. Amount.** Each building must meet the transparency requirements per the building and site regulations. See [3.0](#).
- B. Recessed.** All windows, with the exception of ground story storefront systems and glass curtain wall systems, must be recessed with the glass a minimum of 1.5 inches from the facade surface material or adjacent trim.
- C. Vertically Oriented.** A minimum of 70% of street facade windows must be individually vertically oriented, but may be grouped in a set. See [Figure 6-J](#).
- D. Operable Windows.** With the exception of ground story storefront glass and glass curtain wall systems, a minimum of 70% of all street facade windows on all buildings except the Workshop building must be operable. Examples include single-hung, double-hung, pivot, casement, and awning windows; fixed or picture windows are not operable.
- E. Visibility Through Glass.** Reflective glass and glass block are prohibited on street and other primary facades. Windows must meet the transmittance and reflectance factors established in the transparency definition. See [14.20.11](#).
- F. Expressed Lintels.** For masonry construction, the expression of lintels must be included above all windows and doors by a change in brick coursing or by a separate detail or element. See [Figure 6-J](#) for illustrations of expressed lintels.
- G. Garage Doors.** Garage doors utilized for patio access, open air dining, or display and not utilized for vehicular access, may be used for storefronts or other window requirements on any building type, provided the doors meet the transparency requirements.
- H. Unobstructed Windows.** Ground story, street-facade windows, other than those for residential uses, must be unobstructed. Window displays on the inside of the building may be used, blocking up to 70% of the window area, but the surfaces of windows must be clear. The remaining window area must have views into the occupied space of the building. See [9.30.5](#) for window signs.

6.50.2 SECURITY GRILLS & BARS

- A.** Exterior bars and security grills are prohibited on any street facade opening.
- B.** Security grills must be fully retractable and completely located within the interior of the building. When retracted, the grills must not be visible from the exterior of the building.

6.50.3 SHUTTERS

When shutters, whether functional or not, are utilized on a street or other primary facade of any building type except a House building type, the shutters must meet the following requirements. See [Figure 6-K](#).

- A. Size.** All shutters must be sized for the windows, so that, if the shutters were to be closed, they would not be too small for complete coverage of the window.
- B. Materials.** Shutters must be wood, metal, or fiber cement. Synthetic and engineered woods are allowed provided that the applicant submits a sample and examples of high quality, local installations of the material.

6.50.4 AWNINGS & CANOPIES

Removable awnings and canopies attached to buildings must be constructed consistent with the requirements of this section. See [Figure 6-L](#) for examples of awnings.

- A. Material.** All awnings and canopies shall be canvas or metal. Plastic awnings are prohibited.



Figure 6-J. Vertically Oriented Windows with Expressed Lintels

6.0 Building Design

6.50 Facade Elements

- B. Lighting.** Backlighting is allowed only on metal awnings.
- C. Structures.** Frames must be metal and wall-mounted. Support poles from the ground are prohibited except where the awning is over 8 feet in depth and utilized for outdoor eating areas or entrances.
- D. Canopies & Light Shelves.** Permanent canopies, projections, or overhangs used as architectural features, light shelves, or shading devices are allowed and not intended to be regulated by this subsection [6.50.3](#).
- E. Right-of-Way.** Awnings or canopies extending into any right-of-way require a permit per the municipal code, [12.16.110](#).
- F. Clearance.** All portions of any awning or canopy shall provide at least 7 feet of clearance over any walkway and 15 feet of clearance over vehicular areas.
- G. Signs.** See [9.0](#) for signs on awnings and canopies.

6.50.5 BALCONIES

Balconies on a facade facing any street, courtyard, open space, or public way shall be consistent with the requirements of this subsection. See [Figure 6-M](#) for examples of balconies.

- A. Definition.** For the purpose of this subsection, balconies include any roofed or unroofed platform that projects from the wall of a building above grade that is enclosed only by a parapet or railing. This definition does not include false balconies, Juliet balconies, or balconettes.
- B. Balconettes.** Balconettes are false balconies, sometimes referred to as Juliet balconies, consisting of a rail and door, either without an outdoor platform or with an outdoor platform less than 18 inches in depth. Balconettes are allowed and not subject to any of the balcony regulations in this subsection.
- C. Size.** Balconies must be a minimum of 4 feet deep and 5 feet wide.
- D. Facade Coverage.** A maximum of 35 percent of street facades, calculated separately for each facade, may be covered by balconies. The balcony area is calculated by drawing a rectangle on the facade elevation around the following: the platform or floor of the balcony; any rails, walls, columns, or indentations; and any ceiling, roof, or upper balcony.
- E. Integrated Design.** Balconies are intended to be integrated with the design of the facade, avoiding tacking the balconies onto the facade after the elevation has been designed.



Inappropriately Sized Shutters.



Appropriately Sized Shutters
Figure 6-K. Examples of Shutters

- (1) A minimum of 50 percent of the perimeter of each balcony must abut an exterior wall of the building, partially enclosing the balcony.
- (2) The balcony support structure must be integrated with the building facade; separate columns or posts supporting any balcony from the ground are not allowed.

- F. Platform.** The balcony platform must be at least 3 inches thick and any underside of a balcony that is visible from any street or public way shall be finished.
- G. Build-to Zone Requirement.** When the balcony is in the build-to zone, the portion of the facade behind it is exempt from meeting the build-to zone requirement.

6.50.6 PRINCIPAL ENTRYWAY

See [Figure 6-N](#) for examples of defined principal entryways. Principal entrances to all buildings or units, except storefronts, must be visible from the street and clearly delineated through one or more of the following design features:

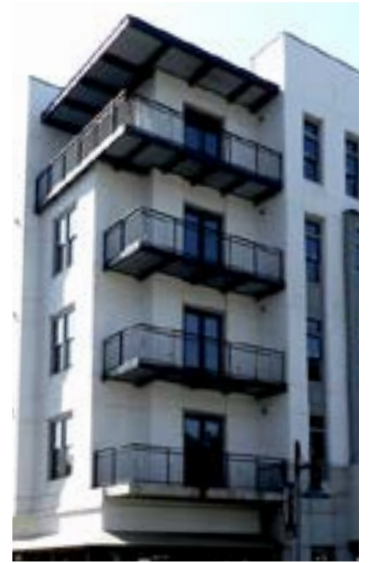


Metal Awning



Canvas Awning

Figure 6-L. Examples of Awnings

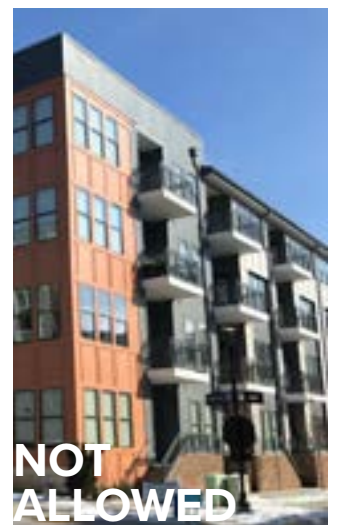


Balconies Appropriately Attached to or Incorporated into Facade.



NOT ALLOWED

Balconies: Covers More than Allowed Facade Area



NOT ALLOWED

Balconies: Extending Off (Tacked onto) Facade

Figure 6-M. Examples of Balconies

6.0 Building Design

6.50 Facade Elements

- A. Roof or Canopy.** The entryway is covered by a roof or canopy differentiating it from the overall building roof type.
- B. Porch.** The entryway is through a porch.
- C. Sidelights and Transom.** Sidelights or transom windows are included around the entryway.
- D. Articulation.** The entryway is included in a separate bay of the building that extends up at least 2 stories or in a recessed bay with a change in material.
- E. Other Methods.** Other structural methods of substantially differentiating the entrance from the facade similar in scope to the examples of this section, not including paint, trim, or materials.

6.50.7 ARCADE DESIGN

The following requirements apply to arcades. An arcade is a covered pedestrian walkway within the recess of a ground story. See [Figure 6-O](#).

- A. Intent.** Arcades on street facades are intended to be scaled appropriately and comfortably for pedestrians, providing some protection from inclement weather.
- B. Depth.** An open-air walkway must be recessed from the principal facade of the building a minimum of 8 feet and a maximum of 15 feet.
- C. Build-to Zone.** When the arcade is utilized, the outside face of the arcade must be considered the primary facade, located within the required build-to zone.
- D. Column Spacing.** Columns must be spaced between 10 feet and 20 feet on center.
- E. Column Width.** Columns must be a minimum of 1 foot and a maximum 3 feet in width.
- F. Arcade Openings.** Openings must not be flush with interior arcade ceiling and may be arched or straight.
- G. Horizontal Facade Division.** A horizontal shadow line shall define the ground story facade from the upper stories.

6.50.8 GROUND STORY AT SLOPING FACADES

Grade transitions on any building along a significantly sloped sidewalk or street must be designed to minimize blank walls and maximize pedestrian-scale frontages between waist and eye level. See [Figure 6-P](#) for examples of positive facades along slopes.

- A. Storefronts.** The following regulations apply to storefront facades along sloping streets:



Figure 6-N. Examples of Defined Principal Entryways

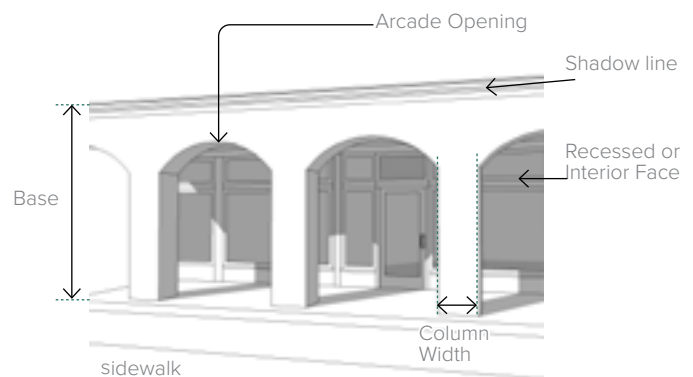


Figure 6-O. Example of Arcade

- (1) The interior floor level must step to match the exterior grade within 3 feet and/or changes in grade may be accommodated by a storefront window display space.
- (2) Knee wall and retaining walls must not exceed 18 inches in height except maximum 9-foot sections of walls may be up to 30 inches in height.
- (3) If the grade change is more than 9 feet along a single block face, entrance requirements may be increased to one entrance per 90 feet of building frontage.
- (4) If the grade change is more than 9 feet along a single block face, building entrances adjacent to the street must be within 3 feet of the grade of the adjacent sidewalk.

B. Non-Storefronts. The following regulations apply to all non-storefront facades along sloping streets:

- (1) Multiple front entrances along the street should activate each segment of building section at each grade.
- (2) The interior floor level must step to match the changes in exterior grade within a 3-foot range and/or deeper transition zones between the sidewalk and building facade of porches, terraces, and landscape areas may be used assist with grade changes.
- (3) Changes may be accommodated by terraced planters and retaining walls. Retaining walls shall not exceed 18 inches in height except along a maximum 15-foot section of frontage walls may not exceed 30 inches in height.
- (4) When the elevation of the first floor is more than 3 feet above grade, windows must be provided into the basement or lower floor elevation. See definition of visible basement in [14.40](#).



6.50.9 BUILDING ARTICULATION

See [Figure 6-Q](#) for examples of building facade variety. Buildings 120 feet in length or greater, as measured along any street frontage, must fulfill the following requirements:

A. Building Variety. Each street and other primary facade shall be varied in segments less than or equal to 60 feet. Each facade segment must vary by at least 2 of the following:

- (1) The type of dominant facade material or by color, scale, or orientation of that material;



Figure 6-P. Examples of Ground Story along Slopes Streets and Sidewalks

6.50 Facade Elements



Figure 6-Q. Examples of Building Articulation



Figure 6-R. Example of a Terminated Vista.

- (2) The proportion of recesses and projections within the build-to zone;
- (3) The location of the entrance and window placement, unless storefronts are utilized;
- (4) Roof type, plane, or material, unless otherwise stated in the building requirements;
- (5) Building height.

B. Articulation of Stories. Stories shall be articulated on street and other primary facades.

- (1) Fenestration. Fenestration or window placement on street facades shall be organized by stories per the building type facade transparency regulations.
- (2) Shadow Lines. Horizontal shadow lines and lintels over openings may be used to delineate stories with minimum shadow lines required per building type.
- (3) Mezzanines. Mezzanines that fall within the range of floor to floor heights of the building type shall be articulated on the facade and require separate calculation for transparency per [14.20.11.F Tall Stories](#).
- (4) Taller Spaces. Spaces exceeding the allowable floor to floor heights of the building type shall be articulated as multiple stories on the street facade.

6.50.10 VISTAS

Views down streets that terminate at parcels must be considered when locating buildings, parking, and building elements on those parcels. [Figure 6-R.](#)

- A. Rears of Buildings.** The location of open space and streets shall not create views of the rear of buildings or parking behind buildings from primary streets and open or civic space.
- B. Parking.** Parking structures and surface parking lots are not permitted at the termination of a street vista.
- C. Street Termini.** When a street terminates at a parcel, the parcel must be occupied by one of the following:
 - (1) **Open Space.** If the parcel is open space, any civic space type per [5.30.2](#) must be utilized and a vertical element shall terminate the view. Acceptable vertical elements include, but are not limited to, a stand or group of trees, a sculpture, a gazebo or other public structure, or a fountain.

- (2) **Building.** If the parcel is not utilized as a civic or open space, the facade of a building, whether fronting a primary street or not, must terminate the view. The building must incorporate one of the following or similar treatments to terminate the view: an allowed tower per [6.20.6](#), a bay, an allowed courtyard per the building type regulations ([3.0](#)), or an articulated, principal entryway per [6.50.6](#). That portion of the facade must be treated as a primary facade.

6.50.11 GARAGE DOORS

The following requirements apply to garage doors provided on any street facade, except those allowed in an N zone on a House building.

- A. Location.** Allowed locations for garage doors on street and non-street facades are regulated by the building type regulations ([3.0](#)).
- B. Recessed from Facades.** Garage doors located on street-facing facades must be recessed a minimum of 3 feet from the dominant facade of the principal building facing the same street.
- C. Design.** Garage doors facing a street or visible from a street must meet the following:
 - (1) The doors must be clad with materials consistent with the design of the building.
 - (2) Upgraded architectural doors or carriage-style doors are required on General, Small General, and Row buildings.

6.50.12 PARKING STRUCTURES

Parking structures that are not screened from the street and other primary frontages by occupied building space must meet the following standards on any primary or street facade. See [Figure 6-S](#) for an illustration of a parking structure.

- A. Stand-alone Parking Structures.** Parking structures as the principal use on the lot require a special permit approval as a controlled use per [4.40.11](#).
- B. Materials.** Major and minor material requirements, per [6.40](#), must be met on all street and other primary facades. An additional permitted minor material is stained, finished concrete.
- C. Murals, Sculptural Screens, Living Walls.** The use of murals, sculptural screens, and living green walls of landscape materials on the exterior facades of parking structures is encouraged.

- D. Ramps and Slopes.** Ramps and slopes must be located on non-primary street facades.
- E. Screening of Vehicles.** Visibility of parked motor vehicles must be screened from the street by walls, metal screens, or living green walls with a minimum opacity of 50%.
- F. Blank Wall Limitations.** No rectangular area greater than 30 percent of any story's facade, as measured from floor to floor, and no horizontal segment of a story's facade greater than 15 feet in width may be solid wall without an opening.
- G. Vertical Divisions.** Vertical divisions extending to the full height of the structure are required every 30 feet to de-emphasize the horizontal decks. Divisions must be a minimum of 2 feet in width with a minimum projection of 1.5 inches.
- H. Entry Tower.** A defined pedestrian entrance/exit is required separate from the vehicular entrance and directly accessing the sidewalk. If the space is enclosed, windows are required to meet a transparency rate of 65% on street facades.



Figure 6-S. Example of a Parking Structure

6.0 Building Design

6.50 Facade Elements

- I. **Cap.** The top story of the parking structure must include a parapet or other roof type along the primary or street facades. Refer to roof types defined in [6.20](#).
- J. **Vehicular Entrances.** Driveways must be no wider than 22 feet and the entrance and exit should be split by a median. Access must be located on a non-primary street, unless the lot does not abut a non-primary street. No more than 2 access points shall be located on any one street, totaling no more than 24 feet of drives crossing sidewalk.

6.50.13 EXTERIOR LIGHTING

Site, building, and canopy-mounted lighting is intended to enhance safety and provide light levels appropriate with minimal glare, light trespass and excess site brightness. Lighting shall not be a nuisance or a hazard.

- A. **Canopy-Mounted Fixtures.** Light fixtures mounted under fueling station or outdoor sales lot canopies shall be completely recessed into the canopy with flat lenses that are translucent and completely flush with the bottom surface (ceiling) of the canopy.
 - (1) Lights shall not be mounted on the top or sides (fascias) of the canopy.
 - (2) Internally illuminated/entirely translucent canopies are prohibited, except accent lighting on the sides (fascias) of the canopy may be provided.
- B. **Maximum Lighting.** [Table 6-6](#) shows the maximum lumens per site and the maximum backlight, uplighting, and glare (BUG) ratings for luminaires by zones, using the lighting zone designations from the Illuminating Engineering Society of North America (IESNA) recommended practices.
- C. **Light Orientation.** Luminaires must be mounted with its backlight perpendicular to any lot line located within the mounting height distance of the lot line and facing into the lot.
- D. **Additional Lighting.** Additional exterior lighting for a site may be approved by the PZC, using the lighting zone designations from the Illuminating Engineering Society of North America (IESNA) recommended practices.

Table 6-6. Maximum Lighting by Zone

LOCATION	DX, MX1, MX2, RX2, CX, IX, I ZONES (LIGHTING ZONE 2)	ALL OTHER ZONES (LIGHTING ZONE 1)
Lumens per square feet of hardscape area	2.5	1.25
MAXIMUM BACKLIGHT RATING		
>2 mounting heights from lot line	B4	B3
1 to <2 mounting heights from lot line	B3	B2
0.5 to <1 mounting heights from lot line	B2	B1
>0.5 mounting heights from lot line	B0	B0
MAXIMUM UPLIGHT RATING		
Maximum Uplight Rating	U2	U1
Allowed light emission above 90 degrees for area lighting	0%	0%
Maximum Glare Rating	G1	G0

6.60 Mechanical Equipment

Mechanical equipment is necessary for any building design, but can have a negative visual impact and detract from the quality of the design of a building. The purpose of the regulations in this section, [6.60](#), is to ensure that the visual impact of mechanical equipment and appurtenances is minimized to the maximum extent feasible.

6.60.1 "MECHANICAL EQUIPMENT" DEFINED

When the following regulations refer to "mechanical equipment," any mechanical equipment or utility appurtenance, such as but not limited to HVAC systems, boilers, condensers, transformers, generators, vents, meters, ducts, are being referenced, except the following:

- A. Solar and wind energy systems, subject to [3.170.9](#) in accessory structure regulations.
- B. Rainwater cisterns, subject to [3.170.9](#) in accessory structure regulations.

6.60.2 ALTERNATE LOCATIONS

Alternate locations for mechanical equipment other than those defined in this section, [6.60](#), may be approved by the PZC, provided the applicant proves the equipment cannot function in the locations allowed and the equipment is screened to the maximum extent possible by methods other than only landscape.

6.60.3 MECHANICAL EQUIPMENT IN BUILDING

Mechanical equipment must be located within the building, unless the applicant demonstrates that locating the equipment within the building would conflict with the equipment's function. See tower regulations in [6.20.6](#), as allowed per building types ([3.0](#)), for rooftop building structure to potentially accommodate mechanical equipment.

6.60.4 ROOFTOP MECHANICAL EQUIPMENT

Any rooftop mechanical equipment shall be located consistent with one of the following methods. See [Figure 6-T](#) for an example.

- A. Incorporate equipment into the roof design consistent with the applicable standards of roof types in [6.20](#).
- B. Set the equipment back a minimum of 15 feet from any street or public way facade.
- C. To the extent practicable, all rooftop mechanical must be painted to blend with the structural roof and limit its visibility.

6.60.5 MECHANICAL EQUIPMENT ON STREET FACADES

- A. Mechanical equipment must not be located on a street facade unless the applicant demonstrates that locating the equipment in a different location would conflict with the equipment's function.
- B. Any mechanical equipment approved on a facade must be located consistent with the following standards:
 - (1) **Street Facade.** The mechanical equipment may be located on a street facade only if the following requirements are met:
 - (a) The equipment is located on a surface perpendicular (and not parallel) to the adjacent street.
 - (b) The equipment extends from the facade surface no more than 3 inches.
 - (c) The equipment may be located on a street facade provided it is designed as part of the facade, integrating with windows and materials. See examples in [Figure 6-U](#).
 - (2) **Air Vents or Grills.** Air vents and grills may be successfully incorporated into storefront window systems, provided the transparency requirements are met by the actual windows in the system.
 - (3) **Alignment.** Multiple pieces of mechanical equipment must be organized on the facade in a regular pattern and aligned. Compliance with this standard must be illustrated on the drawing elevations submitted as part of the application.
 - (4) **Material Coordination.** To the extent practicable, facade-mounted mechanical appurtenances shall be located on a material that limits their visibility. For example, dark colored vents will be more visible on light colored fiber cement panels than a textured, darker surface such as brick.

6.60.6 MECHANICAL EQUIPMENT ON OTHER HORIZONTAL SURFACES

Mechanical equipment, such as electrical transformers and air conditioners, located on the ground, decks, or horizontal surfaces other than the roof must be located consistent with the following standards:

- A. **No Encroachment.** Mechanical equipment shall not extend into any right-of-way or any easement, unless otherwise approved by the city.
- B. **Allowed Yard Location.** See [14.270](#) for definition of yards.

6.0 Building Design
6.60 Mechanical Equipment



Figure 6-T. Rooftop Utilities Screened from the Public Way by a Parapet

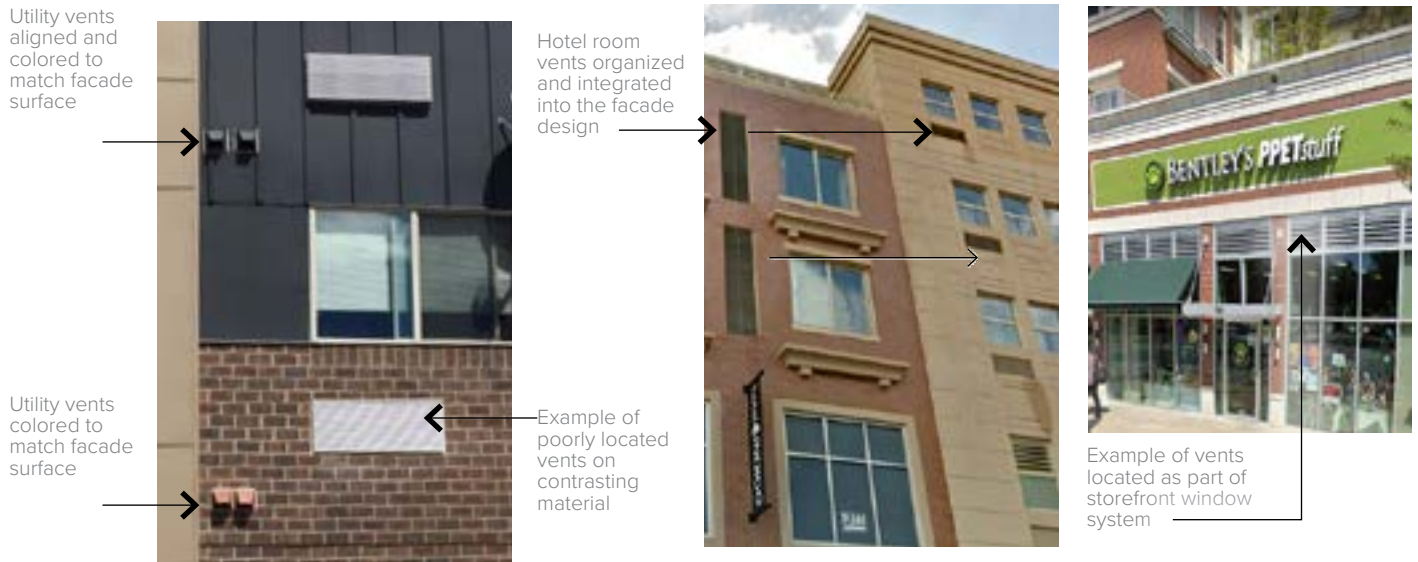


Figure 6-U. Utility Appurtenances located on Facades



Figure 6-V. Examples of Poorly Located Utility Appurtenances on Primary Streets

- (1) **Primary Street Yard.** Mechanical equipment and appurtenances must not be located in the primary street yard, except as defined in [6.60.6.E](#).
- (2) **Non-Primary Street Yard.** Mechanical equipment may be located in the non-primary street yard only when the equipment cannot function or be located in a rear or side yard, and provided the equipment is screened from the street per [6.60.5.C](#).
- (3) **Rear and Side Yard.** Mechanical equipment may be located in any rear or side yard.
- (4) The equipment is fully screened in a manner that is consistent with the building design, colors, and materials; the screen height is the minimum to adequately screen the equipment; and the equipment and screening does not block any facade transparency. See [Figure 6-V](#) for examples of poorly located, unscreened equipment on primary streets.

C. Screening from Streets, Open or Civic Spaces. All equipment must be screened from view from any streets, open space, or civic space per the following:

- (1) Walls for screening must be consistent with the building design, colors, and materials, faced with an allowed major facade material.
- (2) Where landscaping only is employed, the following must be met:
 - (a) The utility must be located in a larger landscape area and the landscape screen designed as part of the larger planting bed design.
 - (b) Evergreen shrubs must fully screen the equipment within 1 year of installation.
 - (c) The zoning official may require additional landscape materials to fully screen the equipment.

D. Screening from Adjacent Parcels. All equipment must be screened from adjacent parcels using the light side and rear buffers in [7.110](#).

E. Street or Primary Yard Location. Mechanical equipment located in a street yard or other primary frontage yard is allowed only if all of the following are met:

- (1) The applicant demonstrates that the equipment cannot be located in a rear yard, non-primary street yard, or in a side yard.
- (2) No other utility cabinets, boxes, or other appurtenances are within 100 feet along the same side of the street as the proposed utility appurtenance.
- (3) The equipment is located a minimum of 15 feet from a street intersection, measured from the intersection of the curb line, and does not impact the visibility at intersections governed by [7.10.3](#).

6.70 Downtown High-Rise Stories

6.70 Downtown High-Rise Stories

6.70.1 APPLICABILITY.

The requirements in this section apply to the following:

- A. Stories designated on the Storefront building type in the DX1 zone as high-rise stories per [3.20.6](#).
- B. Stories designated on the General building type in the DX2 zone as high-rise stories per [3.50.6](#).
- C. All other building type and design regulations apply.

6.70.2 INTENT: BASE, MIDDLE, CAP

These requirements refer to building design by base, middle, and cap as defined in the following intent statements. See [Figure 6-X](#).

- A. **Base.** The base of a building is intended to establish an active ground story along the street and provide a public building face (such as a lobby, retail/service space, or restaurant) for all of the activities that occur within a building.

- B. **Middle.** The middle section of the building (high-rise stories) is intended to be oriented to maximize light reaching the primary street, to avoid the “walling off” of the primary street along the entire length, and allow views to the sky from the street.
- C. **Cap.** The cap of the high-rise includes the top few high-rise stories and the roof of the building, and is intended to be designed consciously to contribute to the city skyline per the following requirements.

6.70.3 BUILDING BASE REQUIREMENTS

The base requirements for the building shall follow the requirements of the building type, whether a Downtown Storefront or a Downtown General building, with the following additional requirements. See [Figure 6-W](#).

- A. **Build-to Zone.** The building base shall be wholly located within the build-to zone.
- B. **Buildings between 10 and 15 stories.** For buildings or portions of buildings 10 to 15 stories, the base shall be a minimum of 5 stories.

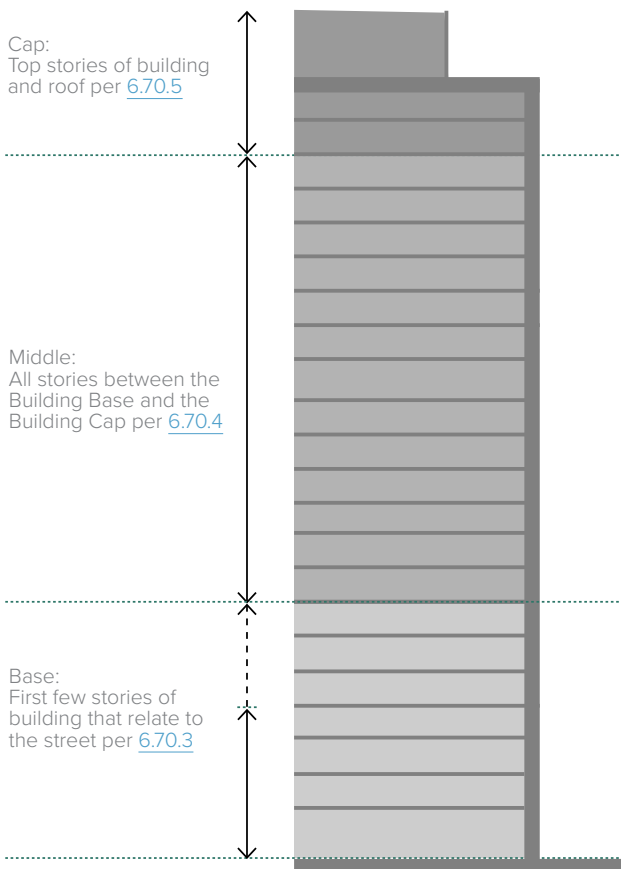


Figure 6-X. High-Rise Building: Base, Middle, Cap

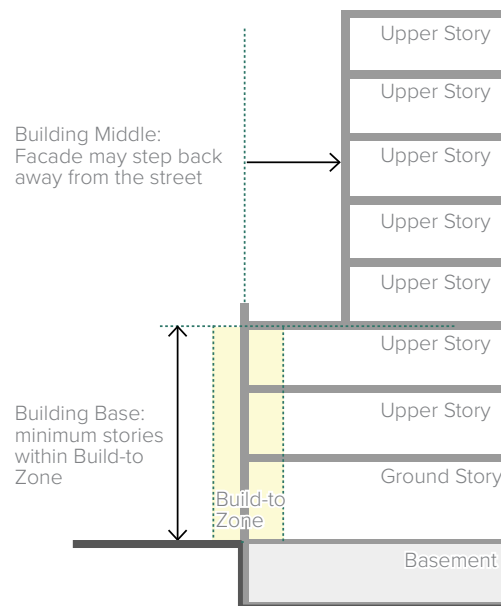


Figure 6-W. Building Massing in Build-to Zone

6.70 Downtown High-Rise Stories

C. Buildings over 15 stories. For buildings or portions of buildings over 15 stories, the base of that portion shall be a minimum of 7 stories.

6.70.4 BUILDING MIDDLE REQUIREMENTS

The middle of the building shall meet any applicable regulations of the building type and the following:

- A. Orientation.** The building middle shall be oriented with the shortest side parallel to a primary street to avoid a continuous high-rise wall along the primary frontage above the building base. See [Figure 6-Y](#).
- B. Narrowest Widths.** High-rise buildings shall utilize the narrowest widths economically feasible, to limit the mass of and shadows cast by the high-rise.
- C. Step-Back.** The facade of the middle of the building may step back away from the street above the minimum base height. See [Figure 6-W](#).
- D. Peaks and Valleys in the Skyline.** Variation of the skyline of the downtown area is desirable and should be considered. For all buildings utilizing high-rise stories, the following applies:
- (1) An illustration of the skyline, incorporating the subject building, must be submitted, preferably during the pre-application meeting.
 - (2) The high-rise height should be lower or taller than 4 of the 8 surrounding buildings by a minimum of 8 stories.
 - (3) The surrounding building context shall be considered when determining the maximum building height.

E. Multiple Towers. When more than one tower is utilized for a development, the following is required:

- (1) **Varying Heights.** The heights of the multiple towers must be varied to encourage development of an interesting skyline.
- (2) **Spacing.** Spacing between towers must be a minimum of 60 feet to allow light and views of the sky between the towers.

6.70.5 BUILDING CAP REQUIREMENTS

The following applies to the cap of the building utilizing the high-rise stories:

A. The high-rise portions of the building are exempt from the building type's roof type requirement.

- B.** Terraces, green roofs, gardens, and other outdoor facilities are encouraged to occur on rooftops of the base portion of the buildings.
- C.** The massing and/or material expression of the cap should define it distinctly from the middle of the building.
- D.** The surrounding building context must be considered when determining the building cap. Variation is preferred.

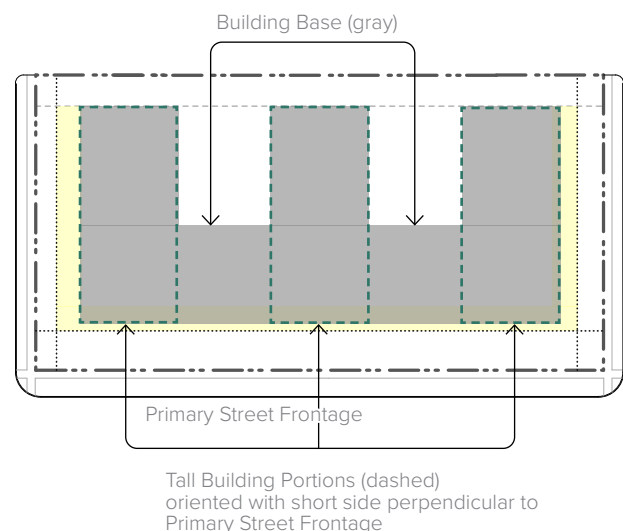


Figure 6-Y. High-Rise Building Orientation

[page intentionally blank]

7.0 LANDSCAPE & SITE DESIGN

- 7.10 Generally 7-2
- 7.20 Landscape Installation 7-3
- 7.30 General Landscape Maintenance 7-4
- 7.40 Existing Tree Removal & Protection 7-5
- 7.50 Ground Vegetation 7-6
- 7.60 Sidewalks 7-6
- 7.70 Streetscape Area Regulations 7-7
- 7.80 Street Trees 7-9
- 7.90 Waterways & Waterfronts 7-10
- 7.100 Frontage Buffer 7-11
- 7.110 Side and Rear Buffers 7-13
- 7.120 Interior Parking Lot Landscape 7-16
- 7.130 Screening of Refuse & Utility Areas 7-17
- 7.140 General Fence Requirements 7-19

7.10 Generally

7.10 Generally

7.10.1 PURPOSE

The landscape and site design regulations of this article are intended to provide the following:

- A. To protect property values and the appearance of neighborhoods and commercial zones through appropriate landscape and fencing.
- B. To provide for healthy, long-lived trees within all public ways to improve the appearance of streets and create a buffer between pedestrian and vehicular travel lanes.
- C. To increase the urban tree canopy throughout the city.
- D. To increase the compatibility of adjacent uses and minimize the adverse impacts created by adjoining or neighboring uses.
- E. To promote the prudent use of water through sustainable, functional landscapes.
- F. To reduce energy demands through the shading of buildings and pavement, reducing urban heat island effects.

7.10.2 APPLICABILITY

The site design regulations of this article, [7.0](#), apply in the following situations:

- A. **New Development and Expansions.** New buildings constructed or whenever an existing building is enlarged or expanded by 5,000 square feet or more, unless otherwise stated in this article.
- B. **New Landscape and Site Elements.** New landscape and site development elements constructed that are regulated by this article, [7.0](#), such as landscaping, parking or loading areas, outdoor storage areas, and other vehicular areas (e.g. drive-through facilities, fueling stations, vehicular sales lots).
- C. **Expansion of Existing Parking, Loading Areas, or other Vehicular Areas.** Whenever an existing parking, loading, or other vehicular area (e.g. drive-through facilities, fueling stations, vehicular sales lots) is enlarged or expanded by more than 2,500 square feet, parking lot landscape, frontage buffers, and side and rear buffers must be applied per this article.
- D. **Expansion of Outdoor Storage Areas.** Whenever an existing storage area is enlarged or expanded by more than 1,500 square feet, frontage and side and rear buffers must be applied per this article.

7.10.3 VISIBILITY AT INTERSECTIONS

At street intersections, no walls, fences, plants, or trees may be constructed or planted to obstruct or eventually obstruct or hinder the visibility of drivers within 10 feet of the intersection of the street right-of-way lines.

7.20 Landscape Installation

7.20.1 INTENT

The following provisions aid in ensuring that all required landscaping is installed and maintained properly.

7.20.2 APPLICABILITY

These provisions apply to any landscape installation required by this article.

7.20.3 GENERAL INSTALLATION REQUIREMENTS

A. National Standards. Best management practices and procedures according to the nationally accepted standards must be practiced. All landscape and trees must be installed in conformance with the practices and procedures established by the most recent edition of the American Standard for Nursery Stock (ANSI Z60.1) as published by the American Association of Nurserymen.

B. Timing. All landscape materials must be fully installed prior to the issuance of a certificate of occupancy.

- (1) If seasonal conditions preclude the complete installation, a cash escrow or irrevocable letter of credit, equal to 1.5 times the installation costs as estimated by a qualified professional, is required.
- (2) Complete installation is required within 9 months of the issuance of the temporary certificate of completeness or occupancy permit or the cash escrow or letter of credit may be forfeited.

C. Tree Measurement. Caliper is the measured diameter (inches) of the tree trunk for trees to be installed as follows:

- (1) Caliper measurement of the trunk must be taken 6 inches above the ground or top of the root ball up to and including 4 inch caliper size.
- (2) If the caliper at 6 inches above the ground exceeds 4 inches, the caliper should be measured at 12 inches above the ground or top of the root ball.

D. Plant Size Requirements. Plant material must be sized according to [Table 7-1](#) unless otherwise noted in this section.

E. Condition and Selection of Planting Materials. The plant materials used must be free from visible signs of disease, infestation, or physical defect at the time of planting. Plant materials must:

- (1) Be appropriate for the conditions of the location, including sun and wind exposure, air quality, salt exposure, soil type, expected moisture content of soil, and slope.
- (2) Not be an invasive or a potentially invasive species.
- (3) Be, wherever possible, native or naturalized to the Bridgeport region.

F. Compost, Mulch, and Organic Matter. Compost, mulch, and organic matter must be utilized within the soil mix to reduce the need for fertilizers and increase water retention.

Table 7-1. Plant Material Size at Installation

PLANT MATERIAL TYPE	MINIMUM SIZE
Street Tree	2 in. caliper
Deciduous Shade/Overstory Tree	1.5 in. caliper/ 8 ft. height
Evergreen Tree	8 ft. height
Understory Tree	6 ft. height
Ornamental Tree	1.5 in. caliper
Shrubs - Deciduous	5 gallon container or 18 in. balled & burlapped
Shrubs - Evergreen	5 gallon container or 18 in. balled & burlapped
Groundcover	3 in. height

Table 7-2. Estimated Canopy & Permeable Surface Area by Tree Size

TREE SIZE	ESTIMATED MATURE CANOPY SIZE	MINIMUM REQUIRED PERMEABLE SURFACE AREA	RECOMMENDED PERMEABLE SURFACE AREA (70% OF CANOPY SIZE)
Small	300 sq. ft.	100 sq. ft. (e.g. 4 ft. x 25 ft.)	210 sq. ft. (e.g. 4 ft. x 52.5 ft.)
Medium	700 sq. ft.	225 sq. ft. (e.g. 4 ft. x 56.25 ft.)	490 sq. ft. (e.g. 5 ft. x 98 ft.)
Large	1,000 sq. ft.	400 sq. ft. (e.g. 4 ft. x 100 ft.)	700 sq. ft. (e.g. 7 ft. x 100 ft.)

7.30 General Landscape Maintenance

- G. Establishment.** All installed plant material must be fully maintained until established, including watering, mulching, fertilizing, and replacement as necessary.

7.20.4 PERMEABLE SURFACE AREA FOR TREES

For each tree planted, a minimum amount of permeable surface area is required, unless otherwise stated in this ordinance, to ensure root growth and access to air and water.

- A. Minimum Area.** A minimum required permeable surface area per [Table 7-2](#) is required per tree based upon the estimated mature canopy of the tree. Recommended permeable surface of any tree for good health and survival rate is 70% of the estimated mature tree canopy. Examples of dimensions of permeable area shown in [Table 7-2](#) are based upon typical street tree areas.
- B. Required per Tree.** Permeable area for one tree may not count toward that of another tree.
- C. Suspended Pavement System.** The required permeable soil surface area of a tree per [7.20.4.A](#) may extend below any pavement when a modular suspended pavement system (Silva Cells, Root Space, or an approved equivalent) is used below that pavement.
- D. Aeration Systems and Permeable Pavers.** Other alternative surfacing and soil systems may be required by the zoning officer in situations where the recommended permeable surface area is not provided.

7.30 General Landscape Maintenance

7.30.1 INTENT

All landscaping must be maintained in good condition at all times to ensure a healthy and orderly appearance.

7.30.2 APPLICABILITY

All landscape required by this article must be maintained in healthy condition per this section, [7.30](#).

7.30.3 GENERAL MAINTENANCE

- A. National Standards.** All landscaping and trees must be maintained according to the most recent edition of the American National Standards Institute, including its provisions on pruning, fertilizing, support systems, lighting protection, and safety.
- B. Replacing Unhealthy Landscaping.** Unhealthy landscaping must be replaced with healthy, live plants by the end of the next applicable growing season. This includes all plant material that shows dead branches over a minimum of 25 percent of the normal branching pattern.
- C. Maintenance Responsibility.** The owner is responsible for the maintenance, repair, and replacement of all landscaping.
- D. Maintain Quality and Quantity.** Maintenance must preserve at least the same quantity, quality, and screening effectiveness as initially installed or required by this article.
- E. City Inspection.** All landscaped areas regulated by this ordinance may be inspected by the city.
- F. Tree Maintenance.** All trees required by this article must be maintained as follows:
- (1) Street Trees. All tree maintenance in the city rights-of-way or dedicated parks must be performed under the direction of the municipal tree warden.
 - (2) Arborist. Tree trimming, fertilization, and other similar work must be performed by or under the management of an arborist, certified by the Connecticut Department of Energy and Environmental Protection (CTDEEP).
 - (3) Tree Topping. Tree topping is not allowed. When necessary, crown reduction thinning or pruning is permitted. Refer to [7.80](#) for clear branch height of street trees.

7.40 Existing Tree Removal & Protection

7.40 Existing Tree Removal & Protection

7.40.1 APPLICABILITY

All trees on any site in any zone must meet the regulations of this section, [7.40](#).

7.40.2 MEASURING EXISTING TREES

Existing trees must be measured at the diameter of trunk, at breast height, 4 feet above grade at the base of the tree.

7.40.3 SIGNIFICANT TREES

Trees of significant size, type, or meaning must be retained on the site, unless otherwise determined by the municipal tree warden.

A. Definition. A significant tree is one of the following:

- (1) Any tree with a diameter at breast height of 13 inches or more.
- (2) A grove of trees totaling 13 inches and as determined by the municipal tree warden.
- (3) Any specific tree type designated significant by the municipal tree warden, based upon the tree's age, species, health, meaning within the community, and/or historical importance.

B. Timing. No tree may be removed for future construction without zoning approvals issued for the future development.

C. Removal of Significant Trees. A significant tree may be removed with approval of the municipal tree warden under the following conditions:

- (1) The tree is in poor health or diseased with an expected life span less than 2 years.
- (2) The tree poses a danger to human safety, health, and welfare.
- (3) Any required zoning approvals for new development on the site have been issued.
- (4) If approved by the municipal tree warden, the removal is mitigated by one of the following:
 - (a) The planting of multiple trees, whose calipers totaled equal 3 times the diameter of the removed tree(s), on the subject site.
 - (b) The planting of multiple trees, whose calipers totaled equal 3 times the diameter of the removed tree(s) on a site approved by the municipal tree warden and the zoning officer.
 - (c) The municipal tree warden and the zoning officer agree that the tree must be removed for

the environmental, economic, health, or safety of the city.

7.40.4 CONTRIBUTING TREES

Contributing trees are existing trees that are not significant trees, measuring greater than 6 inches, contributing to the city's overall tree canopy cover.

A. Removal of Contributing Trees. A contributing tree may be removed under the following conditions:

- (1) The tree is in poor health or diseased with an expected life span less than 2 years.
- (2) The tree poses a danger to human safety, health and welfare.
- (3) The removal is mitigated by one of the following:
 - (a) Trees with a total of caliper inches equal to the diameter of the removed trees planted on the site or a site approved by the municipal tree warden and the zoning officer.
 - (b) A fee in-lieu of replacement trees is assessed and paid into the city's Tree Planting Fund in accordance with the city's fee schedule. The fee must include a cost per diameter inch of tree not replaced.
 - (c) A combination of replacement trees and fee-in-lieu per this subsection.

7.40.5 TREE PROTECTION DURING CONSTRUCTION

During construction, all available precautions must be undertaken to prevent damage to existing trees, 6 inches in diameter or larger, to be retained on the site.

A. Protection Fencing. Tree protection fencing and trunk protection must be performed on existing trees per ANSI guidelines.

B. Prevention of Injury. Protection must include prevention of injury to the trunk, branches, and root systems of existing trees to be retained on the site and any trees on adjacent sites with root systems extending onto the site.

C. Regrading within Dripline. No soil removal, trenching, or regrading must occur within the root system or beneath the dripline of any tree to be retained on the site without mitigation of the impact of the activity on the tree per a certified arborist's recommendation.

D. Compaction of Soil. No parking of vehicles or machinery, or storage of materials must occur within the

7.0 Landscape & Site Design

7.50 Ground Vegetation

dripline of any existing tree to be retained to avoid the compaction of soil around roots.

- E. Inspection.** Before, during, and after the start of construction activity, the municipal tree warden may inspect the site and impose additional procedures to ensure the health of existing trees to be retained.
- F. Mitigation of Damage.** The municipal tree warden may assess mitigation of trees damaged during or as a result of construction activities. Mitigation may include replacement trees or fees paid into the tree fund.

7.40.6 PENALTIES

Any person who removes a significant tree without prior permission from the municipal tree warden or causes the death of a significant tree through other means as determined by the municipal tree warden must be subject to a fine equivalent to the value of the tree. The tree value must be established using the Trunk Formula Method set forth in the latest edition of Guide for Plant Appraisal authored by the Council of Tree and Landscape Appraisers.

7.50 Ground Vegetation

7.50.1 APPLICABILITY

All unpaved street yards of any lot in an N or NX zone and all unpaved areas of any lot in any other zone must be covered by either planting bed per [7.50.2](#) or grass per [7.50.3](#).

7.50.2 PLANTING BEDS

A. Required Plant Beds. Where any unpaved street yard is greater than 15 feet deep and 2,000 square feet, planting beds must cover a minimum of 30% of the area.

B. Materials. All planting beds may include shrubs, ornamental grasses, ground cover, vines, annuals, or perennials.

- (1) A minimum of 60 percent of the bed area must be covered in plant material at maturity. The remaining portion of the bed may be covered with non-living permeable materials, such as mulch, pine straw, or gravel.
- (2) Annual beds must be maintained seasonally, replanting as necessary.

7.50.3 GRASS

Seeded, plugged, or sodded grass may be planted throughout landscaped areas. Grass must be established within 90 days of planting or the area must be reseeded, replugged, or resodded.

7.60 Sidewalks

7.60.1 APPLICABILITY

The regulations of this section, [7.60](#), apply to all buildings and sites in all zones.

7.60.2 STREETScape SIDEWALKS

See [7.70](#) for required public sidewalks along the street and abutting the site, connecting to sidewalks on abutting lots.

7.60.3 ON-SITE SIDEWALKS

On-site sidewalks must continuously connect all public sidewalks to the main entrance of all principal buildings on the site. One connection is required per street frontage, except in N, NX1, or NX2, connection to only the primary street is required. Connection to any public trails and pathways is required.

7.60.4 SIDEWALK REQUIREMENTS

A. Width. Sidewalk width in all zones must be a minimum of 5 feet.

7.0 Landscape & Site Design

7.70 Streetscape Area Regulations

- (1) In any N, NX1, and NX2 zone, on-site sidewalk width may be less and streetscape sidewalk width may be a minimum of 4 feet.
- (2) Walkways through parking lots must be at least 8 feet in width, but may be reduced to 5 feet in width if designed as a grade-separated walkway with landscape buffers on either side.

B. Materials. Sidewalks must be composed of concrete, brick, or other masonry pavers.

- (1) In any N, NX1, and NX2 zone, the material may be gravel, stepping stones, mulch, wood decking, or other approved materials.
- (2) Other materials may be approved by the zoning officer, provided the materials are appropriate for the level of pedestrian traffic expected on the site.

C. Vehicular Crossings. Where sidewalks cross driveways, parking areas, and loading areas, the following applies:

- (1) Sidewalk paving material must continue through the vehicular area and the crossing area must be clearly differentiated from the vehicular area.
- (2) If the material of the pedestrian and vehicular area is similar, the pedestrian area must be differentiated through the use of elevation changes, speed bumps, another paving material, scoring, or other similar method.

D. Accessible. All sidewalks must comply with all local, state, and federal regulations for accessibility.

E. Lighting. In all zones except N, NX1, and NX2, lighting must be provided to ensure adequate visibility of the surface and safety along all sidewalks. See [6.50.13](#) for exterior lighting regulations.

7.70 Streetscape Area Regulations

7.70.1 INTENT

To establish attractive, contiguous streetscape with amenities along all corridors and streets throughout the city.

7.70.2 APPLICABILITY

The regulations of this section, [7.70](#), apply to all buildings and sites in all zones, unless otherwise stated.

- A.** Where streetscape has been installed within the last 10 years, the applicant must coordinate with the zoning officer to replace or repair any existing streetscape improvements.
- B.** Where a streetscape installation project is being contemplated or planned for the location, the applicant must coordinate with the zoning officer to ensure any streetscape installed is consistent with the plan.
- C.** Additional streetscape elements beyond those required in this section may be required, based on plans in place for the street, neighborhood, or city.

7.70.3 GENERAL

- A. Streetscape Area.** Streetscape occupies the full pedestrian area of any street right-of-way (back of curb to edge of street right-of-way) and the street yard of all developments.
 - (1) See [3.10.12](#) for streetscape areas less than 9 feet in depth (back of curb to edge of r.o.w.), where an easement is required to accommodate the full streetscape.
 - (2) Where the location is such that the full streetscape area cannot be accommodated, the zoning officer may approve an alternate design, based upon the existing and desired context of the area. This alternate design must include sidewalk, but may either waive street tree requirements or locate the street trees otherwise.
- B. Planned Streetscapes.** Proposed or planned streetscape designs on the subject lot and adjacent lots must be considered when determining the applicable area and design elements.
- C. Streetscape Design Continuation.** To provide district continuity, the approved streetscape design for the subject site may be utilized by the city for the extension of streetscape along the street outside the development.

7.0 Landscape & Site Design

7.70 Streetscape Area Regulations

7.70.4 BASE STREETScape

For all building types and sites in all zones, the following minimum sidewalk and landscape is required on all street frontages.

- A. Sidewalk.** A minimum streetscape sidewalk is required along street frontages per [7.60](#), located a minimum of 4 feet off the back of curb or edge of pavement.
- B. Buffer Strip.** A minimum 4-foot wide buffer strip, between the back of curb and the sidewalk, must be unpaved except where sidewalks and driveways cross.
- C. Street Trees.** The buffer strip, where unpaved, must be planted with street trees per [7.80](#) and ground vegetation per [7.50](#). Stormwater accommodations, such as bioswales or rain gardens, may also be located in this area, as determined appropriate by the zoning officer.
- D. Alternate Design.** Where the location is such that the full streetscape area cannot be accommodated, the zoning officer may approve an alternate design, based upon the existing and desired context of the area.

7.70.5 STOREFRONT STREETScape

For all Storefront buildings in all zones, and Storefront and General buildings in the DX zones, the following is required along all street frontages.

- A. Streetscape Design.** The entire street yard area from building facade to the back of curb, including both the public streetscape area and the private street yard on the lot, must be designed as a combination of hardscape, tree wells, and/or planter areas.
- B. Sidewalk.** A pavement area, minimum 5 feet wide and continuous along the full streetscape area, must remain clear and unobstructed.
- C. Buffer Strip.** The buffer strip must include tree wells or planters for street trees per [7.80](#).
- D. Sidewalk Cafe.** Sidewalk cafes may be incorporated into the streetscape area per [4.70.4](#).
- E. Alternate Design.** Where the location is such that the full streetscape area cannot be accommodated, the zoning officer may approve an alternate design, based upon the existing and desired context of the area.

7.70.6 ENHANCED STREETScape

The requirements of this section apply to development of new streets and to development on all lots with 200 feet or more of street frontage on existing streets.

A. Base and Storefront Streetscape. Streetscape must meet any regulations defined in this article. The site may include both base and storefront streetscapes when multiple building types or zones are included.

B. Additional Elements. The following additional elements are required for the full streetscape area:

- (1) **Pavement Design.** Paving materials and a pattern is required for each street. Pavement design must include all required minimum sidewalks, other hardscape defined by the base or storefront streetscape, and connections to on-site sidewalks.
- (2) **Street Furnishings.** For a full block development, benches and/or seatwalls, planters, planter fences, tree grates, tree guards, and trash receptacles must be specified and quantities and locations listed for each street. For each block face, a minimum of 2 benches and 1 trash receptacle is required.
- (3) **Bicycle Parking.** Bicycle parking must be supplied to meet the minimum bicycle parking requirements of the blockface uses per [8.30](#). Bicycle parking location must be coordinated with the zoning officer.
- (4) **Landscape Design.** Ground plane vegetation per [7.50](#) must be designated for any landscape bed areas, planter areas, and open tree wells.
- (5) **Lighting.** Both pedestrian and vehicular lighting must be specified and locations and quantities noted. All lighting must meet any requirements of the department of public works and samples must be submitted upon request of the zoning officer.

7.80 Street Trees

7.80.1 INTENT

To line all streets with a consistent and appropriate planting of trees, establishing tree canopy for environmental and aesthetic benefits.

7.80.2 APPLICABILITY

The regulations of this section, [7.80](#), apply to all buildings and sites in all zones.

7.80.3 REQUIRED STREET TREES

- A.** Street trees must be installed as required and as a component of the streetscape area regulations in [7.70](#).
- B.** Street trees must be installed along all new or existing streets, with the exception of alleys, where street trees or streetscape do not exist.
- C.** The zoning officer may exempt locations where street trees exist or may require replacement of street trees in poor condition.

7.80.4 STREET TREE TYPE

A list of permitted street tree types is available from the zoning officer.

- A.** Street trees must be medium or large trees, unless overhead utilities limit the height.
- B.** Where more than 4 trees are planted, a combination of permitted species should be considered.

7.80.5 SPACING AND LOCATION

- A. Spacing.** Each lot is required to have one tree for every 40 feet of street frontage with a minimum of one street tree per street frontage.
- B. Location.** Street trees must be located:
 - (1) 2 feet minimum and a maximum of 10 feet off the back of curb, measured perpendicular to the curb, between the curb and sidewalk.
 - (2) 15 feet minimum from any street light.
 - (3) 40 feet minimum from any street intersection.
 - (4) 5 feet minimum from any driveway or building wall.
 - (5) 2 feet minimum from any utility valves or fire hydrant.

7.80.6 TREE WELLS

For trees not installed in a planted buffer strip ([7.70](#)), the tree well must meet the following requirements:

- (1) Size. The tree well must be a minimum of 4 feet wide (the distance perpendicular to the curb) and 8 feet in length; however, the regulations for permeable area must be met in [7.20.4](#).
- (2) Opening. The opening of such tree well must include one of the following:
 - (a) The tree well opening must be covered with an expandable iron tree grate, flush with the sidewalk.
 - (b) The tree well opening must be fenced with an ornamental steel or iron fence 18 inches in height above sidewalk grade.
 - (c) The tree well opening must be rimmed with a continuous curbing approximately 4 inches wide and 6 inches above the height of the sidewalk.
 - (d) The tree well opening must be surrounded by a masonry seat wall, 18 inches in height above the sidewalk grade.
 - (e) Other durable, long-lasting protective fencing or materials appropriate given site conditions and approved by the zoning officer.

7.80.7 CLEAR BRANCH HEIGHT

Minimum clear branch height is 7 feet for the portion of trees overhanging sidewalks and 12 feet for the portions of trees overhanging streets. The clear branch height of a tree is the distance between the ground plane and the lowest branch of the tree at maturity.

7.0 Landscape & Site Design

7.90 Waterways & Waterfronts

7.90 Waterways & Waterfronts

7.90.1 INTENT

To enhance, provide, and protect visibility and access to the inland waterways and coastal waterfronts via sight lines to the water from nearby streets, continuous landscape buffers, and continuous public-access paths along waterways and waterfronts.

7.90.2 APPLICABILITY

This section applies to lots in all zones with inland waterway frontage and coastal waterfronts with the exception of any N, NX1, and NX2 zones. See [14.250](#) for definitions of waterway and waterfronts.

7.90.3 RIPARIAN EDGE

- A. 10-foot Required Edge.** A minimum 10-foot deep riparian edge must be provided along all coastal and inland waterways and waterfronts, measured from the ordinary high water mark, inland, perpendicular to the water's edge. Access paths may not be located in the riparian edge, except boardwalks and piers.
- B. Landscape.** Any existing, established vegetation, may be maintained. See [7.40](#) for existing tree regulations. The riparian edge must be landscaped with native or naturalized shrubs, grasses, and other ground level vegetation per [7.50](#) and appropriate, acclimated, and conducive to being located at the water's edge.

7.90.4 WATERFRONT BUFFER

A minimum 30-foot waterfront buffer must be provided along all coastal waterfronts (see [14.250](#) for definition), measured from the ordinary high water mark (see [14.170](#) for definition),

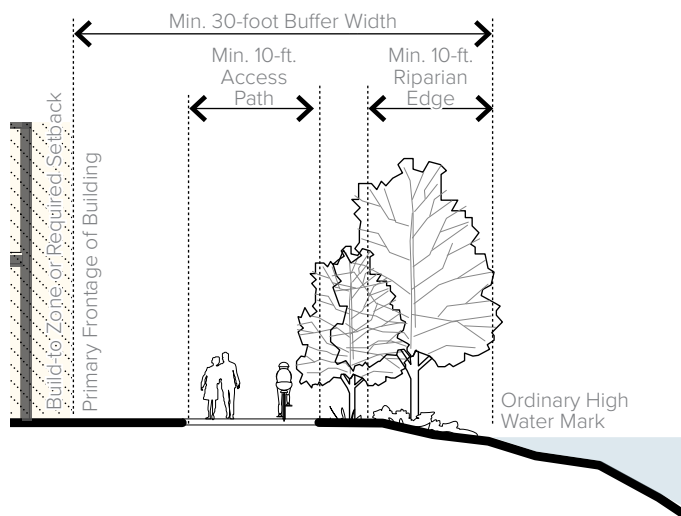


Figure 7-A. Waterfront Buffer

inland, perpendicular to the water's edge. Refer to [Figure 7-A](#) for illustration of these requirements.

- A. Riparian Edge.** The riparian edge, required per [7.90.3](#), may be located within the buffer area.
- B. Landscape.** The waterfront buffer must be landscaped with a minimum of 1 tree per 3000 square feet of buffer area. Shrubs, grasses, and other ground level vegetation must be provided per [7.50](#).

7.90.5 WATERFRONT ACCESS

Within the waterfront buffer, a minimum 10-foot wide pedestrian and bicycle access path must be provided, extending along the waterfront.

- A. Continuous.** The path must be continuous, connecting to existing or planned paths on abutting properties.
- B. Location.** On-grade pathways must be located outside the minimum riparian zone.
- C. Marinas and Boat Launches.** The continuous waterfront access path may utilize boardwalks through marinas or continue inland from marinas and boat launches as close to the waterfront as feasible.
- D. Path Material.** The path must be constructed of a material that will accommodate both pedestrians and bicycles, including concrete; asphalt; mechanically compacted crushed aggregate; or other fixed, solid, permanent materials approved by the zoning officer. Wood chips, gravel, and other loose materials are not allowed.
- E. Boardwalks and Piers.** Boardwalks and piers may be utilized for a portion of the access. When boardwalks or piers are utilized, the following applies:
- (1) An alternate route must be provided for bicycle access. Secondary routes for bicycles through parking drives are acceptable, provided the paths are safe and separately painted or otherwise designated.
 - (2) Boardwalks and piers may be located in the required riparian edge, up to a maximum of 50% of the edge area.
 - (3) Bulkheads (retaining walls along the water's edge) existing prior to the effective date of this ordinance (see [1.10.3](#)) may be retained or rebuilt in their current location with not maximum length of edge area.

7.90.6 UPLAND CONNECTIONS

For properties with 600 linear feet or more of waterfront, a continuous 10-foot sidewalk or multi-use trail must connect an existing public street to the waterfront access.

- A. One upland connection must be provided for every 600 linear feet of waterfront on the site.
- B. The path must be constructed of a permanent material per [7.90.5.D](#).
- C. The number of vehicular crossings (streets or driveways) of the connection must be limited to the fewest number practicable.

7.90.7 DEDICATED PUBLIC ACCESS EASEMENT

When access is required per [7.90.5](#) and [7.90.6](#), a dedicated public easement must be established.

- A. Dedicated. Easements must be dedicated on the deed to the property for both the waterfront access and connections through the property.
- B. Access Times.
 - (1) Public access may be limited to specific times of day, where security or public safety warrants restrictions, provided access is available at least 30 hours per week between sunrise and sunset, including a substantial amount of time on Saturday and Sunday and time on at least 2 weekdays. For example, 10 hours each on Saturday and Sunday plus 2 hours per weekday.
 - (2) For the upland connection access, the PZC may approve less than 30 hours of public access per week, provided other connections to the waterfront access are available.

7.90.8 VIEWS THROUGH THE SITE

For every 150 linear feet of waterfront, one open sightline, minimum 20 feet in width, must be provided through the lot towards the water from a publicly accessible street. An upland connection may be used to meet this requirement, provided the sightline is maintained.

7.90.9 OTHER CONNECTIONS.

- A. **Buildings.** Building facades along the waterfront buffer must be treated as primary frontage per [3.10.11](#) with pedestrian connections from building entrances to the waterfront access path.
- B. **Parking.** Parking along the waterfront buffer must provide the frontage buffer per [7.100](#) between the waterfront and the parking lot.

7.100 Frontage Buffer

7.100.1 INTENT

To lessen the visual impact of on-site vehicular parking, loading, and other activities from the street.

7.100.2 APPLICABILITY

The frontage buffer is required on all lots for all building types in all zones per the following:

- A. **House Building Type Exemption.** Any House building type used for residential principal use is exempt from any frontage buffer.
- B. **Vehicular Areas along Street Frontages.** Along the perimeter of any off-street surface parking, driveway, or loading areas fronting a street right-of-way, not including along any alley.
- C. **Vehicular Areas along Waterway Buffer.** Along the perimeter of any off-street surface parking, driveway, or loading areas fronting a waterfront buffer.
- D. **Outdoor Storage in Street Yards.** Along the perimeter of any outdoor storage yard fronting a street right-of-way, waterfront, or open or civic space. See [7.100.3](#) for exceptions to requirements specific to this use.
- E. **Vehicular Areas along Open Space.** Along the perimeter of any off-street surface parking, driveway, or loading areas fronting or within a P1 zone.
- F. **Vehicle Sales Lots.** Along the perimeter of any vehicle sales lots fronting a street right-of-way. See [7.100.3](#) for exceptions to requirements specific to this use.

7.100.3 REQUIREMENTS

Refer to [Figure 7-B](#) for an illustration of these requirements.

- A. **Buffer Depth.** The required buffer area must be a minimum 7 feet in depth, measured from the street-facing lot line into the lot.
 - (1) On existing small lots less than 6,000 square feet and 140 feet deep, a minimum buffer depth of 5 feet is allowed.
 - (2) Buffer depth for vehicle sales lots may be 5 feet deep.
- B. **Buffer Location.** The required buffer area must extend the full width of the vehicular area frontage, but may allow for the perpendicular crossing of driveways and walkways.
- C. **Fence.** A continuous fence is required in the frontage buffer for all uses except for vehicle sales uses.

7.0 Landscape & Site Design

7.100 Frontage Buffer

- (1) Fence Location. The fence must be located 2 feet from the back of curb or edge of the vehicular area into the buffer. One pedestrian opening, maximum 4 feet in width, is permitted for every 30 feet of fence.
- (2) Fence Materials. The fence must be black, gray, or dark green steel or colored PVC. Masonry columns (maximum 2.5 feet in width) and base (maximum 18 inches in height) are allowed, but not required. Other fence materials may be submitted for PZC approval.
- (3) Fence Height. The fence must be a minimum of 3 feet and a maximum of 4 feet in height. For outdoor storage uses in I zones, up to 8 feet in height is allowed.
- (4) Fence Opacity. The fence must be a minimum of 25 percent and a maximum of 60 percent opaque.

D. Buffer Landscape. The following landscape is required within the buffer:

- (1) Shade Trees. Medium or large shade trees are required at a minimum of 40 feet on center, with at least one shade tree required for each segment of buffer. Where feasible, spacing of the buffer trees should alternate with street trees. Where the buffer is reduced to 5 feet and street trees installed along the sidewalk are healthy, shade trees are not required.
- (2) Hedge. A single row hedge is required on the street-side, along a minimum of 80% of the fence. The hedge must consist of shrubs with a minimum mature width of 24 inches each, spaced no more than 36 inches on center, and height maintained no more than 42 inches.
 - (a) For outdoor storage uses, the hedge must consist of a double row of shrubs.
 - (b) For vehicle sales uses, a single row of low shrubs is allowed instead of a hedge.
- (3) Existing Vegetation. Existing vegetation may be credited toward buffer requirements per the zoning officer.

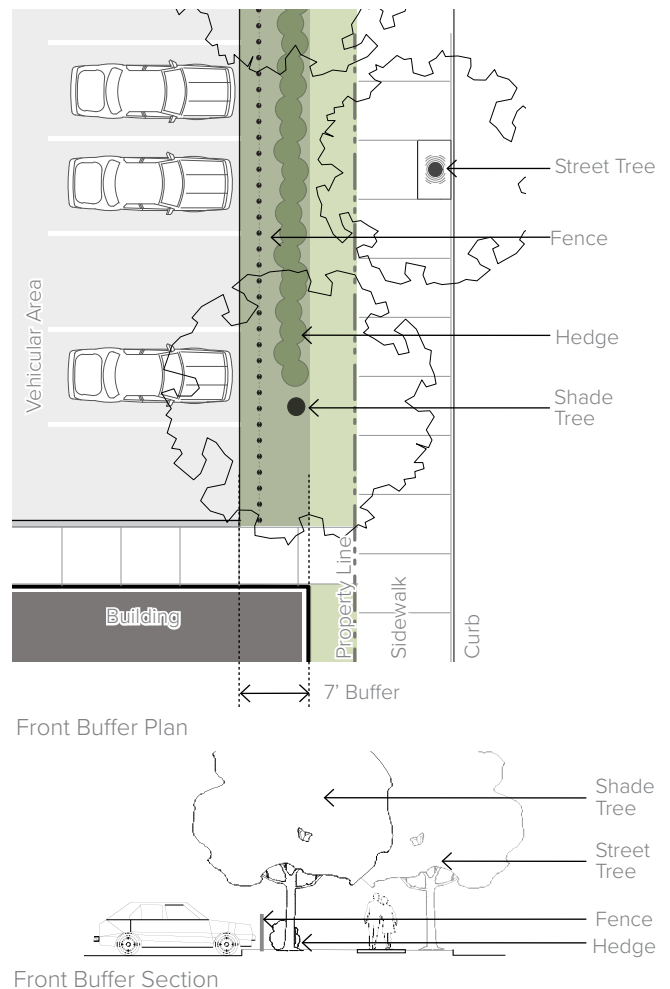


Figure 7-B. Frontage Buffer Plan & Section

7.110 Side and Rear Buffers

7.110.1 INTENT

To minimize the impact that one zone may have on a neighboring zone and to provide a transition between zones.

7.110.2 APPLICABILITY

A. Applicable Lots and Building Types. A side and rear buffer is required along the side and rear lot lines of all lots for all building types per this section, [7.110](#).

- (1) House Building Type. Any House building type used for residential principal use is exempt from any side and rear buffer.

B. PZC Approval. The PZC may approve reduced or require additional buffer with the recommendation of the zoning officer.

- (1) Existing Landscape. Where the buffer will interfere with existing mature, healthy landscape, the PZC shall determine the extent of the needed buffer.
- (2) Existing Topography. Where existing topography either reduces the need for or increases the visibility of the buffering or the use being buffered,

the PZC shall determine the extent of needed buffering.

7.110.3 BUFFER LOCATIONS

- A.** Side and rear buffers are required where the following occurs in the rear or side yards of a lot:
- (1) Any vehicular areas, abutting or adjacent to zones designated in [Table 7-3](#). Vehicular areas include such areas as parking spaces, drives, drive-through uses, fueling stations, auto sales or rental lots, truck parking, and structured parking.
 - (2) Any loading areas abutting or adjacent to zones designated in [Table 7-3](#). Loading areas include such areas as loading bays, loading docks, service bays, garage doors, other outdoor trucking facilities.
 - (3) Any service areas abutting or adjacent to zones designated in [Table 7-3](#). Service areas include such areas as delivery doors, refuse and recycling areas, outdoor employee break areas.
 - (4) Any outdoor storage areas as allowed in the zone abutting or adjacent to zones designated in [Table 7-3](#). See [4.70.6](#) for outdoor storage uses.

Table 7-3. Side & Rear Buffer Required

BUFFER REQUIRED ON LOTS ZONED:	ABUTTING ZONES:										
	CX	IX	I	MX2	MX1, MXN	RX2	NX3, NX4	RX1	NX2, NX1, N	P1	P2, P3
CX	-	-	-	LIGHT	LIGHT	LIGHT	LIGHT	LIGHT	LIGHT	LIGHT	LIGHT
IX	LIGHT	-	-	HEAVY	HEAVY	HEAVY	HEAVY	HEAVY	HEAVY	HEAVY	HEAVY
I	LIGHT	LIGHT	-	HEAVY	HEAVY	HEAVY	HEAVY	HEAVY	HEAVY	HEAVY	HEAVY
MX2	-	-	-	-	-	LIGHT	LIGHT	LIGHT	LIGHT	LIGHT	LIGHT
MX1, MXN	-	-	-	-	-	FENCE	FENCE	FENCE	FENCE	FENCE	FENCE
RX2	-	-	-	-	-	-	LIGHT	LIGHT	LIGHT	LIGHT	FENCE
NX3, NX4	-	-	-	-	-	-	-	LIGHT	LIGHT	LIGHT	-
RX1	-	-	-	-	-	-	-	-	LIGHT	LIGHT	LIGHT
NX2, NX1, N	-	-	-	-	-	-	-	-	-	-	-
P1	-	-	-	-	-	-	-	-	-	-	-
P2, P3	-	-	-	-	-	LIGHT	LIGHT	LIGHT	LIGHT	LIGHT	-

See [7.110.3](#) for activities triggering buffer requirement.

7.0 Landscape & Site Design

7.110 Side and Rear Buffers

- (5) Other outdoor activities emitting sounds, smells, or other by-products, such as outdoor dining, as determined by the zoning officer.
- B. Side and rear buffers** must be installed along the lot line or the buffer may be located at the edge of the activity being buffered, provided the area between the buffer and the lot line is landscaped with ground vegetation per [7.50](#) and one tree per every 2,000 square feet.
- C. Access Points.** Driveways and other access points may interrupt buffers as necessary.

7.110.4 FENCE BUFFER

See [Table 7-3](#) where required. See [Figure 7-C](#) for illustration.

- A. Intent.** The fence buffer is intended to provide a physical and visual separation for uses of different intensities where limited buffer area is available.
- B. Buffer Depth.** A minimum 2-foot width buffer, measured from the lot line onto the subject lot, is required.
- C. Privacy Fence.** A minimum 6-foot, maximum 8-foot high, opaque, privacy fence screening the activity must be located in the buffer adjacent to the lot line. Allowed materials include PVC, composite wood, FSC wood (cedar, redwood, or other approved by the zoning officer), stone, or brick. Concrete panels and concrete masonry units are not allowed, except faced on all sides with brick or stone.

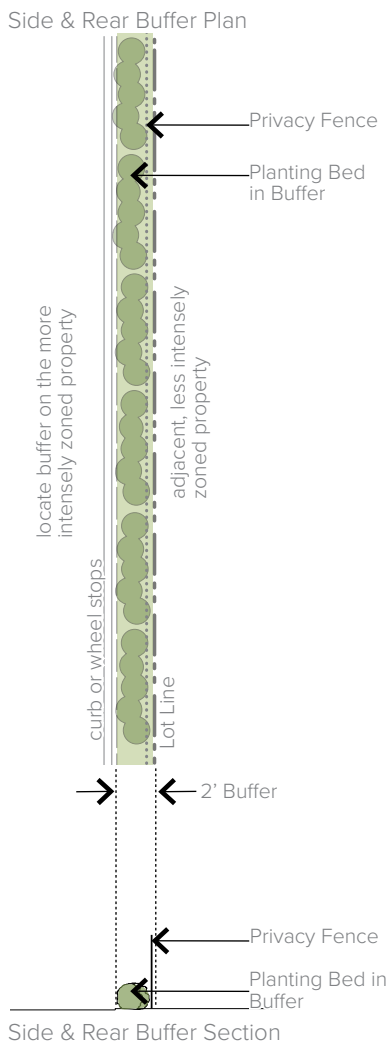


Figure 7-C. Fence Buffer

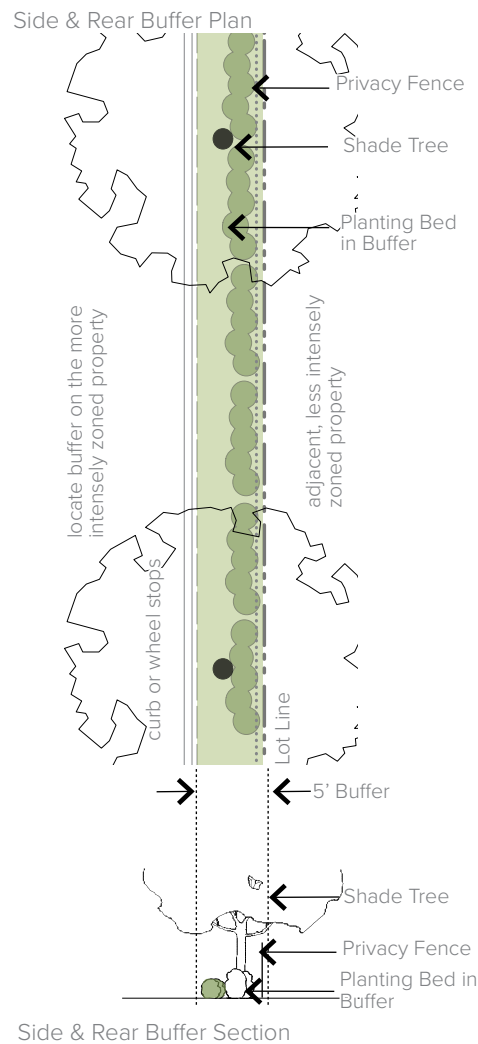


Figure 7-D. Light Buffer

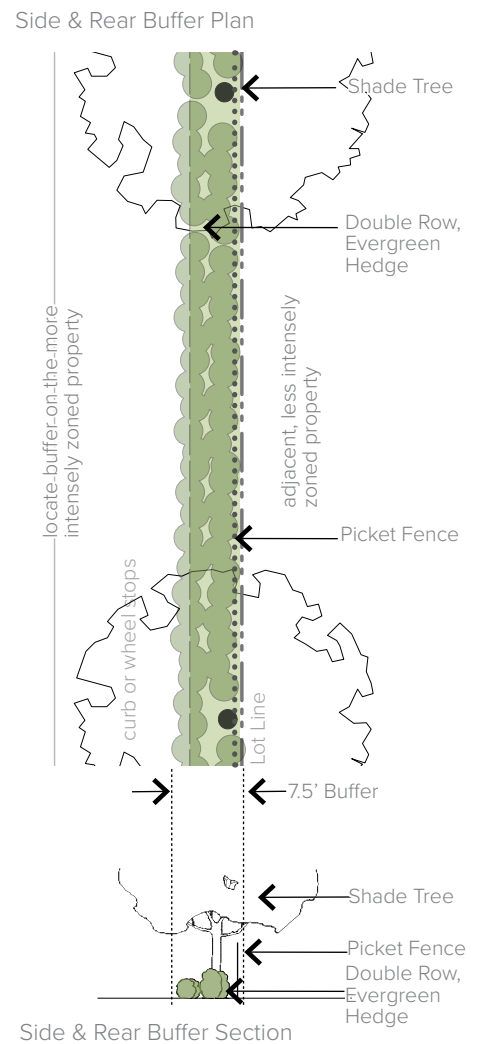


Figure 7-E. Heavy Buffer

7.0 Landscape & Site Design

7.110 Side and Rear Buffers

D. Curbs or Wheel Stops. A curb or wheel stops must be provided along the buffer edge at any vehicular area to prevent motor vehicles from damaging the fence. Parking may not overhang into the buffer.

E. Landscape. The buffer area must be landscaped as planting bed. See [7.50](#) for required ground vegetation regulations.

7.110.5 LIGHT BUFFER

See [Table 7-3](#) where required. See [Figure 7-D](#) for illustration.

A. Intent. The light buffer is intended to provide physical and visual separation for uses of different intensities.

B. Buffer Depth. A minimum 5-foot width landscaped buffer, measured from the lot line onto the subject lot, is required.

C. Privacy Fence. See [7.110.4](#) for the requirements of the privacy fence.

D. Shade Trees. Medium or large shade trees are required at a minimum of 40 feet on center, with at least one shade tree required for each segment of buffer.

E. Landscape. The buffer area must be landscaped as planting bed. See [7.50](#) for required ground vegetation regulations.

7.110.6 HEAVY BUFFER

See [Table 7-3](#) where required.

A. Intent. The heavy buffer is intended for use in special instances where extensive screening of both visual and noise impacts is needed to protect abutting uses.

B. Buffer Depth. A minimum 7.5-foot width buffer, measured from the lot line onto the subject lot, is required. See [7.50](#) for required ground vegetation.

C. Options. One of the following options must be included within the buffer:

- (1) Privacy Wall Option. A minimum 6-foot, maximum 8-foot high opaque, masonry wall screening the activity. Concrete panels and concrete masonry units are not allowed, except faced on all sides with brick or stone. See [7.50](#) for required ground vegetation.
- (2) Landscape Option. The following elements must be included within the buffer. See [Figure 7-E](#) for illustration.
 - (a) Fence and Hedge. An open picket steel or PVC fence, minimum 6-foot in height, black, gray,

or dark green in color. The fence must be a minimum of 25 percent and a maximum of 60 percent opaque. Masonry columns (maximum 2.5 feet in width) and base (maximum 18 inches in height) are allowed, but not required.

- (b) Shade Trees. Medium or large shade trees are required at a minimum of 40 feet on center, with at least one shade tree required for each segment of buffer.
- (c) Hedge. A continuous hedge is required, consisting of a double row of evergreen shrubs with a minimum mature width of 24 inches each, spaced no more than 36 inches on center, and height maintained between 48 and 72 inches.

7.120 Interior Parking Lot Landscape

7.120 Interior Parking Lot Landscape

Parking lot interior is the area dedicated to parking on a given parcel as measured from edge of pavement to edge of pavement, and including any islands or medians. See [Figure 7-F](#) for illustration of these requirements.

7.120.1 INTENT

To provide shading of pavement surfaces to reduce heat island effects and to improve the appearance of parking lots by breaking up the large expanses of pavement with trees and landscaped islands.

7.120.2 APPLICABILITY

All off-street surface parking lots in all zones with more than 10 spaces and/or more than one drive aisle must meet the interior parking lot regulations.

See [7.100](#) for frontage buffer along street frontages and [7.110](#) for side and rear buffers along the perimeter of the lot.

- A. Existing vegetation may be credited toward these requirements per the zoning officer.
- B. Different parking lot landscape configurations may be approved by the PZC, provided the tree canopy cover overall 50-foot rule and the shading requirement in [7.120.3.F](#) are met.

7.120.3 REQUIRED LANDSCAPE ISLANDS

- A. **Terminal End Islands.** Landscape islands are required at the terminal ends of freestanding rows or bays of parking. Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking.

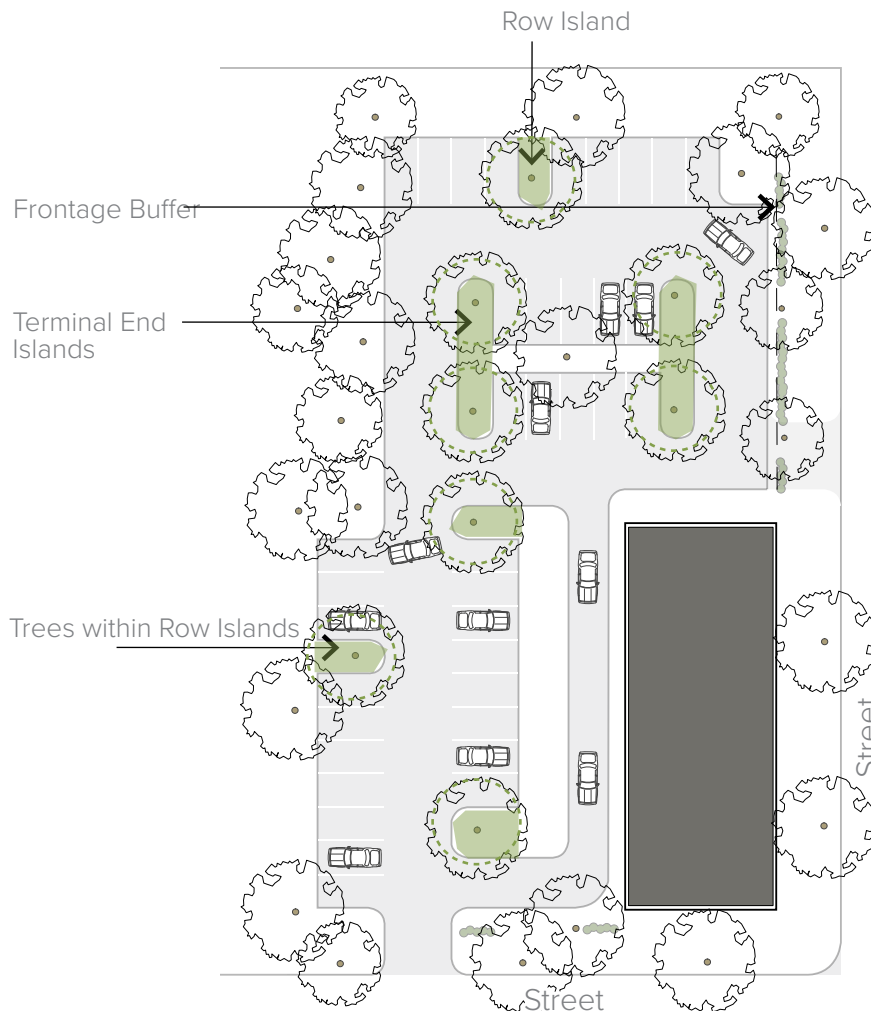


Figure 7-F. Interior Parking Lot Landscape

7.130 Screening of Refuse & Utility Areas

- B. Row Islands.** For rows of parking with more than 8 spaces, a landscape island is required for every 9th parking space with result of no more than 8 continuous parking spaces in a row without a landscape island.
- C. Island Size.** The minimum size of an island is 5 feet wide and the depth of a parking space. Refer to [7.20.4](#) for required permeable surface area for trees and alternative installation methods to achieve good tree health and survival rates.
- D. Island Trees.** A minimum of 1 medium or large shade tree must be installed within each island.
- E. Stormwater.** Islands may accommodate stormwater detention or retention areas, rain gardens, or other infiltration systems.
- F. Tree Canopy Cover.** All of the following must be met:
 - (1) 50-foot Rule. Each parking space must be located within 50 feet of a tree planted within the parking lot interior or within 5 feet of the parking lot's edge.
 - (2) Buffer Trees. Trees within any required buffer area may be utilized to meet these requirements.
 - (3) Shading Requirement. At maturity, tree canopies must cover a minimum of 30 percent of the interior of the parking lot. The canopy of any tree on the lot or adjacent lots may count towards meeting this requirement provided it overhangs the parking lot interior. Refer to [7.20.4](#) for mature canopy sizes.

7.120.4 LANDSCAPE AREAS

Areas in the parking lot not specifically designed for use as drive aisles, parking spaces, loading, refuse, or sidewalks must be unpaved, landscape areas. See [7.50](#) for required ground vegetation.

7.130 Screening of Refuse & Utility Areas

7.130.1 INTENT

To reduce the visibility of trash, recycling, and other waste areas; loading areas; and utility equipment from public areas and adjacent properties.

7.130.2 APPLICABILITY

All dumpsters, loading areas, open storage, waste areas, mechanical equipment, and utility appurtenances in all zones must be screened per this section, [7.130](#).

7.130.3 LOCATION ON SITE

- A. Trash, Recycling, and Other Waste.** See [3.10.9](#) of the building type regulations for the allowed location of trash, recycling, and other waste areas.
- B. Loading.** See [3.10.10](#), building type regulations, for the allowed location of loading areas.
- C. Utility Equipment and Appurtenances.** See [6.60](#) for the allowed location of mechanical equipment and appurtenances.

7.130.4 SMALL REFUSE AREAS

The following applies to all outdoor trash, recycling, and other waste areas where each container is smaller than 1 cubic yard.

- A. Concrete Pad.** A concrete pad or gravel area is required for all small refuse areas.
- B. Abutting a Building.** Outdoor small refuse areas must be located per [3.10.9](#) and abutting an exterior building wall.
- C. Opaque Screen.** If the area where the containers are stored is visible from any street, civic or open space, or public way, an opaque screen, e.g. masonry wall or wood fence, is required. The screen must enclose the area around at least 2 sides of the area in addition to the building wall on the 3rd side. The containers must not be visible from the public way.
- D. Screen Height.** The height of the screen must be tall enough to screen the containers inside and a minimum of 4 feet. The zoning officer may request additional height as needed for complete screening.

7.130.5 LOADING AND LARGE REFUSE AREAS

The following applies to all outdoor loading areas and all outdoor trash, recycling, and other waste areas where any containers are 1 cubic yard or larger.

- A. Concrete Pad.** A concrete pad is required for all loading and large refuse areas.

7.0 Landscape & Site Design

7.130 Screening of Refuse & Utility Areas

- B. Opaque Screen.** If the area where the containers are stored is visible from any street, civic or open space, or public way, an opaque screen, e.g. masonry wall or wood fence, is required. The screen must enclose the area around at least 2 sides of the area in addition to the building wall on the 3rd side. The containers must not be visible from the public way.
- C. Screen Height.** The height of the screen must be tall enough to screen the containers inside and a minimum of 4 feet. The zoning officer may require additional height as needed for complete screening.
- D. Opaque Screen.** An opaque screen wall is required around 3 sides of the area to be screened of the following materials. See [Figure 7-G](#) for illustration.
- (1) If visible from the street or public space, the screen wall must be masonry construction matching any masonry from the building's street facade design.
 - (2) If fully screened from the street, the screen wall may be constructed of wood fencing.
 - (3) If the opening is visible from the street, an opaque gate is required.
- E. Visible Openings.** Openings visible from the public way or adjacent properties must include opaque gates.
- F. Landscape.** If the area is located within a larger paved area, such as a parking lot, the following applies:
- (1) A landscape buffer at least 5 feet must be located on 3 sides.
 - (2) One shade tree must be provided within the landscape buffer.
 - (3) The shade tree must be located per the island width requirements in [7.120.3](#). This tree may be utilized to meet the minimum interior parking lot requirements of [7.120](#), if located per those regulations.

7.130.6 UTILITIES

A. Large Private Mechanical Equipment.

- (1) Definition. Large private mechanical equipment includes ground-mounted equipment at least 4 feet in height.
- (2) Fence or Wall. An opaque wood fence or brick-faced masonry screen wall is required on all sides facing street right-of-way.
- (3) Shade Trees. Medium or large shade trees are required at a minimum of 40 feet on center, with at

least one shade tree required for each segment of buffer.

- (4) Shrubs. Planting beds consisting of a double row of mixed shrubs with a minimum mature width of 24 inches each, spaced no more than 36 inches on center, and height maintained between 30 and 72 inches.

B. Small Private Mechanical Equipment.

- (1) Definition. Small private mechanical equipment includes ground-mounted equipment less than 4 feet in height.
- (2) Screening. Landscape screening with shrubs spaced no more than 30 inches on center must be utilized, and the equipment must be fully screened within 2 years.

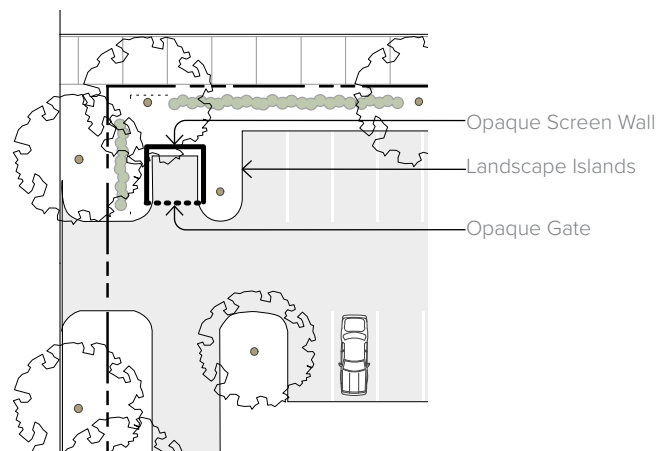


Figure 7-G. Screening of Open Storage & Large Refuse Areas.

7.140 General Fence Requirements

7.140.1 INTENT

To reduce the negative impacts of fences and protect the economic and aesthetic values within the city.

7.140.2 APPLICABILITY

The following applies to all fencing in any zone.

7.140.3 GENERAL PLACEMENT

- A. Lot Line.** Fences and walls must be constructed a minimum of 4 inches off any lot line towards the interior of the lot, except when replacing an existing fence while retaining the existing fence posts, the fence may be located on the lot line.
- B. Face Direction.** All fences must be erected with the “good,” “decorative,” or “finished” side facing outward.
- C. Unauthorized Placement Prohibited.** No post, rail, fence, wires or other similar obstruction may be placed upon any street, sidewalk, or public right-of-way, except as otherwise expressly provided in these regulations (e.g. sidewalk cafes as allowed in [4.70.4](#)).
- D. Vision Clearance at Intersections.** Fences and walls must conform to the vision clearance requirements of [7.10.3](#).
- E. Wire Fencing.** Barbed wire, concertina wire, razor wire or ribbon, or any other similar type of wire, is not allowed except in the I zones.
- F. Electrified Fencing.** Electrified fencing is not allowed.

7.140.4 MEASURING FENCE HEIGHT

All fences must be measured as follows:

- A. Street Yard Fences.** Primary and non-primary yard fence height must be measured from the elevation of the adjacent public sidewalk, or, where no sidewalk exists, the back of curb or edge of pavement.
- B. Side and Rear Yard Fences.** All side and rear yard fence height must be measured from the natural existing grade at base of the fence.
- C. Berms and Retaining Walls.** Any fence constructed on a berm, retaining wall, or other wall must include the height of the berm or wall in the fence height measurement, except as follows:
 - (1) Existing Walls. Where retaining walls existed prior to the effective date of this zoning ordinance per [1.10.3](#), 50% of the height of the wall counts towards the overall height of the fence.

7.140.5 PRIMARY (FRONT) YARD FENCES

Fences within or along the perimeter of any primary yard (see [14.270](#) for definition of yard) must meet the following regulations:

- A. Opacity.** Primary street yard fences must be less than 60% opaque, except on lots greater than 30,000 square feet in N zones, an opaque fence may be approved by the PZC.
- B. Materials.** Primary yard fences may be constructed of wood, steel, aluminum, page wire in a wood frame, and PVC. Chain link is not allowed in any primary yard. See [Figure 7-H](#) for examples of materials.
- C. Height.** Primary yard fences may not be more than 4 feet high in any zone, except:
 - (1) Fencing required for buffers (see [7.100](#)) must meet the required heights for the buffer.
 - (2) Designated sports field or court fencing in a P zone may be taller than 4 feet in height.
 - (3) In CX on the Open Outdoor Site (see [3.160](#)), a primary (front) yard fence up to 6 feet is allowed.
 - (4) In I zones on the Open Outdoor Site (see [3.160](#)), a primary (front) yard fence up to 8 feet is allowed.

7.140.6 NON-PRIMARY STREET, SIDE, AND REAR YARDS

Fences within or along the perimeter of any non-primary, side, or rear yard (see [14.270](#) for definition of yard) must meet the following regulations:

- A. Materials.** Non-primary street, side, and rear yard fences may be constructed of wood, steel, aluminum, page wire in a wood frame, and PVC. Chain link is not allowed in or at the perimeter of any non-primary street yard, but may be used in or along the perimeter of any interior side or rear lot line. Masonry (see [14.150](#) for definition of masonry) walls are allowed in side and rear yards. See [Figure 7-H](#) for examples of materials.
- B. Height**
 - (1) The maximum height of any fence in or on the perimeter of a non-primary street yard is 4 feet, except as otherwise stated in this subsection.
 - (2) The maximum height of any fence in or on the perimeter of a rear or interior side yard is 6 feet except as otherwise stated in this subsection.

7.0 Landscape & Site Design

7.140 General Fence Requirements

- (3) Fencing required for frontage buffers in street-side yards (see [7.100](#)) or side and rear buffers (see [7.110](#)) must meet the required heights for the buffer.
- (4) In rear yards in N or NX zones, where the lot abuts any CX or I zone, a rear yard fence up to 8 feet is allowed.
- (5) In the CX and I zones, the maximum height of side and rear yard fences is 8 feet.
- (6) In P zones, the maximum height for park fencing is 4 feet, except as approved by the zoning officer for designated sports field or ball court fencing and special circumstances.

7.140.7 MAINTENANCE

Fences must be kept in good repair and replaced if they become prone to collapse or visual deterioration. Fences must be free of rust, flaking paint, and graffiti.

7.140.8 ALTERNATIVE MATERIALS

Alternative fence materials and designs may be approved by the PZC.

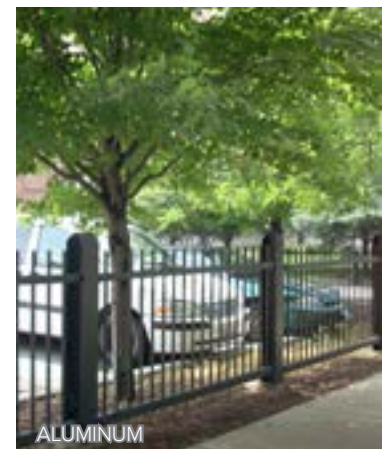


Figure 7-H. Examples of Fence Materials

8.0 PARKING, MOBILITY, & ACCESS

8.10	General	8-2
8.20	Motor Vehicle Parking	8-2
8.30	Bicycle Parking	8-3
8.40	RVs, Trucks, and Inoperable Vehicles	8-4
8.50	Drive-Through Stacking Spaces	8-4
8.60	Loading	8-5

8.10 General

8.10 General

8.10.1 PURPOSE

- A.** The parking, mobility, and access regulations of this article are intended to protect the public health, safety, and general welfare by:
 - (1) Promoting economically viable and fiscally beneficial use of land;
 - (2) Helping avoid the negative impacts that can result from requiring or allowing excessive supplies of off-street parking (e.g., impervious surfaces, stormwater runoff, heat island affect, visual environment, parking encroachment into stable neighborhoods);
 - (3) Promoting bicycling and other forms of active transportation; and
 - (4) Otherwise helping ensure safe mobility and transportation access options for city residents and visitors.

8.20 Motor Vehicle Parking

8.20.1 MINIMUM RATIOS

This zoning code does not establish minimum off-street parking requirements (note: accessible parking spaces to serve persons with disabilities may be required in accordance with the state building code).

8.20.2 MAXIMUMS

New and expanded uses may not provide off-street motor vehicle parking in excess of the maximum parking ratios established in [Table 8-1](#), unless approved through the special permit approval procedures of [11.50](#). Spaces located within parking structures are not counted in determining compliance with these parking maximums. No parking

Table 8-1. Maximum Motor Vehicle Parking

USE	MOTOR VEHICLE PARKING SPACES (MAXIMUM)
COMMERCIAL	
Office	4 per 1,000 sq. ft.
Retail & Entertainment	
Retail Sales	4.5 per 1,000 sq. ft.
Eating and Drinking	8 per 1,000 sq. ft.
General Entertainment	1 per 4 seats or 10 per 1,000 sq. ft.
Live Entertainment Venue	1 per 4 seats or 10 per 1,000 sq. ft.
Consumer Service, Indoor	3.5 per 1,000 sq. ft.
Controlled Sales & Service	4 per 1,000 sq. ft.

sq. ft. = square feet of gross floor area

maximums apply to unlisted use types.

8.20.3 PARKING AREA LOCATION AND DESIGN

The parking area location and design standards of this section apply to all off-street parking areas for motor vehicles, whether containing accessory or non-accessory motor vehicle parking spaces.

- A. Parking on Sidewalks.** Parking is prohibited on sidewalks and on sidewalk crossings of driveways.
- B. Parking in Yard Areas.** Parking is prohibited in yard areas except on approved driveways and parking pads that comply with all applicable regulations of this zoning code.
- C. Ingress and Egress.** All driveways and parking areas must be designed to allow vehicles to enter and exit a street and cross public sidewalks in a forward motion, except that this requirement does not apply to lots occupied by 5 or fewer dwelling units when motor vehicle access is to a local street.
- D. Driveway Widths.** Maximum driveway widths are established for each building type in [3.0](#). See also municipal code [Section 12.08.030](#) for additional regulations governing driveway approaches.
- E. Surfacing.**
 - (1) **General.** All off-street parking areas and access drives must be surfaced and maintained with an asphaltic or Portland concrete pavement or other hard, dust-free surface approved by the city engineer.
 - (2) **Ribbon Driveways.** Ribbon (wheel strip) driveways are allowed on N-zoned lots containing no more than 2 dwelling units. Such driveways must consist of 2 paved wheel strips, each of which is at least 18 inches in width. A permeable surface, such as turf or ground cover plantings, must be maintained between the paved wheel strips. The driveway must be fully paved for its entire width within the public right-of-way, from the property line to the curbline.
- F. Drainage and Stormwater.** Surfacing, curbing, and drainage improvements for all parking and loading facilities must be sufficient to provide adequate drainage and to preclude the free flow of water onto adjacent properties and public rights-of-way. Stormwater management must be provided in accordance with the city's *Stormwater Management Manual*.
- G. Landscape and Screening.** See [7.100](#) and [7.110](#).

8.30 Bicycle Parking

8.30.1 PURPOSES

The bicycle parking requirements of this section are intended to help reduce motor vehicle-related congestion in the city by requiring the provision of secure and convenient facilities for the parking and storage of bicycles.

8.30.2 APPLICABILITY

Bicycle parking requirements apply as follows:

- A. New Uses and Development.** The minimum bicycle parking requirement of this section apply to all new buildings constructed and all new uses established in all zones.
- B. Enlargements and Expansions.**
 - (1) The minimum bicycle parking requirements of this section apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity or other units of measurement used in establishing off-street parking ratios.
 - (2) In the case of enlargements or expansions that trigger requirements for additional bicycle parking, additional spaces are required only to serve the

enlarged or expanded area, not the entire building or use. There is no requirement to address bicycle parking deficits associated with existing, lawfully established buildings or uses.

- C. Change of Use.** If a new use of a building requires more bicycle parking than the use that most recently occupied the building, additional bicycle parking is required in an amount equal to the difference between the bicycle parking required for the new use and the bicycle parking that would have been required for the previous use if the minimum bicycle parking requirements of this section had been applicable. There is no requirement to address bicycle parking deficits associated with existing, lawfully established uses.

8.30.3 SPACES REQUIRED

Off-street bicycle parking is required in accordance with the minimum requirements stated in [Table 8-2](#).

8.30.4 CALCULATIONS

- A. Floor Area.** Bicycle parking requirements based on floor area are calculated on the basis of gross floor area (g.f.a.), minus any areas occupied by motor vehicle parking, bicycle parking, loading spaces, and areas not intended for human occupancy (e.g., mechanical equipment spaces).
- B. Employees.** For the purpose of computing bicycle parking requirements based on employees, calculations are based on the maximum number of employees present at one time.

8.30.5 DESIGN AND LOCATION

- A. General.** All required bicycle parking spaces are subject to the following general design and location requirement:
 - (1) Bicycle parking spaces must be located to be readily visible by the public or by building users, except in the case of long-term bicycle parking spaces located in secure areas accessible only to employees, staff, or residents.
 - (2) Except for long-term bicycle parking spaces, bicycle parking spaces must be visible from the main public building entrance and as conveniently located as the nearest non-disabled motor vehicle parking space serving the use. If no vehicle parking is provided, bicycle parking spaces must be located within 100 feet of a public building entrance.
 - (3) Bicycle parking spaces must be located on private property unless the zoning official approves a location within the public right-of-way.

Table 8-2. Bicycle Parking

USE/BUILDING TYPE	BICYCLE PARKING SPACES (MIN)
MULTI-UNIT RESIDENTIAL BUILDING	
0–12 Dwelling Units	None
13+ Dwelling Units	1 per 2 dwelling units [1]
NONRESIDENTIAL USES	
Low-Occupancy Use [2] (based on employees)	0-5: None 6–20: 2 spaces Over 20: 1 per 10 employees
Non-accessory Parking (based on motor vehicle parking spaces)	0-5: None 6–20: 2 spaces Over 20: 1 per 10 spaces
Other Nonresidential Uses (based on sq. ft. of gross floor area)	0-6,000: None 6,001–20,000: 2 spaces Over 20,000: 1 per 10,000 [1]

Table Notes:

- [1] At least 50% must be long-term bicycle parking spaces.
- [2] Low-occupancy uses are lodging uses (e.g., hotels) and other nonresidential uses with less than one employee per 10,000 square feet of gross floor area.

8.0 Parking, Mobility, & Access

8.50 RVs, Trucks, and Inoperable Vehicles

- (4) Bicycle parking spaces must be accessible without climbing stairs, going up or down a slope of more than 12%, and via a route on the property that is designed to minimize conflicts with motor vehicles and pedestrians.
- (5) All bicycle parking spaces must be provided with a minimum 4-foot wide access aisle to ensure safe access to spaces. Spaces be located at least 2 feet in all directions from any obstruction, that would prevent bicycles from being safely secured and maneuvered.
- (6) All required bicycle parking spaces must have minimum dimensions of 2 feet in width by 6 feet in length, with a minimum overhead vertical clearance of 7 feet.

B. Long-term Bicycle Parking. In addition to the general bicycle parking design and location requirements of this section, all required long-term bicycle parking spaces must meet the following requirements:

- (1) Long-term bicycle parking spaces must protect the entire bicycle, its components and accessories against theft and inclement weather, including wind-driven rain and snow. Acceptable forms of protection include
 - (a) Individual bicycle lockers;
 - (b) Attended parking areas;
 - (c) Video-monitored parking areas;
 - (d) Restricted-access parking areas; or
 - (e) Other similar arrangements approved by the zoning official.
- (2) Except in the case of bicycle lockers with a separate access door for each bike or attended facilities, all long-term bicycle parking spaces must be designed to allow bicycles to be securely locked to a bicycle rack.
- (3) Long-term bicycle parking spaces may not be inside of dwelling units or on dwelling unit balconies.
- (4) Unless clearly visible from the main building entrance, a sign indicating the location of all long-term bicycle parking spaces must be prominently displayed near the main entrance to the building or facility, and additional signs must be provided as necessary to ensure easy way-finding.

8.40 RVs, Trucks, and Inoperable Vehicles

8.40.1 APPLICABILITY

The RV, truck, and inoperable vehicle parking and storage regulations of this section apply in all N and NX zones.

8.40.2 BOATS AND RVs

No more than one registered boat and one recreational vehicle, each of which is no more than 24 feet in length, may be parked or stored outside of a completely enclosed building on an N- or NX-zoned lot. Boats and RV's are permitted in rear yards, subject to accessory structure setbacks. Boats and RV's are permitted in side yards, subject to principal building setbacks.

8.40.3 INOPERABLE VEHICLES

Outdoor parking or storage of inoperable or unregistered boats and motor vehicles for more than 30 days is prohibited. Any vehicles or equipment required to be registered by the State of Connecticut must be registered and operable in order to remain parked or stored outside of a completely enclosed building.

8.40.4 TRUCKS AND HEAVY VEHICLES

Heavy trucks, semi-trucks, construction equipment, and commercial trucks over 6,500 pounds gross vehicle weight rating (GVWR) are permitted on N- or NX-zoned lots only if parked or stored within a completely enclosed building. GVWR is to be determined by the vehicle's license plate classification and registration.

8.50 Drive-Through Stacking Spaces

8.50.1 SPACES REQUIRED

Drive-through uses must provide stacking spaces for each drive-through station in accordance with [Table 8-4](#). Review and decision-making bodies are authorized to require the provision of additional stacking spaces as part of the site plan review process when such additional spaces are deemed necessary to ensure that stacked vehicles do not obstruct traffic on adjacent streets or pose safety hazards for motorized or non-motorized travel.

8.50.2 DIMENSIONS

Each lane of drive-through stacking spaces must be at least 9 feet in width and 18 feet in length. Stacking lanes must be delineated with pavement markings.

8.50.3 BYPASS LANE

Drive-through restaurants must include a bypass lane designed to allow vehicles to circumvent or leave the drive-through stacking lane without waiting for other queued vehicles to exit. The bypass lane must have minimum width of 10 feet.

Table 8-4. Stacking Spaces

USE	MINIMUM SPACES (PER LANE)
Automated Teller Machine	2 (from ATM)
Bank	3 (from service area)
Car Wash	3 (from vehicle entrance)
Coffee Shop	8 (from order board)
Drug Store	2 (from pick-up window)
Restaurant	4 (from order board)
Kiosks	2 (from service window)
Other	As approved by zoning official

8.50.4 LOCATION AND DESIGN

Stacking lanes must be located on the subject property. They may not be located within required driveways or drive aisles, parking spaces, or loading areas and may not interfere with access to parking and ingress and egress from the street. Stacking lanes and drive-through windows may not be located between the principal building and the front street.

8.50.5 PEDESTRIAN ACCESS

Drive-through stacking lanes may not obstruct any sidewalk that provides pedestrian access from a public sidewalk to a building entrance.

8.50.6 NOISE

Sound attenuation walls, landscaping or other mitigation measures may be required by the city to ensure that the drive-through facility will not have adverse noise-related impacts on nearby residential uses.

8.60 Loading

A. Minimum Requirements. Off-Street loading facilities must be provided in accordance with the minimum requirements established in [Table 8-3](#).

- (1) **New Uses and Development.** The minimum off-street loading requirements of this section apply to all new buildings constructed and all new uses established in all zones.
- (2) **Enlargements and Expansions**
 - (a) The minimum off-street loading requirements of this section apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity or other units of measurement used in establishing off-street loading ratios.
 - (b) In the case of enlargements or expansions that trigger requirements for additional off-street loading, additional spaces are required only to serve the enlarged or expanded area, not the

Table 8-3. Off-Street Loading

USE	GROSS FLOOR AREA REQUIRING INITIAL SPACE (SQ. FEET)	GROSS FLOOR AREA REQUIRING SECOND SPACE (SQ. FEET)	ADDITIONAL LOADING SPACES
RESIDENTIAL USE GROUP			
Group Living	50,000	150,000	1 per 400,000 sq. ft. above 300,000 sq. ft.
COMMERCIAL USE GROUP			
Office	50,000	150,000	1 per 400,000 sq. ft. above 300,000 sq. ft.
All Other Use Categories	15,000	50,000	1 per 150,000 sq. ft. above 200,000 sq. ft.
MANUFACTURING & INDUSTRY USE GROUP			
All Categories	15,000	50,000	1 per 150,000 sq. ft. above 200,000 sq. ft.
CIVIC & INSTITUTIONAL USE GROUP			
All Categories	15,000	50,000	1 per 200,000 sq. ft. above 200,000 sq. ft.

sq. ft. - square feet of gross floor area

8.0 Parking, Mobility, & Access

8.60 Loading

entire building or use. There is no requirement to address off-street loading deficits associated with existing, lawfully established buildings or uses.

- (3) **Change of Use.** If a new use of a building requires more off-street loading than the use that most recently occupied the building, additional off-street loading is required in an amount equal to the difference between the off-street loading required for the new use and the off-street loading that would have been required for the previous use if the minimum off-street loading requirements of this section had been applicable. There is no requirement to address off-street loading deficits associated with existing, lawfully established uses.
 - (4) **Multiple Uses.** When buildings or sites contain multiple uses, off-street loading spaces must be supplied for each category of use in the number required for that use. Alternatively, when multiple uses are situated in such a manner that the uses can be equally and conveniently served by common loading spaces, loading spaces may be shared, with the minimum number of spaces required in accordance with the use category requiring the greatest number of spaces.
- B. Location.** Required off-street loading spaces must be provided on the same or adjacent lot as the building or use for which the loading space is required and must be designed to ensure that loading activities will not block any required parking area, public right-of-way, public or private access, or sidewalk.
- C. Dimensions.** Required off-street loading spaces must be at least 35 feet in length, 12 feet in width and have a minimum overhead vertical clearance of 14 feet.

9.0 SIGNS

9.10 General 9-2

9.20 Regulations of General Applicability 9-6

9.30 Signs Allowed in All Zones 9-8

9.40 Signs in N and NX Zones 9-9

9.50 Signs in DX, MX, CX, RX, IX, I, & P Zones 9-10

9.60 Signs in Special Purpose Sign Zones 9-12

9.70 Electronic Message Displays 9-13

9.80 Outdoor Advertising Signs 9-13

9.90 Administration 9-14

9.100 Nonconforming Signs 9-14

9.110 Sign-Related Measurements 9-15

9.0 Signs

9.10 General

9.10 General

9.10.1 FINDINGS

In conjunction with the adoption of the sign regulations of this article and the purposes and intentions set forth in [9.10.2](#) and [9.10.3](#) the planning and zoning commission makes all of the following findings:

- A.** The city has a substantial and compelling interest in all of the purposes set forth in [9.10.2](#) and has a substantial and compelling interest in regulating signs in a way that avoids or reduces the harms caused by signs.
- B.** Unlike oral speech, signs can obstruct views, distract motorists, displace alternative uses for land, contribute to visual clutter, and pose other problems that legitimately call for regulation.
- C.** Regulation of the size, height, number and spacing of signs throughout the city is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the city, to protect public and private investments, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter, to provide an aesthetically appealing environment, to provide ample, meaningful opportunities for persons who desire to display information on signs to have their information seen and understood, and to provide for the orderly and reasonable display of advertising and other messages for the benefit of the public.
- D.** The sign regulations of this article are not anticipated to entirely eliminate all of the harms that may be created by the installation and display of signs. Rather they strike an appropriate balance that preserves ample channels of communication by means of visual display while reducing and mitigating the extent of harms that may be caused by uncontrolled sign displays.
- E.** Some signs have a single targeted function that makes identifying them by name or description difficult if not impossible without referring to the sign's function. Whenever a sign is described, in part, by referring to the function it serves, the provisions of this section that limit such a sign are designed to be neutral with respect to the content of the speech appearing on the sign.
- F.** These regulations are not intended or designed to restrict or control signs for the purpose of promoting or stifling any messages that might appear on them.

9.10.2 PURPOSE

The sign regulations of this article are intended to balance the following differing, and at times, competing goals:

- A.** To accommodate the effective use of signs as a means of identification and communication for businesses, organizations and individuals;
- B.** Promoting the aesthetic and environmental values of Bridgeport by providing for signs that serve as effective means of communication and do not impair the attractiveness of the city as a place to live, work, visit, and shop;
- C.** Protecting public investment in and the character and dignity of public buildings, streets, and open spaces;
- D.** Protecting the distinctive physical character of Bridgeport's unique natural features, neighborhoods, street patterns, skyline, architectural features, and natural and historic resources;
- E.** Ensuring that signs are designed and proportioned in relation to the structures to which they are attached, adjacent structures, and the streets on which they are located;
- F.** Enhancing public right-of-way and other public spaces by preserving views and fostering the unobstructed growth of trees;
- G.** Providing an environment that safeguards and enhances neighborhood livability and property values, and promotes the development of businesses in the city;
- H.** Reducing hazards to motorists, bicyclists, and pedestrians caused by visual distractions and obstructions; and
- I.** Providing broadly for the expression of individual opinions through the use of signs.

9.10.3 INTENT

- A. Time, Place, and Manner Restrictions.** The regulations of this article are intended to regulate the composition, type, location, placement, height, size, quantity, illumination, duration, and manner of signs and advertising devices that may be displayed. The regulation of these aspects of signs and sign structures is a valid and lawful means of achieving the purposes of this article. These intentions and purposes are valid and lawful governmental interests.
- B. Content Neutrality.** The city intends to adopt and implement regulations that are content-neutral. It is not the intent to regulate the content of messages in

any way. It is not the intent of this article to foreclose important and distinct mediums of expression for political, religious, or personal messages, on any sign permitted to be erected by this article. It is the intent of this article to allow political, religious, or personal (noncommercial) messages on any sign permitted to be erected by this article.

C. Extent. The regulations of this article are considered no more extensive than necessary to serve the substantial governmental interests promoted by this article.

9.10.4 SCOPE AND APPLICABILITY

All signs on private property are subject to the sign regulations of this article and all other applicable provisions of this zoning code. Official signs are not subject to the regulations of this article.

9.10.5 SUBSTITUTION

A. Any sign allowed under this article may contain, in lieu of any other message or copy, any lawful noncommercial message that does not direct attention to a business operated for profit, or to a product, commodity or service for sale or lease, or to any other commercial interest or activity, as long as the sign complies with all size, height, location and other applicable requirements of this article.

B. The purpose of the substitution provisions of this section is to ensure “content neutrality,” thereby avoiding any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message.

C. The substitution provisions of this section do not create a right to increase the total amount of signs on a lot or allow the substitution of an outdoor advertising sign for an on-premise sign.

9.10.6 SIGN-RELATED DEFINITIONS

The definitions of this section apply in administering and interpreting the sign regulations of this zoning code.

A. Terms Beginning with "A" Through "E"

- (1) **Air-Blown Device.** Any device not otherwise specifically defined in this zoning code, that is designed to inform or attract, whether or not such device carries a message, and which all or part of the device is set in motion by mechanically forced air. This definition specifically includes but is not limited to those devices referred to commercially as “air puppets” and “air dancers.”

- (2) **Animation Sign Display.** The presentation of pictorials and graphics on signs displayed in a progression of frames that give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes.
- (3) **Area, Sign (or Sign Face Area).** See [9.110.1](#).
- (4) **Awning Sign.** An awning that contains letters, numbers, symbols, pictures, logos, or visual display, or other communication, attached, painted on, or made an integral part of an awning. Awning signs are classified as wall signs for purposes of this article.
- (5) **Banner.** A sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, plastic, or natural or synthetic fabric of any kind with only such material for a backing, whether installed on a building or structure or attached to poles or other supports and freestanding. A banner is a sign.
- (6) **Billboard.** Same as "outdoor advertising sign."
- (7) **Building Frontage.** See [9.110.4](#).
- (8) **Canopy Sign.** A sign attached, painted on, or made an integral part of a canopy, whether that canopy is attached to a building or structure or freestanding. An attached canopy is a multi-sided structure or architectural projection supported by attachment to a building on one or more sides and also supported by columns or supports at additional points. Canopy signs, whether attached, painted on, or made an integral part of an attached canopy are classified as wall signs.
- (9) **Derelict Sign.** A sign that is dilapidated, is in such condition as to create a hazard or nuisance, is unsafe, or fails to comply with applicable building and life safety codes.
- (10) **Electric Sign.** Any sign electrically illuminated by incandescent lamps, light-emitting diodes (LED), luminous gas tubes, or other methods of illumination.

9.0 Signs

9.10 General

- (11) **Electronic Message Display.** Any element of a sign or sign structure capable of displaying words, symbols, figures, images, or messages that can be electronically or mechanically changed by remote or automatic means. This also includes any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows a sign to present a series of images, messages or displays.

B. Terms Beginning with "F" Through "J"

- (1) **Feather Banner.** A vertical portable sign, made of lightweight material that is prone to move in the wind, and that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand. This definition includes such signs of any shape including flutter, bow, teardrop, rectangular, shark, feather, and U-shaped.
- (2) **Flag.** A device made of cloth, plastic, or natural or synthetic fabric, with or without characters, letters, illustrations, or ornamentation applied to such surface, and which is designed to move in the wind. Flags are defined separately from wind-blown devices.
- (3) **Freestanding Sign.** Any sign that is not attached to a building or other structure. Freestanding signs are supported directly by the ground or placed on a foundation.
- (4) **Height, Sign.** See [9.110.2](#).
- (5) **Inflatable Sign.** Any sign, advertising device, or balloon that is or can be filled with air or gas. This includes any three-dimensional ambient air-filled in the shape of a container, figure, or product.

C. Terms Beginning with "K" Through "O"

- (1) **Marquee.** A roof-like structure attached to and supported by a building wall without vertical supports and that projects in a cantilever fashion from the wall of a building.
- (2) **Marquee sign.** A sign painted on, attached to, or hung from a marquee. Marquee signs are classified as wall signs for purposes of this article.

- (3) **Mobile Billboard.** A sign installed or displayed on a motorized vehicle operating in the public right-of-way for the purpose of advertising a business or entity that is unrelated to the owner of the vehicle's primary business. The term does not include a sign that is displayed or installed on:

- (a) A bus that is used primarily for the purpose of transporting multiple passengers;
- (b) A licensed taxicab or transportation network provider operator; or
- (c) A vehicle operated in the normal course of the vehicle owner's business, if the sign contains advertising or identifying information directly related to the business and is not used to display advertising that is unrelated to the business.

- (4) **Monument Sign.** A freestanding sign in which the entire bottom of the sign face is in contact with a solid and continuous structure that is attached to the ground and typically made of brick, stone, or similar material.
- (5) **Mural.** A picture or image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a building wall.
- (6) **Official Sign.** Any sign installed by the city or a governmental agency with authority to install the sign.
- (7) **On-Premises Sign.** Any sign that is located on the property where the business, product or thing being advertised or communicated on the sign is conducted, produced, or sold.
- (8) **Outdoor Advertising Sign.** Any sign that is visible from a street, highway, or public right-of-way and advertises goods or services or disseminates information for public view that is erected, posted or painted on a structure, or pole; also called a "billboard."

D. Terms Beginning with "P" Through "T"

- (1) **Pole Sign.** A type of freestanding sign that mounted on a freestanding pole, columns, or similar support such that the bottom of the sign structure is not in contact with the ground along the entire portion of the sign face and there is open area underneath the sign face above the ground.

- (2) **Projecting Sign.** A sign that is affixed to a building wall, canopy, awning or marquee and that extends horizontally more than 15 inches from the wall, canopy, awning, or marquee.
- (3) **Roof Sign.** Any on-premises sign that is painted, applied or installed on the roof of a building with all of its face area above the height of the building's front wall or front building facade, excluding signs placed on the vertical wall of a fully enclosed mechanical penthouse structure located on the roof of a building of not less than 4 stories in height.
- (4) **Scoreboard.** A sign contained within an athletic venue and which is directed so as to be visible to the attendees of an athletic event.
- (5) **Sidewalk Sign.** A small portable sign, typically in the form of a sandwich board or A-frame, that is placed on the sidewalk and is intended for view by pedestrians.
- (6) **Sign.** An outdoor display, device, figure, painting, drawing, message, placard, poster, or other thing that is designed, intended, or used to advertise or inform.
- (7) **Sign Face Area.** The area of the smallest square, rectangle, triangle, frame, or edging encompassing the entire sign face.
- (8) **Suspended Sign.** A sign attached to the underside of a canopy, awning, or the cover of a walkway or beneath a support extending from a building.
- (9) **Temporary Signs.** Any sign of a non-permanent nature and erected for a limited duration. This term includes signs constructed from cardboard, coated paperboard, corrugated plastic, or similar material.
- (10) **Trailer Sign.** Any sign whether on its own trailer, wheels, or otherwise, which is designed to be transported from one place to another. It is characteristic of a portable sign that the space provided for advertising messages may be changed at will by the replacement of lettering or symbols. Even if the wheels or supports of such sign are removed and the sign converted and attached, temporarily or permanently, to the ground or other structure, the sign is considered a trailer sign.

E. Terms Beginning with "U" Through "Z"

- (1) **Vehicular Sign.** Any sign placed, mounted, painted on, or affixed to a motor vehicle, freight, flatbed or storage trailer or other conveyance placed or parked in such a manner that can be viewed from the public right-of-way. This definition does not apply if (1) the vehicle or conveyance is actively being used to transport persons, goods or services in the normal course of business; or (2) the vehicle or conveyance is actively being used for storage of construction materials for, and on a lot where a construction project for which building is underway and required permits have been issued.
- (2) **Wall Sign.** A sign affixed to a building wall, canopy, awning, marquee or parapet wall, or a sign displayed in or on a door that does not extend horizontally more than 15 inches from the wall, canopy, awning, marquee, parapet wall, or door, nor extend above the parapet wall.
- (3) **Wind-Blown Device.** Any device, whether or not specifically defined, that is designed to inform or attract, whether or not such device carries a message, and which all or part of the device is set in motion by wind.

9.10 Regulations of General Applicability

9.20 Regulations of General Applicability

9.20.1 CONFLICTS WITH MUNICIPAL CODE

If the sign regulations of this article differ from those in Chapter 15 of the municipal code, the more restrictive regulation applies.

9.20.2 INSTALLATION

All permanent signs, including all electric signs, must be installed by a sign installer licensed by the city.

9.20.3 OUTDOOR ADVERTISING SIGNS

Outdoor advertising signs are allowed only in those locations expressly identified in this zoning code and only when such signs comply with all applicable outdoor advertising sign regulations of [9.80](#). Provisions of this zoning code that refer to “signs” being allowed or certain types of signs being allowed (e.g., freestanding, wall, projecting) are not to be construed as references to outdoor advertising signs being allowed, unless the subject provision expressly refers to “outdoor advertising signs.”

9.20.4 EXEMPTIONS

The following signs are exempt from the sign regulations of this article:

- A. Street address displays and building identification numbers that are essential to the location of properties and buildings;
- B. Cemetery stones and markings of individual graves or burial plots;
- C. Holiday decorations, provided that they are removed within 30 days of the holiday to which they pertain;
- D. Signs located within a building more than 3 feet inside an exterior window and not intended to be seen from outside the building in which the sign is located;
- E. Murals on building walls that contain no commercial message;
- F. Official signs;
- G. Scoreboards that are part of a public or private recreational facility; and
- H. Traffic control signs and devices installed under the authority of the state or a local government.

9.20.5 PROHIBITED SIGNS AND CHARACTERISTICS

The following signs and sign characteristics are prohibited:

- A. Signs for which a required permit has not been issued or that are posted or maintained in violation of the sign regulations of this article;

- B. Signs located in such a manner as to constitute a nuisance, as provided in the municipal code;
- C. Signs erected within a public right-of-way without the permission of the owner;
- D. Signs erected without the permission of the subject property owner;
- E. Search lights, strobe lights, rotating beacon lights, flashing lights that are visible from public right-of-way, except as otherwise expressly allowed by this article or required by law;
- F. Signs that obstruct vehicular or pedestrian access or circulation, or that pose any other hazard to motorized or nonmotorized travel;
- G. Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress;
- H. Signs that interfere with an opening required for ventilation, except that signs may cover transom windows when not in violation of applicable building and fire safety codes;
- I. Signs affixed directly to a freestanding fence, freestanding wall, tree, utility pole, or traffic control device;
- J. Signs that obstruct, impair, obscure, interfere with the view of, or that may be confused with, any authorized traffic control sign, signal, or device;
- K. Illuminated sign displays with a brightness or intensity that they cause glare observable when viewed from an N or NX zone;
- L. Signs located in the public right-of-way unless all applicable city permits and approvals are obtained;
- M. Signs located on city-owned property that are not owned, operated, or otherwise expressly permitted by the city;
- N. Signs in violation of intersection visibility requirements;
- O. Mobile billboards;
- P. Vehicular signs;
- Q. Trailer signs; and
- R. Derelict signs.

9.10 Regulations of General Applicability

9.20.6 SIGNS IN RIGHT-OF-WAY

No part of any sign may be located in or project into a public right-of-way, except for the following:

- A. Wall and projecting signs mounted on walls of a building that are set back less than 2 feet from the right-of-way.
- B. Sidewalk signs in DX and MX zones, subject to the following regulations:
 - (1) A maximum of one sidewalk sign is permitted per ground-floor tenant building frontage.
 - (2) Sidewalk signs may not exceed 8 square feet in area or 4 feet in height.
 - (3) A ballast must be installed at the base of the sign to ensure stability.
 - (4) Sidewalk signs may not be placed:
 - (a) Within 10 feet of another sidewalk sign;
 - (b) In locations that would obstruct building ingress or egress or interfere with any traffic control device;
 - (c) In locations that would interfere with passengers boarding or alighting from a transit vehicle; or
 - (d) Where they would pose an obstruction to the passage of pedestrians or wheelchairs or otherwise violate ADA requirements.
 - (5) Sidewalk signs may be displayed only during the period a business is open to the public and must be removed at close of business each day.
- C. Banners attached to light or utility poles in a city right of way if authorized by the city.
- D. Any other sign specifically authorized by the city council, which may include way-finding and sign kiosk programs.

9.20.7 SEPARATION FROM N AND NX ZONES

Signs with an area of more than 250 square feet that are visible from N-or NX-zoned lots must be separated from the N- or NX-zoned lot by a minimum distance of 200 feet, as measured from the sign face to the lot line of the N- or NX-zoned lot.

9.20.8 ILLUMINATION

- A. The lighting or illumination of any sign must be effectively shielded to prevent glare or light from being directed at any portion of the travel lanes of any street or be of such low intensity or brilliance so as to not cause glare or to impair the vision of motorists or interfere with any driver's operation of a motor vehicle.

- B. Except for authorized electronic message displays, the illumination on the face of any allowed illuminated sign must be by constant light. See [9.70](#) for supplemental regulations that apply to electronic message displays.

9.20.9 LOTS WITH MULTIPLE STREET FRONTAGES

Lots with frontage on multiple streets are allowed signs on each street based on the length of the applicable frontage along that street. The sign allowance earned on one street frontage may not be transferred to another street frontage.

9.20.10 PLACEMENT OF WALL SIGNS

Up to 50% of the area of signs permitted on the basis of a tenant's building frontage may be placed on building walls other than the building frontage from which such sign area was earned, but no illuminated wall sign may be placed on a wall facing an N or NX zone.

9.0 Signs

9.10 Signs Allowed in All Zones

9.30 Signs Allowed in All Zones

The following sign types are allowed in all zones in addition to those types authorized in [9.40](#) and [9.50](#).

9.30.1 INTEGRAL SIGNS

Non-illuminated signs carved, extruded, or embedded into the subject building or made of bronze, aluminum, or other similar permanent material and made an integral part of the building to which they are attached are allowed in all zones. Such signs may not exceed 4 square feet in area.

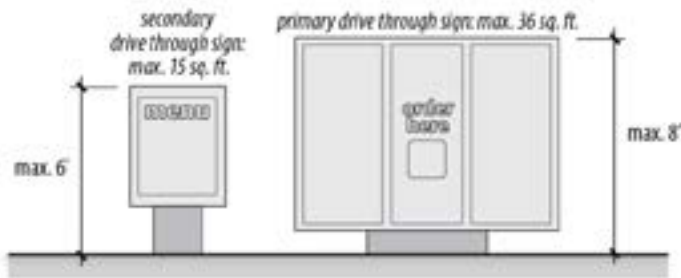


Figure 9-A. Drive-Through Signs

9.30.2 SIGNS APPURTENANT TO DRIVEWAYS

- A. One sign may be installed at each driveway serving a lot occupied by an allowed nonresidential use or residential use with more than 15 dwelling units or 50 residents. Such signs must be located within 10 feet of the intersection of the driveway and the street right-of-way and may not exceed 4 square feet in area or 5 feet in height.
- B. Off-street parking areas with a capacity of more than 10 vehicles, multi-tenant developments and uses on lots exceeding 50,000 square feet in area may display internal site driveway signs. Such signs must be located within 10 feet of an internal site driveway or drive aisle and may not exceed 12 square feet in area or 8 feet in height.

9.30.3 FLAGS

A maximum of 3 flags may be displayed on any lot, subject to the placement, height, and area requirements of this section. Flags may be displayed on a freestanding pole, projecting from a building or door or placed in a window as provided in this section.

- A. **Pole Flags.** A flag may be displayed from a purpose-built, professionally fabricated, freestanding pole not to exceed a height of 30 feet. An individual flag flown from such a pole may not exceed 50 square feet in area.

- B. **Projecting Flags.** Flags may be flown from a pole attached to a bracket projecting from the side of a building or door frame. The pole projecting from a building may not exceed 8 feet in length. The flag flying from the pole may not exceed 25 square feet in area.
- C. **Window Flags.** Flags may be hung in windows, subject to the area limitations for window signs (see [9.30.5](#)).

9.30.4 SIGNS APPURTENANT TO DRIVE-THROUGHS

Signs appurtenant to drive-through facilities are permitted on the site of any allowed drive-through facility, subject to the regulations of this subsection.

- A. **Location.** Signs appurtenant to drive-through facilities must be located within 10 feet of a drive-through lane.
- B. **Number and Dimensions.** One primary drive-through sign not to exceed 36 square feet in area or 8 feet in height is allowed per order station up to a maximum of 2 primary drive-through signs per lot. One secondary drive-through sign not to exceed 15 square feet in area or 6 feet in height is allowed per lot.
- C. **Residential Separation.** Signs appurtenant to drive-through facilities must be set back at least 25 feet from N- and NX-zoned lots.
- D. **Visibility.** Drive-through signs must be oriented to be visible by motorists in allowed drive-through lanes.

9.30.5 WINDOW SIGNS

Non-illuminated signs displayed inside a window or on a window (decal or painted) and neon signs displayed inside a window are allowed in all zones. Such signs may not cover more than 25% of the window area. Window areas included in doors are subject to this regulations and are included in calculation of maximum allowed coverage.

9.30.6 SUSPENDED SIGNS

A maximum of one suspended sign is permitted per ground floor tenant building frontage. Such signs may not exceed 6 square feet in area and must provide a minimum vertical clearance of 9 feet above the ground surface below.

9.30.7 TEMPORARY SIGNS

Temporary signs are those that are used on a temporary basis and that are not permanently attached to the ground or to a structure. Examples include banners, air-blown devices, wind-blown devices: feather banners, and inflatable signs.

- A. **N and NX Zones.** In N and NX zones, up to one sign may be used on a temporary basis for no more than 2 occasions in a single calendar year, each of which may not exceed 30 days in duration. Such temporary signs may not exceed 10 square feet in area or 6 feet

9.10 Signs in N and NX Zones

in height and must be set back at least 8 feet from all public rights-of-way.

- B. Zones other than N, and NX.** In all zones other than N and NX zones, up to 2 signs may be used on a temporary basis for no more than 2 occasions in a single calendar year, each of which may not exceed 30 days in duration. Such signs may not exceed 32 square feet in area or 8 feet in height and must be set back at least 8 feet from all public rights-of-way.
- C. Exceptions.** Exceptions to the temporary sign number and size limitations of this section may be approved in accordance with the special permit approval procedures of [11.50](#).

9.30.8 GOVERNMENTAL INTEREST SIGNS

Signs necessary to serve compelling governmental interests in protecting public safety, traffic safety, complying with legal requirements, serving the needs of emergency responders, and protecting property rights or the rights of persons on property are allowed in all zones, including the following:

- A.** When a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner or occupant must comply with the federal, state or local law by posting the required sign on the property. If the federal, state, or local regulation describes the form and dimensions of the sign, the property owner or occupant must comply with those requirements, otherwise, when not defined, the sign may not be larger than 4 square feet in area.
- B.** Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of official or directed duties; provided, that such signs must be removed by the property owner or occupant no more than 10 days after their purpose has been accomplished or as otherwise required by law.

9.40 Signs in N and NX Zones

9.40.1 APPLICABILITY

The regulations of this section apply in all N and NX zones.

9.40.2 PERMITTED SIGN TYPES

Wall signs and freestanding signs are permitted in N and NX zones, in addition to those signs allowed in all zones (see [9.30](#)). All other sign types are prohibited.

9.40.3 ILLUMINATION

- A.** Signs on N- or NX-zoned lots may be illuminated only by external lighting, not by a light source that is contained within the sign.
- B.** Electronic message displays are expressly prohibited in N and NX zones.

9.40.4 NUMBER, AREA, AND HEIGHT

The maximum number, area and height of signs allowed in N and NX zones may not exceed the limits established in [Table 9-1](#).

Table 9-1. Signs in N and NX Zones

Principal Use	Maximum		
	No. Permitted	Area (sq. ft.)	Height (ft.)
RESIDENTIAL USES			
Household Living			
1 – 2 units	Only those signs allowed in all zones (see 9.30)		
3 – 15 units	1 per street frontage	8	8
16 + units	1 per street frontage	32	8
Group Living			
1 – 49 residents	1	8	8
50+ residents	1	32	8
NONRESIDENTIAL USES			
Allowed Uses	Option A: 1 per building and 1 per street frontage	24 each	8
	Option B: 1 single sign in lieu of multiple signs	64	8

9.40.5 SETBACKS

Permanent signs allowed in N and NX zones are subject to minimum building setback requirements.

9.10 Signs in DX, MX, CX, RX, IX, I, & P Zones



Figure 9-B. Wall Sign

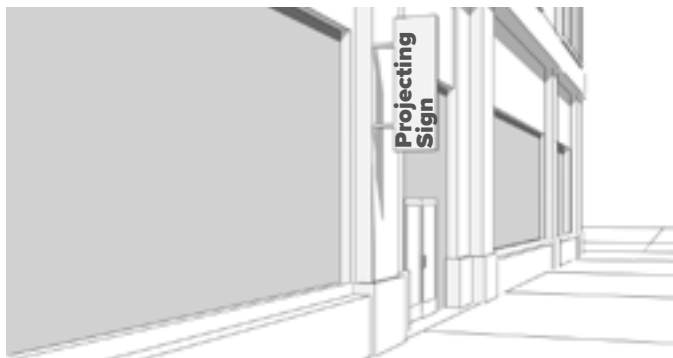


Figure 9-C. Projecting Sign



Figure 9-D. Roof Sign

9.50 Signs in DX, MX, CX, RX, IX, I, & P Zones

9.50.1 APPLICABILITY

The regulations of this section apply in DX, MX, CX, RX, IX, I, and P zones.

9.50.2 ALLOWED SIGN TYPES

A. Permitted as of Right. The following signs are permitted as of right in all DX, MX, CX, RX, IX, I, and P zones in addition to those signs allowed in all zones pursuant to [9.30](#).

- (1) Wall signs;
- (2) Projecting signs;
- (3) Freestanding signs.

B. Special Permit Approval. The following signs may be approved by special permit in all DX, MX, CX, RX, IX, I, and P zones.

- (1) Roof signs;
- (2) Outdoor advertising signs.

9.50.3 ILLUMINATION

A. Signs on DX-, MX-, CX-, RX-, IX-, I, and P-zoned lots may be indirectly illuminated or internally illuminated, unless otherwise specified.

B. Electronic displays in DX, MX, CX, RX, IX, I, and P zones may be approved in accordance with [9.70](#).

9.50.4 WALL SIGNS AND PROJECTING SIGNS

A. Where allowed. Wall signs and projecting signs are permitted as of right in all DX, MX, CX, RX, IX, I, and P zones.

B. Maximum Sign Area. The total aggregate area of all wall signs and projecting signs on a building may not exceed 2 square feet per linear foot of building frontage. Awning signs and canopy signs may be substituted for allowed wall signs and projecting signs, provided that the total area of all wall signs, projecting signs, awning signs, and canopy signs does not exceed these maximum sign area limits.

C. Placement.

- (1) Wall signs may be placed on any building wall.
- (2) Projecting signs may be placed on any building wall containing a pedestrian entrance. They must be mounted below the second story of the building and provide a minimum vertical clearance of 9 feet above the ground surface below.

9.10 Signs in DX, MX, CX, RX, IX, I, & P Zones

- (3) Wall signs and projecting signs may not cover windows, building openings, or cornices, expression lines, or similar architectural features.
- (4) The maximum mounted height of any wall sign may not exceed the maximum allowed building height of the subject zone or 25 feet, whichever is less, provided that the mounted height of an on-premises wall sign on a building of 5 or more stories located in any zone other than N or NX may exceed 25 feet above ground level if approved in accordance with the special permit procedures of [11.50](#). In order to approve a special permit application for an increase in allowable mounted height of a new on-premises wall sign, the planning and zoning commission must make the general findings required for all special permit applications and find that the proposed wall sign height:
 - (a) Is in keeping with the scale and massing of the building upon which it is mounted and that of nearby structures;
 - (b) Is compatible with the character of the surrounding area and does not conflict with existing structures, signs, or cultural or historic resources;
 - (c) Does not cause glare or other adverse visual impacts on property in an N zone;
 - (d) Does not result in the removal or trimming of existing trees.

9.50.5 FREESTANDING SIGNS

- A. Where allowed.** Freestanding signs are permitted as of right in all DX, MX, CX, RX, IX, I, and P zones.
- B. Maximum Number.** A maximum of one freestanding sign is permitted per every 300 feet of street frontage or fraction thereof.
- C. MXN, MX1, RX1, and DX Zones.** In the MXN, MX1, RX1, and DX zones, freestanding signs are subject to the following:
 - (1) Location. Signs must be located in a street yard, minimum 15 feet deep, measured from the lot line to the building.
 - (2) Maximum Height. Maximum height is 7 feet, measured from grade to the highest point on the sign.
 - (3) Maximum Size. The maximum size is 48 square feet or 1 square foot per linear foot of street frontage, whichever is less.

D. MX2, RX2, CX, IX, I, and P Zones. In MX2, RX2, CX, IX, I, and P zones, freestanding signs are subject to the following. Height is measured from grade to the highest point on the sign.

- (1) Maximum Size. The total aggregate area of all freestanding signs on a lot may not exceed 32 square feet or 1 square foot per linear foot of street frontage, whichever is greater.
- (2) Maximum Height.
 - (a) If located at or within 25 feet from the street lot line, freestanding signs may not exceed 8 feet in height.
 - (b) If located more than 25 feet from the street lot line, the sign may not exceed 25 feet in height or the height of the principal building on the lot, whichever is less.

9.50.6 ROOF SIGNS

- A. Where allowed.** Roof signs are allowed in DX, MX, CX, RX, IX, I and P zones only if approved in accordance with the special permit procedures of [11.50](#).
- B. Maximum Area.** Roof signs may not exceed the width of the building to which they are attached.
- C. Maximum Height.** Roof signs may not exceed 8 feet in height above the top of the parapet, except that roof signs mounted on hospital buildings that are 8 or more stories in height may be up to 20 feet in height above the top of the parapet if approved through the special permit procedures of [11.50](#).
- D. Supplemental Regulations**
 - (1) The non-display side of roof signs must be effectively shielded from view by the building wall, by backing the sign against another sign face, or by painting or facing the exposed back of the sign with a color or material that generally matches the color of the building or roof.
 - (2) Roof signs may not cover windows, building openings, or cornices, expression lines, or similar architectural features.
 - (3) In order to approve a special permit application for a new on-premises roof sign or the relocation or replacement of an existing on-premises roof sign, the planning and zoning commission must make the general findings required for all special permit applications and find that the proposed sign at the proposed location, when viewed from any N-zoned property within a one-half mile radius of the

9.0 Signs

9.10 Signs in Special Purpose Sign Zones

proposed sign location will not eliminate or reduce by more than 25% the view of significant natural or local features. The planning and zoning commission is authorized to determine what constitutes a significant natural or local feature and may include in such determination recognition of the horizon, the Long Island Sound, harbors, parks, reservoirs, ponds, historic buildings, and historic monuments.

9.60 Signs in Special Purpose Sign Zones

9.60.1 GENERAL

Properties located within the boundaries of the special purpose sign zones established by this section are subject to the regulations of this section. If the general sign zone regulations of this article conflict with the special purpose sign zone regulations of this section, the special purpose sign zone regulations of this section govern.

9.60.2 HARBOR YARD SIGN ZONE

- A. Applicability.** The Harbor Yard special purpose sign zone regulations of this section apply to signs on lots located within the Harbor Yard entertainment complex, generally bounded by Interstate 95 (I-95) on the north, Broad Street on the west and the railroad right-of-way on the south and east. If the regulations of this section conflict with the other sign regulations of this article, these Harbor Yard special purpose sign regulations govern. Otherwise, the generally applicable regulations of this article govern.
- B. Maximum Area.** The total sign face area of all Harbor Yard signs may not exceed 8,500 square feet per building. This maximum 8,500-square foot limit is per building and is not interchangeable or transferable among Harbor Yard buildings. On-premise, flush-mounted roof signs that are less than 20,000 square feet in area are not counted towards the 8,500-square feet per building sign area limit. Roof signs must be non-reflective and non-illuminated.
- C. Outdoor Advertising.** Outdoor advertising may comprise no more than 40% of the total sign area within Harbor Yard. Off-premise advertising may not be installed in any location that is directly visible from outdoor spectator seating areas.
- D. Wall Signs**
- (1) Wall signs may not project more than 24 inches from the face of the building to which they are attached.
 - (2) Wall signs may not project above the main roof line or parapet by more than 8 feet.

- (3) Maximum sign area per building frontage may not exceed 2,500 square feet.
- (4) Temporary banners are expressly permitted on exterior building walls and do not count in determining compliance with maximum wall sign area limits.

E. Electronic Message Displays. Electronic message displays are allowed in Harbor Yard only if approved in accordance with the special permit procedures of [11.50](#), subject to compliance with the following regulations.

- (1) **Where Allowed.** Electronic message displays may be approved in Harbor Yard only in locations adjacent to highways, major arterial streets, or arterial collector streets. Such displays must be spaced a minimum distance of 100 feet from all flashing warning signs.
- (2) **Size and Placement.** Electronic message displays are subject to the same size and placement regulations that apply to other Harbor Yard ground and wall signs.
- (3) **Freestanding Signs.** The height of an electronic message display on a ground sign located within 50 feet of a traffic signal may not exceed 8 feet. This maximum height may be increased by one foot for every 12 feet in additional setback from the traffic signal, but may not exceed 25 feet. The sign face area of an electronic message display on a freestanding sign may not exceed 64 square feet.
- (4) **Dwell Time.** The message or image on an electronic message display must be displayed for a minimum of 8 seconds. The zoning official may increase the length of the display time if the sign is located within 100 feet of another electronic message display sign. Any increase in the display time can be made in 8 second increments, to a maximum of 32 seconds, or to a longer period agreed to by the applicant.
- (5) **Illumination.** Electronic message display signs must include photo-cell technology that will vary the intensity of lighting depending on present-time level of ambient light (e.g. daytime, nighttime, or cloudy conditions). The intensity of lighting must not exceed 300 NITS (candelas per square meter) from dawn until dusk.

F. Outdoor Advertising Signs. Outdoor advertising signs on property within the Harbor Yard complex may:

9.10 Electronic Message Displays

- (1) Be approved in accordance with [9.80.1](#), provided that such signs must be separated by at least 1,000 feet from other outdoor advertising signs on the south side of I-95;
- (2) Not exceed 900 square feet in area; and
- (3) Not exceed 60 feet in height above I-95, as measured from the road surface at the point nearest the outdoor advertising sign.

9.60.3 INTERSTATE CORRIDOR SIGN ZONE

A. Applicability. The Interstate Corridor special purpose sign zone regulations of this section apply to signs on lots wholly or partially within 300 feet on each side of right-of-way of Interstate 95 (I-95), except that they do not apply within the boundaries of the Harbor Yard special purpose sign zone.

9.70 Electronic Message Displays

A. Sign Types. Electronic message displays are allowed only if approved in accordance with the special permit procedures of [11.50](#), as follows:

- (1) On a sign located within Harbor Yard (see also [9.60.2.E](#));
- (2) On an outdoor advertising sign (see also [9.80.1](#)); and
- (3) On a permitted freestanding sign located outside of Harbor Yard, provided that no more than 24 square feet of the allowed sign face may be used for the electronic message display.

B. Display Type. Electronic message displays may not display full-motion video or otherwise use multiple pictures or graphics in a series of frames to give the illusion of motion or video. This provision is intended to prohibit television screens, plasma screens, LED screens, holographic displays and other technology used to display video images.

C. Dwell Time. The images and messages displayed on electronic message displays must have a minimum dwell time of at least 8 seconds before changing to the next image or message.

D. Transition. The transition or change from one message to another on an electronic message display must be instantaneous and involve no animation or special effects.

E. Illumination

- (1) The brightness of any electronic message display may not exceed a maximum illumination of 5,000 candelas per square meter (NITS) during daylight hours and a maximum illumination of 300 candelas per square meter (NITS) between dusk and dawn, as measured from the brightest element on the sign's face.
- (2) Electronic message displays must be equipped with a light detector or photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

F. Separation from N and NX Zones

- (1) Freestanding signs with electronic message displays are prohibited within 100 feet of any lot in an N or NX zone. This separation distance requirement does not apply to monument signs on lots in a P zone that are separated from an N or NX zone by a public right-of-way.
- (2) Outdoor advertising signs with electronic message displays are prohibited within 200 feet of any lot in an N or NX zone. This separation distance requirement does not apply if the electronic message display is not visible from the N or NX zone.
- (3) Required separation distances must be measured horizontally in a straight line from the nearest point on a sign face to the nearest point of the lot located in the protected zone.

G. Future Amendments. The city reserves the right to amend the dwell time and illumination regulations of this section. Approval of an electronic message display does not establish a right for continued operation of the electronic message display in accordance with the dwell time and illumination regulations then in effect before such an amendment. No permit may be issued for a new electronic message display without a written acknowledgment by the owner or tenant of the premises that they have received notice that the future use of the sign is subject to all applicable future amendments of dwell time and illumination regulations.

9.80 Outdoor Advertising Signs

9.80.1 WHERE ALLOWED

A. Outdoor advertising signs may be approved by special permit in DX, MX, RX, CX, IX, I, and P3 zones. Special permit approval is also required before any existing outdoor advertising sign is replaced, relocated, or structurally altered.

9.0 Signs

9.10 Administration

- B. In order to approve a special permit application for a new outdoor advertising sign or the relocation or replacement of an existing outdoor advertising sign, the planning and zoning commission must make the general findings required for all special permit applications and find that the proposed sign at the proposed location, when viewed from any N-zoned property within a one-half mile radius of the proposed sign location will not eliminate or reduce by more than 25% the view of significant natural or local features. The planning and zoning commission is authorized to determine what constitutes a significant natural or local feature and may include in such determination recognition of the horizon, the Long Island Sound, harbors, parks, reservoirs, ponds, historic buildings, and historic monuments.
- C. A special permit for an outdoor advertising sign may not be approved if the planning and zoning commission determines that the proposed sign in its proposed location when viewed from a distance of 1,500 feet to 2,640 feet from the proposed location, would reduce by more than 25% the view of significant natural or local features. The planning and zoning commission is authorized to determine what constitutes a significant natural or local feature and may include in such determination recognition of the horizon, Long Island Sound, harbors, parks, reservoirs, ponds, historic buildings, and historic monuments.

9.80.2 MAXIMUM AREA AND LENGTH

Outdoor advertising signs may not exceed 900 square feet in area or 60 feet in length.

9.80.3 MAXIMUM HEIGHT

Freestanding outdoor advertising signs may not exceed 25 feet in height, as measured above the surface of the street or highway to which the sign is oriented.

9.80.4 SPACING

Outdoor advertising signs must be separated by a minimum distance of 1,500 feet from any other outdoor advertising sign, as measured along the center line of the street or highway to which they are oriented.

9.90 Administration

9.90.1 ZONING APPROVAL

Any person proposing to erect any sign must obtain a zoning compliance certificate. Applications for zoning compliance certificates must be accompanied by detailed plans, including scaled drawings of the proposed sign, a detailed site plan and other information deemed necessary by the zoning official to determine compliance with applicable regulations.

9.90.2 SIGN PERMITS

The Building Department is responsible for issuing sign permits for all freestanding signs, wall signs, and roof signs, in accordance with the Connecticut State Building Code.

9.100 Nonconforming Signs

9.100.1 DESCRIPTION

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

9.100.2 REGULATIONS

Nonconforming on-premise signs may continue subject to the following provisions:

- A. Nonconforming on-premise signs must be maintained in good repair and safe condition.
- B. If a sign is nonconforming by reason of restrictions on its brightness or illumination or its use of strobe or beacon lights, the sign must be immediately removed or made to conform.
- C. A temporary sign that is nonconforming by reason of restrictions on number, placement, or length of time that such sign is allowed to remain in place must be immediately removed or made to conform.
- D. A window sign that is nonconforming by reason of restrictions on its sign area must be immediately removed or made to conform.
- E. If a nonconforming sign is damaged or partially destroyed to the extent of more than 50% of its replacement cost at the time of damage, the sign must be removed or made to conform to all applicable regulations within 90 days of the date of the date of damage or destruction.
- F. If a sign is not used for advertising purposes for a period of 180 consecutive days, the sign is deemed abandoned and must be removed.

9.10 Sign-Related Measurements

9.110 Sign-Related Measurements

9.110.1 SIGN AREA

- A. Signs Enclosed in Frames or Cabinets.** The area of a sign enclosed in a frame, box or cabinet is determined based on the outer dimensions of the frame or cabinet surrounding the sign face.
- B. Channel (Individual) Letter Signs.** The area of a sign comprised of individual letters or elements attached directly to a building wall is determined by calculating the area of the smallest rectangle that can be drawn around the letters or elements.
- C. Non-Planar Signs.** Spherical, free-form, sculptural or other non-planar sign area is measured as 50% of the sum of the areas using only the 4 vertical sides of the smallest four-sided rectangle that will encompass the sign structure.
- D. Multi-Sided Signs.** Unless otherwise expressly stated, when the sign faces of a multi-sided sign are parallel or within 30 degrees of parallel, only one side is counted for the purpose of determining the area and number of signs. If the sign faces are not parallel or within 30 degrees of parallel, each sign face is counted as a separate sign. If the size of one sign face is larger than another, the size of the largest sign face is the area of the sign.

9.110.2 SIGN HEIGHT

The height of a sign is measured as the vertical distance from ground level to the top of the sign. The sign height includes the sign base.

9.110.3 SETBACK AND SEPARATION DISTANCES

Unless otherwise expressly stated, required setback, spacing and separation distances between signs must be measured in a straight line from the nearest points on the respective signs or sign structures. Required separation distances between signs and zones, area, or lots must be measured in a straight line from the nearest point on the sign structure to the nearest point of the subject zone, area, or lot.

9.110.4 BUILDING FRONTAGE

Many of the sign regulations of this article are based on building frontage. The following rules govern the measurement of building frontage.

- A.** For buildings occupied by a single tenant or multiple tenants that access the building via a common entrance, building frontage is the exterior building wall that: (1) is adjacent to a street or a parking area or other vehicle circulation area that is accessory to and serves the subject building and (2) contains either windows or a

public building entrance. Allowed wall sign area for a building that has 2 or more building frontages must be calculated on the basis of each individual building frontage.

- B.** On buildings housing more than one tenant where each tenant has their own outside entrance, a tenant's building frontage is the exterior building wall (or walls) that directly abuts the tenant's interior floor space and that: (1) abuts, parallels, or is the nearest to parallel with a street or a parking area or other vehicle circulation area that is accessory to and serves the subject building and (2) contains either windows or a public building entrance. A tenant that has 2 or more building frontages must calculate the permitted sign area on the basis of each individual building frontage.
- C.** Regardless of the height, number of stories, or number of tenants in a building, building frontage is determined by one measurement of the horizontal length of the wall at finished grade. Buildings walls must be measured along a flat, unbroken plane, regardless of the presence of recesses or projections along the building wall.
- D.** As an alternative to the allocation of permitted sign area on the basis of individual building frontages, a differing allotment of sign area may be assigned to the various tenants upon receipt and approval by the zoning official of written authorization from the building's owner or authorized management firm. In no instance may the total combined sign area for all signs exceed the maximum allowed sign area for the individual building frontages, as determined in accordance with building frontage rules of measurement of this section.

9.110.5 ILLUMINATION AND LUMINANCE

- A. Nits.** For the purpose of verifying compliance with maximum brightness level limits expressed in nits (candelas per square meter), brightness levels must be measured with the dynamic display set to run full white copy with a luminance meter positioned at a location perpendicular to the sign face center. When taking the luminance reading, the sign face must be the only subject visible in the viewfinder.

9.110.6 WINDOW AREA

The area of a window includes only the glass or glazed elements of the window. Frames, mullions, and similar features are not counted as part of the window area.

9.0 Signs
9.10



Figure 9-F. Channel Letter Sign Measurement

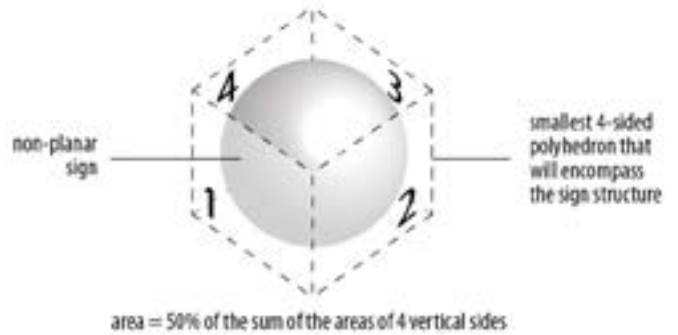


Figure 9-G. Non-Planar Sign Measurement

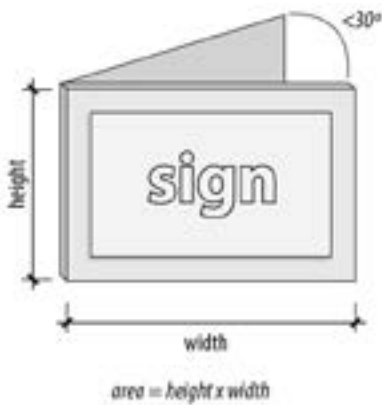


Figure 9-H. Multi-Sided Sign Measurement

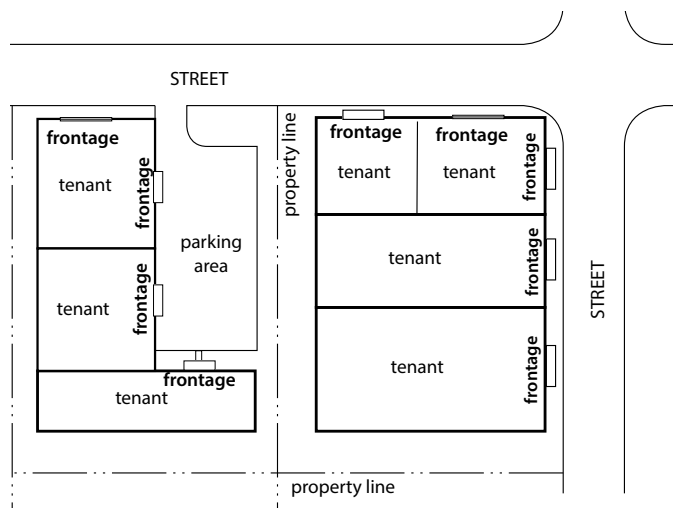
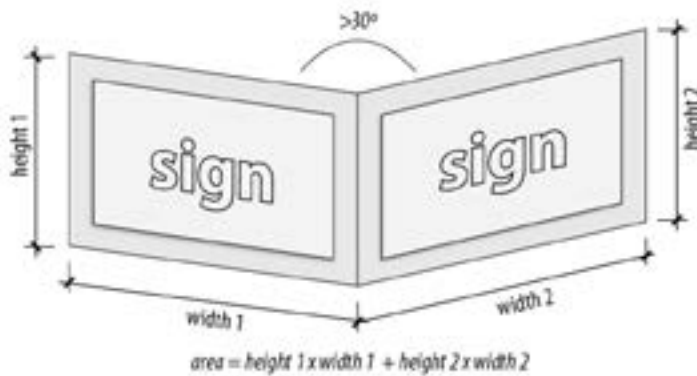


Figure 9-E. Building Frontage

10.0 SUPPLEMENTAL USE & DEVELOPMENT REGULATIONS

- 10.10 Alcoholic Liquor Control 10-2
- 10.20 Adaptive Reuse of Structures 10-2
- 10.30 Telecommunications Facilities 10-2
- 10.40 Subdivision Design 10-5
- 10.50 Processing, Storage, Stockpiling, Resource Production, & Extraction .. 10-6
- 10.60 Stormwater Management Regulations 10-7
- 10.70 Soil Erosion and Sediment Control 10-7

10.0 Supplemental Use & Development Regulations

10.10 Alcoholic Liquor Control

10.10 Alcoholic Liquor Control

10.10.1 APPROVAL OF LOCATION

- A. Required.** Except as expressly exempted in paragraph B. of this subsection, all uses that sell alcoholic liquor, including any proposed changes in the type of on-premises alcohol consumption liquor permit, must obtain a certificate of location approval in accordance with the procedures of [11.120](#).
- B. Exemption.** Full-service restaurants that sell alcoholic liquor and are located outside of an N or NX zone are exempt from the requirement to obtain a certificate of location approval. Full-service restaurants located in an N or NX zone and that sell alcoholic liquor are not exempt and must obtain a certificate of location approval in accordance with the procedures of [11.120](#).
- C. Location of Protected Uses.** Applications for a certificate of location approval must include a map identifying the location of all protected uses located within a 750-foot radius, as measured from the entrance of a protected use to the entrance of the use seeking the certificate of location approval.

10.10.2 PACKAGE STORE/GROCERY BEER PERMITS

- A.** Except as otherwise expressly stated in paragraph B of this subsection (below), uses for which a package store or grocery beer permit is required under Chapter 545, of the General Statutes are prohibited within a 750-foot radius of a protected use located within the City of Bridgeport, as measured from the entrance of the protected use to the entrance of the use requiring a package store or grocery beer permit. This required separation radius notwithstanding, a use for which a package store permit or grocery beer permit was issued and valid on February 25, 2019 may move to another building or premises within a 750-foot radius of the building or premises containing the use for which the package store permit or grocery beer permit was issued, as provided in section 30-52 of the General Statutes.
- B.** The required minimum 750-foot radius separation established in paragraph A of this subsection does not apply to uses requiring package store permits or grocery beer permits when such uses are located in DX zones.

10.10.3 NONCONFORMING USES IN N & NX ZONES

A nonconforming use in any N or NX zone that involves the sale of alcoholic liquor may not be changed or modified if such change or modification requires a different class of alcoholic liquor permit from the State of Connecticut Liquor Control Commission.

10.10.4 REMONSTRANCE

- A.** In accordance with section 30-39 of the General Statutes, the general public may register objections to new alcoholic liquor permit applications or the renewal of an existing alcoholic liquor permit.
- B.** Any 10 persons who are at least 18 years of age, and residents of the city of Bridgeport, may file a petition of remonstrance in accordance with the timeframes and rules promulgated by the Connecticut Department of Consumer Protection.

10.20 Adaptive Reuse of Structures

- A. Authorized.** The planning and zoning commission is authorized to approve adaptive reuse of an existing structure in accordance with the special permit procedures of [11.50](#).
- B. Applicable Zoning Regulations.** In approving an adaptive reuse proposal the planning and zoning commission, at its sole discretion, is authorized to modify any otherwise applicable zoning regulations as determined necessary to accommodate adaptive reuse of the existing structure. See also [11.50.6.C](#) for the special permit approval criteria applicable to adaptive reuse requests.

10.30 Telecommunications Facilities

10.30.1 SITE PLAN REVIEW REQUIRED

An application for a site plan review of the installation of telecommunications antennas and associated equipment on, over or in a building located within the city, and on the adjoining property when applicable, must be filed jointly by the property owner and by a telecommunications entity licensed by the Federal Communications Commission (FCC), and the Department of Public Utility Control when applicable. Site plan review and approval is required before installation of antennas and equipment to ensure compliance with all FCC Electronic Magnetic Field (EMF) Emission Standards, and to evaluate the impact of the proposed installation in light of the city's need to protect the natural, social, and cultural environment in accordance with the master plan of conservation and development, and that to minimize adverse development impacts. Applications for the installation of a telecommunications tower are required be filed only with the State of Connecticut Siting Council.

10.30.2 SUBMITTAL REQUIREMENTS

Telecommunication site plan applications must be accompanied by the requirements of this subsection. In addition, a drawing showing the proposed antennas and equipment installed on, over or in the structure location must

10.0 Supplemental Use & Development Regulations

10.10 Telecommunications Facilities

be filed to demonstrate the impact of installation on the environment, and to ensure safeguards have been taken to ensure public safety.

- A. Other Properties Affected.** A list of the names and addresses of all property owners within 100 feet of all property lines of the subject property.
- B. Site Plan.** A site plan prepared, signed, and sealed by an engineer, architect or landscape architect registered and licensed to conduct business in the State of Connecticut, dated and meeting the following requirements:
- (1) The site plan must be drawn to a scale of 100 feet or less to the inch.
 - (2) Proposed and existing structures and amenities, including but not limited to, footprints of foundations, porches, decks, walkways, travel lanes and parking areas, must be indicated. Dimensions to property lines from structures and overall building dimensions must also be shown.
 - (3) Zone development standards must be indicated, including street and lot lines, setback lines, building heights and roof profiles. Outdoor illumination and landscaping (including trees and/or shrubs, lawn, other landscape features and natural terrain not to be disturbed) must also be indicated.
 - (4) Existing proposed grades must be shown at 2-foot intervals.
 - (5) One or more benchmarks that can be used in the field to verify conditions must be indicated.
- C. Phasing Plan.** When development is proposed to be undertaken in stages, the applicant must submit a phasing plan indicating the extent of development proposed for each phase.
- D. Additional Information.** The following may also be required at the discretion of the planning and zoning commission:
- (1) **Survey.** A class A-2 survey of the property, improvements and easements.
 - (2) **Architectural Plans.** Preliminary architectural plans, sections and/or elevations of 1/8 inch = 1 foot showing exterior wall elevations, roof lines, facade materials or other features of proposed buildings or structures.

- (3) **Models.** Site or building models may be required when extensive construction is proposed; when the relationship to existing buildings is considered critical; when views or important landmarks or natural features may be affected; when the bulk, configuration, or scale of proposed buildings is in question; or when otherwise deemed necessary by the planning and zoning commission. Models may be simple in technique but must be accurate with regard to contours, detail, and scale.
- (4) **Analysis.** An impact analysis of the development upon the horizon, storm drainage, sanitary sewerage, traffic, site conditions and/or environmental resources, including environmental impacts to coastal resources and the ecosystems and habitats of Long Island Sound, must be provided with the submission of photo simulation indicating the site before and after the proposed installation of antennas and associated equipment.
- (5) **Licenses and Approvals.** A copy of the applicant's FCC license, and approval from the Department of Public Utility Control, as applicable, to provide telecommunications services in Connecticut, and a copy of the Certificate of Incorporation, Company or Partnership from the governing authority, must accompany the application.
- (6) **Other Information.** Any other such information, including off-site information, as may be requested by the planning and zoning commission to facilitate its review, or as may be requested by the zoning officer to confirm conformity with or enforcement of the provisions, goals or policies of this zoning code.

10.30.3 SITE PLAN REVIEW STANDARDS

In reviewing telecommunications site plan applications, the planning and zoning commission must take into consideration the goals and policies of the master plan of conservation and development; the health, safety, general welfare and convenience of the public in general, and of the residents of the neighborhood in particular; any environmental impacts the proposed installation would have on Long Island Sound; and the maintenance of property values. In its review, the planning and zoning commission may require a modification or attach reasonable conditions and safeguards as a precondition to approval of a site plan. The planning and zoning commission must consider the following specific standards and objectives:

- A. Public Convenience and Necessity.** That the telecommunications antennas and associated equipment are necessary to provide telecommunication services to the residents and businesses of the city.

10.0 Supplemental Use & Development Regulations

10.10 Telecommunications Facilities

B. Design. The design requirements as set forth below:

- (1) **Walls, Fences and Hedges.** The location, height, design and materials of walls, fences, hedges, and plantings must be appropriate to the vicinity and must suitably screen the proposed installations and other such features. Such landscaping must be appropriate to the general surroundings and consider the proximity and nature of abutting uses and the level of use of adjoining public streets and walkways.
- (2) **Landscaping.** In addition to requirements for minimum landscaped areas, all undeveloped areas, exclusive of undisturbed natural areas, must be suitably landscaped.
- (3) **Condition of Improvements.** All buildings and grounds and other structures must be maintained in good repair and in safe, clean, and sanitary condition. All improvements must be suitably landscaped and must thereafter be maintained in accordance with an agreement to be made part of the application of record.
- (4) **Federal Aviation Requirements.** Verification as to whether or not the proposed structure will be in a clear zone and a light will be required by the regulations of the Federal Aviation Administration.
- (5) **Small Cell Facilities.** In addition to the general telecommunication facility regulations of this section, small cell facilities, defined as all equipment necessary for 4G and 5G technology: antennas, fiber, small cells, and any other equipment equal to or less than 28 cubic feet in volume) are subject to the following additional regulations:
 - (a) Small cell facilities must be incorporated into the elements upon which they are attached so as to disguise the facilities or to visually screen or match the element upon which they are attached (e.g. black small cell facility mounted upon a black pole).
 - (b) Preferences for location of small cell facilities is, in order from most to least preferable: 1. commercial building rooftop, 2. underground, 3. incorporated within the element (and therefore disguised), 4. co-located with other telecommunications devices to reduce visual impacts, or 5. mounted 10 feet or more above ground.

- (c) Small cell facilities may not be mounted on school buildings or care facilities for older adults.
- (d) When located within a local historic district, or within 500 feet of a designated historic building or site, small cell facilities must be first be reviewed by the historic district commission, whether it is on private property, public property or within the right-of-way.
- (e) When installed in street rights-of-way, small cell facilities must comply with the city's *Complete Streets Manual*.

C. Environmental and Other Impacts

- (1) **EMF Emissions.** Verification must be submitted that the combined total impact of all telecommunication antennas and equipment at this location are within the guidelines established by the FCC for EMF emissions.
- (2) **Construction Controls.** Soil erosion, sedimentation and the release of excessive dust must be controlled through implementation of suitable short-term controls in accordance with the standards and procedures of the city's stormwater management regulations.
- (3) **Preservation of Natural Features.** Site design and development must seek to preserve existing specimen trees, historic structures and other significant features of the site. Premature demolition or clearance of prospective development sites, whether recent or previously conducted, may be taken into consideration in subsequent site plan review, and approval may be conditioned on restoration.
- (4) **Impact on Nearby Properties.** Lighting and noise, odors, particles, and other disturbances must be controlled to avoid interference with the use and enjoyment of nearby properties. The location, height, design, and arrangement of outside lighting must be consistent with public safety and must avoid glare and hazards to traffic.
- (5) **Impermeable Surfaces and Stormwater Runoff.** Surface water drainage facilities must be adequate to safely drain the site while minimizing the risk of downstream flooding, erosion, and pollution. Site development must maximize the amount of storm water that can directly precipitate on or percolate into the soil.

10.0 Supplemental Use & Development Regulations

10.10 Subdivision Design

- D. Bonding Requirements.** As a condition of site plan approval, the planning and zoning commission is authorized to require applicants to post a surety removal bond to ensure the future removal of the antennas, associated equipment, and any accompanying debris from the approved location if the antennas and equipment are taken out of service or remain unused for a period of 6 months or more. The office of the city attorney is authorized to establish the amount of surety bond required based on a review of the estimated cost of installation and removal of antennas and equipment.
- E. Amendments.** All site improvements must be carried out in strict compliance with the site plan approved by the planning and zoning commission. All amendments and modifications, including the transfer of an approved plan from the original applicant to another telecommunications entity, requires approval from the planning and zoning commission.
- F. Expiration of Site Plan Approval.** Site Plan approval expires 5 years after the date of site plan approval or within the time frame authorized by the General Statutes unless construction has commenced and is diligently pursued, or an application for extension of approval is received and approved by the planning and zoning commission before the site plan approval expiration date.
- G. Continuing Nature of Obligation.** All conditions and improvements shown on the approved site plan continue in force and effect as long as the use indicated on the approved site plan is in operation, regardless of any change in the ownership of the property on, over or in which the antennas and associated equipment are located.

10.40 Subdivision Design

10.40.1 GENERAL DESIGN STANDARDS

Subdivisions are subject to the design standards of this section. Design standards for Master Plan Developments (MPDs) supersede these standards, where applicable.

- A. Plan of Conservation and Development.** Subdivisions must be consistent with the city's master plan of conservation and development.
- B. Public Health and Safety.** Lots, streets, and open spaces created by a subdivision must be of a shape, pattern, and design that they can be developed and used consistent with public health and safety. Lots must conform to the standards of the zone in which they are located, unless a modification is approved by the planning and zoning commission (see [10.40.3](#)).
- C. Utilities.** Subdivisions must provide space for all necessary utilities, including energy, communications, water, sewage, and drainage.
- D. Drainage and Stormwater.** Subdivisions are subject to compliance with the city's *Stormwater Management Manual*.
- E. Streets.** Streets must be designed and constructed in accordance with current city standards. Streets must generally continue the adjoining street network in order to provide a well-connected, fine-grained circulation system that spreads traffic, instead of concentrating it on major streets and intersections, minimizes the length of trips, and encourages alternative (non-motorized) modes of transportation.
- (1) When terrain or other constraints prevent continuation of a connected street network, non-traditional streets are encouraged, including stairs and pedestrian and bike ramps.
 - (2) Streets must be of standard widths but no wider than necessary so as to minimize impervious surface.
 - (3) Streets must generally include curbs, buffer strips for trees, and sidewalks.
 - (4) Dead-end streets must provide space for vehicles to turn around. Where a street might be extended in the future it must be designed to facilitate its extension and the removal of the turn-around space.
- F. Open Spaces.** Adequate space must be provided for local parks and playgrounds dedicated to the city or reserved by covenant for common use and subject to the control of the city.
- G. Energy Efficiency.** Subdivisions must be designed to encourage energy-efficient patterns of development and land use, the use of solar and other renewable forms of energy, and energy conservation by, for example:
- (1) Including space for landscaping to reduce solar gain of buildings and paved areas during hot weather and allow solar gain during cold weather;
 - (2) Configuring and orienting lots to allow development to use solar energy and natural ventilation; and
 - (3) Designing the circulation system to encourage walking, biking, and the use of transit and to minimize the frequency and length of automobile trips.

10.0 Supplemental Use & Development Regulations

10.10 Processing, Storage, Stockpiling, Resource Production, & Extraction

10.40.2 REAR LOTS

Except in Master Plan Developments per [5.0](#), rear lots may be approved, subject to compliance with the following standards:

- (1) Only one rear lot may be created from a lot of record.
- (2) The rear lot must have access to a public street. Such access must be at least 30 feet in width. If the front lot is subdivided to create a rear lot, the front lot must provide the necessary access to the rear lot.
- (3) Both the front lot and the rear lot must conform to all minimum lot area, lot width and other dimensional regulations of the subject zone. The access strip serving the rear lot may not be included in computing the lot area for the front or rear lots.
- (4) The front property line of the rear lot is deemed to be coincident with the rear property line of the front lot.

10.40.3 MODIFICATIONS

The planning and zoning commission is authorized to approve modifications of applicable subdivision design regulations in accordance with [11.100.6](#).

10.50 Processing, Storage, Stockpiling, Resource Production, & Extraction

10.50.1 APPLICABILITY

- A.** The regulations of this section apply to all uses engaged in one or more of the following activities:
- (1) Processing, storage, or stockpiling of raw or recycled material (classified as "Heavy Industry");
 - (2) Resource production and extraction activities (classified as "Heavy Industry"); or
 - (3) Construction of ponds, lakes, or stormwater detention facilities.
- B.** The regulations of this section do not apply to temporary storage or stockpiling or to temporary extractive activities (e.g., grading) necessary for the development of an approved site plan or subdivision, or to the removal of rock and other resources necessitated by the preparation of the subject property for an approved development.

10.50.2 PUBLIC HEALTH SAFETY AND WELFARE

Applicants must demonstrate that the proposed processing, storage, stockpiling, resource production, or extraction

activity:

- A.** Complies with all applicable stormwater management regulations;
- B.** Will not be detrimental to the public health, safety, and general welfare;
- C.** Will not create dangerous slopes, nuisances, or permanent damage to landscapes or water quality; and
- D.** Will not be detrimental to air quality due to release or emission of particulate matter, aerosolized chemicals, toxins, or other airborne pollutants.

10.50.3 TRUCK ROUTES; VEHICLE ACCESS

Applicants must document a reasonable truck route to the satisfaction of the planning and zoning commission. Vehicular access points must include a gate, which must be locked while the operation is not in progress.

10.50.4 SEPARATION FROM N AND NX ZONES

Processing, storage, stockpiling, resource production, and excavation activities are prohibited within 750 feet of any N- or NX-zoned lot.

10.50.5 SETBACKS

Processing, storage, stockpiling, resource production, and excavation activities must be set back at least 75 feet from all lot lines and public street rights-of-way.

10.50.6 SLOPES

Finished grade may not exceed a slope of 25% or such lesser slope that the planning and zoning commission deems necessary to stabilize the slope to allow for reasonable reuse of the land.

10.50.7 FENCES, BUFFERS AND ENCLOSURES

- A.** The perimeter of all properties used for processing, storage, stockpiling, resource production or extraction must be enclosed by a fence or wall that prevents unauthorized access to the site.
- B.** The perimeter of all properties used for processing, storage, stockpiling, resource production or extraction must provide landscaping and visual screening in the form of frontage and side and rear buffers, in accordance with [7.100](#) and [7.110](#).
- C.** In order to mitigate adverse visual and health impacts upon the surrounding area, all loose and potentially airborne materials processed, stored, stockpiled, produced, or extracted on the subject site must be processed, stored, stockpiled, produced, and managed entirely within completely enclosed structures that have:

10.0 Supplemental Use & Development Regulations

10.10 Stormwater Management Regulations

- (1) Built and solid roofs;
- (2) Built and solid walls;
- (3) Air-tight sealing doors; and
- (4) Air filtering or similar commission-approved air quality control systems that prevent dust, debris, and airborne particulates from being blown off site.

10.50.8 OFF-SITE CLEAN-UP

The applicant is responsible for clean-up of any spillage, runoff, or tracking of material, that occurs off-site or on adjacent streets. Such clean-up must occur within 24 hours.

10.50.9 RESTORATION PLAN

When processing, storage, stockpiling, resource production or extraction operations are complete, the applicant must restore the site consistent with a restoration plan submitted at the time of application prior to commencement of any activity. This restoration plan must include final grading plans, bank stabilization plans, drainage plans, or other information necessary for the maintenance of the facility in a safe condition.

10.60 Stormwater Management Regulations

10.60.1 PURPOSE

The City of Bridgeport's comprehensive stormwater management program is intended to:

- A. Comply with relevant state statutes;
- B. Reduce soil erosion and sedimentation resulting in water pollution and damage to land and resources;
- C. Reduce damage from stormwater runoff;
- D. Protect Long Island Sound's resources, ecosystems and habitats;
- E. Minimize sediment pollution resulting from land development activities; and
- F. Reduce pollutants from, detain, retain, and provide a destination for stormwater to best preserve or mimic the natural hydrologic cycle, to accomplish the goals of reducing and controlling stormwater runoff, or to fit within the capacity of existing infrastructure.

10.60.2 AUTHORITY

Activities with the potential for stormwater impacts are subject to compliance with the City of Bridgeport's official Stormwater Management Manual. The manual is issued by the City Engineering Department, with the assistance of the Water Pollution Control Authority. These agencies are

responsible for reviewing and approving the stormwater management component of applications before the planning and zoning commission, or any other review or decision-making body. The planning and zoning commission or any other review or decision-making body may not issue an application approval until and unless the City Engineering Department and/or the Water Pollution Control Authority has granted final approval for the stormwater management component. The planning and zoning commission or any other review or decision-making body is not authorized to grant a waiver to the manual's requirements.

10.60.3 REFERENCE

The City of Bridgeport's official Stormwater Management Manual (also referred to as the stormwater management regulations") is incorporated into this zoning code by reference.

10.70 Soil Erosion and Sediment Control

10.70.1 PURPOSE

The soil erosion and sedimentation control regulations of this section are intended to:

- A. Reduce soil erosion and sedimentation resulting in adverse water quality impacts and damage to natural resources;
- B. Reduce damage from stormwater runoff;
- C. Protect Long Island Sound's resources, ecosystems, and habitats; and
- D. Minimize sediment pollution resulting from land development activities.

10.70.2 APPLICABILITY

A soil erosion and sedimentation control plan must be submitted with any development application requiring approval by the planning and zoning commission and with any application for a certificate of zoning compliance if the proposed development activity will entail grading or land disturbance on improved or unimproved land:

- A. That is cumulatively more than one-half acre in area; or
- B. That is located within 200 feet of any wetland, watercourse, water body, estuary, or Long Island Sound.

10.70.3 PROCEDURE

- A. Required soil erosion and sedimentation control plans must be submitted to the city engineer for review and recommendation prior to development approval by the zoning official or planning and zoning commission.

10.0 Supplemental Use & Development Regulations

10.10 Soil Erosion and Sediment Control

- B.** Upon receipt of a complete soil erosion and sedimentation control plan, the city engineer must review the plan to determine compliance with the regulations of this section. The city engineer's report and recommendation must be submitted to the applicant and the authorized decision-making body within 30 days of submittal of a complete application.
- C.** Upon receipt of the city engineer's report and recommendation, the zoning official or planning and zoning commission, as applicable, must certify the soil erosion and sedimentation control plan's compliance with the standards of this section. The zoning official and planning and zoning commission are authorized to condition certification upon compliance with written conditions, including the posting of a performance bond in an amount sufficient to ensure the timely installation , operation and maintenance of control measures.

10.70.4 STANDARDS

To be eligible for certification, a soil erosion and sedimentation control plan must contain provisions to adequately control accelerated erosion and sedimentation and reduce the danger from stormwater run off on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the latest version of the *Connecticut Guidelines for Soil Erosion and Sediment Control*.

10.70.5 ENFORCEMENT

- A.** Grading and site disturbance activities may not commence until all approved soil erosion and sedimentation control measure are property installed and operational. All required measures must remain in place throughout the duration of land disturbance.
- B.** Final approval and release of any performance bond may be granted only upon a determination of the zoning enforcement officer that all disturbed areas have been stabilized and that final sedimentation control measure and stormwater management facilities have been installed in accordance with the approve soil erosion and sedimentation control plan. When structural measures are required, the applicant must submit as-built plans, prepared by an engineer or design professional registered in the state of Connecticut.

11.0 PROCEDURES

- 11.10 Common Provisions 11-2
- 11.20 Preapplication Review 11-5
- 11.30 Zoning Code Text Amendments 11-6
- 11.40 Zoning Map Amendments 11-6
- 11.50 Special Permits 11-8
- 11.60 Development Plans 11-10
- 11.70 Site Plans 11-11
- 11.80 Coastal Site Plans 11-12
- 11.90 Variances 11-14
- 11.100 Subdivisions 11-15
- 11.110 Certificates of Zoning Compliance 11-16
- 11.120 Certificates of Location Approval 11-17
- 11.130 Certificates of Appropriateness 11-18
- 11.140 Appeals of Administrative Decisions 11-18

11.10 Common Provisions

11.10 Common Provisions

11.10.1 APPLICABILITY

The common provisions of this section apply to all of the procedures in this zoning code unless otherwise expressly stated.

11.10.2 CONNECTICUT GENERAL STATUTES

The review and approval procedures of this zoning code are intended to comply with the provisions of the Connecticut General Statutes. If any provision of this zoning code is in conflict with any provision of the General Statutes or if this zoning code fails to incorporate a provision required for implementation of the General Statutes, provisions of the General Statutes govern.

11.10.3 REVIEW & DECISION-MAKING AUTHORITY

Table 11-1 provides a summary of review and decision-making authority under this zoning code. If this summary table conflicts with the detailed, written procedures contained elsewhere in this zoning code, the detailed, written procedures govern.

Table 11-1. Review and Decision-Making Summary

PROCEDURE	ZO	PZC	ZBA
Preapplication Review	○		
Zoning Code Text Amendments	○	●	
Zoning Map Amendments	○	●	
Special Permits	○	●	
Development Plans	○	●	
Site Plans	●	●	
Coastal Site Plans	○	●	●
Variances	○		●
Subdivisions	○	●	
Certificates of Zoning Compliance	●		
Certificates of Location Approval		●	●
Appeals of Administrative Decisions			●

Table notes:

○ = review and recommendation authority

● = final decision-making authority

ZO = zoning official

PZC = planning and zoning commission

ZBA = zoning board of appeals

11.10.4 APPLICATIONS AND FEES

A. Applicability. The application and fee provisions of this subsection apply to zoning applications filed by “eligible applicants.”

B. Eligible Applicants. When the procedures of this article allow an application to be filed by an “eligible applicant,” such application must be submitted by a person, firm, corporation or organization that has a legal property interest in the land that is the subject of the application, including owners, lessees, and holders of development rights. Applications may also be submitted by an authorized agent acting on behalf of such person, firm, corporation, or organization.

C. Form of Application. Applications required under this zoning code must be submitted in a form and in such numbers as required by the official responsible for accepting the application. Applications must include materials and information to assist authorized review and decision-making bodies in their consideration of the application, including at least the following:

- (1) A list of the names and addresses of all owners of record of the property that is the subject of the application; and
- (2) Maps, plats, surveys, dimensioned site plans, engineering documents, environmental reports, traffic studies, and other materials and information, as required by this zoning code or application checklists established by the official responsible for accepting the application.

D. Fees and Notification Costs. All applications filed by property owners must be accompanied by the required application fee. Application filing fees are intended to cover the cost of providing public hearing notices and other costs related to reviewing and processing applications.

E. Completeness, Accuracy and Sufficiency

- (1) An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information, and is accompanied by the required application filing and notification fees.
- (2) The official responsible for accepting the application is authorized to refuse acceptance of an incomplete application. If an application is determined to be incomplete, the official responsible for accepting the application must provide notice to the applicant along with an explanation of the application’s deficiencies. Notice of an incomplete application may be provided by personal service, electronic mail, or first-class mail.

- (3) No further processing of incomplete applications will occur, and incomplete applications will be pulled from the processing cycle. When the deficiencies are corrected, the application will be placed in the first available processing cycle. If the deficiencies are not corrected by the applicant within 90 days, the application will be deemed to have been withdrawn.
- (4) Applications deemed complete will be placed in the first available application processing cycle and will be reviewed by staff and other review and decision-making bodies, in accordance with applicable review and approval procedures of this zoning code.
- (5) The official responsible for accepting the application may require that applications or plans be revised before being placed on an agenda for possible action if the official determines that:
 - (a) The application or plan contains one or more significant inaccuracies or omissions that will hinder timely or competent evaluation of the plan's/application's compliance with zoning code requirements or other regulations;
 - (b) The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's or application's compliance with zoning code requirements or other regulations; or
 - (c) The decision-making body does not have legal authority to approve the application as filed.

11.10.5 APPLICATION PROCESSING CYCLES

City officials responsible for accepting applications, after consulting with review and decision-making bodies, are authorized to promulgate reasonable cycles and timelines for processing applications, including deadlines for receipt of complete applications.

11.10.6 PUBLIC HEARING NOTICES

A. Published Notice. When the procedures of this zoning code require that published notice be provided, the notice must be published in a newspaper of substantial circulation in the city, in accordance with the General Statutes. Required newspaper notices must be published on at least 2 separate occasions at least 2 days apart. The first notice must be published no more than 15 days and no less than 10 days before the date set for the hearing, The second notice must be published at least 2 days before the date set for the hearing.

B. Mailed Notice to Property Owners

- (1) When the procedures of this zoning code require that mailed notice be provided to property owners, such notices must be sent via United States Postal Service certified mail (return receipt requested) and postmarked at least 10 days before the date set for the hearing.
- (2) Property owner addresses must be obtained from the latest property ownership information maintained by the tax assessor's office.
- (3) The applicant must file a certificate of mailing or equivalent affirming that mailed notice has been provided in accordance with these regulations.

C. Email Notice to Individuals and Organizations on Public Notice Registry.

Pursuant to General Statutes section 8-7d(g)(2), individuals and organizations may register to receive email notice of public hearings required under the procedures of this article. Email notice of such public hearings must be provided to registered individuals and organizations at least 7 days before the date of the public hearing. Individuals and organizations may register for such notice in the zoning department or by emailing the department (Zoning@BridgeportCT.gov).

D. Email Notice to NRZ. When the procedures of this zoning code require that email notice be provided to the president of the NRZ within which the subject property is located, such notice must be sent at least 7 days before the date of the public hearing.

E. Mailed Notice to Regional Planning Agency. When the procedures of this zoning code require that notice be provided to the regional planning agency, written notice must be given to regional planning agency by United States Postal Service certified mail (return receipt requested) or by email, in accordance with section 8-3b of the General Statutes. Such notice must be postmarked at least 30 days before the date set for the hearing.

F. Mailed Notice to Adjoining Municipalities. When the procedures of this zoning code require that notice be provided to adjoining municipalities, written notice must be given to clerk of the subject municipality by United States Postal Service certified mail (return receipt requested). Such notice must be postmarked within 7 days of the receipt of a complete application, petition, or appeal.

11.0 Procedures

11.10 Common Provisions

- G. Posted Notice.** When the procedures of this zoning code require that posted notice be provided:
- (1) At least one notice sign must be posted on each public street frontage abutting the subject property in locations plainly visible to passers-by.
 - (2) The planning and zoning commission is authorized to establish rules governing the size, format, design, and content of required public notice signs.
 - (3) Applicants are required to post required notice signs and ensure that the signs remain visible and in sound condition for at least 7 consecutive days before the scheduled public hearing. Applicants are responsible for removing required notice signs within 7 days of the close of the public hearing.
 - (4) The applicant must file a certificate of posting or equivalent affirming that posted notice has been provided in accordance with these regulations.
- H. Courtesy Notices.** In addition to the forms of notice required to be provided by this zoning code, the city posts agendas, agenda packets, zoning decisions, and approved meeting minutes on the zoning department webpage. The city may also elect to provide additional forms of courtesy notification by, for example, posting notices in city hall or other government buildings.
- I. Content of Notices.** All required hearing notices must:
- (1) Indicate the date, time and place of the hearing or date of action that is the subject of the notice;
 - (2) Describe any property involved in the application by address or by a commonly understood description of the location;
 - (3) Describe the general nature, scope and purpose of the application or proposal; and
 - (4) Indicate where additional information on the matter can be obtained.
- J. Constructive Notice**
- (1) When the records of the city document the publication, mailing, or posting of notice, as required by this article, required notice of the public hearing will be presumed to have been given. Failure of mailed notice to reach any intended recipient does not invalidate any action taken on the subject matter of the notice.
 - (2) Minor defects in required notices will not be deemed to impair the notice or invalidate

proceedings pursuant to the notice. Minor defects in notice are limited to errors in a legal description or typographical or grammatical errors that do not impair communication of the notice to affected parties. If questions arise at the hearing regarding the adequacy of notice, the body conducting the hearing must make a formal finding about whether there was substantial compliance with the notice requirements of this zoning code.

11.10.7 PUBLIC HEARINGS

- A. General.** The body conducting the hearing is authorized to establish reasonable rules and regulations governing the conduct of hearings and the presentation of information and comments.
- B. Continuances.** Once commenced, a public hearing may be continued by the hearing body. No re-notification is required if the continuance is set for specified date and time and that date and time is announced at the time of the continuance. If a public hearing is continued or postponed for an indefinite period of time from the date of the originally scheduled public hearing, new public hearing notice must be given before the rescheduled public hearing. If the applicant requests and is granted a continuance or postponement requiring renotification, the body conducting the hearing is authorized to require that the applicant pay any costs of renotification.
- C. Timing**
- (1) For petitions, applications, requests, or appeals requiring a public hearing, such hearing must take place within 65 days of the date of receipt of the petition, application, request, or appeal filing, and be completed within 35 days after the start of the hearing.
 - (2) Final decisions on petitions, applications, requests, or appeals must be given within 65 days after completion of the public hearing, unless a shorter timeframe is required by the General Statutes.
 - (3) The petitioner or applicant may agree to one or more extensions of time specified in this subsection as long as the total time extension does not exceed 65 days.
 - (4) For the purposes of calculating the timeframes for processing applications, the date of receipt of an application must be determined in accordance with the General Statutes

11.20 Preapplication Review

11.10.8 REVIEW AND DECISION-MAKING

- A. Authorized Actions.** Review and decision-making bodies may take any action that is consistent with:
- (1) The regulations of this zoning code and state law;
 - (2) Any rules or by-laws that apply to the review or decision-making body; and
 - (3) The notice that was given.
- B. Burden of Proof or Persuasion.** In all cases, the burden is on the applicant to show that an application or proposal complies with all applicable review or approval criteria.
- C. Continuance or Deferral.** Decision-making bodies are authorized to continue a public hearing or defer action in order to receive additional information or further deliberate.
- D. Conditions of Approval**
- (1) Review bodies are authorized to recommend conditions and decision-making bodies are authorized to approve the subject application with conditions.
 - (2) Any conditions recommended or approved must relate to a situation likely to be created or aggravated by the proposed use or development and must be roughly proportional to the impacts of the use or development.
 - (3) When conditions of approval are imposed, the decision-making body is authorized to require that applicant post a performance bond, escrow account, or other financial surety in order to guarantee compliance with applicable conditions.

11.10.9 CONSULTATIONS

- A.** On any application, the planning and zoning commission, zoning board of appeals, and other boards and commissions with a review or decision-making role under this zoning code may seek the advice and opinion of other city officials or boards.
- B.** The planning and zoning commission, zoning board of appeals, and other boards and commissions with a review or decision-making role under this zoning code are authorized to retain an architect, landscape architect, professional engineer, or other consultant to review, comment, and guide their deliberations on any application. If authorized by city ordinance, boards and commissions may require that the applicant deposit funds to cover the costs of any consulting review fees.

11.20 Preapplication Review

11.20.1 GENERAL

The preapplication review process provides an early opportunity for staff and applicants to discuss application submittal requirements, approval procedures, regulations, design standards, and other issues before submitting a formal development application for review and approval.

11.20.2 APPLICABILITY

The preapplication review process set forth in this section is required before submitting an application for any of the following:

- (1) Zoning map amendments (see [11.40](#));
- (2) Special permits (see [11.50](#));
- (3) Development plans (see [11.60](#));
- (4) New construction or exterior rehabilitation of any size principal building in any mixed-use, commercial, or industrial zone; or
- (5) New construction, exterior rehabilitation, or change of use of a residential or mixed-use building containing 4 or more dwelling units.

11.20.3 REVIEW PROCESS

- A. Step 1: Concept Plan Review.** As the first step of the preapplication review process, the applicant must schedule a concept plan review meeting with the zoning official and submit a concept plan for review by the zoning office and the office of planning and economic development. The purpose of concept plan stage of the preapplication review process is to provide early informal review comments on site planning and general urban design issues, such as building massing, building placement, parking location, driveways, landscaping, access to and visibility of main living units or commercial units to street, sidewalks, and streetscape.
- B. Step 2: Technical Plan Review.** As the second and final step of the preapplication review process, the applicant must schedule a technical plan review meeting with the zoning official and submit a concept plan for review by a staff technical team assembled by the zoning official from city departments such as building, engineering, water pollution control, fire. The purpose of technical plan stage of the preapplication review process is to provide further review comments on site planning and urban design, as well as on utilities, landscaping, parking, floor plans, and building design.
- C. Exceptions.** The zoning official is authorized to waive the requirement for technical plan review or to allow an

11.0 Procedures

11.30 Zoning Code Text Amendments

applicant to combine the concept plan and technical plan review steps into a single review for those projects that, in the determination of the zoning official, do not warrant a 2-step review due to the nature of the proposed construction and/or the extent of exterior site and building changes.

11.30 Zoning Code Text Amendments

11.30.1 GENERAL

Amendments to the text of this zoning code must be processed in accordance with the zoning code text amendment procedures of this section.

11.30.2 INITIATION

Zoning code text amendments applications may be initiated by the planning and zoning commission, the zoning official, or the planning director.

11.30.3 NOTICE OF HEARING

- A. Notice of the planning and zoning commission's required public hearing on a zoning code text amendment must be published in the newspaper in accordance with [11.10.6](#).
- B. If the proposed text amendment affects a zone located within 500 feet of the corporate limits of the city, notice must be provided to the regional planning agency in accordance with [11.10.6](#).

11.30.4 HEARING AND FINAL ACTION

- A. The planning and zoning commission must hold a public hearing and, following the close of the public hearing, act to approve the proposed zoning code text amendment, approve the proposed zoning code text amendment with modifications, or deny the proposed zoning code text amendment.
- B. The reasons for the final decision of the planning and zoning commission must be stated on the record.
- C. Zoning code text amendments may be approved by a simple majority vote of the planning and zoning commission.

11.30.5 REVIEW AND APPROVAL CRITERIA

The decision to amend the zoning code text is not controlled by any one standard. In making decisions about zoning code text amendments, the planning and zoning commission must consider all relevant factors, including at least the following:

- A. Whether the proposed text amendment is in conformity with the comprehensive plan; and

- B. Whether the proposed zoning code text amendment corrects an error or inconsistency or will help meet the challenge of a changed or changing condition.

11.30.6 EFFECTIVE DATE

- A. Unless otherwise provided by the planning and zoning commission at the time of approval, any approved zoning code text amendment becomes effective 10 days following publication of notice of the planning and zoning commission's action, including notice of the effective date of the amendment, in a newspaper of substantial circulation in the city, provided a copy of the amendment is filed in the city clerk's office. Pursuant to section 8-3 of the General Statutes, notice must be published within 15 days of the date that the amendment is adopted by the planning and zoning commission.
- B. No application for approval required under this article may be accepted or approved for properties affected by a zoning code text amendment until the effective date of the respective zoning code text amendment.

11.30.7 APPEALS

A party aggrieved by a decision of the planning and zoning commission may file an appeal of the decision with the Superior Court in accordance with section 8-9 of the General Statutes.

11.40 Zoning Map Amendments

11.40.1 GENERAL

Amendments to the zoning map that change the zoning classification of property or that modify zoning district boundaries must be processed in accordance with the zoning map amendment procedures of this section.

11.40.2 PREAPPLICATION REVIEW

Preapplication review is required in accordance with [11.20](#) before filing a zoning map amendment application. Preapplication review is not required for applications initiated by the planning and zoning commission, the zoning official, or the planning director.

11.40.3 INITIATION

Zoning map amendments applications may be filed by an eligible applicant, as defined in [11.10.4](#), or be initiated by the planning and zoning commission, the zoning official, or the planning director. Applications initiated by private parties must be filed with the zoning official.

11.40.4 NOTICE OF HEARING

- A. Notice of the planning and zoning commission's required public hearing on a zoning map amendment must be published in the newspaper in accordance with [11.10.6](#).

11.40 Zoning Map Amendments

Figure 11.140-A. Zoning Map Amendments



- B.** Notice of the planning and zoning commission’s required public hearing on a zoning map amendment must be emailed to the president of the NRZ within which the subject property is located in accordance with [11.10.6](#).
- C.** If the proposed zoning map amendment affects property located within 500 feet of the corporate limits of the city, notice must be provided to the regional planning agency in accordance with [11.10.6](#).
- D.** If the proposed zoning map amendment affects property located within 500 feet of the boundary of an adjoining municipality or will otherwise result in traffic, sewer, drainage, or stormwater runoff impacts to the adjoining municipality, as defined in section 8-7d(f) of the General Statutes, notice must be provided to the clerk of the adjoining municipality in accordance with [11.10.6](#).
- E.** If a zoning map amendment application is filed by an eligible applicant, the applicant must provide mailed notice to all owners of property located within 100 feet of the subject property and post notice signs on the subject property in accordance with [11.10.6](#).

11.40.5 HEARING AND FINAL ACTION

- A.** The planning and zoning commission must hold a public hearing and, following the close of the public hearing, act to approve the proposed zoning map amendment, approve the proposed zoning map amendment with

modifications or deny the proposed zoning map amendment.

- B.** The reasons for the final decision of the planning and zoning commission must be stated on the record.
- C.** Zoning map amendments may be approved by a simple majority vote of the planning and zoning commission except when a valid protest petition has been filed in accordance with [11.40.6](#).

11.40.6 PROTEST PETITIONS

- A.** If a valid protest petition is filed against any proposed zoning map amendment, approval of the zoning map amendment requires a favorable vote of two-thirds of the members of the planning and zoning commission.
- B.** A protest petition is valid only if it is signed and acknowledged by the owners of 20% or more of the total area of the lots included in proposed zoning map amendment area (i.e., the subject property) or the total area of lots within 500 feet of the subject property.
- C.** Petitions in protest of any proposed zoning map amendment must be completed and filed in the following manner:
 - (1) Protest petitions must be submitted on a form to be provided by the planning and commission;
 - (2) Petitions must include space for listing addresses of property owned by those signing;
 - (3) Invalid signatures do not invalidate remaining valid signatures included on the same petition;
 - (4) Petitions must include a form for attestation by the person circulating the petition and acknowledgment, as provided by law; and
 - (5) Petitions and forms must be duly attested and acknowledged and must be filed with the planning and zoning commission at or before the hearing on the subject zoning map amendment.
- D.** Any petition that fails to meet the criteria or requirements of this section ([11.40.6](#)) is considered invalid.

11.40.7 REVIEW AND APPROVAL CRITERIA

The decision to amend the zoning map is a matter of legislative discretion that is not controlled by any one standard. In making recommendations and decisions about zoning map amendments, review and decision-making bodies must consider all relevant factors, including at least the following:

11.0 Procedures

11.50 Special Permits

- A. Whether the proposed zoning map amendment is in conformity with the comprehensive plan; and
- B. Whether the proposed zoning map amendment corrects an error or inconsistency or will help meet the challenge of a changed or changing condition.

11.40.8 EFFECTIVE DATE

Unless otherwise provided by the planning and zoning commission at the time of approval, any approved zoning map amendment becomes effective 10 days following publication of notice of the planning and zoning commission's action, including notice of the effective date of the amendment, in a newspaper of substantial circulation in the city, provided a copy of the amendment is filed in the city clerk's office. Pursuant to section 8-3 of the General Statutes, the planning and zoning commission must cause notice of action to be published within 15 days of the date of its final decision. If this required notice is not published within 15 days of the date of the planning and zoning commission's final decision, the applicant may provide for the publication of required notice within 10 days thereafter.

11.40.9 SUCCESSIVE APPLICATIONS

The planning and zoning commission is authorized to decline to consider any application relating to the same zoning map amendment or substantially the same zoning map amendment for 12 months from the date of denial of the previous amendment request.

11.40.10 APPEALS

A party aggrieved by a decision of the planning and zoning commission may file an appeal of the decision with the Superior Court in accordance with section 8-9 of the General Statutes.

11.50 Special Permits

11.50.1 GENERAL

Special permit approval is required whenever a requirement for such approval is expressly stated by the provisions of this zoning code. Applications of special permit approval must be processed in accordance with the special permit procedures of this section.

11.50.2 PREAPPLICATION REVIEW

Preapplication review is required in accordance with [11.20](#) before filing a special permit application.

11.50.3 INITIATION

Special permit applications may be filed by an eligible applicant, as defined in [11.10.4](#). Applications must be filed with the zoning official.

11.50.4 NOTICE OF HEARING

- A. Notice of the planning and zoning commission's required public hearing on the special permit application must be published in the newspaper in accordance with [11.10.6](#).
- B. Notice of the planning and zoning commission's required public hearing on a special permit application must be emailed to the president of the NRZ within which the subject property is located in accordance with [11.10.6](#).
- C. If the special permit application affects property located within 500 feet of the boundary of an adjoining municipality or will otherwise result in traffic, sewer, drainage, or stormwater runoff impacts to the adjoining municipality, as defined in section 8-7d(f) of the General Statutes, notice must be provided to the clerk of the adjoining municipality in accordance with [11.10.6](#).
- D. The applicant must provide mailed notice to all owners of property located within 100 feet of the subject property in accordance with [11.10.6](#).

11.50.5 HEARING AND FINAL ACTION

- A. The planning and zoning commission must hold a public hearing on the application and, following the close of the hearing, act to approve the special permit application, approve the special permit application with conditions or deny the special permit application.
- B. The reasons for the final decision of the planning and zoning commission and for any conditions imposed must be stated in writing.
- C. Special permit applications may be approved by a simple majority vote of the planning and zoning commission.

11.50.6 REVIEW AND APPROVAL CRITERIA

- A. **General.** In order to approve a special permit application, the planning and zoning commission must make the following findings on the record:
 - (1) The proposed special permit use and accompanying site plan are consistent with and implement the objectives and policies of the master plan of conservation and development;
 - (2) The proposed special permit use and accompanying site plan complies with all applicable zoning code regulations;
 - (3) The proposed special permit use and accompanying site plan will not impair future development of the surrounding area;

Figure 11.140-B. Special Permits



- (4) The proposed special permit use will not be detrimental to existing development in the surrounding area because of its height, scale, design, or method of operation;
- (5) The proposal includes adequate safeguards to protect adjacent property and the neighborhood in general from any potential adverse impacts;
- (6) The proposed use is not likely to cause a depreciation in the value of nearby properties; and
- (7) Environmental impacts to Long Island Sound will be appropriately mitigated.

B. N Zones. In order to approve a special permit application for property located within an N zone or abutting an N-zoned lot, the planning and zoning commission must make the general findings specified in paragraph A of this subsection and the following findings of this paragraph B:

- (1) The location and size of the proposed use, the nature and intensity of operations involved will not be incongruous with existing residential uses;
- (2) The site layout and its relation to access streets is such that pedestrian and vehicular traffic to and from the use and the assembly of persons in

connection with the use will not be incongruous with existing residential uses; and

- (3) The proposed use will not present an undue hazard or inconvenience to residents.

C. Adaptive Reuse. In order to approve a special permit application for adaptive reuse of a structure or group of contiguous structures, whether or not the proposal involves one or more nonconforming uses, nonconforming structures, and/or nonconforming lots, the planning and zoning commission must make the following findings of this paragraph C:

- (1) The structure or group of structures proposed for adaptive reuse is certified as historic or architecturally significant by or eligible for inclusion in the National Historic Register, the State of Connecticut's Register of Historic Places, or identified as locally historic within the Bridgeport Historic Properties Report;
- (2) The potential negative impacts on the neighborhood of the proposed adaptive reuse have been mitigated. Such impacts shall include, at minimum, traffic generation, hours and nature of operation, and compatibility of proposed uses with existing uses; and
- (3) The renovation and remodeling of structures for adaptive reuse will not destroy or obscure essential architectural features. In addition, such architectural features must be enhanced to the extent that it is feasible and prudent to do so.

11.50.7 EFFECTIVE DATE

The effective date of an approved special permit must be established by the planning and zoning commission at the time of approval. Approved special permit applications must be filed in the office of the city clerk and notice of the planning and zoning commission's approval must be published in a newspaper of substantial circulation within the city before the effective date of the special permit. If such notice is not published within 15 days of the date of the planning and zoning commission's final decision, an applicant or petitioner may provide for the publication of required notice within 10 days thereafter.

11.50.8 RECORDING

Applicants are responsible for recording special use approvals in the city's land records and for providing written documentation of recording to the zoning official.

11.0 Procedures

11.60 Development Plans

11.50.9 LAPSE OF APPROVAL

A. General

- (1) An approved special permit lapses and has no further effect 12 months after the date of approval unless the special use approval is recorded in the city's land records and a full building permit (for the superstructure) has been issued and construction has started and is being diligently pursued or an application for extension has been filed with the planning and zoning commission.
- (2) If an appeal to court is filed, the 12-month lapse of approval period commences on the date of the final judicial determination of such appeal.
- (3) The planning and zoning commission is authorized to grant up to 4 annual (12-month) extensions of a special permit, subject to appropriate conditions and safeguards necessary to conserve the public health, safety, convenience, welfare and property values in the neighborhood.

B. Exception. Notwithstanding the general lapse of approval provisions in paragraph A of this subsection ([11.50.9](#)), any special permit approved on or after July 1, 2011 but before June 10, 2021, that did not expire before March 10, 2020 expires 14 years after the date of such approval. The planning and zoning commission is authorized to grant one or more extensions of time beyond 14 years to complete all or part of the work in connection with such special permit, provided that no special use approval, including any extensions, may be valid for more than 19 years from the date that the special permit was approved.

C. Denial of Extension Request. Denial of an application for extension of an approved special permit means that the special permit approval lapses and has no further effect.

11.50.10 MODIFICATIONS

Modifications to approved special permits must be processed as a new special permit application, including all requirements for fees, notices and public hearings, except the zoning official is authorized to approve minor modifications, such as the following:

- A.** Any modifications expressly authorized by planning and zoning commission at the time of special permit approval; and
- B.** The addition or relocation of customary accessory uses and structures.

11.50.11 APPEALS

A party aggrieved by a decision of planning and zoning commission may file an appeal of the decision with the Superior Court in accordance with section 8-9 of the General Statutes.

11.60 Development Plans

11.60.1 APPLICABILITY

The development plan review and approval procedures of this section apply to developments subject to the master plan development (MPD) regulations of [5.0](#) and to developments in the P3 zone.

11.60.2 PREAPPLICATION REVIEW

Preapplication review is required in accordance with [11.20](#) before filing a development plan application.

11.60.3 REZONING AND SUBDIVISION APPROVAL

Following completion of preapplication review, subdivision approval is required in accordance with [11.100](#). If any rezoning is required pursuant to the MPD or P3 zone regulations, the zoning map amendment must be processed concurrently with the required subdivision. All plans approved pursuant to this step of the development plan approval process constitute the property's required development plan.

11.60.4 SITE PLAN REQUIREMENT

- A.** Site plan approval is required before the issuance of any permits for development or construction of on any property included within the boundaries of any approved development plan. This site plan approval requirement does not apply to the construction of streets or other public improvements.
- B.** Unless a longer time period or a phasing plan is approved at the time of approval of the development plan, a complete application for site plan approval must be filed within 5 years of the date of development plan approval. If an application for site plan approval is not filed within the time required, no further site plans may be approved for the project until the subject property owner has filed the original or amended development plan for review and consideration by the planning and zoning commission. Following review and consideration, the planning and zoning commission is authorized to approve any of the following actions based on surrounding land use patterns and other relevant information presented at the time of reconsideration:
 - (1) An extension of time for filing a site plan;
 - (2) An amendment to the approved development plan; or

- (3) Rezoning of all or a portion of the subject property to another zone classification in accordance with the zoning map amendment procedures of [11.40](#).

C. Notwithstanding the 5-year site plan filing deadline established in paragraph B of this subsection ([11.60.4](#)), any development plan approved on or after July 1, 2011 but before June 10, 2021, that did not expire before March 10, 2020 expires 14 years after the date of such approval. The planning and zoning commission is authorized to grant one or more extensions of time beyond 14 years to file a site plan application for all or part of the work in connection with such development plan, provided that no development plan approval, including any extensions, may be valid for more than 19 years from the date that the development plan was approved.

11.70 Site Plans

11.70.1 GENERAL

Site Plans are required in order to provide an authorized decision-making body with information that will enable it to determine that proposed buildings, uses, and structures comply with all applicable regulations of this zoning code.

11.70.2 APPLICABILITY

Except as otherwise expressly exempted under provisions of this zoning code, site plan approval is required for all of the following:

- A.** Any use or activity for site plan approval for which site plan approval is expressly required under this zoning code;
- B.** Any use or activity that for which special permit approval is required under this zoning code;
- C.** Any use or activity that requires coastal site plan approval pursuant to [11.80](#);
- D.** Any activity requiring review by the inlands wetlands agency pursuant to chapter 440 of the General Statutes;
- E.** Any subdivision;
- F.** Any new construction of a principal building containing 2 or more dwelling units or a nonresidential use;
- G.** Any activity that results in an increase in existing lot coverage by more than 5%; and
- H.** Any change of use.

11.70.3 INITIATION

Site plan applications may be filed by an eligible applicant, as defined in [11.10.4](#). Applications must be filed with the zoning official. If a site plan application involves an activity regulated pursuant to sections 22a-36 to 22a-45 of the General Statutes, the applicant must submit an application for an inlands wetlands and watercourses permit no later than the day the general site plan application is filed with the planning and zoning commission.

11.70.4 REVIEW AND DECISION-MAKING

- A. Zoning Official.** The commission delegates to the zoning official final decision-making authority on all required site plans except those specified in [11.70.4.B](#). The zoning official is authorized to refer a site plan to the planning and zoning commission, which would then become the decision-making body. Site plans over which the zoning official has final decision-making authority are reviewed concurrently with certificates of zoning compliance (see [11.110](#)).
- B. Planning and Zoning Commission.** The planning and zoning commission has final review and decision-making authority on all of the following required site plans:
 - (1) Site plans that must accompany a special permit application, which must be reviewed in accordance with the special permit procedures of [11.50](#);
 - (2) Coastal site plans, as required under [11.80](#);
 - (3) Subdivisions, other than first-cut (or free-split) subdivisions dividing a single lot that existed in 1948 into no more than 2 lots (such first-cut subdivisions may be reviewed and approved by the zoning official);
 - (4) Site plans requiring review by the inland wetlands agency pursuant to chapter 440 of the General Statutes; and
 - (5) Any other site plans for which planning and zoning commission review is expressly required by this zoning code or the General Statutes.
- C. Criteria for Site Plan Approval.** Final action to approve or disapprove a proposed site plan must be based solely on whether the site plan, as proposed, complies the regulations of this zoning code and all other applicable regulations under the jurisdiction of this zoning code.

11.70.5 FINANCIAL GUARANTEES

As a condition of site plan approval and in accordance with section 8-3(g) of the General Statutes, the planning and zoning commission is authorized to require a financial

11.0 Procedures

11.70 Coastal Site Plans

guarantee in the form of a performance bond, escrow account of other approved surety to ensure timely and adequate completion of site improvements.

11.70.6 LAPSE OF APPROVAL

A. General. In accordance with section 8-3(i) of the General Statutes, site plan approval expires 5 years after the date of approval of the site plan unless all work required by the site plan has been completed or an application for extension of the approval has been approved by the planning and zoning commission. The subdivider or the subdivider's successor in interest may apply for and the planning and zoning commission may grant one or more extensions of the time to complete all or part of the work in connection with such site plan, provided the time for all extensions may not exceed 10 years from the date of approval of the site plan.

B. Exception. Notwithstanding the general lapse of approval provisions in paragraph A of this subsection (11.70.6), any site plan approved on or after July 1, 2011 but before June 10, 2021, that did not expire before March 10, 2020 expires 14 years after the date of such approval. The planning and zoning commission is authorized to grant one or more extensions of time beyond 14 years to complete all or part of the work in connection with such site plan, provided that no site plan approval, including any extensions, may be valid for more than 19 years from the date that the special permit was approved.

11.80 Coastal Site Plans

11.80.1 PURPOSE

The coastal site plan review procedures of this section are intended to:

- A.** Fulfill the requirements of Chapter 444 of the General Statutes (sections 22a-90 through 22a-113);
- B.** Ensure that activities and projects proposed within the coastal boundary comply with all applicable regulations and requirements; and
- C.** Ensure that within the coastal boundary the potential adverse impacts of proposed activities on both coastal resources and future water-dependent development activities are acceptable.

11.80.2 APPLICABILITY

Coastal site plan review and approval is required for all non-exempt activities and projects on sites located wholly or partially within the "coastal boundary," as defined in section 22a-93 of the General Statutes, if:

- A.** Such activity or project is a municipal project referred to the planning and zoning commission in accordance with section 8-24 of the General Statutes;
- B.** Such activity or project is the subject of an application for a special permit, site plan, variance, subdivision, or resubdivision.

11.80.3 EXEMPTIONS

- A.** Notwithstanding the applicability criteria of 11.80.2, coastal site plan review is not required for any of the following:
 - (1) Minor additions to or modifications of existing buildings or detached accessory buildings, such as garages and utility sheds;
 - (2) Construction of new or modification of existing structures incidental to the enjoyment and maintenance of residential property including but not limited to walks, terraces, elevated decks, driveways, swimming pools, tennis courts, docks and detached accessory buildings;
 - (3) Construction of new or modification of existing on-premise structures including fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs, and such other minor structures as will not substantially alter the natural character of coastal resources or restrict access along the public beach;
 - (4) Construction of an individual single-family residential structure except when such structure is in or within 100 feet of the following coastal resource areas: tidal wetlands, coastal bluffs and escarpments and beaches and dunes;
 - (5) Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife and other coastal land and water resources;
 - (6) Interior modifications to buildings;
 - (7) Minor changes in use of a building, structure or property except those changes occurring on property adjacent to or abutting coastal waters; and
 - (8) Gardening, grazing and the harvesting of crops.
- B.** Shoreline flood and erosion control structures do not qualify as exemptions under the provisions of this subsection. Applications involving shoreline flood and erosion control structures must be referred to the

commissioner of energy and environmental protection as required under section 22a-109 of the General Statutes.

11.80.4 PROHIBITED USES AND ACTIVITIES

New tank farms and other new fuel and chemical storage facilities that can reasonably be located inland are expressly prohibited within designated coastal boundaries. All new storage tanks that cannot reasonably be located inland of the coastal boundary must abut existing storage tanks and be protected against floods and spills.

11.80.5 INITIATION

- A.** Coastal site plan applications may be filed by an eligible applicant, as defined in [11.10.4](#). Applications must be filed with the zoning official.
- B.** Pursuant to the General Statutes, coastal site plan applications must include at least the following information:
- (1) A plan showing the location and spatial relationship of coastal resources on and contiguous to the site;
 - (2) A description of the entire project with appropriate plans, indicating project location, design, timing, and methods of construction;
 - (3) An assessment of the suitability of the project for the proposed site;
 - (4) An evaluation of the potential beneficial and adverse impacts of the project;
 - (5) A description of proposed methods to mitigate adverse effects on coastal resources; and
 - (6) Information demonstrating that any adverse impacts of the proposed activity are acceptable and that such activity is consistent with the goals and policies set forth in section 22a-92 of the General Statutes.

11.80.6 PROCESS

Coastal site plan review triggered by an application for a special permit, variance, or subdivision must follow the public hearing, public hearing notice, and decision-making timeframe requirements that apply to the type of approval being requested. All other coastal site plans must be processed in accordance with the site plan procedures of [11.70](#).

11.80.7 REVIEW AND DECISION-MAKING CRITERIA

In reviewing and making decisions on coastal site plans, decision-making bodies must evaluate the proposal compliance with all applicable regulations and determine

whether the following criteria, established in section 22a-106 of the General Statutes, have been met:

- A.** Consistency of the proposed activity with the applicable goals and policies set forth in section 22a-92 of the General Statutes;
- B.** Acceptability of the proposed activity's potential "adverse impacts on coastal resources," as defined in section 22a-93 of the General Statutes;
- C.** Acceptability of the proposed activity's potential "adverse impacts on future water-dependent development opportunities," as defined in section 22a-93 of the General Statutes; and
- D.** Adequacy of any measures taken to mitigate the adverse impacts of the proposed activity on coastal resources and future water-dependent development opportunities.

11.80.8 ACTION

Following review of the proposed coastal site plan, the decision-making body must act to approve the coastal site plan application, approve the coastal site plan application subject to modifications or conditions, or deny approval of the coastal site plan on the basis of the review and decision-making criteria of [11.80.7](#). Pursuant to section 22a-106 of the General Statutes, the decision-making body must state in writing the findings and reasons for its action, including written findings regarding compliance with the review and decision-making criteria of [11.80.7](#).

11.80.9 LAPSE OF APPROVAL

A. General

- (1) Coastal site plan approval lapses and has no further effect 12 months after the date of approval or approval with conditions unless a full building permit has been issued and construction has started and is being diligently pursued or an application for extension has been filed with the planning and zoning commission.
- (2) If an appeal to court is filed, the 12-month period commences on the date of the final judicial determination of such appeal.
- (3) The coastal site plan decision-making body is authorized to grant up to 4 annual (12-month) extensions of a special permit, subject to appropriate conditions and safeguards necessary to conserve the public health, safety, convenience, welfare and property values in the neighborhood.

11.0 Procedures

11.90 Variances

- B. Exception.** Notwithstanding the general lapse of approval provisions in paragraph A of this subsection ([11.80.9](#)), any coastal site plan approved on or after July 1, 2011 but before June 10, 2021, that did not expire before March 10, 2020 expires 14 years after the date of such approval. The planning and zoning commission is authorized to grant one or more extensions of time beyond 14 years to complete all or part of the work in connection with such coastal site plan, provided that no coastal site plan approval, including any extensions, may be valid for more than 19 years from the date that the special permit was approved.
- C. Denial of Extension Request.** Denial of an application for extension of an approved coastal site plan means that the coastal site plan approval lapses and has no further effect.

11.90 Variances

11.90.1 GENERAL

- A.** As authorized in section 8-6 of the General Statutes, the zoning board of appeals is authorized to grant variances as a way to providing regulatory relief to property owners when the regulations of this zoning code render property very difficult or impossible to put to reasonable use because of some unique or special characteristics of the subject property (rather than the zone as a whole).
- B.** The intent of a variance is not to simply remove an inconvenience or financial burden resulting from compliance with applicable zoning requirements. Variances are intended to help alleviate an exceptional difficulty or unusual hardship that would result from literal enforcement of applicable zoning requirements.

11.90.2 PROHIBITED VARIANCES

The zoning variance procedures of this section may not be used to:

- A.** Waive, modify or otherwise vary any of the review and approval procedures;
- B.** Waive, vary, modify or otherwise override a condition of approval or requirement imposed by another authorized decision-making body or the state or federal government;
- C.** Waive, vary or modify provisions over which jurisdiction for exceptions or other modifications is assigned to another decision-making body; or
- D.** Waive, vary or modify provisions for which variances are expressly prohibited.

11.90.3 INITIATION

Variance applications may be filed by an eligible applicant, as defined in [11.10.4](#). Applications must include a site plan and be filed with the zoning official.

11.90.4 NOTICE OF HEARING

- A.** Notice of the zoning board of appeals required public hearing on a variance application must be published in the newspaper in accordance with [11.10.6](#).
- B.** Notice of the zoning board of appeals required public hearing on a variance application must be emailed to the president of the NRZ within which the subject property is located in accordance with [11.10.6](#).
- C.** If the variance application affects property located within 500 feet of the boundary of an adjoining municipality or will otherwise result in traffic, sewer, drainage, or stormwater runoff impacts to the adjoining municipality, as defined in section 8-7d(f) of the General Statutes, notice must be provided to the clerk of the adjoining municipality in accordance with [11.10.6](#).
- D.** The applicant must provide mailed notice to all owners of property located within 100 feet of the subject property in accordance with [11.10.6](#).

11.90.5 HEARING AND FINAL ACTION

- A.** The zoning board of appeals must hold a public hearing on the variance application and, following the close of the hearing, act to approve the variance application, approve the variance application with conditions, or deny the variance application. The zoning board of appeals must act on the variance application in accordance with the timing requirements for public hearings set forth in section 8-7d of the General Statutes.
- B.** The reasons for the final decision of the zoning board of appeals and for any conditions imposed must be stated in writing.
- C.** Variance applications may be approved only upon the concurring vote of at least 4 members of the zoning board of appeals.

11.90.6 REVIEW AND APPROVAL CRITERIA

- A. General.** In order to approve a variance application, the zoning board of appeals must make the following findings on the record:
- (1) Literal enforcement of the applicable zoning regulations would result in exceptional difficulty or unusual hardship because of unique physical conditions of subject property;

- (2) The exceptional difficulty or unusual hardship claimed results from conditions that are unique to the subject property and not generally applicable to other properties in the neighborhood or zone in which the property is located;
- (3) The exceptional difficulty or unusual hardship has not been created by the owner or a previous owner;
- (4) The variance to be granted is the least deviation from the applicable regulations that is sufficient to reduce the exceptional difficulty or unusual hardship and that will allow the owner to make reasonable use of the subject property; and
- (5) The variance granted will not adversely impact the neighborhood, will not impair the appropriate use or development of adjacent property, will maintain the public welfare, and will be consistent with the general intent of this zoning code and the master plan of conservation and development.

11.90.7 RECORDING; LAPSE OF APPROVAL

An approved variance lapses and has no further effect 6 months after the date of approval or approval with conditions unless the applicant records the approved variance in the city's land records and provides written documentation of recording to the zoning official.

11.90.8 SUCCESSIVE APPLICATIONS

The zoning board of appeals is authorized to decline to consider any application for the same or substantially the same variance for 6 months from the date of denial of the previous variance request by the zoning board of appeals or court.

11.90.9 APPEALS

A party aggrieved by a decision of board of zoning appeals may file an appeal of the decision with the Superior Court in accordance with section 8-8 of the General Statutes.

11.100 Subdivisions

11.100.1 GENERAL

The subdivision procedures of this section are intended to ensure that proposed subdivisions are reviewed to determine compliance with all applicable regulations, including the subdivision design regulations of [10.40](#). All subdivisions of land are subject to these procedures.

11.100.2 INITIATION

Subdivision applications may be filed by an eligible applicant, as defined in [11.10.4](#). Applications must include a subdivision site plan and be filed with the zoning official.

11.100.3 PROCESS

Subdivision applications must be reviewed and processed in accordance with the applicable site plan procedures of [11.70](#).

11.100.4 REVIEW AND APPROVAL CRITERIA

The decision to approve, approve with conditions, or deny approval of a proposed subdivision must be based on whether the proposed subdivision complies with all applicable regulations of this zoning code, except for those regulations for which a modification was approved in accordance with [11.100.6](#).

11.100.5 LAPSE OF APPROVAL

A. General. In accordance with section 8-26c of the General Statutes, any person, firm, or corporation making any subdivision of land must complete all work in connection with such subdivision within 5 years after the date of approval of the subdivision. The subdivider or the subdivider's successor in interest may apply for and the planning and zoning commission may grant one or more extensions of the time to complete all or part of the work in connection with such subdivision, provided the time for all extensions may not exceed 10 years from the date of approval of the subdivision.

B. Exception. Notwithstanding the general lapse of approval provisions in paragraph A of this subsection ([11.100.5](#)), any subdivision approved on or after July 1, 2011 but before June 10, 2021, that did not expire before March 10, 2020 expires 14 years after the date of such approval. The planning and zoning commission is authorized to grant one or more extensions of time beyond 14 years to complete all or part of the work in connection with such subdivision, provided that no subdivision approval, including any extensions, may be valid for more than 19 years from the date that the subdivision was approved.

11.100.6 MODIFICATIONS

A. Authorized. The planning and zoning commission is authorized to approve the following modifications as part of a proposed subdivision:

- (1) Modifications of minimum lot area, minimum lot width and minimum building setback requirements in order to cluster development, group public open space, and accommodate the retention of existing slopes, trees, wetlands, other natural features, and historic resources.
- (2) Modification of minimum street frontage and driveway (access) requirements to promote sound site planning, to more efficiently use the land of the subdivision, to reduce impermeable surface, and to provide more open space. Such modifications

11.0 Procedures

11.110 Certificates of Zoning Compliance

must ensure that adequate access is provided for emergency service providers.

- B. Special Permit Approval.** Modification requests must be processed in accordance with the special permit procedures of [11.50](#).

11.100.7 RECORDING

Once the subdivision has been approved and all site improvements and dedications required by the subdivision plan have been completed, the planning and zoning commission must certify completion of the approved subdivision plan. The applicant is responsible for recording the approved subdivision in the city's land records within 90 days of the expiration of the appeal period under section 8-8 of the General Statutes. Lots created by the subdivision may not be transferred to separate owners until the subdivision has been approved and proof of recording has been provided to the zoning official.

11.110 Certificates of Zoning Compliance

11.110.1 GENERAL

The certificate of zoning compliance procedures of this section are intended to ensure that land, buildings, and structures and the uses to be made of such land, building, and structures complies in all respects with the provisions of this zoning code and the requirements or conditions of any approvals granted under this zoning code.

11.110.2 APPLICABILITY

A certificate of zoning compliance must be obtained in accordance with the procedures of this section before any of the following occurs:

- A.** Use or occupancy of land, except for farming or gardening;
- B.** Use or occupancy of any building or structure that is erected, reconstructed, or structurally altered;
- C.** Expansion, enlargement or change of a nonconforming use;
- D.** Expansion or enlargement of a building occupied by a nonconforming use;
- E.** Expansion, enlargement, movement, or re-establishment of a nonconforming structure; and
- F.** Issuance of a certificate of occupancy.

11.110.3 INITIATION

Applications for a certificate of zoning compliance may be filed by an eligible applicant, as defined in [11.10.4](#). Applications must be filed with the zoning official. For

properties within an OH (Historic Overlay) zone an application for a zoning compliance permit may not be accepted for processing until any required certificate of appropriateness has been approved the historic district commission,

11.110.4 REVIEW AND DISPOSITION

- A.** Within 15 days of receipt of a complete application for a certificate of zoning compliance, the zoning official must determine whether the proposed use or activity has received all required approvals and complies with all applicable regulations of this zoning code.
- B.** Following review of the application, the zoning official must act to approve or deny the application and provide the applicant with written notice of the decision.
- C.** If the application is denied, the notice must state the reasons for the denial and indicate that the zoning official's decision may be appealed to the zoning board of appeals.

11.110.5 REVOCATION

The zoning official is authorized to revoke a certificate of zoning compliance upon a finding that the application contained material misrepresentations of fact or that the parameters of the permit are being materially violated by work or activity that does not conform to the approved certificate of zoning compliance.

11.110.6 LAPSE OF APPROVAL

Once approved, a certificate of zoning compliance lapses and has no further effect 12 months after the date of approval unless a full building permit has been issued and construction has started and is being diligently pursued. If no building permit is required, the approved certificate of zoning compliance does not lapse.

11.110.7 ISSUANCE OF BUILDING PERMITS

No building permit for the erection, reconstruction or structural alterations of any building or structure requiring a certificate of zoning compliance may be issued until all of the following occur:

- A.** The permit applicant applies for a certificate of zoning compliance;
- B.** A zoning official completes an endorsement on the application that an application has been made for a certificate of zoning compliance; and
- C.** The zoning official certifies on the application for the building permit that the work described in the building permit application and shown on any accompanying plans and specifications will comply with the

11.120 Certificates of Location Approval

requirements of this zoning code or any approvals granted under the authority of this zoning code.

11.110.8 RECORDS

The zoning official must keep accurate records of all certificates of zoning compliance issued indicating lot and block number, new construction, additions or modifications, and building type. In addition, records must indicate all site visits, actions taken and the time and issue date of all permits, certificates, and cease and desist orders. The zoning official must record the conditions warranting a cease and desist order by taking photographs and providing a written description of the elements in violation.

11.110.9 AS-BUILT DRAWINGS

- A.** Before receipt of a certificate of zoning compliance, applicants proposing any new construction or any building addition that increases an existing building footprint by more than 100 square feet must submit a digital, as-built drawing (A-2 Survey) to the zoning office.
- B.** The zoning official is also authorized to require the submittal of a digital A-2 survey for other applications when the zoning official determines that there is uncertainty regarding setbacks, lot coverage or other site conditions.
- C.** Required as-built drawings must be recorded in the city's land records.

11.120 Certificates of Location Approval

11.120.1 APPLICABILITY

A certificate of location approval must be obtained before the establishment or expansion of any of the following:

- A.** Uses that sell or serve alcohol, including any requested change in the type of on-premises alcohol consumption liquor permit;
- B.** Cannabis sales or growing establishments;
- C.** Light vehicle sales & service uses; or
- D.** Any of the following heavy sales and service uses:
 - (1) Commercial vehicle repair and maintenance;
 - (2) Commercial vehicle sales and rentals;
 - (3) Personal vehicle repair and maintenance, major; or
 - (4) Vehicle body and paint finishing shop.

11.120.2 AUTHORITY AND PROCESS

A. Planning and Zoning Commission

- (1) **Authority.** The planning and zoning commission has final decision-making authority on certificates of location approval for uses that sell or serve alcohol and cannabis sales or growing.
- (2) **Review and Approval Criteria.** No application for a certificate of location approval may be granted until the planning and zoning commission has made the following findings:
 - (a) The use is compatible with and implements the objectives and policies of the master plan of conservation and development;
 - (b) The use will not impair the future development of the surrounding area;
 - (c) The proposal includes adequate safeguards to protect adjacent property and the neighborhood in general from any detrimental impacts the proposed use might otherwise have;
 - (d) In the case of any proposed use located in, or directly adjacent to, an N or NX zone, the location and size of such use, the nature and intensity of operations involved in or conducted in connection with the use, its site layout and its relation to access streets is such that pedestrian and vehicular traffic to and from the use and the assembly of persons in connection with the use will not be incongruous with residential uses, and will not present an undue hazard or inconvenience to residents;
 - (e) The proposed use will not adversely impact property values; and
 - (f) The use will not be disruptive to or cause conflicts with existing uses within the immediate vicinity.

B. Zoning Board of Appeals

- (1) **Authority.** The zoning board of appeals has final decision-making authority on certificates of location approval for motor vehicle sales, services and repair uses.
- (2) **Review and Approval Criteria.** The zoning board of appeals must review certificates of proposed location approval in accordance with applicable provisions of section 14-54 and section 14-321 of the General Statutes.

11.0 Procedures

11.130 Certificates of Appropriateness

11.120.3 TRANSFER

Certificates of location approval approved on or after the effective date specified in [1.10.3](#) do not run with the land. Holders of a certificate of location approval approved on or after the effective date specified in [1.10.3](#) may not transfer such certificate to subsequent owners without the express approval of the planning and zoning commission or zoning board of appeals, as applicable.

11.120.4 EXPIRATION

A certificate of location approval that was approved on or after the effective date specified in [1.10.3](#) expires 5 years after the date of approval unless the planning and zoning commission or zoning board of appeals establishes a shorter expiration time-frame. Once a certificate of location approval expires, a new certificate must be obtained before continuing, establishing, or expanding any of the uses identified in [11.120.1](#).

11.130 Certificates of Appropriateness

Within 5 days of the receipt of any application by the planning and zoning commission or zoning board of appeals respecting property within a OH (Historic Overlay) zone, the receiving agency must mail notice to the chairperson of the city's historic district commission informing them of the filing of such application.

11.140 Appeals of Administrative Decisions

11.140.1 APPLICABILITY

In accordance with section 8-7 of the General Statutes, the zoning board of appeals is authorized to hear and decide appeals when it is alleged there has been an error in any order, requirement, decision or determination made by the zoning official or any other administrative official in the administration and interpretation of this zoning code.

11.140.2 RIGHT TO APPEAL

Except as otherwise expressly stated in this zoning code, appeals of administrative decisions may be filed by any person aggrieved by the administrative official's decision or action. The zoning board of appeals is authorized to make determinations about whether individuals filing appeals are "aggrieved" by the decision or action.

11.140.3 FILING OF APPEAL

Appeals of administrative decisions must be filed with the zoning official within 30 days of the earlier of any of the following:

- A. Receipt of the order, requirement, or decision being appealed;

- B. The publication of a notice of a final decision in accordance with this zoning code and the General Statutes;
- C. Actual or constructive notice of the order, requirement, or decision being appealed.

11.140.4 EFFECT OF FILING

- A. The filing of a complete notice of appeal does not stay any order, requirement, or decision that prohibits further construction or expansion of a use in violation of zoning code regulations, except to the extent that the zoning board of appeals expressly grants a stay.
- B. The filing of a complete notice of appeal from any other order, requirement, or decision stays all proceedings in furtherance of the action appealed, unless the commission or the official from whom the appeal has been taken certifies to the zoning board of appeals (after the notice of appeal has been filed), that, for reasons stated in the official's certification, a stay would cause imminent peril to life or property. In that case, proceedings are stayed only upon issuance of a restraining order, which may be granted by a court of record.

11.140.5 TRANSMITTAL TO BOARD

Upon receipt of a complete notice of appeal, the administrative official whose decision is being appealed must transmit to the zoning board of appeals all papers constituting the record upon which the action appealed is taken.

11.140.6 NOTICE OF HEARING

- A. Notice of the zoning board of appeals required public hearing on the appeal must be published in the newspaper in accordance with [11.10.6](#).
- B. If the appeal affects a specific property, the city must provide emailed notice of the hearing to the president of the NRZ within which the subject property is located in accordance with [11.10.6](#).
- C. If the appeal affects a specific property, the applicant must provide mailed notice to all owners of property that about the subject property in accordance with [11.10.6](#).

11.140.7 HEARING AND FINAL DECISION

- A. The zoning board of appeals must hold a hearing to consider the appeal.
- B. Following the close of the hearing, the zoning board of appeals must take action on the appeal. The board's decision must be supported by written findings of fact.

11.140 Appeals of Administrative Decisions

- C.** In exercising the appeal power, the zoning board of appeals has all the powers of the administrative official from whom the appeal is taken. The zoning board of appeals may affirm or reverse, wholly or in part, or modify the decision being appealed. The concurring vote of at least 4 members of the zoning board of appeals is necessary to reverse an administrative decision.
- D.** In acting on the appeal, the zoning board of appeals must grant to the administrative official's decision a presumption of correctness, placing the burden of persuasion of error on the appellant.

11.140.8 GENERAL REVIEW CRITERION

An administrative decision may be reversed only if the zoning board of appeals finds that the zoning official or other administrative official erred.

11.140.9 APPEALS

A party aggrieved by a decision of board of zoning appeals may file an appeal of the decision with the Superior Court in accordance with section 8-8 of the General Statutes.

[page intentionally blank]

12.0 ADMINISTRATION

12.10 Review and Decision-Making Bodies 12-2
12.20 Fees and Charges 12-2
12.30 Violations, Penalties, and Enforcement 12-3

12.10 Review and Decision-Making Bodies

12.10 Review and Decision-Making Bodies

12.10.1 PLANNING AND ZONING COMMISSION

- A. Establishment and Composition.** As established in chapter 2.102 of the municipal code, the planning and zoning commission is composed of 9 regular members and 3 alternate members.
- B. Rules and Procedures.** The planning and zoning commission is authorized to adopt bylaws, rules and procedures needed to administer and enforce this zoning code and carry out its powers and duties.
- C. Powers**
- (1) As provided by Chapter 19, Section 6 of the 1992 Charter, the zoning authority of the city is vested in the planning and zoning commission. The planning and zoning commission has all powers and duties provided to zoning commissions provided under Chapter 124 of the General Statutes. Such powers include establishing or changing the zoning regulations and the zoning map; hearing and acting on applications for special permits, site plans, and subdivisions; recommending every 10 years a plan of conservation and development; enacting and administering subdivision regulations; and conducting reviews in accordance with section 8-24 of the General Statutes.
 - (2) The planning and zoning commission is expressly authorized to administer and enforce this zoning code. The planning and zoning commission must appoint an administrative agent, with the title of zoning official, with full power to administer and enforce this zoning code on behalf of the planning and zoning commission. The planning and zoning commission or the zoning official or one of the zoning official's agents may file information with the prosecuting authority upon violation of any of this zoning code.
- D. Inland Wetlands Agency.** In accordance with section 2.78 of the municipal code, the planning and zoning commission serves as the inland wetlands and watercourses agency required to be created pursuant to section 22a-42 of the General Statutes, exercising all powers accorded to inland wetlands and watercourses agencies by law.
- E. Liquor Control.** Pursuant to Section 4-2 of the city's Municipal Code of Ordinances, every application to the Liquor Control Commission of the State of Connecticut, for a permit for the manufacture or sale of alcoholic liquor and requiring an endorsement thereon as to the

status of the premises and the intended use thereof with respect to zones and zoning regulations of the city, must be so endorsed solely by the planning and zoning commission, acting through its duly authorized agent.

12.10.2 ZONING BOARD OF APPEALS

- A. Establishment and Composition.** As established in chapter 2.103 of the municipal code, the zoning board of appeals is composed of 5 regular members and 3 alternate members.
- B. Rules and Procedures.** The zoning board of appeals is authorized to adopt bylaws, rules and procedures needed to carry out its carry out its powers and duties.
- C. Powers.** The zoning board of appeals has the powers and duties that are expressly identified in this zoning code and the General Statutes, including acting on applications for variances and appeals of administrative decisions.
- D. Vote Required.** As provided in the General Statutes, the concurring vote of 4 members of the zoning board of appeals is required to reverse any order, requirement or decision of the zoning official or to decide in favor of the applicant in any matter upon which it is required to pass under the regulations or to vary the application of the regulations of this zoning code.

12.10.3 ZONING OFFICIAL

The zoning official, acting as an agent of the planning and zoning commission, has the powers and duties that are expressly identified in this zoning code. The zoning official is generally responsible for administering and enforcing all provisions of this zoning code, in accordance with administrative rules and procedures established by the planning and zoning commission.

12.10.4 ZONING ENFORCEMENT OFFICER

The zoning official and the zoning official's designees serve as the zoning enforcement officers of the city and have those enforcement powers and duties described in this zoning code, including those identified in [12.30](#). In the event of the zoning official's absence from duty, the city official designated as the assistant zoning official possesses the powers and duties described in this zoning code, including those identified in [12.30](#).

12.20 Fees and Charges

12.20.1 CITY COUNCIL

Pursuant to Section 8-1c of the General Statutes, application fees and other fees necessary in connection with the procedures set forth in this zoning code, including fees for the preparation of the hearing transcript upon any appeal

12.30 Violations, Penalties, and Enforcement

filed in court, may be as established and revised from time to time by ordinance adopted by the city council and published in the office of the city clerk.

12.20.2 PLANNING AND ZONING COMMISSION

The planning and zoning commission may establish and revise from time to time a schedule of fees, charges and expenses and a procedure for applications, petitions, site, architectural and other plans, maps, certificates of zoning compliance, permits, inspections, the giving and mailing of notices and the publication thereof, and such other items as are deemed appropriate by the commission, pertaining to these zoning regulations.

12.30 Violations, Penalties, and Enforcement

12.30.1 ENFORCEMENT AUTHORITY

- A. The zoning enforcement officer has the authority and responsibility to enforce the provisions of this zoning code in accordance with administrative rules and procedures established by the planning and zoning commission.
- B. The zoning enforcement officer is authorized to cause any building, structure, place, premises, use of any land or any work upon any building or structure being erected or altered, whether or not such work is being done under authority of a zoning permit, to be inspected at any time; to assess fines and issue violation notices; and to order the discontinuance of any violations of the regulations of this zoning code or the remedying of any condition found to be in violation of this zoning code.
- C. The zoning enforcement officer has the authority and responsibility to review requests for certifications as to zoning compliance, including certificates of zoning compliance, and to issue or deny issuance of the same pursuant.
- D. The zoning enforcement officer is authorized to remove and confiscate or cause such removal and confiscation of any sign, object and other obstruction placed on any property, public lands or within the lines of public roads and rights-of-way, or erected on, attached to, maintained on or displayed on any such location in any zone where no permit has been issued or where such sign is in violation of any provision of this zoning code.

12.30.2 VIOLATIONS

Violations of the provisions of this zoning code are subject to the remedies and penalties provided for in this article.

12.30.3 CONTINUING VIOLATIONS

Each day that a violation remains uncorrected after receiving notice of the violation from the city constitutes a separate

violation of this zoning code.

12.30.4 PERSONS SUBJECT TO PENALTIES

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, or agent, or other person who commits, participates in, assists in, or maintains a violation of this zoning code may each be found guilty of a separate offense and be subject to penalties, remedies, and enforcement actions under this zoning code.

12.30.5 REMEDIES AND ENFORCEMENT POWERS

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

- A. The zoning official may deny an application of zoning compliance or the release of a zoning compliance or other forms of authorization required from the zoning official. This enforcement provision may be used regardless of whether the current owner or applicant is responsible for the violation. The zoning official may grant authorization subject to the condition that the violation be corrected.
- B. Applications and zoning compliance may be denied or revoked by the zoning official when any of the determinations in paragraphs (1), (2), or (3) below is made:
 - (1) There are violations of approvals or approved plans of development.
 - (2) That the zoning compliance was procured by false representation or was issued in error.
 - (3) That any of the provisions of this zoning code, or any approval previously granted by the city, are being violated.
 - (4) Written notice of revocation must be served upon the owner, the owner's agent or contractor, or upon any person employed on the building or structure for which such application or zoning compliance was issued. If no persons can reasonably be served with notice, the notice must be published in a newspaper of general circulation in the city.
- C. **Stop Work.** The zoning official may stop work on any building or structure on any land on which there is an uncorrected violation of a provision of this zoning code.
- D. **Injunctive Relief.** The city may seek an injunction or other equitable relief in court to stop any violation of this zoning code.
- E. **Abatement.** The city may seek a court order in the nature of mandamus, abatement, injunction or other

12.0 Administration

12.30 Violations, Penalties, and Enforcement

action or proceeding to abate or remove a violation or to otherwise restore the premises in question to the condition in which they existed prior to the violation.

F. Fines and Criminal Penalties

- (1) Any person violating any provisions of this zoning code or failing to comply with any of its requirements may be fined in accordance with the municipal code.
- (2) Any person who, having been served with an order to discontinue a zoning code violation, fails to comply with the order within 10 days after service, or having been served with a cease and desist order with respect to a violation involving grading of land, removal of earth or soil erosion and sediment control, addition of fill, or other stormwater management regulation fails to comply with the order immediately, or continues to violate any provision of the regulations made under authority of the provisions of this zoning code specified in such order is subject to a civil penalty payable to the city treasurer.

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

H. Continuation of Previous Enforcement Actions.

Nothing in this zoning code prohibits the continuation of previous enforcement actions, undertaken by the city pursuant to previous valid zoning regulations.

12.30.6 SUPERIOR COURT

The superior court has jurisdiction over all zoning code violations, subject to appeal as in other cases.

12.30.7 REMEDIES CUMULATIVE

The remedies and enforcement powers established in this zoning code are cumulative, and the city may exercise them in any combination or order. Penalties may be imposed for each and every individual violation.

12.30.8 ENFORCEMENT PROCEDURES

A. General. The zoning official is authorized to cause any building, structure, place, or premises to be inspected and examined, and may order in writing the remedying of any condition found to be in violation of any provisions of this zoning code. Any deviation from any permit or approval issued pursuant to this zoning code, or any violation of this zoning code constitutes sufficient cause for the zoning official to issue a notice of violation, stop work order, or a cease and desist order.

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

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

12.30.9 APPEALS

Except as otherwise expressly stated in this zoning code or in the General Statutes, a determination made by the zoning official or other administrative officials that a zoning violation has occurred may be appealed by the affected party in accordance with the appeal procedures of [11.140](#).

13.0 NONCONFORMITIES

- 13.10 General 13-2
- 13.20 Nonconforming Lots 13-2
- 13.30 Nonconforming Uses 13-2
- 13.40 Nonconforming Structures 13-3
- 13.50 Nonconforming Signs 13-4
- 13.60 Other Nonconformities 13-4

13.0 Nonconformities

13.10 General

13.10 General

13.10.1 SCOPE

The regulations of this article govern nonconformities, which are lots, uses, buildings, signs, and other structures and improvements that were lawfully established but—because of the adoption of new or amended regulations—no longer comply with one or more provisions of this zoning code.

13.10.2 PURPOSE

Occasionally, lots, uses, buildings, signs, and other structures and improvements that were lawfully established (i.e., in compliance with all regulations in effect at the time of their establishment) are made nonconforming because of changes in the zoning regulations that apply to the subject property (e.g., through zoning map changes or amendments to the text of the zoning code). The regulations of this article are intended to clarify the effect of this “nonconforming” status and avoid confusion with “illegal” uses and activities (i.e., those established in violation of applicable zoning regulations). The regulations of this article are also intended to:

- A. Recognize the interests of landowners in continuing to use their property for uses and activities that were lawfully established;
- B. Promote maintenance, reuse, and rehabilitation of existing buildings; and
- C. Place reasonable limits on nonconformities that have the potential to adversely affect surrounding properties.

13.10.3 AUTHORITY TO CONTINUE

Any nonconformity that existed on the effective date specified in [1.10.3](#) or any situation that becomes nonconforming upon adoption of any amendment to this zoning code may be continued in accordance with the regulations of this article unless otherwise expressly stated.

13.10.4 DETERMINATION OF STATUS

- A. The burden of proving that a situation has nonconforming status rests entirely with the subject landowner.
- B. The zoning official is authorized to determine whether adequate proof of nonconforming status has been provided by the subject landowner.
- C. Appeals of the zoning official’s decision on nonconforming status determinations may be appealed in accordance with the appeal procedures of [11.140](#).

13.10.5 REPAIRS AND MAINTENANCE

- A. Nonconformities must be maintained to be safe and in good repair.

- B. Repairs and normal maintenance that do not increase the extent of nonconformity and that are necessary to keep a nonconformity in sound condition are permitted unless otherwise expressly prohibited by this zoning code.
- C. Nothing in this article is intended to prevent nonconformities from being structurally strengthened or restored to a safe condition in accordance with an order from a duly authorized city official.

13.10.6 CHANGE OF TENANCY OR OWNERSHIP

Nonconforming status runs with the land and is not affected merely by change of title or possession or by right of possession of property.

13.20 Nonconforming Lots

13.20.1 DESCRIPTION

A nonconforming lot is a lawfully created lot that does not comply with currently applicable minimum lot area or minimum lot width regulations of the zone in which the lot is located.

13.20.2 USE OF NONCONFORMING LOTS

A nonconforming lot may be used in accordance with the use regulations of the subject zone, and buildings may be erected on such a nonconforming lot, subject to compliance with all other applicable regulations of this zoning code.

13.30 Nonconforming Uses

13.30.1 DESCRIPTION

A nonconforming use is a land use that was lawfully established in accordance with all zoning regulations in effect at the time of its establishment but that is no longer allowed by the use regulations of the zone in which the use is now located. Lawfully established uses that do not comply with any applicable separation (or spacing) distance requirements (e.g., those that require one land use to be located a certain minimum distance from another zone or land use) are also deemed to be nonconforming uses.

13.30.2 CHANGE OF USE

A nonconforming use may be changed to another use only if the new (changed) use is allowed in the subject zone and the property owner voluntarily discontinues the previous use and indicates in writing an intent to abandon the previous use. Once a property owner voluntarily discontinues and indicates, in writing, their intent to abandon such use, the nonconforming use may not be re-established.

13.40 Nonconforming Structures

13.30.3 EXPANSION OF USE

A nonconforming use and a building occupied by a nonconforming use may not be expanded, except that:

- A. A nonconforming residential use in an N or NX zone may be extended to any part of a structure or lot devoted to such use, provided that the extension of nonconforming use does not create an additional nonconformity or additional residential units; and
- B. Any structure devoted to or containing a nonconforming residential use in an N or NX zone may be structurally altered, improved and enlarged by up to 25% of the structure's existing floor area, provided that the structure, as expanded, complies with all applicable building/structure siting and height regulations of the zone.

13.30.4 REMODELING AND IMPROVEMENTS

A building in which a nonconforming use is located may be remodeled or otherwise improved as long as the remodeling or improvements do not violate other applicable regulations of this zoning code.

13.30.5 MOVEMENT

A nonconforming use may be moved in whole or in part to another location on the same lot only if the movement or relocation does not create additional or new nonconformities.

13.30.6 LOSS OF NONCONFORMING STATUS

Once a property owner voluntarily abandons a nonconforming use, as evidenced by a written statement of intent to not re-establish the use, the use loses its nonconforming status and any new, replacement use must comply with the regulations of the zone in which it is located.

13.30.7 RE-ESTABLISHMENT

Unless a property owner voluntarily abandons a nonconforming use, as evidenced by a written statement of intent to not re-establish the use, the use may be re-established after dormancy, discontinuance, damage, or destruction, provided that no new nonconformities are created and the existing degree of nonconformity is not increased.

13.30.8 CERTIFICATE OF ZONING COMPLIANCE

A certificate of zoning compliance must be obtained before any:

- A. Expansion, enlargement or change of a nonconforming use; or
- B. Expansion or enlargement of a building occupied by a nonconforming use.

13.40 Nonconforming Structures

13.40.1 DESCRIPTION

A nonconforming structure is any building or structure, other than a sign, that was lawfully established but no longer complies with applicable building/structure siting and height regulations of the zone in which it is located.

13.40.2 GENERAL

Nonconforming structures may remain, subject to the regulations of this section.

13.40.3 ALTERATIONS AND EXPANSIONS

Alterations, including enlargements and expansions, are prohibited unless the proposed alteration or expansion complies with all applicable building siting and height regulations, and does not increase the extent of the existing nonconformity. A building with a nonconforming side setback, for example, may be expanded to the rear as long as the expansion complies with applicable rear setbacks and all other building siting and height regulations. On the other hand, building additions on the side, may not increase or extend the side setback nonconformity.

13.40.4 USE

A nonconforming structure may be used for any use allowed in the zone in which the structure is located.

13.40.5 MOVEMENT

A nonconforming structure may be moved to another location on the lot only if the movement or relocation eliminates or reduces the extent of nonconformity.

13.40.6 RE-ESTABLISHMENT

Unless a property owner voluntarily abandons a nonconforming structure, as evidenced by a written statement of intent to not re-establish the structure, the structure may be completely re-established after damage or destruction, provided that:

- A. No new nonconformities are created;
- B. The floor area, ground coverage, and overall height of the structure, as it previously existed, is not expanded unless such expansion complies with all applicable zoning regulations; and
- C. All construction complies with applicable requirements of the Connecticut Basic Building Code.

13.40.7 CERTIFICATES OF ZONING COMPLIANCE

A certificate of zoning compliance must be obtained before any expansion, enlargement, movement, or re-establishment of a nonconforming structure.

13.50 Nonconforming Signs

13.50 Nonconforming Signs

See [9.0](#), signs article.

13.60 Other Nonconformities

13.60.1 DESCRIPTION

A nonconforming development feature is any aspect of a development—other than a nonconforming lot, nonconforming use, nonconforming structure, or nonconforming sign—that was lawfully established, in accordance with zoning regulations in effect at the time of its establishment but that no longer complies with one or more regulations of this zoning code. One common example is a site that does not comply with current landscaping or screening requirements.

13.60.2 GENERAL

Nonconforming development features may remain, but the nature and extent of nonconforming site features may not be increased except as otherwise expressly stated in this zoning code.

14.0 MEASURING & DEFINITIONS

14.10	Language and Interpretation	14-2
14.20	Measurements	14-2
14.30	Terms Beginning with "A"	14-10
14.40	Terms Beginning with "B"	14-10
14.50	Terms Beginning with "C"	14-10
14.60	Terms Beginning with "D"	14-11
14.70	Terms Beginning with "E"	14-11
14.80	Terms Beginning with "F"	14-12
14.90	Terms Beginning with "G"	14-12
14.100	Terms Beginning with "H"	14-12
14.110	Terms Beginning with "I"	14-13
14.120	Terms Beginning with "J"	14-13
14.130	Terms Beginning with "K"	14-13
14.140	Terms Beginning with "L"	14-13
14.150	Terms Beginning with "M"	14-13
14.160	Terms Beginning with "N"	14-14
14.170	Terms Beginning with "O"	14-14
14.180	Terms Beginning with "P"	14-14
14.190	Terms Beginning with "Q"	14-15
14.200	Terms Beginning with "R"	14-15
14.210	Terms Beginning with "S"	14-15
14.220	Terms Beginning with "T"	14-16
14.230	Terms Beginning with "U"	14-16
14.240	Terms Beginning with "V"	14-16
14.250	Terms Beginning with "W"	14-16
14.260	Terms Beginning with "X"	14-17
14.270	Terms Beginning with "Y"	14-17
14.280	Terms Beginning with "Z"	14-17

14.0 MEASURING & DEFINITIONS

14.10 Language and Interpretation

14.10 Language and Interpretation

14.10.1 MEANINGS AND INTENT

- A. Words and terms expressly defined in this zoning code, including those defined in [14.0](#), have the specific meanings assigned unless the context indicates another meaning.
- B. Words that are not expressly defined in this zoning code have the meaning assigned in Merriam-Webster's Collegiate Dictionary.

14.10.2 CONJUNCTIONS

Unless the context otherwise expressly indicates, conjunctions have the following meanings:

- A. "And" indicates that all connected items or provisions apply; and
- B. "Or" indicates that the connected items or provisions may apply singularly or in combination.

14.10.3 COMPUTATION OF TIME

- A. References to "days" are to calendar days unless otherwise expressly stated. References to "business days" are references to regular city government working days, excluding Saturdays, Sundays and holidays observed by city government.
- B. The time in which an act is to be completed is computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or holiday observed by city government, that day is excluded.
- C. A day concludes at the close of business and any materials received by the city after that time will be considered to have been received the following day.

14.10.4 TENSES AND USAGE

- A. Words used in the singular include the plural. The reverse is also true.
- B. Words used in the present tense include the future tense. The reverse is also true.
- C. The words "shall," "will," and "must" are mandatory.
- D. The phrase "may not" means that the subject act is prohibited.

14.10.5 USE DEFINITIONS

See [4.0](#) for an explanation of the use categorization system used in this zoning code and for use type definitions.

14.10.6 MEASUREMENT-RELATED TERMS

See [14.20](#).

14.10.7 ABBREVIATIONS

Certain terms are sometimes abbreviated in this zoning code. Abbreviations have the meanings assigned in [Table 14-1](#).

Table 14-1. Abbreviations

ABBREVIATION	MEANING
BFE	Base Flood Elevation
Ft.	Feet
General Statutes	Connecticut General Statutes
In.	Inches
Max.	Maximum
MPD	Master Plan Development
Min.	Minimum
PZC	Planning and Zoning Commission
R.o.w.	Right-of-way
Sq. Ft.	Square Feet
ZBA	Zoning Board of Appeals

14.10.8 VERSIONS AND CITATIONS

All references in this zoning code to other city, state or federal regulations are to be construed as referring to the most up-to-date version and citation for those regulations or successor regulations, unless otherwise expressly indicated. When the referenced regulations have been repealed and not replaced by other successor regulations, zoning ordinance requirements for compliance are no longer in effect.

14.10.9 LISTS AND EXAMPLES

Unless otherwise expressly indicated, lists of examples that use "including," "such as," or similar terms are intended to provide examples only. They are not to be construed as exhaustive lists of all possibilities.

14.10.10 PUBLIC OFFICIALS AND AGENCIES

References in this zoning code to city officials, agencies, and staff are references to those of the City of Bridgeport.

14.20 Measurements

14.20.1 FRACTIONS AND ROUNDING GENERALLY

When calculations required under this zoning code result in fractions, any fractional result of less than one-half of the unit of the regulation is rounded down to the whole number and any fractional result of one-half or more of the regulation unit is rounded up to the whole number. For example, if the maximum regulation is 2 feet, a measurement of 1.5 feet (or 1-foot, 6 inches) is rounded up to 2 feet and a measurement of 1.25 feet (or 1-foot, 3 inches) is rounded down to 1 foot. If

14.0 MEASURING & DEFINITIONS

14.20 Measurements

the maximum regulation is in inches, fractions are rounded to the nearest inch.

14.20.2 GENERALLY PARALLEL & PERPENDICULAR

"Generally parallel," when stated related to lot lines or building facades, means less than 45 degrees off the lot line or facade. "Generally perpendicular," when stated related to lot lines or building facades, means more than 45 degrees off the lot line or facade in any direction.

14.20.3 LOT AREA

Lot area is measured as the total ground-level surface area contained within the lot lines of a lot.

14.20.4 LOT WIDTH

Lot width is the horizontal distance measured along the minimum front setback line between the side lot lines of a lot. If no minimum front setback is required, lot width is measured along the front lot line.

14.20.5 PRIMARY STREETWALL

- A. Definition.** The minimum amount of building facade required along and generally parallel to a primary street frontage and built within the build-to zone.
- B. Measurement: Minimum Percentage of Streetwall.** The minimum percentage of primary streetwall must be equal to or greater than the width of the principal structures, as measured within the primary build-to zone, divided by the length of the lot line parallel to the primary street, minus the minimum side setbacks. See [Figure 14-K](#).
- C. Measurement: Maximum Streetwall.** The maximum streetwall is the measurement along all primary facades that are generally parallel and facing the lot line, measured from the edge of the facade horizontally to the opposite edge of the facade.
- D. Height.** The streetwall or building facade being measured must meet the minimum height required for the building type. See [14.20.10.A](#).
- E. Courtyard and Other Allowances.** Courtyards and other allowances may be listed in the supplemental regulations for the building type as exceptions. The length of the courtyard opening or expanded build-to zone may be counted towards primary streetwall.

14.20.6 SETBACKS, BUILD-TO LINES, BUILD-TO ZONES

The following applies to required setbacks, build-to lines, and build-to zones. See [3.0](#) for the building type regulations.

- A. Measurement: Buildings.** Required setbacks, build-to lines, and build-to zones are measured from the applicable lot line, right-of-way line, or specific location

referred to in the applicable regulation, to the exterior building walls generally parallel to the subject line.

- (1) Street (primary and non-primary) setbacks are measured from the actual right-of-way line of the street to the nearest exterior building wall. (Alleys are not considered streets and typically abut side or rear lot lines.)
- (2) Side or interior-side setbacks are measured from the nearest side lot line that does not abut a street to the nearest.
- (3) Rear setbacks are measured from the rear lot line.
- (4) On corner lots, the required primary or non-primary setback must be provided for each street frontage, depending on whether the abutting street is a primary or non-primary street. The lot line opposite of the primary street is the rear lot line, requiring a rear setback. The lot line generally perpendicular

$$\frac{\text{Width of Building within Build-to Zone}}{\text{Length Primary Frontage Lot Line Minus Minimum Side Setbacks}} = \text{Primary Streetwall \%}$$

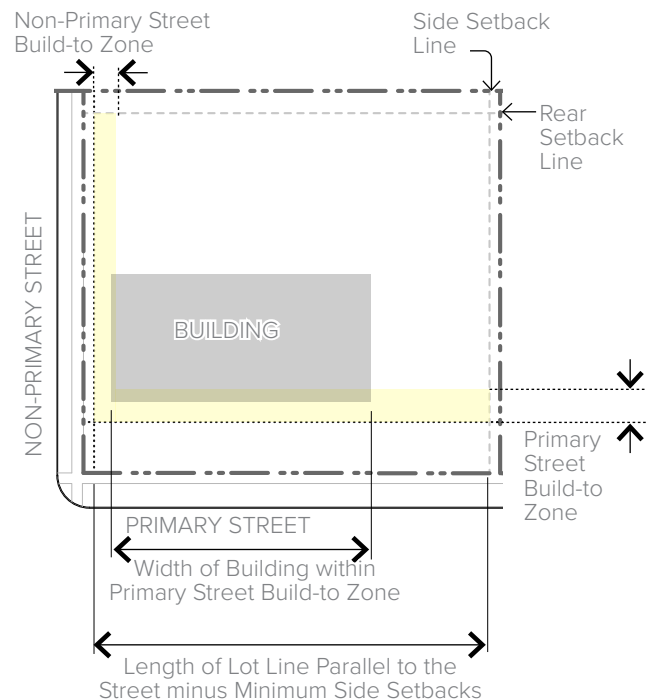


Figure 14-A. Measuring Primary Streetwall

14.0 MEASURING & DEFINITIONS

14.20 Measurements

to the primary street is the side lot line, requiring a side setback.

- (5) On through-lots, the required primary or non-primary setback must be provided for each street frontage, depending on whether the abutting street is a primary or non-primary street. (See [14.210](#) for definitions.) Generally applicable regulations apply per [3.10.11.C](#) and supplemental building regulations for the building type may have additional requirements.

B. Required Streetscape Area. See [3.10.12](#) for regulations requiring a minimum streetscape area. Where the minimum area does not exist, the build-to zone is measured from the edge of the expanded streetscape area into the lot.

C. Exceptions to Build-to Zones and Build-to Lines.

Upper-story recessed balcony facades are not required to be located within the build-to zone or at a build-to line.

D. Allowed Encroachments. Allowed encroachments into setbacks or beyond build-to-lines or build-to zones are as follows, unless otherwise established in the building type regulations:

- (1) **Minor Building Projections in All Yards for All Building Types.** Roof overhangs, eaves, chimneys, bays, and other architectural features, such as

cornices, may encroach up to 1.5 ft. into any yard no closer than 1 foot from the lot line.

- (2) **Porches in Front Yards.** Porches, stoops, decks, awnings encroaching into setbacks or beyond build-to-lines or build-to zones into street yards are regulated in the building siting and supplemental regulations section for each building type. See [3.0](#).

- (3) **Steps and Ramps in Front Yards.** Steps and ramps in front yards may encroach fully into any street yard up to within 1 foot of any lot line.

- (4) **Porches, Stoops, Decks in Rear and Side Yards.** Open (unenclosed) or screened porches, stoops, awnings, decks, ramps, and steps may encroach into the side or rear yard up to within 1 foot of any lot line.

E. Setbacks on Irregular Lots. Setbacks are measured from lot lines towards the center of the lot as follows:

- (1) When lot lines are curvilinear, setbacks must be measured parallel to the curvilinear lot line.
- (2) When there are multiple rear lot lines, the rear setback must be measured from each of rear lot lines.

F. Prevailing Setbacks. The average yard depth of existing abutting and adjacent buildings is used to determine the applicable prevailing setback for the subject lot.

- (1) Measurement. The build-to line or prevailing setback is determined by calculating the mean yard depth that exists on the nearest 2 lots on either side of the subject lot.

- (a) If one or more of the lots required to be included in the prevailing setback calculation are vacant, the vacant lot will be deemed to have a street yard depth equal to the minimum street setback requirement of the subject zoning district.
- (b) Lots with frontage on a different street than the subject lot or that are separated from the subject lot by a street or alley are not used in computing the prevailing setback.
- (c) When the subject lot is a corner lot, the mean street yard depth will be computed on the basis of the nearest 2 lots with frontage on the same street as the subject lot.
- (d) When the subject lot abuts a corner lot with frontage on the same street, the mean yard depth will be computed on the basis of the

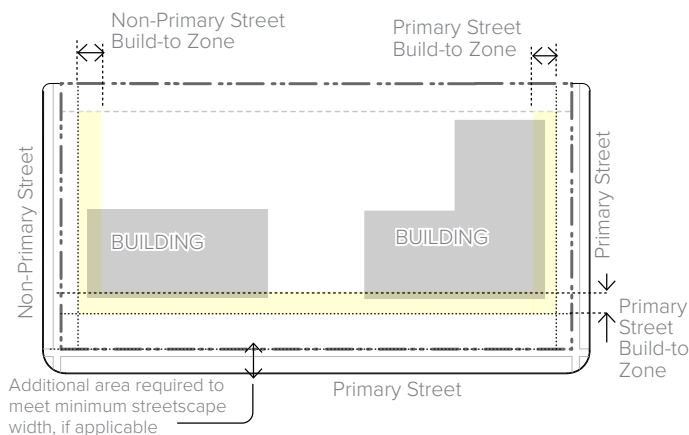


Figure 14-B. Build-to Zones

14.20 Measurements

abutting corner lot and the nearest 2 lots with frontage on the same street as the subject lot.

- (2) If the surrounding parcels are vacant, the required minimum setback or build-to line/zone in the code applies.

G. Waterway Frontage. A river or trail frontage build-to zone or setback is measured from the required trail easement or right-of-way into the lot perpendicular to the easement or lot line. See [7.90](#) for waterway frontage trail easement.

H. Measurement: Elements Other than Buildings.

Minimum setbacks that apply to elements other than buildings (e.g. parking areas, fences, storage areas) are measured from the lot line, right-of-way line, or specific location referred to in the applicable regulations, to the nearest point of the feature.

14.20.7 SITE COVERAGE

Site coverage is measured as the percentage of a lot covered by impervious surfaces.

- A. Impervious Surfaces.** Any land or portion of a site covered by constructed features that prevent the direct percolation of surface water into the underlying earth. Examples include buildings, paved parking and roadways, masonry walls and terraces, swimming pools, sidewalks, hard surface playing courts, and paved driveways.
- B. Semi-Pervious Materials.** Semi-pervious materials, such as semi-pervious pavers, semi-pervious asphalt, and semi-pervious concrete, counts towards the site coverage at a lower rate. The area of the semi-pervious materials is added into the overall site coverage at 75% of the actual area. For example, if the area of semi-pervious materials measures 1,600 sq. ft., 1,200 sq. ft. (75% of 1,600) contributes to the lot's maximum site coverage.
- C. Green Roofs.** Green, or vegetated, roofs count towards the site coverage, calculated at 75% of the area of the green roof. For example, if the surface of the green roof measures 13,000 sq. ft., then 9,750 sq. ft. (75% of 1,600) contributes to the lot's maximum site coverage.

14.20.8 ATTACHED GARAGE AND DOOR LOCATION

A. Garage Setback Measurement. Garage setbacks are defined in the building types (see [3.0](#)) per one of the following:

- (1) **Dimensional Setback.** When the building type regulation includes a dimensional setback for an attached garage, the attached garage setback is

measured from the primary facade of the building, located generally parallel and facing the primary lot line. The setback is intended to promote the use of the area directly behind the primary facade of any building for people and not the parking of vehicles.

- (2) **No Closer to Lot Line Than Primary Facade.** When no dimensional setback for an attached garage is included in the building type regulation, the garage facade facing a primary lot line must be located farther from the lot line than the primary facade.

B. Garage Door Location. Any garage door must be located on one of the designated facades of the building.

14.20.9 LIMITED SIDE YARD PARKING

Where allowed, limited side yard parking is located in the interior side yard and must be configured as one double- or single-loaded aisle of parking with the centerline of the aisle located perpendicular to the street.

14.20.10 BUILDING HEIGHT

See [Figure 14-C](#).

- A. Minimum Height.** Each building type requires a minimum number of stories. The building must meet the minimum required height along all primary street facades and for a depth of at least 30 feet into the building. All building facades located within the build-to zone must meet the required minimum building height.
- B. Maximum Height.** Maximum heights are specified in number of stories. This requirement applies to the entire building. The maximum number of stories may not be exceeded due to sloped sites. Heights must step with the grade in order to not exceed the maximum allowable height. See [Figure 14-F](#).
- C. Towers.** When expressly allowed in the building type tables, towers may exceed the overall maximum height of the subject building type (see [6.20.6](#)).
- D. Height to Eaves.** Eave height is measured from the floor elevation of the first floor to the eave.
- E. Roof Type.** Roof types per [6.20](#) allowed by building type regulations (see [3.0](#)) add additional height to the building.
- F. Half Stories.** Half stories are stories either located fully within the roof type or in a visible basement.
- (1) **Roof.** Where occupied building space is allowed within the roof type (see [6.20](#)), any space within the

14.0 MEASURING & DEFINITIONS

14.20 Measurements

roof and within the floor to floor height counts as a half story towards the overall allowable height.

- (2) **Visible Basement.** See [Figure 14-E](#) for diagram and explanation of a visible basement and [14.40](#) for definitions of basements and visible basements.
- (3) **Two Half Stories.** If a building has both a half story within the roof and a half story that is a visible basement, the combined height of the two half stories is considered one full story in terms of measuring overall height.

G. Basements. See [Figure 14-E](#) for illustration of basements and [14.40](#) for definitions of basements and visible basements.

- (1) A basement that is not a visible basement does not count towards the minimum or maximum height of a building.
- (2) Any building may have a basement, unless expressly prohibited in this ordinance.
- (3) A basement may contain any use allowed within the building, including those allowed only in upper stories.

H. Story Height. Each story is measured with a range of permitted floor-to-floor heights. See [Figure 14-C](#).

- (1) **Measurement.** All story heights are measured in feet between the floor of a story to the floor of the story above it. Minimum and maximum floor-to-floor heights are required along a minimum of 80% of each facade's horizontal length for each story.
- (2) **Ground Story.** When noted as a separate story height, the ground-story height must extend from the primary street facade into the building a minimum of 30 feet. The remainder of the ground-story may meet either the primary frontage ground-story heights or the height range permitted for all stories.
- (3) **Single-Story Buildings and Top-Story Measurement.** For single-story buildings and the uppermost story of a multi-story building, the floor-to-floor height is measured from the floor of the story to the ceiling, unless a specific height is provided for a single-story building.
- (4) **Mezzanines.** Mezzanines may be included within the allowed floor-to-floor height of any story per the building types provided the following:

- (a) Mezzanines extending above the story's allowable floor-to-floor height must count as a full story in addition the story below.
- (b) Mezzanines occupying more than 30% of the floor area below must count as a full story in addition the story below.
- (c) Where the mezzanine story is located adjacent to a street facade, the street facade transparency requirements of the subject building type must be applied to both the mezzanine floor and the story the mezzanine overlooks.

- (5) **Taller Spaces.** Spaces exceeding the allowable floor-to-floor heights of the building type are permitted for a maximum of 20% the length of street facades.

14.20.11 TRANSPARENCY

Governed by the building type regulations, the transparency of a facade is measured for each story separately using 2 regulations: (1) an overall minimum transparency percentage per story, and (2) where applicable per building type, maximum blank wall segments (per [14.20.11.C](#), below). See [3.0](#).

A. Definition of Transparency. For the purposes of this zoning ordinance, transparency is the measurement of the percentage of a facade that contains highly transparent, low-reflectance glass.

- (1) **Storefront.** When transparency is required separately for primary street ground-story facades, glass must be a minimum of 60% transmittance factor and a reflectance factor of not greater than 0.25.
- (2) **All Other Windows.** Transparency for all window, door glass, and other storefront glass must be a minimum of 50% transmittance factor and a reflectance factor of not greater than 0.25.
- (3) **False Windows.** The use of false or faux windows, where the window is visible from the exterior with no opening from the interior, to meet the transparency requirement is not allowed.

B. Measurement. Minimum facade transparency is measured from floor-to-floor of each story separately, except for required minimum ground-story transparency as defined below. See [3.0](#) for required transparency by building type.

14.0 MEASURING & DEFINITIONS

14.20 Measurements

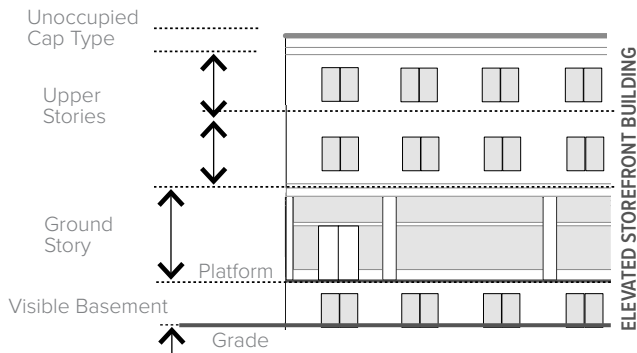
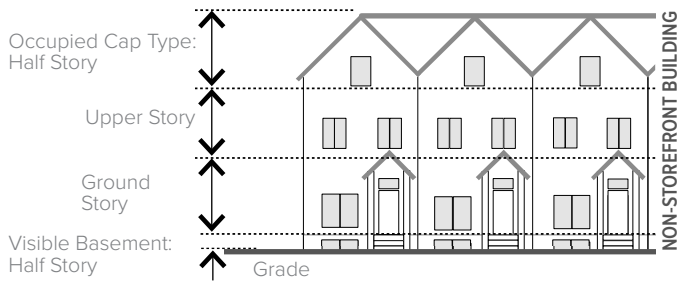
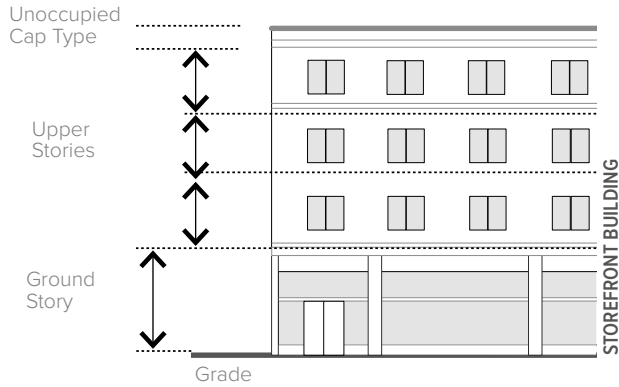


Figure 14-C. Measuring Building Height

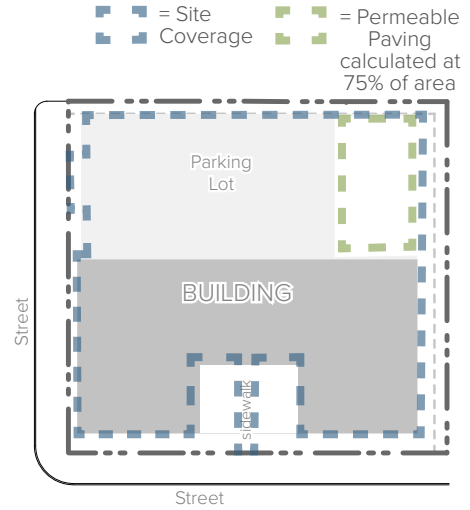


Figure 14-D. Site Coverage



Figure 14-F. Measuring Height along a Sloped Street

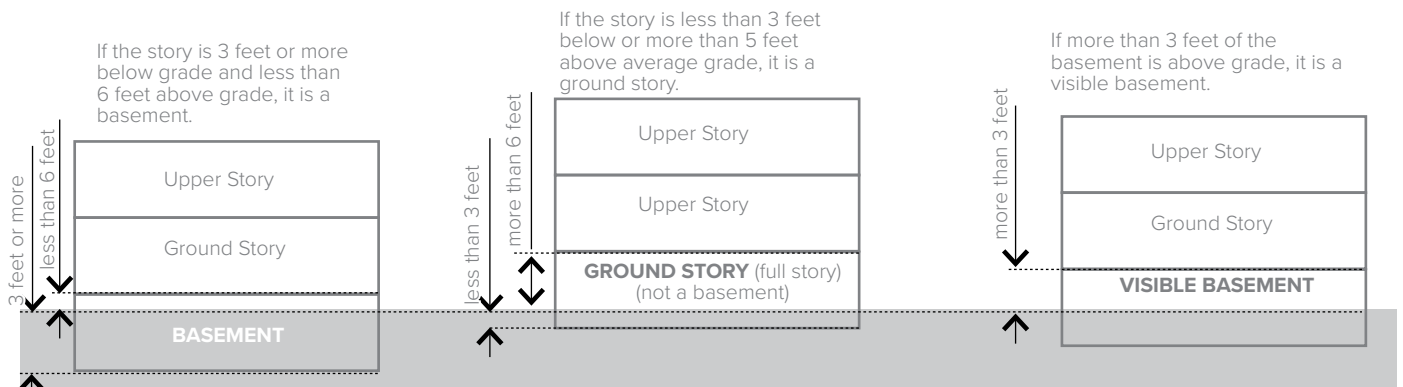


Figure 14-E. Basements & Visible Basements

14.0 MEASURING & DEFINITIONS

14.20 Measurements

- (1) Transparency requirements must be met with windows or glass in doors that comply with applicable transmittance and reflectance factors.
- (2) The measurement may include the frame, mullions, and muntins, but may not include trim or casing.

C. Blank Wall Segments. Where applicable per the building type regulations (see [3.0](#)), blank wall segments on all facades must meet the following:

- (1) No rectangular areas greater than 30% of a story's facade, as measured floor to floor, may be blank wall, without transparency. See [Figure 14-H](#).
- (2) No horizontal segments of a story's facade greater than 15 feet in width may be blank wall, without transparency. See [Figure 14-I](#).

D. Minimum Ground-Story Transparency. When a separate minimum ground-story transparency is required per the building types requirements of [3.0](#), the ground-story transparency is measured between 2 feet and 10 feet from the average grade at the base of the facade.

E. Mezzanines. Mezzanines treated as a separate story per [14.20.10.H\(4\)](#) must include upper-story transparency required per building type (see [3.0](#)).

F. Tall Stories. Stories that are 18 feet or taller in height must include additional transparency consistent with the following standards. See [Figure 14-J](#).

- (1) **Separate Ground Story Transparency Required.**
When a separate minimum ground story transparency is required per building type (see [3.0](#)), the facade design must fulfill that requirement in addition to the minimum transparency for the remainder of the ground-story.
- (2) **No Separate Ground Story Transparency Required.** Where no separate ground story transparency is required per building type (see [3.0](#)), a tall story is treated as 2 separate stories, divided in half horizontally, with the minimum transparency applied to each half.



G. Half Stories. All half story facades located within the roof structure and within visible basements must meet the minimum required transparency.

14.20.12 BUILDING ENTRANCES

Entrances must be provided consistent with the entrance location and number requirements established for the subject building type and consistent with [Figure 14-K](#).

14.0 MEASURING & DEFINITIONS

14.20 Measurements

 = Transparency Included in Calculation (Numerator)
 = Area of Overall Measurement (Denominator) = Percent Transparency

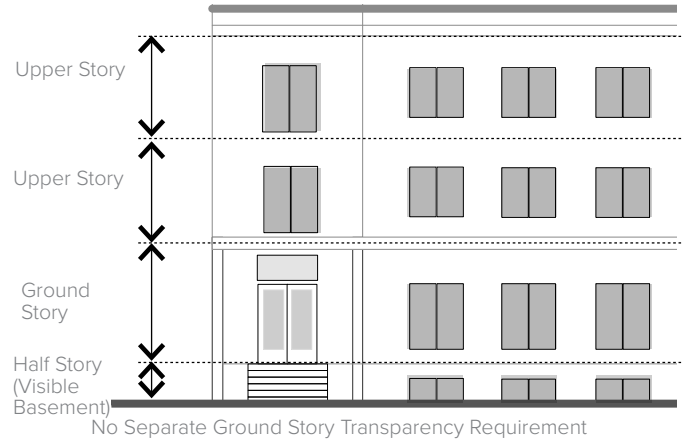
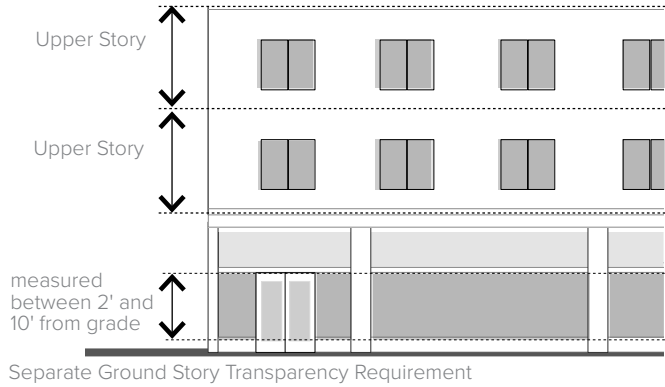


Figure 14-G. Measuring Transparency Floor-to-Floor

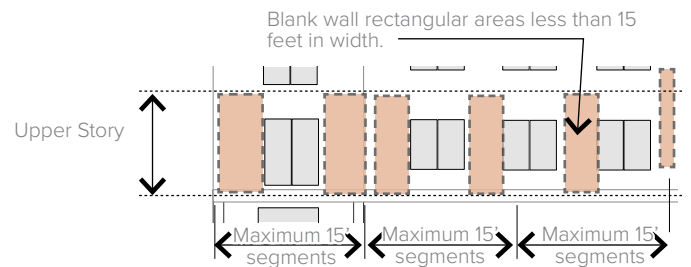
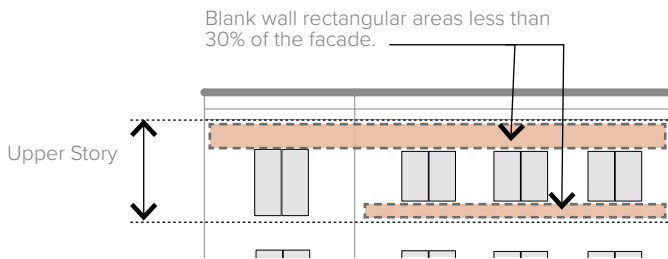


Figure 14-H. Blank Wall Segments (1)

Figure 14-I. Blank Wall Segments (2)

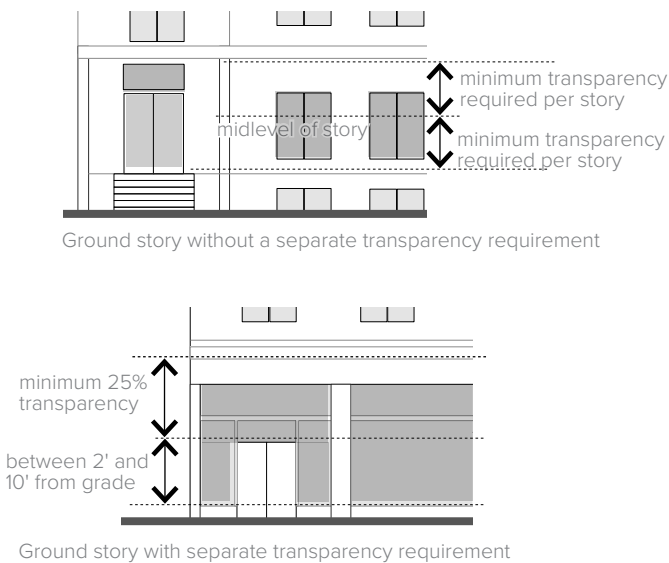


Figure 14-J. Measuring Transparency on Taller Stories

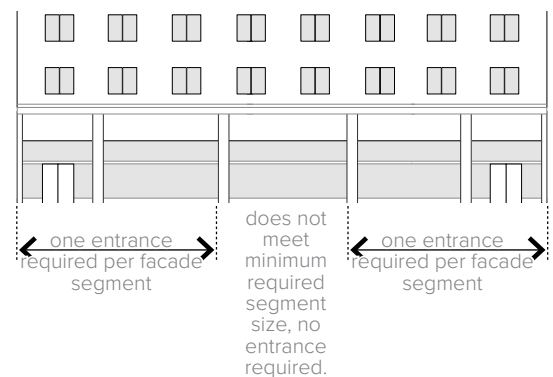


Figure 14-K. Entrances

14.0 MEASURING & DEFINITIONS

14.30 Terms Beginning with "A"

14.30 Terms Beginning with "A"

ABUT OR ABUTTING. To touch or share a contiguous boundary or border.

ACCESSIBLE PARKING SPACE. A motor vehicle parking space that is accessible for persons with disabilities.

ACCESSORY APARTMENT. A separate dwelling unit within a House Type A, B, C, or D or a separate dwelling unit that occupies an accessory building located on a lot occupied by House Type A, B, C, or D. Accessory apartments are subject to the regulations of [4.70.2](#).

ACCESSORY STRUCTURE. A structure that is devoted or intended to be devoted to an accessory use and is located on the same lot with the principal building, structure, or use. A building that is connected to a principal building by a carport or garage, or by a porch, breezeway, or passageway with a common wall of less than 8 feet in length.

ACCESSORY USE. A use incidental to and on the same lot as a principal use. Accessory uses are subject to the regulations established in [4.70](#).

ADAPTIVE REUSE. Rehabilitation or renovation of an existing structure for a use other than the present use or the former use if the structure is vacant.

ADJACENT. Lying near or in the immediate vicinity.

ADULT MEDIA. Magazines, books, photographic reproductions, videotapes, movies, slides, compact discs in any format (e.g. CD-ROM, CD-R, CD-RW), digital video discs in any format (e.g. DVD), other devices used to reproduce or record computer images, or other print, video, film, electronic, computer-based, analog, or digital media characterized by an emphasis on matter depicting, describing or related to "specified sexual activities" or "specified anatomical areas."

AGENT. A person duly authorized to act on behalf of the owner of the subject property.

ALLEY. A special public right-of-way affording only secondary access to abutting properties, typically at the rear or sides.

APPLICANT. The owner of the subject property or an agent authorized by the subject property owner to submit an application on the owner's behalf.

ASPHALT. A petroleum-based product, or concrete-based product, or other bituminous products manufactured, produced, or refined on site or processed from asphaltic materials.

AWNING. A roof-like structure typically made of cloth, metal or other material attached to a frame that extends from and is supported by a building. Awnings are typically erected over a window, doorway or building front and they may be raised or retracted to a position adjacent to the building.

14.40 Terms Beginning with "B"

BASEMENT. That portion of a building having more than 3 feet of its floor-to-ceiling height below the average finished grade of the adjoining ground and with a floor-to-ceiling height of 7.5 feet or more. See [Figure 14-E](#).

BASEMENT, VISIBLE. A basement having more than 3 feet of its floor-to-ceiling height above the average finished grade of the adjoining ground. See [Figure 14-E](#).

BIORETENTION. The use of soil and plants to remove pollutants from stormwater runoff.

BERM. A vegetated, elongated earthen mound.

BLOCK FACE. All lots abutting one side of a street between the two nearest intersecting streets.

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING AND SITE REGULATIONS. Mandatory restrictions on the development of a building or site, including such parameters as lot area, lot width, building height, and other limitations established in Article [3.0](#).

BUILDING, PRINCIPAL. A building in which the principal use of subject lot is conducted.

BUILDING OFFICIAL. A duly authorized official of the City of Bridgeport building department.

BUILD-TO LINE. A line on which the street facade of a building must be placed, dictated by the distance a structure must be placed from the street right-of-way or lot line. See [14.20.6](#).

BUILD-TO ZONE. An area in which the street facade of a building must be placed, dictated by the minimum and the maximum distance a structure may be placed from the lot line. See [14.20.6](#).

14.50 Terms Beginning with "C"

CALIPER. The diameter of a tree trunk measured per [7.20](#) for new trees being installed or [7.40](#) for existing trees.

CELLAR. See Basement, [14.40](#).

CERTIFICATE OF ZONING COMPLIANCE. Documentation issued by zoning official stating that land or a structure and the use to be made thereof comply with all provisions of this zoning code.

CHANGE OF USE. The modification of a use of a building, structure, or land or the replacement of a use of a building, structure, or land with another use or uses, or the addition of a use or uses to a building, structure, or land, or the cessation of a use or uses of a building, structure, or land.

CHARACTER. Any letter of the alphabet or any numeral.

CITY. The City of Bridgeport, Connecticut.

COASTAL BOUNDARY. Defined by Section 22a-94 of the General Statutes and delineated on the zoning map.

COASTAL RESOURCES. As defined by Section 22a-93 of the General Statutes.

COASTAL SITE PLAN APPROVAL. Approval by the planning and zoning commission or the zoning board of appeals, depending on the proposed activity, required for uses within the coastal boundary.

COMMERCIAL FISHING. A facility, place, or location that is primarily engaged in (a) providing scenic and sightseeing transportation on water; the services provided are usually local and involve same-day return to place of origin; typically known as charter boats, or (b) the commercial catching or taking of finfish, shellfish, or miscellaneous marine products from a natural habitat. In either instance, accessory uses may include docks, storage, offices, and vehicle.

CONSENT AGENDA. A practice in which routine and procedural items that do not require a public hearing are organized apart from the rest of an agenda and are voted on as a group. Upon request by the applicant or reviewing board or commission member, specific items may be removed from the consent agenda and placed on the full agenda for individual consideration or action.

CORRIDORS, MAJOR. For the purposes of these zoning regulations, major corridors include Main Street, East Main Street, State Street, Park Avenue, Fairfield Avenue between Interstate 95 and downtown, Boston Avenue, and Barnum Avenue.

COURTYARD. A courtyard is any open air, uncovered landscape, sidewalk, patio, terrace, or deck area, enclosed on at least 3 sides and with a maximum opening of 50% of any street facade.

14.60 Terms Beginning with "D"

DECK. An unenclosed exterior structure that has no roof or sides, but has a permeable floor that allows the infiltration of precipitation.

DESIGN STANDARDS. Restrictions on the design of a building or structure or on the layout of the site, which may include placement of the building on the lot, parking location, public space, building materials, landscaping and building, or other elements of building and site design.

DRIVE-IN OR DRIVE-THROUGH FACILITY. A structure from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transactions. See also [3.170.5](#).

DUMPSTER. A container with a capacity of 1 cubic yard or more that is designed for receiving, transporting, and depositing waste materials produced by uses that are on the subject site. Dumpsters are typically designed to be hoisted and emptied into a garbage truck.

DWELLING. Any building, structure or portion thereof that is occupied as or designed or intended for occupancy by one household and that includes independent and exclusive cooking, sleeping, and sanitary facilities for that household, and that has direct access to the dwelling from the outside of the building or from a common hall.

14.70 Terms Beginning with "E"

ELECTRIC VEHICLE. Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; either partially or exclusively, on electrical energy from the grid or an off-board source, that is stored on-board via a battery. Electric vehicle includes: (1) battery electric vehicles; and (2) plug-in hybrid electric vehicles.

ELECTRIC VEHICLE (EV) CHARGING STATION. A public or private parking space that is served by battery charging station equipment.

ELECTRIC VEHICLE CHARGING STATION, PRIVATE (RESTRICTED-ACCESS). An EV charging station that is not available for use by the general public. Examples include electric vehicle charging stations that serve residential homeowners or renters, executive parking areas, designated employee parking areas, and fleet parking areas.

ELECTRIC VEHICLE CHARGING STATION, PUBLIC. An EV charging station that is accessible to and available for use by the general public.

14.0 MEASURING & DEFINITIONS

14.80 Terms Beginning with "F"

ELECTRIC VEHICLE PARKING SPACE. Any parking space that is clearly identified to be used exclusively for the parking of an electric vehicle.

ENTERTAINMENT, LIVE. A public or private performance given by an individual or group for the purpose of amusement, engagement, or diversion of the attention of an individual or group of people.

14.80 Terms Beginning with "F"

FACADE, NON-PRIMARY. A building facade generally parallel to and facing the right-of-way line along a non-primary street.

FACADE, PRIMARY. A building facade generally parallel and facing the right-of-way line along a primary street.

FACADE, REAR. Any facade of a building generally parallel to and facing the rear lot line.

FACADE, SIDE. Any facade of a building generally parallel to and facing a side or interior side lot line.

FACADE, STREET. Any facade of a building generally parallel to and facing any street right-of-way and including bays or minor walls perpendicular to the facade. The facade may be a primary or non-primary facade, depending on whether it is facing a primary or non-primary street, respectively.

FAMILY. See Household, [14.100](#).

FENCE. Any material or combination of materials erected to enclose, screen or separate areas of land.

FRONTAGE, NON-PRIMARY. The portion of a lot or building abutting or directly adjacent to a non-primary street right-of-way.

FRONTAGE, PRIMARY. The portion of a lot or building abutting or directly adjacent to a primary street right-of-way.

FRONTAGE, STREET. The portion of a lot or building abutting or directly adjacent to a street right-of-way.

14.90 Terms Beginning with "G"

GARAGE. A structure primarily intended and used for the enclosed storage or shelter of the motor vehicles of the individuals who reside on the premises. Carports are considered garages within this definition.

GARAGE, ATTACHED. A garage, the roof of which is attached to the principal building.

GRADE, FINISHED. The vertical locations of the ground surface of a site after completion of all site preparation work.

GRADE, NATURAL OR EXISTING. The elevations of the ground surface of a site in its natural state, before human-made alterations, excavations, or filling, and measured as the degree of rise or descent of a sloping surface.

GREEN ROOF. The roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

GREEN WALL. A wall partially or completely covered with vegetation that includes a growing medium, such as soil or a substrate. Most green walls also feature an integrated water delivery system. Green walls are also known as living walls or vertical gardens.

GROUND LEVEL. The mean elevation over the entire length of the street lot line of a lot.

14.100 Terms Beginning with "H"

HARDSCAPE. Non-living materials, and their use and design, that constitute one component of landscaping. Hardscape includes paving, walls or fences, concrete, asphalt, stone, or other hard surface that may be used to construct retaining walls, paths, walkways, decks, terraces, accent features, and enclosures.

HAZARDOUS MATERIALS. Any nuclear or radioactive material, any substance or chemical subject to regulation under the federal Emergency Planning and Community Right-to-Know Act of 1986 (Pub. L. 99-499), and any material subject to the hazardous materials regulation (49 CFR Part 171) of the federal Hazardous Materials Transportation Act (49 U.S.C. Section 1801 et seq.).

HEDGE. A dense row of shrubs forming a boundary fence or barrier.

HISTORIC. A structure or group of structures certified as historic or architecturally significant by or eligible for inclusion in the National Historic Register or the State Register of Historic Places or identified as locally historic within the Bridgeport Historic Properties Report.

HOME OCCUPATION. An accessory use of a dwelling unit for business, commercial, or work-related purposes. Home occupations are subject to the regulations of [4.70.3](#).

HOOP HOUSE. A temporary or permanent structure typically made of flexible pipe or other material covered with translucent plastic, constructed in a half-round or

14.0 MEASURING & DEFINITIONS

14.110 Terms Beginning with "I"

hoop shape, for the purposes of protecting and cultivating plants. A hoop house is considered more temporary than a greenhouse.

HOUSEHOLD. A person living alone, or any of the following groups living together:

- A.** Any number of people related by blood, marriage, civil union, adoption, guardianship, or other duly authorized custodial relationship; or
- B.** One unrelated person per bedroom plus one additional unrelated person, not to exceed 4 persons. For persons who are unrelated and for purposes of this definition, a studio or efficiency dwelling unit is considered a one-bedroom dwelling unit. Therefore, a studio, efficiency, or one-bedroom unit may have a maximum of 2 occupants, a two-bedroom unit may have a maximum of 3 occupants & a three-bedroom or larger unit may have a maximum of 4 occupants. In no case may there be more than 4 unrelated occupants. (Note: City of Bridgeport Housing Code defines 5 or more unrelated occupants as a "rooming house.")
- C.** The term "household" does not refer to any of the following:
 - (1) Any group living use;
 - (2) Any society, club, fraternity, sorority, association, lodge, or similar organizations;
 - (3) Any group of individuals whose association is temporary (less than 60 days) or seasonal in nature; or
 - (4) Any group or individuals who are in a group living arrangement as a result of criminal offenses.

14.110 Terms Beginning with "I"

RESERVED

14.120 Terms Beginning with "J"

RESERVED

14.130 Terms Beginning with "K"

RESERVED

14.140 Terms Beginning with "L"

LANDSCAPE (OR LANDSCAPED) AREA. The area on a site that is landscaped with the installation and maintenance typically of a combination of trees, shrubs, and groundcover plants to improve the site's aesthetic quality. Does not include bare soil, uncultivated vegetation, impervious surfaces, and gravel.

LAWFULLY ESTABLISHED. A use, structure, lot or sign (as the context indicates) that was established in conformance with all applicable zoning code regulations in effect at the time of its establishment.

LIGHT TRESPASS. Light that is emitted into an unintended area.

LOT. A contiguous area of land as recorded in a deed, or on a recorded plan, as in a duly filed A-2 survey.

LOT AREA. The total area within the lot lines of a lot, excluding any street rights-of-way.

LOT, CORNER. A lot situated at the intersection of 2 or more streets having an interior angle of intersection of not more than 135 degrees. A lot abutting upon a curved street is deemed a corner lot if the tangents to the curve at its points of beginning within the lot or at the point of intersection of the side lot lines with the street line intersect at the interior angle or less than 135 degrees.

LOT, DEPTH. The mean distance from the street line of the lot to its rear line, measured in the average direction of the side lines of the lot.

LOT, FLAG. A lot shaped like a flag, with a narrow strip providing access to a street and the bulk of the lot located on the interior of the block with no street frontage.

LOT LINE. A property line of record bounding one lot from another lot or from a public or private street or any other public or private space.

LOT, THROUGH. Also called a double frontage lot. A lot having frontage on two streets, other than at the street intersection.

LOT, WIDTH. See [14.20.4](#).

14.150 Terms Beginning with "M"

MAJOR CORRIDORS. See Corridors, Major, [14.50](#).

MASONRY. When used for screening or separation in conformance with these regulations, masonry includes stone,

14.0 MEASURING & DEFINITIONS

14.160 Terms Beginning with "N"

brick, or finished concrete block but not Jersey barriers or exposed concrete block (also known as cinder block).

MASTER PLAN. A long-term plan document that provides a conceptual layout to guide future growth and development, including such elements as buildings; access for pedestrians, bicycles, transit, and motor vehicles; parking for vehicles; relationships to surrounding uses and sites; environmental impacts; community facilities, outdoor spaces, land use, and other elements such as landscape, streetscape, signs. Phasing and implementation may be included.

MASTER PLAN OF CONSERVATION AND DEVELOPMENT (POCD). See Plan of Conservation and Development, Master (POCD), [14.180](#).

MIXED-USE. A structure or building that is occupied by a mix of uses, as regulated herein, and that may mix residential and non-residential uses, such as office, commercial, and light industrial uses, or varieties of non-residential uses. The term may also be applied to zones and areas where there is allowed a mix of principal uses.

MULTI-TENANT DEVELOPMENT. A development typically under unified ownership and control consisting of two or more business establishments, which may be on the same lot or on separate lots. The tenants of multi-tenant development typically share vehicle access and parking facilities.

14.160 Terms Beginning with "N"

NONCONFORMITY. A nonconforming lot, nonconforming use, nonconforming structure, nonconforming development feature, or nonconforming sign, as those are defined in [13.0](#).

NONRESIDENTIAL BUILDING. Any principal building other than a residential or mixed-use (residential-nonresidential) building.

NUDE OR STATE OF NUDITY. Exposing to view the genitals, pubic area, vulva, perineum, anus, anal cleft or cleavage, or pubic hair with less than a fully opaque covering; exposing to view any portion of the areola of the female with less than a fully opaque covering; exposing to view male genitals in a discernibly turgid state, even if entirely covered by an opaque covering; or exposing to view any device, costume, or covering that gives the appearance of or simulates any of these anatomical areas.

14.170 Terms Beginning with "O"

OCCUPIED BUILDING SPACE. Interior building space occupiable by people, not including storage, mechanical, utility, or garage space.

OFFICIAL MAP. A legally adopted official map of the City of Bridgeport.

OPEN SPACE. Land and water areas that are landscaped or essentially undeveloped and substantially free of structures; generally accessible to the public and retained for use as active or passive recreation areas, outdoor spaces for aesthetic uses, gardens, or for resource protection.

ORDINARY HIGH WATER MARK. The point on a shoreline up to which the presence or action of surface water is so continuous or regular so as to leave a distinctive mark identified by (1) a depositional or erosional feature, (2) changes in the character of the soil, (3) water-staining, (4) destruction or absence of terrestrial vegetation, (5) a line of detritus, or (6) another feature created by regular high water inundation determined with consideration of the feature's context within the riparian landscape.

OUTDOOR DISPLAY. The outdoor exhibition of products, vehicles, equipment and machinery for sale or lease during business hours only. Outdoor display does not include goods that are being stored or parked outdoors, outside of business hours (see Outdoor Storage).

OUTDOOR STORAGE. The outdoor and unroofed or unenclosed keeping of any goods, material, merchandise, vehicles, boats, equipment, or other items, outside of business hours.

14.180 Terms Beginning with "P"

PARKING LOT (OR AREA). An off-street area containing accessory or non-accessory motor vehicle parking spaces and associated motor vehicle maneuvering and circulation areas.

PARKING LOT, MAIN. An off-street parking lot, generally interior to the lot, off of which a majority of the site's building entrances are located.

PARKING SPACE, OFF-STREET. The area on a lot designed to accommodate a parked motor vehicle.

PAVEMENT. Asphalt, brick, block, concrete, pervious concrete, pervious asphalt, or porous permeable pavers.

(MASTER) PLAN OF CONSERVATION AND DEVELOPMENT (POCD). The most current City of Bridgeport master plan of conservation and development.

PRIMARY FACADE. See Facade, Primary, [14.80](#).

PRINCIPAL BUILDING. A building or combination of buildings of chief importance or function on a lot. In general, the principal use is carried out in the principal building.

14.0 MEASURING & DEFINITIONS

14.190 Terms Beginning with "Q"

PRINCIPAL USE. A use or activity or combination of which are of chief importance on the lot; one of the main purposes for which the land, buildings, or structures are intended, designed or ordinarily used.

PROTECTED USE. All religious assembly, school, hospital, and commercial day care center uses.

PUBLIC WAY. Any publicly accessible sidewalk, path, or trail, such as sidewalks along a street, paths along a waterfront, or trails within a civic or open space.

14.190 Terms Beginning with "Q"

RESERVED

14.200 Terms Beginning with "R"

RECREATIONAL VEHICLE (RV). A trailer, boat trailer, travel trailer, camping trailer, truck camper, camper shell, motor home, tent trailer, boat, houseboat, or similar vehicle or unit. Camper shells that are attached to a pickup truck are not considered a recreational vehicle.

RESIDENTIAL (DWELLING) UNIT. That portion of a building providing living space for an individual household.

RIPARIAN EDGE. An otherwise undisturbed area of trees, shrubs, and grasses adjacent to either permanent or intermittent waterbodies and watercourses that protects the resource by reducing sediments, excess nutrients, pesticides, and other urban nonpoint water pollution sources; reducing stream bank erosion; and providing shading to control water temperature fluctuations and increase natural wildlife habitat. See [7.90](#).

14.210 Terms Beginning with "S"

SEMI NUDITY OR SEMI-NUDE CONDITION. Exposing to view, with less than a fully opaque covering, any portion of the female breast below the top of the areola or any portion of the buttocks. This definition includes the entire lower portion of the female breast, but does not include any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other clothing, provided that the areola is not exposed in whole or in part.

SERVICE AREA. Portion of a commercial building or site where loading of goods, refuse and recycling, and other "back of house" activities occur.

SETBACK. An open, unobstructed area that is required to be provided by this zoning code between a building and a lot line.

SHADOW LINE. An architectural feature consisting of a typically decorative, 3-dimensional, linear element, horizontal or vertical, protruding or indented at least 1.5 inch in depth from the exterior facade of a building, and creating a shadow on the facade with light overhead, and extending, with limited interruption, the length or height of the designated story. Examples may include cast stone cornices or lintels, pilasters, or stepped brick coursing.

SIGNS. See [9.10.6](#) for terminology related specifically to signs.

SOLAR ENERGY SYSTEM. A system intended to convert solar energy into thermal, mechanical, or electrical energy.

SOLAR ENERGY SYSTEM, BUILDING-INTEGRATED. A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural part of the building. Building-integrated systems include, but are not limited to, photovoltaic or hot water systems that are contained within roofing materials, windows, skylights, shading devices, and similar architectural components.

SOLAR ENERGY SYSTEM, STRUCTURE-MOUNTED. A solar energy system that is mounted on the façade or roof of either a principal or accessory structure.

SOLAR ENERGY SYSTEM, FLUSH-MOUNTED. A solar energy system that is mounted flush with a finished building surface, at no more than 6 inches in height above that surface.

SOLAR ENERGY SYSTEM, GROUND-MOUNTED. A solar energy system mounted on the ground and not attached to any other structure other than structural supports.

SOLAR PANEL. A group of photovoltaic cells assembled on a panel. Panels are assembled on-site into solar arrays.

SPECIFIED ANATOMICAL AREAS. (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point above the top of the areolas, or (2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES. (1) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts; (2) sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; (3) masturbation, actual or simulated; or (4) excretory

14.0 MEASURING & DEFINITIONS

14.220 Terms Beginning with "T"

functions as part of or in connection with any of the activities set forth in (1) through (3) of this definition.

STORY, GROUND. Also called ground floor. The story closest to the ground level that does not meet the definition of a basement.

STORY, HALF. See measuring of building height, [14.20.10.F](#).

STREET LOT LINE. A line dividing a lot from a public right-of-way.

STREETScape AREA. The area behind the back of curb designed for pedestrian travel, including the sidewalk and buffer zone between the sidewalk and street for street planting and/or street furnishings.

STREETWALL. The portion of the building facade that is located generally parallel and facing the street right-of-way line.

STRUCTURE. That which is built or constructed.

14.220 Terms Beginning with "T"

TRUCK, HEAVY. A truck that does not meet the definition of a light truck.

TRUCK, LIGHT. A truck that does not exceed 6,500 pounds gross vehicle weight, and that includes no more than 2 axles and 4 wheels.

14.230 Terms Beginning with "U"

USE. The specific purpose or activity for which a structure, building, or land is or may be designed, arranged, designated, or intended or for which a structure, building, or land is or may be occupied and maintained.

USE CATEGORY. A class of similar uses grouped together for purposes of delineating the uses permitted in a zone. See also [4.0](#).

14.240 Terms Beginning with "V"

VENDING MACHINE, OUTDOOR. A self-contained or connected appliance, machine, or mechanical device located outside or in a non-enclosed space that is used to dispense a retail product or service. Examples of outdoor vending machines include canned or bottled beverage dispensers, filtered water dispensers, coin-operated amusement rides, video rental machines, cages for the retail sale of propane gas cylinders, and coolers for the retail sale of bagged ice. Kiosks, newspaper racks, automatic teller machines, resource recovery centers, donation boxes, and

pay phones are not considered or regulated as outdoor vending machines.

VEHICLE, COMMERCIAL. Any motor vehicle with permanent lettering, markings, racks, or other apparent accessories indicating it is intended for use other than personal and/or recreational transportation, and that is regulated herein as either light trucks or heavy trucks. Any vehicle with a gross vehicle weight in excess of 12,500 pounds with a combination plate is considered a commercial vehicle.

VEHICLE FUELS, ALTERNATIVE. Electricity, CNG (compressed natural gas), LNG (liquefied natural gas), LPG (liquefied petroleum gas), and hydrogen.

VEHICLE FUELS, CONVENTIONAL. Gasoline and diesel fuels.

14.250 Terms Beginning with "W"

WATERFRONT. All coastal frontage on waterways identified in the city's most recent waterfront plan to receive waterfront treatment, including all channels, harbors, creeks and rivers flowing into the Long Island Sound, such as Bridgeport Harbor, Long Island Sound, Pequonnock River, Yellow Mill Creek, Burr Creek, Cedar Creek Reach, Cedar Creek Harbor, White Rock Creek, Lewis Gut, Yellow Mill Channel, Johnson's Creek, Black Rock Harbor, Ash Creek.

WATERWAY, INLAND. Inland waterways, navigable or not, including creeks, brooks, ponds, lagoons, rivers, and lakes, such as portions of the Pequonnock River, Lake Forest, Bunnells Pond, Stillman Pond, Island Brook Lagoon, Island Brook, and other unnamed, minor waterways.

WETLANDS:

A. Inland Wetlands and Watercourses. Wetlands, defined pursuant to General Statutes Sections 22a-36 and 22a-38, including land, including submerged land, not regulated pursuant to Section 22a-28 through Section 22a-35, inclusive, of the General Statutes, that consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and flood plain by the National Cooperative Soils Survey of the Soil Conservation Service of the U.S. Department of Agriculture. This area also includes the wetland and all adjacent ground surfaces within a 50-foot horizontal distance from the upland soil-wetland interface of the wetland. "Wetlands" also include those areas regulated by the U.S. Army Corps of Engineers, pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1251, et seq. and 40 CFR 230 of the regulations that define wetlands.

14.0 MEASURING & DEFINITIONS
14.260 Terms Beginning with "X"

B. Tidal Wetlands. Wetland, as defined pursuant to General Statutes Section 22a-28 through Section 22a-35, inclusive, means those areas that border on or lie beneath tidal waters, such as, but not limited to banks, bogs, salt marsh, swamps, meadows, flats, or other low lands subject to tidal action, including those areas now or formerly connected to tidal waters, and whose surface is at or below an elevation of one foot above local extreme high water.

WIND ENERGY SYSTEM, SMALL. A system intended to convert kinetic energy of wind into thermal, mechanical, or electrical energy with capacities less than 100 kW.

14.260 Terms Beginning with "X"

RESERVED

14.270 Terms Beginning with "Y"

YARD. An actual (as opposed to "required") open, unoccupied space that exists on a lot between a building and a lot line.

YARD, INTERIOR. On lots with multiple buildings, a yard between any buildings that does not abut any lot line.

YARD, NON-PRIMARY. A street yard extending between the principal building and a non-primary street right-of-way and lying between the primary yard and the rear lot line.

YARD, PRIMARY (FRONT). A street yard extending along the full width of the lot and lying between the principal building and a primary street right-of-way.

YARD, REAR. A yard extending along the full width of the lot and lying between the rear of the principal building and the rear lot line.

YARD, SIDE. A yard extending from the front yard to the rear yard and lying between the side of the principal building and the side lot line.

YARD, STREET. Any yard between the principal building and a street right-of-way.

14.280 Terms Beginning with "Z"

ZONE. Specifically delineated areas shown on the city's zoning map for which the requirements governing allowed building types, type and intensity of use, lot dimensions, building bulk and building form are uniform. Zones are sometimes referred to as "zoning districts" or "districts." See also Article [2.0](#).

ZONE, BASE. Any zone other than an overlay zone.

ZONE, OVERLAY. A zone that overlays a base zone and imposes special regulations modifying those that otherwise apply in the base zone.

ZONING MAP. The officially adopted zoning map of the City of Bridgeport.

ZONING OFFICIAL. A duly authorized official of the City of Bridgeport Zoning Department.

[page intentionally blank]

