Town of Stonington

Zoning Regulations
28th Edition

Effective November 16, 2023

With Amendments Through:

May 27, 2024

Contents

Article I – Regulatory Foundation 1
Section 1. Introduction 1
Section 2. Establishment of Zoning Districts and Zoning Map 4
Section 3. Amendments 9
Article II – Use Regulations 10
Section 4. Overview, Prohibited, and Non-Conforming Uses 10
Section 5. Principal Use Regulations 13
Section 6. Accessory Use Regulations 34
Article III – Base Zoning District Standards 46
Section 7. Residential Zoning District Standards 46
Section 8. Commercial and Industrial Zoning District Standards 49
Article IV – Special Zoning District Standards 58
Section 9. Overlay Districts 58
Section 10. Floating Zones 77
Article V – Regulatory Standards 101
Section 11. Lot Standards 101
Section 12. Site and Environmental Standards 103
Section 13. Off-Street Parking 115
Section 14. Sign Regulations 128
Article VI – Procedures and Administration 138
Section 15. Permit, Plan, and Bond Requirements 138
Section 16. Studies and Statements 155
Section 17. Procedures 159
Section 18. Application and Inspection Fees 164
Article VII – Definitions 165
Section 19. Word Use and Acceptable References 165
Section 20. Zoning Terminology Definitions 166
Section 21. Use Definitions 187
Section 22. Abbreviations 196
Appendices 197

Article I – Regulatory Foundation

Section 1. Introduction

1.1 Purpose and Authority

These zoning regulations are designed to further the purposes set forth in Chapter 124, Section 8-2 of the Connecticut General Statutes, particularly in the following ways:

A. To regulate height, number of stories, and size of buildings and other structures, the percentage of the area of the lot that may be occupied, the size of the yards, courts and other open spaces, the density of population and the location, form, proportion, and use of buildings, structures, and size, design and location of advertising signs and billboards within the limits of said town.

B. To divide said town into districts of such number, shape, and area as may be best suited to carry out the purposes of such chapter, and to regulate the erection, construction, reconstruction, alteration, or use of buildings or structures and the use of land in accordance with a plan designed to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to insure the health and the general welfare of the people of Stonington.

C. To provide adequate light and air, to preserve important natural inland and coastal resources with anticipation of the impacts of sea level rise, to prevent overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, with full consideration for the protection of historic factors and the land use and density of the districts, the total consequent costs to the Town, and their particular suitability for particular intensity and form of use, and the control of sedimentation, erosion caused by wind or water, and with a view to conserving the value of buildings and land and the most appropriate use of land throughout said Town.

1.2 Enacting Clause

The Stonington Planning and Zoning Commission, acting under authority of Chapter 124, Section 8-3 of the Connecticut General Statutes, hereby amends and re-codifies the "Zoning Regulations for the Town of Stonington" which originally became effective July 20, 1961, as amended, so that the same shall read as set forth below. Any repeal of any provision by this amendment and re-codification shall not affect (a) any violation which occurred before the date when these regulations (or any amendments thereof) were adopted, or exists on such date, or (b) any penalty incurred, and any such violation may be prosecuted.

1.3 Application

These regulations apply to all forms of ownership.

1.4 Interpretation

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, regulation, provision of law, easement, or covenant.

1.5 Conflict

When these regulations or any section of these regulations impose restrictions on use or bulk different from those imposed by any other section of these regulations, statute, public law, other regulations, ordinance or private agreement or legal relationship, whichever provisions are more restrictive or impose higher standards shall control.

1.6 Validity and Severability

Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

1.7 Savings Clause

The enactment of these regulations repealing the prior regulations shall not operate as an abatement of any action or proceeding then pending under or by virtue of said prior regulations.

1.8 Official Copy

An Official Copy of these Zoning Regulations, including the Official Zoning Map of the Town of Stonington showing zones herein described, are now on file at the Office of the Town Clerk, Town Hall, Stonington, Connecticut, and in the offices of the Planning and Zoning Commission, Town Hall, Stonington, Connecticut.

1.9 Scope of Controls

After the effective date of the regulations, all new construction or development, and every change, enlargement or relocation of use, and every reconstruction or structural alteration of a building or non-building use and every change in bulk shall conform to the Use and Bulk Regulations of these regulations. All new buildings and all newly developed land and non-building uses may be used for any purpose permitted or required by the regulations of the appropriate district. All existing non-conforming uses and non-conforming bulk may continue subject to all applicable regulations.

1.10 Administration

These regulations shall be administered by the Planning and Zoning Commission or its appointed agent as provided for in these regulations.

1.10.1 Issuance of Permits

A permit will be issued when all the applicable findings are made for compliance. In determining compliance, the Planning and Zoning Commission, or its appointed agent, shall have the following powers:

A. Inspect any building, place, premises, or use as to its compliance with these regulations during the hours such building, place, premises, or use is being conducted or occurring.

B. Conduct on-site inspections pursuant to applications for permits or complaints concerning only those structures, uses, or activities that fall within the purview of these regulations.

C. To seek or require such information as may be needed to properly determine the facts of any issue under these regulations.

1.10.2 Penalty and Enforcement

These regulations shall be enforced by the Planning and Zoning Commission or its appointed agent who shall be authorized to cause any building, structure, place, or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereon in violation of any provision of these regulations made under authority of the provisions of the State Statutes.

Section 2. Establishment of Zoning Districts and Zoning Map

2.1 Residential Base Zoning Districts

The Town is hereby divided into the following residential base zoning districts with purposes as stated below:

2.1.1 Greenbelt Residential (GBR-130)

This zone is located on fragile aquifer, watershed, streambelt, inland wetland and significant adjoining areas so as to preserve them for the future and present needs.

2.1.2 Residential Coastal (RC-120)

This zone encompasses coastal areas including coves, estuaries, tidal marshes and wetlands. It is established to preserve the natural habitat and assure flood protection.

2.1.3 Rural Residential (RR-80)

This zone is located in areas where the general land conditions dictate lower capability for development. This density is in keeping with the stated purpose of retaining the rural character of the Town.

2.1.4 Residential Low Density (RA-40)

This zone reflects areas having less restricted development potential and some other site advantage such as existing development and road frontage.

2.1.5 Residential Moderate Density (RM-20)

This zone is for areas where better soil conditions prevail, public utilities may be available, a higher level of development is desirable and locational advantages must be evident.

2.1.6 Residential Moderate Density (RM-15)

This zone reflects areas where better soil conditions prevail, public utilities may be available and locational advantages must be evident.

2.1.7 Residential High Density (RH-10)

This zone reflects areas with both public water and sanitary sewers and provides locations for more intense development which will complement existing development.

2.1.8 Residential Single Family (RA-15)

These zones are for areas that have been previously developed as single-family house lots and which should be maintained as such to preserve the character of the Town.

2.1.9 Residential Single Family (RA-20)

These zones are for areas that have been previously developed as single-family house lots and which should be maintained as such to preserve the character of the Town.

2.2 Commercial and Industrial Base Zoning Districts

The Town is hereby divided into the following commercial and industrial base zoning districts with purposes as stated below:

2.2.1 Development Area (DB-5)

This zone is for built-up areas with public water and sanitary sewers in order to provide a mixture of commercial/residential urban density opportunities.

2.2.2 Convenience Shopping (CS-5)

This zone provides small lot restricted business zones in built up areas. Uses are oriented towards meeting the needs of local residents and visitors for limited retail and service activities.

2.2.3 Local Shopping (LS-5)

This is a small lot business zone for built-up areas to provide a full range of services to residences in the area.

2.2.4 General Commercial (GC-60)

This zone is intended to provide a full range of shopping opportunities for the Town.

2.2.5 Tourist Commercial (TC-80)

This zone provides service to tourist visitors to the Town with minimal impact on adjoining residential uses.

2.2.6 Marine Commercial (MC-80)

This is a zone where commercial water-dependent uses are permitted.

2.2.7 Highway Interchange (HI-60)

This zone encourages the development of high-quality commercial office, retail, hotel, light industrial development, and age-restricted housing surrounding the interchanges of Interstate-95 with Routes 2, 49, and 78. It promotes land use which is compatible with the environmental conditions of the area, in particular, underlying aquifers and adjacent water bodies.

2.2.8 Pawcatuck Village (PV-5)

This zone provides opportunities for village-scale, mixed-use development in the Downtown Pawcatuck area that is sensitive to historic resources, minimizes impervious surfaces, and maximizes green spaces and buffers to the extent feasible. Public access to the Pawcatuck River is desired, especially as a Riverwalk.

2.2.9 Heritage Mill (HM)

This zone provides for a range of uses for existing historic mill buildings and surrounding areas. The intent is to allow some defined uses of interior space within existing buildings on a simplified basis. Certain other uses and construction of a new building or an addition to an existing building will require a Special Use Permit.

2.2.10 Manufacturing (M-1)

This zone provides for a range of manufacturing and commercial uses.

2.2.11 Light Industry (LI-130)

This zone permits research and development office parks. The zone allows a less intense use having less impact on the environment and surrounding neighborhoods.

2.3 Overlay Districts

The following overlay districts are established by these regulations with purposes as stated below:

2.3.1 Groundwater Protection Overlay District (GPOD)

The purpose of this district is to protect and preserve groundwater quality within stratified drift aquifers which are existing or potential public drinking water supplies, to protect the public health, safety and welfare through the preservation of the Town's major groundwater resources to insure a future supply of safe and healthy drinking water for the Town of Stonington and its residents. These groundwater resources have been shown to be easily contaminated by many land uses and activities, and it is necessary that specific controls over land use be exercised within these areas to protect groundwater quality.

2.3.2 Coastal Area Management Overlay District (CAMOD)

The purpose of the CAMOD is to protect and manage development in the Town's coastal areas pursuant to the Connecticut Coastal Management Program.

2.3.3 Flood Hazard Overlay District (FHOD)

The purpose of this district is to apply special regulations to the use of the land in the floodplains of all rivers, streams, and bodies of water in the Town which have or tend to have flooded or overflowed their banks. These special regulations are designed to: prevent or minimize loss of life, injury, property damage, and other losses both private and public; to protect the health, public safety, and general welfare of the people; and to help control and minimize the extent of floods and reduce the depth and violence of flooding.

2.3.4 Downtown Pawcatuck Parking Overlay District (DPPOD)

The purpose of the DPPOD is to provide relief from on-site parking standards for other areas of Stonington that would be overly burdensome if applied to Downtown Pawcatuck due to the historic mixed-use pattern of development that includes high floor area ratios relative to lot size and due to low peak hour usage relative to overall parking capacity in Downtown Pawcatuck. Thereby, the intent of this overlay district is to foster occupancy and redevelopment of businesses in the Downtown Pawcatuck area.

2.4 Floating Zone Districts

The following floating zone districts are established by these regulations with purposes as stated below:

2.4.1 Industrial Heritage Re-Use District (IHRD)

Industrial Heritage Re-Use Districts are intended to encourage renovation and/or adaptive reuse of Stonington's historic mills, promote diversified housing opportunities in combination with commercial, retail or office use where such mixed-use is appropriate, and retaining historic architectural design elements while adapting obsolete or underutilized structures and appurtenances to 21st Century needs.

2.4.2 Maritime Heritage District (MHD)

The MHD is intended to permit museum, tourism, historical, cultural and educational uses that preserve and enhance the Town's historic character, while providing opportunities for exploring the maritime heritage of the nation. This zone is intended to allow for the establishment, continuation and expansion of

such uses and activities in ways that will maintain and enhance compatibility with surrounding neighborhoods.

2.4.3 Neighborhood Development District (NDD)

The NDD is intended to: encourage the reclamation of underutilized commercial parcels and permit new construction, renovation and/or adaptive reuse at these sites; promote diversified housing opportunities, including, but not limited to, mixed-use development uses; and preserve and enhance the Town's historic character, sensitive environmental resources and these neighborhoods in the village cores. This zone is intended to allow for the establishment, continuation and expansion of such uses and activities in ways that will maintain and enhance compatibility with surrounding neighborhoods.

2.4.4 Greenway Development District (GDD)

The GDD is intended to provide an attractive alternative to the subdivision of land, so as to encourage open space preservation and economic development by allowing a mixture of uses in a comprehensively planned setting.

2.4.5 Agricultural Heritage District (AHD)

Agricultural Heritage Districts are intended to preserve Stonington's cultural landscape, ensure the continuation of agricultural industry by creating opportunities for locally produced food, protect historic agricultural character and scenic resources, maintain long-term viability and sustainability of farmland by permitting flexible economic use, and provide an alternative to the undesirable conversion of agricultural lands to residential subdivisions.

2.5 Zoning Map Establishment

The areas and boundaries of such districts are hereby established as shown on a map set entitled "Zoning Map Atlas - Town of Stonington" and as specified in Section 2.6. Such map set referred to herein as the "Zoning Map," together with everything shown thereon, is hereby made part of the regulations. An original of the Zoning Map Atlas and any amendments thereof shall be maintained on public display in the office of the Town Clerk and the office of the Department of Planning. Each district may be designated on the zoning map and in the District Regulation and elsewhere in the text of these regulations by its symbol only, by its title, or both.

2.6 Zoning Map District Boundaries

Zoning districts shall be delineated as follows:

2.6.1 Along Rights-of-Way

Where a district boundary is shown following a street, a public right-of-way or a railroad, the boundary is respectively the center line of such street, or public right-of-way, or a line located midway between the main tracks of said railroad, and such boundary shall be deemed to be changed automatically whenever the center line of such street or public right-of-way is changed, or said main railroad tracks are changed if the new center line is no further than 50 feet from the old center line at any point.

2.6.2 Map Dimensions

Where a dimension is indicated on the Zoning Map, such dimension shall control. However, in the absence of a specific dimension being indicated on the Zoning Map, the dimension shall be determined by using the map scale. In the case of conflict of scale or dimension, the Commission shall determine the exact location in the field.

2.6.3 Physical Markers

Where a street, highway, railroad, or other physical monument or marker on the ground by which a boundary is determined varies from that as shown on the Zoning Map or dimension, the on-the-ground physical monument or marker shall control.

2.7 Lot Divided By District Boundary

Any lot divided by a district boundary shall be regulated in total by all the bulk regulations for the zone in which the largest portion of the lot is located. If the lot is divided equally by the district boundary, it shall be governed by the district bulk regulations with the largest lot area requirements. The buffers required for any lot divided by a district boundary shall be regulated in each part by the buffer requirements for each respective district. Only uses allowed in the respective zones shall be permitted in those respective portions of the lot.

2.8 Required Permits

In each Zoning District the following types of permits are herein created and shall be directed to the appropriate agent or agency of the Town of Stonington by the Commission:

A. Zoning Permits for principal and accessory uses (Section 15.1).
B. Special Use Permits (Section 15.2).
C. Groundwater Protection Permit (Section 9.1).
D. Coastal Area Management Site Plan Review (Section 9.2).
E. Site Plan Review (Section 15.3).

Section 3. Amendments

3.1 Initiation

On its own initiative or on receipt of a written application to amend any portion of these regulations, the Planning and Zoning Commission may amend the regulations or change the boundaries of the zones herein established after public hearing in accordance with Chapter 124, Section 8-3 of the General Statutes of the State of Connecticut.

3.2 Notice

Notice of the time and place of such hearing shall be published in a newspaper having substantial circulation in the Town at least twice, at intervals of not less than 2 days, the first not more than 15 days or not less than 10 days and the last not less than 2 days before such hearing, and a copy of such proposed regulation or boundary shall be filed in the Office of the Town Clerk for public inspection at least ten days before such hearing.

3.3 Protest

If a protest, signed by owners of 20% or more of the area of lots included in such proposed change or of the lots within 500 feet in all directions of the property included in the proposed change, is filed against such change at such hearing with the Planning and Zoning Commission, such change shall not be adopted except by a vote of two-thirds of the members of the Planning and Zoning Commission.

3.4 Application

Any person or persons who are property owners or residents in the Town may make written application for an amendment to these regulations. The following information shall be submitted at the time of application:

3.4.1 Zoning Text Amendments

Fifteen copies of the proposed text or as specified by the Department of Planning. (see Section 16.3.3 for additional guidance).

3.4.2 Zoning Map Amendments

A. Fifteen copies of a Class A-2 Survey giving boundaries for applications involving a change in zoning boundaries. The Commission is exempt from providing an A-2 Survey.

B. A legal description of the property.

C. A list of abutting owners and their addresses, as they will be informed in writing of the proposed change (see also Section 17.2.5 Notification Requirements).

D. Fifteen copies of an impact statement, in accordance with Section 16.3.2. The Commission is exempt from providing an impact statement.

3.5 Reapplication

The Planning and Zoning Commission shall not be required to hear any petition or petitions relating to the same changes, or substantially the same changes, more than once in a period of twelve months.

Article II – Use Regulations

Section 4. Overview, Prohibited, and Non-Conforming Uses

4.1 Applicability

Regulations affecting the use of structures and land, the bulk, arrangements and design of structures, land use, density, materials and equipment occupying land in connection with non-building use or in connection with development of property, and the resulting effects of such land-structure development-use are herein set forth for each district and hereby established as presented in these regulations.

4.2 Permitted Uses

Uses permitted or allowed in each district listed in Section 5 or Section 6 shall be the only uses permitted or allowed. All other uses are hereby prohibited and shall not be permitted by variance.

4.3 Prohibited Uses

The uses listed in this section are prohibited in the Town.

A. Manufacturing uses involving primary production of the following products from raw materials:
   1. Asphalt, cement, and fuel briquettes.
   2. Chemicals, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen and oxygen, industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic materials, synthetic resins, pyroxylin, rayon yarn, or hydrochloric, phosphoric, picric, nitric and sulfuric acids.
   3. Coal, coke, and tar products, including gas, manufacturing explosives, fertilizer, gelatin, glue and size.
   4. Linoleum and oil cloth, matches, paint, varnishes and turpentine. Rubber (natural or synthetic), soap (excluding small-scale craft operations), including fat rendering and starch.

B. Manufacturing processes as follows:
   1. Nitrating of cotton or other materials.
   2. Milling or processing of flour.
   3. Reduction or refining of petroleum products such as gasoline, kerosene, naphtha, lubricating oil.
   4. Distillation of wood or bones.
   5. Reduction and processing of wood pulp and fiber including paper mill operations.

C. Operations involving the following:
   1. Stock yards and slaughterhouses.
   2. Slag piles.
   3. Keeping, breeding, or raising of animals for fur.
   4. Keeping, breeding, or raising of rodents or primates for laboratory or commercial purposes.

D. Storage of explosives or other hazardous substances except under license from the appropriate governmental agency.

E. Bulk or wholesale storage of gasoline above ground.

F. Storage, possession or use of radioactive substances not in accordance with permits under the terms of a "Type B Specific License of Broad Scope," or a "Type C Specific License of Broad Scope," as defined in Title 10 of the Code of Federal Regulations (CFR) Part 33, Section II (b), II (c), and Schedule A.

G. Junkyards and dumps, except those owned and operated by the Town. A junkyard shall constitute any land or building used in whole or in part for the collection, storage, and/or sale of wastes, paper, rags, a clutter of metal, scrap metal, glass or similar accumulations of appliances, articles or material; or any place in or on which old material, glass, paper, cordage, or other waste or discarded or second hand material which has not been a part, or is not intended to be part, of any motor vehicle, is stored or deposited. It includes also any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two or more unregistered motor vehicles which are no longer intended or in condition for legal use on public highways; or used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle.

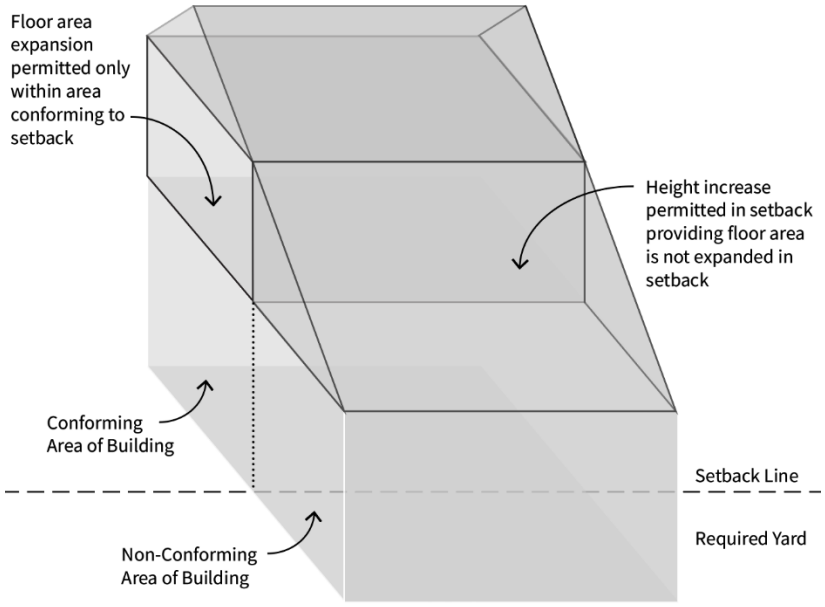
4.4 Non-Conforming Uses and Bulk

Lawful uses or bulk in existence on the effective date of these regulations or on the effective date of amendments to these regulations and not conforming to these regulations may be continued, subject to the following conditions and specifications:

4.4.1 Continuance

A. Non-conforming uses and bulk may be continued but may not be expanded in gross floor area, height, amount of use, or extent of bulk.

B. Buildings that are conforming in use and bulk standards but are non-conforming relative to setback requirements shall not be permitted to expand floor area within the required setback. Vertical additions to those buildings may be permitted providing they do not increase floor area within the required setback.



4.4.2 Maintenance

Normal maintenance, minor repair, and minor interior alterations are allowed by Zoning Permit to be issued by the Zoning Enforcement Officer so long as no new non-conforming bulk or use is created.

4.4.3 Change of Non-conforming Use

By Special Use Permit, the Commission may allow a change from an existing non-conforming use to another use of like or similar character, provided that the degree of existing non-conformity is not expanded by the new use.

4.4.4 Ownership

Nothing in these regulations shall be deemed to require discontinuance of a nonconformity because of mere change of title or possession, or right of possession of property.

4.4.5 Abandonment and Discontinuance

Any non-conforming use which has been abandoned shall not thereafter be reestablished, and such structure or property shall not again be devoted to the original non-conforming use. The term abandonment shall mean the voluntary discontinuance of a use, including but not limited to, an intent not to reestablish such use by the owner. Any one of the following shall constitute prima-facie evidence of permanent intent-to-abandon, which prima-facie evidence may be rebutted by the owner:

A. Approval of a Site Plan application or Special Use Permit which changes, reduces or eliminates the overall non-conformity of the use, structure or property.

B. Intentional discontinuance of the non-conforming use for 12 consecutive months, or for a total of 18 months during any three-year period without a demonstrated intent to maintain or reestablish the use. Shorter, temporary interruptions or suspensions of a nonconforming use, with or without substitution of a conforming use, do not terminate the right to resume such non-conforming use.

4.4.6 Reconstruction

A. Non-conforming uses or structures damaged by natural and unnatural disasters, which are restored or reconstructed within one year do not need Planning and Zoning Commission approval if the restoration or reconstruction is identical in external appearance and location allowing for modifications required by, and strictly adherent to, building codes or FEMA standards. The following conditions and exceptions shall apply:

   1. The Planning and Zoning Commission may provide additional time for restoration or reconstruction, not to exceed two additional years if the owner provides a written statement to the Commission regarding delays beyond their control such as contractor delays, backordered materials or supplies, or permit delays.
   2. Any restoration or reconstruction resulting in external changes to the structure, except those required by building code or FEMA standards, shall be subject to Architectural Design Review as required by Section 17.1.
   3. Notice of intent to reconstruct must be submitted to the Planning and Zoning Commission office within 90 calendar days of destruction, in the form of a Zoning Permit application.

B. Non-conforming uses or structures are subject to Planning and Zoning Commission approval if located within 100 feet of the following coastal areas: tidal wetlands, coastal bluffs and escarpments, and beaches and dunes.

Section 5. Principal Use Regulations

5.1 Principal Use Summary Table: Residential Zones

The table below indicates the permitted principal uses in Stonington by residential zone. Uses are permitted by Zoning Permit (ZP) or by Special Use Permit (SUP). Uses prohibited within a zone are identified by a dash (—). See Section 15 for plan and permit requirements. In addition to the permit requirements identified below, see Section 5.3 and other applicable sections for regulations specific to the uses identified below.

Principal Use	Residential Zone								
	GBR-130	RC-120	RR-80	RA-40	RM-20	RM-15	RH-10	RA-20	RA-15
Attached Housing	—	—	—	—	SUP	SUP	SUP	—	—
Agriculture or Aquaculture	ZP	ZP	ZP	—	—	—	—	—	ZP
Bed and Breakfast Facility	SUP	SUP	SUP	SUP	SUP	SUP	SUP	—	—
Boating Facility	—	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Cemetery, Crematorium, or Funeral Home	—	—	SUP	SUP	SUP	SUP	SUP	—	—
Church or Place of Worship	—	—	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Commercial Kennel	SUP	SUP	SUP	—	—	—	—	—	—
Community Center	—	—	SUP	SUP	SUP	SUP	SUP	—	—
Community Residence	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Congregate Living Facility	—	—	SUP	SUP	SUP	SUP	SUP	—	—
Convalescent Home	—	—	SUP	SUP	SUP	SUP	SUP	—	—
Day Care Center	—	—	SUP	SUP	SUP	SUP	SUP	—	—
Elementary or Secondary School	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Excavation Operation	—	—	SUP	SUP	—	—	—	—	—
Family Child Care Home	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Golf Course	SUP	SUP	SUP	SUP	—	—	—	—	—
Group Child Care Home	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Hospital	—	—	SUP	SUP	SUP	SUP	SUP	—	—
Housing for the Elderly	—	—	—	—	SUP	SUP	SUP	—	—
Lumber Mill	SUP	SUP	SUP	SUP	—	—	—	—	—
Manufactured Home Park	—	—	SUP	SUP	—	—	—	—	—
Municipal Facility	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Non-Profit Association, Club, Museum, or Art Institution	SUP	SUP	SUP	SUP	—	—	—	—	—

Principal Use	Residential Zone								
	GBR-130	RC-120	RR-80	RA-40	RM-20	RM-15	RH-10	RA-20	RA-15
Open Space Development	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	—
Processing of Products Grown on Premises	SUP	SUP	SUP	SUP	—	—	—	—	—
Recreational Facility	SUP	SUP	SUP	SUP	SUP	SUP	SUP	—	—
Rehabilitation of Existing Buildings	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Residence, Duplex	—	—	ZP	ZP	ZP	ZP	ZP	—	—
Residence, Single-Family	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Wellness Center	—	—	SUP	SUP	SUP	SUP	SUP	—	—
Water Tower	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Winery	SUP	SUP	SUP	SUP	—	—	—	—	—
Yacht Club	—	SUP	SUP	SUP	SUP	SUP	SUP	—	—

[1] See Section 5.3.19 for specific permit requirement.

5.2 Principal Use Summary Table: Commercial and Industrial Zones

The table below indicates the permitted principal uses in Stonington by commercial and industrial zones. Uses are permitted by Zoning Permit (ZP), Special Use Permit (SUP), or Site Plan Application (SPA). Uses prohibited within a zone are identified by a dash (—). All Special Use Permits shall also require a Site Plan. See Section 15 for plan and permit requirements. In addition to the permit requirements identified below, see Section 5.3 and other applicable sections for regulations specific to the uses identified below.

Principal Use	Commercial and Industrial Zones										
	DB-5	CS-5	LS-5	GC-60	TC-80	MC-80	M-1	LI-130	HI-60	HM	PV-5
Assembly (less than 10,000 sf)	SPA	—	—	SPA	—	—	SPA	SPA	—	SPA	SPA
Assembly (10,000 sf or greater)	SUP	—	—	SUP	—	—	SUP	SUP	—	SUP	SPA
Agriculture or Aquaculture	—	—	—	—	—	—	SPA	SPA	—	SUP	SPA
Advanced Manufacturing (less than 10,000 sf)	—	—	—	—	—	—	SPA	SPA	SUP	SPA	SPA
Advanced Manufacturing (10,000 sf or greater)	—	—	—	—	—	—	SUP	SUP	SUP	SUP	SPA
Attached Housing (7 units or fewer)	—	—	—	—	—	—	—	—	—	—	SPA

Principal Use	Commercial and Industrial Zones										
	DB-5	CS-5	LS-5	GC-60	TC-80	MC-80	M-1	LI-130	HI-60	HM	PV-5
Attached Housing (8 units or more)	—	—	—	—	—	—	—	—	—	—	SUP
Auto Sales	—	—	—	SUP	SUP	—	—	—	—	—	—
Bait and Tackle Sales	—	—	—	—	—	SPA	—	—	—	—	SPA
Bank (less than 5,000 sf)	SPA	SPA	SPA	SPA	SPA	—	—	—	SPA	SPA	SPA
Bank (5,000 sf or greater)	SUP	SUP	SUP	SUP	SUP	—	—	—	SUP	SPA	SPA
Billiard Parlor or Bowling Alley	—	—	—	SUP	SUP	—	—	—	—	SPA	SPA
Boat Fabrication	—	—	—	—	—	SUP	SUP	—	—	SUP	—
Boat Livery	—	—	—	—	—	SPA	—	—	—	SUP	SUP
Boat Part Sales	—	—	—	—	—	—	—	—	—	SUP	—
Boat Repair	—	—	—	—	—	SPA	—	—	—	SUP	SUP
Boat Sales	SUP	—	SUP	SUP	SUP	—	—	—	—	SUP	SUP
Brewery	—	—	—	—	—	—	SUP	—	—	SUP	—
Bulk Storage	—	—	—	—	—	—	SUP	SUP	—	SUP	—
Cemetery or Crematorium	SUP	—	—	—	—	—	—	—	—	—	—
Church or Place of Worship	SUP	—	—	—	—	—	—	—	—	—	SPA
Coal Yards and Oil Tanks	—	—	—	—	—	—	SUP	—	—	—	—
Commercial Recreation	—	—	—	SUP	SUP	—	—	—	—	SPA	SPA
Community Center	SUP	SUP	SUP	SUP	SUP	—	—	—	—	—	SPA
Compounding or Fabrication (less than 10,000 sf)	—	—	—	—	—	—	SPA	—	—	SPA	SUP
Compounding or Fabrication (10,000 sf or greater)	—	—	—	—	—	—	SUP	—	—	SUP	SUP
Conference Center	—	—	—	—	—	—	—	—	SUP	—	SUP
Congregate Living Facility	—	SUP	SUP	SUP	—	—	—	—	SUP	SUP	—
Convalescent Home	SUP	—	SUP	SUP	—	—	—	—	SUP	SUP	SUP
Day Care Center	—	—	SPA	SPA	—	—	—	—	SUP	SUP	SPA
Distillery	—	—	—	—	—	—	—	—	—	SUP	—
Dog Daycare and Training Center	—	—	—	—	—	—	SUP	SUP	—	SUP	—
Elementary or Secondary School	SUP	SUP	SUP	SUP	SUP	—	—	—	—	SUP	SPA

Principal Use	Commercial and Industrial Zones										
	DB-5	CS-5	LS-5	GC-60	TC-80	MC-80	M-1	LI-130	HI-60	HM	PV-5
Family Child Care Home	—	—	ZP	ZP	—	—	—	—	—	—	ZP
Funeral Home or Mortuary	SUP	—	SUP	SUP	—	—	—	—	—	—	SUP
Gas Stations or Auto Service	—	—	SUP	SUP	SUP	—	—	—	—	—	SUP
Health Club	SUP	SUP	SUP	SUP	SUP	—	SUP	SPA/ SUP[1]	SUP	SPA	SPA
Hospital	SUP	SUP	SUP	SUP	SUP	—	SUP	—	—	SUP	SUP
Hotel	SUP	—	SUP	SUP	SUP	—	—	—	SUP	SUP	SUP
Housing for the Elderly	—	SUP	SUP	SUP	—	—	—	—	—	SUP	—
Indoor Boat Storage	—	—	—	—	—	—	—	—	—	SPA	—
Laundromat	SUP	SUP	SUP	SUP	SUP	—	—	—	—	—	SUP
Light Manufacturing	—	—	—	—	—	—	SPA	SUP	SUP	SPA	SUP
Liquor Sales Place (off-premises consumption)	SUP	SUP	SUP	SUP	SUP	—	—	—	SUP	SUP	SUP
Liquor Sales Place (on-premises consumption)	SUP	—	SUP	SUP	SUP	SUP	—	—	—	SUP	SUP
Lumber Mill	—	—	—	—	—	—	SPA	—	—	—	—
Marina	—	—	—	—	—	SUP	—	—	—	SUP	SUP
Medical Clinic	SUP	SUP	SUP	SUP	SUP	—	SUP	—	SUP	SPA	SPA
Microbrewery/Brewpub	SUP	—	SUP	—	—	—	—	—	—	SUP	SUP
Municipal Facility	SPA	SPA	SPA	SPA	SPA	SPA	SPA	—	—	SPA	SPA
Office Building (less than 5,000 sf)	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA	SPA
Office Building (5,000 sf or greater)	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SPA	SPA	SPA
Open Space Development	—	—	—	SUP	—	SUP	—	—	—	—	—
Outdoor Vendor	—	—	—	SUP	SUP	—	—	—	—	—	—
Personal Service	SPA	SPA	SPA	SPA	SPA	—	—	SPA/ SUP[2]	SPA	SPA	SPA
Processing of Agricultural Products (less than 10,000 sf)	SUP	SUP	SUP	SUP	SUP	—	SPA	SPA	—	SPA	SPA
Processing of Agricultural Products (10,000 sf or greater)	SUP	SUP	SUP	SUP	SUP	—	SPA	SUP	—	SUP	SPA
Recreational Vehicle Camp	—	—	—	—	—	—	SUP	SUP	—	—	—
Recreational Facility	SUP	SUP	SUP	SUP	SUP	—	—	—	—	SPA	SPA

Principal Use	Commercial and Industrial Zones										
	DB-5	CS-5	LS-5	GC-60	TC-80	MC-80	M-1	LI-130	HI-60	HM	PV-5
Rehabilitation of Existing Buildings	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Research & Development	—	—	—	—	—	—	SPA	SPA	SUP	SPA	SPA
Restaurant	SUP	—	SUP	SUP	SUP	SUP	—	—	SUP	SUP	SPA
Restaurant, Retail	SPA	—	SPA	SPA	SPA	—	—	—	SPA	SPA	SPA
Residence, Duplex	SPA	SPA	SPA	SPA	SUP	—	—	—	—	—	SPA
Residence, Single-Family	ZP	ZP	ZP	ZP	SUP	ZP	—	—	—	—	ZP
Residence, Triplex	SPA	SPA	SPA	—	—	—	—	—	—	—	SPA
Residential, Mixed-Use (less than 10 units)	SUP	—	SUP	SUP	—	—	—	—	—	SUP	SPA
Residential, Mixed-Use (10 units or greater)	SUP	—	SUP	SUP	—	—	—	—	—	SUP	SUP
Retail or Wholesale Establishment (less than 5,000 sf)	SPA	SPA	SPA	SPA	SPA	SPA	—	—	—	SPA	SPA
Retail or Wholesale Establishment (5,000 sf or greater)	SUP	SUP	SUP	SUP	SUP	SUP	—	—	SUP	SPA	SPA
Self-Storage Facility	—	—	—	—	—	—	—	—	—	SPA	—
Theater	—	—	SUP	SUP	SUP	—	—	—	SUP	—	SPA
Warehousing (less than 10,000 sf)	—	—	—	—	—	—	SPA	SPA	—	SPA	—
Warehousing (10,000 sf or greater)	—	—	—	—	—	—	SUP	SUP	—	SPA	—
Wellness Center	SUP	—	SUP	SUP	SUP	—	—	—	SUP	—	SPA
Winery	SUP	—	—	—	—	—	SUP	—	—	SUP	SUP
Yacht Club	—	—	—	—	—	SUP	—	—	—	—	—

[1] See Section 5.3.13 for specific permit requirement.

[2] See Section 5.3.21 for specific permit requirement.

5.3 Use Specific Regulations: Principal Uses

The following regulations are applicable to the specified uses across all districts where such uses are permitted unless otherwise stated.

5.3.1 Agriculture

The keeping and breeding of livestock is permitted only in the GBR-130, RC-120, and RR-80 zones under the following conditions:

A. The keeping and breeding of livestock including operation of commercial stables is only permitted on lots of 240,000 square feet or more.

B. Stables and manure storage shall be set back a minimum of 200 feet from all property lines and tidal wetlands.

5.3.2 Attached Housing

In those districts where attached housing is permitted, the Commission may grant a Special Use Permit for such uses only after determining that the required findings in Section 15.2.6 have been met and plans comply with the following. In the PV-5 Zone, a Special Use Permit is required only for attached housing developments of 8 units or more.

A. Lot area, density, design, and open space requirements shall conform to the following standards:

Attached Housing Standard	**Zone**			
	RM-20	RM-15	RH-10	PV-5
Minimum lot area	10 acres			15,000 sf
Maximum units per acre	2.17	2.9	4.35	8.7
Integral lot area per unit	3,000 sf	2,000 sf	2,000 sf	N/A
Maximum number of stories	2			3
Minimum units per building	3			2
Maximum units per building	4			12
Minimum buffer (ft)	35	35	25	N/A
Design open space	100 sf per unit			N/A
Neighborhood area	1,500 sf per unit			N/A
Common recreation space	400 sf per unit			100 sf per unit for developments of 10 units or more
Special design requirements	• The structure must have at least one common party wall of not less than 12 feet in length. • No unit may be above or below any other unit or have a central (common) staircase or hallway. • Party walls may be between living areas, garages, or any fully enclosed weatherproofed areas. This does not include open decks or porches. • See Section 12.4.5 for additional distance requirements.			N/A

B. Site improvements, to include driveways, sanitary and storm sewers, special structures, and other physical improvements shall be designed and constructed in accordance with generally accepted engineering standards. The Subdivision Regulations of the Town of Stonington shall be used as a guide in determining acceptable standards.

C. Accessory Uses

1. Garages and parking.
2. Maintenance, equipment, and utility areas.
3. Water and sewage facilities for the development.
4. Occupant storage and service facilities.
5. Recreation, open space, and reserve areas of a non-commercial nature primarily for use by resident occupants.

D. The Commission shall insure project design compatibility with historic features and the existing architectural style and landscape of the neighborhood or district in the following areas:

1. Building siding material must be clapboard, natural wood, shingles, brick, or textured siding with the appearance of the former.
2. Building size may generally be no larger than others in the area.
3. Building location may not unavoidably obstruct solar access or vistas of existing dwellings or visual access to significant resources.

E. Site plans shall include spaces that provide open areas for each project as follows:

1. Integral lot area for each unit as required by Item A above.
2. Design open spaces for each structure or group of structures.
3. Common recreation spaces for community activities and recreation.
4. Neighborhood area.
5. Thematic element – play equipment or street furniture.

F. Required areas. In order to promote good design of projects and to provide open spaces consistent with the regulation requirements, any requirements for buffers, integral lot areas, design open spaces, common recreation spaces, floor area, neighborhood area, parking requirements, and non-infringement areas are to be shown in separate identifiable locations on Site Plans and the areas required are not to be counted or treated for any of the other areas specified in this section.

5.3.3 Auto Service or Auto Sales

A. An application for a Certificate of Location Approval shall be submitted to the Zoning Enforcement Officer by any person who desires to obtain a license from the Connecticut Department of Motor Vehicles for dealing in or repairing motor vehicles except that this requirement shall not apply to:

1. A transfer of ownership to a spouse, child, brother, sister or parent of a licensee.
2. A transfer of ownership to or from a corporation in which a spouse, child, brother, sister, or parent of a licensee has a controlling interest.
3. A change in ownership involving the withdrawal of one or more partners from a partnership.

B. The Certificate of Location Approval shall also be approved by the local building official and local fire marshal.

5.3.4 Bed and Breakfast Facilities

Approval and operation of a bed and breakfast facility is subject to the following conditions:

A. The applicant must submit an application for a Special Use Permit, together with a Site Plan. The Commission may, in its discretion, waive the requirement that the Site Plan bear the seal of an engineer and/or land surveyor.

B. The applicant shall establish that it will meet all requirements of the Public Health Code of the State of Connecticut that apply to bed and breakfasts.

C. The applicant shall be required to obtain written certification from the Town Sanitarian that the plans for water supply and sewage disposal systems are adequate to support the intended use.

D. The applicant shall be required to obtain written certification from the Fire Marshal and Building Inspector regarding compliance with the State building code and applicable fire code regulations.

E. Parking must be designated on the Site Plan which is submitted. There shall be at least two off-street parking spaces designated on the Site Plan for the owner of the premises and one additional off-street parking space for each guest room. The Site Plan shall provide for the shielding of the parking areas from neighboring properties and the street through the use of trees, shrubbery, fencing or such other means as may be required by the Commission.

F. The facility shall be limited to no more than 5 guest rooms or 50% of the building's gross floor area, whichever is less.

G. Rooms available for guests shall be limited to the main residential building and no accessory or other buildings shall be used for the renting of rooms or furnishing of meals.

H. Guest rooms shall contain a minimum of 120 square feet. This requirement shall not include private bath areas.

I. Facilities shall be permitted no more than one suitable free-standing sign to identify the property, provided the sign is no more than 6 square feet in size and is lit only by indirect lighting.

J. The facility shall be the principal residence of the owner of the facility.

K. All proposed bed and breakfast facilities shall have been built prior to 1940.

L. The permit is subject to renewal by the Planning and Zoning Commission every three years. The Commission shall have the authority to revoke the permit at any time the owner is found to be in non-compliance with the original permit.

M. There shall be no efficiency apartment configuration and breakfast shall be the only meal provided. Breakfast is served only to overnight lodgers.

N. The maximum term of any room rental shall be two consecutive weeks for the same guests.

O. The Commission, in the exercise of its discretion, must be satisfied that the bed and breakfast facility, including the parking area and the lot configuration and building locations shall be such as to preserve the residential appearance of the lot in question.

5.3.5 Boat Repair

Boat repair in the PV-5 zone shall be limited to wooden boat restoration.

5.3.6 Commercial Kennels

A. The minimum lot area shall be 10 acres.

B. No structure used for a kennel shall be closer than 150 feet from any lot line.

C. Each kennel shall provide one run for every two animals.

D. No more than 20 runs shall be permitted.

5.3.7 Congregate Living Facility

A. The following general regulations shall govern the design of congregate living facilities:

1. Bulk Requirements	
Minimum Lot Size	15 acres
Frontage	100 feet
Yards	100 feet from all lot lines (front, side, and rear)
Maximum Height	35 feet with a maximum of 3 floors, except on sloped lots where one side may be 45 feet and 4 stories where the bottom story is a "walk out" level. The minimum roof pitch of 6"/12"
Floor Area Ratio	0.35

2. Buffer Requirements. 50 feet wide from all lot lines, with 35 feet of screening within the buffer except where an earth berm at least 4 feet high is constructed then the buffer may be reduced to 35 feet with 30 feet of screening. Access is allowed through the buffer. No construction, parking, and/or other uses shall be permitted within the 100-foot buffer.
3. Performance Standards. Design review compliance with Section 17.1.9.
4. Special Regulations. The developer shall set aside 20% of the site for open outdoor recreational uses of a non-commercial nature for occupants/residents only. The use of wetlands for open space shall be prorated in accordance with the formula set forth in Section 12.9.

B. Assisted Living Standards. The congregate living facility shall provide:

1. A common dining room and kitchen facilities for the preparation of meals for the exclusive use of residents and their guests.
2. Each resident with at least one nutritious meal each day.
3. Periodic on-going health monitoring by the congregate living facility's licensed medical staff.
4. Community area or areas suitably equipped to meet the social interactional and leisure time needs of the residents.
5. A stated program of services with a staff provided to carry out such program.
6. Transportation services.

C. Permit Requirements. A Special Use Permit for a congregate living facility shall include the following and all information and procedures required in Section 15.2.2, in addition to all applicable requirements of these regulations.

1. Restrictions Deeds and Covenants. The applicant shall provide to the Commission sample restrictions that will be included in rental or sale agreements or deeds that will be filed on the Land Records as covenants running with the land and binding the applicant's successors and assigns in perpetuity. Such restrictions shall provide for the following:
   a. All assisted living standards shall be clearly identified by the operator of the congregate living facility.
   b. Each dwelling unit is occupied by at least one person 55 years of age or older.
   c. The applicant shall conduct and provide a feasibility and marketing study to see if a proposed congregate living facility is viable.

d. The applicant shall be required to provide an audited financial statement.

D. Development Requirements. The following standards shall apply to the design and development of a congregate living facility:

1. No more than 300 independent living units, 50 assisted living units and 60 convalescent beds shall be allowed in any single development site. Each independent living unit shall require 5,000 square feet of site area. Each assisted living unit and each convalescent bed, when combined with congregate care facilities, shall require 700 square feet of site area.
2. The size of the independent living space shall be not less than 400 square feet in gross floor area. The average area for each living unit in each building shall be not less than 600 square feet in gross floor area. Corridors, storage, dining, and meeting spaces outside the individual dwelling units shall not be used in calculations of dwelling unit areas or average unit areas for buildings.
3. In order to avoid building a building which will be intrusive and out of proportion with other buildings in the area, the Planning and Zoning Commission shall supplement the standards in Section 17.1.9 (Design Review Requirements) with the following standards:
   a. Each exterior building wall shall contain an offset that is based on the wall length as follows:

Wall Length (feet)	Offset (feet)
0-50	0
51-100	5
101-150	10
151-200	15
201-250	20
251+	25

   b. The width of the offset shall be at least equal to the width of the building to which it is joined.
4. Each building may be connected with an enclosed corridor to another separate building on one above-grade level only, but not necessarily the lowest level. Buildings may also be connected by structures which are more than 50% below grade.
5. The congregate living facility shall include community areas, which may be a separate building section suitably equipped to meet the social interaction and leisure time needs of the residents. Each building shall include at least one leisure and social interactive area accessible to all tenants. The community areas shall total not less than 50 square feet per dwelling unit for the entire facility, of which a minimum of 10 square feet per dwelling unit shall be in each individual building. At least one individual interactive area per building is required and shall not be less than 200 square feet in gross floor area. The community areas shall be conducive to activities such as conversational seating, areas for reading, television viewing, table games, as well as space and equipment for the other recreational and social activities. Areas used and otherwise required for hallways, stairways, elevators, and rest rooms shall not be counted toward the community area requirement.
6. Laundry facilities shall be provided for the use of occupants/residents only.
7. One parking space shall be required for each detached dwelling unit; one for every two attached units, and one visitor parking space shall be required for every three dwelling units. One parking space shall be required for each employee employed on both of the two largest shifts to provide

parking for all employees who will be at the facility at any one time. All spaces shall meet the requirements of Section 13, "Off Street Parking, General Requirements," in the Zoning Regulations.

8. Loading berths shall meet the requirements of Section 13.7.
9. For purposes of determining the required number of berths, only the area of multi-unit buildings shall be used.
10. Public sanitary sewer and water supply shall be required.
11. All utilities shall be underground. Use of alternate energy sources shall be encouraged.
12. The grounds of the congregate living facility shall also provide for non-commercial outdoor recreational opportunities and activities of an active and passive variety for use of the occupants/residents only. Trails, paths, benches, tables, courts, and the like shall be clearly delineated on the Site Plan.
13. The congregate living facility shall provide safe and adequate sidewalks and walkways for residents to walk to nearby shopping, banking, and other community services and facilities, or the applicant shall provide transportation services for the residents so that they can avail themselves of necessary community services and activities.

E. Associated and Accessory Uses.

1. Garage or parking areas, open or covered.
2. Administrative offices, maintenance, utility, laundry, equipment areas and storage associated with and secondary to the operation of the facility or the needs of the residents.
3. Kitchen and dining facilities and snack bars for the use of residents and their guests only.
4. Recreational activities and facilities of a non-commercial nature accessory to the congregate living facility.
5. Medical and/or nursing facilities, clinics for occupant/resident use only.
6. Dining facilities for employees.
7. Internal service stores for occupant/resident use only.

5.3.8 Convalescent Home

A. Minimum Site Area and Yards.

1. There shall be the following minimum area requirements:
   a. In residential districts: 5 acres
   b. In commercial districts: 2 acres
   c. There shall be a minimum of 1,500 square feet of site area for each patient or employee to be housed in the convalescent home.
2. The following minimum yards shall be required:

Yard	Commercial District Minimum Yard (feet)	Residential District Minimum Yard (feet)
Front	30	100
Side	20	50
Rear	20	100

3. Front Yard and Walking Areas. All front yards shall be landscaped. There shall be level-graded or paved outdoor areas suitable for walking with a minimum of 100 square feet per patient in

facilities of 60 beds or less, with an additional 50 square feet for every patient over a total of 60 in facilities with more than 60 beds.

B. Special Parking Requirements.
   1. All parking areas shall be at least 25 feet from property lines and 10 feet from all buildings for convalescent homes located in any Residential District.
   2. There shall be a minimum of one visitor parking space for every three patients and, in addition, three employee parking spaces for every 4 employees on the 7:00 a.m. to 3:00 p.m. shift.

5.3.9 Day Care Centers

Shall only be permitted on lots of 40,000 square feet or more.

5.3.10 Dog Daycare or Training Center

Approval and operation of a dog daycare or training center is subject to the following conditions:

A. Facility must hold a commercial kennel license and training facility license.

B. No overnight boarding is permitted.

C. A minimum lot size of 2 acres is required.

D. An outdoor exercise yard is permitted which must be enclosed by a minimum 6-foot-high fence.

E. Retail sales and pet grooming are allowed as accessory uses, square footage limited to 10% of total building gross floor area each.

F. The Commission may require buffers and screening of facilities from adjacent residential properties as per Section 15.2.8A if determined that outdoor facilities may result in an adverse visual impact.

G. A detailed waste management plan shall be submitted with the application which shall take into consideration disposal of solid waste and stormwater impacts.

5.3.11 Excavation Operation

Excavation operations shall be subject to the requirements of Section 12.7.

5.3.12 Gas Stations

A. Buildings and premises proposed to be used for the sale of gasoline shall meet the following requirements:
   1. No gasoline or diesel-filling appliance shall be located within 25 feet of a street line or 50 feet of a side or rear lot line.
   2. No gasoline or diesel filling station, or automotive service or repair station shall be erected within a 1,500-foot radius of any part of any lot used for these purposes.

B. An application for a Certificate of Location Approval shall be submitted to the Zoning Commission by any person who desires to obtain a license from the Connecticut Department of Motor Vehicles for the sale of gasoline or any other product, including the alteration or changing of adjoining physical properties for such purposes, except that this requirement shall not apply:
   1. In the case of the transfer of the last issued license from one person to another provided no more than one year has elapsed since the expiration of such license; or
   2. In the case of a renewal of a license by the holder of the license; or
   3. In the case of the addition or discontinuance of pumps.

5.3.13 Health Club

The new construction of a health club with a gross floor area of 5,000 square feet or more in the LI-130 zone shall require a Special Use Permit.

5.3.14 Hotels

A. Unit Density: The number of units permitted on a lot is as follows:
   1. Single story: 2,000 square feet per unit per prorated lot area.
   2. Multi-story: 1,500 square feet per unit per prorated lot area. 1,000 square feet per unit in the PV-5 zone.

B. Minimum Gross Floor Area Per Unit: 275 square feet per unit, or a mix of 50% of units at 225 square feet each and 50% of units at 325 square feet each.

C. Each hotel may contain living space for a resident manager.

D. Rear yard and side yard requirements shall be increased 10 feet for every floor over two stories. The maximum height shall be based on the zoning district requirement.

E. Permitted Accessory Uses
   1. Conference facilities.
   2. Laundry facilities for the laundering of linens and the convenience of guests, excluding dry-cleaning facilities, provided that the premises are connected to public sewers.
   3. Restaurant and banquet facilities, including the sale of alcoholic beverages in accordance with a Hotel Permit issued by the Connecticut Department of Liquor Control.
   4. Recreational facilities: limited to tennis courts, racquet courts, health spas, gymnasiums and swimming pools, and similar recreational facilities normally accessory to a hotel.

F. Floor Area Ratio Bonus: The Commission shall allow, on a lot in the GC-60 district on which a hotel is a use, a floor area ratio of up to 0.35 if the principal hotel building is two stories or up to 0.45 if the principal hotel building is three stories, provided the following criteria are met:
   1. No building on the lot which is within 150 feet of the street line shall have an average building height of greater than 20 feet; and
   2. The hotel does not have more than 100 guest rooms.
   3. The hotel shall occupy a minimum of 85% of the gross floor area.

5.3.15 Housing for the Elderly

In zones where permitted by Special Use Permit, housing for the elderly may be approved in accordance with the following standards and the requirements of Section 15.2.7:

A. The lot area requirement shall be 5,000 square feet per dwelling unit, averaged over the total net acreage of the project site.

B. The lot area requirement may be reduced to 3,000 square feet per dwelling unit averaged over the entire site net area if public water and sewer connections are made.

C. Each unit may have up to, but no more than, two bedrooms but proposal may also include efficiency units.

D. Accessory Uses.
   1. Garage or parking at a minimum of one space per unit; visitor parking of one space for every three units.
   2. Utility, maintenance, and equipment area.

3. Service store for resident-occupant use only.
4. Recreation areas, open space, reserve areas (exterior or interior for the elderly).
5. Dining facilities or snack bars for residents.
6. Storage areas.
7. Clinics or other such service areas as the Housing Authority deems necessary.

E. Exceptions may be approved for rehabilitation of Town of Stonington owned projects which comply with minimum State or Federal standards.

F. Buildings may contain up to ten units per building on two floors.

5.3.16 Light Manufacturing

All activity associated with this use shall be totally contained within the structure or structures and shall conform to the performance standards for non-residential uses set forth in Section 12.1.

5.3.17 Marinas, Yacht Clubs, and Yachting Facilities

A. In addition to the Site Plan requirements of Section 15.3, plans shall show the following:
   1. Dredging spoils areas and placement of soil and fill above mean high tide.
   2. Parking areas and boat storage spaces sufficient to store and provide safety access.

B. Plans shall demonstrate provisions for adequate refuse disposal. All refuse disposal areas shall be screened with fencing or evergreen trees or shrubs at least 6 feet high.

C. Water and electric service shall be screened and shielded.

5.3.18 Non-Profit Association, Club, Museum, or Art Institution

A. Shall only be permitted on lots of 5 acres or more.

B. Non-Profit organizations may operate the following:
   1. Gift shops up to 1,000 square feet.
   2. Snack bars up to 100 square feet.

5.3.19 Open Space Development (OSD)

A. Purpose. An Open Space Development (OSD) provides flexible location of single-family residential units on portions of a property best suited for development while preserving the remaining land as open space. The creation of open space is accomplished by permitting a reduction of normally required lot size and setbacks.

B. Alternative Open Space Development Concepts.
   1. Subdivision of Land. The Commission may permit an open space development comprised of housing units located on individual subdivided building lots. A minimum required yard (side, front and rear) of 15 feet shall be provided. There is no minimum lot size or frontage associated with an OSD subdivision.
   2. Common Interest Community. The Commission may permit an open space development wherein the land and common facilities shall be under single common ownership, in which case individual lots and yards shall not be required; however, no dwelling shall be within 30 feet of another dwelling. A common interest community shall not constitute a subdivision under provisions of the General Statutes, if no new lots are created.

C. Dwelling Unit Calculation.

1. For comparative purposes, applicants must submit a conceptual conventional yield plan that depicts the maximum number of building lots or dwelling units that could reasonably be developed on a parcel of land under standard bulk requirements for the zoning district in which the development is located (Section 7.1). A conventional plan using fee-in-lieu of open space shall not be substituted for this requirement. This conceptual plan shall have exterior property boundaries prepared to Class A-2 survey standards and interior lot lines prepared to Class D standards. The plan shall account for the presence of street rights-of-way, areas set aside for stormwater management, a minimum of 15% of the entire parcel set aside as open space as required by the Subdivision Regulations, the upland review area as measured 100 feet horizontally from any regulated wetland or watercourse, and wetlands proration per Section 12.9 of the Zoning Regulations. Detailed roadway construction designs and detailed utility layouts are not required for a conceptual conventional yield plan.
2. The maximum number of dwelling units allowed on a property proposed for an OSD shall be the maximum number of single-family building lots or dwelling units that can be developed under a conventional yield plan. The applicant shall have the burden of proof with regard to the reasonableness and feasibility of this design.

D. Design Standards.

1. Floor Area Ratios and Height. Each dwelling unit in an OSD, combined with any of its accessory structures, shall have a maximum gross floor area equal to the zoning district's minimum lot size multiplied by the floor area ratio for that district. Maximum height of dwelling units shall be the maximum allowed for the zoning district in which the OSD is located. See Section 7.1.
2. The landscape shall be preserved in its natural state by minimizing tree and soil removal. Topography and natural drainage ways shall be treated as fixed determinants of road and lot configuration rather than as elements that can be modified. Plans shall identify trees over 24 inches in diameter, and efforts shall be made to preserve these trees as part of site design.
3. Buffer Areas shall be provided as follows:
   a. Perimeter of the property, 40 feet in width.
   b. The buffer area may be used to satisfy a portion of the open space set-aside provided it complies with ownership requirements of Section 5.3.19F.
   c. No vegetation within the buffer area may be disturbed, destroyed or removed, except for driveways, walkways, and bicycle paths or for normal maintenance as described in the adopted management plan.
4. Drainage. Use of "soft" (non-structural) stormwater management techniques that reduce impervious surface and enable infiltration is encouraged to reflect Best Management Practices (BMPs) contained in the 2004 Connecticut Stormwater Quality Manual. Stormwater detention ponds, although allowed within designated open space, shall not qualify towards the 50% minimum required open space. All stormwater detention structures shall be landscaped.
5. Common/Shared Driveways. Private common and shared drives may be utilized in lieu of public Town roads, provided they comply with the following standards:
   a. Driveways may cross buffer areas described above. However, they shall be designed and located in such a manner as to maintain and preserve natural topography, significant trees, and minimize cuts and fills.
   b. Ownership and Maintenance. The deed for any lot which utilizes a shared driveway shall include appropriate easements to pass and repass, to install and maintain utilities, and

contain the provision that such driveway shall not be used for access to any other property except those depicted on the development plan. The deed shall specify that the Town of Stonington shall not ever be required to plow, maintain or assume ownership of such driveway. Prior to sale of any housing units using a shared driveway, the applicant shall prepare an agreement for maintenance of the driveway by the owners of property served by said driveway. This agreement shall become part of the conditions of sale and shall be binding on all future owners.

6. On-site Pedestrian and Bicycle Circulation. Walkways and bicycle paths shall link residences, recreation facilities, and adjacent land uses where appropriate.
7. Parking. Each dwelling unit shall be served by two off-street parking spaces. Garage spaces and parking spaces in front of garages may count in this computation.
8. The removal of existing historic structures or alteration of historic architectural elements shall be minimized insofar as practicable.
9. Sidewalks and Streetlights. Portland-based concrete sidewalks and streetlights are not required unless the Commission finds that density and safety considerations warrant their installation.

E. Required Open Space. A minimum of 50% of the total parcel subject to an OSD application shall be designated as open space. The open space shall:

1. Contain a percentage of wetlands no greater than the percentage of wetlands found on the entire site under existing conditions.
2. Be comprised of no more than two discrete, unconnected areas each of which shall have an area no less than 20% of the total required open space area. A single unified area is preferred, the allowance for separate discrete areas shall only be permitted due to unique conditions that render the provision of separate open space areas more advantageous in meeting the intent of these regulations.
3. Be contiguous. Discrete open space areas shall be connected with a minimum width at any point of 40 feet. Open space will still be considered contiguous if it is separated by a roadway or driveway.
4. Wherever possible, consist of unfragmented tracts that abut areas of existing or planned protected open space on adjacent parcels, thus comprising part of a larger contiguous and integrated greenway system.
5. Not be used for any structures, including, but not limited to, active recreation facilities such as swimming pools, tennis courts or outfitted playgrounds.

F. Ownership of Open Space.

1. Open space to be conveyed to an entity other than the applicant or current property owner shall be conveyed in fee simple title to one of the entities listed below. Open space parcels shall be subject to a recorded enforceable restriction that states such land shall be perpetually kept in an open state, that it be preserved exclusively for the purposes set forth herein, and that it be maintained in a manner which will ensure its suitability for its intended purposes. The applicant shall present to the Commission a proposed quit claim deed for the transfer of open space, which must be executed and filed in the municipal land records before any Zoning Permits are issued.
   a. A nonprofit organization, the principal purpose of which is the conservation of open space and any of the purposes for such open space set forth above.
   b. A corporation or trust comprised of owners of lots within a subdivision or owners of shares within a common interest community. When a corporation or trust is used, ownership shall

pass with conveyances of the lots or units. Maintenance of open space shall be permanently guaranteed through mandatory assessments. Each individual deed, and the deed or trust or articles of incorporation, shall include provisions designed to preserve, maintain and manage the open space.

2. In cases where the applicant or property owner retains title to open space, this area shall be preserved via a conservation restriction in the form of a permanent easement and management plan recorded in the municipal land records, executed by or on behalf of the owner of the land. The purpose of this easement shall be to retain a property or portions thereof in its natural, scenic or open condition or in agricultural, farming, forest or open space use. Conservation restrictions are enforceable interests in land and must be granted to a nonprofit organization whose principal purpose is farmland preservation or conservation of open space.

G. Review Process.

1. Pre-application review with Department of Planning staff. Pre-application meetings allow the applicant to seek advice as to required steps in the approval process and to discuss pertinent regulations, rules and procedures which may bear upon the proposed subdivision. The objective is to ensure that basic requirements can be met prior to incurring application, surveying, engineering and legal fees associated with preparing of a detailed application. Pre-application meetings are intended for the guidance of the applicant and shall not be considered approval of a project or any of its elements.
2. Pre-application review with Conservation Commission. Both a preliminary conventional yield plan and preliminary OSD plan shall be presented in order to discuss alternative development options. After formal submission of a subdivision application, the Conservation Commission shall provide written recommendations to the Planning and Zoning Commission regarding disposition of proposed open space. If such comments are not submitted prior to close of a public hearing, it is presumed that the Conservation Commission has waived any input on the proposed OSD.
3. Subdivision application if the proposal is for the division of a tract or parcel of land into three or more parts or lots for the purpose, whether immediate or future, for sale or building development. The application shall contain both an OSD layout and conceptual conventional yield plan, the latter to determine the maximum number of building lots that could be developed on a parcel under standard zoning district bulk requirements and conventional open space set asides.
4. Site plan and Special Use Permit application if the proposal is for a common interest community, as defined in Item B above. The application shall include a conceptual conventional yield plan and an OSD layout, the latter providing all information contained in a Type 2 Site Plan as defined in Section 15.3.4.

H. Findings. The Planning and Zoning Commission shall, in its approval of an OSD, make the following findings:

1. That the OSD promotes a less sprawling and more efficient form of development, consuming less open land and conforming to existing topography and natural features better than a conventional subdivision.
2. That the internal arrangement of streets, driveways and access to public roads will not adversely affect traffic patterns of the area or emergency vehicle access.
3. That the site design, including the number, type and density of dwelling units, conforms to the Land Use Regulations of the Town of Stonington.
4. That ownership provisions for the proposed open space will not result in an undue maintenance burden on the Town.

5. That site layout promotes permanent preservation of open space, prime agricultural land, forestry land, other natural resources and/or historical and archeological resources.
6. That proposed water and sewer provisions have received written approvals from appropriate local and/or State agencies.
7. That the OSD conforms to Stonington's Plan of Conservation and Development.

5.3.20 Outdoor Vendor

The regulation of outdoor vendors is to be governed by the Special Use Permit process in order to insure pedestrian and vehicular safety and adequate sanitary facilities.

A. Permits may be issued to a single vendor if the applicant can demonstrate sole authorized use of a lot through ownership, lease, or other rental agreement with the landowner of record of a lot or area not less than 2,000 square feet provided that:
   1. The vendor's cart, table, or display shall be approved by the Commission and shall not force any individual to step into a street or impede pedestrian travel in any way.
   2. Operating hours shall be restricted to dawn to dusk.
   3. The vendor shall submit with their application a design of the display or cart, the written permission of the owner of the lot where it will be located and the period of such permission.

B. Where a site or parcel will be utilized by more than one vendor or display, or individual with a separate accumulation of items for sale, the property owner or lease holder shall meet the following requirements:
   1. The safe flow of pedestrian and vehicular traffic shall be insured and access for emergency vehicles shall be maintained.
   2. Where, in the determination of the Commission, there exists a potential for substantial traffic movement caused by or in the vicinity of the site or sites, the owners of the property or properties shall provide at least one uniformed police officer.
   3. Certification of the Town Health Officer shall be obtained in regard to the number and type of sanitary facilities to be available at the site.
   4. Each vendor shall have a minimum of, and more if found necessary by the Commission, 1,000 square feet of area in which to locate their display and to provide for pedestrian travel.

5.3.21 Personal Services

The new construction of a personal service establishment with a gross floor area of 5,000 square feet or more in the LI-130 zone shall require a Special Use Permit.

5.3.22 Recreational Vehicle (RV) Camps

A. Recreational vehicle (RV) camps may be established and operated only by compliance with these regulations and only after a permit has been issued by the Commission. Permits shall be for a duration of one year and may be renewed annually upon a finding by the Commission that the camp will comply with these regulations.

B. No camp shall be located on a site less than 25 acres in size, and there shall be no more than 8 campsites provided per acre – exclusive of the recreation area and access drives. Access to the camp shall not be provided from streets in a residential zoning district not satisfactory to handle the traffic in the opinion of the Commission.

C. No RV campsite, sanitary facility, recreational facility, or building other than a dwelling occupied by the owner or caretaker may be located within 100 feet of the front property line.

D. All parking shall be off-street and at least two spaces shall be provided for each RV site to serve the maximum number of vehicles at that site. All areas to be used for the parking of a camp trailer and off-street parking spaces shall be numbered, clearly indicated on the plan, and be improved with a dustless surface.

E. Sanitary facilities shall be provided in accordance with the requirements of the Public Health Code. Washhouses and/or comfort stations shall be provided, centrally located to serve the camping sites, and shall be well-lit at night. All washhouses and/or toilet buildings shall utilize a flush system with underground subsurface disposal of all wastes. At least one toilet facility for each sex shall be provided for each ten camping sites. Each individual camp site shall contain not less than 4,500 square feet. The minimum width of each individual camp site shall be 50 feet, and no camp site shall be less than 50 feet from any building or structure.

F. No two RVs shall be located closer than 15 feet. Each camp site shall be defined with a permanent marker designating its lot number. Individual campsites shall not be located closer than 100 feet from any property line. Trees, shrubs, and/or fences may be required by the Commission to protect the view of nearby and adjacent properties.

G. Campsites may be used only during the months of March to December in an area within the camp which has been approved by the Commission for the accommodation of currently registered RVs. No camp may accommodate or rent space to anyone for more than 105 days in any calendar year.

H. All roads shall have a dustless surface and shall be designed, constructed, and maintained to adequately manage stormwater. The minimum width of roads shall be 12 feet for one-way and 22 feet for two-way travel.

I. Each camp shall provide a centrally located recreation area equal to not less than 20% of the site area of the camp. Each recreation area shall contain open space and shall provide woods and/or playground and recreational facilities, such as swings, seesaws, baseball field, horseshoe areas, etc.

J. Records of occupancy must be maintained by the operator of the camp for inspection by the Commission, its agent or other officials of the Town.

5.3.23 Rehabilitation of Existing Buildings

The Planning and Zoning Commission may modify such bulk, density and buffer requirements as may apply to a proposal to rehabilitate, refurbish, or restore buildings that existed prior to the adoption of Zoning Regulations by the Town of Stonington (1961). The proposal shall meet the following requirements as determined in findings by the Commission:

A. The rehabilitation of existing buildings as permitted by this section shall only be permitted for buildings of 5,000 square feet or more of gross floor area except that within the PV-5 zone a minimum of 1,500 square feet shall be required.

B. Building additions are not eligible for the modification of bulk requirements nor can the area contributed by a proposed addition be included in the calculation of gross floor area for the purposes of rendering the building eligible for rehabilitation under this section.

C. No building shall be allowed more than one dwelling unit for every 900 square feet of gross floor area or have less than one parking space per unit.

D. No building shall have more than one retail activity per every 1,000 square feet of total interior floor space of all retail activity. Buildings in the PV-5 Zone shall be exempt from this retail activity space requirement.

E. The capacity of public utilities and facilities including, but not limited to, water, fire protection, sewerage, parking, and site drainage provisions must be adequate.

F. The capacity of connecting transportation systems must be sufficient to meet the extra demands resulting from the proposal.

G. The building proposed for rehabilitation is a part of the historic or architectural fabric of the community or is of significance because of its location or because of the construction methods used.

H. The Commission may authorize a greater floor area ratio (FAR) for building additions or new construction in the DB-5 or PV-5 Zones or on properties where restrictions are imposed by the Flood Hazard Overlay District designations and limitations in Section 9.3. Total FAR may not exceed 1.2 in the DB-5.

I. Use of the ground floor is limited to non-residential usage, with the exception of parking and mechanical equipment for residences.

5.3.24 Residence, Duplex

Unless otherwise specified in these regulations, a duplex residence shall require a lot size that is twice that of the minimum lot size requirement for the district.

5.3.25 Residential Mixed-Use

The Commission may authorize a commercial property to incorporate residential dwelling units in accordance with the following requirements.

A. A minimum lot area of 5,000 square feet is required for all zones with the exception of the PV-5 zone.

B. Residential density shall be limited to the following in all zones where allowed except for the PV-5 zone: A maximum of one dwelling unit per 5,000 square feet of lot area. A maximum of ten dwelling units is allowed on any one parcel, or in any one building.

C. In the PV-5 Zone, residential density shall be limited to a maximum of one dwelling unit per 1,000 square feet of lot area.

D. With the exception of lobbies and entrances to rear or upper floor dwelling units, the street-facing first floor shall be limited to commercial uses.

E. Dwelling units can be located above the commercial use, or in separate buildings.

F. The residential component of the project shall not exceed 66% of the gross floor area. A minimum of 33% of the gross floor area shall be dedicated to commercial uses authorized in the underlying zoning district. In the PV-5 Zone, the minimum percent of gross floor area dedicated to commercial uses in a building of 4 stories or more shall be calculated as the building's total gross floor area divided by the number of stories. For the purposes of this section, a cellar as defined in Section 20 shall not be considered a "story."

G. In addition to the Standards for Granting of a Special Use Permit listed under Section 15.2.7, the Commission shall make the following determinations before approving a Special Use Permit for a residential mixed-use application:

1. That the residential and commercial uses proposed are compatible and that the development is designed to minimize conflict between residential and commercial uses. No residential mixed-use application shall be approved where specific commercial uses create an unsafe environment for residents of the site.
2. That the building and site design of any new construction conforms to the urban design features of the surrounding area.

3. That the design of any building renovations conforms to the urban design features of the surrounding area and maintains the historic integrity of the existing structure.

5.3.26 Restaurants and/or Liquor Sale Places for Consumption on Premises

A. A new Special Use Permit shall be required if a change in ownership or business type will reasonably result in an expansion of use. Expansion of use may include, but is not limited to:
   1. Any increase in square footage of the establishment.
   2. Any increase in number of seats or in the area devoted to food processing that results in an intensification of the use that is more impactful to surrounding properties or results in an increase in parking demand that exceeds available parking supply.

B. In the PV-5, DB-5 and HI-60 Districts, the Commission shall exempt outdoor seating for up to 24 patron seats from the Off-Street Parking Requirements if demonstrated by the applicant that the seating is unlikely to increase demand for parking during peak demand periods due to hours of operation of outdoor seating, seasonal use, or other factors.

Section 6. Accessory Use Regulations

6.1 Accessory Use Summary Table: Residential Zones

The table below indicates the permitted accessory uses in Stonington by residential zone. Uses are permitted As of Right (R), by Zoning Permit (ZP), or by Special Use Permit (SUP). Uses prohibited within a zone are identified by a dash (—). All permits shall also require provision of a Site Plan. See Section 15 for plan and permit requirements. In addition to the permit requirements identified below, see Section 6.3 and other applicable sections for regulations specific to the uses identified below.

Accessory Use	Residential Zones								
	GBR-130	RC-120	RR-80	RA-40	RM-20	RM-15	RH-10	RA-20	RA-15
Accessory Alcohol Sales	SUP	SUP	SUP	SUP	—	—	—	—	—
Accessory Dwelling Unit	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]
Agriculture/Homemaking Educational Projects	R	R	R	R	R	R	R	R	R
Farm Stand	R	R	R	R	R	R	R	R	R
Garages or Sheds	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Home Occupation	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Keeping of Domestic Animals	R	R	R	R	R	R	R	R	R
Keeping of Hens	R	R	R	R	R	R	R	R	R
Minor Accessory Building	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Off-Street Parking	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]
Private Kennel	SUP	SUP	SUP	—	—	—	—	—	—
Recreation Facilities Accessory to Residential Use	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Recreation Facilities Accessory to Institutional Use	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Small Solar Energy Coll. System	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[2]	R/ZP[3]
Small Wind Energy System	ZP	ZP	ZP	ZP	—	—	—	—	—
Special Vehicle Parking	R	R	R	R	R	R	R	R	R
Swimming Pools	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Temporary Health Care Structure	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP

[1] See Section 6.3.2 for specific permit requirement.

[2] See Section 6.3.10 for specific permit requirement.

[3] See Section 6.3.14 for specific permit requirement.

6.2 Accessory Use Summary Table: Commercial and Industrial Zones

The table below indicates the permitted accessory uses in Stonington by commercial and industrial zone. Uses are permitted by Zoning Permit (ZP) or by Special Use Permit (SUP). Uses prohibited within a zone are identified by a dash (—). All permits shall also require provision of a Site Plan. See Section 15 for plan and permit requirements. In addition to the permit requirements identified below, see Section 6.3 and other applicable sections for regulations specific to the uses identified below.

Accessory Use	Commercial and Industrial Zones										
	DB-5	CS-5	LS-5	GC-60	TC-80	MC-80	M-1	LI-130	HI- 60	HM	PV-5
Accessory Dwelling Unit	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	ZP/ SUP[1]	—	—	—	—	ZP/ SUP[1]
Accessory Retail	—	—	—	—	—	—	ZP	ZP	—	—	—
Agriculture/Homemaking Educational Projects	—	—	—	—	—	—	—	R	—	—	—
Amplified Entertainment	SUP	—	SUP	SUP	SUP	SUP	—	—	SUP	SUP	SUP
Community Garden	—	—	—	—	—	—	—	—	—	R	—
Drive-In Window	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Farm Stand	—	—	—	—	—	—	—	R	—	—	—
Home Occupations	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	—	ZP	ZP
Keeping of Domestic Animals	R	R	R	R	R	R	R	R	R	—	R
Minor Accessory Building	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Off-Street Parking	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP/ SUP[2]	ZP[2]
Outdoor Dining	ZP	—	ZP	ZP	ZP	ZP	—	—	ZP	ZP	ZP
Recreational Facilities Accessory to Commercial or Manufacturing Use	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
Recreational Facilities Accessory to Residential Use	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP	—	ZP	ZP
Recreational Facilities Accessory to Institutional Use	SUP	—	—	—	—	—	—	—	—	—	ZP
Seasonal Marina Structures	—	—	—	—	—	ZP	—	—	—	SUP	ZP
Small Solar Energy Collection System	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]	R/ZP[3]
Small Wind Energy System	—	—	—	ZP	ZP	ZP	ZP	ZP	ZP	—	—

Accessory Use	Commercial and Industrial Zones										
	DB-5	CS-5	LS-5	GC-60	TC-80	MC-80	M-1	LI-130	HI- 60	HM	PV-5
Temporary Drive-In Theater Event	—	—	—	—	SUP	—	—	—	—	—	—

[1] See Section 6.3.2 for specific permit requirement.
[2] See Section 6.3.14 for specific permit requirement

6.3 Use Specific Regulations: Accessory Uses

The following regulations are applicable to the specified uses across all districts where such uses are permitted unless otherwise stated.

6.3.1 Accessory Alcohol Sales

Permitted as an accessory use to golf or country clubs.

6.3.2 Accessory Dwelling Units (ADU)

Accessory dwelling units (ADUs) shall meet the following requirements:

A. Only one ADU is permitted per principal residence.

B. An ADU located within a principal structure shall only be permitted in a single-family residential structure with a minimum of 2,000 square feet total gross floor area, exclusive of accessory buildings.

C. The ADU must be clearly subordinate to the primary residence and contain no more than 50% of the total floor area of the primary residential structure.

D. ADUs shall be a maximum of 1,100 square feet, including stairs internal to the unit and excluding garage space, and shall have no more than 2 bedrooms.

E. Where public water and/or sewer are not available, certification of Public Health Code suitability shall be provided by the applicant prior to issuance of a Zoning Permit.

F. Building additions to accommodate an ADU may be permitted provided that all other requirements of this section are met.

G. Secondary access doors shall be located to the side or rear of the dwelling.

H. External stairs leading to upper stories shall be located to the rear of the dwelling.

I. A minimum of one parking space (9 feet x 18 feet) must be provided for the ADU.

J. No additional curb cuts shall be created to serve the ADU, unless a detached ADU permitted under Item M below is located on a corner or through lot. In this instance, one additional curb cut intended to serve the ADU may be permitted on a street other than the street that provides access to the principal residence if access from such street is preferable due to the location or orientation of the ADU.

K. No ADU shall be permitted where the property does not meet the zoning district's minimum lot size.

L. ADUs shall conform to all relevant Building, Fire and Health Code requirements.

M. An accessory dwelling unit (ADU) may be located in a separate, detached accessory structure of a single-family residence provided the following requirements are met in addition to the other requirements of this Section:

1. A Special Use Permit is required for construction of a new detached structure containing an ADU.

2. The conversion of an existing detached accessory structure, such as a garage or barn, into an ADU shall only be permitted if the structure complies with the minimum setback requirements of the zoning district.
   a. Existing detached accessory structures that are considered historic structures per the definition in Section 20 and that do not comply with minimum setback requirements may be permitted to be converted into an ADU by Special Use Permit. Such conversions shall only be permitted when screening of a minimum of 5 feet in width is provided from adjacent properties and management issues, such as trash collection, are addressed to the satisfaction of the Commission. Such conversions shall not expand any existing non-conformities.
3. Any additions to an existing detached structure and/or any new construction shall conform to all bulk requirements of the district.
4. No new construction shall be located closer to the street than the primary dwelling unit. An ADU shall only be permitted in an existing detached structure that is closer to the street than the primary dwelling unit when the following conditions are met:
   a. The existing structure, and any additions to it, were constructed prior to January 1, 2010.
   b. The ADU includes no new additions, whether horizontal or vertical, that are closer to the street than the existing house, with the exception of additions that are not part of the ADU, such as garage space. Such space shall not be converted to be part of the ADU at any time.
5. On corner lots, this regulation shall apply to the street that the main entrance of the primary dwelling unit faces.
6. Maximum building height of any additions to existing structures and/or new construction shall not exceed 30 feet or the maximum building height for the district, whichever is less. Such structures shall not exceed two stories including any ground level parking areas, whether or not a structure is elevated to meet Flood Hazard requirements.
7. The detached unit shall generally be architecturally consistent with the primary dwelling unit and the residential characteristics of the area. Architectural Design Review Board review is required for construction of a new detached structure containing an ADU (see Section 17.1 regarding this process).
8. A two- or three-family dwelling validly existing on the effective date of this regulation may relocate one of its units to a detached building per Item 1 above.

6.3.3 Accessory Retail

The retail sale of goods or supplies that are either manufactured or processed on site is permitted provided the retail sales are subordinate and incidental to the permitted use in all respects, including but not limited to the proportion of space and resources devoted to said accessory use and specifically including the following:

A. The floor space devoted to accessory retail sales use shall be no more than 10% of the total floor space of the principal use, or 2,000 square feet gross floor area, whichever is less.

B. Parking for accessory retail sales shall be separate and apart from all other parking on premises.

6.3.4 Amplified Entertainment

Amplified entertainment is permitted as an accessory use to restaurants and/or liquor sale places for consumption on premises. The following conditions shall be imposed on any use offering amplified entertainment more than two days per calendar year:

A. Exits from the building, which are not limited to emergency use only, shall not be opposite a residential district adjoining the site.

B. The site shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for removal of trash, litter, and debris from the premises and on all abutting sidewalks within 20 feet of the premises. Graffiti shall be removed within 48 hours of written notice from the Town of Stonington.

C. A noise and vibration analysis by a qualified professional sound engineer specifying areas affected and sound proofing or other mitigation that will be employed to eliminate excessive noise exposure on adjacent property shall be submitted to the Planning and Zoning Commission with a Special Use Permit application.

D. The Special Use Permit may be reopened for additional review if the Planning and Zoning Commission determines that the live entertainment is creating a disturbance or interfering with peaceful enjoyment based on a documented pattern of disturbance as evidenced by citizen complaints, inappropriate noise levels, Police reports, Fire Department reports, code enforcement reports and violations of the Town ordinances or other State statutes.

E. The applicant will be required to implement any security measures identified by the Town's Police Department.

F. The maximum building occupancy shall be provided to the Commission and shall be specified in the Special Use Permit certificate.

6.3.5 Drive-In Windows

Drive-in windows may be permitted provided that the following standards are met:

A. Queuing lanes (stacking lanes) are separated from other circulation lanes and are so identified by pavement striping.

B. All queuing lanes shall minimize conflict with pedestrian traffic through the use of pavement markings and signing and may include internal walkways and speed bumps in queuing lanes.

C. No exit or entrance for such lanes shall be within 100 feet of a street intersection, measured from the closest point of the street right-of-way.

D. Each entrance lane shall provide a minimum queuing of ten stations measuring 10 feet x 18 feet each.

E. The distance from the pick-up window to the exit onto the street shall be a minimum of 60 feet.

F. Screening.

1. Drive-in windows or lanes shall be located at least 15 feet from any residential property.
2. Drive-in windows used for restaurant purposes shall be 40 feet from any residential property.
3. A solid wood fence, synthetic wood-like fence, or masonry wall at least 6 feet in height shall be installed between the drive-in window lane and adjacent residential properties. The fence, or wall, shall be augmented with suitable landscaping on both sides to soften the visual impact of the fence, or wall. The Commission may allow screening to be located on an adjacent property, provided documentation regarding owner consent can be supplied to the Commission.

G. Detached menu boards for drive-in windows shall be subject to the following standards:

1. Only one detached menu board shall be permitted per order window.
2. Display surface area shall not exceed 32 square feet per detached menu board.
3. The detached menu board shall not be visible from any public right-of-way.

6.3.6 Home Occupation

Home occupations shall conform to the following:

A. The occupation shall be carried out wholly within an enclosed building.

B. For single-family residences, no more than 25% of the floor area of the principal building shall be employed in such home occupation. For non-single-family residences, no more than 25% of the floor area of the individual dwelling unit shall be employed in such home occupation.

C. All advertising displays for the premises shall not exceed 1.5 square feet of area.

D. Occupations entailing substantial patronage in excess of 5 appointments per hour, or which create nuisances, noise, glare, or odor shall not be "home occupations." Home occupations may include, but need not be limited to: artistry, dressmaking, teaching, professional office, writing, lawyering, architecture, accounting, or consulting, but does not include businesses such as animal hospital, veterinarian, barber, beautician, auto repair, restaurant, tearoom, massage parlor, tavern or musician.

6.3.7 Keeping of Domestic Animals

A. No commercial activity involving domestic animals is permitted.

B. With the exception of hens, no more than two adults of a species per household may be kept and only on the following lot sizes:

1. Dogs, cats, fowl , or others compatible with cohabitation with humans may be kept on the minimum lot areas.
2. Grazing animals such as horses, cows, sheep, and goats with no more than two animals per 130,000 square feet.

C. The keeping of hens is permitted in accordance with Section 6.3.8 below.

D. The keeping of roosters is permitted only on lots of 130,000 square feet or more.

6.3.8 Keeping of Hens

This regulation is intended to provide for the keeping of female chickens, referred to as hens, as an accessory to a residential use in a manner which preserves the quality of life of the surrounding neighborhood. This section is not intended to limit the keeping of hens for agricultural uses where permitted.

A. The minimum lot size for the keeping of hens is 20,000 square feet.

B. A maximum of 10 hens is permitted on a single lot.

C. The hens shall be confined to a fenced enclosure located in a rear or side yard that allows 16 square feet per adult hen not including the area of the coop. Enclosures and coops shall meet the following conditions:

1. No part of the fenced enclosure or coop shall be located closer to the street than the front of the primary residence.
2. The fenced enclosure and coop shall be a minimum of 20 feet from any property line or comply with building setback requirements, whichever is greater.

D. A coop shall be required for the hens allowing a minimum of 1.5 square feet per adult hen. Maximum size of the coop is 15 square feet.

E. The structure shall be constructed and all food products kept so as to prevent offensive odors and the presence of pests and predators.

F. Coop must comply with all applicable bulk requirements and shall not be entitled to a reduction of setbacks per Section 6.3.9 below.

G. No hens shall be kept inside any structure used for residential purposes or any garage or shed.

H. The keeping of hens shall be conducted in a manner consistent with and in compliance with the State of Connecticut Public Health Code and any applicable animal control regulations or ordinances.

6.3.9 Minor Accessory Building

A. Up to one minor accessory building per property, not more than 200 square feet in gross floor area nor more than 10 feet in height, may be allowed within side and rear yard setbacks provided it is located no less than 6 feet from any side or rear property line. Such buildings shall be subject to the normal front yard setback requirement and said building shall not be used for human habitation or for the housing of animals.

B. A minor accessory building erected within a required setback shall be screened by a 6-foot-high stockade fence, or dense landscaped screening, which shall be equal to or longer in length than the perimeter of the proposed accessory building.

1. Fences shall be located at the property line adjacent to the minor accessory building.
2. Landscaped screening shall be erected between the minor accessory building and the adjacent property line.

6.3.10 Off-Street Parking

A. Off-street parking shall be located on the same property as the principal use except as permitted off-site by Section 13.2.4.

B. Off-street parking in the PV-5 district shall be limited to 39 vehicles and shall be permitted with a Zoning Permit; a Special Use Permit is not required.

C. Off-street parking areas with a capacity of fewer than 20 vehicles shall be permitted with a Zoning Permit.

D. Off-street parking areas with a capacity of 20 or more vehicles shall require a Special Use Permit.

E. The expansion of the area of an existing parking lot to accommodate an additional 20 or more vehicles shall require a Special Use Permit.

F. See Section 13 for additional parking regulations.

6.3.11 Outdoor Dining

Outdoor dining shall be permitted as accessory to a food establishment (that is licensed or permitted to operate pursuant to CGS 19a-36i) until 9:00 pm in the following locations:

A. On public sidewalks and other pedestrian pathways abutting the area permitted for the principal use and on which vehicular access is not allowed provided that:

1. A pathway is constructed in compliance with physical accessibility guidelines, as applicable, under the Federal Americans with Disabilities Act, 42 USC 12101, et seq., as amended from time to time.

2. Such pathway extends for the length of the lot upon which the area permitted for principal use is located, and no less than 4 feet in width, not including any area on a street or highway, and shall remain unobstructed for pedestrian use.
3. Reasonable conditions imposed by the municipal official or agency that issues right-of-way or obstruction permits are met.

B. On off-street parking spaces associated with the permitted use. The use of existing parking spaces shall not compel the provision of additional parking spaces to meet parking requirements.

C. On any lot, yard, court, or open space abutting the area permitted for principal use provided that:
1. Such lot, yard, court or open space is located in a zoning district where the operation of food establishments is permitted.
2. Such use is compliant with any applicable requirements for access or pathways pursuant to physical accessibility guidelines under the Federal Americans with Disabilities Act, 42 USC 12101, et seq., as amended from time to time.
3. The licensee or permittee obtains written authorization to engage in such service from the owner of such lot, yard, court or open space and provides a copy of such authorization to the Town.

6.3.12 Private Kennels

A. The minimum lot area shall be 3 acres.

B. No structure used for a kennel shall be closer than 150 feet from any lot line.

C. Each kennel shall provide 1 run for every 2 animals.

D. No more than 4 runs shall be permitted.

6.3.13 Seasonal Marina Structures

In the Marine Commercial (MC-80) Zone, seasonal marina structures not intended to be of permanent duration shall be permitted as of right under the following conditions:

A. Seasonal marina structures shall be used for protection from the elements and inclement weather and storage of boats and yachts; and

B. Said seasonal marina structures shall only be used during the period October 1st through May 30th of each year and shall be dismantled and stored under cover during the remainder of each year

C. Seasonal marina structures shall be exempt from the normal front yard, rear yard, side yard, and floor area ratio requirements of the Bulk Requirements of Section 8.1 provided however, seasonal marina structures shall have a front yard setback of 20 feet and a side and rear yard setback equal to the height of the structure and shall not cause the floor area ratio of the lot to exceed 0.50. The height of the structure shall not exceed 20 feet.

D. Seasonal marina structures shall require Site Plan Review by the Commission in the first year of application and shall be subject to annual Zoning Permit issued by the Zoning Enforcement Officer. In addition to the information normally required under Site Plan review, the applicant shall supply the Commission with detailed description of appearance of the structure proposed to be utilized as a seasonal marina structure including dimensions, materials, color, etc. The Commission shall approve a project under this section if they find the appearance of such seasonal marina structures will not detract from the quality of the surrounding neighborhood.

E. Seasonal marina structures shall not generally be subject to the Flood Hazard Regulations of Section 9.3, provided however, they meet the intent of Section 9.3.10A and the following:

1. Seasonal marina structures shall be suitably anchored to the ground to prevent them from becoming hazards during times of high wind and water subject to review and approval by the Building Official.
2. Seasonal marina structures shall be provided with break-away wall sections to allow the passage of flood waters to equalize, automatically, hydrostatic flood forces on exterior walls in compliance with Section 9.3.10B.3.a.
3. All utilities serving seasonal marina structures shall be elevated above the Base Flood Elevation.

F. The location and spacing of seasonal marina structures shall be subject to the review and approval of the Fire Marshall.

6.3.14 Small Solar Energy Collection System

A. Purpose. The purpose of these regulations is to provide for small solar energy collection systems as a renewable energy source for home and business owners and to set forth standards for their placement that address public safety and any impacts on scenic, natural and historic resources. This section is intended to support the goals of the Town's Plan of Conservation and Development.

B. Permitting. Small solar energy collection systems are allowed as an accessory use by right in all Zoning Districts provided that the requirements of this and other applicable sections of the Zoning Regulations are met. Submission of a Zoning Permit is required for any ground mounted small solar energy collection system. Permit shall include any information deemed necessary by the Zoning Official to determine compliance with these regulations. The Zoning Official may require verification that power produced will be primarily for on-site use. A Building Permit is also required for any system prior to construction.

C. General Criteria

1. Any small solar energy collection system shall be located on the same lot as the principal building being served.
2. Exterior surfaces of any system shall utilize non-reflective surfaces and be designed and installed so as to prevent glare.

D. Ground Mounted Small Solar Energy Collection Systems. Ground mounted small solar collection systems shall be permitted only after meeting the following specific criteria:

1. Required setbacks. Ground mounted small solar energy collection systems shall not be permitted within building setbacks.
2. Environmental elements. Ground mounted small solar energy collection systems shall not be permitted in required Non-Infringement or Buffer areas, inland wetlands and watercourses, tidal wetlands or coastal resources as defined in Section 22a-93(7) of the Connecticut General Statues. Such systems shall conform to applicable sections of the Flood Hazard Overlay District.
3. Maximum height. Ground mounted small solar energy collection systems shall not exceed 15 feet in total height as measured from average finished grade to the highest portion of the system. The height limit shall apply to the highest position of a tiltable system.
4. Lot Coverage. Ground mounted small solar energy collection systems shall not cover more than 10% of the area of a lot (including space between panels and related equipment).
5. Ground mounted small solar energy collection systems that do not include walls are exempt from being counted as gross floor area for the purpose of calculating a lot's maximum floor area ratio.

E. Roof Mounted Small Solar Collection Systems. Roof mounted small solar collection systems shall be permitted only after meeting the following specific criteria:

1. Maximum height. Roof mounted small solar collection systems that otherwise conform to these regulations are exempt from the zoning district's building height requirements and the Design Height Limitation in Coastal Areas (Section 9.2.6). Roof mounted collectors shall not extend higher than 1 foot above the plane of a sloped roof and shall not extend higher than the peak of a sloped roof. Such systems shall not extend more than 5 feet over the top of a flat roof.
2. Roof mounted small solar collection systems shall not extend past the perimeter of the roof on any side.

F. Wall Mounted Small Solar Collection Systems. Wall mounted small solar collection systems shall be permitted only after meeting the following specific criteria:

1. Wall mounted small solar collection systems shall not extend vertically above the eaves of a roof or horizontally beyond the perimeter of the wall.
2. Wall mounted small solar collection systems may be in the form of awnings attached to buildings. However, such systems shall conform to the bulk requirements of the district.

6.3.15 Small Wind Energy System

A. Purpose. The purpose of these regulations is to provide for small wind energy systems and set forth standards for the placement, design, construction, monitoring, modification, and removal of small wind energy systems that also address public safety, minimize the impact on scenic, natural, and historic resources of the Town and include adequate financial assurance for decommissioning.

B. Definitions.

1. Fall Zone: The area defined as the furthest distance from the tower base (including the rotor blades), in which a guyed tower or system will collapse in the event of structure failure.
2. Wind Turbine: A device that converts wind energy into rotational energy that drives an electrical generator. A wind turbine typically consists of a tower, nacelle, and a rotor with two or more blades.
3. Shadow Flicker: The alternating light intensity produced by a wind turbine as a rotating blade casts shadows on the ground or stationary objects, such as the window of a residence.

C. Permits, Approvals, and Reports.

1. Site Plan Approval by the Planning and Zoning Commission is required for all small wind energy systems.
2. The applicant shall provide a written report to the Commission describing the small wind energy system that contains technical supporting documentation establishing its structural integrity and need for accessory structures. Such information shall include the manufacturer, model, rotor diameter (or helical blade diameter) and tower type, and description of interconnection to the regional power grid, if applicable. The report shall include documentation that the tower and turbine are engineered to withstand appropriate wind loads in conformance with applicable building codes. This report shall also address impacts of the proposed system including noise and vibration levels, wildlife impacts, and shadow flicker.
3. Site Plans for a small wind energy system shall include those items required under Section 15.3.6 and shall clearly show locations of fall zones for all proposed systems.

D. Location and Design Criteria for Small Wind Energy Systems. Small wind energy systems shall be permitted on parcels of a minimum of 40,000 square feet in the zones where permitted provided that the requirements of this and other applicable sections of the Zoning Regulations are met.

1. Setbacks: A small wind energy system, whether free standing or building mounted, shall provide a fall zone a minimum of 1.1 times the overall height of the tower, including all equipment, from:
   a. Property lines.
   b. Overhead utility lines unless written permission is granted by the affected utility.
   c. Guy wires used to support the tower are exempt from the setback requirements but must be a minimum of 10 feet from the property lines.
   d. Sidewalks intended for public use.
2. Small wind energy systems shall not be permitted in required non- infringement or buffer areas, inland wetland and watercourses, tidal wetlands or coastal resources as defined in Section 22a of the Connecticut General Statues.
3. Small wind energy systems shall be permitted only on the same parcel of land as the building(s) intended to be served by the system. The maximum number of Small Wind Energy Systems shall be limited to one per lot in applicable residential zones and two per lot in applicable commercial zones, provided all other requirements are met.
4. Tower Height: The maximum stationary tower height shall be restricted to 40 feet as measured from the lower of (1) the average finished grade or (2) 10 feet above predevelopment grade as measured by the Town's GIS data system or a more accurate topography survey, to the tip of the rotor blade at its highest point, or, in the case of a helical system, to the highest point of a helical system. The maximum building – mounted tower height shall not exceed 10 feet as measured from the building's highest roof peak to the tip of the rotor blade at its highest point or, in the case of a helical system, the highest point of a helical system. Small Wind Energy Systems are not required to conform to building height requirements of Section 8.1.
5. Noise: The sound pressure level generated by a small wind energy system shall not exceed 20 dB(A) measured at the property lines.
6. Shadow Flicker: Small wind energy systems shall be sited in a manner that minimizes shadowing or flicker impact. The applicant shall demonstrate that Shadow Flicker does not have a significant adverse impact on neighboring or adjacent uses.
7. Vibration: Small wind energy systems shall not produce vibrations through the ground humanly perceptible beyond the property on which it is located.
8. Aesthetics: Natural colors and non-reflective finishes and materials shall be used and maintained for the exterior of the tower and necessary structures to blend the system into the natural setting and built environment. Screening and landscaping shall be provided at the base of stationary towers and any equipment to soften the visual impact of such structures.
9. Advertising signage, communication devices, cellular dishes or similar shall not be attached to a tower. Warning signs shall not exceed 3 square feet in size.
10. Small wind energy systems shall be designed to prevent unauthorized access. The tower shall be installed so as to not provide step bolts or other climbing means readily accessible for a minimum height of 12 feet above the ground. Electrical wiring shall be installed underground and must be compliant with the applicable building code. Electrical equipment shall be locked or secured within a fenced area.
11. Clearing of natural vegetation should be limited to that which is necessary for the construction, operation and maintenance of the small wind energy systems and as otherwise prescribed by applicable laws, regulations and ordinances.

E. Utility Notification: No small wind energy system shall be granted a Building Permit until written evidence has been provided that the utility company has been informed of the customer's intent to

install an interconnected customer-owned generator. Off-grid, non-connected systems shall be exempt from this requirement.

F. Abandonment: The owner of the property where a small wind energy system is located shall be required to obtain a demolition permit to remove and properly dispose of the system within 120 days of its abandonment, which shall be defined as the ceasing of production of electricity for longer than 90 days. If such a system is not removed within the specified timeframe, the Town of Stonington may remove the system at the owner's expense.

6.3.16 Special Vehicle Parking

Parking of the following vehicles is permitted as an accessory use provided that:

A. No more than one commercial vehicle shall be permitted. Commercial vehicles shall be no more than 10,000 pounds gross vehicle weight.

B. No recreational vehicle shall be used for living, sleeping or housekeeping. Recreation vehicles shall not be parked in a side yard setback.

6.3.17 Swimming Pools

Structural swimming pools are permitted as an accessory use to residences in the districts where allowed provided that the pool is located no closer than 6 feet to any side or rear lot line and no closer than the District requirement to any front lot line.

6.3.18 Temporary Drive-in Theater Events

Temporary drive-in theater events are permitted on properties of over 15 acres with 500 or more parking spaces. Projected screen images shall not be visible to forward facing drivers on interstate highways or on-ramps.

6.3.19 Temporary Health Care Structures

Temporary health care structures are permitted in accordance with the following:

A. Shall only be allowed as an accessory use to a single-family residential dwelling.

B. No more than one structure shall be permitted per lot.

C. Structures shall have a maximum gross floor area of 500 square feet and shall comply with all height, setback and coverage requirements.

D. No signage advertising or otherwise promoting the existence of the temporary health care structure shall be permitted either on the exterior of the structure or elsewhere on the lot.

E. Following issuance of the Zoning Permit, the Town may require that the applicant provide written evidence of compliance with this section as long as the structure remains on the property. Evidence of compliance may be obtained through an inspection by the ZEO of the structure at reasonable times convenient to the caregiver. The Town may revoke a permit issued pursuant to this section if the permit holder violates any provision of this section.

F. The structure shall be removed no later than 120 days after the mentally or physically impaired person no longer occupies the structure or no longer qualifies as a mentally or physically impaired person.

Article III – Base Zoning District Standards

Section 7. Residential Zoning District Standards

7.1 Residential Zone Bulk Requirements

Zone	Minimum Lot Area (sf)	Minimum Frontage (ft)	Minimum Front Yard (ft)	Minimum Side Yard (ft)	Minimum Rear Yard (ft)	Maximum Height (ft)	Maximum Floor Area Ratio
GBR-130	130,000	350	75	30/100[A]	100	30	0.04
RC-120	120,000	300	75	75	100	25	0.04
RR-80	80,000	200	50	25	50	30	0.10
RA-40	40,000	125	40	15	50	30	0.15
RM-20	20,000	100	30	10	40	30	0.15
RM-15	15,000	100	30	10	40	30	0.20
RH-10	10,000	70	20	5/20[B]	10% depth[C]	35	0.25
RA-20	20,000	100	30	10	40	30	0.15
RA-15	15,000	100	30	10	40	30	0.20

[A] One side yard shall be a minimum of 30 feet, both side yards shall total a minimum of 100 feet.

[B] One side yard shall be a minimum of 5 feet, both side yards shall total a minimum of 20 feet.

[C] The minimum rear yard requirement shall be proportional to the lot depth.

7.2 GBR-130 Standards

7.2.1 Buffer Requirements

Wetlands, streams, ponds and other significant natural resources shall be separated from all uses by a minimum 100-foot non-infringement area.

7.3 RC-120 Standards

7.3.1 Buffer Requirements

A non-infringement area of 100 feet minimum is required from tidal marsh and significant natural resources such as, but not limited to, inland wetlands, estuary shoreline and bodies of water, excepting only boat and yacht facilities after necessary State, Federal, and local permits are acquired.

7.4 RR-80 Standards

7.4.1 Buffer Requirements

Buffer areas shall be provided in accordance with the following:

A. 50 feet for duplex residences, manufactured home parks, and community centers with 30 feet of screening.

B. 100 feet for processing of products grown on premises and excavations.

C. 25-100 feet from significant natural resources as determined by the Commission pursuant to standards in Section 15.2.7.

7.5 RA-40 Standards

7.5.1 Buffer Requirements

Buffer areas shall be provided in accordance with the following:

A. 35 feet for duplex residences, with 30 feet of planted screening.

B. 100 feet for processing of products grown on premises and excavations, with 30 feet of planted screening.

C. 25-100 feet from significant natural resources as determined by the Commission pursuant to standards in Section 15.2.7.

D. Special Use Permit – 35 feet with 30 feet of planted screening.

7.6 RM-20 Standards

7.6.1 Buffer Requirements

Buffer areas shall be provided in accordance with the following:

A. 20 feet for duplex residences.

B. 50-100 feet from significant natural resources as determined by the Commission pursuant to standards in Section 15.2.7.

C. 35 feet for all Special Use Permits. Screening strip within buffer for all new construction adjoining or within visual access to single-family uses.

7.7 RM-15 Standards

7.7.1 Buffer Requirements

Buffer areas shall be provided in accordance with the following:

A. 20 feet for duplex residences.

B. 25-100 feet from significant natural resources as determined by the Commission pursuant to standards in Section 15.2.7.

C. 35 feet for all Special Use Permits. Screening strip within buffer for all new construction adjoining or within visual access to single-family uses.

7.8 RH-10 Standards

7.8.1 Buffer Requirements

Buffer areas shall be provided in accordance with the following:

A. 15 feet for duplex residences.

B. 25-100 feet from significant natural resources as determined by the Commission pursuant to standards in Section 15.2.7.

C. 25 feet for all Special Use Permits.

D. Screening strip for all new construction adjoining single-family use or residential zone.

7.9 RA-20 Standards

7.9.1 Buffer Requirements

Buffer areas shall be provided in accordance with the following:

A. 20 feet for duplex residences.

B. 25-100 feet additional for significant natural resources and/or any additional buffer requirements as determined by the Commission pursuant to standards in Section 15.2.7.

C. 35 feet for Special Use Permits.

D. Screening strip within buffer required by Item C above for all new construction adjoining or with visual access to single family uses.

7.10 RA-15 Standards

7.10.1 Buffer Requirements

Buffer areas shall be provided in accordance with the following:

A. 20 feet for duplex residences.

B. 25-100 feet additional for significant natural resources and/or any additional buffer requirements as determined by the Commission pursuant to standards in Section 15.2.7.

C. 35 feet for Special Use Permits.

D. Screening strip within buffer required by Item C above for all new construction adjoining or with visual access to single family uses.

Section 8. Commercial and Industrial Zoning District Standards

8.1 Commercial and Industrial Zone Bulk Requirements

Zone	Minimum Lot Area (sf)	Minimum Frontage (ft)	Minimum Front Yard (ft)	Minimum Side Yard (ft)	Minimum Rear Yard (ft unless % stated)	Maximum Height (ft)	Maximum Floor Area Ratio
DB-5	5,000	50	0	0	0	By Review	0.6
CS-5	5,000	75	10	10	25%[F]	30	0.3
LS-5	5,000	50	10	0/5[D]	10%[F]	40	0.5
GC-60	60,000	200	40	20/50[E]	50	30	0.25
HI-60	60,000	200[A]	25	25	25	25[G]	N/A
TC-80	80,000	200[A]	50	25	50	50[H]	0.75
MC-80	80,000	150	50[B]	25	50	20	0.25
PV-5	5,000	50	0[C]	0	0	50[I]	1.5
LI-130	130,000	200	50	25	50	30	0.25
HM	20,000	100	0	0	0	40	N/A
M-1	80,000	200	50	25	50	50	0.3

[A] Property lines abutting Interstate 95 and Route 78 shall not be considered street lines for the purpose of determining yard setbacks and frontage.

[B] When the rear yard is waterfront, a 5-foot minimum rear yard for yacht clubs and marinas is allowed.

[C] 20-foot maximum front yard.

[D] A minimum side yard of 0 feet is permitted on only one side of the property. Both side yards shall total a minimum of 5 feet.

[E] One side yard shall be a minimum of 20 feet, both side yards shall total a minimum of 50 feet.

[F] The minimum rear yard requirement shall be proportional to the lot depth.

[G] Maximum height of a structure may be increased to 50 feet if: 1) the front yard setback requirement is increased 1 foot for every 1 foot of structure which exceeds 30 feet in height; and 2) the side and rear yard setback requirements are increased 2 feet for every 1 foot of structure which exceeds 40 feet in height.

[H] Maximum height of a structure may be increased to 65 feet, by Special Use Permit, to accommodate architectural features and rooflines.

[I] Maximum height of a structure may be increased to 70 feet, by Special Use Permit, for mixed-use development after careful consideration of impacts.

8.2 DB-5 Standards

8.2.1 Minimum Lot Size for Residential Dwellings

The following minimum lot sizes are required for the following residential dwelling types:

A. Single-Family Residence: 10,000 sf
B. Duplex Residence: 20,000 sf
C. Triplex Residence: 30,000 sf

8.2.2 Buffer or Open Space Requirements

An open space area with planting comprising a minimum of 20% of the lot area shall be provided at ground level or in the form of a green roof.

8.3 CS-5 Standards

8.3.1 Minimum Lot Size for Residential Dwellings

The following minimum lot sizes are required for the following residential dwelling types:

A. Single-Family Residence: 10,000 sf
B. Duplex Residence: 20,000 sf
C. Triplex Residence: 30,000 sf

8.3.2 Buffer Requirements

A. 15 feet with 5 feet of screening for a commercial use adjoining single-family and/or attached housing use.
B. 20 feet with 5 feet of screening for a commercial use and attached housing adjoining residential zone.
C. 15 feet with 5 feet of screening for food take-out and liquor sales adjoining residential use or zone.

8.4 LS-5 Standards

8.4.1 Minimum Lot Size for Residential Dwellings

The following minimum lot sizes are required for the following residential dwelling types:

A. Single-Family Residence: 10,000 sf
B. Duplex Residence: 20,000 sf
C. Triplex Residence: 30,000 sf

8.4.2 Buffer Requirements

A. 15 feet of screening for commercial use adjoining residential zone.
B. In reviewing an application, the Commission will evaluate buffers and screening of adjacent residential properties per Section 15.2.8A and may require screening or landscaping.

8.5 GC-60 Standards

8.5.1 Buffer Requirements

A. 50 feet with 25 feet of screening for commercial use adjoining residential zone.
B. 50 Feet with 25 feet of screening for commercial use adjoining attached housing.

C. 75 feet with 50 feet of screening for restaurant or schools adjoining a residential zone.
D. 100 feet with 50 feet of screening for a retail use over 20,000 square feet gross floor area.
E. 25 feet with 15 feet of screening for commercial use adjoining a residential use in a non-residential zone.
F. Minimum buffer requirements shall not apply for a commercial use adjoining residential mixed-use in the GC-60 Zone. In reviewing an application, the Commission will evaluate buffers and screening of adjacent properties per 15.2.8A and may require screening or landscaping.

8.6 TC-80 Standards

8.6.1 Buffer Requirements

A. 50 feet with 25 feet of screening (except in front yard or along property lines that abut Interstate 95 and/or its on- and off-ramps).
B. 50 feet of screening adjoining hotels (except in front yard). Minimum buffer requirements shall not be applied to property lines where a hotel use abuts and adjacent hotel use.
C. 100 feet with 50 feet of screening adjoining existing residences and residential zone.

8.7 MC-80 Standards

8.7.1 Buffer Requirements

A. 25 feet plus screening for commercial/marina use adjoining residential use.
B. 50 feet plus screening for commercial/marina use adjoining residential zone.

8.8 M-1 Standards

8.8.1 Buffer Requirements

A. 50 feet with 25 feet of screening for commercial or manufacturing use adjoining existing residence.
B. 100 feet with 50 feet of screening for commercial or manufacturing use adjoining residential zone.

8.9 LI-130 Standards

8.9.1 Buffer Requirements

A. 50 feet with 25 feet of screening for commercial or manufacturing use adjoining existing residence.
B. 100 feet with 50 feet of screening for commercial or manufacturing use adjoining residential zone.

8.10 HI-60 Standards

8.10.1 Landscaping and Buffer Requirements

Landscaping shall be provided in accordance with the provisions of Section 17.1.6D, in addition to the following provisions (See Section 15.3.7B for Landscape Plan content):

A. Parking areas shall be landscaped in accordance with the provisions of Section 13.8, except that areas used for parking shall be substantially screened from public roadways by shrubbery, berms, walls or other methods.

B. Side and rear yards which adjoin a residential zone shall contain a buffer yard meeting or exceeding the requirements of the landscaped buffer yard (see Item K below), for all uses within the HI-60 District. Where there is a conflict between buffer yard and/or side or rear yard requirements, the more stringent yard requirement shall apply.

C. Landscaped buffers shall be provided where required by this Section and shall conform to the standards of this Section.

D. Buffer yard within each category shall be used upon a review of the site design, topography, existing vegetation and abutting land uses. The Commission may authorize the use of existing vegetation in lieu of part or all of the buffer yard requirements; require the substitution of plant materials shown in the buffer yard graphic; or require the use of berms or berm/walls (See Item K below) where necessary in any buffer yard as an additional buffering mechanism.

E. Buffer yard planting materials shall conform to the following standards.

1. Canopy trees shall be deciduous shade trees, 3 inches in caliper at planting with a mature height of at least 35 feet.
2. Understory trees shall be deciduous shade or fruit trees, 2 inches in caliper at planting with a mature height of at least 12 feet.
3. Evergreens shall be coniferous species, 6 feet in height at planting.
4. Shrubs shall be either deciduous species 2.5 feet in height at planting with a mature height of at least 6 feet or coniferous species 2.5 feet in spread at planting.

F. Reduced Landscaping - The Commission may reduce the landscape buffer yard requirements by not more than 25% in consideration of the site characteristics, compatibility of proposed structures with surrounding architectural types, quality of building materials and the size and quality of landscape materials.

G. Where development abuts the Pawcatuck River, a 100-foot non-infringement area shall be provided. Such non-infringement area shall remain undisturbed with the exception of any public trails, stormwater detention/retention ponds and/or wetland plantings required to renovate stormwater before entering the river.

H. Pedestrian pathways, streetscape features and passive recreational features are permitted within all required yard areas.

I. Retention and detention ponds are permitted in side and rear yards and at the Commission's discretion, may be allowed in front yards if designed to enhance the appearance of the property.

J. All unpaved areas not used for parking and storage shall be landscaped with ground cover and/or shrub and tree material. Undeveloped areas proposed for future expansion may be maintained in a natural vegetative state but need not be landscaped.

K. Buffer Yard Landscaping

1. Minimum buffer yard width: 20 feet.
2. The buffer yard shall include the number of plants and trees indicated in the table below and may include existing documented trees.

Plant Type	Minimum Quantity per 100 linear feet
Canopy Trees	5
Understory Trees	10
Shrubs	15
Evergreens/Conifers	5

3. Required plantings may be reduced by 1% for each additional 2 feet of buffer yard provided, not to exceed 30% of the required plantings.

8.10.2 Utilities

All utility lines within the zone shall be placed underground.

8.10.3 Service Areas

A. All outdoor refuse collection, loading and storage areas, transformers, heating, air-conditioning units or similar equipment shall be visually screened from access streets, highways and adjacent properties.

B. Such screening may consist of fences, hedges and/or trees of sufficient height to adequately screen the area and/or equipment.

C. No outdoor refuse collection, loading, or storage areas are permitted within any required yard or buffer area.

8.10.4 Parking

A. The off-street parking shall comply with the provisions of Section 13 of these regulations, except as modified below or by the Commission based on their technical review.

B. Parking shall not be allowed in the minimum required front yards.

C. Required parking spaces shall be located on-site or on a contiguous site provided that this site will be permanently and legally designated for the required parking.

D. Access to parking on a contiguous site shall be through the common property line and not through a public or private road or right of way.

E. Parking is only allowed as an accessory use to the principal use on a lot.

F. Stormwater management systems within the parking lots shall be designed and maintained to renovate parking lot stormwater through mechanical or natural means before discharging into storm sewers, wetlands, watercourses or infiltrating into the ground.

8.10.5 Required Public Improvements

A. Portland-based cement concrete sidewalks, built to Town standards, shall be located along all public roads in the HI-60 District.

B. Shade trees shall be located 50 feet on center, along all public roads unless the trees on the adjacent private property provide adequate shade for the sidewalks.

8.10.6 Access Management and Consolidated Parcels

A. Purpose and Applicability

1. This section encourages or requires the consolidated development of parcels to preserve the capacity and safety of existing arterial roadways, to provide flexibility in meeting bulk requirements, to facilitate integrated development of large areas of land, to reduce parking requirements through shared parking, and to facilitate consolidation of stormwater management systems among smaller parcels.
2. Any number of contiguous parcels may be consolidated for the purpose of development, regardless of ownership, and the consolidated parcel shall be construed to be one lot for the purpose of meeting the requirements of Section 8.10.

B. Basic Requirements

1. Unless waived by the Commission due to access from a road other than a State Highway, applicants shall, be required to:
   a. Provide for shared access through common driveways, parking lots, service roads and/or cross-easements (whether existing or future) to abutting properties in a location acceptable to the Commission.
   b. Construct all or a portion of a shared driveway or service road in order to provide for shared access, where appropriate.
   c. File easements on the land records, acceptable to the Commission and Town Attorney, in favor of the abutting properties and/or the Town to allow for their future interconnection.
   d. Post adequate surety to provide for closing of a temporary driveway within one year of access being made available through another property in a location preferable to the Commission.
2. Unless waived by the Commission due to a superior design that achieves the same principles, applicants shall be required to generally conform to the Plan of Conservation and Development, as amended.

C. Optional Requirements. Applicants may, at the Commission's discretion, be required to:

1. Provide a comprehensive traffic study detailing the effects of the proposed development, taking into account current or future shared access to adjacent or consolidated parcels.
2. Make improvements to roadways in order to accommodate a proposed development, including but not limited to acceleration and deceleration lanes, left turn lanes with adequate stacking distance, roadway widening, and traffic control devices.
3. Close existing curb cuts, limit proposed curb cuts, or close temporary curb cuts when alternative access points become available.
4. Limit turning movements to right turns in or out of curb cuts.
5. Align access drives or roads with opposing access drives or roads wherever practical.
6. Limit direct access to Route 2 when a parcel has frontage on an adjacent street or highway.

D. Consolidated Parcels. When development occurs contiguous to a development approved under these regulations and/or two or more contiguous parcels are being developed simultaneously, the Commission may require that the parcel(s) be developed as a consolidated parcel complying with one or more of the following.

1. The owners of each lot shall, by deed or easement filed in the office of the Town Clerk, give the Town of Stonington and/or the owners of all other lots in a consolidated parcel the right of ingress and egress, passage, parking and loading.

2. The consolidated parcel must be developed with an integrated plan for access, buildings, parking, loading, landscaping and signage.
3. Unless the Commission determines that buffers are needed between incompatible uses within a consolidated parcel, yard, buffer, parking, and building setback requirements for individual lots within a consolidated parcel shall not apply but shall instead apply to the consolidated parcel as a whole.

8.10.7 Building Design

The following building design guidelines are not intended to limit creativity but to address issues of architectural variety, compatibility of design and scale with the surrounding neighborhood, and pedestrian access. Since design review is obligatory for all Site Plans and Special Use Permits meeting criteria of Section 17.1.3, prospective applicants are encouraged to meet informally with the Architectural Design Review Board prior to submitting an application to the Planning and Zoning Commission. Additional submission guidelines governing design review are contained in Section 17.1.9.

A. Articulation.
   1. Wall plane projections or recesses should be utilized to limit uniform facades to less than 100 continuous linear feet. The aggregate length of a projection or recess shall be at least 20% of the facade length.
   2. Architectural elements such as arcades, display windows, entry areas, awnings, or other such features should account for at least 60% of the horizontal length of the ground floor facade.
   3. At least three of the following should be repeated along the facade at intervals of 30 feet and at least one should repeat horizontally.
      a. Color change.
      b. Texture change.
      c. Material change.
      d. Expression of architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset, reveal, projecting rib or pilaster.

B. Human Scale Elements. The following human scale elements should be incorporated into the design of buildings to reduce the visual impact and create a pedestrian friendly experience:
   1. Banding of exterior materials and/or architectural details should be incorporated at eye-level to break up large facades and create human scale elements.
   2. The bottom 8 feet of all facade walls should be of the highest quality material being used on the building. To avoid damage from shopping carts, vehicles or vandalism, the use of exterior insulation finish systems or other easily damaged building materials should not be used within this area.
   3. Arcades are strongly suggested as a means of providing human scale. If provided, arcades should conform to the following requirements:
      a. An arcade should be inviting to pedestrians, incorporating benches, wide walkways, display windows or similar features.
      b. When there are multiple tenants in a building, signs should be incorporated into the design to allow pedestrians to easily recognize establishments from beneath the arcade.

C. Rooflines. The following guidelines are intended to reduce the massive scale of large buildings and be complementary to the architectural style of the surrounding neighborhood. Roofs should include at least two of the following elements:

1. Parapets concealing flat roofs and rooftop equipment. The average height of such parapets should not exceed 15% of the height of the supporting wall and at no point should a parapet exceed 30% of the height of the supporting wall. Parapets should feature three-dimensional cornice treatment.
2. Overhanging eaves, extending no less than 3 feet past the supporting walls.
3. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to 1 foot of vertical rise for every 3 feet of horizontal run and less than or equal to 1 foot of vertical rise for 1 foot of horizontal run.
4. Three or more roof slope planes.

D. Materials and colors. Exterior building materials and colors should be compatible with materials and colors used in adjoining neighborhoods. Building materials should comply with the following guidelines whenever practicable:

1. Predominant exterior building materials should be of high-quality including brick, stone or wood. Concrete block may only be used on elevations that are not visible from a public vantage point. Exterior insulation finish systems, smooth-face concrete blocks, tilt-up concrete panels and prefabricated steel panels shall not be used as the predominant exterior building material.
2. Predominant exterior building materials should be non-glossy and have subtle, neutral or earth tone colors. The use of high intensity, metallic or fluorescent colors or black is discouraged;
3. Building trim and accent areas may feature brighter colors, including primary colors, but shall not include neon-tubing features.

E. Entrances.

1. To orient customers to the entrance(s), each principal building should have no less than three of the following elements:
   a. Canopies or porticos.
   b. Overhangs.
   c. Recesses/projections.
   d. Arcades.
   e. Raised, corniced parapets over the door.
   f. Peaked roof forms.
   g. Arches.
   h. Outdoor patios.
   i. Display windows.
   j. Architectural details such as tile work and moldings integrated into the building.
   k. Integrated planters or wing walls that incorporate landscaped areas and/or places for sitting.
2. Where additional stores will be located in the principal building, each such store should have at least one exterior customer entrance, which shall conform to these requirements:
   a. Large retail buildings should incorporate multiple entrances. Multiple building entrances reduce walking distances from cars, facilitate pedestrian and bicycle access from public sidewalks, and provide convenience where certain entrances offer access to individual stores, or identified departments of a store;
   b. At least one entrance should be located on all facades of the building that directly face an abutting public street.

8.11 HM Standards

8.11.1 Construction of New Building or Addition to Existing Building

The construction of a new building or addition to an existing building in the HM zone shall require a Special Use Permit.

8.11.2 Buffer Requirements

For any use or activity authorized by Section 5.2, the Commission may establish setback and/or landscaping requirements to help buffer any adjoining existing residence or any adjoining residential zone.

8.12 PV-5 Standards

8.12.1 Maximum Dwelling Units per Acre

Residential Type	Maximum Density
Single-Use Residential	1 unit per 5,000 sf lot area
Mixed-Use Residential	1 unit per 1,000 sf lot area

8.12.2 Bulk Standards

In addition to the bulk requirements in Section 8.1, the following bulk requirements shall apply:

A. Maximum front building setback line of 20 feet for new construction. Only one building per property shall be required to conform to this section. A building that fronts on multiple streets shall only be required to conform to this section on one street. Additions to existing structures shall not be required to conform to this regulation. Municipal and public safety facilities shall be exempt from this requirement.

B. Parking lot location. No new parking lots shall be located in front of buildings with the exception of government or public safety facilities.

C. New commercial or mixed-use buildings must have a minimum height of two stories over at least 50% of the building footprint (accessory buildings excepted).

D. A screened buffer of at least 10 feet in width shall be required for new commercial or mixed-use construction adjacent to a residential zone.

8.12.3 Building Design Standards

A. All commercial buildings shall have a principal façade and entry facing a street.

B. Blank walls adjacent to streets shall not be permitted. Where windows are not possible or appropriate to the intended use, vertical articulation in the form of raised or recessed surfaces shall be used to break up blank walls.

Article IV – Special Zoning District Standards

Section 9. Overlay Districts

9.1 Groundwater Protection Overlay District (GPOD)

9.1.1 Purpose and Statement of Intent

See Section 2.3.1.

9.1.2 Authority

These regulations are adopted pursuant to Connecticut General Statutes Section 8-2 and 8-3 and Public Act 85-279, which amended both statutes to require municipal planning and zoning commissions to consider protection of existing potential public water supplies in their plans and regulations.

9.1.3 Applicability

These regulations shall apply to all parcels of land wholly or partly within the area designated as the Groundwater Protection Overlay District, or the Watershed Protection Zone as depicted on the Groundwater Protection Overlay District map. In the case of conflict, the most restrictive regulation shall apply.

9.1.4 Designation of the Zone

The Groundwater Protection Overlay District consists of the stratified drift aquifer and its primary and secondary recharge areas, and the Watershed Protection Zone as identified on the Groundwater Protection Overlay District Map, herein incorporated as a part of the Zoning Regulations and Map. Amendments may only be adopted upon application for an amendment following the process for a Zoning Regulation or Zoning Map change.

9.1.5 Prohibited Uses

Those uses that present a high risk of contamination of ground water because of the use or storage of Hazardous Materials and are therefore prohibited in the Groundwater Protection Overlay District.

A. Manufacture, use, transport, storage, or disposal of hazardous materials as a principal activity.
B. Solid waste disposal, septic lagoons, bulky waste.
C. Printing, engraving, and photographic processing.
D. Painting, furniture refinishing, and metal working, using hazardous materials in quantities greater than associated with normal household use.
E. Automobile washing or cleaning establishments.
F. Research laboratories in which hazardous materials are in use in quantities greater than associated with normal household use.
G. Storage or disposal of any hazardous material in quantities greater than associated with normal household use, except:

1. As used in normal agricultural practices and stored in conformance with provisions of Section 9.1.9D.
2. For treatment of public wastewater or drinking water supplies.
3. Swimming pool chemicals to be used on premises.

H. Manufacturing, processing, or assembling of goods in which hazardous materials are used in quantities greater than associated with normal household use.
I. Warehousing or distribution of chemicals, including agricultural chemicals and lawn care products.
J. Contractor's warehousing and storage yards.
K. Freight and materials trucking.
L. Gasoline stations.
M. Motor vehicle or boat repairs.
N. Dealerships, sale or storage of liquid fuel.
O. Pipelines for the transmission of oil, gasoline or other hazardous substances.
P. Storage of road salt or other ice control chemicals.
Q. Underground storage of chemicals or fuels.
R. Motor vehicle service yards.
S. Dry cleaning.
T. Junkyards, salvage yards, truck terminals.

9.1.6 Conditional Uses

These activities present a risk of contamination of groundwater because of the use or storage of materials and may only be permitted if the premises in which the activity is conducted is connected to public sewers and if the use is demonstrated to comply with the performance standards in these regulations.

A. Convalescent and rest homes.
B. Medical and dental offices, clinics and labs.
C. Mortuaries or funeral homes.
D. Hotels
E. Veterinary clinics or kennels.
F. Multifamily residences with densities of more than one unit per acre.
G. Trailer parks or campgrounds with facilities for motor vehicle camping.
H. Beauty shops.
I. Hospitals.
J. Chemical or biological laboratories associated with schools or other public or private institutions.
K. Woodworking.
L. Research laboratories in which hazardous materials are in use in quantities less than associated with household use.
M. Storage or disposal of any hazardous material in quantities less than associated with normal household use, except:
    1. As used in normal agricultural practices and stored in conformance with provisions of Section 9.1.9D.

2. For treatment of public waste water or drinking water supplies.
3. Swimming pool chemicals to be used on premises.

N. Manufacturing, processing, or assembling of goods in which hazardous materials are used in quantities less than associated with normal household use.

9.1.7 Conditional Uses in the GC-60 Zone

These activities present a risk of contamination of groundwater because of the use or storage of materials but may be permitted in cases where the premises are served by on-site sewage disposal systems if the use is in the GC-60 (General Commercial) zone and if the use is demonstrated to comply with the performance standards in these regulations.

A. Assembly Woodworking, in which hazardous materials are used in quantities associated with normal household use.

9.1.8 Groundwater Protection Permit Requirement

A. A Groundwater Protection Permit (see Section 15.8 for permit requirements) shall be obtained from the Commission before any permit is issued for development that lies either entirely or partially within the Groundwater Protection Overlay District, including the subdivision of land.

B. A Groundwater Protection Permit shall also be obtained from the Commission for any property lying partially or completely within the Groundwater Protection Overlay District whenever an occupancy change results in a change of use or an increased intensity of use.

C. Single family and duplex residences and their customary accessory buildings and uses are exempt from these requirements except as required in 9.1.9I & 9.1.9J.

9.1.9 Performance and Design Standards

All uses shall conform to these standards. The objective of these standards is to prevent potential contamination of ground water supplies by prohibiting or controlling high risk activities, preventing direct and accidental releases of hazardous materials, and providing for inspection and emergency response. An alternative standard or protection method may be approved if it is clearly demonstrated to provide equivalent or better protection than that listed.

A. Stormwater Disposal and Management Facilities

1. The use of drywells or leaching structures for disposal of stormwater runoff from developed areas is prohibited, except from roofs. All parking, driveway and loading areas shall be paved.
2. A maintenance plan shall be provided for treatment structures, such as oil separators or detention basins.

B. Building Floor Drains. No floor drains shall be connected to drywells, subsurface leaching structures, or surface waters. Floor drains may only be connected to public sanitary sewers. Connection shall be subject to Stonington WPCA and Connecticut DEEP or its authorized agent for approval and treatment where necessary.

C. Non-Sewage Wastewater Discharges. Non-domestic wastewater discharge shall not be connected to any drains connected to an on-site sewage disposal system (individual or community), dry well, or released into surface water.

D. Storage, Use and Handling of Hazardous Materials. All areas and facilities where hazardous materials are stored, used, or handled shall be designed and constructed to prevent ground water contamination, including provisions for the control of inadvertent or accidental spills, leaks, or other discharges. The following standards shall apply:

1. Manufacturing, processing, or other activities using hazardous materials shall only be conducted on flooring impervious to the material being used and within a building or structure. If floor drains are present, they shall conform to the standards of Item B above.
2. Underground storage tanks and distribution lines for hazardous materials shall be prohibited.
3. Above ground storage areas. Outdoor unprotected storage of containers, tanks, drums, or materials or parts containing hazardous material is prohibited.
4. Storage areas shall be within a building or structure meeting the following requirements:
    a. Have an impervious floor and containment area or dike of adequate size to contain 30% of the total stored volume or 110% of the largest container (whichever is larger).
    b. Area shall be protected by a roof and adequate sides to prevent accumulation of precipitation.
    c. Tank overfill protection devices shall be designed to prevent release of overfill outside the storage area or container.
    d. Storage areas shall be located outside flood zones or flood prone areas or be flood proofed.

E. Venting. Venting systems for evaporation or distillation of hazardous materials shall be designated with a recovery system to prevent the discharge of contaminated condensate or drippage.

F. Loading Areas. Loading or transfer activities shall be conducted on impervious surfaces, roofed, and designated with a watertight sump or catch basin equal to 110% of the largest container handled to capture and control any spills or leaks.

G. Bulk Material and Solid Waste Storage.
1. Bulk storage facilities of non-hazardous materials, which may leach into the ground, such as road salt, manure or silage, shall have an impervious floor and roof and be raised or designed to prevent surface water run-off from entering.
2. Solid Waste dumpsters shall be on a concrete pad, covered and plugged so as to be watertight.

H. Security and Emergency Spill Contingency Plan for Hazardous Materials. A plan and procedure shall be submitted that identifies the following:
1. Security and inspection measures to control vandalism or accident.
2. Procedures to contain and clean up spills or leaks of hazardous material.
3. Procedures for notification of local and State officials.
4. Schedule of update when any changes in materials or procedure occur.
5. Procedure to control hazardous materials release in case of total structure loss because of fire.

I. Pesticide and Fertilizer Use. Any applications of chemical pesticides or fertilizers shall be accompanied by a management plan. The management plan shall indicate types of material, application schedule, and conformance with applicable best management practices. The Commission may require that the application of the material be accomplished under the direction of a licensed applicator.

J. Monitoring. If the Commission determines that additional safety measures and monitoring are needed because of hydrogeological conditions or potential contamination, then a monitoring program may be required which may consist of:
1. Installation of monitoring wells.
2. Periodic sampling.
3. Reporting of analysis.

K. Sanitation.
   1. On-site Septic Systems
      a. For those uses identified in Section 9.1.6 as requiring connection to a public sewer, no sewage shall be discharged to an individual or community septic system.
      b. For any on-site septic system in the Groundwater Protection Overlay District, the applicant shall show evidence of system approval by the Stonington Health Director or his Agent.
      c. Subsurface Disposal of Domestic Sewerage. Sanitary wastewater discharge to an on-site septic system shall not average more than 200 gallons per acre per day in the Groundwater Protection Overlay District.
   2. Public Sewerage Systems.
      a. Sewer system pipes and accessory structures shall be required to be designed for low exfiltration. Sewage pumping equipment is required to have emergency power and shall be required to have emergency storage.
      b. Sewage Lift Stations, Force Mains. Sewage Lift Stations shall be equipped with a backup pump and emergency generator with automatic startup, and with a holding tank adequate to contain the anticipated volume of sewage generated in a 24-hour period. Sewage pumping equipment shall be connected to a continuously monitored remote alarm that will be activated in the event of equipment or power failure.

L. Manure Storage Application and Other Agricultural Activities in the Groundwater Protection Overlay District. Contamination may result from distribution, storage, accidental spillage or application of fertilizers, pesticides or herbicides. Best Management Practices for these activities are available through the U.S.D.A. Soil Conservation Service and Agricultural Stabilization and Conservation Service. These Best Management Practices should be implemented in all recharge areas of designated aquifers, and it is recommended that new and enlarged manure storage sites in the primary recharge area must:
   1. Have a roof that would prevent precipitation from coming into contact with the manure;
   2. Have a liquid-tight floor; and
   3. Be located such that surface water runoff drains away from the storage area.

M. Gravel Excavation and Filling.
   1. The creation of gravel excavations or filling operations by Special Use Permit may be only approved in the Groundwater Protection Overlay District if the applicant for that activity provides reports from a qualified hydrogeologist regarding the lack of an adverse impact on the groundwater quality as measured by the content of the water in its present condition as compared to expected increases in hazardous materials. This report and application will be reviewed by the appropriate authorities with jurisdiction over public water supplies who must approve the water source as suitable as a public water supply in its developed condition.
   2. The Commission must find as a portion of the approval that:
      a. Water quality will not be degraded.
      b. Flooding will not be increased as a result of the site modifications.
      c. All measures possible have or will be instituted to protect the groundwater.

N. Golf Courses. Where feasible, irrigation wells for Golf Courses shall be located to intercept and recycle groundwater that may potentially be contaminated by fertilizer and pesticide applications.

1. Impact Assessment and Monitoring Requirements. Any application for a Groundwater Protection Permit for a Golf Course located entirely or partially within the GPOD shall include a groundwater impact assessment based on a hydro-geologic analysis and a detailed monitoring program.
2. Monitoring Programs. Monitoring Programs shall meet the following specifications or provide for equivalent protection as determined by reviewing agencies:
   a. There shall be a minimum of one up-gradient and two down-gradient monitoring wells required, with placement and design to be determined based on findings of the hydrogeologic study and approved by the reviewing agencies.
   b. A system to monitor water below the root zone shall be installed under one green to measure the potential for leaching of pesticides and fertilizers to groundwater.
   c. The applicant shall be responsible for collection of samples and for having them analyzed for nitrate nitrogen, total nitrogen, and for all pesticides applied. Analysis shall be performed by a laboratory certified by the Connecticut Department of Health Services, Laboratory Standards Division, and results shall be promptly transmitted to the designated reviewing agency.
   d. Monitoring shall be done on a quarterly basis, except that if no concentrations exceeding the re-sampling levels specified within in Item e below are detected for a period of two years, and the types of chemicals applied have not changed, monitoring frequency may be reduced to once a year with approval of the Commission.
   e. If detectable concentrations of pesticides or nitrate nitrogen levels in excess of 5 ppm are detected in any sample, all applications of the substance shall cease until subsequent sampling shows concentrations below.
   f. If nitrate nitrogen levels exceed the drinking water maximum of 10 mg/l, or if the level of a pesticide exceeds any applicable maximum contaminant level (MCL) developed by the U.S. EPA (or, in the absence of such MCL, a concentration of 100 ug/l for all pesticides combined), and if re-sampling confirms these concentrations, the applicant shall take remedial action to reduce concentrations in groundwater to acceptable levels.

9.1.10 Inspection and Enforcement

A. Right of Entry. The Commission and its authorized agents, including representatives of the appropriate water utility and the Stonington Health Director, shall have the right to enter upon privately owned property for purposes of inspection for compliance with this regulation.

B. Enforcement. No permanent certificate of occupancy shall be issued until the Town Zoning Enforcement Officer and a representative of the appropriate water company and/or the Stonington Health Director have inspected the premises and certified compliance with all requirements of the Groundwater Protection Permit.

C. Performance Bonds. The Commission may require, as a condition of any Groundwater Protection Permit, that the applicant file with the Commission a bond in the form of a certified check to be deposited in an account fully insured by FDIC, or an irrevocable bank letter of credit, with such letter of credit appearing in the names of both the applicant and the Town of Stonington, in such amount as the Commission deems sufficient to insure the performance and completion of any work required for protection of the public water supply, including long-term maintenance. In determining requirements for a performance bond, the Commission shall consider the recommendations of reviewing agencies. Such bond or other surety shall be released only when the work has been completed to the satisfaction of the Commission.

9.1.11 Non-Conforming Uses

Structures and uses existing at the effective date of this regulation which do not comply with the provisions of Sections entitled, "Prohibited Uses," and "Performance and Design Standards," shall be considered non-conforming and may be continued, maintained, repaired, and replaced. In addition to the provisions of that section, the following limitations shall apply to non-conforming uses within the Groundwater Protection Overlay District:

A. Enlargement or expansion of a non-conforming use shall be considered a Use Variance and is not permitted under the law.

B. All non-conforming uses shall be terminated whenever and wherever the Town of Stonington and its Agents may legally exercise its police powers to protect the ground waters of the Town of Stonington.

C. No non-conforming use shall be changed to another use without a Groundwater Protection Permit, and no non-conforming use shall be changed to a use prohibited under Section 9.1.5.

9.1.12 Variances

The prohibition against granting of Use Variances by the Zoning Board of Appeals shall be applicable to Groundwater Protection Overlay District.

9.2 Coastal Area Management Overlay District (CAMOD)

9.2.1 Purpose

See Section 2.3.2.

9.2.2 Coastal Area Management (CAM) Application

A CAM Site Plan Review will be implemented by the Planning and Zoning Commission or the Zoning Board of Appeals as a part of the existing process of evaluating the following activities when they occur within the coastal boundary or on properties partly within the coastal boundary.

A. Structures, uses, and activities subject to regulation by the Town's Zoning Regulations.

B. Subdivision or re-subdivision of land.

C. Special Use Permit applications.

D. Applications for Variance.

E. Municipal Improvement Projects.

A CAM application shall be required for any of the activities listed in Items A through E above that are proposed for any area or parcel, wholly or partly within the CAM boundary.

9.2.3 CAM Boundary

The CAM boundary is defined as:

A. That portion of the area covered by the Federal Flood Insurance program in the Town that results from coastal (saltwater) flooding.

B. All areas within 1,000 feet of the mean high-water mark of coastal waters.

C. All areas within 1,000 feet of the State-designated tidal wetlands.

9.2.4 Land and Water Resources to be Evaluated

In accordance with Connecticut General Statutes 22A-92, the following land and water resources must be evaluated and any adverse impacts identified and mitigating measures proposed in the CAM application:

A. General resources.
B. Bluffs and escarpments.
C. Rocky shore fronts.
D. Beaches and dunes.
E. Inter-tidal flats.
F. Tidal wetlands (designated resource areas on the Plan of Development Map).
G. Freshwater wetlands and watercourses.
H. Coastal hazard area.
I. Developed shoreline.
J. Islands.
K. Shore lands.
L. Shellfish concentration areas.
M. Coastal waters and estuarine embayments.
N. Air resources and air quality.

9.2.5 Project Analysis

When it has been determined by the CAM agent that the proposed project is located within the CAM boundary and an application has been filed, the Commission or Board will evaluate the application in accordance with the Coastal Area Management Program Planning Report No. 30 and Connecticut General Statutes 22a-92 and determine the extent and acceptability of any adverse impact.

9.2.6 Design Height Limitation in Coastal Areas

No structure within 150 feet of Mean High Tide (USGS Datum) may have its maximum height greater than 24 feet above the 100-year Flood Hazard Level or Average Finished Grade, whichever is higher. Notwithstanding anything contained herein to the contrary, the Commission may modify the requirements of this section for specific structures in the MHD, NDD and IHRD zone if specifically approved in the Master Plan.

9.2.7 Applicability

The foregoing shall apply to the following Site Plans, plans, and applications.

A. Site plans submitted to the Planning and Zoning Commission in accordance with Section 22a-109 of the Connecticut General Statutes.
B. Applications for a Special Use Permit submitted to the Planning and Zoning Commission in accordance with Section 15.2 of the Zoning Regulations.
C. Applications for a variance submitted to the Zoning Board of Appeals in accordance with the subdivision (3) of Section 8-6 of the Connecticut General Statutes and Section 17.3.3 of the Zoning Regulations.
D. A referral of a proposed municipal project to the Planning and Zoning Commission in accordance with Section 8-24 of the Connecticut General Statutes.

9.2.8 Commission Action

The Commission may approve, deny, or modify with conditions any project within the CAM boundary. In addition, the Commission may require additional erosion and sediment control measures, measures to mitigate any adverse impacts, pedestrian access easements, visual access easements, and conservation easements, and may require a design review in accordance with Section 17.1 of these regulations if the project is proposed for an area which has been designated as a view-shed or resource area in the Plan of Conservation and Development.

9.2.9 Exempted Activities

With the exception of shoreline flood and erosion control structures, the following activities are excluded from review under these regulations.

A. Minor additions to or modifications of existing buildings or detached accessory buildings, such as garages and utility sheds.

B. Construction of new or modification of existing structures incidental to the enjoyment and maintenance of residential property including, but not limited to walks, terraces, driveways, swimming pools, tennis courts, docks, and detached accessory buildings.

C. Construction of new or modification of existing on-premises 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.

D. Construction of an individual conforming single-family residential structure except in or within 100 feet of the following coastal areas: tidal wetlands, coastal bluffs and escarpments, and beaches and dunes.

E. Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife, and other coastal land and water resources.

F. Interior modifications to buildings.

G. Minor changes in the use of a building, structure, or property, except those changes occurring on property adjacent to or abutting coastal waters.

H. Gardening, grazing, and the harvesting of crops shall be exempt from the requirements of these regulations.

9.3 Flood Hazard Overlay District (FHOD)

9.3.1 Purpose

See Section 2.3.3.

9.3.2 Application

The provisions of this section shall apply in any zoning district which is located within a Flood Hazard Overlay District, floodway or coastal high hazard zone, and as indicated on the Flood Insurance Rate Map, Federal Emergency Management Agency (FEMA), which is to be on file in the office of the Zoning Official. Base flood elevation data shall be provided for all development which is 5 acres (total parcel size) or fifty lots, whichever occurs first, and is located in Flood Zone A, AE, Coastal AE, and VE.

9.3.3 Determination of Flood Levels

The base flood elevation and Special Flood Hazard Area shall be identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New London County, Connecticut, dated August 5, 2013, and accompanying Flood Insurance Rate Maps (FIRM), dated August 5, 2013 (Panels 09011C0389J, 09011C0414J, 09011C0526J, 09011C0527J, 09011C0528J, 09011C0529J, 09011C0531J, 09011C0532J, 09011C0533J, 09011C0534J, 09011C0536J, 09011C0551J, 09011C0552J, 09011C0553J, 09011C0554J) and July 18, 2011 (Panels 09011C0387G, 09011C0391G, 09011C0392G, 09011C0393G, 09011C0394G, 09011C0411G, 09011C0412G, 09011C0413G), and other supporting data applicable to the Town of Stonington, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A, AE, Coastal AE, and VE, including areas designated as a floodway on the FIRM. Zone VE is also identified as a Coastal High Hazard Area. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on a Flood Insurance Rate Map (FIRM) are approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location.

9.3.4 Identification of Areas

Identification of Areas shall be in accordance with the following:

A. Flood Hazard Areas shall be those identified on the Flood Insurance Rate Maps for New London County, Connecticut, Federal Emergency Management Agency, dated April 3, 2020 (Panels 09011C0391H, 09011C0392H, 09011C0411H, 09011C0412H, 09011C0413H, 09011C0414K, 09011C0552K), August 5, 2013 (Panels 09011C0389J, 09011C0526J, 09011C0527J, 09011C0528J, 09011C0529J, 09011C0531J, 09011C0532J, 09011C0533J, 09011C0534J, 09011C0536J, 09011C0551J, 09011C0553J, 09011C0554J,) and July 18, 2011 (Panels 09011C0387G, 09011C0393G, 09011C0394G), and any revision thereto.

B. The Floodway and Floodway Fringe shall be those areas identified on the Flood Insurance Rate Maps (FIRM), New London County, Connecticut, Federal Emergency Management Agency, dated April 3, 2020 (Panels 09011C0391H, 09011C0392H, 09011C0411H, 09011C0412H, 09011C0413H, 09011C0414K, 09011C0552K), August 5, 2013 (09011C0389J, 09011C0526J, 09011C0527J, 09011C0528J, 09011C0529J, 09011C0531J, 09011C0532J, 09011C0533J, 09011C0534J, 09011C0536J, 09011C0551J, 09011C0553J, 09011C0554J), and July 18, 2011 (Panels 09011C0387G, 09011C0393G, 09011C0394G), and any revision thereto.

C. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Town Planner shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

D. The degree of flood protection required by this regulation is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This regulation does not imply or guarantee that land outside the Special Flood Hazard Area or uses permitted in such areas will be free from flooding and flood damages. This regulation shall not create liability on the part of the Town of Stonington or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully

made thereunder. The Town of Stonington, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of Stonington.

E. This regulation is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, if this regulation and another ordinance, regulation easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

9.3.5 Minimum Lot Area Requirement in Flood Hazard Zones

All portions of a lot located in a Flood Hazard Zone at elevations above the State of Connecticut's Coastal Jurisdiction Line of elevation 2 feet (NAVD 1988) may be counted towards lot area and other bulk requirements. In no event shall land below the Coastal Jurisdiction Line of elevation 2 feet (NAVD 1988) be counted for any density, area, setback or buffer requirement. (Also see Section 12.9B)

9.3.6 Permit Procedures and Flood Hazard Report

Application for all permits shall be made to the Planning and Zoning Commission or designated agent on forms furnished by the Commission prior to any development activities.

A. The following items, constituting a Flood Hazard Report, are required for applications. Specifically, this includes but is not limited to:
   1. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of each structure. (Section 9.3.10B)
   2. Elevation in relation to mean sea level to which any non-residential structure will be flood proofed. (Section 9.3.10B)
   3. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
   4. A statement as to whether or not the proposed alterations to an existing structure meet the criteria of the substantial improvement definition section.
   5. A statement as to whether there will be dry access to the structure during the 100-year storm event.
   6. Where building is proposed in flood plain areas, the following certification by a registered engineer or architect is required and must be provided to the Commission: "The design and methods of construction are certified to be in accordance with accepted standards of practice to minimize flooding and flood damage."

B. Plans required by the application shall be provided in duplicate and shall be drawn to scale showing the nature, location, dimensions, and elevations of the area in question, and the location and elevation of existing or proposed structures, fill, storage of materials, and drainage facilities.

9.3.7 Floodways

Development within floodways may cause no increase in flood levels during the base flood discharge. Any development in a floodway must meet the provisions of Section 9.3.10B.4.

9.3.8 Required Certifications/Verifications

Upon completion of the applicable portion of construction, the applicant shall provide verification to the Commission of the following as is applicable:

A. Lowest Floor Elevation. The elevation to be verified for a structure.
   1. In a numbered A Flood Zone, the top of the lowest floor (including basement) (Section 9.3.10B).

2. In the V Flood Zone and Coastal AE zone, the lowest point of the lowest structural member (excluding pilings or columns) (Section 9.3.10B).
3. Which has been flood proofed is the elevation to which the flood proofing is effective (Section 9.3.10B).

B. In Coastal High Hazard Areas (Zone VE and Coastal AE Zone), certification shall be obtained from a registered professional structural engineer that the structure is designed to be securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash, in accordance with Section 9.3.10C.

C. Deficiencies detected by the review of the above-listed professional shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a Stop-Work Order for the project

9.3.9 Duties and Responsibilities of the Planning and Zoning Commission

Duties of the Commission or its designated agent shall include, but not be limited to:

A. Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding.

B. Obtain and maintain the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new construction and substantial improvements. Obtain and maintain the elevation (in relation to mean sea level) to which all new construction and substantial improvements have been flood proofed. In coastal high hazard areas (VE zones and Coastal AE zones), obtain and maintain the elevation of the bottom of the lowest horizontal structural member for all new construction, substantial improvement or repair to a structure that has sustained substantial damage. Obtain and maintain as-built elevations.

C. Notify adjacent communities and the Department of Environmental Protection's Inland Water Resources Division prior to any alteration of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency.

D. Maintain the carrying capacity of altered or relocated watercourses.

E. Advise permittee of other possible State and Federal permits and require copies of them as proof they have been obtained.

F. Obtain, review, and reasonably utilize any base flood elevation or floodway data available from any Federal or State source when not provided in order to administer these provisions.

G. Where base flood data is not otherwise available, select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point.

H. Notify the Regional Planning Agency and the affected municipality at least 35 days prior to the public hearing if any change of regulation or use of a flood zone will affect an area within 500 feet of another municipality.

I. The Department of Planning shall maintain all records pertaining to the provisions of these regulations.

9.3.10 Provisions for Flood Hazard Reduction

A. General Standards. In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
2. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
3. New construction or substantial improvements shall be constructed with materials and utility equipment that are flood-damage resistant. This includes, but is not limited to, flooring, interior and exterior walls, wall coverings and other materials installed below the base flood elevation plus 1 foot.
4. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding.
5. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters.
7. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
8. All manufactured homes (including recreational vehicles placed on a site for 180 consecutive days or longer) to be placed, or substantially improved, shall be elevated so that the lowest floor is at least one foot above the base flood elevation. This includes manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood. They shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement, and hydrostatic and hydrodynamic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors. They shall be installed using methods and tactics that minimize flood damage to include, but not be limited to, the following:
    a. Adequate access and drainage shall be provided.
    b. Elevation construction standards include piling foundations placed no more than 10 feet apart, and reinforcement for piers more than six feet above ground level.
9. A structure already in compliance with the provisions of this ordinance shall not be made non-compliant by any alterations, repair, reconstruction, or improvement to the structure.
10. Recreational vehicles placed on sites within Zones A, AE Coastal AE and/or VE shall either:
    a. Be on the site for fewer than 180 consecutive days;
    b. Be fully licensed and ready for highway use; or
    c. Meet all of the general standards of Section 9.3.10 including the elevation and anchoring requirements of Item 8 above. Additionally, recreational vehicles placed on sites within Zone VE or Coastal AE must meet the requirements for construction in coastal high hazard areas as specified in Section 9.3.10C.10 below.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

11. Equal Conveyance. Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.
12. Compensatory Storage. The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.
13. Aboveground Storage Tanks - In VE and Coastal AE zones, above-ground storage tanks that are located outside or inside of a structure must be elevated 1 foot above the base flood elevation (BFE). Where elevated on platforms, the platforms shall be cantilevered from or knee braced to the building or shall be supported on elevated foundations. In A and AE zones, above-ground storage tanks which are located outside or inside of a structure shall be elevated 1 foot above the base flood elevation (BFE) or shall be securely anchored to prevent flotation, collapse or lateral movement under conditions of the base flood. Anchored tanks must have the top of the fill pipe located at least 1 foot above the BFE and have a screw fill cap that does not allow for the infiltration of flood water.
14. Portion of Structure in Flood Zone - If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.
15. Structures in Two Flood Zones - If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., V zone and Coastal A Zones are more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

16. No Structures Entirely or Partially Over Water - New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.

B. Specific Standards. In all areas of Special Flood Hazard Zone A and AE, where base flood elevation data has been provided, as set forth in Sections 9.3.3 and 9.3.4, the following provisions are required:

1. Residential Construction. New construction or substantial improvement of any residential structure located in Zone A or AE shall have the lowest floor, including basement, elevated at least 1 foot above the base flood elevation.
2. Non-Residential Construction.
   a. New construction, or substantial improvement of any commercial, industrial, or non-residential structure located in Zone A or AE shall have the lowest floor, including basement, elevated at least one foot above the level of the base flood elevation.
   b. Non-residential structures located in Zone A or AE may be floodproofed to at least 1 foot above the level of the base flood elevation in lieu of being elevated, provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional structural engineer shall develop structural design, specifications, and plans for construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection. Such certification shall be provided as set forth in Section 9.3.6.
3. Elevated Buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to equalize automatically hydrostatic flood forces on exterior walls.
   a. Designs for complying with this requirement must either be certified by a professional engineer or architect, or meet the following minimum criteria:

      1. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.

      2. The bottom of all openings shall be no higher than 1 foot above grade.

      3. Openings may be equipped with screens, louvers, valves, and other coverings or devices provided they permit the automatic flow of floodwaters in both directions. Other coverings must be designed and certified by an engineer or approved by the Planning and Zoning Commission.

   b. The bottom of all electrical, heating, plumbing, ventilation and air conditioning equipment, appliances, fixtures and components, HVAC duct work and duct systems, and any other utility service equipment, facilities, machinery, or connections servicing a structure shall be elevated 1.0 foot above the base flood elevation (BFE). This includes, but is not limited to, furnaces, oil or propane tanks, air conditioners, heat pumps, hot water heaters, ventilation duct work, washer and dryer hook-ups, electrical junction boxes, and circuit breaker boxes. Systems, fixtures, equipment and components shall not be mounted on or penetrate through breakaway walls intended to fail under flood loads. Connections or other equipment that must be located below the BFE plus 1.0-foot elevation are permitted only when no other elevation alternative is available and provided they are designed and installed to prevent

water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of the base flood event. Electrical wiring systems that must be located below the BFE plus 1.0 foot shall conform to the standards for wet locations.

c. Access to the enclosed area shall be the minimum necessary to allow parking of vehicles (garage door), or limited storage of maintenance equipment used in connection with the premises (standard exterior door), or entry to the living area (stairway or elevator) which shall be the sole uses of the fully enclosed area.

4. Floodways. Located within areas of special flood hazard established in Section 9.3.4 are areas designated as floodways on the community's Flood Insurance Rate Map. Since the floodway is an extremely hazardous area due to the velocity of projectiles and has erosion potential, the following provisions shall apply: prohibit encroachments, including fill, new construction, substantial improvements and other development unless certification (with supporting technical data) by a Connecticut registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge. Fences located in the floodway must be aligned with the flow and be of an open design.

a. A permit may be given which allows encroachments resulting in increases in base flood elevations provided the Town first obtains a conditional floodway revision by meeting the requirements of CFR 44, Chapter 1, Subsection 65.12, as amended.

b. When BFEs have been determined within Zones A and AE on the community's FIRM but a regulatory floodway has not been designated, the Commission must require that no new construction, substantial improvements, repair to structures which have sustained substantial damage or other development, including fill, shall be permitted which will increase the water surface elevation of the base flood more than 1 foot at any point within the community when all existing and anticipated development is considered cumulatively with the proposed development.

C. Coastal High Hazard Areas (VE Zones and Coastal AE Zones).

Special Flood Hazard Areas include areas designated as Coastal High Hazard Areas (Zone VE and Coastal AE). These areas have special flood hazards associated with wave wash. Therefore, the following provisions shall apply:

1. All new construction or substantial improvement shall be located 100 feet landward of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101.
2. All new construction or substantial improvement shall be elevated so that the bottom of the lowest supporting horizontal member (excluding pilings or columns) is located no lower than 1 foot above the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water. Basement floors that are below ground on all sides are prohibited.
3. All pilings and columns and the attached structures shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. The anchoring and support system shall be designed with wind and water loading values which equal or exceed the 100-year mean recurrence interval (1% annual chance floods and winds).

4. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for construction, and shall certify that the design, specifications and plans for construction are in accordance with acceptable standards and are in compliance with the provisions contained in this regulation.
5. There shall be no fill used as structural support. Non-compacted fill may be used around the perimeter of a building for landscaping/aesthetic and drainage purposes under and around buildings, and for support of parking slabs, pool decks, patios and walkways installed at current grade. The fill must wash out from storm surge (thereby rendering the building free of obstruction), prior to generating excessive loading forces, ramping effects, or wave deflection. The Town's Floodplain Manager shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an engineer or architect, and/or soil scientist, which demonstrates that the following factors have been fully considered:
    a. Particle composition of fill material does not have a tendency for excessive natural compaction.
    b. Volume and distribution of fill will not cause wave deflection to adjacent properties.
    c. Slope of fill will not cause wave run up or ramping.
6. Non-supporting breakaway wall, lattice work, or mesh screening shall be allowed below the base flood elevation provided it is not part of the structural support of the building and is designed so as to break away under abnormally high tides or wave action without damage to the structural integrity of the building on which it is to be used, and provided the following design specifications are met:
    a. Design safe loading resistance of each wall shall not be less than 10 nor more than 20 pounds per square foot; or
    b. If more than 20 pounds per square foot, a registered professional engineer or architect shall certify that the design wall collapse would result from a water load less than that which would occur during the base flood event, and the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components during the base flood event. Maximum wind and water loading values to be used in this determination shall each have 1% chance of being equaled or exceeded in any given year (100-year mean recurrence interval).
    c. Areas enclosed by breakaway walls shall contain hydraulic flood vents per the requirements of Item B above.
7. If breakaway walls, lattice work, or screening are utilized, the resulting enclosed space shall not be designed to be used for human habitation but shall be designed to be used only for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises.
8. Any alteration, repair, reconstruction, or improvement to a structure shall not enclose the space below the lowest floor except with breakaway walls, lattice work, or screening as provided for in Item 6 above.
9. There shall be no alteration of sand dunes which would increase potential flood damage.
10. The requirements of this section shall also apply to the placement of Manufactured Homes and Recreation Vehicles when they are located within the Coastal High Hazard Area. This includes manufactured homes located outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in

an expansion to an existing manufactured home park or subdivision, or on a site in an existing manufactured home park in which a manufactured home has incurred substantial damage as a result of a flood. Recreational vehicles shall also meet the requirements provided in Item 9.3.10A.10 of this section.

9.3.11 Flood Hazard Variance Procedures

The Zoning Board of Appeals shall review and decide all requests for variances from the requirements in these Flood Hazard Overlay District regulations.

A. Specific Situation Variances may be considered as follows:
   1. Preexisting, Small Lot Location. Variances may be issued by the Zoning Board of Appeals for new construction and substantial improvements to be erected on a lot of 0.5 acres or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with Items B through F below, and Section 17.3, Zoning Board of Appeals.
   2. Functionally Dependent Uses. Variances may be issued by the Zoning Board of Appeals for new construction and substantial improvement and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, create no additional threat to public safety, and meet the requirements of Items 9.3.11C.1 and 9.3.11C.2 below.

B. Floodway Prohibition. Variances shall not be issued by the Zoning Board of Appeals within any designated floodway if any increase in flood levels during the base flood discharge would result.

C. Considerations for Granting of Variances. In passing upon such applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of these regulations, a showing of good and sufficient cause, a determination that failure to grant a variance would result in exceptional hardship, and the following:
   1. The danger that materials may be swept onto other lands to the injury of others.
   2. The danger to life and property due to flooding or erosion damage.
   3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
   4. The importance of the services provided by the proposed facility to the community.
   5. The necessity of the facility to waterfront location, in the case of a functionally dependent facility.
   6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
   7. The compatibility of the proposed use with existing and anticipated development.
   8. The relationship of the proposed use to the Plan of Conservation and Development and floodplain management program for that area.
   9. The safety of access to the property in times of flood for ordinary and emergency vehicles.
   10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, and the effects of wave action, if applicable, expected at the site.
   11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems and streets and bridges.

D. Conditions. Upon consideration of the factors listed above, and the purposes of this ordinance, the Zoning Board of Appeals may attach such conditions to the granting of variances it deems necessary to further the purpose of this ordinance.

E. Minimal Extent of Variances. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief and in the instance of an historical building, a determination that the waiver is the minimum necessary not to destroy the historic character and design of the building.

F. Written Notice. Any applicant to whom a variance is granted for new construction or substantial improvement shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation up to amounts as high as $25.00 per $100.00 of insurance coverage.

G. Record and Report. The Zoning Board of Appeals shall maintain the records of all appeal actions, including justification for their issuance, and report any variances to the Federal Emergency Management Agency and in the biennial report.

9.4 Downtown Pawcatuck Parking Overlay District (DPPOD)

9.4.1 Purpose

See Section 2.3.4.

9.4.2 Parking and Loading Requirements

Minimum parking and loading requirements in Section 13.3.3 do not apply for existing commercial buildings in the overlay district. The Commission may require on-site parking or loading where it deems that the uses proposed will have a negative impact on parking, traffic and/or public safety in the area.

9.4.3 Non-Qualifying Uses

Minimum on-site parking requirements of Section 13.3.3 must be met for the following uses in the DPPOD unless a reduction is granted by the Commission by Special Use Permit. The extent of such reductions is at the discretion of the Commission and is not limited to the specific parameters of Section 13.2.

A. New commercial, institutional and/or mixed-use construction or additions to existing buildings which equal an increase of 10% over existing gross floor area.

B. All residential uses in the Pawcatuck Parking Overlay District, whether in existing buildings or new construction.

9.4.4 Shared Parking and Loading

Where on-site parking is provided in the Pawcatuck Parking Overlay District, shared parking and loading are encouraged.

Section 10. Floating Zones

10.1 Industrial Heritage Re-Use District (IHRD)

10.1.1 Purpose

See Section 2.4.1.

10.1.2 General

A. The Planning and Zoning Commission may establish site specific Industrial Heritage Re-Use Districts ("IHRD") for those properties containing historic mills aged 50 years or greater from the effective date of this regulation, by approving a Redevelopment Master Plan in conformance with Section 10.1.5. Zoning Regulations applicable to such property as established by the underlying district shall continue in full force and effect unless superseded by the IHRD regulations.

B. In that the approval of an IHRD constitutes a change of zone, it calls for the Commission to act in its legislative capacity, and to exercise legislative discretion. By filing an application for an IHRD, the applicant acknowledges and accepts the nature of such application, and the level of discretion which the Commission possesses in such applications.

10.1.3 Considerations for Approval

Factors to be considered by the Commission in approving an IHRD include:

A. The location of the proposed uses of the IHRD is in conformance with the adopted POCD.

B. Preservation, to the maximum feasible extent, of buildings and building elements possessing historic or architectural significance. New buildings and building additions shall be architecturally compatible with existing historic structures, and the neighborhood (when feasible) and respect exterior attributes of such structures and neighborhood.

C. Adaptive reuse that addresses Stonington's housing needs, and in the appropriate setting provides space for business or retail establishments. Since each historic mill is unique in terms of its location and design challenges, there shall be no mandatory area ratio of residential use versus commercial use; rather, the type and placement of each proposed use shall be indicated in the Redevelopment Master Plan.

D. Harmony between mixed-uses that are proposed for the property, compatibility with neighboring land uses, enhancement of the built, natural and human environment, promotion of pedestrian safety, provision for adequate parking, and minimized impact of motor vehicles.

E. Furtherance of goals and objectives contained in Stonington's Plan of Conservation and Development.

F. Furthers the policies of the Coastal Management Act.

10.1.4 Establishment of District

The Commission shall establish an IHRD by approving a Redevelopment Master Plan, which while not intended to be a substitute for detailed documentation associated with a Site Plan, does provide sufficient information to determine if the proposal is in conformance with Section 10.1.3 and the Plan of Conservation and Development. Such adoption shall constitute a zoning map amendment in accordance with Section 3 of these regulations.

A. Numbering of Industrial Heritage Re-Use Districts. Each IHRD shall be numbered and depicted sequentially on the official zoning map in accordance with the date of adoption as IHRD-1, IHRD-2 and so forth.

B. District Size and Control. While no minimum parcel size is required for a rezoning, the land area proposed for an IHRD shall encompass the entire tract on which the industrial building(s) are located. Lots adjoining the original mill site may be combined for purposes of a rezoning application, provided that all owners of record shall indicate in writing that they are aware of the application and that the applicant is authorized to act on their behalf under these regulations.

C. District Expiration. Approval of the zone change shall become null and void unless a Site Plan for the IHRD is approved within 24 months of the date of zone change approval. The Commission may grant one or more extensions of this period upon written request of the applicant, but in no event will the extensions exceed 24 additional months.

10.1.5 Master Plan

The purpose of the Master Plan submission is to determine whether the proposed uses and layout conform to Section 10.1.3 and to the Plan of Conservation and Development. The Master Plan, once adopted, shall establish the dimensional characteristics of the IHRD and its uses. All graphic elements of the Master Plan shall be professionally prepared in accordance with Section 15.3 of these regulations.

10.1.6 Site Plan

After Redevelopment Master Plan approval and establishment of an Industrial Heritage Re-Use Districts by the Commission, an application for a Site Plan must be submitted for approval, following provisions contained in Section 15.3 of these regulations. The Commission shall schedule a public hearing for the Site Plan application.

10.1.7 Specific Design Standards

The following design standards shall apply to all IHRD Districts:

A. Area and Bulk Requirements. Adaptive reuse requires flexibility, and existing historic structures located within the IHRD District are deemed to be conforming in terms of any encroachments on front, side and rear yard setbacks, maximum height and floor area ratio. Existing buildings may be enlarged provided that such expansion is consistent with the structure's exterior historic architecture.

B. Replacement Structures. Where existing buildings are deemed inappropriate for reuse, they may be replaced by new structures provided that such structures shall be architecturally compatible with remaining historic structures located on the property, and the surrounding neighborhood, when and where feasible.

C. New Construction (In addition to existing and/or replaced structures).

1. New structures to be built within the IHRD District, when such construction is not replacing an existing structure, shall conform to all area, bulk and setback requirements established for the underlying zoning district as contained in Sections 7.1 and 8.1 of these regulations, except authorized encroachments in Item A above.
2. Residential units shall be limited to either:
   a. 1 unit of housing for every 1,000 square feet of existing structure, up to 50,000 square feet of existing structure; or
   b. 10 units of housing per acre.

3. The Commission shall only allow adjacent lots to be used for density considerations where the applicant can prove a clear, historical link between the adjacent lot and the main industrial property during the period the properties were utilized as industrial sites.

D. Parking. Residential off-street parking shall be provided at a ratio of no less than one space per dwelling unit. The Commission shall determine the total residential parking requirement, taking into account opportunities for shared parking and available public parking areas adjacent to the site. Parking required for all non-residential uses shall be governed by Section 13.3.3 of these regulations. Parking lot design and landscaping shall conform with Section 13.

E. Prohibited Uses. Uses prohibited in the IHRD District shall include:

1. Gasoline filling stations.
2. Motor vehicle and trailer coach sales, leasing and renting.
3. Tire sales establishments.
4. Auto repair shops and paint shops.
5. Car washes.
6. Drive-thru windows – except financial institutions and pharmacies.

F. Any other use listed in Section 5 and Section 6 shall be permitted in the IHRD District subject to approval of a Redevelopment Master Plan.

G. Buffers.

1. Non-infringement area of 50 feet minimum from tidal marsh and significant natural resources such as, but not limited to, inland wetlands, estuary shoreline and bodies of water, excepting only boat and yacht facilities after necessary State, Federal, and local permits are acquired, may be reduced to zero feet by a majority vote.
2. The Commission may require additional buffers of such size, type and material as necessary to protect adjacent properties or important natural resources.

10.2 Maritime Heritage District (MHD)

10.2.1 Purpose

See Section 2.4.2.

10.2.2 General

A. The Planning and Zoning Commission recognizes that the Mystic Seaport Museum is a unique institution, the pre-eminent museum of maritime history in the country. As a living museum, it embodies the essence of early Stonington and is a major economic engine for the Town. The Commission also recognizes that for the Mystic Seaport Museum to thrive, it needs flexibility to change exhibits, educational facilities and accommodations to meet changing demands. At the same time, the Commission appreciates that the Mystic Seaport Museum exists in the middle of a largely residential neighborhood and that the cars, buses and pedestrians it attracts can disrupt normal residential life for Stonington residents. To allow the Mystic Seaport Museum to thrive as an important institution in the Town and also to assure residents that its existence and future plans will enhance and not disrupt the surrounding residential neighborhood, the Planning and Zoning Commission creates a special Maritime Heritage District (MHD).

B. The MHD is a floating zone governed by a Master Plan to be submitted by the Mystic Seaport Museum. The Master Plan will be subject to review and approval by the Commission as a zone

change, subject to a public hearing and the terms and conditions of these regulations. The Master Plan will change over time, but any change will be subject to the same review and public hearing procedure as the original zone change. Once enacted, the MHD will supersede all pre-existing zoning, and any development on the zoned property will be subject to the new zone, except as required under Section 10.2.7A.8.

10.2.3 Considerations for Approval

Factors to be considered by the Commission in approving the MHD include:

A. The proposed uses and layout are in conformity with the goals of the Plan of Conservation and Development.

B. Tourist-related activities and facilities, including cafeterias and sale kiosks, as well as all boat building and marine services, shall primarily be located on the west side of Greenmanville Avenue, allowing Greenmanville Avenue to serve as a separating corridor between the more intensive museum activities and the residential neighborhoods to the east.

C. Less intense museum activities, such as administrative offices, maintenance buildings and facilities, barns, greenhouses, parking, storage, student housing, research facilities, and educational classrooms may be located on the east side of Greenmanville Avenue, but only if appropriately located and buffered from surrounding residential uses and zones.

D. Rossie Mill constitutes an historic mill site in the Town of Stonington and is appropriate for adaptive reuse. Such uses may include a conference center (no overnight accommodations), and special exhibition space, in addition to other uses allowed on the east side of Greenmanville Avenue. The Rossie Mill site shall be defined as the Museum-owned property north of Rossie Pentway and south of Velvet Lane.

E. Building and building elements, possessing historic significance, shall be preserved, to the extent feasible. Modifications shall not compromise the historic aspect of the building. The proposed buildings or modifications to existing buildings shall be harmoniously related to their surroundings, to the terrain, and to the use, scale and architecture of existing buildings in the vicinity. All spaces and structures visible to the public and public roadways shall be designed to add to the visual amenities of the area, consistent with the existing appearance of the neighborhood.

F. All activities within the MHD shall be designed such that harmony and compatibility with surrounding residential neighborhoods and land uses, including adequate buffers, protection of pedestrian safety, provision for adequate parking, minimized impact of motor vehicles, and prevention of glare to adjacent properties from lighting on-site is provided. Commercial and tourist traffic shall be directed to major arterials and away from residential streets.

G. Furtherance of the policies of the Coastal Area Management Act.

10.2.4 Establishment of District

The Commission shall establish the MHD by approving a Master Plan, which while not intended to be a substitute for detailed documentation associated with a Site Plan, provides sufficient information to determine whether the proposal is in conformance with Section 10.2.1 and the Plan of Conservation and Development. Such adoption shall constitute a zoning map amendment in accordance with Section 9.4 of these regulations. While no minimum parcel size is required for a re-zoning, the land proposed for the MHD shall encompass the entire land of the Mystic Seaport Museum along Greenmanville Avenue and the streets directly connected thereto. The limits of the MHD zone shall be established by the road right-of-way bordering the property of the Mystic Seaport Museum. Any land acquired by the Mystic Seaport

Museum subsequent to the enactment of the zone shall not be a part of the zone unless and until it is included in a new Master Plan. Any addition to the Master Plan must comply with the criteria of Section 10.2.1, and any such change shall be made in such a way as to not disrupt the surrounding residential neighborhood.

10.2.5 Master Plan

The purpose of the Master Plan submission is to determine whether the proposed uses and layout conform to Section 10.2.1 and to the Plan of Conservation and Development. The Master Plan, once adopted, shall establish the dimensional characteristics of the MHD and its uses. All graphic elements of the Master Plan shall be professionally prepared in accordance with Section 15.7 of these regulations. In addition:

A. The Master Plan shall include provisions for a traffic pattern that directs commercial and tourist traffic to the major arterials and away from residential streets.

10.2.6 Site Plan

After Master Plan approval and establishment of the zone by the Commission, an application for a Site Plan must be submitted for approval, following the provisions contained in Section 15.3 of these regulations.

A. The Commission shall schedule a public hearing for the Site Plan application.

B. The Site Plan shall include information required in Sections 17.1.9, 8.4.1, and 15.3.7 of these regulations. The Commission may provide waivers of the required information.

10.2.7 Specific Design Standards

The following design standards shall apply to the MHD:

A. Area and Bulk Requirements. Existing structures located within the MHD are deemed to be conforming in terms of any encroachments on front, side and rear yard setbacks, maximum height and floor area ratio. Existing buildings may be enlarged, provided such expansion is consistent with the structure's exterior historic architecture and approved as part of the MHD. Otherwise, bulk and dimensional standards will be as follows:

1. Minimum front yard: Greenmanville Avenue: 0 feet.
2. Minimum front yard: other streets: 20 feet.
3. Minimum side yard: 20 feet, except that the side yard depth may be reduced to 5 feet in areas if specifically approved on the Master Plan, provided the reduction is in compliance with Section 10.2.7B.2.
4. Minimum rear yard: 10 feet, except that the rear yard depth may be reduced to 0 feet along the waterfront if specifically approved on the Master Plan, provided the reduction is in compliance with Section 10.2.7B.2.
5. Maximum building height: 35 feet, except building height may be increased to 45 feet if specifically approved on the Master Plan. Per Section 9.2.6, the Commission may modify this standard for a specific building if specifically approved on the Master Plan.
6. Maximum floor area ratio: 0.45.
7. The Commission shall not reduce the yard requirements unless such reduction is compatible with the objectives of Section 10.2.1 and does not disrupt surrounding residential properties. Where reductions in yard requirements are allowed, the Commission may require, where appropriate, performance buffers.

8. For the purposes of subdivision, the minimum lot size, and frontage bulk requirements of the pre-existing zoning districts shall remain in effect.

B. Buffers

1. Performance Buffers. The Commission will carefully analyze any buffers between the MHD and surrounding residential neighborhoods with particular regard to the objectives and requirements of Section 10.2.3F. The Commission may tailor buffers to include greater setbacks, landscaping, fences, walls, and berms, considering the relative heights of the uses on each side of the buffer. The Commission may allow for buffering to be located on adjacent property with consent of the affected property owner (landscaping, fence, or wall, etc.)
2. Standard Buffers. Unless otherwise approved in the Master Plan, buffers for non-residential uses within the MHD shall be established and maintained as 25 feet with 5 feet of screening from adjoining residential zone and/or any additional buffer requirements as determined by the Commission pursuant to standards in Section 15.2.7.
3. Buffers may only be reduced from those established under Item 2 above in the event such reduction is compatible with the objectives of Section 10.2.1 and does not disrupt surrounding properties. When reduction of buffers is allowed, the Commission shall require, where appropriate, performance buffers.

10.3 Neighborhood Development District (NDD)

10.3.1 Purpose

See Section 2.4.3.

10.3.2 General

A. The Planning and Zoning Commission recognized that there exist commercial properties located in close proximity to the village cores which create a unique opportunity for neighborhood development as acknowledged in and described as essential for, implementation in the Plan of Conservation and Development (POCD). The development of these sites is a sensitive matter to the Town and the neighborhoods being impacted, as such any decisions and determinations made with respect to these properties would require assurances for the Town and its residents that its existence and future plans will enhance, and not disrupt, the surrounding residential neighborhood. Accordingly, the Planning and Zoning Commission does hereby create a special Neighborhood Development District (NDD).

B. The NDD will be a floating zone governed by a Master Plan, in accordance with these regulations. The Master Plan will be subject to review and approval by the Commission as a zone change, subject to a public hearing and the terms and conditions of these regulations. The Master Plan requires certain fluidity, and as such, may change over time; but any substantial and material change would be subject to the same review and public hearing procedures as the original zone change. Once enacted, the NDD will supersede all pre-existing zoning, and any development on the zoned property will be subject to the new zone.

C. In that the approval of a NDD constitutes a change of zone, it calls for the Commission to act in its legislative capacity, and to exercise legislative discretion. By filing an application for a NDD, the applicant acknowledges and accepts the nature of such application, and the level of discretion which the Commission possesses in such applications.

10.3.3 Considerations for Approval

Factors to be considered by the Commission in approving the NDD include:

A. The proposed uses and layout are in conformity with and in furtherance of the goals and objective contained in the POCD.

B. Harmony and compatibility with surrounding residential neighborhoods, land uses and the village cores, including adequate buffers that are consistent with the existing condition on the site, neighborhood and/or village core, promotion of pedestrian safety, provision for adequate parking, minimized impact of motor vehicles, and prevention of glare to adjacent properties from lighting on-site. To the extent practical, commercial traffic shall be directed to major thoroughfares and away from residential streets.

C. Furtherance of the goals, standards and policies of the Connecticut Coastal Area Management Act.

10.3.4 Establishment of District

A. The Commission shall establish the NDD by approving a Master Plan, which while not intended to be a substitute for detailed documentation associated with a Site Plan, provides sufficient information to determine whether the proposal is in conformance with Section 10.3.1 and the POCD. Such adoption shall constitute a zoning map amendment in accordance with Section 3 of these regulations.

B. Additions and Alterations. Any addition to the Master Plan must comply with the criteria of Section 10.3.1, and any such change shall be made in such a way as to not disrupt the surrounding residential neighborhood.

C. District Eligibility. The following characteristics are required for a site to be eligible for the NDD designation:

1. Located in one of the following zoning districts: DB-5, MC-80, M-1, HM, HI-60, TC-80 or PV-5, or specifically identified in the Plan of Conservation and Development as a NDD eligible site;
2. On a parcel of land of 150,000 square feet or more (80,000 in PV-5 Zone); and
3. Ability to connect to a public water supply and municipal sanitary sewer.

D. District Expiration.

1. Approval of the zone change shall become null and void unless a Site Plan for the NDD is approved within 12 months of the date of zone change approval. The Commission may grant one or more extensions of this period upon written request of the applicant, but in no event will the extensions exceed 12 additional months.
2. Final Plans. Final plans, endorsed by the Commission, shall be filed in the Town Clerk's Office within 90 days of the expiration of the appeal period. In the case of an appeal, the final plans must be recorded within 90 days of the completion of the appeal. The Commission may grant an extension of time, not to exceed an additional 90 days.

E. Numbering of Neighborhood Development Districts. Each NDD shall be numbered and depicted sequentially on the official zoning map in accordance with the date of adoption as NDD-1, NDD-2 and so forth.

F. Regulation Expiration. The Commission may only allow a maximum of 5 Neighborhood Development Districts.

10.3.5 Master Plan

The purpose of the Master Plan submission is to determine whether the proposed uses and layout conform to Section 10.3.1 and to the Plan of Conservation and Development. The Master Plan, once adopted, shall establish the dimensional characteristics of the NDD and its uses. All graphic elements of the Master Plan shall be professionally prepared in accordance with Section 15.7 of these regulations.

10.3.6 Site Plan

As part of, or after Master Plan approval and establishment of the zone by the Commission, an application for a Site Plan must be submitted for approval, following the provisions contained in Section 15.3. In addition:

A. The Commission shall schedule a public hearing for the Site Plan application.

B. The Site Plan shall include information required in Sections 17.1.9, 15.3.6, and 15.3.7. The Commission may provide waivers of the required information.

10.3.7 Specific Design Standards

The following design standards shall apply to the NDD:

A. Area and Bulk Requirements. Existing structures located within the NDD are deemed to be conforming in terms of any encroachments on maximum height, maximum lot coverage and floor area ratio.

1. Minimum district size: 150,000 square feet (80,000 square feet in PV-5)
2. Minimum front yard: 0 feet
3. Minimum side yard: 0 feet
4. Minimum rear yard: 0 feet
5. Maximum building height: specifically approved on the Master Plan. Per Section 9.2.6, the Commission may modify this standard for a specific building if specifically approved on the Master Plan.
6. Maximum floor area ratio: N/A, established by the Master Plan.
7. Maximum lot coverage: N/A, established by the Master Plan.
8. Signage. A signage package based on a unified design theme for the entire parcel shall either be submitted as part of a Master Plan, or a Site Plan application after adoption of a Master Plan. Except as noted herein, all standards of Section 14 shall apply. Signage packages shall include:
   a. Scaled drawing of the parcel depicting the location of all proposed signs.
   b. Scaled graphic renderings depicting height, all dimensions, colors, materials, illumination, structural elements and applicable landscaping for all proposed signs. No detached sign within the NDD shall exceed 12 feet in height.

B. Residential Density

Standard	Single Use	Mixed-Use Tier 1	Mixed-Use Tier 2	Mixed-Use PV-5 as Underlying Zone
Maximum Units per Acre	8 (10 where PV-5 is underlying zone)	10	12	By Review
Minimum Units per Building	2	3	3	3
Minimum Commercial Share of Gross Floor Area	0%	20%	40%	30%
Minimum Residential Share of Gross Floor Area Located Above First Floor	0%	50%	100%	50%

C. Buffers

1. Performance Buffers. The Commission will carefully analyze any buffers between the NDD and surrounding residential neighborhoods and may tailor buffers to include greater setbacks, landscaping, fences, walls, and berms, considering the relative heights of the uses on each side of the buffer. The Commission may allow for buffering on adjacent property with consent of the affected property owner (landscaping, fence, or wall, etc.).
2. Standard Buffers. Unless otherwise approved in the Master Plan, buffers for non-residential uses shall be established and maintained as 25 feet with 10 feet of screening from adjoining residential zone and/or any additional buffer requirements as determined by the Commission pursuant to standards in Section 15.2.7.
3. Non-Infringement Areas. Non-infringement area of 50 feet minimum from tidal marsh and significant natural resources such as, but not limited to, inland wetlands, estuary shoreline and bodies of water, excepting only boat and yacht facilities after necessary State, Federal, and local permits are acquired, may be reduced to 0 feet by a majority vote.
4. Buffers may only be reduced from those established under Section 10.3.7C.2 in the event such reduction is compatible with the objectives of Section 10.3.1 and does not disrupt surrounding residential properties. When reduction of buffers is allowed, the Commission shall require, where appropriate, performance buffers.
5. The Commission may require additional buffers of such size, type and material as it deems reasonably necessary to protect adjacent properties or important natural resources.

10.3.8 Permitted and Prohibited Uses

A. Uses permitted in the NDD shall include:

1. Assembly: Buildings
2. Boat Livery
3. Boat Part Sales
4. Boat Repair
5. Boat Sales
6. Bowling /Billiards
7. Churches
8. Commercial Recreation

9. Community Center/Library
10. Conference Center
11. Congregate Living Facility
12. Convalescent Home
13. Day Care Center
14. Excavation
15. Fabricate/Compounding
16. Family Child Care Home
17. Filling
18. Financial Institutions
19. Funeral Home/Mortuary
20. Health Club
21. Home Occupations
22. Hospital
23. Hotels
24. Housing for the Elderly
25. Laundries/Laundromats
26. Light Manufacturing
27. Liquor Sales
28. Marina/Yacht Club
29. Medical Clinic
30. Municipal Facility
31. Office Building
32. Parking, dedicated off-site – sender in accordance with Section 13.2.4
33. Parking, dedicated off-site – receiver in accordance with Section 13.2.4
34. Parking, off street
35. Parking, reductions in accordance with Section 13.2.3
36. Parking, shared in accordance with Section 13.2.5
37. Personal Services
38. Public Utilities
39. Recreational Facilities accessory to permitted commercial/ manufacturing uses
40. Recreational Facilities: Incidental to Residence
41. Recreational Facilities: Public or Private
42. Recreational Uses Accessory to Commercial Use
43. Research & Development
44. Restaurants/Not Drive-In
45. Residential in accordance with the density requirements in Section 10.3.7B.
46. Sales: retail/wholesale
47. Schools, Public/Private
48. Seasonal Marina Structures
49. Special Wall Signs larger than 18 sf in accordance with Section 14.7.1D
50. Storage (Incidental) of goods and supplies
51. Theaters

52. Wellness Center
53. Wineries

B. Uses prohibited in the NDD shall include:

1. Gasoline Filling Stations
2. Motor Vehicle and Trailer Coach Sales, Leasing and Renting
3. Tire Sales Establishments
4. Auto Repair Shops and Paint Shops
5. Car Washes
6. Single-Family Detached Residences

10.4 Greenway Development District (GDD)

10.4.1 Purpose

See Section 2.4.4.

10.4.2 General

A. The Planning and Zoning Commission recognizes that large, highly visible undeveloped lots exist in the Town of Stonington which are privately-owned and may be subject to future development. The development of these sites is a sensitive matter to the Town of Stonington and the neighborhoods being impacted. Therefore, any decisions and determinations made with respect to these properties will require assurances for the Town and its residents that the development, operation, maintenance and any planned expansions of these properties will enhance, and not disrupt, the neighborhood. Proper development of these sites will enhance, and not disrupt, the character of the neighborhood and Town as reflected in the Plan of Conservation and Development. Accordingly, the Commission does hereby create a Greenway Development District (GDD) which will provide a legislative framework for development opportunities to occur on these properties.

B. The GDD is a floating zone governed by a Master Plan, prepared in accordance with Section 15.7 of these regulations. The Master Plan will be subject to review and approval by the Commission as a Zoning Map Amendment, subject to a public hearing and all other applicable terms and conditions of these regulations. It is recognized that the Master Plan may require certain fluidity in order to accommodate market changes during the complete development of any project. Notwithstanding the foregoing, any substantial and material change will be subject to the same procedural requirements for a Zoning Map Amendment and shall be subject to a public hearing as required by the original Zoning Map Amendment (i.e., Master Plan) application adopting the GDD. See Section 15.10 for guidance. Once enacted, the GDD will supersede all pre-existing zoning on the specific property, and any development on the rezoned property will be subject to the specific GDD requirements set forth herein.

C. The approval of a GDD constitutes a Zoning Map Amendment. In acting upon a Zoning Map Amendment application, the Commission is required to act in its legislative capacity and to exercise legislative discretion. By filing an application for a GDD, the applicant acknowledges that the Commission has broad discretion to adopt and change zoning regulations within the parameters established by Section 8-2 of the Connecticut General Statutes. Statement of Purpose.

10.4.3 Considerations for Approval

Factors which will be considered by the Commission in approving a Zoning Map Amendment to GDD shall include:

A. That the location, uses and layout of the proposed GDD are in conformance with the intent of, and the goals and objectives contained in, the Plan of Conservation and Development

B. Harmony and compatibility with surrounding neighborhoods and land uses, including the incorporation of adequate buffers to protect abutting property values, minimization of traffic impacts on residential streets, to the extent practical, the establishment of traffic patterns which direct commercial traffic to major thoroughfares and away from residential areas and provide for adequate on-site parking, prevention of glare and noise from non-residential areas of the development negatively impacting adjoining residential properties and protection of groundwater resources where adjoining properties utilize onsite wells for potable water supplies.

C. Protection of natural and historic resources including, but not limited to, inland and tidal wetlands and watercourses, coastal resources, groundwater resources, flood plains, ledge outcroppings, steep slopes, wildlife habitats, historic sites and landscapes, archaeological and/or scenic vistas.

1. Particular care must be taken to limit the visibility of development from scenic and rural roads.
2. Efforts must be made to properly document key cultural, scenic, historical, archaeological and natural resources as part of the application process.
3. Preservation of a minimum of 50% of the site as protected open space is an outcome of this tool.

10.4.4 Establishment of District

A. The Commission shall establish the GDD by approving a Master Plan prepared in accordance with Section 15.7 of these regulations. While such a Master Plan approval is not intended to contain the degree of detail required for a Site Plan approval pursuant to these regulations, it shall provide the information required by Section 15.7 to the extent necessary to delineate the uses to be incorporated into the GDD and the location of those uses designated by the subzones delineated in Section 10.4.6 of these regulations for the Commission to determine whether the proposed uses are in conformance with Section 10.4.1 and the Plan of Conservation and Development. Such adoption shall constitute a Zoning Map Amendment in accordance with the provisions of Section 3 of these regulations.

B. Additions and Alterations. Any additions or alterations to the Master Plan must comply with the criteria established in Sections 10.4.1 and 15.7, and any such change shall be made in a manner which will accomplish the purposes stated in Section 10.4.1 hereof. See Section 15.10 for guidance.

C. District Eligibility. The following characteristics are required for a site to be eligible for the GDD designation:

1. Located in the following zoning districts: RR-80 or RA-40. Properties in other districts may be eligible only for designation as Subzone 1, Preservation Areas.
2. The parcel of land, or combination of parcels, must contain a minimum of 50 or more acres.
3. Ability to connect to a public water supply and municipal sanitary sewer.
4. The proposed GDD must have a minimum frontage of 200 feet on a Town or State road.

D. District Expiration. Approval of the Zoning Map Amendment shall become null and void unless a Site Plan application for the first phase in the GDD is submitted within 24 months of the date Zoning Map Amendment approval. The Commission may grant one or more extensions of this period upon written request of the Applicant, but in no event shall the extensions, in the aggregate, exceed 24 additional months. Site plans for all phases in the GDD must be submitted within 60 months of the date of

Zoning Map Amendment approval. The Commission may grant one or more extensions of this period upon written request of the applicant, but in no event will the extensions, in the aggregate, exceed an additional 60 months. For purposes hereof, a "Phase" in the GDD shall be a component of development within the GDD capable of existing independently of any other phase or a phase of development capable of development based upon integration with a previously approved phase(s).

E. Numbering of Greenway Development Districts. Each GDD shall be numbered and depicted sequentially on the Town's official Zoning Map in accordance with the date of adoption as GDD-1, GDD-2 and so forth.

10.4.5 Master Plan

The purpose of the Master Plan submission is to determine whether the proposed uses and layout for the GDD conform to the requirements of Section 10.4.1 of these regulations and to the POCD. The Master Plan, once adopted, shall establish the dimensional characteristics of the GDD and its uses. All graphic elements of the Master Plan, and all information submitted therewith, shall be professionally prepared and shall include, as a minimum, the information and submissions required pursuant to the provisions of Sections 15.7 and 16.3.2 of these regulations. The Master Plan may include subzones that restrict activities so described to the use and bulk requirements described herein. Subzones are seen as discrete areas within the GDD where certain uses are most appropriate. A Master Plan does not need to utilize all of the subzones, but at a minimum, Subzone 1 shall be applied to not less than 50% of the site. Uses must be listed on the Master Plan in each subzone area depicted thereon. Only the uses listed on the Master Plan are approved uses within the GDD; uses not enumerated on the Master Plan are not permitted without a Master Plan Amendment. See Section 15.10 regarding the process for changes of use once a Master Plan is approved.

10.4.6 Permitted Uses

Uses allowed in the GDD subzones shall be as follows:

A. Subzone 1 – Preservation. This Subzone is intended to permanently preserve a large portion of the site as either undeveloped land or very low-intensity land uses, such as agriculture. Permitted uses include:
   1. Cultivation of land.
   2. Grazing.
   3. Off-street parking, accessory to a principal use permitted in Subzone 1.
   4. Passive and active recreation and walking and/or bicycle trails.
   5. Roadside stands for agricultural products grown on premises.
   6. Site access and circulation drives to the minimum extent necessary to access the site.
   7. Public utilities installations to provide utility service to other subzones within the GDD. Underground utilities are strongly encouraged.
   8. Small accessory structures, not to exceed 500 square feet.
   9. Small-scale educational activities (e.g., outdoor classroom).
   10. Stormwater management. The use of soft engineering solutions and vegetative management methods is strongly encouraged. Other methods may be allowed provided the applicant can document that no other option is available.

B. Subzone 2 – Neighborhood housing. This Subzone is intended for the development of moderate density housing, at a neighborhood-scale (e.g., 2-3 story buildings). Permitted uses include:
   1. Activities in Subzone 1.

2. Home occupation, accessory to a residence.
3. Residential uses as a principal use, not to exceed the density allowed in Section 10.4.9.B and specifically including the uses enumerated in Note 2 thereof.

C. Subzone 3 – Village housing. This Subzone is intended for the development of higher density housing, at a village scale (e.g., 3+ story buildings, internal hallways, elevators). Permitted uses include:

1. Activities in Subzone 1.
2. Home Occupation, accessory to a residence.
3. Residential uses, as a principal use, not to exceed the density allowed in Section 10.4.9.B and specifically including the uses enumerated in Note 2 thereof.

D. Subzone 4 – Professional development. This Subzone is intended to provide for the development of technological, medical and eldercare economic clusters. Permitted uses include:

1. Activities in Subzone 1.
2. Research and Development.
3. Medical Office.
4. Museums.
5. Professional Office
6. Wellness Center.
7. Academic facilities.
8. Outpatient and urgent care facilities.
9. Technology and light industrial facilities that do not result in:
   a. the emission of air pollutants
   b. discharges to the groundwater or
   c. noise emissions which exceed 50 decibels at any residential receptor.
10. Commercial uses accessory to the primary permitted uses of the Subzone to include retail, retail-restaurant and personal services. Such accessory uses are intended to primarily serve the employees and patrons of the primary uses. The GDD shall be limited to a total maximum of 5,000 square feet of such accessory uses which shall not occupy over 25% of any building.

10.4.7 Prohibited Uses

In addition to the prohibited uses listed in Section 4.3 and all uses not listed in this Section, the Commission has specifically determined that the following uses are prohibited in the GDD.

A. Gasoline filling stations.

B. Motor vehicle, trailer coach and boat sales, leasing and renting.

C. Auto repair maintenance and paint shops.

D. Car washes.

E. Water parks, theme parks and amusement parks.

F. Retail sales are prohibited in Subzones 2 and 3. Retail sales are limited in Subzone 1 to farm stands and in Subzone 4 only as accessory uses per Section 10.4.6.D..10.

10.4.8 Site Plan and Subdivision Requirement

After Master Plan approval and establishment of the GDD by the Commission, a Site Plan Application for the development of each phase of the GDD Master Plan must be submitted for approval, following the provisions of Section 15.3 of these regulations. The Commission shall schedule a public hearing for the Site Plan Application. It is specifically contemplated by these regulations that a GDD Master Plan may be developed in phases and that a series of Site Plans may be submitted for approval of sequential phases in the GDD. Each phase of a GDD Master Plan must be demonstrated to the satisfaction of the Commission to either function independently of any other phase or function in concert with previously approved phases of the GDD. In addition:

A. The Site Plan shall include all information required by Section 15.3.6 and 15.3.7 of these regulations. Per Section 15.3.2.D, the Commission may waive any Site Plan requirement which it finds inapplicable to the GDD by a majority vote of the full Commission.

B. The area subject to the Master Plan approval may consist of one or more individual parcels of land either submitted to or subdivided from the Master Plan parcel. The subdivision of individual parcels which constitute the property subject to the Master Plan shall be subject to Subdivision review by the Planning and Zoning Commission. However, any such Subdivision shall only be subject to the zoning bulk requirements contained in this Section 10.4, and not to the bulk requirements of the previous zoning district. Any individual lot or parcel comprising a component of the GDD which does not contain frontage on a Town or State road shall be created with an easement appurtenant for access and utilities sufficient in width to accommodate traffic generated by the uses permitted for the lot or parcel in the applicable subzone in which it is located.

10.4.9 Specific Design Standards

The following design standards shall apply to the GDD:

A. Area and bulk requirements. Any existing structure which is validly non-conforming to any setback requirement contained in these regulations, or which is validly non-conforming to any maximum height, maximum impervious coverage or maximum floor area ratio requirement shall be deemed to be conforming upon adoption of the Master Plan.

1. Minimum district size: 50 acres. Does not require consideration of wetlands proration as set forth in Section 12.9.
2. Minimum Building Setbacks: 0 feet. (See buffer requirements in Section 10.4.9.G)
3. Maximum Building Height:
   a. Subzone 1 – 20 feet
   b. Subzone 2 – 35 feet
   c. Subzone 3 – 50 feet
   d. Subzone 4 – 50 feet
4. A minimum of 50% of the entire tract shown on the Master Plan shall be a preservation area, in compliance with Section 10.4.9.F.

B. Residential Density

Subzone	Maximum Dwelling Units Per Acre[1]	
	Conventional Residential (No Age Limits)	Age Targeted Housing[2]
Subzone 2	8	10
Subzone 3	12	15

[1] Density is calculated per acre of residentially used land, including open space areas allocated to residentially used land in the subzone. The wetland proration requirements of Section 12.9 shall not apply as this district is an open space preservation district in which natural resources and overall density are protected by the requirements of Section 10.4.9.F.

[2] Age targeted residential uses for the purposes of this Section shall include, but are not limited to, independent living facilities for older persons (age 55 and above), assisted living facilities and convalescent homes.

C. Architectural design. The following elements will be required in order to encourage appropriate architectural style and prevent excessive uniformity, dissimilarity, inappropriateness or poor quality of design in the exterior appearance of buildings or structures.

1. Buildings shall have variation in roof lines to reduce the scale of proposed structures and add visual interest. Roofs must have at least two of the following features: overhanging eaves, sloped roofs, and two or more roof slope planes.
2. Large building volumes shall be architecturally designed to lessen the appearance of the total building mass and to provide continuity with nearby smaller scale buildings. Smaller forms could include projections (e.g., overhangs, awnings) or recesses (i.e., windows) or the stepping back of adjacent areas or upper levels.
3. Building faces shall present a clear, well defined and balanced facade.
4. Predominate exterior building materials must be of high quality. These include brick, wood, composites exhibiting the visual appearance of wood, sandstone, other native stone, tinted/textured concrete masonry units, textured siding (including architectural grade vinyl products on the front and gable ends providing the appearance of siding consistent with the above enumerated materials). Standard vinyl siding shall be allowed on rear elevations of each building; provided, however, that the rear elevation is not visible from a public street. Prefabricated steel panels are allowed for standing seam metal roof components, enclosure of utilities, or other incidental components of a building, provided that significant wall areas shall not consist of prefabricated steel panels and the limited use of such panels shall create an appearance consistent with traditional New England style architecture.
5. Facade color must be of "low reflectance" subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors (i.e., blue, orange, yellow) black or fluorescent colors is prohibited.
6. Signage shall be designed to be architecturally compatible with the development and surrounding neighborhood and result in minimal visual intrusion to adjacent residential areas.

D. Roadways shall be designed to intersect with existing arterial or collector roads, preferably at existing points of intersection.

E. Commercial and/or tourist related traffic shall be directed to collector and arterial highways and away from streets primarily serving residential neighborhoods.

1. Building and site designs shall be oriented to accommodate safe and efficient pedestrian and bicycle transportation utilizing, to the extent feasible, natural walkways and compacted stone dust trails compatible with the environment, particularly in Subzone 1 areas. Site and building designs utilizing low impact development parameters designed to provide energy efficiency and minimize stormwater runoff shall be encouraged where feasible.
2. On-site parking areas shall be adequate for the uses proposed based upon a study of estimated parking demand and with recommendations prepared by a professional engineer concentrating in traffic and parking design and approved by the Commission; and, otherwise, not based upon the bulk parking requirements contained in these regulations. The design of parking areas shall maximize landscaping and prevent large expanses of impervious area. Alternative parking surfaces are encouraged where beneficial. A primary design goal is to maintain all parking on-site while preventing excessive impervious coverage.
3. Stormwater management shall be designed to adequately handle run-off without creating negative impacts on natural resources or adjacent properties in accordance with the Town's Technical Standards for Land Development and Road Construction document as amended. Low impact, soft-engineering techniques are favored.
4. If applicable, the development shall be consistent with the policies enumerated in the Connecticut Coastal Management Act.

F. Preservation Areas. Any proposed open space shall:

1. Be subject to a recorded restriction enforceable by the Town, providing that such land shall be perpetually kept in an open state, that it shall be preserved exclusively for the purposes set forth herein, and that it shall be maintained in a manner which will insure its suitability for its intended purpose. Recorded restrictions enforceable by the Town are not required if the land is conveyed to either the Town or a recognized Land Trust.
2. Be contiguous. Contiguous shall be defined as being connected with a minimum width of 50 feet. Open space will still be considered contiguous if it is separated by a roadway or an accessory amenity. The Commission may waive this requirement for all or part of the required open space where it is determined that allowing non-contiguous open space will promote the goals of this regulation and/or protect identified primary and secondary conservation areas.
3. Be used for wildlife habitat and conservation and may be used for the following additional purposes: historic preservation, education, outdoor education, passive recreation, park purposes, stormwater management, agriculture, horticulture, forestry, or any combination of the enumerated uses; provided, however, that such area shall be served by suitable access for such purposes.
4. Protect and preserve aquifers, floodplains, wetlands, ledge outcroppings and steep slopes from clearing, grading, filling or construction.
5. Create sufficient buffer areas to minimize conflicts between areas proposed for development within the GDD and residential uses located in or immediately adjacent to the GDD.
6. Allow for passive and active recreation serving as an accessory use.
7. Allow for unblocked or interrupted scenic views and vistas, particularly as seen from public thoroughfares.
8. Include sites of historic or archaeological value, such as stonewalls, spring houses, existing structures of recognized historic value, barn foundations, cellar holes, earthworks, and burial grounds and their environs, insofar as needed to safeguard the characteristics of the feature.

9. Protect rural roadside character for adjacent Town of Stonington roadways and improve public safety and vehicular carrying capacity by avoiding development fronting directly onto existing public roads or established buffer zones along the scenic corridors of rural roads with historic buildings, stonewalls, hedgerows, etc. The Commission may allow development to front on a public street only in cases where there is compelling reason to spatially and functionally integrate the proposed development area with existing developed areas on adjacent or opposite properties.
10. Provide open space which abuts existing areas of protected open space on adjacent parcels or open space areas which are planned as a part of a larger contiguous and integrated greenway system.
11. Provide buffering and screening from adjacent residential uses.
12. Preservation areas shall, at the Commission's discretion be conveyed to:
    a. The Town of Stonington.
    b. A legally chartered and/or incorporated non-profit organization, the principal purpose of which is the conservation of open space and any of the purposes for such open space set forth above.
    c. A Homeowner's Association of the owners of real property interests within the GDD. If such association is utilized, ownership thereof shall pass with the conveyance of the real property interests in the GDD in perpetuity. Maintenance of such open space, stormwater management and facilities shall be permanently guaranteed by such association which shall provide for mandatory assessments for maintenance expenses to each real property unit (whether that unit be a lot or a unit in a common interest community). Each such association shall be deemed to have assented to allow the Town to perform maintenance of such open space and facilities, if the association fails to provide adequate maintenance, and shall grant the Town an easement for this purpose. In such an event, the Town shall first provide 14 days written notice to the association as to the inadequate maintenance; and, if the association fails to complete such maintenance, the Town may perform it and lien the association for the expended costs. Each individual deed, and the articles of incorporation or other organizational document of the association, as the case may be, shall include provisions designed to effect these provisions. Documents creating such association shall be submitted to the Commission for approval and shall thereafter be recorded.
    d. The Applicant shall file with the Commission and the Town Attorney a proposed contract for the transfer of the Preservation Area, that must be executed and filed with the Town Clerk before any Zoning Permits are issued for development. GDD developments subject to Subdivision approval must fulfill the Town's Subdivision Regulations which require transfer of open space at the time final Subdivision plans are recorded (see Subdivision Regulations Sections 3.9.1 and 8.3.5).

G. Performance Buffers. The purpose of buffer areas is to provide privacy from noise, headlight glare and visual intrusion to residential dwellings in all locations where uses in the GDD abut a residential district exterior to the GDD. A buffer area shall be required between all uses of any area in the GDD which is used for other than single family residential purposes which is abutting or directly across a street (other than a limited access highway) from any lot used for residential purposes in a residential district exterior to the GDD. Buffer requirements do not apply to internal property lines which are part of the GDD and do not border adjacent property. Buffer areas may be utilized to satisfy open space

requirements provided the buffer area complies with Section 10.4.9. Such buffer areas shall comply with at least the following minimum standards:

1. Buffers from adjacent residential uses. The minimum width of the buffer area shall be 100 feet in any front yard and 75 feet in any rear or side yard. In the event that the buffer area is not permanently vegetated, the Commission shall have the discretion to require the Applicant to install screening within the buffer area. Screening shall consist of the following minimum elements to the extent deemed necessary by the Commission to adequately buffer adjacent residential uses:
   a. Evergreen plantings not less than 6 feet in height planted at intervals of 10 feet on center.
   b. Deciduous canopy shade trees 3 inches in caliper at planting, with a mature height specification of at least 35 feet.
   c. Understory deciduous shade or fruit trees, 2 inches in caliper at planting, with a mature height specification of at least 12 feet.
   d. Shrubs which shall be either deciduous species 2.5 feet in height at planting, with a mature height specification of at least 6 feet or coniferous species 2.5 feet in spread at planting.
   e. An earthen berm may be required by the Commission in order to adequately buffer adjoining residentially used property. The location, height, design and material shall be approved by the Commission and shall be stabilized with appropriate groundcover and plantings.
   f. The following accessory uses shall be allowed within Performance Buffer areas provided that they are adequately screened from abutting residential properties: access roads to the minimum extent necessary to access the site, walking paths, utilities, mailboxes and approved signs.
2. Buffers from adjacent non-residential uses. Buffers for uses in the GDD which abut adjacent non-residential uses shall be established and maintained at a minimum of 25 feet with a minimum of 10 feet of screening from any adjoining use within the GDD.
3. The Commission may tailor buffers to include greater setbacks, landscaping, fences, walls and berms in order to adequately buffer commercial elements within a GDD from adjoining residential uses exterior to the GDD considering the relative height and intensity of the uses on each side of the buffer.

10.5 Agricultural Heritage District (AHD)

10.5.1 Purpose

See Section 2.4.5.

10.5.2 General

A. The Planning and Zoning Commission may establish site specific Agricultural Heritage Districts ("AHD") for those properties encompassing and abutting farms which have been used continually for agricultural purposes for at least 25 years, by approving a Master Plan in conformance with Section 10.5.5.

B. The AHD is a floating zone governed by a Master Plan, prepared in accordance with Section 15.7 of these regulations. The Master Plan will be subject to review and approval by the Commission as a Zoning Map Amendment subject to a public hearing and all other applicable terms and conditions of these regulations. It is recognized that the Master Plan may require certain fluidity in order to accommodate market changes during the complete development of any project. Notwithstanding the

foregoing, any substantial and material change will be subject to the same procedural requirements for a Zoning Map Amendment as required by the original zone change application adopting the AHD. Once enacted, the AHD will supersede all pre-existing zoning, and any development on the zoned property will be subject to the specific AHD requirements set forth herein.

C. In that the approval of an AHD constitutes a Zoning Map Amendment, it calls for the Commission to act in its legislative capacity, and to exercise legislative discretion. By filing an application for an AHD, the applicant acknowledges and accepts the nature of such application, and the level of discretion which the Commission possesses in such applications.

10.5.3 Considerations for Approval

Factors to be considered by the Commission in approving an AHD include:

A. That the location, uses and layout of the proposed AHD are in conformance with the intent of, and the goals and objectives contained in, the Plan of Conservation and Development.

B. Preservation, to the maximum feasible extent, of cultural landscapes, including buildings and building elements possessing historic or architectural significance.

C. Integration of existing, enhanced and new agricultural uses with other compatible land uses designed to promote the economic viability and sustainability of the subject property. Since each farm is unique in terms of its location and characteristics, there shall be no mandatory area ratio of agricultural use versus other use; rather, the type and placement of each proposed use shall be indicated in the Master Plan.

D. Harmony between the various uses that are proposed for the property, compatibility with neighboring land uses and buffering between such uses, enhancement and protection of both agricultural lands and the built and human environment, enhancement and protection of natural resources including inland and tidal wetlands and watercourses, coastal resources, groundwater resources, floodplains, steep slopes and wildlife habitats, promotion of pedestrian safety, provision for adequate parking, and minimized impact of motor vehicles.

E. Furtherance of the policies of the Coastal Management Act, as applicable.

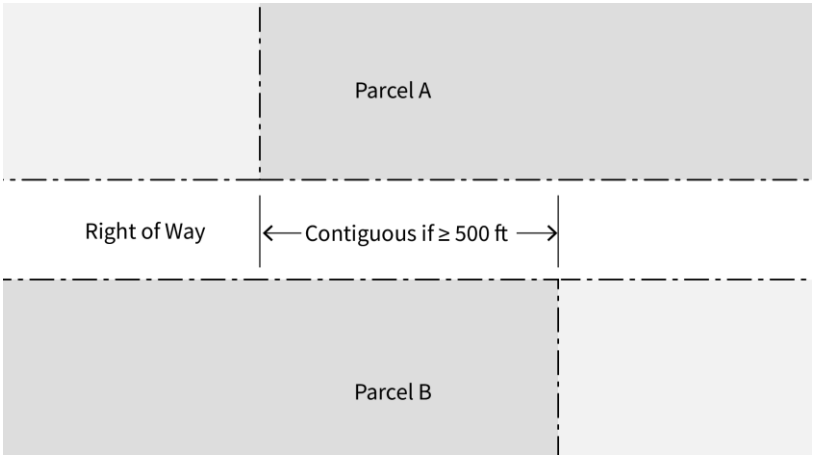
10.5.4 Establishment of District

The Commission shall establish an AHD by approving a Master Plan prepared in accordance with Sections 15.7 and 16.3.2 of these regulations which while not intended to be a substitute for detailed documentation associated with a Site Plan, does provide sufficient information to determine if the proposal is in conformance with Section 10.5.1 and the Plan of Conservation and Development. Such adoption shall constitute a Zoning Map Amendment in accordance with Section 3 of these regulations.

A. Numbering of Agricultural Heritage Districts. Each AHD shall be numbered and depicted sequentially on the official zoning map in accordance with the date of adoption as AHD-1, AHD-2 and so forth.

B. District Eligibility. The area proposed for an AHD shall be located in any existing residential zoning district and shall encompass a minimum of 35 acres of contiguous land in one or more parcels under common ownership or other arrangement satisfactory to the Commission. Included within this minimum acreage shall be a farm or a portion of a farm in continual operation for at least 25 years prior to application. Evidence of continual operation may be provided by historical documents, photographs, testimony or other means. In recognition of the historic relationship between agricultural lands and inland wetland areas, watercourses and water bodies, the proration provisions of Section 12.9 shall not apply to the calculation of the minimum acreage requirement. Parcels of land in common ownership divided by a street that is not an interstate highway and which have, in

combination or not, frontage that traverses along the same street, side-by-side, a distance of no less than 500 feet, are contiguous within the meaning of this section (see illustration below).



C. Additions and Alterations. Any additions or alterations to the Master Plan must comply with the criteria established in Sections 10.5.1 and 15.7, and any such change shall be made in a manner which will accomplish the purposes stated in Section 10.5.1.

D. District Expiration. Approval of the zone change shall become null and void unless a Site Plan for the AHD is approved within 24 months of the date of Zoning Map Amendment approval. The Commission may grant one or more extensions of this period upon written request of the applicant, but in no event will the extensions exceed 24 additional months.

10.5.5 Master Plan

The purpose of the Master Plan submission is to determine whether the proposed uses and layout conform to Section 10.5.1 and to the Plan of Conservation and Development. The Master Plan, once adopted, shall establish the bulk and dimensional characteristics of the AHD and its uses. All graphic elements of the Master Plan shall be professionally prepared in accordance with Section 15.7 and 16.3.2 of these regulations. In considering a Master Plan application, the Commission may grant a waiver for any of the specific Master Plan elements listed in Section 15.7, the Zoning Map Amendment Impact Statements listed in Section 16.3.2 and the requirement for a Class A-2 Survey listed in Section 3.4.2. Any waiver requests shall include substantiation that such requests are warranted.

10.5.6 Site Plan

After Master Plan approval and establishment of an AHD by the Commission, an application for a Site Plan must be submitted for approval, following provisions contained in Section 15.3 of these regulations. The implementation of a Master Plan approval may be phased by the filing of multiple Site Plan applications. A public hearing shall be held for any Site Plan application filed under this section.

10.5.7 Specific Design Standards

The following design standards shall apply to all AHD Districts:

A. Area and Bulk Requirements. All bulk and dimensional requirements shall be established by the Master Plan. The preservation of historic buildings and the integration of agricultural uses with other land uses requires substantial flexibility, and existing structures located within the AHD shall be deemed to be conforming in terms of any encroachments on front, side and rear yard setbacks, maximum height and floor area ratio. Existing buildings may be enlarged provided that such

expansion is consistent with the structure's exterior architecture. Any new construction shall be at a size and scale that does not detract from the agricultural heritage and scenic qualities of the site and/or neighborhood and conforms to the factors in Section 10.5.1.

B. Architectural Design. All new construction and replacement buildings, where existing buildings are deemed inappropriate for reuse, shall be architecturally compatible with any remaining historic structures located on the property and the surrounding neighborhood, when and where feasible. Nothing in this section shall be construed to prohibit the construction of functional buildings for agriculture operations, such as sheds and prefabricated structures, or the inclusion of other architectural styles for other ancillary uses, including modern designs.

C. Signage. A sign plan evidencing a unified signage program for the AHD, including the general position, size, content and appearance of signs visible from any public right of way shall be included in the Master Plan application and shall be approved by the Commission. Signage shall be designed to be architecturally compatible with the development and surrounding neighborhood and result in minimal visual intrusion to adjacent residential areas.

D. Parking. On-site parking areas shall be adequate for the uses proposed. Specific parking standards shall be established as part of the Master Plan. Parking standards shall be based on a study of estimated parking demand to be prepared by a professional engineer concentrating in traffic and parking design. Such standards will be considered by the Commission and may be utilized in place of the minimum parking standards in Section 13.3.3. Parking should be located onsite to the extent feasible, but not lead to excessive impervious coverage. Design of parking areas should maximize landscaping and prevent large expanses of impervious area and excessive lighting and accommodate safe and efficient pedestrian and/or bicycle transportation. Alternative parking surfaces are encouraged where beneficial. Applicants proposing events per Section 10.5.8.A..6 that are expected to generate significant amounts of traffic shall provide for a Parking Management Plan as part of the Master Plan submission. Such a plan shall include an overview of arrangements for overflow parking, off-site parking, and/or personnel for events. The Parking Management Plan shall be referred to the Stonington Board of Police Commissioners for comment.

E. Noise analysis. The Commission may require that applicants proposing events featuring amplified music per Section 10.5.8.A..6 submit a Noise Analysis prepared by a professional sound engineer as part of the Master Plan review. Such analysis shall specify areas affected and sound proofing or other mitigation that will be employed to eliminate excessive noise levels on adjacent properties which shall not exceed those established in Section 12.2.7.

F. Stormwater management. Stormwater management shall be designed to handle anticipated run-off without creating negative impacts on adjacent properties or natural resources. The use of low impact development stormwater management solutions is strongly encouraged. Other methods may be allowed provided the applicant can document that no other option is available.

G. Buffers. The purpose of buffer areas is to provide privacy from noise, headlight glare and visual intrusion to residential dwellings in all locations where uses in the AHD abut a residential district exterior to the AHD. A buffer area shall be required between any area in the AHD which is used for other than agricultural or single-family residential purposes which is abutting or directly across a street (other than a limited access highway) from any lot used for residential purposes in a residential district exterior to the AHD. Buffer requirements do not apply to internal property lines which are part of the AHD and do not border adjacent property. The Commission may allow the buffering to be located on adjacent property with the consent of the affected property owner; provided that the right to maintain such buffering and/or screening is memorialized by a permanent easement filed for

record in the Stonington Land Records. Such buffer areas shall comply with the following minimum standards:

1. Buffers from adjacent residential uses including those directly across a street. The minimum width of the buffer area shall be 25 feet from the property line. In the event that the buffer area is not currently vegetated or in agricultural production, the Commission shall have the discretion to require the Applicant to install screening within the buffer area.
2. Screening, if required, shall consist, at minimum, of plantings not less than 6 feet in height planted at intervals of 10 feet on center and other evergreen and deciduous shade trees and shrubs as may be appropriate. As an alternative, an earthen berm, stabilized with appropriate groundcover and plantings, may be permitted by the Commission in order to adequately buffer adjoining residentially used property. Any existing historic stone walls shall be preserved to the maximum extent possible and stone walls removed for site access shall be relocated elsewhere on the site.
3. The following accessory uses shall be allowed within buffer areas provided that they are adequately screened from abutting residential properties: access roads to the minimum extent to access the site, walking paths, utilities, mailboxes and approved signs.

10.5.8 Permitted and Prohibited Uses

A. Permitted Uses. Permitted uses shall be established by the Master Plan and implemented by Site Plan approval. The following list of uses is permitted in the AHD, but it is not exclusive. The Commission may approve other uses, provided said uses are not prohibited by Section 10.5.8.B and it is determined said uses are consistent the purposes of the AHD. In reviewing a Master Plan proposal, the Commission shall have the ability to limit the size and scope of proposed uses in accordance with the District's Statement of Purpose and Specific Design Standards.

1. Cultivation of land, greenhouses, raising of livestock, animal boarding facilities, and grazing.
2. Agricultural equipment storage, fueling, and repair facilities.
3. Boutique inns and/or bed and breakfast facilities not to exceed twelve rooms.
4. Craft and artisan manufacturing, production and processing of food products, including flour, notwithstanding the prohibition of Section 4.3.B..2.
5. Wineries, micro-breweries, and craft distillery operations.
6. Event facilities hosting weddings, farm dinners, corporate gatherings, performances and other public and/or private special events and celebrations as appropriate for the site and surrounding area. The Commission may require the submission of an Event Management Plan to review the frequency, size, nature and management of proposed events.
7. Farm markets and roadside stands involving the retail sale of agricultural products produced on or off the premises.
8. Museums, passive recreation, trails, and small-scale educational activities.
9. Residential uses, not to exceed 5 total dwelling units within any AHD.
10. Restaurants and retail-restaurants only as an accessory to a principal use.
11. Retail sales only as an accessory to a principal use.
12. Off-street parking only as accessory to a principal use.
13. Site access and circulation drives, and stormwater management structures.

B. Prohibited Uses. In addition to the prohibited uses listed in Section 4.3, the Commission has determined that the following uses are prohibited in the AHD.

1. Gasoline filling stations not associated with agricultural operations.
2. Motor vehicle, trailer coach and boat sales, leasing and renting.
3. Auto repair maintenance and paint shops.
4. Car washes.
5. Water parks, theme parks and amusement parks.
6. Retail sales not accessory to a principal use.

10.5.9 Preservation of Agricultural Lands

The Commission recognizes that ensuring the economic viability and sustainability of agricultural land requires substantial flexibility in the use and restrictions placed upon such properties. While the Commission encourages the preservation of agricultural lands in perpetuity via fee simple conveyance, deed restriction, conservation easement or other similar means, the Commission shall not require the dedication of any agricultural land as a requirement of or exaction related to any Master Plan approval.

Article V – Regulatory Standards

Section 11. Lot Standards

11.1 Lot Area Minimum

No lot area shall be so reduced or so created that the minimum area, width and other dimensions of the lot, or any of the yards or open spaces, shall be smaller than prescribed by these regulations. If a new lot is created by the division of a lot already occupied by a building, no building shall be erected upon the same lot thus created unless both comply with these regulations.

11.2 Undersized Lots

11.2.1 Adjacent Undersized Lots

Any unimproved lot with area below the area requirements for the zoning district it is in and contiguous or adjacent to a lot owned by the same individual shall be combined with the contiguous parcel.

11.2.2 Other Undersized Lots

Undersized lots are a result of property development prior to the adoption of Zoning. This section is intended to provide dimensional and bulk requirement relief from these regulations for these properties. The undersized lot provision does not apply to use or buffer requirements in the underlying zoning district. Lots owned separately from adjoining tracts and existing prior to July 19, 1960, with area or frontage less than required by these regulations may be used for a single-family residence by complying with the following:

A. For lots with less than the applicable minimum lot size zone requirement, the bulk requirements in Section 7.1 shall be for that zone which has a minimum lot size closest to the lot size of the subject lot. The bulk requirement reduction shall be applied in a manner that utilizes the largest available zone in comparison to the subject lot size. In no case shall the bulk requirement reduction be utilized for a zoning district where the lot size of the subject lot is larger than what is required in the zoning district.

B. For lots below 10,000 square feet, the bulk requirements in Section 7.1 for the RH-10 District shall apply.

11.3 Lots on Private and Paper Streets

No existing lot shall be built upon unless it has a frontage meeting applicable zoning district requirements on a street or road accepted by the Town of Stonington or on a State highway or as provided in 11.3.1 or 11.3.2 below. A current list of accepted and approved roads shall be maintained by the Commission.

11.3.1 Private Streets

Lots on private streets shall not receive a permit for site improvements unless the private street has been approved by the Commission.

11.3.2 Paper Streets

Undeveloped plotted lots on paper streets or rights-of-way with frontage on such paper streets or rights-of-way shall not receive a permit for site improvements unless such streets or rights-of-way are improved to Town Standards.

11.4 Rear Lots

The Commission may authorize the creation of rear lots for residential purposes in the GBR-130, RC-120, RR-80, RA-40, RA-20 and RM-20 zones.

11.4.1 Site Plan Application

A Site Plan shall be submitted for Commission review and approval. The plan shall comply with Type 2 standards (see Section 15.3.7) and demonstrate that the proposed lot meets the following standards:

A. Lot area of not less than 60,000 square feet or not less than two times the district requirement for lot area, whichever is greater.

B. Individual driveway strip not less than 20 feet wide, deeded as part of the parcel for an access to a single dwelling unit, with adequate provisions for drainage and maintenance.

C. Assurance by notation on the survey map and in the deed recorded in the Office of the Town Clerk that: "Each rear lot will be limited to a single-family residence only. No further subdivision of this approved rear lot may be undertaken at a future date for the erection of another residential unit, except in compliance with these regulations and all others that apply."

D. A sight line of at least 150 feet is available at the intersection of the driveway and the street line assuring adequate vision upon entering traffic.

E. Any driveway strip or access used by mutual agreement by more than two lots will be paved to a minimum 15 feet width with a 2.5-inch bituminous concrete layer over 8 inches of processed gravel, and slopes shall not be over a 12% grade at any point. Construction plans and profiles prepared by a licensed civil engineer are to be provided by the applicant.

F. No more than three driveway strips serving no more than three rear lots may be located adjacent to one another.

G. Proposals for more than two rear lot driveway strips shall include profiles and construction details of proposed driveways prepared by a licensed professional civil engineer.

11.4.2 Conditions

The Commission may impose other such conditions it finds necessary to protect the public health, safety and welfare, including but not limited to drainage, yard requirements, lot size, driveway position, and lot arrangements.

Section 12. Site and Environmental Standards

12.1 Performance Standards for Non-Residential Uses

12.1.1 Applicability

No land or buildings shall be used or occupied for non-residential use in any manner to create any dangerous, injurious, noxious or otherwise objectionable elements: fire, explosive, radioactive or other hazards; noise or vibration; smoke, dust, odor or other form of air pollution; excessive heat, movement of air, electrical or other disturbances; excessive glare; liquid or solid refuse or wastes or condition conducive to the breeding of rodents or insects; or other substance, condition, or elements (all referred to herein as "Dangerous or Objectionable Elements"), in a manner or amount so as to affect adversely the surrounding area, provided that any non-residential use, except those expressly prohibited by these regulations in Section 4.3, may be undertaken and maintained if it conforms to the district regulations and the regulations of this Section (Section 12.1) and Section 12.2 and referred to herein as "Performance Standards" limiting dangerous and objectionable elements at the point of determination of their existence as provided in this Section.

12.1.2 Continued Enforcement Provisions

Whether or not compliance with Performance Standards in obtaining a permit or certificate of occupancy is required for any particular use, initial and continued compliance with Performance Standards is required of every new non-residential use or change in such use in all districts.

12.2 Performance Standards for All Uses

12.2.1 Restrictions on Creation of Dangerous and Objectionable Elements

Every use listed in these regulations shall conform to the restrictions set forth as follows:

12.2.2 Measurement at the Point of Emission

The existence of the following Dangerous and Objectionable Elements shall be determined at the location of the use creating same or at any point beyond, and these shall be limited as follows:

A. Fire and Explosive Hazards. All activities and all storage of inflammable and explosive material at any point shall be provided with adequate safety devices against the hazard of fire and explosion by adequate firefighting and fire prevention equipment and devices.

B. Radioactivity. No activities that emit dangerous radioactivity at any point are permitted.

C. Smoke. No emission at any point from any chimney or otherwise of visible gray smoke of a shade darker than No. 1 of the Ringelman Smoke Chart as published by the U.S. Bureau of Mines is permitted.

D. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission which can cause any damage to health, animals, vegetation or other forms of property, or which can cause excessive soiling at any point is permitted.

E. Liquid or Solid Wastes. No discharge of materials, at any point into any private sewage disposal system or stream, or into the ground, in such a way or such a nature or temperature as can contaminate any water supply, or otherwise cause the emission of Dangerous and Objectionable Elements, except in accord with standards approved by the State Department of Health or State Department of Energy and Environmental Protection, or both. An accumulation of solid wastes

conducive to the breeding of rodents or insects or any unscreened accumulation of wood, metal, appliances, or other waste material viewed from or affecting residential areas shall not be permitted or allowed to continue.

12.2.3 Measurement at the Lot Line

The existence of Dangerous and Objectionable Elements shall be determined at the lot line of the use creating the same, or at any point beyond said lot line.

12.2.4 Odors

The standards established as a guide by Table III (Odor Threshold) in Chapter 5, "Air Pollution Abatement Manual," Copyright 1951 by the Manufacturing Chemists Association, Inc., Washington, D.C., or any revision thereof, shall be used.

12.2.5 Discharge

Discharge of any hazardous substances into sanitary disposal systems shall be prevented or reduced by the installation of a treatment mechanism to remove nitrates, phosphorous, sodium, any heavy metals, or other hazardous substances.

12.2.6 Adverse Impacts

No permits shall be issued when the Commission or its agent determines an adverse impact on existing residences cannot be avoided due to additional traffic, noise, congestion, access by safety equipment, or inadequate public facilities.

12.2.7 Noise and Vibration

Noise levels as measured for the following uses shall not exceed the following levels when measured at the property line on the typical A-Weighted Sound Level (using ANSI S1, 4-1981 type 2) or noise levels established by the State Noise Control Plan, including ambient noise standards, adopted pursuant to CGS Section 22a-69 or any standards or regulations adopted by the U.S. Environmental Protection Agency pursuant to the Noise Control Act of 1972 (P.L. 92-574) as amended.

A. Residential District 55 dBA
B. Business District 65 dBA
C. Manufacturing District 75 dBA
D. Noise levels in general shall not exceed a sustained level of 45 dBA in any District between 10:00 p.m. in the evening and 6:00 a.m. in the morning

Any public address system or other audio means of advertising shall not exceed the sound levels stated in these regulations, except that this provision may be waived by the Commission in the case of an annual fund-raising event of limited duration held under the auspices of a non-profit organization.

12.3 Historic and Cultural Resource Sites

No project may be approved if any residential building listed on the National Register of Historic Places or on the Town of Stonington Cultural Resource Inventory is to be or has been destroyed to clear the property for development unless the Building Official has determined the structure to be condemned and not feasible for rehabilitation. Any such structure, if razed, will not receive density considerations in Section 5.3.2 and only one unit per district area requirement is permitted on the site.

12.4 Site Design

12.4.1 Natural and Unique Features

To the extent possible, existing trees, vegetation and unique site features such as stone walls, ledge outcroppings and glacial erratics, shall be retained and protected. Existing plant materials may be used to meet all or part of the landscape regulations. Existing trees in good condition over 12 inches in caliper in landscaped or undisturbed areas shall be preserved unless approved for removal by the Department of Planning. Existing healthy, mature trees, if properly located, shall be fully credited toward the requirements of these regulations.

12.4.2 Storage Areas

There shall be no outside storage of materials that are not effectively screened by wooden fencing, stone or brick walls, evergreen trees or shrubs at least 6 feet high. Bulk storage of materials and all loading facilities shall be located at the rear or side of proposed or existing buildings.

12.4.3 Stairs

No stairs above the first floor can be added outside the exterior walls, except at the rear of buildings, and no new exterior stairs may face the street frontage.

12.4.4 Accessible Ramps

A. An accessible ramp added to an existing building to provide access as required by the American with Disabilities Act or as required to meet the needs of a mobility-impaired user shall be permitted within a required yard.

B. Accessible ramps built in association with a new construction or with an addition to an existing building shall not be located in a required yard.

12.4.5 Building Spacing

A minimum of 20 feet shall be provided between primary structures located on the same property. The space between buildings shall be adequately graded and landscaped to provide for through access by emergency vehicles.

12.4.6 Refuse Containers

The use of outdoor commercial dumpsters and compactors for refuse collection may be permitted, provided that refuse disposal facilities shall not be located within any required yard setback, buffer area, or within any required frontage strip landscape area (Section 13.8.5). The dumpster or compactor shall be covered with a lid or roof structure and shall be suitably screened from view on all sides during all seasons of the year with fencing or evergreen trees or shrubs at least 6 feet high.

12.4.7 Lighting

A. Lighting shall be required at driveway entrances and exits, at pedestrian crossings, loading areas, and at points necessary to illuminate parking lot geometry, and shall be designed and installed to be fully shielded (full cutoff), emitting no light above the horizontal plane of the luminaire.

B. In commercial developments proximal to residences, lights shall be shielded such that the lamp itself or the lamp image is not directly visible outside the property perimeter. The maximum height of the light source shall be 20 feet measured from the surface of the ground.

C. Strings of festoon lights are prohibited unless used in connection with the celebration of a public holiday.

12.4.8 Fences and Yards

A. Location and Slope. Fences, walls, hedges and trees proposed within front yards shall be located at least 0.5 feet from the approximate or surveyed property line. Retaining walls shall have slopes of not more than 1:2 grading to and from the walls.

B. Visibility. No hedge, fence (except a transparent fence in which the solid area is no more than 5% of the total area of the fence), or wall over two feet high and no accessory off-street parking space shall be located in a required front yard of a corner lot within 50 feet of the corner. In addition, all corner lots shall be graded to provide clear and unobstructed visibility within 50 feet of the corner at a height of 2 feet above the existing or proposed grade of the adjoining street levels.

C. Yards. No part of a yard or other open space provided in connection with any building for the purpose of complying with these regulations shall be included as a part of a yard or other open space required under these regulations for another building.

D. Retaining walls of 3 feet or more in height shall require submission of a Zoning Permit. Major Retaining Walls of 5 feet or more in height within building setbacks shall require submission of a Special Use Permit in accordance with Section 12.4.9 below.

12.4.9 Major Retaining Walls

A. Purpose. The Planning and Zoning Commission finds that retaining walls of significant height that are located close to property lines have the potential for negative impacts on adjacent property owners, public infrastructure and environmental resources. These potential impacts include erosion and sedimentation, stormwater and flooding issues, aesthetic concerns, and visibility concerns when located at corners or adjacent to driveways. The risks of these impacts warrant review by the Commission when such walls are adjacent to neighboring properties or the public right of way.

B. General Regulations.

1. Construction of new major retaining walls of 5 feet or more in height shall require a Special Use Permit application when the wall is located in a required yard. Wall height shall be measured at the highest point from ground level to the top of the wall along the exposed face of the wall.
2. A major retaining wall with sections that are 5 feet or more in height located outside of required yard, that includes shorter portions located within a required yard, shall not require a Special Use Permit.
3. For the purposes of this regulation, terraced retaining walls shall be considered a single combined wall where the horizontal space between them is less than the height of the highest wall at that location.
4. When located adjacent to coastal resources in the Town's Coastal Area Management Overlay District, Major Retaining Walls may also require submission of a Coastal Area Management Application as a Flood and Erosion Control Structure as per the Connecticut Coastal Management Act and Section 9.2 of these regulations.

C. Review criteria. A Special Use Permit application for a major retaining wall in a building setback shall address potential negative impacts on adjacent properties, public infrastructure, aesthetics, public safety, including motorist visibility and fall protection, and environmental considerations including erosion and sedimentation, stormwater management and flooding impacts. The Commission may require modifications of design elements to mitigate potential impacts including landscaping, safety fencing, stormwater management features, and/or modifications to site or grading plans.

12.4.10 Small Mechanical Equipment

Small mechanical equipment such as generators, air conditioner condensers, and heat pump condensers may be located within front, side, and rear yard setbacks provided those units are located at least 6 feet from any property line in accordance with the following conditions:

A. Generators shall not be located in front yards.

B. Condensers located in front yards shall be screened from public view by a wall, fence, or landscaping, or a combination thereof.

12.5 Landscape Completion and Maintenance Requirements

12.5.1 Completion of Landscaping in New Construction

As a condition of approval, applicants shall provide all labor, materials, equipment and warrantees required for all trees, shrubs, groundcover and perennials, as shown on approved plans. All landscaping shall be completed before Issuance of a Certificate of Occupancy, or a performance bond as described in Section 8.6.1.1 in an amount satisfactory to the Commission shall be posted by the applicant, assuring completion within a specific time (not to exceed one year). Such bond shall be forfeited if the work has not been completed within such time limit.

12.5.2 Landscape Maintenance

A. All landscaping, screening, fences or walls approved as part of a Site Plan or Special Use Permit shall be maintained by the property owner in good condition for the duration of the permitted use.

B. The remaining area of the lot not occupied by buildings, loading and storage areas, parking and site driveways, sidewalks, and landscape screenings shall be kept free of litter and debris.

12.6 Construction Standards

In order to ensure the proper construction of an approved project, the following procedures and specifications are hereby adopted to protect the public from undue hazard during construction and to provide for reasonable standards for materials for the installation of required improvements.

12.6.1 Maintenance and Protection of Traffic

Traffic shall be maintained in the project area to the satisfaction of local regulatory agencies. The applicant or his agent or contractor, hereinafter called the "contractor," must maintain pedestrian and vehicular traffic and permit access to businesses, factories, residences, and intersecting streets.

A. It is the responsibility of the contractor to provide, erect, and maintain suitably lighted barricades, signs, warning lights, etc., as needed, or as directed by the Town Highway Superintendent to keep people, animals, and vehicles from excavations, obstacles, etc. The contractor may also be required to employ traffic persons and take other such reasonable means or precautions as needed to prevent damage or injury to persons, vehicles, or other property, and to minimize the inconvenience and danger to the public by construction operations. The contractor shall arrange their operation to provide access to properties along the street including temporary ridges to driveways, and provide access to fire hydrants, manholes, gate boxes, or other utilities. Whenever any trench obstructs traffic in or to any public street, private driveway or property entrances, the contractor shall take such steps as required to maintain necessary traffic. The contractor shall confine his occupancy of public or traveled ways to the smallest space compatible with the efficient and safe performance of the work contemplated by the contract.

B. It is the responsibility of the contractor to contact the Superintendent of Highways, or other public utility or agency, when any work is contemplated in the public street or highway to coordinate such work.

12.6.2 Standards of Construction

All of the work shall meet with the requirements as specified by the Planning and Zoning Commission on approved plans and details or of local regulatory agencies. Should the Contractor or his employees neglect to set out and maintain barricades, signs and lights as required, the Town Highway Department immediately, and without notice, may furnish, install, and maintain barricades, signs, and lights. The cost thereof shall be borne by the Contractor and may be deducted from his performance bond.

12.6.3 Pavement Standards

Pavement Standards shall be as follows:

A. Materials: All materials for this work shall conform to the requirements of Sub Articles M 05.01-1, M 05.01-2, and M 05.01-3 of the State Department of Transportation Road Standards.

B. Construction methods: Coarse aggregate shall be either gravel or broken stone at the option of the Contractor. However, only one type of coarse aggregate shall be used on a project unless otherwise permitted by the Planner.

C. The fine aggregate shall be natural sand, stone sand, or screenings of any combination thereof. The fine aggregate shall be limited to material 95% of which passes a No. 4 sieve having square openings and not more than 8% of which passes a No. 200 sieve. The material shall be free from clay, loam, and deleterious materials.

D. Bituminous materials shall be applied in two courses:
   1. Base course of 2 inches of Coarse Aggregate mix.
   2. Wearing course of 1-inch Fine Aggregate mix.

E. Sub-base shall be constructed with 4 inches of processed gravel – rolled with a 10-ton roller.

12.6.4 Dust Control

The Contractor is responsible for performing the necessary work to keep the job site and roads dust free to minimize any possible safety hazards and inconvenience to the public. The failure to do so will result in the Town Highway Department performing the necessary work and the cost thereof shall be borne by the Contractor and may be deducted from his performance bond.

The work under this item shall consist of furnishing a pickup sweeper, accessory equipment, and calcium chloride for the removal of dust-producing materials and allaying dust conditions. Dust Control methods shall be as follows:

A. Sweeping. The Contractor shall have operable equipment capable of efficiently sweeping up dust-producing materials from paved surfaces. This equipment shall include suitable provisions for the application of water ahead of the sweeping brooms to prevent dusting for the pickup and removal of sweepings.

B. Calcium Chloride. This shall be applied only at the locations, at such times and in the amount as directed by the Town Highway Superintendent. It shall be spread in such a manner that a uniform distribution is attained over the entire area.

12.7 Excavation and Filling

The removal-filling of any material that would alter an existing surface drainage pattern or watercourse, or create a surface pitch in excess of 5%, or raise an existing elevation by more than 3 feet over an area of more than 5,000 square feet, as determined by the Zoning Enforcement Officer, is hereby prohibited except by a Special Use Permit of limited duration as approved by and with such conditions as might be imposed by the Planning and Zoning Commission.

12.7.1 Application Requirements

Type 2 Site Plans shall be submitted as required by Section 15.3.7. Existing and proposed grades shall be shown at 2-foot intervals.

12.7.2 Standards

In order to protect adjoining properties and the natural environment, the following standards shall apply to excavation and/or filling operations as permitted herein:

A. Limitations of excavation to vertical cuts which are not to exceed 10 feet at any time. No excavation shall be permitted within 30 feet of any existing or approved street except to conform to the approximate street grade. No excavation shall be permitted within 30 feet of any interior property line.

B. If the proposed method of soil erosion control is by re-vegetation, the specifications for work shall provide that any layer over the area to be excavated shall be set aside and retained on the premises in sufficient quantity to be spread again over all surfaces which will remain exposed, except rock, to a depth of at least 4 inches, with topsoil added if necessary to make up the deficiency. The specifications shall also provide that at the completion of spreading again, the topsoil shall be immediately harrowed or raked to establish a seed bed and shall be seeded and reseeded as necessary with grass, growing vegetation, repeated, if necessary, until the area is stabilized.

C. Finished slopes shall not exceed 1:2 (vertical to horizontal) in undisturbed earth and in earth fill; 4:1 in rock.

D. The proposed excavation, removal, or fill shall not result in the creation of any sharp pots, depressions, soil erosion, depressed land values, drainage and sewerage problems, or other conditions which would impair the use of the property in accordance with the Zoning Regulations. Further, such excavation, removal or fill will be in harmony with the general purpose and intent of the Zoning Regulations.

E. Fence Requirements. Where an excavation will have a depth of 10 feet or more or create a slope of more than 1:2, there shall be substantial fence at least six feet in height, with suitable gates, enclosing the excavation. Such a fence shall be located 50 feet or more from the edge of the excavation. All screens shall be maintained in good condition at all times and may have normal entrances and exits. All operations shall be screened if located near residential areas or highways.

12.7.3 Processing of Excavated Material

The sifting, washing, crushing or other forms of processing and treatment of earth products shall be permitted in a Manufacturing District only.

12.7.4 Hours of Operation

There shall be no operation between 7:00 p.m. and 7:00 a.m., nor on Sundays or legal holidays, except in an emergency that involves the public welfare.

12.7.5 Access Roads

The portion of access road(s) within areas of operation shall be provided with a dustless surface which shall be maintained in good condition at all times.

12.7.6 Foundations and Approved Subdivision Roads

These regulations shall be deemed not to prohibit the removal of sod, loam, soil, clay, sand, gravel, or stone necessary to be excavated from the foundation locations of buildings or other allowable structures for which construction is to be undertaken in compliance with the Certificate of Use and Occupancy, nor to be excavated from the locations of streets in accordance with the lines, grades and profiles on plans approved by the Commission. Nor shall these regulations prohibit the transportation of said material to a separate site, if such transportation is completed within 6 months from the date of the permit in question, and where the site of deposition of the excavated material is an allowed or permitted one.

12.7.7 Other Exempt Activities

The following activities are exempted from the Special Use Permit process and may be undertaken as of right:

A. Those previously approved by a State, Federal, or locally authorized agency or commission, except areas in CAMOD boundary.

B. Filling related to the construction of a single or two-family dwelling or previously approved subdivision where no more than 50% of the applicable Zoning District area requirement is to be filled.

12.7.8 Compliance of Existing Excavation with Regulations

Effective November 21, 1976, no person, firm, or corporation shall establish, maintain, conduct or operate any excavation in the Town without having first obtained a Permit.

12.7.9 Performance Bond

Before the issuance of any Special Use Permit, the owner and the operator, if any, as principals of the land on which such excavation is to be conducted, shall execute a performance bond as stipulated by Section 15.4.1 to secure the rehabilitation of the site in accordance with the Site Plan.

12.7.10 Filling of Land

A fill operation shall comply with all the pertinent provisions as specified for an excavation operation.

12.8 Soil Erosion and Sedimentation Control Requirements

A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than 0.5 acres. Single-family dwellings that are not part of the subdivision of land shall be exempt from this requirement. See Section 15.5 for plan requirements.

12.9 Wetlands Proration

Regulated wetlands and low-lying areas shall be utilized to meet the requirements of the Zoning Regulations only in accordance with the following:

A. Any regulated inland wetlands on the site/parcel shall be prorated for the calculation of lot area using the following formula table:

Percent of Regulated Inland Wetland on Site (%)	Percent of Regulated Inland Wetland Area Countable Towards Lot Area Requirement (%)
10 or less	90
11-24	75
25-40	60
41-60	40
61-75	30
76-100	25

B. Land below the State of Connecticut's Coastal Jurisdiction Line of elevation 2.0 feet (NAVD 1988) shall not be counted for any density, area, setback or buffer requirement. (Also see Section 9.3.5 for Flood Hazard areas.)

C. All regulated inland wetland areas shall be mapped on the Site Plan.

12.10 Passive Solar Access

Developments shall be designed so that the maximum number of buildings shall receive sunlight sufficient for the operation of solar energy systems for space, water, or industrial process heating or cooling. The development is to include passive solar techniques into the Site Design to maximize solar heat gain, minimize heat loss, and provide for thermal storage within a building during the heating season, and provide minimal heat gain and provide for natural ventilation during the cooling season. Whenever feasible, buildings and new vegetation shall be sited with respect to each other and to the topography of the site so that unobstructed sunlight reaches the south wall/lot/rooftop for at least 90% of the buildings between the hours of 8:00 a.m. and 3:00 p.m.

12.11 Telecommunications Antennas and Towers

12.11.1 Purpose and Goals

This regulation provides guidelines for the siting and location of telecommunication facilities, including antennas and towers. Pursuant to the Federal Telecommunications Act of 1996, this regulation is intended to accommodate the needs of residents, businesses and the general public, promote the public safety and general welfare of the Town, and minimize any adverse visual or operational effects of wireless communication facilities through careful analysis, design, siting and screening. Goals of the Town of Stonington relative to the siting and location of telecommunication facilities are to:

A. Encourage the location of telecommunication facilities and towers in non-residential areas and minimize the total number of towers throughout the Town.

B. Encourage the joint use of existing telecommunication and tower sites (co-location) whenever possible.

C. Encourage placement of towers and antennas, to the extent possible, in areas where adverse impact on the community is minimized.

D. Encourage telecommunication facilities to be configured in a way that reduces adverse visual impact of towers and antennas.

E. Avoid injury and potential damage to adjacent properties from tower failure through high structural standards of engineering and careful siting of tower structures and setback requirements.

F. Enhance the ability of telecommunications providers to make available such services effectively and efficiently.

12.11.2 Applicability

A. New Towers and Facilities. Requirements set forth in this section shall govern the location of all new telecommunications facilities including towers and antennas. Height limitations applicable to buildings and structures (Sections 7.1 & 8.1) shall not apply to facilities that are regulated under this section.

B. Amateur Radio or Receive-Only Antennas. This regulation shall not govern any tower, or the installation of any antenna, that is federally licensed to an amateur radio station operator or is used exclusively for receive-only antennas.

C. Pre-Existing Towers or Antennas. Any tower or antenna for which a permit has been properly issued prior to the effective date of this regulation shall not be required to meet provisions of this section, other than the requirements of Sections 12.11.7 and 12.11.8.

12.11.3 Town's Role in Connecticut Siting Council Deliberations

A. Pursuant to CGS Section 16-50L(e), applicants seeking a Certificate of Environmental Compatibility and Public Need with the Connecticut Siting Council shall at least 60 days prior to the filing of such application, consult with the municipality and provide a full copy of materials to be submitted to the Siting Council concerning proposed and alternative sites of the facility. Municipal consultation shall include, but not be limited to good faith efforts to meet with the chief elected official and the Town's planning, zoning and inland wetlands officials. At the time of consultation, the applicant shall provide the chief elected official with any technical reports concerning the public need, site selection process and environmental effects of the proposed facility.

B. Pursuant to CGS Section 16-50x, it is recognized that the Connecticut Siting Council has exclusive jurisdiction over the location, type and modification of telecommunications facilities and towers, provided that in ruling on applications for certificates or petitions for a declaratory ruling for facilities and on requests for shared use of facilities, the Siting Council shall give such consideration to other State laws and municipal regulations as it deems appropriate. Accordingly, the Town may conduct public hearings and meetings as it deems necessary to advise the applicant of its recommendations concerning the proposed telecommunications facility.

C. Within 60 days of the initial consultation, the Town shall issue its recommendations to the applicant. No later than 15 days after submitting the application to the Siting Council, the applicant shall provide to the Council all materials provided to the municipality and a summary of the consultations with the municipality including all recommendations issued by the municipality.

12.11.4 Public Notice Requirements

Pursuant to CGS Section 16-50L(b), the applicant shall publish a notice at least twice prior to its filing of said application in newspapers having general circulation in the Town of Stonington. The notice shall state the name of the applicant, the date of filing, and a summary of the application. The notice should include a statement that the applicant will fly a balloon representative of the proposed height of each proposed tower on the day of the public hearing in the host community, including the expected hours of said flight.

12.11.5 Information to be Submitted to Chief Elected Official

Information and material to be submitted to the Chief Elected Official shall include all items required for an application to the CT Siting Council for a Certificate of Environmental Compatibility and Public Need (CGS 16-50L and Regs. Conn. State Agencies 16-50j-74).

12.11.6 Aesthetics / Landscaping / Security

A. Subject to any applicable FAA standards, towers shall be painted a neutral color so as to reduce visual obtrusiveness.

B. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities into the natural setting and built environment.

C. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as unobtrusive as possible.

D. Towers shall not be artificially lighted unless required by the FAA. If lighting is required, the Planning and Zoning Commission shall review available lighting alternatives and approve the design that would cause the least disturbance to surrounding views.

E. Landscaping.

   1. Telecommunication facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent residential property. The standard buffer shall consist of a densely landscaped strip at least 5 feet wide outside the perimeter of the compound. In locations where the visual impact of the tower will be minimal, the landscaping requirement may be reduced or waived.
   2. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer.

F. Security.

   1. Telecommunications facilities and towers shall be enclosed by security fencing with a lockable gate, not less than 6 feet in height.
   2. Towers shall be equipped with an appropriate anti-climbing device.

12.11.7 Building Codes and Safety Standards

To ensure the structural integrity of a telecommunications facility or tower, owners shall ensure continued maintenance in compliance with standards contained in applicable State building codes and applicable standards published by the Electronic Industries Association, as amended. If, upon inspection, the Town of Stonington concludes that such facility or tower fails to comply with applicable codes and standards and thus constitutes a danger to persons or property, written notice shall be provided to the owner of the facility, who shall then have 30 days to bring such facility into full compliance. If the owner fails to bring the facility into compliance within a 30-day timeframe, the Town may remove such facility or tower at the owner's expense.

12.11.8 Removal of Abandoned Antennas and Towers

Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove same within 90 days of receipt of notice from the Zoning Enforcement Officer notifying the owner of such abandonment. If such antenna or tower is not removed within said 90 days, the Town of Stonington may remove such antenna or tower at the owner's expense. If there are two or more users of a single tower, this provision shall not become effective until all parties cease using the tower.

Section 13. Off-Street Parking

Parking shall be a required accessory use for each use proposed and shall be shown on all Site Plans and evaluated in terms of need and sufficiency of design. Parking lots shall be designed to minimize impacts from stormwater, which are related to impervious surfaces.

13.1 General Requirements

Layout of on-site and off-site parking lots shall comply with the following:

A. Required Parking shall be provided at that rate required in Section 13.3.3, unless modified by the Planning and Zoning Commission in accordance with Section 13.2. Properties located within the Downtown Pawcatuck Parking Overlay District may use the parking standards in Section 7.10.8.

B. Parking areas shall be designed to preserve as much native vegetation as possible.

C. Parking areas shall include clear and visible travel ways with adequate means for turning around. Such travel ways shall be designed in accordance with Section 13.3.4.

D. Parking areas and required parking spaces shall be on the lot proposed for development and shall be under single ownership and control, except where off-site parking has been arranged in accordance with Section 13.2.

E. Parking space dimensions shall be provided in accordance with Section 13.3.4, except for required parking for the handicapped individuals in compliance with Section 13.4.
   1. Paved parking areas shall be marked using white traffic pavement marking paint to indicate individual spaces.
   2. Travel direction and entrance and exit ways shall be marked using white traffic pavement marking paint.

F. Parking spaces shall be separate from access drives. Site access drives shall be provided in accordance with Section 13.3.6.

G. The Planning and Zoning Commission may require deceleration lanes for traffic entering the site, if deemed necessary for the safety of the public.

13.2 Modifications to Parking Regulations

To improve site design and enable flexibility, the Planning and Zoning Commission may modify parking requirements by Special Use Permit in accordance with the following requirements, provided the activity is permitted in the underlying zoning district:

13.2.1 Insufficient Parking

Where the maximum number of parking spaces permitted by these regulations is demonstrated by a parking assessment (as stipulated in Section 13.2.7) to be insufficient, the Planning and Zoning Commission shall permit an increase in the number of parking spaces up to 25% above the permitted maximum.

A. The Planning and Zoning Commission may require an increase in parking spaces up to 25% of the required minimum.

B. The Planning and Zoning Commission shall be guided by the nature, intensity and mix of the proposed use and accessory uses, including projected attendance, the number of employees, visitors

or customers, the experience of similar facilities elsewhere, and the location of overflow parking available to the proposed use.

13.2.2 Excessive Parking/Phased Parking

Where the minimum number of parking spaces required by these regulations is demonstrated by a parking assessment (as stipulated in Section 13.2.7) to be excessive, the Planning and Zoning Commission shall permit a reduction in the number of parking spaces up to 25% below the required minimum., provided:

A. An area equivalent to the size of the reduction is set aside for possible future parking and is designated as such on the Site Plan. The set-aside area shall comply with all size and location requirements of a parking lot, except that it shall be landscaped instead of paved.

B. If at any time, the Planning and Zoning Commission determines that all or a portion of such "future parking" space is needed, the Planning and Zoning Commission shall notify the owner in writing and shall provide the owner a reasonable time period in which to construct a parking lot in accordance with these regulations.

C. The Planning and Zoning Commission may require bonding in accordance with Section 15.4 of these regulations to assure that the additional parking spaces could be constructed if it were determined to be necessary.

13.2.3 Parking Reductions

The Planning and Zoning Commission may reduce the on-site parking requirement through Special Use Permit for properties in the PV-5, CS-5, DB-5, LS-5 and HM districts, provided:

A. The reduction of parking shall not exceed 40% of the required parking under Section 13.3.3.

B. Reductions in parking may be granted for operations with a high turnover of parking use.

C. A reduction in parking may be applied only to customer parking. Parking for employees must be provided as required by the use and may not be reduced in favor of available on-street parking.

D. Reduction of parking shall not apply to residential uses.

E. Sufficient off-street and/or on-street parking is available within 500 feet. Sufficiency shall be determined based on a parking study in accordance with Section 13.2.7.

13.2.4 Dedicated Off-Site Parking

Required parking for nonresidential uses in the PV-5, DB-5, LS-5 and HM districts may under certain circumstances be located off-site. Use of this provision is subject to the following requirements, to include issuance of a Special Use Permit:

A. A signed agreement between the applicant and owner of the off-site parcel shall run for the duration of the Special Use Permit. Termination of this agreement by one or both of the parties or a violation of its terms shall be considered a basis for revocation of the Special Use Permit. Any change in use of the properties which substantially alters the conditions of the Special Use Permit for off-site parking shall require a modified agreement, to be approved by the Commission. The shared parking agreement shall acknowledge that continued validity of the Special Use Permit depends on the applicant's ability to continuously provide the requisite number of parking spaces for the duration of said Permit.

B. When evaluating a Special Use Permit application for off-site parking, the Commission shall consider proximity of the off-site facility to the buildings it serves, and the type of use intended to be served. Off-site parking may not be appropriate for uses with a high turnover or short duration parking.

C. All off-site parking spaces shall be located within a radius of 500 feet of the use served.

D. The Commission may require that a pedestrian walkway built in accordance with Section 13.8.3.E be provided between the parcel on which the use is located, and the parcel on which the off-site parking is located.

13.2.5 Shared On-Site Parking

In calculating required parking, the Commission may allow shared on-site parking in cases where it is demonstrated that individual uses occupying the same property will have peak parking demands at different hours of the day or are expected to share many of the same customers. A Special Use Permit application must be submitted, and shall contain the following information:

A. A description of proposed uses that are subject to the shared parking proposal, the square footage of each such use, and number of dwelling units if residential use is proposed.

B. A description of the hours of operation and estimated number of employees by shift.

C. A proposed layout of parking including the number and location of all spaces, vehicular access and internal drives. The layout shall be provided at a scale of 1 inch=40 feet.

D. Any change in use of the property which substantially alters the conditions of the Special Use Permit shall require modification of such permit, to be approved by the Commission. Continued validity of the Special Use Permit depends on the applicant's ability to continuously provide the requisite number of parking spaces for the duration of said Permit.

13.2.6 Residential Parking Agreements

When dedicated off-site parking or shared parking is proposed for residential uses, to include residential units within a mixed-use development, there shall be a legally binding agreement between each of the parties, which must be executed and filed in the Stonington Land Records before any Zoning Permits are issued. The applicant shall present a draft agreement to the Commission for review and approval, containing the following:

A. Stipulated responsibilities and costs for maintaining the shared on-site parking area and/or dedicated off-site parking area in compliance with standards set forth in these regulations.

B. A covenant assuring in perpetuity the availability of the shared on-site parking area and/or dedicated off-site parking area for each of the residential units they are intended to serve, binding on all property owners and their successors. When a corporation or trust is used, ownership shall pass with conveyances of the residential units.

13.2.7 Parking Assessment

The Planning and Zoning Commission may require a parking inventory and needs assessment prepared by a Professional Engineer, registered in the State of Connecticut, with expertise in traffic engineering, as part of the application for the modification of parking regulations. The Parking Assessment shall evaluate the parking availability and usage on the premises and adjacent properties, and shall address, at a minimum, the following issues:

A. Physical layout of the development.

B. Number of spaces for each of the individual land uses.

C. Types of parking users (e.g., employees, residents, or hotel guests who park all day or customers and visitors who park for short periods of time).

D. Hourly accumulation of parking for each land use.

13.3 Parking Space Requirements

Parking spaces shall be provided in sufficient number to accommodate the motor vehicles of all occupants, employees, customers, and any others normally visiting the premises at any one time as may be required by the Planning and Zoning Commission. Spaces shall be provided in not less than the number indicated in Section 13.3.3 unless modified by the Planning and Zoning Commission as provided in Section 13.2. Properties located within the Downtown Pawcatuck Parking Overlay District may use the parking standards in Section 9.4.

13.3.1 Determination of Required Parking

The Planning and Zoning Commission shall determine the required parking for all uses not included in Section 13.3.3. The Institute of Traffic Engineers' Parking Generation, 5th Edition (or most recent edition), shall be used as a guide in determining such required parking. The calculated number of spaces shall be rounded up to the next whole number.

13.3.2 Multiple and Accessory Uses

Buildings or projects providing multiple uses or accessory uses on a site or parcel shall provide spaces as required above for all proposed uses, except when modified by the Planning and Zoning Commission as provided under Sections 13.2.3, 13.2.4, and 13.2.5.

13.3.3 Minimum Off-Street Parking Requirements

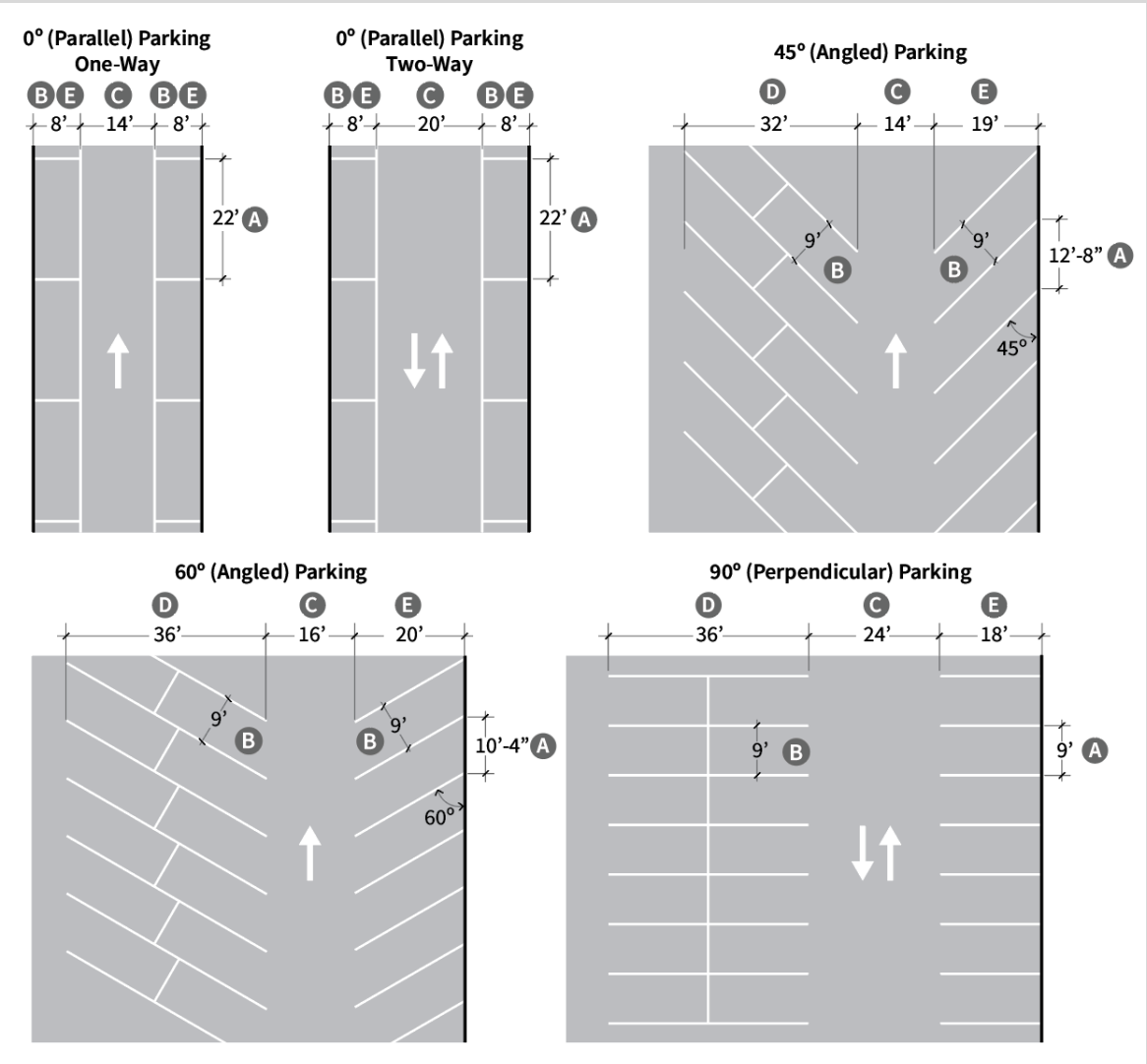
See Section 9.4 for properties in the Downtown Pawcatuck Parking Overlay District.

Use/Activity	Parking Spaces Required	
	Minimum	Maximum
Auto Service / Fire Stations	1 per bay + 1 per 200 sf of other building gross floor area	None
Churches / Places of Worship	1 per each 4 seats	None
Congregate Living Facilities	0.8 per unit + 1 per 10 units +1 per employee	None
Convalescent Homes	1 per 3 beds + 1 per employee	None
Day Care Center	1 for each 5 attendees	None
Dog Daycare and Training Center	1 per 400 sf of gross floor area	None
Home Occupations	1 per 200 sf in use	None
Hotels	1 per room + 1 per employee	None
Housing for the Elderly	1 per dwelling unit + 1 per 3 units	None
Marinas/ Yacht Clubs (Exclusive of parking for on-site uses)	1 per 2 berths or slips	1 per berth or slip

Use/Activity	Parking Spaces Required	
	Minimum	**Maximum**
Manufacturing: Assembly/Fabrication	1 per 1,000 sf gross floor area or 1 per employee (whichever is greater) +1 per 5000 sf gross floor area	None
Medical Clinics	1 per 200 sf gross floor area	1 per 175 sf gross floor area
Breweries/Micro-breweries/Brewpubs	1 per 1,000 sf gross floor area for production areas. Plus 1 per 100 sf gross floor area or 1 per 3 seats (whichever is greater) for public areas such as taprooms, tasting areas or brewpubs.	None
Offices: General - Professional	1 per 250 sf gross floor area	1 per 225 sf gross floor area
Outdoor Vendors	4 per vendor or display + 1 per each vendor vehicle	None
Residential: Studio or One-Bedroom Dwelling Units	1 per dwelling unit	None
Residential: Dwelling Units with 2 or more Bedrooms	2 per dwelling unit	None
Residential, All Types: DB-5 and PV-5 Zones	1 per dwelling unit	None
Restaurants: DB-5/LS-5/HM/PV-5 Zones and any Non-Conforming Restaurant Use	1 per 4 seats plus 1 per employee	None
Restaurants: GC-60/TC-80/MC-80	1 per 3 seats +1 per employee	None
Sales: Retail/Wholesale ≤ 10,000 Square Feet of Floor Area	1 per 200 sf gross floor area	1 per 175 sf gross floor area
Sales: Retail/Wholesale > 10,000 Square Feet of Floor Area	1 per 250 sf gross floor area	1 per 225 sf gross floor area
Schools	1 per 15 students	None
Theaters	1 per 3.5 seats	None
Funeral Home or Mortuary	1 per 5 seats	None
Warehousing – Storage	1 per 2,000 sf gross floor area or 1 per employee (whichever is greater)	None

13.3.4 Parking Lot Layout Requirements

Parking Configuration	(A) Minimum Space Length at Curb (ft)	(B) Minimum Space Width (ft)	(C) Minimum Aisle Width (ft)	Minimum Row Width (ft)	
				(D) Paired	(E) Single
0° (parallel) one-way aisle	22	8	14	—	8
0° (parallel) two-way aisle	22	8	20	—	8
45° (angled) one-way aisle	12′-8″	9	14	32	19
60° (angled) one-way aisle	10′-4″	9	16	36	20
90° (perpendicular) one- or two-way aisle	9	9	24	36	18



13.3.5 Parking Surface

The parking surface shall be treated with bituminous paving products. The Planning and Zoning Commission may allow an alternate surface if the use is a low traffic generator and the Planning and Zoning Commission is satisfied with maintenance provisions. Alternate surface means crushed stone, gravel, or pavement blocks, grass, or other materials deemed appropriate to the use.

A. Proposals for alternate parking surfaces shall be delineated on the Site Plan and shall be discussed in the impact statement associated with the application.

B. Any unpaved portions of a parking area shall be graded and infilled, and maintained to avoid dust, erosion, excessive water flow across public ways or other adjacent property.

C. Where appropriate, the use of porous pavement and/or specially designed brick or block should be considered to increase on-site water retention for plant material and groundwater recharge and to reduce problems related to stormwater runoff.

13.3.6 Driveway Throat

A. Width

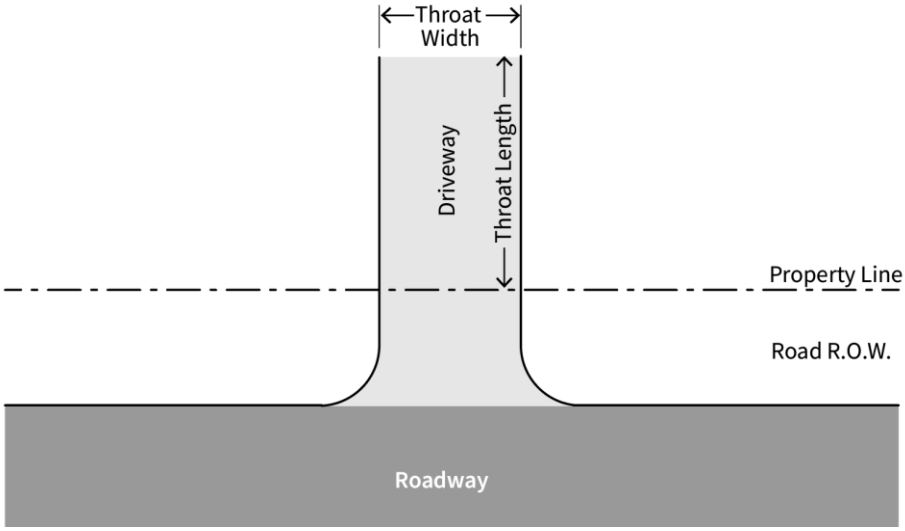
1. Residential, less than 8 parking spaces – 15 feet
2. One-way travel, non-residential and residential, greater than or equal to 8 parking spaces – 15 feet minimum.
3. Two-way travel, non-residential and residential, greater than or equal to 8 parking spaces – 24 feet minimum.

B. Length

1. Shall be provided in accordance with the following:

Development Type	Minimum Driveway Throat Length (feet)
Commercial/Industrial with greater than 200,000 gross leasable square feet	200
Commercial/Industrial with signalized access driveways	50
Commercial/Industrial with unsignalized driveways, and Attached Housing	20
The Planning and Zoning Commission may reduce these requirements in the PV-5, DB-5, LS-5 and CS-5 to a minimum of 10 feet.	

2. Measurement. Driveway throat length is measured along the centerline of the driveway from the back edge of the driveway apron and the nearest vehicle aisle or circulation road. Dimensions in Item 1 above refer to the distances from, or along, the edge of the right-of-way.



13.4 Handicapped Accessible Parking

Off-street parking requirements for the handicapped shall be provided in conformance with Section 14-253a of the Connecticut General Statutes, and the Connecticut Building Code (Sec. 29-252, as amended), with regard to location, size, marking, signage, and required number of handicapped accessible spaces based on use and size of parking lot. Parking spaces for the handicapped shall be as close as possible to a building entrance or walkway leading directly to a building entrance and shall be adjacent to curb cuts or other unobstructed methods permitting sidewalk access to a handicapped person. For all uses in commercial and industrial zones, and parking lots in excess of 8 parking spaces in residential zones, the minimum number of parking spaces for the handicapped shall be provided in accordance with the Building Code.

13.4.1 Van Parking

Where handicapped accessibility is required, a minimum of one van parking space shall be provided, and additional van spaces shall be provided at a rate of one van space for every 8 handicapped accessible parking spaces required. The van parking space shall be of such size as to accommodate a van designed for wheelchair elevation and transport.

13.4.2 Signage

Handicapped accessible spaces shall be designated by above grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking Permit Required" and "Violators will be fined". Such a sign shall also bear the international symbol of access.

13.5 Electric Vehicle Charging Infrastructure

Each new construction of a commercial building or multiunit residential building with 30 or more designated parking spaces for cars or light duty trucks shall include electric vehicle charging infrastructure that is capable of supporting level two electric vehicle charging stations or direct current fast charging stations in at least 10% of such parking spaces. Such charging equipment shall be permitted within

required yards but no advertising displays may be provided on charging equipment located within required yards.

13.6 Bicycle Parking

Bicycle parking facilities shall be provided as part of new multi-family developments of 4 units or more, new retail, office and institutional developments, and all transit transfer stations and park and ride lots.

A. Bicycle parking requirements shall apply to all new construction, changes of use, or substantial improvement.

B. Bicycle parking spaces shall:
   1. Provide a convenient place to lock a bicycle and shall be at least 6 feet long, 2 feet wide, and shall provide at least 7 feet of vertical clearance, unless a bicycle locker is provided.
   2. Be capable of locking the bicycle and supporting the bicycle in an upright position.
   3. Be securely anchored to a supporting surface.

C. Bicycle parking shall not interfere with pedestrian circulation, and shall be separated from automobile parking

D. For any use where bicycle parking is required, if the vehicular parking is covered or partly covered the bicycle parking will be covered at the same ratio.

E. Bicycle racks shall be located at each main building entrance and placed in an area that is highly visible.

13.7 Off-Street Loading Berths

Residential uses with a gross floor area of 25,001 square feet or more and any mixed-use, commercial, or industrial uses, which require deliveries or shipments must provide off-street loading facilities in accordance with the requirements specified in Item C below. Loading berths shall be provided as follows:

A. The following standards shall be utilized in designing and locating loading berths:
   1. Each berth shall have unobstructed access lanes of 12 feet in width.
   2. Each berth shall be 15 feet wide, 50 feet long, and provide 15 feet of vertical clearance.
   3. Each berth shall not include any other parking spaces.
   4. Each berth shall not be located in any required buffer or front, side, or rear yards.
   5. Each berth shall be screened from adjoining residential properties by a stockade fence and a 10-foot-wide planting strip.
   6. Off-street loading berths shall be located and designed so that the vehicles are completely contained within site boundaries while loading and unloading.
   7. Vehicle maneuvering necessary to utilize the off-street loading space shall take place within site boundaries and may not require stopping, or backing to, from, or on any public thoroughfare, whenever possible.
   8. Loading spaces are required to be paved with bituminous concrete. The Planning and Zoning Commission may allow an alternative surface, provided that the use is of a nature that the alternative surface is capable of supporting the intensity of loading operations.

B. The Commission shall waive off-street loading berth requirements for commercial uses in structures under 5,000 square feet gross floor area when it has been demonstrated by the applicant that the delivery needs of the establishment can otherwise be adequately met with no negative impact to or loss of required parking spaces.

C. Minimum Number of Loading Berths

Building Gross Floor Area (sf)	Minimum Number of Berths	
	Commercial, Industrial, Mixed-Use	Residential
0-25,000	1	0
25,001 or greater	2	1

13.8 Parking Lot Design Standards

Each parking area must be appropriately designed, suitably landscaped and presented for evaluation to the Planning and Zoning Commission as a portion of a Site Plan submission in conformance with the following minimum standards (See Sections 17.1.6D and 15.3.7.B for Type 2 Site Plan landscape plan requirements). Since design review is obligatory for all developments meeting criteria of Section 17.1.3, prospective applicants are encouraged to meet informally with the Architectural Design Review Board prior to submission of an application to the Planning and Zoning Commission:

13.8.1 Location of Parking Lot

The location of parking along the side or at the rear of a building is encouraged.

13.8.2 Preservation of Vegetation

Site design shall make every effort to preserve as much of the native vegetation as possible. All proposed landscaping shall be clarified on the plan as to location, botanical name, and size at time of planting, and expected dimensions at maturity.

13.8.3 General Design Standards

All Off-Street Parking Areas, with the exception of single-family, duplexes and triplexes, shall:

A. Provide a minimum of 20 square feet of interior landscaping for each parking space.

B. Landscaped Islands design requirements:

1. Islands shall be required to indicate and assure safety and efficient channelization of both pedestrian and vehicular traffic and to separate the major access routes through the parking area from parking aisles.
2. Each separate landscaped area shall contain a minimum of 300 square feet and shall have a minimum width of 9 feet, shall be planted with grass or small shrubs, and shall include at least one deciduous tree of not less than 2-inch caliper, at least 10 feet in overall height immediately after planting.
3. When possible, stormwater runoff shall be directed to sunken vegetated islands that are designed to filter and infiltrate stormwater. The use of rain gardens in this manner shall be incorporated into the stormwater management system. However, when curbing is used, it shall be granite.
4. The use of deciduous shade trees with ground cover or low shrubs is recommended as the primary landscape material within parking lots. The use of tall shrubs and low-branching trees that restrict visibility shall be discouraged.
5. Planting islands which are parallel to parking spaces should be designed to provide for vehicular door opening.
6. Planting islands which are perpendicular to parking spaces shall allow for overhanging of parked vehicles.

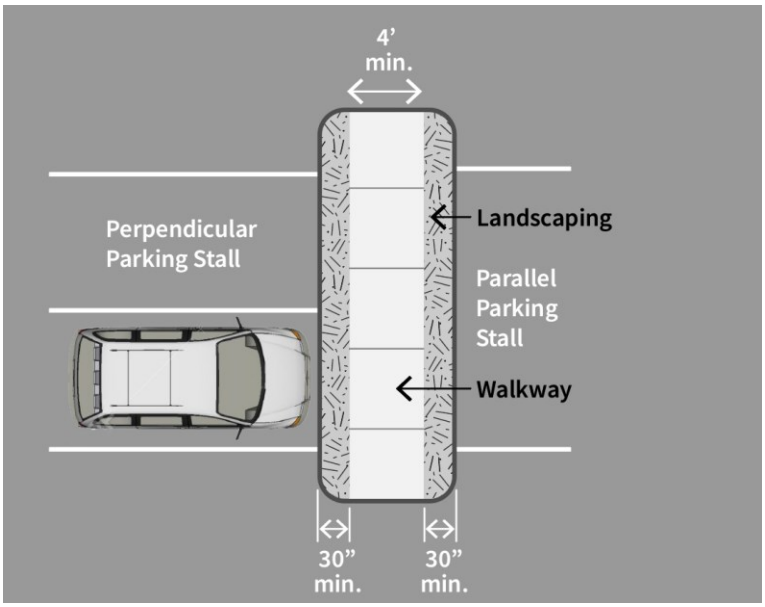
7. Island and parking areas shall be arranged in the interest of efficient snow removal to assure maximum safety for both pedestrian and vehicular traffic.

C. Trees used in parking lots shall be of fast growing, hardy variety, or existing trees where appropriately located. Their species, varieties, and sizes shall be indicated on the plan by location and schedule.

D. All trees shall be placed or protected so as to avoid damage by vehicles.

E. Pedestrian walkways shall be provided to enable safe movement within the parking lot and shall connect the parking lot to all buildings on the property, and to public sidewalks, where available or planned.

1. Walkways shall be a minimum of 4 feet wide, and there shall be a minimum of 30 inches of landscaped overhang for adjacent parking spaces, on each side of the walkway.
2. Walkways shall be handicapped accessible.
3. All walkways should be raised to a standard sidewalk height and shall be constructed of a different pavement material than the parking lot.
4. The use of bituminous concrete for pedestrian walkways may be allowed in conjunction with a multi-purpose trail connection and shall be prohibited for any other pedestrian walkway.
5. The multi-purpose trail connection shall be a minimum of 10 feet wide and built in accordance with Town standards.



13.8.4 Tree Requirements

All parking lots of 20 car spaces or more shall, in addition to the requirement of Section 13.8.3, provide the following:

A. One tree for every ten parking spaces or fraction thereof, which shall be located on landscaped islands interior to the parking area.

B. Perimeter shade trees shall be planted at the following rate:

1. One shade tree shall be planted for every 40 feet of parking lot perimeter. The shade trees may be clustered and do not have to be evenly distributed.
2. One shade tree shall be planted for every 40 feet of parking aisle. The shade trees may be clustered and do not have to be evenly distributed.

13.8.5 Frontage Strip Landscaping

All parking areas shall provide a frontage strip satisfying the following requirements:

A. Any parking located in a required side, or rear yard shall be separated from the property line by a landscaped buffer strip in accordance with Section 13.8.6.D.

B. When a parking lot abuts a street, a landscape strip shall be provided in accordance with the table below. The landscape strip is required along the entire frontage of a parking lot, measured from the inside edge of the public sidewalk. If no sidewalk exists, the strip is measured from the road right-of-way. The landscape strip may contain sidewalks and be crossed by access drives. When the area inside the walk is less than 6 feet in width, a hedge, wall, berm, or raised planter of at least 30 inches in height must be provided. Frontage strip landscaping is not required for single-family, duplex or triplex residences.

Total Number of Parking Spaces	Minimum Landscape Strip Width (ft)
0-49	10
50-100	15
101-250	20
251 or greater	25

13.8.6 Parking Lot Buffer Requirements

All parking lots shall provide a buffer for adjacent residential land uses.

A. Required buffers may be entirely landscaped, a combination of stone or wood fencing with landscaped elements or may combine a berm with landscaped elements depending upon the uniqueness of the property and the characteristics of the adjacent property.

B. An evergreen buffer with a minimum 4-foot overall height at the time of construction, shall be designed with sufficient density, height and depth to effectively screen automobile headlights.

C. Minimum berm or planted screen shall be a minimum of 10 feet wide. The Planning and Zoning Commission may deem additional area as required.

D. Buffers shall be provided in accordance with the table below unless demonstrated by the applicant that adjacent topography or other factors including road right-of-way width provide sufficient protection.

Adjacent Zone	Adjacent Land Use	Minimum Buffer Width (ft)[1]
RH-10	All Uses	10
RM-15, RM-20, RA-15, and RA-20	All Uses	15
RA-40, RR-80, RC-120 and GBR-130	All Uses	20
GC-60, MC-80, M-1, TC-80, LI-130, HI-60	Residential Uses	25
DB-5, LS-5, CS-5	Residential Uses	20[2]
DB-5, CS-5, LS-5, GC-60, MC-80, M-1, TC-80, LI-130, HI-60	Commercial and Industrial Uses	0

[1] The property use is also required to comply with the underlying zoning district buffer requirements. The more restrictive buffer shall apply.

[2] May be reduced to 0 feet by the Commission.

E. No parking space or access drive shall be located closer to an adjacent zone or land use than permitted in Item D above.

13.8.7 Parking Lot Stormwater Drainage

Drainage shall be designed by a Professional Engineer licensed in the State of Connecticut and shall meet the following standards:

A. Adequate data shall be submitted, basing calculations and capacity on a 25-year storm.

B. Runoff shall not cross sidewalks or direct lines of pedestrians.

C. Use of drywells in adequate soil types is encouraged.

D. Surface pitch shall be shown.

E. All areas shall have curbs at least 6 inches high.

Section 14. Sign Regulations

14.1 Purpose

The purpose of these regulations is to maintain and enhance the aesthetic character of the Town, while permitting adequate commercial promotion that is necessary for an attractive business climate. This policy statement recognizes the Town's need to retain the present tax base and attract future growth, while ensuring the public health, safety, property values and historic beauty of the Town of Stonington.

14.2 General

These Sign Regulations apply to all signs which may be erected, placed, displayed, established, created, used, altered, replaced, or maintained in the Town of Stonington.

14.2.1 Sign Prohibition

Signs that are not expressly permitted by these regulations are prohibited.

A. Prohibited signs include, but are not limited to billboards, signs attached to utility poles, signs directly painted on a wall, animated variable message boards or displays, posters, roof mounted signs, inflatable displays or objects, strings of suspended lights, flashing lights, search lights, and temporary portable signs with the exception of those allowed per Sections 14.5.10, 14.5.11, and 14.7.3.

B. Prohibited Vehicle Signs. No person shall park any unregistered vehicle, trailer or portable message sign on public or private property advertising the services or products at that or any other location or directing traffic to any establishment. All registered motor vehicles must be parked in areas designated for parking on an approved Site Plan.

C. The Commission or Zoning Enforcement Officer shall require the removal of unapproved signs or signs that do not conform to these regulations. Legally non-conforming pre-existing signage shall be allowed to remain, provided it is not expanded, enlarged or moved elsewhere on the premises, unless such relocation reduces the degree of non-conformity.

14.2.2 Sign Permits

A sign shall receive a Zoning Permit from the Zoning Enforcement Officer before it is constructed, enlarged, moved or structurally altered. Notwithstanding any provision herein, as-of-right signs listed in Section 14.9 shall not require a Zoning Permit.

14.2.3 Sign Type, Definition and Area

Sign type, sign definition and sign area shall be interpreted as provided herein or in Section 20 of these regulations.

14.2.4 Sign Location

Signs shall only be located on the property they are intended to identify and shall not project over any property line, except as permitted in Section 14.7.1.

14.2.5 Sign Construction

Every sign shall be constructed in a permanent manner pursuant to the appropriate building code, shall consist of long-lasting materials, and shall be assembled and permanently affixed in such a fashion that it shall not be ordinarily affected by weather. Signs shall not be painted directly on any building, or attached to any fence, utility pole, rock, tree or other similar object.

14.2.6 Sign Compatibility

Signs in all commercial districts should be compatible with the historic character of Stonington and shall not obscure or disrupt design elements of the proposed development.

14.3 Illumination and Motion

14.3.1 Internal Illumination

Internally lighted signs with non-illuminated opaque background fields may be permitted by the Commission in all commercial and industrial zoning districts. Visible interior illumination shall be confined solely to letters, words, numerals, figures, logos, trademarks, emblems or any combination thereof, provided such interior illumination is limited to 15% of the total sign area. Full internal illumination of the sign area is prohibited. Peripheral halo lighting of the opaque background field may be allowed provided that the light source for such effect is not visible.

14.3.2 External Illumination

Externally illuminated signs may be permitted only if illumination is down-lighted and confined to the surface of the sign, such that it does not glare off-premises onto the public right of way or any adjoining property.

14.3.3 Light Variations

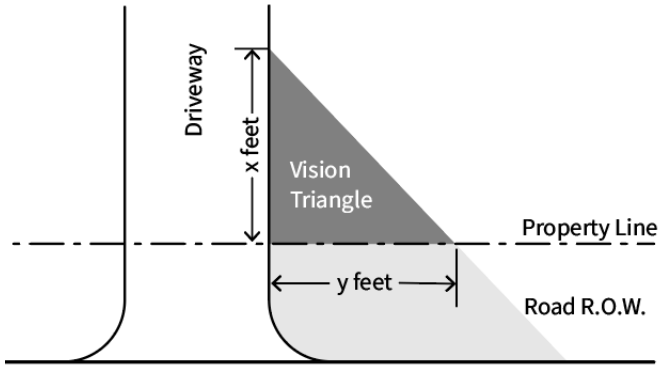
No flashing, intermittent, or intensity variation of illumination shall be allowed, except for time and temperature signs which may be expressly permitted by the Commission as a public service provided that the total area of such display does not exceed 4 square feet.

14.3.4 Sign Motion

No outdoor sign, or any portion thereof, shall be animated or use a technology capable of displaying digital, variable or alternating messages and copy generated by any electronic, mechanical or illuminated means.

14.4 Vision Triangle

No sign shall be located such that it impedes motor vehicle or pedestrian sight line vision. The Zoning Enforcement Officer or Commission may require submission of a graphic sight-line demonstration showing that the proposed sign will not impair motorist visibility. A vision triangle is established by undertaking an intersection stopping sight distance analysis based on American Association of State Highway Transportation Officials (AASHTO) recommended minimum stopping sight distance for a driver's 85th percentile perception-reaction time.



14.5 Signs Allowed in All Districts

The following signs shall be permitted in all districts, as of right without need for issuance of a Zoning Permit.

14.5.1 Real Estate Sign

One temporary real estate sign per road frontage, not to exceed 6 square feet in residential zones or 12 square feet in commercial and industrial zones, limited to advertising the sale or lease of the premises on which the sign is displayed. All such signs shall be removed within 14 days of the closing.

14.5.2 Contractor Sign

One temporary contractor or renovation sign, not to exceed 6 square feet in residential zones or exceed 18 square feet in commercial or industrial zones, to be removed once the work is completed.

14.5.3 Temporary Residential Development Sign

One temporary residential development identification sign, not to exceed 18 square feet, to identify an approved development provided that such sign shall be removed after one year if an extension has not been granted by the Commission.

14.5.4 Public Purpose Sign

Governmental signs, legal notices, and other public information signs, including interpretive and wayfinding signage built to meet National Park Service standards.

14.5.5 Directional Sign

A sign that is not greater than 4 square feet in area, providing directions to specific residences, businesses or tenants located upon the same parcel. Directional signs shall not contain logos, emblems or advertisements.

14.5.6 Historical Plaque

One historical plaque not exceeding 2 square feet in area.

14.5.7 Identification Sign

A sign identifying only the occupant's name and street address, not to exceed 1.5 square feet in area.

14.5.8 Incidental Sign

Includes signs listing hours of operation, restaurant menus or other small signs typically posted at the entrance of a business. Incidental signs shall not exceed a total of 3 square feet per business. This section does not apply to home occupation signs governed by Section 14.6.3.

14.5.9 Political Campaign Sign

Political signs associated with an official election or referendum provided that such signs are removed within 7 days after the election or referendum.

14.5.10 Community Event Sign

Freestanding temporary portable signs (i.e., A-frame or sandwich board) may be used only by religious institutions, libraries, schools and non-profit organizations for promotion of special limited duration events. Such signs are not intended to be permanent; rather, they shall be limited to 10 days prior to the special event, to be removed immediately thereafter, and shall not obstruct sight-line vision of motor vehicles or constitute a hazard to pedestrians.

14.5.11 Seasonal Agricultural Sign

Freestanding, temporary, portable signs (i.e., A-frame or sandwich board) may be used by farms. See Section 20 for the definition of "farm." Such signs are not intended to be permanent and shall not obstruct sight-line vision of motor vehicles or constitute a hazard to pedestrians. Such signs shall be limited to 12 square feet in area. Each farm shall be limited to a total of three Seasonal Agricultural signs with a maximum of two of these being off-site. No seasonal agricultural sign shall be within 1,000 feet of another seasonal agricultural sign for the same farm.

14.6 Signs Allowed in Residential Districts

The following signs are allowed in all residential districts subject to the issuance of a Zoning Permit where required. No detached sign listed herein shall exceed 6 feet in height.

14.6.1 Farm Sign

A permanent sign identifying the name of a farm or agricultural activity, not to exceed 12 square feet in area.

14.6.2 Special Use Permit Signs

Signs identifying the use of the premises for an approved Special Permit Use, not to exceed 8 square feet in area.

14.6.3 Home Occupation Sign

Signs identifying a permitted home occupation not to exceed 1.5 square feet.

14.6.4 Institutional Sign

Signs on premises of churches, public facilities, and non-profit institutions not to exceed 18 square feet in area.

14.7 Signs Allowed in Commercial and Industrial Districts

The following signs are allowed in commercial and industrial districts subject to the issuance of a Zoning Permit or a Special Use Permit where required.

14.7.1 Building Mounted Signs

A. Placement. No part of a sign attached to a building shall project above the eave of a pitched roof or above a flat roof. Wall signs shall be affixed parallel to the wall to which they are attached and shall not project outward more than 12 inches.

B. Wall Sign Calculation. The total amount of a building's wall sign area shall be limited to 1.5 square foot of area per lineal foot of facade of the building, defined as that portion of a structure fronting on a public roadway (excluding Interstate 95). Buildings on corner lots, which are clearly visible from multiple streets, may utilize the façade length along each street in calculating a building's total wall sign area.

C. PV-5 Zone Alternative Wall Sign Calculation. In the PV-5 Zone, the total amount of a building's wall sign area may, as an alternative, be calculated as 1% of a building's commercially occupied gross floor area, not including any cellar space as defined in Section 21. (For example, a building with 5,000 square feet of commercially occupied gross floor area would be allowed 50 square feet of total wall sign area.)

D. Wall Sign Area. No individual wall sign may exceed 18 square feet in area. Larger special wall signs are governed by Item E below.

E. Special Wall Sign. The Commission, by Special Use Permit, may allow wall signs that exceed 18 square feet in area in the CS-5, LS-5, GC-60, TC-80, MC-80, M-1, HI-60, HM, and PV-5 zones (in those zoning districts which are governed by Master Plans, Special Wall Signs may be reviewed and authorized by the Commission as part of a Master Plan approval) provided that the following conditions are met:
   1. In no case shall total special wall sign area exceed the maximum area allowed in Item B above.
   2. Internal and external illumination and motion shall be governed by Section 14.3.
   3. In considering applications for special wall signs, the Commission shall have discretion to consider traffic and public safety concerns and minimization of negative impacts including, but not limited to, aesthetics and excessive lighting. The Commission has discretion to modify applications to address these issues.

F. Awning Sign. Signs on awnings shall be considered wall signs, with maximum area calculation as defined in Item B above. Area does not include the entire awning or its structural elements not forming a part of the signage rectangle.

G. Projecting Sign. Projecting signs may be hung perpendicular to the façade of a building in lieu of parallel-mounted wall signs.
   1. Signs shall not extend more than 4 feet outward from a building's façade and shall not be internally illuminated.
   2. No individual projecting sign shall exceed 0.5 square foot of area per lineal foot of façade of the building, nor exceed a maximum of 10 square feet in area.
   3. Projecting signs shall maintain a minimum clearance of 8 feet above the ground.
   4. The CT Department of Transportation may require an Encroachment Permit for signs that project into the State right-of-way.

H. Window Sign. Window signs shall not be considered "wall signs" for purposes of calculating maximum wall sign area.
   1. Permanent signs that are painted, stenciled or etched to a glass window are allowed as of right, provided they do not exceed 20% of the window area.
   2. Temporary signs displayed on the inside of a window are allowed as of right provided they do not exceed 20% of the window area and are removed upon completion of the advertised event.
   3. Exposed neon tube signs or their equivalent may be displayed in windows provided the neon tube shall not exceed 0.5 inch in diameter. Illumination shall be non-flashing and conform to requirements of Section 14.3.

I. Open Flag. Pole-mounted flags indicating only that a commercial establishment is open for business are allowed as-of-right, provided the flag complies with the following guidelines:
   1. The maximum flag area shall be 15 square feet.
   2. No more than one flag per business shall be displayed and the flag shall be displayed only when the business is open.
   3. The flag shall not be illuminated.
   4. The flag shall not obstruct sight-line vision of motor vehicles or constitute a hazard or impediment to pedestrians or encroach on a public right-of-way.

14.7.2 Detached Signs

A. One detached sign shall be permitted per lot provided that such sign shall not exceed 18 square feet in area. Should two or more businesses occupy the same parcel, maximum size of this detached sign may be increased to 24 square feet in area as long as each tenant is identified on the sign and no individual tenant utilizes more than 18 square feet.

B. Height. No detached sign shall exceed 12 feet in height. Maximum height is determined by placement of total face of the rectangle containing letters, words, numerals, figures, logos, trademarks, emblems or any combination thereof. Height calculation shall not include structural elements of the sign not forming an integral part of the signage face.

C. Screening. The footing and related supporting structure of a detached sign including bolts, flanges, brackets, etc., shall be concealed by either the sign exterior, masonry, earth and permanent groundcover, or evergreen shrubs.

1. Special Detached Sign. For major commercial establishments, the Commission may authorize additional signage through a Special Use Permit (in those zoning districts that are governed by Master Plans, special detached signs may be reviewed and authorized by the Commission as part of a Master Plan approval) for the following circumstances:
2. Properties in the TC-80, GC-60, and MHD districts: In lieu of the detached sign permitted in Item A above, a parcel may be allowed one detached sign, not to exceed 200 square feet in area and 30 feet in height.
3. Properties in the HI-60, NDD, and GDD districts: In lieu of the detached sign permitted in Item A above, a parcel may be allowed one detached sign not to exceed 15 feet in height in accordance with the following:

Site Conditions	Minimum Parcel Frontage (ft)	Maximum Number of Special Detached Signs	Maximum Size per Sign (sf)
Single Site Access Driveway; single tenant	N/A	1	100
Single Site Access Driveway; multiple tenants	N/A	1	150
Multiple Site Access Driveways; single tenant	1,000	2	100
Multiple Site Access Driveways; multiple tenants	1,000	2	150

4. In the case of a lot with more than 1,000 feet of frontage, the Commission shall have the discretion to allow one additional special detached sign not to exceed 100 square feet in size.
5. Properties in the GDD and properties in the HI-60 Zone utilizing the Consolidated Parcels regulation in Section 8.10.6.D will be considered one parcel under Section 14.
6. The Commission shall have the discretion to allow the following additional special detached signs for properties in the HI-60 or NDD Districts, when original underlying zoning for the latter is either M-1 or HI-60. Nothing herein shall apply to NDD districts for which underlying zoning is either DB-5 or MC-80. The Commission may consider whether such signs are warranted due to traffic and public safety concerns, and minimization of negative impacts including but not limited to aesthetics and excessive lighting.

a. An entrance sign, designating only the name of the development, the sign not exceeding 50 square feet in area and 12 feet in height. Sign areas shall be calculated as defined in Section 20 "Sign Area" definition. The sign may be illuminated with white halo lighting or external full cut-off lighting.
b. A maximum of two landscape walls with signs designating the names of tenants. The cumulative area of the individual tenant signs per wall shall not exceed 150 square feet. Individual tenant signs shall not exceed 18 square feet. Letter height shall not exceed 18 inches, and wall height shall not exceed 6 feet. When a sign consists of individual letters, symbols, or characters, its area shall be computed as the area of the smallest rectangle enclosing all of the letters, symbols or characters. The Commission shall have discretion relative to approval of colors and fonts, samples of which shall be provided to the Commission for approval. The letters of tenant signs may be illuminated with white halo lighting or external full cut-off lighting.

7. Per Section 17.1, Architectural Design Review is required for all special detached signs prior to Zoning Commission approval.

14.7.3 Special Detached Banners

The use of banners suspended from the decorative street light poles is permitted in the DB-5, PV-5, and MHD zones through a Site Plan review and in the LS-5, MC-80, M-1, and HM zones through the issuance of a Special Use Permit. The banners may be displayed to promote events held in those respective zones and may be permitted as follows:

A. Banners shall be made of a durable material such as canvas, twill, or other acceptable fabric.
B. Banners shall be used only and expressly for the purpose of promoting public events conducted by a non-profit organization, held in and for the support of the downtown district. Banners for events held outside of the downtown PV-5, DB-5 and MHD zoned areas in which they will be located, shall require approval from the Commission. A sponsorship panel may be included, not to exceed 25% of the banner size.
C. Banners promoting a specific public event shall be allowed for a maximum of 45 days. There is no restriction on the number of days a welcome banner, patriotic banner or seasonal banner can be displayed.
D. One banner per light pole may be permitted and must be hung so as to not interfere with pedestrian movements.
E. All banners shall be uniform, with the exception of the sponsorship panel, unless authorized by the Planning and Zoning Commission. Banners shall be maintained in good condition for the duration of time that they are in place.
F. A certificate of insurance shall be provided as part of the permit application, naming the Town of Stonington as an additional insured party for the time period that the banners are on display.
G. The banner program manager shall present the annual schedule of banners to the Planning and Zoning Commission, on or before March 31 of each calendar year.
H. An encroachment permit may be required by the Connecticut Department of Transportation for any banners that are suspended in the State Right-of-way. It will be the responsibility of the banner program manager to present this permit with the banner schedule for each calendar year.

I. The Commission may allow banners to be hung in commercial zoning districts outside of PV-5, DB-5 and MHD Districts through a Special Use Permit, provided the majority of the banner program is located in the PV-5, DB-5 or MHD zones.

J. Special detached banners attached to light poles or decorative poles may also be permitted on the property of organizations that are not-for-profit or non-profit with an IRS designation of Section 501 (c)(3) and meet the following additional requirements:

1. The property contains a minimum of 500 parking spaces and is located in the MHD or TC-80 zones.
2. The density of banners shall not exceed one banner per fifteen parking spaces.
3. Banners shall maintain a minimum clearance of 8 feet from ground to bottom banner rod.
4. The banner height shall not exceed 28% of the height of the attaching pole, up to a maximum banner size of 6 feet tall and 2 feet wide.
5. Up to two banners per pole are permitted within off-street parking areas, and public entrance display areas. Each of the two banners will count toward the total allowed banner density.
6. A certificate of insurance naming the Town of Stonington as an additional insured party shall not be required for banners installed on private property.

14.7.4 Internal Use Signs

Internal use signs as defined in Section 20 may be permitted provided they meet the following criteria:

A. Sign(s) shall not be visible from a public highway, public right-of-way or any residential property.

B. Sign(s) shall not be internally illuminated.

C. Under no circumstances shall an internal use sign exceed 10 square feet in total area.

D. The applicant shall provide documentation in the form of location and dimensions of all signs to ensure compliance, taking into consideration both the height of proposed landscaping immediately following completion of the phase of the Site Plan in question, and seasonality with respect to deciduous vegetation.

14.7.5 Temporary Detached Commercial Signs

Temporary detached commercial signs, such as “A-frame” signs, shall be allowed in the PV-5 Zone subject to the following conditions:

A. Signs shall be limited to no more than 6 square feet in area and 3 feet high.

B. Signs shall be limited to one at a time per business. Business with frontage on more than one street shall be allowed one such sign per frontage provided that no two signs on any property are less than 50 feet apart.

C. Signs shall be non-illuminated.

D. Signs shall not limit visibility of motorists.

E. Signs must be located on the subject property. Signs may be permitted on a public sidewalk immediately in front of a property only if the sign does not block pedestrian access on any sidewalk or walkways nor otherwise limit access per the Americans with Disabilities Act. A minimum of 5 feet of clearance for pedestrians shall be maintained on any public or privately owned sidewalk or walkway.

F. Signs shall be constructed out of durable materials and maintained in good/legible condition.

G. Signs must be moveable and shall not be permanently attached to the ground, a building, sidewalk, street furniture, other signs, landscaping, utility poles or other objects.

H. Signs must be removed between the hours of 11:00 PM and 6:00 AM.

14.8 Multi-Tenant Signage Program

Multiple tenant commercial and industrial buildings shall submit a signage program to the Planning and Zoning Commission for Site Plan approval before permits for new signs are issued.

14.8.1 Applications

Multi-tenant applications shall provide scaled graphic renderings depicting height, all dimensions, colors, materials, illumination, structural elements, applicable landscaping, and location of all proposed signs on the property. Per Section 17.1, Architectural Design Review is required for new multi-tenant signage prior to Commission approval.

14.8.2 Approved Program

Such approved signage program shall guide the owner, tenants, Commission, and Zoning Enforcement Officer in the application for and issuance of any permits required by these regulations. All multi-tenant signage programs shall demonstrate compliance with all regulations contained in this chapter governing size, height, lighting and other applicable requirements, taking into consideration any legal non-conformities.

14.8.3 Existing Buildings

Multi-tenant signage programs are not required for replacement of existing signs to accommodate new tenants when the gross floor area of an existing building is not being expanded. The Zoning Enforcement Officer may require any information necessary to determine compliance with these regulations and may require submission of a Signage Program to the Commission in cases where compliance with the regulations is unclear.

14.9 Municipal Athletic Field Sponsorship Panels

The Commission may permit municipal athletic field sponsorship panels at municipal athletic facilities in any zoning district through the Site Plan Approval process. Such panels must meet the following criteria:

A. Sponsorship panels shall be attached to a scoreboard, press box or fence. Any sponsorship panels on fences shall not face a public street.

B. Sponsorship panels shall not be located within 100 feet of any public street or visible from any residential structure.

   1. If any sponsorship panels at an individual athletic field are less than 300 feet from a public street, total square footage of panels at that field shall not exceed 100 square feet, not counting the scoreboard itself. Individual panels shall not exceed 50 square feet.
   2. If all sponsorship panels at an individual athletic field are greater than or equal to 300 feet from a public street, total square footage of panels at that field shall not exceed 400 square feet, not counting the scoreboard itself. Individual panels shall not exceed 150 square feet.

C. Sponsorship panels shall not be internally illuminated.

D. The Commission's Site Plan review process shall determine the location, size and materials of sponsorship panels. Individual panels may be replaced with other text without subsequent Commission approval so long as the parameters of the Commission's Site Plan Approval do not change.

14.10 Sign Permit Requirements

There shall be an application fee pursuant to the schedule referenced in Section 18, unless the proposed sign is allowed as of right, or is an integral element of an application for a Site Plan or Special Use Permit. Sign applications submitted independently from such Site Plan or Special Use Permit shall require payment of the full application fee.

Type of Sign	Permit/Review Required	Issuing Agency
Contractor (Temporary)	As of Right	N/A
Directional Sign	As of Right	N/A
Seasonal Agricultural Sign	As of Right	N/A
Historical Plaque	As of Right	N/A
Identification	As of Right	N/A
Open Flag	As of Right	N/A
Political Campaign	As of Right	N/A
Public Purpose	As of Right	N/A
Real Estate (Temporary)	As of Right	N/A
Residential Development (Temporary)	As of Right	N/A
Community Event Sign	As of Right	N/A
Window Sign (Permanent & Temporary)	As of Right	N/A
Awning Sign	Zoning Permit	ZEO
Bed & Breakfast Sign	Zoning Permit	ZEO
Detached Sign $\leq$ 18 sf	Zoning Permit	ZEO
Farm Sign (permanent)	Zoning Permit	ZEO
Home Occupation	Zoning Permit	ZEO
Institutional	Zoning Permit	ZEO
Internal Use Sign	Zoning Permit	ZEO
Projecting Building Mounted Sign	Zoning Permit	ZEO
Special Use Permit Sign in Residential Zone	Zoning Permit	ZEO
Wall Sign $\leq$ 18 sf	Zoning Permit	ZEO
Multi-Tenant Signage Program	Site Plan Review & Architectural Design Review	PZC
Municipal Athletic Field Sponsorship Panels	Site Plan Review	PZC
Detached Menu Board	Special Use Permit	PZC
Special Detached Banner	Site Plan Review or Special Use Permit	PZC
Special Detached Sign > 18 sf	Special Use Permit & Architectural Design Review	PZC
Special Wall Sign > 18 sf	Special Use Permit	PZC

Article VI – Procedures and Administration

Section 15. Permit, Plan, and Bond Requirements

15.1 Zoning Permits

15.1.1 Obtaining Permits

Before undertaking any site improvement work changing the use or adding to the exterior of any structure, including buildings, accessory buildings, and/or signs, or changing the use of any premises, application shall be made to the appointed agent for the Commission for a Zoning Permit. Applications shall include the following items:

A. Application form as provided by the Commission.

B. Site Plan showing the proposal in sufficient detail to allow appropriate findings of compliance with these regulations, including signs, lot dimensions and angles, size and location of buildings, and location of sanitary water supplies at least two copies of floor and construction plans of buildings, and other such information and requirements detailed under Site Plan specifications for the various types.

C. Other such documentation or information necessary, including special reports, building renderings, property owner's certification for agent, legal descriptions, and letters of clearance from reporting agencies, and an Impact Statement if required.

D. Copies of other State, local, or Federal applications required for the proposed facility, use, or building.

E. An Impact Statement meeting the standards of Section 16.3 when applying for Special Use Permit approval.

F. Data and information as required by Section 17.1.9, Architectural Design Review Requirements.

15.1.2 Staking of Improvements and Certified Site Plan

A. No Zoning Permit shall be issued for any new construction until the applicant has caused stakes or markers to be placed on the lot indicating the proposed location of footings, foundations and other construction and the location of lot lines. Such stakes or markers shall be set by a Connecticut Licensed Land Surveyor in accordance with the Site Plan and shall mark at least 4 corners of the building foundation and also the same corner stakes appropriately offset to avoid disturbance during construction. The Zoning Enforcement Officer may require additional stakes where required to determine compliance with these regulations.

B. The Zoning Enforcement Officer may require a certified copy of the Site Plan be provided for the lot showing the actual location of footings and foundations with at least two survey dimensioned tie lines from monuments, pins, lot lines, or other identified points as a condition to the issuance of a Zoning Permit authorizing buildings and structures upon footings or foundations.

15.1.3 Certificate of Zoning Compliance

A. It shall be unlawful to use any building, structure, premises or part thereof, hereafter created or erected, or change the use of a structure until a Certificate of Zoning Compliance is issued showing

that such building, structure or premises, or part thereof, and the proposed use thereof, is in conformity with the provisions of these regulations.

B. Prior to the actual issuance of such Certificate, the owner shall furnish the Zoning Enforcement Officer with two copies of an As-Built Site Plan, prepared by the appropriate licensed professional, showing the location of improvements as built. The Site Plan shall be produced in accordance with a survey of Class A-2 accuracy and drawn to the applicable requirements set forth herein and other such information or documents as the Commission or these regulations require.

C. If such As-Built Site Plan depicts substantial departures from the approved Site Plan, the Zoning Enforcement Officer may, in addition to other remedies, require that the As-Built plan be filed with the Town Clerk.

D. No Certificate of Zoning Compliance shall be issued if it is determined that a violation of these regulations, the Stonington Subdivision Regulations, or the Stonington Inland Wetlands and Watercourses Regulations, or any permit issued thereunder exists.

15.1.4 Compliance with Application and Revocation

A. All work performed pursuant to a Zoning Permit shall comply with any and all application forms, plans, or other documents submitted, or verbal representations made, in connection with the issuance of such permit.

B. In the event that the Zoning Enforcement Officer shall discover that any work is being performed in violation of such permit, or the said documents or representations provided in connection with its issuance; or in the event that the Zoning Enforcement Officer discovers that, for any reason, the Zoning Permit should not have been issued in the first instance, the Zoning Enforcement Officer may revoke any permit issued by him/her, in which event the Building Official shall likewise revoke any Building Permit or Certificate of Occupancy issued by him/her, and all work on the subject site shall immediately cease and desist. Such revocation may be appealed to the Zoning Board of Appeals in accordance with the Connecticut General Statutes.

15.1.5 Validity

A Zoning Permit rendered by the Planning and Zoning Commission shall be valid for one year and remains valid during the progression of work associated with any valid Building Permits. The one year begins on the date of the Commission approval or the date of resolution of litigation pursuant to Planning and Zoning Commission action and the application. Such a permit may be renewed for one year upon filing a written request to do so and the applicable application fee.

15.2 Special Use Permits

15.2.1 Purpose

Special Uses are a class of use requiring more intensive review in order to ensure that the purposes stated in Section 1.1 are met by larger proposals: generally, to preserve the significant features of the Town, to protect the health and welfare of the Town and to allow reasonable growth.

15.2.2 Application Requirements and Procedure

A. Completed applications shall be filed with the Planning Department.

B. The Commission, or its appointed agent, will review the application and notify the applicant of any required reports, deficiencies or missing application documents.

C. The applicant shall provide written notice of a public hearing to abutters in accordance with Section 17.2.5 of these regulations.

15.2.3 Application Documents

A completed application for a Special Use Permit shall include:

A. Impact Statement in accordance with Section 16.3.1.

B. Type 2 Site Plan in accordance with Sections 15.3.7.

C. Architectural elevation drawings and landscape plan pursuant to Section 17.1.9, accompanied by a report from the Architectural Design Review Board, in accordance with Section 17.1.

D. The applicant shall submit the following reports:
   1. Water Impact Study (Quality and Quantity).
   2. Sanitary Sewer Impact Study.
   3. Stormwater Drainage Analysis (Section 15.3.7.F).
   4. Erosion and Sedimentation Control Report (Section 15.5).
   5. Traffic Impact Study (Section 16.2).
   6. Archaeological Study (Section 16.1).
   7. Soils Report, Test Pit Data and Mapping.

E. Shadow Plan in accordance with Section 15.6.

F. Other reports, as required, such as, but not limited to:
   1. Scaled three-dimensional (3D) model or computerized graphic equivalent for commercial, industrial or housing projects which fall under the criteria of Section 15.2.5.
   2. Flood Hazard Report for properties located in the Flood Hazard Overlay District (Section 9.3.6).
   3. School Impact Evaluation Report if there are residential components.

G. Application fee per Town Ordinance payable to the Town of Stonington at the time an application is filed (Section 18).

H. Legal description of property/site.

I. Phasing requirements for projects over 24 dwelling units (Section 15.2.5).

J. The Commission may waive one or more of the above application documents by majority vote, provided that such request is made in writing at the time of application submission, describing in sufficient detail why such information is not relevant to the Special Use Permit application. This waiver shall not apply to application fees.

15.2.4 Expansions

Any expansion of a use listed in these regulations as a Special Use Permit shall require submission of a Special Use Permit application for the new portion of the development project.

15.2.5 Phasing Requirements

Projects over 24 units of all types of housing and commercial or industrial proposals which the Commission has determined may have a significant or adverse impact on the surrounding area shall be separated into areas identified as phases to be developed in yearly increments. Boundaries of such phase areas are to be shown on the Site Plan and each phase is to be identified by table on said plan and in a separate report to be submitted to the Commission stating:

A. Timing of phases.

B. Unit type and number of phases.

C. Parking and landscaping increments.

D. Other infrastructure limitations/timing. Each phase is limited to permit quota limitations and construction timing.

E. Required time period. Each phase receiving final approval shall be completed within 5 years from the date of approval.

15.2.6 Conceptual Review for Projects over 30 Units

No project over 30 units shall be approved unless:

A. The applicant shall submit to the Commission sufficient information to allow the Planning Department to prepare a "Conceptual Evaluation" of the basic feasibility of the project.

B. Determination of feasibility will be based on:

1. Compliance with performance standards.
2. The project's impact on the Town's infrastructure and public facilities' capability to serve the project. These areas for evaluation are:
    a. Public water system’s capacity: project measured as a percent of existing excess capacity.
    b. Public sanitary sewer system’s capacity: project measured as a percent of existing excess capacity.
    c. Surface drainage impact shall include evaluation of “on-site” as well as “off-site” impacts on: adjoining properties, existing drainage structures and drainage ways (streams), and any increase in flooding potential.
    d. Fire protection capability of the respective fire company as measured by existing equipment and station location.
    e. Other public facilities such as: solid waste disposal and maintenance equipment, demand expressed as a percent of existing capacity.
    f. Impact on the capacity of the Town's school system.
    g. The ability of the network of public streets (local and State) to carry adequately the expected increase in traffic.
    h. The provisions for the preservation of significant historic, cultural or environmental features are adequate to preserve them (including, but not limited to, easements, rights-of-way, reservation and use restrictions on wetlands, bedrock outcrops, other morphologic features and any archaeological or cultural remains).

i. Impacts on adjoining areas' historic features or neighborhoods that physically, visually or aesthetically reduce property values or adversely impacts a residential area through physical impacts or visual obstructions.

C. The applicant may choose to submit such information as a preliminary report prior to making a final application for the Special Use Permit, or the applicant may make the Conceptual Review part of the submission for Special Use Permit. The preliminary report option is encouraged due to the extra time that should be spent on complex projects.

D. The Planning Department will, after receiving the applicant's information, prepare a report to the Commission on each area above, including recommendations on:

1. Project feasibility.
2. Project density.
3. Site design consideration/modifications.
4. Impacts on adjoining neighborhood's historic features and the Town in general, and possible mitigating measures.
5. Architectural treatments in terms of massiveness, building bulk, form, configuration and materials.

E. When preparing the evaluation, the Planning Department will be guided by a comprehensive methodology which will give maximum consideration to the protection of the cultural and natural environment, while balancing the development potential of a site.

F. The Commission in its action shall insure:

1. The proposal maintains the historic growth rate of the Town at 1% per year.
2. The proposal offers the least possible disruptions to existing residential neighborhood areas, the environment, or historic features.
3. The proposal would not result in exceeding the capacity of existing Town facilities or infrastructure or exhaust the supply or capacity of a public resource.
4. The Town's Capital Expenditure Plan is adequate to handle future demands from the proposal.

G. Any action by the Commission under this section prior to a Special Use permit proceeding does not bind the Commission to a particular "Conceptual Review" recommendation, particularly when more detailed information is submitted as part of the formal application.

15.2.7 Standards for Granting of a Special Use Permit

After a public hearing held according to applicable Statutes, the Commission must find that the following conditions are fulfilled by the proposal:

A. That the proposal is adequately served by a sufficient water supply, and sanitary facilities will function without pollution.

B. That the public is fully protected by fire, safety, and security equipment designed to eliminate hazards.

C. That transportation services are adequate and no undue traffic generation will result that would cause a deleterious effect on the local welfare or the safety of the motoring public.

D. That it will not create, at any point of determination as set forth in these regulations, any dangerous or objectionable elements to area residents.

E. That no adverse effect will result to the other uses in the district, property values, historic features, prosperity, nor to the public health, safety and welfare of the residents of the area or the Town.

F. That no deleterious impact to irretrievable environmental resources will result.

G. All applicable regulations (State, Federal, and local) have been complied with satisfying all design, procedural, and review requirements.

H. Consistency with Stonington Plan of Development and all amendments thereto.

15.2.8 Commission Powers Relative to Action on a Special Use Permit

The Commission shall have the power to approve, deny, or modify any proposal and set forth special stipulations of approval or modification as follows:

A. Special screening or landscaping to screen adjoining properties or mask obtrusive structural features.

B. Set extra buffer requirements ranging from 25 to 100 feet for fragile environmental features or residential property.

C. Design of buildings, structures and landscaping to ensure harmony with Stonington's architectural heritage, thus preserving and improving the appearance and beauty of the community and providing a design compatible with neighborhood structures. The Commission shall consider advisory recommendations from the Architectural Design Review Board in evaluating compliance with this subsection.

D. Time of operation or intensity of use of a site.

E. Special Site Plan design features necessary to minimize adverse impacts on area, environment, or traffic.

15.3 Site Plans and Site Plan Applications

15.3.1 Pre-Application Review

A pre-application review with the Department of Planning, while not mandatory, allows an applicant to discuss pertinent regulations and procedures. The objective is to ensure that basic requirements can be met prior to incurring application, surveying, engineering and legal costs associated with preparing a detailed application, and to reduce time spent on formal plan reviews and public hearings. Pre-application meetings are intended to guide the applicant, and staff comments shall not be considered approval or denial of a project or any of its elements.

15.3.2 Site Plan Content, Review and Approval

Site Plan approval shall be granted by the Commission or the Zoning Enforcement Offer as is applicable, upon a finding of compliance with these regulations, including submission of a Type 1 or a Type 2 Site Plan as required herein, and submission of architectural renderings as described in Section 17.1.9 for all Site Plans and Special Use Permits meeting criteria of Section 17.1.3. The number of copies to be submitted with an application shall be determined by the Department of Planning.

A. The Zoning Enforcement Officer shall review Site Plans for principal and accessory uses permitted by Zoning Permit in residential zoning districts. The Zoning Enforcement Officer shall also review Site Plans for single-family dwellings and their accessory uses located in commercial and industrial zoning districts. A Site Plan shall be submitted, containing those elements that the Zoning Enforcement Officer determines are necessary to demonstrate compliance with these regulations.

B. With the exception of single-family dwellings and associated accessory uses administered under Section 15.3.2.A, the Planning and Zoning Commission shall review Site Plans for all principal and accessory uses permitted in commercial and industrial zoning districts. Activities requiring a Type 1 Site Plan are listed in 15.3.4.A, while those requiring a Type 2 Site Plan are listed in 15.3.4.B. The

Commission may by majority vote require a public hearing for permitted uses when it determines to do so will be in the interest of the public.

C. The Planning and Zoning Commission shall review all Site Plans required for a Special Use Permit. A Type 2 Site Plan shall be submitted containing all elements listed in 15.3.7. In addition, applications for Special Use Permits shall address in writing all items listed in 15.2.3 (Application Documents).

D. When reviewing Type 1 or Type 2 Site Plan applications, the Commission by majority vote may waive one or more of the listed plan elements when an application involves either minimal site alterations, or when there are sufficient plans on file with the Commission demonstrating site conditions. Waiver requests shall be made in writing by the applicant at the time of application submission, specifically describing the relief being sought.

E. Upon Commission approval of a Site Plan Application, a Zoning Permit issued by the Zoning Enforcement Officer shall be required.

15.3.3 Complete Site Plan Application

A. Type 1 or Type 2 Site Plan submissions shall be deemed complete when the Department of Planning has certified it contains all items as specified herein, including submission of architectural renderings as described in Section 17.1.9.B for all Site Plans and Special Use Permits meeting criteria of Section 17.1.3. If an application lacks information required by these regulations, including waivers that have not been requested and justified, such deficiencies shall be noted in the staff report to the Commission, a copy of which shall be provided to the applicant. Incomplete applications risk denial.

B. Notwithstanding the above requirements, the Commission may subsequently require the correction of any information found to be in error, or submission of additional information specified in these regulations but not required by the Department of Planning, as it deems necessary to make an informed decision.

15.3.4 Site Plan Type

A. Type 1 Site Plans are required for the following:
   1. Uses permitted by Zoning Permit in residential, commercial or industrial zones, to include all commercial/office buildings and use proposals up to 1,000 gross square feet.
   2. Parking areas for 9 cars or fewer.
   3. Duplex and triplex housing units.
   4. Home occupations, crafts, artisans.
   5. Accessory uses and permitted uses (except those under Item B below).
   6. Sale of agricultural produce grown on premises.

B. Type 2 Site Plans are required for the following:
   1. Parking areas for 10 or more cars.
   2. All commercial/office buildings over 1,000 gross square feet.
   3. Attached housing (Section 5.3.2).
   4. Other uses as required by majority vote of the Planning and Zoning Commission.
   5. Special Use Permits and Site Plans in conjunction with same.
   6. Certified Improvement Location Survey (as-built Site Plan).

15.3.5 General Site Plan Requirements

A sufficient number of appropriately sized sheets shall be provided to clearly show all of the information required, numbered sequentially (e.g., Sheet 1 of 3, 2 of 3, etc.). Plans shall be at an appropriate scale, with the same scale maintained throughout the plan set. Specific requirements for Type 1 Site Plans, Type 2 Site Plans, and Master Plans are noted below.

In order to promote good design of projects and to provide open spaces which are required by these regulations, all buffers, integral lot areas, designated open spaces, common recreation spaces, floor area, neighborhood area, parking requirements, and non-infringement areas shall be shown in separate identifiable locations on Site Plans and shall not be double counted to include any of the other types of areas or spaces listed herein.

15.3.6 Type 1 Site Plan Requirements

Unless a Class A-2 level of survey accuracy is required by the Planning Department or Zoning Enforcement Officer, Type 1 Site Plans may be prepared to Class D survey standards based on existing plans, surveys, tax maps, and maps. Type 1 plans shall contain the following:

A. Name of proposed development.
B. Name and address of property owner and surveyor / engineer.
C. Graphic scale, true north arrow, date of plan preparation, with revision date(s).
D. Zoning district(s). If more than one district, zoning boundary lines must be shown.
E. Assessor's Map / Lot / Block number of tracts being developed.
F. Names of abutting property owners and property owners across adjacent streets, including Assessor's Map / Lot / Block numbers.
G. Perimeter boundary lines and dimensions of the development parcel drawn so as to be distinguishable from other boundaries, and all other existing property lines within or adjacent to the parcel, including existing and proposed easements and rights-of-way.
H. Table stating minimum lot area and building setback dimensions required for the zoning district (Section 7.1 or 8.1).
I. Building envelopes for all lots, with setback lines running parallel to lot lines.
J. Existing and proposed buildings(s) with exterior dimensions, Gross Floor Area in square feet, and number of stories.
K. Distance on all sides between buildings and property lines as measured on the site.
L. FEMA Flood Insurance Rate Map reference, flood elevation boundary and base flood elevation data.
M. Location of inland wetlands, watercourses and/or designated coastal features.
N. Location, width and names of existing streets immediately adjacent to the development parcel, including placement of curblines and sidewalks.
O. Existing and proposed driveway curb cuts, to include stop signs at entrances to Town roads and State highways.
P. Off-street parking requirements, in compliance with Section 13.
Q. Stormwater drainage and site grading plan at minimum contour intervals of 2 feet, showing all proposed contours, drainage facilities, and grading if part of proposed development improvements.
R. Proposed retaining walls, to include height, construction material and color.

S. Existing and proposed utilities, including sewer, water, gas, electric, phone, cable TV, fire hydrants and fire alarm boxes.

T. Outside screened storage and refuse disposal areas.

U. Erosion and Sediment Control Plan, as required per Section 15.5.

15.3.7 Type 2 Site Plan Requirements

Type 2 Site Plans shall be prepared to Class A-2 accuracy, signed and sealed by a Connecticut licensed land surveyor, to contain the following:

A. All items listed in 15.3.6 above.

B. Landscape Plan, following guidance contained in Sections 17.1.9.C, prepared by a Connecticut registered landscape architect, to include the following items:

1. Location of all existing and proposed plant materials, lawn, sod and mulch areas.
2. Proposed landscaping specific to location, including common and botanical names, and size at planting and maturity.
3. Tree protection measures, planting, staking and guying details.
4. Areas where existing vegetation will be removed.
5. Location of proposed irrigation systems (if provided).
6. Specific landscape treatments within required buffer areas, to reflect and encourage Best Management Practices (BMPs) contained in the 2004 Connecticut Stormwater Quality Manual.
7. Details of refuse areas, screening and fencing including materials, colors and height.
8. Written installation schedule and maintenance plan, describing warrantees for all trees, shrubs, groundcovers and perennials.

C. Internal Traffic Circulation Plan and Off-Street Parking in conformance with Section 7.10, to include the following items:

1. Width of all travel lanes.
2. Appropriate traffic warning and directional signage, painted stop bars and directional arrows, and parking stall wheel stops.
3. All points of ingress and egress associated queuing areas and driveway throat design (Section 13.3.6).
4. Location and dimensions of parking spaces with total number of spaces shown (13.3 and 13.4).
5. Location of off-street loading berths (Section 13.7).
6. Parking Lot Design Requirements (Section 13.8).

D. Signage Plan in conformance with Section 14, to include the following items:

1. Scaled drawing of the parcel depicting location of all proposed signs.
2. Scaled graphic renderings depicting height, all dimensions, colors, materials, illumination, structural elements and applicable landscaping for all proposed signs.
3. Vision triangle details, as applicable per Section 14.4.
4. Multiple-Tenant Signage Program, as applicable per Section 14.8.

E. Lighting Plan to include the following items, in conformance with Section 12.4.7:

1. Location of all exterior fixtures, including free-standing and building mounted lights.
2. Chart indicating the light source type, mounting height and wattage/lumens.
3. Point by point scaled photometric plan, including cumulative light level for all fixtures.

F. Stormwater Drainage Analysis and design prepared by a Connecticut licensed professional engineer for all roof areas, parking lots, driveways, and other areas where construction and grading will alter site drainage, to reflect and encourage Best Management Practices (BMPs) contained in the 2004 Connecticut Stormwater Quality Manual. Drainage designs shall provide locations and invert details for all existing and proposed catch basins, dry wells, leak offs, culverts, swales, stormwater infiltration devices, and detention or retention basins. The following stormwater drainage design criteria shall apply:
   1. Drainage calculations will be based on a 25-year storm except in those instances where a flood hazard area is located on the property; a 100-year storm will be used.
   2. Drainage calculations will be based on the following:
      a. For watersheds less than 200 acres, the rational method shall be used.
      b. For watersheds greater than 2,000 acres, the SCS method as defined in the SCS National Engineering Handbook shall be used.
      c. For all other watersheds, the SCS Technical Release No. 55 shall be used.
   3. Unit hydrographs showing peak discharge from site both before and after development (10-year and 100-year storm frequency) shall be provided for drainage design of roof areas, parking lots, and driveways.

15.3.8 Validity

All work in connection with a Site Plan shall be completed within 5 years after the approval of the plan.

15.3.9 Bond Requirements

A. Performance Bond: The Commission may require the posting of a bond in an amount and of duration necessary to assure and guarantee completion of site improvements such as, but not limited to, site grading, stormwater drainage, lighting, screening, landscaping, and other improvements indicated on the final Site Plan. See Section 15.4.1 for requirements.

B. Maintenance Bonds: Upon completion of all required site improvements to satisfaction of the Director of Public Works, the applicant shall post a Maintenance Bond. See Section 15.4.2 for requirements.

C. Erosion and Sediment Control Bond: As a condition of final Site Plan approval, the applicant shall post an Erosion and Sediment Control Bond. See Section 15.4.3 for requirements.

15.4 Bonds

15.4.1 Performance Bond

A. Form. Performance Bonds shall be in the form of a certified check to be deposited in an account fully insured by FDIC, or an irrevocable bank letter of credit, with such account or letter of credit appearing in the names of both the applicant and the Town of Stonington. These types of bonds enable the Town to gain timely access to secured funds, for cause. In no case will an insurance company surety bond be accepted as performance security. In the event the applicant fails to install all required site improvements within the timeframe specified by the Commission, the Town is empowered to withdraw such funds as determined necessary to complete site improvements. The term of the deposit account or letter of credit shall be determined by the Commission and may be extended upon approval of a written request from the applicant. The total estimated Performance Bond shall also include a 10% addition to cover contingencies.

B. Reductions. The applicant may periodically apply to the Commission for a partial reduction in the amount of posted performance bond, reflecting the percentage and cost of completed improvements. A bond release will only be considered when a formal request has been submitted in writing. In determining the percentage of work completed, the Commission shall review cost estimates obtained from Town officials and/or consultants who are responsible for the inspection of said improvements. In no case shall portions of the bond to be retained be less than that determined necessary to complete remaining improvements.

15.4.2 Maintenance Bond

The Maintenance Bond shall be equal to 10% of the initial Performance Bond. Such bond shall be retained for a period of one year following the date of Performance Bond release, to guarantee workmanship and materials. Maintenance Bonds shall be in the form of a certified check to be deposited in an account fully insured by FDIC, or an irrevocable bank letter of credit, with such account or letter of credit appearing in the names of both the applicant and the Town of Stonington. Maintenance Bond release will only be considered when a formal request has been submitted in writing and approved by the Director of Public Works.

15.4.3 Erosion and Sediment Control Bond

The Erosion and Sediment Control Bond shall be an amount equal to costs deemed necessary by the Director of Public Works for installing and maintaining appropriate sediment and erosion control measures. If construction work ceases, this bond may be used to cover costs to the Town to restore the site as close as possible to pre-development conditions. The Erosion and Sediment Control Bond must be posted before any earth excavation or clearing work begins. This bond shall be in the form of a certified check to be deposited in an account fully insured by FDIC, or an irrevocable bank letter of credit, with such account or letter of credit appearing in the names of both the applicant and the Town of Stonington. A bond release will only be considered when a formal request has been submitted in writing and approved by the Director of Public Works. The posting of an Erosion and Sediment Control Bond does not relieve the applicant from requirements governing installation and maintenance of these items.

15.5 Soil Erosion and Sedimentation Control Plan

15.5.1 Plan and Site Design Requirements – General

A soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology.

A. Acceptable Guidelines. Such principles, methods, and practices necessary for certification are found in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985) as amended. Alternative principles, methods, and practices may be used with prior approval of the Commission.

B. Site Design Requirements. To ensure reasonable means of erosion/sedimentation control the requirements shall be as follows:

1. All development proposals shall strive for maximum retention of the natural morphological features of the site. Any outstanding physical features such as, but not limited to, the highest crest of hill, significant bedrock outcrops and significant glacial deposits shall be preserved.
2. The development shall be oriented to the site so that grading and other site preparation is kept to an absolute minimum. Roads shall follow natural topography wherever feasible to minimize cutting, filling, and grading.

3. Large tracts (10 acres or more) shall be developed in workable units on which all grading and stabilization can be completed within one construction season so that large areas are not left exposed during heavy runoff periods.
4. In those cases where the topography of the site is judged by the Commission to be extreme, the Commission may require the applicant to submit information on the average slope of the parcel or the average slope of certain sections of the parcel.

15.5.2 Plan and Site Design Requirements – Specific

A Site Plan and a narrative description of the development shall be submitted. Included in such submission shall be the following:

A. The schedule for grading and construction activities shall include:
   1. Start and completion dates.
   2. Sequence of grading and construction activities.
   3. Sequence for installation and/or application of soil erosion and sediment control measures.
   4. Sequence for final stabilization of the project site construction
B. The design criteria for proposed soil erosion and sediment control measures and storm water management facilities.
C. The construction details for proposed soil erosion and sediment control measures and storm water management facilities.
D. The installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities.
E. The operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.
F. A Site Plan meeting the standards of Section 15.3.5 shall be submitted. Such plan shall also contain the following:
   1. The sequence of grading and construction activities.
   2. The sequence for installation and/or application of soil erosion and sediment control measures.
   3. The sequence for final stabilization of the development site.
   4. Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

15.5.3 Minimum Acceptable Standards

A. Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in Chapters 3 and 4 of the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction, is stabilized and protected from erosion when completed, and does not cause off-site erosion and/or sedimentation.
B. The minimum standards for individual measures are those in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. The Commission may grant exceptions when requested by the applicant if technically sound reasons are presented.
C. The appropriate method from Chapter 9 of the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Commission.

15.5.4 Issuance or Denial of Certification

A. The Planning and Zoning Commission shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these regulations.

B. Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapters 124, 124A, or 126 of the Connecticut General Statutes.

C. Prior to certification, any plan submitted to the municipality may be reviewed by the County Soil and Water Conservation District which may make recommendations concerning such plan, provided such review shall be completed within thirty days of the receipt of such plan.

15.5.5 Conditions Relating to Soil Erosion and Sediment Control

A. The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, that are a condition of certification of any modified Site Plan may be required to be covered in a performance bond or other assurance acceptable to the Commission in accordance with the provisions specified under Section 15.4 of these regulations.

B. Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.

C. Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.

D. All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

E. Additional measures may be required by the Commission or its designated agent if proposed measures fail to control erosion and sedimentation.

15.5.6 Inspection

Inspections shall be made by the Commission or its designated agent during development to ensure compliance with the certified plan and that control measures and facilities are properly performed or installed and maintained. The Commission may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained.

15.6 Shadow Plans

15.6.1 Applicability

A "Shadow Plan" shall be submitted with each application for a Special Use Permit involving the construction of a building over 3,500 square feet or within 50 feet of a property line.

15.6.2 Plan Requirements

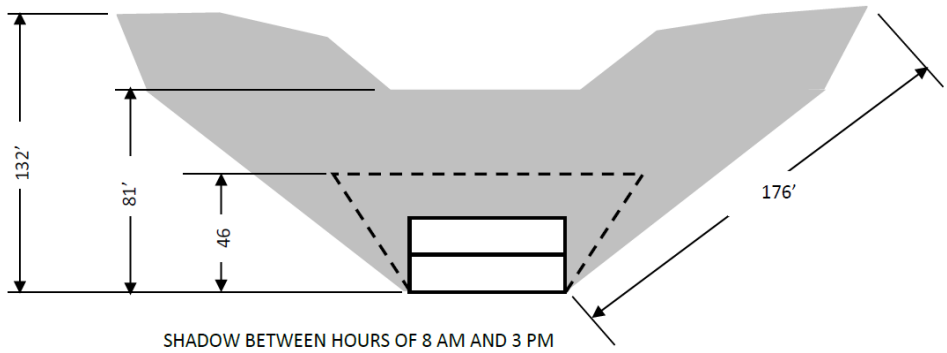
A Shadow Plan shall consist of a plan indicating building location and the patterns of shadow cast by them given the proposed building height in the zone (see illustration 7.14.7). In their consideration of a Special Use Permit or Master Plan application, the Commission may require modifications of proposed plans in order to minimize shadows cast on adjacent properties and/or maximize passive solar energy techniques on the subject property.

15.6.3 Solar Shadow Illustration Example (plan view)

30 foot x 40 foot building footprint

22 feet high at eaves / 30 feet high at ridge

Flat site: Latitude 41° 30' – Norwich, CT



15.7 Master Plan Requirements

A. All graphic elements of the Master Plan shall be prepared by a licensed engineer, architect or landscape architect.

B. Plan showing existing site conditions and structures, including tidal and inland wetlands and watercourses, which, along with other surveys and plans listed below, shall be at a scale of 1-inch equals 40 feet or larger.

C. Boundary survey of the properties involved in the project prepared to Class A-2 accuracy by a Connecticut licensed land surveyor.

D. Plan indicating structures to be retained, substantially rehabilitated, or demolished; new structures to be built on the property; parking areas; vehicular and pedestrian circulation; and the areas to be landscaped or dedicated to public use. This plan shall provide sufficient information to determine proposed uses and size of buildings including heights, floor area ratios, and lot coverage and the amount of off-street parking to be provided, if any. For purposes of this provision, the commission shall take into account commercial properties located within a 1,000-foot radius of the proposed site in determining whether the height, floor area ratio and lot coverage are consistent with those neighboring properties.

E. A description of the existing uses of the property and their present location, and a description of any proposed new uses or change in uses and their proposed location on the site.

F. Narrative report describing the proposed new uses and changes in uses and the proposed structures to house said uses, including style and method of building construction and the cumulative amount of square feet intended for each type of proposed new use. A change of use shall require an amendment to the Master Plan.

G. Preliminary traffic impact report prepared by a professional engineer for any proposed new use.

H. Information on the location, availability, and capacity of public utilities capable of serving the development for any proposed new use.

I. An Impact Statement in accordance with Section 16.3 regarding the effect, if any, of the proposed new uses or change in uses on surrounding residential properties and a description of what, if any,

changes are proposed in flow of traffic or pedestrians, as well as buffering to minimize the impact. The applicant shall pay a fee to the Town in an amount that is sufficient to cover the costs associated with the Town's hiring of a consultant to conduct an analysis of fiscal impacts of the development.

J. A sign plan, indicating the general position, content, and appearance of signs visible from the public right-of-way.

K. Preliminary building elevations, including renderings of architectural style, materials, and sample floor plans. Final plans shall not deviate substantially from the preliminary concepts.

L. Narrative report describing the history and architectural significance of all structures on the site, including period, style and method of building construction; the cumulative amount of square feet intended for each type of proposed use; the number of proposed units including their approximate size and characteristics; the specific type of proposed residential use (i.e. Market-rate, affordable, or age-restricted housing); and intended ownership of residential units and commercial space.

M. Narrative report describing the types of hazardous materials that may be encountered during renovations, and the steps that will be taken to isolate and abate such materials.

N. Information on the location, availability and capacity of public utilities capable of serving the development.

O. A three-dimensional (3D) scale model of the proposal or computerized graphic equivalent.

P. For waterfront properties the applicant shall submit a suitability analysis of the site for various water-dependent uses to the Commission.

15.8 Groundwater Protection Permit

15.8.1 Application

An application for a Groundwater Protection Permit shall include the following information:

A. A Site Plan in compliance with applicable requirements for the proposed activity.

B. Description of the intended use.

C. Distance to the nearest public drinking water supply.

D. Provisions for stormwater runoff controls, including a detailed drainage plan with design and location of parking lots, loading areas and access roads; locations of storm drains and points of discharge; building roof drains and points of discharge; location and design details for detention basins; stormwater control systems and provisions for their long-term maintenance, which must meet applicable performance and design standards.

E. Expected types and amounts of discharge to sewers, to the ground and to surface water and locations, and design of floor drains, septic systems and/or sewage lift pump stations and force mains, showing that they meet applicable performance and design standards.

F. Proposed heating source for any building, including fuel type, storage facility, feed line type and location.

G. Location and description of all indoor and outdoor storage areas, including underground storage tanks and above ground storage tanks, and types of materials to be stored, showing that storage facilities meet applicable performance and design standards.

H. Inventory and Material Safety Data Sheets for all hazardous and toxic materials stored pursuant to Section 9.1.6.M.

I. Description of any use of fertilizers, pesticides, or herbicides in any commercial greenhouse or nursery or on crops or landscaped areas larger than two acres, showing that the proposed use meets applicable performance and design standards.

J. Additional information required by the reviewing agencies, which may include, but is not limited to, water quality impact assessment, hydrogeologic studies and monitoring provisions.

15.8.2 Permitting Agency

The Planning and Zoning Commission shall be the granting agency for all Groundwater Protection Permits except for applications for a change of use, which may be granted administratively by the Zoning Enforcement Officer after review and comment by the Town Planner. Any change of use application may be referred to the Commission at the discretion of the Town Planner or the Zoning Enforcement Officer. A public hearing is not required for issuance of a Groundwater Protection Permit but may be scheduled at the discretion of the Commission, in compliance with the notice and timing requirements of 8-7d of the Connecticut General Statutes.

15.8.3 Review Procedure

The Commission shall refer all applications for Groundwater Protection Permits to designated reviewing agencies. Reviewing agencies shall include the appropriate water utility, the Stonington Health Director or Agent, and any Town agency or commission charged with the responsibility of protecting groundwater and other government agencies at the discretion of the Commission. Reviewing agencies shall have 30 days to submit written comments to the Commission. Failure to submit comments within 30 days shall be considered to indicate that the reviewing agency has no objections to the issuance of a Groundwater Protection Permit. The Commission shall render its decision in compliance with section 8-7d of the Connecticut General Statutes. If the Commission determines that the proposed use is likely to impact adversely public water supplies, the Commission shall deny the permit.

15.8.4 Decision Criteria

No Groundwater Protection Permit shall be issued by the Commission for any proposed use likely to adversely affect the quality of the public water supply or is not consistent with the standards and/or requirements in these regulations. In its decision, the Commission shall explain any departures from recommendations of the reviewing agencies.

15.8.5 Conditional Permits

The Commission may include as conditions of a Groundwater Protection Permit any measure deemed necessary by the Commission or reviewing agencies to ensure adequate long-term protection of water supplies. Conditions of approval may include groundwater monitoring, water quality impact assessment or hydrogeologic study, fertilizer and pesticide management plan, maintenance of storm water controls and septic systems, or other protective measures, relative to specific design requirements or stipulations of operation of the facility or use. Lack of compliance with such conditional requirements or stipulations will result in the revocation of the Groundwater Protection Permit and such permitted use will be discontinued upon service of a NOTICE TO CEASE AND DESIST, to be reviewed by the Commission and issued by the Zoning Enforcement Officer.

15.9 Commission Action on a Site Plan or Special Use Permit

Action by the Commission on a Site Plan or a Special Use Permit consists of approval, denial, or modification. The Planning and Zoning Commission may issue Permits and Special Use Permits for limited duration, subject to adequate safeguards.

15.10 Changes and Modifications to an Approved Plan or Special Use Permit

A. The Commission may approve the following types of minor modifications or changes to a previously approved Site Plan, Special Use Permit, or Master Plan.
   1. Minor Site Plan modifications and/or minor building renovations that will not significantly impact natural resources, drainage, traffic generation, parking demand, aesthetics or landscaping, buffers, or quality of life.
   2. Change from one conforming use to another conforming use that will not significantly impact natural resources, drainage, traffic generation, parking demand, aesthetics or landscaping, buffers, or quality of life.

B. When requesting a minor modification, the applicant shall provide a written description of all proposed changes. A revised Site Plan drawing depicting all modifications shall be provided, unless it is determined that there are sufficient plans on file with the Commission demonstrating that no major site alterations are proposed.

Modifications to a previously approved Site Plan, Special Use Permit, or Master Plan shall not be granted for proposals that in the opinion of the Commission will result in significant impacts to natural resources, drainage, traffic generation, parking demand, aesthetics or landscaping, buffers, or quality of life. If determined by majority vote of the Commission, revisions of this magnitude will require submission of a new application to the Commission. Per Section 6.1.3 any expansion of a use listed in these regulations as a Special Use shall require a new Special Use Permit application for the new portion of the development project.

Section 16. Studies and Statements

16.1 Archaeological Study

Developments shall be laid out to preserve cemeteries and human burials, significant cultural resources and unique man-made features of historic importance utilizing the following guidelines.

16.1.1 Archaeological Assessment

An on-site archaeological assessment shall be required if there is a likelihood that significant cultural resources or undetected human burials will be adversely impacted by construction activities associated with the proposed development. This assessment shall be conducted in accordance with standards contained in the Environmental Review Primer for Connecticut's Archaeological Resources. Reference copies are on file at the Connecticut State Historic Preservation Office and the Stonington Department of Planning.

16.1.2 Determination of Need

The determination of need for an archaeological assessment shall be based on:

A. Proximity to identified cemeteries, human burials, archaeological sites, historic sites.

B. Natural terrain features such as proximity to wetlands or watercourses, soils, slope, aspect or rock shelters, where these factors reflect scientifically documented settlement patterns preferred by Native Americans or European Colonists.

C. In making this determination, the Planning Department or Commission may seek advice and comment from the Office of Connecticut State Archaeology and/or the State Historic Preservation Office.

16.1.3 Management Plans

Cultural resource management plans submitted to the Commission by the applicant shall consist of:

A. A written investigative report prepared by a professional archaeologist, containing appropriate historic documentation, a description of research design methods and techniques, and a description of sites, features and artifacts discovered as a result of the archaeological investigation. A list of accredited professional archaeologists is maintained by the Connecticut State Historic Preservation Office.

B. An evaluation of the impact of the proposed development on identified cemeteries, human burials, archaeological sites and historic sites.

C. A description of measures to be undertaken by the applicant to mitigate adverse impacts of construction activities on identified cultural resources. This may include an estimate of mitigation costs and time required for more extensive investigations. Measures may include open space dedication; conservation easements; redesign or relocation of roads, drainage features or buildings so as to minimize adverse impacts; or excavation and removal of cultural remains supervised by a professional archaeologist.

D. Copies of all investigative reports and management plans shall be submitted to the Office of Connecticut State Archaeology and State Historic Preservation Office for review and comment prior to the closing of any public hearing. Comments received from State officials shall be incorporated into the public hearing record.

16.2 Traffic Impact Study

Traffic Impact Study, whose conclusions and recommendations shall strive to prevent any reduction in Level of Service (LOS) from existing conditions, with LOS being a qualitative measure of traffic flow efficiency based on anticipated vehicle delays. The Commission at its discretion may require information to be provided reflecting summer weekend peak periods when tourist generated traffic volumes are known to be their greatest. The Traffic Impact Study shall be prepared by a professional traffic engineer, and contain the following information:

A. Scenarios describing both present day and future No-Build background traffic growth conditions on the surrounding roadway system, including a determination of weekday and weekend peak hour AM and PM traffic volumes, intersection turning movement counts and intersection capacity analysis, and LOS.

B. A scenario detailing impacts of the proposed development based on the Institute of Traffic Engineers' published trip generation rates for the contemplated land use (7th Edition or later). This analysis shall include a forecast of weekday and weekend peak hour AM and PM traffic volumes on new streets, site driveways and the surrounding roadway system, intersection turning movement counts and intersection capacity analysis, and LOS.

C. Intersection stopping sight distance analysis based on American Association of State Highway Transportation Officials (AASHTO) recommended minimum stopping sight distance for a driver's 85th percentile perception-reaction time.

D. Motor vehicle accident analysis based on available local and State police reports, including a discussion of these data as it relates to the proposed development.

16.3 Impact Statements

16.3.1 Impact Statements for Special Use Permits

In addition to the requirements of Section 15.2, each application for a Special Use Permit shall include a written Impact Statement that contains the following information. Descriptions of proposed activities and anticipated impacts must be robust and clearly worded. Mitigation measures should not be worded with implied meaning; rather, such measures shall be explicitly specified in the report.

A. General description of existing conditions including, but not limited to, environmental features, traffic, zoning, land uses and built form of the area, and public utilities.

B. Description of the proposed activity and its expected impact in reference to the natural environment, stormwater drainage, roadways and traffic, zoning and character of the surrounding area.

C. Proposed mitigation measures, defined as strategies intended to minimize both on-site and off-site impacts caused by the proposed development. The timing for implementation of mitigation measures should be clearly specified, along with the name and contact information for the party responsible for such measures.

D. Anticipated demand on utilities and public facilities including sewers or sanitary disposal, existing drainage systems, water supply and fire protection. The Commission may require such information incorporated into the findings of fact or placed on the Site Plan.

E. Existing and proposed hours of operation for each use on the site.

16.3.2 Impact Statements for Zoning Map Amendments

Each map amendment shall include a written statement that compares the proposed project developed to the maximum extent permitted by the proposed amendment, to the maximum development of the same land as permitted by the existing zoning regulations and other land capacity limitations, such as sanitary sewerage, wetlands, steep slopes, etc. (See Section 3 for additional guidance).

A. Municipal Fiscal Impact. A professional real estate economic analyst with experience in fiscal analyses, will prepare and submit a statement covering the following factors:
   1. The property and other municipal tax and fee revenue that may be generated.
   2. The municipal expenses and burdens that may be generated.
   3. If there are residential components, the anticipated number of school-aged children and the impact on existing and planned schools.
   4. The impact of ancillary services to be generated in existing business centers by the population of and visitors to the project, and the demand for ancillary development to be generated.

B. Public Safety and Traffic. A licensed professional engineer specializing in traffic and highway topics will prepare and submit a statement covering the following factors:
   1. The feasibility and safety considerations for the automobile and pedestrian traffic to be generated and the capacity of intersections and proposed parking.
   2. Access to highways and public streets to carry the traffic without undue congestion.

C. Public Works. A licensed professional engineer specializing in site engineering, drainage, and the design of municipal roads, highways, infrastructure and improvements will prepare and submit a statement covering the following factors:
   1. The design and impact of the storm and other drainage systems at the project.
   2. The design and shading of proposed lighting.
   3. The design and layout of parking and its feasibility and safety for use by the public.
   4. The capacity of the wastewater, water and other utility systems proposed to be built and used by the project.

D. Cultural, Aesthetic or Heritage. A licensed architect, landscape architect or archeologist as is appropriate, experienced in the renovation or restoration of historic structures shall prepare and submit a statement covering the following factors, for structures listed on or eligible for inclusion in the National Register of Historic Places:
   1. The design and placement of buildings and landscaping;
   2. The maintenance of public amenities and the impact on the heritage and historic character of the Town of Stonington.
   3. The compatibility with public views and with land uses and built form of the surrounding neighborhood.
   4. The reinforcement of existing street and building massing patterns and open space patterns, in the vicinity of the development.
   5. Protection of and compatibility with locally significant or historic sites, vistas or features.
   6. Archeologically significant resources.

E. Natural Resources. A licensed or certified professional specializing in environmental topics will prepare and submit a statement covering the following factors:
   1. Views and view sheds.
   2. Wetlands, aquifers, and watercourses critical to natural resources.

3. Trees, endangered or critical plant species or forms and woodland habitats.
4. Endangered or critical animals and natural habitats.
5. Land forms, slopes and soils.
6. Current agricultural production capability.
7. Air quality.

16.3.3 Impact Statements for Zoning Text Amendments

Each zoning text amendment application shall include the following items (See Section 3 for additional guidance):

A. Written statement regarding consistency of the proposal with the Plan of Conservation and Development, including the goals and policy statements and the implementation program contained in said Plan.

B. Written statement regarding consistency of the proposal with the Comprehensive Plan, defined as the existing zoning map and zoning text, in combination with the actual pattern of built development that has taken place on the ground.

C. Written statement regarding conformance of the amendment to the general zoning purposes set forth in Section 1.1.

16.3.4 Waivers

The Commission may waive one or more of the impact statement requirements by majority vote, provided that such request is made in writing at the time of application submission, describing in sufficient detail why such information is not relevant to the Special Use Permit or zoning amendment.

Section 17. Procedures

17.1 Architectural Design Review

17.1.1 Purpose

Architectural Design Review of Site Plans and Special Use Permits provides guidance to the Planning and Zoning Commission with regard to the design of buildings, structures, landscaping and site layout, with the objective of promoting development projects that are in harmony with Stonington's architectural heritage, and which preserve and improve the appearance, beauty and character of the community. Such reviews are carried out by an independent Architectural Design Review Board (ADRB), whose members are appointed by the Board of Selectmen.

17.1.2 Architectural Design Review Board

The ADRB functions in an advisory capacity to the Planning and Zoning Commission, providing comment on Site Plan and Special Use Permit applications with regard to the scale, massing, colors and proportions of buildings, landscaping, public spaces, lighting and signage. The ADRB does not render interpretations of the Zoning Regulations relative to use of a property, the granting of variances, or building code compliance. The ADRB's recommendations shall not be binding; rather, they are of an advisory nature and a plan's endorsement by the ADRB does not imply or guarantee subsequent approval of an application by the Planning and Zoning Commission.

17.1.3 Applicability

Architectural Design Review shall be required for the following development proposals:

A. New commercial, institutional, industrial, multi-family or mixed-use construction.

B. Exterior changes to existing commercial, institutional, multi-family or mixed-use structures, defined as building additions, partial demolitions or replacement of materials comprising 25% or more of a structure's exterior façade.

C. Special detached signs (Section 14.7.2.C..1) and multi-tenant signage programs (Section 14.8).

D. Construction of a new detached structure containing an accessory dwelling unit per Section 6.3.2.

17.1.4 Exemptions

Architectural Design Review shall not be required for uses permitted by right in residential zoning districts including single-family, duplex and triplex residential units and associated accessory uses subject to Section 15.3.2.A; applications for activities that only require a Zoning Permit issued by the Zoning Official; or bed and breakfast facilities (Section 5.3.4).

17.1.5 Design Review Process

There are three basic steps to design review:

1. Planning Department staff provides general guidance to applicants prior to submission of a formal application.
2. Development projects qualifying under Section 17.1.3 are referred to the ADRB, which conducts its Design Review and submits written recommendations to the Planning and Zoning Commission.
3. The Planning and Zoning Commission conducts its own review pursuant to Section 15.3 and renders a final decision with due consideration of comments from the ADRB, planning staff, the applicant and the general public.

Since design review is obligatory for virtually all commercial, retail, mixed-use and multi-family development projects, prospective applicants are encouraged to meet informally with Planning Department staff and the ADRB prior to submitting an application, and before undertaking a significant investment in project development and site design.

17.1.6 Required Submission Materials

A. Completed application form including: name and address of applicant, architect, and landscape architect; property location and acreage; square feet of each proposed building; building use; and written narrative stating how the project's architectural design and site layout strengthens the visual definition and identity of Stonington's architectural heritage.

B. Site Plan. Scaled plan drawing depicting proposed buildings, driveways, parking areas, walkways and exterior lighting.

C. Architecture. Elevation drawings and dimensions of all sides of proposed buildings, prepared by a Connecticut licensed architect, expressing sufficient detail to illustrate mass, scale, architectural style, colors and texture, with a focus on windows, doors and roofing.

D. Landscaping. Landscape plan, prepared by a Connecticut licensed landscape architect, showing the relationship of existing and proposed plantings to site topography, proposed and existing structures, driveways, parking areas and drainage features.

E. Site details (or catalog cuts) for fencing, lighting, pedestrian walkways, retaining walls, curbing, etc.

F. Signage. Applicants installing signage to serve new or existing buildings must submit photographic or color renderings, including overall exterior dimensions, graphics, style, colors, and lighting. The Site Plan must indicate the location of all proposed signs.

17.1.7 Review Board Reporting

The ADRB shall submit comments to the Planning and Zoning Commission for each proposal reviewed, preferably not less than 10 days prior to the scheduled meeting or public hearing at which the application will be heard. Said comments shall be made available to the applicant and shall be entered into the Planning and Zoning Commission's official records.

17.1.8 Waivers

The ADRB may by majority vote, waive one or more of the submission items listed in 17.1.6, provided that such request is made in writing at the time of the Board's design review. Waiver requests must describe in sufficient detail why such information is not relevant to ADRB's review. Applicants are advised that such waivers apply only to information and materials sought by the ADRB. The ADRB's role is advisory, and its decision to grant a waiver does not subsequently waive required Site Plans, or more detailed architectural and landscape design submissions listed in 17.1.9 (General Site Plan and Structure Design Review Requirements). ADRB's waiver of items listed in 17.1.6 does not guarantee or ensure that any waivers of the Zoning Regulations will subsequently be granted by the Planning and Zoning Commission as part of its Special Use Permit or Site Plan review.

17.1.9 Planning and Zoning Commission Submissions

Since detailed architectural renderings and Site Plan layouts as described in this section are obligatory for all Site Plans and Special Use Permits meeting criteria of Section 17.1.3, prospective applicants are encouraged to meet with the Architectural Design Review Board (ADRB) prior to submission of a formal application to the Planning and Zoning Commission. Note that design details required herein for formal Special Use Permit and Site Plan reviews are more comprehensive than that called for by the ADRB in

Section 17.1.6, which are intentionally less formal in order to encourage a free exchange of ideas early in the design development process. Applicants must submit 15 complete copies each of the following items to the Planning and Zoning Commission:

A. Written statement including: name and address of applicant, architect, and landscape architect; and written narrative describing how the project's architectural design and site layout strengthens the visual definition and identity of Stonington's architectural heritage.

B. Architecture. Detailed elevation drawings and dimensions of all sides of all proposed buildings, prepared by a Connecticut licensed architect. Material list to include samples, brochures, and/or photographs of all exterior materials, finishes, colors, and fixtures, focusing on siding, windows, doors and roofing. Vegetation shown on elevation drawings must correspond to that depicted on the landscape plan.

C. Landscaping. Landscape plan, prepared by a Connecticut licensed landscape architect, showing the relationship of existing and proposed plantings to site topography, proposed and existing structures, driveways, parking areas and drainage features. Plans shall include a planting layout, an installation schedule and maintenance plan, common and botanical names of all plants, size at time of planting, and expected dimensions at maturity.

D. Site details (or catalog cuts) for fencing, lighting, pedestrian walkways, retaining walls, curbing, etc.

E. Signage. Applicants installing signage to serve new or existing buildings must submit photographic or color renderings, including overall exterior dimensions, dimensions of lettering and graphics, style, materials, colors, and lighting. The Site Plan must indicate the location of all proposed signs.

17.2 Public Hearings

17.2.1 Required Hearings

Public Hearings shall be held by the Planning and Zoning Commission on the following types of applications:

A. Special Use Permits. Applications shall be considered incomplete unless all items listed in Sections 15.2.3 (Application Documents), 15.3.4.B (Type 2 Site Plan), and 16.3 (Impact Statement) have been submitted a minimum of 15 calendar days prior to the initial public hearing date.

B. Petition for an amendment to the Zoning Map or Zoning Regulations. Applications shall be considered incomplete unless all documents listed in Sections 16.3.2 or 16.3.3 have been submitted a minimum of 15 calendar days prior to the initial public hearing date.

C. Change of a non-conforming use (Section 4.4.3).

17.2.2 Site Plan Hearings

The Planning and Zoning Commission may schedule hearings on Site Plans, so long as action on the Site Plan occurs within 65 days from the official date of submission.

17.2.3 Scheduling

Hearings shall be scheduled no more than 65 days after the official date of submission of an application (which is the regular monthly meeting, or 35 days from the date of the application) and shall be acted on within 65 days from the date of the close of the public hearing.

17.2.4 Public Notice Requirement

The Planning and Zoning Commission and Zoning Board of Appeals shall publish notice of the hearing at least twice in papers having substantial circulation in the Town, the first no more than 15 nor less than 10 days and the last not less than 2 days prior to such hearing.

17.2.5 Notice to Abutting Property Owners

Unless otherwise provided in these regulations, the following notification procedures shall be followed:

A. The applicant shall send written notices of the time, date and location of such public hearing to abutting property owners via Certified Mail, return receipt requested, not less than 15 calendar days prior to said hearing. Where said property owner shall have listed with the Assessor an address outside the United States, the requisite notice shall be sent by International Express Mail, or equivalent.

B. Five calendar days prior to the date of the Commission's initial public hearing regarding the application, the applicant shall submit:

   1. Evidence of abutter notification (See Section 21 for abutter definition). Such documentation shall be in the form of a notarized statement or in the form of receipts from the Post Office.
   2. A list of abutters to whom the notices were sent.
   3. A copy of the letter and any enclosures sent the abutters.

17.2.6 Revisions

Documents, plans and exhibits submitted to the Commission intended to constitute any portion of, or all of, the requirements of a complete application shall not be revised or substituted less than 15 calendar days in advance of the initial public hearing date. Any revised documents, plans or exhibits submitted by the applicant at the public hearing shall cause the public hearing to be continued to a future date in order to permit adequate review by the Commission, staff and members of the public. Additional materials provided by the applicant in advance of a continued public hearing in response to Commission or staff requests for such information shall be submitted not less than 5 calendar days prior to the continued hearing date.

17.3 Zoning Board of Appeals

The Zoning Board of Appeals (ZBA) is duly constituted pursuant to Chapter 124 of the Connecticut General Statutes, Sections 8-5 to 8-7. The ZBA shall have the following powers and duties, all of which shall be exercised subject to appropriate conditions and safeguards in harmony with the purpose and intent of these regulations, the Plan of Conservation and Development, and in accordance with the promotion of the health, safety, welfare and maintenance of property values in the Town of Stonington.

17.3.1 Public Hearings

Public Hearings shall be held by the ZBA on the following types of applications:

A. Variances.

B. Review of Administrative Orders.

Notice of such hearings shall be published at least twice in newspapers having substantial circulation in the Town of Stonington, the first no more than 15 or less than 10 days prior and the last not less than 2 days prior to such hearing.

17.3.2 Review of Administrative Orders

Any person claiming to be aggrieved by any order, requirement, or decision made by the Zoning Enforcement Officer may appeal to the ZBA. Such appeal shall be filed within 15 days from the receipt of notice of the order, decision, or requirement of the Zoning Enforcement Officer. The ZBA may modify such order, decision or requirement appealed from and it shall have the powers of the authority from whose decision such appeal shall have been taken, but only insofar as to enforce these regulations when an error has occurred.

17.3.3 Hardship

Where there is difficulty or unreasonable hardship, but not economic hardship, in the way of carrying out the strict letter of the Zoning Regulations, the ZBA shall have power in a specific case to vary the application of any bulk provision of the ordinance, if such variance will be in harmony with the general purpose and intent of the ordinance, the Town Plan of Development, and if the public health, safety and welfare will be served and substantial justice done. The ZBA shall have no authority to permit by variance any use in any district in which such use is not otherwise allowed. The ZBA shall provide findings, sustained by two thirds of its membership, that the configuration of the property upon which the action is based is such that its use, under strict interpretation of the regulations for the zone in which the property is located, is unreasonably limited for any and all permitted uses.

17.3.4 Locational Approval of Auto Sales and Service Establishments

In accordance with CGS Section 14-54, the ZBA shall have the power and duty to determine location approval for dealing and/or repairing motor vehicles defined under CGS Section 14-1.

17.3.5 Notice to Property Owners

In addition to the legal notices otherwise required, the applicant shall cause written notices of the time, date and location of such hearing to be sent Certified Mail (return receipt requested), not less than 15 calendar days prior to said hearing to each owner of property within 200 feet of the boundaries of the subject property. A list of the owners of property within 200 feet of the subject property and return receipts shall be filed with the Board at least 5 days prior to the night of the public hearing.

17.3.6 Application to Board of Appeals

All appeals and applications to the ZBA shall be in writing on forms prescribed by the board. Each appeal or application shall fully set forth the circumstances of the case and, where applicable, shall reasonably illustrate with a map(s) and other drawing(s) the location and nature of the appeal or request. Every appeal or application shall refer to the specific provision of the regulation involved and shall exactly set forth, as the case may be, the interpretation that is applied for, and the grounds on which it is claimed that same should be granted.

17.3.7 Votes

The concurring vote of 4 members of the ZBA shall be necessary to reverse any order, requirement, or decision of the Zoning Enforcement Officer, to decide in favor of the applicant any matter upon which it is required to pass under any provision of these regulations, or to vary the application of these regulations.

Section 18. Application and Inspection Fees

Pursuant to Section 8-1c of the Connecticut General Statutes, the Town of Stonington has by ordinance established a fee schedule, to be used for processing submitted applications. These fees are payable to the Town of Stonington at the time an application is filed, and are exclusive of the fee for municipal planning, zoning, wetlands and coastal management applications required by Section 22a-27j of the Connecticut General Statutes.

See Appendix 3 for fee schedule.

Article VII – Definitions

Section 19. Word Use and Acceptable References

19.1 Word Use

For the purposes of these regulations, certain terms and words used herein shall be used, interpreted, and defined as set forth in this section.

A. The word “person” includes an individual, a corporation, a partnership, and an unincorporated association.

B. The word "shall" is always mandatory.

C. The word "may" is permissive.

D. The "Town" means the Town of Stonington, Connecticut.

E. The "State" means the State of Connecticut.

F. The "Commission" means the Planning and Zoning Commission of the Town of Stonington, unless otherwise specified.

G. “Use”, “used”, or “occupied” as applied to any land or structure shall be construed to include the words "intended, arranged, or designed to be used or occupied" as the primary purpose or activity of the premises.

H. Words used in the singular may include the plural, and the plural the singular; words used in the present tense may include the future tense.

I. The words "zone", "zoning district", and "district" shall have the same meaning.

J. The phrase "these regulations" shall refer to the entire Zoning Regulations of the Town of Stonington.

K. The word "Section" shall refer to a section of these regulations, unless otherwise specified.

L. Any agency, commission, board or department is that of the Town of Stonington, unless otherwise specified.

19.2 Acceptable References for Definitions

Words used in these regulations shall be determined to have the meanings as defined in this Article. Doubt as to the precise meaning of other words and terms shall be determined by the Zoning Commission after reference to:

A. The Connecticut General Statutes

B. Black’s Law Dictionary

C. The Illustrated Book of Development Definitions, Fourth Edition

D. Webster’s Third New International Dictionary

Section 20. Zoning Terminology Definitions

See Section 21 for Use Definitions.

Abutter: The owner(s) of land adjacent to the subject parcel, within a radius of 100 feet of such parcel or a distance prescribed in C.G.S. Section 8-8(a)(1) "aggrieved person", whichever is greater, including land across any road, street, highway, pentway, river (excluding the Pawcatuck and Mystic Rivers), stream, cove, or brook.

Accessory: A building or use that is clearly subordinate to the principal building or use and located on the same lot with such principal building or use.

Accessory Building: See Building Terms.

Accessory Structure: See Structure Terms.

Accessory Use: See Use Terms.

Adaptive Reuse: Conversion of existing buildings into modern and functional facilities while retaining historic architectural features and original structural details, to the extent feasible.

Addition: An extension or increase in floor area or height of a building or other structure or an increase in building coverage.

Adjoining: Having a common boundary or edge; touching.

Alteration: As applied to a building or structure: (a) a change or rearrangement in the structural parts; (b) an enlargement or reduction, whether horizontally or vertically; or (c) the moving from one location or position to another.

Alternative Tower Structure: Man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna: Any exterior apparatus designed for cellular, telephonic, radio, satellite or television communications through the sending and/or receiving of electromagnetic waves.

Arcade: A covered passageway.

Area, Sign: See Sign Terms.

Attached Dwelling: See Dwelling Terms.

Attached Housing: See Dwelling Terms.

Automobile: See Vehicle Terms.

Average Finished Grade: See Grade Related Terms.

Base Flood: See Flood Terms.

Base Flood Elevation (BFE): See Flood Terms.

Basement: See Floor and Floor Area Terms.

Berm: See Landscaping Terms.

Billboard Sign: See Sign Terms.

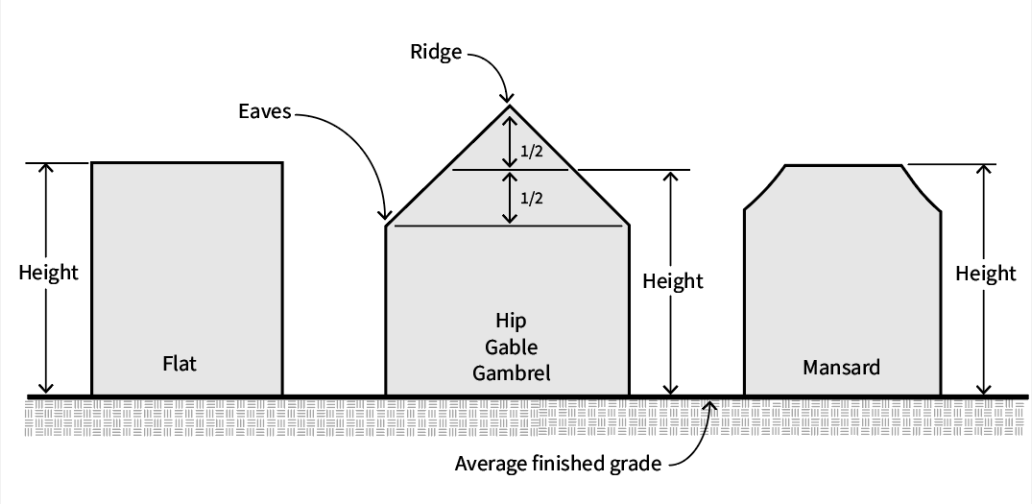
Breakaway Wall: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Buffer or Buffer Yard: See Landscaping Terms.

Building: See Building Terms.

Building Footprint: See Building Terms.

Building Height: The vertical distance from the average finished grade to the highest point of flat or mansard roofs (including the top of a parapet) or to the mean level between the eaves and ridge for gable, hip, or gambrel roofs. In the case of multiple roofs, the roof with the greatest height shall determine building height.



BUILDING TERMS

Accessory Building: A building, the use of which is customarily incidental and subordinate to that of the principal building, structure or use on the same lot.

Building: A structure having a roof, which forms an enclosure for the shelter of persons, animals or property. For the purpose of this definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature.

Building Footprint: The total area, measured on a horizontal plane, of the principal building.

Principal Building: The building or buildings on a lot that serve the principal use intended for that lot.

Bulk: The size and shape of buildings and non-building uses; the physical relationships of their exterior walls or their relation to lot lines and other buildings or other walls of the same building, and all open spaces required in connection with a building. Bulk regulations include regulations dealing with floor area ratio, building height, lot area per dwelling unit, lot frontage, lot width, required yards, courts, usable open space, spacing between buildings on a single lot, and length of buildings in a row.

Bulk, Non-Conforming: That part of a building or non- building use which does not conform to one or more of the applicable Bulk regulations of these regulations, whether on its effective date, or as a result of subsequent amendments.

Caliper: See Landscaping Terms.

Cellar: See Floor and Floor Area Terms.

Certificate of Occupancy (CO): A document issued by the Building Official which allows the occupancy or use of a building and certifies that the structure has been constructed in compliance with applicable codes and ordinances.

Certification of Zoning Compliance: A letter or document as issued by the Zoning Enforcement Officer stating that a specified use or structure is in conformance with all zoning regulations or is a valid non-conforming use.

Change of Use: See Use Terms.

Class A-2 Survey: A Horizontal Control Survey which establishes points on a horizontal coordinate system to a standard of accuracy as defined in Section 20-300b-11 of the Regulations of Connecticut State Agencies -- Standards for Surveys and Maps.

Class T-2 Standard: A Topographic Survey which depicts the configuration of the earth's surface and the location of natural and artificial objects thereon to a standard of accuracy as defined in Section 20-300b-11 of the Regulations of Connecticut State Agencies -- Standards for Surveys and Maps.

Coastal AE Zone: See Flood Terms.

Coastal High Hazard Area: See Flood Terms.

Co-Location: The location of wireless telecommunication facilities from more than one provider on a single structure or tower. Also refers to the provision of more than one service on a single structure or tower by one or more carriers.

Commercial: A use facilitating the barter, sale, or exchange of things of value and including wholesaling and assembly of articles for sale, but not fabrication.

Commercial Vehicle: See Vehicle Terms.

Common Interest Community: A development wherein the land and common facilities are under single common ownership, as defined under Chapter 828 of Connecticut General Statutes.

Consolidated Parcel: Two or more parcels, which may be under separate ownership, are planned and developed as one integrated development.

Corner Lot: See Lot Types.

Cost: As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

County Soil & Water Conservation District: The New London County Soil and Water Conservation District established under subsection (a) of Section 22a-315 of the Connecticut General Statutes.

COVERAGE TERMS

Impervious Coverage: The area of a parcel covered by buildings, pavement and other surfaces that are impervious to the infiltration of stormwater.

Impervious Coverage, Effective: The area of a parcel covered by buildings, pavement and other surfaces that are impervious to the infiltration of stormwater, minus the surface area of building roofs connected to roof leaders that convey stormwater to drywells capable of capturing and infiltrating stormwater from a 25-year, 24-hour duration, New London County storm into the ground.

Deck: An unroofed porch-like structure or portion of a structure, usually constructed of wood, with structural supports and having a height of more than eight inches above ground level.

Design Open Space: The area associated with each building unit exclusive of the integral lot area, sidewalks, parking spaces and driveways, which provides areas for plantings and grass.

Detached Dwelling: See Dwelling Terms.

Detached Structure: See Structure Terms.

Development: Any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

Disturbed Area: Any land not left in its natural vegetated state.

Drainage: The controlled removal of surface water or groundwater from land by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction or development, to maximize groundwater recharge, and to prevent or alleviate flooding.

Driveway Throat Length: The distance from the street to the first point of conflict along the driveway.

Driveway Throat Width: The narrowest width of a driveway measured parallel with the edge of the traveled way exclusive of radii, ramps or tapers.

Dustless Surface – Permanent Surfaces: The ground adequately covered with concrete, asphalt, or bituminous products.

Dustless Surface – Temporary Surfaces: The ground adequately treated with oil, calcium chloride, crushed stone, or similar dust-inhibiting substances, and maintained in good condition at all times.

Dwelling: See Dwelling Terms.

Dwelling Unit: See Dwelling Terms.

DWELLING TERMS

Attached Dwelling: A building containing two or more dwelling units attached to each other by continuous vertical party walls, without openings except for utilities, which walls extend from basement or cellar to roof.

Detached Dwelling: A dwelling surrounded on all sides by yards and which does not have any roof, wall or floor in common with any other dwelling unit.

Dwelling: A building or portion thereof which is used exclusively for human habitation.

Dwelling Unit: A structure, or part thereof, containing complete housekeeping facilities limited to use by one family only.

Efficiency Unit: A dwelling unit having one room exclusive of bathrooms, kitchen, laundry, pantry, foyer, corridors, or any dining alcove of less than 70 square feet of floor space.

Residence: One or more dwelling units for permanent occupancy located in a permanent structure or building.

Earth: Any material of which the ground is composed, including but not limited to soil, loam, sand, gravel, rock, stone, and clay.

Easement: A grant of one or more property rights by the property owner to and/or for use by the public, a corporation, or another person or entity.

Easement, Scenic Recreation: Legal documentation necessary to provide the residents of the Town of Stonington with rights to pass over the subject premises for perpetuity, limited to passive enjoyment, and not for structures or active recreation development by the Town or ultimate property owners.

Efficiency Unit: See Dwelling Terms.

Enlarge or Enlargement: Any addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use. "To enlarge" is to make an enlargement.

Erosion: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Excavation: The digging out, extraction or removal of earth, whether exposed or covered by water, so as to alter its contour.

Evergreen Tree: See Landscaping Terms.

Expansion: Any increase in the size or capacity of a structure or use beyond its original dimensions or scope.

Family: One or more persons who live together and maintain a common household, related by blood, marriage, or adoption. A group of not more than 4 persons who need not be related who are living together in a single dwelling unit and maintaining a household shall also be considered a family. A roomer, boarder or lodger shall not be considered a member of the family, and no roomer, boarder or lodger shall be permitted where the family is defined as a group of unrelated persons.

Farm: Land that is mainly used for agricultural or aquacultural activity, together with the structures incidental thereto.

Fence: An artificial barrier constructed of any material or combination of materials that is erected to enclose, separate, screen or buffer areas of land.

Filling: The process of depositing clean fill such as soil, sand, gravel, rock or clay.

Finished Grade: See Grade Related Terms.

Finished Living Space: See Flood Terms.

Floating Zone: A floating zone is a zoning district that is added to the zoning regulations but does not apply to any specific property until an application is made to apply the new district to an eligible parcel. Parcel eligibility is identified within the district language and is related to particular characteristics. The zoning map amendment required to designate an area includes a master plan depicting the proposed use of the subject property as part of the review process. Upon the approval of the application, the zoning map is amended to apply the floating district to the subject parcel(s) of land.

Flood or Flooding: See Flood Terms.

Flood Area, Flood Hazard Zone: See Flood Terms.

Flood Insurance Rate Map (FIRM): See Flood Terms.

Flood Insurance Study (FIS): See Flood Terms.

Flood Way: See Flood Terms.

Floodplain Variance: See Flood Terms.

Floodplain Violation: See Flood Terms.

FLOOD TERMS

Base Flood: The flood having a 1% chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE): The elevation of base flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

Coastal AE Zone: The portion of the Coastal High Hazard Area with wave heights between 1.5 feet and 3.0 feet during the base flood and seaward of the line labeled the "Limit of Moderate Wave Action" (LiMWA) on a Flood Insurance Rate Map (FIRM).

Coastal High Hazard Area: The area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity waters caused by, but not limited to, hurricane wave wash. Coastal High Hazard Areas are designated as Zones VE and Coastal AE on a Flood Insurance Rate Map (FIRM).

Finished Living Space: As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Area, Flood Hazard Zone: Those normally dry land areas above mean high tide that are subject to a general or temporary condition of partial or complete inundation from inland or tidal waters, or accumulation of surface waters, as determined by the Flood Insurance Administration and shown on the Flood Insurance Rate Map.

FLOOD TERMS

Flood Insurance Rate Map (FIRM): The official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas (100-year floodplain) and the insurance risk premium zones applicable to a community.

Flood Insurance Study (FIS): The official study of a community in which the Federal Emergency Management Agency (FEMA) has conducted an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Flood Way: The channel of a river or other water course and adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing water surface elevation more than 0.25 feet.

Floodplain Variance: A grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

Floodplain Violation: A failure of a structure or other development to be fully compliant with the community's floodplain management ordinance. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

Limit of Moderate Wave Action (LiMWA): The landward limit of the 1.5-foot breaking wave within a Coastal AE Zone. These areas are seaward of the line labeled "Limit of Moderate Wave Action" (LiMWA) on a Flood Insurance Rate Map (FIRM).

Mean Sea Level: For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

New Construction (Flood Hazard Regulations): For the purposes of Section 9.3 Flood Hazard Overlay District of these regulations, new construction shall mean structures for which the "start of construction" commenced on or after, December 28, 1961, and included any subsequent improvements of such structures.

Special Flood Hazard Area (SFHA): The area within the Town subject to 1% or greater chance of flooding in any given year, as identified on the Town of Stonington Flood Insurance Maps, as amended. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. SFHAs include, but are not necessarily limited to, the land shown as Zones A, AE, AO, AH, and the Coastal High Hazard Areas shown as Zones VE and Coastal AE on a FIRM. The SFHA is also called the Area of Special Flood Hazard.

Start of Construction: (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348)) Includes substantial improvement, and means the date the Building Permit was issued, provided the actual start of construction, repair, reconstruction or improvement was within 180 days of the permit date. The actual start means the first placement or permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns or any work beyond the stage of

FLOOD TERMS

excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50% of the market value of the structure before the damage occurred. "Substantial Damage" also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

Substantial Improvement: Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during a one-year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure shall be (1) the appraised value of the structure prior to the "start of construction" of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or

2. Any alterations of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Water Surface Elevation: The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

FLOOR and FLOOR AREA TERMS

Basement: The portion of the building that is partly underground which has more than half of its structural headroom above the average finished grade of the ground adjoining the building. For floodplain management purposes, a basement is any area of the building having its floor subgrade (below ground level) on all sides.

Cellar: The portion of the building that is partly underground which has more than half of its structural headroom below the average finished grade of the ground adjoining the building.

Floor: The top surface of an enclosed area in a building (including basement) i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction.

Floor Area Ratio (FAR): The gross floor area of all buildings on a lot in square feet, divided by the area of such lot in square feet (lot area as prorated by Section 12.9).

Gross Floor Area (GFA): The sum of the gross area of every floor in a roofed over space on a lot in both principal and accessory buildings. The area of enclosed spaces shall be measured from the exterior faces of the walls or from the center line of a party or common wall separating two buildings. For the purposes of calculating floor area ratio, roofed over space used for stairwells, elevators, accessory water tanks, and cooling towers shall not be counted toward gross floor area. For purposes of calculating accessory off-street parking and loading berth requirements for commercial uses, cellar space that is used for commercial uses shall be included for the purpose of calculating such requirements, even if not counted as roofed over space for purposes of calculating floor area ratio.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor.

Habitable Floors: Any floor usable for living purposes or readily convertible for such purposes, including: working, sleeping, eating, cooking, recreation, or a combination thereof, in part or whole.

Roofed Over Space: For an accessory or principal building, the area of every floor under a roof in which (a) the structural headroom is 6.5 feet or more; and (b) more than half of its structural headroom is above the average finished grade of the ground adjoining the building. For a principal building in the Flood Hazard Overlay District that is elevated to have its lowest floor at least one foot above the level of the base flood elevation, any floor area under the elevated building in which more than half of the structural headroom is below the base flood elevation is not counted as roofed over space. Roofed over space includes enclosed, unenclosed, or partially enclosed areas, as long as the area is under a roof. Roofed over space includes, but is not limited to, basements (if they meet the requirements in (a) and (b) above); attics (whether or not a floor has been laid, as long as the space meets the requirements in (a) and (b) above); breezeways; attached or detached garages; attached or detached carports; detached sheds or other accessory buildings; and porches with roofs. Roofed over space does not include the following areas if they are not under a roof: terraces, patios, open porches, decks, areas under porches or decks, and steps.

Floor: See Floor and Floor Area Terms.

Floor Area Ratio (FAR): See Floor and Floor Area Terms.

Form: The shape and appearance of buildings and the shape and arrangement of spaces made by the buildings and spaces.

Frontage: See Lot and Setback Line Terms.

Front Lot Line or Street Line: See Lot and Setback Line Terms.

Front Yard: See Yard Terms.

Functionally Dependent Facility: A facility which cannot be used for its intended purpose unless it is located in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

Garage: A detached accessory building or portion of a principal building for the parking and storage of automobiles.

Glare: See Lighting Terms.

Government Authority: The governing authority of the Town of Stonington.

Grade: See Grade Related Terms.

Grading: See Grade Related Terms.

GRADE RELATED TERMS

Average Finished Grade: A reference plane established by the average of the finished ground level adjoining the building along all the exterior walls, from the exterior wall out to a point 6 feet from the building.

Finished Grade: The final elevation of the ground surface after the completion of grading.

Grade: When used in conjunction with the terms "existing" or "finished", grade is used in reference to elevation. When used as a measurement, grade refers to the percentage of rise or descent of a slope.

Grading: Any excavation, grubbing, filling (including hydraulic fill) or stockpiling of earth, or any combination thereof, which results in a change of contour or elevation.

Green Roof: A roof covered with vegetation, designed for its aesthetic value and to optimize energy conservation.

Gross Floor Area: See Floor and Floor Area Terms.

Ground Cover: See Landscaping Terms.

Grading: See Grade Related Terms.

Groundwater: See Groundwater and Water Supply Terms

GROUNDWATER and WATER SUPPLY TERMS

Groundwater: Water below the land surface in the saturated zone.

Primary Recharge Area: The area of stratified drift identified on the Groundwater Protection Overlay District Map as the "Primary Recharge Zone." This zone overlies the aquifer and adjacent stratified drift from which and in which ground water flows directly into the aquifer.

Saturated Zone: The subsurface zone occurring below the water table where the soil pores are filled with water and the moisture content equals the porosity.

Secondary Recharge Area: Till and bedrock areas that provide direct ground water inflow to the primary recharge area and are mapped on the Groundwater Protection Overlay District Map.

Stratified Drift Wellfield: An area containing one or more public water supply wells.

GROUNDWATER and WATER SUPPLY TERMS

Water Supply Well: Under the terms of the Safe Drinking Water Act (SDWA), 42 U.S.C., a water supply that services a minimum of 25 people, 60 days per year, or a well site that has the demonstrated ability to provide up to 500,000 gallons per day.

Water Surface Elevation: See Flood Terms.

Watershed Protection Zone: The area that drains into the surface water reservoir used as a Public Water Supply. This area is designated on the Groundwater Protection Overlay District Map as the area of the Watershed Protection Zone.

Wellfield Area of Contribution: Area of the aquifer where ground water flow is diverted to a pumping well due to a lowering of the water table.

Wellfield Recharge Area: The area from which ground water flows directly to the wellfield area of contribution.

Habitable Floors: See Floor and Floor Area Terms.

Halo Lighting: See Sign Terms.

Hazardous Material: Any virgin or waste substance which, because of its physical, chemical, or infectious characteristics, poses an actual threat to health or drinking water quality or is a threat because it may be improperly managed. Generally, the material has the following characteristics: toxic, flammable, corrosive, or reactive. (Included are substances, wastes, and chemicals listed as hazardous under the following laws or regulations: Title III of Superfund Amendments and Environmental Response Compensation and Liability Act (CERCLA); the Resource Conservation and Recovery Act (CWA) Section 311; and Connecticut General Statutes Section 22a-448.) Included are petroleum and petroleum products.

Headroom, Structural: The vertical distance within a structure as measured from the floor or horizontal surface upon which a person could stand to the ceiling directly above said floor or surface or, if there is no ceiling or if a drop ceiling is installed, to the bottom of the ceiling joists, rafters, trusses, carrying beams, or framing members.

Height, Building: See Building Height.

Height, Tower or Structure: The distance measured from ground level to the highest point on the tower or other structure, even if said highest point is an antenna.

Hen: Female member of the species Gallus domesticus.

Historic Structure: Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

Household Use: Small quantities of hazardous materials of a type and volume used for normal repair, cleaning or maintenance of a residence, and associated equipment, in volumes and amounts sold for that purpose.

Illuminated Sign: See Sign Terms.

Impervious Coverage: See Coverage Terms.

Impervious Coverage, Effective: See Coverage Terms.

Inspection of Erosion Control: The periodic review of sediment and erosion control measures shown on the certified plan.

Integral Lot Area: The area associated with a single dwelling unit and accessible from that unit by access opening onto it at ground level and unoccupied by drives, walks, parking, accessory uses or building, to be designated for private use of that unit only.

Internal Use Sign: See Sign Terms.

Lamp: See Lighting Terms.

Landscaping: See Landscaping Terms.

LANDSCAPING TERMS

Berm: An earthen bank used to provide a visual or noise buffer, control stormwater, or to provide other separation between uses, structures, or parcels.

Buffer: An area within a required yard which contains trees, shrubs, walls, fences, rocks, berms and other landscaping materials and whose primary function is to provide effective visual, noise, and odor insulation from adjacent property and roadways.

Caliper: The diameter of a tree trunk measured 4 feet from the top of the root ball of an established tree and 2 feet from the top of the root ball of nursery specimen or newly planted tree.

Evergreen Tree: A coniferous species of tree with an expected mature height greater than 20 feet.

Ground Cover: Plant materials generally not in excess of 24 inches in height and used for decorative purposes or for their soil stabilization characteristics. Such materials include but are not necessarily limited to ivy, pachysandra, crown vetch, ground pine, and similar materials.

Landscaping: The modification of the landscape for an aesthetic or functional purpose. It includes the preservation of existing vegetation, planting of new vegetation, and the continued maintenance thereof together with grading and installation of minor structures and appurtenances.

Shade Tree: A deciduous tree with an expected mature height of 35 feet or greater.

Shrub: A deciduous or coniferous species of plant with a mature height of at least six feet.

Screen or Screening: Dense vegetation or other landscape materials, or a combination thereof, which provide effective year-round visual insulation from adjacent property for a minimum of six feet in height. See Buffer.

Landscape Wall Sign: See Sign Terms.

LIGHTING TERMS

Glare: Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see, may cause visual discomfort, to the viewer and in extreme cases causing momentary blindness.

Lamp: The light source component of luminaires that produces the actual light.

Livestock: Any camelid or hooved animal raised for domestic or commercial use as so defined by Section 22-278 of the Connecticut General Statutes.

Limit of Moderate Wave Action (LiMWA): See Flood Terms.

Livestock: Farm animals kept for use and/or profit, except those listed under Prohibited Uses.

Loading Berth: An off-street area available for the standing, loading, and unloading of one tractor-trailer truck, excluding additional maneuvering area.

Kitchen: A room, place or space within a structure equipped for the preparation and/or cooking of food.

Lot: See Lot Types.

Lot, Corner: See Lot Types.

Lot, Through: See Lot Types.

Lot Area: See Lot and Setback Line Terms.

Lot Line: See Lot and Setback Line Terms.

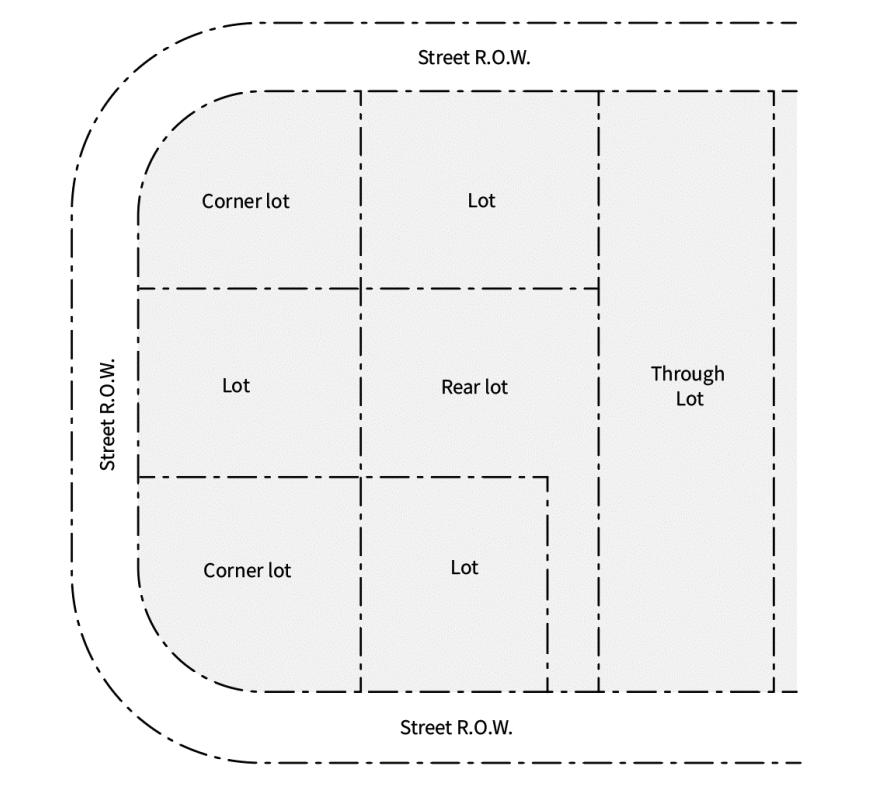
LOT TYPES

Lot: One or more contiguous parcels of land under single ownership or control, designated by the owner at the time of filing an application for a Zoning Permit as a tract to be used, developed or built upon as a unit, provided all such lots conform to applicable Zoning Regulations.

Lot, Corner: A lot whose street lot lines have an interior angle of less than 135 degrees at the intersection of the two lot lines. A lot abutting on a curved street shall be deemed a corner lot if the tangents to the curve at the point of intersection of the side lot lines intersect at an interior angle of less than 135 degrees.

Lot, Through: A lot other than a corner lot having frontage on two or more streets that do not intersect at the lot.

Rear Lot: A lot with less than the required district frontage located to the rear of another lot which meets the frontage requirements of the district.



Lowest Floor: See Floor and Floor Area Terms.

LOT and SETBACK LINE TERMS

Frontage: The property line of a lot measured along the street line at the setback line from the highway right-of-way edge.

Lot Area: The actual area in square feet enclosed by the lot lines including easements, but wetlands only as prorated by Section 12.9, Wetlands Proration.

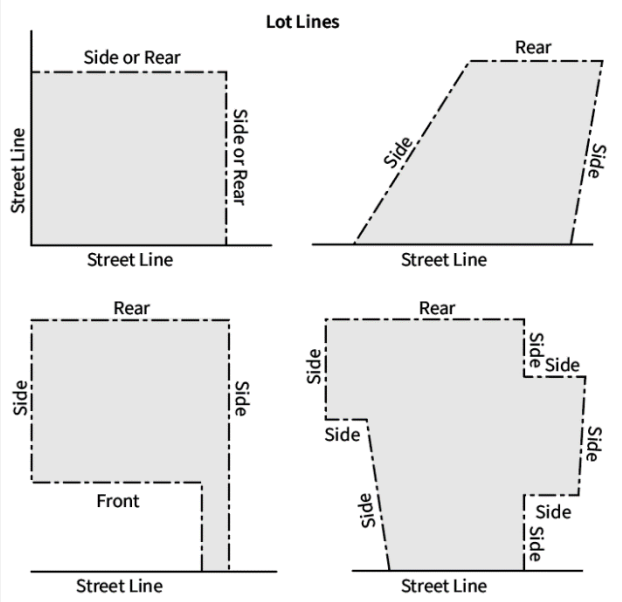
Lot Line: Any lot boundary setting a lot apart from adjoining lots or from a street, other open lands or common spaces.

Rear Lot Line: A lot line which is most generally opposite the longest front lot line except that, on a pie-shaped lot or a corner lot, any lot line adjacent to the front lot line shall not be considered to be a rear lot line.

Setback Line: The line established by the minimum yard dimension created in the various District Regulations, as shown on the Use and Bulk Tables.

Side Lot Line: Any lot line which is not a front lot line or a rear lot line, as defined herein.

Street Line or Front Lot Line: A right-of-way line of a street.



Manufactured Home: A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes recreational vehicles, park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Market Value: As related to substantial improvement and substantial damage, the value of the structure determined by the appraised value prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

Mean Sea Level: See Flood Terms.

Motor Vehicles: See Vehicle Terms.

Municipal Athletic Field Sponsorship Panels: See Sign Terms.

New Construction: For the purposes of these regulations, other than as defined for the purposes of Section 9.3 Flood Hazard Overlay District of these regulations, new construction shall mean the construction of a new building or structure for which a Building Permit is required. *See Flood Related Terms for a definition of new construction as relevant to the Flood Hazard Overlay District.*

Non-Building Use: A principal use of land to which the buildings on the lot, if any, are accessory, such as a trailer park, junk yard, public parking lot or an open storage yard of materials.

Non-Conforming Bulk: See Bulk, Non-Conforming.

Non-Conforming Use: See Use Terms.

Non-Infringement Area: The area designated by the Commission, or these regulations, adjoining a stream, floodway, wetland, tidal area, that may not be disturbed, filled or improved, but may be used, with permission from the Planning and Zoning Commission for public trails, greenways, boat access, and water quality restoration activities. The dimension or width of such an area shall be set by the Commission in view of local conditions in terms of soils, slope, use, streams, flood potential, and local geography.

Open Space: A space not occupied by a building or structure on the same lot as the principal building or use.

Office: A room, group of rooms, or facilities in which services involving predominantly administrative, professional, or clerical operations are performed.

Parapet: A low protective wall or railing along the edge of a roof.

Parking Area: Any public or private land area designed and used for parking motor vehicles including parking lots, garages, private driveways and legally designated areas of public streets.

Parking Lot: An off-street, ground level area used for the temporary parking of more than 4 motor vehicles and available to the general public, whether for free or for compensation, or to accommodate employees, clients, customers or residents, but not including private driveways.

Parking Space, Off-Street: The area intended for the temporary parking of a motor vehicle, not including aisles and driveways giving access thereto, located in other than a public street or other public way and having a permanent means of access to a public street without requiring passage through another parking space.

Patio: See Terrace or Patio.

Performance Standards: Standards specified by the Commission or referred to in these regulations and requiring continued compliance.

Porch: A portion of a building which has a roof and a floor and is not enclosed by full walls.

Pre-Existing Tower or Antenna: Any tower or antenna for which a permit was properly issued prior to July 20, 1961.

Premises: All land comprising a lot and all the buildings and uses located thereon.

Principal Building: See Building Terms.

Primary Recharge Area: See Groundwater and Water Supply Terms.

Public Parking Lot: Any lot used for the storage of motor vehicles that contains space available to the general public by the hour, day, week, month or year.

Public Sewage: A sewage disposal system owned or administered by the Stonington Water Pollution Control Authority or its successors.

Public Water Supply: Water supplied by all regulated water companies.

Principal Building: See Building Terms.

Principal Use: See Use Terms.

Rear Lot: See Lot Types.

Rear Lot Line: See Lot and Setback Line Terms.

Rear Yard: See Yard Terms.

Recreational Vehicle: See Vehicle Terms.

Required Yard: See Yard Terms.

Required Front Yard: See Yard Terms.

Required Rear Yard: See Yard Terms

Required Side Yard: See Yard Terms.

Residence: See Dwelling Terms.

Retaining Wall: A wall or similar structural device used at a grade change to hold soil and/or other earth material at a higher position. Retaining walls may be attached to or independent from other structures.

Retaining Wall, Major: A retaining wall of 5 feet in height or more at its highest point as measured from ground level to the top of the wall along the exposed face of the wall. Terraced retaining walls shall be considered a single combine d wall where the horizontal space between them is less than the height of the highest wall at that location.

Right of Way, Street: The area of a public or private street, between the two opposing street lines of that street.

Roofed Over Space: See Floor and Floor Area Terms.

Sand Dunes: Naturally occurring accumulations of sand in ridges and mounds landward of the beach.

Saturated Zone: See Groundwater and Water Supply Terms.

Screen or Screening: See Landscaping Terms.

Secondary Recharge Area: See Groundwater and Water Supply Terms.

Sediment: See Soil Terms.

Setback: The shortest distance between any part of the building or structure and the nearest property line.

Setback Line: See Lot and Setback Line Terms.

Shade Tree: See Landscaping Terms.

Shoreline Flood and Erosion Control Structures: Any structure the purpose or effect of which is to control flooding or erosion from tidal, coastal or navigable waters and includes breakwaters, bulkheads, groins, jetties, revetments, riprap, seawalls and the placement of concrete, rocks or other significant barriers to the flow of flood waters or the movement of sediments along the shoreline. The term shall not include: any addition, reconstruction, change or adjustment to any walled and roofed building which is necessary for such building to comply with the requirements of the Code of Federal Regulations, Title 44, Part 50, and any municipal regulation adopted thereunder, or any activity, including, but not limited to, living shorelines projects, for which the primary purpose or effect is the restoration or enhancement of tidal wetlands, beaches, dunes or intertidal flats.

Shrub: See Landscaping Terms.

Side Lot Line: See Lot and Setback Line Terms.

Side Yard: See Yard Terms.

SIGN TERMS

Halo Lighting: A sign illuminated by a non-visible light source consisting of opaque, channel lettering and where the only visible light is reflected off the background creating a halo effect.

Illuminated Sign: A sign, or any part of a sign, which is illuminated, externally or internally, from an artificial light source.

Internal Use Sign: A sign situated within the interior of a property that is not intended to provide advertisement to areas external to the property, such that it is not visible from any public street, public right-of-way or any residential property. Internal use signs are intended to provide direction and orientation to vehicles and pedestrians that have entered a property and shall not be used to advertise or otherwise make tenants of a site known to the public at large.

Landscape Wall Sign: A sign affixed to a landscape or retaining wall.

Municipal Athletic Field Sponsorship Panels: Commercial sponsorship signage located at a municipal athletic facility.

Sign: Any exterior free-standing or building mounted visual display that is comprised of letters, words, numerals, figures, logos, trademarks, emblems or any combination thereof, that is intended to identify, advertise or otherwise make known to the general public the following: the property, individual businesses or tenants, products, commodities, services or entertainment. The term "sign" does not include any flag or insignia of any government, any athletic field scoreboard, or any traffic or directional control device when authorized by the Town of Stonington or State of Connecticut.

Sign Area: The area within a rectangular line that can be drawn around the face of a sign, that is, the surface or plane containing all visual displays as defined in the term sign. It does not include any structural elements outside the limits of such sign not forming an integral part of the display. Only one side of a double-faced sign shall be used in computing the total sign area.

Sign, Billboard: Any sign owned or operated by an entity engaged in the business of outdoor advertising, or any detached or building-mounted sign that is visible from any public street or highway advertising a business, tenant, product, commodity or service that is not sold, produced or conducted on the premises. This definition excludes Municipal Athletic Field Sponsorship Panels.

Special Detached Banner: The use of banners suspended from the decorative street light poles to promote events held in proximity of their display.

Special Detached Sign: Permanent on-premises free-standing sign in excess of 18 square feet.

Sign: See Sign Terms.

Significant Natural Resources: Tidal and inland rivers, streams, creeks, wetlands and marshes, wildlife habitats, beaches, ponds, aquifer recharge areas, drainage basins for public water supply and public open spaces, and such other natural resources as may be determined by the Commission.

Site Improvement: The alteration of existing features of a site pursuant to the construction, reconstruction, conversion, structural alteration, relocation, enlargement of any structure, or of any mining, and any change in the use of any building, or other structure, or land, or extension of the use of land, excepting agricultural land uses not requiring a Building Permit or Zoning Permit.

Soil: See Soil Terms.

SOIL TERMS

Sediment: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

Soil: Any unconsolidated mineral or organic material of any origin.

Stratified Drift: Predominantly sorted sediment deposited by glacial melt water composed of gravel, sand, silt, or clay in layers of similar grain size.

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

Special Detached Banner: See Sign Terms.

Special Detached Sign: See Sign Terms.

Special Wall Sign: See Sign Terms.

Special Flood Hazard Area (SFHA): See Flood Terms.

Start of Construction: See Flood Terms.

Story: That portion of a building, other than a cellar, between a floor and the ceiling or roof next above it.

Stratified Drift: See Soil Terms.

Stratified Drift Wellfield: See Groundwater and Water Supply Terms.

Street: Any existing State or Town highway, or a street on a subdivision approved by the Planning and Zoning Commission, or on a subdivision duly filed and recorded in the Office of the Town Clerk of the Town of Stonington prior to the adoption of Subdivision Regulations by the Planning and Zoning Commission, provided such street shall have been suitably improved in compliance with pertinent road standards after December 1, 1960.

Street Center Line: A line equidistant from each street line; or if no street line is established, the center line of the existing pavement; or if the street is unpaved, the centerline of the existing traveled way.

Street Line: See Lot and Setback Line Terms.

Substantial Damage: See Flood Terms.

Substantial Improvement: See Flood Terms.

STRUCTURE TERMS

Accessory Structure: A structure, the use of which is customarily incidental and subordinate to that of the principal building, structure or use on the same lot.

Detached Structure: A structure that does not share a common wall, party wall or roof with another structure.

Principal Structure: A structure in which is conducted the main or principal use of the lot on which it is located.

Structure: Anything constructed or erected, including a building which has a permanent location on the ground or anything attached to something having a permanent location on the ground, including vending machines and portable signs but excluding fences, flagpoles, ornamental wells, tennis courts, driveways, arbors, mailboxes, or retaining walls. For floodplain management purposes, a structure is a walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

Structure: See Structure Terms.

Telecommunication Facility: A site operated by a licensed wireless telecommunication service provider which consists of all equipment and structures, including towers, involved in receiving or transmitting electromagnetic waves associated with wireless telecommunication services.

Tenant: The occupant, whether temporary or permanent, of premises.

Terrace or Patio: A level, landscaped and/or surfaced area located on the ground with no structural supports other than subsurface base material and retaining walls. A terrace or patio located at grade or ground level shall not be deemed a structure.

Tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self- supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like.

Trailer: See Vehicle Terms.

Use: See Use Terms.

USE TERMS

Accessory Use: A use which is customarily incidental and subordinate to that of the principal building, structure or use on the same lot.

Change of Use: Any proposed use which differs from the existing use of a building, structure or lot.

Principal Use: The primary or predominant use of a building, structure or lot.

Non-Conforming Use: Use of a structure or land or both which does not conform to the applicable Use Regulations of these Regulations either on its effective date or as a result of subsequent amendments thereof. Any use that is permitted in a District by a valid variance or Special Use Permit shall be considered a conforming use.

Use: A term employed to refer to any purpose for which buildings or other structures or land may be occupied.

VEHICLE TERMS

Automobile: A usually 4-wheeled automotive vehicle typically with passenger registration or any vehicle with motorcycle registration. For the purpose of these regulations the term "automobile" shall not be construed to include commercial vehicles, construction equipment or equipment designed to carry freight and goods.

Commercial Vehicle: Any motor vehicle with commercial license plates or with lettering, markings, racks or other apparent accessories indicating it is intended for use other than personal and/or recreational transportation.

Motor Vehicle: A motor vehicle as defined per CGS 14-1 as amended.

Recreation Vehicle: A vehicle also commonly referred to as a camper, camp trailer, trailer bus, or motor bus that is equipped with sleeping facilities, used for vacation travel purposes only, and is not more than 8.5 feet wide or 32 feet in length.

Trailer: A structure standing on wheels, towed or hauled by another vehicle and used for short-term human occupancy, carrying materials, goods or objects, or as a temporary field office for a construction project.

Viewshed: The visible watershed of waters, shore lands, and islands extending up to the distant high ridge or peak most commonly viewed as the shore horizon by coastal usage. All viewsheds are mapped and defined in the Municipal Coastal Program.

Watercourse: Rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private, as further defined in CGS Section 22a-38, as amended.

Water Supply Well: See Groundwater and Water Supply Terms.

Water Surface Elevation: See Flood Terms.

Watershed Protection Zone: See Groundwater and Water Supply Terms.

Wellfield Area of Contribution: See Groundwater and Water Supply Terms.

Wellfield Recharge Area: See Groundwater and Water Supply Terms.

Wetlands, Coastal or Inland: Land, including submerged land, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial, and floodplain by the National Cooperative Soils Survey, as may be amended from time to time, of the Natural Resources Conservation Service of the United States Department of Agriculture. Includes areas designated as coastal wetland by the Department of Environmental Protection, State of Connecticut, or as an "Inland Wetland or Water Course" by the Inland Wetlands Agency of the Town of Stonington, as amended. Tidal wetlands are designated as resource areas in the Municipal Coastal Plan.

Yard: See Yard Terms on next page.

YARD TERMS

Yard: An open space between a lot line and the nearest facing wall of a building on the same lot, unoccupied and unobstructed from the ground to the sky by buildings or structures, except as specifically permitted by these Regulations.

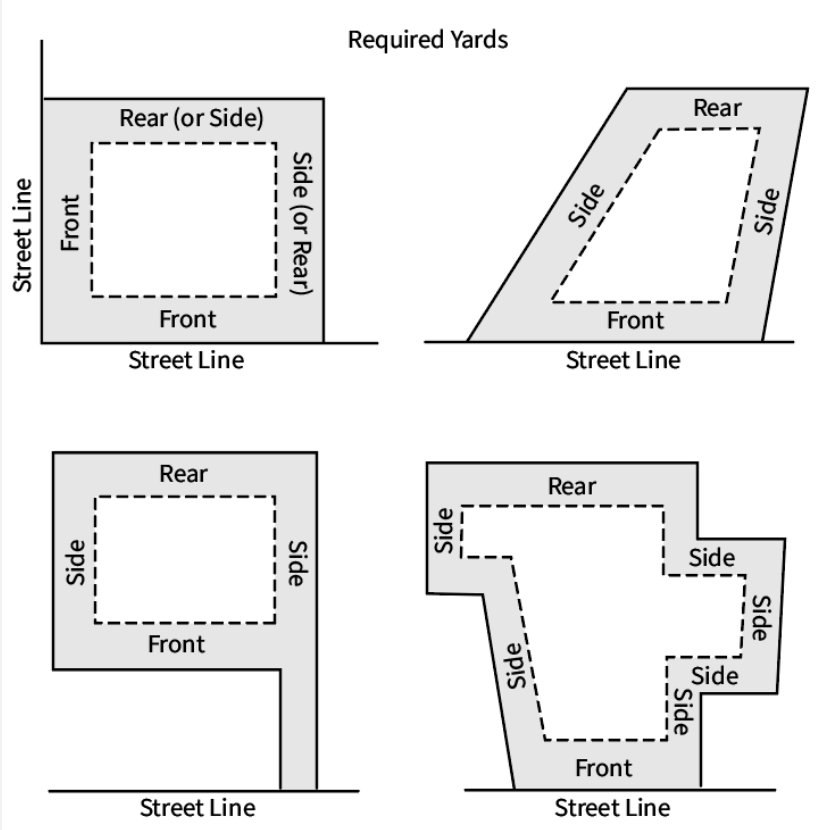
Yard, Required: Open and unobstructed ground area of the lot extending inward from a lot line for the distance specified in the Regulations for the district in which the lot is located. The following items are exempt from the yard requirements: Permitted free-standing signs; landscaping; lighting fixtures; fences; flagpoles; ornamental wells; retaining walls; tennis and basketball courts; driveways; arbors; mailboxes; gravel; stones; gravestone; and off-street parking areas.

Yard, Required Front: A required yard extending along the full length of the front lot line between the two side lot lines.

Yard, Required Rear: A required yard extending along the full length of the rear lot line between the side lot lines.

Yard, Required Side: A required yard extending along a side lot line from the required front yard (or from the required front lot line if there is no required front yard) to the required rear yard (or the required rear lot line if there is no required rear yard).

Yards, Corner Lot: Front yards are required along both streets in accordance with front yard setbacks. One non-front yard shall be designated as a side yard, and the other non-front yard shall be the rear yard.



Section 21. Use Definitions

See Section 20 for Zoning Terminology Definitions

Accessory Alcohol Sales: The sale of alcohol for on-premises consumption as accessory to the principal use.

Accessory Dwelling Unit: A separate and complete dwelling unit that is either contained within the structure of a single-family dwelling unit or on the same property as the principal single family dwelling unit. An accessory dwelling unit must be clearly subordinate to the primary single family dwelling unit and is distinct from a duplex. (See definition of "Residence, duplex")

Accessory Retail: Retail sale of goods or supplies which are either manufactured or processed on site provided said retail sale is subordinate and incidental to the permitted use in all respects, including but not limited to the proportion of space and resources devoted to said accessory use.

Advanced Manufacturing: See Manufacturing, Advanced

Agriculture: The primary production of products of the soil, involving the cultivation of the land and the raising and harvesting of these products, including, but not limited to, nurseries, horticulture, forestry, livestock, and poultry. May include structures accessory and incidental to agricultural use including barns, silos, greenhouses, solar and energy conservation equipment, and other out-buildings.

Agriculture or Homemaking Educational/Training Projects: Projects undertaken by school-aged children typically associated with organizations such as 4-H.

Amplified Entertainment: Amplified musical, theatrical, dance, cabaret, or comedy act performed by one or more persons or amplified recorded music played for the purposes of entertainment.

Aquaculture: The farming of the waters of the State and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Also includes the farming of sea vegetables (e.g., sugar kelp) in waters of the State.

Assembly: A manufacturing process in which interchangeable parts are added to a product in a sequential manner to create an end product.

Attached Housing: Two or more dwelling units within a single structure, except duplex housing.

Assisted Living: See Congregate Living Facility.

Auto Service: Any building, place or location primarily providing motor vehicle repairs or service, or installation of motor vehicle-related components, including but not limited to mufflers, transmissions, brakes, lubrication, body work, and sound systems, but not including motor vehicle detailing.

Auto Sales: Sale or lease of new or operable used automobiles, light trucks, and motorcycles together with associated maintenance and repair services and parts sales. Does not include automobile brokerage and other establishments which solely provide services of arranging, negotiating, assisting, or effectuating the purchase of an automobile for others.

Bait and Tackle Sales: A business establishment where live and dead bait and fishing tackle is sold at retail to the public.

Bank: A financial service business that primarily provides person to person retail banking services at that location including cash deposits and withdrawals using tellers and secondarily other banking services including personal business and mortgage loans and other financial services and is chartered and/or licensed as a bank by an agency of the Federal Government or Connecticut Department of Banking.

Bed and Breakfast Facility: An owner-occupied private residence in which lodging and breakfast are provided for not more than eight transient paying guests who shall not utilize more than 4 rooms at any given time.

Billiard Parlor: A commercial establishment in which billiards is played as a principal activity.

Boat Fabrication: The fabrication and/or assembly of boats and their systems.

Boating Facility: A facility for berthing and securing recreational craft for more than three, but less than ten, boats serving neighborhood residents exclusively.

Boat Livery: A facility where small boats can be rented by the hour and which may be connected with a store which sells fish bait and refreshments during the summer season only.

Boat Part Sales: The retail or wholesale sale of boat parts whether new or used.

Boat Repair: Any building, place or location primarily providing boat and/or personal watercraft repairs or service, or the retail sale of parts and/or equipment for boats and personal watercraft.

Boat Sales: Sale or lease of new or operable used boats and personal watercraft, together with associated repair services and parts sales.

Brewery: A facility, distinct from restaurants, micro-breweries and/or brewpubs, used for the brewing, bottling and production of beer and beer products, which may include activities such as: (1) wholesale and retail sale of beer and related items to the extent allowable under State statute; (2) a tasting room; (3) beer sales for consumption on or off premises; (4) tastings; (5) tours; (6) beer/food events; (7) catered events, provided said activities are specifically authorized by the Planning and Zoning Commission.

Bowling Alley: A commercial establishment in which the game of bowling is played as a principal activity.

Bulk Storage: The indoor or outdoor storage of large quantities of goods, materials, or supplies.

Cemetery: Land used or dedicated to the burial of the dead, including mausoleums, and any accessory maintenance facilities but excluding crematoriums and mortuaries.

Crematorium: A facility for the cremation of the dead.

Church or Place of Worship: A facility used or occupied by a 501(c)(3) tax exempt organization that is intended for the principal use of conducting religious services and may include accessory uses such as religious education, meetings, events, and like activities.

Coal Yards and Oil Tanks: The outdoor storage of coal or the storage of large quantities of oil in tanks as a principal use or as accessory to a principal use.

Commercial Kennel: A kennel licensed by the State of Connecticut Department of Agriculture maintained as a business for boarding or grooming dogs or cats.

Commercial Recreation: A for-profit establishment or use where indoor or outdoor non-motorized recreation activity is conducted.

Commercial Stable: See Keeping and Breeding of Livestock.

Community Center: A facility that provides social and recreational activities and services primarily to residents of the surrounding community. Includes libraries.

Community Garden: An activity where a group of individuals grow and harvest food crops and / or non-food, 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 Residence: A residential structure housing eight or fewer persons with intellectual disability and necessary staff persons and is licensed by the State of Connecticut -or- any child care residential facility that houses six or fewer children with mental or physical disabilities and necessary staff persons and is licensed by the State of Connecticut -or- any community residence that houses six or fewer persons receiving mental health or addiction services and necessary staff persons, which is paid for or provided by the Connecticut Department of Mental Health and Addiction Services and that has been issued a license by the Department of Public Health.

Compounding: Fabrication that combines two or more components into a single part or product.

Congregate Living Facility: A complex of more than ten private residential dwelling units restricted to not more than two persons per dwelling unit, at least one of whom is a person 55 years of age or older, that provides an assisted living environment for those who are in otherwise good health, and that provides the support of services, both licensed and unlicensed, necessary to maintain the residents in a semi-independent lifestyle. A congregate care facility may include convalescent care. For purposes of these regulations, a congregate care facility is not deemed to be "Housing for the Elderly".

> **Assisted Living:** A form of housing for persons who have difficulty performing daily tasks including but not limited to preparing meals, bathing, dressing, taking medication, housekeeping, laundry and/or transportation due to physical and/or mental impairment and may serve as a transition between independent living and skilled nursing care. Includes a common dining room and kitchen facilities for the preparation of meals for the exclusive use of residents and their guests.

Conference Center: A facility used for academic, business or professional meetings, which may also offer accommodations for sleeping, dining and recreational facilities.

Convalescent Home: (a) a home for the aged; (b) a rest home with nursing supervision; (c) a chronic and convalescent home; (d) a chronic and convalescent home with authorization to care for persons suffering from harmless chronic mental disturbances; (e) a children's nursing home; or (f) a children's nursing home with authorization to care for persons suffering from harmless chronic mental unsoundness. Above terms are as defined in the "Public Health Code of the State of Connecticut, February 1987" as amended.

Day Care Center: A building or structure where care, protection and supervision are provided for a fee to more than six children.

Distillery: An establishment for manufacturing alcoholic liquors. Definition does not include wineries, breweries, micro-breweries or brewpubs. Distilleries may include activities such as (1) wholesale and retail sale of liquors and related items to the extent allowable under State statute; (2) a tasting room; (3) alcohol sales for consumption on or off premises: (4) tastings; (5) tours; (6) distillery/food related events; (7) catered events, provided said activities are specifically authorized by the Planning and Zoning Commission.

Dog Daycare and Training Center: A facility which provides supervision, play and training for dogs without overnight stays.

Drive-in Window: A facility designed to provide access to commercial goods (including food and beverages), products and services for customers remaining in their motor vehicles.

Elementary or Secondary School: Any building or group of buildings, the use of which meets the State of Connecticut's requirements for primary or secondary education, whether public or private.

Excavation Operation: The digging out, extraction, or removal of earth materials for sale or use off premises.

Fabrication: The processing or refining of raw materials in preparation for assembly.

Family Child Care Home: A private family home caring for not more than nine children, including the provider's own children not in school full-time, where the children are cared for not less than three nor more than 12 hours during a 24-hour period, where care is given on a regularly recurring basis, and where the principal provider of the service resides on the premises or as defined by CGS Section 19a-77, as amended.

Farm Stand: Building or stands for display and sale of produce grown on premises.

Funeral Home or Mortuary: An establishment specializing in the preparation of the deceased for burial, the display of the deceased, and ceremonies connected therewith before burial or cremation in accordance with Chapter 385 of Connecticut General Statute.

Garages: A building designed and/or used for the parking of motor vehicles.

Gas Station: Any building, place or location primarily engaged in the retail sale of vehicular fuels and which may sell other motor vehicle-related merchandise and/or perform minor repair work.

Golf Course: A facility providing a private or public golf recreation area designed for executive or regulation play along with accessory golf support facilities but excluding miniature golf. Includes country clubs with golf courses.

Group Child Care Home: A facility that provides a program of supplementary care to not less than seven or more than twelve related or unrelated children on a regular basis, or that meets the definition of a family child care home except that it operates in a facility other than a private family home, or as defined by CGS Section 19a-77, as amended.

Health Club: An establishment that provides facilities for aerobic exercises, running and jogging, exercise equipment, game courts, swimming facilities, saunas, showers and lockers, also known as gymnasiums.

Home Occupation: An occupation, not otherwise permitted in the district, which is clearly accessory and secondary to the residential use of the dwelling and is conducted by a person residing on the premises~~.~~

Hospital: Facility or institution principally engaged in providing services to individuals, including offices of physicians, dentists, other health practitioners and medical and dental laboratories designed for health maintenance, diagnosis or treatment of human disease, pain, injury, deformity or physical condition; for medical or surgical care on an outpatient basis and for their housing during the process.

Hotel: A building or group of buildings providing rooms without cooking facilities for transient lodging. Hotels may have the following ancillary services: restaurants, meeting rooms, retail stores and recreational facilities. Suite type units, containing cooking facilities and no more than two bedrooms, are included in this definition, provided that the suites are specifically intended, designed and approved for such use. Includes motels.

Housing for the Elderly: Dwelling units with an interior design and layout of buildings and units specifically suited for the needs of elderly persons, meeting Federal and State program requirements and Commission guidelines as derived from any special consultant reports.

Indoor Boat Storage: A facility used for the indoor storage of boats.

Keeping and Breeding of Livestock: Includes the keeping and breeding of horses, sheep, cows or similar livestock including the operation of a commercial stable.

- **Commercial Stable:** An establishment where horses are kept, ridden, boarded, bred, shown, trained, groomed, housed or sold for commercial purposes.

Keeping of Domestic Animals: The keeping of grazing animals such as horses, cows, sheep, and goats, and the keeping of dogs, cats, fowl, or other similar domesticated animals in compliance with State and Federal laws.

Keeping of Hens: The keeping of female chickens, referred to as hens, as accessory to a residential use.

Laundromat: An establishment providing washing, drying, or dry-cleaning machines on the premises on a pay-per-use basis to the general public.

Light Manufacturing: See Manufacturing, Light

Liquor Sales Place: Building or uses where any spirituous or intoxicating liquors, and all mixed liquor, any part of which is spirituous or intoxicating, such as wine, ale, port, beer or "hard liquor" is sold for on or off premises consumption.

Lumber Mill: A place or building in which timber is sawed into planks, boards, etc., by machinery.

Manufactured Home Park: A site or subdivision accommodating manufactured homes. For the purposes of Section 9.3 of these regulations, the following definitions shall apply:

Manufactured Home Park or Subdivision, Existing: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before December 28, 1961, the effective date of the floodplain management regulations adopted by the community.

Manufactured Home Park or Subdivision, Expansion: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Manufactured Home Park or Subdivision, New: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after December 28, 1961, the effective date of the floodplain management regulation adopted by the community.

Manufacturing: Any process whereby the nature, size, or shape of articles is changed or where articles are assembled or packaged in quantity.

Manufacturing, Advanced: Activities include computer technologies, high-performance computing, high-precision technologies, information technologies, biotechnology, medical device manufacturing, advanced robotics and other intelligent production systems, automation, control systems to monitor processes, sustainable and green technologies, new industrial platform technologies, custom manufacturing, management methodologies and scalability in manufacturing.

Manufacturing, Light: Manufacturing, fabricating, processing, converting, altering, assembling and testing, engineering and marketing development of products. Permitted, incidental, and accessory uses shall include offices, sales rooms, and storage for wholesale distribution items manufactured and/or assembled on the premises.

Marina: A boat basin with facilities for berthing, securing, and servicing of recreational craft, the sale of marine motors, the sale and brokerage of recreational craft, as well as providing adequate supplies, provisions, storage, fueling and other facilities for the same, including parking.

Medical Clinic: Facility or institution principally engaged in providing services to individuals, including offices of physicians, dentists, other health practitioners and medical and dental laboratories designed for health maintenance, diagnosis or treatment of human disease, pain, injury, deformity, or physical condition on an out-patient basis.

Microbrewery/Brewpub: A small scale facility, with a production area for brewing of less than 3,000 square feet, used for the brewing, bottling, production, sale and/or consumption of beer and food. Activities may include wholesale and retail sale of beer and related items to the extent allowable under State statute; a tasting room or area; beer sales for consumption off-premises; beer sales for consumption

on-premises; tours; beer/food events, catered and otherwise; and a beer-themed restaurant in accordance with Section 5.3.26.

Minor Accessory Building: A detached accessory building not more than 100 square feet in gross floor area or more than 10 feet in height.

Municipal Facility: Schools, libraries, offices, parking facilities, recreation facilities, or other municipal facilities including associated buildings and site improvements.

Museum: A non-profit institution that collects, stores, preserves and exhibits artifacts with the primary purpose of public or private education; which may include such uses as indoor and outdoor exhibits, educational facilities, classrooms, collections storage and preservation facilities, maintenance facilities, administrative offices and supporting commercial activities providing visitor service, such as dining facilities and retail stores.

Night Club: A commercial enterprise whose primary function is to supply music or live entertainment or both and which may provide food and/or beverages for on- premises consumption.

Non-Profit Associations/Clubs/Museums/Art Institutions: Museums, art galleries or similar facilities of non-profit educational or cultural organizations.

Office Building: Building comprises of offices which involve the transaction or provision of financial, professional, or business services, or the operation of service organizations. Office uses include but are not limited to accounting services, advertising agencies, business consultants, design professionals, financial institutions, investment companies, law firms, medical and dental office, non-profit or social work agencies, public relations firms, offices of professional persons, sales agencies, technology professionals, etc. Office uses are characterized by having limited storage consisting of office supplies or the like, but not stock for resale.

Open Space Development (OSD): A development which conforms to Section 5.3.19 of the regulations. An open space development may include a subdivision, or resubdivision of land, or may be a Common Interest Community development.

Outdoor Vendors: Individuals seeking to sell wares, produce, crafts or any merchandise from a non-permanent location on a private open lot, or other location not in a public street or on a public sidewalk.

Parking, Dedicated Off-site (Receiver): The parcel or property where the off-site parking is being provided.

Parking, Dedicated Off-site (Sender): The parcel or property where the use requiring off-site parking is located.

Parking, Off-Street: Parking space as required for specific uses that is located off a public right-of-way.

Parking, Shared: A public or private parking area used jointly by two or more uses.

Personal Service: A business that provides grooming or physical fitness services to individuals or groups of individuals.

Private Kennel: One pack or collection of animals kept under one ownership on a single premise bred for pleasure, show, sports or sale as an accessory use to a residential property.

Processing of Agricultural Products: The alteration or modification, for the purpose of storage, transport, or sale, of an agricultural product provided that the initial agricultural product must be the principal ingredient or component.

Processing of Products Grown on Premises: The processing of products grown on premises as accessory to the principal agricultural or aquacultural use.

Public Utility Structures and Facilities: Buildings, structures, and conveyance infrastructure that supports the delivery of public utilities for public convenience and necessity.

Recreational Facilities: Building and/or other facility designed and equipped for the conduct of sports and other customary leisure activities.

Recreational Facilities Accessory to a Commercial or Manufacturing Use: Recreational facilities incidental to a commercial or manufacturing use.

Recreational Facilities Accessory to an Institutional Use: Recreational facilities incidental to municipal, church, or school facilities.

Recreational Facilities Accessory to a Residential Use: Includes, but is not limited to, swimming pools and tennis courts that are accessory to a residential use.

Recreational Vehicle Camp: Any lot or plot of ground (except a house lot on which a privately owned camp trailer is parked) upon which one or more recreational vehicles are parked, stored or used for sleeping or occupancy regardless of whether or not a charge is made for such parking.

Rehabilitation of Existing Buildings: The rehabilitation, refurbishment, or restoration of buildings that existed prior to adoption of Zoning Regulations by the Town of Stonington in 1961.

Research and Development: A facility or establishment engaged in research, development, and testing of material, products, or processes as the principal activity.

Research Laboratory: Research and development facility, including analytical laboratories, carrying on investigation of natural, physical or social sciences, or engineering and development with the objective of creating end products, also an analytical laboratory conducting research. Permitted, incidental and accessory uses shall include offices, sales rooms and storage for wholesale distribution items manufactured and/or assembled on the premises.

Residence, Duplex: A structure containing two dwelling units sharing a common foundation, each of which is totally separated from the other by a common unpierced wall extending from ground to roof or a common unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units. Excludes single-family dwellings with an accessory dwelling unit.

Residence, Single Family: A building on a lot occupied for residential purposes by one dwelling unit only.

Residence, Triplex: A structure containing three dwelling units sharing a common foundation, each of which is totally separated from the other by common unpierced walls extending from ground to roof or common unpierced ceilings and floors extending from exterior wall to exterior wall, except for a common stairwell exterior to all dwelling units.

Residential, Mixed-Use: A building or complex of buildings that includes residential dwelling units and commercial uses on the same parcel or site or within the same building.

Restaurant: A commercial enterprise containing a kitchen and seats for more than eight patrons whose primary function is the preparation and selling of food and/or beverages to the patron in a ready-to-consume state.

Restaurant, Retail: A business that sells both packaged and prepared foods and beverages primarily for consumption off the premises, but which may have seating for on-site consumption for up to eight patrons. The definition shall also include food service providers (caterers) who prepare and deliver and/or serve food off premises, with the exception of authorized Home Occupations.

Retail Establishment: A sales establishment whose primary purpose is to display and offer for sale commodities or goods directly to the consumer, reserving a substantial amount of floor space and window space for display of goods such as books, stationery, clothing, dry goods, hardware, jewelry,

flowers, variety merchandise, newspapers, magazines, and similar goods. May also offer incidental services.

Seasonal Marina Structures: Temporary/portable buildings or structures to be used at marinas for protection from the elements and inclement weather and storage of boats and yachts.

Self-Storage Facility: A building or complex of buildings used for the storage of personal property where individual lessees control individual storage spaces.

Shed: An accessory structure or building used primarily for storage purposes.

Small Solar Energy Collection System: A solar energy collection system consisting of one or more building systems, solar photovoltaic cells, panels or arrays and solar related equipment that rely upon solar radiation as an energy source for collection, inversion, storage and distribution of solar energy for electricity generation. Such systems are intended to be an accessory use for generation of energy for on-site use. This definition does not include larger systems or "solar farms" which are intended to primarily generate energy for off-site usage. This definition does not preclude a property owner selling back excess power to the utility provider. This definition includes any elements such as supporting structures and/or mechanical equipment. This definition shall not apply to any ground mounted system that exceeds 2,000 square feet in perimeter area (including the space between panels and/or related equipment).

Ground Mounted Solar Energy Collection System: A Small Solar Energy Collection System that is located directly or indirectly on the ground. This definition includes systems mounted on structures such poles, free-standing walls or fences.

Roof Mounted Solar Energy System: A Small Solar Energy Collection System that is attached directly or indirectly to the roof of a building.

Wall Mounted Solar Energy System: A Small Solar Energy Collection System that is attached directly or indirectly to the wall of a building.

Small Wind Energy System: A wind energy conversion system, including the equipment, machinery, and structures utilized in connection with the conversion of wind energy to electricity.

Special Vehicle Parking: The parking of commercial or recreational vehicles as an accessory use in residential districts.

Storage (incidental) of Goods and Supplies: The storage of goods and supplies that is incidental to business operations.

Swimming Pool: A water-filled structure, above or below ground and permanently constructed or portable, having a depth of more than 2 feet and a water surface area of more than 60 square feet, used for bathing or swimming.

Temporary Drive-In Theater Event: The projection of screen images for viewing from parked automobiles.

Temporary Health Care Structure: A transportable residential structure that provides an environment in which a caregiver may provide care for a mentally or physically impaired person and that is primarily assembled at a location other than the site of installation, has one occupant who is the mentally or physically impaired person, and is not placed on or attached to a permanent foundation.

Theater: A building or part of a building whose principal use is to show motion pictures or dramatic, dance, musical, or other live performances. Such establishments may include related services such as food, beverage sales, and other concessions.

Warehousing: An establishment engaged in the receipt, storage, packaging, and/or distribution of goods, products, cargo, and materials.

Water Tower: An above ground water storage and water system pressurization facility.

Wellness Center: Facility or institution principally engaged in providing services to individuals, including offices of physicians, dentists, other health practitioners and medical and dental laboratories designed for health maintenance, diagnosis or treatment of human disease, pain, injury, deformity or physical condition; for the treatment, both medical and surgical care on an outpatient basis; and equipped for the conduct of sports and other customary leisure activities for rehabilitation and wellness maintenance.

Wholesale Establishment: An establishment primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Winery: At least 5 acres of land that is used for growing, bottling, and the production of wine and wine products, and may include activities such as: retail sale of wine and related items; a tasting room; wine sales by glass or bottle; art gallery; meetings; wine tastings; tours; private weddings/banquets; wine/food events; wine festivals; and catered events.

Yacht Club: An association managed boat basin with facilities for berthing, securing, and servicing of recreational craft but excluding the availability of commercial stores, the sale of boats, engines, and hull and engine repair.

Wooden Boat Restoration: Indoor or outdoor restoration of wooden boats.

Section 22. Abbreviations

ADU: Accessory Dwelling Unit

ANSI: American National Standards Institute

BFE: Base Flood Elevation

CFR: Code of Federal Regulations

CGS: Connecticut General Statutes

dBA: Decibels with the A scale sound filter

FAA: Federal Aviation Administration

FEMA: Federal Emergency Management Agency

FIRM: Flood Insurance Rate Map

ft: Feet

N/A: Not Applicable

NFIP: National Flood Insurance Program

OSD: Open Space Development

POCD: Plan of Conservation and Development

PZC: Planning and Zoning Commission

sf: Square Feet

SPA: Site Plan Application

SUP: Special Use Permit

ZEO: Zoning Enforcement Officer

ZP: Zoning Permit

Appendices

Appendix 1: 2023 Comprehensive Rewrite Record of Amendments
Appendix 2: Record of Amendments
Appendix 3: Fee Ordinance

Appendix 1: 2023 Comprehensive Rewrite Record of Amendments

This appendix provides a guide for amendments made to the Zoning Regulations associated with the 2023 comprehensive zoning rewrite, which resulted in a complete restructuring of the regulations. As such, a detailed line-by-line record of amendments is not feasible to provide. This record is intended to function as a useful reference for comparing the prior regulations to the new regulations and it identifies major changes that were made to the regulations that may be impactful to how the regulations are administered and enforced.

Section Guide

The following table provides a guide to reorganization of the 2023 Zoning Regulations (28th Edition) amendment as compared to the originally effective 1961 regulations (27th Edition).

27th Edition Section #	27th Edition Section Name	28th Edition Section #	28th Edition Section Name or *Notes*
1.0	Purpose and Authority	1.1, 1.2	Purpose and Authority, Enacting Clause
1.1	Zoning Districts - Established	2.1, 2.2, 2.3, 2.4	Residential Base Zoning Districts, Commercial and Industrial Base Zoning Districts, Overlay Districts, Floating Zone Districts
1.2	Definitions	19, 20, 21	Word Use and Acceptable References, Zoning Terminology Definitions, Use Definitions
2.1	Applicability	4.1	Applicability
2.2	Lot Divided by District Boundary	2.7	Lot Divided by District Boundary
2.3	Permitted Uses	4.2	Permitted Uses
2.4	Required Permits	2.8	Required Permits
2.5	Forms of Property Ownership	1.3	Application
2.6	Non-Conforming Use and Bulk	4.4	Non-Conforming Use and Bulk
2.7	Lot Area Minimum	11.1	Lot Area Minimum
2.8	Undersized Lots, Adjacent	11.2	Undersized Lots
2.9	Undersized Lots, Other	11.2	Undersized Lots
2.10	Private and Paper Streets	11.3	Lots on Private and Paper Streets
2.11	Gasoline Sale Places	5.3.12	Gas Stations
2.12	Prohibited Uses	4.3	Prohibited Uses
2.13	Performance Standards	12.1, 12.2	Performance Standards for Non-Residential Uses, Performance Standards for All Uses
2.14	Small Accessory Structures	6.3.9	Minor Accessory Building
2.15	Architectural Design Review	17.1	Architectural Design Review
2.16	Design Review Requirements	17.1.9	Planning and Zoning Commission Submissions
2.17	Keeping of Hens	6.3.8	Keeping of Hens

27th Edition Section #	27th Edition Section Name	28th Edition Section #	28th Edition Section Name or *Notes*
3.1	Residential GBR-130, RC-120 Zones	2.1, 5.1, 6.1, 7.1-7.10	Residential Base Zoning Districts, Principal Use Summary Table: Residential Zones, Accessory Use Summary Table: Residential Zones
3.2	Residential RR-80, RA-40 Zones		
3.3	Residential RM-20, RM-15, RH-10 Zones		
3.4	Residential RA-20, RA-15 Zones		
4.1	Development Area (DB-5)	2.2, 5.2, 6.2, 8.2-8.10	Commercial and Industrial Base Zoning Districts, Principal Use Summary Table: Commercial and Industrial Zones, Accessory Use Summary Table: Commercial and Industrial Zones
4.2	Convenience Shopping (CS-5)		
4.3	Local Shopping (LS-5)		
4.4	General Commercial (GC-60)		
4.5	Tourist Commercial (TC-80)		
4.6	Marine Commercial (MC-80)		
4.7	Manufacturing (M-1)		
4.8	Light Industry (LI-130)		
4.9	Highway Interchange Zone (HI-60)		
4.10	Heritage Mill (HM)	2.1, 5.2, 6.2, 8.11, 8.12	Commercial and Industrial Base Zoning Districts, Principal Use Summary Table: Commercial and Industrial Zones, Accessory Use Summary Table: Commercial and Industrial Zones
4.11	Pawcatuck Village (PV-5)		
5.1	Conflict	—	*Eliminated*
5.1.1	Residential Zone Bulk Requirements	7.1	Residential Zone Bulk Requirements
5.1.2	Residential Zones: Permitted, Accessory & Special Uses	5.1, 6.1	Principal Use Summary Table: Residential Zones, Accessory Use Summary Table: Residential Zones
5.2.1	Commercial / Industrial Zone Bulk Requirements	8.1	Commercial / Industrial Zone Bulk Requirements
5.2.2	Commercial / Industrial Zones: Summary of Permitted, Accessory & Special Uses	5.2, 6.2	Principal Use Summary Table: Commercial and Industrial Zones, Accessory Use Summary Table: Commercial and Industrial Zones
6.1	Special Use Permits – General	15.2	Special Use Permits
6.2	Phasing Requirements	15.2.5	Phasing Requirements
6.3	Conceptual Review for Projects Over 30 Units	15.2.6	Conceptual Review for Projects over 30 Units
6.4	Standards for Granting a Special Use Permit	15.2.7	Standards for Granting a Special Use Permit
6.5	Commission Powers Relative to Action on a Special Use Permit	15.2.8	Commission Powers Relative to Action on a Special Use Permit

27th Edition Section #	27th Edition Section Name	28th Edition Section #	28th Edition Section Name or *Notes*
6.6	Specific Standards and Requirements – Special Use Permits	5.3	Use Specific Regulations: Principal Uses
7.1	Accessory Dwelling Units	6.3.2	Accessory Dwelling Units
7.2	Groundwater Protection Overlay District	9.1	Groundwater Protection Overlay District
7.3	Coastal Area Management Overlay District	9.2	Coastal Area Management Overlay District
7.4	Construction Standards	12.6	Construction Standards
7.5	Wetlands Proration	12.9	Wetlands Proration
7.6	Erosion and Sedimentation Control Standards	12.8	Soil Erosion and Sedimentation Control Requirements
7.7	Flood Hazard Overlay District	9.3	Flood Hazard Overlay District
7.8	Residential Use Growth Management	—	*Eliminated*
7.9	Minimum Residential Standards – All Districts	—	*Eliminated*
7.10	Off-Street Parking Requirements	13	Off-Street Parking
7.11	Rear Lots	11.4	Rear Lots
7.12	Sign Regulations	14	Sign Regulations
7.13	Stormwater Drainage Design	15.3.7	Type 2 Site Plan Requirements
7.14	Solar Access Regulations	12.10	Passive Solar Access
7.15	Swimming Pools	6.3.17	Swimming Pools
7.16	Yard and Street Classifications	—	*Eliminated*
7.17	Telecommunications Antennas and Towers	12.11	Telecommunications Antennas and Towers
7.18	Seasonal Marina Structures	6.3.13	Seasonal Marina Structures
7.19	Industrial Heritage Re-Use District (IHRD)	2.4, 10.1	Floating Zone Districts, Industrial Heritage Re-Use District (IHRD)
7.20	Maritime Heritage District (MHD)	2.4, 10.2	Floating Zone Districts, Maritime Heritage District (MHD)
7.21	Neighborhood Development District (NDD)	2.4, 10.3	Floating Zone Districts, Neighborhood Development District (NDD)
7.22	Renewable Energy Systems	6.3.15	Small Wind Energy Systems
7.23	Greenway Development District (GDD)	2.4, 10.4	Floating Zone Districts, Greenway Development District
7.24	Agricultural Heritage District (AHD)	2.4, 10.5	Floating Zone Districts, Agricultural Heritage District (AHD)
8.1	Interpretation	1.4	Interpretation
8.2	Zoning Permits	15.1	Zoning Permits

27th Edition Section #	27th Edition Section Name	28th Edition Section #	28th Edition Section Name or *Notes*
8.3	Site Plan Submissions – Review and Approval	15.3	Site Plans and Site Plan Applications
8.4	Site Plan Requirements		
8.5	Commission Action	15.9	Commission Action on a Site Plan or Special Use Permit
8.6	Bonding Requirements	15.3.9, 15.4	Bond Requirements, Bonds
8.7	Application Fee Schedule	18	Application and Inspection Fees
8.8	Impact Statement	16.3	Impact Statements
8.9	Public Hearings	17.2	Public Hearings
8.10	Zoning Board of Appeals	17.3	Zoning Board of Appeals
8.11	Penalty and Enforcement	1.11.2	Penalty and Enforcement
9.1	Validity and Severability	1.6	Validity and Severability
9.2	Savings Clause	1.7	Savings Clause
9.3	Official Copy	1.8	Official Copy
9.4	Amendments	3	Amendments
A.1	Acronyms	22	Abbreviations
A.2	Zoning Amendment History	A	Appendix
A.3	Planning & Zoning Fee Ordinance	18, A	Application and Inspection Fees

Eliminated Sections

The following table provides an itemized summary of 27th Edition sections of the regulations that were not included in the 2023 (28th Edition) regulations.

27th Edition Section #	Name/Description of Section Eliminated	Purpose Eliminated
5.1	Conflict / Addresses potential inconsistencies between use tables and use sections.	No longer needed due to regulation of uses only through a use table.
6.6.16.3	Fire lane requirements	Fire lane requirements are purview of Fire Marshal and/or municipal ordinance.
7.8	Residential Use Growth Management	Not actively used by the Town due to difficulty in tracking development and uncertain statutory authority to regulate growth in this way.
7.9	Minimum Residential Standards – All Districts / established residential unit sizes for use in calculating FAR.	Not needed for purpose of calculating FAR.
8.2.5	Permit for uses subject to performance standard procedure.	As written would suggest that all Zoning Permit and certificate of zoning compliance applications should be referred to the Planning and Zoning Commission. This is not the intended practice.

Regulation Text Amendments

The following table provides an itemized summary of all amendments to the originally effective 1961 (27th Edition) zoning regulations that modify requirements by being more permissive or less permissive. The table also provides an itemized summary of new regulations.

28th Edition Section #	Description of Change	Purpose
4.3.A.4	Excludes small-scale craft operations from prohibited soap making uses.	Allow small and at-home craft businesses.
4.3.C.D	Specifies that the keeping, breeding, or raising of animals for fur is prohibited and that the keeping, breeding, or raising of rodents and primates for laboratory or commercial purposes is prohibited. Removes prohibition on raising and keeping of rabbits and pigs.	Allow for the keeping of rabbits and pigs.
4.4.6	Now allows for modifications required by, and strictly adherent to, building codes or FEMA standards.	Provide more flexibility to allow for compliant reconstruction without requiring P&Z Commission approval.
4.4.6.B	Now requires non-conforming uses and structures to be subject to Planning and Zoning Commission approval if located within 100 feet of the following coastal areas: tidal wetlands, coastal bluffs and escarpments, and beaches and dunes.	Requested by CT DEEP to ensure conformity with coastal zone requirements.

28th Edition Section #	Description of Change	Purpose
5.1	Added group child care home as a permitted use.	Required by Public Act 23-142 and changes to CGS 8-2(d) effective 10/1/23.
5.2	Change permit requirement of Family Day Care Center (now Family Day Care Home) from Special Use Permit or Site Plan Application to Zoning Permit	Comply with CGS Sec. 8-2(d) and CGS Sec. 8-3j.
5.2	Add Group Child Care Home as permitted use where residential development is permitted.	Required by Public Act 23-142 and changes to CGS 8-3j effective 10/1/23.
5.2	Eliminated board and tourist homes from permitted uses.	Not an active use in the districts where permitted.
5.3.3	Added requirements for an application for a certificate of location approval by ZEO for auto service or auto sales establishments.	Statutory requirement.
5.3.10	Removed requirement that dog daycare or training centers be located in a standalone building.	Allow in multi-tenant buildings.
5.3.20.E.2	Allows required open space within an open space development to be located in up to two discrete areas. Prior regulation required open space to be located entirely in one area unless waived by the Commission.	Allows more flexibility in design and preservation of separated areas of a site by right rather than by Commission discretion.
5.3.25.D	Delineates where residences may and may not be located by limiting street-facing first floors to commercial uses.	Clarifies where residential uses are permitted. Prior regulation could have been interpreted to restrict dwelling units to upper floors or separate buildings only.
5.3.26.A	Changed Special Use Permit requirement from changes of business name to change of business type.	Eliminates Special Use Permit requirement for restaurants that change names but do not increase the intensity of business conducted.
5.3.26.A	Eliminated Special Use Permit requirement for kitchen expansions and rephrased to require Special Use Permits for changes that intensify the restaurant use.	Removes requirement of Special Use Permit if improvements do not intensify use.
6.3.2	Eliminated minimum unit size of accessory dwelling units.	Public Act 21-29 prohibits minimum unit sizes.
6.3.2	Eliminated servant or guest accommodations as an accessory use distinct from accessory dwelling units.	Treat these units the same as accessory dwelling units.
6.3.2.C	Increased floor area allowance of ADU from 33% of total floor area of primary structure to 50%.	Improve feasibility of development of units.
6.3.2.J	Clarified curb cut allowance and modify to allow a second curb cut for through lots.	Allow for ADU access from another street.
6.3.9.A	Increased permitted size of minor accessory building from 100 sf to 200 sf.	Aligns with the Building Permit requirement, which applies to structures 200 sf or more.

28th Edition Section #	Description of Change	Purpose
6.3.10	Revised to require Special Use Permit for parking lot additions of 20 or more parking spaces.	Prior regulation was unclear about Special Use Permit threshold for expansions.
6.3.16.A	Restricts commercial vehicle parking by weight instead of by payload.	Gross vehicle weight is a more commonly used standard.
6.3.4	Removed restrictions on area of dance floor.	Not relevant to the purpose of the regulations of amplified entertainment.
8.10.1.F	Removed reference to excellence in building design and provided more specific criteria for reduced buffer yard requirements.	Excellence in building design reference was vague and subjective.
10.5.4.B	Added allowance for parcels under common ownership located on opposite sides of a right of way to be considered contiguous provide 500 feet of frontage is shared.	Provide more flexibility for parcels under common ownership to qualify for establishment of AHD.
12.2.7	Added reference to State Noise Control Plan and US EPA Noise Control Act.	Local noise standards are not permitted to exceed State or EPA limits.
12.4.4	Provides regulations for installation or construction of a ramp for mobility impaired users or for ADA compliance, including conditions to allow location in front yard setbacks.	Prior regulation prohibited installation or construction of a ramp within front yard setback.
12.4.10	Added regulation of small mechanical equipment.	Allow and regulate condenser units and generators located in required setbacks.
13.2.1	Revised to require a parking assessment to demonstrate that maximum number of spaces is insufficient to place a limit of 25% above permitted maximum.	Place limit on the amount of parking that can be added and provide basis for Zoning Commission discretion.
13.3.4	Revised parking lot layout standards.	Improve standards to more closely match actual space requirements and reduce excessive space required.
13.5	Added electric vehicle charging requirement.	Comply with CT Clean Air Act PA No. 22-25 (c)
13.7.C	Reduced minimum number of loading berths required.	Prior requirement was excessive and often waived due to being impractical.
15.1.2	Added requirement for staking of new construction prior to issuance of Zoning Permit.	Ensure that new construction is properly located and in compliance with standards.
15.1.3	Added requirement for an as-built site plan to be provided prior to issuance of a certificate of zoning compliance.	Ensure that a building or structure is in conformance with standards.
15.1.4	Added compliance requirements and right of Town to revoke permits.	Ensure that development and construction is conducted in

28th Edition Section #	Description of Change	Purpose
		compliance with permits and standards.
15.4.1.A	Reduced contingency requirement of from 15% to 10%.	Limited to 10% by CT Statute.
15.4.1.A	Removed restriction on use of passbooks for a performance security.	CT Statute requires the acceptance of passbooks.

Zoning Terminology Definitions

The table below provides a comprehensive list of all zoning terminology definitions that are revised or are new to the 2023 (28th Edition) regulations . Where revised, the prior (27th Edition) definition is provided for reference.

Term	New or Revised	27th Edition Definition
Accessory Building	New	
Accessory Structure	New	
Accessory Use	New	
Addition	New	
Alteration	New	
Antenna	Revised	Shall mean any exterior apparatus designed for telephonic, radio, or television communications through the sending and/or receiving of electromagnetic waves.
Arcade	Revised	Any building or premise which contains 3 or more electronic and/or mechanical pinball and/or video machines.
Attached Dwelling	New	
Automobile	New	
Bedroom	New	
Berm	New	
Caliper	New	
Certificate of Occupancy (CO)	New	
Change of Use	New	
Commercial Vehicle	New	
Deck	New	
Detached Dwelling	New	
Detached Structure	New	
Drainage	New	
Dwelling	New	
Earth	New	
Easement	New	

Term	New or Revised	27th Edition Definition
Enlarge or Enlargement	New	
Excavation	New	
Evergreen Tree	New	
Expansion	New	
Farm	New	
Fence	New	
Filling	New	
Finished Grade	New	
Garage	New	
Finished Grade	New	
Glare	New	
Grade	New	
Grading	New	
Ground Cover	New	
Height, Tower or Structure	Revised	Shall mean, when referring to a tower or other structure, the distance measured from ground level to the highest point on the tower or other structure, even if said highest point is an antenna.
Lamp	New	
Landscaping	New	
Kitchen	New	
Motor Vehicle	New	
New Construction	Revised	Structures for which the "start of construction" commenced on or after, December 28, 1961, and included any subsequent improvements of such structures.
Open Space	New	
Office	New	
Parapet	New	
Parking Area	New	
Parking Lot	New	
Parking Space, Off-Street	New	
Porch	New	
Pre-Existing Tower or Antenna	New	

Term	New or Revised	27th Edition Definition
Principal Structure	New	
Principal Use	New	
Recreation Vehicle	Revised	A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projection; (3) designed to be self propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.
Right of Way, Street	New	
Setback	New	
Shoreline Flood and Erosion Control Structures	New	
Special Detached Banner	New	
Special Detached Sign	New	
Story	New	
Terrace or Patio	New	
Watercourse	New	
Yard	New	

Use Definitions

The table below provides a comprehensive list of all use definitions that are revised or are new to the 2023 (28th Edition) regulations . Where revised, the prior (27th Edition) definition is provided for reference.

Use	New or Revised	27th Edition Definition
Accessory Alcohol Sales	New	
Agriculture or Homemaking Educational/Training Projects	New	
Amplified Entertainment	New	
Aquaculture	Revised	The farming of the waters of the State and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands.
Assisted Living	New	

Use	New or Revised	27th Edition Definition
Auto Service	New	
Auto Sales	New	
Bait and Tackle Sales	New	
Bank	New	
Bed and Breakfast Facility	New	
Billiard Parlor	New	
Boat Fabrication	New	
Boat Part Sales	New	
Boat Repair	New	
Boat Sales	New	
Bowling Alley	New	
Bulk Storage	New	
Cemetery	New	
Crematorium	New	
Church or Place of Worship	New	
Coal Yards and Oil Tanks	New	
Commercial Kennel	New	
Commercial Recreation	New	
Commercial Stable	New	
Community Center	New	
Community Residence	New	
Compounding	New	
Elementary or Secondary School	New	
Excavation Operation	New	
Fabrication	New	
Family Child Care Home	Revised	A private residence where care, protection and supervision are provided for a fee to no more than six children, including preschool children of the household itself.
Farm Stand	New	
Funeral Home or Mortuary	New	
Garages	New	
Gas Station	New	

Use	New or Revised	27th Edition Definition
Golf Course	New	
Group Child Care Home	New	
Hotel	Revised	A building or group of buildings providing rooms without cooking facilities for transient lodging, where at least 75 percent of the rooms have primary access through a main lobby. Hotels may have the following ancillary services: restaurants, meeting rooms, retail stores and recreational facilities. Hotel use is subject to the standards and requirements of Section 6.6.10. Suite type units, containing cooking facilities and no more than two bedrooms, are included in this definition, provided that the suites are specifically intended, designed and approved for such use.
Indoor Boat Storage	New	
Keeping and Breeding of Livestock	New	
Keeping of Domestic Animals	New	
Laundromat	New	
Lumber Mill	New	
Microbrewery/Brewpub	Revised	A small scale facility used for the brewing, bottling, production, sale and/or consumption of beer and food. Activities include (1) wholesale and retail sale of beer and related items to the extent allowable under State statute; (2) a tasting room or area; (3) beer sales for consumption off-premises; (4) beer sales for consumption on-premises; (5) tours; (6) beer/food events, catered and otherwise; (7) beer themed restaurant in accordance with 6.6.16 (Restaurants and/or Liquor Sale Places for Consumption on Premises). The production area for brewing shall not exceed 3,000sq. ft.
Minor Accessory Building	New	
Municipal Facility	New	
Non-Profit Associations/ Clubs/ Museums/ Art Institutions	New	
Office Building	New	
Parking, Shared	New	
Private Kennel	New	
Processing of Agricultural Products	New	
Processing of Products Grown on Premises	New	
Public Utility Structures and Facilities	New	
Recreational Facilities	New	

Use	New or Revised	27th Edition Definition
Recreational Facilities Accessory to a Commercial or Manufacturing Use	New	
Recreational Facilities Accessory to an Institutional Use	New	
Recreational Facilities Accessory to a Residential Use	New	
Recreational Vehicle Camp	New	
Rehabilitation of Existing Buildings	New	
Research and Development	New	
Residential, Mixed-Use	New	
Retail Establishment	New	
Self-Storage Facility	New	
Shed	New	
Special Vehicle Parking	New	
Storage (incidental) of Goods and Supplies	New	
Swimming Pool	New	
Temporary Drive-In Theater Event	New	
Temporary Health Care Structure	New	
Theater	New	
Warehousing	New	
Wholesale Establishment	New	
Winery	Revised	At least five acres of land that is used for growing, bottling, and the production of wine and wine products, and may include activities such as: (1) retail sale of wine and related items; (2) a tasting room; (3) wine sales by glass or bottle; (4) art gallery; (5) meetings; (6) wine tastings; (7) tours; (8) private weddings/banquets; (9) wine/food events; (10) wine festivals; and (11) catered events, provided said activities are specifically authorized by the Planning and Zoning Commission.

Use	New or Revised	27th Edition Definition
Yacht Club	Revised	An association of yachtsmen organized to promote, organize, and regulate a yachting facility.
Wooden Boat Restoration	New	

Appendix 2: Record of Amendments

This appendix provides a record of amendments made to the regulations subsequent to the 2023 Comprehensive Rewrite (28th Edition).

Effective Date	Section #	Description
4/22/24	8.1	Applied footnote A to the Minimum Frontage requirement of the TC-80 to exempt property lines abutting I-95 from being treated as street lines for the purpose of determining yard setbacks and frontage.
4/22/24	8.6.1.A	Added language to exempt property lines abutting I-95 and/or I-95 ramps from the buffer requirement in the TC-80 zone.
4/22/24	8.6.1.B	Added language to stipulate that minimum buffer requirements shall not be applied to property lines where a hotel use abuts an adjacent hotel use in the TC-80 zone.
5/27/24	5.1	Removed "restaurant" as a permitted use in the RR-80 and RR-40 zones. This use had been transcribed into the use table by error during the 2023 comprehensive rewrite. A restaurant was never a permitted principal use in those zones.
5/27/24	8.12.1	Corrected the maximum density allowed for mixed-use residential from 1 unit per 10,000 sf to 1 unit per 1,000 sf to restore the density that was permitted in the 27th edition of the zoning regulations. The density requirement had been transcribed in error into the 28th edition of the regulations.
5/27/24	13.3.3	Reworded the use/activity label of "Day Care Center (all types)" in the parking requirements table to "Day Care Center", thus removing reference to "all types" so as not to apply the parking standards for commercial Day Care Centers to Family or Group Child Care homes. Connecticut Public Act 23-142, effective October 1, 2023, prohibits any aspect of a zoning regulation from treating a family or group child care home differently from a single-family or multi-family dwelling; this includes parking requirements.

Appendix 3: Town of Stonington Planning and Zoning Fee Ordinance

WHEREAS, the Town of Stonington receives many land use applications which require review and inspections and such review and inspections are necessary for the protection of the public health, safety, and welfare; and

WHEREAS, said applications require the review by Town Officials, Town Attorneys, and experts retained by the Town; and

WHEREAS, General Statute Section 8-1c allows a municipality to establish a schedule of reasonable fees for the processing of applications by land use agencies.

NOW THEREFORE BE IT ORDAINED, that in accordance with Connecticut General Statute Section 8-1c fees for municipal land use applications for the Town of Stonington are set forth as follows:

Section 1: Purpose.

This ordinance is adopted pursuant to the authorization of Section 8-1c of the General Statutes of the State of Connecticut which authorizes any municipality, by ordinance, to establish a schedule of reasonable fees for the processing of applications by a municipal zoning commission, planning commission, combined planning and zoning commission or zoning board of appeals. It is the stated policy of this ordinance to effect the following:

1.1 To establish a schedule of fees whereby the approximate administrative costs for reviewing, evaluating, and processing such applications are covered by such fees;

1.2 To ensure that the system of fees does not include municipal expenses incurred in negotiating with applicants for agreements, conveyances, conditions, modifications or any other concessions desired by the municipality during the application process;

1.3 To encourage applicants to become familiar with municipal zoning and development regulations, to submit applications which comply with applicable regulations, and to submit plans, applications and proposals with fewer errors and omissions, thereby reducing municipal processing costs.

Section 2: Definitions.

2.1 Subdivision Application. Any subdivision application to the Planning and Zoning Commission including, but not limited to, an application for any of the following: subdivision or resubdivision, or application for amendment or revision to same.

2.2 Review, Evaluation and Processing. Review, evaluation and processing is to include all functions performed in connection with, or associated with, an application, by the Planning and Zoning Commission, the Zoning Board of Appeals, and any other Department of the Town of Stonington or any consultant hired by the Town to review, evaluate or process applications, including but not limited to:

2.2.1 Legal advertisements regarding public hearings;

2.2.2 Recording and transcribing public hearings and minutes of the Planning and Zoning Commission and the Zoning Board of Appeals meetings relative to the application;

2.2.3 Staff salaries and overhead expenses for the Town Planner, Town Sanitarian, and other Town Officials, and consultant expenses in direct connection with the technical and regulatory review;

2.2.4 The Town Attorney fees in direct connection with legal advice and review of documents directly related to the subdivision;

2.2.5 Decisions of the Planning and Zoning Commission and the Zoning Board of Appeals and other matters requiring publication in a newspaper.

2.3 Applicant. Any person, corporation, partnership or other entity who submits a subdivision application, or an application for any other permit or approval, authorized by the Stonington Subdivision Regulations or Zoning Regulations, or a successor in interest.

Section 3: Fees Charged for Applications.

3.1 Use Permits by Right / Additions

3.1.1	Additions up to and including 1,000 Square Feet (sf)	$50.00	plus $10.00 per 100 sf of gross floor area
3.1.2	Additions of 1,001 sf and greater	$200.00	plus $10.00 per 100 sf of gross floor area
3.1.3	Application renewal	$25.00	
3.1.4	Detached garage	$100.00	
3.1.5	Home occupation	$50.00	
3.1.6	Other new construction/reconstruction	$50.00	
3.1.7	Pools	$25.00	
3.1.8	Renovations	$50.00	
3.1.9	Sheds up to and including 200 sf	$25.00	
3.1.10	Sheds greater than 200 sf	$100.00	
3.1.11	Signs up to and including 18 sf	$25.00	
3.1.12	Signs greater than 18 sf	$100.00	
3.1.13	New multi-tenant signage program	$250.00	
3.1.14	Modification to a multi-tenant signage program	$110.00	
3.1.15	Single-family residence: new construction / reconstruction	$250.00	plus $25.00 per 100 sf of gross floor area

3.2 Site Plan Review and Modifications

3.2.1	Single-family residential dwelling unit in commercial zone	$200.00	
3.2.2	Attached housing of any size, commercial/ industrial and institutional up to and including 5,000 sf	$200.00	plus $50.00 per 1,000 sf of gross floor area
3.2.3	Commercial/industrial and institutional 5,001 sf up to and including 25,000 sf	$500.00	plus $50.00 per 1,000 sf of gross floor area
3.2.4	Commercial/industrial and institutional 25,001 sf and greater	$2,000.00	plus $10.00 per 1,000 sf of gross floor area

3.3 Special Use Permits

3.3.1	Attached housing of any size, commercial/ industrial and institutional up to and including 5,000 sf in gross floor area	$500.00	plus $100.00 per 1,000 sf of gross floor area
3.3.2	Commercial/industrial and institutional from 5,001 sf up to and including 25,000 sf in gross floor area	$1,000.00	plus $50.00 per 1,000 sf of gross floor area
3.3.3	Commercial/industrial and institutional greater than 25,000 sf in gross floor area	$2,000.00	plus $25.00 per 1,000 sf of gross floor area

3.4 Nonconforming Uses

3.4.1	Change of nonconforming use	$300.00	

3.5 Amendments

3.5.1	Zoning Regulation amendment	$500.00	
3.5.2	Zone change (zoning map amendment)	$250.00	plus $100.00 per lot

3.6 Coastal Area Management

3.6.1	Single-family residential dwelling unit	$150.00	
3.6.2	Attached housing of any size, commercial/ industrial and institutional up to and including 5,000 sf of gross floor area	$500.00	
3.6.3	Subdivisions	$200.00	plus $100.00 per lot

3.6.4	Commercial/industrial and institutional 5,001 sf up to and including 25,000 sf of gross floor area	$1,000.00	
3.6.5	Commercial/industrial and institutional 25,001 sf of gross floor area and greater	$2,000.00	
3.6.6	Variance	$100.00	

3.7 Subdivisions

3.7.1	Preliminary subdivision	$200.00	
3.7.2	Subdivision and resubdivision		
.1	Base fee	$500.00	plus:
.2	2-20 lots, plus base fee	$225.00	per lot
.3	21-50 lots, plus base fee	$200.00	per lot
.4	51 plus lots, plus base fee	$175.00	per lot
.5	Inspection fee	$50.00	per lot
.6	Engineering review for storm drainage, utilities and new road (payable at the time a subdivision application is filed)	$500.00	plus $1.00 per linear foot of road
.7	Inspection and supervision of infrastructure construction (payable at the time a zoning permit application is filed)	5%	of estimated cost

3.8 Variances

3.8.1	Base fee	$200.00	
3.8.2	Per bulk item to be varied	$100.00	

3.9 Other Fees

3.9.1	Bond reduction	$100.00	
3.9.2	Groundwater protection	$250.00	

3.9.3 Additional costs. In addition to the fixed fees set forth under this section, the Town of Stonington will collect payment for direct costs of materials and services performed by professionals, other than Town employees, including but not limited to specialized inspection, third party professional certifications, legal, stenographic and transcription services associated with an application, or require an

applicant to provide certifications, inspections, and/or professional consultant reports at the applicant's expense. The payment of additional costs shall not prohibit the Town of Stonington from requiring performance or forfeiture bonds to ensure the successful completion of all work as may be prescribed in the respective land use regulations.

3.9.4 Reapplication fee. A reapplication fee shall be paid in lieu of the fees provided for herein when an applicant previously paid the fees as required in this ordinance within the last five months but said application was withdrawn.

The reapplication fee applies only to applications for the new construction of, reconstruction of, renovation of, or additions to a single-family residence and uses accessory to that single-family residence; it does not apply to applications for variances from the Zoning Board of Appeals.

The reapplication fee is fifty dollars ($50.00) for applications for the new construction of, reconstruction of, or an addition to, a single-family residence and fifty percent (50%) of the original applications for renovations to, and uses accessory to, a single family residence.

3.9.5 The fees listed in this ordinance are exclusive of the Application Fee for municipal planning, zoning, wetlands and coastal management applications required by the Connecticut General Statutes Section 22a-27j.

3.9.6 Disposition of fees and costs. The Town fees and costs established by this Ordinance shall be payable to the Town of Stonington for its General Fund.

Section 4: Severance Clause.

This ordinance and the various parts hereof are declared to be severable; and if any part, sentence, section or clause is adjudged to be invalid, it is hereby provided that the remainder of this ordinance shall not be affected hereby and shall remain in full force and effect.

Section 5: Repeal.

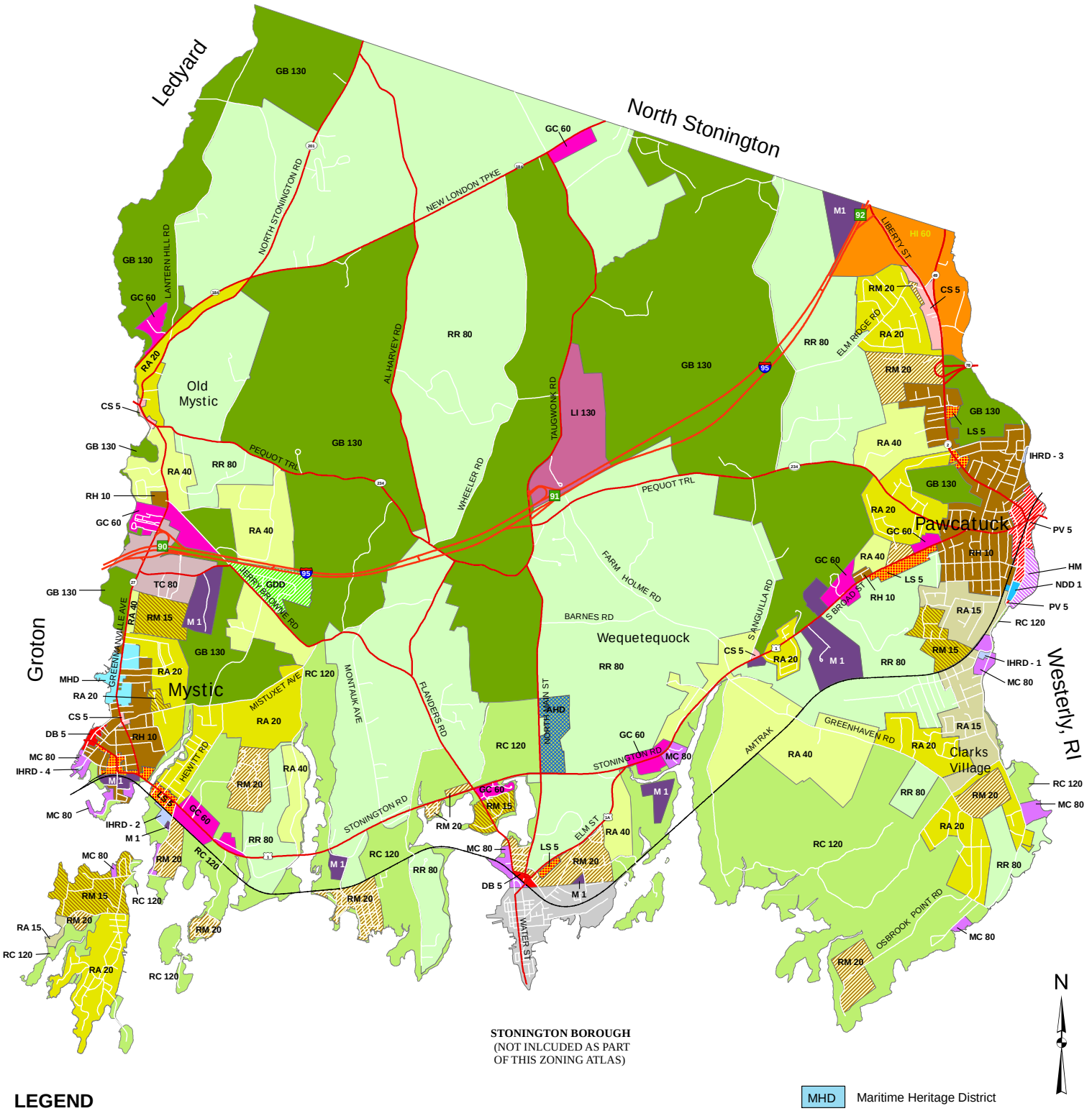
All ordinances or parts of ordinances, resolutions, regulations or other documents inconsistent with the provisions of this ordinance are hereby replaced to the extent of such inconsistency.

Section 6: Effective Date.

This ordinance shall become effective 15 days after publication in a newspaper pursuant to the provisions of Section 7-157 of the General Statutes of the State of Connecticut.

Adopted: November 20, 2007

Effective Date: December 11, 2007



STONINGTON BOROUGH
(NOT INLCUDED AS PART OF THIS ZONING ATLAS)

LEGEND

- CS 5 — Commercial CS-5
- DB 5 — Commercial DB-5
- LS 5 — Commercial LS-5
- GC 60 — Commercial GC-60
- HI 60 — Commercial HI-60
- MC 80 — Commercial MC-80
- TC 80 — Commercial TC-80
- M 1 — Industrial M-1
- LI 130 — Industrial LI-130
- RH 10 — Residential RH-10
- RA 15 — Residential RA-15
- RM 15 — Residential RM-15
- RA 20 — Residential RA-20
- RM 20 — Residential RM-20
- RA 40 — Residential RA-40
- RR 80 — Residential RR-80
- RC 120 — Residential RC-120
- GB 130 — Residential GBR-130
- MHD — Maritime Heritage District
- IHRD — Industrial Heritage Re-Use District
- NDD — Neighborhood Development District
- AHD — Agricultural Heritage District
- GDD — Greenway Development District
- HM — Heritage Mill District
- PV 5 — Pawcatuck Village District

STONINGTON
Department of Planning

Zoning Map Atlas

Planning and Zoning Commission, Town of Stonington, Connecticut

Zoning Map

Roadways and Zoning Districts

Effective July 20, 1961 as amended through September 19, 2017

0 0.5 1 2 Miles

Data: Stonington GIS / Projection: Connecticut State Plane NAD83